

*Not passed
town signed agreement instead*

**ORDINANCE NO. 2004-2
TOWN OF RICO
APPROVING A WATER USER AGREEMENT WITH THE
DOLORES WATER CONSERVANCY DISTRICT**

WHEREAS, the Town of Rico has junior water rights that are insufficient to provide Rico with a legal supply of municipal water;

WHEREAS, C.R.S. §31-15-101(c) authorizes the Town of Rico to enter into contracts, and C.R.S. 31-15-708(b)(I) authorizes the Town to take water in sufficient quantity from streams after obtaining consent from any person materially affected or impaired by the Town's diversion of such water; and,

WHEREAS, the Board of Trustees finds that obtaining a legal supply of water is essential to the provision of municipal water, provision of water for fire protection, and is essential to the health, safety and general welfare of the Rico community;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO, COLORADO, the following:

SECTION 1. APPROVAL OF WATER USER AGREEMENT

The attached Water User Agreement is approved and the Mayor, Mayor ProTem, Town Manager and/or Town Clerk are authorized to execute the Water User Agreement.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective immediately upon final adoption.

SECTION 3. POSTING AND PUBLISHING. This Ordinance shall be posted at the Rico Post Office and Rico Town Hall and published in the Rico Sun-Times.

INTRODUCED, READ, APPROVED AND ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO on the 11th day of February, 2004.

READ AND APPROVED ON SECOND AND FINALLY READ AFTER CONDUCTING A PUBLIC HEARING BY THE BOARD OF TRUSTEES OF THE TOWN OF RICO on the 17th day of March, 2004.

By: Tom Clark, Mayor

Attest: Linda Yellowman, Town Clerk
[Town Seal]

Approved as to Form: Eric James Heil, Esq.
Town Attorney

**TOWN OF RICO BALLOT QUESTION NO. 1.
Joining the Dolores Water Conservancy District**

“SHALL THE TOWN OF RICO TAXES BE INCREASED \$25,00.00 ANNUALLY by the levying of an additional 4.711 mills, effective January 1, 2004, and by such amounts as the Dolores Water Conservancy District shall determine in the future, and shall the Dolores Water Conservancy District be permitted to collect, retain and expend the full proceeds of such tax revenue generated from the imposition of this mill levy notwithstanding any state restrictions on fiscal year spending, including without limitation Article X, Section 20 of the Colorado Constitution, and shall the Town be authorized to join the Dolores Water Conservancy District?”

Yes No .”