

found in the Watershed Conservation Practices Handbook referred to in the ROD. The Parties hereby acknowledge that re-establishment of the drainages is subject to the use of approved conduiting to pass the drainages across ski trails and roads.

Telski shall not oppose the appointment of a representative of the Plaintiffs as a non-voting member of the Fen Oversight Committee established pursuant to that certain County/Telski Telluride Ski Area Expansion Approval Agreement dated August 26, 1999.

10. Trail No. 9. That portion of Trail No. 9 (as designated in Figure 4.1 of the FSFEIS) labeled on Exhibit RSA- 2 as "Trail No. 9 No Build Area" shall not be constructed.
11. Trail No. 2. That portion of Trail No. 2 (as designated in Figure 4.1 of the FSFEIS) that extends below the bottom of the Prospect Basin Lift ("Lower Trail 2") shall not be widened (except as required by the provisions of Paragraph 12 below) beyond its existing edges. After the Prospect Basin Lift and the Lower Gold Hill Lift are operational, Lower Trail 2 may only be opened to the public in cases of emergency. Telski and its contractors, however, may use this trail administratively year-round.
12. Lower Trail 2. Subject to receiving all necessary permits, Telski shall re-establish to the extent practicable the natural water course for each of the seeps that currently runs down the road constructed along the route of Lower Trail 2. The Parties hereby acknowledge that the re-establishment of the natural water courses is subject to the use of USFS and Army Corps of Engineer-approved culverts, other conduiting methods or other drainage methods to pass the seeps through the road. Telski shall apply for the necessary permits as expeditiously as possible and will make all efforts to obtain such permits in the calendar year 2000.
13. Snowmaking Restriction. Snowmaking in the Telluride ski area expansion area shall be limited to the ski trails (a maximum area of 24 acres and a maximum water consumption of 27.6 acre-feet) within the area shown on Exhibit RSA- 2.
14. San Miguel River Minimum Flow. Telski shall observe a minimum stream flow in the San Miguel River of eight cubic feet per second (8 cfs) at the Mahoney Drive Bridge Gage for all periods of the year except for that period consisting of 120 consecutive calendar days commencing on the day that Telski begins its snowmaking operations each year, during which period Telski shall observe the currently adjudicated 6.5 cubic feet per second minimum stream flow. Upon written request each year from a representative of the Plaintiffs, Telski shall notify any person designated by the Plaintiffs of the first day of snowmaking operations.

Telluride

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