UNITED STATES OF AMERICA
BEFORE THE
FEDERAL ENERGY REGULATORY COMMISSION

City of Aspen
Castle Creek Hydroelectric Project

Project No. P-13254-001

FOURTH SIX-MONTH PROGRESS REPORT UNDER THE SUCCESSOR PRELIMINARY PERMIT OF THE CITY OF ASPEN

The City of Aspen hereby submits the following progress report for the six-month period from September 1, 2013 through March 1, 2014.

On November 25, 2008, Preliminary Permit P-13254-000 was issued by the Federal Energy Regulatory Commission for the Castle Creek Hydroelectric Project. 125 FERC ¶ 62, 185. A successive Preliminary Permit was issued March 7, 2012. 138 FERC ¶ 62, 209. Article 4 of the successive Preliminary Permit requires that a progress report be filed with FERC at the close of each six-month period following the effective date of the permit.

During this six-month period, the City of Aspen has taken the following steps to complete the pre-filing requirements of 18 CFR §4.38 and Part 5, and other applicable statutes and regulations, to comply with the requirements of Article 4, and other applicable provisions of the preliminary permit:

General and Ongoing Matters:

Since the last six-month progress report, the City—through its staff and consultants—has continued to study the Castle Creek Hydroelectric Project, particularly within the framework of a renewable energy alternatives analysis being conducted by the National Renewable Energy Laboratory ("NREL").

In addition, following intensive negotiations, trial of the pending water rights litigation related to the Castle Creek Hydroelectric Project, Case No. 2011CW0130 in District Court for Water Division 5 of the State of Colorado (the "Water Rights Litigation") scheduled to commence October 28, 2013, was vacated and the parties agreed to work together to develop an additional study of the impact of the project on stream habitat in order to confirm appropriate bypass flows for the Project. A copy of the register of actions is included as Exhibit A to this Report. Certain significant pleadings and other documents are included to show the Commission the nature and scope of that case. Exhibits B-FF. The Memorandum of Understanding reached by the parties, and filed with the Court, is included in Exhibit DD, as is the Notice of Re-Setting Trial Dates and of Case Management Conference dated November 27, 2013 (re-setting the matter for trial commencing September 11, 2014, and a pretrial case management conference on August 8, 2014 at 8:30AM), Exhibit FF.

Project-Specific Activities:

During the fourth six-month period under the successive Preliminary Permit, the City of Aspen—through its staff and consultants— also conducted the following project-specific activities:

- September 1, 2013 – present: As explained in the previous six-month progress report, the City of Aspen has engaged the National Renewable Energy Laboratory (NREL) to analyze the City's renewable energy progress-to-date—including the viability of the Castle Creek Hydroelectric Project—in light of the results of advisory ballot question 2C during last November's general election. NREL has proceeded with its analysis during the past six months. It is expected to present an initial report of alternatives to the Aspen City Council in April, 2014.

- October 21, 2013 - present: Aspen has committed to participate with the plaintiffs in the pending Water Rights Litigation (discussed below) to develop an additional study of the impact of the project on stream habitat, with a goal of identifying appropriate bypass flows, and has participated in mediated meetings with plaintiffs and consultants. To date, meetings have occurred on November 20, 2013, January 24, 2014 and March 5, 2014.

Ongoing Water Rights Protection

During the last six-month period, Aspen prepared for trial of the Water Rights Litigation filed in September 15, 2011 in the Colorado Water Court for Water Division 5. That Water Rights Litigation was filed by plaintiffs who have consistently opposed the Castle Creek Hydroelectric Project in public meetings, in the media, before the FERC and now in Colorado Water Court. Plaintiffs seek a judicial determination that Aspen has abandoned the hydroelectric use of certain senior water rights. The plaintiffs claim their own water rights will be injured if the use of Aspen's water rights for hydroelectric production at the proposed Castle Creek Energy Center is not declared abandoned. Under Colorado water law, abandonment of a water right requires nonuse, coupled with an intent to abandon, and, if proved at trial, would result in loss of a property right.

Aspen continues to vigorously defend its water rights in the Water Rights Litigation case, including the period since the last six-month report was submitted. During the last six-month period, Aspen responded to supplemental authority filed by plaintiffs in response to Aspen's Motion for Determination of Question of Law. Exhibit T. Aspen's Motion for Determination of a Question of Law (Exhibit R) received a favorable ruling from the Court on October 9, 2013. Exhibit AA. Aspen continued to pursue its motion to strike or limit the testimony of plaintiffs' expert witness. Exhibits U and Y. Aspen sought discovery sanctions against plaintiffs. Exhibits W and Z. Aspen prepared its trial brief, and participated in preparation of the Trial Management Order. Exhibit BB.

Prior to September 1, 2013, Aspen conducted four deposition in the case. Exhibits GG through JJ. Since September 1, 2013, Aspen conducted depositions of plaintiffs' expert witness and all eight plaintiffs, defended the depositions of Aspen's expert witness and

three current Aspen employees, submitted responses and produced documents in response to extensive written discovery, and submitted supplemental disclosures. See Exhibits KK-VV, containing certain relevant pleadings and related documents.

Aspen and the plaintiffs, through counsel, also engaged in settlement negotiations during this time, with the result that the three-week trial, scheduled to commence October 28, 2013, was vacated to enable the parties to work together to jointly fund, develop and implement an additional study to confirm appropriate bypass flows to be met when water is diverted from Castle Creek or Maroon Creek for hydroelectric production at the proposed Castle Creek hydroelectric plant. Upon the agreement of Aspen and the plaintiffs to the scope of this study and the consultant who will perform it, the lawsuit will be dismissed or a stipulated decree will be entered finding that Aspen's water rights have not been abandoned. If the parties are unable to reach agreement on the scope of the study or the consultant to be used, the trial will commence September 11, 2014, with a case management conference to be held on August 8, 2014. Exhibit FF. The Memorandum of Understanding dated October 18, 2013 ("MOU"), between Aspen and the plaintiffs is included in as Exhibit DD. The parties are currently proceeding as contemplated by the MOU.

Although Aspen is hopeful that the parties will reach agreement on the scope of the study and the consultant to be used, Aspen also believes it has significant defenses to the plaintiffs' claims, should the case ultimately need to be tried. This case is of crucial importance to Aspen because its water rights - property rights held for the benefit of its citizens - are being challenged. Aspen anticipates that the non-prevailing party, be it Aspen or the plaintiffs, will appeal an adverse outcome. The appeal process typically takes about two years. By statute (Colo. Rev. Stat. §13-4-102(1)(d)) decisions of the Colorado Water Courts are appealed directly to the Colorado Supreme Court, bypassing the Colorado Court of Appeal.

Importance of Case No. 2011CW130

Project engineering and environmental analysis for the Castle Creek Hydroelectric Project have been undertaken based on the use of the challenged water rights, so resolution of this case is necessary in order to finalize the project engineering and environmental analysis. Furthermore, Aspen has committed to certain operational protocols for this project, and these entail using the challenged water rights to operate the Castle Creek hydroelectric plant. If the challenged water rights were to be ruled abandoned by the water court, the operational protocols, engineering, and environmental analysis which have been performed by City of Aspen to date would require substantial revision.

Summary of Activities Undertaken Pursuant to the Preliminary Permit and Successive Preliminary Permit

Since November 1, 2011[1], Aspen has undertaken numerous studies and activities in order to obtain the information necessary to file a permit application pursuant to this successive preliminary permit. Highlights of these activities during the term of the successive preliminary permit are listed below, and related documents are provided as exhibits to this report. In addition, Appendix I contains a summary of additional work undertaken by Aspen prior to this successive preliminary permit.

- February 10, 2012: the Commission approved Aspen's request to use the Traditional Licensing Process ("TLP"), in response to Aspen's December 12, 2011 notice of intent, pre-application document ("PAD"), and request to use the TLP. Subsequently, Aspen invited interested and involved agencies, Tribes, and members of the public to a site visit and joint meeting pursuant to 18 CFR 4.38(b) and 18 CFR 16.8(b). The site visit and joint meeting occurred on April 10, 2012, as described below.

- March 27, 2012: Aspen's *Response of the City of Aspen to Information Request Set out in Schedule A to Letter Order of February 10, 2012* was submitted to the FERC, to better explain "how the proposed Castle Creek Hydroelectric Project would change the existing diversions from Maroon and Castle Creeks and the existing generation at the Maroon Creek Hydroelectric Project."

- April 4, 2012: Aspen released the report "Castle Creek Energy Center: Assessment of Project Operation, Stream Flow and Power Generation," prepared by Grand River Consulting hydrologists Kerry Sundeen and Tyler Benton. The report provided a thorough explanation and analysis of proposed project hydrology, using a representative 25-year hydrological record as the basis for modeling. This report included the "Schedule A" requested by the FERC, and was published on Aspen's website. After further analysis and public recommendations, Aspen agreed to amend this report in order better to account for, and integrate with, existing hydropower production at the Maroon Creek plant, as well as to provide a more thorough reflection of pre-existing stream diversions.

- April 10, 2012: Aspen conducted a site visit for interested parties and agencies. Sites included the diversion structures on Castle and Maroon Creeks, the existing Maroon Creek hydroelectric plant, the Leonard Thomas Reservoir, and the proposed Castle Creek Energy Center building site under the Highway 82 bridge. These activities were all undertaken pursuant to 18 CFR 4.38(b)(3)(iii) and 18 CFR 16.8(b)(3)(i). The site visit was followed by the joint agency meeting held in the Rio Grande Conference Room in the City of Aspen. In attendance for both events were City of Aspen staff and outside counsel, members of the Aspen City Council, stream ecology consultant Dr. William J. Miller, consulting hydrologist Kerry D. Sundeen, members of the public, journalists from local television, radio and newspapers,

[1] Aspen's original preliminary permit expired by its Terms on October 31, 2011. 125 FERC ¶ 62, 185 (2008). Thus, work done since Nov. 1, 2011 is work performed by Aspen beyond the original preliminary permit. The successive permit was issued March 7, 2012. 138 FERC ¶ 62, 209.

representatives and members of interested NGOs, as well as representatives from involved state and federal agencies, including the Colorado Department of Parks and Wildlife ("CPW"), the United States Forest Service ("USFS"), and the FERC. Presentations were given by David Hornbacher, Aspen's Director of Utilities and Environmental Initiatives, Dr. Miller, Kerry Sundeen, and the FERC's Jim Fargo. A question and answer session was followed by an invitation to all present to submit formal comments to the City of Aspen, as well as study requests for the Project, pursuant to 18 CFR 4.38(b)(4) and 18 CFR 16.8(b)(4).

- April 11, 2012: The State of Colorado issued an inspection summary of the Leonard Thomas Reservoir. The report identified removal of trees adjacent to the dam as a "high priority." Aspen's staff thereafter undertook a tree removal project in order to fully comply with the state's recommendations.

- June 11, 2012: This day was the deadline for comments to be filed with the FERC. Comments were filed by the USFS White River National Forest (June 6, 2012); Western Rivers Institute (June 11, 2012); and American Rivers (June 11, 2012). Late comments were filed June 12, 2012 by Paul L. Noto on behalf of Saving our Streams and others. Aspen organized the comments by subject category and commenting agency. Aspen then undertook a comprehensive review of these comments and study requests, and compared them to existing studies and to work either in progress or performed to date.

- Prior to June 12, 2012: In Case No. 2011CW130, described above, Aspen defended its water rights against the abandonment case filed on September 15, 2011. Briefing of Aspen's Motion to Dismiss the complaint, filed on October 5, 2011, its motion to exclude the complaint from being published in the monthly resume of water court applications, filed October 6, 2011, and Aspen's opposition to the request of Western Resource Advocates to intervene on behalf of the plaintiffs as amicus curiae continued into 2012.

- June 12, 2012: the Water Court granted Aspen's motion to dismiss, giving plaintiffs leave to re-file their complaint within 14 days. The Court also granted Aspen's other motions, declining to accept the amicus brief, and ordering that the complaint not be published in the water resume. See Exhibits BB - FF, containing selected relevant pleadings in this case.

- July 2, 2012: An Amended Complaint was filed by some of the original plaintiffs, again seeking declaratory judgment that Aspen had abandoned the hydroelectric uses of certain senior water rights. Aspen's Answer was filed July 23, 2012.

- Aspen, after compiling and comparing all comments and study requests received following the April public meeting, invited commenters to meet with city staff, counsel and consultants in order to determine which matters were appropriate for further discussion, investigation and follow-up. Aspen also, by letter and email, inquired of Mr. Paul Noto, counsel for Saving Our Streams, et al., as to the date and circumstances surrounding a boreal toad sighting which was reported to Aspen by Mr. Noto. That information was provided on August 6, 2012.

- August 6, 2012: Aspen staff members David Hornbacher, Phil Overeynder, and William Dolan, consulting scientists Dr. William Miller and Kerry Sundeen, and attorneys Karl Kumli and Cynthia Covell, traveled to Glenwood Springs, Colorado, to meet with representatives of the USFS to discuss the USFS comments and study requests. USFS representatives present at the meeting included Scott Fitzwilliams, Forest Supervisor of the White River National Forest, Scott Snelson, Aspen District Ranger, and Cheryl Mulder, USFS Interregional Hydropower Coordinator. Jurisdictional issues were also discussed during the meeting. Ultimately, several general suggestions for the Project were reiterated by the USFS staff, but no formal study requests were made.

- August 16, 2012: Aspen staff members David Hornbacher and William Dolan, consulting scientists Dr. William Miller and Kerry Sundeen, and attorneys Karl Kumli and Cynthia Covell met with representatives from the remaining commenting entities, including Ken Neubecker of Western Rivers Institute, Matt Rice of American Rivers, and Paul Noto, counsel for Saving Our Streams and other individuals. The meeting covered all comments and requests, and resulted in a collaborative exchange of ideas and suggestions. Based on the meeting, Aspen agreed to conduct additional monitoring studies on lower Maroon Creek, including, in particular, monitoring for amphibians. Aspen determined it was appropriate to undertake that work immediately in order to comply with study protocols, especially for boreal toads, and to have that information available as soon as possible.

- August 20 - 29, 2012: Dr. William Miller and his associates conducted a boreal toad population survey on lower Maroon Creek, in response to the information provided by Mr. Noto, counsel for Saving our Streams and others, regarding a boreal toad sighting in the area which occurred in July, 2011. (This is the sighting reported in Mr. Noto's comment letter of June 12, 2012, and in a subsequent study request.) Dr. Miller's surveys followed the guidelines from Colorado Parks and Wildlife, and involved four days of field work in the Lower Maroon Creek area. Like other recent boreal toad surveys conducted in the area, no toads were found.

- November 6, 2012: Aspen residents voted on a citizen petition-initiated advisory ballot question asking whether to continue pursuing the Castle Creek Hydroelectric Project, with 51% voting 'no' and 49% voting 'yes'. Due to the election's non-binding, advisory status, City Council reserved the right to decide how to respond to this vote. The Aspen City Council has not abandoned the project, but directed staff to expand the scope of consideration of alternative projects by which to achieve the City's Canary Initiative goal of transforming the municipal utility to 100% renewable by 2015. The Project remains a viable project at this juncture, one which the City continues to study and to defend the water rights upon which its plans are based. *See* Exhibit ZZ.

- December 20, 2012: City staff sent solicitations to individuals and groups on the PAD Service List, outlining the City's renewable energy goals and encouraging community input to better ensure achievement of these goals. *See* Exhibit XX

- January 10, 2013: Aspen—through its consulting hydrologists—completed the final Assessment of Project Operation, Stream Flow, and Power Generation.

- January 16, 2013: Aspen held a 'Renewable Energy Open House', providing a forum for community education and engagement with City staff and other decision-makers, revolving around the topics of renewable energy technologies and energy conservation and efficiency. *See* Exhibit OOO. Notice of Open House. Photos of the Open House are Exhibits OOO-1 to OOO-10.

- Between November 15, 2012 and January 18, 2013: Aspen's staff drafted a report entitled "Renewable Energy Alternatives – Overview", a 35-page white paper providing the informational basis for a January 22, 2013 City Council work session. *See* Exhibit WW.

- January 22, 2013: City staff members Dave Hornbacher, Will Dolan, and Phil Overeynder led a Council Work Session summarizing the City's renewable energy goals, progress to date, and further definition of the options by which to meet them.

- January 30, 2013: Aspen—through its consulting ecologists, Miller Ecological Consultants, Inc.—completed the ecological assessment of the chosen operational scenario for the Castle Creek Hydroelectric Project, affirming the environmental soundness of this approach with extensive habitat modeling and historical flow data. *See* Exhibit FFF

- March 26, 2013: The final Assessment of Project Operation, Stream Flow, and Power Generation was completed by the City's consulting hydrologists, Grand River Consulting. *See* Exhibit CCC.

- May 28, 2013: The draft Castle and Maroon Creeks Monitoring Report was completed by the City's consulting stream ecologist, Dr. William Miller of Miller Ecological Consultants, Inc.

- June 27, 2013: The aforementioned draft Monitoring Report was submitted for comment to Kendall Bakich, aquatic biologist for Colorado Parks and Wildlife - Area 8 ("CPW") for comment, pursuant to the terms and conditions of the memorandum of understanding between CPW and the City of Aspen dated October 24, 2011. *See* Exhibit YY.

- July 15, 2013: Dr. Miller received CPW's comments on the draft Monitoring Report, and began to incorporate them into the final Report. *See* Exhibit AAA.

- August 1, 2013: Aspen engaged the National Renewable Energy Laboratory ("NREL") to analyze the City's renewable energy progress-to-date—including the viability of the Castle Creek Hydroelectric Project—in light of the results of the advisory ballot question 2C in the November 2012 general election. *See* Exhibits GGG to NNN

- September 1, 2013 - present: the NREL has undertaken its analysis of Aspen's renewable energy progress and alternatives, and is scheduled to present the results of its initial alternatives analysis to the Aspen City Council in April 2014.

- October 21, 2013: Pursuant to the Memorandum of Understanding reached between Aspen and the plaintiffs in Case No. 2011CW130, Aspen committed to participate with the plaintiff group in the joint development and funding of an additional study of the impact of the project on stream habitat, in order to confirm appropriate bypass flows which will be maintained in Castle Creek and Maroon Creek when the City is operating the Castle Creek Hydroelectric Project.

- November 20, 2013 and January 24, 2014: Aspen participated in mediated meetings with plaintiffs and consultants to begin development of an agreed-upon scope of study pursuant to the parties' agreement.

* * *

The City of Aspen requests that the Commission accept this report as the six-month progress report required by Article 4 of the successive Preliminary Permit. As part of its review of renewable energy options, the City of Aspen plans to continue to study the feasibility of the Castle Creek Energy Center project as part of the alternatives analysis being undertaken by NREL. The City Council will assess the outcome of the NREL alternatives analysis, and in the event the City Council determines that the Castle Creek Energy Center project is a chosen alternative, the City will move forward as appropriate in accordance with applicable statutes and regulations.

Respectfully submitted this 11th day of March, 2014.

DIETZE AND DAVIS, P.C.

By: s/ Karl F. Kumli, III

Karl F. Kumli, III
Colorado Reg. No. 11784

Gabriella Stockmayer
Colorado Reg. No. 43770
2060 Broadway, Suite 400
Boulder, Colorado 80302
Telephone (303) 447-1375
Fax (303) 440-9036
E-Mail: KarlK@DietzeDavis.com
E-Mail: gstockmayer@dietzedavis.com

Attorneys for City of Aspen, Colorado

APPENDIX I.

Synopsis of Further Work Performed Pursuant to First Preliminary Permit for Project No. P-13254-000

Specifics of many of these activities are set forth in the respective six-month reports for the project over the term November 25, 2008 through November 2011. Here, Aspen summarizes key additional activities which occurred during the pendency of the first preliminary permit.

- December 2008: Aspen's Utilities Engineer met with Karl F. Kumli, special counsel for the City of Aspen, to discuss small conduit exemption for the Castle Creek hydroelectric project ("project.") Special Counsel reviewed Aspen's water rights portfolio and Intergovernmental Agreement between Aspen and the Colorado Water Conservation Board regarding maintenance of decreed instream flow in Castle Creek; obtained information regarding Aspen's consultants' communications with FERC about the project; and conferred with consultants, including Dr. William Miller of Miller Ecological Consultants, Inc.

- January 2009: Aspen communicated with FERC Division of Hydropower Licensing regarding appropriateness of small conduit exemption for the project; obtained and reviewed existing reports regarding Maroon Creek, Castle Creek and the Roaring Fork watershed; and reviewed available stream gauging information on Castle Creek.

- February 2009: Aspen conducted a meeting with Dr. Miller, Karl Kumli, and Mark Uppendahl, then Instream Flow Coordinator at the Colorado Division of Wildlife (now the Colorado Division of Parks and Wildlife ("CPW")) regarding instream flows on Castle Creek; responded to questions regarding the project from Robert Bell at FERC; held a third public community meeting for the benefit of citizens to provide information and seek public input on project; reviewed water rights matters, communicated with Kendall Ross (now Bakich) of CPW regarding piscatorial and aquaculture issues on Castle Creek; contracted with Dr. Miller of Miller Ecological Consultants, Inc. to assess project's potential impacts to Castle Creek fishery and stream habitat.

- March 2009: Aspen worked with land planner Mitch Haas of Haas Planning LLC; obtained further information from FERC regarding conduit exemptions, including checklists and examples of conduit exemption applications; and directed Aspen's water counsel, Cynthia Covell, to prepare documentation regarding Aspen's water rights.

- April 2009: Aspen investigated supplemental financing sources for the project under the American Recovery and Reinvestment Act ("ARRA"); directed Mr. Kumli to begin preparation of small conduit exemption application following favorable communications with FERC staff, and to review other relevant documents; held a meeting with representatives from Pitkin County to advise County about the project; worked with hydrologists at Grand River Consulting to develop primary stream modeling assumptions; prepared diagram of proposed Castle Creek Hydroelectric

Project operations; communicated with news media regarding Castle Creek streamflows and anticipated effects of project on streamflows.

- May 2009: Aspen directed Mr. Kumli to continue research on applicability of conduit exemption; and continued planning work for project transmission line. A review of materials developed by Community Hydro Consultants was performed to assist in developing conduit hydroelectric exemption.

- June 2009: Aspen directed Mr. Kumli to obtain and review information regarding Roaring Fork River minimum streamflows; to confer with Dr. Miller and advisor Kris Kranzush; to continue preparation of small conduit exemption materials, including correspondence with Robert Bell of FERC regarding conduit exemption rationale for this project; to communicate with Dr. Miller regarding his ongoing studies; and to review applicable Colorado and federal discharge permit requirements.

- July 2009 - August 2009: Aspen obtained design drawings of project, reviewed materials and authorized studies of wetlands delineation; continued to conduct research regarding requirements for compliance with Section 404 of the Clean Water Act, including applicability of the Nationwide Permit System to this project; reviewed and revised maps and drawings, and continued to research supplemental funding pursuant to ARRA.

- September 2009: Aspen conferred with Mr. Kumli regarding pre-filing consultations and adjunct energy projects; began organization of a public meeting to be held November 13, 2009; and reviewed right of way documents pertaining to property adjacent to the project property.

- October 2009: Aspen filed FERC notification of joint meeting; prepared notice of public meeting, and continued meeting preparation.

- October 2009: City of Aspen Public Works Department prepared a Castle Creek Hydroelectric Project Preliminary Project Information document.

- January-March 2010: Aspen contracted with Miller Ecological Consultants, Inc. for additional studies on Castle and Maroon Creek to support a license application for the Castle Creek hydro plant.

- March 2010: Aspen sent letter to stakeholders advising of intent to apply for a conduit exemption for the Castle Creek Hydroelectric Project.

- Summer 2010: Aspen undertook rezoning of proposed Castle Creek hydroelectric site; conducted an Energy and Carbon Savings Overview; consulted with Colorado Division of Wildlife (now the Colorado Division of Parks and Wildlife "CPW") for a Castle Creek plan; received a draft Wildlife, Wetland and Aquatic Resources Draft Report of Miller Ecological Consultants, Inc.; negotiated a draft Memorandum of Understanding with CPW; Conducted Stream Margin Review for Castle Creek Hydroelectric Project; and prepared exhibits and supporting materials for the change in zoning request.

- October 2010: Aspen prepared and delivered to stakeholders the errata to the draft application for conduit exemption.

- January 2011: Aspen studied bulk power service rates of MEAN.

CERTIFICATE OF SERVICE

I hereby certify that I have this 11th day of March, 2014, caused to be served the foregoing document, **FOURTH SIX-MONTH PROGRESS REPORT UNDER THE SUCCESSIVE PRELIMINARY PERMIT OF THE CITY OF ASPEN,** upon each person designated on the official service list compiled by the Secretary in this proceeding by e-service and/or by depositing in the U.S. Mail with first class postage affixed as follows:

American Rivers
Matt Rice
1536 Wynkoop Street.
Denver, COLORADO 80202
UNITED STATES
mrice@americanrivers.org

City of Aspen, Colorado
Karl Kumli, Attorney
DIETZE & DAVIS, P.C.
2060 Broadway
Suite 400
Boulder, COLORADO 80302
UNITED STATES
KarlK@DietzeDavis.com

Gabriella Stockmayer, Attorney
DIETZE & DAVIS, P.C.
2060 Broadway, Suite 400
Boulder, COLORADO 80302
gstockmayer@dietzedavis.com

Saving Our Streams, et al
Rebecca Moller, Paralegal
Patrick, Miller & Kropf, P.C.
730 E. Durant
Suite 200
Aspen, CO, COLORADO 81611
UNITED STATES
moller@waterlaw.com

Trout Unlimited
Amelia Whiting
1271A County Road 400
Pagosa Springs, COLORADO 81147
UNITED STATES
mwhiting@tu.org

USDA Forest Service - Rocky Mtn Region
Cheryl Mulder, Interregional Hydropower Team
USDA Forest Service
USDA Forest Service Intermountain Regional Office, Land
324 25th St., Room 4016
Ogden, UTAH 84401
UNITED STATES
cmulder@fs.fed.us

David Hornbacher
Director of Department of Utilities and Environmental Initiatives
City of Aspen
130 South Galena St.
Aspen, Colorado 81611
david.hornbacher@cityofaspen.com

William Dolan
Project Coordinator, Department of Utilities and Environmental Initiatives
City of Aspen
130 South Galena St.
Aspen, Colorado 81611
william.dolan@cityofaspen.com

s/ Karl F. Kumli, III

Karl F. Kumli, III
DIETZE AND DAVIS, P.C.
2060 Broadway, Suite 400
Boulder, Colorado 80302
Telephone (303) 447-1375
E-Mail: KarlK@DietzeDavis.com