

**Center of Colorado Water Conservancy District**  
**Meeting of the Board of Directors**  
**July 11, 2018**

The monthly meeting of the Center of Colorado Water Conservancy District was held on Wednesday, July 11, 2018 in the water district offices at 548 Front Street, Fairplay, CO 80440. Board President Briggs Cunningham called the meeting to order at 3:03 PM.

Members of the Board who were present in the office were Briggs Cunningham and Chris Fuller. Attending by telephone conference were Lisa McVicker and Craig Steinmetz. Also present at the offices were Dan Drucker and Nola Knudsen. Legal counsel, David Shohet was present by telephone conference.

**APPROVAL OF THE AGENDA AND MINUTES**

Chris Fuller moved to approve the agenda as presented. Lisa McVicker seconded and the motion carried unanimously. Chris Fuller moved to accept the June minutes as amended. Lisa McVicker seconded and the motion carried unanimously.

**ADMINISTRATIVE MATTERS**

2.1 Administrator's report on accounts: Nola Knudsen reviewed the monthly warrants with the Board. Warrants and invoices totaled \$14,780.23. The requested payment for the CRMC is \$50,114.32. David Shohet and Dan Drucker discussed their meeting with Amy Moyer of the DNR and the need for the Center to have a fully funded escrow account for the Chatfield Reallocation Project. Chris Fuller moved to authorize the wiring of \$127,591.87 to the CRMC and void the payment of \$50,114.32. Lisa McVicker seconded and the motion carried unanimously. The Board recognizes other financial adjustments may be needed at a later date.

2.2 Treasurer's Review. None provided.

2.3 Approval of Invoices and Warrants: Chris Fuller moved to approve the invoices as presented, \$14, 780.23. Lisa McVicker seconded and the motion carried unanimously.

**OPERATIONS MANAGER'S REPORT**

Prior to the meeting, Dan Drucker emailed the Operations Manager's Report to all Board members. There were no questions regarding the report.

Dan Drucker commented on the Indian Mountain Plan and said by seeking a Nationwide Permit for the U.S.A. Corps of Engineers through ERO, it should help us gain Colorado Parks and Wildlife approval.

Lining Lake is being filled up.

**OLD BUSINESS**

4.1 Updates on items not covered in Operations Manager's Report

## **NEW BUSINESS**

5.1 Update on today's meeting with Amy Moyer of the DNR at 1313 Sherman Street re: Loans or cash payments to meet our escrow requirements for Chatfield. This was discussed during Administrative Matters.

### **Patrons Comments**

6.0 None

## **UPDATE ON LEGAL ISSUES**

7.1 Acquisitions, IGA's, MOU's, and statements of opposition

17CW3207 JTR – A final decree was entered in this case on June 29, 2018. This case is now complete and CCWCD has another six years to make absolute the remaining conditional water rights associated with the JTR.

Regarding all other CCWCD cases, the entities involved are either stipulating out or legal counsel is monitoring that the final decree is consistent without stipulation.

17CW3168 – Mountain Mutual Water and Sanitation District. David Shohet said there are numerous other parties in this case beside HASP and they are not happy with this case. The applicant (MMWSD) is considering whether to pursue this case based on the amount of resistant from other parties.

Indian Mountain – The individual well owners will be allowed to make application to HASP in between tranches. There are some conditions that will have to be met however. Indian Mountain has not responded to the proposal yet.

Cline Ranch – HASP funded additional amounts for TZA at the June 20<sup>th</sup> special meeting. TZA is working on a contract with Wilson Excavating. The easement holder has no objections to the proposed plan; we need Park County and Colorado Parks and Wetlands (CPW) to agree.

Bankruptcy Court – Legal counsel filed CCWCD's notice of claims with the bankruptcy court in the Leadville JV bankruptcy case.

Deer Creek Measurement – A measurement order has been sent out. CCWCD filed a complaint against the engineer saying they are in breach of contract and seek a conjunctive relief. We are not in the middle of a fight with them. Briggs asked if there has been any discussion of joining forces with other parties.

HASP, the Center, Upper South Platte, Park County and Lone Rock have a confidentiality agreement with one another. It needs to be updated. The Lone Rock property is under contract and the purchaser, Retreat Land LLC and it is set to close any day now. They want to join the confidentiality agreement. Chris Fuller made a motion to authorize David Shohet to update the present confidentiality agreement between parties involved and Retreat Land LLC. Lisa McVicker seconded and the motion carried unanimously.

Lisa McVicker made a motion to ratify the filing of the complaint against the Division and State Engineer. Craig Steinmetz seconded and the motion carried unanimously.

**ADJOURN TO EXECUTIVE SESSION**

None

**DIRECTOR'S ISSUES**

Briggs Cunningham has concern that Mountain Mutual's efforts could deplete flows in Elk Creek that would affect Woodside Water Users Association. Dan Drucker suggested Woodside consider obtaining services of an Engineer.

There being no further business brought before the Board, Chris Fuller moved to adjourn the meeting. Lisa McVicker seconded and the meeting was adjourned at 3:57 pm.

Nola Knudsen, District Administrator