

Center of Colorado Water Conservancy District
Meeting of the Board of Directors
March 13, 2019

The monthly meeting of the Center of Colorado Water Conservancy District was held on Wednesday, March 13, 2019. Board President Briggs Cunningham called the meeting to order at 2:09 PM.

Due to extreme weather conditions, this meeting was held by telephone conference. Members of the Board who were present by telephone conference were Briggs Cunningham, Lisa McVicker, and Craig Steinmetz. Dan Drucker, Nola Knudsen and legal counsel David Shohet were also present by telephone conference.

APPROVAL OF THE AGENDA AND MINUTES

Lisa McVicker moved to approve the agenda as presented. The motion was seconded by Craig Steinmetz and the motion carried unanimously. Lisa McVicker made a motion to approve the February minutes as amended. Craig Steinmetz seconded and the motion carried unanimously.

ADMINISTRATIVE MATTERS

2.1 Administrator's report on accounts: Nola Knudsen reviewed the monthly warrants with the Board. Invoices for March totaled \$ 55, 221.90. This is comprised of \$19,975.21 of monthly warrants and a \$35,246.69 payment to CRMC.

2.2 Craig Steinmetz asked the Board members to review the request for the check to Parker Water and Sanitation for \$10,500. David Shohet updated the Board members on the history of this transaction. He stated approximately ten years ago, Parker Water and Sanitation wanted to be part of the Chatfield Reallocation project but changed their mind. The Center purchased their option for water storage rights and paid them \$10,500 at that time with the balance of an additional \$10,500 due when the appeal with Audubon were completed. That second payment is now due.

Craig also reviewed the cash assets of the Center. This includes \$1,476.04 in the High Country Bank checking account and \$1,209,450.14 in the Colotrust Plus Account for a total of \$1,210,926.18 in total cash assets for March 2019 after the monthly warrants and invoices have been paid.

2.3 Approval of Invoices and Warrants: Lisa McVicker moved to approve the invoices and warrants as presented. Craig Steinmetz 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.

3.1. Update on Division 2 Guffey-area Augmentation Plan (GAP) esp. Carrant Creek Two (CCT) plan: Briggs Cunningham asked if a pipeline was constructed, would it be necessary to go back to water court for approval. David Shohet replied he is of the opinion it does not require water court action, however, Madoline Wallace-Gross has a different opinion and the two of them will talk and try to come to a consensus about it. Even if court action was necessary, a substitute water supply plan process is available to allow us the ability to operate in the interim.

3.2 Update on various specific items in Operations Manager report: Briggs Cunningham asked who at ERO didn't believe a Wildlife 1041 permit would be necessary for Current Creek Two. Dan Drucker indicated it was Denise Larson.

Dan Drucker advised the Board members that he has sent them information on two options that were being considered for selecting a pipeline route to provide augmentation water from Michigan Creek to Tarryall Creek. David Shohet reviewed the two options that Dan Drucker presented to the HASP Board at their last Board meeting and announced the HASP Board chose option two.

Guffey Plan – Dan Drucker said we will have to wait until snow clears up on the property to inspect for the Wildlife 1041 permit, or what “hoops we have to jump through to acquire a permit.”

UPDATE ON LEGAL ISSUES

Case No. 16CW3184 - Bureau of Land Management. Briggs Cunningham asked about the status of the HASP statement of opposition. David explained the history behind the complaint and said he took a relaxed approach with the BLM whose credits are not as much as they are stating. TZA said they need to replace 15 acre feet over the summer. If they are not replacing what is needed and there can be some injury to HASP.

Case No. 17CW3214 - Lininger Lake Application. David said he expects to have stipulations in the next few months from Park County and Aurora. Centennials concerns should also be addressed but will take a little more time. He isn't sure HASP will be able to reach agreement with Mountain Mutual easily. HASP was hard on them in a recent case and this may be a case of "tit for tat." David is concentrating and getting the parties out of the case he can and then returning to work on agreement with Mountain Mutual.

Case No. 17CW3205 – City of Aurora. HASP is an opposer and doesn't get to see the other opposers comments.

Case No. 18CW3100 – Retreat Land. HASP filed a statement of opposition to this application. Retreat provided the opposers with an updated decree and engineering a week ago and David Shohet has not had time to review them to offer an opinion to the Board.

Indian Mountain Well Applications - Can Indian Mountain and Bar Star both augment the water? David said the language they are trying to incorporate allows for the option of either Bar Star or HASP to augment the well. The concept was in case HASP were to pick up the Indian Mountain augmentation plan, it wouldn't require continuous court process to change the home owner's wells.

Deer Creek Measurement – Briggs Cunningham asked about the proposed location of the gauge. David Shohet said it is on the county road just where the county road crosses Deer Creek. The County purchased the land a year ago and it will be on this county land.

ADJOURN TO EXECUTIVE SESSION

Lisa McVicker moved to enter executive session pursuant to Section 24-6-402(4)(b) C.R.S. for the purposes of receiving legal advice on (1) the Randall & Sessions Ditch credits and JTR releases and (2) Park County storage in the JTR. The motion was seconded by Craig Steinmetz.

The Board returned to regular session at 2:50 PM.

Lisa McVicker made a motion that the Center retain 101 acre feet of the Randall and Sessions water for our uses and lease up to 94 acre feet of water to Centennial. She added to authorize David Shohet to contact Centennial and explain the Center's needs in an amicable manner. The motion was seconded by Craig Steinmetz and carried unanimously.

Lisa McVicker made a motion to authorize David Shohet to contact Centennial to investigate their flexibility regarding the storage of 5 extra feet of storage being held by Park County in the JTR. Craig Steinmetz seconded and the motion carried unanimously.

OLD BUSINESS

4.1 Discussion and decision on the amount of Randall and Sessions Ditch C.U. credits to be retained this year along with size of releases from JTR. Discussed above.

NEW BUSINESS

5.1 Discussion and decision on Park County storage in the JTR. Discussed above

5.2 Payment to Parker Water and Sanitation. Lisa McVicker made a motion the Center pays the \$10,500 payment to Parker Water and Sanitation for the water storage in Chatfield per the agreed to contract. Craig Steinmetz seconded and the motion carried unanimously.

PATRONS COMMENTS

None

DIRECTOR'S ISSUES

None

There being no further business brought before the Board, Lisa McVicker moved to adjourn the meeting. Craig Steinmetz seconded and the meeting was adjourned at 3:06 PM.

Nola Knudsen, District Administrator