

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

MINUTES Regular Meeting March 12, 2020

CALL TO ORDER Bruce Smart, President, called the meeting to order at 7:00 PM

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

INTRODUCTION OF GUESTS

Brandon Johnson, General Manager MVIC; Rich Landreth, City of Cortez; Greg Vlaming, High Desert Conservation District, Jody Schwindt, Brian Westphal, Brett Oliver, Full Service Irrigator

MINUTES

APPROVAL OF THE MINUTES

MOTION: TO APPROVE THE MINUTES AS SUBMITTED FOR THE FEBRUARY 13, 2020 ENTERPRISE MEETING.

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

FINANCIAL STATEMENTS

MOTION: TO APPROVE THE JANUARY '20 FINANCIAL STATEMENT AND APPROVE THE STATEMENT OF PAYABLES AS PRESENTED.

**O&M: AP/CHECK #38103-38192 & PR/CHECK #123798-123869
\$331,295.62**

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

O&M REPORT – Lloyd reported the following:

Pump Plants – Preseason maintenance is being completed.

Dove Creek Canal – Canal cleaning has continued down stream of Fairview Pumping Plant. On South Canal a short liner and some tire mats are scheduled for placement before water season. As of March 9th the canal still had a significant amount of snow in the canal.

Laterals – Water meters and PRV's are being reinstalled in the delivery boxes. Several upstream valves on delivery boxes are being replaced.

Power Plants – McPhee Power Plant was brought up to 50 cfs the third of March. Winter maintenance on Towaoc Power Plant is near completion.

SCADA/PMSC – The control room is busy preparing for the upcoming water season by calibrating the gates along all canals, and taking care of any other maintenance issues that weather had restricted. We have new hires coming in March and will be shifting into training mode soon. Shiftwork will start on March 29.

THC – The last five gates on Reach 3 were reinstalled after being sandblasted, repaired and painted. The hydraulic cylinders were also removed, rebuilt and reinstalled. All the gates on reaches 1, 2, and 3 have been calibrated and had preseason maintenance completed. Four hundred feet of fiber optic cable was replaced on Reach 2, just downstream of Road G. A short section of liner is currently being installed on Reach 3 near check 517. Some canal cleaning was also completed on the same section.

UF&RE – Repairs on the fiber optic system for UF&RE have been in progress. The water screen spray pumps being rebuilt by Brimhall are scheduled to be completed next week. We will deliver the Uni-lateral pump #4 to Brimhall and pickup the spray pumps. The electric motors for the spray pumps were rebuilt by Lane Electric. The spray pumps and motors will be installed and aligned by the end of March.

Review Weed Supply Bid Results – Lloyd stated that DWCD receive bids for terrestrial weed supplies, aquatics are much more restricted and expensive.

WATER MANAGEMENT REPORT

Water Accounting – Ken stated the **1) SWE** dropped from 100% to 80% noting that it has been a dry 4-6 weeks. Ken stated that the low snow averages went from 96% of average on February 1 to 65% of average on March 1st. Ken handed out graphs of different scenarios from mid-February. These graphs show each of the estimated forecasts ranging from as high as 200KAF to and as low as 130KAF for runoff. Ken stated that we would have to be above the 30% forecast to consider a spill this season. It has been dry but we have not lost the storm track with an imminent storm forecast. The reservoir elevation is at 6,900 feet which is 24 feet below full, we could potentially be skirting shortage with DP supplies if we were to stay dry the rest of the spring. Ken stated that the worst-case scenario is looking like a 2013 type of runoff season, but with carryover would still give about a full supply. Ken stated that he assumes that by next month's meeting we will be hearing from irrigators wanting to apply water early if it stays dry.

HDCD Request for Matching Funds FSA Nozzle Grant - In 2019, the Nozzle Exchange program worked with 6 Full Service Area (FSA) irrigators, exchanging old, worn nozzles for new Flow Control nozzles on 17 different side-rolls, resulting in a savings of over 420 acre feet of water on those fields. The materials were purchased for this thru funding from Southwest Water Conservation District (SWCD). Greg stated that he did not need to use funds generously offered by Colorado State Conservation Board (CSCB) or Dolores Water Conservancy District (DWCD).

In 2020, HDCD still has access to the funding from CSCB to continue this project, and will offer it again to FSA irrigators. In addition, there is ample funding to offer the nozzle exchange to Montezuma Valley Irrigation Company (MVIC) side-roll irrigators. Greg stated that he pitched the project at MVIC's annual meeting in January and had 13 cooperators sign up.

Greg stated that he is requesting an extension of DWCD's 2019 offer for 2020 projects. Greg stated that there is also a Soil Health Demonstration project that will start in 2020 and we will need support paying for materials and operations. The plan is to do comprehensive baseline soil tests on 5 test plots under various management practices.

The plots are:

- Irrigated alfalfa
- Irrigated grass, grazed
- Irrigated grass, not grazed
- Irrigated annual crops
- Dryland forage, grazed

Following the soil testing, the 35 x 65' plots will have compost applied, (17 tons/ac) every 3 years and soil analysis' to quantify changes in soil organic carbon (SOC), soil organic matter (SOM), which we can then infer water holding capacity (WHC) increases, as well as analysis of CO2 respiration, a soil microbiology assay and nutrients. HDCD will also purchase a manure spreader for compost spreading on this project and for rent to the public for folks to spread their manure/compost as a service offered by HDCD. Greg stated that DWCD's fund would pay for his time and wages and towards the manure/compost spreader.

Discussion: Ken stated that DWCD has been in favor of funding nozzle upgrades, noting that there are funds the 2020 budget in the amount of \$3,000. Ken stated that the Board can also place a range with a cap on funding. Godwin stated that he thinks a manure spreader is a good idea however, the no till drill is only 5-6 feet wide and can't be utilized by a large farmer and sees having a similar issue with a manure spreader. Greg agreed that these are small however he is wanting to stay within scale for the most people who have a demand for that. Greg stated that the no till drill is booked from April through August at this time. Godwin agrees that soil health is one of the largest problems in this area. Don stated that he has looked at a large scale lysimeter noting that the more accurate measurement that can be taken the better the information you have to work with. Don stated that he has been following this and he is still a little skeptical of the information. The concept has to be right to make it work for the large-scale user. Bruce asked where Greg would get the product to spread on the land. Greg stated that he is going to use the County products which include the bicarbonate from the water treatment plant and compost filling from grass trimmings that people bring in to the County. Greg stated that he feels like corral horse manure may be just as good and would like to try this on a test plot. Robert asked if the test plots are similar or unique. Greg stated that they are unique. Robert asked if additional plot would be added each year. Greg would like to add more replicates of the same type of thing. Don stated that he has urged people to overwater so that the ground will carry moisture into the next year. Especially in wet years like 2019 and now it is dry in 2020 but there is still soil moisture. Don stated that the water may be more useful in the ground than storing it McPhee. Don stated that measurement information would be valuable information as well. Don stated that as Greg talks to farmers and in developing the science he needs to be focusing on the large scale farmers also. Godwin stated that he appreciates the nozzle program feedback and would like to see the information from the study.

MOTION: TO APPROVE A REQUEST FROM HIGH DESERT CONSERVATION DISTRICT TO PROVIDE \$4,000 WITH A \$6,000 CAP FOR FSA NOZZLE PROJECT FOR DWCD FSA IRRIGATORS.

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

2020 Full Service Rates – Ken stated that: The 2020 Budget included a proposed \$0.57/AF 2% increase to the base charge which would raise the total cost, if delivered, to \$42.41 from 41.84/AF. The initial billing for 2020 will go out in April for 1/5 of non-delivery costs and all outstanding bills must be paid to turn on for the season. Any change to the adopted 2020 Budget proposal should be made prior to the initial billing. No action will leave the rate as proposed.

Discussion: Wes stated that overall it is a 1.3% increase. Bruce stated that he feels it should be left as budgeted and have a future discussion regarding rates if there is a shortage. Godwin stated that he is not opposed to the rate as presented in the budget. Wes stated that he thinks it is right where it should be. Simon stated that he is okay with the rate. Godwin stated that since it was flat last year and 2% this year that is 1% per year which is moderate. Brett Oliver stated that he doesn't mind the rate increase as it is easier to have slight increases over a period of time as opposed to large increases at one time. Ken stated that this is part of the discussion that needs to be had longer term. Ken stated that the base charge also captures some of the customers who are not using the water.

MOTION: TO INCREASE TO WATER 2% ON THE BASE CHARGE PER THE BUDGET.

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

2020 Totten Leases to McElmo – Ken stated that if DWCD Board wants to continue the McElmo lease trials, they must set parameters for 2020 leases from Totten Reservoir to McElmo irrigators. These include cost per acre foot, minimum and maximum quantities and similar operational criteria for 2020.

Background: In 2019, DWCD operated a seventh year of McElmo leases from Totten under trial conditions with the specifics in the first table below. Five irrigators purchased lease water in 2019, though no water was called for.

Totten Lease Details

Year	# of Irrigators	Total Contract (AF)	Delivered (AF)	Unused Left in Totten (AF)	# Irrigators who Used
2013	14	719	479	253	11
2014	10	699	512	187	8
2015	10	719	0	719	0
2016	7	668	0	668	0
2017	4	604	0	604	0
2018	5	718	546	172	5
2019	5	519	0	519	0

Revenues & Costs

Year	\$/AF	Revenue \$	Total District Cost \$	Operational Cost \$	Other Maintenance Cost \$
2013	\$20	\$14,380	\$16,340	\$6,000 - \$8,000	\$8K - \$10K
2014	\$21	\$14,679	\$16,263	\$6,800	\$9,500
2015	\$22	\$15,818	\$14,207	\$7,527	\$6,635
2016	\$22*	\$7,344*	\$10,850	\$2,760	\$8,090
2017	\$22*	\$6,641*	\$8,795	\$2,339	\$6,455
2018	\$22.66*	\$14,320*	\$12,086	\$6,735	\$5,351
2019	\$22.66*	\$5,879*	\$4,678	\$2,351	\$2,327

*Half as Base Charge & half as Delivery Charge resulting in lower revenue

Current Totten operating elevations and quantities as follows:

Control Point	Elevation	AF	Desc.
Inlet	6140.0	45.4	Dead Pool
Fish Pool	6145.0	437	+5'
Restricted Level	6153.0	1,840	5' below spillway
Operational Area	6145.0 – 6153.0	1,403	Fish Pool to Restriction
Full / Spillway	6158.0	2990.0	1,150 AF additional

Based on the above information, we currently operate 8' between 6145' to 6153' with 1,403 AF. Reservoir evaporation is approximately 48" or 613 – 790 AF, about 700 AF. Leases are predicated on a call on McElmo, which means we won't gain reservoir storage during that period. Later in the season, we may be able to collect additional inflow and re-fill like 2013 & 2014 based on monsoons and return flows, but this is not guaranteed. 700 AF of lease could effectively drain Totten while restriction remains in place. From our 2018 experience, in consultation with DWR, operations and accounting will be controlled by reservoir elevations controlling inflows, gaged outflows & evaporation.

Following reduced interest in Totten leases for the high-water year 2019, lessee interest is likely to increase for 2020 as dry conditions returned in autumn and have persisted through the winter. At the February 25th, 2020 MVIC DWCD Board-to-Board meeting, Jimmy Porter and Bernard Karwick expressed the intention to remain in the lease program for 2020.

In 2019, the board chose to maintain the split pricing method similar to costs within the Full Service Area, with a base fee of \$11.33/Acre-Foot paid at the signing of the contract, and a delivery fee of \$11.33/AF based on actual quantities released from Totten. The perspective remains that although this pricing method takes additional administrative time and potentially reduces total revenue, it may appear more equitable and encourages longer term interest in the program.

Recent Totten lease revenues and operational costs are listed above.

The following table compares the total increases and percent increases in the cost for Totten Lease water to those of Full Service water from 2013 through 2019.

Cost Comparison to Full Service

Year	Totten \$/AF	Totten Δ \$/AF	Full Service \$/AF	Full Service Δ \$/AF
2013	\$20.00	---	\$39.91	---
2014	\$21.00	5.0%	\$39.91	0.0%
2015	\$22.00	4.8%	\$41.50	4.0%
2016	\$22.00	0.0%	\$43.05	3.7%
2017	\$22.00	0.0%	\$43.40	0.8%
2018	\$22.66	3.0%	\$44.24	1.9%
2019	\$22.66	0.0%	\$44.24	0.0%
2020	_____	_____	_____	_____

Total Change	\$2.66	12.8%	\$4.33	10.5%
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Staff Recommendation: Continue the trial leases on an annual basis for 2020 as has been run for last six years. Set the price for water at \$11.50/AF Base Fee due at the time of the contract, with an additional \$11.50/AF charge for releases from Totten. Total delivered cost would be \$23.00 per acre foot for total AF leased including required losses. Set a minimum lease volume of 100 AF to run the program. Allow a maximum of approximately 700 AF to be leased. Require Base Fee payment on firm amounts up front to the District. Only provide refunds for water that DWCD is unable to deliver. A potential Board motion covering staff recommendation is below. Given the current negotiations to lease Totten to MVIC the leases should be made assumable.

MOTION: TO APPROVE LEASING WATER OUT OF TOTTEN RESERVOIR TO MCELMO USERS WITH A 100 AF MINIMUM AND A 700 AF MAXIMUM. DWCD TO BEGIN ACCEPTING LEASE APPLICATIONS AT 9:00 AM ON TUESDAY MARCH 17, 2020. PRICING IS SET AT \$11.50 PER AF BASE FEE, PAID AT TIME OF CONTRACT. AN ADDITIONAL \$11.50/AF WILL BE CHARGED ON WATER ORDERED AND RELEASED FROM TOTTEN. DWCD WILL BILL FOR DELIVERY AMOUNTS AFTER WATER SEASON. ALL QUANTITIES INCLUDE THE MANDATORY DWR ESTIMATED LOSSES. IF DWCD IS UNABLE TO DELIVER ANY CONTRACTED WATER, COSTS WOULD BE REFUNDED TO LESSEE. IF THE WATER IS AVAILABLE AND UNUSED THERE WILL BE NO REFUNDS FOR THE BASE FEES. ALL LEASES WILL BE ON A FIRST COME FIRST SERVE BASIS. MAKE LEASES ASSUMABLE BY MVIC SHOULD A LEASE GO THROUGH DURING THE 2020 IRRIGATION SEASON.

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

Projects Update

ADJOURNMENT Dolores Water Conservancy District Water Activity Enterprise Board meeting adjourned at 8:00 PM

Donald W. Schwindt, Secretary-Treasurer

Bruce Smart, President

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DOLORES WATER CONSERVANCY DISTRICT

MINUTES Regular Meeting March 12, 2020

CALL TO ORDER Bruce Smart, President, called the meeting to order at 8:00 PM

Bruce Smart, President
Simon Martinez, Vice President
Don Schwindt, Secretary-Treasurer
Godwin Oliver, Director
Wes Wilson, Director
Ken Curtis, General Manager
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; Rich Landreth, City of Cortez; Jody Schwidt, Brett Oliver, FSA Irrigator; Brian Westphal

APPROVAL OF THE MINUTES

MINUTES

MOTION: TO APPROVE THE MINUTES AS SUBMITTED FOR THE FEBRUARY 13, 2020 REGULAR MEETING AND EXECUTIVE SESSION MEETING.

**MOTION: DON SCHWINDT
SECOND: GODWIN OLIVER
MOTION CARRIED UNANIMOUSLY**

FINANCIAL STATEMENTS

MOTION: TO APPROVE THE JANUARY '20 FINANCIAL STATEMENTS AND APPROVE THE STATEMENT OF PAYABLES AS PRESENTED.

ADMIN: AP/CHECK #11464-11477

\$6,220.23

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

Other – Ken stated that Eric White, a Full Service Irrigator, was going to subdivide a parcel of land that he was petitioning however he hasn't yet obtained a separate legal description and plat for only the parcel that would receive irrigation water. Adam stated that the Board should open the Hearing and continue the hearing to the next Board meeting and anyone that would like to speak on that petition will be on notice of the change.

AGENCY REPORTS

BOR Report

Robert reported that **1)** a BOR contracting officer has been working on approval of the modifications for the pumps at Brimhall. Delivery is now scheduled for the end of April. Robert thinks the pumps will be back prior to water delivery. Robert stated that by July BOR and the state will need to decide whether next years set of pumps can be funded.

Division of Water Resources Report

CDWR was not in attendance.

T/H Committee Report

Godwin reported that the THC Committee had a meeting February 19, 2020. **1)** The Committee paid DWCD and UF&RE bills. **2)** The THCC will meet at 12:00 pm on March 18, 2020 for a visual inspection of a property located near Check 513. This is an access issue and the Committee would like to eliminate any future problems by correcting the access to the property at this time.

Next T/H Meeting – The Committee will meet at the DWCD, Cortez Office March 18, 2020 at 12:00 p.m. at the Cortez Office.

MVIC Report

Brandon reported that **1)** MVIC is planning a stock run for March 30-April 3. **2)** Stockholders coming off of the THC can turn water on April 6th others will be allowed to turn water on when there is sufficient demand for water on each lateral. **3)** The Board has set the MVIC allocation at 3 feet. MVIC sent out their first mass text to 1500 people with this information and he feels this will be a good way to send information. **4)** MVIC is still filling Narraguinnep. **5)** There is currently no snow at Groundhog at the reservoir but there is 26 inches at Groundhog Vista.

RECESSED FOR PUBLIC HEARING FOR ERIC AND MCKENZIE WHITE PETITION AT 8:11 PM RECONVENED REGULAR MEETING AT 8:13 PM

Farmer Advisory Committee Date for Spring 2020 – The FAC Meeting was set for April 8, 2020 at 5:30PM

RECESSED FOR PUBLIC HEARING FOR BRETT AND TAYLOR OLIVER PETITION AT 8:18 PM RECONVENED REGULAR MEETING AT 8:21 PM

Petition Discussion – It was stated that the land petitioned by Brett Reed and Taylor Renea Oliver meets the classification requirements of a minimum of 10 acres. There were no additional Board comments.

Adam stated that it is up to the Board to make a decision to accept or deny the petition and determine if it deems the petition is in the best interest of the District. The order will be recorded and the interest in the water runs with the land and the petitioner would be expected to make the annual payments and, if not, the orders include a lien against the property. Adam stated that the Order grants the petition and a formal motion will adopt the Order.

MOTION: TO ADOPT AN ORDER TO ALLOCATE DOLORES PROJECT WATER WITH REGARD TO BRETT REED AND TAYLOR RENAE OLIVER LAND PETITIONS.

**MOTION: WES WILSON
SECOND: SIMON MARTINEZ
MOTION CARRIED UNANIMOUSLY 4-0-1. GODWIN OLIVER ABSTAINED FROM THE VOTE.**

GENERAL MANAGERS REPORT

SWCD Seminar April 3, 2020 – A flyer was mailed out to the Board. SWCD is still taking applications but will touch base regarding potential cancellation due to COVID-19.

Board to Board – March 24, 2020, 7:00PM, at MVIC. Possible Topic: Totten Lease/Sale. John Justus and Adam talked after the last Board to Board and John shared the bullet points with Adam. John is putting together the first draft of the lease.

Totten Reservoir – Possible Lease to Purchase to MVIC. Wes stated that he looked at figures that Ken provided and stated that DWCD is ahead of the game by approximately \$35K. Bruce asked if Wes doesn't want to sell Totten now? He replied possibly, this is just food for thought. Ken stated that DWCD is operating Totten under restriction and have very little maintenance. If we have to operate releases staff would have to be there two to four times per week which increases labor costs for Totten. Ken stated that he will double check to see if the salinity payment was included in the total revenue.

2020 CWC / Colorado River Issues: Colorado River Compact Issues, Drought Contingency Planning, Demand Management – The latest round of meetings were held by the IBCC & DM workgroups. Ken stated that the meetings were productive and thinks there will be some numbers & framework out there soon. There are still a lot of complications regarding measurements, getting water where it needs to go and getting upper and lower basin states to agree. Grand Valley feels there is a target on their back and are trying to shape a program and need to mitigate outside land purchases in their project. The Roundtable will have a fuller discussion of the topic as Mely Whiting and Ed Millard have their notes from those meetings.

Ken stated that The US Senate Committee had a hearing that Mike was attending in support of Senator Bennet's BOR ANS bill that has protection for us and other western BOR states. Representative Tipton introduced a similar bill with a Utah Representative which is the companion bill in the House. Mike is also working with the DWRF to try to get the Salter Y EA cleared in support of the RMRI. Ken stated that Ironwood can make industrial pellets for use in power plants from the biomass, but no one has invested in the cleaner processing of the pellets for residential use. The problem for industrial coal plant pellets is transportation to a rail head and then the coast. RMRI on the federal land side is beginning to kick in to get timber sales out to bid.

2020 Brainstorm Workshop Review – Topics included Reserve Fund Review, Investment Review, capital schedules & Colorado River Basin Issues. Some broader discussion on FSA practices came up as well as discussion on salary survey process status and other resources.

Items for Additional Work

- 2020 FSA Rates on the March Board Agenda for review and action as the Board decides.
- More trackable annual Reserve Summary Accounting format.
- Review Succession status; new hire process. There were four engineers that applied for the Engineer position with an array of years of experience. There is technical work but it is a lot about public meetings and heading up other groups such as ANS, Roundtables and Spill Groups. Ken will continue working on detailed questions. Mike's last day will be April 3rd. He will continue to work out of the office at the DWCD building. Working on Lloyd's transition. There will also be shifting of personnel over time. There have been two new SCADA Operators hired.
- Additional contractual protection to DP water supplies relative to Colorado River Administration
- Modernizing FSA Practices: Potential topics from recent conferences could include cover cropping that fits current practices, conservation practice payments, potential assistance for FSA conference attendees. Continue to be a part of CSU Experiment station. Don stated that he appreciated Godwin's input with Greg Vlaming. Don stated that he attended the hemp session at the Family Farm Alliance which was very interesting and Don learned a lot from this session. You have to be able to take what you make on a small scale up to a large scale. Don stated that the Montezuma Valley has a unique combination that makes it possible to survive as a farmer in this area. Don stated that when Godwin asked for money for help to go to conferences that is absolutely some of the best money spent to bring lessons back to the community. Ken stated that he doesn't think we will have the critical mass to bring a conference here locally but we should have interested farmers going to conferences to bring information back to the community. Sometimes successful ideas don't transfer to other areas but once someone figures out how to make things work in their area it could be a great thing, but will take a while to develop. Simon asked if there was a change on the north part of the DP from siderolls to pivots. Simon stated that there are funds available for nozzling programs and companies have nozzles formulated for our area that can change rates and flows. The nozzle changes on center pivots is more noticeable than nozzle changes on siderolls.
- Continue salary survey process with input from local resource. Consider broader morale aspects for DWCD employees. Simon asked if Ken was able to look into the TABOR reserve fund and could be possibly used for Health and Welfare.

LEGAL REPORT

Adam stated that he expects to have a draft lease within the next week from John Justus. There is a status conference on Himes Creek scheduled for March 13 at 9 am. Adam stated that he would like to enter executive session to discuss the MVIC change case.

Ken stated that he hasn't put SWCD on the agenda as a report but asked Don if he had input. Don stated that Senators Valdez and Coram said they are going to make Colorado Water Law follow and respect all of the legislation that San Luis Valley has been using and make it for all of Colorado. That bill may disappear, but Don stated that the reason he is bringing up is, as he has been learning Colorado water law and federal water law, he has strong views on where and how the two are supposed to meet. Those are things that DWCD needs to keep talking about. It was introduced to legislation on Monday. Ken stated that he would continue to monitor and see what happens. Ken stated that the one that bothered him was the instream flow loan change. Don feels like CWCB overreached on the instream flow and used this area as the test.

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 TO DISCUSS THE MVIC CHANGE CASE.

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

RECESSED FOR EXECUTIVE SESSION AT 9:25 P.M.

RECONVENED REGULAR MEETING AT 9:45 P.M.

REPORT OUT OF EXECUTIVE SESSION

Adam reported that in Executive Session the Board discussed the MVIC 87.3 change case. No decisions were made.

NEXT DWCD BOARD MEETING – Thursday, April 9, 2020 - 7:00 P.M.

ADJOURNMENT Meeting adjourned at 9:45 P.M.

Donald W. Schwindt, Secretary-Treasurer

Bruce Smart, President