

MINUTES¹
THIRD REGULAR QUARTERLY MEETING OF THE
BOARD OF DIRECTORS OF THE
COLORADO RIVER WATER PROJECTS ENTERPRISE OF THE
COLORADO RIVER WATER CONSERVATION DISTRICT

July 16, 2013

Pursuant to notice duly and properly given, the Third Regular Quarterly Meeting of the Board of Directors of the Colorado River Water Projects Enterprise of the Colorado River Water Conservation District (CRWCD) was held on Tuesday July 16, 2013 at the Hotel Denver, 402 7th Street, Glenwood Springs, Colorado.

Directors present during all or part of the meeting:

James Newberry, President	Jon Stavney, Vice President
Tom Alvey	David H. Merritt
William S. Trampe	Steve Acquafresca
Tom Gray	Stephen M. Mathis
Thomas R. Sharp	Rebie Hazard
Gary Martinez	

Directors not present:

Stan Whinnery	John Ely
Andrew A. Mueller	Kai Turner

Others present during all or part of the meeting:

Eric Kuhn, General Manager, CRWCD
Peter Fleming, General Counsel, CRWCD
Dan Birch, Deputy General Manager, CRWCD
John Currier, Chief Engineer, CRWCD
Mary Kalmes, Chief Accountant, CRWCD
Chris Treese, Manager, External Affairs, CRWCD
Jason Turner, Senior Counsel, CRWCD
Laurie DePaolo, Executive Assistant, CRWCD
Jim Pokrandt, Communication & Education Specialist, CRWCD
Ray Tenney, Deputy Chief Engineer, CRWCD
Don Meyer, Sr. Water Resources Engineer, CRWCD
Ian Philips, Accountant, CRWCD
Dave Smith, Engineering Technician, CRWCD
Martha Moore, Public Affairs Specialist, CRWCD
Denise Hussain, Records Specialist, CRWCD
Lorra Nichols, Paralegal, CRWCD

Quorum.

President Newberry found a quorum and called the meeting to order at 2:52 p.m.

Review and Approve Meeting Agenda and Objectives.

Eric Kuhn proposed reordering the agenda by moving General Counsel's Report to agenda item 3.a and 3.b. with all other agenda items being subsequently renumbered. The Board accepted the proposal.

¹An audio recording has been made of the meeting. The motions described herein may not necessarily represent a verbatim transcription. The audio recordings are available for listening at the CRWCD offices during regular office hours. These minutes are the official record of the Colorado River Water Conservation District's meeting.

Consent Agenda.

Director Stavney moved, seconded by Director Alvey, to approve the following consent agenda as presented. Motion carried unanimously.

Approval of Minutes and Actions Taken:

- a. Minutes of Second Regular Quarterly Meeting, April 17, 2013.
- b. Minutes of Water Supply Projects Committee Meeting, May 29, 2013.
- c. Acceptance of Treasurer's Reports and Check Registers for February, March, April and May 2013.

General Counsel's Report – Executive Session.

Peter Fleming reported that the following matters qualify for discussion in Executive Session pursuant to C.R.S. §§ 24-6-402(4)(b)(legal advice) and (e)(negotiations):

- i. Tyler Tailwater Ditch, Pump and Exchange, and River District Applications in Case Nos. 13CW9 and 13CW18, Water Division 5.
- ii. River District Application for Wolford Mountain Reservoir Second Enlargement, Case No. 03CW302, Water Division 5.
- iii. River District Water Marketing Pricing for Industrial Uses.

Director Stavney moved, seconded by Director Trampe, to proceed into Executive Session pursuant to C.R.S. §§ 24-6-402(4)(b)(legal advice) and (e)(negotiations). Motion carried unanimously.

Peter Fleming stated that no further record of the Executive Session need be kept based on his opinion that the discussion will constitute privileged attorney-client communications.

Vice President Stavney reconvened into Public Session at 3:21 p.m.

General Counsel's Report – Public Session.

Peter Fleming reported that during Executive Session the Board provided guidance to staff and General Counsel on the following matters:

- i. Tyler Tailwater Ditch, Pump and Exchange, and River District Applications in Case Nos. 13CW9 and 13CW18, Water Division 5.
- ii. River District Application for Wolford Mountain Reservoir Second Enlargement, Case No. 03CW302, Water Division 5.
- iii. River District Water Marketing Pricing for Industrial Uses.

Director Sharp moved seconded by Director Trampe, to authorize staff and Counsel to withdraw the application seeking a simple change of water rights filed in Case No. 13CW18, Water Division 5, and to abandon the conditional water rights for Tyler Tailwater Ditch Pump and Tyler Tailwater Ditch Pump Exchange that are the subject of the application in Case No. 13CW9, Water Division 5, and to direct staff and Counsel to file an application pursuant to SB13-078 to change the erroneously described points of diversion for the Tyler Tailwater Ditch and Tyler Tailwater Ditch Exchange, and to authorize the General Manager and General Counsel to file new junior rights for the Tyler Tailwater Ditch Pump and Tyler Tailwater Ditch Pump Exchange if they determine doing so would provide a worthwhile benefit as a backup for the Tyler Tailwater Ditch and Tyler Tailwater Ditch Exchange water rights. Motion carried unanimously.

Director Sharp moved seconded by Director Martinez, to authorize staff and Counsel to negotiate a revocable license agreement for limited access on the Red Dirt Arm of Wolford Mountain Reservoir with the current owners of Singer Ranch, subject to all the terms and conditions as presented by staff. Motion carried unanimously.

Projects Operations Update.

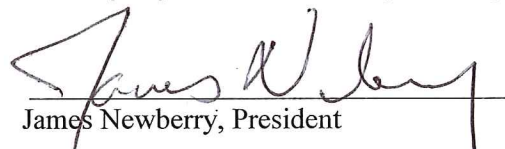
Wolford Mountain Reservoir:

John Currier and Ray Tenney presented an overview of the current monitoring activities being conducted on the Ritschard Dam settlement, including the types of instrumentation installed on the dam and the range of data being collected. Mr. Currier also reported that a letter has been sent to all Wolford Mountain Reservoir contractees summarizing the status of the dam embankment and water marketing.

Elkhead Reservoir:

Ray Tenney reported that Elkhead Reservoir has filled and there are adequate water supplies to meet any current demands.

There being no further business before the Board, Vice President Stavney adjourned the meeting at 3:58 p.m.

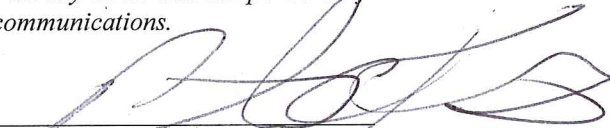

James Newberry, President

ATTEST:


R. Eric Kuhn, Secretary/General Manager

Executive Session Attestations.

I hereby attest that the portions of the Executive Session that were not recorded constituted privileged attorney-client communications.


Peter Fleming, General Counsel

