CITY OF LAFAYETTE
RESOLUTION NO. 2013-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAFAYETTE, COLORADO, APPROVING THE APPLICATION TO THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT FOR AN ANNUALLY RENEWABLE PERPETUAL WATER CONTRACT FOR THE RIGHT TO USE COLORADO-BIG THOMPSON PROJECT WATER UNDER C.R.S. § 37-45-131

WHEREAS, in accordance with state statute the Northern Colorado Conservancy District ("Northern Water") may sell, lease or otherwise dispose of the use of water by contracts for the perpetual use of such water to municipalities and impose conditions for the security of such contracts, including the annual prepayment for water provided; and

WHEREAS, the City, acting in its governmental capacity, desires to annually obtain 52-acre feet of water from the Colorado-Big Thompson Project, which water will be primarily for domestic or industrial use within or through facilities or upon land owned or served by the City; and

WHEREAS, the City agrees as a condition of the application to contract with Northern Water for the acquisition of such water and further agrees to enter into an "Operating Agreement" with Northern Water if Northern Water determines such an agreement is required by reason of additional or special services requested by the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lafayette, Colorado as follows:

The Application to the Northern Colorado Water Conservancy District for an Annually Renewable Perpetual Water Contract for the Right to Use Colorado-Big Thompson Project Water under C.R.S. § 37-45-131 is approved in substantially the same form as the copy attached hereto and made a part of this resolution and the Mayor is authorized to execute the Application and any required Contracts on behalf of the City.

RESOLVED AND PASSED THIS 15TH DAY OF JANUARY, 2013.

CITY OF LAFAYETTE, COLORADO

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Carolyn D. Cutler, Mayor

ATTEST:

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Susan Koster, CMC
City Clerk

APPROVED AS TO FORM:

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David S. Williamson, City Attorney