A joint special meeting of the Boards of Directors of the Upper Eagle Regional Water Authority (Authority) and Eagle River Water and Sanitation District (District) was held March 23, 2017, at 11:00 a.m., in the District’s Walter Kirch Room, 846 Forest Road, Vail, Eagle County, Colorado, in accordance with the applicable statutes of the State of Colorado.

ATTENDANCE

The following Authority Directors were present, thereby constituting a quorum:
- Geoff Dreyer, Arrowhead Metropolitan District
- Pam Elsner, Beaver Creek Metropolitan District alternate
- George Gregory, Berry Creek Metropolitan District
- Kim Bell Williams, EagleVail Metropolitan District
- Mick Woodworth, Edwards Metropolitan District

The following District Directors were present, thereby constituting a quorum:
- Dick Cleveland
- Steve Coyer
- George Gregory
- Timm Paxson
- Bill Simmons
- Brian Sipes
- Robert Warner

Also in attendance were:

ERWSD Staff
- Linn Brooks
- Allen Cerny
- Jason Cowles
- Catherine Hayes
- Diane Johnson
- Kira Koppel
- Siri Roman
- Amy Vogt
- James Wilkins
- Brad Zachman
- Consultants
- Jim Collins, Collins Cockrel & Cole
- Glenn Porzak, Porzak Browning & Bushong LLP
- Public
- John Currier, Colorado River Water Conservation District
- Beth Howard, Vail Associates
- Mike Jackson, Vail Resorts
- Greg Johnson, Vail Resorts
- Eric Kuhn, author and presenter
- Melissa Nelson, Berry Creek Metropolitan District
- Robert Lipnick, Vail resident
- Gary Shimanowitz, Vail Resorts

DISCLOSURES OF POTENTIAL CONFLICTS OF INTEREST

The Boards noted they had received more than 72 hours prior to the meeting certain disclosures of Potential Conflicts of Interest statements for the following Directors indicating the following conflicts:

For the Authority:
- Director Elsner disclosed her membership with the Vilar Performing Arts Center Guild, which operates within the Authority’s service area. Director Gregory and alternate Director Simmons disclosed that they serve on the Board of the Eagle River Water and Sanitation District. Director Gregory also disclosed that he occasionally undertakes small development and construction activities within the Authority and District service areas. Alternate Director Simmons noted he serves on the boards of the Eagle River Fire Protection District and Edwards Metropolitan District and is employed by Beaver Creek Metropolitan District, an Authority member. Director Williams disclosed that she is the Eagle County Housing Director.

For the District:
- Director Cleveland disclosed that he serves on the board of Vail Health. Director Gregory disclosed that he serves on the Boards of the Upper Eagle Regional Water Authority (Authority and the Berry Creek Metropolitan District and occasionally undertakes development and construction activities within the District and Authority service areas. Director Simmons disclosed that he is the General Manager of the Beaver Creek Metropolitan District, an alternate Authority Director, and serves on the boards of the Edwards Metropolitan District and Eagle River Fire Protection District. Director Warner disclosed that he is a developer within the District’s service area and serves on the Eagle County Planning Commission, which occasionally has dealings with the District.
CALL TO ORDER
Chair Simmons of the Eagle River Water and Sanitation District called the meeting to order at 11:00 a.m., and
Chair Gregory of the Upper Eagle Regional Water Authority concurred.

PUBLIC COMMENT
Public comment was called for and there was none.

INTRODUCTIONS
Mr. Kuhn was introduced by Authority Chair Gregory. He recently co-authored a book on water matters
and the Colorado River called *Science Be Dammed*.

OVERVIEW AND SUMMARY OF *SCIENCE BE DAMMED*
Mr. Kuhn discussed his book, beginning with a history of the Colorado River and the early
science that was available prior to the signing of the 1922 Colorado River Compact. In fact, multiple
scientists used river stage measurements, tree ring records, paleohydrology studies, and other means by
which they concluded the flow of the river was much lower than the 20+ million acre feet the compact
signors used as a baseline for the document.

Despite popular belief, Mr. Kuhn shared that the original compact negotiators knew that the river
flow at the time was insufficient to irrigate all the irrigable lands within the Colorado River Basin; scientists
with a more realistic estimate of river flow were not invited to participate in the compact negotiations. It
was also apparent at the time of signing that the major population areas were in the lower basin (including
the states of Nevada, California, Arizona and New Mexico) while the upper basin states (Colorado,
Wyoming, Utah) had most of the water supply. This inequity remains, as does the overuse of its allocation
by the lower basin states.

Mr. Kuhn noted that climate change is already reducing available water supply in the Colorado
River, and this is likely to be exacerbated as temperatures continue to rise. He also discussed the
importance of water supply certainty in the future, warning that future water availability will not mirror the
past, but decline further.

Despite this, Mr. Kuhn maintains a positive outlook for the future of the Colorado River. He
pointed to the decline of thermal energy use, continued water use reductions by the upper basin states
despite population increases, and proactive renegotiation of the 2007 interim guidelines well in advance
of their 2026 expiration. He briefly discussed the “Grand Bargain,” the idea that the upper and lower basin
states could mutually agree to remove the threat of curtailment by mutually agreeing to lower water
allocations that would be reliable given a more realistic acknowledgment of the actual available water
supply, which doesn’t serve either basin and could “wreak havoc” in both basins, according to Mr. Kuhn.
The upper basin cannot function with the uncertainty that a curtailment would cause, nor could the lower
basin operate if its legal limit of water was enforced.

The Boards thanked Mr. Kuhn for his informative presentation.
ADJOURNMENT
There being no further business to come before the Boards, the meeting adjourned at 12:02 p.m.

Respectfully submitted,

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Secretary to the Meeting

EAGLE RIVER WATER & SANITATION DISTRICT

___________________________________
Dick Cleveland, Director

___________________________________
Steve Coyer, Treasurer

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George Gregory, Secretary

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Timm Paxson, Director

___________________________________
Bill Simmons, Chair

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Brian Sipes, Director

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Robert Warner, Director
UPPER EAGLE REGIONAL WATER AUTHORITY

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Arrowhead Metropolitan District

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Town of Avon

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Beaver Creek Metropolitan District

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Berry Creek Metropolitan District

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EagleVail Metropolitan District

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Edwards Metropolitan District