

Denver Board of Water Commissioners

Title:

**Intergovernmental Agreement between Denver Water, the City of Aurora, and the South Metro Water Supply Authority**

Meeting Date: 7/8/2009

Contract/Proposal

Action by Consent

Action

Information

For the past several years, Denver Water (the Board), the City of Aurora (Aurora), and the South Metro Water Supply Authority (the Authority) have entered into various agreements to investigate mutually beneficial water supply projects. These agreements include the April 2006 Intergovernmental Agreement (IGA) between the Board and Aurora to investigate potential shared use of water resources and facilities, the February 2007 Pilot Project Agreement between the Board and the Authority to investigate the feasibility of potential cooperative water operations, and the November 2008 MOU between the Board, Aurora and the Authority to jointly fund a cooperative water resource study that may result in a joint water supply project. This proposed IGA builds on the previous agreements, and creates a mechanism by which the three parties may jointly identify, share, and acquire water rights, infrastructure, and other assets that may be used in a joint project. The joint project concurrently being studied includes the potential use of Aurora's Prairie Waters system, a portion of the Board's unused reusable supplies, and water and infrastructure owned by the Authority.

The proposed IGA defines a portion of the lower South Platte River basin as a "project region", and commits the parties to jointly investigating acquisition opportunities that may arise within the region. The parties would agree to not pursue acquisitions within the project region individually without first offering participation to the entire group. Potential acquisitions the group wishes to pursue will be subject to a subsequent Participation Agreement that will include the specific details of how water or infrastructure will be shared, including cost-sharing for acquisition. The IGA does not commit any party to acquiring water or infrastructure, but creates a structure for an orderly, responsible and coordinated effort to acquire water and infrastructure that the parties may use in an eventual joint water supply project. The parties believe this coordinated, joint effort will result in a more cost-effective use of funds, and minimize potential impacts of water acquisition.

The term of the IGA is three years, unless extended by mutual consent.

**RECOMMENDATION:**

It is recommended that the Board approve execution of the attached IGA with the City of Aurora and the South Metro Water Supply Authority.

Approvals:

*Paula Dantes & Dave Little*

*Patricia L. Wells*

David Little, Director Planning

Patricia L. Wells, General Counsel

*[Signature]*  
Manager Approval:  
*Per HS Bang*

Documents Attached:

File Attachment