

**Ruby Canyon Board of Directors Meeting
February 10, 2010 5:30 pm
2525 High Country Court
Grand Junction, CO**

The meeting was called to order at 5:30 pm by President Chris Walter.

The normal agenda was dispensed with to discuss the reservoir with Shell Oil representatives, Keith Etzel and Chuck Whiteman.

Keith and Chuck (Shell) displayed an aerial photo of Ruby Canyon Reservoir and the area they propose to be included in the Salt Creek Reservoir, where Shell would exercise their water rights. The Salt Creek Reservoir dam would be built to the west of Ruby Canyon Reservoir, at approximately the location of the inlet to the Ruby Canyon Reservoir, and if filled, would extend to the west. The two reservoirs would never be combined, and according to Shell, they were never intended to be combined.

Shell does agree that they own the land under Ruby Canyon Reservoir (Tract A) but they do not own any of the water rights to Ruby Canyon Reservoir. Shell does not know of the existence of the three shares of water the Developer claimed to belong to the Ruby Canyon Reservoir.

Shell did have the Ruby Canyon Reservoir surveyed and confirmed that the reservoir has a non-jurisdictional dam. A non-jurisdictional dam must be no higher than 10 feet and no longer than 100 feet and does not have to meet as many requirements as larger dams.

Shell has offered to deed Tract A to the Ruby Canyon Homeowners Association, but will not guarantee any water rights. The HOA must file for storage rights and diversion rights (on the Salt Creek) with the Colorado Water Commission. Shell has requested that the HOA attorney draw up the legal document for the deed transfer of Tract A.

In the mean time, The Board of Directors will consult with an engineer about how best to get water to the irrigation pump so that owners can have irrigation water this summer. The reservoir is too shallow to fill and have healthy water. The Board will also pursue the required water rights.

If any owner has the resources to assist with these issues, the Board would appreciate the help. They are volunteers who take their personal time for the Association.

The next Board meeting is scheduled for April 7, 2010 5:30pm, at the same location.

The meeting was adjourned at 6:50pm.