

**RESOLUTION NO. 2024-057**

**A RESOLUTION APPROVING THE 2024 SPOT WATER  
LEASE AGREEMENT BETWEEN THE TOWN OF CASTLE  
ROCK AND THE TOWN OF WIGGINS**

**WHEREAS**, the Town of Castle Rock, acting by and through the Town of Castle Rock Water Enterprise (“Castle Rock”), and the Town of Wiggins (“Wiggins”), have agreed to the terms and conditions of the Spot Water Lease Agreement; and

**WHEREAS**, pursuant to the decree in Case No. 89CW27, Castle Rock and other owners operate the Sublette Recharge Project (“Project”), which diverts water from the South Platte River into recharge ponds that accrete water to the South Platte River to generate recharge credits; and

**WHEREAS**, the decree allows Castle Rock and the other owners to lease excess recharge credits from the Project to third parties for use in judicially approved plans for augmentation; and

**WHEREAS**, Castle Rock owns 60.4 percent of the first 1,275 acre-feet (a.f.), up to 770 a.f. annually, of recharge credits decreed in Case No. 89CW27 (“Rothe Recharge Credits”); and

**WHEREAS**, Wiggins desires to lease excess Rothe Recharge Credits for augmentation of Wiggins’ tributary well pumping pursuant to Case No. 11CW131 and Castle Rock desires to lease such excess Rothe Recharge Credits to Wiggins.

**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 Wiggins is hereby approved in substantially the same form attached 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 Spot Water Lease Agreement and any technical amendments thereto by and on behalf of the Town.

**PASSED, APPROVED AND ADOPTED** this 18<sup>th</sup> day of June, 2024, 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