

RESOLUTION NO. 2020-__

**A RESOLUTION APPROVING THE TOWN OF CASTLE ROCK AND DENVER
BOTANIC GARDENS AT CHATFIELD FARMS SPOT WATER LEASE AGREEMENT**

WHEREAS, the Town of Castle Rock and the Denver Botanic Gardens at Chatfield ("Botanic Gardens") 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. 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 2020; and

WHEREAS, the Botanic Gardens desires to lease a certain portion of the Surplus Water from the Town in accordance with the terms and conditions of this Agreement for use as a substitute or replacement supply to offset out-of-priority depletions from pumping the Green Irrigation Well, Well ID 0809483, located in the SE1/4 of the NE1/4 of Section 10, Township 6 South, Range 69 West of the 6th P.M.

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

Section 1. Approval. The Spot Water Lease Agreement, in the form attached as *Exhibit 1* is hereby approved. The Mayor and other proper Town officials are hereby authorized to execute the Agreement by and on behalf of the Town of Castle Rock, Colorado.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2020 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, Dir. of Castle Rock Water