

**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 following water right listed below that the City has an ownership interest in that has little or no historical use and should be removed from the DWR’s water rights tabulation:

| Name of Water Right    | Source     | Decreed Amount/Colorado Springs’ Interest | Appropriation Date |
|------------------------|------------|---|--------------------|
| Bear Creek Ditch No. 1 | Bear Creek | 8.00 cfs/2.66 cfs                         | December 31, 1861  |

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 the above water right and determined that its abandonment will not reduce the yield of Colorado Springs Utilities’ water system; and

WHEREAS, the abandonment of the City’s interest in the water right listed above will not impact Colorado Springs Utilities’ ability to serve its customers now or in the future; and

WHEREAS, Colorado Springs Utilities is requesting approval to take all actions necessary to abandon the City’s interest in the water right 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 water right listed above.

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

DATED at Colorado Springs, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_,  
2015.

ATTEST:

\_\_\_\_\_  
Keith King, Council President

\_\_\_\_\_  
Sarah B. Johnson, City Clerk