

## RESOLUTION 2022-10

### Resolution of the Triview Metropolitan District Concerning Acknowledgement and Acceptance of Terms, Conditions, Requirements and Entitlements under the 1041 Permit Approved by the Board of County Commissioners for Pueblo County, Colorado Concerning the use of Pueblo Reservoir, and the North Outlet Works

WHEREAS: Triview has acquired certain renewable water rights pending change to the District's municipal purposes on Fountain Creek and the Arkansas River, both above and below Pueblo Reservoir, the use of which by Triview will require the use of storage capacity in Pueblo Reservoir, and delivery therefrom through the North Outlet Works (NOW) and into Colorado Springs Utilities' (Utilities) Southern Delivery System (SDS); and,

WHEREAS: Triview has completed an Environmental Assessment (EA) concerning the impacts of Triview's use and delivery of its water rights, including through Pueblo Reservoir and the SDS, and on the basis of such EA the United States Bureau of Reclamation has contracted with Triview for a "long-term" storage account in Pueblo Reservoir for a term of 40 years, allowing the use of Pueblo Reservoir and the NOW for the storage at any one time of up to 999 acre feet of water, and for delivery of the same into SDS via the NOW; and,

WHEREAS: Pueblo Reservoir and the NOW being wholly within the boundaries of Pueblo County, Colorado, and Triview's use of Pueblo Reservoir and the NOW being part of a municipal water project, Triview's use of Pueblo Reservoir and the NOW is therefore further subject to the regulatory and permitting requirements of Pueblo County Code, Title 17, concerning regulations for "activities of state and local interests (1041 Regulations); and,

WHEREAS: Triview did submit to Pueblo County an application for 1041 Permit approval, and following consultations with Pueblo County staff and consultants, the Pueblo County Board of County Commissioners (BoCC) did, during a hearing on August 23, 2022 vote to approve "House Bill No. 1041 2022-002, by BoCC Resolution No. P&D 22-030, approve Triview's 1041 Permit application as concerns the use of Pueblo Reservoir and the NOW; and,

WHEREAS: Said BoCC Resolution contains a specific requirement that the Triview Board of Directors, as the governing board of the Triview Metropolitan District, take formal action to recognize the commitments contained in the BoCC Resolution prior to Pueblo County's final issuance of the 1041 Permit approved therein.

**NOW THEREFORE BE IT RESOLVED:** The Triview Metropolitan District, by this Resolution of its Board of Directors, formally approves the 1041 Permit approved by the Pueblo County BoCC, and further acknowledges and recognizes all commitments and requirements contained in the Pueblo County BoCC Resolution as requirements and

obligations of Triview for the use and operation of its contractual storage space in Pueblo Reservoir, including the use of the North Outlet Works.

Dated this 15<sup>th</sup> day of September, 2022.



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Mark Melville, President  
Triview Metropolitan District