

**RESOLUTION NO. 2026-059**

**A RESOLUTION APPROVING THE LICENSE AGREEMENT WITH THE  
DEPARTMENT OF THE ARMY FOR THE STREAM GAGE CHATFIELD  
LAKE PROJECT IN DOUGLAS COUNTY, COLORADO**

**WHEREAS**, the Town of Castle Rock, acting by and through the Castle Rock Water Enterprise (the “Town”), Castle Pines Metropolitan District, Castle Pines North Metropolitan District, Highlands Ranch Water and Sanitation District, and Dominion Water and Sanitation District (collectively, the “Douglas County Water Providers”) own and operate water rights and/or carry reusable effluent return flows in Plum Creek in Douglas County; and

**WHEREAS**, the Water Court decrees for such water rights and/or stream administration by the Division Engineer generally require or will require the operation of a stream flow measuring device on Plum Creek, near the point where Plum Creek is crossed by Titan Road; and

**WHEREAS**, in order to record more accurate streamflow measurements, the Colorado Division of Water Resources (CDWR) has previously installed a cantilever radar over existing grade controls within Plum Creek and developed a stage/discharge rating to measure streamflow in the creek at a location that is a short distance north of Titan Road (the “Plum Creek Gage”); and

**WHEREAS**, CDWR is willing to donate the Plum Creek Gage to the Town and the other water providers, in exchange for the Parties’ agreement to perform on-going operation, maintenance, repair, and recalibration, and, in the future, replacement, removal, and other capital improvements; and

**WHEREAS**, in addition, to restore functionality to the Plum Creek Gage, the Plum Creek stream channel (the “Stream Channel”) must be dredged and reconstructed, requiring, among other things, Section 404 permitting from the United States Army Corps of Engineers (“USACE”) and design, dredge and re-construction by a qualified stream restorationist (collectively, the “Stream Channel Restoration”); and

**WHEREAS**, after the Stream Channel Restoration, the Stream Channel will require on-going maintenance and repair; and

**WHEREAS**, the Town and the other Douglas County Water Providers have entered into an agreement to reimburse or contribute funds, on a pro-rata basis, for the operation and maintenance of the Plum Creek Gage, Stream Channel Restoration and the maintenance and repair of the Stream Channel (collectively, the “Project”); and

**WHEREAS**, in addition, the Town and the other Douglas County Water Providers have negotiated and executed contracts with CDWR for the administration of the Project and with FlyWater, Inc., for the design and construction of the Project; and

**WHEREAS**, in order to move forward with the Project, the Town and the other Douglas County Water Providers wish to enter into a License Agreement with the Department of the Army,

acting by and through USACE, authorizing access to approximately 4.33 acres of federal land within the Chatfield Lake Project for the Project.

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

**Section 1. Approval.** The License Agreement between the Secretary of the Army, the Town and the Douglas County Water Providers for the Project is hereby approved in substantially the same form as presented at tonight’s meeting, with such technical changes, additions, modifications, deletions, or amendments 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 Contract and any technical amendments thereto by and on behalf of the Town.

**PASSED, APPROVED AND ADOPTED** this 19th day of May, 2026, 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