

**UPPER ARKANSAS WATER
CONSERVANCY DISTRICT**

Regular Meeting of the Board of Directors

**November 9, 2017
1:30 P.M.**

A regular meeting of the Board of Directors of the Upper Arkansas Water Conservancy District was held Thursday, November 9, 2017, 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 November 8, 2017, at the offices of the Upper Arkansas Water Conservancy District, 339 East Hwy 50, Salida, Colorado.

DIRECTORS PRESENT

Robert M. Senderhauf	Tim Payne	Timothy C. Canterbury
Franklin J. (Jay) Moore	Gregory W. Felt	Richard Hilderbrand
Tom E. French	Mannie Colon	Thomas Goodwin
Dennis Giese	Jeff Ollinger	Robert B. (Bill) Donley
John H. Sandefur		

DIRECTORS ABSENT

None

DISTRICT OFFICIALS/STAFF MEMBERS PRESENT

Ralph L. (Terry) Scanga, General Manager	Ken Baker, Consultant
Kendall K. Burgemeister, Attorney	Chelsey Nutter, Project Manager
Jord Gertson, Hydrologist	Brian Sutton, Water Commissioner

DISTRICT OFFICIALS ABSENT

Chris Manera, Engineer

EX-OFFICIO REPRESENTATIVES PRESENT

George Medaris, District Manager, Round Mountain WSD

EX-OFFICIO REPRESENTATIVES ABSENT

Melodee Hallett, Salida City Council
Brian Berger, Poncha Springs Administrator
Michael Patterson, Florence
James Wade, Park Center Water District
John Roorda, Chaffee County
Allen Butler, Custer County
Ashley Smith, Cañon City Council
Jay Printz, Custer County Commissioner, Westcliffe
Shawn Williams, Public Works Director, Buena Vista

GUESTS PRESENT

Joe Stone, The Mountain Mail
Kristie Nackord, Fremont County
Bob Hartzman, Canon City Water Department
Richard Shea, Penrose
Ben Laura, USFS
Hank Held, Mt. Princeton Geothermal
Ken Hardesty, GEI Consultants
Jerry Pena, GEI Consultants

PLEDGE OF ALLEGIANCE

Chairman Senderhauf led attendees in the Pledge of Allegiance.

INTRODUCTION OF GUESTS

RECORD OF PROCEEDING

Guests were asked to introduce themselves.

MINUTES OF THE MEETING OF SEPTEMBER 14, 2017

The minutes of the meeting of October 12, 2017, were unanimously approved upon motion by Director Colon with second by Director Felt. Directors Donley, Ollinger and, Sandefur sustained from voting due to their absence from the previous meeting.

FINANCIAL REPORTS

Upon motion by Director Goodwin with second by Director Payne, the Board unanimously approved the monthly financial report dated October 31, 2017.

PROGRAM PRESENTATIONS

Manager Scanga provided a presentation on the United States Conference on Irrigation and Drainage (USCID) conference. Manager Scanga reported that he was invited to sit on a panel to discuss the interactions between groundwater and surface water. Manager Scanga's panel included representatives from various states including California, Oregon, and Washington. Each panelist was tasked with providing an overview of how their respective State handles the interactions between surface water and groundwater. Manager Scanga shared his power point presentation with the Board and explained why he chose the information that he did for his presentation.

Manager Scanga explained the importance of Colorado's 1969 Water Rights Determination and Administration Act and how it relates to groundwater and surface water. The 1969 act separated the State into eight hydrologic basins. Before the 1969 Act, water rights were administered in sub-basins at a local level. The 1969 Act did two significant things; it created the eight hydrologic basins with associated Division of Water Resources representation and integrated tributary groundwater administration into the existing prior appropriation system. The 1969 Act was also the impetus for the development of the District's blanket augmentation plan.

Manager Scanga stated "Colorado is 50 to 70 years ahead of other western states when it comes to the integration of groundwater and surface water. In California, the surface water rights are under the prior appropriation system, but groundwater can be extracted without a water right. Manager Scanga concluded the presentation stating, "this conference made me think about the Board and the folks in Colorado and what we have accomplished."

EX-OFFICIO REPORTS

There were no ex-officio reports.

WATER COMMISSIONER REPORT – Brian Sutton

Water Commissioner Sutton reported that there is a growing possibility of a free river next season due to high levels of storage at reservoirs.

CONSULTANT REPORT – Ken Baker

Consultant Baker Reported on the following items from the Colorado Water Congress.

- State of Colorado Motion to Dismiss: In response to the Colorado Ecosystem complaint presented in the last Board meeting. Consultant Baker also reported that another Group has filed a lawsuit to stop new diversion and to protect flows in Colorado River. A coalition of environmental groups have filed the action in the federal court. They question the need for the Windy Gap Project and for he need to divert more water from the Colorado River.
- Waters of the U.S: The State Affairs Committee presented a webinar to discuss the status of the Rule issued by the current director of the Environmental Protection Agency. The agency is requesting written comments to be received by November 15, 2017.
- Aquatic Nuisance Species: Bills have been presented in past years to address a dangerous aquatic nuisance. The webinar presented by the State Affairs Committee was an effort to

RECORD OF PROCEEDING

address the issue ahead of time to alert the CWC members and others of a problem that began in the waters of eastern United States and has spread to the rest of the country.

Consultant Baker thanked Joe Stone for his articles written about Project Manager Chelsey Nutter and the complaint filed on behalf of the Colorado River.

PROJECT MANAGER REPORTS - Chelsey Nutter

Project Manager Chelsey Nutter provided a presentation on the District's past, present, and future projects. Currently, the District is involved in 45 projects that fall within one of the following categories: (1) Augmentation, Integrated Management & Agreements, (2) Water Rights Protection & Optimizing Beneficial Use, and (3) Studies, Education & Outreach. Projects were categorized according to priority and included participation from all District staff members. Project Manager Nutter reported that Staff and Board members are involved in associated organizations including the Interbasin Compact Committee, Arkansas Basin Roundtable, Needs Assessment Committee, and the Water Congress State Affairs.

Project Manager Nutter also reported that she provided a tour of the Trout Creek Park Multi-Use Project for three Colorado Water Conservation Board Staff Members including the new hire who will serve as the Arkansas Basin's loan administrator. Project Manager Nutter reported that she accompanied Manager Scanga to the USCID conference and the biggest take away was the significance of Colorado's 1969 Act. She stated that as Needs Assessment Chair she is gearing up for the next round of Water Supply Reserve Fund applications that need to be submitted by December 1, 2017.

2:00 P.M. – 2017 BUDGET HEARING

Erik Young of Stotler & Young PC briefly reviewed the final budget for 2018. There have been no changes since the last meeting. He asked if there were any questions from the audience. Manager Scanga read the proposed budget resolution. Hearing no comments, Director Goodwin moved to approve the 2018 Budget and Resolution, with second by Director Sandefur. There being no public questions or input, the Board approved the 2018 Budget and Resolution unanimously.

COMMITTEE REPORTS

None

Resume Review Committee

Nothing of significance in the Resume.

MANAGER'S REPORT – Terry Scanga

Manager Scanga announced that the next Board Meeting will be held at 11:00 am to accommodate our annual Christmas Gathering that will follow the meeting at 1:00 pm. The Christmas Gathering will be sponsored by Law of the Rockies and Colorado River Engineering.

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

Engineer Manera was unable to attend the meeting.

LEGAL REPORT – Law of the Rockies, Kendall Burgemeister

Opposition updates and transactional matters are included in the Law of the Rockies legal report in the Board's binders.

UAWCD Application Updates

Attorney Burgemeister reported that trial is scheduled for January 19th for the Poncha Friend Ranch change case.

Opposition Updated

RECORD OF PROCEEDING

Attorney Burgemeister reported that there isn't much to report on the opposition side. He will be talking with Ice Lakes HOA about the final term sheet and will continue to work on the Colorado Parks and Wildlife augmentation plan.

CHAIRMAN AND DIRECTOR REPORTS

Director Ollinger announced that the Buena Vista Solar Project and how the Trout Creek Park Project could play a role. Project Manager Nutter stated that the District has had conversations with Sangre De Cristo about this project in the past and will reach out again.

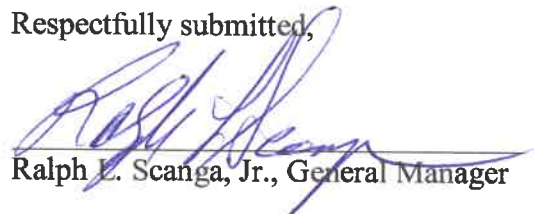
NOTICES & MEETINGS

- SECWCD Meeting – December 7, 2017, Pueblo, CO
- ABRT Meeting – January 10, 2018, Pueblo, CO

ADJOURN

There being no further business to come before the Board, upon motion by Director Colon, second by Director Donley and unanimous approval of the Board, the meeting adjourned at 3:51 pm.

Respectfully submitted,

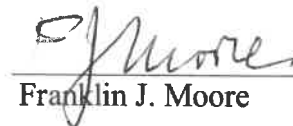

Ralph E. Scanga, Jr., General Manager

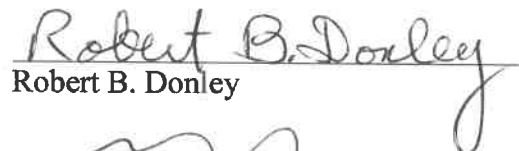
Thomas Goodwin, Treasurer


Timothy C. Canterbury


Richard Hilderbrand


Manne Colon


Franklin J. Moore


Robert B. Donley

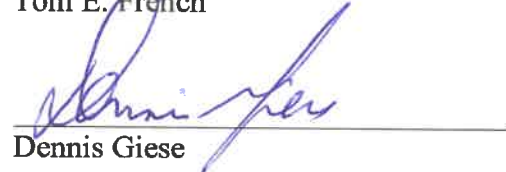

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