

**RESOLUTION NO. 2023-056**

**A RESOLUTION APPROVING A WATER LEASE AGREEMENT  
BETWEEN THE TOWN OF CASTLE ROCK AND SUBLETTE, INC.**

**WHEREAS**, the Town of Castle Rock, Colorado (the “Town”), acting by and through its enterprise, Castle Rock Water, and Sublette, Inc. (“Sublette”) have agreed to the terms and conditions of a Water Lease Agreement (the “Lease”); and

**WHEREAS**, pursuant to Case No. 89CW27, the Town and other owners operate the Rothe-Sublette Recharge Project (“Project”), which diverts water from the South Platte River at the Riverside Canal into recharge ponds that accrete water to the South Platte River to generate recharge credits (“Recharge Credits”); and

**WHEREAS**, the Town owns 60.4 percent of the first 1,275 acre-feet (AF), up to 770 AF annually, of recharge credits decreed in Case No. 89CW27, District Court, Water Division No. 1, (“Town Recharge Credits”); and

**WHEREAS**, the Town is currently leasing a portion of Town Recharge Credits to the Town of Wiggins for augmentation of Wiggins’ tributary well pumping pursuant to Case No. 11CW131; and

**WHEREAS**, Case No. 89CW27 authorizes the lease of excess Recharge Credits to other parties; and

**WHEREAS**, Sublette seeks to lease from the Town excess Town Recharge Credits.

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

**Section 1. Approval.** The Lease between the Town and Sublette 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 Lease and any technical amendments thereto by and on behalf of the Town.

**PASSED, APPROVED AND ADOPTED** this 2nd day of May, 2023 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