

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: December 11, 2013

Board Item: V-A- 11

**Mesa Cortina (Future Dillon) Water Agreement
Contract #07619B**

Action by Consent

Action

Information

Paragraph 7 of the Clinton Reservoir-Fraser River Water Agreement (“Clinton Agreement”) dated July 21, 1992 provides that the Town of Frisco, Summit County, the Town of Dillon, and Copper Mountain, Inc. own 351 acre-feet of the 3,100 acre-feet water initially designated for use under the Denver/Summit County Agreement dated September 18, 1985. Pursuant to Paragraph 7, the water is eligible to be converted into Future Dillon Reservoir water, which is water Denver Water committed to release from Dillon Reservoir. The Town of Frisco, Copper Mountain, Inc., Town of Dillon, and Summit County have previously converted their interests in the 351 acre feet.

By agreement dated December 3, 2003 between Summit County and Denver Water, Denver Water acknowledged the conveyance of Summit County’s interest in 5.25 acre-feet of its 103.39 acre feet of the 351 acre feet to Mesa Cortina pursuant to paragraph 7 of the Clinton-Fraser River Water Agreement; provided that Denver Water and Mesa Cortina enter into a separate agreement to provide for the physical arrangements by which Mesa Cortina would provide replacement water to Denver Water and Denver Water would provide releases of Future Dillon Reservoir Water for Mesa Cortina.

The attached agreement between Denver Water and Mesa Cortina is the agreement contemplated by the December 3, 2003 agreement. Mesa Cortina has authorized the attached agreement. Summit County’s approval is pending.

This is a water transaction only and no funds are required.

Recommendation:

It is recommended that the Board approve the attached Agreement with Summit County and Mesa Cortina upon final approval from the Summit County Board of Commissioners.

Approvals:

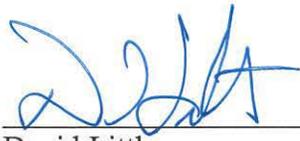
Respectfully submitted,



Patricia Wells
General Counsel



James S. Lochhead
CEO/Manager



David Little
Director of Planning