

**A RESOLUTION OF THE REPUBLICAN RIVER
WATER CONSERVATION DISTRICT**

(To Establish a Fee to Fund Conservation Programs outside of the South Fork Focus Zone)

RESOLUTION NO. 21-06

RECITALS

WHEREAS, the Republican River Water Conservation District (“District”) was created pursuant to section 37-50-103(1), C.R.S., to, in part, assist the State of Colorado to carry out the State’s duty to comply with the limitations and duties imposed upon the state by the Republican River Compact; and

WHEREAS, pursuant to section 37-50-107(1)(k), C.R.S., the District has established a water enterprise pursuant to Article 45.1 of Title 37 of the Colorado Statutes (“Enterprise”); and

WHEREAS, the District is managed and controlled by its Board of Directors (“Board”); and

WHEREAS, the Board, acting as the Governing Body of the Enterprise, adopted Resolution No. 04-01 to establish an annual use fee which, as amended, provides revenues to the Enterprise that can be used to assist the State of Colorado in complying with the limitation and duties imposed upon the State by the Republican River Compact; and

WHEREAS, on August 24, 2016, the Republican River Compact Administration adopted the Resolution by the Republican River Compact Administration Approving Operation and Accounting for the Colorado Compact Compliance Pipeline and Colorado’s Compliance Efforts in the South Fork Republican River Basin (“2016 Resolution”); and

WHEREAS, on August 23, 2016, the District adopted the Resolution by the Republican River Water Conservation District Board of Directors Regarding Resolving Certain Issues Between the State of Kansas and Colorado Regarding the Republican River Compact that expressed the District’s support for the 2016 Resolution; and

WHEREAS, the 2016 Resolution states, in part, that “Utilizing the Conservation Reserve Enhancement Program or other voluntary programs, Colorado agrees to retire up to an additional 25,000 acres from irrigation in the South Fork Republican basin. Of that amount, Colorado will retire at least 10,000 acres by 2022 and will retire the remaining 15,000 acres by December 31, 2027”

WHEREAS, the deadlines stated in the 2016 Resolution have been extended to 2024 and 2029, respectively; and

WHEREAS, the requirement of 10,000 acres to be retired in the South Fork Republican basin (“South Fork Focus Zone”) has not yet been reached and the Board has adopted Resolution No. 21-05 contemporaneously with this Resolution to address the terms of the 2016 Resolution; and

WHEREAS, the reduction of the consumption of groundwater throughout the District will further reduce the State of Colorado’s Beneficial Consumptive Use under the Republican River Compact and, over time, will reduce the calculated depletions to surface streams from such consumption of groundwater; and

WHEREAS, such reduction of calculated depletions to surface streams will directly assist the State in complying with the limitations and duties imposed upon the state by the Republican River Compact; and

WHEREAS, the District does not have the power to enforce limitations on the use of groundwater and so must rely on incentives to voluntary participation in conservation programs that will result in the reduction of calculated depletions; and

WHEREAS, the Board wishes to consider additional funding for the retirement of irrigated acres within the District to assist the State in complying with the limitations and duties imposed upon the state by the Republican River Compact.

RESOLUTION


NOW, THEREFORE, be it resolved by the Board of the District that it adopts the following Resolution:

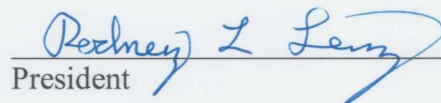
1. The District's Budget Committee, on an annual basis, will examine the District's available funds raised outside of the increase in fees set forth in Resolution 21-05 and, in the Committee's discretion, use such funds to fund additional conservation incentives including retirement of irrigated acres outside of the South Fork Focus Zone.
2. Such additional funding will be made only in the Ground Water Management Districts who have adopted an identifiable and quantifiable conservation plan.

RESOLVED this 17th day of August 2021.

ATTEST:

BOARD OF DIRECTORS
REPUBLICAN RIVER WATER
CONSERVATION DISTRICT


Secretary


President