STATE OF COLORADO

Colorado Water Conservation Board
Department of Natural Resources
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John W. Hickenlooper
Governor

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DNR Executive Director

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JULY 16-17, 2013 BOARD MEETING AGENDA

A meeting of the CWCB will be held on Tuesday, July 16, 2013, commencing at 9:00 a.m. and continuing through Wednesday, July 17, 2013. This meeting will be held in Alamosa, CO at Adams State University in the Student Union Building, located at 1601 First Street, Alamosa, CO 81101.

The CWCB posts notices 30 days in advance of each regularly scheduled meeting. Notices for special meetings are posted on the website typically within five business days and not less than 24 hours of such a meeting. Notices of regular and special meetings may also be received by email. To receive notices by email please visit: http://cwcb.state.co.us/Pages/CWCBIBCCInsider.aspx.

Although dates and times are indicated in this notice and in the following agenda, the CWCB may address and take action on noticed items in any order. Any known changes to the agenda will be announced at the beginning of the meeting. This notice, any late notice(s) of additional items, and briefing memos prepared for the CWCB will be posted at 1313 Sherman Street, Suite 721, Denver, CO 80203, and on our website at www.cwcb.state.co.us.

The CWCB's meetings are made available through live audio streaming, although Board workshops are not. To listen to the proceedings, click the "Listen to the meeting LIVE!" link on the CWCB website homepage. The link will be posted just prior to the start of the meeting. Listeners must have a program on their computer or mobile device that handles streaming media (such as Windows Media Player, RealPlayer or similar) in order to hear the audio broadcast.

PowerPoint presentations are also being made available to the public. To watch presentations that accompany agenda items, click the "Watch Presentations" link on the CWCB website homepage. You will encounter a few dialogue boxes: 1) click Run for the See-and-Share loader, 2) click Run, to run the software, and 3) enter your name to join the conference and click ok.

The CWCB encourages citizens to express their views and provide feedback to the Board on the agenda items. This can be done by sending an email to kate.mcintire@state.co.us, by sending a letter to a Board member or to the Chair of the Board, or by attending the meeting. If you attend a meeting, simply fill out a comment sheet and give it to the Board Coordinator at the recording station. The Board will appreciate hearing your views when it reaches that agenda item. If you have any questions, need special accommodations as a result of a disability, or require further information on any CWCB activity, please contact Kate McIntire at 303-866-3441, Ext. 3242. All programs, services, and activities of the CWCB are operated in compliance with the Federal Americans with Disabilities Act (ADA).

TUESDAY, JULY 16, 2013

CWCB Call to Order 9:00 AM

1. **Review and Approval of Agenda (9:00 – 9:02)**

2. **Swearing in of Directors (9:02 – 9:08)**

3. **Review and Approval of Meeting Minutes – May 14-15, 2013 Board Meeting, and June 10, 2013 Special Executive Session (9:08 – 9:10)**

4. **Approve and/or Remove Items from Consent Agenda (9:10– 9:12)**

5. **Future Board Meeting Dates in 2013 (9:12 – 9:15)**
   - *Informational item only. No action is required by the Board. The Board Coordinator will check available locations listed below and report back to the CWCB Director.*

   a. September 24-25, 2013 Telluride
   b. November 19-20, 2013 Denver
   c. January 27-28, 2014 Denver Tech Center

6. **Directors' Reports (9:15 – 10:00)**
   a. DNR Executive Director
   b. IBCC Director
   c. Agriculture Commissioner
   d. CWCB Director
   e. State Engineer
   f. Division of Parks and Wildlife
   g. Water Resource and Power Development Authority

7. **Interstate, Federal, and Water Information Section –Upper Colorado River Commission (UCRC) Update (10:00 – 10:15)**
   - *Commissioner McClow will provide a public briefing to the Board about the summer UCRC meeting and the current activities of the UCRC.*

8. **Interstate, Federal, and Water Information Section – Colorado River Basin Study Next Steps (10:15 – 10:30)**
   - *The staff will update the Board on the Colorado River Basin Study Next Steps process.*

9. **Attorney General's Report, Legal Briefing and Executive Session (10:30 – 10:35)**
   - *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.*

BREAK 10:35 – 10:45

10. **Executive Session (10:45 – 12:00)**
    a. Case No. 5-11CW152: Application of City and County of Denver acting by and through its Board of Water Commissioners, Board of Commissioners for the County of Grand, Colorado and Colorado Water Conservation Board

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b. Case No. 1-02CW292: Application of Eldorado Artesian Springs, Inc.
c. Case No. 4-10CW180: Application of Colorado Water Conservation Board
d. Case No. 5-12CW154: Application of Byers Peak Ranch, LLLP
e. Case No. 4-11CW129: Application of Colorado Water Conservation Board (Notice of Appeal)
f. Colorado River Issues
g. Republican River Litigation
h. Rio Grande River Litigation
i. *Tarrant Regional Water District v. Herrmann*

LUNCH 12:00 – 1:00

11. Report from Executive Session (1:00 – 1:05)

12. Interstate, Federal, and Water Information Section –Bureau of Land Management (BLM)'s Grand Junction Field Office (GFO) Recommendation on Suitability to Include a Portion of the Cottonwood Creek in the National Wild and Scenic Rivers System (NWSRS) (1:05 – 1:35)

13. Finance/Interstate & Federal Section – Animas-La Plata (A-LP) Update (1:35 – 1:45)

14. Stream and Lake Protection Section – Draft Amendments to Policy 19 (Expenditures for Instream Flow Acquisitions) (1:45 – 2:05)
- *The Board will discuss draft amendments to Policy 19 regarding expenditures for instream flow acquisitions to improve the natural environment to a reasonable degree. This is an informational item with no Board action requested.*

15. Criteria and Guidelines for Fallowing-Leasing Pilot Projects (2:05 – 3:05)

BREAK 3:05 – 3:15

16. Watershed & Flood Protection Section - Rio Grande Headwaters Restoration – Project Presentations (3:15 – 3:30)

17. Finance – Beaver Park Reservoir Rehabilitation Update (3:30 – 3:45)

18. Watershed & Flood Protection Section – Colorado Wildfire Assessments (3:45 – 4:45)
a. Colorado Wildfire Overview
b. Local Wildfire Perspective
c. Post-Wildfire Financial Support

RECESS 4:45 PM

WEDNESDAY, JULY 17, 2013

CWCB Call to Order 8:30 AM

19. Basin Directors' Reports (8:30 – 9:30)
a. Colorado River (Mainstem) Basin Director's Report
b. San Juan/San Miguel-Dolores River Basin Director's Report

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c. Gunnison River Basin Director's Report
d. North Platte River Basin Director's Report
e. South Platte River Basin Director's Report
f. Arkansas River Basin Director's Report
g. City and County of Denver Director's Report
h. Rio Grande River Basin Director's Report
i. Yampa-White River Basin Director's Report

20. Watershed & Flood and Water Supply Planning Sections – Colorado Parks and Wildlife Gypsum LEDE Reservoir Fish and Wildlife Mitigation Plan (9:30 – 10:00)

BREAK 10:00 – 10:15

21. Water Supply Planning Section – Colorado Water Plan (10:15 – 11:30)

22. Water Supply Planning Section – Statewide Water Supply Initiative Update (11:30 – 12:00)

LUNCH 12:00 – 1:00

23. Water Supply Planning Section – Water Supply Reserve Account (WSRA) Basin Account Applications (1:00 – 1:45)

a. Bonita Reservoir Dam Outlet Pipe Rehabilitation
b. Curry Easements Woody Invasives Removal for the West Side of the North Fork of the Gunnison River Project
c. Kerber Creek Restoration Project
d. Development and Implementation of Water Education and Networking 3-Year Program of Discussions, Forums, Workshops, Tours
e. McLave Water Association Emergency Grant
f. Replacement of Measuring Devices on Grand Mesa

24. Finance – Construction Fund and Severance Tax Trust Fund Perpetual Base Account (1:45 – 2:00)

a. Projections and Cash Balance Report

25. Finance – New Water Project Loans (2:00 – 3:00)

a. East Mesa Water Company, Ditch Piping Project
b. Boulder and Left Hand Irrigation Company – Tracy Lateral Pipeline at the Wederquist "Y" Project
c. Henrylyn Irrigation District – Prospect Reservoir Dam Facing Project
d. Town of Fowler – Augmentation Waterline Project
e. Bellyache Ridge Metropolitan District – Well Replacement Project

ADJOURN 3:00 PM

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CWCB CONSENT AGENDA
July 16-17, 2013

Matters may be placed on the Consent Agenda when the recommended action follows established policy or precedent, there has been a negotiated settlement, or the matter is uncontested and non-controversial. Staff provides memos to CWCB members explaining the matters on the Consent Agenda. Matters on the Consent Agenda are noticed for hearing in the same manner as other agenda items. If a member of the CWCB requests further consideration of an item on the Consent Agenda, the item will be withdrawn from the Consent Agenda and discussed at the end of the meeting or at the next meeting. The Consent Agenda may be voted on without reading or discussing individual items. Any CWCB member may request clarification about any matter on the Consent Agenda.

1. **Stream and Lake Protection Section – Statements of Opposition**
   a. Case No. 2-13CW3000: Application of New Elk Coal Company, LLC
   b. Case No. 6-13CW3003: Application of Entelco Corporation
   c. Case No. 6-13CW3004: Application of Plug Properties, LLC
   d. Case No. 6-13CW046: Application of South Gothic Ecological Holding Co. and Rocky Mountain Biological Laboratory

2. **Stream and Lake Protection Section – Temporary Lease of Water for Instream Flow Use – Winter Park Ranch Water and Sanitation District** – Staff will ask the Board to ratify the CWCB Director's acceptance of the Temporary Lease of Water Right from Colorado Water Trust and the Winter Park Ranch Water and Sanitation District for instream flow use on St. Louis Creek and the Fraser River.

3. **Stream and Lake Protection Section – Case No. 5-11CW152: Application of City and County of Denver acting by and through its Board of Water Commissioners, Board of Commissioners for the County of Grand, Colorado and Colorado Water Conservation Board - Ratification of Amended Application** – Staff will ask the Board to ratify the First Amended Application filed in this case on May 31, 2013.

4. **Finance – Recommended Prequalified Projects**

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