

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

November 25, 2009

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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 Wednesday November 25, 2009, at the offices of the Colorado River Water Conservation District, 201 Centennial Street, Suite 200, Glenwood Springs, Colorado.

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

Andrew A. Mueller, President	Thomas Alvey
Jon Stavney	David H. Merritt
William S. Trampe	Warner Dewey
Tom Gray	Stephen M. Mathis
John Ely	Forrest F. Nelson
Rebie Hazard	Thomas A. Long

**Directors not participating:**

Thomas R. Sharp, Vice-President	Richard Proctor
James Newberry	

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

Eric Kuhn, General Manager, CRWCD  
Peter Fleming, General Counsel, CRWCD  
Dan Birch, Deputy General Manager, CRWCD  
Jason Turner, Associate Counsel, CRWCD  
Chris Treese, Manager, External Affairs, CRWCD  
Jim Pokrandt, Education Specialist, CRWCD  
Laurie DePaolo, Executive Assistant, CRWCD  
Mike Eytel, Water Resources Specialist, CRWCD  
Ray Tenney, Sr. Water Resources Engineer, CRWCD

**Quorum.**

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

**Approval of License Agreement with Homestake Creek, Ltd.**

Jason Turner reviewed a license agreement with Homestake Creek, Ltd. which allows Homestake to irrigate 105 acres of River District property on Homestake Creek, as well as keep up to ten head of livestock on the

property. Director Dewey moved, seconded by Director Mathis, to approve renewing the license agreement with Homestake Creek Ltd. Motion carried unanimously.

**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):

10,825 Contracting and NEPA Process.  
Appeal in Aurora's Prairie Waters Project Application, Case No. 09SA158.  
Update on Colorado River Wild and Scenic Stakeholders Group Process.

Director Mathis moved, seconded by Director Dewey, 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 portion of the Executive Session in which legal advice or negotiations are discussed would be kept based on his opinion that the discussion will constitute privileged attorney-client communications.

*President Mueller reconvened into Public Session at 12:47 p.m.*

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

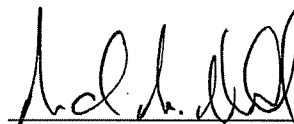
Peter Fleming reported that during Executive Session, the Board provided guidance to staff and General Counsel on the following matters:

10,825 Contracting and NEPA Process.  
Appeal in Aurora's Prairie Waters Project Application, Case No. 09SA158.  
Update on Colorado River Wild and Scenic Stakeholders Group Process.

Director Merritt moved, seconded by Director Ely, to direct staff and Counsel to forego filing a responsive brief in Appeal of Aurora's Prairie Waters Project Application, Case No. 09SA158. Motion carried unanimously.

**Adjourn.**

There being no other business before the Board, President Mueller adjourned the meeting at 12:50 p.m.



Andrew A. Mueller, President

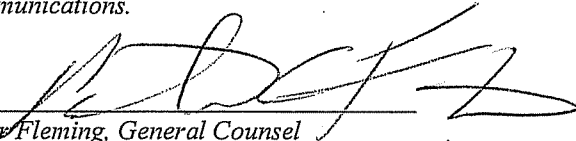
ATTEST:



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.*

  
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*Peter Fleming, General Counsel*

