

**POLICY RESOLUTION**

REGARDING THE EXCHANGE AND TRANSFER OF WATER ALLOTMENT CONTRACTS

(AMENDED AND RESTATED November 18, 2025)

ADOPTED BY:

THE CENTRAL COLORADO WATER CONSERVANCY DISTRICT;

THE GROUND WATER MANAGEMENT SUBDISTRICT OF THE CENTRAL COLORADO WATER CONSERVANCY DISTRICT; AND

THE WELL AUGMENTATION SUBDISTRICT OF THE CENTRAL COLORADO WATER CONSERVANCY DISTRICT

WHEREAS, the Central Colorado Water Conservancy District (CCWCD), the Ground Water Management Subdistrict of the Central Colorado Water Conservancy District (GMS) and Well Augmentation Subdistrict of the Central Colorado Water Conservancy District (WAS) (collectively the "Districts") are quasi-municipal corporations and political subdivisions of the State of Colorado organized and existing as water conservancy districts pursuant to §37-45-101, et. seq. C.R.S. and are authorized and empowered thereby to furnish water to lands within their boundaries pursuant to water allotment contracts; and

WHEREAS, the Districts are empowered to allocate and reallocate the use of water to lands in the Districts and to provide for and grant the right, upon terms, to transfer water from lands to which it has been allocated to other lands within the Districts pursuant to §37-45-134 (d) and (e); and

WHEREAS, the Districts and/or their Enterprises have issued water allotment contracts to the owners of wells included in the augmentation plans decreed in Case Nos. 02CW335 and 03CW99, respectively; and

WHEREAS, the permanent water supplies owned by each of the Districts are such that the Districts may promote a greater beneficial use of water within its boundaries by allowing allottees to transfer and sell their water allotment contracts to other water users within the Districts boundaries subject to terms and prior written approval by the Districts; and

WHEREAS, the transfer of water to lands within the Districts, subject to terms and approval by the Board, may be in the best interest of the Districts; and

WHEREAS, the Board passed a Policy on March 21, 2017 to institute and utilize a limited time market based approach for the transfer of water allotments within the Districts subject to regulation by the Board; and

WHEREAS, the Board desires to amend that Policy to provide additional direction on the type, location and amount of water allotment transfers which will be authorized, prohibited or limited as in the best interest of the Districts

NOW, THEREFORE, it is resolved by the Board of Directors of the Districts that:

1. Petitions. The Districts will accept petitions to approve the transfer of Class B, C or D water allotment contracts issued by GMS and WAS throughout the year. Each petition to approve a transfer shall be accompanied by a non-refundable filing and review fee of \$100.00. Staff shall review the petition prior to presenting it to the Board and shall provide the Board with information regarding 1) the need for water by the transferee, 2) the impact of the proposed transfer on each District's, water supply and plan for augmentation, 3) conditions that must be met by the transferor and 4) a recommendation for approval or denial. On or before, 30 days after receiving the staff recommendation the Board shall either accept or reject a proposed petition to approve transfer of an allotment contract.
2. Information. A petition to transfer water allotment contracts shall include all of the information required for the Board to make an allotment of water under the Water Conservancy Act to the proposed transferee, specifically including but not necessarily limited to, the information required by §37-45-123, §37-45-124, and/or §37-45-125, C.R.S.
3. Approval Terms. A transfer shall be subject to the approval of the Board and will be approved only if the transferee qualifies to receive an allotment of water from the Districts under the Water Conservancy Act AND such transfer will be in the best interest of the Districts. Preference will be given to:
  - a. Transfers which move depletions from Reaches where the Districts own fewer permanent augmentation supplies to Reaches where the Districts own more permanent augmentation supplies;
  - b. Transfers which move depletions within a Reach to points where the Districts own more permanent augmentation supplies;
  - c. Transfers within the current CCWCD Boundaries. (or limited to current allottees within each plan/subdistrict)
4. Partial Transfers. The Board may consider partial transfers of water allotment contracts.
5. Limitations. Any and all transfers and the water allotment contracts that may result from the Petitions to transfer shall be subject to the Bylaws, Policies, Rules and Regulations of the Districts, all of the Districts applicable water court decrees and contracts and the Water Conservancy Act. A transfer will not be approved if it would a) violate any of Central's Policies, Rules and Regulations, applicable water court decrees, contracts or the Water Conservancy

Act; b) reduce the amount of pumping authorized under the applicable augmentation plan decree, c) would otherwise increase the costs on the Districts of replacing depletions resulting from the transfer or d) is otherwise determined to not be in the best interest of the Districts by the Board of Directors.

a. Examples of Disapproved Transfers. Transfers which will not be approved include, but are not limited to, the following:

- i. Transfers which would increase the amount of depletions in GMS Reach F and in WAS Sub-reaches F-1, or F-2 shall not be allowed. Transfers which would increase the amount of depletions in WAS Sub-reach F-3 shall not be allowed unless the transfer is from a well located in WAS Sub-reach F-2.
- ii. Transfers into WAS and GMS Reaches D and E shall only be allowed if the transfer will not result in WAS or GMS exceed the maximum amount of pumping depletions as established for each reach, respectively, by the Districts' Board of Directors.
- iii. Transfers which would result in more water on a parcel than can be beneficially used.
- iv. Transfers to wells with priority dates junior to January 1, 1972.
- v. Transfers which would result in more water being allocated to the well than the well's permit or decree authorizes.
- vi. Transfers for a beneficial use which is not currently allowed by the GMS and WAS augmentation plans and the Districts' Policies and Bylaws.

b. Limits on Quota Trading. If a transfer results in a new water allotment contract being issued for a well which must be added to the GMS or WAS Augmentation Plan, and in an amount which, when added to all other sources of water owned and used for irrigation on that parcel, is less than an average of 1.57 acre feet of water per irrigated acre (hereinafter referred to as a "water short allotment contract", then the following limits on Quota Trading shall apply to said water short allotment contract:

- i. The amount of Pumping Quota which may be leased from another GMS or WAS Member and added to the water short allotment contract shall be capped to no more than the total amount of water allotted by the applicable district to the water short allotment contract.
- ii. The cap shall continue until such time as the owner of the water short allotment contract has acquired sufficient water supplies so that he or she has at least 1.57-acre feet of water per irrigated acre available for beneficial use on the land to be irrigated pursuant to the water short allotment contract.
- iii. The determination of the amount of water available for beneficial use on the applicable parcel from all sources shall be calculated by the Districts' engineer.

6. No Participation in Negotiations. The Districts will not be involved in the negotiations between parties for the sale and transfer of allotment contracts.
7. Costs. If a Petition is approved by the Board, a new allotment contract shall be conditioned on the new allottee reimbursing the Districts all of the costs, including legal and engineering fees, of deleting all or part of the transferred well, from which the water allotted is being removed, and to add all or part of the well, to which the water allotted is being added, to the applicable augmentation plan decree.
8. Good Standing. An allottee seeking to transfer his or her contract must be current on all assessments, taxes and fees associated with the Water Allotment Contract and in good standing with the Districts.
9. Inclusion. The lands of all petitioners who seek to purchase a Water Allotment Contract, said lands being described in the Petition to Transfer, must be included within the Subdistrict boundaries of the plan in which the well is to be included, GMS or WAS, as well as CCWCD. If such lands are not included at the time the Petition to transfer is submitted, the Petition to Transfer may be conditionally approved subject to inclusion within the District and applicable subdistrict. The failure to include lands within the District and the applicable Subdistrict within a reasonable period of time shall result in denial of the Petition to transfer the Water Allotment Contract.
10. Exclusion. Transfer of a water allotment contract shall not serve to exclude the transferor's land from the Districts. Any exclusion of land shall follow the process described in the Water Conservancy Act and shall be subject to said Act. *See* §37-45-137 C.R.S.
11. Authority. This Resolution and all other policies and resolutions of the Board whether adopted in writing or recorded in the minutes of the Board are authorized pursuant to the powers granted in the Conservancy Act including but not limited to § 37-45-134, C.R.S.
12. Amendment of Prior Resolution. This Resolution amends and replaces in its entirety the POLICY RESOLUTION REGARDING THE EXCHANGE AND TRANSFER OF WATER ALLOTMENT CONTRACTS dated March 21, 2017.

DATED this 18<sup>th</sup> day of November 2025.



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Ralph Anders,  
President of the Board of Directors of  
Central Colorado Water Conservancy District

Ground Water Management Subdistrict of the Central Colorado Water Conservancy District

Well Augmentation Subdistrict of the Central Colorado Water Conservancy District

CERTIFICATE

I, Randy Ray, do hereby certify that the above is a true and correct copy of a Resolution adopted by the Board of Directors of the Central Colorado Water Conservancy District, the Ground Water Management Subdistrict of the Central Colorado Water Conservancy District and Well Augmentation Subdistrict of the Central Colorado Water Conservancy District on the 18th day of November 2025.

(SEAL) 

Randy Ray  
Executive Secretary

