

**MINUTES<sup>1</sup>**  
**SPECIAL JOINT MEETING OF THE BOARD OF DIRECTORS**  
**OF THE COLORADO RIVER WATER CONSERVATION DISTRICT**  
**AND OF THE COLORADO RIVER WATER CONSERVATION DISTRICT**  
**ACTING BY AND THROUGH ITS COLORADO RIVER WATER PROJECTS ENTERPRISE**

**March 16, 2017**

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Pursuant to notice duly and properly given, a special joint meeting telephone conference of the Board of Directors of the Colorado River Water Conservation District (CRWCD) and of the Colorado River Water Conservation District acting by and through its Colorado River Water Projects Enterprise was held on Thursday, March 16, 2017, at the offices of the Colorado River District, 201 Centennial Street, Glenwood Springs, Colorado.

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**Directors participating during all or part of the meeting:**

Tom Alvey, President	David H. Merritt, Vice President
Steve Acquafresca	William S. Trampe
Marc Catlin	Alden Vanden Brink
Kathy Chandler-Henry	Stan Whinnery
Tom Gray	Martha Whitmore
Rebie Hazard	
Doug Monger	

**Directors not participating:**

John Ely	Karn Stiegelmeier
Mike Ritschard	

**Others participating during all or part of the meeting:**

Dan Birch, Deputy General Manager, CRWCD  
Sonja Chavez, Water Resource Specialist, CRWCD  
Laurie DePaolo, Executive Assistant, CRWCD  
Peter Fleming, General Counsel, CRWCD  
Mary Kalmes, Chief Accountant, CRWCD  
Dave Kanzer, Deputy Chief Engineer, CRWCD  
Martha Moore, Public Affairs Specialist, CRWCD  
Jim Pokrandt, Director, Community Affairs, CRWCD  
Chris Treese, Manager, External Affairs, CRWCD  
Jason Turner, Senior Counsel, CRWCD  
Torie Jarvis, Northwest Colorado Council of Governments, Q/Q Committee  
Danny Williams, Williams+Simpson

**Quorum.**

President Alvey found a quorum and called the meeting to order at 12:05 a.m.

**Review Meeting Agenda and Objectives.**

Peter Fleming requested the addition of an agenda item for potential discussion in Executive Session: Update on Colorado River Cooperative Agreement Implementation Matters.

Director Trampe moved, seconded by Director Merritt, to approve the agenda as amended. Motion carried unanimously.

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<sup>1</sup>An 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.

**State Affairs:**

**HB 17-1219 CONCERNING AN EXTENSION OF THE AGRICULTURAL WATER LEASING PILOT PROGRAM ADMINISTERED BY THE COLORADO WATER CONSERVATION BOARD.**

Chris Treese noted that provisions of this bill extend the eligible period for the CWCB-administered leasing/fallowing program and increases the total number of allowed pilot programs from 10 to 15. Currently applications must be made by 2018; HB 1219 would extend that deadline to 2023.

Director Whitmore moved, seconded by Director Acquafresca, to **support HB 17-1219**. Directors voting in favor of the motion: Acquafresca, Alvey, Chandler-Henry, Gray, Hazard, Merritt, Monger, Trampe, Vanden Brink, Whinnery and Whitmore. Director voting against the motion: Catlin. Motion carried.

**HB 17-1233 CONCERNING PROTECTION OF THE HISTORICAL CONSUMPTIVE USE (HCU) ANALYSIS OF A WATER RIGHT INVOLVED IN A WATER CONSERVATION PROGRAM.**

Chris Treese reported that this bill extends statewide the protective provisions of SB13-019. SB13-019 allows an irrigator to exclude up to 5 out of 10 years that a water right is enrolled in an approved conservation plan from Consumptive Use calculations. This allows an irrigator to reduce or cease diversions for conservation or other purposes and not result in reduced HCU calculations. SB 13-019 only applies to Water Divisions 4, 5, & 6.

Director Whitmore moved, seconded by Director Acquafresca, to **support HB 17-1233**. Directors voting in favor of the motion: Acquafresca, Alvey, Chandler-Henry, Gray, Hazard, Merritt, Monger, Trampe, Vanden Brink, Whinnery and Whitmore. Director voting against the motion: Catlin. Motion carried.

**HB 17-1248 CONCERNING THE FUNDING OF COLORADO WATER CONSERVATION BOARD PROJECTS, AND, IN CONNECTION THEREWITH, MAKING APPROPRIATIONS.**

Chris Treese reported that this is the annual bill that authorizes expenditures from the CWCB's construction fund. Despite the sharp decline in severance tax revenue, this year's bill authorizes a greater total amount of dollars than ever before. Several large projects are included, as is funding for implementation of Colorado's Water Plan including \$10M for the Water Supply Reserve Account (WSRA). As a reminder, Roundtables rely on the WSRA for operational and project funding.

Director Merritt moved, seconded by Director Whitmore, to **support HB 17-1248**. Motion carried unanimously.

**Draft bill "Real Estate Development Demonstrate Water Conservation"**

Chris Treese reported that this draft bill essentially modifies HB 08-1141, "Adequate Water for Development Act," changing the permissive language allowing inclusion of conservation and demand management measures to mandatory inclusions in applications for local government determinations of adequate water for qualifying developments.

Subsequent to considerable board discussion, Mr. Treese noted that he would take the expressed concerns and support for the bill to the sponsor for consideration.

**General Counsel Report:**

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

- a. Matter Proposed for Executive Session:
  - Update on Colorado River Cooperative Agreement Implementation Matters

Director Merritt 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.

*President Alvey moved into Executive Session at 12:56 p.m.*

*President Alvey reconvened into Public Session at 12:57 p.m.*

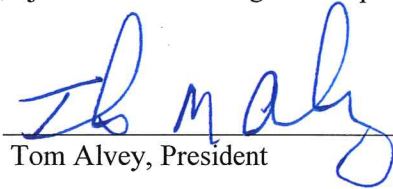
**General Counsel's Report – Public Session.**

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


- a. Update on Colorado River Cooperative Agreement Implementation Matters

**Adjourn.**

There being no other business before the Board, President Alvey adjourned the meeting at 1:10 p.m.

  
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Tom Alvey, President

ATTEST:

  
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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.*

  
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*Peter Fleming, General Counsel*