

MEETING MINUTES  
REGULAR MEETING  
BOARD OF DIRECTORS  
MIDDLE PARK WATER CONSERVANCY DISTRICT  
Kremmling—Town Hall  
April 10, 2019, 1:00 p.m.

Directors:

Jack Buchheister – President (not present)  
Sean Flanagan – Vice President (present)  
Jim Lenzotti – Secretary (not present)  
Richard Doucette – Treasurer (present)  
Mike Eytel (present)  
Gary Bumgarner (present)  
Tom Long (present)

Others present:

MPWCD Engineer Kristina Wynne  
MPWCD Attorney Stan Cazier  
MPWCD Attorney Kent Whitmer  
MPWCD Attorney Katie Randall  
Bill Thompson, Division Five Water Commissioner  
Neal Misbach, Division Five Water Commissioner

Sean Flanagan called the meeting to order at approximately 1:00 PM. The Board generally followed the agenda, and the following topics and resolutions were discussed and passed, as the case may be, during the meeting (a copy of the agenda is attached):

1. CALL TO ORDER

A. Introductions

B. Approval of January 9, 2019 Minutes

- Richard Doucette moved to approve the minutes, seconded by Tom Long. Gary Bumgarner abstained; motion carried (4-0-1).

2. BOARD ADMINISTRATION

A. Officer Elections

- The Board discussed current Officer positions and re-election. The Officer positions are as follows:
  - President: Jack Buchheister
  - Vice-President: Sean Flanagan
  - Secretary: Jim Lenzotti
  - Treasurer: Richard Doucette

- Assistant Secretaries: Mike Eytel, Gary Bumgarner, and Tom Long.
  - Gary Bumgarner moved to re-elect all Officers to their current positions, Mike Eytel seconded. Motion carried unanimously.
- B. 2019 Meeting Dates (July 10<sup>th</sup> and October 9<sup>th</sup>)
  - 2019 meeting dates have previously been approved, and are currently set for July 10 and October 9.

### 3. REPORTS

#### A. Financial/Banking

- Richard Doucette reported on Profit & Loss Budget vs. Actual (1/1/1 through 3/31/19), Balance Sheet (3/31/19), and Check Register (1/1/19 through 3/31/19). Based on time of year, everything appears to be in order. Gary Bumgarner moved to approve the financials, Mike Eytel seconded. Motion carried unanimously.
- Kent Whitmer discussed the proposed Resolution to Allow Credit Card Charges, and the attached Middle Park Water Conservancy District Credit Card Policy and Procedures (provided previously). Richard Doucette confirmed that only one credit card would be issued and exclusive control would be exercised by Kent and necessary staff, under the supervision of the District Treasurer. Tom Long moved to adopt the Resolution, seconded by Mike Eytel. Motion carried unanimously.

#### B. Attorney

1. Attorney's Report (updates to previous report)
  - Windy Gap Firming Application: update on status conference of April 9, 2019.
  - Consolidated Ditches update: Stan Cazier will attend meeting on April 11, 2019 to provide the District's perspective on the agreement.
  - Moffat Project expansion discussion; no new developments to report.
2. Action Items Status List (previously provided)
  - Richard Doucette sought clarification on Action Item 17. Stan Cazier discussed the current arrangement to account for the impact of certain Middle Park septic customers on Northern's system.
3. Additions since Attorney's Report or Action Items Status List were discussed.

#### C. Engineer

1. Engineer's Report

- Upper Colorado Basin is down a little bit, but still above average. Future runoff is uncertain due to dry soil conditions from last year.
- Instream call below Windy Gap came off as of April 1, 2019. Shoshone call came off on April 8, 2019 due to unexpected maintenance, releases are still being made from Wolford to account for that call, pursuant to SHOP.
- Sunset Ridge Pond HOA, MPWCD, Fraser Valley Project Update: per Bill Steinmiller, the hydrant was not replaced last fall due to concerns about pipes freezing after draining the pond. Current plan is to replace the hydrant this summer after the thaw. Sunset HOA is currently researching options to heat the inlet and outlet to prevent future freezing. MPWCD has credit for the water (10-12 acre feet), and the Board discussed potential arrangements to ensure that Sunset Ridge Pond will be full to address concerns about freezing pipes. Richard Doucette moved to approve an administrative exchange from Windy Gap to Sunset Ridge if necessary, seconded by Gary Bumgarner. Motion carried unanimously.

#### 2. Water Outlook—Northern Analysis.

- Northern sent a letter (March 28, 2019), notifying of the loss of water in Granby due to the Carriage Contract. As of April 2, they had applied the proportionate loss to the account: 5% loss, approximately 145 acre feet reduced. There was discussion of possible issues, and Board discussed likelihood of pumping Windy Gap this summer and possible spill.

#### 4. ESTABLISHMENT OF 2020 WATER SERVICE AND USE FEES

- Kent Whitmer discussed the rates that will be established for 2020. New rates would go into effect for the bills that are going out in July 2019 for the next year. Tom Long moved to approve 2020 Water Service and Use Fees, seconded by Richard Doucette. Motion carried unanimously.

#### 5. WOLFORD MOUNTAIN REQUEST AND PAYMENT CRWCD

- Kristina Wynne recommended that MPWCD order 500 acre feet of Wolford Mountain Reservoir water from the Colorado River Water Conservation District in 2019, similar to what was ordered in 2018. Richard Doucette moved to order 500 acre feet, seconded by Tom Long. Motion carried unanimously.

#### 6. CONTRACTS / REQUESTS

- A. Richmond Request to Decrease Water Rates: discussion.

- B. Zook: Currently pending. Richard Doucette moved to extend the deadline for the applicant to request further extensions until the MPWCD July 10, 2019 Board meeting, seconded by Gary Bumgarner. Motion carried unanimously.
  - C. 440-808: Currently pending. It is expected that a decree will be signed shortly.
  - D. Harrington Landscapes Short Term Supply Request
  - E. Johnson Short Term Supply Request
- Tom Long moved to approve Harrington and Johnson short term supply requests. Seconded by Mike Eytel. Motion carried unanimously.

## 7. LONG TERM PLANNING

### A. Engineer's Water Needs Analysis

- Kristina Wynne circulated and discussed the draft Bishop-Brogden Associates memorandum of April 4, 2019, which provides updates to the preliminary analysis of future water requirements within Middle Park previously conducted by Mike Sayler. The goal of the memorandum is to facilitate discussions of long-term plans for MPWCD. Board discussion followed. Conclusions from the analysis vary widely, depending on whether the two major firming projects (Windy Gap and Moffat) come to fruition. One thing that is clear is that there will be a need for storage in the Fraser Valley, regardless of whether the firming projects are completed. Current priorities include contacting major water users to gain better understanding of their long term plans and how they intend to repay Denver for water used, determine potential storage facilities for water contained in the Fraser River Basin, file diligence on the water rights already held on the Fraser, and investigate the pros and cons of potential investment by Middle Park in the Grand County Mutual Reservoir and Ditch Company (Vail Ditch shares).

### B. Direction from Board to Staff

- Board discussed potential investment in the Grand County Mutual Reservoir and Ditch Company and directed MPWCD staff to investigate further.

## 8. PENDING DILIGENCE FILINGS

### A. Middle Park's Fraser Valley Project (December)

- Kent Whitmer reported that the diligence is due in November, and requested Board authorization to continue this conditional water right. Richard Doucette moved to authorize preparation and filing of the application, seconded by Gary Bumgarner. Motion carried unanimously.



B. River District's Ranch Creek (November)

- Kristina Wynne and Mike Eytel provided context and history for Board discussion. The Board decided to share memorandum prepared by Kristina Wynne for long-term planning discussion with the River District and Grand County.

9. OTHER BUSINESS

- A memorandum was prepared by Will Berry to determine future practices on paper file retention. Given ambiguities in current law, it is recommended that MPWCD continue to retain paper files, rather than relying solely on Laserfiche. Gary Bumgarner moved to continue to keep paper records, seconded by Richard Doucette. Motion carried unanimously.
- Mike Eytel discussed the River District's plan to approve Kristina Wynne's contract for another two years, through April 2021, for Wild and Scenic.
- Stan Cazier will attend Las Vegas water users meeting.

10. ADJOURNMENT

Motion to adjourn made by Sean Flanagan, seconded by Gary Bumgarner. Meeting was adjourned at 2:51 PM.



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Jim Lenzotti, Secretary

NOTICE OF MEETING AND AGENDA  
REGULAR MEETING  
BOARD OF DIRECTORS  
MIDDLE PARK WATER CONSERVANCY DISTRICT  
Kremmling—Town Hall  
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1. CALL TO ORDER

- A. Introductions
- B. Approval of January 9, 2019 Minutes \*

2. BOARD ADMINISTRATION

- A. Officer Elections \*
  - 1. President
  - 2. Vice-President
  - 3. Secretary
  - 4. Treasurer
- B. 2019 Meeting Dates (July 10<sup>th</sup> and October 9<sup>th</sup>)

3. REPORTS

- A. Financial/Banking
  - 1. Profit & Loss Budget vs. Actual (1/1/1 thru 3/31/19)
  - 2. Balance Sheet (3/31/19)
  - 3. Check Register (1/1/19 thru 3/31/19)
  - 4. Approve Financials \*
  - 5. Credit Card and Credit Card Policy \*
- B. Attorney
  - 1. Attorney's Report—Questions?
  - 2. Action Items Status List—Questions?
  - 3. Additions since Attorney's Report or Action Items Status List.
- C. Engineer
  - 1. Engineer's Report—Questions?
  - 2. Water Outlook—Northern Analysis.

4. ESTABLISHMENT OF 2020 WATER SERVICE AND USE FEES \*

5. WOLFORD MOUNTAIN REQUEST AND PAYMENT CRWCD \*

\* Denotes an action item.

6. CONTRACTS / REQUESTS

- A. Richmond Request to Decrease Water Rates
- B. Zook--Pending
- C. 440-808—Pending
- D. Harrington Landscapes Short Term Supply Request\*
- E. Johnson Short Term Supply Request\*

7. LONG TERM PLANNING

- A. Engineer's Water Needs Analysis
- B. Open Discussion
- C. Direction from Board to Staff \*

8. PENDING DILIGENCE FILINGS

- A. Middle Park's Fraser Valley Project (December)
- B. River District's Ranch Creek (November)

9. OTHER BUSINESS

10. ADJOURNMENT

\* Denotes an action item.