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RESOLUTION NO. 8

Series 2023

**A RESOLUTION AUTHORIZING THE TOWN OF BRECKENRIDGE TO EXERCISE AN OPTION TO EXTEND THE TERM OF THE CONTRACT BETWEEN THE UNITED STATES AND THE TOWN OF BRECKENRIDGE FOR WATER STORAGE SPACE IN GREEN MOUNTAIN RESERVOIR FOR 40 YEARS UNTIL APRIL 30, 2065.**

WHEREAS, the Town of Breckenridge (“Contractor”) and the United States executed Contract No. 4-07-70-W0710. entitled “Contract Between The United States and the Town of Breckenridge for Water Storage Space in Green Mountain Reservoir” (hereinafter “Contract”) on July 20, 1984 for a 16-year term to conform with the termination of other contracts for the Colorado-Big Thompson Project;

WHEREAS, a 40-year term was later established by the United States for contracts relating to use of Green Mountain Reservoir;

WHEREAS, the Town of Breckenridge, by letter of November 26, 1985, exercised its option to extend the term of the contract for a term of 40 years;

WHEREAS, the Town Council of the Town of Breckenridge desires to exercise its option to extend the contract for an additional term of 40 years;

WHEREAS, the option will extend the contract for an additional term of 40 years. Such option will be exercised in the form the attached letter (a copy of which is attached as **Exhibit A** to the Resolution) to the United States Department of Interior, Bureau of Reclamation, and effect an extension of the term until April 30, 2065.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BRECKENRIDGE, COLORADO:

**Section 1.** The Town Council of the Town of Breckenridge hereby exercises its option to extend the term of the Contract for an additional 40-year term.

**Section 2.** Town Manager is authorized, empowered, and directed to execute such option for and on behalf of the Town of Breckenridge.

**Section 3.** All resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any such resolution, or part thereof, heretofore repealed.

**Section 4.** This resolution is effective upon adoption.

1 RESOLUTION APPROVED AND ADOPTED this 28<sup>th</sup> day of February, 2023.

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3 TOWN OF BRECKENRIDGE

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7 By: \_\_\_\_\_  
8 Eric S. Mamula, Mayor  
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10 ATTEST:

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14 \_\_\_\_\_  
15 Helen Cospolich, CMC,  
16 Town Clerk

17  
18 APPROVED IN FORM

19  
20  
21  
22 \_\_\_\_\_  
23 Town Attorney      Date

February 28, 2023

Regional Director  
Lower Missouri Region  
Bureau of Reclamation  
P.O. Box 25247  
Denver, Colorado 80225

Dear Regional Director:

Please be advised that the Town of Breckenridge is the Contractor in Contract 4-07-70-W0710, entitled "Contract Between The United States and the Town of Breckenridge for Water Storage Space in Green Mountain Reservoir" for 800 acre feet of water storage space in Green Mountain Reservoir, dated July 20, 1984, as amended by Amendment No. 1 dated, March 19, 1986 (the "Contract"). The term of the Contract extends until April 30, 2025.

Pursuant to Paragraph 2.b. of the Contract, the Contractor has the option to renew the Contract for additional term of up to 40 years upon written request to the Secretary on or before 2 years prior to the expiration of the Contract. Under Paragraph 1.b. of the Contract, the Contracting Officer is the Secretary's authorized representative, and the Contracting Officer is the Regional Director, Lower Missouri Region, Bureau of Reclamation.

Contractor hereby provides written notice that it exercises its option to renew the term of the Contract for an additional 40 years until April 30, 2065.

CONTRACTOR:  
Town of Breckenridge

By: \_\_\_\_\_  
Town Clerk

By: \_\_\_\_\_  
Town Manager

cc: Kirsten Crawford, Town Attorney  
Glenn Porzak, Town Water Attorney