

**TOWN OF MILLIKEN  
RESOLUTION NO. 17-14**

**A RESOLUTION APPROVING TEMPORARY WATER LEASE  
AGREEMENTS BETWEEN THE TOWN OF MILLIKEN, AS LESSOR,  
AND EACH OF BINDER FAMILY FARMS, LLC, AND MARK SPAUR,  
AS THE RESPECTIVE LESSEES, FOR A PORTION OF THE TOWN'S  
EXCESS SHARES OF CONSOLIDATED HILLSBOROUGH DITCH  
COMPANY WATER FOR THE 2017 IRRIGATION SEASON**

**WHEREAS**, the Town of Milliken ("Town") has excess water rights during certain periods of the year; and

**WHEREAS**, the Town is the owner of Consolidated Hillsborough Ditch Company water, as decreed in 02CW339; and

**WHEREAS**, Binder Family Farms, LLC, a Colorado limited liability company, and Mark Spaur have each requested a short-term lease of 1.0 share of the Town's Consolidated Hillsborough Ditch Company water for the 2017 irrigation season (May 31 – October 31, 2017) (each 1.0 share constituting the "Leased Water"); and

**WHEREAS**, the Town desires to lease the Leased Water to Binder Family Farms, LLC accordance with the terms and conditions set forth in that certain Temporary Water Lease Agreement attached to this Resolution and incorporated herein by reference (the "Binder Water Lease"); and


**WHEREAS**, the Town desires to lease the Leased Water Mark Spaur in accordance with the terms and conditions set forth in that certain Temporary Water Lease Agreement attached to this Resolution and incorporated herein by reference (the "Spaur Water Lease").

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF MILLIKEN, COLORADO, that:**

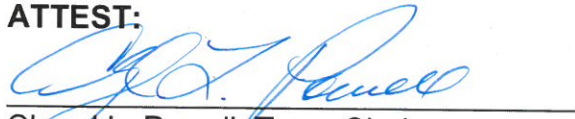
**Section 1.** The Board of Trustees of the Town of Milliken hereby: (a) approves the Binder Water Lease and Spaur Water Lease in the form attached hereto; (b) authorizes the Town Attorney to make non-substantive changes to both the Binder Water Lease and Spaur Water Lease prior to execution by the Town Administrator; and (c) authorizes the Town Administrator to execute both the Binder Water Lease and Spaur Water Lease on behalf of the Town.

**Section 2.** This Resolution shall take effect immediately.

**ADOPTED AND APPROVED** this 24<sup>th</sup> day of May, 2017.

  
Beau Woodcock, Mayor

**ATTEST:**

  
Cheryl L. Powell, Town Clerk

Attachments:

Temporary Water Lease Agreement – Binder Family Farms, LLC  
Temporary Water Lease Agreement – Mark Spaur