

## 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 20, 2014

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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 20, 2014, at the offices of the Colorado River Water Conservation District, 201 Centennial Street, Glenwood Springs, Colorado.

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

James Newberry, President	Jon Stavney, Vice-President
Tom Alvey	David Merritt
John Ely	Doug Monger
Tom Gray	Andrew Mueller
Rebie Hazard	William Trampe
John Justman	Kai Turner
Gary Martinez	Stan Whinnery

#### **Directors not participating:**

Stephen M. Mathis

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

Dan Birch, Deputy General Manager, CRWCD  
John Currier, Chief Engineer, CRWCD  
Laurie DePaolo, Executive Assistant, CRWCD  
Peter Fleming, General Counsel, CRWCD  
Denise Hussain, Records Specialist, CRWCD  
Dave Kanzer, Sr. Water Resources Engineer, CRWCD  
Eric Kuhn, General Manager, CRWCD  
Martha Moore, Public Affairs Specialist, CRWCD  
Ray Tenney, Deputy Chief Engineer, CRWCD  
Chris Treese, Manager, External Affairs, CRWCD  
Audrey Turner, Administrative Chief, CRWCD  
Jason Turner, Senior Counsel, CRWCD  
Bob Simpson, Corporate Advocates  
Danny Williams, Corporate Advocates

#### **Quorum.**

President Newberry found a quorum and called the meeting to order at 12:02 p.m.

#### **Minutes.**

Director Trampe moved, seconded by Director Merritt, to approve the Special Joint minutes from 02-20-2014. 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 Issues.**

Chris Treese reported on the following legislative matters:

**HB 14-1320 Concerning an increase in the minimum time period filing for a finding of reasonable diligence regarding the adjudication of a conditional water right from six years to ten years.**

Although the board had voted to support this bill (with one dissenting vote) in its draft form at their March 7, 2014 meeting, an introduced version was provided.

Director Mueller moved, seconded by Director Trampe, to Support HB 1320, with direction to staff to accept an 8 year diligence period if so amended. Motion carried unanimously.

**Updates:**

**SB 14-023 Concerning an Authorization of the Voluntary Transfer of Water Efficiency Savings to the Colorado Water Conservation Board for Instream Flow Purposes in Water Divisions 4, 5, 6, & 7.**

Mr. Treese reported that he and others continue to work diligently to kill SB 023 and have been joined by the Colorado Farm Bureau's efforts.

**HB 14-1026: Concerning the authorization of flexible water markets.**

The House Agricultural committee accepted the River District's recommendations and Senator Schwartz has accepted the River District's proposed language making clear the bill's provisions cannot be used to effect or facilitate an out-of-basin transfer.

**General Counsel Informational Items.**

**Approval of Primary West Slope Fund Agreement and Authorization for Forest Restoration Funds Agreement.**

Peter Fleming reported that the draft agreement given to the Board in January has changed from the concept of a small-group management committee to one in which all matters related to management of the West Slope Fund will be subject to a vote by the full-group of the 17 (a quorum being at least 13 members) West Slope signatories to the Colorado River Cooperative Agreement (CRCA).

Director Mueller moved, seconded by Director Trampe, to approve the Primary West Slope Fund Agreement subject to minor changes approved by General Counsel and the General Manager that do not substantively change the operation of the West Slope Fund and to authorize the River District to enter into an agreement (or two separate agreements, if necessary) for management of the CRCA Forest Restoration Funds. Motion carried unanimously.

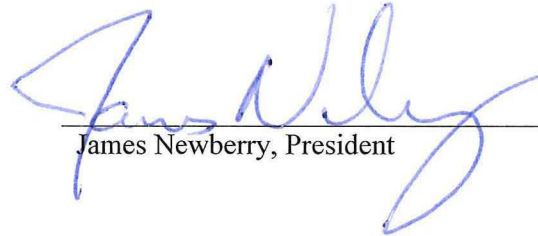
**Approval of Stipulation with Exxon/Mobil, Inc. in Case No. 12CW177, Water Division 5.**

Mr. Fleming reminded the Board of its statement of opposition in Exxon/Mobil's application in Case No. 12CW177, Water Division 5, to ensure that Exxon/Mobil obtained the River District's consent to use Ruedi Reservoir water outside of the mainstem of the Colorado River basin, although still within the River District's boundaries. Exxon/Mobil has agreed to the language changes we proposed for inclusion in its proposed water court decree and in a stipulation with the River District to address this issue.

Director Stavney moved, seconded by Director Merritt, to approve the Stipulation with Exxon/Mobil, Inc., in Case No. 12CW177, Water Division 5. Motion carried unanimously.

**Adjournment:**

There being no other business before the Board, President Newberry adjourned the meeting at 12:49 p.m.



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James Newberry, President

ATTEST:



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R. Eric Kuhn, Secretary/General Manager