

**TOWN OF MILLIKEN
RESOLUTION NO. 17-22**

**A RESOLUTION APPROVING TEMPORARY C-BT WATER LEASE
AGREEMENT BETWEEN THE TOWN OF MILLIKEN AND AG WATER, LLC**

WHEREAS, the AG Water, LLC (Lessor) is the owner of 62.5 contract units in the Colorado-Big Thompson Project (C-BT Units) pursuant to an allotment contract between Northern Colorado Water Conservancy District (NCWCD) and Lessor; and

WHEREAS, Lessor desires to lease the water yielded by the annual quota in acre-feet for the C-BT Units beginning on November 1, 2016 and ending on October 31, 2017; and

WHEREAS, at 80% allocation, the C-BT Units are expected to yield 50 acre-feet (the C-BT Water) and

WHEREAS, Lessor desires to lease to Town of Milliken (Lessee) the C-BT Water identified above and Lessee desires to lease the same; and

WHEREAS, both Lessor and Lessee represent to each other that each have the authority, power and right to enter into this Agreement; and


WHEREAS, the Board of Trustees desires to authorize the Town Administrator to execute the Water Lease on behalf of the Town.

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 Water Lease and C-BT Water Lease with AG Water, LLC in the form attached hereto; (b) authorizes the Town Attorney to make non-substantive changes to both the Water Lease; (c) authorizes the Town Administrator to execute the Water Lease on behalf of the Town; and (d) authorizes the Town Administrator to undertake such tasks and execute such other documents as may be necessary to implement the Water Lease on behalf of the Town.

Section 2. This Resolution shall take effect immediately.

ADOPTED AND APPROVED this 30th day of August, 2017.



Beau Woodcock, Mayor

ATTEST:



Cheryl L. Powell, Town Clerk

Attachments:

Attachment 1 - Temporary Water Lease Agreement