

**TOWN OF MILLIKEN
RESOLUTION NO. 17-10**

**A RESOLUTION APPROVING TEMPORARY WATER LEASE AGREEMENTS
BETWEEN THE TOWN OF MILLIKEN AND WESTERN EQUIPMENT &
TRUCK, INC.**

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

WHEREAS, Western Equipment & Truck, Inc., a Colorado corporation ("Western") has requested a one-time short term lease of certain water rights owned by the Town, including 1.0 share of Greeley Loveland Irrigation Company water, 5.0 shares of Seven Lakes, and 0.5 share of Lake Loveland Water Shares (together, the "Leased Water"); and

WHEREAS, the Town desires to lease the Leased Water to Western 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 ("Water Lease"); and

WHEREAS, Western is the owner of 144 contract units in the Colorado-Big Thompson Project pursuant to an allotment contract between Western and Northern Colorado Water Conservancy District ("C-BT Water"); and

WHEREAS, the Town desires to lease the C-BT Water from Western in accordance with the terms and conditions set forth in that certain Temporary C-BT Water Lease Agreement attached to this Resolution and incorporated herein by reference ("C-BT Water Lease"); and

WHEREAS, both the Water Lease and C-BT Water Lease have been executed by Western; and

WHEREAS, the Board of Trustees desires to authorize the Town Administrator to execute the Water Lease and C-BT 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 Western in the form attached hereto; (b) authorizes the Town Attorney to make non-substantive changes to both the Water Lease and C-BT Water Lease; (c) authorizes the Town Administrator to execute both the Water Lease and C-BT 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 and the C-BT Water Lease on behalf of the Town.


Section 2. This Resolution shall take effect immediately.

ADOPTED AND APPROVED this 10th day of May, 2017.



Beau Woodcock, Mayor

ATTEST:



Cheryl L. Powell, Town Clerk

Attachments:

Attachment 1 - Temporary Water Lease Agreement

Attachment 2 - Temporary C-BT Water Lease Agreement