

RESOLUTION NO. 2022-

A RESOLUTION APPROVING THE 2022 SPOT WATER LEASE AGREEMENT BETWEEN THE TOWN OF CASTLE ROCK AND THE CHATFIELD EAST PROPERTY OWNERS ASSOCIATION, INC.

WHEREAS, the Town of Castle Rock, Colorado (the "Town") and the Chatfield East Property Owners Association ("Association") have agreed to enter into a Spot Water Lease Agreement; and

WHEREAS, the Town owns certain water in the Chatfield Basin that is reusable and fully consumable after its first use for municipal purposes by the Town; and

WHEREAS, from time to time, a certain amount of this water is surplus to the needs and obligations of the Town ("Surplus Water"); and

WHEREAS, the Town anticipates it will have Surplus Water available from time to time in 2022 and 2023; and

WHEREAS, the Association desires to lease a certain portion of the Surplus Water from the Town for use in a Substitute Water Supply Plan as an additional source of water to replace depletions to Plum Creek from pumping and use of water from Denver aquifer wells on individual lots in the Chatfield East Subdivision pursuant to Decrees in case Nos. W-8568-77 and 89CW068.

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

Section 1. Approval. The Spot Water Lease Agreement between the Town and the Association 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 6th day of September, 2022 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 of Castle Rock Water