



May 20, 2010
Meeting Minutes of the Board of Directors

Directors Present: Wayland Anderson, Alan Berryman, Lisa Darling, Greg Dewey, Dennis Harmon, Kim Hutton, John Kolanz, Randy Rhodes and Kevin Urie

Directors Absent: None

1. CALL TO ORDER / INTRODUCTIONS

Lisa Darling, President of SPWRAP, called the SPWRAP Board of Directors Meeting to order at 9:00 am at the Shadow Mountain Room of Northern Water.
There was a quorum of Directors.

2. ADDITIONS/CHANGES TO THE AGENDA

There were no additions/changes to the agenda.

3. MINUTES FROM THE MARCH 18, 2010 BOARD MEETING

MOTION: Alan Berryman moved that the board approve the minutes from the March 18, 2010 board meeting. Randy Rhodes seconded the motion and it was approved unanimously by the directors present.

4. FINANCIAL REPORT

Dennis Harmon presented the SPWRAP financial report, including a financial statement from beginning of fiscal year through April 30, 2010. Dennis also said the following bills needed to be paid:

- Trout, Raley, Freeman, et al. for legal services (April) – \$1,551.90
- Duncan, Ostrander & Dingess for legal services (April) – \$126.00

MOTION: Dennis Harmon moved that the board approve payment of the bills listed in the financial report. Greg Dewey seconded the motion. The motion was approved unanimously by the directors present.

5. UPDATE ON PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM (PRRIP) ACTIVITIES

- Governance Committee

Alan Berryman mentioned that the Governance Committee would be meeting next month in Cheyenne.

Ted Kowalski mentioned the pallid sturgeon. There are many unknowns, such as: how much money will the adaptive management portion of the PRRIP spend on the pallid sturgeon; does the PRRIP need to study the pallid sturgeon even though it is not one of the three endangered species that the PRRIP was originally set up to address; and whether program activities even create measurable effects?

No new land acquisitions were reported.

Lisa Darling brought up the representation of Colorado on the various committees under the Governance Committee. Ted Kowalski reported that the state still intends to hire a person who would eventually represent Colorado. Until then, the current representation remains in place.

Ted Kowalski reported that the state legislature appropriated \$3 million to the PRRIP through the State Species Conservation Trust Fund. This brings the total to \$23 million from Colorado for the First Increment. Ted mentioned that another \$3 million would likely be needed to fully meet the state's cash contribution for the first increment of the Program.

Alan Berryman mentioned that Colorado needs to look at the status of Colorado meeting its water obligations, both now and in the future. Alan invited anyone else to join the SPWRAP Operations subcommittee and State personnel in a meeting to begin work on this issue. There will be educational value in more people understanding the specifics of how Colorado is ensuring the water is reaching the habitat. Alan Berryman, Jon Altenhofen, Ted Kowalski, Kevin Urie are already on the subcommittee. Greg Dewey, John Kolanz, and Anna Mauss volunteered to join the committee.

- Water Action Committee

Jon Altenhofen handed out what he had handed out at the May Water Action Committee (WAC) meeting. The handout showed a summary of what Colorado has done so far regarding Colorado's Plan for Future Depletions.

6. CITY OF LAKEWOOD AND COVERAGE UNDER SPWRAP

Kevin Urie reported that Sandy Van-Miller (USFWS) indicated there were 30 pre-1997 "stand alone" Biological Opinions from the US Fish and Wildlife Service, of which Lakewood has the last one which remains outstanding. Kevin Urie responded to Sandy Vana-Miller that it made sense for Lakewood's depletions at Fox Hollow Golf Course to be covered under its general membership in SPWRAP. The directors concurred.

7. COLORADO SPRINGS UTILITIES AND COVERAGE UNDER SPWRAP

Kevin Urie reported that Colorado Springs Utilities (CSU) has a reservoir (Montgomery Reservoir) which receives water pumped from the South Platte. This is their only use of South Platte water. Discussion ensued about whether to include CSU as a member and, if so, on what basis to calculate the assessment.

MOTION: Alan Berryman moved that the board establish a new class of membership, Class X-4, with the assessment based on the maximum decreed diversion of Montgomery Reservoir to be calculated consistent with Class-M unit calculations, and the Class X-4 assessment will be a flat fee to be paid each year. Randy Rhodes seconded the motion. Discussion ensued. Alan Berryman amended the motion so that Class X-4 would be only for CSU and Montgomery Reservoir. The amended motion was approved unanimously by the directors present.

8. UPDATE ON FINALIZING TAMARACK DECREE

Ted Kowalski said the state is ready to re-refer the case. However, it is waiting for a formal motion from SPWRAP to authorize funds and for Aurora to intervene in the case. Lisa clarified

that although Aurora is intervening, the intent is to get its counsel, Steve Simms, back into the case because he has history. Because Steve formerly worked for the state, he was cleared from conflict, and will be paid by Aurora. Mary Halstead will be available. SPWRAP funds would be for expert witness fees and possible field work. Kim Hutton expressed that Boulder would support SPWRAP funds for that purpose if updates are provided and all SPWRAP membership is included in discussions. Boulder and Centennial are still open to settlement.

MOTION: Greg Dewey moved that SPWRAP authorize a maximum of \$50,000 to fund expert witnesses, and possibly field work, in the Tamarack Case and authorize Austin Hamre to communicate the same to Chad Wallace of the Colorado Attorney General's office. Alan Berryman seconded the motion, and it was approved unanimously by the directors present.

9. SPWRAP ADMINISTRATIVE AND CORPORATE ISSUES

Lisa mentioned that typically the July meeting has been a field tour. However, she opened the floor to other ideas. Jon Altenhoffen mentioned that it might make sense to make a field trip earlier in the year when augmentation facilities are running, i.e. March.

The next meeting will be July 15, 2010. It will be a regular business meeting. Lisa asked if the board would like to have a presentation on anything in particular. One idea was to have Beorn Courtney from the Executive Director's office present on the recent Water Action Committee findings. Nothing was decided.

Kevin Urie mentioned that in March 2011, it might be interesting to visit the Program Habitat in Nebraska.

Dennis Harmon mentioned the Forest Service is in process of updating its Master Plan, which may be of interest to any water user with a facility or permit on U.S. Forest land.

10. ADJOURN

The meeting adjourned at 11:15 am.

Next Meeting of the Board of Directors:

July 15, 2010 – 9am – Northern Water

Respectfully submitted,



Greg Dewey
Secretary, SPWRAP, Inc.