

ATTACHMENT C – History of WISE Prior to March 2020

In August 2009, Town Council unanimously approved participation in the Denver – Aurora – South Metro Intergovernmental Agreement to identify and evaluate opportunities to address long-term water supply needs for all Denver-metro communities in the most efficient and cost-effective manner possible.

In October 2009, Town Council approved the Town's involvement in an Engineering Investigation Participation Agreement between Denver Water – Aurora Water – and South Metro Water Supply Authority (South Metro). The primary objective of that work was to further investigate the potential of a water delivery project to supply South Metro members with water from blending currently unused South Platte return flows and mountain waters.

On September 11, 2012, staff presented Town Council the details of the WISE agreements. Town Council directed staff to continue working with the WISE Partnership by negotiating the Town's identified issues of concern and to present the final agreements and a staff recommendation to Town Council once the issues were resolved.

In October 2012, Town Council directed staff to further pursue a hybrid alternate water supply solution between 3,000 acre-feet and 4,000 acre-feet by negotiating proposed agreements with WISE and Stillwater Resources, Inc. (Stillwater) and to report back proposed agreements to Town Council for further consideration.

On April 24, 2013, staff presented the IGA and WISE WDA to the Utilities Commission for discussion. The Utilities Commission voted unanimously to recommend to Town Council the approval of the IGA subject to satisfaction of the contingencies in Section 20 of the IGA and at a subscription level of 1,000 acres-feet.

On May 7, 2013, staff presented the IGA and WISE WDA to Town Council for approval. Town Council approved the IGA which included a requirement for the satisfaction of the contingencies in Section 20 of the IGA and at a subscription level of 1,000 acre-feet.

On August 14, 2013, the Water Delivery Agreement between Denver Water, Aurora Water and SMWA is fully executed. Among the terms of the WDA agreed upon by SMWA members were the modifications to the Western Pipeline Infrastructure and the construction of the future Binney Connection to be constructed by SFFWA prior to May 31, 2021.

On October 23, 2013, staff presented the Amended and Restated WISE WDA extension and Resolution to the Utilities Commission. By general consensus, the Utilities Commission recommended these documents to Town Council for approval.

On December 3, 2013, Town Council approved Resolution No. 2013-74 approving the amendment of the SMWA Formation IGA. The amendment to the IGA authorized a one-year extension to several deadlines to satisfy the remaining two contingencies of the WISE Water Delivery Agreement. Extended terms included WISE deliveries beginning in 2016, Take-or-Pay beginning in 2017 (moved out 1 year), construction of the Binney Connection by May 31, 2021 (moved out 1 year), and End phase-in period in 2021 (moved out 1 year).

Staff presented this concept to Water Resources Committee on April 8, 2014 and Utilities Commission on April 23, 2014. Water Resources Committee and Utilities Commission

supported the concept of financing the purchasing of additional portions of the Western Pipeline and recommended bringing the concept to Town Council for consideration.

The draft Western Pipeline Purchase Agreement and the key deal terms for lease purchase agreement were brought to the Utilities Commission on May 28, 2014. Utilities Commission recommended Council proceed with approval of the purchase agreement and the related lease purchase agreement with Dominion.

The draft Western Pipeline Purchase Agreement was presented to Town Council on June 3, 2014. Town Council recommended finalizing the western pipeline purchase agreement and finalizing the lease purchase agreement with Dominion to purchase addition portions of the western pipeline over and above the base infrastructure the Town plans to purchase.

The Purchase Agreement for the Western Pipeline was approved by Town Council on June 17, 2014 for \$4,050,000. On July 22, 2014, Town Council approved a \$4,300,000 Lease-Purchase Agreement with Dominion Water and Sanitation District to assist with their down-payment needed for the closing of the Western Pipeline Purchase Agreement.

On August 27, 2014, Utilities Commission reviewed the key terms of the Modifications Agreement and recommended to Town Council for approval.

On September 2, 2014, Water Resources Committee reviewed the Modifications Agreement and supported Town Council approval.

On September 16, 2014, Town Council approved Resolution No. 2014-82 approving the execution of the Modifications to Shared Infrastructure Agreement by the South Metro WISE Authority.

On December 16, 2014, Town Council was updated on progress on the Alternate Source of Supply projects, including the WISE project.

On February 25, 2015, Utilities Commission recommended Town Council approve the additional required funding of \$368,337 for the WISE Western Pipeline modifications and the Aurora Connection.

On March 3, 2015, Water Resources Committee reviewed the additional required funding of \$368,337 for the WISE Western Pipeline modifications and the Aurora Connection and recommended Town Council move forward by general consensus.

On March 17, 2015 Town Council unanimously approved Resolution No. 2015-32 for additional funding of \$368,337 for the WISE Western Pipeline modifications and the Aurora Connection.

Utilities staff presented an update of this project as part of the overall Alternate Source of Supply Project Update to the Utilities Commission on July 22, 2015 and to Town Council on August 4, 2015. Presentations to the groups highlighted the recent progress for the hybrid solution. These types of renewable water projects support the Town's long-term water goal of providing a 75% renewable water supply for the community at build-out.

On October 6, 2015, Town Council approved Ordinance 2015-44 as presented on first reading. The ordinance authorizes the exercise of the Town's powers of eminent domain to acquire certain property interests necessary for the WISE Infrastructure transmission line.

On November 3, 2015, Town Council unanimously approved Ordinance No. 2015-44. The ordinance was presented on second reading with no additional public input or any changes being made since prior presentation. Staff reiterated that eminent domain would only be used if all efforts to secure the needed easements through good faith negotiations with property owners had failed.

On January 5, 2016, staff provided Town Council with an update on the various components of the Alternate Source of Water Supply (ASOS) projects, including recent accomplishments by the WISE partnership, the status of the Box Elder project and progress on the Plum Creek Diversion project.

On April 16, 2016, Town Council unanimously approved Resolution No. 2016-040, approving the execution of the Intergovernmental Water Infrastructure Cost Sharing, Construction and Capacity Allocation Agreement.

On May 17, 2016, staff provided an update on the WISE and Box Elder projects which made up the hybrid solution to address the Town's long term water supply needs.

On August 16, 2016, Town Council approved Directive No. 2016-050, approving the Draft Intergovernmental Agreement for Water Service between the Town of Castle Rock and Dominion Water and Sanitation District. Staff reviewed key points of proposed intergovernmental agreement and benefits to Town. This was an extension of the existing agreement between the Town and Dominion, and would work in conjunction with that agreement. Under the terms of the agreement the Town will take ownership of and treat and deliver 400 acre-feet (AF) per year (on average) of Denver Basin groundwater that Dominion currently owns as a backup to their renewable WISE supplies.

On August 16, 2016, Town Council approved Resolution No. 2016-077 approving the Town of Castle Rock and Parker Water and Sanitation District Intergovernmental Water Infrastructure Cost Sharing, Design, Construction and Capacity Allocation Agreement. The infrastructure consists of a 36-inch, 4-mile pipeline and a pump station that will deliver water from PWSD's water distribution system to the Town's planned WISE local transmission line that is currently under design. The initial cost for participation in this IGA is \$10.5 million, a portion of which would be covered by Dominion Water and Sanitation District under the separate License Agreement. The Town purchased 8.8 million gallons per day (MGD) of capacity in the pipeline and 4 MGD of capacity in the pump station.

On August 16, 2016, Town Council approved Resolution No. 2016-78 approving the Town of Castle Rock/ Dominion Water and Sanitation District Canyons Pipeline Capacity License Agreement. Staff noted this agreement was the companion agreement to the one approved by Resolution No. 2016-077.

On September 20, 2016, Town Council approved Resolution No. 2016-087 approving an Intergovernmental Agreement for Water Service between Dominion Water and Sanitation District. Staff reviewed the key points of the proposed IGA and the benefits to the Town.

On November 1, 2016, Town Council approved Resolution No. 2016-112, approving a construction contract with Garney Companies, Inc. for the WISE Local Infrastructure Construction Project. Staff reviewed highlights of construction contract for final section of pipeline needed to bring water to Castle Rock.

On February 28, 2018, Castle Rock Water Commission reviewed the Parker Water and Sanitation District (PWSD) Wheeling Agreement which delineates costs to be incurred as a result of conveying WISE water and northern supplies through PWSD's system. Castle Rock Water Commission recommended Town Council approval.

On March 6, 2018, Town Council approved Resolution 2018-014 approving the Town of Castle Rock and Parker Water and Sanitation District (PWSD) Wheeling Agreement. The agreement with PWSD covers the infrastructure needed to convey WISE water, water stored in Rueter-Hess Reservoir, and future Box Elder water supplies to the Town. PWSD will operate and maintain infrastructure and capital costs which will go on into perpetuity. Castle Rock Water will build our parallel lines budgeted for 2020 which will be the final big piece of infrastructure.

On March 28, 2018, staff presented updates on the WISE project, including the Wheeling Agreement and the infrastructure testing that has been conducted on the pipeline that runs from Parker Water and Sanitation District to the Ray Waterman Regional Water Treatment Plant.

On April 25, 2018, staff provided information to commission about the intergovernmental agreement with Dominion Water and Sanitation District for the Plum Creek raw water return pipeline / Eastern Regional pipeline project. Castle Rock Water Commission recommended Town Council approval.

On May 15, 2018, Town Council approved the Execution of the Water Infrastructure Design and Construction Cost Sharing Intergovernmental Agreement between the Town of Castle Rock and Dominion Water and Sanitation District (Plum Creek Raw Water Return Pipeline / Eastern Regional Pipeline Project). Dominion conveys their WISE water through Parker Water and Sanitation District and Castle Rock, and the pipeline project would convey Dominion's WISE water from Castle Rock to them.

On May 23, 2018, staff provided Castle Rock Water Commission with a WISE water update after receiving Castle Rock's first WISE water deliveries on April 30, 2018.

On June 27, 2018, staff presented Castle Rock Water Commission with the First Amendment to the Intergovernmental Agreement for Water Service between Town and Dominion Water and Sanitation District, which was to be presented to Town Council on July 17, 2018. The amendment included cost and capacity sharing provisions for the recently constructed Otter Marker Road pipeline, including Dominion's cost-share of WISE water re-treated at the Ray Waterman Water Treatment Plant. Castle Rock Water Commission approved and recommended Town Council approval.

On June 27, 2018, staff presented Castle Rock Water Commission with a request to purchase an additional 1,137 AF of WISE water previously under reservation by Douglas County, which would bring the Town's total subscription to 2,137 AF. Castle Rock Water Commission approved and recommended Town Council approval.

On July 17, 2018, Town Council approved Resolution No. 2018-068, approving Castle Rock Water's purchase of Douglas County WISE Reservation Water. In 2013 Aurora and Denver offered 10,000 acre feet and Douglas County reserved 2,775 AF when WISE members were unsure of their ability to convey more than the WISE membership subscription of 7,225 AF. Staff proposed purchasing an additional 1,137.5 AF WISE water reserved under the Douglas County Option which would provide the Town with a renewable and reusable supply to be

paid for by growth. This purchase would additionally require an amendment to the Water Delivery Agreement between SMWA, Aurora Water, and Denver Water.

On July 25, 2018, staff presented the temporary agreement with Parker Water and Sanitation District for the delivery of Castle Rock's water currently stored in Rueter-Hess Reservoir. The agreement would help the Town meet peak demands during the 2018 drought.

On August 22, 2018, staff presented an update on the Douglas County WISE water option. Castle Rock Water had initially pursued the purchase of 1,137 AF in additional WISE water subscription that had previously been reserved under the Douglas County Option. However, since this was last presented to Castle Rock Water Commission, additional WISE members expressed interest in obtaining water from the Douglas County Option, and ultimately more water was requested than available under the Douglas County Option. In order to maintain amicable relationships with WISE members, Castle Rock reduced our new subscription request from 1,137 AF to 1,000 AF.

On March 27, 2019, staff presented Castle Rock Water Commission with their recommendation to purchase the Western Pipeline and Ridgeway Capacity for sale by Denver Southeast Suburban Water & Sanitation District d/b/a Pinery Water & Sanitation (Pinery) for the sale price of \$2,287,966.50. It was recommended that the Town purchase additional WISE Infrastructure capacity in order to take full advantage of the Town's northern (Box Elder) and WISE supplies. Castle Rock Water Commission approved and recommended Town Council approval.

On April 19, 2019, Town Council unanimously approved Resolution 2019-047 approving the Agreement for Purchase and Sale of Western Pipeline and Ridgeway Pipeline Capacity. This purchased secured additional capacity in the Binney Connection, Western Pipeline, and the Ridgeway Pipeline for the conveyance of the Town's increased WISE water subscription of 2,000 AF and the Town's northern water supplies.

On September 3, 2019, Town Council approved Resolution No. 2019-084, approving payment for Castle Rock Water's portion of the 2019 Binney Connection Fee and the Meridian Title Clean-up fee for the WISE project. Castle Rock Water Staff additionally presented an update of the WISE project.

On January 7, 2020, Town Council unanimously approved Resolution No. 2020-004, approving the Second Amendment to the South Metro WISE Authority Formation and Organizational Intergovernmental Agreement (Formation IGA) and contemporaneously approved the Assignment and Assumption of the Town's portion of Douglas County Reservation Water.

On February 26, 2020, Castle Rock Water Commission recommended Town Council approval of payment to SMWA for the Town's portion of the Binney Connection construction cost and the Meridian Title Cleanup Fee.