



COLORADO

Colorado Water Conservation Board

Department of Natural Resources
1313 Sherman Street, Room 718
Denver, CO 80203

July 27, 2023

Boulder County Clerk & Recorder
1750 33rd St. #100
Boulder, CO 80301

Note: Check is already in your possession due to an accounting error on our end sending the check without the paperwork.

Subject: Amendment No. 3 - DOT Recording - C150279

This refers to the attached Deed of Trust relative to an agreement between the Boulder and White Rock Ditch and Reservoir Company and the Colorado Water Conservation Board (CWCB). Payment in the amount of \$18.00, for recording fees, is enclosed along with the Deed of Trust for your handling. The original recorded Deed of Trust should be returned to CWCB in the enclosed self-addressed stamped envelope.

Should you have any questions, please contact me at (303) 866-3441, ext. 3247 or by email jessica.halvorsen@state.co.us
Thank you for your assistance in this matter.

Sincerely,

Jessica Halvorsen
Loan & Grant Program Assistant
Finance Section

Enclosures



**Appendix A, Amendment No. 3 to Loan Contract C150279
Amendment to Deed of Trust**

Date: March 30, 2023,
Grantor (Borrower): Boulder and White Rock Ditch and Reservoir Company
Beneficiary (Lender): Colorado Water Conservation Board
Lender Address: 1313 Sherman Street, Room 718, Denver,
Colorado, 80203
Total Loan Amount: \$2,549,690.30
Loan Contract Number: C150279
Recorded Date of Original Deed of Trust: March 23, 2009
County of Recording ("County"): Boulder County
Deed of Trust Recording Information: Reception Number 2986946 (5 pages); amended
03055832 (2 pages); amended 03220489 (2 pages)
Pledged Property: Grantor's undivided full interest in certain real
property known as Panama Reservoir, located in the
County of Boulder, State of Colorado, as more
particularly described in Exhibit A, together with
Grantor's rights and interest in all improvements
thereon, including but not limited to gates, ditches,
canals, and all other structures and fixtures and any
easements, rights-of-way, or other property or
property interests held by Grantor and used in
connection with the operation of said reservoir.
Reason for Amendment to Deed of Trust: Amend the Pledge Property, formally titled
"Collateral," set forth in the Original Deed of Trust

This Amendment to Original Deed of Trust is between the Grantor and the Public Trustee of the Boulder County, State of Colorado.

The Original Deed of Trust was recorded, in Boulder County, to secure repayment of the indebtedness evidenced by the Loan Contract and Promissory Note between the Grantor and the Beneficiary.

Grantor and Beneficiary have agreed to amend the Original Loan and Deed of Trust.

NOW THEREFORE, the Beneficiary and Grantor agree that:

1. This Amendment to Deed of Trust, Appendix A to Amendment No. 3 of Contract C150279, *shall supplement and operate* in conjunction with the Deed of Trust attached to the Original Contract as Appendix 5, recorded in Boulder County, Reception Number 2986946, dated March 23, 2009, as amended by Appendix D of Amendment No. 1, recorded in Boulder County, Reception Number 03055832, dated January 28, 2010 and Appendix C of Amendment No. 2, recorded in Boulder County, Reception Number 03220489, dated May 03, 2012, and is incorporated herein by reference.
2. The Grantor has executed an amended Promissory Note, in the amount of \$2,549,690.30 to secure the repayment of the indebtedness, evidenced by Loan Contract Number C 150279, Amendment No. 2, to be repaid to the State of Colorado for the use and benefit of the Department of Natural Resources, Colorado Water Conservation Board ("CWCB") the beneficiary herein, whose address is 1313 Sherman Street, Room 718, Denver, CO 80203, payable in annual installments, in accordance with said Promissory Note, or until the loan is paid in full.
3. In the event of any conflict, inconsistency, variance, or contradiction between the provisions of this Amendment to Deed of Trust and any of the provisions of the Original Deed of Trust, as amended by Amendment No. 1 and No.2, the provisions of this Amendment to Deed of Trust shall in all respects supersede, govern, and control.

4. Any provisions of the Original Deed of Trust, as amended by Amendment No. 1 and No. 2, not expressly modified herein remain in full force and effect.
5. Executed on the date first written above.

Grantor:

By *Julius Van Thuyne Jr*
Signature

Name JULIUS VAN THUYNE JR

Title PRESIDENT

Date 7/12/23

ATTEST:

By *Angie Swanson*
Signature

By _____
Signature

Name ANGIE SWANSON

Name _____

Title SECRETARY / TREASURER

Title _____

Date 7/12/23

Date _____

NOTARY REQUIRED

State of Colorado)
) ss.

County of BOULDER)

The foregoing instrument was acknowledged before me on JULY 12, 23, by
JULIUS VAN THUYNE JR (Name) as PRESIDENT (Title)

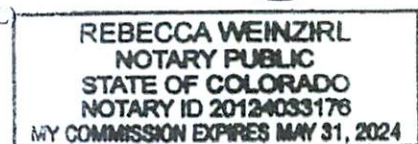
and

ANGIE SWANSON (Name) as SECRETARY / TREASURER (Title)
BOULDER & WHITE ROCK DITCH & RESERVOIR COMPANY
of _____. Witness my hand and official seal.

Rebecca Weinzirl
Notary Public

My commission expires on 5/31/2024

(SEAL)



(Colorado Water Conservation Board will record Amendment to Deed of Trust with the County.)