

**WEST DIVIDE WATER CONSERVANCY DISTRICT  
109 WEST FOURTH STREET  
P. O. BOX 1478  
RIFLE, COLORADO 81650-1478  
(970) 625-5461  
water@wdwcd.org**

**MEETING NOTICE**

**WHAT:** Board of Directors Meeting

**WHERE:** West Divide Water Conservancy District Office  
109 West Fourth Street  
Rifle, Colorado

**WHEN:** Thursday, January 22, 2009

**TIME:** 9:00 a.m.

**AGENDA**

1. Call to Order
2. Minutes of December 11, 2008, meeting
3. Financial Report
  - a. Bills to be Paid
  - b. Financial Statements
4. Water Contracts
5. Roundtable Report
7. Water Resources's Report
10. Hydrologists' Report
  - a. Rural/Domestic Water Supply System
  - b. Crystal River Reservoirs
11. Attorney's Report
  - a. 05CW148
  - b.
12. Holiday Dinner
12. Adjourn

**NEXT MEETING IS FEBRUARY 19, 2009**

**WEST DIVIDE WATER CONSERVANCY DISTRICT**  
**109 WEST FOURTH STREET**  
**P. O. BOX 1478**  
**RIFLE, COLORADO 81650-1478**  
**TELEPHONE (970) 625-5461**  
**FAX (970) 625-2796**  
**water@wdwcd.org**

Attendance Roster Board of Directors Meeting

**Date:** January 22, 2009

**Time:** 9:00 a.m

**Place:** District Office  
 109 West Fourth Street  
 Rifle, Colorado

Name	Company/mailing address
1. Bob Janella	
2. Jim Wampler ✓	
3. Ed Ossowski	
4. Dan Harrison	
5. Steve Toppel	CDWR
6. [Signature] ✓	
7. Dave Merritt	CRWCD Board of Directors
8. Harry Sundeen	
9. Alan Martellaro	CDWR
10. Kelly Couey ✓	Drose
11. Janet Maddock	
12.	

# WEST DIVIDE WATER CONSERVANCY DISTRICT

## MINUTES OF BOARD OF DIRECTORS MEETING January 22, 2009

### ATTENDANCE ROSTER

#### **Directors & Staff Present**

Samuel B. Potter, President  
Kelly Couey, Vice President  
Bruce E. Wampler, Treasurer  
Robert J. Zanella, Secretary  
Dan R. Harrison, Director  
Janet Maddock, Office Manager  
Kerry D. Sundeen, Hydrologist  
Edward B. Olszewski, Attorney

#### **Directors and Staff Absent**

Lyndie Pearson, CPA  
Maria Pastore, Hydrologist

#### **Guests**

Alan Martellaro, Division Engineer  
Steve Trexel, Water Commissioner  
Dave Merritt, CRWCD

#### CALL TO ORDER

The regular Board of Directors meeting was called to order at 9:10 a.m. by President Samuel B. Potter.

#### MINUTES

Robert J. Zanella moved the minutes of the December 11, 2008, meeting be approved as received; Bruce E. Wampler seconded; motion carried.

#### FINANCE REPORT

**Bills to be Paid:** Robert J. Zanella moved the attached list of bills be paid; Bruce E. Wampler seconded; motion carried.

**Financial Statements:** Bruce E. Wampler moved the December 2008, Financial Statements as prepared by Barnes, Pearson & Associates, LLC be accepted; Robert J. Zanella seconded; motion carried.

#### WATER CONTRACTS

**Eric Charles Jurmu and Margaret A. Jurmu** assignment from **Kim Neffendorf:** Robert J. Zanella moved approval of this assignment, 1 af Domestic, Colorado River; seconded by Bruce E. Wampler; motion carried.

**United Companies of Mesa County** assignment from **Dick Casey Concrete Co. :** Robert J. Zanella moved approval of this assignment; 7 af Commercial, Colorado River; seconded by Bruce E. Wampler; motion carried.

**Lafarge West, Inc.:** Robert J. Zanella moved approval of this Commercial amendment from 21.1 af to 88.1 af contingent upon the District's Hydrologist getting confirmation from the State that credits will be approved for the phreatophytes (wetlands); seconded by Kelly Couey; motion carried.

**Annapurna, LLC:** Robert J. Zanella moved approval of this Commercial amendment from 1 af to 1.5 af; seconded by Bruce E. Wampler; motion carried.

**Hyland Enterprises:** Robert J. Zanella moved approval of this Direct Hauling amendment from 40 af to 75 af; seconded by Bruce E. Wampler; motion carried.

**EnCana Oil & Gas (USA) Inc.:** Robert J. Zanella moved approval of this Direct Hauling amendment from 40 af to 160 af; seconded by Kelly Couey; motion carried.

**Charlotte Lueders:** Robert J. Zanella moved approval of this Domestic amendment from 2.12 af to 1 af; seconded by Kelly Couey; roll call: Samuel B. Potter—yes, Kelly Couey—yes, Robert J. Zanella—yes, Bruce E. Wampler—abstain because he lives in the Fourmile area, Dan R. Harrison—yes, motion carried.

**Dalbo Inc.** Robert J. Zanella moved approval of this Direct Hauling amendment from 85 af to 40 af; seconded by Kelly Couey; motion carried.

#### ROUNDTABLE REPORT

No report—they have not met.

#### WATER RESOURCES' S REPORT

Division Engineer Alan Martarello came to the meeting to discuss the annual records accounting. His office believes our records reflect estimated diversions that could be more accurate. He wants the following four procedures implemented.

1. The State will assign structure IDs to every well.
2. The State will implement field proofing of 10 percent of West Divide's contracts.
3. West Divide will require monthly reporting by large contractees.
4. West Divide's diversion form will be changed to verify number of houses and square feet of irrigated area.

Reporting will be from September to September.

#### HYDROLOGISTS' REPORT

Emergency Action Plan for Alsbury Reservoir submitted to State. USGS website unveiled to Public January 8. DOLA grant might be possible for a study for the Rural Domestic Water Supply System. Kerry will put together a Request for Proposal.

#### ATTORNEY' S REPORT

Received written report and discussed various portions thereof.



Robert J. Zanella moved to consent to vacate the March 9, 2009, trial date in case 05CW148; seconded by Kelly Couey; motion carried.

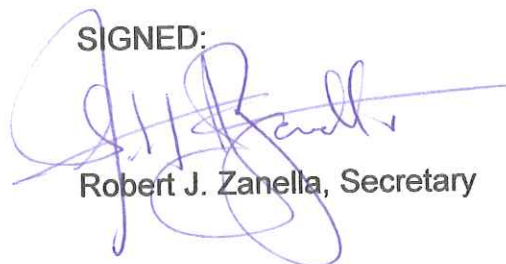
HOLIDAY DINNER

Next meeting and dinner scheduled for February 19. Meeting at 2:00 p.m. followed by the dinner at 5:00 p.m.

ADJOURN

Meeting adjourned at 12:50 p.m.

SIGNED:



Robert J. Zanella, Secretary

ATTEST:



Samuel B. Potter, President

West Divide Water Conservancy District-General Fund  
Bills to be Paid  
January 22, 2009

Num	Name	Memo	Account	Amount
3515	Tammy S. Keenan	January	5396 · Janitorial	60.00
3516	void			
3517	void			
3518	Barnes, Pearson & Associates, LLC	2009 budget prep (2008)	5200 · Budget Preparation	2,600.00
3518	Barnes, Pearson & Associates, LLC	Oct. & Nov. financial stmts (2008)	5150 · Accounting	625.00
3519	CEBT	Employee Feb.	5222 · Medical Ins--Employee	416.81
3519	CEBT	Family Feb.	5223 · Medical Ins Dependent	435.25
3520	Mountain Clear Water Company Inc.	bottled water	5100 · Office Supplies	22.30
3521	Remington Square	February rent	5395 · Rent	611.00
3521	Remington Square	December Utilities	5392 · Utilities	145.94
3522	Xcel Energy	December	5392 · Utilities	52.65
3523	CNA Surety	2/7/09-2/7/10 Blanket Bond	5600 · Ins.--Officers' Blanket Bond	751.76
	Grand River Consulting Corp.	Board meeting	5260 · Hydrology	225.00
3525	Qwest	December	5390 · Telephone	162.21
3526	Olszewski, Massih & Maurer, P.C.	Prepare/attend brd mtg	5280 · Legal	360.00
3526	Olszewski, Massih & Maurer, P.C.	Review resume	5280 · Legal	60.00
3526	Olszewski, Massih & Maurer, P.C.	Misc.	5280 · Legal	156.00
3526	Olszewski, Massih & Maurer, P.C.	Directors	5280 · Legal	24.00
3526	Olszewski, Massih & Maurer, P.C.	Dec.	5280 · Legal	
3527	Alpine Bank	Payroll deductions	2205-FICA/MED/FWT Payable	1,650.00
3528	Edward Jones Investments	Employer	2227 · Simple IRA Payable	107.18
3528	Edward Jones Investments	Employee	2227 · Simple IRA Payable	1,084.00
3529	Maddock, Janet E	\$4030.01-\$435.25Ins.= \$3594.76	5221 · Salary	3,594.76
3529	Maddock, Janet E		2227 · Simple IRA Payable	-1,084.00
3529	Maddock, Janet E		2205-FICA/MED/FWT Payable	-1,375.00
3529	Maddock, Janet E		2210-Colorado With. Payable	-300.00
3530	Colorado State Treasurer	4th 1/4 2008 Unemployment Tax	5226 · Unemployment Tax	21.57
3531	Colorado Department of Revenue	03-91472	2210-Colorado With. Payable	900.00


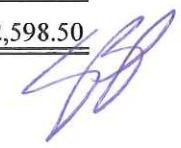
11,306.43

West Divide Water Conservancy District-General Stored Water  
 Bills to be Paid  
 January 22, 2009

Num	Name	Memo	Account	Amount
<b>DOLA SPECIAL ACCOUNT</b>				
1003	U. S. Dept. of Interior Geological Survey	Bill No. 9-8582-0076	7079 · DOLA-- USGS	70,235.50
1753	Grand River Consulting Corp.	Maps for CWCB	7030 · Hydrology	715.00
1753	Grand River Consulting Corp.	Water Right Acctg/adm	7030 · Hydrology	4,712.50
1753	Grand River Consulting Corp.	Alsbury	7030 · Hydrology	1,916.23
1753	Grand River Consulting Corp.	Project Mgmt--Wtr task force	7078 · DOLA -- In-Kind Cont	357.50
1754	Olszewski, Massih & Maurer, P.C.	CWCB	7045 · Legal	156.00
1754	Olszewski, Massih & Maurer, P.C.	Contracts	7045 · Legal	24.00
1754	Olszewski, Massih & Maurer, P.C.	Alsbury	7045 · Legal	1,287.00
1754	Olszewski, Massih & Maurer, P.C.	Area A Umbrella Plan	7045 · Legal	456.00
1754	Olszewski, Massih & Maurer, P.C.	Opposition to EnCana	7045 · Legal	156.00
1754	Olszewski, Massih & Maurer, P.C.	DH policies	7045 · Legal	78.00
1754	Olszewski, Massih & Maurer, P.C.	Advanced Costs	7046 · Legal Pub/filing fees	544.74
	Grand River Consulting Corp.	Crystal River Inv. #1	7082 Crystal RR 7030 - Hydrology EXP.	1,660.83
1756	Grand Valley Vacuum Truck Service, LLC	Overpayment	1200- Accounts Receivable	50.00
1757	Dorman W. Pleasants	Overpayment	1200-Accounts Receivable	5.00
				<u>82,349.30</u>


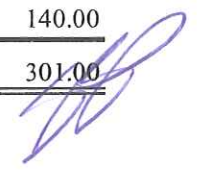
West Divide Water Conservancy District-Fourmile Creek  
 Bills to be Paid  
 January 22, 2009

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
1522	Grand River Consulting Corp.	02CW225	8030 · Hydrology	605.00
1522	Grand River Consulting Corp.	McKown contractees	8030 · Hydrology	97.50
1523	Olszewski, Massih & Maurer, P.C.	General	8050 · Legal--General	588.00
1523	Olszewski, Massih & Maurer, P.C.	Zilm	8054 · Legal Litigation	1,308.00
				<u>2,598.50</u>

West Divide Water Conservancy District--Silt Interconnect  
 Bills to be Paid  
 January 22, 2009

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
110	Olszewski, Massih & Maurer. P.C.	General	7801 · Legal	96.00
111	Grand River Consulting Corporation	Rural Domestic Water Supply	7802 · Hydrology	65.00
111	Grand River Consulting Corporation	Environmental Studies	7802 · Hydrology	140.00
				<u>301.00</u>

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## MEETING NOTICE

WHAT: Board of Directors Meeting

WHERE: West Divide Water Conservancy District Office  
109 West Fourth Street  
Rifle, Colorado

WHEN: Thursday, February 19, 2009

TIME: **2:00 p.m. Meeting**  
**5:00 p.m. Dinner**

## AGENDA

1. Call to Order
2. Minutes of January 22, 2009, meeting
3. Financial Report
  - a. Bills to be Paid
  - b. Financial Statements
4. Water Contracts
5. Roundtable Report
6. Water Resources's Report
7. Hydrologists' Report
8. Attorney's Report
9. Energy Water Use Study—Dave Merritt, CRWCD
10. Adjourn

NEXT MEETING IS March 19, 2009



**WEST DIVIDE WATER CONSERVANCY DISTRICT**  
**109 WEST FOURTH STREET**  
**P. O. BOX 1478**  
**RIFLE, COLORADO 81650-1478**  
**TELEPHONE (970) 625-5461**  
**FAX (970) 625-2796**  
**water@wdwcd.org**

Attendance Roster Board of Directors Meeting

**Date:** February 19, 2009

**Time:** ~~9:00 a.m.~~ 2:00 p.m.

**Place:** District Office  
 109 West Fourth Street  
 Rifle, Colorado

Name	Company/mailing address
1. Janet Maddock	
2. Bob Zanella	
3. Ed Olszewski	
4. Dan Hamann	
5. Bill W...	D.W.R.
6. Eddie Rubin	DWR
7. Sma Wampler	
8. Kelly Sundeen	
9. Lyndie Pearson	
10. <del>DM</del>	
11. Maria P.	
12. Martha Moore	CO River District
13. Dave Merritt	CRWCD

# WEST DIVIDE WATER CONSERVANCY DISTRICT

## MINUTES OF BOARD OF DIRECTORS MEETING

February 19, 2009

### ATTENDANCE ROSTER

#### **Directors & Staff Present**

Samuel B. Potter, President  
Bruce E. Wampler, Treasurer  
Robert J. Zanella, Secretary  
Dan R. Harrison, Director  
Janet Maddock, Office Manager  
Kerry D. Sundeen, Hydrologist  
Maria Pastore, Hydrologist  
Edward B. Olszewski, Attorney  
Lyndie Pearson, CPA

#### **Directors and Staff Absent**

Kelly Couey, Vice President (excused)

#### **Guests**

Bill West, CDWR  
Eddie Rubin, CDWR  
Martha Moore, CRWCD  
Dave Merritt, CRWCD

#### CALL TO ORDER

The regular Board of Directors meeting was called to order at 2:00 p.m. by President Samuel B. Potter.

#### MINUTES

Robert J. Zanella moved the minutes of the January 22, 2009, meeting be approved as received; Bruce E. Wampler seconded; motion carried.

#### FINANCE REPORT

**Bills to be Paid:** Robert J. Zanella moved the attached list of bills be paid; Bruce E. Wampler seconded; motion carried.

**Financial Statements:** Bruce E. Wampler moved the January 2009, Financial Statements as prepared by Barnes, Pearson & Associates, LLC be accepted; Robert J. Zanella seconded; motion carried.

Robert J. Zanella moved execution of acceptance of the Engagement Letter submitted by Lyndie Pearson for the CPA services for 2009; seconded by Bruce E. Wampler; motion carried.



Bruce E. Wampler moved execution of the Modification of Assistance Agreement regarding the Bureau of Reclamation Silt Interconnect Grant; seconded by Robert J. Zanella; motion carried. This is modification of the grant from the original grant amount of \$201,898.00 to \$179,054.47, the amount West Divide actually received.

#### WATER CONTRACTS

**Lee and Mary C. Krauth:** Robert J. Zanella moved approval of this 1.2 of Domestic application/contract, area B, Colorado River–East Elk Creek; seconded by Bruce E. Wampler; motion carried.

**Eugene M. Spear Revocable Trust & Glaphy A. Spear Revocable Trust:** Robert J. Zanella moved approval of this 1 of Domestic application/contract, Fourmile; seconded by Bruce E. Wampler; motion carried.

**Roger L. and Beverley R. Garing:** Robert J. Zanella moved approval of this 1 of Domestic application/contract, Silt Interconnect; seconded by Bruce E. Wampler; motion carried.

**Lyman E. and Donna K. Fogel:** Robert J. Zanella moved approval of this 1 of Domestic application/contract, Silt Interconnect; seconded by Bruce E. Wampler; motion carried.

**Harry Naugle:** Robert J. Zanella moved approval of this 6 of Domestic application/contract, Colorado River; seconded by Bruce E. Wampler; motion carried.

#### ROUNDTABLE REPORT

Received written and oral report from Robert J. Zanella.

#### WATER RESOURCES' S REPORT

There is a meeting scheduled next Wednesday at the State offices on the annual accounting. There are 650 different structures that need to be assigned ID's.

#### HYDROLOGISTS' REPORT

Maria Pastore reported the Water Task Force is moving along on schedule.

Working on Crystal River Study.

Working on Silt Rural Domestic Water Supply System. May seek DOLA grant, deadline April 1.

#### ATTORNEY' S REPORT

Received written report and discussed the following items in the report:

- Rural Domestic Water Supply System
- Fourmile Canal and Siphon Change Case
- Policy Manual

Also, discussed the need for a contemplated draft study for the Avalanche Canal and Siphon to support our Area A augmentation Plans. Such a study would also support our 2011 diligence filing. Possible funding from the River District.

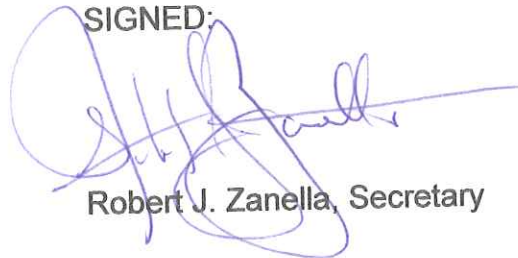
ENERGY WATER USE STUDY

Dave Merritt provided an informative presentation.

ADJOURN

Meeting adjourned at 4:30 p.m.

SIGNED:



Robert J. Zanella, Secretary

ATTEST:



Samuel B. Potter, President

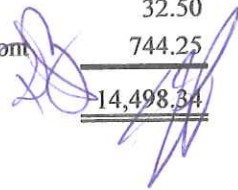
West Divide Water Conservancy District-General Fund  
Bills to be Paid  
February 19, 2009

Num	Name	Memo	Account	Amount
				611.00
3532	Remington Square	March rent	5395 · Rent	122.39
3532	Remington Square	January Utilities	5392 · Utilities	
3533	Olszewski, Massih & Maurer, P.C.	Prepare/attend brd mtg	5280 · Legal	1,164.00
3533	Olszewski, Massih & Maurer, P.C.	Policies	5280 · Legal	39.00
3534	void			
3535	Maddock, Janet E	$\$4327.58 - \$435.25 = \$3869.25$	5221 · Salary	3,869.25
3535	Maddock, Janet E		2227 · Simple IRA Payable	-1,166.66
3535	Maddock, Janet E		2205-FICA/MED/FWT Payable	-1,100.00
3535	Maddock, Janet E		2205-FICA/MED/FWT Payable	-296.00
3535	Maddock, Janet E		2210-Colorado With. Payable	-300.00
3536	Qwest	January	5390 · Telephone	157.28
3537	Tammy S. Keenan	February	5396 · Janitorial	60.00
3538	SDA of Colorado	2009 Membership	5240 · Dues/Registration	760.00
3539	Barnes, Pearson & Associates, LLC	Prep of bank deposits	5150 · Accounting	1,050.00
3539	Barnes, Pearson & Associates, LLC	December Financials	5150 · Accounting	350.00
3539	Barnes, Pearson & Associates, LLC	1099's, payroll, yr end rpts	5150 · Accounting	230.00
3540	CEBT	Employee Feb.	5222 · Medical Ins--Employee	416.81
3540	CEBT	Family Feb.	5223 · Medical Ins Dependent	435.25
3541	Mountain Clear Water Co. Inc.	bottled water	5100 · Office Supplies	7.10
3542	Capital One, F.S.B.	Postage	5300 · Postage/Box Rent/Etc.	130.00
3543	Grand River Consulting Corp.	Board meeting	5260 · Hydrology	389.25
3544	void			
3545	Alpine Bank	Payroll deductions	2205-FICA/MED/FWT Payable	1,757.18
3546	Edward Jones	Employer	2227 - Simple IRA Payable	116.07
3546	Edward Jones	Employee	2227 - Simple IRA Payable	1,166.66
3547	Maddock, Janet E	Audited 2008 payroll/ins	5221 · Salary	426.00
3547	Maddock, Janet E	Audited 2008 payroll/ins	2205-FICA/MED/FWT Payable	-32.59
3548	Xcel Energy	January	5392 · Utilities	49.52
				10,411.51

*[Handwritten signature]*

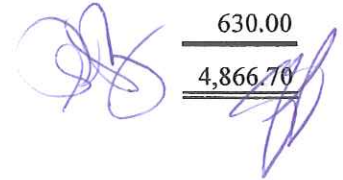
West Divide Water Conservancy District-General Stored Water  
 Bills to be Paid  
 February 19, 2009

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
1758	Klein, Robert O.	Overpayment 2009 water fees	1200 · Accounts Receivable	369.20
1759	Tankersley, Terrell and Patricia	Overpayment on Inv. # 3585	1200 · Accounts Receivable	50.00
1760	Old West Oil Field Services, LLC	Credit 2009 water fees	1200 · Accounts Receivable	11,250.00
1761	Daily Sentinel	Alsbury and Baldy	7046 · Legal Pub/filing fees	357.12
1762	Aspen Times	Alsbury and Baldy	7046 · Legal Pub/filing fees	135.00
1763	Olszewski, Massih & Maurer, P.C.	CRWCD	7045 · Legal	120.00
1763	Olszewski, Massih & Maurer, P.C.	Contracts	7045 · Legal	180.00
1763	Olszewski, Massih & Maurer, P.C.	Alsbury Diligence	7045 · Legal	36.00
1763	Olszewski, Massih & Maurer, P.C.	02CW123	7045 · Legal	444.00
1763	Olszewski, Massih & Maurer, P.C.	Review Resume	7045 · Legal	240.00
1763	Olszewski, Massih & Maurer, P.C.	Advanced Costs	7045 · Legal	30.27
1764	Grand River Consulting Corp.	General	7030 · Hydrology	510.00
1764	Grand River Consulting Corp.	Alsbury	7030 · Hydrology	32.50
1764	Grand River Consulting Corp.	DOLA--Water Task Force	7078 · DOLA -- In-Kind Com	744.25

  
14,498.34

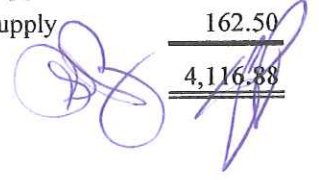
West Divide Water Conservancy District-Fourmile Creek  
 Bills to be Paid  
 February 19, 2009

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
1524	Olszewski, Massih & Maurer, P.C.	General	8050 · Legal--General	300.70
1524	Olszewski, Massih & Maurer, P.C.	Zilm	8054 · Legal Litigation	3,936.00
1525	Grand River Consulting Corp.	02CW225 Umbrella Plan	8030 · Hydrology	630.00
				<u>4,866.70</u>



West Divide Water Conservancy District--Silt Interconnect  
 Bills to be Paid  
 February 19, 2009

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
112	Olszewski, Massih & Maurer. P.C.	Rural Water Supply	7083 · Rural Water Supply	826.50
113	Silt Water Conservancy District	Proceeds from 2008 Contracts	7100 · SWCD Operating Exp	2,347.88
114	Grand River Consulting Corporation	Report Preparation	7083 · Rural Water Supply	780.00
114	Grand River Consulting Corporation	Mtgs/project mgmt	7083 · Rural Water Supply	162.50
				<u>4,116.88</u>



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water@wdwcd.org**

**MEETING NOTICE**

**WHAT:** Board of Directors Meeting

**WHERE:** West Divide Water Conservancy District Office  
109 West Fourth Street  
Rifle, Colorado

**WHEN:** Thursday, March 19, 2009

**TIME:** 9:00 a.m.

**AGENDA**

1. Call to Order
2. Minutes of February 19, 2009, meeting
3. Financial Report
  - a. Bills to be Paid
  - b. Financial Statements
4. Water Contracts
5. Roundtable Report
6. Water Resources's Report
7. Hydrologists' Report
8. Attorney's Report
9. Adjourn

**NEXT MEETING IS April 16, 2009**



**WEST DIVIDE WATER CONSERVANCY DISTRICT**  
**109 WEST FOURTH STREET**  
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**FAX (970) 625-2796**  
**water@wdwcd.org**

Attendance Roster Board of Directors Meeting

**Date:** March 19, 2009

**Time:** 9:00 a.m

**Place:** District Office  
109 West Fourth Street  
Rifle, Colorado

Name	Company/mailing address
1. Ed Olszewski	
2. Kerry Sundeen	
3. Maria Pastore	
4. Bill West	D.W.R.
5. Amy Hammon	
6. Steve Teepel	
7. Ed. O.	
8. Kelly Conroy	I drove
9. Bruce Wampler	
10. [Signature]	
11. Bob Zanella	
12. Janet Maddock	



# WEST DIVIDE WATER CONSERVANCY DISTRICT

## MINUTES OF BOARD OF DIRECTORS MEETING

March 19, 2009

### ATTENDANCE ROSTER

#### **Directors & Staff Present**

Samuel B. Potter, President  
Kelly Couey, Vice President  
Bruce E. Wampler, Treasurer  
Robert J. Zanella, Secretary  
Dan R. Harrison, Director  
Janet Maddock, Office Manager  
Kerry D. Sundeen, Hydrologist  
Maria Pastore, Hydrologist  
Edward B. Olszewski, Attorney

#### **Directors and Staff Absent**

Lyndie Pearson, CPA

#### **Guests**

Steve Trexel, Water Commissioner  
Bill West, Water Commissioner  
Eddie Rubin, Water Commissioner

#### CALL TO ORDER

The regular Board of Directors meeting was called to order at 9:00 a.m. by President Samuel B. Potter.

#### MINUTES

Robert J. Zanella moved the minutes of the February 19, 2009, meeting be approved as received; Kelly Couey seconded; motion carried.

#### FINANCE REPORT

**Bills to be Paid:** Robert J. Zanella moved the attached list of bills be paid; Bruce E. Wampler seconded; motion carried.

**Financial Statements:** Bruce E. Wampler moved the February 19, 2009, Financial Statements as prepared by Barnes, Pearson & Associates, LLC be accepted; Robert J. Zanella seconded; motion carried.

#### WATER CONTRACTS

**Cascade Tanks, LLC:** Robert J. Zanella moved approval of this Direct Hauler amendment from 10 af to 15 af; seconded by Kelly Couey; motion carried.

#### ROUNDTABLE REPORT

Received written and oral report from Robert J. Zanella.

WATER RESOURCES' S REPORT

Received oral report from Steve Trexel.

SILT MESA DOMESTIC WATER SUPPLY

Ed, Kerry, Maria and Sam met with the Silt Water Conservancy District (SWCD) and the Farmers' Irrigation Co. to discuss getting a DOLA grant for the initial study. SWCD will be the applicant for a \$25,000 matching grant. SWCD has volunteered to pay half of Grand River Consulting Corp.'s time. West Divide agreed to contribute \$10,000-- in-kind and cash to help fund the proposed feasibility study in 2009.

The treatment plant would be at Harvey Gap, using Ruedi water through Harvey Gap. A tour of the proposed Silt system will try to be scheduled for after the meeting in April.

HYDROLOGISTS' REPORT

**Water Task Force:** Moving forward on the database.

**Alsbury:** Need to know if proposed improvements are acceptable with John Blair.

**Accounting with State:** Had one meeting with the State. Trying to get structure IDs. Kerry and Maria will draft letter to the State regarding formatting issues.

**Crystal River Project:** Sopris Engineering, LLC provided a map with 6 possible reservoir sites. Reviewed by Directors. Directed Sopris to work out proposal as to how much each structure would cost to construct. Rough estimate is \$10,000-\$20,000 per acre foot because of liners.

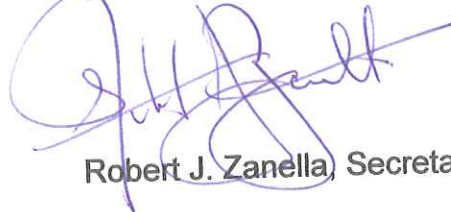
ATTORNEY' S REPORT

Robert J. Zanella moved to move into executive session to discuss litigation at 11:40 a.m.; seconded by Kelly Couey. At 12:15 p.m. moved out of executive session.

ADJOURN

Meeting adjourned at 12:15 p.m.

SIGNED:



Robert J. Zanella, Secretary

ATTEST:





Samuel B. Potter, President

West Divide Water Conservancy District-General Fund  
Bills to be Paid  
March 19, 2009

Num	Name	Memo	Account	Amount
3549	Rifle Brewing Company	Holiday Dinner	5255 · Public Relations	708.00
3550	Celerity Corporation	Yearly copier maint agrmt	5100 · Office Supplies	875.00
3551	Mountain Clear Water Company Inc.	bottled water	5100 · Office Supplies	7.10
3552	Barnes, Pearson & Associates, LLC	Dec adj/Jan. financials	5150 · Accounting	525.00
3552	Barnes, Pearson & Associates, LLC	Board meeting & prep	5150 · Accounting	550.00
3552	Barnes, Pearson & Associates, LLC	Prep of bank deposits	5150 · Accounting	375.00
3553	Sopris Surfers LLC	2/12- 5/12	5393 · Internet	75.00
3554	Remington Square	April rent	5395 · Rent	611.00
3554	Remington Square	Utilities	5392 · Utilities	95.51
3555	Qwest	February	5390 · Telephone	163.08
3556	Tammy S. Keenan	March	5396 · Janitorial	60.00
3557	CEBT	Employee Mar.	5222 · Medical Ins--Employee	416.81
3557	CEBT	Family Mar.	5223 · Medical Ins Dependent	435.25
3558	Capital One, F.S.B.	Office supplies	5100 · Office Supplies	83.06
3558	Capital One, F.S.B.	Postage	5300 · Postage/Box Rent/Etc.	210.43
3559	Alpine Bank	Payroll deductions	2205-FICA/MED/FWT Payable	1,692.00
3560	Edward Jones Investments	Employer	2227 · Simple IRA Payable	116.07
3560	Edward Jones Investments	Employee	2227 · Simple IRA Payable	1,166.66
3561	Olszewski, Massih & Maurer, P.C.	Prepare/attend brd mtg	5280 · Legal	792.00
3561	Olszewski, Massih & Maurer, P.C.	Policies	5280 · Legal	917.00
3562	Grand River Consulting Corp.	Board meeting	5260 · Hydrology	328.50
3563	Maddock, Janet E	\$4327.58-\$435.25=\$3869.25	5221 · Salary	3,869.25
3563	Maddock, Janet E		2227 · Simple IRA Payable	-1,166.66
3563	Maddock, Janet E		2205-FICA/MED/FWT Payable	-1,396.00
3563	Maddock, Janet E		2210-Colorado With. Payable	-300.00
3564	Couey, Kelly	Jan-Mar '08 replacement ck	5020 · Director Fees	300.00
3564	Couey, Kelly	Jan-Mar '08 replacement ck	5230 · Directors' Expenses	27.27
3565	Xcel Energy	February electricity	5392- Utilities	52.71
				11,589.04

West Divide Water Conservancy District-General Stored Water  
Bills to be Paid  
March 19, 2009

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
1765	Grand River Consulting Corp.	Hydrology--Project Mgmt.	7082 · Grant Adm-Crystal River	195.00
1766	General Fund	Personell Service Expense 1st 1/4	7062 · Personnel Service Exp	8,462.75
1767	Garfield County Clerk and Recorder	Memorandums	7070 · Memo Recording Fees	137.00
1768	CRWCD	10 af O & M 7/1/09 -6/30/10	7076 · Wolford Reservoir	277.50
1769	CRWCD	Deferral Fee on 1000 af Ruedi II	7074 · CRWCD--Ruedi II	676.25
1770	CRWCD	1000 af Ruedi II 7/1/09-- 6/30/10	7074 · CRWCD--Ruedi II	26,980.00
1771	Olszewski, Massih & Maurer, P.C.	CRWCD	7045 · Legal	24.00
1771	Olszewski, Massih & Maurer, P.C.	Contracts	7045 · Legal	120.00
1771	Olszewski, Massih & Maurer, P.C.	Alsbury Diligence	7045 · Legal	36.00
1771	Olszewski, Massih & Maurer, P.C.	02CW123	7045 · Legal	1,500.00
1771	Olszewski, Massih & Maurer, P.C.	Review Resume	7045 · Legal	192.00
1771	Olszewski, Massih & Maurer, P.C.	Advanced Costs	7045 · Legal	63.00
1771	Olszewski, Massih & Maurer, P.C.	EnCana	7045 · Legal	60.00
1772	Grand River Consulting Corp.	Water Right Acct/Adm.	7030 · Hydrology	1,899.25
1772	Grand River Consulting Corp.	Water Task Force--DOLA	7078 · DOLA -- In-Kind Cont	682.50
1773	Cascade Tanks LLC	Refund for overpayment of 5 af	1200 · Accounts Receivable	2,250.00
				<u>43,555.25</u>



West Divide Water Conservancy District-Fourmile Creek  
Bills to be Paid  
March 19, 2009

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
1526	General Fund #1414008103	Personnel Service Exp. 1st 1/4	8059 · Personnel Service Exp	1,437.50
1527	Greenwald Children's Irrev Trust	Refund of 25% of 2009 fees	2400 · Due to Greenwald Trust	3,903.50
1528	Olszewski, Massih & Maurer, P.C.	General	8050 · Legal--General	180.00
1528	Olszewski, Massih & Maurer, P.C.	Zilm	8054 · Legal Litigation	1,332.00
				<u>6,853.00</u>

West Divide Water Conservancy District--Silt Interconnect  
Bills to be Paid  
March 19, 2009

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
115	General Fund 1414008103	Personnel Service 1st 1/4	9012 · Personnel Service Expense	525.00
116	Garfield County Clerk & Recorder	Memorandums	8000 · Memo Recording Fees	18.00
117	U. S. Dept. of Interior	Carriage of non-project water in Silt pump canal	7010 · Warren Act/Non-Project Wtr	1,881.14
118	Grand River Consulting Corp	Report Prep/Hydro. Ass	7083 · Rural Water Supply	720.00
119	Olszewski, Massih & Maurer. P.C.	Service Area	7801 · Legal	108.00
				<u>3,252.14</u>

**WEST DIVIDE WATER CONSERVANCY DISTRICT  
109 WEST FOURTH STREET  
P. O. BOX 1478  
RIFLE, COLORADO 81650-1478  
(970) 625-5461  
water@wdwcd.org**

**MEETING NOTICE**

**WHAT:** Board of Directors Meeting

**WHERE:** West Divide Water Conservancy District Office  
109 West Fourth Street  
Rifle, Colorado

**WHEN:** Thursday, April 16, 2009

**TIME:** 9:00 a.m.

**AGENDA**

1. Call to Order
2. Minutes of March 19, 2009, meeting
3. Financial Report
  - a. Bills to be Paid
  - b. Financial Statements—unavailable
4. DOLA Grant Extension
5. Policy Resolution 09-01
6. Water Contracts
7. Roundtable Report
8. Water Resources's Report
9. Hydrologists' Report
10. Attorney's Report
11. Adjourn

**NEXT MEETING IS May 21, 2009**

1:00 p.m.to 3:30 p.m. tour of Silt Water Conservancy District  
and Farmers' Irrigation Co. facilities

Lunch at Taste Budz Grill (next door)

**WEST DIVIDE WATER CONSERVANCY DISTRICT**  
**109 WEST FOURTH STREET**  
**P. O. BOX 1478**  
**RIFLE, COLORADO 81650-1478**  
**TELEPHONE (970) 625-5461**  
**FAX (970) 625-2796**  
**water@wdwcd.org**

Attendance Roster Board of Directors Meeting

**Date:** April 16, 2006

**Time:** 9:00 a.m

**Place:** District Office  
109 West Fourth Street  
Rifle, Colorado

Name	Company/mailing address
1. Bob Zarella	
2. Bruce Wagoner	
3. Ed. [unclear]	
4. Steve Teffel	
5. Bill West DWR	
6. Dan Harrison	
7. Manu Pastore	
8. Kelly Sundeem	
9. Ed Skowst	
10. [unclear]	
11. Janet Maddock	
12.	



# WEST DIVIDE WATER CONSERVANCY DISTRICT

## MINUTES OF BOARD OF DIRECTORS MEETING April 16, 2009

### ATTENDANCE ROSTER

#### **Directors & Staff Present**

Samuel B. Potter, President  
Bruce E. Wampler, Treasurer  
Robert J. Zanella, Secretary  
Dan R. Harrison, Director  
Janet Maddock, Office Manager  
Kerry D. Sundeen, Hydrologist  
Maria Pastore, Hydrologist  
Edward B. Olszewski, Attorney

#### **Directors and Staff Absent**

Lyndie Pearson, CPA  
Kelly Couey, Vice President (unexcused)

#### **Guests**

Steve Trexel, Water Commissioner  
Bill West, Water Commissioner  
Eddie Rubin, Water Commissioner

#### CALL TO ORDER

The regular Board of Directors meeting was called to order at 9:00 a.m. by President Samuel B. Potter.

#### MINUTES

Robert J. Zanella moved the minutes of the March 19, 2009, meeting be approved as received; Dan R. Harrison seconded; motion carried.

#### FINANCE REPORT

**Bills to be Paid:** Robert J. Zanella moved the attached list of bills be paid; Bruce E. Wampler seconded; motion carried.

**Financial Statements:** Unavailable.

#### DOLA Grant Extension

Robert J. Zanella moved execution of the Contract Amendment to the Department of Local Affairs Contract #01563 extending the Time of Performance from May 31, 2009, to December 31, 2010; seconded by Bruce E. Wampler; motion carried.

#### POLICIES

Reviewed and discussed latest Standard Policies. Counsel will make revisions and policies will be adopted at the next meeting.

WATER CONTRACTS

Canceled Contracts:

Discussed the following contracts canceled this date for the reasons listed in italics.

**Sunlight Inc.**

Contract #FM050616SI(a)

SW1/4 S33, T7S, R89W, 6<sup>th</sup> P.M. on or near Sunlight Mountain

*Contract for snow making. Cannot afford contract, so prefers to cancel.*

**Screamin' Eagle Trucking & Excavating**

Contract #060817SET(a)

*Direct Hauling from Colorado River. Cancelled for non-payment.*

**Berry Petroleum Company**

Contract #060720BP(a)

*Direct Hauling from Colorado River. Contractee no longer needs water. No longer drilling natural gas wells in Garfield County.*

**Phoenix Field Services, LLC**

Contract #071018PFS(a)

*Direct Hauling from Colorado River. Contractee no longer hauling water.*

**Noble Energy, Inc.**

Contract #080101NE(a)

*Direct Hauling from Colorado River. Contractee no longer needs water.*

**Springridge at Glenwood Springs Development Corp.**

Contract #FM050721SGSDC(a)

*Direct Hauling from Colorado River for dust suppression. Project finished.*

**Bailey Exchange II, LLC**

Contract #910810BFH(b)

Permit # 58138-F

NW1/4 NE1/4 S10 T8S R88W 6<sup>th</sup> P.M.

Case No. 83CW281

*No Well—Infrastructure gone.*

**Parachute Management, LLC**

Contract # 080117PM(a)

Permit #

SE1/4 NWE1/4 S7 T7S R95 W 6<sup>th</sup> P.M.

*Buying water from Town of Parachute.*

**Don Scott, dba DS Enterprise**

Contract #030320DS(a)

Permit #121623

SE1/4 NE1/4 S15 T6S R93W 6<sup>th</sup> P.M.

*Down Valley Septic renting this property and maintaining well. It has moved and no longer has an interest in the well.*

**Juan and Edith Aguirre**

Contract #040826JEA(a)

Permit #61860-F

NE1/4 SE1/4 S6 T6S R91W 6<sup>th</sup> P.M.

*Neighbors do not have WD contracts. Contract has not helped his well. He was encouraged to discuss with Division of Water Resources.*

**John Olson**

Contract #030227JMR(b)

Permit #

SE1/4 SE1/4 S5 T6S R91 W 6<sup>th</sup> P.M.

*Domestic permit never issued. Application rejected on a technicality. Home only using inside water.*

**George W. Sherick**

Contract #030612GS(a)

Permit #

SE1/4 SE1/4 S12 T7S R89W 6<sup>th</sup> P.M.

*Contract for a subdivision that was never approved by the County. Well never drilled.*

**Red Apple Landowners Association, Inc.**

Contract #990603JS(b)

Permit #052827-F

NE1/4 NW1/4 S34 T6S R94W 6<sup>th</sup> P.M.

*This well is unused. These lots are not occupied and because of the intensity of the oil and gas drilling in the area will not be sold or developed.*

**Dennis and Cindy Phillips**

Contract #891103BSS(c)

Permit #036287-F

NW1/4 SE1/4 S26 T5S R92 W 6<sup>th</sup> P.M.

*New owner Tim Holiday, cancelled contract. Could not be convinced of need for augmentation water for the well.*

**Leonard M. and Diane H. Oberosler**  
Contract #970714MDH(b)  
Permit #048824-F  
SW1/4 NW1/4 S33 T5S R92W 6<sup>th</sup> P.M.  
*Non-payment. Home in foreclosure.*

**Elk Meadows Properties LLC**  
Contract # FM070517REM(b)  
Permit #  
S34 T6S R89W 6<sup>th</sup> P.M.  
*Non-payment.*

**Sunlight Mountain Development, LLC**  
Contract #FM020530TL(a)  
Permit #  
SW1/4 NW1/4 S33 T7S R89W 6<sup>th</sup> P.M.  
*Non-payment.*

**New Contract Applications**

**Garfield County Animal Welfare Foundation Inc.:** Robert J. Zanella moved approval of this application/contract, Commercial 1 af, Colorado River; seconded by Bruce E. Wampler; roll call: Samuel B. Potter, abstain due to personal interest in contract; Kelly Couey, absent; Dan R. Harrison, yes; Bruce E. Wampler, yes; Robert J. Zanella, yes; motion carried.

**Williams Production RMT:** Robert J. Zanella moved approval of this application/contract, Commercial 19 af, Colorado River; seconded by Bruce E. Wampler; motion carried.

**Division of Colorado Parks and Outdoor Recreation:** Robert J. Zanella moved approval of this contract for 7 shares of Farmers' Irrigation Company Water for 2009; seconded by Bruce E. Wampler; motion carried.

**ROUNDTABLE REPORT**

Received written and oral report from Robert J. Zanella.

**WATER RESOURCES' S REPORT**

Nothing additional to add.

**HYDROLOGISTS' REPORT**

**Alsbery:** Kit Choi will address John Blair' s comments on the spillway design. It should be pretty straight forward. Construction could begin in the next few months. Need to solicit bids.

**Rural Domestic Water Supply:** Application for Silt Water Conservancy District DOLA grant was submitted April 1.

**Crystal River Reservoirs:** Pits could be termed recharge pits and not lined to cut costs.  
**CSU Water Shed Pilot Program:** Instructed Maria to invite Denis Reich to come to the next meeting for a short presentation on the water shed program.  
**Accounting:** Discussion regarding electronic data reporting to the State.

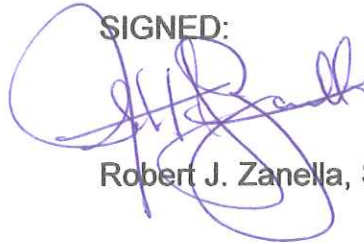
ATTORNEY' S REPORT

Received written report from counsel/discussion.

ADJOURN

Meeting adjourned at 11:40 a.m. to tour Silt Water Conservancy District and Farmers' Irrigation Company facilities.

SIGNED:



Robert J. Zanella, Secretary

ATTEST:



Samuel B. Potter, President

West Divide Water Conservancy District-General Fund  
Bills to be Paid  
April 16, 2009

Num	Name	Memo	Account	Amount
3566	Qwest	March	5390 · Telephone	166.69
3567	Couey, Kelly	Jan. Feb. Mar.	5020 · Director Fees	300.00
3567	Couey, Kelly	Jan. Feb. Mar.	5230 · Directors' Expenses	18.18
3568	Jean's Printing	Add labels, post-its, stationery	5100 · Office Supplies	763.41
3569	Mountain Clear Water Co. Inc.	bottled water	5100 · Office Supplies	7.10
3570	Capital One, F.S.B.	Office supplies	5100 · Office Supplies	40.25
3570	Capital One, F.S.B.	Postage	5300 · Postage/Box Rent/Etc.	15.99
3571	void			
3572	Tammy S. Keenan	April	5396 · Janitorial	60.00
3573	CEBT	Employee May	5222 · Medical Ins--Employee	416.81
3573	CEBT	Family May	5223 · Medical Ins Dependent	435.25
3574	Alpine Bank	Payroll Deduction	2205-FICA/MED/FWT Payable	1,692.00
3575	Colorado Department of Revenue	Colorado Income Tax Ded.	2210-Colorado With. Payable	900.00
3576	Edward Jones Investments	Employer IRA	2227 · Simple IRA Payable	116.07
3576	Edward Jones Investments	Employee IRA	2227 · Simple IRA Payable	1,166.66
3577	Office Depot	Office Supplies	5100 · Office Supplies	50.46
3578	void			
3579	Wampler, Bruce E.	Jan. Feb. Mar.	5020 · Director Fees	300.00
3579	Wampler, Bruce E.	Jan. Feb. Mar.	5230 · Directors' Expenses	90.90
3580	Maddock, Janet E	\$4327.58-\$435.25=\$3869.25	5221 · Salary	3,869.25
3580	Maddock, Janet E		2227 · Simple IRA Payable	-1,166.66
3580	Maddock, Janet E		2205-FICA/MED/FWT Pyble	-1,100.00
3580	Maddock, Janet E		2205-FICA/MED/FWT Pyble	-296.00
3580	Maddock, Janet E		2210-Colorado With. Payable	-300.00
3581	Olszewski, Massih & Maurer, P.C.	Bluestone WCD	5280 · Legal	24.00
3581	Olszewski, Massih & Maurer, P.C.	Legislation	5280 · Legal	144.00
3581	Olszewski, Massih & Maurer, P.C.	Crystal River	5280 · Legal	24.00
3581	Olszewski, Massih & Maurer, P.C.	EnCana	5280 · Legal	48.00
3581	Olszewski, Massih & Maurer, P.C.	Prepare for/attend brd mtg	5280 · Legal	828.00
3581	Olszewski, Massih & Maurer, P.C.	General misc.	5280 · Legal	430.50
3582	Remington Square	May rent	5395 · Rent	611.00
3582	Remington Square	utilities	5392 · Utilities	85.16

West Divide Water Conservancy District-General Fund  
 Bills to be Paid  
 April 16, 2009

3583	Harrison, Dan	Jan. Feb. Mar.	5020 · Director Fees	400.00
3583	Harrison, Dan	Jan. Feb. Mar.	5230 · Directors' Expenses	67.18
3584	Grand River Consulting Corp.	Board meeting	5260 · Hydrology	387.50
3585	Zanella, Robert J.	Jan. Feb. Mar.	5020 · Director Fees	600.00
3585	Zanella, Robert J.	Jan. Feb. Mar.	5230 · Directors' Expenses	81.81
3586	Potter, Samuel B.	Jan. Feb. Mar.	5020 · Director Fees	500.00
3586	Potter, Samuel B.	Jan. Feb. Mar.	5230 · Directors' Expenses	157.57
3587	Postmaster	Stamps	5300 · Postage/Box Rent/Etc.	84.00
3588	Colorado State Treasurer	1st 1/4 2009 Unemploy Tax	5226 · Unemployment Tax	<div style="text-align: right;"> <del>25.32</del>  <del>12,019.08</del>  <u># 12,044.40</u> </div>

West Divide Water Conservancy District-General Stored Water  
 Bills to be Paid  
 April 16, 2009

Num	Name	Memo	Account	Amount
1774	Olszewski, Massih & Maurer, P.C.	Contracts	7045 · Legal	48.00
1774	Olszewski, Massih & Maurer, P.C.	02CW123	7045 · Legal	1,512.00
1774	Olszewski, Massih & Maurer, P.C.	Rubino	7045 · Legal	24.00
1774	Olszewski, Massih & Maurer, P.C.	Adv. Costs	7045 · Legal	18.17
1775	Grand River Consulting Corp.	Database	7030 · Hydrology	192.50
1775	Grand River Consulting Corp.	02CW123	7030 · Hydrology	2,880.00
1775	Grand River Consulting Corp.	Meetings--DWR Diligence	7030 · Hydrology	227.50
1775	Grand River Consulting Corp.	Historic Use Evaluation	7030 · Hydrology	195.00
1775	Grand River Consulting Corp.	Water Right Acctg/Adm.	7030 · Hydrology	1,178.25
1775	Grand River Consulting Corp.	Water Task Force Project Mgmt	7078 · DOLA -- In-Kind Cont.	872.50
1776	Grand River Consulting Corp.	Hydrology	7082 · Grant Adm-Crystal R. R.	<div style="text-align: right;"> <del>273.75</del>  <u>7,421.67</u> </div>

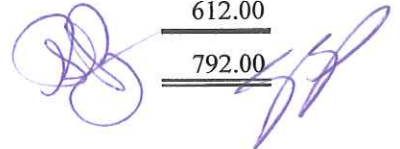


West Divide Water Conservancy District-Fourmile Creek

Bills to be Paid

April 16, 2009

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
1529	Olszewski, Massih & Maurer, P.C.	General	8050 · Legal--General	180.00
1529	Olszewski, Massih & Maurer, P.C.	Zilm	8054 · Legal Litigation	612.00
				<u>792.00</u>

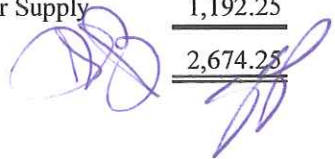


West Divide Water Conservancy District--Silt Interconnect

Bills to be Paid

April 16, 2009

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
120	Olszewski, Massih & Maurer. P.C.	Service Area	7801 · Legal	528.00
120	Olszewski, Massih & Maurer. P.C.	Rural Domestic Water Supply	7083 · Rural Water Supply	775.50
120	Olszewski, Massih & Maurer. P.C.	Filing Fees Silt Mesa	9010 · Legal Pub./Filing Fees	13.50
121	Farmers Irrigation Company	1/2 annual fee for 23 shares	7015 · Farmers Irrig Water	165.00
122	Grand River Consulting Corp	Report Prep. and Proposal for DOLA Grant	7083 · Rural Water Supply	1,192.25
				<u>2,674.25</u>



WEST DIVIDE WATER CONSERVANCY DISTRICT  
109 WEST FOURTH STREET  
P. O. BOX 1478  
RIFLE, COLORADO 81650-1478  
(970) 625-5461  
water@wdwcd.org

MEETING NOTICE

WHAT: Board of Directors Meeting

WHERE: West Divide Water Conservancy District Office  
109 West Fourth Street  
Rifle, Colorado

WHEN: Thursday, May 21, 2009

TIME: 9:00 a.m.

AGENDA

1. Call to Order
2. Minutes of April 16, 2009, meeting
3. Financial Report
  - a. Bills to be Paid
  - b. Financial Statements
4. Adoption of General Policies
5. Water Contracts
6. Roundtable Report
7. Water Resources's Report
8. Hydrologists' Report
9. Attorney's Report
10. 11:00 a.m. Presentation
  - Colorado Watershed Steward—Middle Colorado Pilot
  - Denis Reich, Colorado State University
11. 11:30 a.m. Presentation
  - 10825 Alternative
  - Dan Birch, Colorado River District
12. Adjourn

NEXT MEETING IS June 18, 2009

**WEST DIVIDE WATER CONSERVANCY DISTRICT**  
**109 WEST FOURTH STREET**  
**P. O. BOX 1478**  
**RIFLE, COLORADO 81650-1478**  
**TELEPHONE (970) 625-5461**  
**FAX (970) 625-2796**  
**water@wdwcd.org**

Attendance Roster Board of Directors Meeting

**Date:**        may 21, 2009

**Time:**        9:00 a.m

**Place:**        District Office  
                   109 West Fourth Street  
                   Rifle, Colorado

Name	Company/mailing address
1. Janet Maddock	
2. Bob Zanello	
3. Ed Okzowski	
4. Dan Hamrin	
5. <del>Ed</del> Eddie Rubin	
6. Bruce Dangle	
7. <del>Steve</del>	
8. Wayne Pastore	
9. Steve Trefel	
10. Bill West	
11. Denis Reich	
12. Dan Birch	

# WEST DIVIDE WATER CONSERVANCY DISTRICT

## MINUTES OF BOARD OF DIRECTORS MEETING

May 21, 2009

### ATTENDANCE ROSTER

#### **Directors & Staff Present**

Samuel B. Potter, President  
Bruce E. Wampler, Treasurer  
Robert J. Zanella, Secretary  
Dan R. Harrison, Director  
Janet Maddock, Office Manager  
Maria Pastore, Hydrologist  
Edward B. Olszewski, Attorney

#### **Directors and Staff Absent**

Kelly Couey, Vice President (excused)  
Lyndie Pearson, CPA  
Kerry D. Sundeen, Hydrologist

#### **Guests**

Steve Trexel, Water Commissioner  
Bill West, Water Commissioner  
Eddie Rubin, Water Commissioner  
Denis Reich, Colo. St. University  
Dan Birch, Colo. River District

#### CALL TO ORDER

The regular Board of Directors meeting was called to order at 9:05 a.m. by President Samuel B. Potter.

#### MINUTES

Bruce E. Wampler moved the minutes of the April 16, 2009, meeting be approved as received; Robert J. Zanella seconded; motion carried.

#### FINANCE REPORT

**Bills to be Paid:** Bruce E. Wampler moved the attached list of bills be paid; Robert J. Zanella seconded; motion carried.

**Financial Statements:** Bruce E. Wampler moved the April 2009, Financial Statements as prepared by Barnes, Pearson & Associates, LLC be accepted; Robert J. Zanella seconded; motion carried.

#### POLICY RESOLUTION 09-01

Robert J. Zanella moved adoption of Resolution 09-01 adopting Standard Policies; seconded by Bruce E. Wampler. Roll call: Samuel B. Potter, yes; Bruce E. Wampler, yes; Dan R. Harrison, yes; Robert J. Zanella, yes; Kelly Couey, absent. Resolution adopted. (Copy attached.)

WATER CONTRACTS

**Luke' s Hauling, LLC:** Robert J. Zanella moved approval of this amendment from 1 af to 10 af Direct Hauling, Colorado River; seconded by Bruce E. Wampler; motion carried.

**Thom and Camille Toler:** Robert J. Zanella moved approval of this amendment from 1 af to 2.66 af Commercial, Colorado River; seconded by Bruce E. Wampler; motion carried.

**Town of New Castle:** Robert J. Zanella moved approval of this contract application for 4 af Direct Hauling, Colorado River ; seconded by Bruce E. Wampler; motion carried.

**Trever and Cori Rider:** Robert J. Zanella moved approval of this contract application for 1 af Domestic, Silt Interconnect; seconded by Bruce E. Wampler; motion carried.

**John Schneider:** Robert J. Zanella moved approval of this contract application for 1.11 af Domestic, Colorado River ; seconded by Bruce E. Wampler; motion carried.

**Enterprise Gas Processing LLC:** Robert J. Zanella moved approval of this contract application for 22 af Direct Hauling, Colorado River; seconded by Bruce E. Wampler; motion carried.

**Lafarge West, Inc.** Robert J. Zanella moved approval of this contract application for 29.1 af Commercial, Colorado River, Area B; seconded by Bruce E. Wampler; motion carried.

ROUNDTABLE REPORT

Received written and oral report from Robert J. Zanella.

WATER RESOURCES' S REPORT

Alsbury Reservoir is full at 181 af. State approved the spillway design.

HYDROLOGISTS' REPORT

**Alsbury Reservoir:** BasePoint Design Inc., will prepare the bid package for the modification of the Alsbury Reservoir spillway free of charge. We should have it next week. Need to put to bids-- legal notice in newspaper. Grand River Construction Inc. will monitor the construction. Need Forest Service approval prior to letting bids.

**Water Task Force:** Roll out of Data Repository to public in July without advertising; formal roll out to public in August with advertising.

**Crystal River Reservoir:** Had a site visit last week to Reservoir Site No. 1 which could be from 20 af to 68 af, recharge pit without a lining.

ATTORNEY' S REPORT

Received written and oral report from counsel.

Discussed Court ruling in 02CW225. Next month, when all directors and all hydrologists are present, we will discuss abandoning some EQR's in the 94CW344 augmentation plan that do not have West Divide contracts.

Discussed possibly filing the 2011 West Divide Project diligence separate from the River District to avoid opposition that might arise from its batch filing.

COLORADO WATERSHED STEWARD—MIDDLE COLORADO PILOT

Presentation by Denis Reich, Colorado State University. He wants to form a watershed group for a middle Colorado education program. Requested verbal support from West Divide. Directors offered to include an informational letter with our annual billing. Mr. Reich will provide flyer by mid November.

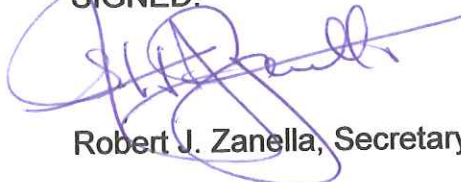
10825 ALTERNATIVE

Presentation by Dan Birch, Colorado River District. He was seeking financial assistance for the NEPA study for the endangered fish in the Fifteen Mile Reach. He estimated \$500,000 for the study. Through an "entity size" method of calculation he suggested West Divide provide \$10,000. President Potter suggested the more equitable method would be to calculate requested monetary donations based on consumptive use. Told Mr. Birch we would have an answer for him after the June meeting when all directors and all hydrologists are present to further discuss.

ADJOURN

Meeting adjourned at 12:15 p.m.

SIGNED:



Robert J. Zanella, Secretary

ATTEST:



Samuel B. Potter, President




West Divide Water Conservancy District-General Fund  
Bills to be Paid  
May 21, 2009

Num	Name	Memo	Account	Amount
3589	Tastebudz Grill	Lunch prior to tour	5255-Public Relations	65.68
3590	Maddock, Janet E	\$4327.58-\$435.25=\$3869.25	5221 · Salary	3,869.25
3590	Maddock, Janet E		2227 · Simple IRA Payable	-1,166.66
3590	Maddock, Janet E		2205-FICA/MED/FWT Payable	-1,396.00
3590	Maddock, Janet E		2210-Colorado With. Payable	-300.00
3591	Capital One, F.S.B.	Postage	5300-Postage/Box Rent/etc.	16.49
3592	Mountain Clear Water Co. Inc.	bottled water	5100 · Office Supplies	7.10
3593	Remington Square	June rent	5395 · Rent	611.00
3593	Remington Square	utilities	5392 · Utilities	71.71
3594	Qwest	April	5390 · Telephone	163.84
3595	CEBT	Employee June	5222 · Medical Ins--Employee	416.81
3595	CEBT	Family June	5223 · Medical Ins Dependent	435.25
3596	Xcel Energy	March	5392 · Utilities	48.08
3596	Xcel Energy	April	5392 · Utilities	51.63
3597	Tammy S. Keenan	May	5396 · Janitorial	60.00
3598	Alpine Bank	Payroll deductions	2205-FICA/MED/FWT Payable	1,692.00
3599	Edward Jones Investments	Employer	2227 · Simple IRA Payable	116.07
3599	Edward Jones Investments	Employee	2227 · Simple IRA Payable	1,166.66
3600	Postmaster	P. O. Box 203 rent	5300 · Postage/Box Rent/Etc.	44.00
3601	Olszewski, Massih & Maurer, P.C.	Report to Directors	5280 · Legal	144.00
3601	Olszewski, Massih & Maurer, P.C.	Prep/attend Brd Mtg	5280 · Legal	384.00
3601	Olszewski, Massih & Maurer, P.C.	General	5280 · Legal	426.00
3602	Grand River Consulting Corp.	Board meeting	5260 · Hydrology	886.25
3602	Grand River Consulting Corp.	Roundtable	5260 · Hydrology	270.00
3602	Grand River Consulting Corp.	Website	5394 · Website	2,442.50
				<u>10,525.66</u>



West Divide Water Conservancy District-General Stored Water  
 Bills to be Paid  
 May 21, 2009

Num	Name	Memo	Account	Amount
1777	Olszewski, Massih & Maurer, P.C.	Water Rights	7045 · Legal	300.00
1777	Olszewski, Massih & Maurer, P.C.	Contracts	7045 · Legal	252.00
1777	Olszewski, Massih & Maurer, P.C.	General	7045 · Legal	123.00
1777	Olszewski, Massih & Maurer, P.C.	02CW123	7045 · Legal	732.00
1777	Olszewski, Massih & Maurer, P.C.	Review Resume	7045 · Legal	324.00
1778	Grand River Consulting Corp.	Mileage	7030 · Hydrology	123.75
1778	Grand River Consulting Corp.	02CW123	7030 · Hydrology	540.00
1778	Grand River Consulting Corp.	02CW281	7030 · Hydrology	270.00
1778	Grand River Consulting Corp.	Database	7030 · Hydrology	227.50
1778	Grand River Consulting Corp.	Water Right Acctg/Adm	7030 · Hydrology	2,150.00
1778	Grand River Consulting Corp.	Alsbury	7030 · Hydrology	65.00
1778	Grand River Consulting Corp.	Water Task Force	7078 · DOLA -- In-Kind Cont	195.00
1779	Grand River Consulting Corp.	Sopris Engineering survey work	4550 · Grant--Crystal River R	19,182.40
1779	Grand River Consulting Corp.	General	4550 · Grant--Crystal River R	669.00
1780	BasePoint Design Corporation	Inv. #09-04-05 Addendum #6	7083 · Capital Outlay--Alsbury	2,977.00

  
25,139.65



West Divide Water Conservancy District-Fourmile Creek  
 Bills to be Paid  
 May 21, 2009

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
1530	Olszewski, Massih & Maurer, P.C.	General	8050 · Legal--General	276.00
				<del>276.00</del>

West Divide Water Conservancy District--Silt Interconnect  
 Bills to be Paid  
 May 21, 2009

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
123	Grand River Consulting Corporation	DOLA proposal	7083 · Rural Water Supply	130.00
123	Grand River Consulting Corporation	Site Investigation	7083 · Rural Water Supply	97.50
123	Grand River Consulting Corporation	General	7083 · Rural Water Supply	112.25
123	Grand River Consulting Corporation	Water Right Acctg/Adm.	7802 · Hydrology	662.50
124	Olszewski, Massih & Maurer. P.C.	Harvey Gap carry over	7801 · Legal	204.00
124	Olszewski, Massih & Maurer. P.C.	Field Trip Silt/Farmers Facilities	7083 · Rural Water Supply	408.00
124	Olszewski, Massih & Maurer. P.C.	Revise app for Rifle Creek	7801 · Legal	756.00
124	Olszewski, Massih & Maurer. P.C.	General	7801 · Legal	785.92
125	Garfield County Clerk & Recorder	Memorandums	8000 · Memo Recording Fees	11.00
				<del>3,167.77</del>

**WEST DIVIDE WATER CONSERVANCY DISTRICT  
RESOLUTION 09-01  
Resolution to adopt Standard Policies**

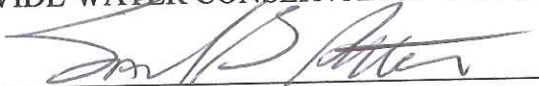
WHEREAS, the Board of Directors of the West Divide Water Conservancy District ("District") has created a set of Standard Policies to direct the operation of the District and desires to adopt those Standard Policies;

WHEREAS, the Board of Directors recognizes that these Standard Policies are subject to review and may be modified or revoked in the sole discretion of the Board of Directors at any time.

THEREFORE, the attached Standard Policies are accepted for adoption and incorporation into the operation of the District.

ADOPTED the 21<sup>st</sup> day of May, 2009.

WEST DIVIDE WATER CONSERVANCY DISTRICT

by   
Samuel B. Potter, President

ATTEST:

  
\_\_\_\_\_  
Robert J. Zanella, Secretary

# **WEST DIVIDE WATER CONSERVANCY DISTRICT**

## **STANDARD POLICIES**

Initially Adopted: May 21, 2009

All Prior Policies Superseded

The following policies have been adopted by the Board of Directors of the West Divide Water Conservancy District ("West Divide" or "District"). It should be noted that these policies are subject to review and may be modified or revoked in the sole discretion of the Board of Directors at any time.

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## POLICIES

### 1. PURPOSE OF THE DISTRICT

West Divide Water Conservancy District is a political subdivision of the State of Colorado, organized pursuant to and existing by virtue of C.R.S. 1973, '37-45-101, et seq. The District includes portions of Garfield, Pitkin and Mesa Counties in Western Colorado.

A primary service of West Divide is to provide water right augmentation supplies within the District's Service Areas for all beneficial uses, and to promote the health, safety and welfare of the public while providing such service. West Divide has decreed several regional water right plans for augmentation that provide a legal supply of water to its constituents. The District also delivers physical water supplies in certain geographical areas.

### 2. WATER SUPPLY PROGRAMS & GEOGRAPHIC AREAS

The West Divide District Boundaries lie generally to the West of the mainstem of the Roaring Fork River between Carbondale and Glenwood Springs, Colorado, and to the South of the mainstem of the Colorado River between Glenwood Springs and Debeque, Colorado. West Divide generally serves water users located within its District boundaries and operates water augmentation programs within four distinct "Service Areas". These augmentation programs are operated in the following Service Areas: 1) Area A Service Area; 2) Four Mile Creek Service Area; 3) Alsbury Reservoir Service Area; and 4) Silt Interconnect Service Area. West Divide also develops water augmentation programs in new service areas from time to time as demand dictates and water supplies allow, and occasionally modifies existing service areas as required by the State and Division Engineers.

### 3. INTERGOVERNMENTAL AGREEMENTS & COLORADO RIVER WATER CONSERVATION DISTRICT AGREEMENT

A. Intergovernmental Agreements. West Divide has entered into two Intergovernmental Agreements ("IGAs") to allow it to serve water users within the Silt Water Conservancy District ("SWCD") and Bluestone Water Conservancy District ("BWCD"). The Intergovernmental Agreement between the District and the Silt Water Conservancy District, dated January 25, 2001, is recorded as Reception No. 575691, Garfield County Clerk and Recorder's Office. The Intergovernmental Memorandum of Understanding between the District and the Bluestone Water Conservancy District, dated April 26, 2001, is recorded as Reception No. 584840, Garfield County Clerk and Recorder's Office.

Pursuant to the terms of the Agreements between the aforementioned Districts, West Divide is authorized to provide domestic and commercial/industrial augmentation water within the boundaries of the SWCD and the BWCD.

B. Service Agreement with Colorado River Water Conservation District.

The Colorado River Water Conservation District ("CRWCD") has recognized West Divide's first right to serve retail water users within West Divide's District boundaries and Service Areas. The CRWCD will refer any application requesting less than 50 acre feet to West Divide, unless the applicant wants a prepaid contract, which West Divide does not provide.

4. INCLUSION INTO THE DISTRICT

West Divide may serve water users owning property outside West Divide's District boundaries and designated Service Areas by inclusion. Applicant must submit an inclusion fee to West Divide and file an appropriate petition for inclusion with the District Court to obtain a court order approving the inclusion. Upon inclusion of an applicant's lands into the District, applicant's land will be subject to assessment by West Divide. All inclusions shall be in compliance with C.R.S. 37-45-136, as amended.

5. CONTRACTING FOR WATER SERVICE

- A. Application Process. Applicant must submit a completed West Divide Water Allotment Contract Application, including all supporting material and water use/demand assumptions in order to be considered for a Water Allotment Contract. Water use/demand assumptions may be prepared by the District, in its sole discretion, or by a qualified water consultant.

The minimum water requirement per contract for all service areas, except for the Alsbury Reservoir Service Area, is one (1) acre foot. Contracts issued in the Alsbury Service Area may be issued for less than one acre foot at the sole discretion of the District.

If a single contract application is submitted for multiple uses, such as domestic and commercial/industrial, the entire contract shall be billed at the higher contract rate.

In the event an applicant seeks to divert water pursuant to one of the District's augmentation programs, as opposed to applicant's own augmentation plan, the amount of augmentation water the District will contract for is the amount required to augment the applicant's uses for an entire year. Replacement water shall be calculated on an annual basis, not only during the months when there is an expected call on the river.



The District will pro-rate water allotment contract payments during the first year of the contract based upon the month in which the application was approved.

If any point of diversion referenced in a contract application is intended to serve three or more parcels within a subdivision, then the Application for Water Allotment Contract must be made by a legally formed homeowners association.

If any point of diversion referenced in a contract application is intended to serve two or more parcels, a fully executed well sharing or water sharing agreement must accompany the contract application to oversee the use of the shared well or other structure. The well sharing or water sharing agreement must designate a contact person.

B. Fees & Deadlines. All applications for West Divide Water Allotment Contracts must be accompanied by the appropriate application fees. All completed applications must be received by the District at least eight (8) days prior to the District's monthly Board meeting to be considered for approval at that month's Board meeting.

C. Amendments & Assignments. Water Allotment Contracts may be amended and assigned, at the sole discretion of the Board of Directors, upon the payment of the appropriate fee and approval by the Board. No amendment or assignment shall be recognized by the District except upon completion and filing of proper forms for the amendment or assignment.

Partial assignments of contracts will not be accepted, unless there are multiple structures, and individual structures can be allocated to the partial assignee. In the case of a partial assignment, a new contract shall result with the partial assignee which incorporate the terms of the original contract.

D. Pricing and Payment. Pricing for water contracts vary by Service Area and type of use to be augmented. Pricing for West Divide's water service is reflected in West Divide's Fee Schedule and will be reviewed and adjusted annually by West Divide's Board of Directors. Payment for water allotment contracts shall be made in full, within thirty (30) days after the date of notice to the applicant that the initial payment is due. Water use for any part of a water year may be prorated by the District at its sole discretion.

E. Terms of Contracts. West Divide typically enters into long-term contracts based on a 40 year term. In the event a short term contract is requested by an applicant or required by the District, the District will consider approval of those contract applications on a case-by case basis only, and shall not be bound by actions taken on previous short term contracts.

- F. Delivery Obligations. Releases made by the District out of storage from Ruedi Reservoir, Green Mountain Reservoir, Wolford Mountain Reservoir, Alsbury Reservoir, or other works or facilities of the District, or from other sources available to the District, shall be delivered to the contractee at the outlet works of said storage facilities or at the decreed point of diversion for said other sources, and release or delivery of water at such outlet or points shall constitute performance of the District's total obligation. Delivery of water by the District from Ruedi Reservoir or Green Mountain Reservoir shall be subject to the District's lease contracts with the United States Bureau of Reclamation. Delivery of water by the District from Wolford Mountain Reservoir shall be subject to the District's lease contracts with the Colorado River Water Conservation District. Releases from other facilities available to the District shall be subject to the contracts, laws, rules, and regulations governing releases therefrom. The District expressly reserves the right to store water and to make exchange releases from structures that may be built or controlled by the District in the future, so long as the water service to contractees is not impaired by said action. Any quantity of a contractee's allocation not delivered to or used by the end of each water year (December 31) shall revert to the water supplies of the District. Such reversion shall not entitle a contractee to any refund of payment made for such water.

Water service provided by the District shall be limited to the amount of water available in priority at the original point of diversion of the District's applicable water right, and neither the District, nor those entitled to utilize the District's decrees, may call on any greater amount at new or alternate points of diversion. The District shall request the Colorado Division of Water Resources to estimate any conveyance losses between the original point and any alternate point, and such estimate shall be deducted from this amount in each case.

In the event it becomes legally or physically impossible to deliver the aforementioned water, the District shall have no duty to deliver water to its contractees. This provision shall be included in all Water Allotment Contracts issued by the District.

The District has determined that in the event of shortage, domestic water users shall receive the highest priority. The order of priority uses, from first priority to last, is as follows: 1) domestic; 2) irrigation; and 3) commercial/industrial.

- G. Accounting, Metering and Reporting Direct Diversions

All contractees, at their own expense, shall measure and maintain accurate records of all water diverted pursuant to the terms of their water allotment contracts. Contractees shall provide accurate readings to the District using a

District approved accounting form and shall provide such accounting to the District at least annually, or more often if requested by the District. A totalizing flow meter with remote readout is required to be installed and use reported to the District on an annual basis, upon request by the District.

The failure of any contractee to comply with this paragraph may result in District action to terminate the contract. When the contractee is a subdivision, a homeowners association is required to oversee the monitoring and reporting of well usage to the District and to the Division Engineer of Colorado Division of Water Resources.

- H. Four Mile Creek Service Area Direct Diversions. Direct diversions from Four Mile creek shall be calculated on total diversions, rather than on consumptive use calculations. Four Mile direct diverters shall be required to report the maximum rate of diversion and the total gallons to West Divide on a monthly basis.
- I. Area B Service/Contractor Augmentation Plans. West Divide defines its "Area B" service area as all lands located outside of a designated service area. West Divide has Colorado River and Roaring Fork River contract water available for constituents located in Area B, but does not augment depletions arising in Area B pursuant to an augmentation plan

If a contractee has its own augmentation plan, augmentation water may be purchased for only those months needed as per the contractee's augmentation plan. However, if the contractee uses West Divide's augmentation plan, the augmentation purchased must be for the entire year.

For contracts issued by West Divide in the District's previous Area A service area, the Division of Water Resources will allow those structures to be augmented, but reserves the right to curtail diversions if it later determines the wells are causing actual injury. Such injury to be determined on a case by case basis. The Division of Water Resources has this authority pursuant to C.R.S. 37-92-305(8).

- J. Direct Haulers. Water haulers are allowed to divert water rights controlled by the District at the specific points of diversion designated by the District. The District provides no guarantee of access to those points of diversion. Contractees shall not be allowed to divert water at any other locations pursuant to contract with West Divide.

If at any time the contractee's actual use of water exceeds the amount herein provided, the contractee's contract shall be automatically amended by the District to provide for such additional water and the contractee shall pay the District for the increased amount for that calendar year. If the District amends the Contract pursuant to this provision, the contractee shall be

responsible for an amendment fee the same as if contractee had requested the additional water. If, however, a contractee seeks to amend its contract to add additional supplies of water prior to exceeding its contract allotment, the amendment fee shall be waived. Such amendments will be approved in the sole discretion of the District, and the District makes no guarantees of future water availability. Rates shall be adjusted accordingly for the year the amendment takes effect.

K. Severability from Lands. Contractees agree to use the water in the manner and on the lands described in the documents submitted to the District at the time Contracts are executed. An augmentation water allotment contract is attached to the land the water will serve. The contract is not severable from the land or transferable to a different well located on a separate parcel of land. A new augmentation water allotment contract must be obtained to serve a well located on a separate parcel of land.

L. Termination for Non-payment of Fees & Notice to Division of Water Resources. West Divide shall cancel water allotment contracts in the event of non-payment. Annual payments shall be due and payable by the contractee on or before each January 1. If an annual payment is not made by the due date a \$50 late fee will be assessed. Final written notice prior to cancellation will be sent certified mail, return receipt requested, to the contractee at such address as may be designated by the contractee in writing or set forth in the contract.

If payment is not made within fifteen (15) days after the date of said written notice, the contractee shall, at District's sole option, have no further right, title or interest under the contract without further notice, and delivery may be immediately curtailed. The allotment of water may be transferred, leased, or otherwise disposed of at the discretion of the Board of Directors of the District.

Upon cancellation of a water allotment Contract with the District, the District shall notify the Division of Water Resources offices in Denver and/or Glenwood Springs, Colorado. The Division of Water Resources may then order cessation of all water use.

M. Land Use Position. West Divide has determined that one of the District's primary purposes is to provide water service to its constituents. West Divide does not make land use decisions and has no desire to do so. Land use decisions are made in the sound discretion of other governmental entities having land use decision-making authority, and West Divide will not interfere with the land use approval process. Therefore, the District will not refuse to issue water allotment contracts based solely upon land use considerations.

6. DIRECTORS

- A. Service as Director. Members of the Board of Directors shall work together to serve the needs of the water users, water-rights holders, and other constituents of the District.
- B. Potential Conflicts of Interest. In the event a Director becomes aware of a potential or actual conflict of interest in performing his or her duties as a Director, the Director shall disclose the potential or actual conflict of interest as soon as discovered, and shall recuse himself or herself from taking any formal action on the matter.
- C. Director Compensation. Directors shall be reimbursed the expenses incurred for mileage, registration, meals, and motel, when attending conferences or special events on behalf or in their capacity as Director for the District.

C.R.S. 37-45-115(3) allows \$2,400 a year compensation, plus expenses, for Directors. Directors shall receive compensation in the amount of \$100 per month, plus an additional \$100 per each day for any activity performed on behalf of the District, up to the maximum of \$2,400 per annum.

7. DISTRICT MANAGEMENT

- A. Ratification of Accounts Payable. Periodically the Board of Directors does not meet in a given month resulting in pressing payables. Those payables shall be paid in the absence of a regular Board meeting and ratified at the next meeting.
- B. Statements of Opposition. In the event a water court application is filed relying upon West Divide water supplies for which the applicant has no West Divide contract, the District shall file a statement of opposition to the water court application or take such other action as necessary to protect the water supplies of the District.
- C. Contract Procurement. The policy of the District regarding its procurement of construction contracts for public projects incorporates, to the greatest extent possible, those requirements set forth in Colorado Revised Statutes 24-92-101, *et seq.*, and 37-45-101, *et seq.*, as amended.

All procurement transactions will be conducted in a manner to provide, to the maximum extent practicable, open and free competition. The District will be sensitive to, and seek to avoid, internal conflicts of interest and non-competitive practices among contractors.

Solicitations or requests for proposals will clearly set forth all requirements that the bidder must fulfill in order for the bid to be evaluated by the District. Awards will be made to the bidder whose bid or proposal is responsive to the solicitation or request for proposal and is most advantageous to the District, in terms of price, quality and other factors. The District retains the right to reject any and all bids when it is in the District's best interest to do so. The District's general policy is to attempt to solicit a minimum of three bids. Bids will be sought under the circumstances and consistent with C.R.S. 24-92-101, *et seq.* and 37-45-101, *et seq.*

On certain occasions, the nature of work to be procured is highly specialized or contains unique design/performance specifications that are essential, and only one responsible source exists that will satisfy the District's requirements. In other instances, the contractor is the sole provider of a particular good or service, or the item or service to be procured is compatible with other items or systems already in place. Under such circumstances, a bid process may not be feasible and a sole source contract will be awarded.

The reason justifying a sole source procurement will be documented by the District. When a sole source contract is being paid for using grant funds, the sole source justification will be disclosed to the funding source.



**WEST DIVIDE WATER CONSERVANCY DISTRICT  
109 WEST FOURTH STREET  
P. O. BOX 1478  
RIFLE, COLORADO 81650-1478  
(970) 625-5461  
water@wdwcd.org**

**MEETING NOTICE**

**WHAT:** Board of Directors Meeting

**WHERE:** West Divide Water Conservancy District Office  
109 West Fourth Street  
Rifle, Colorado

**WHEN:** Thursday, June 18, 2009

**TIME:** 9:00 a.m.

**AGENDA**

1. Call to Order
2. Minutes of May 21, 2009, meeting
3. Financial Report
  - a. Bills to be Paid
  - b. Financial Statements
4. 10825 Alternative Funding
5. Water Contracts
6. Roundtable Report
7. Water Resources's Report
8. Hydrologists' Report
  - a. Alsbury Reservoir Spillway Modification
  - b. Crystal River Reservoir Site Visit
  - c.
  - d.
9. Attorney's Report
10. Adjourn

**NEXT MEETING IS July 16, 2009**

**WEST DIVIDE WATER CONSERVANCY DISTRICT**  
**109 WEST FOURTH STREET**  
**P. O. BOX 1478**  
**RIFLE, COLORADO 81650-1478**  
**TELEPHONE (970) 625-5461**  
**FAX (970) 625-2796**  
**water@wdwcd.org**

Attendance Roster Board of Directors Meeting

**Date:** June 18, 2009

**Time:** 9:00 a.m

**Place:** District Office  
109 West Fourth Street  
Rifle, Colorado

Name	Company/ mailing address
1. Ed Olszowski	
2. Kerry Sundeen	
3. Don Hamman	
4. Bill & Wanda D.W.R.	
5. Ed. Jell	
6. Steve Toppel	
7. Kelly Coney	
8. Bruce W. Campbell	
9. [Signature]	
10. Bob Zanella	
11. Janet Maddock	
12.	

# WEST DIVIDE WATER CONSERVANCY DISTRICT

## MINUTES OF BOARD OF DIRECTORS MEETING

June 18, 2009

### ATTENDANCE ROSTER

#### **Directors & Staff Present**

Samuel B. Potter, President  
Kelly Couey, Vice President  
Robert J. Zanella, Secretary  
Bruce E. Wampler, Treasurer  
Dan R. Harrison, Director  
Janet Maddock, Office Manager  
Kerry D. Sundeen, Hydrologist  
Edward B. Olszewski, Attorney

#### **Directors and Staff Absent**

Maria Pastore, Hydrologist  
Lyndie Pearson, CPA

#### **Guests**

Steve Trexel, Water Commissioner  
Bill West, Water Commissioner  
Eddie Rubin, Water Commissioner

#### CALL TO ORDER

The regular Board of Directors meeting was called to order at 9:00 a.m. by President Samuel B. Potter.

#### MINUTES

Bruce E. Wampler moved the minutes of the May 21, 2009, meeting be approved as received; Robert J. Zanella seconded; motion carried.

#### FINANCE REPORT

**Bills to be Paid:** Robert J. Zanella moved the attached list of bills be paid; Bruce E. Wampler seconded; motion carried.

**Financial Statements:** Bruce E. Wampler moved the May 2009, Financial Statements as prepared by Barnes, Pearson & Associates, LLC be accepted; Robert J. Zanella seconded; motion carried.

#### 10825 ALTERNATIVE FUNDING

Robert J. Zanella moved to contribute \$10,000 from the General Stored Water Fund to Colorado River Water Conservation District for the 10825 program, accompanied by a letter stating we believe we are being asked to contribute a disproportionate share and that some of the towns should be asked to contribute more; seconded by Bruce E. Wampler; motion carried.

## WATER CONTRACTS

**Michael A. Mayer and Hildur Y. Troyer:** Robert J. Zanella moved approval of this amendment to include pumping from Fourmile Creek; seconded by Bruce E. Wampler; motion carried.

**SG Trust:** Robert J. Zanella moved approval of this application/contract, 1 af, Colorado River; seconded by Bruce E. Wampler; motion carried.

**John Lyons Symposiums, Inc.** Robert J. Zanella moved approval of this application/contract, 3.5 af, Colorado River; seconded by Bruce E. Wampler; motion carried.

## ROUNDTABLE REPORT

Received report from Robert J. Zanella. The balance in the Colorado River Basin Account is \$149,829. Total grants funded, Basin and Statewide Accounts, through June 20, 2009, is \$20,074,658.

## WATER RESOURCES' S REPORT

Alsbury Reservoir is at 204 af today. 185 af is the maximum. It is full of trout. July 23, 2009, Steve Trexel is retiring. Kerry Sundeen discussed non-consumptive needs study.

## HYDROLOGISTS' REPORT

**Alsbury Reservoir Spillway Modification:** Sam, Kerry, Maria, Ed, Dan and Janet worked on the Request For Proposal (RFP) to be published in the newspaper and the Instructions to Bidders. Bids will be opened at 9:00 a.m. July 9 at the West Divide office. To date, three bid packets have gone out. Kerry will send the RFP and Instructions to Bidders to the Forest Service. It has the other information.

**Crystal River Reservoirs:** Kerry reported we may (or may not) have a wetlands issue. Sopris Engineering is going to look at foundational matters. Scheduled a site visit after the next meeting on July 16. Meet at Rivers Restaurant at 1:30 p.m. Kirk Russell, representative from CWCB (grant funding) will join us.

**Fourmile Augmentation Plan:** As a result of the Judge's ruling in the 02CW225 case we may need to abandon some EQR's in the 94CW344 augmentation case that do not have West Divide contracts. Kerry presented a spreadsheet of maximum EQR's and actual EQR's. Maximum is 500; actual is 266. Requires clarification in the 94CW344 Decree and the contractees must be contacted to free up EQR's for other users. Ed will draft a letter to be sent to the contractees.

**State Accounting:** Kerry has an intern working this summer, Tyler. He will be working on the structure ID's.

ATTORNEY' S REPORT

Received written report from Counsel. Discussion.

**Fourmile Augmentation Plan:** May need to file a Motion for Clarification of Order in 02CW225 regarding the above-referenced EQR' s. (See also Hydrologists' Report.)

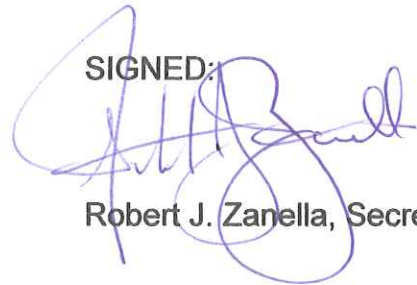
**Rifle Creek/Elk Creek Augmentation Plan:** "Farmers Irrigation Company wants additional compensation for water carried over in Harvey Gap Reservoir after October of each year, but is willing to allow West Divide to carry over only that amount of water required for augmentation. In other words, if West Divide stores 100 acre feet in Harvey Gap in a given year, but anticipates it will only need 5 acre feet in Harvey Gap to provide local augmentation from October to April of the following year, West Divide can relinquish 95 acre feet of water and carry over the required 5 acre feet for augmentation. The price being discussed is \$100 per acre foot. The base price for storage in Harvey is \$10 per acre foot." (From Counsel' s Report)

Authorized counsel to proceed with modification of the existing agreement to pay Farmers \$100 per acre foot for water carried over after October of each year.

ADJOURN

Meeting adjourned at 10:45 a.m.

SIGNED:



Robert J. Zanella, Secretary


ATTEST:



Samuel B. Potter, President

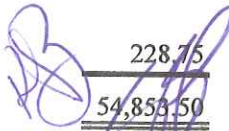
West Divide Water Conservancy District-General Fund  
 Bills to be Paid  
 June 18, 2009

Num	Name	Memo	Account	Amount
3603	Maddock, Janet E	\$4327.58-4435.25=\$3869.25	5221 · Salary	3,869.25
3603	Maddock, Janet E		2227 · Simple IRA Payable	-1,166.66
3603	Maddock, Janet E		2205-FICA/MED/FWT Payable	-1,100.00
3603	Maddock, Janet E		2205-FICA/MED/FWT Payable	-296.00
3603	Maddock, Janet E		2210-Colorado With. Payable	-300.00
3604	Alpine Bank	Payroll deductions	2205-FICA/MED/FWT Payable	1,692.00
3605	Edward Jones Investments	Employer	2227 · Simple IRA Payable	116.07
3605	Edward Jones Investments	Employee	2227 · Simple IRA Payable	1,166.66
3606	Olszewski, Massih & Maurer, P.C.	Policies	5280 · Legal	297.00
3606	Olszewski, Massih & Maurer, P.C.	Prepare for/attend Brd. mtg.	5280 · Legal	828.00
3607	Grand River Consulting Corp.	Prepare for/attend Brd mtg.	5260 · Hydrology	390.00
3607	Grand River Consulting Corp.	Website	5394 · Website	877.50
3608	Tammy S. Keenan	June	5396 · Janitorial	60.00
3609	Remington Square	July rent	5395 · Rent	611.00
3609	Remington Square	utilities	5392 · Utilities	53.42
3610	CEBT	Employee July	5222 · Medical Ins--Employee	416.81
3610	CEBT	Family July	5223 · Medical Ins Dependent	435.25
3611	Office Depot	Office Supplies	5100 · Office Supplies	98.76
3612	Qwest	May	5390 · Telephone	163.64
3613	Sopris Surfers LLC	5/12/09 --8/12/09	5393 · Internet	75.00
3614	Capital One, F.S.B.	Postage	5300 · Postage/Box Rent/Etc.	15.99
3615	Mountain Clear Water Co. Inc.	bottled water	5100 · Office Supplies	20.30
3616	Barnes, Pearson & Associates, LLC	Review of mill levy calcs	5150 · Accounting	185.00
3616	Barnes, Pearson & Associates, LLC	Prep bank deposits	5150 · Accounting	85.00
3616	Barnes, Pearson & Associates, LLC	Prep fin st Feb-Apr.	5150 · Accounting	1,275.00
3617	Xcel Energy	May	5392 · Utilities	50.00

  
5,937.67



West Divide Water Conservancy District-General Stored Water  
 Bills to be Paid  
 June 18, 2009

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
1004	USGS (DOLA Checking Account)	Bill No. 9-8582-0118	7079 · DOLA-- USGS	37,235.50
1781	Old West Oil Field Services, LLC	Over payment	1200 · Accounts Receivable	110.00
1782	Grand River Consulting Corp.	Water Task Force	7078 · DOLA -- In-Kind Cont.	817.50
1782	Grand River Consulting Corp.	Alsbury	7030 · Hydrology	607.50
1782	Grand River Consulting Corp.	Database	7030 · Hydrology	455.00
1782	Grand River Consulting Corp.	Water Right Acctg/Adm.	7030 · Hydrology	1,402.50
1783	Olszewski, Massih & Maurer, P.C.	Contracts	7045 · Legal	144.00
1783	Olszewski, Massih & Maurer, P.C.	02CW123	7045 · Legal	900.00
1783	Olszewski, Massih & Maurer, P.C.	EnCana	7045 · Legal	96.00
1783	Olszewski, Massih & Maurer, P.C.	Review Resume	7045 · Legal	120.00
1783	Olszewski, Massih & Maurer, P.C.	Alsbury	7045 · Legal	24.00
1784	General Fund	Second 1/4	7062 · Personnel Service Expense	8,462.75
1785	Bureau of Reclamation	Green Mountain O & M	7075 · USBR (Ruedi & Green Mtn.)	4,250.00
1786	John Lyons Symposiums, Inc.	Over payment on Inv. # 3678	1200 · Accounts Receivable	228.75
				 <u>54,853.50</u>

West Divide Water Conservancy District-Fourmile Creek  
Bills to be Paid  
June 18, 2009

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
1531	Grand River Consulting Corp.	General	8030 · Hydrology	360.00
1532	Olszewski, Massih & Maurer, P.C.	Zilm	8054 · Legal Litigation	1,116.00
1533	General Fund #1414008103	Personnel Service Exp. 2nd 1/4	8059 · Personnel Service Exp.	1,437.50
				<u>2,913.50</u>

West Divide Water Conservancy District--Silt Interconnect  
Bills to be Paid  
June 18, 2009

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
126	Olszewski, Massih & Maurer. P.C.	Silt Mesa Service Area	7801 · Legal	456.00
126	Olszewski, Massih & Maurer. P.C.	Advanced Costs	7801 · Legal	48.64
127	Grand River Consulting Corp	General	7083 · Rural Water Supply	90.00
128	General Fund 1414008103	Personnel Expense 2nd 1/4	9012 · Personnel Service Exp	525.00
129	Colorado Mountain News Mesia	07CW229 Resume Publication	9010 · Legal Pub./Filing Fees	50.00
130	Daily Sentinel, The	07CW229 Resume Publication	9010 · Legal Pub./Filing Fees	153.60
131	Garfield County Clerk & Recorder	Memorandums	8000 · Memo Recording Fees	5.00
				<u>1,328.24</u>

**WEST DIVIDE WATER CONSERVANCY DISTRICT  
109 WEST FOURTH STREET  
P. O. BOX 1478  
RIFLE, COLORADO 81650-1478  
(970) 625-5461  
water@wdwcd.org**

**MEETING NOTICE**

**WHAT:** Board of Directors Meeting

**WHERE:** West Divide Water Conservancy District Office  
109 West Fourth Street  
Rifle, Colorado

**WHEN:** Thursday, July 16, 2009

**TIME:** 9:00 a.m.

**AGENDA**

1. Call to Order
2. Minutes of June 18, 2009, meeting
3. Financial Report
  - a. Bills to be Paid
  - b. Financial Statements
4. Investment Alternatives
5. Water Contracts
6. Roundtable Report
7. Water Resources's Report
8. Alsbury Reservoir
9. Hydrologists' Report
10. Attorney's Report
11. Adjourn

Site visit to Crystal River Reservoirs location  
Meet at the Rivers Restaurant at 1:30 p.m. to carpool

NEXT MEETING IS August 20, 2009

**WEST DIVIDE WATER CONSERVANCY DISTRICT  
 109 WEST FOURTH STREET  
 P. O. BOX 1478  
 RIFLE, COLORADO 81650-1478  
 TELEPHONE (970) 625-5461  
 FAX (970) 625-2796  
 water@wdwcd.org**

Attendance Roster Board of Directors Meeting

**Date:** 7-16-09  
**Time:** 9:00 a.m  
**Place:** District Office  
 109 West Fourth Street  
 Rifle, Colorado

Name	Company/ mailing address
1. Lyndie Pearson	
2. Steve Trupel	
3. Dan Harrison	
4. Ed. M	
5. Tyler Benton	
6. Anna Pastore	
7. Kerry Sundeen	
8. H. Olszewski	
9. T. Hauer	
10. Karina Potkr	JC Excavating Inc
11. Janet Maddock	
12. Bob Zanella	

**WEST DIVIDE WATER CONSERVANCY DISTRICT  
109 West Fourth Street  
Rifle, Colorado 81650**

**MINUTES OF BOARD OF DIRECTORS MEETING  
July 16, 2009**

**ATTENDANCE ROSTER**

**Directors & Staff Present**

Samuel B. Potter, President  
Robert J. Zanella, Secretary  
Dan R. Harrison, Director  
Janet Maddock, Office Manager  
Kerry D. Sundeen, Hydrologist  
Maria Pastore, Hydrologist  
Edward B. Olszewski, Attorney  
Lyndie Pearson, CPA

**Directors and Staff Absent**

Bruce E. Wampler, Treasurer (excused)  
Kelly Couey, Vice President (excused)

**Guests**

Steve Trexel, Water Commissioner  
Eddie Rubin, Water Commissioner  
Karna Potter, JC Excavating, Inc.  
Tyler Benton, Grand River Consulting Corp.

**CALL TO ORDER**

The regular Board of Directors meeting was called to order at 9:00 a.m. at the District office by President Samuel B. Potter.

**MINUTES**

Robert J. Zanella moved the minutes of the June 18, 2009, meeting be approved as received; Dan R. Harrison seconded; motion carried.

**FINANCE REPORT**

**Bills to be Paid:** Robert J. Zanella moved the attached list of bills be paid; Dan R. Harrison seconded; motion carried.

**Financial Statements:** Robert J. Zanella moved the June 2009, Financial Statements as prepared by Barnes, Pearson & Associates, LLC be accepted; Dan R. Harrison seconded; motion carried.

**INVESTMENT ALTERNATIVES**

Robert J. Zanella moved to use on-line banking for the District's five checking accounts; seconded by Dan R. Harrison; motion carried.

Discussed moving some funds into CD's. Tabled.

WATER CONTRACTS

**Richard B. and Maria L. Miller** assignment from **Frank L. and Beverly A. Youland**: Robert J. Zanella moved acceptance of this assignment, 1 af, Domestic, Colorado River; seconded by Dan R. Harrison; motion carried.

**Brian Hauquitz** assignment from **Christine Laine Otis and John Paul Hamrick**: Robert J. Zanella moved acceptance of this assignment, 1 af Domestic, Colorado River, seconded by Dan R. Harrison; motion carried.

**Ryan May**: Robert J. Zanella moved approval of this 1af Domestic, Colorado River, contract application; seconded by Dan R. Harrison; motion carried.

**Carl G. Warren**: Robert J. Zanella moved approval of this 1 af Domestic, Colorado River, contract application; seconded by Dan R. Harrison; motion carried.

**Elk Meadows Properties, LLC**: Robert J. Zanella moved approval of this 10.9 af Subdivision, Colorado River, contract application; seconded by Dan R. Harrison; motion carried.

ROUNDTABLE REPORT

No report–Roundtable has not met.

WATER RESOURCES' S REPORT

Steve Trexel is retiring this month. Bill West will have District 45 and Eddie Rubin District 39.

To date, no irrigation releases from Alsbury Reservoir.

ALSBURY RESERVOIR

Forest Service local environmental review yet to be done. May take a month. Need to schedule preconstruction meeting with Contractor. Try to set meeting on July 29 to meet with the Forest Service first and then the Contractor.

Reviewed bids opened July 9, 2009. Received bids as follows:

Dow Construction Co. Inc.	\$ 76,500
JC Excavating, Inc.	\$ 84,800
Miles Rippy Excavating Inc.	\$108,915

Dow Construction Co. Inc. did not submit a bid bond. Therefore was disqualified as technically incomplete.

Kit Choi, Basepoint Design Corporation, has reviewed the bids. Recommends JC Excavating Inc. be awarded the contract.

Robert J. Zanella moved to accept the bid of JC Excavating Inc. and directed counsel to draw up a construction contract; seconded by Dan R. Harrison. Roll call vote: Dan R. Harrison—yes, Robert J. Zanella—yes, Kelly Couey—absent, Bruce E. Wampler—absent, Samuel B. Potter—yes. Karna Potter, secretary for JC Excavating, Inc., is Samuel B. Potter's daughter-in-law. She has no financial interest in the company. The motion carried.

Karna asked if the liquidated damages could be reduced from \$1500 a day to \$1000 a day for insurance simplification. It was agreed that would be fine.

HYDROLOGISTS' REPORT

Request the Silt Water Conservancy District to operate the Silt Interconnect Pump for one week as a test to move the water into Harvey Gap from the Colorado River. Request the minimum (2 cfs or 28 af) the first full week in August. Need a formal letter which Kerry will draft.

Silt's application for a DOLA grant for the Rural Domestic Water System was denied. A promotional letter could be sent to constituents soliciting funds citing, limited water due to lining the canals, better quality, and advantages of a hydro plant.

Water Task Force Database will have a large press release August 1, 2009.

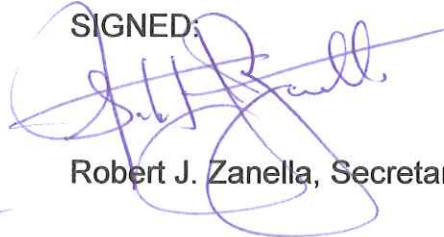
ATTORNEY'S REPORT

Discussed written report.

ADJOURN

Meeting adjourned at 11:10 a.m.

SIGNED:



Robert J. Zanella, Secretary

ATTEST:



Samuel B. Potter, President


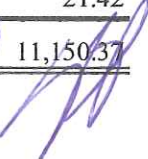


West Divide Water Conservancy District-General Fund  
 Bills to be Paid  
 July 6, 2009

Num	Name	Memo	Account	Amount
3618	Maddock, Janet E	\$4328.44-\$459.19 Ins. = \$3869.25	5221 · Salary	3,869.25
3618	Maddock, Janet E		2227 · Simple IRA Payable	-1,166.66
3618	Maddock, Janet E		2205-FICA/MED/FWT Payable	-1,100.00
3618	Maddock, Janet E		2205-FICA/MED/FWT Payable	-296.00
3618	Maddock, Janet E		2210-Colorado With. Payable	-300.00
3619	Harrison, Dan	April, May, June	5020 · Director Fees	400.00
3619	Harrison, Dan	April, May, June	5230 · Directors' Expenses	66.68
3620	Couey, Kelly	April, May, June	5020 · Director Fees	300.00
3620	Couey, Kelly	April, May, June	5230 · Directors' Expenses	9.09
3621	Potter, Samuel B.	April, May, June	5020 · Director Fees	700.00
3621	Potter, Samuel B.	April, May, June	5230 · Directors' Expenses	215.87
3622	Wampler, Bruce E.	Apr. May, June	5020 · Director Fees	300.00
3622	Wampler, Bruce E.	Apr. May, June	5230 · Directors' Expenses	90.90
3623	Zanella, Robert J.	April, May, June	5020 · Director Fees	400.00
3623	Zanella, Robert J.	April, May, June	5230 · Directors' Expenses	81.81
3624	Qwest	June	5390 · Telephone	167.44
3625	Remington Square	August rent	5395 · Rent	611.00
3625	Remington Square	utilities	5392 · Utilities	20.66
3626	Jean's Printing	Copies for Alsbury bid pkg	5100 · Office Supplies	244.97
3627	Tammy S. Keenan	July	5396 · Janitorial	60.00
3628	CEBT	Employee August	5222 · Medical Insurance--Emp	438.65
3628	CEBT	Family August	5223 · Medical Insurance Dep	459.19
3628	CEBT	Employee July	5222 · Medical Insurance--Emp	21.84
3628	CEBT	Family July	5223 · Medical Insurance Dep	23.94
3629	Capital One, F.S.B.	Vacuum Repair	5100 · Office Supplies	28.00
3629	Capital One, F.S.B.	Postage	5300 · Postage/Box Rent/Etc.	185.99
3630	Grand River Consulting Corp.	Prepare for/attend Brd Mtg.	5260 · Hydrology	387.50
3631	Mountain Clear Water Co. Inc.	bottled water	5100 · Office Supplies	7.10


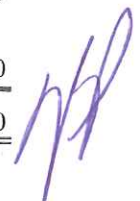
West Divide Water Conservancy District-General Fund  
Bills to be Paid  
July 6, 2009

3632	Olszewski, Massih & Maurer, P.C.	10825 RD correspondence	5280 · Legal	144.00
3632	Olszewski, Massih & Maurer, P.C.	Prepare for/attend Brd. mtg.	5280 · Legal	828.00
3633	Xcel Energy	June	5392 · Utilities	55.00
3634	Alpine Bank	Payroll deductions	2205-FICA/MED/FWT Payable	1,692.00
3635	Colorado Department of Revenue	2nd 1/4 withholding	2210-Colorado With. Payable	900.00
3636	Edward Jones Investments	Employer	2227 · Simple IRA Payable	116.07
3636	Edward Jones Investments	Employee	2227 · Simple IRA Payable	1,166.66
3637	Colorado State Treasurer	2nd 1/4 Unemployment Tax	5226 · Unemployment Tax	21.42
				<u>11,150.37</u>

  
11,150.37  



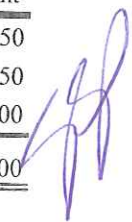
West Divide Water Conservancy District-Fourmile Creek  
Bills to be Paid  
July 16, 2009

Num	Name	Memo	Account	Amount
1534	Grand River Consulting Corp.	94CW344	8030 · Hydrology	180.00
1534	Grand River Consulting Corp.	02CW255	8030 · Hydrology	270.00
1535	Olszewski, Massih & Maurer, P.C.	Zilm	8054 · Legal Litigation	1,044.00
				<u>1,494.00</u>

  
1,494.00  


West Divide Water Conservancy District--Silt Interconnect  
Bills to be Paid  
July 16, 2009

Num	Name	Memo	Account	Amount
132	Olszewski, Massih & Maurer. P.C.	Legal	7083 · Rural Water Supply	97.50
132	Olszewski, Massih & Maurer. P.C.	Advanced Costs	7801 · Legal	13.50
132	Olszewski, Massih & Maurer. P.C.	Silt Mesa Service Area	7801 · Legal	468.00
				<u>579.00</u>

  
579.00  


West Divide Water Conservancy District-General Stored Water  
Bills to be Paid  
July 16, 2009

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
1787	Colorado River District	10825 program	7010 · Advertising/Public Relations	10,000.00
1788	Olszewski, Massih & Maurer, P.C.	Contracts	7045 · Legal	36.00
1788	Olszewski, Massih & Maurer, P.C.	Alsbury	7045 · Legal	708.00
1788	Olszewski, Massih & Maurer, P.C.	02CW123	7045 · Legal	360.00
1788	Olszewski, Massih & Maurer, P.C.	Legal/Crystal Reservoirs	7082 · Grant Adm-Crystal River R.	168.00
1788	Olszewski, Massih & Maurer, P.C.	EnCana	7045 · Legal	96.00
1788	Olszewski, Massih & Maurer, P.C.	Rubino	7045 · Legal	39.00
1788	Olszewski, Massih & Maurer, P.C.	Blady/Alsbury	7045 · Legal	39.00
1788	Olszewski, Massih & Maurer, P.C.	adv costs	7045 · Legal	89.67
1788	Olszewski, Massih & Maurer, P.C.	Resumes	7045 · Legal	120.00
1789	Colorado Mountain News Media	Alsbury RFP publication	7046 · Legal Publications/filing fees	63.98
1790	Grand River Consulting Corp.	Database	7030 · Hydrology	1,995.00
1790	Grand River Consulting Corp.	GIS/Autocad	7030 · Hydrology	2,175.00
1790	Grand River Consulting Corp.	Water Right Adm/Acctg.	7030 · Hydrology	2,477.50
1790	Grand River Consulting Corp.	DOLA	7078 · DOLA -- In-Kind Contrib.	162.50
1790	Grand River Consulting Corp.	Alsbury	7030 · Hydrology	2,434.00
1790	Grand River Consulting Corp.	Color plotting expense	7030 · Hydrology	30.00
1791	Grand River Consulting Corp.	Hydrology	7082 · Grant Adm-Crystal River R.	2,583.10
DOLA CHECKING ACCOUNT				
1005	USGS	2nd 1/4 2009 Bill No. 5	7079 · DOLA-- USGS	21,380.47

21,380.47  
44,957.72



## MEETING NOTICE

- WHAT: Board of Directors Meeting
- WHERE: West Divide Water Conservancy District Office  
109 West Fourth Street  
Rifle, Colorado
- WHEN: Thursday, August 20, 2009
- TIME: 9:00 a.m.

## AGENDA

1. Call to Order
2. Minutes of July 16, 2009, meeting
3. Financial Report
  - a. Bills to be Paid
  - b. Financial Statements
4. Water Contracts
5. Roundtable Report
6. Water Resources's Report
7. Alsbury Reservoir
8. Hydrologists' Report
9. Attorney's Report
10. Adjourn

NEXT MEETING IS September 17, 2009

**WEST DIVIDE WATER CONSERVANCY DISTRICT**  
**109 WEST FOURTH STREET**  
**P. O. BOX 1478**  
**RIFLE, COLORADO 81650-1478**  
**TELEPHONE (970) 625-5461**  
**FAX (970) 625-2796**  
**water@wdwcd.org**

Attendance Roster Board of Directors Meeting

**Date:** August 20, 2009

**Time:** 9:00 a.m

**Place:** District Office  
109 West Fourth Street  
Rifle, Colorado

Name	Company/mailling address
1. Janet Maddock	<del>XXXXXXXXXXXXXXXXXXXX</del>
2. Bob Zanella	
3. Ed Ossowski	
4. Myria Pastore	
5. Dan Hami	
6. Bruce Wampler	
7. <del>XXXXXXXXXXXXXXXXXXXX</del>	
8. Kelly Coney	drove
9. Bill West	D.W.R.
10. Ross Terry	Sunlight
11. David Halford	B&G for Sunlight
12. Richard Schafstall	Sunlight
13. Tom Jankousky	SMR

WEST DIVIDE WATER CONSERVANCY DISTRICT  
109 West Fourth Street  
Rifle, Colorado 81650

**MINUTES OF BOARD OF DIRECTORS MEETING  
August 20, 2009**

ATTENDANCE ROSTER

**Directors & Staff Present**

Samuel B. Potter, President  
Kelly Couey, Vice President  
Bruce E. Wampler, Treasurer  
Robert J. Zanella, Secretary  
Dan R. Harrison, Director  
Janet Maddock, Office Manager  
Kerry D. Sundeen, Hydrologist  
Maria Pastore, Hydrologist  
Edward B. Olszewski, Attorney

**Directors and Staff Absent**

Lyndie Pearson, CPA

**Guests**

Bill West, Water Commissioner  
Ross Terry, Sunlight, Inc.  
David Halford, Counsel for Sunlight, Inc.  
Tom Jankovsky, Sunlight, Inc.  
Richard Schafstall, Sunlight, Inc.

CALL TO ORDER

The regular Board of Directors meeting was called to order at the District office at 9:00 a.m. by President Samuel B. Potter.

MINUTES

Robert J. Zanella moved the minutes of the July 16, 2009, meeting be approved as received; Bruce E. Wampler seconded; motion carried.

FINANCE REPORT

**Bills to be Paid:** Robert J. Zanella moved the attached list of bills be paid; Bruce E. Wampler seconded; motion carried.

**Financial Statements:** Bruce E. Wampler moved the July 2009, Financial Statements as prepared by Barnes, Pearson & Associates, LLC be accepted; Robert J. Zanella seconded; motion carried.

WATER CONTRACTS

**High Mesa, LLC:** Robert J. Zanella moved approval of this amendment in number of units and location of wells (subdivision, Colorado River); seconded by Bruce E. Wampler; motion carried.

**Brandon Young and Rick Bost:** Robert J. Zanella moved approval of this application/contract for 1 af, domestic, Colorado River; seconded by Bruce E. Wampler; motion carried.

**Acacia, LLC:** Robert J. Zanella moved approval of this application/contract for 15 acre feet, domestic, Area B; seconded by Bruce E. Wampler; motion carried.



**William Dunlap:** Robert J. Zanella moved approval of this application/contract for 1 af, domestic, Silt Interconnect; seconded by Bruce E. Wampler; motion carried.

**Sunlight, Inc.:** Representatives and counsel for Sunlight, Inc. were in attendance at the meeting to discuss the increase in snowmaking rates over the past couple of years and the contract supporting the Roaring Fork Pipeline for 34 af, Contract #070719S(a). Counsel for West Divide and Sunlight will negotiate the terms of a contract wherein the water allotment contract stays active at a minimal rate and West Divide retains an interest in the pipeline.

ROUNDTABLE REPORT

No report. Did not meet.

WATER RESOURCES' S REPORT

Bill West reported that he now has all of District 45. On July 20 he opened the Alsbury head gate to Spring Creek Ranch; on July 25 to Frank Daley. Division of Water Resources wants commissioners to get out of turning the irrigation water—want it to just spill, now that there is no storage issue. Alsbury now stores 185 acre feet with the spillway reduction. No change in what is sold to Frank Daley and Spring Creek Ranch.

ALSBURY RESERVOIR

Pouring concrete today. Kit from Basepoint Design Corp. was here last Tuesday for inspection. Forms will be pulled Monday. Riprap will be laid next Tuesday. West Divide will buy seed and reseed. Ed will prepare a change order for \$5200 for additional work required by the Forest Service. Kit will send work order to cover his inspection.

HYDROLOGISTS' REPORT

Grand River Consulting Corporation has been working on the database and has sent it to the State for the structure ID's. Crystal River Reservoirs study is completed. Will be receiving a large bill to send in for grant reimbursement. Grant expires August 31, 2009. Jason Sewell may be getting "cold feet" on Reservoir Site #1. Maria submitted a budget to the Water Task Force showing expenditures and reimbursements from the grant.

ATTORNEY' S REPORT

Received written report. Discussion.

ADJOURN

Meeting adjourned at 11:30 a.m.

SIGNED:

  
Robert J. Zanella, Secretary


ATTEST:

  
Samuel B. Potter, President



West Divide Water Conservancy District-General Fund  
 Bills to be Paid  
 August 20, 2009

Num	Name	Memo	Account	Amount
3638	Maddock, Janet E	\$4328.44-\$459.19 Ins. = \$3869.25	5221 · Salary	3,869.25
3638	Maddock, Janet E		2227 · Simple IRA Payable	-1,166.66
3638	Maddock, Janet E		2205-FICA/MED/FWT Payable	-1,100.00
3638	Maddock, Janet E		2205-FICA/MED/FWT Payable	-296.00
3638	Maddock, Janet E		2210-Colorado With. Payable	-300.00
3639	Remington Square	September rent	5395 · Rent	611.00
3639	Remington Square	August utilities	5392 · Utilities	9.75
3640	Office Depot	Office Supplies	5100 · Office Supplies	316.95
3641	Tammy S. Keenan	August	5396 · Janitorial	60.00
3642	Alpine Bank	Payroll deductions	2205-FICA/MED/FWT Payable	1,692.00
3643	Edward Jones Investments	Employer	2227 · Simple IRA Payable	116.07
3643	Edward Jones Investments	Employee	2227 · Simple IRA Payable	1,166.66
3644	Qwest	July	5390 · Telephone	165.38
3645	Office Depot	Office Supplies	5100 · Office Supplies	46.99
3646	Olszewski, Massih & Maurer, P.C.	Review Resume	5280 · Legal	216.00
3646	Olszewski, Massih & Maurer, P.C.	Prepare for/attend Brd.Mtg.	5280 · Legal	756.00
3646	Olszewski, Massih & Maurer, P.C.	CRWCB	5280 · Legal	96.00
3647	Janet Maddock	Office Supplies	5100 · Office Supplies	25.00
3648	Capital One, F.S.B.	Office supplies	5100 · Office Supplies	27.84
3648	Capital One, F.S.B.	Postage	5300 · Postage/Box Rent/Etc.	186.15
3649	CEBT	Employee September	5222 · Medical Ins--Employee	438.65
3649	CEBT	Family September	5223 · Medical Ins Dependent	459.19
3650	Mountain Clear Water Co. Inc.	Bottled Water	5100 · Office Supplies	13.95
3651	Grand River Consulting Corp.	Prepare for/attend Brd Mtg.	5260 · Hydrology	555.00
3652	Xcel Energy	July	5392--Utilities	53.66

  
53.66  
8,018.83

West Divide Water Conservancy District-General Stored Water  
 Bills to be Paid  
 August 20, 2009

Num	Name	Memo	Account	Amount
1792	Olszewski, Massih & Maurer, P.C.	CRWCD	7045 · Legal	60.00
1792	Olszewski, Massih & Maurer, P.C.	Water Rights	7045 · Legal	252.00
1792	Olszewski, Massih & Maurer, P.C.	Contracts	7045 · Legal	24.00
1792	Olszewski, Massih & Maurer, P.C.	Alsbury	7045 · Legal	1,308.00
1792	Olszewski, Massih & Maurer, P.C.	Umbrella Plan	7045 · Legal	480.00
1792	Olszewski, Massih & Maurer, P.C.	Crystal River Reservoirs	7082 · Grant Adm-Crystal River R.	264.00
1792	Olszewski, Massih & Maurer, P.C.	Rubino	7045 · Legal	78.00
1792	Olszewski, Massih & Maurer, P.C.	Advanced Costs	7045 · Legal	58.94
1793	Grand River Consulting Corp.	Database	7030 · Hydrology	2,152.50
1793	Grand River Consulting Corp.	Water Right Acctg/Adm.	7030 · Hydrology	965.00
1793	Grand River Consulting Corp.	Alsbury	7030 · Hydrology	1,376.08
( )	Grand River Consulting Corp.	Water Task Force	7078 · DOLA -- In-Kind Contribution	612.50
1794	Garfield County Clerk and Recorder	Memorandums	7070 · Memorandum Recording Fees	42.00
1795	JC Excavating, Inc.	1/2 Alsbury Spillway Mod.	7083--Capital Outlay-Alsbury	47,400.00
1796	JC Excavating, Inc.	1/2 Alsbury Spillway Mod.	7083--Capital Outlay-Alsbury	2,600.00
				<div style="display: flex; align-items: center;"> <div style="border-top: 1px solid black; border-bottom: 1px solid black; padding: 2px 10px;">57,673.02</div> </div>

West Divide Water Conservancy District-Fourmile Creek  
Bills to be Paid  
August 20, 2009

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
1536	Olszewski, Massih & Maurer, P.C.	Zilm	8054 · Legal Litigation	1,059.00
1536	Olszewski, Massih & Maurer, P.C.	Elk Meadows	8050 · Legal--General	684.00
1536	Olszewski, Massih & Maurer, P.C.	General	8050 · Legal--General	120.00
1537	General Stored Water	Payment on Loan	2440 · Loan From General Stored Water	26,136.00
1538	Grand River Consulting Corp.	02CW225	8030 · Hydrology	180.00
1539	Garfield County Clerk & Recorder	Memorandum	8070 · Memorandum Recording Fees	12.00
				28,191.00

*[Handwritten signature]*  
*[Handwritten signature]*

West Divide Water Conservancy District--Silt Interconnect  
Bills to be Paid  
August 20, 2009

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
133	Olszewski, Massih & Maurer. P.C.	Joint Agreement	7801 · Legal	528.00
133	Olszewski, Massih & Maurer. P.C.	TSSP	7801 · Legal	637.50
134	Colorado Mountain News Media	Rifle/Elk Creek Resume	9010 · Legal Pub./Filing Fees	50.00
135	Garfield County Clerk & Recorder	Memorandums	8000 · Memorandum Recording Fees	11.00
				1,226.50

*[Handwritten signature]*  
*[Handwritten signature]*



## MEETING NOTICE

- WHAT: Board of Directors Meeting
- WHERE: West Divide Water Conservancy District Office  
109 West Fourth Street  
Rifle, Colorado
- WHEN: Thursday, September 17, 2009
- TIME: 9:00 a.m.

## AGENDA

1. Call to Order
2. Minutes of August 20, 2009, meeting
3. Financial Report
  - a. Bills to be Paid
  - b. Financial Statements
4. Reschedule October Meeting
5. Colorado River District Annual Water Seminar, Sept. 18, 2009
6. Water Contracts
7. Roundtable Report
8. Water Resources's Report
9. Alsbury Reservoir
  - a. Spillway Modification Update
  - b. Execution of BasePoint Design Corporation Addendum No. 9
10. Hydrologists' Report
11. Attorney's Report
12. Middle Colorado Watershed —Denis Reich CSU Extension (10:30 a.m.)
13. Adjourn

**WEST DIVIDE WATER CONSERVANCY DISTRICT**  
**109 WEST FOURTH STREET**  
**P. O. BOX 1478**  
**RIFLE, COLORADO 81650-1478**  
**TELEPHONE (970) 625-5461**  
**FAX (970) 625-2796**  
**water@wdwcd.org**

Attendance Roster Board of Directors Meeting

**Date:** September 17, 2009

**Time:** 9:00 a.m

**Place:** District Office  
109 West Fourth Street  
Rifle, Colorado

Name	Company/mailling address
1. Janet Maddock	
2. Bob Zanella	
3. Ed Okzowski	
4. Bruce Damp	
5. <del>_____</del>	
6. Kerry Sundeen	
7. Maria Pastore	
8. Dave Merritt	CRWED
9. Denis Reich	CSU Extension
10.	
11.	
12.	



**WEST DIVIDE WATER CONSERVANCY DISTRICT  
109 West Fourth Street  
Rifle, Colorado 81650**

**MINUTES OF BOARD OF DIRECTORS MEETING  
September 17, 2009**

**ATTENDANCE ROSTER**

**Directors & Staff Present**

Samuel B. Potter, President  
Bruce E. Wampler, Treasurer  
Robert J. Zanella, Secretary  
Janet Maddock, Office Manager  
Kerry D. Sundeen, Hydrologist  
Maria Pastore, Hydrologist  
Edward B. Olszewski, Attorney

**Directors and Staff Absent**

Dan R. Harrison, Director (excused)  
Kelly Couey, Vice President (unexcused)  
Lyndie Pearson, CPA

**Guests**

Denis Reich, CSU Extension  
Dave Merritt, CRWCD

CALL TO ORDER

The regular Board of Directors meeting was called to order at the District office at 9:00 a.m. by President Samuel B. Potter.

MINUTES

Bruce E. Wampler moved the minutes of the August 20, 2009, meeting be approved as received; Robert J. Zanella seconded; motion carried.

FINANCE REPORT

**Bills to be Paid:** Bruce E. Wampler moved the attached list of bills be paid; Robert J. Zanella seconded; motion carried.

**Financial Statements:** Bruce E. Wampler moved the August 2009, Financial Statements as prepared by Barnes, Pearson & Associates, LLC be accepted; Robert J. Zanella seconded; motion carried.

RESCHEDULE OCTOBER MEETING

October meeting set for October 21, 2009.

COLORADO RIVER DISTRICT ANNUAL WATER SEMINAR, SEPT. 18, 2009

Discussion. Those who want to attend meet at the District office at 7:30 a.m. Janet Maddock and Robert J. Zanella attending.

## WATER CONTRACTS

**Red Apple Landowners Association, Inc. and Joan Savage (RAS #27):** Robert J. Zanella moved approval of amendment from 3 af to 1 af because of reduction of homes on well; seconded by Bruce E. Wampler; motion carried.

**Red Apple Landowners Association, Inc. (RAS West #1):** Robert J. Zanella moved approval of amendment from 4 af to 1 af because of reduction of homes on well; seconded by Bruce E. Wampler; motion carried.

**Quicksilver Court Homeowners' Association:** Robert J. Zanella moved approval of amendment to add a 5<sup>th</sup> well, with correction on amendment of leased water from 4 af to 4 af. No change in amount of water leased. Seconded by Bruce E. Wampler; motion carried.

**C. Howard Robinson:** Robert J. Zanella moved approval of this application/contract for 2.90 acre feet; seconded by Bruce E. Wampler; motion carried. Cover letter to include disclaimer that diversion point is in an area that could move out of Area A, but hopefully into new Rifle/Elk Creek Aug Plan.

## ROUNDTABLE REPORT

Report from Robert J. Zanella.

## WATER RESOURCES' S REPORT

No commissioners in attendance. Kerry Sundeen reported that there has been no response from the State on the electronic records submitted in August for the identification numbers.

## CRWCD REPORT

Dave Merritt, director with the CRWCD, gave an update on the activities of the River District. He, Sam, Kerry and Ed met to discuss the Silt Mesa Rural Domestic water system and discussed possible funding sources since the DOLA grant was denied. Bottom line is that the cooperation of Silt and Farmers is critical to move forward.

## ALSBURY RESERVOIR

**Spillway Modification Update:** Spillway modification is complete. Kit Choi will do final inspection of As-Builts. State will do the same. West Divide will re-seed. When Kit signs off JC Excavating, Inc. will be paid the final ten percent.

## **Execution of BasePoint Design Corporation Addendum No. 9**

Bruce E. Wampler moved to authorize execution of Addendum No. 9; seconded by Robert J. Zanella; motion carried. (Copy attached.)



HYDROLOGISTS' REPORT Emergency

The Alsbury Environmental Action Plan has been approved by John Blair with a few little adjustments. Need to complete and have a meeting.

Crystal River Reservoirs Study was discussed. Kerry and Maria will set up a meeting with Sewells prior to the next Board meeting to discuss the study and see how they would like to proceed.

ATTORNEY' S REPORT

Discussed counsel' s written report. One of the means to be included in the Fourmile pipeline and easement across the Prehm property would be to pay the outstanding attorney fees Prehm has incurred. Approximate amount \$20,000.

Discussed the negotiations with Sunlight, Inc. Counsel and Sunlight' s counsel, David Hallford, are working on a written agreement to present at the next Board meeting. Agreed to reduce the snowmaking rate (\$1000/a.f.) to the commercial rate (\$440/a.f.) and consider further reduction.

MIDDLE COLORADO WATERSHED

Dennis Reich, CSU Extension, came to the meeting to provide information on the proposed formation of a watershed group for the middle Colorado River from Glenwood Canyon to Debeque Canyon. There is a meeting September 24 in Rifle. Maria Pastore will attend for West Divide. Also discussed a meeting on Wild and Scenic status for the Colorado River.

ADJOURN

Meeting adjourned at 12:25 p.m.

SIGNED:

Robert J. Zanella, Secretary

ATTEST:

Samuel B. Potter, President

West Divide Water Conservancy District-General Fund  
Bills to be Paid  
September 17, 2009

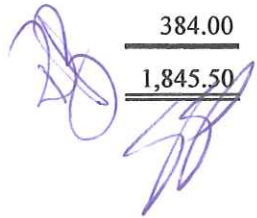
Num	Name	Memo	Account	Amount
3653	CEBT	Employee October	5222 · Medical Ins--Employee	438.65
3653	CEBT	Family October	5223 · Medical Ins Dependent	459.19
3654	Tammy S. Keenan	September	5396 · Janitorial	60.00
3655	Remington Square	October rent	5395 · Rent	611.00
3655	Remington Square	September Utilities	5392 · Utilities	53.73
3656	Skybeam	8/12/09-11/12/09	5393. · Internet	75.00
3657	Barnes, Pearson & Associates, LLC	Prepare financial stmts May & June	5150 · Accounting	1,225.00
3657	Barnes, Pearson & Associates, LLC	Prepare for/attend Brd Mtg	5150 · Accounting	550.00
3658	Qwest	August	5390 · Telephone	170.98
3659	void			
3660	Capital One, F.S.B.	Postage	5300 · Postage/Box Rent/Etc.	104.72
1	Alpine Bank	Payroll	2205-FICA/MED/FWT Payable	1,692.00
3662	Edward Jones Investments	Employer	2227 · Simple IRA Payable	116.07
3662	Edward Jones Investments	Employee	2227 · Simple IRA Payable	1,166.66
3663	Maddock, Janet E	\$4328.45-\$459.19 Ins. = \$3869.25	5221 · Salary	3,869.25
3663	Maddock, Janet E		2227 · Simple IRA Payable	-1,166.66
3663	Maddock, Janet E		2205-FICA/MED/FWT Payable	-1,100.00
3663	Maddock, Janet E		2205-FICA/MED/FWT Payable	-296.00
3663	Maddock, Janet E		2210-Colorado With. Payable	-300.00
3664	Grand River Consulting Corp.	Prepare for and attend Brd Mtg.	5260 · Hydrology	292.50
3664	Grand River Consulting Corp.	Website development	5394 · Website	32.50
3665	Olszewski, Massih & Maurer, P.C.	Contracts	5280 · Legal	60.00
3665	Olszewski, Massih & Maurer, P.C.	Review Resume	5280 · Legal	84.00
3665	Olszewski, Massih & Maurer, P.C.	Prepare for/attend Brd Mtg	5280 · Legal	756.00
3665	Olszewski, Massih & Maurer, P.C.	Correspondence	5280 · Legal	96.00
3666	Mountain Clear Water Company Inc.	bottled water	5100 · Office Supplies	13.95
7	Xcel Energy	August	5392- Utilities	57.77
				<u>9,122.31</u>

West Divide Water Conservancy District-General Stored Water  
 Bills to be Paid  
 September 17, 2009

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
1797	JC Excavating, Inc.	40% of last half--Alsbury	7083 · Capital Outlay--Alsbury	40,000.00
1798	BasePoint Design Corporation	09-08-07 Addendum #9	7083 · Capital Outlay--Alsbury	3,225.00
1799	Grand River Consulting Corp.	Inv. #1991 July	7082 · Grant Adm-Crystal River R.	9,534.25
1799	Grand River Consulting Corp.	Inv. #2012 August	7082 · Grant Adm-Crystal River R.	17,960.30
1800	General Fund	<del>Personnel</del> Personnel Service Expense 3rd 1/4	7062 · Personnel Service Expense	8,462.75
1801	Grand River Consulting Corp.	Project Mgmt	7078 · DOLA -- In-Kind Cont	195.00
1801	Grand River Consulting Corp.	Alsbury Spillway	7083 · Capital Outlay--Alsbury	4,894.00
1801	Grand River Consulting Corp.	Electronic records for State	7030 · Hydrology	4,087.50
1802	Olszewski, Massih & Maurer, P.C.	Alsbury Contract Addendum	7083 · Capital Outlay--Alsbury	156.00
1802	Olszewski, Massih & Maurer, P.C.	Alsbury Diligence	7045 · Legal	336.00
1802	Olszewski, Massih & Maurer, P.C.	Umbrella Plan 02CW123	7045 · Legal	1,080.00
1802	Olszewski, Massih & Maurer, P.C.	Crystal River	4550 · Grant--Crystal River R	108.00
1802	Olszewski, Massih & Maurer, P.C.	Rubino	7045 · Legal	136.50
1803	Garfield County Clerk and Recorder	Memorandums	7070 · Memo Recording Fees	188.00
1804	Mesa County Clerk and Recorder	Memorandum	7070 · Memo Recording Fees	6.00
1805	Pitkin County Clerk & Recorder	Memorandums	7070 · Memo Recording Fees	17.00
				<u>90,386.30</u>

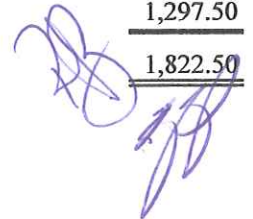
West Divide Water Conservancy District-Fourmile Creek  
 Bills to be Paid  
 September 17, 2009

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
1540	General Fund #1414008103	Personnel Service Exp. 3rd 1/4	8059 · Personnel Service Expense	1,437.50
1541	Olszewski, Massih & Maurer, P.C.	Zilm	8054 · Legal Litigation	24.00
1541	Olszewski, Massih & Maurer, P.C.	General	8050 · Legal--General	384.00
				1,845.50



West Divide Water Conservancy District--Silt Interconnect  
 Bills to be Paid  
 September 17 2009

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
	General Fund 1414008103	Personnel Expense 3rd 1/4	9012 · Personnel Service Expense	525.00
137	Olszewski, Massih & Maurer. P.C.	General	7801 · Legal	1,297.50
				1,822.50



# **BasePoint Design Corporation**

Civil/Geotechnical Design Services

File copy  
original mailed  
to BasePoint  
9-17-09

August 20, 2009

Samuel Potter  
West Divide Water Conservancy District  
P.O. Box 1478  
Rifle, CO 81650

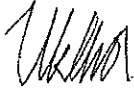
Subject: **Contract Addendum No. 9, Construction Engineering Support,,  
Alsbury Spillway Construction, Mesa County, Colorado**

Dear Mr. Potter:

The purpose of this letter is to execute contract Addendum No. 9 on our existing agreement to provide engineering support to assist West Divide Water Conservancy District during the construction of Alsbury spillway construction. A copy of our proposal for this work is attached. The estimated cost for the proposed scope of work in this addendum is \$7190.

Please sign below to authorize the additional work for this addendum.

Sincerely,  
BASEPOINT DESIGN CORPORATION



Ying-Kit Choi, Ph.D., P.E.  
Project Manager

Concur,  
WEST DIVIDE WATER CONSERVANCY DISTRICT



Samuel Potter  
President

Attachment – BasePoint technical and cost proposal, 8/20/09

# **BasePoint Design Corporation**

*Civil/Geotechnical Design Services*

August 20, 2009

Samuel Potter  
West Divide Water Conservancy District  
P. O. Box 1478  
Rifle, CO 81650

**Subject: Technical and Cost Proposal, Construction Engineering Support, Alsbury  
Spillway Construction, West Divide Water Conservancy District, Colorado**

Dear Mr. Potter:

The purpose of this letter is to submit our proposal to the West Divide Water Conservancy District (District) to provide engineering services during the construction of the spillway modifications for Alsbury Dam. The proposed scope of work includes bid assistance and evaluation, coordination with the Colorado State Engineer's Office (SEO) and GrandRiver Consulting, visit the project site during construction, and preparation of final construction documents for submission to the SEO at the end of construction.

## **SCOPE OF WORK**

### Task 1 – Consultation

This task includes the following work items:

- Evaluated the bids received by the District, and provided recommendation to select the contractor.
- Coordinated with GrandRiver Consulting to answer questions on construction issues, reviewed field data and photographs, and GrandRiver inspection guidelines and requirements.

### Task 2 – Site Visits

We will conduct two anticipated site visits to observe the progress of construction, to address construction issues, and to discuss work requirements with the contractor. After the trip, we will prepare a report that includes a summary of our observations, field discussions, recommendations, and photographs. The trip report will be submitted to both the District and the SEO. The following trips are anticipated:

**Trip 1 – This trip had been conducted on August 18, 2009 at the request of GrandRiver to address the issue with spillway channel excavation slopes and to observe forming of the**



new concrete sill. Our project manager (Y. K. Choi) and our structural designer (Edwin Rossillon) performed this site visit.

Trip 2 – The second trip is anticipated to be either a punch list inspection or final inspection. Our project manager will perform this site visit.

### Task 3 – Record Documents

This task includes the following work items:

- Compile final construction report based on construction information provided by GrandRiver.
- Prepare record drawings and certification of the construction.
- Coordinate with SEO and GrandRiver on submittal and final acceptance of this project.

### **KEY PERSONNEL**

Key personnel for this study will be as follows:

Project Manager:	Y. K. Choi, Ph.D., P.E.
Structural Engineer:	Edwin Rossillon, P.E.

### **PROPOSED SCHEDULE**

We propose to use the following schedule to complete the scope of work above:

Task 1 – As required by construction schedule.

Task 2 – Trip 1 was performed on August 18, and the report was submitted on August 19. Trip 2 will be determined and coordinated with GrandRiver. Our trip report will be submitted within 48 hours of the trip.

Task 3 – The final construction report and record drawings will be completed within 3 weeks of the end of construction. We will coordinate submission of these documents with Mr. John Blair of the SEO and GrandRiver.

### **ESTIMATED COSTS**

The following hourly rates are used to obtain the estimated fees:

Y. K. Choi	\$130.00/hour
Edwin Rossillon	\$90.00/hour
Word Processor	\$35.00/hour
CAD drafter	\$50.00/hour

***BasePoint***



The following is the summary for our proposed scope of work:

Task 1 – Consultation	\$650
Task 2 – Site Visits	\$3870
Task 3 – Record Documents	\$2670
Total, Task 1 – 3:	<span style="border: 1px solid black; padding: 2px;">\$7190</span>

We propose to perform this work based on an actual time and expenses basis. Our fees will not be exceeded without prior authorization from you.

We appreciate this opportunity to submit our proposal to you. Please call me at (303) 368-7711 if you need further information.

Sincerely,  
BASEPOINT DESIGN CORPORATION



Ying-Kit Choi, Ph.D., P.E.  
Project Manager

**BasePoint**



## MEETING NOTICE

- WHAT:** Board of Directors Meeting
- WHERE:** West Divide Water Conservancy District Office  
109 West Fourth Street  
Rifle, Colorado
- WHEN:** **WEDNESDAY**, October 21, 2009
- TIME:** 9:00 a.m.

## AGENDA

1. Call to Order
2. Minutes of September 17, 2009, meeting
3. Financial Report
  - a. Bills to be Paid
  - b. Financial Statements
  - c. Interest/Investments
4. 2010 Budget
5. Office lease
6. Farmers' Shares
7. Set 2010 Rates and 09-02 Resolution
8. Water Contracts
9. Roundtable Report
10. Water Resources's Report
11. Alsbury Reservoir
  - a. Spillway
  - b. Expiration of Long term leases
12. Crystal River Reservoirs
13. Hydrologists' Report
14. Attorney's Report
15. Set December meeting
16. Adjourn

**WEST DIVIDE WATER CONSERVANCY DISTRICT  
 109 WEST FOURTH STREET  
 P. O. BOX 1478  
 RIFLE, COLORADO 81650-1478  
 TELEPHONE (970) 625-5461  
 FAX (970) 625-2796  
 water@wdwcd.org**

Attendance Roster Board of Directors Meeting

**Date:**            October 21, 2009

**Time:**            9:00 a.m

**Place:**           District Office  
                   109 West Fourth Street  
                   Rifle, Colorado

Name	Company/mailling address
1. Janet Maddock	
2. Bob Zanella	
3. Ed Oszowski	
4. Terry Sundeen	
5. Maria Pastore	
6. Wm. Keenan	
7. [Signature]	
8. Bruce Wampler	
9. Edna Rubin	
10. Bill West D.W.R.	
11.	
12.	

**WEST DIVIDE WATER CONSERVANCY DISTRICT  
109 West Fourth Street  
Rifle, Colorado 81650**

**MINUTES OF BOARD OF DIRECTORS MEETING  
October 21, 2009**

**ATTENDANCE ROSTER**

**Directors & Staff Present**

Samuel B. Potter, President  
Bruce E. Wampler, Treasurer  
Robert J. Zanella, Secretary  
Janet Maddock, Office Manager  
Kerry D. Sundeen, Hydrologist  
Maria Pastore, Hydrologist  
Edward B. Olszewski, Attorney  
Lyndie Pearson, CPA

**Guests**

Bill West, Water Commissioner

**Directors and Staff Absent**

Dan R. Harrison, Director (excused)  
Kelly Couey, Vice President (excused)

CALL TO ORDER

The regular Board of Directors meeting was called to order at the District office at 9:00 a.m. by President Samuel B. Potter.

MINUTES

Robert J. Zanella moved the minutes of the September 17, 2009, meeting be approved as received; Bruce E. Wampler seconded; motion carried.

FINANCE REPORT

**Bills to be Paid:** Bruce E. Wampler moved the attached list of bills be paid; Robert J. Zanella seconded; motion carried.

**Financial Statements:** Bruce E. Wampler moved the September 2009, Financial Statements as prepared by Barnes, Pearson & Associates, LLC be accepted; Robert J. Zanella seconded; motion carried.

**Interest/Investments:** Lyndie Pearson presented some interest comparisons on CD' s from Alpine Bank and the interest rate we are getting from CSAFE. Discussion followed. Sam volunteered to talk to Jay Rickstrew, President of Alpine, to follow up.

#### 2010 BUDGET

Lyndie Pearson presented the first draft of the 2010 budget. Discussion followed. The revised budget will be emailed to the Directors prior to the December meeting. Contact her or Janet with any questions.

#### OFFICE LEASE

The lease on the office expired January 31, 2009. There are some issues with the present unit. Janet presented some possible other locations with an emphasis on West Divide purchasing its own unit. Comments included that West Divide will grow and even now meetings are often crowded; fire hazard of current old building; economic times there will be more available later. Sam stated he thought there was more available than Janet found and stated he would do some more investigating.

#### SET 2010 RATES AND 09-02 RESOLUTION

Robert J. Zanella moved adoption of Resolution 09-02 setting the 2010 Rates; seconded by Bruce E. Wampler; roll call vote: Kelly Couey – absent; Dan Harrison – absent; Samuel B. Potter- yes; Robert J. Zanella – yes; Bruce E. Wampler – yes. Resolution duly adopted. (Copy of Resolution attached.)

#### WATER CONTRACTS

**Louise and Gerald L. Kelley** assignment from **Janis Pretti**: Robert J. Zanella moved acceptance of this assignment for 1 af, Domestic, Colorado River; seconded by Bruce E. Wampler; motion carried.

**Williams Production RMT Company** assignment from **Orion Energy Partners**: Robert J. Zanella moved acceptance of this assignment for 180 af, Commercial; Colorado River; seconded by Bruce E. Wampler; motion carried.

**Jess and Taylor Westley**: Robert J. Zanella moved approval of this application/contract for 1.16 af, Domestic, Colorado River; seconded by Bruce E. Wampler; motion carried.

#### ROUNDTABLE REPORT

No report.

#### WATER RESOURCES' S REPORT

Division of Water Resources is no longer turning water from reservoirs. Colorado River did not go on call this year.

### ALSBURY RESERVOIR

**Spillway:** Received final As-Built drawings from State. Grand River Consulting will have Sean Wade do the reseeding. Seepage is not a danger. State will change the hazard classification.

**Expiration of Long Term Leases:** Dan Rodreick talked to Janet about getting an irrigation lease for Alsbury Reservoir water. Bill West, Water Commissioner in his area, suggested possibly his need for water was to fill his ponds for the oil and gas industry rather than for irrigation. If that is the case, he can get a Direct Hauling contract from Alsbury now, but the water must be diverted after the Reservoir fills and prior to July 1 each year. The two irrigation leases each have a clause that gives the current leasees an option to renew the contract for an additional five year term. If either leasee should choose not to renew, then that water could become available for a new lease. If the current leasees wish to renew, in the new leases such clause will be omitted making the water available to anyone in September 2014. Janet was directed to convey the above information to Mr. Rodreick.

### CRYSTAL RIVER RESERVOIRS

Jason Sewell wants late season irrigation water – 1 or 2 cfs.

Grand River Consulting presented a draft of a letter to Sue Rogers outlining the project and requesting use of the Sweet Jessup Canal. (copy attached.)

Robert J. Zanella presented Kerry Sundeen with a list of questions regarding the project. Kerry stated that he would prepare a memo for the Directors addressing the questions.

### HYDROLOGISTS' REPORT

Maria Pastore gave an update on the Water Task Force and the Lower Colorado River Wild and Scenic meeting.

### ATTORNEY' S REPORT

Written and oral report.

Ed Olszewski presented a draft of a Project Development Agreement with Sunlight, Inc. regarding the Four Mile pipeline. Discussion.

Ed also presented a proposal from Zilm' s attorney, Jay Montgomery. Discussion.

Directors agreed to make no deals with Sunlight on its Roaring Fork Contract. The rate will stay the same at \$5400 per year.

Ed informed the Directors of an opportunity to purchase additional Farmers' Irrigation Company shares. At this time West Divide has no need to purchase more shares.



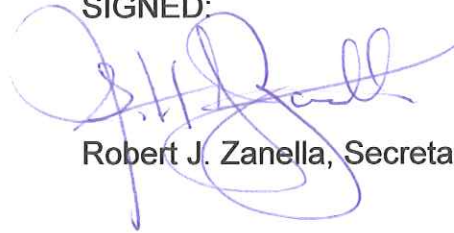
SET DECEMBER MEETING

There will not be a November meeting. Next meeting is December 10, 2009.

ADJOURN


Meeting adjourned at 12:30 p.m.

SIGNED:



Robert J. Zanella, Secretary

ATTEST:




Samuel B. Potter, President

West Divide Water Conservancy District-General Fund  
 Bills to be Paid  
 October 21, 2009

Num	Name	Memo	Account	Amount
3668	CRWCD	2009 Seminar	5240 · Dues/Registration	35.00
3669	CEBT	Employee October	5222 · Medical Ins--Employee	438.65
3669	CEBT	Family October	5223 · Medical Ins Dependent	459.19
3670	VOID			
3671	Jean's Printing	mail stuffing	5100 · Office Supplies	33.50
3672	Wampler, Bruce E.	July, Aug., Sept.	5020 · Director Fees	300.00
3672	Wampler, Bruce E.	July, Aug., Sept.	5230 · Directors' Expenses	60.60
3673	Qwest	September	5390 · Telephone	160.24
3674	Couey, Kelly	July, Aug., Sept.	5020 · Director Fees	300.00
3674	Couey, Kelly	July, Aug., Sept.	5230 · Directors' Expenses	9.09
3675	Zanella, Robert J.	July, Aug., Sept.	5020 · Director Fees	500.00
3675	Zanella, Robert J.	July, Aug., Sept.	5230 · Directors' Expenses	177.26
3676	Potter, Samuel B.	July, Aug., Sept.	5020 · Director Fees	800.00
3676	Potter, Samuel B.	July, Aug., Sept.	5230 · Directors' Expenses	252.76
3677	Harrison, Dan	July, Aug., Sept.	5020 · Director Fees	600.00
3677	Harrison, Dan	July, Aug., Sept.	5230 · Directors' Expenses	78.80
3678	Remington Square	November rent	5395 · Rent	611.00
3678	Remington Square	October Utilities	5392 · Utilities	56.74
3679	CRWUA	2009 Dues	5240 · Dues/Registration	60.00
3680	Tammy S. Keenan	October	5396 · Janitorial	60.00
3681	Alpine Bank	Payroll deductions	2205-FICA/MED/FWT Payable	1,692.00
3682	Colorado Depart of Revenue	Colorado Withholding	2210-Colorado With. Payable	900.00
3683	Edward Jones Investments	Employer IRA contribution	2227 · Simple IRA Payable	116.07
3683	Edward Jones Investments	Employee IRA contribution	2227 · Simple IRA Payable	1,166.66
3684	Dr. Weyer	Hospice donation for Martin Darling (Dan's father-in-law)	5255 · Public Relations	50.00


West Divide Water Conservancy District-General Fund  
 Bills to be Paid  
 October 21, 2009

3685	Office Depot	Office Supplies	5100 · Office Supplies	141.75
3686	Grand River Consulting Corp.	Prepare for and attend Brd Mtg.	5260 · Hydrology	862.50
3687	Olszewski, Massih & Maurer, P.C.	Monthly report, prepare for/attend Brd mtg	5280 · Legal	996.00
3687	Olszewski, Massih & Maurer, P.C.	Research SB 09-087 Disclosure for Wtr Dists.	5280 · Legal	360.00
3687	Olszewski, Massih & Maurer, P.C.	General	5280 · Legal	204.00
3688	Colorado State Treasurer	3rd 1/4 Unemployment Tax	5226 · Unemployment Tax	23.22
3689	Maddock, Janet E		5221 · Salary	3,869.25
3689	Maddock, Janet E		2227 · Simple IRA Payable	-1,166.66
3689	Maddock, Janet E		2205-FICA/MED/FWT Payable	-1,100.00
3689	Maddock, Janet E		2205-FICA/MED/FWT Payable	-296.00
3689	Maddock, Janet E		2210-Colorado With. Payable	-300.00
3690	Capital One, F.S.B.	Credit Card	5300 · Postage/Box Rent/Etc.	16.77
3691	Xcel Energy		5392 - Utilities	50.03

  
12,578.42



West Divide Water Conservancy District-General Stored Water  
 Bills to be Paid  
 October 21, 2009

Num	Name	Memo	Account	Amount
1806	Grand River Consulting Corp.	Project Mgmt	7078 · DOLA-- In-Kind Contribution	65.00
1806	Grand River Consulting Corp.	Alsbury Spillway	7083 · Capital Outlay--Alsbury	515.00
1806	Grand River Consulting Corp.	Wtr Rt Acctg & Adm.	7030 · Hydrology	1,695.00
1806	Grand River Consulting Corp.	Project Mgmt.	7082 · Grant Adm-Crystal River R.	155.00
1807	Olszewski, Massih & Maurer, P.C.	Contracts	7045 · Legal	144.00
1807	Olszewski, Massih & Maurer, P.C.	Alsbury	7045 · Legal	24.00
1807	Olszewski, Massih & Maurer, P.C.	Area A Umbrella Plan	7045 · Legal	1,536.00
1807	Olszewski, Massih & Maurer, P.C.	Crystal River	7082 · Grant Adm-Crystal River R.	96.00
1807	Olszewski, Massih & Maurer, P.C.	EnCana	7045 · Legal	24.00
1807	Olszewski, Massih & Maurer, P.C.	Application fee	7046 · Legal Publications/filing fees	327.00
1808	JC Excavating, Inc.	Bal of 10% on Alsbury Spillway	7083 -- Capital Outlay-Alsbury	10,000.00
1809	Olszewski, Massih & Maurer, P.C.	Renew Area TSSP	7046 - Legal Publication	300.00
	DOLA CHECKING ACCOUNT			
1	USGS	through 9/30/09 #0-8582-0047	7079 · DOLA-- USGS	21,380.47

  
21,380.47  
36,261.47



West Divide Water Conservancy District-Fourmile Creek  
 Bills to be Paid  
 October 21, 2009

Num	Name	Memo	Account	Amount
1542	Grand River Consulting Corp.	Acctg. & Adm.	8030 · Hydrology	90.00
1543	void			
1544	Olszewski, Massih & Maurer, P.C.	General	8050 · Legal--General	780.00
1545	Olszewski, Massih & Maurer, P.C.	Renew TSSP	8055 - Legal publication	300.00
				<u>1,170.00</u>

West Divide Water Conservancy District--Silt Interconnect  
 Bills to be Paid  
 October 21, 2009

Num	Name	Memo	Account	Amount
138	Garfield County Clerk & Recorder	Memorandums	8000 · Memorandum Recording Fees	22.00
139	Olszewski, Massih & Maurer. P.C.	Conf. Calls	7801 · Legal	46.27
139	Olszewski, Massih & Maurer. P.C.	Rural Domestic Water Supply	7083 · Rural Water Supply	480.00
				<u>548.27</u>

**WEST DIVIDE WATER CONSERVANCY DISTRICT**

**RESOLUTION 09-02  
2010 WATER ALLOTMENT CONTRACT RATES**

WHEREAS, the Board of Directors of the West Divide Water Conservancy District (WDWCD) sells augmentation/exchange water in Mesa, Pitkin, and Garfield counties;

WHEREAS, the Board of Directors of WDWCD annually reviews and sets rates for the following year;

THEREFORE, the Board of Directors of WDWCD hereby adopts those certain water rates as outlined on Exhibit A, attached hereto, to be the effective rates for 2010.

APPROVED AND ADOPTED THE 21st day of October, 2010.

WEST DIVIDE WATER CONSERVANCY  
DISTRICT

  
\_\_\_\_\_  
President

ATTEST:

  
\_\_\_\_\_  
Secretary



**WEST DIVIDE WATER CONSERVANCY DISTRICT  
2010 WATER ALLOTMENT CONTRACT RATES**

**FEES**

Administration Fee ( <b>non-refundable</b> application fee).....	\$250.00
Administration Fee for Complex or Incomplete Applications	
Requiring Additional District Services .....	500.00
Amend Contract.....	110.00
Assignment of Contract .....	110.00
Division and Assignment of Contract (per resulting contract) .....	110.00
Annexation Fee for 3 Lots or less (plus publication costs).....	150.00
Annexation Fee for more than 3 Lots (plus publication costs).....	300.00
Recording Fee .....	20.00
Colorado River Augmentation Plan Assessment (per contract acre foot) .....	55.00
Fourmile Augmentation Plan Assessment (per contract acre foot) .....	165.00
Alsbury Augmentation Plan Assessment (per contract acre foot) .....	165.00
Silt Interconnect Augmentation Plan Assessment (per contract acre foot).....	165.00
Failure to provide timely meter reading.....	25.00

**WATER COSTS PER ACRE FOOT**

*Minimum of one acre foot per contract*

**Colorado River Augmentation Plan**

Domestic .....	\$135.00
Subdivision .....	160.00
Commercial/Industrial .....	185.00
Direct Hauling (total diversion) .....	450.00
<b><i>Contracts outside the WDWCD boundary .....</i></b>	<b><i>additional, per acre foot 25.00</i></b>
<i>(This surcharge is in lieu of taxes, or contractee may annex into the District)</i>	

**Fourmile Augmentation Plan**

Domestic .....	\$300.00
Subdivision .....	370.00
Commercial/Industrial .....	440.00
.....	700.00

October 21, 2009

Ms. Sue Rogers  
XXXXXXXXXXXXX  
XXXXXXXXXXXXX  
Carbondale, CO

RE: Opportunities to Enhance the Crystal River

Dear Ms. Rogers:

The Board of the West Divide Water Conservancy District has developed several ideas for an off-stream water storage project that involves a cooperative program for your consideration. We believe that these ideas can help improve the environment of the Crystal River valley and enhance our local community through increased Crystal River stream flow and the production of green energy.

To help you understand our proposals, we have first provided a brief background of the West Divide Water Conservancy District. Following that is an outline of a few of our initial concepts for the cooperative water program. We hope that these proposals may appeal to your interests and warrant further discussion.

#### Background / Objectives

The West Divide Water Conservancy District (the District) was formed in the 1960's to conserve and efficiently utilize water resources on the Western Slope of Colorado. The District encompasses the majority of the Crystal River watershed as well as the Colorado River watershed between Glenwood Springs and Parachute. The District has been awarded several large water rights from the Crystal River that are intended to be used for a variety of purposes ranging from hydroelectric production to irrigation.

The District has participated in the development of several planning studies for the Crystal River over the last few years. Based on these efforts the District desires to:

- Enhance stream flow and aquatic habitat of the lower Crystal River
- Provide additional irrigation water supplies for agricultural use
- Provide a reliable legal and physical domestic water supply for rural residents
- Develop hydroelectric resources consistent with the intent of the District's water rights

### Preliminary Water Management Proposal

We have had initial discussions with Mr. Jason Sewell, who is also interested in enhancement of the Crystal River. Based on our discussions to date, we are considering the following water management proposal to help meet the objectives outlined above:

- The initial construction of approximately 200 acre feet of off-channel water storage on the Sewell Ranch. The preferred water storage sites are located on a terrace that is situated several hundred feet in elevation above the Crystal River, and south of the Sewell Ranch house. The storage sites are not visible from the Crystal River corridor.
- The water storage would be filled from the Crystal River during spring runoff, with water rights already decreed to the District. Water diversions into storage would not occur when stream flow of the Crystal River is low.
- Stored water would be released back to the Crystal River during low flow periods (typically August and September). The releases would enhance and increase stream flow of the Crystal River, particularly in the late summer of dry years. In many years, the storage may also provide additional water for irrigation on the Sewell Ranch or on other nearby properties.

Water could be diverted from the Crystal River into the storage ponds via a pump and pipeline on the Sewell Property. However, this concept may be economically difficult and will actually require the use of a large amount of electricity. If the District's water could be carried by gravity through the Sweet Jessup Canal, **only at such times that the canal has excess capacity**, the production of hydroelectricity may also be possible and the project viability may be enhanced.

### A Potential Cooperative Management Program

We have outlined a potential cooperative program for your consideration. We believe that a cooperative program could provide additional benefits to you, and at the same time would enhance the viability of the proposed environmental benefits. The plan could involve the following elements:

1. The District would convey to you (via a sale or a long-term lease) up to 70 cubic feet per second (cfs) of the conditional water right that has been decreed to the Avalanche Canal and Siphon. This right was adjudicated a total of 800 cfs in 1958, from a diversion site from the Crystal River near Redstone. The right is decreed for hydroelectric production, irrigation and a variety of other uses. This water right could be used for year-round hydroelectric use from the Sweet Jessup Canal back to the Crystal River, or for other uses on your property.

2. The District would obtain the right to an “excess capacity carriage agreement” that would allow the District to transport up to 10 cfs of it’s own water right through the Sweet Jessup Canal, from the ditch headgate to the Sewell Property only. This water would be delivered through the canal only when excess capacity in the canal exists, and only to the extent that it does not interfere in any way with your operations of the canal. We anticipate that the District’s water would be delivered for a week or so at the very beginning of the irrigation season (perhaps April or early May) to initially fill the storage ponds each year. After the initial fill, the District may transport several cfs of its own water to keep the ponds full or for local irrigation purposes, only when this delivery would not interfere with your operations.
3. The District at its own expense would adjudicate in Water Court, a change in water rights for the Avalanche Canal and Siphon. The water rights subject to this change case would include the 70 cfs of water transferred to you, and the 10 cfs of water that would be used to fill the storage ponds.

#### What is Not Proposed

The District is not proposing to interfere with your operations or water rights in any way. This concept would:

- Not require any Water Court action on your part
- Not use any water rights decreed to the Sweet Jessup Canal
- Not affect irrigation diversions or operations of the canal
- Not increase operational expenses associated with the canal

The concepts outlined above are very preliminary and conceptual in nature. However, we are hopeful that a cooperative program could benefit the local community, the health of the Crystal River, and concurrently develop green energy resources. We hope you share this view and if you have interest, would like to discuss these opportunities at a time of your convenience.

Sincerely,

West Divide Water Conservancy District



## MEETING NOTICE

- WHAT:** Board of Directors Meeting
- WHERE:** West Divide Water Conservancy District Office  
109 West Fourth Street  
Rifle, Colorado
- WHEN:** Thursday, December 10, 2009
- TIME:** 9:00 a.m.

## AGENDA

1. Call to Order
2. Minutes of October 21, 2009, meeting
3. Financial Report
  - a. Bills to be Paid
  - b. Financial Statements (Oct. and Nov. )
4. 2008 Audit
5. Office location
6. Water Allotment Contracts
7. Roundtable Report
8. Water Resources's Report
9. Hydrologists' Report
10. Attorney's Report
11. Holiday Party
12. Election of Officers
13. Proposed 2010 Budget

### ***PUBLIC HEARING (11:00 a.m.)***

1. *Proposed 2010 Budgets*
    - a. *General Fund*
    - b. *General Stored Water Enterprise Fund*
    - c. *Fourmile Creek Enterprise Fund*
    - d. *Silt Interconnect Enterprise Fund*
  2. *Resolution to Appropriate Sums of Money*
  3. *Resolution to set Mill Levies*
  4. *Resolution Designating all Year-end Fund Balances as a "Reserve Increase"*  
***Close public hearing***
14. Adjourn  
Next meeting is January 21, 2010

WEST DIVIDE WATER CONSERVANCY DISTRICT  
109 WEST FOURTH STREET  
P. O. BOX 1478  
RIFLE, COLORADO 81650-1478  
TELEPHONE (970) 625-5461  
FAX (970) 625-2796  
water@wdwcd.org

Attendance Roster Board of Directors Meeting

Date: December 10, 2009

Time: 9:00 a.m

Place: District Office  
109 West Fourth Street  
Rifle, Colorado

Name	Company/mailling address
1. Bob Zanella	
2. [Signature]	
3. Dana Wampler	
4. [Signature]	
5. Dan Harrison	
6. Kerry Sundeen	
7. Maria Pastore	
8. [Signature]	
9. Ed Olszowski	
10. Janet Maddock	
11. Kelly Covey	
12.	



**WEST DIVIDE WATER CONSERVANCY DISTRICT  
109 West Fourth Street  
Rifle, Colorado 81650**

**MINUTES OF BOARD OF DIRECTORS MEETING  
December 10, 2009**

**ATTENDANCE ROSTER**

**Directors & Staff Present**

Samuel B. Potter, President  
Kelly Couey, Vice President  
Bruce E. Wampler, Treasurer  
Robert J. Zanella, Secretary  
Dan R. Harrison, Director  
Janet Maddock, Office Manager  
Kerry D. Sundeen, Hydrologist  
Maria Pastore, Hydrologist  
Edward B. Olszewski, Attorney  
Lyndie Pearson, CPA

**Directors and Staff Absent**  
None

**Guests**

Pete Blair, Blair & Associates, P.C.

**CALL TO ORDER**

The regular Board of Directors meeting was called to order at the District office at 9:10 a.m. by President Samuel B. Potter.

**MINUTES**

Bruce E. Wampler moved the minutes of the October 21, 2009, meeting be approved as received; Robert J. Zanella seconded; motion carried.

**FINANCE REPORT**

**Bills to be Paid:** Robert J. Zanella moved the attached list of bills be paid; Bruce E. Wampler seconded; motion carried.

**Financial Statements:** Robert J. Zanella moved the October and November 2009, Financial Statements as prepared by Barnes, Pearson & Associates, LLC be accepted; Bruce E. Wampler seconded; motion carried.

### 2008 AUDIT

Pete Blair, Blair and Associates, P.C., presented the 2008 audit and answered questions. Robert J. Zanella moved acceptance of the 2008 audit; seconded by Bruce E. Wampler; motion carried. Pete said we are required to have an investment policy. A copy should be given to our bank and the bank should help keep us within the bounds of the policy. Pete will send us a sample policy.

### OFFICE LOCATION

Samuel B. Potter recommended a new location for the business office—818 Taughenbaugh Blvd. Suite 101 in Rifle. Discussion followed. Robert J. Zanella moved to negotiate a lease for four years with an option to renew for 3 years; to get bids on remodeling; to determine responsibility on remodel; and to get a bid on new furniture; seconded by Bruce E. Wampler; motion carried.

### WATER CONTRACTS

**Teresa Heneage** assignment from **Kari Lynn Risher and Jimmy Earl Risher, Jr:** Robert J. Zanella moved acceptance of this assignment for one af, domestic, Colorado River; seconded by Bruce E. Wampler; motion carried.

**Oldcastle SW Group, Inc., dba United Companies** assignment from **Dick Casey Concrete Co. ;** Robert J. Zanella moved acceptance of this assignment for 1.68 af, commercial; Colorado River; seconded by Bruce E. Wampler; motion carried.

**Don and Nanette Seaton:** Robert J. Zanella moved approval of this amendment from 1 af to 2 af doubling the number of residences, irrigation and number of animals, Fourmile domestic; seconded by Bruce E. Wampler; motion carried.

**Roc and Mary Gabossi:** Robert J. Zanella moved approval of this application/contract (Lot 1) for 1 af, Domestic, Colorado River; seconded by Bruce E. Wampler; motion carried.

**Roc and Mary Gabossi:** Robert J. Zanella moved approval of this application/contract (Lot 2) for 1 af, Domestic, Colorado River; seconded by Bruce E. Wampler; motion carried.

**Roc and Mary Gabossi:** Robert J. Zanella moved approval of this application/contract (Lot 3) for 1 af, Domestic, Colorado River; seconded by Bruce E. Wampler; motion carried.

**Roc and Mary Gabossi:** Robert J. Zanella moved approval of this application/contract (Lot 4) for 1 af, Domestic, Colorado River; seconded by Bruce E. Wampler; motion carried.

### ROUNDTABLE REPORT

Received report from Robert J. Zanella.

### WATER RESOURCES' S REPORT

No commissioners were in attendance.

### HYDROLOGISTS' REPORT

Alsbury Reservoir: Emergency Action Plan is completed and has been sent to all contact persons. A link will be added to the website. The Forrest Service was pleased with the improvements to the reservoir.

Water Task Force: January 7, there is a meeting to review and update all data and enhancements and do base line assessments.

Middle Colorado River Watershed Group: Need to continue monitoring. Maria Pastore will continue to attend the meetings for West Divide.

Lower Colorado Wild and Scenic River: CWCB is our ally. We need not be actively involved, but will continue to monitor emails.

Crystal River Reservoir: Discussed letter to Sue Rodgers. Will be edited again.

Colorado Water Law: There is an attempt to do away with conditional water rights. During the next diligence filing we may lose some of our water rights.

Colorado River Compact Call: People are trying to figure out what is going on. Probably everyone after 1922 will be shut off if there is a call.

### ATTORNEY' S REPORT

Reviewed and discussed written report. Under Fourmile matters, Ramsey Kroph is interested in an agreement on the pipeline for the Prehm Ranch. There was a correction to the Sunlight contracts section of the report, wherein it states that the Directors agreed to hold the Sunlight Roaring Fork contract for 50 percent of the contract price in exchange for the pipeline agreement. This is incorrect. The decision made at the October meeting was to leave the contract price as is.

### HOLIDAY PARTY

Tabled.

### ELECTION OF OFFICERS

Dan R. Harrison moved to retain the current slate of officers; seconded by Robert J. Zanella; motion carried.

### PUBLIC HEARING ON 2010 PROPOSED BUDGETS

At 11:00 a.m. the President announced the meeting would move into a public hearing regarding the 2010 proposed budgets, pursuant to the public notice published in the Post Independent and the Citizen Telegram announcing this meeting. No one from the public present, the Board of Directors proceeded to review the proposed 2010 budgets.

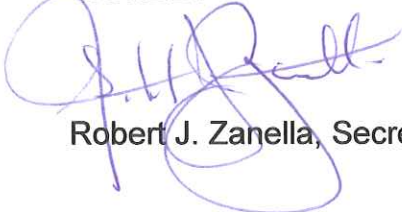
Robert J. Zanella moved to adopt Resolutions 09-03 through 09-09; seconded by Bruce E. Wampler; roll call: Samuel B. Potter -- yes; Kelly Couey -- yes; Dan R. Harrison -- yes; Bruce E. Wampler--yes; Robert J. Zanella --yes. Resolutions duly adopted. (Copies attached)

Public meeting closed at 11:05 a.m.

ADJOURN

Meeting adjourned at 12:15 p.m.

SIGNED:



Robert J. Zanella, Secretary

ATTEST:



Samuel B. Potter, President

West Divide Water Conservancy District-General Fund  
 Bills to be Paid  
 December 10, 2009

Num	Name	Memo	Account	Amount
3692	Maddock, Janet E	\$4328.44-\$459.19 Ins. = \$3869.25	5221 · Salary	3,869.25
3692	Maddock, Janet E	October Salary	2227 · Simple IRA Payable	-1,166.66
3692	Maddock, Janet E		2205-FICA/MED/FWT Payable	-1,100.00
3692	Maddock, Janet E		2205-FICA/MED/FWT Payable	-296.00
3692	Maddock, Janet E		2210-Colorado With. Payable	-300.00
3693	Maddock, Janet E	\$4328.44-\$459.19 Ins. = \$3869.25	5221 · Salary	3,869.25
3693	Maddock, Janet E	November Salary	2227 · Simple IRA Payable	-1,166.66
3693	Maddock, Janet E		2205-FICA/MED/FWT Payable	-1,100.00
3693	Maddock, Janet E		2205-FICA/MED/FWT Payable	-296.00
3693	Maddock, Janet E		2210-Colorado With. Payable	-300.00
3694	Edward Jones Investments	Employer Oct. and Nov.	2227 · Simple IRA Payable	232.14
3694	Edward Jones Investments	Employee Oct. and Nov.	2227 · Simple IRA Payable	2,333.32
3695	Country Florist	Flowers for Janet's surgery	5100 · Office Supplies	56.95
5	Qwest	Oct. & Nov.	5390 · Telephone	326.37
3697	Remington Square	December rent	5395 · Rent	611.00
3697	Remington Square	November Utilities	5392 · Utilities	50.52
3698	Remington Square	Jan. rent	5395 · Rent	611.00
3698	Remington Square	Dec. utilities	5392 · Utilities	71.70
3699	Capital One, F.S.B.	Postage	5300 · Postage/Box Rent/Etc.	15.99
3699	Capital One, F.S.B.	Water Cooler	1450 · Office Equipment	106.33
3700	Barnes, Pearson & Associates, LLC	Review and prepare financial stmts July, August, September	5150 · Accounting	1,250.00
3700	Barnes, Pearson & Associates, LLC	Prepare for/attend Brd Mtg	5150 · Accounting	800.00
3701	Jean's Printing	stuffing & envelopes	5100 · Office Supplies	60.81
3702	Janet Maddock	Postage reimbursement	5100 · Office Supplies	44.00
3703	Skybeam	December	5393 · Internet	40.01
4	Xcel Energy	October electricity	5392 · Utilities	53.36
3705	Blair & Associates, P.C.	2008 audit	5180 · Audit Preparation	5,300.00
3706	Colorado Mountain News Media	Budget notice	5290 · Legal Notices	29.34

West Divide Water Conservancy District-General Fund  
 Bills to be Paid  
 December 10, 2009

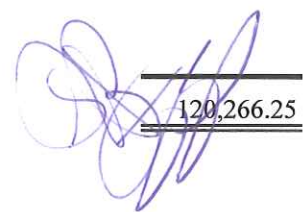
3707	Olszewski, Massih & Maurer, P.C.	Review Oct/Nov resumes	5280 · Legal	240.00
3707	Olszewski, Massih & Maurer, P.C.	Prepare for/attend Oct. mtg.	5280 · Legal	1,092.00
3707	Olszewski, Massih & Maurer, P.C.	General	5280 · Legal	360.00
3708	Tammy S. Keenan	Nov. and Dec.	5396 · Janitorial	120.00
3709	void			
3710	CEBT	Employee January	5222 · Medical Ins--Employee	438.65
3710	CEBT	Family January	5223 · Medical Ins Dependent	459.19
3710	CEBT	Family December (Life Ins.)	5223 · Medical Ins Dependent	18.82
		Other than Life Ins. Dec. was premium holiday		
3711	Alpine Bank	Payroll Deductions Oct. and Nov.	2205-FICA/MED/FWT Payable	3,384.00
3712	Couey, Kelly	Oct. - Dec.	5020 · Director Fees	200.00
3713	Harrison, Dan	Oct. - Dec.	5020 · Director Fees	300.00
3713	Harrison, Dan	Oct.-Dec.	5230 · Directors' Expenses	52.02
3714	Potter, Samuel B.	Oct. - Dec.	5020 · Director Fees	300.00
3714	Potter, Samuel B.	Oct. - Dec.	5230 · Directors' Expenses	56.56
3715	Zanella, Robert J.	Oct. - Dec.	5020 · Director Fees	300.00
3715	Zanella, Robert J.	Oct. - Dec.	5230 · Directors' Expenses	54.54
3716	Wampler, Bruce E.	Oct. - Dec.	5020 · Director Fees	300.00
3716	Wampler, Bruce E.	Oct. - Dec.	5230 · Directors' Expenses	83.83

300.00  
83.83  
21,765.63



West Divide Water Conservancy District-General Stored Water  
 Bills to be Paid  
 December 10, 2009

Num	Name	Memo	Account	Amount
1810	General Fund	Personnel Service Exp 4th 1/4	7062 · Personnel Service Expense	8,462.75
1811	BasePoint Design Corporation	Final Inv. for Add #9	7083 · Capital Outlay--Alsbury	2,908.00
1812	Bureau of Reclamation	Ruedi 500 af	7075 · USBR (Ruedi & Green Mtn.)	34,683.00
1813	Bureau of Reclamation	Ruedi 100 af	7075 · USBR (Ruedi & Green Mtn.)	77.00
1814	Olszewski, Massih & Maurer, P.C.	Contracts	7045 · Legal	24.00
1814	Olszewski, Massih & Maurer, P.C.	Alsbury	7045 · Legal	180.00
1814	Olszewski, Massih & Maurer, P.C.	02CW123	7045 · Legal	2,848.50
1814	Olszewski, Massih & Maurer, P.C.	Crystal River Reservoirs	7045 · Legal	516.00
1814	Olszewski, Massih & Maurer, P.C.	EnCana	7045 · Legal	24.00
1815	Garfield County Clerk & Recorder	Memorandums	7070 · Memo Recording Fees	43.00
<b>DOLA CHECKING ACCOUNT</b>				
08	GSWEF	Pay back transfer from GSWEF	Transfer Account	70,500.00

  
120,266.25



West Divide Water Conservancy District-Fourmile Creek  
 Bills to be Paid  
 December 10, 2009

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
1546	Olszewski, Massih & Maurer, P.C.	Pipeline	8050 · Legal--General	480.00
1546	Olszewski, Massih & Maurer, P.C.	Follow up on case	8050 · Legal--General	480.00
1546	Olszewski, Massih & Maurer, P.C.	Zilm's metering	8050 · Legal--General	360.00
1546	Olszewski, Massih & Maurer, P.C.	TSSP	8050 · Legal--General	564.00
1546	Olszewski, Massih & Maurer, P.C.	EQR's	8050 · Legal--General	84.00
1546	Olszewski, Massih & Maurer, P.C.	General	8050 · Legal--General	721.50
1547	General Fund #1414008103	Personnel Service Exp. 4th 1/4	8059 · Personnel Service Expense	1,437.50
				<u>4,127.00</u>

West Divide Water Conservancy District--Silt Interconnect  
 Bills to be Paid  
 December 10, 2009

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Amount</u>
140	General Fund 1414008103	Personnel Expense 4th 1/4	9012 · Personnel Service Exp	525.00
141	Farmers Irrigation Company	23 shares @ \$5.00	7015 · Farmers Irrigation Water	115.00
142	Olszewski, Massih & Maurer. P.C.	Farmers Shares	7801 · Legal	96.00
142	Olszewski, Massih & Maurer. P.C.	General	7801 · Legal	516.00
				<u>1,252.00</u>

**WEST DIVIDE WATER CONSERVANCY DISTRICT  
RESOLUTION 09-03  
RESOLUTION TO ADOPT 2010  
GENERAL FUND BUDGET**

A resolution summarizing expenditures and revenues for each fund and adopting a budget for the West Divide Water Conservancy District, Colorado, for the calendar year beginning on the first day of January **2010**, and ending on the last day of December **2010**;

WHEREAS, the Board of Directors of the West Divide Water Conservancy District has hired Barnes, Pearson & Associates, LLC, to prepare and submit a proposed budget to said governing body at the proper time; and

WHEREAS, the proposed budget was submitted to this governing body on **October 21, 2009**, for consideration; and

WHEREAS, upon due and proper notice, published and posted in accordance with the law, said proposed budget was open for inspection by the public at the West Divide Water Conservancy District's office, 109 West Fourth Street, Rifle, Colorado; a public hearing was held on **December 10, 2009**; and interested taxpayers were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, whatever increase may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law.

NOW, THEREFORE, be it resolved by the Board of Directors of the West Divide Water Conservancy District, Colorado:

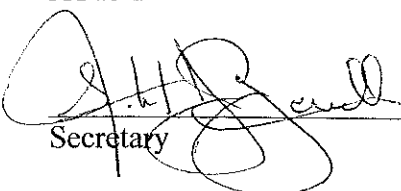
1. That the budget as submitted and herein summarized by fund, hereby is approved and adopted as the budget of the West Divide Water Conservancy District for the year stated above.
2. That the budget hereby approved and adopted shall be signed by the President and Secretary and made a part of the public records of the West Divide Water Conservancy District.

ADOPTED this **10th** day of December, **2009**.

WEST DIVIDE WATER CONSERVANCY DISTRICT

  
\_\_\_\_\_  
Samuel B. Potter, President

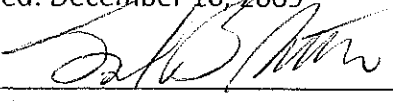
ATTEST:

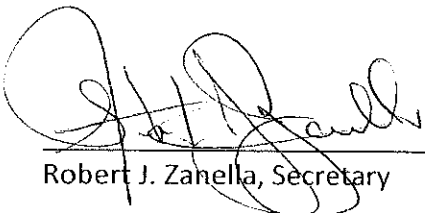
  
\_\_\_\_\_  
Secretary

WEST DIVIDE WATER CONSERVANCY DISTRICT  
2010 BUDGET  
GENERAL FUND

	2008 Actual	Approved Budget 2009	2009		Budget 2010
			Actual through August	Estimated Year-End	
FUND BALANCE BEGINNING	\$ 140,167	\$ 81,463	\$ 94,920	\$ 94,920	\$ 89,475
REVENUES					
General Property Taxes - Garfield	89,159	95,069	92,395	95,000	100,243
General Property Taxes - Mesa	1,031	1,350	1,338	1,350	1,783
General Property Taxes - Pitkin	1,536	1,451	1,316	1,450	1,119
Specific Ownership Tax	8,453	8,000	3,921	5,000	5,000
Personnel Service Reimbursement	-	41,701	20,851	41,700	41,501
Interest Income	3,148	4,000	359	500	500
Total Revenues	103,327	151,571	120,180	145,000	150,146
EXPENDITURES					
Personnel Services					
Director Fees	12,622	12,000	4,500	12,000	12,000
Director Expenses	2,352	2,000	907	2,000	2,000
Office Manager	42,746	46,431	31,105	46,400	46,431
Medical Insurance - Employee	4,949	5,200	3,400	5,200	5,200
Medical Insurance - Dependent	5,790	5,500	3,554	5,500	5,500
Simple IRA	1,270	1,400	920	1,400	1,400
Payroll Taxes	3,273	3,600	2,380	3,600	3,600
Unemployment Tax	95	120	68	120	120
Workers Comp Insurance	273	300	(124)	-	300
Total Personnel Services	73,370	76,551	46,710	76,220	76,551
Supplies					
Office Supplies and Copying	3,821	4,000	2,693	4,000	4,000
Total Supplies	3,821	4,000	2,693	4,000	4,000

Adopted: December 10, 2009

  
\_\_\_\_\_  
Samuel B. Potter, President

  
\_\_\_\_\_  
Robert J. Zanella, Secretary

WEST DIVIDE WATER CONSERVANCY DISTRICT  
2010 BUDGET  
GENERAL FUND

	2008 Actual	Approved Budget 2009	2009		Budget 2010
			Actual through August	Estimated Year-End	
<b>Purchased Services</b>					
Accounting	9,895	10,000	5,250	10,000	10,000
Audit Preparation	5,250	7,000	-	7,000	7,000
Budget Preparation	475	3,000	2,600	2,700	3,000
Dues/Registration	1,257	1,000	760	1,000	1,000
Public Relations	859	1,400	774	1,400	1,400
Hydrology	7,420	8,000	3,819	8,000	8,000
Legal	17,497	18,000	9,129	18,000	18,000
Legal Notices	27	100	-	100	50
Postage, Box Rent, etc.	1,231	1,000	889	1,000	1,000
Telephone	1,902	1,800	1,310	1,800	1,800
Internet Service	452	500	150	500	500
Website	11,727	5,000	3,320	5,000	4,000
Utilities	1,856	2,000	1,018	1,600	2,000
<b>Total Purchased Services</b>	<b>59,848</b>	<b>58,800</b>	<b>29,019</b>	<b>58,100</b>	<b>57,750</b>
<b>Fixed Charges</b>					
Bank Charges	-	20	-	-	-
Building Rent	7,332	9,000	4,888	7,400	9,000
County Treasurer's Fees	1,911	2,000	1,940	2,000	2,000
Insurance - Autos	197	200	197	197	200
Insurance - Prop & Liability	589	700	585	585	700
Insurance - Officer Blanket Bond	301	475	752	752	475
Insurance - E & O	485	600	471	471	600
Janitorial Services	720	900	480	720	900
<b>Total Fixed Expenses</b>	<b>11,535</b>	<b>13,895</b>	<b>9,313</b>	<b>12,125</b>	<b>13,875</b>
<b>Other Expense</b>					
Capital Outlay	-	79,788	-	-	87,445
<b>Total Other Expense</b>	<b>-</b>	<b>79,788</b>	<b>-</b>	<b>-</b>	<b>87,445</b>
<b>Total Expenditures</b>	<b>148,574</b>	<b>233,034</b>	<b>87,735</b>	<b>150,445</b>	<b>239,621</b>
<b>FUND BALANCE ENDING</b>	<b>\$ 94,920</b>	<b>\$ -</b>	<b>\$ 127,365</b>	<b>\$ 89,475</b>	<b>\$ -</b>
<b>MILL LEVY</b>		<b>0.0751</b>			<b>0.0480</b>
<b>TAX LEVY</b>		<b>\$ 97,870</b>			<b>\$ 103,145</b>

**WEST DIVIDE WATER CONSERVANCY DISTRICT  
RESOLUTION 09-04  
RESOLUTION TO ADOPT 2010  
GENERAL STORED WATER ENTERPRISE FUND BUDGET**

A resolution summarizing expenditures and revenues for each fund and adopting a budget for the West Divide Water Conservancy District, Colorado, for the calendar year beginning on the first day of January **2010**, and ending on the last day of December **2010**;

WHEREAS, the Board of Directors of the West Divide Water Conservancy District has hired Barnes, Pearson & Associates, LLC, to prepare and submit a proposed budget to said governing body at the proper time; and

WHEREAS, the proposed budget was submitted to this governing body on **October 21, 2009**, for consideration; and

WHEREAS, upon due and proper notice, published and posted in accordance with the law, said proposed budget was open for inspection by the public at the West Divide Water Conservancy District's office, 109 West Fourth Street, Rifle, Colorado; a public hearing was held on **December 10, 2009**; and interested taxpayers were given the opportunity to file or register any objections to said proposed budget; and


WHEREAS, whatever increase may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law.

NOW, THEREFORE, be it resolved by the Board of Directors of the West Divide Water Conservancy District, Colorado:

1. That the budget as submitted and herein summarized by fund, hereby is approved and adopted as the budget of the West Divide Water Conservancy District for the year stated above.
2. That the budget hereby approved and adopted shall be signed by the President and Secretary and made a part of the public records of the West Divide Water Conservancy District.

ADOPTED this **10th** day of December, **2009**.

WEST DIVIDE WATER CONSERVANCY DISTRICT

  
\_\_\_\_\_  
Samuel B. Potter, President

ATTEST

  
\_\_\_\_\_  
Secretary

WEST DIVIDE WATER CONSERVANCY DISTRICT  
2010 BUDGET  
GENERAL STORED WATER

	2009				Budget 2010
	2008 Actual	2009 Approved Budget	Actual through August	Estimated Year-End	
FUND BALANCE BEGINNING	\$ 1,700,624	\$ 2,147,544	\$ 2,120,573	\$ 2,120,573	\$ 2,390,385
REVENUES					
DOLA Grant Reimbursement	59,515	150,000	128,851	150,000	111,633
Avalanche Canal & Siphon	1,200	1,200	1,200	1,200	1,200
Alsbury Contracts	4,468	5,000	4,857	5,000	5,000
Colorado River Contracts	416,488	410,000	525,177	530,000	530,000
Loan Reim Silt Interconnect	75,000	-	-	-	-
Loan Reim Four Mile Creek	20,000	-	26,136	26,136	26,136
Grant-Chrystal River Reservoir	-	40,000	24,892	38,000	-
Interest Income	48,376	57,000	8,202	11,000	9,000
Total Revenues	<u>625,047</u>	<u>663,200</u>	<u>719,315</u>	<u>761,336</u>	<u>682,969</u>
EXPENDITURES					
Advertising/Public Relations	-	-	10,000	10,000	-
Bank Charges	516	50	(84)	-	50
Hydrology	54,448	45,000	32,529	45,000	45,000
Insurance - Alsbury Gen Liability	4,112	4,000	3,125	3,125	4,000
Legal	10,622	10,000	12,260	30,000	32,000
Legal Publications and Filing Fees	1,133	2,000	1,101	2,000	2,000
Operating Costs - Alsbury	-	10,000	-	-	10,000
Permit U.S. Forest Service	-	500	-	-	-
Personnel Service Expense	-	33,851	16,926	26,000	35,844
Rent - Office Space	-	-	-	-	6,000
Memorandum Recording Fees	419	500	179	250	250
U.S. Bureau of Reclamation Water	40,577	45,000	39,193	39,193	45,000
CRWCD - Wolford	277	500	278	300	500
CRWCD - Ruedi II	-	27,000	27,656	27,656	27,000
DOLA Grant Administration					
DOLA- In-Kind Contributions	13,757	10,000	4,444	5,000	5,000
DOLA- USGS	39,558	150,000	128,851	150,000	111,633
Grant Admin-Crystal R. Reservoirs	-	55,000	24,996	38,000	-
Capital Outlay - Alsbury	39,679	125,000	55,661	115,000	-
Capital Outlay	-	-	-	-	358,692
Total Expenditures	<u>205,098</u>	<u>518,401</u>	<u>357,115</u>	<u>491,524</u>	<u>682,969</u>
FUND BALANCE ENDING	<u>\$ 2,120,573</u>	<u>\$ 2,292,343</u>	<u>\$ 2,482,773</u>	<u>\$ 2,390,385</u>	<u>\$ 2,390,385</u>

*Jm*

**WEST DIVIDE WATER CONSERVANCY DISTRICT  
RESOLUTION 09-05  
RESOLUTION TO ADOPT 2010  
FOURMILE CREEK ENTERPRISE FUND BUDGET**

A resolution summarizing expenditures and revenues for each fund and adopting a budget for the West Divide Water Conservancy District, Colorado, for the calendar year beginning on the first day of January **2010**, and ending on the last day of December **2010**;

WHEREAS, the Board of Directors of the West Divide Water Conservancy District has hired Barnes, Pearson & Associates, LLC, to prepare and submit a proposed budget to said governing body at the proper time; and

WHEREAS, the proposed budget was submitted to this governing body on **October 21, 2009**, for consideration; and

WHEREAS, upon due and proper notice, published and posted in accordance with the law, said proposed budget was open for inspection by the public at the West Divide Water Conservancy District's office, 109 West Fourth Street, Rifle, Colorado; a public hearing was held on **December 10, 2009**; and interested taxpayers were given the opportunity to file or register any objections to said proposed budget; and


WHEREAS, whatever increase may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law.

NOW, THEREFORE, be it resolved by the Board of Directors of the West Divide Water Conservancy District, Colorado:

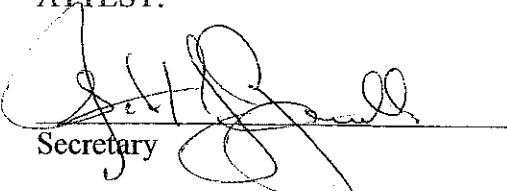
1. That the budget as submitted and herein summarized by fund, hereby is approved and adopted as the budget of the West Divide Water Conservancy District for the year stated above.
2. That the budget hereby approved and adopted shall be signed by the President and Secretary and made a part of the public records of the West Divide Water Conservancy District.

ADOPTED this **10th** day of December, **2009**.

WEST DIVIDE WATER CONSERVANCY DISTRICT

  
\_\_\_\_\_  
Samuel B. Potter, President

ATTEST:

  
\_\_\_\_\_  
Secretary



WEST DIVIDE WATER CONSERVANCY DISTRICT  
2010 BUDGET  
FOUR MILE CREEK (ENTERPRISE FUND)

	2008 Actual	2009 Approved Budget	2009		Budget 2010
			Actual through August	Estimated Year-End	
FUND BALANCE BEGINNING	\$ 11,080	\$ 21,387	\$ 23,721	\$ 23,721	\$ 20,897
REVENUES					
Water Contracts	108,076	110,000	67,577	68,000	60,000
Excess Atkinson Ditch Water	2,216	2,200	2,265	2,265	2,300
Interest Income	431	450	226	300	350
Loan from Gen Stored Water	-	-	-	-	10,000
Total Revenues	110,723	112,650	70,068	70,565	72,650
EXPENDITURES					
Augmentation	3,904	3,900	3,903	3,903	3,900
Bank Charges	-	50	-	-	-
Hydrology	23,945	5,000	2,323	5,000	5,000
Hydrology - Litigation	-	10,000	-	-	15,000
Prod. Forbearance Pmt - Bershenyi	-	5,300	-	-	5,300
Operating Costs	-	1,000	-	-	1,000
Legal	12,869	35,000	2,329	5,000	5,000
Legal - Litigation	23,574	25,000	10,407	15,000	20,000
Legal Publication and Filing Fees	536	1,000	-	1,000	1,000
Personnel Service Expense	-	5,750	2,875	4,300	3,813
Recording Fees	42	50	12	50	50
Water Leasing - Price/Ber/Zilm	13,212	13,000	-	13,000	13,000
Loan Pmt General Stored Water	20,000	-	26,136	26,136	-
Appropriated Ending Fund Balance	-	-	-	-	20,484
Total Expenditures	98,082	105,050	47,985	73,389	93,547
FUND BALANCE ENDING	\$ 23,721	\$ 28,987	\$ 45,804	\$ 20,897	\$ -

Adopted: December 10, 2009

  
Samuel B. Potter, President

  
Robert J. Zanella, Secretary

**WEST DIVIDE WATER CONSERVANCY DISTRICT  
RESOLUTION 09-06  
RESOLUTION TO ADOPT 2010  
SILT INTERCONNECT ENTERPRISE FUND BUDGET**

A resolution summarizing expenditures and revenues for each fund and adopting a budget for the West Divide Water Conservancy District, Colorado, for the calendar year beginning on the first day of January **2010**, and ending on the last day of December **2010**;

WHEREAS, the Board of Directors of the West Divide Water Conservancy District has hired Barnes, Pearson & Associates, LLC, to prepare and submit a proposed budget to said governing body at the proper time; and

WHEREAS, the proposed budget was submitted to this governing body on **October 21, 2009**, for consideration; and

WHEREAS, upon due and proper notice, published and posted in accordance with the law, said proposed budget was open for inspection by the public at the West Divide Water Conservancy District's office, 109 West Fourth Street, Rifle, Colorado; a public hearing was held on **December 10, 2009**; and interested taxpayers were given the opportunity to file or register any objections to said proposed budget; and

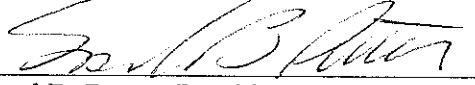
WHEREAS, whatever increase may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law.

NOW, THEREFORE, be it resolved by the Board of Directors of the West Divide Water Conservancy District, Colorado:

1. That the budget as submitted and herein summarized by fund, hereby is approved and adopted as the budget of the West Divide Water Conservancy District for the year stated above.
2. That the budget hereby approved and adopted shall be signed by the President and Secretary and made a part of the public records of the West Divide Water Conservancy District.

ADOPTED this **10th** day of December, **2009**.

WEST DIVIDE WATER CONSERVANCY DISTRICT

  
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Samuel B. Potter, President

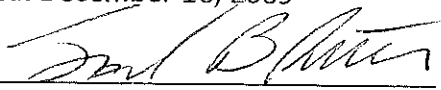
ATTEST:


  
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Secretary

WEST DIVIDE WATER CONSERVANCY DISTRICT  
2009 BUDGET  
SILT INTERCONNECT (ENTERPRISE FUND)

	2008 Actual	2009 Approved Budget	2009		Budget 2010
			Actual through August	Estimated Year-End	
FUND BALANCE BEGINNING	\$ 129,656	\$ 61,972	\$ 67,361	\$ 67,361	\$ 76,873
REVENUES					
Farmers' Irrigation Co.	10,125	10,125	4,725	4,725	4,725
Interest Income	729	1,000	244	325	400
Water Contracts	24,409	30,000	25,389	28,000	30,000
Grants - U.S. Dept of Interior	15,520	-	-	-	-
Silt- In-Kind Income	1,360	-	-	-	-
Total Revenues	52,143	41,125	30,358	33,050	35,125
EXPENDITURES					
Rural Water Supply	-	10,000	5,457	5,457	5,000
Legal	9,669	10,000	4,630	7,000	7,500
Hydrology	19,539	15,000	803	3,000	5,000
Farmers' Irrigation	248	200	165	200	200
Warren Act/Nonproject Water	1,881	1,900	1,881	1,881	1,900
SWCD Operating	3,689	4,500	2,348	4,000	5,000
SWCD Joint Project Legal	796	2,500	-	-	1,500
Memorandum Fees	44	100	45	100	100
Maintenance	-	2,000	-	-	1,000
Legal Publication and Filing Fees	2,212	2,500	267	300	500
Personnel Service Expense	-	2,100	1,050	1,600	1,843
Appropriated Fund Balance	-	-	-	-	82,455
Loan Pmt Gen Stored Water	75,000	-	-	-	-
Construction Expenses - Silt In-Kind	1,360	-	-	-	-
Total Expenditures	114,438	50,800	16,646	23,538	111,998
FUND BALANCE ENDING	\$ 67,361	\$ 52,297	\$ 81,073	\$ 76,873	\$ -

Adopted: December 10, 2009

  
Samuel B. Potter, President

  
Robert J. Zanella, Secretary

**WEST DIVIDE WATER CONSERVANCY DISTRICT  
RESOLUTION 09-07  
RESOLUTION TO APPROPRIATE SUMS OF MONEY**

A resolution appropriating sums of money to the various funds and spending agencies, in the amounts and for the purposes as set forth below, for the West Divide Water Conservancy District, Colorado, for the **2010** budget year;

WHEREAS, the Board of Directors of the West Divide Water Conservancy District has adopted the annual budget in accordance with the Local Government Budget Law on **December 10, 2009**; and

WHEREAS, the Board of Directors of the West Divide Water Conservancy District has made provision therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said budget; and

WHEREAS, it is not only required by law, but also necessary to appropriate the revenues provided in the budget to and for the purposes described below, thereby establishing a limitation on expenditures for the operations of the District.

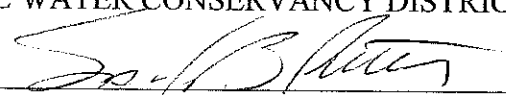
NOW, THEREFORE, be it resolved by the Board of Directors of the West Divide Water Conservancy District, Colorado:

That the following sums are hereby appropriated from the revenue of each fund, to each fund, for purposes stated:

General Fund current operating expenses	<b>\$ 239,621</b>
General Stored Water Enterprise Fund current operating expenses	<b>\$ 682,969</b>
Four Mile Creek Enterprise Fund current operating expenses	<b>\$ 93,547</b>
Silt Interconnect Enterprise Fund current operating expenses	<b>\$111,998</b>

ADOPTED this **10th** day of **December, 2009**.

WEST DIVIDE WATER CONSERVANCY DISTRICT

  
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Samuel B. Potter, President

ATTEST:

  
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Robert J. Zanella, Secretary

**WEST DIVIDE WATER CONSERVANCY DISTRICT  
RESOLUTION 09-08  
RESOLUTION TO SET MILL LEVIES**

A resolution levying general property taxes for the year **2010**, to help defray the costs of government for the West Divide Water Conservancy District, Colorado, for the **2010** budget year.

WHEREAS, the Board of Directors of the West Divide Water Conservancy District has adopted the annual budget in accordance with the Local Government Budget Law on **December 10, 2009**; and

WHEREAS, the amount of money necessary to balance the budget for general operating purposes from property tax revenue is **\$103,145**; and

WHEREAS, the **2010** valuation for assessment for the West Divide Water Conservancy District as certified by the County Assessors is **\$2,146,971,909**.

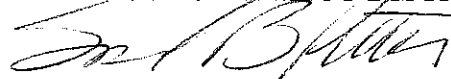
NOW, THEREFORE, be it resolved by the Board of Directors of the West Divide Water Conservancy District, Colorado:

1. That for the purpose of meeting all general operating expenses of the West Divide Water Conservancy District during the **2010** budget year, there is hereby levied a tax of **.248** mills which includes a temporary property tax credit of **.200** mills for a total mill levy of **.048** upon each dollar of the total valuation for assessment of all taxable property within the West Divide Water Conservancy District for the year **2010**.

2. Janet Maddock is hereby authorized and directed to certify to the County Commissioners of Garfield, Pitkin, and Mesa counties, Colorado, the mill levies for the West Divide Water Conservancy District as hereinabove determined and set.

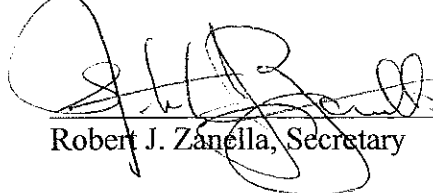
ADOPTED, this **10th** day of **December, 2009**.

WEST DIVIDE WATER CONSERVANCY DISTRICT



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Samuel B. Potter, President

ATTEST:

  
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Robert J. Zanella, Secretary

**WEST DIVIDE WATER CONSERVANCY DISTRICT  
RESOLUTION 09-09  
RESOLUTION DESIGNATING ALL YEAR-END  
FUND BALANCES AS A "RESERVE INCREASE"**

WHEREAS, the West Divide Water Conservancy District is required to prepare an annual budget;


WHEREAS, the Board of Directors of the West Divide Water Conservancy District has considered the provisions of Article X, Section 20, of the Colorado Constitution and has attempted to comply with the terms thereof;

WHEREAS, the Board of Directors finds that it is appropriate to approve a resolution setting forth the intentions of the Board regarding such year-end fund balances for the year **2009**;

NOW, THEREFORE, be it resolved by the Board of Directors of the West Divide Water Conservancy District that any and all year-end fund balances shall be considered a "reserve increase" and therefore a part of **2010** "fiscal year spending" within the meaning of Article X, Section 20(2)(e), of the Colorado Constitution.

READ, APPROVED, AND ADOPTED this **10th** day of **December, 2009**.

WEST DIVIDE WATER CONSERVANCY DISTRICT

  
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Samuel B. Potter, President

ATTEST:

  
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Robert J. Zanella, Secretary