



Meeting Date: February 15, 2022

## AGENDA MEMORANDUM

**To:** Honorable Mayor and Members of Town Council

**Thru:** Dave Corliss, Town Manager

**From:** Mark Marlowe, P.E., Director of Castle Rock Water  
Matt Benak, P.E., Water Resources Manager  
Lauren Moore, Water Resources Program Analyst

**Title:** Resolution: Approving the Town of Castle Rock/Rupple Farms LLC  
Agricultural Water Lease Agreement [Weld County, Co]

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### Executive Summary

Castle Rock Water is seeking Town Council approval of a resolution (**Attachment A**) for an agricultural water lease with Rupple Farms, LLC (Rupple). Rupple is a farmer located in Weld County adjacent to the Lost Creek Basin wells we purchased in 2017 as part of our Alternate Source of Supply Project. Previously, Turnpike LLC (Turnpike) was the lessee of these wells, but has recently sold a few of their parcels in 2021. Rupple is one of the new tenants occupying two of the parcels sold by Turnpike. Rupple is interested in a one-year lease of our Lost Creek Basin water rights. The Town of Castle Rock does not plan to export these water rights in 2022 as the infrastructure needed to move the water has not yet been designed or constructed. Rupple wishes to lease up to 525 acre-feet (AF) at a rate of \$36.50 per AF, which could amount to \$19,162.50 in revenue. The price is reasonable for agricultural leased water of this type at this location based on available data regarding other leases in the area. The agreement terminates on November 15, 2022. This lease agreement is consistent with Castle Rock Water's strategic plan. A key tactic in that plan is to maximize leasing opportunities for idle water rights.

### History of Past Town Council, Boards & Commissions, and Other Discussions

January 26, 2022, Castle Rock Water Commission \_\_\_\_\_ that Town Council approve the 2022 water lease agreement.

### Discussion

As part of the Town's hybrid renewable water solution, the Town purchased several Lost Creek Basin wells in 2017 and 2021. These wells came with approximately 1,492 AF (annually) of fully exportable water rights which could be used for municipal and other purposes. Eventually, the Town intends to use these water rights directly or as an augmentation source. However, until infrastructure is built to transport this water to a treatment plant or place of augmentation, leasing this water for other purposes helps to generate some revenue for Castle Rock Water. In 2021, Turnpike LLC, the prior

lessee, sold some parcels that Ruppel is now tenant on and Ruppel has expressed interest in using this water for irrigation in 2022.

The key terms of the 2022 water lease agreement are summarized below:

- Agreement will terminate November 15, 2022.
- Ruppel will lease up to 525 AF of water at a rate of \$36.50 per AF.

The following table outlines the wells that will be used and the amount of water we will be leasing to Ruppel. The Lost Creek Basin in Weld County, where these wells are located, allows for three-year modified banking of any unused annual allotment of water. Due to this banking and as shown below, sometimes the maximum amount water leased may exceed the annual water rights for each well.

<b>Well</b>	<b>Maximum Water to be Leased, AF</b>	<b>Annual Water Rights, AF</b>
8533	100**	84.0
8534	0*	81.5
8535	150**	96.9
31542	275**	193.3
<b>Total</b>	<b>525**</b>	<b>455.7</b>

\*Well not operational

\*\*Maximum water to be leased may exceed annual water rights of an individual well if banked water is available

As noted in the Executive Summary, maximizing the leasing of idle water rights is part of Castle Rock Water's strategic plan. Revenues from this leasing help to offset the costs for purchasing and developing long term renewable water supplies.

### **Budget Impact**

If Council approves the agreement, Castle Rock Water would receive up to \$19,162.50 in revenue in 2022. The revenue will be deposited into Water Resources Fund Capital Leases account 211-4375-393.70-00 <WRAWL>.

### **Recommendations**

Staff recommends approval of the 2022 agricultural water lease agreement with Ruppel for 525 acre-feet of water which will generate a revenue of up to \$19,162.50.

### **Proposed Motion**

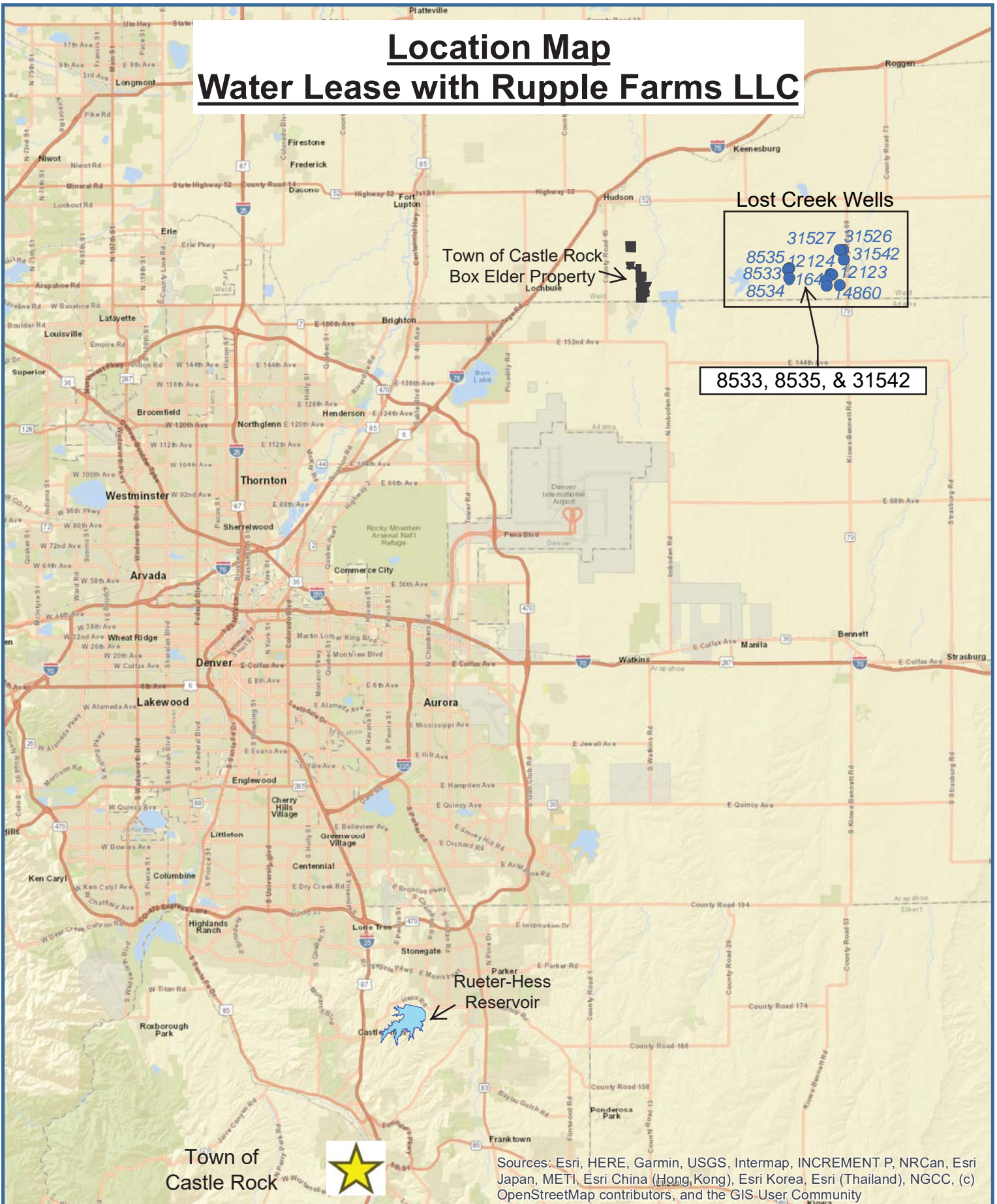
*"I move to approve the Resolution as introduced by title."*

### **Attachments**

Attachment A: Resolution  
Exhibit 1: Agreement  
Attachment B: Location Map

# Location Map

## Water Lease with Ruppel Farms LLC



Lost Creek Wells

- 31527
- 31526
- 8535
- 12124
- 31542
- 8533
- 164
- 12123
- 8534
- 14860

Town of Castle Rock  
Box Elder Property

8533, 8535, & 31542

Rueter-Hess  
Reservoir

Town of  
Castle Rock



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



0 16,500 33,000 66,000 Feet

Date: 1/21/2022

1 inch = 32,921 feet



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**CASTLE ROCK  
UTILITIES MAP  
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