# EQUITABLE WELL WATER DISTRIBUTION AGREEMENT

WHEREAS, SCOTT A. WILSON herein after referred to as "Owner" is the fee simple owner of that tract of ground known as IDLEDALE HIGHLANDS FILING NO. 2,
WHEREAS, Owner wishes to subdivide IDLEDALE HIGHLANDS FILING NO. 2 into three (3) tracts of ground, all as indicated in the plat of IDLEDALE HIGHLANDS FILING NO. 2, recorded in Jefferson County Records at reception no. 2007093435, which is an integral part of this Agreement; and

11.00
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WHEREAS, as a condition of approval of the plat of the above indicated three (3) tracts, the Board of County Commissioners of Jefferson County requires "an agreement ensuring that water from the well has equitable distribution among the tracts created"; and

NOW THEREFORE, with the intention to be forever bound and with the intention to place a burden on the land and with the intention of creating a permanent, equal, equitable "domestic use" interest and access to the well drilled under Permit No. 240972 and its water in favor of the future owners of the three lots 1, 2 and 3. Owners hereby execute this Agreement, promising and covenanting as follows:

1. The transferee of each lot 1, 2 and 3 shall have an equal, equitable ownership interest in, and access to the well with Permit No. 240972 located on lot 2, and all appurtenances including but not limited to, the pump, meter, electrical equipment and switches, equipment pit, storage tank, pumping equipment and drop pipe, and water from said well, which interest shall be coupled to and transferred with the fee title to each tract and shall not be severable from the same.

2. Such interest shall entitle transferees of lots 1, 2 and 3, equal access to water distribution from the well with Permit No. 240972 domestic use. Each owner shall be obligated to share equally in the cost to install, repair, maintain, protect and defend the well and pumping and distribution equipment and utility easements and water rights. Water use may be interrupted for the party not in compliance with this agreement and not restored until compliance of this agreement is satisfied.

3. Owner agrees to transfer the interest set forth above to each transferee of lot 1, 2 and 3 by inclusion of the same in the deed conveying said tract to the grantee.

4. By operation of the transfer indicated above and by all subsequent transfers, each transferee becomes a signatory hereunder.

5. The land and well with Permit No. 240972 and Lots 1, 2 and 3 shall be bound by this Agreement which shall run with the land.

6. All provisions of the preceding 'WHEREAS' are incorporated herein in all their entirety.

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DISTRIBUTION LINES:

The water distribution lines from the central well located on Lot 2 of the subject exemption to the proposed improvements on proposed lots 1, 2 and 3, shall be the responsibility of the respective tract owners. The expense of the installation, maintenance, and repair of said water line or lines shall be borne solely by the tract owner being supplied by said line.

IN WITNESS WHEREOF, I, the undersigned owner of the subject real property, have executed this Agreement this 4th day of February, 2005.

Scott A. Wilson

SCOTT A. WILSON

STATE OF COLORADO )
) SS.
COUNTY OF JEFFERSON )

The foregoing instrument was acknowledged before me this 4TH day of FEBRUARY, 2005, by

My commission expires:

My Commission Expires
8-26-08

Notary Public

ANDREW HAYES
NOTARY
PUBLIC
STATE OF COLORADO