

**A RESOLUTION OF THE REPUBLICAN RIVER WATER CONSERVATION DISTRICT**  
*(To Allow Producers to Reconcile Assessed Acres to Actually Irrigated Acres)*

RESOLUTION NO. 22-06

**RECITALS**

WHEREAS, the Republican River Water Conservation District (“District”) was created pursuant to section 37-50-103(1), C.R.S, for the conservation, use, and development of the water resources of the Republican river, its tributaries, and that portion of the Ogallala aquifer underlying the district and to cooperate with and 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, the District is managed and controlled by its Board of Directors (“Board”); and

WHEREAS, as part of approving the operation, use, and accounting for the Compact Compliance Pipeline, the Republican River Compact Administration, including the State of Colorado, mandated that at least 10,000 acres of previously irrigated ground within the South Fork subbasin in Colorado (“South Fork Focus Zone”) be retired by December 31, 2024 and a total of 25,000 acres be retired by December 31, 2029; and

WHEREAS, failure to achieve the required dry-up of previously irrigated acres puts continued operation of the Compact Compliance Pipeline in jeopardy which may result in curtailment of nearly all irrigated agriculture and other water uses throughout the District; and

WHEREAS, due to mistake, inadvertence, or neglect, the actual current irrigated acres under a center pivot does not always match the number of acres assessed as irrigated by the relevant county assessor, which negatively impacts a producer’s ability to enroll in various conservation programs.

**RESOLUTION**

NOW, THEREFORE, be it resolved by the Board of the District that it adopts the following policy that will allow producers within the South Fork Focus Zone to reconcile the actually irrigated acres within the South Fork Focus Zone with the acres assessed as irrigated by the relevant county assessor:

1. Where a producer within the South Fork Focus Zone has paid fees on less irrigated acres than have actually been historically irrigated due to a discrepancy between actually irrigated acres and acres assessed as irrigated by the relevant county assessor and such lesser amount has been used as the basis for fees paid to the District, the producer may correct the error by:
  - A. Correcting the total irrigated acres with the relevant county assessor and updating those records; and
  - B. If the discrepancy was less than ten percent (10%) of the actually irrigated acres, paying to the District the difference in fees that were actually assessed

for the incorrect acres and the fees that should have been assessed on the actually irrigated acres for the previous two (2) years of assessments; or,

- C. If the discrepancy was equal to or greater than ten percent (10%) of the actually irrigated acres, paying to the District the difference in fees that were actually assessed for the incorrect acres and the fees that should have been assessed on the actually irrigated acres since the year 2016.

2. Upon the completion of the steps in paragraph 1, above, the District will consider all actually irrigated acres, as shown in the updated assessor records, to be potentially eligible to be enrolled in the District's conservation programs as they exist now or as they may change in the future.

RESOLVED this \_\_\_ day of November 2022.

ATTEST:

BOARD OF DIRECTORS  
REPUBLICAN RIVER WATER  
CONSERVATION DISTRICT



Secretary



President