

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 audio tape.

## DOLORES WATER CONSERVANCY DISTRICT WATER ACTIVITY ENTERPRISE

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### MINUTES Regular Meeting May 10, 2018

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**CALL TO ORDER** Bruce Smart, President, called the meeting to order at 7:02 PM

**ROLL CALL** Bruce Smart, President  
Simon Martinez, Vice-President  
Don Schwindt, Secretary-Treasurer  
Godwin Oliver, Director  
David Frederick, Director  
Wes Wilson, Director  
Glen Fish, Director  
Mike Preston, General Manager  
Ken Curtis, Engineer  
Lloyd Johnson, Maintenance Supervisor  
Lisa Jordan, Office Administrator  
Barry Spears, Attorney  
Marty Robbins, Colorado Division of Water Resources

#### INTRODUCTION OF GUESTS

Brandon Johnson, General Manager MVIC; Drew Gordanier, MVIC Shareholder; Jim Mimiaga, Cortez Journal

#### MINUTES

#### APPROVAL OF THE MINUTES

Godwin suggested making two typographical changes to make complete and comprehensive sentences.

**MOTION: TO APPROVE THE MINUTES AS CORRECTED FOR THE APRIL 12, 2018 ENTERPRISE MEETING.**

**MOTION: GODWIN OLIVER  
SECOND: SIMON MARTINEZ  
MOTION CARRIED UNANIMOUSLY WES WILSON WAS ABSENT AT THE TIME OF THE VOTE.**

#### FINANCIAL STATEMENTS

**MOTION: TO APPROVE THE MARCH '18 FINANCIAL STATEMENT AND APPROVE THE STATEMENT OF PAYABLES AS PRESENTED.**

**O&M: AP/CHECK #35966-336061& PR/CHECK #122555-122607  
\$233,700.42**

**MOTION: SIMON MARTINEZ  
SECOND: GODWIN OLIVER  
MOTION CARRIED UNANIMOUSLY WES WILSON WAS ABSENT AT THE TIME OF THE VOTE.**

**O&M REPORT** – Lloyd reported the following:

**Dove Creek and South Canals** – Weed removal has been a constant battle. Wind, open fields with no weed control, and the fire ban are contributing factors. Don asked if there was a way to receive a variance on the fire ban in areas where there is not a hazard. Lloyd stated that he has asked for and not received any variance.

**Pump Plants** – All plants have been operating near minimum this week, most plants are running with only two pumps on line.

**Laterals** – Staff is installing a new full service box at County Road 15 and Y, and an M&I at the same location, both should be completed next week.

**Towaoc Power Plant** – Commissioning of the new excitation equipment was completed last week. The plant was brought on line Tuesday, May 8, 2018 and currently running at 5.1MW.

## **ENGINEERING AND WATER MANAGEMENT REPORT**

**Water Accounting** – Ken presented the **1) April Inflow/Outflow** spreadsheet stating that we started the month at 6,898.34' and lost less than a foot of active capacity by the end of the month. The inflow at the Dolores River gage started picking up the second week of April and nearly reached 500 cfs by the end of the month. There was a Farmer Advisory Committee (FAC) meeting at the end of the month. **UF&RE** – Farm and Ranch began using water at the beginning of April and shut down for a couple of days mid-month. **MVIC** – MVIC stock water is the difference between the total MVIC water used and MVIC irrigation water used. MVIC had some customers that were ready to come on but use didn't take off in April. The river was not making more than MVIC directly diverted. **Exchange** – there was not enough runoff to make the Totten and Upstream exchange. **Dove Creek Canal** – the month started off hot and dry and irrigators began to use water then it cooled off and use slowed. **Weather** – there was a little bit of rain, .25", there were high temperatures with a cold spell in mid-April. **2) May Inflow/Outflow** – things begin to steady out and the reservoir elevation continues to drop in active capacity. The inflow drops at the end of April then begins trending back up the first part of May. **MVIC** – total MVIC the numbers are the same since there was no stock water used to date in May. Ken noted that the river is not making much more than the outflow. **Dove Creek Canal** – DCC broke 100 cfs as irrigators begin to turn on. **Weather** – there was some rain on May 2<sup>nd</sup> and 3<sup>rd</sup>.

**Allocation** – Ken stated that the forecast continues to drop and all entities are talking about minimum allocations. MVIC is having their own discussions regarding how much water will be allocated to their users this season. DWCD direction was to discuss UF&RE allocations early. Ken stated that the forecast going forward does not look like there is much rain to come. Ken presented a potential postcard to be sent to Full Service irrigators and asked the Board for input on the message being delivered. Ken stated that the minimum was derived by simulating a year like 2002 without much rain. Ken stated that he is still saying that the minimum is sitting at 17" but could be less than 2002 which would provide 16+/- allocation. Ken stated that if the Board wants to modify the message then they could change the number to something other than 17" but stated that after a check and a re-check by Eric Sprague on the estimates the full service allocation is still 17".

**Discussion:** Bruce stated that he would like to stay at 17" and asked if there were other estimates or factors that could drive the allocation other than 17". Ken stated that the river is running higher than it ever did in 2002. Ken stated that there will be wind and clouds the next couple of days, but most of the runoff will come down in the next 2 weeks. The amount needed in 2018 for May & April to match 2002 is 35 KAF, and we are already at 20 KAF so the necessary amount needed for rest of May, for a 2002 match is 15KAF. Ken stated that a more conservative message could be sent saying that once the numbers are available in June the Board will make a final decision. Wes stated that he would leave the number alone. Don asked how much runoff was expected in June. Ken stated that June and July need to be 13KAF combined. Don stated asked if Ken has looked at the June and July 2002 hydrograph. Ken stated that April was the peak runoff month in 2002 and stated that it is still believed that the bulk of the runoff is yet to come this year. Don stated that he doesn't feel he has utilized the lessons he learned about reading the river in years prior to the reservoir, but is not being overly optimistic for this year. Don stated that he is not ready to weigh in on what the allocation should be. Bruce stated that we will know by June 1 what most of the runoff will be. Don asked where the snow was coming from when it is gone off of Sharktooth. Ken stated that it is either shaded snow, high up or it could also be runoff in transit as we don't know how fast it travels. Most of the snow now is likely above 10,000 feet. Ken stated that even though the area above 10,000 feet is only 20% it delivers approximately 50% of the runoff. Godwin stated that he thinks most of the irrigators have been through enough drought that they know it could go up or down at this point and they are informed regarding the water supply.

Wes asked how quickly irrigators would use their allocations. Ken stated that staff looked closely at this in 2013 there were a couple of users that could have potentially run out in June and adjustments were made accordingly if the water supply went up. Ken noted that Ute Farm and Ranch is the lowest and most consistent user so will last longest. If the allocation is 16" no irrigator will be through their allocation in June. The higher users are up in the 7" per month range.

**ANS Update** – Ken stated that there is a flyer discussing the operations at the reservoir regarding mussel inspection and boating in 2018 included in the Board's packet.

**Other** – FYI the Secretary of Agriculture has declared Montezuma County in a drought in 2018. There could be benefits available to individual farmers & ranchers.

**Background Documents and Educational Information** – Ken referred the Board to the Repayment Contract. Ken reviewed specific items of the Repayment Contract and answered Board questions.

**OTHER** – Ken handed out an educational brochure for Board review. Ken stated that the *Future Water* brochure was mailed to the Board and provided by Colorado River District. Ken noted that there is important information in this document that pertains to Southwest Colorado.

**AUDIENCE** – Drew Gordanier stated that there was a buildup of weeds in the Towaoc Highline Canal causing air to be sucked into the siphon which then dried up Drew's pipeline. Drew stated that when the water came back on his pipe broke and a block blew up. Drew asked if he could give the control room his contact information to let him know if the water level in the pipe gets low to avoid this situation happening again. Ken stated that Drew is more than welcome to leave his information and staff will try to add this back in. Ken explained that the level indicator is at the wasteway upstream of the screen and the water was trying to go around & thru the weeds at the water screen, but were couldn't. Bruce asked if there was a place a sensor could be installed to read the level of the canal. It was stated that a sensor would have to be behind the screen. Drew stated that it is the air coming into his pipe that causes the problem not the water that comes back in. Lloyd and Eric Tanner will look into installing some type of monitoring device to help alleviate the problem.

**ADJOURNMENT**      Dolores Water Conservancy District Water Activity Enterprise Board meeting adjourned at 9:00 PM

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Donald W. Schwindt, Secretary-Treasurer

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Bruce Smart, President

# DOLORES WATER CONSERVANCY DISTRICT

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## MINUTES Regular Meeting May 10, 2018

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**CALL TO ORDER** Bruce Smart, President, called the meeting to order at 9:00 PM

Bruce Smart, President  
Simon Martinez, Vice-President  
Don Schwindt, Secretary-Treasurer  
Godwin Oliver, Director  
David Frederick, Director  
Glen Fish, Director  
Wes Wilson, Director  
Mike Preston, General Manager  
Ken Curtis, Engineer  
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Lisa Jordan, Office Administrator  
Barry Spears, Attorney  
Marty Robbins, Colorado Division of Water Resources

### INTRODUCTION OF GUESTS

Brandon Johnson, General Manager MVIC; Jim Mimiaga, Cortez Journal

### APPROVAL OF THE MINUTES

#### MINUTES

**MOTION: TO APPROVE THE MINUTES AS SUBMITTED FOR THE APRIL 12, 2018  
REGULAR MEETING.**

**MOTION: DON SCHWINDT  
SECOND: SIMON MARTINEZ  
MOTION CARRIED UNANIMOUSLY**

### FINANCIAL STATEMENTS

**MOTION: TO APPROVE THE MARCH '18 FINANCIAL STATEMENTS AND  
APPROVE THE STATEMENT OF PAYABLES AS PRESENTED.**

**ADMIN: AP/CHECK #11133-11143**

**\$6,542.25**

**MOTION: GODWIN OLIVER  
SECOND: WES WILSON  
MOTION CARRIED UNANIMOUSLY**

### AGENCY REPORTS

#### BOR Report

Bureau of Reclamation was not in attendance.

#### Division of Water Resources Report

Marty did not have a report.

### **T/H Committee Report**

Godwin reported that the THC Committee had a meeting and tour on April 18, 2018. **1)** DWCD staff will add new items from the tour to the worklist. **2)** The Committee agreed to allow UF&RE to make installment payments in July, August and September for the 2018 Water Year only. **3)** The Committee discussed the possibility of a delivery charge to Montezuma County for M&I water and determined that Robert and Brandon will come up with a sample cost method for review by the THCC. The payers on the Committee want the County to pay something to deliver M&I water through the facilities. Don stated that he is opposed to a carriage contract. It was stated that project water held by DWCD, who is not a payer of the THC, being delivered through the THC facilities wasn't contemplated when developing the Towaoc Highline Canal contract. It was stated that as long as the contracts are followed then there should not be a problem with deriving a charge. **4)** The Committee paid DWCD, MVIC and UF&RE.

**Next T/H Meeting** – The Committee will meet at the DWCD, Cortez Office May 30, 2018 at 2:00 p.m. at the Cortez Office.

### **MVIC Report**

Brandon reported that **1)** the MVIC Board lowered this year's allocation to 40" (3.33 per share per acre foot). **2)** MVIC staff is also fighting weeds, mostly on the THC. There are early moss problems, mainly on the Hermanna and a little on the THC. **3)** After the Narraguinnep inspection, MVIC has been approved to repair the spillway which will be built up to accommodate the entire amount of water allocated. **4)** Bruce stated that DWCD received an email from MVIC regarding the purchase of Totten. MVIC would like to begin negotiations.

**Discussion:** It was stated that Bruce, Gerald, Simon, Les, Mike and Brandon will meet to flesh out issues. Glen stated this seems like it should be a Board to Board discussion. Glen stated that page one of the DWCD Bylaws is oriented around community spirit. Glen stated that DWCD needs to decide if the interest in selling Totten is for community spirit or for the money. Mike stated this topic should be discussed in executive session. Glen stated that it could be discussed in executive session but there was no reason to hang MVIC up on this request. Bruce stated that there is no hang up on the part of DWCD however a week ago it was not an urgent topic and now MVIC wants to talk about it implying that DWCD has not responded to their request. Mike stated that he received the email offer on March 16, 2018. It was stated that nothing was done with it at that time as MVIC had previously said it would be a year, possibly longer, before they were ready to act. Mike stated that there is a list of informational items that need to be discussed prior to any decision and where we end up on price or terms is still negotiable. Mike stated that some of the fundamentals that need to be address are water rights associated with Totten, area capacities, dam inspection reports, DWCD historic expenditures and basic pieces of information to give some basis to negotiate a price. David stated that DWCD needs to come up with a price and put it forward and if MVIC can't pay that then maybe the fundamental items don't need to be addressed. Mike stated that if you have the answers to the fundamentals then these could be items to help negotiate and justify any price that is decided. Bruce stated that DWCD needs to go about this correctly and it will take some time to get there, this will not be resolved quickly.

Don stated that from a different perspective, he would like to talk about process. Don stated that it is his understanding, by participating in discussions and listening at MVIC's Board meetings and actively participating in education outreach with McElmo users and some MVIC shareholders who are interested in this whole process. The reason there needed to be a conversation with McElmo users, or somebody, began with the drought mitigation plan where we spelled out in the original draft some pretty harsh, frank, black and white language what the law is pertaining to McElmo adjudicated rights. DWCD said that we were going to improved efficiency and they could take it or leave it because that's the law. This helped bring a simmering problem to the surface and it is a complicated problem to solve. Going through the contracts tonight any solution going to be served by McElmo users to have a more secure water supply in the future will have to fit within the contracts, water law and project supply.

The completion of outreach caused some potential hard feelings and hostilities as people are misunderstanding one another and trying to figure out where to go from here. This is a fragile and delicate conversation going on but prior to education outreach several years ago at a Board to Board meeting MVIC indicated that they would like to purchase Totten and that message heard several years ago has not changed.

Don stated that the Committees that met in the past are getting back together again to discuss the possibilities. Don stated that he was invited to a meeting regarding the purchase of Totten earlier this week. Don stated that a process needs to be laid out and a path made towards putting a value on Totten. Bruce stated that this was brought to DWCD in the fall of 2017. DWCD stated that they would entertain that idea. There was a meeting to try to get

the details. DWCD was then told that it would not be pursued in the near future. Bruce stated that DWCD has not come up with a price to date. Don feels like the entire Board should be involved in the process. David would like the whole Board to meet to discuss the details. Glen doesn't think the price is what we are looking for, the concept is what we are looking for. David asked if there was an appraiser that can appraise this. It was stated that the difficulty with in obtaining an appraisal is that there are no comparable sales. Don has heard from enough people including MVIC's Board members that they are serious about the purchase of Totten and look at this this as a piece of the puzzle to continue their discussions with the McElmo users. Barry stated that this topic was not noticed as an agenda item therefore a decision cannot be made at this time. Barry stated that last fall the Board decided to appoint a committee and stated that it is completely reasonable to have a committee look into the fundamentals. Barry stated that the purchase price for the reservoir has to be determined. Barry also stated that the offer is unclear as to what MVIC is seeking. Is it the reservoir or does it include the acreage around the reservoir? Bruce stated that he has not been involved in any meetings regarding the discussions of purchasing Totten between MVIC and McElmo. Don stated that MVIC and McElmo both feel like Totten is extremely important. David stated that he is insulted by the amount of the offer. David also stated that he does not recall the Board setting up a committee to negotiate the details. Glen asked what Wes, Simon and Godwin thoughts were regarding the subject. Wes stated that he thinks it should be discussed in executive session. There will be further discussion in executive session.

## **GENERAL MANAGERS REPORT/DECISION ITEMS**

**Report on West Slope Caucus, April 25, 2018** – The Caucus was attended by Mike, Glen Fish, Don Schwindt, Ken Curtis and Steve Harris. The Agenda for the meeting of the four West Slope Roundtables and discussion guide background information on the Risk Assessment that was the focus of the caucus was mailed to the Board. This information is well aligned with a priority expressed by the DWCD Board to focus educational efforts on Colorado River Basin issues.

The Discussion Guide reviews the results of Phases 1 and 2 of the Risk Study and presents a set of Draft Questions under consideration to guide Phase III of the Risk Study (Pages 4-6). Pages 7-10 cover efforts that feed into the Risk Assessment including "Big River Planning" for the entire Colorado River Basin (Pages 7-8) and the Status of Drought Contingency Plans (Pages 8-9). Page 10 introduces the "Conceptual Framework" formulated by the Interbasin Compact Committee and incorporated into the Colorado Water Plan. While the Conceptual Framework (included in its entirety) was formulated to provide a way to discuss Transmountain Diversions (TMDs), Principle 4 was the focus of the caucus.

Principle 4 address collaborative efforts to protect against involuntary curtailment for existing uses and a "reasonable increment of future growth." Each of the Four West Slope Basins has its unique characteristics and concerns with regard to Principle 4. For example, the Southwest Basin is a set of sub-basins with a number of Reclamation storage projects. One of our major concerns is to not let Lake Powell fall below power generation levels, since DWCD and the Dolores Project depend heavily on the affordable WAPA power to operate the project and it is WAPA power revenues that have largely financed the overhaul of Dolores Project pumping plants.

The Yampa-White-Green Basin has fewer storage reservoirs and a lot of direct flow rights both absolute and conditional and want a "carve out" for future development. The Gunnison Basin encompasses the Aspinall Unit including Blue Mesa Reservoir, a CRSP storage unit of 1 Million AF, the only developed reservoir in Colorado, that is larger than McPhee. The Gunnison Basin is wary of additional development, because more development intensifies the risks of curtailment in the future. Front range providers also have an interest in Principle 4 because they rely on Transmountain Diversions of approximately 500KAF annually.

Mike stated that one thing that was learned is that major Front Range water suppliers are not focused on a TMD but on Principal 4 to protect the 500KAF already diverted across the Continental Divide. Mike stated that the reasonable increment of future development is a big issue. There are basins on both sides of this debate.

Mike suggested a separate workshop to discuss how the compacts impact state water rights. Don stated that water banking could affect DWCD and have an impact on our community. Regarding augmentation, DWCD might want to take a position on this issue. Bruce suggested this as a Board to Board topic.

Glen stated that he found the President's message interesting in the *Future Water* brochure. Mike stated that the water plan does matter to us and this is information that came out of the Roundtables.

**Closed Loop Pumped Storage Hydro Facility, visit from Carl Borgquist, Absaroka Energy** – In April 2014 an Investment Information Memorandum (IIM) on a Pumped Storage Hydro Project on Plateau Creek was completed by Tetra Tech Inc. in cooperation with DWCD. This effort began in November 2011 when the Engineering Firm INCA filed for a Preliminary Permit to build a pump-back storage project on Plateau Creek, based on water rights held by DWCD and a 1980s feasibility assessment conducted on behalf of Bureau of Reclamation. DWCD filed a competing preliminary permit application and was granted the license for the preliminary permit by FERC in October, 2012. As these events unfolded, INCA was acquired by Tetra-Tech, Inc. an International Engineering Firm. DWCD and Tetra-Tech entered into an agreement in June of 2013 to jointly undertake what became the Investment Information Memorandum. Once the IIM was completed, Ken and Steve made presentations to any power provider or distributor that may have an interest. The feedback was that they would love to have a pump back project to draw on, but investment costs in excess of a billion dollars is problematic in a power market that is very much in flux, and where a gas fired plant can be put up relatively quickly and inexpensively. They would like to have access to a pump back project but did not see how to finance one.

Following the initial round of presentations, things went quiet until we heard from our IMM partners at Tetra Tech that Carl Borgquist of Absaroka Energy LLC was interested in having a look at our Plateau Creek Pumpback Storage sites. Carl came to Cortez on April 26 with Virginia Howell and Don Thompson of Tetra Tech. Steve and the GM joined them in a flyover of McPhee and the Plateau Creek sites and spent the rest of the day discussing the potential feasibility of a closed loop pump back project.

Carl Borgquist is in the process of developing the Gordon Butte Closed Loop Pumped Storage Unit on private land in Montana. Attached is a briefing document on the Gordon Butte Project. The briefing document provides a good explanation of what a pump back storage project does and what steps they have taken to develop Gordon Butte. The briefing talks about how the “pump back battery” works with the expanding power distribution entities that are adapting to the decentralization of the grid, as large coal units close down and green power becomes a more prominent feature “behind the meter” and in the wholesale market.

Mike told Carl that if he proceeded with this project, DWCD wants the O&M as an auxiliary enterprise. Carl said that, if he develops the project he would sell it to an “off-taker” who would own and operate the Project, and would want control of the O&M. Once an off-taker is selected, DWCD would negotiate directly with them. Carl’s advice to the Mike was to get our money from the value of the water rights that DWCD is providing. If this project appears feasible, the water pricing discussion will come to the board.

The key to Carl’s interest appears to be whether the site lends itself to the type of closed loop system that he is installing at Gordon Butte, so he does not have to re-invent the wheel. If the site looks feasible, Carl is also going to start reaching out to top echelon contacts in the Forest Service (landowner) and WAPA (grid manager). We advised him that Reclamation will also play a strong role as owner of McPhee and protector of Dolores Project facilities.

If Carl’s interest is sustained, we will keep the Board informed. In the meantime, we will start to discuss water pricing concepts with staff and legal team to have options ready if needed.

While Mike was finishing his summary, Ken forwarded him a show of interest on Plateau Creek from Matthew Shapiro, CEO of Gridflex Energy LLC. Pump back storage appears to be moving to the front burner. Our goal would be to turn one of these projects into a long-term revenue stream for DWCD. Management will stay on this, consult with our legal team and keep the Board informed if and as pump-back storage gets traction.

**Instream Flow Pilots** – At the April Board meeting, Ken had just had a technical group meeting on the proposed Himes Creek Instream Flow. CWCB ISF representative Jeff Baessler told the technical group that they have what they need to take Himes Creek to the Board in May for intent to appropriate all unappropriated flows. In spite of Jeff’s position, we need to push for delay of Himes Creek to January 2019 in order to: Continue discussing quantification methods and exploring alternative designations that the FS could use in lieu of a quantified Instream Flow.

We are being encouraged by CWCB to resort to “no-precedent language”. Management agrees with the legal team that no-precedent language doesn’t get us much. We will try to move this discussion from “no-precedent” to “sideboard language” that could be used to contain any non-standard ISF criteria (e.g. national forest lands, with no intervening diversions or water rights, rare native trout populations, etc.).

A video conference Manager’s Meeting is scheduled for Friday, May 4 and will include Kara Chadwick (SJNF) Linda Bassi (CWCB), Bruce Whitehead (SWWCD) and Mike Preston (DWCD). The purpose of the May 4 meeting is to review what happened at the Technical Meeting April 12 and see if the managers can find a path forward that can be brought back for consideration by all parties. The results of this meeting will be shared with the Board, possibly in Executive Session, if our legal

team so advises.

Discussions are continuing with CWCB and FS for DWCD to acquire the protection it needs while the CWCB and FS obtain the instream flow right. Barry stated that in executive session he will ask for direction from the Board as to where DWCD should go with this issue.

**Legal Discussions MVIC-DWCD – Groundhog, 505cfs, Change in Use of MVIC 87.3 conditional water right** – Discussions continue between DWCD and MVIC attorneys on the 87.3 cfs.

**Legal Report** – Any additional updates on other pending legal matters in open session, with items needing Attorney-Board confidentiality taken up in executive session as necessary.

**Activities and Meetings since Last Board Meeting:**

April 13: West Slope Caucus, Chair Call - GM

April 18: Montezuma County Economic Development Council Breakfast Meeting GM  
Presentation on 2018 Water Supply and Economic Development Opportunities resulting from the need to restore Forest Health - GM

April 25: West Slope Caucus, Ute Water, Grand Junction – Glen, Don, Ken GM

April 26: Fly over of pumped storage hydro sites on Plateau Creek, and Follow-up Discussion with Carl Borgquist, Developer of Gordon Butte Closed Loop Pumped Storage Hydro Facility – GM, Steve, Virginia Howell and Don Thompson of Tetra-Tec

May 2: Ponderosa Pine Management Workshop, Dolores Public Land Office - GM

May 3: Dry Run of Forests to Facets Teacher Training Program Scheduled for June 5 with half day field visit to McPhee to discuss where Dolores Project water comes from and how it gets distributed for irrigation and community use - GM

May 4: Himes Creek Instream Flow, Managers meeting to follow up on April 12 technical workshop – GM, Bruce Whitehead, Kara Chadwick, Linda Bassi, and Patt Dorsey by telephone - GM

May 7: Dolores Project Water Supply Meeting, 7:00PM, DWCD Meeting Room

May 8: MVIC Board Meeting

May 10: DWRF Steering Committee – GM

**Upcoming Meetings and Activities:**

May 16: Ponderosa Pine Citizen Science Field Trip – Details TBD

May 23: Towaoc-Highline Committee, 2:00PM

May 23-24: CWCB Meeting, Salida – GM

June 5: Forests to Facets Teacher Training – GM, Ken

June 6: DWRF Collaborative, 1:30, DWCD

June 12: MVIC Board Meeting, 2:00PM

June 14: DWRF Steering Committee – GM

**Legal Report** – Barry stated that Adam and Ken are in discussions over proposals from MVIC on the 87.3 conditional water right and there is a phone conference set up with Adam and Ken for next week

Barry requested executive session to discuss aspects of the sale of Totten reservoir and various negotiating positions for ISF application on Himes Creek and to make corrections to the April 12, 2018 executive session minutes.

**RECESSED FOR BREAK AT 10:30 PM  
RECONVENED AT 10:35 PM**

**MOTION: TO MOVE INTO EXECUTIVE SESSION PURSUANT TO CRS 24-6-402-4(b) TO RECEIVE LEGAL ADVICE FROM THE ATTORNEY AND CRS 24-6-402-4(e) TO GIVE DIRECTION TO NEGOTIATORS.**

**MOTION: WES WILSON  
SECOND: DAVID FREDERICK  
MOTION CARRIED UNANIMOUSLY**

**RECESSED FOR EXECUTIVE SESSION AT 12:20 AM.  
RECONVENED REGULAR MEETING At 12:20 AM.**

**REPORT OUT OF EXECUTIVE SESSION** – The Board discussed corrections to the minutes and gave direction to negotiators regarding Himes Creek and discussed Totten Reservoir. No action taken in executive session. The Board will take action in open session to approve the executive session minutes.

**MOTION: TO APPROVE THE MINUTES AS CORRECTED FOR THE APRIL 12, 2018 EXECUTIVE SESSION.**

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

**NEXT DWCD BOARD MEETING – Thursday, June 14, 2018 - 7:00 P.M.**

**ADJOURNMENT** Meeting adjourned at 12:25 A.M.

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Donald W. Schwindt, Secretary-Treasurer

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Bruce Smart, President