



## COLORADO

### Colorado Water Conservation Board

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

August 7, 2024

Larimer County Clerk & Recorder  
200 W. Oak Street STE 1000  
Fort Collins, CO 80521

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 email me at [jessica.halvorsen@state.co.us](mailto:jessica.halvorsen@state.co.us)  
Thank you for your assistance in this matter.

Sincerely,

Jessica Halvorsen  
Loan & Grant Program Assistant  
Finance Section  
303-866-3441 X 3427  
[jessica.halvorsen@state.co.us](mailto:jessica.halvorsen@state.co.us)

Enclosures



**Appendix C-2, Amendment No.3 to Loan Contract CT2019-3706  
Amendment to Deed of Trust**

Date: 7/11/2024,  
Grantor (Borrower): Tunnel Water Company  
Beneficiary (Lender): Colorado Water Conservation Board  
Lender Address: 1313 Sherman Street, Room 718, Denver,  
Colorado, 80203  
Total Loan Amount: \$18,917,300.00  
Loan Contract Number: CT2019-3706  
Recorded Date of Original Deed of Trust: May 31, 2019; Amended 01/26/2021;  
Amended 7/17/2023.  
County of Recording ("County"): Larimer  
Deed of Trust Recording Information: Original Reception Number 20190029025 (3 pages),  
A#1 Reception Number 2021009255 (2 pages),  
A#2 Reception Number 20230030213 (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 \$909,000.00 from \$18,008,300.00 to \$18,917,300.00 to prevent future collapse and tunnel blockage.

NOW THEREFORE, the Beneficiary and Grantor agree that:

1. This Amendment to Deed of Trust, Appendix C-2, Amendment No.3 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, as amended on January 26, 2021, Reception Number 2021009255, and as amended on July 17, 2023, Reception Number 20230030213. These Deeds of Trust are incorporated herein by reference.
2. The Grantor has executed an amended Promissory Note, in the amount of \$18,917,300.00 to secure the repayment of the indebtedness, evidenced by Loan Contract Number CT2019-3706, Amendment No. 1 and Amendment No.2 to the original contract. This Amendment No.3 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 W. Amen  
Signature

Name Keith W. Amen

Title President

Date 7/11/2024

ATTEST:  
By [Signature]  
Signature

Name Eric Westlind

Title General Manager

Date 7/11/2024

NOTARY REQUIRED

State of Colorado )  
County of Larimer ) ss.

The foregoing instrument was acknowledged before me on July 11, 202<sup>4</sup>, by  
Keith Amen (Name) as President (Title)

and

Eric Westlind (Name) as General Mgr. (Title)

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

Heather Thiede  
Notary Public

My commission expires on January 8, 2028 (SEAL)

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

