

RESOLUTION NO. 2023-016

A RESOLUTION APPROVING THE FIRST AMENDMENT TO THE SPOT WATER LEASE AGREEMENT BETWEEN THE TOWN OF CASTLE ROCK AND CENTRAL COLORADO CONSERVANCY DISTRICT

WHEREAS, the Town of Castle Rock, Colorado (the “Town”) and Central Colorado Water Conservancy District (“Central”) have entered into a Spot Water Lease Agreement (the Original Agreement”), whereby the Town has agreed to lease up to 500 acre feet of water in the Chatfield Basin that is reusable and fully consumable after its first use and is surplus to the needs and obligations of the Town (“Surplus Water”); and

WHEREAS, Central has requested that it be allowed to lease an additional 500 acre feet of Surplus Water from the Town in accordance with the terms and conditions of the Original Agreement; and

WHEREAS, the Town anticipates it will have such additional Surplus Water available for lease to Central from time to time in 2023 and is willing to amend the Original Agreement to accommodate Central’s request.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO AS FOLLOWS:

Section 1. Approval. The First Amendment to the Spot Water Lease Agreement between the Town and Central is hereby approved in substantially the same form attached as *Exhibit 1*, with such technical changes, additions, modifications, or deletions as the Town Manager may approve upon consultation with the Town Attorney. The Mayor and other proper Town officials are hereby authorized to execute the Lease by and on behalf of the Town.

PASSED, APPROVED AND ADOPTED this 21st day of February, 2023, by the Town Council of the Town of Castle Rock, Colorado, on first and final reading, by a vote of ___ for and ___ against.

ATTEST:

TOWN OF CASTLE ROCK

Lisa Anderson, Town Clerk

Jason Gray, Mayor

Approved as to form:

Approved as to content:

Michael J. Hyman, Town Attorney

Mark Marlowe, Director Castle Rock Water