

1 RESOLUTION R-2021-

2 A RESOLUTION OF THE LONGMONT CITY COUNCIL AUTHORIZING AN
3 APPLICATION FOR CONDITIONAL SURFACE AND STORAGE WATER RIGHTS ON
4 THE ST. VRAIN CREEK, LEFT HAND CREEK, AND DRY CREEK

5
6 WHEREAS, the City intends to file a new application for conditional surface and storage
7 water rights on the St. Vrain Creek, Left Hand Creek, and Dry Creek; and

8 WHEREAS, the purpose of the application is to appropriate water rights which shall
9 provide for downstream delivery obligations as a result of the City's exchange agreements, water
10 supply agreements, and return flow obligations from ditch change cases. The purpose of the
11 application is also for a storage right to store water for later use in the Longmont integrated
12 water supply system; and

13 WHEREAS, the Application was presented to the City Water Board, which unanimously
14 recommended that City Council adopt this Resolution confirming the City's intent and actions to
15 appropriate the referenced water rights and to proceed with any necessary applications on behalf
16 of the City to adjudicate such water rights.

17 NOW, THEREFORE, THE COUNCIL OF THE CITY OF LONGMONT, COLORADO,
18 RESOLVES:

19 Section 1

20 An application for conditional surface and storage water rights is necessary to provide for
21 the downstream delivery obligations of the City as a result of the City's various exchange
22 agreements, water supply agreements, and return flow obligations, and to ensure the City has an
23 adequate water supply for such purposes; and

1 The following appropriations are necessary to enable the City to meet its downstream
2 delivery obligations and are in the best interests of the citizens:

- 3 • An appropriation for conditional surface water rights, in the amount of 20 c.f.s., from
4 SW¼ NW¼ of Section 11, Township 2 North, Range 69 West, 6th P.M., Boulder
5 County, Colorado, with UTM coordinates 492128mE, 4444927mN, Zone 13T, for
6 replacement and augmentation purposes, including the use of water to meet
7 Longmont's historical return flow obligations; and
- 8 • An appropriation for conditional surface water rights, in the amount of 20 c.f.s., from
9 SW¼ NW¼ of Section 11, Township 2 North, Range 69 West, 6th P.M., Boulder
10 County, Colorado, with UTM coordinates 492386mE, 4444795mN, Zone 13T, for
11 replacement and augmentation purposes, including the use of water to meet
12 Longmont's historical return flow obligations; and
- 13 • An appropriation for conditional water surface rights, in the amount of 20 c.f.s., from
14 the SW¼ of Section 7, Township 2 North, Range 68 West, 6th P.M., Weld County,
15 Colorado, at a point commencing at the SW corner of Section 7, whence the West one
16 quarter corner of said Section 7 bears North 00°00'00" East, thence North 88°03'49"
17 East 999.07 feet to the point of diversion, for replacement and augmentation purposes,
18 including the use of water to meet Longmont's historical return flow obligations; and
- 19 • A claim for conditional storage water rights, in the amount of 6,889 acre-feet, at St.
20 Vrain Creek Pump Station No. 1, located at point on the North bank of St. Vrain Creek
21 located at Latitude 40.1558152°N, Longitude 105.0977706°W, from which the NE

1 Corner of Section 10, T2N, R69W of the 6th P.M. bears N 43°44'38" E, 1941.20 feet,
2 and the proposed St. Vrain Creek Pump Station No. 2, located at point on the West
3 bank of St. Vrain Creek approximately 190 feet North and 2,700 feet East of the SW
4 corner, Section 4, Township 2 North, Ranch 68 West, 6th P.M., Weld County, for the
5 purposes of storage for municipal, replacement and augmentation, including by
6 exchange.

7 The City Water Board unanimously recommended that the City Council adopt a
8 Resolution confirming the City's intent and actions to appropriate the foregoing water rights and
9 to proceed with the necessary applications on behalf of the City to adjudicate such water rights,
10 and

11 That it was on or before December 7, 2021, and continues to be, the City of Longmont's
12 intent to appropriate the water rights described above.

13 Section 2

14 The City of Longmont hereby designates the staff of the Public Works and Natural
15 Resources Department and authorizes the staff, in their discretion, to further pursue the above-
16 described appropriations on behalf of the City, and to file and proceed with the necessary
17 application(s), and other actions deemed advisable in their discretion, to adjudicate the water rights
18 described above.

19 Section 3

20 The Council repeals all resolutions or parts of resolutions in conflict with this resolution,
21 but only to the extent of such inconsistency.

1 Passed and adopted this _____ day of _____ 2021.

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6 _____
7 MAYOR

8 ATTEST:

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11 _____
12 CITY CLERK

13
14
15 APPROVED AS TO FORM

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18 _____
19 ASSISTANT CITY ATTORNEY

DATE

20
21
22 _____
23 PROOFREAD

DATE

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25
26 APPROVED AS TO FORM AND SUBSTANCE:

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28
29 _____
30 ORIGINATING DEPARTMENT

DATE

31
32 CA File: 21-001503