

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
September 14, 2023

CALL TO ORDER Godwin Oliver, President, called the meeting to order at 2:04 pm

ROLL CALL Godwin Oliver, President
Glen Fish, Vice President
Don Schwindt, Secretary-Treasurer
Wes Wilson, Director
Landan Wilson, Director
Jeremy Redshaw, Director
Ryan Gray, Director
Ken Curtis, General Manager
Eric Sprague, Interim Water Manager
Jed Martinez, Maintenance Supervisor
Lisa Jordan, Office Administrator
Robert Stump, Bureau of Reclamation
Adam Reeves, Attorney MBSS
Lindsey Ratcliff, Attorney MBSS

INTRODUCTION OF GUESTS

In-Person

Brandon Johnson, MVIC; Rusty Cringle, CDWR; Luke Baxstrom, John Pierce and Keith Hindmarch
DWCD Employees; Elaine Chick, WIP; Lloyd Shumway, FSA Irrigator; Thomas Brenner

Via Telephone/Teleconference

MINUTES

APPROVAL OF THE MINUTES

Godwin stated that the sentence reading..."expect the board t make and exception..." read
..."expect the board to make and exception..."

**MOTION: TO APPROVE THE MINUTES AS CORRECTED FOR THE AUGUST 10, 2023,
ENTERPRISE MEETING.**

MOTION: JEREMY REDSHAW
SECOND: WES WILSON
MOTION CARRIED UNANIMOUSLY.

FINANCIAL STATEMENTS

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

O&M: AP/CHECK #41657-41739 & PR/CHECK #126012-126084
\$344,106.54

MOTION: JEREMY REDSHAW
SECOND: LANDAN WILSON
MOTION CARRIED UNANIMOUSLY.

O&M REPORT – Jed reported the following:

Pumping Plants & Canals – All Pumping Plants have been running steady. DWCD staff replaced a motor on gate 509 with the last backup motor, this occurred on August 23, 2023. Staff has also been treating the canal for pondweed from Dove Creek to Towaoc.

Power Plants – McPhee Power Plant is currently running at 72 CFS this was reduced to 50CFS on September 12, 2023. Towaoc Power Plant (TPP) was running at 98 CFS. TPP is currently shut down due to high water in the Hermanna.

Control Room – Jed stated that DWCD has hired a SCADA understudy for the control room to help Eric Tanner with operation coordination.

Purchases – Jed stated that DWCD purchased a lowboy trailer. The purchase price of the trailer was \$12,895. This item was not in the budget. Ken noted that this should have been brought up to the Board in June however with personnel changes this item slipped through the cracks.

Multimatic Welder – Jed stated that the welders in the shop are at the ends of their days. Jed stated that it was more costly to purchase parts for the old welders than to purchase one new welder. The multimatic welder will take the place of both welders. The cost of the multimatic welder is \$7,739.

Jed is asking for Board approval for the purchase of the Lowboy trailer and multimatic welder.

Don asked what needed to happen to address the budget items. Ken said that we don't need to do anything with the budget. Ken noted that these are not replacement items but since they are over \$5K the items need board approval.

MOTION: APPROVE THE PURCHASE OF THE LOWBOY TRAILER AND THE MULTIMATIC WELDER.

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

Field Workers – Jed stated that DWCD has hired a Plant Mechanic and a Heavy Equipment Operator at who are in training.

Other – Jed stated that there is a break on Fairview Lateral. Staff exposed the pipe over the weekend, and Jed ordered the repair line and couplings on Monday. Mountainland Supply was able to get parts here the quickest, by Tuesday for both the coupler and the pipe. Jeremy asked where exactly the break was located. Jed stated that it is at the corner of Roads 14 and W. Eric said that the Control Room personnel are still looking into what could have caused the break, but believed they had ruled out pump changes at the plant. Ken said the pipe was brittle and this was likely a pressure issue. The likely cause of the water hammer is changes on the delivery end. Landan asked how long the water would be shut off. Jed stated that they hope to have it repaired by Tuesday afternoon. It was stated that there is a very specific coupler needed to perform the repair. Don asked how many acres were affected? Eric estimated, based on 12 boxes affected, that as many as 1,040 allocated acres were off.

It was stated that DWCD needs to keep up with routine supplies and try to have the supplies we need on hand. It was stated that DWCD has always tried to be as ready as possible to keep outage times to a minimum. Wes said the he thought we bought a stockpile of various supplies to handle these situations. Ken explained that because of the great deal of variance in materials and sizes of pipes used in the lateral systems, it is too costly to maintain a comprehensive inventory of repair pipes and couplers to address a break anywhere. Ken said that Rob was working on sectionalizing valves. We did have a band in stock however it was the wrong size for this break. Don agreed that the project is not designed for every item to be on hand. Jed stated that because this was the second break at the same site, DWCD needs the extra pipe and couplers for this lateral on-hand moving forward.

WATER MANAGEMENT REPORT

Water Supply & Water Accounting – Eric presented the highlighted **Inflow/Outflow for August and September:** 1) UF&RE has used about 72% of their allocation. 2) MVIC has used 90KAF to-date. They have 10,800 AF of Project water remaining, they are diverting at a rate of around 140 DFS/day. This should easily get them through October 15. 3) Eric stated that the FSA have used about 2/3rd of their 2023 allocation to-date. Even with heavy use, it doesn't look like water use will reach 52,000 AF. There have not been any requests for additional water use since last month, though Staff has reached out to the two highest users. Mr. Shumway is interested in more water, though Staff needs to determine how much he will need. Based on the median historical use in non-shortage years, a dozen or so irrigators are expected to use close to 28". Historically, FSA tends to

end good years around the first week of October. With a lot of late alfalfa this year it is likely to go later possibly the second or third week. Staff will likely send out a text of some kind to test the waters in the next two weeks. 4) Eric stated that there was 1.23" of rain at GCD in August and .47" so far in September.

2023 FS Cap Review: With about 5 weeks to go, DWCD full-service farmers will use less than the full allocation. The cap currently set at 28 inches (30.7" HOV). Operational discussions will turn to the shutdown date in early October.

Nikki Winiacki, DWCD Engineering Tech, has been looking into some of DWCD's high water users in FSA. This Land Summary is a first look. Nikki looked at all of the irrigators who used more than 22"/acre during the last 3 full supply years (2016, 2017 & 2019). The goal is to determine if these historically high use irrigators have a fundamental issue with their allocated water. A first step in looking into the possibility of directing more water their way.

Lloyd Shumway was in the audience and has expressed interest in needing additional water. He stated that he has 25 AF left and estimates that he will actually need about 50 AF. Eric said that he would look at the details of how much water Mr. Shumway may need. The Board can decide if they want to allocate additional water to Mr. Shumway. It was stated that if the weather cools off, Mr. Shumway may not need as much. Eric stated that an additional 50 AF would place Mr. Shumway in the ballpark of 32-33"/acre. Eric said the 50 AF seems likely based on Shumway's use this year. Godwin recalled that there would be a penalty if the individual doesn't ask for additional water. Eric stated that if an irrigator makes a request to go over they aren't charged the penalty, just the full price. If the Board agrees to this, they would be in keeping with how the motions made earlier this year. Godwin would like to hear from Landan since he also voted no on the motion to raise the cap. Landan said that he did understand that this is a request and it is for 50 AF and there are only a couple of people that are pushing their pool. Don said that he is ready, not for tonight, but in a workshop, to lay out a more extensive plan on ways to move water around and to make the water supply more flexible. Don thinks the Board should approve this request and hopes to have more information to share with the users by springtime. Godwin likes Don's idea and would like to Board to be more consistent over a long period of time, noting that there needs to be some consistency for the FSA irrigators to rely on. Godwin agrees that if there were 25 irrigators asking for 50 AF that could be a problem but would be in favor of granting this request. Landan asked Mr. Shumway what he was doing. Mr. Shumway said he is performing intensive grazing, then going back in to plant triticale and will need the water a little later to raise the feed.

MOTION: FOR STAFF TO WORK WITH LLOYD SHUMWAY FOR UP TO AN ADDITIONAL 50 AF TO BE INCLUDED IN HIS 2023 ALLOCATION.

**MOTION: DON SCHWINDT
SECOND: JEREMY REDSHAW
MOTION CARRIED UNANIMOUSLY**

Ken said that we have talked to the two people that looked like they may go over. We have not heard from the other irrigator. Jeremy would like staff to finish out the season. Staff will call the second individual, who will need to request additional water if they need it.

MOTION: TO ALLOW STAFF TO HANDLE Overage REQUESTS THROUGH THE REMAINDER OF THE SEASON.

**MOTION: JEREMY REDSHAW
SECOND: DON SCHWINDT
MOTION CARRIED 5-2 LANDAN WILSON VOTING NO. GODWIN OLIVER
ABSTAINED.**

Exhibit A: Don stated that MVIC will end the season around 100KAF total. It was stated that there are pools like Narraguinnep and Groundhog that are not included in that number. Ken said that this would be what they use during the irrigation season and Groundhog should show up in their diversion and outside the inflow/outflow. Exhibit A and the inflow/outflow work together and MVIC can be nuanced.

ADJOURNMENT Dolores Water Conservancy District Water Activity Enterprise Board meeting adjourned at 2:55 pm


Donald W. Schwindt, Secretary-Treasurer


Godwin Oliver, President

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DOLORES WATER CONSERVANCY DISTRICT

MINUTES

Regular Meeting
September 14, 2023

CALL TO ORDER Godwin Oliver, President, called the meeting to order at 2:55 pm

ROLL CALL Godwin Oliver, President
Glen Fish, Vice President
Don Schwindt, Secretary-Treasurer
Wes Wilson, Director
Landan Wilson, Director
Jeremy Redshaw, Director
Ryan Gray, Director
Ken Curtis, General Manager
Eric Sprague, Interim Water Manager
Jed Martinez, Maintenance Supervisor
Lisa Jordan, Office Administrator
Robert Stump, Bureau of Reclamation
Adam Reeves, Attorney MBSS
Lindsey Ratcliff, Attorney MBSS

INTRODUCTION OF GUESTS

In-Person

Brandon Johnson, MVIC; Rusty Cringle, CDWR; Elaine Chick, WIP; Thomas Brenner

Via Telephone/Teleconference

MINUTES

APPROVAL OF THE MINUTES

MOTION: TO APPROVE THE MINUTES AS SUBMITTED FOR THE AUGUST 10, 2023 REGULAR MEETING.

**MOTION: LANDAN WILSON
SECOND: JEREMY REDSHAW
MOTION CARRIED UNANIMOUSLY.**

MOTION: TO APPROVE THE MINUTES AS SUBMITTED FOR THE AUGUST 10, 2023 EXECUTIVE SESSION.

**MOTION: JEREMY REDSHAW
SECOND: LANDAN WILSON
MOTION CARRIED UNANIMOUSLY.**

FINANCIAL STATEMENTS

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

ADMIN: AP/CHECK #12395-12410

\$12,653.70

**MOTION: WES WILSON
SECOND: JEREMY REDSHAW
MOTION CARRIED UNANIMOUSLY.**

AGENCY REPORTS

BOR Report – Robert stated that 1) MOA 2 project for valves and actuators is out for solicitation and closes in early October and will then hopefully award. 2) Robert stated that the Grand Junction BOR Office is scheduling the Denver dive team to inspect the intake structure, the spillway stilling basin and the Selective Level Outlet Works. This would take place sometime in March prior to any spill releases. Robert noted the dive team would like to get into the outlet works to perform unbalanced testing on the gates. The unbalanced test is a 10% open and closed test. 3) Robert stated that he will begin scheduling the annual powerplant inspections. 4) Robert also stated that the Cathodic Experts from Denver will be on site for training and an anode sled study on THC, likely at the end of October.

Division of Water Resources Report – Rusty did not have a report.

T/H Committee Report – Godwin stated that the Committee met August 30, 2023 1) The Committee is working on the 2024 Budget. Godwin stated that the THCC is also planning to have a tour and he would like to see the newer Board members attend. Adam stated that he and Lindsey would like to go on the tour. Additionally, Don, Jeremy, Landan and Ryan stated they would also like to go. Godwin will let them know the date when it is set. The Committee paid DWCD, MVIC and UF&RE.

Next T/H Meeting – The Committee will meet at the DWCD, Cortez Office September 20, 2023 at 2:00 p.m.

MVIC Report – Brandon stated that 1) at Groundhog they have Reach 1 up to ditch level and Reach 2 is 1/3rd of the way complete, the liner is scheduled to be here September 25. MVIC will work on the trenches next week to anchor the liner. 2) Routine maintenance: MVIC has scheduled a stock run October 9 through October 13. The THC & feeder ditches will go off October 13. MVIC will likely have the full system shut off October 15.

GENERAL MANAGER REPORT

Miscellaneous Updates

September 22 Colorado River District Seminar in GJ: Sign up is still available.

Invoice for GH O&M: MVIC has provided some more history that Ken is reviewing and will pay 2022 upon completion of his review. The past four years of 10% costs for understanding trends are 2022 - \$3,229.91, 2021 - \$1717.60, 2020 - \$1,470.82 and 2019 - \$4,983.38. Ken noted that there will be continue discussions during the budget process on how to incorporate into our accounting.

WIP Presentation by Elaine Chick: DWCD helped set up the WIP program and supported at \$5,000 per year for many years. Ken has been lowering by \$500 per year to get down to \$2,500/year, which he feels is more appropriate for DWCD, but the Board will need to decide. Elaine does a professional job producing educational materials and events around the SW. WIP, like water education in general, has lessened the focus on traditional water uses, Municipal, Industrial and Ag, and presented more on ecological and environmental issues. Elaine presented a power plant covering the many programs that she produces.

Elaine stated that DWCD has been a strong supporter of WIP. Elaine stated that seven years ago there were 15 partners now there are 28 partners. Elaine presented a power point presentation. WIP provides balanced educational programming and resources to the people of the San Juan and Dolores watersheds. WIP serves as an unbiased objective and balanced information, and produce educational workshops and festivals related to water. Elaine explained that for each local contribution SWCD matches an equal amount. Lowering DWCD funds is doubled. Elaine summarized the programs and events that WIP produces such as the Children's Water Festival, Water Law in a Nutshell, Forest to Faucets and SWCD's Southwest Water Seminar.

Discussion: Jeremy asked what the total budget donation was Elaine said it is roughly \$33,000 and SWCD matches. Elaine stated that WIP is currently running over budget so they are going to their partners requesting increases for the amount of work that they support. Elaine stated that they appreciate the contributions and DWCD has been a long-time supporter of WIP. Landan stated that he remembers going to the Children's Water Festival and appreciates the education for the children. Jeremy said that he understands that the book Elaine presented, *Rising Rivers Stewards Activity Book* is a small display of what WIP produces however the only item in the book that was handed out is DWCD's logo at the back. Jeremy stated that DWCD and irrigators are very under-represented in the book. Elaine stated that she hears his point. Glen stated that since this is an ag oriented board Elaine should have expected ag oriented questions. He is surprised that Farm Bureau and Cattlemen's Association are not on the partners list. She stated that she can approach them and would love to see them on the Board. Don said that environmental community has done a good job of co-opting river issues. They do a good job overall but the bias still comes through. These days it seems that the bottom line is that the environment is more important than the agriculture. Don stated that there is publicity that says the ag is using 75 - 95% of the water and ignoring the reuse factor and saying that trees are a non-consumptive environmental use. Ag use of 90% is the wrong message, doesn't portray the full water cycle correctly. Don stated that water produces the food! Why would we try to solve a water problem to develop a food supply problem? When half of the water leaves the state of Colorado driven by compact, how is it fair to say that 90% goes to ag? How does ag get WIP on our team? Don asked Elaine how ag gets a product that shows the farm side of things. Elaine said that she needs input how she could do these programs. Elaine stated that when she holds meetings, around eight people to show up at the meetings, Ken is a regular attendee. Elaine stated that she needs people to tell her what they need. Don just wants her to hear where we are coming from and why there has been decreased funding from DWCD. Glen stated that her answers to Don indicated that it is not Elaine's fault based on the input that she is receiving regarding content to put out. There are activities for forest, water and river. Elaine offered to meet and discuss how to get ag based information out to the public. Elaine offered to do a spotlight on the Dolores in the newsletter that goes to approximately 1,400 people.

Budget Discussion on Schedule & Discretionary Items: An Overview of 2024 Budget Process was included in the mail out.

2024 Budget Schedule

- First Budget draft is delivered at the October 12, 2023 Board meeting. This drives charge notices that are later reconciled in subsequent years. (MVIC, BOR, UF&R, Cortez, Towaoc, Dove Creek & MWC)
- Workshop is scheduled for late October to early November where Board needs to give input. Consider the third Thursday October 19, 2023.
- Budget Hearing is set at the October Board meeting for the November 9, 2023 Board Meeting. Requires 3+ weeks minimum for legal notices.
- December 14, 2023 Board meeting Board adopts 2024 Budget with associated mill resolutions. Mill levy certifications are normally due to the County Commissioners on December 15 which requires an adopted budget. Prop HH has adjusted these dates for 2024.
- Any significant adjustments to the budget after the November Hearing and Prop HH may require additional special meetings.

2021 & 2022 Continuing Impacts

In 2021 we pulled \$300K from Water Supply Management Reserve (WSM) account. Though 2022 was a little better we still flipped rates and did not collect the \$1.05/AF Reserve Replacement charge, but still transferred \$100K to WSM and \$30K to Replacement reserves, effectively putting part of the \$300K back.

2023 Budget Impacts

- First full water supply since 2019. Payments to turn on have bolstered revenues.
- Travel & Training spending remains low.
- Purchased capital vehicles within budget.
- Even with turn over & hiring employee costs tracking slightly below budget, but overtime may be higher in 2023.
- Materials, Parts & Supplies have spent \$276K of \$726K thru July. Currently working on fall work plans, but expect to keep costs lower than budgeted.
- WAPA power costs back towards normal, but within budget.
- More updates & detail later throughout budget process.

2023 Potential Future Actions

- Currently assessing fall projects. Sand Stone Pumping Plant probably the most expensive potential purchases beyond some meter & valves annual replacement parts.

- Extensive THC work planned to start at the end of the season.
- More updates later in budget process

2024 Budget Board Decisions & DWCD Actions

- Set FSA Rates, historically growing +/-3% when conditions allow, slow & steady. The Board should consider if this is still the direction they desire. See historic rate schedule.
- Personnel Committee to initiate discussions around staffing & employees that may come back to Board.
- Review Capital replacement schedule for facilities, vehicles & equipment, discuss and direct.
- Review, discuss & direct budgeted O&M materials & replacements purchase levels.
- Approve and/or modify budgets for Discretionary Items below.
- Review & approve ANS funding at McPhee boat ramp WID Stations
- Review and possibly adjust M&I rates that have been the same for several years.
- Decide on transfers to reserves
- Decide on Admin to O&M transfer
- Consider and decide on repayment from Dove Creek L&G to Future Projects

Discretionary Items

Administrative (100 Budget) Items include:

Legislative Consultant	\$ 8,000
Project Promotions	\$ 6,500 budgeted, \$2,043 spent
Board Travel & Training	\$ 7,287 of \$8,500 spent thru July
Dues & Subscriptions	\$18,000 budgeted in 2023, \$14,677 spent to-date
CWC	\$4,791 DWCD dues, Stewardship, State Affairs
FFA	\$2,000
SDA	\$1,237
WIP	\$3,500 (intend to drop \$500 in 2024 to \$3,000)
Local Pages	\$ 425 (intend to drop after contract)
Professional Orgs	\$ 354
Newspapers	\$ 120+/-

Operations & Maintenance (200 Budget) items include:

CSU Research Farm	\$ 5,000 (have not been invoicing)
Weather Modification	\$19,400 same as 2022 after 8% increase
Low Snow Surveys	\$ 1,950
USGS Slickrock gage	\$ 2,000 spent \$1,890
Travel/Tuition	\$27,000 budgeted; \$11,611 spent thru 7/31/23
Colorado Dust on Snow Program (CODOS)	\$ 1,000
M&R Team Monitoring (FLC – DRRMS)	\$ 2,500 supports lower Dolores monitoring; 2 years left.

Possibly \$15,000+/- for ASO flight(s) dependent on CWCB funding.

New SW Radar \$2,000 requested for 2020, radar not installed, may be requested in 2024 if it works for our area. Hope to get an update in October.

Ken noted that he thinks the Board should look at all of the discretionary items closely and decide if they want to raise/lower or adjust amounts.

Ken noted that the item he would like to highlight is FSA Rates. It has been our tradition to set slow and steady rate increases. The reality is that in tough years (bad markets) we have either left rates flat or in the drought years flipped the rates. Ken has mentioned that we have built up enough cash that we did not need to hit the WSM Reserve quite as hard as the first drought. The bottom line is what direction does the Board want? This relates to how the Board wants to go forward with the "directed water", the water that we have some control over as opposed to what is owed to the petitions. Ken stated that the Board can go several places. They cannot slash the FS rates in half. The effect of budgeting is to foresee the costs that come from management and how the Board deals with the discretionary items in O&M. The Administrative budget comes in via taxes. The transfer to O&M is the biggest activity in the Administrative budget. There is also some Project Promotion, relatively minor, that can be spent as specific issues come up. There is not a lot of spending from the Administrative fund, it is all in the O&M where the users are charged. If the Board would like to stay flat or even try to decrease, that is the type of input Ken needs to hear. Effectively everyone else is paying what the audited costs are except for FSA who does not get reconciled. Ken said that some

broad direction on rates would be a good Board discussion. Ken stated that he included a rate sheet to show the history of where rates have been over the years. Ken gave a brief history of the FSA rates and how they came about with payments more on the base or more on the delivery and the flatter rates where the base fee and delivery were more equal. The Board will have to decide if they want to cut rates, collect rates for reserves or buy additional stockpile items. That is what staff will be bringing to the Board to decide. The Board corrected the WSM reserve was increased \$0.55 to \$1.60/AF in 2023.

Prop HH: This ballot item will significantly affect tax revenue received by all special districts if it passes along with some date changes for the 2024 budget process. Ken is still researching and will bring materials back to the Board as he receives them. This item will probably be on our agenda for several months related to the budget and election. Adam stated that most small districts and municipalities don't have any confidence that they are going to get any backfill. Adam stated that it was mainly driven by the State when assessments and valuations skyrocketed. The State doesn't want to have to give all the Tabor money back. Effectively it is sort of a legislative de-brucing at the State level. The way it comes back, the State has a good deal of discretion on how it spends those funds that it gets to retain. If you are a de-bruced special district or municipality then you would have to have a hearing in order to keep any funds that do come back. Adam stated that it is quite messy and appears that it was mainly driven by the State to benefit the State. Ken stated that he thinks that SDA is coming out against it and SWCD is also against it he will bring more information back to the next Board meeting. Ken noted that there is a lot of distrust surrounding this issue.

Personnel Committee: Godwin asked if there should be a personnel committee meeting. It was decided that the Personnel Committee will meet at Great Cut Dike at 9:00 am on Wednesday, September 27th.

Eric has been working on some Organization Charts that will likely be presented at the workshop. We will have an updated O&M Statement of Operations at the next meeting. Ken stated that DWCD is on track with the budget and also on track within the personnel budget line item. Ken said that he has been following the personnel line item closely and noted that we are back to where we were last year. We have added a heavy equipment operator and a Control Room operator. Ken said that the Board heard Rob talk about personnel and over the last couple of years, during drought, we had a mechanic retire that we didn't replace and we also had to let an equipment operator go that was also not replaced during 2021-2022 driven by cost savings. We went into 2023 and identified a needed electrician's apprentice since both of the trained electricians are closing in on retirement. Early in the spring, they identified that they were having Control Room issues where there is only one person that can get into the programming, that is where the fifth Control Room operator came in. Coincidentally, we started the season with three Control Room operator's two of which have left, one planned and one unplanned. Our most senior operator has been here 2.5 years, Jed became our second most senior operator, in months, then of course, we hired Jed out from the Control Room. We have found a very experienced person who started two weeks ago. We do intend to move forward with five people in the Control Room and will discuss it more in depth. We had enough savings this year that we are fine this year on the budget but have effectively added two positions while also backfilling open positions.

Colorado River Issues: DWCD submitted our comment letter to Reclamation concerning *Notice of Intent to Prepare an Environmental Impact Statement and Notice to Solicit Comments and Hold Public Scoping Meetings on the Development of Post-2026 Operational Guidelines and Strategies for Lake Powell and Lake Mead*, a copy was mailed to the Board. Ken also included letters from SWCD, CRD, UCRC, the seven states, LB and Colorado River Commissioner Mitchell and CWCB plus the 6 principles that Commissioner Mitchell is promoting. You can see common themes among the Colorado & UB letters focusing on LB over use, accounting for evaporation and losses, tributaries, using hydrology over reservoir elevations and what the no action alternative should be, that all put the spot light on the LB. LB interests have raised the one reservoir solution that favors Mead and could drain Lake Powell and claiming the UB owes half of the Mexico obligation. There is also a tug of war over the upper CRSP reservoirs, Flaming Gorge, Aspinall and Navajo. The only real agreement seems to be that the next version will also be interim for some period of time. Next steps for DWCD is to refine our talking points.

The Colorado River Drought Task Force continues to meet during DWCD's regular meetings. They made some headway organizing and are a little closer to having something of substance. The CRDTF will meet in Ignacio on October 12. Public comment (3 minutes) is available at each meeting.

There is discussion from the LB and Environmental groups to take Lake Powell out and we don't want that as our power comes from there. Adam requested that this be discussed further in executive session. Ken will continue to bring articles and letters to the Board. Wes asked if all of the UB felt the same or is it just Colorado? Ken said that he thinks that the other UB states have views similar to Colorado's view as shown in their joint letter. Ken has the individual letters out of the UB but hasn't read them. SCPP for 2024 is up in the air until the next UCRC meeting.

Board Meeting Start Times and Potential Winter Workshops:

Board Meeting Start Times: Glen would like to revisit the Board meeting start times. Ken stated that he thinks this issue has been discussed thoroughly and we all have experienced the different times. With winter coming some work schedules may shift gears in a few months that may be considered. Though staff has their preferences we will meet the needs of the Board including reminders as needed.

Glen said that it has been harder than he thought to attend the afternoon meetings and has talked to Wes and said that Wes has a hard time attending afternoon meetings also. Landan said that he thinks more people would attend the meetings if they were held later. Wes offered a compromise. 6 months Oct-March start time 2 pm and 6 months April-Sept start time 6 pm. Glen asked if the 7 pm meeting was always the case. Don said to his recollection it was. Ken noted that there was a time that they were held at 2 pm in the winter. Godwin sees that during the meetings held during the day, the Board is more attentive and more focused to get things done and has notice that later in the evening it is tougher to stay engaged. Godwin also mentioned that in the winter if the meetings are late some people have to drive a long way in the dark on bad roads. Jeremy said he thinks better in the afternoon but is on board with the compromise but noted that he likes the earlier meetings. The Board meetings will continue with a 2 pm start time until further notice.

Glen stated that Godwin suggested an education committee during Elaine's report, Glen thought that was a good idea. Don said we need to figure out some ways to discuss ag and fill some of the education void. Elaine stated that she has a new item that she is proposing and she thinks ag would be perfect for this type of series. Glen said that he doesn't think this should be put on the shelf for another year. Do we want to help create ideas? Or do we want to back off? Don said that the Colorado River issue talking points may be a way to team up with WIP. We have a story that is different and need to have our story told. Elaine suggested that right now she could do a spotlight in the 9-basin bulletin featuring DWCD and could talk to a few of the Board members to get a story out. She is offering whatever they want to discuss as a topic. Ken stated that we have a direction and with the way things are right now it will likely be a springtime bulletin.

Winter Workshops

Ken stated that next month the Board should bring their calendars to begin scheduling Winter Workshops. He stated that they were on Wednesday nights at 5:30 pm last winter.

Relative to special meeting workshops Ken asked the Board to start thinking about what they want to accomplish this off season. The budget is the first item that will need a workshop between the October and November Board meetings. There was a good discussion around the MBSS memo last month and Ken asked the Board if they had any questions for Adam & Lindsey. Ken stated that one thing that struck him was that we have to better identify our goals before Adam & Lindsey can create a more specific strategy for our water coloring and getting more focused. We will also rely on more hydrology information from Eric that will unfold this winter. Now is a good time to focus questions to better progress towards a strategy for DWCD policies and practices.

Ken would like to discuss Eric's presentation regarding water, have the legal report and then have some executive session discussion on Colorado River issues.

Water Report/Supply – Eric summarized the FSA High Irrigator Land Summary produced by Nikki. This is basically looking at the high-water users in the last few full supply years. The criteria for irrigators that made it into this focus group are those who irrigated in high years, 2016, 2017 and 2019, the last full supply years, and used more than 22"/acre. Therefore, they had a need greater than what the DPR allocated. This ended up being a list of 20 irrigators but staff pulled one outlier from the group since it was a very small parcel. The focus group summary was Number of Boxes: 66, Number of Irrigators: 19, Total Number of Acres: 8,444, Total Number of Non-Allocated Acres 2,515, total Percent of Non-Allocated Acres 28.7%. Eric stated that there is more to the Total Number of Acres, as they used county parcels looking at the land the irrigator owns to give an indicator of the total land available to them which is different than the land that was classified by the Bureau. Which is different from the land that you can actually irrigate. The Allocated Acres are the acres that were not classified as Class 6. There are three types of acres being discussed in this scenario. Allocated classified acres, non-allocated classified acres (aka Class 6) and non-classified acres, acres the Bureau did not assign a class to, but that might still exist within an irrigator's parcel. Don asked how may non-classified acres are out there? He didn't think there were that many. Ken stated that they will be performing some more refined research as he agrees with Don. It will require more checking of county data on actual land ownership. Ken said that they have looked at most of the land classification maps. Ken said that the BOR classified by square miles and almost all of the class 6 land is a drainage way, but can include lack of topsoil (rock outcroppings) and canyons. When the Bureau did this, most of the time they classified all 640 acres. Class 6 is a class but a non-irrigable class. We tend to say classified for Class 1-2 and 3. Ken explained that there are parcels out there that are disconnected that they didn't even classify. In certain areas it's because they never intended to get the pressure needed to that land, the maps actually have a pressure line. You might own land that was outside the pressure line that they didn't classify because the BOR wasn't going to deliver

water there. This is the age-old problem, what do you do when the sideroll goes across a gap? The irrigator starts with 22"/acre but they don't have enough water because of the gap. Ken said that he was surprised at the findings with the first cut, there appears to be quite a bit of non-classified land. Ken agrees that when they classified lands they included trees, ROW, homes, barns and the land was classified as 1,2,3 or 6 and had not run into much non-classified lands. Ken stated that Nikki is finding this in the County property maps rather than the BOR maps and obviously she needs to do some additional research to find out where the difference is. We don't have that answer which is why Eric is being very specific to get a start at these numbers but we need to refine them. Ken agrees that the BOR classified all lands that they thought could be irrigated. Ryan asked Ken if DWCD has GIS shape files for the classifications? Ken stated that we do. Eric stated that the next table is the Land Summary by Irrigator and they are in pools so they could include leased land. The columns include the number of boxes in the pool, total acres by county parcel, allocated acres Class 6 and non-allocated acres and non-allocated percentage of total acres. Eric summarized that the total non-allocated percentage of total acres is 28.7% of these pools. Eric stated that this information is all based off of parcels and land classes, it may not represent the acres being irrigated. There are other layers that need to be pulled into the maps and there may be a way to do that with satellite imaging. Nikki is also looking into crop distributions using the annual crop reports. Eric hopes to have a draft ready this off-season. Ken summarized that this information is try to answer Jeremy's question that 22" is insufficient. It appears to be true for some farmers, but not all. This information could help the Board refine how they use the directed water.

Water Year 2024 – Eric stated that he is attempting to take a first look at water year 2024. Eric stated that the 2023 carry over looks like it will be about 130KAF, similar to what was carried over after 2019. Which would give a good baseline. For a full supply in 2024 we will need a minimum of 110 KAF of runoff. Eric presented a table showing Dolores Project Shortages, the inflow in 2020 was 98 KAF and the supply was only 86%. Eric noted that we need to do better than 2020 and stated that it was surprising at how much shortage there can be after such a full year. Eric stated that the question we hope to ultimately gain insight into is the cost vs. benefits of withholding water to benefit carryover next year. Eric stated that in years with shortages FSA tends to get about 45% of the carryover. If FSA puts 1,000AF in in the first year they would get 450AF out the next year, in round numbers. It currently looks like the benefit of small increases to carryover becomes relatively insignificant in the year immediately following a big spill year. However, in a year like 2021, saving 1,000AF the year before could lead to a 9% increase to FSA supply. This option would likely do best in a middling year: full supply, but low carryover. Landan asked if there was a way to tell if there was an increase in water with the \$5 incentive that was given in May and June? There were other factors that confusing variables at issue in 2023, full supply after a drought and fallowed land are a couple of those factors. It was stated that this was not bad experiment, just not the best year to perform it.

LEGAL REPORT

Plateau – Adam stated that there are no statements of opposition on Plateau Creek. He is waiting for the Summary of Consultation from CDWR and they will get the decree filed.

MVIC 87.3 CFS Water Rights Filing – Adam stated that there is nothing new from John Justus.

Adam requested an Executive Session to discuss the following: Water Rights Protection, Water Supply and Project Land Use Discussion and Colorado River Issues and MBSS memo on Reclamation Law.

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 DISCUSSIONS WATER RIGHTS PROTECTION, WATER SUPPLY AND PROJECT LAND USE DISCUSSION AND COLORADO RIVER ISSUES AND MBSS MEMO ON RECLAMATION LAW.

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

**RECESSED FOR EXECUTIVE SESSION AT 5:30 P.M.
RECONVENED REGULAR MEETING AT 7:00 P.M.**

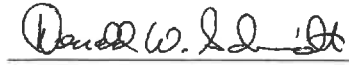
REPORT OUT OF EXECUTIVE SESSION

Adam reported that in Executive Session the Board discussed matters related to Colorado River matters which might be subject to negotiation and received legal advice on water supply protection and enhancement issues associated with Project water operations. No decisions were made.

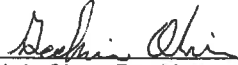
OTHER

NEXT DWCD BOARD MEETING – Thursday, October 12, 2023 – 2:00 P.M.

ADJOURNMENT Meeting adjourned at 7:00 P.M.



Donald W. Schwindt, Secretary-Treasurer



Godwin Oliver, President