

**UPPER ARKANSAS WATER
CONSERVANCY DISTRICT**

Regular Meeting of the Board of Directors

**February 8, 2024
1:30 PM**

A regular meeting of the Board of Directors of the Upper Arkansas Water Conservancy District was held Thursday, February 8, 2024, commencing at 1:30 pm at the District offices, 339 East Hwy 50, Salida, Colorado, following the Water Activity Enterprise committee meeting, notice having been given by posting of Notice and Agenda on February 7, 2024, at the offices of the Upper Arkansas Water Conservancy District, 339 East Hwy 50, Salida, Colorado.

DIRECTORS PRESENT (IN PERSON)

| | | |
|-------------------------|-----------------|-----------------|
| Timothy C. Canterbury | Gregory W. Felt | Tony Telck |
| Tom French | Thomas Goodwin | Brett McMurry |
| Richard Hilderbrand | Tim Payne | Warren Diesslin |
| Robert B. (Bill) Donley | Mike Shields | |
| Mannie Colon | | |

DIRECTORS PRESENT (BY REMOTE VIDEO AND AUDIO CONFERENCING)

None

DIRECTORS ABSENT

Albert Eggleston

DISTRICT OFFICIALS/STAFF MEMBERS PRESENT

| | |
|--|---------------------------------|
| Ralph L. (Terry) Scanga, General Manager | Jord Gertson, Hydrologist |
| Kendall Burgemeister, Attorney | Gracy Goodwin, Projects Manager |
| Chris Manera, Engineer | |

DISTRICT OFFICIALS/STAFF MEMBERS PRESENT (BY REMOTE VIDEO AND AUDIO CONFERENCING)

| | |
|---------------------------------------|----------------------|
| Denise Sanchez, Office Manager | Wendy Ryan, Engineer |
| Richard Brown, Legislative Consultant | |

DISTRICT OFFICIALS ABSENT

Jennifer A. Scanga, Administrative Assistant

STATE OFFICIALS PRESENT

Job Crabb, Deputy Water Commissioner, District 11
Talon Canterbury, Deputy Water Commissioner, District 12
Jerry Livengood, Water Commissioner, Division 13

STATE OFFICIALS PRESENT (BY REMOTE VIDEO AND AUDIO CONFERENCING)

Dan Henrichs, Water Commissioner, District 12
Will Scott, Water Commissioner, Division 11

STATE OFFICIALS ABSENT

Brian Sutton, Augmentation Coordinator
Rachel Zancanella, Division Engineer

EX-OFFICIO REPRESENTATIVE PRESENT

None

EX-OFFICIO REPRESENTATIVES PRESENT (BY REMOTE VIDEO AND AUDIO CONFERENCING)

Dave Schneider, Round Mountain Water and Sanitation District Manager

RECORD OF PROCEEDING

EX-OFFICIO REPRESENTATIVES ABSENT

Shawn Williams, Buena Vista Public Works Director
Drew Nelson, City of Salida Administrator
Bill Canda, Custer County Water Commissioner
Sean Kelly, Poncha Springs Town Water Superintendent
Travis Payne, Canon City Water Superintendent
Dwayne McFall, Fremont County Commissioner

GUESTS PRESENT

Andrew Klakulak, United States Geological Survey (USGS)
Andrea Creighton PhD., United States Geological Survey (USGS)
Carey Hallett, Central Colorado Sound, Salida

GUESTS PRESENT (BY REMOTE VIDEO AND AUDIO CONFERNCEING)

Emily Tracy, Canon City Council member
Joe Stone, Heart of the Rockies Radio

PLEDGE OF ALLEGIANCE

Chairman Canterbury led attendees in the Pledge of Allegiance.

INTRODUCTION OF GUESTS

Guests were asked to introduce themselves.

MINUTES OF THE MEETING OF January 4, 2024

The minutes of the meeting of January 4, 2024, were approved upon motion by Director Hilderbrand with second by Director Telck.

FINANCIAL REPORTS

Upon motion by Director Donley with second by Director Shields the Board approved the monthly financial reports dated January 31, 2024.

PROGRAM PRESENTATIONS

Andrew Klakulak and Andrea Creighton, PhD. of the USGS gave a presentation on Enhanced Snowpack Monitoring in the FryArk Collection System. Dr. Creighton provided information via a power point and questions and answers followed the presentation.

Dr. Creighton reported on snow persistence above SNOTEL, snow melt diversions, winter field efforts and the data collected including snow depth and snow pits and the spatial variability, dust layer, and ground penetrating radar. She concluded the report with lessons learned and next steps. Dr. Creighton stated that a second field study is scheduled for April 30, 2024 and the expected station installation is set for June-September 2024.

Manager Scanga asked about airborne data collection. Dr. Creighton stated that it is a step 5 in the plan. She added that Southeast District paid for one year of airborne data. Mr. Klakulak further added that they are working with DOR to integrate station data into their forecasting model and working to develop their own model to work with other models around the country.

Much discussion pursued around questions and comments from the Board.

Hydrologist Gertson gave his third in a series of Water Drop presentations. During this presentation Mr. Gertson discussed stream exchanges. The topic included information about the legal mechanisms to move water into storage, and the purpose of an exchange which he explains is the maximization of beneficial use. He also defined what a live stream exchange is, as well as the physical, administrative, contract, paper exchanges, reservoir trade, and book-over. Hydrologist Gertson further discussed how to perform an exchange and a simple stream exchange. He concluded his presentation with stream exchange limitations and the UAWCD's exchange decrees.

RECORD OF PROCEEDING

EX-OFFICIO REPORTS

None

PROJECT MANAGEMENT REPORT- Gracy Goodwin

PM Goodwin provided a summary of grants in progress via a power point presentation. She gave an update on February 2024 projects which included Trout Creek Park Alluvial Storage, Round Mountain Reservoir Feasibility Study, DCP Upgrade and Expansion, and USGS Study Phase 3.

Engineer Manera presented an update on the Trout Creek Alluvial Storage Project. The update included the Blue Triton Well monitoring data, Hydros' groundwater modeling, recharge zones, estimated and simulated water balance, hydraulic conductivity zones, and volumetric rate of accretion resulting from recharging one unit of volume over one unit of time.

Mr. Manera stated that the results revealed that recharge return flows accrue to Arkansas River much quicker from DOC-1 and DOC-2 than any of the other proposed ponds, and the unit response function (URF) is sufficiently accurate for water resource planning.

He further stated that the next steps involve aquifer hydraulic conductivity and model refinements.

CONSULTANT REPORT – Richard Brown

Legislative Consultant Brown provided a written report of Legislative Updates for the Board to review. The report included a summary of bills in action and updates on current water legislature. Mr. Brown pointed out that there are presently two dueling bills on dredge and fill legislation to fill the gap created by the US Supreme Court decision in Sackett.

COMMITTEE REPORTS

None

RESUME REVIEW COMMITTEE

Nothing of significance in the December 2023 or January 2024 Resume.

MANAGER'S REPORT – Terry Scanga

South Arkansas Reservoir USFS Special Use Permit Fee Increase:

Manager Scanga informed the Board that he contacted Senator Hickenlooper's regional director, Azarel Madrigal and U. S. Representative Pettersen's Regional Director and Outreach Coordinator, Justin Kurth expressing the District's concern regarding the 323 percent fee increases. He said they coordinated an online meeting with the USFS to discuss the fee increases and to determine if there is some method to mitigate these increases taking into account the large increase and the value that UAWCD's reservoirs and water rights provide both recreationally and environmentally to the USFS. The meeting was held on February 5, 2024, and was attended by himself, Chairman Canterbury, and Commission Felt representing Chaffee County. Manager Scanga briefed the Board on the status of the meeting.

Buena Vista Water Augmentation Agreement:

Manager Scanga reported to the Board that Buena Vista accepted the Water Agreement with the District. He recommended approval from the Board. A copy of the agreement was made available to all Board members prior to the meeting.

Upon motion by Director Goodwin, with a second by Director Donley, the Board approved the agreement with Buena Vista.

Resolution to Name Water Enterprise Building:

To commemorate Consultant Ken Baker's retirement from the District, his formation of the UAWCD, and his many years of service to the protection of water rights in the Upper Arkansas Basin, the Board of Directors voted to approve a Resolution to rename the UAWCD building the, Ken Baker Water Enterprise Building.

RECORD OF PROCEEDING

Upon motion by Director Colon, seconded by Director Hilderbrand, the Board approved the change in name to the Enterprise Building; the Ken Baker Water Enterprise Building in recognition of his more than 45 years of service to the District.

Authorization to engage Hancock Froese & Company LLC for 2023 Audit:

Upon motions by Director Payne and Director Donley, the Board voted to approve the engagement of Hancock and Froese for the 2023 Audit.

ENGINEER'S REPORT – Chris Manera, Colorado River Engineering (CRE)

Engineer Manera stated that the rebuttal report was received from TriView Exchange Case engineers and the biggest takeaway from their report is the difference in consumptive use. He said they are now showing a closer percentage with what was reported for the District in December.

LEGAL REPORT – Law of the Rockies, Kendall Burgemeister

Opposition updates, transactional matters, applications, and updates were included in the Law of the Rockies written report made available to all Board members prior to meeting.

CHAIRMAN AND DIRECTOR REPORTS

Director Felt commented on last month's CWCB meeting wherein the Board approved expenditure \$20 mil to assist in purchasing the Shoshone water right on the Colorado River and that the CWCB would need to change the water right to an instream flow right. Director Colon asked what benefit would come from this purchase to the State and to our basin. Director Felt stated that it is a 1400 CFS senior water right and since the Cameo call is below it this flow could prevent up stream trans-mountain diversions from causing a call during dry periods. Mr. Gertson surmised that would this then not place a target on our basin's agricultural water rights for purchase by the front-range cities. Manager Scanga stated that this may already be taking place with the Catlin by the City of Aurora. Manager Scanga stated that in any case we should be vigilant and learn more about the benefits or detriments this purchase could mean to the Arkansas Basin since we depend on a large share of trans-mountain water rights.

NOTICES & MEETINGS

- **General Mgr. Position Opening & Notice of Application Acceptance from Feb 3 to March 3, 2024.**
- **Mt. Princeton Hydro-Thermal Power Generation Panel Discussion, 6:30 pm, Feb. 9, Buena Vista**
- **Home Smart Realtor Water Presentation, 11:00 am, February 13, Canon City**
- **ABRT Meeting 12:30 pm, February 14, 2024**
- **IBCC Meeting, February 27, Golden Hotel, Golden Colorado**
- **Ark. River Basin Water Forum, March 6-7, 2024, Otero College, La Junta**

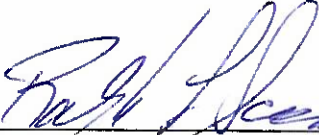
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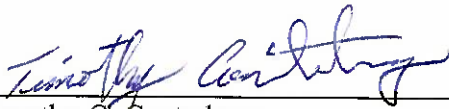
There being no further business to come before the Board or Enterprise and upon motion by Director Colon seconded by Director French and approval of the Board, the meeting adjourned at 3:33pm.

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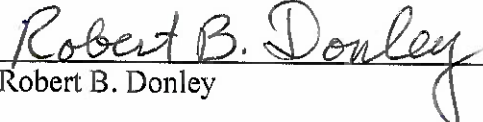
RECORD OF PROCEEDING

Respectfully submitted,



Ralph L. Scanga, Jr., General Manager



Timothy C. Canterbury

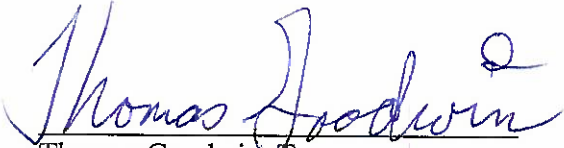
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Mannie Colon

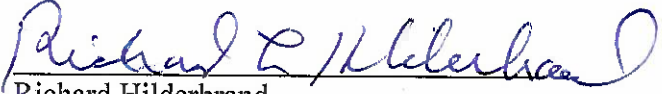

Robert B. Donley

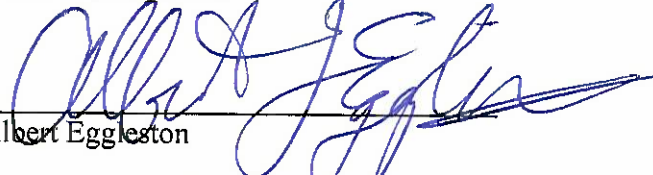

Gregory W. Felt



Tom E. French


Brett A. McMurry


Thomas Goodwin, Treasurer


Richard Hilderbrand


Albert Eggleston


Warren Diesslin


Tim Payne


Tony Telck

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Mike Shields