

STATE OF COLORADO

Colorado Water Conservation Board Department of Natural Resources

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SUMMARY MINUTES AND RECORD OF DECISIONS

November 16-18, 2009

Final and Approved January 26, 2010

A regular meeting of the Colorado Water Conservation Board (CWCB) was convened at 1580 Logan St., Denver, CO 80203. The meeting was called to order by Chair, Geoff Blakeslee. Eight voting members were present at the call to order, so a quorum was present (at least 6 required). Voting members present were Chair Geoff Blakeslee, Vice Chair Eric Wilkinson, Carl Trick, Travis Smith, John McClow, Reed Dils, April Montgomery, and John Redifer. Barbara Biggs arrived shortly after the call to order. Colorado Department of Natural Resources Executive Director, Jim Martin, was present during the Monday afternoon session. Non-voting, *Ex-Officio* members present or represented were CWCB Director Jennifer Gimbel, Deputy Attorney General Casey Shpall, and Deputy State Engineer Mike Sullivan.

Bill Ritter, Jr.
Governor

James Martin
DNR Executive Director

Jennifer L. Gimbel
CWCB Director

Dan McAuliffe
CWCB Deputy Director

Note: While the Board's consideration of agenda items does not always follow the sequence indicated by the agenda numbers, these minutes are listed in agenda item order for easier reference.

Monday, November 16, 2009

Call to Order 10:35 a.m.

1. Stream and Lake Protection Section – Proposed Instream Flow Recommendations on the Huerfano River and Cucharas Creek, Water Division 2

Tape 1, Track 1 00:00:00 – 00:39:03

Action: A motion was made by Reed Dils and seconded by Eric Wilkinson to approve staff recommendation that the Board approve the following stipulations as agreed by all parties:

- 1) The Board postpones the scheduled contested hearing regarding the Huerfano River and Cucharas Creek ISF appropriations and any final action on those ISF appropriations, as defined the Paragraph 4g of the ISF Rules, until its November 2010 meeting.

*A complete record of the meeting has been made in electronic form using an MP2 format. The recording and the associated written materials are the only legal record of the meeting. These written summaries are intended only as an aid to research and a guide to the tapes. The motions described herein may not represent a verbatim transcription. Agenda items are presented in numerical order, according to the Agenda for the meeting. Disk numbers and approximate locations are identified for the beginning and end of each agenda item. The complete record of this meeting is available at the CWCB during regular office hours. Arrangements to make copies of the tapes or written transcripts of specific agenda items may be produced at the requestor's expense. Notes from the meeting for identification of times and tapes for specific agenda items can also be reviewed at the CWCB offices. Voting tallies are based on members present for voting. Members recusing themselves are identified. Board members occasionally leave the meeting, but the original meeting notes typically indicate whether or not a particular Board Member was present during a specific agenda item.

2) Reasonably review and consider all available data and other information, including water availability and minimum amounts required to preserve the natural environment to a reasonable degree and data and reports prepared by Bikis Water Consultants, LLC on the County's behalf, and work with all Parties to address their concerns, prior to taking final action on the proposed ISF water rights and recommendations on the Cucharas Creek and the Huerfano River, and their tributaries.

3) Allow CWCB staff to make any adjustments, as CWCB staff deems necessary, to the current proposed ISF appropriations ("the Three ISFs") to comply with the provisions of this Stipulation, after reviewing all data and other information submitted by all Parties, before the Board takes final action on the Three ISFs in November 2010.

4) Postpone filing any water court applications for the Three ISFs until December 31, 2010.

5) Reasonably consider delaying the filing of any water court applications for the Three ISFs until a later date, but no later than June 30, 2011, provided the County and District, and/or other Parties, evidence that they have undertaken diligent efforts to identify ways to meet their projected water supply needs and require additional time to file the necessary water court applications, and demonstrate the need for such an extension prior to December 1, 2010.

6) Select appropriation dates for the Three ISFs that are one day after the date the County and the District, and/or other Parties, file their water court applications referenced in Paragraph 1) above, but no later than December 31, 2010 (except as may be extended until June 30, 2011, as provided in Paragraph 5) above).

7) Not oppose the above-referenced water court applications of the County and the District or the other Parties unless such applications have the potential to injure an existing decreed ISF water right.

The motion was approved unanimously (9-0).

2. Stream and Lake Protection Section – Proposed Acquisition of the Stapleton Brothers Ditch Water Right on Maroon Cree, Water Division 5

Tape 1, Track 1 00:30:38 – 04:56:40

Action: A motion was made by Reed Dils and seconded by April Montgomery to approve staff recommendation that the Board approve the proposed acquisition amending the cfs amounts from 4.3 cfs to 54.2% of the water right so as not to void the Board course of action if the 4.3 cfs is not met. The motion was approved unanimously (10-0).

RECESSED 6:30 p.m.

A regular meeting of the Colorado Water Conservation Board (CWCB) was convened at 1580 Logan St., Denver, CO 80203. The meeting was called to order by Chair, Geoff Blakeslee. Nine voting members were present at the call to order, so a quorum was present (at least 6 required). Voting members present were Chair Geoff Blakeslee, Vice Chair Eric Wilkinson, Carl Trick, Travis Smith, John McClow, Reed Dils, April Montgomery, Barbara Biggs, and John Redifer. Non-voting, *Ex-Officio* members present or represented were CWCB Director Jennifer Gimbel, Attorney General John Suthers, Deputy Attorney General Casey Shpall, Division of

Wildlife Director Tom Remington, State Engineer Dick Wolfe, and Deputy State Engineer Mike Sullivan.

Tuesday, November 17, 2009

Call to Order 8:10 a.m.

3. Review and Approval of Agenda

Tape 1, Track 2 00:00:00 - 00:02:20

Action: A motion was made by Travis Smith and seconded by Barbara Biggs to approve the November 2009 agenda, with the following changes: 1) Agenda Item 13c has been withdrawn until the January 2010 meeting, and 2) Add Agenda Item 18h, the proposed water acquisition of Washington Gulch and Slate River, to Executive Session. The motion was approved unanimously (9-0).

4. Review and Approval of Meeting Minutes for the September 15-16, 2009 Meeting

Tape 1, Track 2 00:02:21 - 00:04:55

Action: A motion was made by Eric Wilkinson and seconded by Reed Dils to approve the September 15-16, 2009 Meeting Minutes. Reed Dils amended the "Future Board Meeting Dates" to reflect a change to the July and September meetings in 2010. The July meeting should have said Salida or Buena Vista and the September meeting should have stated Grand Junction. John Redifer abstained from this motion. The amended motion was approved unanimously (8-0).

5. Approve and/or Remove Items from Consent Agenda

Tape 1, Track 2 00:04:56 - 00:5:42

Action: A motion was made by Eric Wilkinson and seconded by Travis Smith to approve the Consent Agenda Items. The motion was approved unanimously (9-0).

6. Future Board Meeting Dates

Tape 1, Track 2 00:05:43 - 00:11:07

- | | |
|--------------------------|---|
| a. January 26-27, 2010 | Hilton Garden Inn/DTC Denver (in conjunction with the Colorado Water Congress Conference) |
| b. March 16-17, 2010 | Denver |
| c. May 17-19, 2010 | Durango w/ALP tour (tour on Monday, 5/17/10) |
| d. July 20-21, 2010 | Buena Vista/Salida |
| e. September 21-22, 2010 | Grand Junction |
| f. November 16-17, 2010 | Denver |

Action: A motion was made by Travis Smith and seconded by Barbara Biggs to approve the Board meetings listed above, with the possibility of changing the July dates so all Board Members would be able to attend. Board Members will check their schedules follow up at the January 2010 meeting. These changes were approved unanimously (9-0).

7. Directors' Report

- a. DNR Executive Director

Action: No report on this item.

- b. IBCC Director

Action: No report on this item.

c. Agriculture Commissioner

Action: No report on this item.

d. CWCB Director - Jennifer Gimbel Reporting

Tape 1, Track 2 00:11:34 - 00:31:00

Action: Information item only. Jennifer Gimbel proposed a Resolution to the Board honoring Randy Seaholm for his 33 years of service to the State of Colorado. A motion was made by Travis Smith and seconded by Barbara Biggs to enter this Resolution into the Official Record. The motion was approved unanimously (9-0). Jennifer Gimbel also proposed a Resolution honoring the Kansas v. Colorado Litigation Team. A motion was made by Reed Dils and seconded by Eric Wilkinson to enter this Resolution into the Official Record. The motion was also approved unanimously (9-0).

e. State Engineer – Deputy State Engineer Mike Sullivan Reporting

Tape 1, Track 2 00:31:01 - 00:43:21

Action: Information item only. No action was required by the Board.

f. Division of Wildlife - Tom Remington Reporting

Tape 1, Track 2 00:43:22 - 00:54:20

Action: Information item only. No action was required by the Board.

g. Water Resource and Power Development Authority – Dan Law Reporting

Tape 1, Track 2 00:54:21 - 01:09:50

Action: Information item only. No action was required by the Board.

8. Stream and Lake Protection Section – Proposed Water Acquisition on Washington Gulch and the Slate River

Tape 1, Track 2 01:09:51 - 02:06:05

Action: Informational item only. No action was required by the Board.

9. Water Supply Protection Section – Platte River ESA Recovery Program

Tape 1, Track 2 02:06:06 – 02:17:40

Action: Informational item only. No action was required by the Board.

10. Stream and Lake Protection Section – Notice of 2010 Instream Flow Recommendations in Water Divisions 1, 2, 4, 5, 6 and 7

Tape 1, Track 2 02:17:41 - 02:33:04

Action: Informational item only. No action was required by the Board.

11. Water Supply Protection Section – Wild and Scenic Rivers

Tape 1, Track 2 02:33:05 – 03:12:05

Action: Informational item only. No action was required by the Board. The Board did suggest various changes to the criteria and guidelines that staff will incorporate into their current draft of procedures. These changes will be reflected in the current draft of the criteria and guidelines and brought before the Board for approval upon completion.

12. Intrastate Water Management & Development Section – Water Supply Reserve Account – Grant Applications – The Florida Mesa Canal Companies

Tape 1, Track 3 03:12:05 – 03:39:05

Action: A motion was made by April Montgomery and seconded by John Redifer to approve staff recommendation that the Board approve funding up to \$225,000 from the Statewide Account to partially fund the Canal Seepage Reduction Program for the Florida Mesa Canal Companies contingent on resolution of the items in the issues/additional needs section of the Board memo. The motion was approved unanimously (9-0).

13. Intrastate Water Management & Development Section – Water Supply Reserve Account – Grant Applications

a. Mancos Conservation District – Mancos River Diversion Project, Phase I

Tape 1, Track 2 03:47:06 – 03:47:45

Action: A motion was made by April Montgomery and seconded by Eric Wilkinson to approve staff recommendation that the Board approve funding up to \$24,753 from the Southwest Basin Account to partially fund the Mancos River Diversion Project, Phase I for the Mancos Conservation District, contingent on resolution of the items in the issues/additional needs section of the Board memo. The motion was approved unanimously (9-0).

b. Conserving Farmlands Partnership – Protecting Irrigated Agricultural Lands and Water Rights for Agricultural Production

Tape 1, Track 2 03:47:46 – 03:58:58

Action: A motion was made by April Montgomery and seconded by Travis Smith to approve staff recommendation that the Board fund up to \$31,500 from the Southwest Basin Account to help complete this project. Staff also recommends that the applicant initially research the issue and potential solutions to the problem (Tasks 1 and 2 of the Board Memo) and then assess whether it is necessary to continue with the remaining portions of the project. Staff will work with the applicant and may recommend to the Board that any remaining funds be reverted back to the Southwest Basin Account to assist in the funding of other projects. The motion was approved unanimously (9-0).

c. Yellow Jacket Water Conservancy District – Water Storage Feasibility Study

Action: This Agenda Item has been withdrawn for consideration at the January 2010 Board meeting. No action is required by the Board at this time.

14. Watershed Protection and Flood Mitigation Section – Designation and Approval of 100-Year Floodplain Information

Tape 1, Track 2 03:58:59 – 04:03:40

Action: A motion was made by Barbara Biggs and seconded by Carl Trick to approve staff recommendation that the Board: 1) designate and approve the 100-year detailed and approximate floodplain information contained in said Letters of Map Revision (attached to the Board Memo), and 2) authorize staff to prepare a floodplain resolution to be signed by the Director reflecting the official designation and approval action. This action is recommended in order to meet statutory requirements. The motion was approved unanimously (9-0).

15. Stream and Lake Protection Section – Authorization to Proceed to Trial – Case No. 3-08CW010: Application of Robert Gregg Sease

Tape 1, track 2 04:03:41 – 04:09:50

Tape 1, track 6 00:00:28 – 00:03:02

Action: A motion was made by Travis Smith and seconded by John McClow to approve staff recommendation that the Board authorize staff to proceed to trial to protect the Board's instream flow water rights, in the event that staff and the Attorney General's Office are unable to reach a settlement with the applicant. Barbara Biggs was not available for this motion. The motion was approved unanimously (8-0).

16. Stream and Lake Protection Section – Injury with Mitigation – Case No. 4-05CW264: Application of Ranch Properties, LLC

Tape 1, Track 2 04:09:51 – 04:36:30

Tape 1, Track 6 00:03:03 – 00:04:39

Action: A motion was made by John McClow and seconded by Carl Trick to approve staff recommendation that the Board 1) determine that the natural environment of Ohio Creek could be preserved to a reasonable degree despite the proposed injury to the ISF if Ranch Properties provides the proposed mitigation, and 2) approve the pretrial resolution of this case, which is to include the modifications made by First Attorney General Susan Schneider and John Hill, representing Ranch Properties, LLC. Barbara Biggs was not available for this motion. The motion was approved unanimously (8-0).

17. Water Supply Protection Section – Kansas v. Colorado

Tape 1, Track 4 00:00:00 – 00:26:24

Action: Informational item only. No action was required by the Board.

18. Attorney General's Report, Legal Briefing and Executive Session – *This is a briefing on legal issues contained in the Attorney General's written report and on items listed below that the Board may refer for discussion in an Executive Session based upon attorney client privilege.*

Executive Session Items

- a. Kansas v. Colorado
- b. Case No. 3-08CW010: Application of Robert Gregg Sease
- c. Case No. 5-07CW277: Application of the Colorado Water Conservation Board (Hat Creek Ditch Water Donation from the Colorado Water Trust)
- d. Case No. 4-05CW264: Application of Ranch Properties, LLC
- e. Platte River Compact
- f. Grand Canyon Trust
- g. Mexico Negotiations

Tape 1, Track 2 04:36:31 - 04:53:30

Action: A motion was made by Carl Trick and seconded by Eric Wilkinson to go into Executive Session. The motion was approved unanimously (9-0).

A motion was made by Carl Trick and seconded by Reed Dils to go out of Executive Session. The motion was approved unanimously (9-0).

Tape 1, Track 4 00:26:05 – 00:26:23

Action: A motion was made by Travis Smith and seconded by Carl Trick to return to Executive Session. The motion was approved unanimously (9-0).

A motion was made by Carl Trick and seconded by Reed Dils to go out of Executive Session. The motion was approved unanimously (9-0).

19. Report from Executive Session

Tape 1, Track 6 00:00:00 – 00:00:27

Action: Deputy Attorney General Casey Shpall reported that the Board went into Executive Session, pursuant to C.R.S. Section 24-6-402(3)(a)(II) for discussion of Agenda Items 18 and that the discussion was limited to those items.

20. Water Supply Protection Section – Request for Expenditure from Litigation Fund

Tape 1, Track 6 00:04:40 – 00:12:07

Action: A motion was made by Carl Trick and seconded by April Montgomery to approve staff recommendation that the Board, 1) authorize the expenditure of additional moneys, not to exceed \$265,000 for the costs associated with the defense of Colorado's allocation of water in the Colorado River; 2) DIRECT THE CWCB Director and staff to expend these funds in a manner consistent with the request by the Office of the Attorney General, with the clarification that the funds are not limited to FY11, and 3) direct the CWCB Director, CWCB staff, and Office of the Attorney General to comply with the annual reporting requirements as specifically provided for in Section 37-60-121(2.5). Barbara Biggs was not available for this motion. The motion was approved unanimously (8-0).

RECESSED 4:45 p.m.

A regular meeting of the Colorado Water Conservation Board (CWCB) was convened at 1580 Logan St., Denver, CO 80203. The meeting was called to order by Chair, Geoff Blakeslee. Nine voting members were present at the call to order, so a quorum was present (at least 6 required). Voting members present were Chair Geoff Blakeslee, Vice Chair Eric Wilkinson, Carl Trick, Travis Smith, John McClow, Reed Dils, April Montgomery, Barbara Biggs, and John Redifer. Non-voting, *Ex-Officio* members present or represented were CWCB Director Jennifer Gimbel, Deputy Attorney General Casey Shpall, Division of Wildlife Director Tom Remington, and Deputy State Engineer Mike Sullivan.

Wednesday, November 18, 2009

Call to Order 8:08 a.m.

21. Basin Director Report

a. Colorado River (Mainstem) Basin Director Report – John Redifer Reporting

Tape 1, Track 7 00:00:00 – 00:06:08

Action: Information item only. No action was required by the Board.

b. San Juan/San Miguel-Dolores River Basin – April Montgomery Reporting

Tape 1, Track 7 00:06:09 – 00:12:30

Action: Information item only. No action was required by the Board. April Montgomery formerly thanked the CWCB for funding the San Miguel/Placerville Stream Gage.

c. Gunnison River Basin – John McClow Reporting

Tape 1, Track 7 00:12:31– 00:21:38

Action: Information item only. No action was required by the Board.

- d. Basin Director Report – North Platte River Basin Director Report – Carl Trick Reporting

Tape 1, Track 7 00:21:39 – 00:25:40

Action: Information item only. No action was required by the Board.

- e. South Platte River Basin Director Report – Vice Chair Eric Wilkinson Reporting

Tape 1, Track 7 00:25:41 – 00:35:15

Action: Information item only. No action was required by the Board.

- f. Arkansas River Basin Director Report – Reed Dils Reporting

Tape 1, Track 7 00:35:16 – 00:44:04

Action: Information item only. No action was required by the Board.

- g. City and County of Denver Director Report – Barbara Biggs Reporting

Tape 1, Track 7 00:44:05 – 00:48:46

Action: Information item only. No action was required by the Board.

- h. Rio Grande River Basin Director Report – Travis Smith Reporting

Tape 1, Track 7 00:48:47 – 00:56:19

Action: Information item only. No action was required by the Board.

- i. Yampa-White River Basin Director Report – Chair Geoff Blakeslee Reporting

Tape 1, Track 7 00:56:20 – 01:05:20

Action: Information item only. No action was required by the Board.

22. Decision Support System – Colorado Water Availability Study Preliminary Results

Tape 1, Track 7 01:10:23 - 01:50:51

Action: Information item only. No action was required by the Board.

23. Stream and Lake Protection Section – State of Colorado Stream Gaging Programs

Tape 1, Track 7 03:25:37 – 03:45:11

Action: Information item only. No action was required by the Board.

24. State Engineer's Office – Tom Ley's Presentation on Satellite Monitoring

Tape 1, Track 5 03:45:12 – 04:15:52

Action: Information item only. No action was required by the Board.

25. Water Supply Planning and Finance Section – Financial Matters – Construction Fund and Severance Tax Trust Fund Perpetual Base Account

- a. Annual Financial Statement Update

Tape 1, Track 7 01:50:52 – 02:36:25

Action: Information item only. No action was required by the Board.

- b. Projections & Cash Balance Reports

Tape 1, Track 7 02:36:26 – 02:52:09

Action: Information item only. No action was required by the Board.

26. Water Supply Planning and Finance Section – Construction Fund and Severance Tax Trust Fund Perpetual Base Account – New Loans

a. WRCC, Inc. – Cobb Lake Inlet Structure Project

Tape 1, Track 7 02:52:10 – 02:58:36

Action: A motion was made by Eric Wilkinson and seconded by Barbara Biggs to approve staff recommendation that the Board approve a loan from the Construction Fund not to exceed \$1,301,890 (\$1,289,000 for project costs and \$12,890 for the 1% Loan Service Fee) to WRCC, Inc. for engineering and construction costs related to the Cobb Lake Inlet Structure Project. The loan terms shall be 30 years at a blended rate of 2.85% per annum. Security for the loan shall be in compliance with CWCB Financial Policy No. 5. The motion was approved unanimously (9-0).

b. Riverside Ditch & Allen Extension Co. – Phased Canal Improvement Project

Tape 1, Track 7 02:58:37 – 03:06:14

Action: A motion was made by Reed Dils and seconded by Travis Smith to approve staff recommendation that the Board approve a loan from the Construction Fund not to exceed \$186,345 (\$184,500 for project costs and \$1,845 for the 1% Loan Service Fee) to the Riverside Ditch and Allen Extension Company for engineering and construction costs related to the Phased Canal Improvements Project. The loan terms shall be 30 years at the agricultural rate of 2.75% per annum. Security for the loan shall be in compliance with CWCB Financial Policy No. 5. The motion was approved unanimously (9-0).

27. Water Supply Planning and Finance Section – Changes to Existing Loans

a. Boulder White Rock Ditch and Reservoir Company – Panama Reservoir Outlet

Tape 1, Track 7 03:06:15 – 03:12:54

Action: A motion was made by Eric Wilkinson and seconded by Barbara Biggs to approve staff recommendation that the Board approve an increase of \$434,104 (\$429,806 for project costs and \$4,298 for a 1% Loan Service Fee) to the Company from the Severance Tax Trust Fund Perpetual Base Account, at its current interest rate of 3.45% for 30 years. The Company's total amended loan amount will be \$2,864,164 (\$2,835,806 for project costs and \$28,358 for the 1% Loan Service Fee) for the Panama Reservoir Outlet Project. Security for the loan shall be collateral in compliance with CWCB Financial Policy No. 5. The motion was approved unanimously (9-0).

b. Supply Irrigating Ditch Company – Knouth Reservoir Dam Rehabilitation

Tape 1, Track 7 03:12:55 – 03:24:11

Action: A motion was made by Carl Trick and seconded by Eric Wilkinson to approve staff recommendation that the Board approve an increase of \$610,040 (\$604,000 for project costs and \$6,040 for a 1% Loan Service Fee) to the Company from the Severance Tax Trust Fund Perpetual Base Account at its current interest rate of 2.6% for 30 years. The Company's total amended loan amount will be \$1,515,000 (\$1,500,000 for project costs and \$15,000 for a 1% Loan Service Fee) for the rehabilitation of Knouth Reservoir. Security for the loan shall be collateral in compliance with CWCB Loan Policy No. 5. Staff further recommends the following conditions that will supersede all previous conditions:

1) To utilize CWCB funding in a timely manner, the Company will have a one-year time limit from the time of CWCB approval to execute a funding contract. If a contract is not executed within one year of Board approval, the \$1,515,000 will be de-authorized unless the Board specifically approves a time extension;

2) Prior to contract execution the Brand Family's storage decree in Knouth Reservoir shall be transferred to the Knouth Reservoir Corporation, and the Company will provide to the CWCB executed copies of its corporate documents to verify the legal formation of the Knouth Reservoir Corporation.

3) The loan contract shall have the following provision:

a. As identified in the separate Memorandum of Understanding between the Company and the Little Thompson Water District (District), the District shall pay the Company over a 5 year period for its portion of the Knouth Reservoir Rehabilitation Project. With the exception of the first payment, all payments received by the Company from the District will be sent to CWCB within 60 days of receipt of the funds, to repay the Company's loan.

The Board amended the recommendation to show a revenue pledge and assignment of the borrower's capital stock in the Knouth Reservoir Corporation as collateral. The motion was approved unanimously (9-0).

28. Water Supply Planning and Finance Section – En-bloc Non-Reimbursable Investments Recommendations

Tape 1, Track 7 04:17:09 - 04:32:02

Action: A motion was made by Travis Smith and seconded by Barbara Biggs to approve staff recommendation that the Board approve an exception to Policy 13 and approve, en-bloc, the non-reimbursable investments listed in Agenda Item 28a-f. These investments were reviewed and recommended by the CWCB Finance Committee when it met in September 2009 in Steamboat Springs. If approved, these non-reimbursable investments will comprise the principal Sections for the 2010 Projects Bill. The motion was approved unanimously (9-0).

a. Division of Water Resources – Satellite Monitoring System Maintenance -

Action: Staff recommends that the Board make an exemption to Policy 13 and appropriate \$250,000 from the Construction Fund to the Department of Natural Resources for allocation to the Division of Water Resources (DWR) to enhance, renovate, and replace the Data Collection Platforms in the existing satellite monitoring system (The details of the DWR Satellite Monitoring System funding request are explained in the attached memo from Scott Cuthbertson to Jennifer Gimbel dated August 11, 2009).

b. CWCB – Weather Modification Program

Action: Staff recommends that the Board request the General Assembly to appropriate up to \$175,000 from the Construction Fund to be appropriated to the Colorado Water Conservation Board for the CWCB Weather Modification Program.

c. CWCB – Colorado Floodplain Map Modernization Program

Action: Staff recommends that the Board request that the General assembly authorize up to \$500,000 from the Construction Fund to be appropriated to the Colorado Water Conservation Board for technical activities related to the Colorado Floodplain Map Modernization Program.

d. CWCB – Colorado Watershed Restoration Program

Action: Staff recommends that the Board request that the General Assembly authorize \$250,000 from the Construction Fund to be appropriated to the Colorado Water Conservation Board for the Colorado Watershed Restoration Program.

e. CWCB – Flood Response Program Refreshed

Action: The CWCB Staff requests that the Board consider restoring up to \$300,000 to the Flood Response Fund to refresh it to the original \$300,000 funding level for Fiscal Year 2010/11. The attached document provides further justification to this important fund.

f. Colorado Water Education Foundation – Annual Appropriation

Action: CWCB staff recommends that the Board approve the inclusion of a \$150,000 Non-Reimbursable request in the 2010 Projects Bill.

29. Water Supply Planning and Finance Section – Referred Non-Reimbursable Investments –
CWCB – Instream Flow Engineering and Technical Support Services

Tape 1, Track 7 04:32:03 – 04:42:40

Action: A motion was made by Reed Dils and seconded by April Montgomery to approve staff recommendation that the Board approve an appropriation of \$50,000 in fiscal year 2010-11 from the Construction Fund to the Colorado Water Conservation Board for the continued implementation of the long-range engineering and technical support services program. The motion was approved unanimously (9-0).

30. Office of Water Conservation and Drought Planning Section – Presentation on Conservation
Demand Reduction to 2050 – “1% Per Year”

Tape 1, Track 7 04:42:41 – 05:32:00

Action: Information item only. No action was required by the Board.

ADJOURNED 2:40 p.m.