



COLORADO

Colorado Water Conservation Board

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

July 12, 2023

Larimer Clerk & Recorder
PO Box 2027
Fort Collins, CO 80522

Subject: DOT Recording - CT2019-3706

This refers to the attached Deed of Trust relative to an agreement between the Tunnel Water 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 C-1, Amendment No.2 to Loan Contract CT2019-3706
Amendment to Deed of Trust**

Date: 4/19/2023
Grantor (Borrower): Tunnel Water Company
Beneficiary (Lender): Colorado Water Conservation Board
Lender Address: 1313 Sherman Street, Room 718, Denver,
Colorado, 80203
Total Loan Amount: \$18,008,300.00
Loan Contract Number: CT2019-3706
Recorded Date of Original Deed of Trust: May 31, 2019; Amended 01/26/2021
County of Recording ("County"): Larimer
Deed of Trust Recording Information: Original Reception Number 20190029025 (3 pages),
Amended Reception Number 2021009255 (2 pages)
Pledged Property: No change to property pledged per original Deed of
Trust
Reason for Amendment to Deed of Trust: The Parties have agreed to increase the Original Loan
Contract Total Amount.

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

The Original Deed of Trust was recorded, in Larimer 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 increase the Total Loan Amount by \$757,500.00 from \$17,250,800.00 to \$18,008,300.00 to prevent future collapse and tunnel blockage.

NOW THEREFORE, the Beneficiary and Grantor agree that:

1. This Amendment to Deed of Trust, Appendix C, Amendment No.2 to Contract Number CT2019-3706, *shall supplement and operate* in conjunction with the Deed of Trust attached to the Original Contract as Appendix 6, recorded in Larimer County on May 31, 2019, Reception Number 20190029025 and as amended on January 26, 2021, Reception Number 2021009255. These Deeds of Trust are incorporated herein by reference.
2. The Grantor has executed an amended Promissory Note, in the amount of \$18,008,300.00 to secure the repayment of the indebtedness, evidenced by Loan Contract Number CT2019-3706 and Amendment No. 1 to the original contract. This Amendment No.2 is 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 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 not expressly modified herein remain in full force and effect.

5. Executed on the date first written above.

Grantor: Tunnel Water Company

By Keith Amen
Signature

Name Keith Amen

Title President

Date 4-19-2023

ATTEST:

By Donald E. Frick
Signature

Name Donald E. Frick

Title General Manager

Date 4/19/23

NOTARY REQUIRED

State of Colorado)
County of Larimer) ss.

The foregoing instrument was acknowledged before me on April 19, 2023, by

Keith Amen (Name) as President (Title)

and

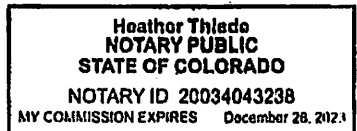
Donald Frick (Name) as General Mgr (Title)

of the Tunnel Water Company. Witness my hand and official seal.

Heather Thiede
Notary Public

My commission expires on 12/28/2023

(SEAL)



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