

4. The federal reserved water rights recognized hereby include all water rights of every nature and description derived from the federal reserved water rights doctrine, from all sources of water, both surface and underground, and includes all types and kinds of uses whatsoever, and encompasses all claims asserted by or through the United States for Hovenweep National Monument as now constituted. This federal reserved water right originates and is defined in Federal law. Absent future Congressional or Presidential action, the federal reserved water rights for the lands now constituting Hovenweep National Monument shall not be enlarged, expanded or re-quantified.

5. Appendix B, which is attached hereto and made part of this Agreement, lists the present diversion works and springs associated with federal reserved water rights on the lands reserved from the public domain at Hovenweep National Monument. The table shows the source of water, priority date, legal location, place of use, type of use, period of use, and existing diversion rate for each well and spring. The National Park Service may divert up to 8.0 acre-feet per annum and deplete up to 4.0 acre-feet per annum from within the exterior boundaries of Hovenweep National Monument, including the sources listed in Appendix B, to satisfy existing and future requirements for the operation, administration, and protection of Hovenweep National Monument, including but not limited to excavation, restoration and preservation of ruins and structures, construction of visitor facilities, domestic uses, campground purposes, irrigation, and fire suppression. In developing any waters set forth in this paragraph, the sources of water shall be within the boundaries of the Monument.

6. The United States agrees to provide at least 180 days prior written notice to the State Engineer before developing and/or using any new source of water, not described in Appendix B, for administrative purposes associated with this federal reserved water right.