

SPECIAL WARRANTY DEED
(Water Rights)

Cottonwood Creek Estates, LLC, a Colorado limited liability company ("Grantor"), in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, in hand paid, hereby sells and conveys to _____, ("Grantee"), whose address is _____, Colorado Springs, Colorado, as the owner of Lot _____, Edwards Subdivision Filing No. 4, El Paso County, Colorado, in the Cottonwood Creek Estates subdivision, its successors and assigns, all right, title and interest in and to the following ground water rights described as follows:

All water rights and groundwater rights related to, used upon, underlying, or appurtenant to Lot _____ of the Edwards Subdivision Filing No. 4 as recorded with the Clerk and Recorder of El Paso County at Reception No. _____, including, without limitation, the groundwater rights and rights to extract and use groundwater within the Laramie-Fox Hills aquifer of the Denver Basin related to said Lot _____, being one twenty-seventh (1/27) of the total underlying groundwater, as adjudicated by the July 18, 2005 Decree affirming the June 22, 2005 Findings of Fact and Ruling of Referee Granting Underground Water Rights and Plan for Augmentation in Case No. 04CW77 of the District Court for Water Division 2, State of Colorado ("Decree and Plan for Augmentation"). Said portion related to Lot No. ____ includes 0.47 annual acre feet (141 total acre feet) from the Laramie-Fox Hills aquifer. The Decree and Plan for Augmentation was recorded July 21, 2005 at Reception No. 205110260, records of El Paso County, Colorado.

The water rights conveyed herein are intended to provide a 300 year water supply for Lot _____ of the Edwards Subdivision Filing No. 4 as referenced above. Therefore, the water rights shall run with the land, must be transferred to all successors and assigns of the Grantee, may not be separated from transfer of title to the land, and may not be separately conveyed, bartered, liened or encumbered.

The decreed amounts of groundwater may be adjusted upward or downward pursuant to the retained jurisdiction of the Division 2 Water Court in the Decree and Plan for Augmentation. This conveyance includes a proportionate interest in the rights to the Decree and Plan for Augmentation related to and based upon Lot _____ within the Edwards Subdivision Filing No. 4, and the right to receive a well permit thereunder, together with all obligations and responsibilities for compliance with the Decree and Plan for Augmentation relating to Lot _____. This conveyance is subject to the terms and provisions of the Decree and Plan for Augmentation. This conveyance is also subject to the terms and provisions of the Water Covenants recorded on _____ at Reception No. _____, records of El Paso County.

Grantor warrants title to the same, but not the amount available for withdrawal, against all persons claiming under Grantor

Signed this _____ day of _____, 2006.

Grantor:

COTTONWOOD CREEK ESTATES, LLC
a Colorado limited liability company

By: _____
Manager

STATE OF COLORADO)
) ss.
COUNTY OF EL PASO)

The foregoing Special Warranty Deed was acknowledged before me this _____ day
of _____, 2006, by _____ as Manager of Cottonwood Creek Estates,
LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires: _____

[SEAL]

Notary Public