

**RIVERLAND LOT OWNERS ASSOCIATION
MEETING OF THE BOARD OF DIRECTORS
MAY 16, 2024
318 ELK AVENUE, CRESTED BUTTE AND ZOOM**

Present: Chris Hensley
Steve Curtiss
John Nichols
John Barney
Rask Dietrich
Kat Loughan, Toad Property Management
Brandon Cvilikas, Toad Property Management
Aaron Huckstep ("Huck"), legal counsel

Kat called the meeting to order at 5:39 p.m. and confirmed a quorum.

Steve made a motion to approve the minutes of the February 13, 2024 meeting. John Nichols seconded the motion and it was unanimously approved.

Huck said he had drafted a letter regarding exterior lighting following a complaint and the owner filing the complaint had requested notice and invitation to future meetings.

Huck said the Water Attorney had sent an extensive memo after researching Riverland water rights. The research had been requested in connection with the proposal from Steve Curtiss to sell water augmentation rights to the Association. Toad confirmed regular payments had been made to the Bureau of Reclamation for water rights in Blue Mesa. The Water Attorney had requested information about the pumping records to confirm compliance with the contract with the Bureau of Reclamation.

No concern had been expressed by the Water Attorney about the sufficiency of the current water rights if usage continued in accordance with prior agreements/regulations.

Huck confirmed the Water Attorney had stated in the memo that Rocky Mountain Trees and Landscaping (RMT&L) on Lots 2 and 3 was not required to pay any water usage fees while they owned 20 units of augmentation water purchased in 2003. Water usage within Riverland did not currently have the ability to break out irrigation usage and regular domestic/commercial use and there would be sufficient costs associated with making infrastructure changes to have the irrigation usage separately metered for every lot.

Steve Curtiss confirmed he was requesting a payment of \$54,393 for the augmentation rights of 20 units, purchased in 2003 for \$30,000, and \$24,393 for the fees paid over the past 21 years to Upper Gunnison Water Conservancy District for those augmentation units. Steve said he would want to obtain independent legal advice on how to transfer those 20 units to the Association if the Association agreed to purchase. If the Association did not want to purchase the rights Steve said he would research options to restrict usage of those 20 units to Lots 2 & 3 and not have the water rights available to every other entity operating within Riverland.

After a very long discussion Huck agreed to reach out to the Water Attorney for clarification on some points. Some uses at lots required more water and Huck suggested the Board consider the

documentation to potentially charge those high water users to reimburse the Association for purchasing the additional 20 units of augmentation water.

Kat explained the water meter readings sent to the Board prior to the meeting identified water usage and the lots billed for exceeding the water usage threshold. The lots exceeding the water usage threshold were minimal and just generated an additional \$4,99.50 for the Association in more than a year. Huck confirmed water usage information could be shared with all owners listing Lot Number and Water Usage but suggested discussing the matter at a future meeting.

Huck agreed to reach out for confirmation of the annual pumping figure for the well in Riverland. Kat agreed to review the Water Attorney memo and identify if any documentation needed to be filed.

Another meeting would be scheduled once Huck had received a response from the Water Attorney.

At 6:57 p.m. John Nichols made a motion to adjourn the meeting. Chris seconded the motion and it was unanimously approved.

Rob Harper, Toad Property Management