

RESOLUTION NO. _____-20

A RESOLUTION APPROVING THE AMENDED AND RESTATED GREEN MOUNTAIN RESERVOIR ADMINISTRATIVE PROTOCOL AGREEMENT BETWEEN COLORADO SPRINGS, THE UNITED STATES OF AMERICA, DENVER WATER, THE COLORADO RIVER WATER CONSERVATION DISTRICT, THE NORTHERN COLORADO WATER CONSERVANCY DISTRICT, THE MIDDLE PARK WATER CONSERVANCY DISTRICT, THE GRAND VALLEY WATER USERS ASSOCIATION, THE ORCHARD MESA IRRIGATION DISTRICT, THE GRAND VALLEY IRRIGATION COMPANY, THE PALISADE IRRIGATION DISTRICT, CLIMAX MOLYBDENUM COMPANY, THE UTE WATER CONSERVANCY DISTRICT, AND THE COLORADO DIVISION OF WATER RESOURCES

WHEREAS, the City Council of the City of Colorado Springs approved the Green Mountain Reservoir Administrative Protocol and the Green Mountain Reservoir Administrative Protocol Agreement in 2013; and

WHEREAS, the Green Mountain Reservoir Administrative Protocol is a document that governs certain water rights operations related to the 1955 Blue River Decree and Green Mountain Reservoir and the Agreement outlines the procedures necessary to implement the Green Mountain Reservoir Administrative Protocol; and

WHEREAS, the Green Mountain Reservoir Administrative Protocol Agreement requires the parties to collectively file actions in State Water Court and Federal District Court seeking approval of the Green Mountain Reservoir Administrative Protocol; and

WHEREAS, the parties to the Green Mountain Reservoir Protocol Agreement filed the required actions in State Water Court and Federal District Court; and

WHEREAS, the Federal District Court has discontinued its jurisdiction over the Blue River Decree and the parties' action seeking approval of the Green Mountain Reservoir Protocol in that Court was administratively closed; and

WHEREAS, the parties negotiated required amendments to the Green Mountain Reservoir Administrative Protocol Agreement that reflect the need to seek approval of the Green Mountain Reservoir Protocol only in State Water Court; and

WHEREAS, said amendments are set forth in the Amended and Restated Green Mountain Reservoir Administrative Protocol Agreement; and

WHEREAS, Colorado Springs Utilities requests that City Council: (1) approve the Amended and Restated Green Mountain Reservoir Administrative Protocol Agreement; and (2) authorize the President of City Council to execute the Amended and Restated Green Mountain Reservoir Administrative Protocol Agreement.

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

Section 1. City Council finds and determines that approving the Amended and Restated Green Mountain Reservoir Administrative Protocol Agreement is in the best interest of the City.

Section 2. City Council hereby approves the Amended and Restated Green Mountain Reservoir Administrative Protocol Agreement in the form attached hereto and authorizes the President of City Council to execute said Amended and Restated Agreement.

Dated at Colorado Springs, Colorado, this ____ day of August, 2020.

Council President

ATTEST:

Sarah B. Johnson, City Clerk