

## 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 18, 2010

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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 18, 2010, 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:**

Andrew A. Mueller, President	David H. Merritt
Tom Alvey	Richard Proctor
Warner Dewey	Jon Stavney
John Ely	William S. Trampe
James Newberry	

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

Tom Gray	Gary Martinez
Rebie Hazard	Forrest F. Nelson
Stephen M. Mathis	Thomas R. Sharp, Vice President

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

Eric Kuhn, Manager, CRWCD  
Peter Fleming, General Counsel, CRWCD  
Dan Birch, Deputy General Manager, CRWCD  
Chris Treese, Manager, External Affairs, CRWCD  
Laurie DePaolo, Executive Assistant, CRWCD  
Michael Eytel, Water Resources Specialist, CRWCD  
Dave Kanzer, Senior Water Resources Engineer, CRWCD  
Don Meyer, Senior Water Resources Engineer, CRWCD  
Martha Moore, Public Affairs Specialist, CRWCD  
Jason Turner, Associate Counsel, CRWCD  
Laura Locke, Williams & Locke  
Danny Williams, Williams & Locke

#### **Quorum.**

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

#### **Consent Agenda.**

Approval of Minutes and Actions Taken:

- a. Minutes of Special Meeting, Telephone Conference, February 2, 2010.

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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.

- b. Minutes of Special Joint Meeting, Telephone Conference, February 17, 2010.
- c. Minutes of Special Joint Meeting, Telephone Conference, March 4, 2010.
- d. Minutes of Special Joint Meeting, Telephone Conference, March 11, 2010.

Director Mathis moved, seconded by Director Dewey, to approve the consent agenda. Motion carried unanimously.

**Appointment of Lee Leavenworth as Special Counsel.**

Director Merritt moved, seconded by Director Proctor, to appoint Lee Leavenworth as Special Counsel. Motion carried unanimously.

**Approval of CWCB contract to facilitate Miller Ecological pass-through contract.**

Director Alvey moved, seconded by Director Merritt, to approve the CWCB Contract to facilitate Miller Ecological pass-through contract. Motion carried unanimously.

**Authorization to enter into Eagle River Water Supply Contracts.**

Director Merritt moved, seconded by Director Trampe, to authorize staff to offer 49 acre feet of additional Eagle River water supplies for contracting pursuant to the River District Enterprise's Water Marketing Program. Motion carried unanimously.

**External Affairs.**

**State Issues:**

**HB 10-1358:** CONCERNING A REQUIREMENT FOR NEW HOME BUILDERS TO OFFER HOME BUYERS WATER EFFICIENCY OPTIONS.

This bill requires builders of new homes to offer water saving appliances and certain outdoor water saving features to the buyers.

Director Dewey moved, seconded by Director Stavney, to **support HB 10-1358**. Directors voting in favor of the motion: Dewey, Ely, Mueller, Merritt, Newberry, Proctor, Stavney and Trampe. Director voting against motion: Alvey. Motion carried.

**SJR 10-018:** URGES CONGRESS TO TAKE LEGISLATIVE ACTION TO REVERSE THE RETROACTIVE IMPOSITION OF DAVIS-BACON PREVAILING WAGE REQUIREMENT FOR STATE REVOLVING LOAN FUND PROJECTS (WATER & WASTEWATER PROJECTS).

Director Merritt moved, seconded by Director Proctor, to **support SJR 10-018**. Motion carried unanimously.

**Species Conservation Trust Fund:**

Chris Treese reported that the annual Species Conservation Trust Fund bill is expected to be introduced soon and that an appropriation for the Orchard Mesa Irrigation District project improvements is anticipated to be included.

**HB 10-1188** CLARIFICATION OF THE SCOPE OF THE EXISTING RIGHT OF NAVIGATION OF COMMERCIAL RIVER OUTFITTERS.

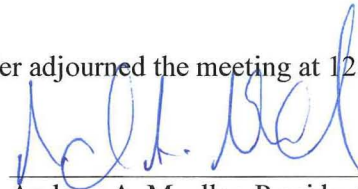
Extensive discussion on the proposed amendments and where future amendments may take this bill. General consensus was to continue to formally take no position as the board sees this as a property rights rather than a water rights issue.

**Reudi Legislation for 10,825 water:**

Chris Treese reported that he and several other Colorado water user representatives recently met with the Great Plains Region of the Bureau of Reclamation regarding Federal legislation permanently reallocating 5,412.5 acre-feet of the marketable yield pool of Ruedi Reservoir for delivery to endangered fish habitat on the Colorado River and to assign all costs associated with the re-allocated water as non-reimbursable.

**Adjourn.**

There being no other business before the Board, President Mueller adjourned the meeting at 12:55 p.m.



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Andrew A. Mueller, President

ATTEST:



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R. Eric Kuhn, Secretary/General Manager

