

**TOWN OF PONCHA SPRINGS  
RESOLUTION #2011-6**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF  
PONCHA SPRINGS, COLORADO APPROVING A MEMORANDUM OF  
AGREEMENT BETWEEN THE SOUTHEASTERN COLORADO WATER  
CONSERVANCY DISTRICT AND THE TOWN OF PONCHA SPRINGS.**

WHEREAS, the Southeastern Colorado Water Conservancy District (“SECWCD”) is seeking approval from the United States Bureau of Reclamation for approximately 31,600 acre-feet of excess capacity storage in the Fry-Ark System to be made available for use by participating entities within the SECWCD service area in the upper Arkansas, lower Arkansas, and Fountain Creek basins; and

WHEREAS, SECWCD seeks the approval of the Town of Poncha Springs, as a participating entity, to a Memorandum of Agreement (“MOA”), the purpose of which is to establish a framework for the joint efforts of the SECWCD, Poncha Springs, and other excess capacity participating entities to implement a long-term Excess Capacity Master Contract in order to better meet the storage needs of Poncha Springs and the other entities; and

WHEREAS, the Town of Poncha Springs finds and determines that passage of the SECWCD MOA is in the best interests of the citizens of Poncha Springs and wishes to approve the MOA and authorize the Town Administrator to sign the MOA accordingly.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PONCHA SPRINGS, COLORADO THAT:

1. The Town of Poncha Springs Board of Trustees incorporates the foregoing recitals as its conclusions, facts, determinations, and findings.
2. The Board of Trustees hereby approves the MOA between the SECWCD and the Town in its present form with any final revisions that the staff and attorney approve, and authorizes the Town Administrator to execute the Agreement on behalf of the Town.

RESOLVED, APPROVED, AND ADOPTED this **9th** day of **May, 2011**.  
TOWN OF PONCHA SPRINGS, COLORADO

By/s/ \_\_\_\_\_  
Mark F. Thonhoff, Mayor

ATTEST:  
/s/ \_\_\_\_\_  
Diana K. Heeney, Town Clerk

[SEAL]