

**List of Exhibits
Windy Gap Firming Project
1041 Permit
August 1 & 2, 2012 8:30 a.m.**

Grand County Exhibits

- (1) Letter of Application dated June 11, 2012 and Grand County 1041 Application of Municipal Subdistrict, Northern Colorado Water Conservancy District, acting by and through the Windy Gap Firming Project Water Activity Enterprise date June 11, 2012.
- (2) Letter dated June 21, 2012 from Anthony J. DiCola, County Attorney to Peggy E. Montano, deeming the 1041 Application to be complete.
- (3) Public Notice – Middle Park Times, June 21, 2012.
- (4) Proof of Publication – Middle Park Times, June 21, 2012.
- (5) List of Agencies and Interested Parties notified.
- (6) Public Review Sheets (no names or signatures).
- (7) Grand County Letter mailed with electronic copies of Application to Review Agencies dated June 13, 2012.
- (8) WGFP IGA Draft dated July 3, 2012 and Draft Closing Documents; Draft Memorandum of Understanding: Grand Lake Clarity Project dated 4-26-12; Draft Intergovernmental Agreement between Northern Water Conservancy District, Grand County, Middle Park Water Conservancy District and Colorado River Water Conservation District dated 6-4-12. Draft Processed Material Supply Agreement dated 6-20-12;
- (9) Letter from Northwest Colorado Council of Governments dated July 6, 2012.
- (10) Letter of from Carol Sidofsky & Dave Hazelrigg dated July 9, 2012.
- (11) Letter of from Melanie Zwick dated July 9, 2012.
- (12) Letter from Colorado Parks and Wildlife dated July 9, 2012.
- (13) July 9, 2012 Update to Section IV.C of WGFP IGA Draft dated July 3, 2012.
- (14) Certificate of Recommendation to Grand County Planning Commission dated July 11, 2012.
- (15) Grand County Planning Commission Meeting Minutes dated July 11, 2012.
- (16) Grand County Planning Commission Resolution No. 2012-7-1.
- (17) Certificate of Recommendation to Grand County Permit Authority dated August 1 and 2, 2012.
- (18) Grand County Public Hearing reminder and link to Certificate of Recommendation mailed and emailed to Interested Parties dated July 24, 2012.

- (19) Email revisions dated July 25, 2012: Certificate of Recommendation to Grand County Permit Authority dated August 1 and 2, 2012.
- (20) Letter from Paul Hollrah dated July 22, 2012
- (21) Letter from Kirk Klancke dated July 24, 2012.
- (22) Email from Jon Weimer dated July 24, 2012.
- (23) Email from Jim Ross dated July 24, 2012.
- (24) Grand County email dated July 27, 2012 to Interested Parties: Tentative WGFP 1041 Permit Agenda August 1 & 2, 2012.
- (25) Opinion Column in the July 27, 2012 Sky Hi News by Kirk Klancke, Headwaters Chapter of Trout Unlimited and Windy Gap Hearing Meeting Reminder on Front Page.
- (26) Email from Charles W. Howe, dated July 29, 2012.
- (27) Email from Ken Gillis, Ouray Ranch Homeowner's Association dated July 30, 2012.
- (28) Email from Jeff Metzger dated July 30, 2012 with attached letter to BOCC dated August 1, 2012 for Public Hearing testimony.
- (29) Email from Peggy Montano dated July 30, 2012 with regard to two (2) errors in the Certificate of Recommendation.
- (30) Letter from Richard E. Newton dated July 30, 2012.
- (31) Email dated July 31, 2012 from Ron Johnson.
- (32) Letter dated July 31, 2012 from Dennis G. Buechler and Suzanne O'Neill, Colorado Wildlife Federation.
- (33) Senate Document No. 80, Colorado-Big Thompson Project, Synopsis of Report dated 1937
- (34) Letters documenting Grand Lake clarity issues: 1954
- (35) Public Law 95-450, creating the Arapaho National Recreation Area and Colorado Big Thompson Project, dated October 11, 1978.
- (36) Agreement Concerning the Windy Gap Project and the Azure Reservoir and Power Plant dated April 30, 1980.
- (37) Resolution No. 1980-6-1, dated June 17, 1980, A Resolution Of The Grand County Permit Authority Granting To The Municipal Subdistrict, Northern Colorado Conservancy District, A Permit To Engage In An Activity Previously Designated An Activity Of State Interest Pursuant To The Board Of County Commissioners Of Grand County Resolution No. 1978-5-4, As Amended (Design, Construction and Operation of Applicant's Windy Gap Project, Reservoir and Pipeline as proposed).
- (38) Agreement dated July 7, 1980 between Grand County and Middle Park Water Conservancy District.
- (39) Corps of Engineers Record of Decision, Windy Gap Project, June 8, 1981.

- (40) Bureau of Reclamation Record of Decision, Windy Gap Project, Colorado, June 18, 1981.
- (41) Final Environmental Statement Colorado-Big Thomson Windy Gap Projects Colorado dated April 28, 1981.
- (42) Supplement to Agreement of April 30, 1980, entitled "Agreement Concerning the Windy Gap Project and the Azure Reservoir and Power Project.
- (43) Report by Coley/Forrest, Inc. date July 2007: Grand County: Its Economy & Water Resources.
- (44) Walsh Aquatic Consultants, Inc.: Update of [Walsh] February 1, 2008 Technical Review of revised Windy Gap Firming Project Aquatic Resources Technical Report (Dec 2007) and [Walsh] November 23, 2009 Technical Review of Preliminary Draft WGFP Fish and Wildlife Plan (August 2009) based on new information (update dated 01/10/11).
- (45) Amended and Restated Transmission and Pumping Service Agreement, Contract No. TS-08-0026, dated June 13, 2008, between Tri-State, Mountain Parks Electric and the Municipal Subdistrict.
- (46) Letter from Barbara J.B. Green dated 12-29-08 to Will Tully and Chandler Peter: Northern Colorado Water Conservancy District, Windy Gap Firming Project, Grand County Cooperating Agency Comments, Windy Gap Firming Project Draft Environmental Impact Statement.
- (47) Stream Management Plan, Grand County, Colorado – Phase 3 dated August 2010.
- (48) Intergovernmental Agreement for the Learning By Doing Cooperative Effort date August 27, 2010.
- (49) Colorado River Aquatic Resources Investigations, Federal Aid Project F-237R-18, R. Barry Nehring, General Professional V, Co-Authors Brian Heinold and Justin Pomeranz, June 2011.
- (50) Windy Gap Firming Project – CD's: Final Environmental Impact Statement dated and Response to DEIS Comments dated November 2011; Technical Reports dated June 2012
- (51) Colorado's Official State Position regarding Fish and Wildlife Mitigation Plans, The Colorado Lawyer, February 2012, Vol.41, No.2 [page 41] and Letter dated 12-9-10 from Tim Monahan, First Assistant Attorney General re: fish and wildlife mitigation requirements under state law.
- (52) Email from David Taussig dated July 18, 2012 regarding Windy Gap Decrees.
- (53) Draft Request for Proposals dated 7-27-12: Windy Gap Reservoir Modifications
- (54) Grand County Administrative Regulations for Areas and Activities Designated as Matters of State Interest (1041 Regulations).
- (55) Peggy E. Montano letter dated July 31, 2012 to Jack DiCola, Esq. re: legal issues concerning the requested 1041 permit from Grand County for the Windy Gap Firming Project.

(56) Grand County Planning Commission CD, West Grand Firming Project, dated July 11, 2012

(57) Grand County Power Point Presentation presented at Hearing.

(58) Factors Controlling Transparency in Grand Lake, Colorado prepared by James McCutchan, Jr., dated April 2, 2010, and Revised July 2, 2010 & March 9, 2012.

Colorado River Water Conservation District Exhibits

- A. Green Mountain Reservoir Administrative Protocol Draft dated 7-13-12.
- B. Shoshone Outage Protocol Operating Agreement - Draft dated 6-4-12: Agreement Among the United States Department of the Interior, Bureau of Reclamation, the State of Colorado, Division of Water Resources, Denver Water, The Colorado River Water Conservation District, The Middle Park Water Conservancy District, The Northern Colorado Water Conservancy District, The Municipal Subdistrict, Northern Colorado Water Conservancy District, The Grand Valley Water Users Association, The Orchard Mesa Irrigation District, and The Grand Valley Irrigation Company.
- C. Upper Colorado River Wild & Scenic Stakeholder Group Summary of Alternative Management Plan.
- D. Environmental Assessment: Finding of No Significant Impact - Colorado Water Users' Commitment to Provide 10,825 acre-feet to the 15-Mile Reach of the Upper Colorado River, Great Plains Region, Eastern Colorado Area Office dated March 2012.
- E. Colorado River District Eric Kuhn WGFP 1041 Permit Testimony August 1-2, 2012.

Municipal Subdistrict Exhibits

- A. Letter dated July 30, 2012 from Peggy E. Montano re: WGFP witness summary and list of exhibits for public hearing.
- B. Exhibits presented at the July 11, 2012 Grand County Planning Commission hearing.
- C. Annual deliveries to WGF and Spill Years from 1950 to 1996.
- D. Deliveries with Windy Gap Firming from 1950-1996.
- E. Flows in Colorado River at Windy Gap Historic Flows 2002, 2010, 2011, 2012.
- F. 2011 flows with 100,000 acre-feet pumped Windy Gap Firming.
- G. 2012 Colorado River flows with enhancements.
- H. 2010 Colorado River flows with enhancements.
- I. Bar Chart with flushing flows above 600 cfs.
- J. Graphic of waste water treatment plants on which nutrient reductions in the three lakes system are possible.
- K. Graphic of three waste water treatment plants for nutrient reductions are focused.
- L. Nutrient reduction non point source evaluation graphic.

- M. A photograph Windy Gap Reservoir to illustrate by or through pass.
- N. CLazyU Ranch and Miller-Hereford Agricultural Properties.
- O. Windy Gap Firing Project Summary of Mitigation and Enhancement Measures.
- P. Letter from Peggy Montano, Legal Counsel for Municipal Subdistrict, dated August 1, 2012 regarding conditions of the 1041 Permit.
- Q. Municipal Subdistrict Power Point Presentation presented at the Hearing.
- R. Responses to Commissioner Inquiries

Trout Unlimited Exhibits

- A. Letter Dated July 30, 2012 from Mely Whiting, Legal Counsel, Trout Unlimited Colorado Water Project re: WGFP Testimony and Exhibits.
- B. Power Point Slides: Windy Gap Firing Project 1041 Permit Trout Unlimited August 2012.
- C. EPA letter dated 12-19-2008 to Michael Ryan, Bureau of Reclamation re: WGFP DEIS.
- D. Carol Rushin, EPA letter dated 12-24-08 to Colonel David C. Press, Corps of Engineers regarding Public Notice No. 200380523.
- E. Western Resource Advocates letter dated 12-29-08 to Kara Lamb and Will Tully, Bureau of Reclamation and Chandler Peter, Corps of Engineers re: Comments on WGFP DEIS and 404 Permit Application.
- F. Letter from Barbara J.B. Green dated 12-29-08 to Will Tully and Chandler Peter: Northern Colorado Water Conservancy District, Windy Gap Firing Project, Grand County Cooperating Agency Comments, Windy Gap Firing Project Draft Environmental Impact Statement.
- G. Thomas E. Remington, Director Colorado Division of Wildlife letter date 12-29-08 to Will Tully, Bureau of Reclamation re: WGFP Draft EIS comments.
- H. Trout Unlimited letter dated 12-29-08 to Will Tully, Bureau of Reclamation and Chandler Peter, Corps of Engineers re: Comments on WGFP DEIS.
- I. Moffat Expansion and WGFP: Impacts of Mitigation from Colorado Wildlife Commission Hearing 5-6-11 from Western Resource Advocates.
- J. Public Comment Letter date 11-7-2011 to Governor Hickenlooper signed by Grand County business owners.
- K. EPA letter date 2-6-12 to Tim Carey, Corps of Engineers re: EPA remaining concerns on WGFP following FEIS release.
- L. EPA letter dated 2-6-12 to Michael Ryan, Bureau of Reclamation re: EPA comments on WGFP Final EIS.; CEQ # 20110413.
- M. Analysis of The Relationship Between Minimum Flow Below Windy Gap And Water Temperature Above The Williams Fork, by Blair Hanna, AMEC Earth and Environmental 2/5/2009.

- N. Detailed Comments Public Notice No. 200980523 WGFP DEIS.
- O. Trout Unlimited Power Point Presentation presented at Hearing.

Upper Colorado River Alliance Exhibits

- A. Letter dated July 30, 2012 from Steve Bushong of Porzak, Browning & Bushong re: Summary of WGFP Witness Testimony and Exhibit Disclosures.
- B. Colorado River Aquatic Resources Investigations, Federal Aid Project F-237R-18, R. Barry Nehring, General Professional V, Co-Authors Brian Heinold and Justin Pomeranz, June 2011.
- C. Steve Bushong, Attorney for UCRA letter dated 1-3-12 to Michael Collins and Will Tully, Bureau of Reclamation; and John Bezdek, Asst. Solicitor, Department of Interior re: WGFP EIS.
- D. Steve Bushong, Attorney for UCRA letter dated 2-3-12 to Michael Collins, Lucy Maldonado and Mike Ryan, Bureau of Reclamation; and John Bezdek, Asst. Solicitor, Department of Interior re: WGFP EIS.
- E. Mely Whiting, Legal Counsel, Trout Unlimited letter dated 1-31-12 to Michael Collins, Lucy Maldonado and Mike Ryan, Bureau of Reclamation; and John Bezdek, Asst. Solicitor, Department of Interior re: WGFP Final EIS.
- F. EPA letter date 2-6-12 to Tim Carey, Corps of Engineers re: EPA remaining concerns on WGFP following FEIS release.
- G. EPA letter dated 2-6-12 to Michael Ryan, Bureau of Reclamation re: EPA comments on WGFP Final EIS; CEQ # 20110413.
- H. Andrew Todd, Ph.D., USGS letter dated 4-29-11 to Melanie Wasco, EPA re: EPA comments on the development of a comprehensive water temperature impact analysis for WGFP EIS.
- I. Graph: Colorado River average daily flow at Hot Sulphur Springs 1904-1994.
- J. Bureau of Reclamation Record of Decision, Windy Gap Project, Colorado, June 18, 1981.
- K. Resolution No. 1980-6-1, dated June 17, 1980, A Resolution Of The Grand County Permit Authority Granting To The Municipal Subdistrict, Northern Colorado Conservancy District, A Permit To Engage In An Activity Previously Designated An Activity Of State Interest Pursuant To The Board Of County Commissioners Of Grand County Resolution No. 1978-5-4, As Amended.
- L. Thomas E. Remington, Director Colorado Division of Wildlife letter date 12-29-08 to Will Tully, Bureau of Reclamation re: WGFP Draft EIS comments.
- M. Carol Rushin, EPA letter dated 12-24-08 to Colonel David C. Press, Corps of Engineers regarding Public Notice No. 200380523.
- N. Letter dated 12-29-08 from Fritz Holleman, Attorney for Chimney Rock Ranch, of Porzak, Browning & Bushong re: WGFP Draft EIS.
- O. Letter from Barbara J.B. Green dated 12-29-08 to Will Tully and Chandler Peter: Northern Colorado Water Conservancy District, Windy Gap FIRMING Project, Grand

County Cooperating Agency Comments, Windy Gap Firing Project Draft Environmental Impact Statement with Exhibits A-G.

- P. Colorado Division of Wildlife, Colorado River near Parshall, Fish Survey and Management Information.
- Q. WGFP 1041 Hearing, August 1-2, 2012, Upper Colorado River Alliance Presentation.

Public Exhibits

- A. Letter from Town of Kremmling received August 2, 2012.
- B. Email from Mike Collins, Mountain Meadows HOA dated August 1, 2012.
- C. Letter from Stephanie Young, Ouray Ranch HOA & Brain Young, Ouray Ranch Angler's Club dated July 31, 2012.
- D. Letter from Richard Sprague dated August 2, 2012.
- E. Email from Jim Woodside (forwarded from McCranewood@g.com) dated August 2, 2012.
- F. Email from Brad McDaniel dated August 2, 2012.
- G. Norm Carpenter, Graph of Colorado River below Windy Gap, Peak Day Streamflow.
- H. Letter with attachments from Judy Burke, Mayor, Town of Grand Lake, dated August 1, 2012.
- I. Aerial Photographs of Grand Lake dated August 30, 2011, and September 8, 2011.
- J. Presentation by Canton O'Donnell, President of Three Lakes Watershed Assoc., dated August 2, 2012.
- K. Comments by K. John Stall dated August 2, 2012.