

February 15, 2012 WORK SESSION MEETING MINUTES

A Work Session meeting of the Lower Arkansas Valley Water Conservancy District was held on Wednesday, February 15, 2012 at 9:10 A.M., at the District office located at 801 Swink Avenue, Rocky Ford, Colorado 81067.

DIRECTORS PRESENT:

Pete Moore-Chairman
Lynden Gill-Vice Chairman
Melissa Esquibel-Secretary
Wayne Whittaker-Treasurer
Leroy Mauch
Anthony Nunez
Reeves Brown

DISTRICT STAFF:

Jay Winner-General Manager
Bill Hancock-Cons. Program Mgr
Bart Mendenhall-Attorney

Chairman Moore called the meeting to order at 9:10 A.M. and announced a quorum with all the Directors present.

Visitors: Keith Goodwin and Jim Baldwin, Commissioners for Otero County.

General Manager Winner stated that he had a newsletter from Fountain. He wanted to let the directors know that Fountain is engaged in what we're doing with leasing/fallowing in the Arkansas Valley.

General Manager Winner with assistance from Attorney Bart Mendenhall gave an update on the Federal Lawsuit.

General Manager Winner gave an update on the Over-site Commission. They are moving forward in the review of conservation easements.

Directors had a discussion on the letter that was written by Don Steerman and also all the other letters to support the Super Ditch that were written for publication in the Pueblo Chieftain. Attorney Mendenhall did some research on the Super Ditch. He stated that there were some people wanting to find out if a government entity could grant money to a private corporation. He stated, I did some research, I believe the division they were looking at was article II Section 2 which starts neither the state, city, township, school district can make any donation or grant to or in aide of or become a subscriber to a shareholder in any corporation or company or joint owner with anybody. Until you, one

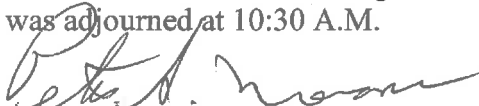
(1) you read it very carefully it doesn't say anything about water conservancies, two (2) look at the date, August 18, 1976. They didn't exist back then.

Director Mauch stated that four (4) shareholders of the Fort Lyon Canal got together and went to the Fort Lyon shareholders asking them to sign a paper in favor of the Super Ditch. Mr. Mauch stated after they got enough signatures they went to the Fort Lyon Canal board meeting and wanted an explanation of this letter. At the end of the meeting they agreed to take Fort Lyon Canal's name off the letter.

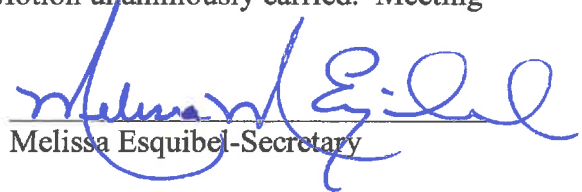
General Manager Winner gave an update on the Rule 10 Plan. He stated that the pond study in Prowers County will need to continue. He stated that Colorado Water Conservancy Board will support this study.

General Manager Winner gave an update on the conservation easement for Mark R. and Laura D Harwood.

Chairman Moore asked if there were any other questions to be heard; hearing none, motion was made by Director Esquibel, seconded by Director Mauch to adjourn the work session and reconvene the regular board meeting. Motion unanimously carried. Meeting was adjourned at 10:30 A.M.



Pete Moore-Chairman



Melissa Esquibel-Secretary