

FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WATKINS FARM

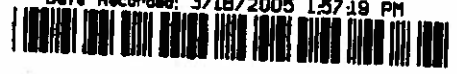
The Declaration of Covenants, Conditions and Restrictions for Watkins Farm, dated June 11, 2003, recorded at Reception No. B3133279, Arapahoe County Clerk & Recorder, is amended by the addition of the following:

1-16

ARTICLE XII WATER SUPPLY

1. Each Lot will be served by an individual well constructed into the Denver, Upper Arapahoe, or Lower Arapahoe aquifer pursuant to the terms and conditions of Case No. 97CW398, District Court, Water Division 1 (the "Water Decree"). A copy of the Water Decree is attached to and is a part of these covenants. The right to divert and use a proportionate amount of the ground water from each of the aquifers identified in the Water Decree is, subject to the terms of the Water Decree, appurtenant to each Lot, EXCEPT all rights to ground water from the Laramie Fox Hills aquifer are reserved to the Association.
2. Use of all wells is governed by the Water Decree, and all Owners are subject to the jurisdiction and enforcement powers of the Colorado State and Division Engineers. Each Owner is responsible for obtaining a well permit for, and constructing his own well. Each well shall be equipped with a totalizing flow meter with an exterior readout, so the Association and state water officials can read the meter without entering the home. The Association is granted a right of access during reasonable hours to read meters.
3. Withdrawals from each well are limited to a rate of flow of 15 gallons per minute and a volume of 0.6 acre-feet per year, total for all inhouse and irrigation use. (0.6 acre-feet = 195,510 gallons) The area irrigated on each Lot shall not exceed 4000 square-feet. Wastewater treatment must be by non-evaporative septic and leach field systems.
4. As provided in paragraphs 11 and 12.A of the Water Decree, the Association shall be responsible for operation of the augmentation plan and shall provide a summary of annual withdrawals from all wells to the Division Engineer for Water Division 1. Such report must be provided to the Division Engineer by February 28th for the prior calendar year. Failure of the Association to report to the Division Engineer may result in curtailment of well use by the Division Engineer.
5. To prepare the annual report to the Division Engineer, each Owner shall provide to the Association a reading of the meter for their well taken at the end of the prior year, and a calculation of the amount of water pumped during the prior year in gallons. Also, each Owner shall provide to the Association a measurement or estimate of the amount of area irrigated on the Lot. (If no irrigated area is reported, it is assumed that the maximum area of 4000 square-feet is being irrigated).

Arapahoe County Clerk & Recorder, Nancy A. Doty
 Reception #: B5039533
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**FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
WATKINS FARM**

- 6. The Association will provide in its annual report to the Division Engineer the lot numbers and addresses of each Lot which failed to provide a meter reading and calculation as required above. Well use on any noncomplying Lot may be subject to curtailment by the Division Engineer.**
- 7. Expenses associated with operating the augmentation plan, measuring water use, accounting and reporting, enforcement, protection of water rights, and amendment of the Water Decree are Common Expenses payable from Assessments under Article IV.**
- 8. Pursuant to the Water Decree, Declarant has conveyed to the Association all rights to ground water from the Laramie Fox Hills aquifer. The Association shall reserve 51 acre-feet per year of such ground water for use in the augmentation plan. The Association shall be responsible for replacement of post-pumping depletions, if necessary. The rights to Laramie-Fox Hills aquifer ground water are Common Elements.**

DISTRICT COURT, WATER DIVISION 1, COLORADO

Case No. 97CW398

FILED IN
DISTRICT COURT
OCT 15 1998
WELD COUNTY, COLORADO

FINDINGS OF FACT, CONCLUSIONS OF LAW, RULING OF THE REFEREE,
JUDGMENT AND DECREE

CONCERNING THE APPLICATIONS FOR WATER RIGHTS OF WATKINS FARM
LIMITED LIABILITY COMPANY,

IN THE NONTRIBUTARY UPPER AND LOWER ARAPAHOE AND LARAMIE-FOX
HILLS AND THE NOT NONTRIBUTARY DENVER AQUIFERS,

IN ARAPAHOE COUNTY.

This claim for nontributary and not nontributary ground water and approval of plan for augmentation, having been filed on December 31, 1997, and all matters contained in the application having been reviewed, and testimony having been taken where such testimony is necessary, and such corrections made as are indicated by the evidence presented herein, the following is hereby the Ruling of the Referee:

FINDINGS OF FACT

1. Name, address and telephone number of Applicant:

Watkins Farm Limited Liability Company
c/o 9600 E. Arapahoe Road, #260
Englewood, Colorado 80112
(303) 790-8500

2. Objections: No statements of opposition were filed and the time for filing of such statements has expired.

3. Subject matter jurisdiction: Timely and adequate notice of the application was published as required by statute, and the Court has jurisdiction over the subject matter of this proceeding and over the parties affected hereby, whether they have appeared or not.

APPROVAL OF GROUND WATER RIGHTS

4. Aquifers and location of ground water: Applicant seeks a decree for rights to all ground water recoverable from the nontributary Denver and nontributary Upper Arapahoe, Lower Arapahoe, and Laramie-Fox Hills aquifers underlying approximately 369.84 acres of land, located in parts of Sections 5 and 6, Township 4 South, Range 64 West of the 6th P.M., as more particularly described and shown on Attachment A hereto ("Subject Property"). Applicant is the owner of the Subject Property and such land is not located within the boundaries of a designated ground water basin.

5. Well locations, pumping rates and annual amounts: The ground water may be withdrawn at rates of flow necessary to efficiently withdraw the amounts decreed herein. The ground water will be withdrawn through any number of wells necessary, to be located at any location on the Subject Property pursuant to Section 37-90-137(4), C.R.S. Applicant hereby waives any 600 foot spacing rule for its wells, but must satisfy Section 37-90-137(4), C.R.S. for wells owned by others on adjacent properties. The following average annual amounts are available for withdrawal subject to the Court's retained jurisdiction in this matter:

<u>Aquifer</u>	<u>Saturated Thickness</u>	<u>Amount</u>
Denver	230 feet	115.0 acre-feet (NNT)*
Upper Arapahoe	140 feet	88.0 acre-feet (NT)
Lower Arapahoe	60 feet	37.7 acre-feet (NT)
Laramie-Fox Hills	150 feet	83.2 acre-feet (NT)

*Amount reduced by 30 acre-feet per year from the amount available, which water will be available for any uses which are legally available at the time well permit applications are filed. Said 30 acre-feet annually (3000 acre-feet total) may also be available to be withdrawn through 10 wells (3 acre-feet annually for each well and 300 acre-feet total) to be located on 10 thirty-five or more acre tracts (8.11 acre-feet per surface acre).

The amounts conform with the values and amounts referenced in the State Engineer's Determination of Facts dated March 31, 1998

6. Proposed use: The water withdrawn from the subject aquifers will be used, reused, successively used, and after use leased, sold, or otherwise disposed of for the following beneficial purposes: municipal, domestic, industrial, commercial, irrigation, stock watering, recreational, fish and wildlife, and any other beneficial purpose, both on and off the Subject Property. Said water will be produced for immediate application to said uses, for storage and subsequent application to said uses, for exchange purposes, for replacement of depletions resulting from the use of water from other sources, and for augmentation purposes.

7. Final average annual amounts of withdrawal:

A. Final determination of the applicable average saturated sand thicknesses and resulting average annual amounts available to Applicant will be made pursuant to the retained jurisdiction of this Court, as described in paragraph 24 below. The Court shall use the acre-foot amounts in paragraph 5 herein in the interim period, until a final determination of water rights is made.

B. The allowed annual amount of ground water which may be withdrawn through the wells specified above and any additional wells, pursuant to Section 37-90-137(10), C.R.S., may exceed the average annual amount of withdrawal, as long as the total volume of water withdrawn through such wells and any additional wells therefor subsequent to the date of this decree does not exceed the product of the number of years since the date of the issuance of any well permits or the date of this decree, whichever is earliest in time, multiplied by the average annual amount of withdrawal, as specified above or as determined pursuant to the retained jurisdiction of the Court. However, amounts set forth in well permits will not be exceeded.

8. Source of ground water and limitations on consumption:

A. The ground water to be withdrawn from the Upper and Lower Arapahoe and Laramie-Fox Hills aquifers is "nontributary ground water" as defined in Section 37-90-103(10.5), C.R.S., and in the Denver Basin Rules, the withdrawal of which will not, within 100 years, deplete the flow of a natural stream, including a natural stream as defined in Section 37-82-101(2) and Section 37-92-102(1)(b), C.R.S., at an annual rate greater than 1/10 of 1% of the annual rate of withdrawal. The ground water to be

withdrawn from the Denver is "not nontributary" as defined in Sections 37-90-103(10.7) and 37-90-137(9)(c), C.R.S., and part of the Denver aquifer groundwater decreed herein may be withdrawn pursuant to the augmentation plan decreed herein.

B. Applicant may not consume more than 98% of the annual quantity of water withdrawn from each of the nontributary Upper and Lower Arapahoe and Laramie-Fox Hills aquifers. The relinquishment of 2% of the annual amount of water withdrawn to the stream system, as required by the Denver Basin Rules effective January 1, 1986, may be satisfied by any method selected by the Applicant and satisfactory to the State Engineer, so long as Applicant can demonstrate that an amount equal to 2% of such withdrawals from each aquifer (by volume) has been relinquished to the stream system.

C. There is unappropriated ground water available for withdrawal from the subject aquifers beneath the Subject Property, and the vested water rights of others will not be materially injured by such withdrawals as described herein. Withdrawals hereunder are allowed on the basis of an aquifer life of 100 years, assuming no substantial artificial recharge within 100 years. No material injury to vested water rights of others will result from the issuance of permits for wells which will withdraw nontributary ground water or the exercise of the rights and limitations specified in this decree.

9. Additional wells and well fields:

A. Applicant may construct additional and replacement wells in order to maintain levels of production, to meet water supply demands or to recover the entire amount of groundwater in the subject aquifers underlying the Subject Property. As additional wells are planned, permit applications shall be filed in accordance with Section 37-90-137(10), C.R.S.

B. Two or more wells constructed into the same aquifer shall be considered a well field. In effecting production of water from such well field, Applicant may produce the entire amount which may be produced from that aquifer through any combination of wells within the well field.

C. In considering applications for permits for wells or additional wells to withdraw the groundwater which is the subject of this decree, the State Engineer shall be bound by this decree

and shall issue said permits in accordance with provisions of Section 37-90-137(10), C.R.S.

D. In the event that the allowed average annual amounts decreed herein are adjusted pursuant to the retained jurisdiction of the Court, Applicant shall obtain permits to reflect such adjusted average annual amounts prior to withdrawing the adjusted amounts. Subsequent permits for any wells herein shall likewise reflect any such adjustment of the average annual amounts decreed herein.

E. The water in the Denver aquifer is not nontributary and up to 51 acre-feet per year and no more than 5100 acre-feet total of water from the Denver aquifer may be withdrawn pursuant to the augmentation plan decreed herein.

APPROVAL OF PLAN FOR AUGMENTATION

10. Approval of plan for augmentation:

A. Water to be augmented: Up to 51 acre-feet per year and no more than a total of 5100 acre-feet of not nontributary Denver aquifer groundwater decreed herein

B. Water to be used for augmentation: Return flows associated with use of the not nontributary Denver aquifer ground water and return flows or direct discharge of nontributary ground water decreed herein.

C. Development and Consumptive Use: The subject Denver aquifer ground water will be used to supply up to 85 single family residences through individual wells which will withdraw at rates of flow of 15 gpm. The wells will be limited to an annual amount of 0.6 acre-feet per year for in-house use (0.3 acre-feet) and irrigation (0.3 acre-feet/limited to outside irrigation of 4000 square-feet). Sewage treatment for the individual lots will be provided by non-evaporative septic systems. Before any other type of sewage treatment is proposed in the future, including incorporation of the lots into a central sewage collection and treatment system, Applicants, or its successors and assigns, will amend this decree prior to such change and thereby provide notice of the proposed change to other water users by publication procedures required by then existing law. Consumptive use from in-house use is estimated to be 10% of that

use and from irrigation use will be approximately 90% of that use.

D. Replacement during pumping: During pumping of the Denver ground water, Applicant will replace depletions to the affected stream system in an amount of water equal to the actual depletions pursuant to Section 37-90-137(9)(c), C.R.S. In the 100th year, the total depletion to the South Platte River stream system from pumping of the Denver aquifer is approximately 46.659% of the amount withdrawn or 23.79 acre-feet per year. Return flows from use of the water is estimated to be approximately 24.65 acre-feet per year pursuant to the uses described above, which accrue to the South Platte River stream system via Box Elder Creek. Those return flows are sufficient to replace actual depletions to the South Platte River stream system caused by pumping of up to 51 acre-feet per year from the Denver aquifer while the wells are being pumped. Because return flows from all uses are estimated rather than measured, Applicant agrees that such return flows shall be used only to replace depletions under this plan for augmentation and will not be sold, traded, or assigned in whole or in part for any other purpose.

E. Post-pumping Depletion Augmentation: Assuming maximum pumping of 51 acre-feet per year from the Denver aquifer for one hundred years, the total maximum depletion to the South Platte River stream system from pumping of the Denver aquifer water will be 46.861% or 23.89 acre-feet which occurs in the 104th year. It is Applicant's position that depletions which occur after pumping ceases are not injurious. The Office of the State Engineer does not agree with this position. Nevertheless, in order to reach settlement with the Office of the State Engineer, Applicant will reserve 51 acre-feet per year and 5100 acre-feet total of the nontributary Laramie-Fox Hills water decreed herein for use in this plan. The Court retains continuing jurisdiction in this matter to determine if the supply is adequate.

F. Applicant shall replace post-pumping depletions for the shortest of the following periods: the period provided by Section 37-90-137(9)(c), C.R.S.; the expressed period specified by the Colorado Legislature, should it specify one and providing the Applicant obtains Water Court approval for such modification; the period determined by the State Engineer, should he or she choose to set such a period and have jurisdiction to do so, or until Applicant petitions the Water Court and after notice to

parties in the case and the State Engineer's Office and proves that they have complied with any statutory requirement.

11. Applicant shall pay the cost imposed by operation of this augmentation plan until such time as Applicant or successor in interest to the Subject Property shall create a Property Owner's Association which all purchasers of the subject lots shall be required to join. Applicant shall assign to any Property Owner's Association formed to administer this decree, Applicant's interest and rights and responsibilities in and under this plan for augmentation; Applicant shall also assign to the Property Owner's Association 51 acre-feet per year and 5100 acre-feet total based on an aquifer life of 100 years of nontributary Laramie-Fox Hills aquifer groundwater as decreed herein for use in this plan for augmentation. Failure of either the Applicant or the Property Owner's Association to comply with the terms of the decree may result in an order of the Division Engineer's office to curtail or eliminate pumping of wells operating under this plan for augmentation. This decree shall be recorded in the real property records of Arapahoe County so that a title examination of the property, or any part thereof, shall reveal to all future purchasers the existence of this decree.

12. Administration of plan for augmentation:

A. Applicant or a property owners Association shall report to the Division Engineer for Water Division 1 on an annual basis (by February 28th for the previous calendar year) a summary of the monthly metered withdrawals of the subject wells on an accounting form acceptable to the Division Engineer. This annual report shall also list the number of residential lots being served under the plan for augmentation and the area irrigated on each lot.

B. All withdrawals which are the subject of this decree will be metered.

C. Pursuant to Section 37-92-305(8), C.R.S., the State Engineer shall curtail all out-of-priority diversions, the depletions from which are not so replaced as to prevent injury to vested water rights.

D. Applicant or successors in interest at the direction of the Division Engineer, shall make post-pumping replacements to the South Platte River stream system via Box Elder Creek pursuant

to the amounts referenced on the depletion curve attached as Attachment B hereto.

13. Retained jurisdiction for plan for augmentation:

A. Pursuant to Section 37-92-304(6), C.R.S., the Court retains continuing jurisdiction over the plan for augmentation decreed herein for reconsideration of the question whether the provisions of this decree are necessary and/or sufficient to prevent injury to vested water rights of others. The Court also has jurisdiction for the purposes of determining compliance with the terms of the augmentation plan.

B. Any person seeking to invoke the retained jurisdiction of the Court shall file a verified petition with the Court. The petition to invoke retained jurisdiction or to modify the Decree shall set forth with particularity the factual basis and the requested decretal language to effect the petition. The party lodging the petition shall have the burden of going forward to establish prima facie facts alleged in the petition. If the Court finds those facts to be established, Applicant shall thereupon have the burden of proof to show: (1) that any modification sought by Applicant will avoid injury to other appropriators, or (2) that any modification sought by Objector is not required to avoid injury to other appropriators, or (3) that any term or condition proposed by Applicant in response to the Objector's petition does avoid injury to other appropriators.

C. The Court retains jurisdiction for the purpose of determining whether the continued reservation of the nontributary water for use on the property is required. After notice to the State Engineer's Office and objector, if Applicant or successors in interest can demonstrate to the Court that the requirements of paragraph 10.F are satisfied, the Court may remove the requirement that the nontributary water must be reserved.

CONCLUSIONS OF LAW

14. The Water Court has jurisdiction over this proceeding pursuant to Section 37-90-137(6), C.R.S. This Court concludes as a matter of law that the application herein is one contemplated by law. Section 37-90-137(4), C.R.S. The application for a decree confirming Applicant's right to withdraw and use all unappropriated ground water from the nontributary aquifers beneath the property as described herein pursuant to Section 37-

90-137(4), C.R.S., should be granted, subject to the provisions of this decree. The application for a decree confirming Applicant's right to withdraw and use ground water decreed herein from the Denver aquifer should be granted pursuant to Section 37-90-137(4) and (9)(c), C.R.S., subject to the provisions of this decree. The withdrawal of up to 51 acre-feet per year and no more than 5100 acre-feet total of the Denver aquifer water in accordance with the terms of this decree will not result in material injury to vested water rights of others.

15. This plan for augmentation satisfies the requirements of Section 37-90-137(9)(c), C.R.S., for replacement of actual depletions to the affected stream systems for withdrawals of the Denver aquifer water.

16. The rights to ground water determined herein shall not be administered in accordance with priority of appropriation. Such rights are not "conditional water rights" as defined by Section 37-92-103(6), C.R.S., requiring findings of reasonable diligence and are not applicable to the ground water rights determined herein. The determination of ground water rights herein need not include a date of initiation of the withdrawal project. See Section 37-92-305(11), C.R.S.

JUDGMENT AND DECREE

The Findings of Fact and Conclusions of Law set forth above are hereby incorporated into the terms of this Judgment and Decree as if the same were fully set forth herein.

17. Full and adequate notice of the application was given, and the Court has jurisdiction over the subject matter and over the parties whether they have appeared or not.

18. The Applicant may withdraw the subject ground water herein through wells to be located anywhere on the property, in the average annual amounts and at the estimated average rates of flow specified herein, subject to the limitations herein and the retained jurisdiction by this Court.

19. Applicant may withdraw up to 51 acre-feet per year and no more than 5100 acre-feet total of not nontributary ground water from the Denver aquifer under the plan for augmentation decreed herein pursuant to Section 37-90-137(9)(c), C.R.S.

20. Applicant has complied with all requirements and met all standards and burdens of proof, including but not limited to Sections 37-90-137(9)(c), 37-92-103(9), 37-92-302, 37-92-304(6), 37-92-305(1), (2), (3), (4), (6), (8), (9), C.R.S., to adjudicate its plan for augmentation and is therefor entitled to a decree confirming and approving its plan for augmentation as described in the findings of fact.

21. Pursuant to Section 37-92-305(5), C.R.S., the replacement water herein shall be of a quality so as to meet the requirements for which the water of the senior appropriator has normally been used.

22. The proposed plan for augmentation as described in the findings of fact is hereby approved, confirmed, and adjudicated, including and subject to the terms and conditions specified herein.

23. No owners of or person entitled to use water under a vested water right or decreed conditional water right will be injured or injuriously affected by the operation of the plan for augmentation as decreed herein.

24. Retained Jurisdiction:

A. The Court retains jurisdiction as necessary to adjust the average annual amounts of ground water available under the property to conform to actual local aquifer characteristics as determined from adequate information obtained from wells, pursuant to Section 37-92-305(11), C.R.S. Within 60 days after completion of any well decreed herein or any test hole(s), Applicant or any successor in interest to these water rights shall serve copies of such log(s) upon the State Engineer.

B. At such time as adequate data is available, any person, including the State Engineer, may invoke the Court's retained jurisdiction to make a Final Determination of Water Right. Within four months of notice that the retained jurisdiction for such purpose has been invoked, the State Engineer shall use the information available to him to make a final determination of water rights findings. The State Engineer shall submit such finding to the Water Court and to the Applicant.

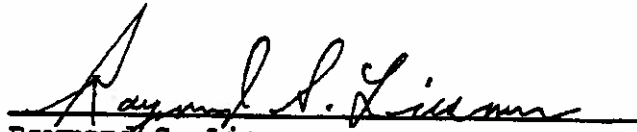
C. If no protest to such finding is made within 60 days, the Final Determination of Water Rights shall be incorporated

Ruling and Decree 97CW398

into the decree by the Water Court. In the event of a protest, or in the event the State Engineer makes no determination within four months, such final determination shall be made by the Water Court after notice and hearing.

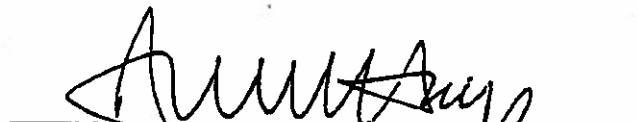
25. Continuing Jurisdiction: Pursuant to Section 37-92-304(6), C.R.S., the Court retains continuing jurisdiction over the plan for augmentation decreed herein for reconsideration of the question of whether the provisions of this decree are necessary and/or sufficient to prevent injury to vested water rights of others. The Court also retains continuing jurisdiction for the purpose of determining compliance with the terms of the augmentation plan, for the purpose of amending this decree to provide for a different type of wastewater treatment, pursuant to paragraph 10.C above, and for the purposes described in paragraphs 10.F and 13.C above.

Dated this 16 day of October, 1998.


Raymond S. Liesman
Water Referee
Water Division 1

THE COURT DOETH FIND THAT NO PROTEST WAS FILED IN THIS MATTER, THEREFOR THE FOREGOING RULING IS CONFIRMED AND APPROVED, AND IS HEREBY MADE THE JUDGMENT AND DECREE OF THIS COURT.

Dated: NOV 10 1998


Jonathan W. Hays
Water Judge
Water Division 1

ATTACHMENT A

WEST 1/2 AND THE SOUTHEAST 1/4 OF SECTION 5 AND EAST 1/2 OF THE
NORTHEAST 1/4 OF SECTION 6, ALL IN TOWNSHIP 4 SOUTH, RANGE 64 WEST OF
THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO.

Except for:

THAT PART OF THE EAST HALF (E 1/2) OF THE NORTHEAST QUARTER
(NE 1/4) OF SECTION SIX (6), AND PART OF THE NORTHWEST
QUARTER (NW 1/4) OF SECTION FIVE (5) ALL IN TOWNSHIP FOUR (4)
SOUTH, RANGE SIXTY-FOUR (64) WEST OF THE 6TH PRINCIPAL
MERIDIAN (6TH P.M.), COUNTY OF ARAPAHOE, STATE OF COLORADO,
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 5;
THENCE NORTH 89 DEGREES 00 MINUTES 30 SECONDS WEST ALONG THE
NORTH LINE OF SAID NORTHWEST 1/4 OF SECTION 5 A DISTANCE OF
2654.16 FEET TO THE NORTHWEST CORNER OF SAID SECTION 5;
THENCE SOUTH 00 DEGREES 03 MINUTES 10 SECONDS EAST ALONG THE
EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 6 A DISTANCE
OF 23.80 FEET TO THE TRUE POINT OF BEGINNING;
THENCE NORTH 89 DEGREES 09 MINUTES 00 SECONDS WEST ALONG THE
SOUTH LINE OF TRACT NO. 8 OF THE DEPARTMENT OF HIGHWAYS,
STATE OF COLORADO, PROJECT NO. 1 095-1(2), CONVEYED BY DEED
RECORDED JULY 7, 1958 IN BOOK 1071 AT PAGE 356, ARAPAHOE
COUNTY RECORDS A DISTANCE OF 1334.46 FEET TO THE WEST LINE OF
THE EAST 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 6;
THENCE SOUTH 00 DEGREES 01 MINUTES 41 SECONDS WEST ALONG SAID
WEST LINE OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 6 A
DISTANCE OF 853.41 FEET;
THENCE SOUTH 60 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE
OF 448.82 FEET;
THENCE SOUTH 43 DEGREES 44 MINUTES 49 SECONDS EAST A DISTANCE
OF 1371.16 FEET TO SAID EAST LINE OF THE NORTHEAST 1/4 OF
SECTION 6;
THENCE SOUTH 00 DEGREES 03 MINUTES 30 SECONDS EAST ALONG SAID
EAST LINE OF THE NORTHEAST 1/4 OF SECTION 6 A DISTANCE OF
244.75 FEET TO A POINT 300.00 FEET NORTHERLY OF THE WEST 1/4
CORNER OF SAID SECTION 5;
THENCE SOUTH 89 DEGREES 08 MINUTES 07 SECONDS EAST PARALLEL
WITH THE SOUTH LINE OF SAID NORTHWEST 1/4 OF SECTION 5 A
DISTANCE OF 2555.83 FEET TO THE EAST LINE OF SAID NORTHWEST
1/4 OF SECTION 5;
THENCE NORTH 00 DEGREES 06 MINUTES 09 SECONDS WEST ALONG SAID
EAST LINE OF THE NORTHWEST 1/4 OF SECTION 5 A DISTANCE OF
2294.02 FEET TO A POINT 17.23 FEET SOUTHERLY OF SAID NORTH
1/4 CORNER OF SECTION 5, SAID POINT BEING THE SOUTHEAST
CORNER OF TRACT NO. 9 OF THE DEPARTMENT OF HIGHWAYS, STATE OF
COLORADO, PROJECT NO. 1 095-1(2), CONVEYED BY DEED RECORDED
JULY 7, 1958 IN BOOK 1071 AT PAGE 356, ARAPAHOE COUNTY
RECORDS;
THENCE NORTH 89 DEGREES 09 MINUTES 00 SECONDS WEST ALONG THE
SOUTH LINE OF SAID TRACT NO. 9, OF THE DEPARTMENT OF
HIGHWAYS, STATE OF COLORADO, PROJECT NO. 1 095-1(2), CONVEYED
BY DEED RECORDED JULY 7, 1958 IN BOOK 1071 AT PAGE 356,
ARAPAHOE COUNTY RECORDS A DISTANCE OF 2854.06 FEET TO THE
TRUE POINT OF BEGINNING.

Attachment B

STREAM DEPLETION - CASE NO. 97CW398
Denver Aquifer - Model No. DE9

