

**RESOLUTION NO. 2025-041**

**A RESOLUTION APPROVING THE FIRST RESTATED TOWN OF CASTLE ROCK AND PARKER WATER AND SANITATION DISTRICT INTERGOVERNMENTAL AGREEMENT FOR SHARED USE OF THE NEWLIN GULCH AQUEDUCT NO. 2 (aka PWSD DIVERSION STRUCTURE)**

**WHEREAS**, the Town of Castle Rock, Colorado, by and through the Town of Castle Rock Water Enterprise (the “Town”), entered into an intergovernmental agreement with the Parker Water and Sanitation District (“PWSD”) (together with the Town referred to as the “Parties”) for the shared use of Newlin Gulch Aqueduct No. 2 (a/k/a the “PWSD Diversion Structure”), effective as of December 9, 2014 (the “Agreement”); and

**WHEREAS**, PWSD owns and operates the Cherry Creek Diversion Structure and Pump Station, which diverts surface flows from Cherry Creek into the Reuter-Hess Reservoir; and

**WHEREAS**, the Town has a water storage account within the Reuter-Hess Reservoir; and

**WHEREAS**, the Town releases Town-treated wastewater effluent from the Pinery’s wastewater treatment facility into Cherry Creek (the “Pinery Wastewater”); and

**WHEREAS**, the Agreement provides for the Town to utilize the Cherry Creek Diversion Structure and Pump Station to divert the Pinery Wastewater into the Reuter-Hess Reservoir; and

**WHEREAS**, the Town has since started storing water in the Walker Reservoir (the “Walker Reservoir Water”), and wishes to, on occasion, release said water via Cherry Creek and store it in the Reuter-Hess Reservoir where it can be more easily used by the Town’s customers; and

**WHEREAS**, the Parties have agreed to the terms and conditions which will allow for Walker Reservoir Water released into Cherry Creek to be diverted into the Reuter-Hess Reservoir using the Cherry Creek Diversion Structure and Pump Station; and

**WHEREAS**, the Parties wish to incorporate these new terms and conditions into the Agreement by executing the First Restated Town of Castle Rock and Parker Water and Sanitation District Intergovernmental Agreement for Shared Use of Newlin Gulch Aqueduct No. 2 (aka PWSD Diversion Structure) (the “First Restated Intergovernmental Agreement”).

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

**Section 1. Approval.** The First Restated Intergovernmental Agreement between the Town and PWSD 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 Agreement and any technical amendments thereto by and on behalf of the Town.

**PASSED, APPROVED AND ADOPTED** this 1st day of April, 2025, by the Town Council of the Town of Castle Rock 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