

(CERTIFIED COPY)	
STATE OF COLORADO } ss.	
COUNTY OF SAN MIGUEL	
I, <u>GAY CAPPIS</u> County Clerk and Recorder in	
and for said County and State, do hereby certify that the within and foregoing is a full, true and correct copy of	
JUDGMENT AND DECREE (AGREEMENT)	
No. <u>104367 & 104370</u> as it appears <u>OF</u> record in my	
office in Book <u>217</u> at page <u>450</u>	
Witness my hand and official seal at Telluride, Colorado, this <u>17TH</u> day of <u>APRIL</u> 1997	
Issued to <u>WAYNE - MINON HYDROLOGIC</u>	
No. <u>973</u>	Fee <u>2.25</u> <u>GAY CAPPIS</u>
	County Clerk and Recorder, San Miguel County, Colorado
	By <u>Romaine Stephens</u> Deputy.

NO. 104370
 AGREEMENT
 STATE OF COLORADO, } ss.
 County of San Miguel }
 Filed for record at 4:50 o'clock
 P. M. Dec. 5, 1952 and duly recorded in
 Book 217 Page 450.

Sally A. Clark
 Recorder

 The undersigned are the owners, and only owners, of lands irrigated by THE PLEASANT VALLEY DITCH, being Ditch No. 123, Priority No. 166 for 12.00 cubic feet of water per second of time, and Priority No. 187 for 8.00 cubic feet of water per second of time, in Water District No. 60, San Miguel County, Colorado, and the owners of said ditch and the waters decreed thereto.
 For the purpose of settling the amount of acreage irrigated through the said Pleasant Valley Ditch, and the respective ownerships in the ditch and the waters therefrom, the undersigned do hereby by contract and agree as follows, to-wit:
 The rights to said ditch and the waters therefrom are hereby divided into fifteen (15) shares and each share shall represent a one-fifteenth (1/15th) ownership in said ditch and the waters decreed to and carried therethrough, including any undecreed water carried therein.
 The respective shares or interests are hereby divided and recognized to be as follows:
 P. C. WHITELEY and ALMA WHITELEY six (6) shares; NEAL SNYDER and LORNA SNYDER five (5) shares; HUGHES RANCH, standing in the names of Dan H. Hughes and Mary A. Hughes, three (3) shares, and the Ross 160 acres, now owned by P. C. WHITELEY and ALMA WHITELEY one (1) share.
 The parties hereto agree prior to the irrigation season of 1952 to place boxes in said ditch for the purpose of dividing the waters on the above basis, which boxes shall contain permanent dividers and shall be so constructed so as to properly apportion and divide the waters in accordance with the ownerships of the respective owners.
 IT IS UNDERSTOOD AND AGREED that the Whiteley water shall be taken on the basis of four (4) shares to be taken from the ditch before it reaches the Ross place, and two (2) shares shall be taken below the Hughes Ranch, and that the two division boxes will be all the division boxes used by the said Whiteleys; that there shall be placed one box only for the diversion of water to the Ross place and one box to the Hughes place.
 PROVIDED that if the diversions as above set out shall not prove practical, any owner may change the point of diversion but shall not change the amount of water to be taken and shall stand the expense of such change; PROVIDED, FURTHER, that any additional points of diversion shall be based upon permanent dividers in boxes so installed.
 AND FURTHER PROVIDED that such divisions are made by permanent boxes, at each owner's expense, and the boxes shall be so built so as to take no more water than herein provided for and are to be set with permanent dividers.
 No water shall be taken from said ditch except through permanent boxes with dividers as hereinabove provided for. After the ditch enters the Snyder land an agreement and arrangements as to boxes shall be made between Snyder and Whiteleys and the provisions herein shall apply only after such agreement has been made between them.
 The cost of maintenance of said ditch shall be borne in proportion to the shares herein agreed upon.
 This agreement shall supersede all previous contracts, agreements and understandings concerning the ownership of said ditch and its waters, and this agreement is based upon the owners' best estimates and understanding of the lands irrigated through the ditch so as to equitably divide the water in accordance with the lands irrigated from said ditch.
 DATED at Montrose, Colorado, this 20th day of September, 1951.

Dan H. Hughes Mary A. Hughes Neal E. Snyder Lorna Snyder P. C. Whitely Alma Whitley