

**RESOLUTION NO. 3-13
TOWN OF BERTHOUD, COLORADO**

A RESOLUTION TO APPLY FOR AN ANNUALLY RENEWABLE PERPETUAL WATER CONTRACT FOR THE RIGHT TO USE COLORADO BIG THOMPSON PROJECT WATER AND FOR CANCELLATION OF TEMPORARY USE PERMITS

WHEREAS, the Town of Berthoud relies upon water from the Colorado Big Thompson ("CBT") Project to provide water within the Town; and

WHEREAS, the Northern Colorado Water Conservancy District operates pursuant to a procedure under which municipalities are granted Temporary Use Permits when CBT Units are acquired. At the beginning of each calendar year, municipalities are required to convert those Temporary Use Permits to Annually Renewable Perpetual Water Contracts by applying to cancel the Temporary Use Permits and entering into a Perpetual Contract; and

WHEREAS, this procedure is required for a total of 60 CBT Units acquired during 2012.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, AS FOLLOWS:


Section 1. The Board of Trustees for the Town of Berthoud ("Board") hereby authorizes the Mayor and Town Clerk to execute an Application to the Northern Colorado Water Conservancy District for an Annually Renewable Perpetual Water Contract for the Right to Use Colorado Big Thompson Project Water under C.R.S. § 37-45-131, which contract shall be entered into in the name of the Town of Berthoud acting by and through its Town of Berthoud Water Activity Enterprise.

Section 2. The Board hereby authorizes the Mayor and Town Clerk to execute an Application to the Northern Colorado Water Conservancy District for cancellation of Temporary Use Permits for 60 acre feet.

Section 3. The Board hereby authorizes the Mayor and Town Clerk to also execute any other necessary documentation prescribed by the Northern Colorado Water Conservancy District to complete the transactions described herein.

PASSED, ADOPTED AND APPROVED this 26th day of February, 2013 by the Board of Trustees of the Town of Berthoud, Colorado.

TOWN OF BERTHOUD

By: 
Jan Dowker, Mayor Pro-Tem

Attest:


Mary K. Cowdin, Town Clerk

**APPLICATION TO
NORTHERN COLORADO WATER CONSERVANCY DISTRICT
FOR CANCELLATION OF TEMPORARY USE PERMITS**

The Town of Berthoud hereby applies for the cancellation of the following Temporary Use Permit:

| <u>Permit Dated</u> | <u>Acre-Feet</u> |
|--------------------------------------|------------------|
| November 9, 2012 | 60 |
| Total Quantity to be Released | 60 |

Dated at Berthoud, Colorado this 28th day of February, 2013.

TOWN OF BERTHOUD

By 

ATTEST:


(SEAL)

ORDER ON APPLICATION

Application having been made by the Town of Berthoud for the cancellation of the above Temporary Use Permit, and Hearing having been held by the Board of Directors of Northern Colorado Water Conservancy District, it is hereby ORDERED that the above Temporary Use Permit be canceled.

Dated the _____ day of _____, 20____.

NORTHERN COLORADO WATER
CONSERVANCY DISTRICT

President

ATTEST:

Secretary