

RESOLUTION NO. _____ - 17

A RESOLUTION AUTHORIZING COLORADO SPRINGS UTILITIES TO TAKE ALL ACTIONS NECESSARY TO REMOVE CERTAIN WATER RIGHTS FROM THE STATE OF COLORADO’S WATER RIGHTS TABULATION

WHEREAS, the City of Colorado Springs (“City”) by and through its enterprise Colorado Springs Utilities, currently provides utility service, including water service, as authorized by Article 1, § 1-20(d) of the Charter of the City of Colorado Springs; and

WHEREAS, the City Charter of the City of Colorado Springs, Article 6, § 6-50 provides: “The City shall have the authority to buy, exchange, augment, lease, own and control water and water rights”; and

WHEREAS, the State Engineer, through the office of the Colorado Division of Water Resources (“DWR”) manages the use of water throughout the State; and

WHEREAS, Colorado Springs Utilities’ staff have identified the three (3) conditional water rights listed below that the City has an ownership interest in that should be removed from the DWR’s water rights tabulation:

Name of Water Right	Source	Decreed Amount	Appropriation Date/Adjudication Date
Roby Ditch and Reservoir	Fountain Creek	68.79 acre feet	February 18, 1891/February 10, 1978
Chancellor Well No. 1	Fountain Creek Alluvium	650 gpm/1.44 cfs	June 22, 1964/August 15, 1977
Chancellor Well No. 2	Fountain Creek Alluvium	1150 gpm/2.56 cfs	August 11, 1964/August 15, 1977

WHEREAS, removal of water rights from the DWR’s water rights tabulation is also known as abandoning a water right; and

WHEREAS, Colorado Springs Utilities’ staff have evaluated these three (3) conditional water rights and determined that their expected yield and the costs associated with developing the rights does not justify the cost and effort required to maintain the conditional water rights; and

WHEREAS, the abandonment of the City’s interest in the three (3) conditional water rights listed above will not impact Colorado Springs Utilities’ ability to serve its customers now or in the future as such water rights add no additional yield to the water system; and

WHEREAS, Colorado Springs Utilities is requesting approval to take all actions necessary to abandon the City’s interest in the three (3) conditional water rights listed above.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. That City Council authorizes Colorado Springs Utilities to take all actions necessary to abandon the City's interest in the three (3) conditional water rights listed above.

Section 2. That this Resolution shall be in full force and effect immediately upon its adoption.

DATED at Colorado Springs, Colorado, this _____ day of _____, 2017.

ATTEST:

Merv Bennett, Council President

Sarah B. Johnson, City Clerk