

These written minutes represent the general discussion of the DWCD Board of Directors, DWCD staff, and participants at the DWCD board meeting, and they include a record of any and all board actions taken at the meeting. The written minutes are not intended to provide a word-for-word account of the board meetings. Nor are they a direct quote of any statements offered at board meetings. All DWCD board meetings are recorded on audiotape.

**DOLORES WATER CONSERVANCY DISTRICT
WATER ACTIVITY ENTERPRISE**

MINUTES
Regular Meeting
February 8, 2024

CALL TO ORDER Godwin Oliver, President, called the meeting to order at 2:00 pm

ROLL CALL Godwin Oliver, President
Glen Fish, Vice President
Don Schwindt, Secretary-Treasurer
Wes Wilson, Director
Landan Wilson, Director Via Teleconference
Ryan Gray, Director – Via Teleconference
Ken Curtis, General Manager
Eric Sprague, Water Manager
Jed Martinez, Maintenance Supervisor
Gina Espeland, Admin Assistant Accounting
Robert Stump, Bureau of Reclamation
Adam Reeves, Attorney MBSS
Lindsey Ratcliff, Attorney MBSS

INTRODUCTION OF GUESTS

In-Person

Rusty Crangle, CDWR

Via Telephone/Teleconference

Tony Tanner, Full Service Irrigator; Reece Carpenter, BOR, Kelsey Deckert, BOR

Godwin stated that Landan will be 20-30 minutes late arriving to the meeting.

MINUTES

APPROVAL OF THE MINUTES

MOTION: TO APPROVE THE MINUTES AS SUBMITTED FOR THE JANUARY 11, 2024 ENTERPRISE MEETING.

MOTION: WES WILSON
SECOND: GLEN FISH
MOTION CARRIED UNANIMOUSLY.

FINANCIAL STATEMENTS

MOTION: TO APPROVE THE DECEMBER '23 FINANCIAL STATEMENT AND APPROVE THE STATEMENT OF PAYABLES AS PRESENTED.

O&M: AP/CHECK #42105-42185 & PR/CHECK #126281-126324

\$432,191.67

MOTION: GLEN FISH
SECOND: WES WILSON
MOTION CARRIED UNANIMOUSLY.

O&M REPORT – Jed reported the following:

Canal Maintenance

We are mucking out the sediment in THC Reach 1. We are starting to work on the siphon leak on Reach 3 of THC. We have all been trained in confined space safety for the job.

Pumping Plants

Sandstone Pumping Plant pumps are about finished with the refurbishments, so we can get those installed back in for the season when they're delivered in March. Should get those in the first of March. Dove Creek Pumping Plant pumps will be completely refurbished by the first week of March, so we can get those two installed and ready for the season.

Power Plants

At the TPP, Hastings is sand blasting and lining the second half of the outlet to ensure sufficiency for the future. MPP had both electricians install the replacement U.P.S on 1/30/2024. They were having problems getting the power plant back up and running. A few fuses blew out as they were coordinating with the control room to level out the water flow as they opened the bypass. Both electricians and control operators worked till 9 that night to make sure we got the power plant back up and running.

Safety Policy

Hard hats and safety vests have been implemented into PPE with any overhead work, and road-side work.

FIIX Program

The FIIX Program for maintenance and inventory is almost complete, we are still adding items to the list and putting QR Codes on all equipment. It is a long process but once it is done it will be the most accurate log book for the whole project.

GEOTAB

Jed stated that months back he requested a fleet management program to the Personnel Committee that would ultimately in the long run drop the price of our insurance and safe driving. Not only does it track the fleet vehicles. It is also is connected to sensors, engine, tires, lights, and makes the paperwork for a DVIR a lot more simplex.

We asked about price tag on the geotab. Jed said that we would be looking at approximately \$7500.00 a year. Ken said to think about the assets you are watching. Think about it relative to the budget.

WATER MANAGEMENT REPORT

Water Supply – Current Conditions – Eric stated that he was working on projections, but waiting on information from USGS from October to finalize year-end records. Eric had a packet of slides that he presented and projected for the Board. The first slide is a pie chart of McPhee Reservoir Source Inflow on a 30 year average from 1994-2023. It is referred to as the River End file, and it shows how the proportions of inflows in McPhee in 2023 compare to the historical average. You can see that the proportions are similar. Then is a bar chart showing the same proportional breakdown of McPhee inflows for each year since 1986. The info is similar to the pie chart of 30 year average inflow which also goes back to 1994, but it also shows magnitude, and gets at the proportions characteristic of the different runoff paradigms, including shortage years and spill years like 2023. Ken pointed out that it demonstrates that reduced runoff from low snow is an indicator of drought. The next chart is the high daily recorded inflows for the Dolores -- it follows a similar pattern. The runoff has not been as high as 2023 since 2004. Next is a chart of Snotel Median as of February 14th. Then a chart on the annual low runoff (9000 feet in elevation or below) for 1986-2023. Next are the Low Snow averages from February 1st, 2024 (halfast courses between 8000-9000 feet). 2024 was at 77% of the historical average.

The half fast chart goes back to 1987 and is intended to give an indication of the low snow values at Groundhog, Belmeat, Willow Springs, Bald Hill and Salter Y. This is the snowpack between 8000-9000 feet. Eric said the years he's been comparing snow values to have been primarily 2019 and 2021. Next is a chart comparing the % of Average Low Runoff for APR-JUN to the February 1st halfast survey. This chart shows how well our low snow courses represent the low snow runoff as of February 1st, and there is visibly not a strong correlation here. February is too soon to draw a pattern. Shows that we have a lot of time for the snowpack to develop. DWCD is excited to eventually integrate airborne snow measurement shapefiles into snowpack monitoring as a means to better capture the spatial variability in the snowpack. Nikki has been training on GIS and could feasibly map the peak snow volumes by subbasin for each year the Dolores basin has ASO flights and eventually generate some kind of predictive system by basin. Hopefully can use spacial data for correlation.

Don pointed out that the SNOTEL report Nikki puts out tracks precipitation and snow water equivalent separately, and they do not always match closely. Eric explained that at SNOTEL sites, the SWE is measured by a snow pillow that measures the weight of the snow on it, so that it measures the water, not the snow depth. The precipitation is measured by a tipping bucket rain gage, which is a device that can struggle to accurately capture precipitation as snow. They can freeze over, become snow-packed (even when heated), or collect debris, so it is not always a good correlation.

Ken asked if Eric would hypothesize that the halfpast data would better correlate to the low snow runoff using March or April surveys. Eric said that the closer we get to peak snowpack in April, the better correlation would be.

Ken said that on-farm, multiple people has asked what the weather has done to us. He asked the board what the soil moisture looked like in the irrigation areas. Ask if anyone was tracking soil moisture. Don said that hay yields show that soil moisture is poor. Soil moisture in the different types of soils makes a difference in the crop. Ken mentioned the warm weather and how there is already runoff occurring in the basin. Eric said it is hard to quantify what influence the warm weather is having on the snowpack but the consensus that the rain on snow caused premature melting and runoff and can diminish the snowpack. The water runs off in February where it can become subject to losses, and it may vanish before the runoff begins in earnest. This can negatively affect the runoff efficiency because the soils may have time for some of that water to drain out of the active layers before the runoff begins, meaning more water may be lost to seepage. While it can be more volatile, the runoff tends to be more efficient when it occurs in a shorter period of time – less opportunity to seep, evaporate, and transpire.

Back to the charts, the next is McPhee Reservoir Outflows – 20 year average. The next chart is McPhee Reservoir's end-of-year active capacity charted next to annual downstream spill volumes. Spill years tend to generate enough carryover that even when the next year is a shortage, allocations tend to be 50% or higher. Next chart is just the spills to make them more visible and goes back to 1986. Adam asked when the project fully came on line. Eric said that everything was functionally online by 2000. Adam said that it was more the hydrology than the non use driving the spills. MVIC's irrigation diversion out of McPhee storage tend to be around 100,000 AF. Full service diversions are small in the early years and only just start coming on line and after 2000 – it can vary and tracks well with the big drought years. It is the same in the Utes. MVIC does pretty well even in drought years and has the most visibly stable supply. MVIC's low years don't track as well with supply shortages. Due to the behavior of their call water in the THC contract, in some full years, they can spill their call water and be forced to take Project water at 70% instead, like in 2016. In 2018 and 2021 could get hurt by spills or mother nature. MVIC's usage shows lower over the last 10 years. Probably a trend of what the NRCS has done in on-farm efficiency. Not sure how much is efficiency after about 2011 and system improvements are responsible. Next is Ute Farm and Ranch, which follows closely with FS, goes back to 1993, seems to fairly steadily use their full allocation, and also tracks well with hydrologic drought. In some years their use was higher, and Ken said that they were leasing M&I those years. The only thing that reduces the fishery is hydrologic drought. M&Is are stable and there is visible growth in the '80s and '90s. It is not shorted with the project. Adam said that the Towaoc had terrible leaks and asked if that has gotten fixed or changed. Ken said that yes it had been changed and after the drought plan. Eric said that is what he had for history.

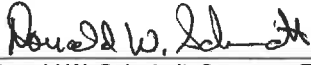
Looking forward, Eric presented the CBRFC ESP. He explained how to read it and what the exceedance probabilities mean. This forecast is based on a model using modeled snow across the Colorado basin based on precipitation, climate data, and historical patterns from the 1990-2020. The graphic is very reactive and you see that everywhere the forecast "jumps" correlates with a storm. This morning it was 196 KAF, it can fall quickly as well when the season comes in below the median. This is why we start with the conservative 90% exceedance forecast. Adam asked if it is updated daily. Eric stated that it is and then official updates are distributed periodically on the 1st and 15th of the month. Looking at the precipitation outlook, there is a strong chance of snow in the short term, and a high-pressure ridge developing off of Baja that may generate cool, dry winds out of the north over the next 5 days.

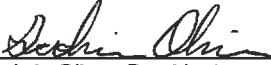
Ken said that CBRFC also has a forecast for Glen Canyon Dam, which is forecasting just as we are. Eric said as a final thought that CBRFC tracks their error for each official forecast and that the February 1st forecast has a 29% error margin. This will be down to 20% by April. Wes asked if the red bars are the 1st and 15th monthly forecast. Eric said yes.

Ken asked Eric to put the traces up, but with the new site, Eric did not find them. Don said that he appreciates the information. Landan joined online.

Reece Carpenter with Bureau of Reclamation joined us online. Just called in to listen and answer any questions. Thanked the Board.

ADJOURNMENT Dolores Water Conservancy District Water Activity Enterprise Board meeting
adjourned at 2:50 pm


Donald W. Schwindt, Secretary-Treasurer


Godwin Oliver, President

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DOLORES WATER CONSERVANCY DISTRICT

MINUTES

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ROLL CALL Godwin Oliver, President
Glen Fish, Vice President
Don Schwindt, Secretary-Treasurer
Wes Wilson, Director
Landan Wilson, Director – Via Teleconference
Ryan Gray, Director – Via Teleconference
Ken Curtis, General Manager
Eric Sprague, Interim Water Manager
Jed Martinez, Maintenance Supervisor
Gina Espeland, Admin Assistant Accounting
Robert Stump, Bureau of Reclamation
Adam Reeves, Attorney MBSS
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INTRODUCTION OF GUESTS

In-Person

Rusty Crangle, CDWR

Via Telephone/Teleconference

Tony Tanner, Full Service Irrigator; Reece Carpenter, USBR and Kelsey Deckert, USBR

MINUTES

APPROVAL OF THE MINUTES

Don noted that he had a correction to the January 9, 2024 Special Meeting he was not listed in attendance on the roll call and he should be.

MOTION: TO APPROVE THE MINUTES AS CORRECTED FOR THE JANUARY 9, 2024 SPECIAL BOARD MEETING.

MOTION: LANDAN WILSON
SECOND: RYAN GRAY
MOTION CARRIED UNANIMOUSLY.

MOTION: TO APPROVE THE MINUTES AS SUBMITTED FOR THE JANUARY 11, 2024 REGULAR MEETING.

MOTION: LANDAN WILSON
SECOND: RYAN GRAY
MOTION CARRIED UNANIMOUSLY.

MOTION: TO APPROVE THE MINUTES AS SUBMITTED FOR THE JANUARY 11, 2024 EXECUTIVE SESSION.

**MOTION: GLEN FISH
SECOND: WES WILSON
MOTION CARRIED UNANIMOUSLY.**

MOTION: TO APPROVE THE MINUTES AS SUBMITTED FOR THE JANUARY 17, 2024 SPECIAL MEETING / WORKSHOP.

**MOTION: LANDAN WILSON
SECOND: WES WILSON
MOTION CARRIED UNANIMOUSLY.**

MOTION: TO APPROVE THE MINUTES AS SUBMITTED FOR THE JANUARY 17, 2024 SPECIAL MEETING / WORKSHOP EXECUTIVE SESSION.

**MOTION: DON SCHWINDT
SECOND: WES WILSON
MOTION CARRIED UNANIMOUSLY.**

FINANCIAL STATEMENTS

Wes asked about the payment to Largo Tank for vehicles on the O&M Bills. Ken said that was from the Enterprise Meeting for O&M Bills, but Wes should ask. Jed stated that the Largo bill was an outdated quote and when we got the quote we were over budget. It was for a new mechanic's truck with a fabricated bed. Ken said that was a good question and we will be reviewing capital expenditures with the Board at some point. They crossed over 2023 into 2024.

MOTION: TO APPROVE THE DECEMBER '23 FINANCIAL STATEMENTS AND APPROVE THE STATEMENT OF PAYABLES AS PRESENTED.

ADMIN: AP/CHECK #12471-12483

\$11,271.23

**MOTION: WES WILSON
SECOND: LANDAN WILSON
MOTION CARRIED UNANIMOUSLY.**

AGENCY REPORTS

BOR Report – Robert stated that on the water screens, the contractor is tearing those down and hopes for a March delivery. Struggling with lead time on parts. Valves and actuators, we are waiting on submittals. Ken included a letter on the powerplant maintenance contract that are reserved works. Reclamation retains the power plants for operation and maintenance and Reclamation contracted with the District. The solicitors reviewed the contract and the letter includes that the solicitor couldn't find authority. Without that authority, the process would terminate the existing contract, which has implications for the District, terminating the advance funding. The new contract would be a reimbursement contract. It opens the contract up for competition. Beyond that it will have new FAR clauses (Federal Acquisition Regulations) and the region's contract will be under the FAR. Timewise Robert has been tasked with putting together an acquisition packet for the contract over next few months. Robert said he would keep Ken and the Board updated as they go through that process. Don asked if it would affect what we are required to do driven by our Budget? When we are doing our budgeting for the powerplant we had the pre-pay and built in similar to Reclamation needs and wire funding and planning in advance. As we have made staffing decisions this allows us to get the expertise and get the jobs completed. Robert said overall that the budget process shouldn't be too different. It would be a task order for O&M services for each year and time wise it wouldn't change too much from what we have now. Don said what triggered the question, would BOR have to go open source and advertise or could they go sole source? Robert said that is what he is currently working on and then they will decide on how the process will be contracted. Wes said that he wanted to know if the old contract would be honored until a new one is in place? Yes, but targeting the end of 2024. Reece and Kelsey were introduced and will be participating in the process. Wes asked if it would be a 25 year contract like the old one? Robert said that he didn't know and will be working with acquisition management on those details. Robert said that he didn't remember a term in this contract. Ken mentioned that the other contract, Operating Agreement, that we are talking about has a 25 year term. Ryan asked if they are working towards an IDIQ situation? Robert believes they are. Don

asked if it would be a 25 year contract? Robert looks for 5 years and then renegotiate. Robert said he would keep the Board updated.

Robert said that they ran the camera in Siphon 11 of the T/C. Went as far and the cable from both ends, approximately 1,100 feet and expect the leak is in the middle where they couldn't reach. He saw a couple of repair bands that look really good. Eric asked if we could at least have a distance? We still have a leak and will have to find it another way. Dustin and TW will be going in to repair, on the buddy system.

Division of Water Resources Report – Rusty didn't have anything to report.

T/H Committee Report – Wes stated that the Committee met January 17, 2024 1) The Committee paid DWCD, MVIC and UF&RE.

Next T/H Meeting – The Committee will meet at the DWCD, Cortez Office February 21, 2024 at 2:00 p.m.

MVIC Report – Brandon not present. Don said that he spoke with Brandon yesterday on follow up on gatherings at CWC. May want to consider how we can get MVIC and DWCD Board and staff together. Might discuss in Executive Session. Starting a conversation that includes staff and Board.

GENERAL MANAGER REPORT

Miscellaneous Updates

Wednesday March 27, 2024 SWCD Seminar: Please let office know if you wish to have us sign you up. Ken stated that they do put on a good program. Wes, Glen, Don, Landan and Ryan stated that they wanted to attend.

CWC Conference Participant Comments: CWCB made head lines by supporting the purchase of Shoshone hydropower plant and water rights by the CRD. Ken said CWC Conference sold out with approximately 600 attendees plus presenters. Glen said that there were a lot of college kids in there, Ken noted that CSU's programs keep getting bigger. Definitely see the group passing on to future generations. The Commissioner meeting was steered toward new storage, Ken noted that Kevin Kissler (Cortes) had addressed the same to CWCB. Durable conservation is a new term that Glen learned. Eric asked what does it mean, Glen said something that will last. Ryan said that he learned about items regarding state water on the CDSS system and surprised by the makeup of the crowd and how many he knew. He said it was good to make the connections again. Don said that he enjoyed it and learned more than he ever used to since he knows more people. The Board really ran the conference program and over designed making Doug nervous. Don appreciated Kevin Rein's comments describing the importance of Water Congress and having the honor to work with Water Congress because of how unique it is. His complimentary comments on working with the knowledge in that room remains an ever evolving task. Glen said that Marty Whitmore had brought out some good discussion around the State Engineer's participation in water court cases. Ken brought out that CWC oversees the Upper Colorado River Recovery Program for water users, has a State Affairs Committee and also a Federal Affairs Committee. If anyone wants to get into any of those venues, we can sign you up. They are all valuable as much as you can spare the time. The big excitement was the Aspinall Award winner, Erin Wilson. Adam said that it is an exceptionally important organization to attend. At this point in his career, he attends a few technical programs, but mostly about relationships. Down in this corner of the states we don't have the money or votes, so we need friends and it is important to attend to make those connections. Lindsey said that everything is new and she is a sponge soaking it all up, she appreciated going. Ken said he is glad we had good turnout from the Board.

ANS Update: CPW held their annual Colorado statewide ANS (mussels) meeting 1/24/2024 and Ken shared some presentation materials. CPW runs most of the inspection stations and has good control at national and state parks with 77 stations around the state, 2 in Montezuma County. Statewide inspections grew to a max in 2020 (647,325) and have come back to pre-covid levels (452,225). Most inspections are by CPW like at McPhee. Statewide decontaminations keep going up (33,833) because of the types of boats and where they are coming from. We still need to upgrade the McPhee WID station and will keep working with partners going forward. Infested mussel boat interceptions peaked in 2021, 181, and now down to 119 which may be a good trend. Hopefully it signals better boater awareness of mussel dangers. NPS has an improved decontamination system at Powell that responsible boaters will try to use.

The big news was McPhee was number one for highest number of infested boat interceptions, 28 of the 119 in 2023. We don't have high numbers of boaters like some front range lakes, which shows a

higher concentration from Powell. Continuing the State program will remain very important. CPW did find more zebra mussels at Highline Lake northwest of Grand Junction late last year. Boating will be closed on that lake for 2024 while they try a second eradication effort that has started. Other species, New Zealand mud snails, rusty cray fish and milfoil are spreading, but mussels remain our big concern. We will have the local McPhee Coordination meeting in a month or so.

Legislation Update: Slow on the water front, but the turf bill is racing through. The prohibition on future non-functional turf in public spaces appears to be headed through without any opposition. There will be a gap waters bill relative to Waters of the US (WOTUS) changes after the Supreme Court Sackett decision on wetlands. No language is available yet as CDPHE and legislators are still working with stakeholders. This will be a late bill and likely stir up controversy. Two bills are coming up on Monday, one is a state wide zoning that may impact municipalities having control of growth relative to their water supply. The other is a competing dredge and fill bill showing up with a bill number for Monday. Dredge & fill will impact every city, contract and every place there is building growth with potentially significant new complications. Last year's SB270 stream restoration bill has not resurfaced again which probably a good thing. PFA chemicals affecting water suppliers is coming along with something to replace the failed Prop HH. Don said that Ken's input is really important and we need to be proud of the job he is doing and support him. They still need to hear our perspective.

DWCD Board Member Class B Representative to MVIC Board: This item was tabled last month until Jeremy was in attendance. Ken said with Jeremy not in attendance again the Board can table until March if they choose. The Board agreed to table until March.

Colorado River Basin Issues: The latest article, Colorado Springs giving up some water rights under agreement with west slope partners and also the Shoshone deal happening have similar motivations. Dave Kanzer, CRD, presented to the full SW Basin roundtable about risks from their Phase IV studies on the Compact. We will probably bring him back to the workgroup in April and combine with SWCD similar info. We just went thru the CR Drought Task Force where the River District proposed sideboards for a future DM. Multiple parties, trans basin diverters, SW members and others helped to hold that back as premature given the interstate negotiations. There are unresolved issues to talk about on Colorado intrastate matters. The state still has to work some things out and that is why we are paying attention for future discussions. Of the 2 articles in the mailout, one from Erin Kuhn talks about a potential compact curtailment trigger based on River District type modeling. Modeling a continuation of the 07 guidelines requiring 8.23 MAF releases out of Powell. That is why you hear our river commissioner being adamant that we need to start solving the structural deficit and current practices cannot continue. There is a lot of tension around interstate negotiations and Commissioner Mitchell is facing a lot of pressure so we need to support her. There is a big push to get a seven state agreement by March of this year to Reclamation to model for this next set of interim guidelines. The 2nd article with the Upper Basin handout on use demonstrates that this is really a LB issue. We are only addressing about the 2 big reservoirs, Powell and Mead that only supply the LB. The UB can't do a lot about this. The Colorado River has similar patterns to the Dolores that Eric showed, two decades of poor hydrology. Ken questioned why Western Resource Advocates was shilling for the LB. The analogy on the Reclamation numbers quoted would be measuring use at the meter/delivery point instead of the diversion point. It is the consumptive use at the end by crops without any system losses or reservoir evaporation. If you go to the links in the article, you find the Reclamation consumptive use report. Colorado is having to carry out an education campaign to back up the numbers. We need to stay in tune and tell our counterparts why the State of Colorado presents the numbers on their graphics.

Glen said that he thought it was odd that the Representative from Imperial said that they hadn't used extra water since 2000. Ken replied that that is a legal answer relative to the Quantitative Settlement Agreement, QSA, Az v CA Supreme Court case, legislative junior priority of AZ combined with Reclamation accounting. It was legally allowed overuse and they have since stopped under the QSA. They account for their water at the end of the line while we are watching the Lee Ferry gage coming out of Powell.

Adam said that over the last couple of years that the tenor of the discussion has changed a lot. Colorado has realized that this problem, because of hydrology, cannot be solved on the backs of the upper basin, to solve over use in the lower basin. The lower basin is coming around and is looking at solving these problems. California is talking about building massive new storage and who would have thought they would be building dams. He feels Colorado is confident where it is. The rest of the upper basin, either they don't care as much as Colorado does, they don't have as much to lose or they are cutting their own backroom deals. New Mexico knows it has problems. Wyoming doesn't have any water and irrigation is not nearly as important as it is in Colorado. He feels good about where Colorado is and does look like that the appetite for DM seems to be waning as people are understanding you can't demand management into a solution in the slightest.

Don said that despite what Ken said about Eric Kuhn, his article did a good job of laying out the problem for the seven state negotiators. There are different levels of understanding on these issues by a whole lot of players. We are constantly cycling in new people in and they don't know the history or understand the past discussions. Becky has stepped to the plate and he really like's where Colorado is. The LB panel was a really good history lesson and we needed to hear it to give to our negotiators input. Don said that it fleshed out things that he actually lived through on CWCB like the 07 IG. With Imperial, FFA has helped relationships bring better understanding of UB practice to LB members that may get to the negotiators. You have people deciding that don't know how to do their tasked job. It makes Don respect our system more than ever. There are astute players in place that need a better understanding of prior appropriation versus compacts to make the best fit. We all need to better educate ourselves. The process is doing that education and it is time to make some hard decisions. He heard that it is not going to be done as thoroughly as it could or should be, but that is part of the system.

Ken commented that the last panel questioned the tone of the negotiation. Ken likes that our Governor, AG and Commissioner are on the same page. We need to have a better agreement than the 2007 IG that required multiple patches.

Discuss Topics for 9:00 AM February 14, 2024 Brainstorm: Draft agenda was presented and still planning on a financial discussion, some hydrology and likely review of Don's memo. I'm not sure we've made much progress on any legal/contractual issues, but Adam and Lindsey will provide any timely updates.

Dolores Canyon Solar contacted us and we are going to bring them in for a few minutes in the morning. They are going to build a solar project in Dolores County at Doe Canyon. They want a contract for a M&I water for a year or two during construction, probably around 75 AF. The contract will need to go to the Board and then Reclamation. They might be under construction by July.

GM Evaluation/Review – Godwin said hope everyone received the email. After discussion Godwin suggested moving ahead with the Legal Report and Executive Session and then address the review.

LEGAL REPORT

MVIC 87.3 Water Rights Filing – Adam reported this week they did get the stipulation was filed with CPW and Division Engineer, so the lone holdout remains Southwestern. When MVIC resolves things with Southwestern then hope it will be alright.

Main Canal 1 & 2 Due Diligence – Adam did get the diligence application filed and we will see how much opposition we get on it.

2000 Operating Agreement Contract No. 99-WC-40-R-6100 – Adam will be having a discussion at the Brainstorm.

DWCD/BOR Carriage Contract No, 02-WC-40-7060 – Adam said he didn't really have anything on the Carriage Contract. With that Adam suggested that the Board enter into Executive Session to discuss water rights protection, water security and receive legal advice.

MOTION: MOVE INTO EXECUTIVE SESSION PER CRS 24.6.402(b) TO OBTAIN ADVICE FROM COUNSEL AND CRS 24.6.402(e) MATTERS OF NEGOTIATION FOR WATER RIGHTS PROTECTION, WATER SECURITY.

**MOTION: WES WILSON
SECOND: LANDAN WILSON
MOTION CARRIED UNANIMOUSLY.**

**RECESSED FOR EXECUTIVE SESSION AT 4:10 P.M.
RECONVENED REGULAR MEETING AT 4:58 P.M.**

REPORT OUT OF EXECUTIVE SESSION

Adam reported that in Executive Session the Board discussed the status of MVIC pending water right's change case and further discussed water rights protection and water supply planning. Legal advice was given and negotiation strategy was formulated and no decisions were made.

General Manager Evaluation

Ken asked Adam if in the review of the General Manager's evaluation he asks for a raise does it require a Board motion or just direction. Adam said it doesn't require a formal vote.

Godwin had Eric develop a review sheet that fit more for the General Manager and get the Board thinking about District direction, things we can improve or change in the next year. Godwin started off with Jeremy's review, he gave Ken a really good report, The only suggestion was to have more staff recommendations because they live and breathe DWCD operations every day. Wes agreed with Jeremy and appreciates when Ken stops by for discussions. Glen agreed and is ready to discuss the salary. Don doesn't have a bad thing to say either, but had some comments. Don said he has high standards for the General Manager. He is pleased with Ken Curtis as the manager and appreciates the job that he is doing bringing a ton of integrity to the job. He thinks that Ken really tries to pull out direction from the Board. Think that he reads the contracts with integrity and being fair to all Project users. Don suggests a little more dialogue with Board. It is easy to leave the Board behind including himself on some of these complicated issues. Ken's doing his best to educate on the decision on where do we go when he has a full understanding, but the Board has not yet caught up. Don said Ken is ahead of us when running through the water stuff. It is a work in progress and that is staff's job to explain the material. Don said we have a good Board and a good staff with good leadership and building on it, we need to keep on that path. Landan thinks that Ken is doing a good job in a high stress job, dealing with farmers and the public. Only thing that the Personnel Committee has discussed is keeping staff with all the turnover. It is the staff that keeps the project running and he wants to see the Project go for another 100 years. The whole attitude on work in general has changed and we are on the right path to finding new people. Ryan agrees with what has been said so far. He is still kind of learning about the role of the General Manager. He has seen the respect that Ken is given at water meetings. The one thing that Ryan would like to see is the Board handout information scanned and emailed a few hours ahead of time. It is hard to review the numbers on the fly and have an intelligent conversation. Godwin agreed with prior comments and appreciates what he does for this Board and Community. He appreciates that he goes out and visits with people, like with Wes and himself and shows that he cares about the whole project. The Board agreed on a 3% raise in line with other long-term employees. Ken said that is what he asked for and thanked the Board.

NEXT DWCD BOARD MEETING – Tuesday, March 14, 2024 – 2:00 P.M.

ADJOURNMENT Meeting adjourned at 5:15 P.M.


Donald W. Schwindt, Secretary-Treasurer


Godwin Oliver, President