

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: June 12, 2013

Board Item: V-A- 3

**Town of Frisco Amended Future Dillon Water Agreement
Contract 12683A**

Action by Consent

Action

Information

Pursuant to the terms of the July 21, 1992 Clinton Fraser Agreement ("Clinton Agreement"), the Board and the Town of Frisco entered into a Future Dillon Water Agreement on November 11, 2009 ("2009 Agreement"). The Clinton Agreement identified the Towns of Frisco and Dillon, Summit County, and Copper Mountain as parties entitled to Future Dillon Water.

Since 2009, Frisco has used its 100 acre-feet of future Dillon Reservoir Water to augment depletions caused by Frisco's use of water for municipal purposes and to replace diversions used for snowmaking at the Frisco Nordic Center located at the Peninsula Recreation Area. Under the 2009 Agreement, depletions caused by the use of water for snowmaking purposes were assumed to be fully consumptive. The 2009 Agreement forecast that the consumptive use associated with snowmaking could be revised as more specific information was developed.

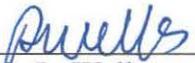
Representatives of Frisco, Summit County and Denver Water have discussed the consumptive use factor for snowmaking and determined a change of the consumptive use factor for snowmaking purposes from 100% to 33% is warranted. Accordingly, the parties have prepared the attached Amended 2009 Agreement, which incorporates this concept. The 33% consumptive use factor may be further modified as Frisco has agreed to participate in a future snowmaking consumptive use study with the signatories of the Colorado River Cooperative Agreement. The Town authorized the Amended Agreement at its May 14th meeting.

Recommendation:

It is recommended that the Board approve the Amended Future Dillon Water Agreement modifying the consumptive use for Frisco's use of future Dillon Reservoir water for snowmaking purposes at the Peninsula Recreation Area.

Approvals:

Respectfully submitted,



Patricia L. Wells,
General Counsel



James S. Lochhead
CEO/Manager



David L. Little
Director of Planning