

Center of Colorado Water Conservancy District
Meeting of the Board of Directors
October 9, 2019

The monthly meeting of the Center of Colorado Water Conservancy District was held on Wednesday, October 9, 2019 at the water district offices located at 548 Front Street in Fairplay. Board President Briggs Cunningham called the meeting to order at 3:04 PM.

Members present in the office were Chris Fuller and Briggs Cunningham. Members of the Board who were present by telephone conference were Lisa McVicker and Craig Steinmetz who joined at 3:20 pm. Dan Drucker and Nola Knudsen were present in the office. Legal counsel David Shohet was present by telephone conference.

APPROVAL OF THE AGENDA AND MINUTES

Lisa McVicker moved to approve the agenda as presented. The motion was seconded by Chris Fuller and the motion carried unanimously. Chris Fuller made a motion to approve the September minutes as presented. 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. Invoices for October totaled \$34,092.40. This is comprised of \$ 9,990.23 of monthly warrants and a \$24,102.17 payment to CRMC.

2.2 Treasurer's Review: None

2.3 Approval of Invoices and Warrants: Lisa McVicker moved to approve the invoices and warrants as presented. Chris Fuller seconded and the motion carried unanimously.

2.4 Discussion of Proposed Budget for 2020: Nola Knudsen advised the Board that Craig Erickson and Craig Steinmetz were working together to prepare a preliminary budget for the November Board meeting.

OPERATIONS MANAGER'S REPORT

Prior to the meeting, Dan Drucker emailed the Operations Manager's Report to all Board members.

3.1 Discussion of Report: Dan Drucker said he expects to get the Chatfield Operations Manual completed by the end of this year.

Dan said CCWCD may be able to start filling extra acre feet of storage sometime in the spring of 2020. David Shohet said he spoke with Matt Loose who said ideally if we get free river conditions, we could fill up our area in the Chatfield next year.

As of now, the water right is conditional. We just have to show we are making progress on this project. We can make the water rights absolute and use that water to make the fill.

OLD BUSINESS

4.1 Update on Indian Mountain Pipeline: Aurora may possibly buy the John's water. Hopefully, they could grant us an easement across the John's property. David Shohet said he should have an update at the joint meeting.

4.2 Update on Current Creek Two 1041 permit application: It is getting the last of the comments added to it. The final review will be sent to Tom Eisenman to have him start the permit process.

4.3 Update on Chatfield Reallocation Project: Permanent fuel facilities and pump and dump and the new restaurant are the only things not completed. Just about everything will be in place construction-wise.

4.4 Update on Deer Creek Measurement Litigation: Wheeler has been working this; plans are finalized and have been sent to contractors; they have received two bids back. Wheeler is putting together a recommendation on the bids that should be available any day. Stipulation requires a gauge to be in before any diverting of water. This means next Spring. We want to install this Fall before the ground gets too hard. Bid selection will be really quick and bidders were made aware of the time frame.

NEW BUSINESS

5.1 Discussion of 2020 meeting start time: CCWCD meetings will start at 3:00 PM except on the days the joint meetings are held. CCWCD will start at 1:00 PM and the Joint meeting will start at 2:00 PM.

UPDATE ON LEGAL ISSUES

16CW3184 BLM – This application has been set for trial in October 2020. Nothing has progressed. HASP has directed its counsel to send a settlement letter to BLM's counsel.

17CW3214 Lininger Lake and 17 CW3205 Aurora – A settlement agreement is circulating and should be ready for approval at the joint meeting.

18CW3100 Retreat – HASP has filed a statement of opposition to this application. This case was just sent to the water judge and will be set for trial in the next 60 days.

19CW3154 Mountain Mutual – There are 35 or more opposers in this case. Mountain Mutual is requesting a lot of exchanges. David Shohet said it doesn't really impact us as it is more of an accounting and monitoring case. We just want to make sure they are doing what they said they would.

Storage of the County's 5-acre fee of Randall Water in the JTR - David reminded the Board that at the last meeting it was suggested there be an in-person meeting with the County. David contacted the County's attorney to set an in-person meeting to discuss this matter but he has not heard back from the County.

Indian Mountain –The application for the third and final tranche has been received. Only ten additional wells joined in the third tranche and 5 wells that were previously part of the IM plan have dropped out. We will end at about 414 wells we will be augmenting which is more than 50% of the wells in IM.

The Jan Leach agreement – The Center has the right of first refusal to purchase the water of Adventure Placer. The Leach family wanted to removed augmentation water from their plan and sell it to CCWCD. David Shohet has been working with their local attorney. David provided a draft to their attorney to review.

Chris Fuller made a motion to authorize legal counsel to negotiate a final agreement and sign an amendment to the original agreement between the Center and the Jan Leach Trust. Further, to authorize Briggs Cunningham, on behalf of the Board, to execute this reservoir use agreement without substantial agreements. The motion was second by Lisa McVicker and carried unanimously.

PATRONS COMMENTS

None

DIRECTOR'S ISSUES

Briggs Cunningham said administering the oath of office will be held at next month's meeting.

Chris Fuller said she has finished with the JTR noxious weeds review today. There are two new small patches, however, all she has been working on are practically eradicated. Two patches have been treated and are looking “sad”. The native vegetation is very healthy.

Craig Steinmetz said he has reviewed the District bookwork and nothing is out of the ordinary. He will get together with Craig Erickson and prepare a proposed budget.

Dan Drucker – the PCWCP that created the CCWCD in 1997 has been formally dissolved and its assets have been turned over to CUSP per federal regulations. This is between \$12,000 to \$13,000.

There being no further business brought before the Board, Chris Fuller moved to adjourn the meeting. Lisa McVicker seconded and the meeting adjourned at 3:46 PM.

Nola Knudsen, District Administrator