

ORDINANCE NO. 17

AN ORDINANCE TO CONTRACT FOR THE PURCHASE OF BENEFICIAL USE OF WATERS ON BEHALF OF THE TOWN OF MEAD, COLORADO, A MUNICIPAL CORPORATION, AND FOR THE EXTENSION AND IMPROVEMENT OF A SYSTEM OF WATERWORKS AND PRESCRIBING THE TERMS FOR PETITION FOR AN ALLOTMENT OF WATER TO SAID TOWN BY SAID NORTHERN COLORADO WATER CONSERVANCY DISTRICT.

WHEREAS, under the constitution and the laws of the State of Colorado as heretofore and now in force, and the requisite approving vote of a majority of the properly qualified voters of the Town of Mead, who were tax payers under the law, at a municipal election heretofore duly had and taken in full compliance with all constitutional and statutory requirements, the Town of Mead was duly authorized and did erect a system of waterworks and said Town of Mead thereafter and now owns, operates and maintains said system of waterworks for the purpose of supplying said town and its inhabitants with water, and

WHEREAS, by reason of the growth of the Town of Mead, the present water supply is inadequate for the said town and the inhabitants thereof and it is necessary to purchase additional water in order to supply the said town and the inhabitants with a proper and adequate supply of water and to provide for a water supply for the future growth of the town; and

WHEREAS, under the Water Conservancy Act of Colorado, Ch. 255, Session Laws, Colorado 1937, it is necessary that the Board of Trustees of the Town of Mead, in order to purchase the beneficial use of waters from said district, shall by ordinance, authorize and direct the Mayor and Town Clerk of said town to petition the Board of Directors of said District for an allotment of water.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD
OF TRUSTEES OF THE TOWN OF MEAD, COLORADO:

Sec. 1. That the Town of Mead, elects to purchase and apply for the allotment of the beneficial use of One Hundred (100) acre-feet of water from Northern Colorado Water Conservancy District and that said system of waterworks of the Town of Mead be improved, enlarged and extended by said purchase so that the town and the inhabitants hereof may have an adequate supply of water.

Sec. 2. That the Mayor and the Town Clerk be and they are hereby authorized and directed to petition the Board of Directors of said Northern Colorado Water Conservancy District for an allotment of water upon terms prescribed by said Board in the manner and form as in this section provided, to-wit:

" PETITION TO
NORTHERN COLORADO WATER CONSERVANCY DISTRICT
FOR ALLOTMENT OF WATER."

1. The petitioner, TOWN OF MEAD, COLORADO, a municipal corporation, elects to purchase and hereby applies for the allotment of the beneficial use of One Hundred _____ (100) acre-feet of water, or such portion thereof, as may be allotted to be delivered annually from the works of said District at Supply Irrigation Dist Co for the Town of Mead and its inhabitants.

2. Petitioner agrees to purchase and pay for such portion of the above amount of water as may be allotted by the Board of Directors of said District at the price to be fixed annually by said Board, in installments, which with maintenance and operating charges, shall not exceed

\$1.50 annually (in addition to general taxes as provided in Water Conservancy Act) per acre-foot allotted; and further agrees that all such installments and charges shall be raised by taxation from property within said Town of Mead, less any amount paid or undertaken to be paid in cash or credited thereto by payments from the funds of said Town of Mead, as provided by law; petitioner agrees that said Town may, on application and upon consent and order of the Board, be relieved of such taxes and the water, when payment is secured by proper tax liens, be transferred to lands within the District. Petitioner agrees that said payments shall begin in the year following completion of the works and delivery of water for said town, and continue until the costs of the works are paid, and thereafter for maintenance and operating charges only; and petitioner agrees that the Water Conservancy District may, in order to meet the payments to the United States, as required by the Reclamation Law, adopt any financial plan which does not increase said annual payment of \$1.50 per acre-foot, or require additional security of said Town.

3. Petitioner agrees that an acre-foot of water as herein referred to is defined as being one-three-hundred-ten-thousandth ($1/310,000$) of the annual supply apportioned for distribution of said works, as determined by said Board and that all unused apportionments remaining on November 1st of each year shall be cancelled.

4. Petitioner agrees that said water shall not be limited to domestic use, but may be applied to any

other beneficial use within said Water Conservancy District.

5. Petitioner agrees to be bound by the provisions of the Water Conservancy Act of Colorado and the rules and regulations of the Board of Directors of said District, and that this petition shall be subject to the repayment contracts between said District and the United States.

ATTEST:

S. J. Preece
Town Clerk

TOWN OF MEAD,

By

A. F. Peters
Mayor

ORDER ON PETITION

Due notice having been given and hearing had, it is ORDERED that the above petition be granted and an allotment of _____ acre-feet of water is hereby made to the town therein described, upon the terms, at the rates and payable in the manner as in said petition set forth.

NORTHERN COLORADO WATER CONSERVANCY DISTRICT.

ATTEST:

By

President.

Secretary.

Sec. 3. It shall be the duty of the Board of Trustees of said town to carry out the provisions of this ordinance and the laws of the State of Colorado relating thereto and this ordinance shall be and remain irrevocable until the costs of said works of the said Water Conservancy

District are paid in full according to the terms of the contract or contracts of repayment between the United States and said Northern Colorado Water Conservancy District.

Sec. 4. In the opinion of the Board of Trustees of the Town of Mead, the purchase of said water and the extension of the waterworks system of the Town of Mead is necessary for the immediate preservation of the public peace, health and safety of the community, and for the reason that the health of the people of the Town of Mead and the adequate protection of the town and the inhabitants thereof, demand an increase in the water supply. We do therefore declare than an emergency exists and that this ordinance shall take effect and be in force five (5) days after its passage and final publication.

PASSED AND ADOPTED, Signed and Approved this 17 day of March A. D. 1938.

ATTEST:

S. M. Emice
Town Clerk

A. F. Peters
Mayor

It is hereby certified and recited that the foregoing ordinance was duly introduced and read at a regular meeting of the Board of Trustees of the Town of Mead, Colorado, duly held on the _____ day of _____ A. D. 1938, and was published in full in _____, a newspaper of general circulation published in the Town of _____, in its issue of _____ and was duly passed and adopted by said Board at a regular meeting thereof held on the _____ day of _____ A. D. 1938.

Town Clerk