

NORTHERN COLORADO WATER CONSERVANCY DISTRICT
INTERIM BASE WATER SUPPLY POLICY

February 14, 1997

The existing Base Water Supply Policy of the Northern Colorado Water Conservancy District (District) is that the water supply provided by the Colorado-Big Thompson (C-BT) Project is to be beneficially used as a supplemental water supply to the base water supplies available for beneficial use within the boundaries of the District. Base water supplies are defined as any permanent water supply other than the water supplies yielded from the C-BT Project. The Board of Directors of the District is currently reviewing the existing Base Water Supply Policy of the District to determine whether changes or modifications in that Policy are necessary. Pending a final decision by the Board of Directors with respect to the need for and the substance of any changes in the Base Water Supply Policy, the Board hereby adopts the following Interim Base Water Supply Policy.

POLICY:

The Board will not approve an application to change or modify an existing C-BT water allotment contract, or to issue a new C-BT water allotment contract, when any one or more of the following circumstances exist:

1. The C-BT water is intended to be used for irrigation purposes and the lands on which the C-BT water will be used have no existing base water supply that is owned or permanently controlled by the applicant.

Exceptions:

Existing allotment contracts with minimal or no base water supplies will be considered for modification only to the extent of a requested change in ownership of the entire allotment contract or, in the case of a modification of a Class D Allotment Contract, the modification results in a reduction of the acreage of lands associated with the allotment contract. Additional units of C-BT Project water will not be granted to such existing allotment contracts.

2. The C-BT water is intended to be used for irrigation purposes and the lands on which the C-BT water will be used have no history of irrigation with a base water supply.
3. The C-BT water is intended to be used for irrigation purposes on lands that have historically been irrigated with a base water supply and all or any portion of the base water supply associated with those lands, that was not rented or leased, has been sold or permanently transferred for use outside the boundaries of the District. Only those transfers of base water supplies

occurring after the effective date of this interim policy will be considered in the implementation of this interim policy.

4. The C-BT water is intended to be used for irrigation purposes on lands that have historically been irrigated with a base water supply and more than 50% of the base water supply that was owned or permanently controlled and beneficially used on those lands has been sold or permanently transferred for use on other lands or for other purposes. Only those transfers of base water supplies occurring after the effective date of this interim policy will be considered in the implementation of this interim policy.
5. The C-BT water is intended to be used for non-irrigation purposes and all or any portion of the historic base water supply of the person or entity to whom the C-BT water allotment contract will be transferred or issued, that was not rented or leased, has been sold or permanently transferred for use outside the boundaries of the District. Only those transfers of base water supplies occurring after the effective date of this interim policy will be considered in the implementation of this interim policy.
6. The C-BT water is intended to be used for non-irrigation purposes and more than 50% of the base water supply that was owned or permanently controlled and beneficially used by the person or entity to whom the C-BT water allotment contract will be transferred or issued has been sold or permanently transferred for other purposes. Only those transfers of base water supplies occurring after the effective date of this interim policy will be considered in the implementation of this interim policy.

The Base Water Supply Policy is only one of many policies, criteria, rules and regulations utilized by the staff in analyzing, and applied by the Board in acting on, applications for changes or modifications in existing C-BT water allotment contracts or new C-BT water allotment contracts. All other policies, criteria, rules and regulations previously adopted and utilized by the staff in analyzing, and applied by the Board in acting on, applications for changes or modifications in C-BT water allotment contracts or new C-BT water allotment contracts are not modified by this Interim Base Water Supply Policy and shall remain in full force and effect. The Board further reserves its discretion to act on any application to change or modify an existing C-BT water allotment contract, or for a new C-BT water allotment contract, in any manner consistent with applicable law.

This Interim Base Water Supply Policy shall apply to all applications for changes or modifications in existing C-BT water allotment contracts, or new C-BT water allotment contracts that are considered by the Board in any Board meeting on or after the date of its adoption and for as long as this Interim Base Water Supply Policy is in effect.

The Board reserves the right to terminate, suspend, or amend this Interim Base Water Supply Policy at any time.