

# STATE OF COLORADO

---

## Colorado Water Conservation Board Department of Natural Resources

1580 Logan Street, Suite 600  
Denver, Colorado 80203  
Phone: (303) 866-3441  
Fax: (303) 894-2578  
www.cwcb.state.co.us



---

FINAL AND APPROVED  
SUMMARY MINUTES AND RECORD OF DECISIONS  
FEBRUARY 20, 2013

---

John W. Hickenlooper  
Governor

Mike King  
DNR Executive Director

Jennifer L. Gimbel  
CWCB Director

---

A special meeting of the Colorado Water Conservation Board (CWCB) was convened at the CWCB offices, 1313 Sherman Street, Room 721, Denver, CO 80203 and by conference call. The meeting was called to order by Chair John McClow. Eight voting members were present at the call to order, so a quorum was present (at least 6 required). Voting members present by conference call were: John McClow, Russell George, April Montgomery, Ty Wattenberg, Alan Hamel, Travis Smith, Diane Hoppe, and Mike King. Appointed member Jay Gallagher was present by conference call, although not able to participate in voting due to the meeting taking place prior to his Senate Confirmation. Non-voting *ex officio* members present in person were Dick Wolfe, State Engineer, and Casey Shpall, Deputy Attorney General for Natural Resources. Also present by conference call was John Stulp, Special Policy Advisor to the Governor for Water.

### **WEDNESDAY, FEBRUARY 20, 2013**

**CWCB Call to Order            10:00 AM**

#### **1. Roll Call**

**Action:** All Board Members present by conference call and in person stated their names for the record.

#### **2. Public Comment Period**

**Action:** No public comments were submitted to the Board. Ty Wattenberg made a motion for the Board to go into executive session for discussion of agenda item 3, which was seconded by Travis Smith. The motion was approved unanimously (8-0).

### **3. Executive Session: Consideration of Proposed Settlement of Case No. 11CW129 (Application of CWCB on the San Miguel River)**

**Action:** Alan Hamel made a motion for the Board to leave executive session, which was seconded by Ty Wattenberg. The motion was approved unanimously (8-0).

### **4. Report from Executive Session**

**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 item 3 with staff and the Attorney General's Office, and that the discussion was limited to that item only, with no action taken.

**Action:** A motion was made by April Montgomery to accept the proposed settlement with Montrose County as presented by staff, including staff's proposed language for Recital D in the Water Delivery Agreement, which was seconded by Alan Hamel. The motion was approved unanimously (8-0).

### **ADJOURN**

Diane Hoppe made a motion to adjourn the February 2013 Special Colorado Water Conservation Board Meeting. Alan Hamel seconded the motion, which was passed unanimously (8-0).