Resolution No. 2014-12-01

RESOLUTION
OF THE BOARD OF DIRECTORS OF
GREATROCK NORTH WATER AND SANITATION DISTRICT

REGARDING A RENEWABLE WATER RIGHTS POLICY

WHEREAS, the Greatrock North Water and Sanitation District (the "District") is a quasi-municipal corporation and political subdivision of the State of Colorado, duly organized and existing pursuant to §§ 32-1-101, *et seq.*, C.R.S.; and

WHEREAS, pursuant to § 32-1-1001(1)(h), C.R.S., the Board of Directors of the District (the "Board") is empowered with management, control, and supervision of all business and affairs of the District; and

WHEREAS, pursuant to § 32-1-1001(1)(m), C.R.S., the Board is authorized to adopt, amend, and enforce bylaws and rules and regulations not in conflict with the constitution and laws of Colorado for carrying on the business, objects, and affairs of the Board and the District; and

WHEREAS, pursuant to § 32-1-1006(1)(e), C.R.S., the Board is authorized to acquire water rights and to construct and operate lines and facilities within and without the District; and

WHEREAS, the District's current boundaries include six subdivisions: Greatrock North, Rocking Horse Farms, Box Elder Creek Ranch, Homestead Heights II, Hayesmount Estates, and Ridgeview Estates; and

WHEREAS, the District's projected build-out augmentation requirement, if all of the District's water supply is pumped from alluvial wells, to serve all of the subdivisions within the District's boundaries is 113.1 acre-feet per year; and

WHEREAS, in order to ensure the long-term provision of sustainable water for its customers, the Board desires to establish a policy for the acquisition of renewable water rights.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DISTRICT AS FOLLOWS:

1. Renewable Water Rights Policy. The Board hereby acknowledges the scarcity of water resources in Colorado and, as a result, the importance of securing renewable water for the District and its customers for the future. Because of the continuing depletions and unreliability of non-renewable water resources, the Board hereby declares it to be the Board's policy to acquire, secure and obtain renewable water rights to replace 100% of the District's non-renewable Denver Basin well pumping on an annual basis. Based upon the District's projected build-out augmentation requirement, this amount is equal to 113.1 acre-feet per year.

2. Effective Date. The provisions of this Resolution shall take effect as of the date of this Resolution.

3. Severability. If any term or provision of this Resolution or if any rule or Regulation is found to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, such invalid or unenforceable term or provision shall not affect the validity of the remainder of the Resolution or rules and regulations, as a whole, but shall be severed, leaving the remaining terms or provisions in full force and effect. In addition, in lieu of such void or unenforceable provision, there shall automatically be added a provision similar in terms to such illegal, invalid or unenforceable provision so that the resulting reformed provision is legal, valid and enforceable.

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RESOLVED, ADOPTED AND APPROVED this 2nd day of December, 2014.

GREATROCK NORTH WATER AND
SANITATION DISTRICT

_____
Officer of the District

ATTEST:

_____

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

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General Counsel to the District