

B&G BALCOMB & GREEN, PC
A FULL SERVICE LAW FIRM SINCE 1953

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July 8, 2013

Via U.S. Mail

Edward Coryell
P.O. Box 475
Meeker, CO 81641

Kelly Sheridan
P.O. Box 865
Meeker, CO 81641

Benjamin J. Rogers
P.O. Box 1083
Meeker, CO 81641

Mike Brennan
P.O. Box 100
Meeker, CO 81641

David Smith, Jr.
P.O. Box 359
Meeker, CO 81641

Walter N. Proctor
P.O. Box 642
Meeker, CO 81641

Re: July 17, 2013 Meeting

Dear Directors:

A reminder that the meeting with the Colorado River District and the Rio Blanco Water Conservancy District is scheduled for Wednesday, July 17, 2013 from 2:30 to 5:00. The meeting will be held at Mountain Valley Bank in Meeker.

Attached is the agenda and meeting minutes from the last meeting. I have spoken with David Smith about the possibility of having someone from the Highland Ditch to discuss the lease matter and revise the agreement between the District and Ditch Company. Depending on schedules and haying activities, they may or may not be able to be present at the meeting.

Also, we have not received any word from the Colorado Supreme Court about the District's appeal of its diligence case. The court is now on summer recess and will not issue any opinions until it returns after Labor Day. Nor has the District Court ruled on the motion to dismiss the lawsuit filed by Mr. Livingston concerning the District's budget matters.

Very truly yours,

By: 
Scott Grosscup

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**Meeting of the
Yellow Jacket Water Conservancy District
Wednesday, July 17, 2013
2:30 to 5:00 p.m.
Mountain Valley Bank Community Room
400 Main Street, Meeker, CO 81641**

Agenda

1. Call Meeting to Order
2. From 2:30 p.m. to 5:00 p.m. the Board will hold a joint meeting with the Rio Blanco Water Conservancy District and staff from the Colorado Water Conservation District
3. Approval of May 28, 2013 Minutes
4. Highland Ditch Company Lease Agreement
5. Treasurer's Report – Approval of Accounts Payable
6. Public comment
7. Adjourn

2013 BUDGET FORMAT 5/28/2013 MEETING DRAFT.
INCLUDES CZB AGREEMENT AND AMEC AGREEMENT.

DATE UPDATED		5/28/13													
MEETING DRAFT		MAY 28 2013		BASED ON NEW 2013		FORMAT									
EXPENSE CATEGORY		2013 BUDGETED AMNT		PAYEE		AMOUNT BILLED		REDUCED AMOUNT		ADJUSTED BALANCE		PAYMENTS		REMAINING BUDGETED	
LEGAL FEES		\$22,000.00		B&G TAVOR JAN '13		\$1,370.00						\$1,370.00			
				B&G GEN. JAN '13		\$540.00						\$540.00			
				B&G GEN. MAY '13		\$2,210.00				\$2,210.00		\$0.00			
						\$0.00						\$0.00			
LEGAL FEES/APPEAL				White & Jankowski		\$93,080.29		(\$47,080.29)		\$37,000.00					
OPTIONAL OBLIGATION				REQUESTED 2013		\$20,000.00									
OPTIONAL OBLIGATION				CZB 2/12/2013		\$0.00		(\$23,042.39)		\$0.00				\$20,090.00	
OPERATING EXPENSES		\$5,000.00		PINNACOL W.C.		\$282.00						\$282.00			
Postage, Supplies, Cks,				PHIL. INS. CO.		\$1,010.00						\$1,010.00			
CPA fees, Publication,				TREAS. ADMIN.		\$15.97						\$15.97			
Meetings, Meals, Misc.						0						\$0.00			
				B&G FILING FEES '13		\$25.50						\$25.50			
				COLO. CPA		\$425.00						\$425.00			
				PO BOX FEE		\$58.00						\$58.00			
														\$3,183.53	
ENGINEERING&SURVEY		\$3,000.00		AMEC		\$2,166.00				\$0.00					
						\$2,808.00				\$0.00				\$3,000.00	
YJ STUDY		\$5,000.00		Project Manager B&G						\$0.00					
				INV #67269 5/1/13		\$1,352.00				\$1,352.00					
														\$5,000.00	
RESERVE IN CD		\$4,999.29													
EXPENSE TOTALS		\$39,999.29				\$125,332.76		(\$70,122.69)		\$40,562.00		\$3,726.47		\$4,999.29	
														\$36,272.82	
INCOME		2013 BUDGETED		HELD FOR FUTURE		AVAILABLE		OUTSTANDING				REPORT BALANCE			
12/31/12 BALANCE		\$5,544.17				\$5,570.89		\$0.00				\$23,969.63		FUNDS AVAIL	
CD		\$5,000.00		\$4,999.29		\$0.00		\$0.00						5/28/2013	
MILL LEVY															
RIO BLANCO 2013		\$28,093.00				\$18,281.63		\$7,811.37							
MOFFAT 2013		\$5,580.00				\$3,183.48		\$2,396.52							
GARFIELD 2013		\$450.00				\$0.00		\$450.00							
HIGHLAND DITCH 2013		\$782.00				\$0.00		\$782.00							
CD INTEREST						\$0.00								APR. 30 2013	
MISC						\$880.00								PER BANK	
INCOME TOTALS		\$43,409.17		\$4,999.29		\$27,898.00		\$11,419.89						DIFFERENCE	
NOTE:		CRWCD TO REFUND		\$2,603.22											
		NOT IN TREAS. BOOKS		YET											

**Meeting of the
Yellow Jacket Water Conservancy District
Tuesday, May 28, 2013
5:00 to 8:00 p.m.
Mountain Valley Bank Community Room
400 Main Street, Meeker, CO 81641**

Call to Order

The meeting was called to order at 5:10 p.m.

Roll Call

Directors Present:

Ed Coryell, President

David Smith, Vice-President

Kelly Sheridan

Benjamin Rogers

Walter Proctor

Others Present:

Scott Grosscup, General Counsel

Eric Kuhn, CRWCD

Dan Birch, CRWCD

Jason Turner, CRWCD

Ray Tenney, CRWCD

Appointment of Secretary

Scott Grosscup, General Counsel, was appointed Secretary of the meeting.

Approval of Minutes

Director Sheridan moved to approve the February 8, 2013 minutes as amended. Director Rodgers second, all in favor.

Treasurer's Report

Director Proctor stated that the District had received a refund from Pinnacol Assurance and received payments for Rio Blanco and Moffat Counties. Scott indicated that the District had also received payment from its insurance carrier for legal fees incurred in defending the lawsuit filed by Mr. Livingston concerning budget law violations. Director Proctor stated that payments had been made for the District's P.O. Box and to Colorado CPA. He also indicated that the District was anticipating a refund from the Colorado River Water Conservation District as part of the District's partial payments for the reservoir feasibility study. These are reflected in the attached document.

Director Proctor moved to pay Balcomb and Green's legal fees in the amount of \$2,210, Director Sheridan second, all in favor.

Director Proctor moved to pay Balcomb and Green's project manager fees in the amount of \$1,352, director Sheridan second, all in favor.

Director Proctor reported that the request for an exemption from audit had been submitted to the State of Colorado without incident.

Highland Ditch

Director Smith indicated that the members of the Highland Ditch Company have reviewed the proposed water agreement and may be available to present at the next meeting.

Attorney's Report

Scott Grosscup indicated that there has not yet been a decision from the Colorado Supreme Court or from the District Court in the cases now pending before those courts.

Recess

A recess was taken from 5:26 p.m. to 7:03 p.m. to allow for a meeting with representatives from the Colorado River Water Conservation District to discuss the results of the reservoir feasibility study and next steps.

The meeting adjourned at 7:04 p.m.

Read and approved this ___th day of _____, 2013.

Signed: _____

Attest: _____

(Faint, mirrored text from the reverse side of the page, including names like Eric Kunn, Lawrence, and Scott Grosscup, and various meeting minutes and reports.)