

***THIS MEMORANDUM OF UNDERSTANDING*** is made and entered into this 22<sup>nd</sup> day of January 2005, by and among the local governments in the Denver, Colorado metropolitan area, bodies politic organized under and existing by virtue of the laws of the State of Colorado.

***Whereas***, Colorado is a semi-arid climate where water is a finite and valuable resource; and

***Whereas***, water has important environmental, economic, political and social impacts; and

***Whereas***, historically, Colorado's precipitation patterns have included inevitable and cyclical periods of drought; and

***Whereas***, Colorado's natural environment and recreational opportunities, a primary draw for visitors, new residents and relocating businesses, require a reasonable degree of minimum stream flows; and

***Whereas***, the Denver metropolitan area is Colorado's population center and economic "engine" and thus must reduce its potential vulnerability to drought through conservation and water supply projects; and

***Whereas***, elected officials in the Denver metropolitan area want to build on the spirit of consensus, cooperation and essential pragmatism about Colorado's water supply; and,

***Whereas***, the Denver metropolitan area is projected to add an additional 1 million residents between 2000 and 2025, primarily through births by existing residents and immigrants<sup>1</sup>; and

***Whereas***, regional and local differences exist in water quality, quantity, and usage and each local government or water provider must tailor its water efficiency program to reach conservation goals; and

***Whereas***, many local governments in the Denver metropolitan area have developed extensive water wise management systems and practices; and

***Whereas***, local governments in the Denver metropolitan area have voluntarily and collaboratively set forth the principles defined herein that illustrate their commitment to wise management and stewardship of vital water resources within their individual and overlapping jurisdictions and the region as a whole.

***NOW THEREFORE***, the undersigned local governments (hereinafter referred to as we) agree as follows:

1. ***Intent of Agreement.*** This agreement is intended to set forth principles that illustrate our commitment to wise management and stewardship of vital water resources and actions that we individually or collectively might take to carry out that stewardship. Nothing in this agreement shall confer rights on third parties or create obligations in favor of third parties.

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<sup>1</sup> United States Census Bureau and Denver Regional Council of Governments 2025 population estimates

2. **Best Management Practices.** Thoughtful modification of direct and indirect resource management practices can improve efficiency and reduce demand. Many communities have already adopted best management practices, some have not and some that have been adopted could be improved. Towards that end, we will use our best efforts to continue to identify and adopt, or urge the water utilities that serve us to adopt, best management practices that achieve efficient water use through conservation, reuse, and/or new technologies.
3. **New Technologies.** New technologies that have the potential to reduce demand for both potable and non-potable water are being developed every day. We will continue to strive to implement new technologies whose benefits are demonstrable and cost effective.
4. **Coordination.** We acknowledge that as members of a region and of the State of Colorado, we share a common challenge in providing a safe, stable supply of affordable water to our customers, both present and prospective. We will use our best efforts to find areas of cooperation between water systems at the regional and subregional levels that will result in more efficient use of our water resources.
5. **Education.** The consumer benefits from knowing how the public sector is working to reduce consumption, increase efficiency and provide stable future water supplies. Further, an educated consumer can make informed decisions about his or her own consumption. We will continue to work together to coordinate public education in the Denver metropolitan area to convey the importance of water and to increase awareness of the need to conserve, manage and plan for current and future water needs.
6. **Protect Providers.** As consumers reduce consumption, this may have the unintended consequence of jeopardizing the current and future financial viability of water providers. We will continue to evaluate our fee structures to look for ways to deter wasteful use of water while still protecting the public's investment in water supplies and infrastructure.
7. **Address Impacts.** Reducing consumption is only a partial answer to providing for the future needs of the growing Denver metropolitan area. In future water supply projects, we will encourage jurisdictions to work together to meet the needs of a growing population and to address the economic and environmental impacts of water supply development projects and transfers of water from its historic place and type of use. When a water supply development project involves the transfer of agricultural water outside of a local government's planning area, water suppliers are encouraged to use leases or interruptible water supply contracts. Water suppliers should work with local governments representing affected communities and provide them opportunities to assist in identifying project impacts and possible offsetting measures.
8. **Lead by Example.** We understand that individuals look to their community leaders to set an example for the public and that actions speak louder than words. We will

continue to consider and encourage water conservation principles in our planning, construction, maintenance and redevelopment of public spaces.

9. ***Commit to Future Stewardship.*** Though upon signing we have been experiencing long-term drought, we recognize that the current drought will come to an end. However, Colorado will continue to be a semi-arid climate and demands on our water supplies will grow with our state's population, making our commitment to the wise stewardship of water just as important in times of abundance.
10. ***Execution in Counterparts.*** This agreement may be executed in counterparts, each of which shall be effective and which together shall constitute one and the same instrument.

Signed on January 22, 2005.

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Ken Fellman, Mayor of Arvada

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John W. Hickenlooper, Mayor of Denver

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Edward J. Tauer, Mayor of Aurora

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Douglas Garrett, Mayor of Englewood

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Mark R. Ruzzin, Mayor of Boulder

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Andrew J. Moore, Mayor of Erie

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Karen Stuart, Mayor of Broomfield

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Dale Sparks, Mayor of Federal Heights

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Ray Waterman, Mayor of Castle Rock

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Stephen J. Sullivan, Mayor of Foxfield

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Randolph E. Pye, Mayor of Centennial

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Larry Harte, Mayor of Glendale

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Sean Ford, Mayor of Commerce City

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Charles J. Baroch, Mayor of Golden

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Nancy N. Sharpe, Mayor of Greenwood Village

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Mary L. Carter, Mayor of Sheridan

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Christopher J. Berry, Mayor of Lafayette

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Mark Hamilton, Mayor of Superior

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Stephen A. Burkholder, Mayor of Lakewood

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Nancy McNally, Mayor of Westminster

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John K. Ostermiller, Mayor of Littleton

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Gretchen Cerveny, Mayor of Wheat Ridge

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John R. O'Boyle, Jr., Mayor of Lone Tree

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Julia Pirnack, Mayor of Longmont

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Charles L. Sisk, Mayor of Louisville

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Kathleen A. Dichter, Mayor of Morrison

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Kathleen M. Novak, Mayor of Northglenn

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David Casiano, Mayor of Parker

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