

RESOLUTION NO. 12-07

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD,
LARIMER, AND WELD COUNTIES, COLORADO ACKNOWLEDGING
THE CONTRACT ADMINISTRATION MEMORANDUM AND METHODOLOGY
FOR DETERMINING RATES FOR USE OF EXCESS CAPACITY SERVICE FOR
THE TOWN OF BERTHOUD'S NON-PROJECT MUNICIPAL AND INDUSTRIAL
WATER THROUGH THE FACILITIES OF THE COLORADO BIG THOMPSON
PROJECT, COLORADO PURSUANT TO CONTRACT NO. 06XX6CO122**

RECITALS

WHEREAS, the Town of Berthoud acting by and through its Water Enterprise ("Town") has entered into Contract No. 06XX6CO122 with the United States of America and the Northern Colorado Water Conservancy District, for excess capacity service of non-project municipal and industrial water through the facilities of the Colorado Big Thompson Project; and

WHEREAS, the charge for use of said Project facilities for excess capacity service is set forth in paragraph 5(a)(1) of said Contract and the methodology for the cost of service is provided in the contract administration memorandum from the United States Department of the Interior, Bureau of Reclamation dated March 22, 2007; and

WHEREAS, the Town approves the methodology in determining said costs, but has also informed the United States that it may approach the United States in the future to discuss the costs which could be addressed in an amendment to the Contract.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO, ACTING BY AND ON BEHALF OF THE TOWN OF BERTHOUD'S WATER ENTERPRISE, THAT MAYOR MILAN KARSPECK IS HEREBY AUTHORIZED TO EXECUTE THE ACKNOWLEDGEMENT OF THE CONTRACT ADMINISTRATION MEMORANDUM FOR CONTRACT NO. 06XX6CO122, DATED MARCH 2, 2007.

This Resolution was introduced, read and approved by a vote of 5 in favor and 0 opposed at the meeting of the Board of Trustees on the day of April, 2007.

TOWN OF BERTHOUD

By Milan Karspeck
Milan Karspeck, Mayor