

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 April 11, 2019

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**CALL TO ORDER** Bruce Smart, President, called the meeting to order at 7:01PM

**ROLL CALL** Bruce Smart, President  
Simon Martinez, Vice-President  
Don Schwindt, Secretary-Treasurer  
Godwin Oliver, Director  
Glen Fish, Director  
Wes Wilson, Director  
Sheldonna Z. Ives, Director  
Mike Preston, General Manager  
Ken Curtis, Engineer  
Lloyd Johnson, Maintenance Supervisor  
Lisa Jordan, Office Administrator  
Robert Stump, Bureau of Reclamation  
Adam Reeves, Attorney  
Dan McCarl, Attorney

### INTRODUCTION OF GUESTS

Brandon Johnson, General Manager MVIC; Tony Tanner, FS Irrigator; Rich Landreth, City of Cortez; Ed Millard, Montezuma County/SWBRT

### MINUTES

#### APPROVAL OF THE MINUTES

**MOTION: TO APPROVE THE MINUTES AS SUBMITTED FOR THE MARCH 14, 2019 ENTERPRISE MEETING.**

**MOTION: SIMON MARTINEZ  
SECOND: WES WILSON  
MOTION CARRIED UNANIMOUSLY**

#### FINANCIAL STATEMENTS

**MOTION: TO APPROVE THE FEBRUARY '19 FINANCIAL STATEMENT AND APPROVE THE STATEMENT OF PAYABLES AS PRESENTED.**

**O&M: AP/CHECK #37000-37086 & PR/CHECK #123191-123240  
\$294,430.44**

**MOTION: GODWIN OLIVER  
SECOND: SHELDONNA Z. IVES  
MOTION CARRIED UNANIMOUSLY**

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

**Pump Plants** – Three rebuilt Cahone pumps from All American, and the five rebuilt Ruin Canyon pumps from Brimhall have been delivered. The Cahone pumps are scheduled for install next week and the Ruin Canyon pumps the following week. The rebuilt motors for Sandstone Pump Plant are scheduled for return next week.

**Lone Pine** – The outlet chute on the Lone Pine was rebuilt using articulated concrete mats rather than large rip rap.

**Laterals** – Rebuilt water meters and PRVs are being reinstalled. Several upstream valves on delivery boxes are being replaced. The 10” water line repair on the 300 lateral at Dove Creek was completed.

**Power Plants** – All preseason maintenance at Towaoc Power Plant is nearing completion. Start up is estimated for April 22nd if flows stay consistent. At McPhee Power Plant, the turbine inspections have been completed. One vane on the 25cfs side runner had a small crack and was repaired by Brimhall Industrial. The turbines have been reassembled and are ready for testing. The new exciter has been installed. Commissioning is scheduled for next week. Commissioning will be done by Reivax based out of Canada. If all goes well, the plant could be back on line late next week.

**Dove Creek Canal** – Some dirt work and water pumping has been started downstream of Fairview Pump Plant. If weather permits, 1300’ of tire mats could be placed before water delivery.

**ENGINEERING AND WATER MANAGEMENT REPORT**

**Water Accounting**– Ken presented the **1) SNOTEL** data which is up again for April. All of the SNOTEL sites are still higher than normal for this time period. Ken noted that historically these numbers would be trending down by now as the melting had started. Ken stated that the snow is still over peak snow pack historical averages and the percentage of peak snow remains very high. Year to Year comparisons show near record setting snow this season. Ken stated that Low Snow Courses are the only data that has regularly tracked local low snow amounts and noted that the low snow is about double this year than the normal historical average. Ken stated that the low snow will help add to the spill and McPhee carryover for next year. Colorado Basin River Forecast Center (CBRFC) Dolores 2 SNOTEL Group graph shows the snow peaking, but yesterday’s most recent storm had not yet been included. Ken explained that the low snow and SNOTEL averages may not perfectly represent the snowpack. The official forecast rose to 455,000 AF of runoff back in March, but the CBRFC has lowered the forecast to 430,000 AF because of dry antecedent ground conditions and recent dry spell. Ken stated that we are still in the storm track and a spill is likely for 2019. **2) March Inflow/Outflow** spreadsheet, there was almost no reservoir elevation change in March. The Lone Pine was started up then shut down to perform maintenance on the Great Cut outlet. There is good precipitation recorded at Great Cut Dike. **3) April Inflow/Outflow** – Ken stated that the T/H canal was charged and water was delivered the UF&RE by April 1. There is around 900 CFS recorded inflow and the reservoir is gaining approximately one foot per day with additional unmeasured inflows. Narraguinnep filled close to the first of April. McPhee Power Plant is running off the 2019 fish pool. **4)** Ken stated that the Allocation Supply summary was provided and all DP users will have a full allocation. Ken stated that he estimates 100 KAF of carryover at the end of 2019. **5)** Ken presented MVIC Project Water Calculation Sheet showing the methodology for determining their supply during the irrigation season for review at the next Board to Board meeting.

**Set Full Service Inches per Acre Cap** – Ken stated that the FSA diverted 51,241 AF in 2017 and then was shorted in 2018. We would conservatively target diversions at the 75th Percentile of 56 KAF at the irrigator meter. With delivery losses the GCPP diversion amount would be near 59 KAF.

Looking at the Irrigator Pool side the table below, if everyone uses their maximum amount, the 3rd column “Max W/Losses” shows the required water volumes. Realistically, based on historical irrigator metered uses, only about 50% of our irrigators use the maximum cap based on a variety of factors. This adjustment is shown in the right column.

1. FSA Maximum Use Possibilities			
Total Allocated Acres:		29026	
CAP In/Acre	Max Allocated Water (AF)	Max W/ Losses (AF)	Adjusted for past use (AF)
22	53,618	56,835	53,000
24	58,492	62,001	58,000
25	60,929	64,585	60,600

26	63,366	67,168	63,200
28	68,241	72,335	68,300

FSA Irrigators have indicated we should start by setting the Cap conservatively and raise the cap as the year goes forward and we see actual diversions and climate conditions. Although this may limit their ability to plan ahead it avoids an early shut down and loss of pool to those managing their water for late season needs.

The FSA Pool includes:	55,282 AF	DP Allocation
	985 AF	3900 Re-Allocation
	2,000 AF	Available M&I
	6,000 AF	Class B
	<u>TOTAL 64,267 AF</u>	

At this year's Farmer Advisory Committee (FAC), more value was placed on carryover storage for next year, with an acknowledgement we have to see how the year plays out weather wise and potential irrigation needs.

Conservation pricing 2008 – 2012 for FSA had been an additional \$5 to \$10/AF added to the delivery price, currently \$13.10/AF. In 2017 we charged \$13.10 + 18.98 for a total of \$32.08 to match the lease rate. The conservation pricing kicks in above a Board set base allocation (minimum 22") set at 26 & 24 inches/acre in previous years and charged up to a maximum cap, most recently at 28" when water was available. The main variable cost is energy, which runs about \$9-\$10/AF depending on how you assign the fixed power costs.

Alternatives: The Board may set a FSA maximum cap inches/acre above the contractual allocation for irrigator scheduling purposes. The Board may also set conservation pricing above the delivery price and at what amount above 22" that it applies. This is an area where some lower pricing or higher start to cap pricing could be considered given the current state of FSA conditions.

Staff Recommendation: Set the initial FSA Cap at 25 Inches/Acre (27.4 In/Ac HOV). Allow staff to raise cap to 28 inches per acre if conditions allow as the irrigation year plays out. Charge conservation pricing above 22 inch/acre allocation (24.1 In/Ac HOV) at the full rate of \$28.74/AF (in addition to the \$13.10/AF delivery) the full 2019 cost per AF.

**Discussion:** Godwin stated that he would like to keep pricing from 22-25 inches per acre at one price and raise the price from 25-28 inches per acre. Godwin would like the lower threshold to stay level so people can recover from the 2018 drought. Bruce stated that he would like to see as much water as possible go to carryover. Godwin was asked what dollar amount he was thinking about and he said he wasn't sure but maybe \$5 per acre foot was a starting point. Don stated that he feels that an additional \$5 per acre foot out is too high. Godwin stated that he knew the number he put out there was high and asked Don what amount he thought was reasonable. It was stated that the Minimum charge and the Delivery charge total \$41.84 per acre foot and 10% is around \$4 per acre foot. Godwin stated that he thinks there should be a couple of tier steps. Don stated that from his experience, carryover storage in the ground is valuable and is drought protection if the next year is dry and stated that it has been truth tested in the last few years. Don stated that he has never farmed the FSA but understands that the soil carries moisture through the winter well and stated that he would pay the higher cost to have good carryover moisture in the ground.

Godwin would also like this pricing tier to carry forward to the UF&R water leased. If UF&R need additional water later in the summer then they should also pay an increased cost. Simon stated that UF&R would pay the price of water if they need it. Wes asked Simon what the cap at the Farm is Simon stated that it is around 32 inches per acre. Don stated that the allocation numbers in the DPR are the best calculations he has ever seen as far as laying out irrigation needs based on scientific methodology to determine the on-farm allocations. Sheldonna stated that she likes the suggestion of a flat price up to 25 inches per acre and an additional percentage from 25-28 inches per acre.

**MOTION: TO SET THE RATE FOR EXTRA WATER ABOVE 22 INCH ALLOCATION TO THE FULL SERVICE IRRIGATORS AT FULL PRICE (\$41.84/AF) FROM 22-25 INCHES/ACRE AND IF THE WATER IS AVAILABLE FROM 25-28 INCHES/ACRE RAISE THE RATE ANOTHER 5%.**

**LEASE M&I TO UF&RE AT THE \$32.72, SAME AS LAST YEAR, UP TO A BASE ALLOCATION EQUIVALENT TO FSA 25" THEN CHARGE AN ADDITIONAL 5% SAME MANNER AS THE FSA.**

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

**Ute Farm and Ranch Lease Request** – Ken stated that DWCD has approximately 4,000 AF of DP M&I allotment that can be leased on an annual basis. In full supply years prior to the 2013 shortages, the total 4,000 AF has been leased to the UF&R. Subsequent shortages have lessened UF&R water use due to crop mix and other changes. This year the UF&R initially anticipates leasing 1,500 AF beyond their normal full supply. The UF&R may request to lease additional M&I later in the season if water is still available. The price has generally been increased the same as FSA rates and therefore would be \$32.72 based on no change from 2018. The current DWCD budget is based on a 2,000 AF lease.

Full Supplies include:

FSA Pool	UMUT Supply	DP Allocation
55,282 AF	23,300 AF	3900 Re-Alloc.
985 AF	417 AF	SJF&W
0 AF	800 AF	Class B
<u>6,000 AF</u>	<u>0 AF</u>	
TOTAL 62,267 AF	25,517 AF	

Alternatives: Approve, reject or modify UF&R lease amounts and price.

Staff Recommendation: At this time, approve the minimum amount and rate for a 2019 UF&R lease. Staff proposes a minimum 1,500 AF at \$32.72/AF for planning purposes. Allow staff to supply additional water if available.

**MOTION: TO LEASE A MINIMUM 1,500 AF CONSISTANT WITH THE PRICING PREVIOUSLY APPROVED. ALLOW STAFF TO SUPPLY ADDITIONAL WATER IF AVAILABLE UP TO 4,000AF MAXIMUM.**

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

**Discuss Potential Policy on Cost/Acre for New Irrigation Petitions** – Ken stated that additional water became available with the purchase of the Class B water. Ken stated that after the Jr. Hollen Lawsuit the water was placed on classified lands as long as there was capacity to deliver the water but there was no additional cost to the irrigator. With the addition of Sandstone Pumping Plant there was a \$90 per acre cost to the irrigator to off-set the cost of the pumping plant. Ken stated that there is not a lot of extra capacity in the facilities for additional water to be allocated and the largest cost is a tap to the system. The Sandstone irrigators paid \$30 per acre up front and \$60 per acre after construction of the pumping plant. Don stated that the concept was that this would work in with WETPACK and there would also be reserve funds used to subsidize the project. Bruce asked if there was a decision needed tonight. Ken stated that Eric White, who has petitioned for water, has a dryland crop on the property at this time but would use the water in 2019 if it is available. Ken stated that the costs to Eric at this time are in the range of \$16K. Godwin stated that he has been through all of the droughts and he feels like there should be compensation back to the District and to the FSA when an irrigator enters the Project late. Wes agrees that an irrigator coming in late has not been paying the Repayment fee since the beginning of the project. Godwin asked if charging one person now having not charged another individual previously sets the Board up for adverse consequences. Adam stated that the Board is free to change policy but it would depend on the individual. Also, this is dipping into the Bureau of Reclamation thought to treat everyone the same. Don looks at this as if this is a purchase of a water right. Godwin stated that he sees this as someone new getting the same water right that current irrigators have been paying for over the last 20 years while a new irrigator has not paid since the beginning of the project. Mike pointed out that the original irrigators also got the infrastructure of the boxes and the pressurized pipe provided to them during construction. Godwin stated that Mike made a good point but there is still a gain to having irrigated property. Godwin stated that in this case, if the petitioner was charged the repayment of \$1.35 per acre foot for the number of years that have been paid to the Bureau in that particular block the cost is less than \$5K plus the cost of installation/infrastructure. Adam stated that if the Board sets a policy the irrigator knows what the cost before presenting a petition. There is a variation of dates to go back to for cost recovery. Ken stated that he will pull the block notices and find the date. Ken stated that the Board could adopt a policy and set a hearing in May. There was consensus to adopt policy in May and set a public hearing in May for June.

Tony Tanner asked if there would be public input prior to policy adoption. Tony Tanner stated that there was a question that came up during WETPACK discussions regarding placing additional allocation to individual irrigators. Wes stated that the water is tied to the land and there is an allocation to the land. To receive more water an irrigator would have to purchase more land. Ken stated that the water bank is available to all. Ken stated that there were some concepts in 2011, that were not pursued at that time, regarding allocating water to lands. Don stated that the Class B stock water was following Bureau allocations, they took

a portion of the Class B to give everyone a share but this leaves them without the Bureau protection. Ed Millard stated that temperatures are going up due to global warming and someday the FSA may be up to 5 cuttings of hay per season and may need some additional water. Godwin stated that he has a piece of property that he petitioned for water on and was allocated an even portion with other irrigators at that time, that additional water is his insurance during drought along with the other lands that he leases. Ken stated that all of these discussions can be queued up for a Brainstorm.

**Projects Update** – Ken stated that if anyone would like to see the Brad Udall slides on climate change from the SWCD Workshop on April 5<sup>th</sup> he has them available. Don stated that Udall asked the SWCD Board “What is your policy on the next set of Colorado River Compact Interim Guidelines”?

Mike stated that there is a West Slope Caucus of the Roundtable chairs coming up on June 20 in Grand Junction, that will deal with Drought Contingency Plan issues.

**ADJOURNMENT** Dolores Water Conservancy District Water Activity Enterprise Board meeting adjourned at 9:02 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 April 11, 2019

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**CALL TO ORDER** Bruce Smart, President, called the meeting to order at 9:02 PM

Bruce Smart, President  
Simon Martinez, Vice-President  
Don Schwindt, Secretary-Treasurer  
Godwin Oliver, Director  
Glen Fish, Director  
Wes Wilson, Director  
Sheldonna Z. Ives, Director  
Mike Preston, General Manager  
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Lisa Jordan, Office Administrator  
Robert Stump, Bureau of Reclamation  
Adam Reeves, Attorney  
Dan McCarl, Attorney

### INTRODUCTION OF GUESTS

Brandon Johnson, General Manager MVIC; Tony Tanner, FS Irrigator; Rich Landreth, City of Cortez  
Ed Millard, Montezuma County/SWBRT

### APPROVAL OF THE MINUTES

**MINUTES** Don asked who Malcom is that is mentioned in the Colorado River Compact Issues. Ken stated that Malcom Forbes is the BOR Engineer who provide a pdf and slides at a CMU presentation.

**MOTION: TO APPROVE THE MINUTES AS SUBMITTED FOR THE MARCH 14, 2019 REGULAR MEETING.**

**MOTION: SIMON MARTINEZ  
SECOND: GODWIN OLIVER  
MOTION CARRIED UNANIMOUSLY.**

### FINANCIAL STATEMENTS

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

**ADMIN: AP/CHECK #11289-11304**

**\$19,808.24**

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

### AGENCY REPORTS

#### BOR Report

Robert reported that **1)** All American delivered the final 3 pumps to DWCD and completed their contract. Brimhall delivered the first 5 pumps of their contract and will begin the next phase of their contract. Robert noted that he is very happy with Brimhall's work. **2)** There

will be an Operations Meeting for the public on April 18 at 7PM at the Dolores Community Center. The focus is on downstream operations and recreation opportunities.

### **Division of Water Resources Report**

CDWR was not in attendance.

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

Godwin reported that the THC Committee had a meeting March 27, 2019. **1)** The Committee paid DWCD and MVIC. **2)** Godwin asked Robert to discuss the cathodic protection on the penstock. Robert explained that cathodic protection forces an electrical current through anode beds that have been installed instead of into the pipe and in the process corrodes the anode bed and not the pipe. Denver Technical Center upgraded the existing design and the THC Committee will put together a bid specification for new anodes and equipment using current technology. It was noted that Siphon 3 on THC has depleted anodes but is not part of this design and will not have new anodes until the results from the EM inspection are received.

**Next T/H Meeting** – The Committee will meet at the DWCD, Cortez Office April 24, 2019 at 2:00 p.m. at the Cortez Office.

### **MVIC Report**

Brandon reported that **1)** there is 8 feet of snow on the ground at Groundhog Vista. **2)** MVIC has scheduled water delivery beginning the week of April 22<sup>nd</sup>. MVIC's Board has set the allocation at three feet.

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

**Board to Board, April 16, 7:00PM, DWCD** – Likely topics include: Further discussion of Exhibit A, Colorado River Compact DCP/DM, 87.3. The approach to Colorado Compact Issues and the MVIC 87.3 filing are described 3 below.

**Energy Smart Agriculture workshop Series** – There will be a workshop at DWCD on April 26, 2019 at 10AM the Board is welcome to attend. There was a memo regarding the meeting in the packet.

**Colorado River Compact Issues, Drought Contingency Planning, Demand Management** – “DCP Related Questions from March 19 Board to Board” was mailed to the Board. Mike stated that all seven states signing off on their DCPs is what triggered the legislation. There will be small workgroups for Demand Management set up to discuss several areas of subject matter, such as, Law and Policy, Monitoring and Verification and Funding. They will bring together the information from the workgroup's quarterly workshops and update all interested parties on DM. This is another reason that the West Slope Caucus was delayed so there is a better understanding of what is going on in the workgroups and how this process will work.

Ken prepared questions and issues based on the March 19 Board to Board discussion. These questions should provide a good basis for further discussion. Ken circulated additional notebook information on Demand Management Experiments. Ken stated that he has pulled three studies that are completed. One includes Conserved Consumptive Use Pilot Project from the Grand Valley Water Users Association. Ken stated that there will be a decision on how to present and how the Board would like to lay out their discussions and explorations at the Board to Board on April 16, 2019. Ken stated that if the Board wants to dive deeper, we should create our own experiments and have the CSU Experiment Station work with us.

Don stated that the concept and sideboards are intriguing. This community has two systems driven by project contracts. Mike stated that Brent is putting forward the 3<sup>rd</sup> question on Ken's list--what would work locally. Can Demand Management work for DWCD, MVIC or the Tribe. The District's job is to ask if we can make this work locally. Bruce stated that his question is how do you make this work and why do you want to do it? Don stated that is definitely going to get explored and we need to make sure it is voluntary, temporary and compensated.

Ken stated that the additions from the SWBRT were not that significant. The 1922 Compact and the Basinwide activity that is occurring were summarized in the documents presented. Mike and Ken will bring those documents to the next meeting.

**MVIC 87.3** – Mike stated that there are additional statements of opposition other than DWCD's opposition, one from the State Engineer and the Division Engineer and another from the Attorney General. Adam explained it is rare for the Division of Water Resources to file a statement of opposition which means they have significant concerns. This doesn't mean it is impossible to move forward and rarely do these filings go to trial. Adam stated that they anticipate a draft decree. The initial status conference will be held at the end of

April and all of the parties will appear at the status conference. Adam stated that there will be a series of status conferences, typically 3 months apart and there will be ongoing negotiations although some parties may stipulate out early. There will be an engineering report along with the draft decree that would be circulated to the Districts engineers.

**Himes Creek Instream Flow** – The Board was mailed an email sequence initiated by Mike Preston under the Subject Line: “DWCD Himes Creek Testimony to CWCB 3-21-19.” Mike provided the email to Congressional staff for Senator Cory Gardner, Senator Michael Bennet and Congressman Scott Tipton. All three staffs answered. Mike shared an email exchange with Dustin Sherer, who works for Cory Gardner in Washington, DC. As the Board will recall Senator Gardner met personally with Mike to review this issue and Mike wrote a follow-up letter to the Senator. Dustin’s reply includes an offer to use a D.C. Congressional channel to the Forest Service. Mike stated that DWCD is being offered what is potentially a very valuable marker; we need to bide our time and use this marker when it will do the most good.

Mike reviewed the email with the Board including discussion of the deliberation by the CWCB Board. The CWCB Board recognized that taking all unappropriated flows was a serious departure from standard instream flow methods that needed to be applied rarely and cautiously. Linda Bassi circulated no precedent language mainly focusing on justification provided by all of the science that has been presented. Mike emphasized strictly limiting this application and brought up using a Forest Service land use designation as an option. The attorney for Boot-Jack Ranch whose head gate sits at the lower terminus of the ISF questioned if take all unappropriated flows is consistent with the Instream Flow law and raised questions about moving Boot Jack Ranch’s headgate. Adam will take the lead to frame and continue the negotiation on strictly limited and stipulated sideboards.

Adam stated that he thinks that the Himes Creek appropriation is illegal. There were three approaches taken at the testimony. One approach was from the attorney for Boot-Jack Ranch who stated that this is illegal. The SWCD approach, where R2Cross stream measurements could be applied on Himes Creek instead of appropriating the entire stream and the DWCD’s approach with sideboards and negotiations. Adam will be talking with Beth Van Vurst to frame stipulated sideboards. Adam stated that they had hoped the CWCB Board would have deferred the decision and thought about when this would be appropriate however they are moving forward with the appropriation and will try to work on the sideboards. Mike stated that we are going to continue talking with the FS so something like this does not crop up on the upper Dolores and its tributaries. Beth’s primary issue is that you are not precluded from taking them to court on another issue like this. Adam stated that when staff thinks they have the best deal they can get it will be brought to the Board. DWCD stipulated and got language that will protect us on the Lower Dolores. Mike stated that a major thing that DWCD accomplished is that the CWCB Board recognized that this is a serious issue and its application needs to be strictly limited. Mike stated that if this was to be taken to the Supreme Court then we would have to join in support of someone else who is in a position to eliminate the case.

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

- March 15: General Manager Succession Planning, 10:00AM, Board, Ken
- March 19: Board to Board Meeting, 7:00PM, DWCD
- March 20-21: CWCB Board Meeting, Fort Collins – GM
- March 22: Hemp Informational Meeting Organized by Katie Russell
- March 27: Meeting with Brent Rhees and Ed Warner – with Ken and Mike to discuss Basin Power MOA Funds, and discussion with staff level Dolores Project stakeholders on Drought Contingency Planning, Ed Millard was invited and participated.
- March 27: Towaoc-Highline, 2:00PM, DWCD
- March 27: Rhett Hurless of Absaroka Energy to discuss Green Power Pump Back Storage Battery
- March 29: LEMing, Durango – Bruce, Ken GM
- March 29: Meeting Steve Harris, Carrie Padgett – Information Preparation for analysis of Drought Contingency Plan/Demand Management
- April 3: DWRP Coordinating Committee
- April 3: DWRP Collaborative Retreat
- April 3: DWRP Retreat Dovetailed with Monthly Collaborative
- April 3: Farmer Advisory Committee
- April 9: MVIC Board Meeting, 2:00PM
- April 9: Roundtable Chair Call to Plan West Slope Caucus - GM
- April 10: DCP/DM Subcommittee, Southwest Basin Roundtable, Southwest WCD, 11:00-2:00, Pizza

- April 10: Southwest Basin Roundtable, 3:00PM (2:30 Social Time), Durango Public Library
- April 11: M&R Team Call to Plan Spring Meeting, 2:00PM

**Upcoming Meetings and Activities:**

- April 18: Reclamation 2018 McPhee Operations Meeting, Dolores Community Center, 7:00PM
- April 22: Monitoring and Recommendation (M&R) Team, DWCD, 1:00-4:00PM
- April 24: Towaoc-Highline Committee, 2:00PM, DWCD
- May 1: DWRF Coordinating Committee, 10:00AM, DWCD
- May 1: DWRF, DWCD, 1:30
- May 9: DWRF Coordinating Committee
- June 20: West Slope Roundtable Caucus, Ute Water, Grand Junction

**Legal Report** – Adam stated that 1) there have been productive discussion on Bayless Ranch who were trying to add riparian irrigation to their water rights. They will withdraw riparian irrigation and just name irrigation as the water right. MBSS is awaiting the revised draft.

**Other** – Ed Millard stated that Dolores County filed opposition on Disappointment Creek. Adam stated the State has a new position on existing practices. The ISF status says that the ISF is subject to existing water rights and practices, whether decreed or un-decreed. There has been some indication from the Division Engineer's office that they will not honor decreed and un-decreed practices if there is an ISF call because they don't have a priority. This is a big change from where things have been in the past. Beth Van Vusrt indicated that SWCD is going to more actively oppose that interpretation and will file comments. One of the things that is most concerning is that it is prospective. Adam stated that the Division Engineer is saying that the law is that they administer by priority and if you don't have a priority you will be called out.

**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 IN DISCUSSION ON THE MVIC 87.3 FILING, REQUEST FROM THE CITY OF CORTEZ ON A CONCURRENCE IN A LEGAL OPINION, DISAPPOINTMENT CREEK AND HIMES CREEK.**

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

**RECESSED FOR EXECUTIVE SESSION AT 10:40 P.M.  
RECONVENED REGULAR MEETING AT 12:05 P.M.**

**REPORT OUT OF EXECUTIVE SESSION**

Adam reported that in Executive Session the Board discussed the MVIC 87.3 filing, a request from the City of Cortez on a concurrence in a legal opinion on MVIC's 100cfs M&I right, Disappointment Creek and Himes Creek ISF appropriations. There was a revisions to executive session minutes from March 14, 2019. No decisions were made.

**MOTION: TO APPROVE THE MINUTES AS CHANGED FOR THE MARCH 14, 2019 EXECUTIVE SESSION.**

**MOTION: GLEN FISH  
SECOND: SIMON MARTINEZ  
MOTION CARRIED UNANIMOUSLY.**

**NEXT DWCD BOARD MEETING** – Thursday, May 9, 2019 - 7:00 P.M.

**ADJOURNMENT** Meeting adjourned at 12:07 A.M.

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Donald W. Schwindt, Secretary-Treasurer

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Bruce Smart, President