

**WEST DIVIDE WATER CONSERVANCY DISTRICT  
818 Taughenbaugh Blvd., Suite 101  
Rifle, Colorado 81650**

**MINUTES OF BOARD OF DIRECTORS MEETING  
September 16, 2021**

**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.

**ROLL CALL**

The following directors were present: President Samuel B. Potter, Vice President Dan R. Harrison, Treasurer Bruce E. Wampler, Secretary Richard L. McNeill and Director Kelly Couey was absent. Also in attendance were Tammy Keenan, Office Manager; Wendy Ryan Colorado River Engineering, Inc.; Edward B. Olszewski, Counsel; Pete Blair, Auditor.

**PUBLIC COMMENT**

There was no comment from the public.

**MINUTES**

Bruce E. Wampler moved the minutes of the August 19, 2021, meeting be approved as revised; Richard L. McNeill seconded; motion carried.

**FINANCE REPORT**

**Bills to be Paid:** Bruce E. Wampler moved the attached list of bills be paid; Richard L. McNeill seconded; motion carried.

**Financial Statements:** Bruce E. Wampler moved the August 2021, Financial Statements prepared by Barnes, Pearson & Rudow, LLC be accepted; Richard L. McNeill seconded; motion carried.

**Blair and Associates Representation Letter:** Bruce E. Wampler moved and directed the President to accept and sign the representation letter; Richard L. McNeill seconded; motion carried.

**2020 AUDIT**

Pete Blair of Blair and Associates, P.C. presented the 2020 audit, and addressed questions and concerns; Bruce E. Wampler moved acceptance of this audit; seconded by Richard L. McNeill; audit accepted.

**WATER CONTRACTS**

Bruce E. Wampler moved approval of the following assignments; seconded by Richard L. McNeill; motion carried; assignments approved.

**Cesar Morales and Jesus Manuel Morales**; assignment from **Joel and Ruben Ruiz**, 1.0 a.f., domestic, General Stored Water.

**Heriberto Dominguez and Alba Sanchez**; assignment from **William Snyder**, 2.2 a.f., domestic, General Stored Water

ROUNDTABLE REPORT

*September*

The next meeting will be Monday, *August 27, 2021*.

HYDROLOGISTS' REPORT

Water Watch and Augmentation reports were provided and discussed with Wendy Ryan. Rifle, Divide, East Divide, Fourmile and Elk Creeks are all currently on call as well as the Colorado and Crystal River.

**MARTIN RESERVOIRS**

On September 8, 2021 releases were started for the Martin Reservoirs. A total of 2.05 acre feet was released. Releases were completed on September 10, 2021.

**SILT INTERCONNECT**

Augmentation for Rifle Creek and Elk Creek has been completed.

Wendy met with Tom Zancanella in regard to the Open Heart Pipeline. The town of New Castle requested a measuring device at the end of the pipeline to verify deliveries. Warren Roberts is working on getting quote for this.

*Plannery*

**YIELD STUDY**

*discuss*

Wendy discussed various scenarios and will~~l~~ more results for next meeting.

ATTORNEY'S REPORT

Received written and oral report from counsel.

NEW BUSINESS

The next meeting is scheduled for October 21, 2021.

ADJOURN

Meeting adjourned at 10:40 a.m.

SIGNED:

  
Richard L. McNeill, Secretary

ATTEST:



Samuel B. Potter, President



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June 22, 2021

Blair and Associates, P.C.  
105 SE Frontier Ave, Suite A  
Cedaredge, CO 81413

This representation letter is provided in connection with your audit(s) of the financial statements of West Divide Water Conservancy District, which comprise the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information as of December 31, 2020, and the respective changes in financial position and, where applicable, cash flows for the year then ended, and the related notes to the financial statements, for the purpose of expressing opinions as to whether the financial statements are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America (U.S. GAAP).

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement. An omission or misstatement that is monetarily small in amount could be considered material as a result of qualitative factors.

We confirm, to the best of our knowledge and belief, as of June 22, 2021, the following representations made to you during your audit.

#### **Financial Statements**

- 1) We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated March 25, 2021, including our responsibility for the preparation and fair presentation of the financial statements in accordance with U.S. GAAP and for preparation of the supplementary information in accordance with the applicable criteria.
- 2) The financial statements referred to above are fairly presented in conformity with U.S. GAAP and include all properly classified funds and other financial information of the primary government and all component units required by generally accepted accounting principles to be included in the financial reporting entity.
- 3) We acknowledge our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.
- 4) We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.
- 5) Significant assumptions we used in making accounting estimates, including those measured at fair value, are reasonable.
- 6) Related party relationships and transactions, including revenues, expenditures/expenses, loans, transfers, leasing arrangements, and guarantees, and amounts receivable from or payable to related parties have been appropriately accounted for and disclosed in accordance with U.S. GAAP.
- 7) Adjustments or disclosures have been made for all events, including instances of noncompliance, subsequent to the date of the financial statements that would require adjustment to or disclosure in the financial statements.
- 8) The effects of uncorrected misstatements are immaterial, both individually and in the aggregate, to the financial statements as a whole for each opinion unit. A list of the uncorrected misstatements is attached to the representation letter.
- 9) The effects of all known actual or possible litigation, claims, and assessments have been accounted for and disclosed in accordance with U.S. GAAP.
- 10) Guarantees, whether written or oral, under which the district is contingently liable, if any, have been properly recorded or disclosed.

## **Information Provided**

**11) We have provided you with:**

- a) Access to all information, of which we are aware, that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, and other matters.
- b) Additional information that you have requested from us for the purpose of the audit.
- c) Unrestricted access to persons within the district from whom you determined it necessary to obtain audit evidence.
- d) Minutes of the meetings of Board of Directors or summaries of actions of recent meetings for which minutes have not yet been prepared.

**12) All material transactions have been recorded in the accounting records and are reflected in the financial statements.**

**13) We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.**

**14) We have no knowledge of any fraud or suspected fraud that affects the Board of Directors and involves—**

- Management,
- Employees who have significant roles in internal control, or
- Others where the fraud could have a material effect on the financial statements.

**15) We have no knowledge of any allegations of fraud or suspected fraud affecting the Board of Directors's financial statements communicated by employees, former employees, regulators, or others.**

**16) We have no knowledge of instances of noncompliance or suspected noncompliance with provisions of laws, regulations, contracts, or grant agreements, or abuse, whose effects should be considered when preparing financial statements.**

**17) We have disclosed to you all known actual or possible litigation, claims, and assessments whose effects should be considered when preparing the financial statements.**

**18) We have disclosed to you the identity of the Board of Director's related parties and all the related party relationships and transactions of which we are aware.**

## **Government-specific**

**19) There have been no communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices.**

**20) We have identified to you any previous audits, attestation engagements, and other studies related to the audit objectives and whether related recommendations have been implemented.**

**21) The district has no plans or intentions that may materially affect the carrying value or classification of assets, deferred outflows of resources, liabilities, deferred inflows of resources, and fund balance or net position.**

**22) We are responsible for compliance with the laws, regulations, and provisions of contracts and grant agreements applicable to us, including tax or debt limits and debt contracts, and legal and contractual provisions for reporting specific activities in separate funds.**

**23) We have identified and disclosed to you all instances that have occurred or are likely to have occurred, of fraud and noncompliance with provisions of laws and regulations that we believe have a material effect on the financial statements or other financial data significant to the audit objectives, and any other instances that warrant the attention of those charged with governance.**

**24) We have identified and disclosed to you all instances that have occurred or are likely to have occurred, of noncompliance with provisions of contracts and grant agreements that we believe have a material effect on the determination of financial statement amounts or other financial data significant to the audit objectives.**

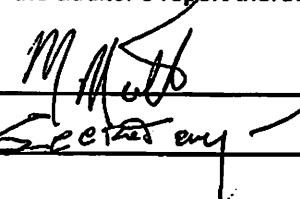
**25) We have identified and disclosed to you all instances that have occurred or are likely to have occurred, of abuse that could be quantitatively or qualitatively material to the financial statements or other financial data significant to the audit objectives.**

- 26) There are no violations or possible violations of budget ordinances, laws and regulations (including those pertaining to adopting, approving, and amending budgets), provisions of contracts and grant agreements, tax or debt limits, and any related debt covenants whose effects should be considered for disclosure in the financial statements, or as a basis for recording a loss contingency, or for reporting on noncompliance.
- 27) As part of your audit, you assisted with preparation of the financial statements and related notes [and schedule of expenditures of federal awards]. We acknowledge our responsibility as it relates to those nonaudit services, including that we assume all management responsibilities; oversee the services by designating an individual, preferably within senior management, who possesses suitable skill, knowledge, or experience; evaluate the adequacy and results of the services performed; and accept responsibility for the results of the services. We have reviewed, approved, and accepted responsibility for those financial statements and related notes.
- 28) The district has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral.
- 29) The district has complied with all aspects of contractual agreements that would have a material effect on the financial statements in the event of noncompliance.
- 30) The financial statements properly classify all funds and activities in accordance with **GASBS No. 34**, as amended, and **GASBS No. 84**.
- 31) All funds that meet the quantitative criteria in **GASBS Nos. 34** and **37** for presentation as major are identified and presented as such and all other funds that are presented as major are particularly important to financial statement users.
- 32) Components of net position (net investment in capital assets; restricted; and unrestricted) and classifications of fund balance (nonspendable, restricted, committed, assigned, and unassigned) are properly classified and, if applicable, approved.
- 33) Investments, derivative instruments, and land and other real estate held by endowments are properly valued.
- 34) Provisions for uncollectible receivables have been properly identified and recorded.
- 35) Expenses have been appropriately classified in or allocated to functions and programs in the statement of activities, and allocations have been made on a reasonable basis.
- 36) Revenues are appropriately classified in the statement of activities within program revenues, general revenues, contributions to term or permanent endowments, or contributions to permanent fund principal.
- 37) Interfund, internal, and intra-entity activity and balances have been appropriately classified and reported.
- 38) Deposits and investment securities and derivative instruments are properly classified as to risk and are properly disclosed.
- 39) Capital assets, including infrastructure and intangible assets, are properly capitalized, reported, and, if applicable, depreciated or amortized.
- 40) The government meets the GASB-established requirements for accounting for eligible infrastructure assets using the modified approach.
- 41) We have appropriately disclosed the district's policy regarding whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net position is available and have determined that net position is properly recognized under the policy.
- 42) We are following our established accounting policy regarding which resources (that is, restricted, committed, assigned, or unassigned) are considered to be spent first for expenditures for which more than one resource classification is available. That policy determines the fund balance classifications for financial reporting purposes.
- 43) We acknowledge our responsibility for the required supplementary information (RSI). The RSI is measured and presented within prescribed guidelines and the methods of measurement and presentation have not changed from those used in the prior period. We have disclosed to you any significant assumptions and interpretations underlying the measurement and presentation of the RSI.

44) With respect to the supplementary information:

- a) We acknowledge our responsibility for presenting the supplementary information in accordance with accounting principles generally accepted in the United States of America, and we believe the supplementary information, including its form and content, is fairly presented in accordance with accounting principles generally accepted in the United States of America. The methods of measurement and presentation of the supplementary information have not changed from those used in the prior period, and we have disclosed to you any significant assumptions or interpretations underlying the measurement and presentation of the supplementary information.
- b) If the supplementary information is not presented with the audited financial statements, we will make the audited financial statements readily available to the intended users of the supplementary information no later than the date we issue the supplementary information and the auditor's report thereon.

Signature:   
Title: President

Signature:   
Title: Secretary

### GENERAL FUND

Num	Name	Memo	Account	Amount
DD1094	Keenan, Tamara S	Direct Deposit	5221 · Salary	2,300.19
5517	Bookcliff Professional Building, LLC	Escrow	5394 · Rent-Prop.Taxes/Ins/Utilities	200.00
5517	Bookcliff Professional Building, LLC	Rent	5395 · Rent-Office unit	943.94
5518	CEBT	TSK Health Ins	5222 · Medical Insurance--Employer	917.99
eft	American Funds		2227 · Simple IRA Payable	97.13
eft	American Funds		2227 · Simple IRA Payable	226.63
eft	Electronic Federal Tax Payment System	84-0976632	2205-FICA/MED/FWT Payable	801.36
eft	Capital One, F.S.B.	Office Supplies	5100 · Office Supplies	2.63
				<u>5,489.87</u>

### GENERAL STORED WATER

Num	Name	Memo	Account	Amount
2488	General Fund	3rd Qtr Reimbursement	7061 · Accounting Fees Proration	2,654.75
2488	General Fund	3rd Qtr Reimbursement	7064 · Directors Fees Proration	1,739.00
2488	General Fund	3rd Qtr Reimbursement	7063 · Office Rent Proration	1,591.75
2488	General Fund	3rd Qtr Reimbursement	7062 · Personnel Service Proration	6,407.75
2489	Garfield County Clerk and Recorder	Memorandums	7070 · Memorandum Recording Fees	64.00
2490	Colorado River Engineering, Inc.	General	7032 · Hydrology-General	2,695.00
2491	Olszewski, Massih & Maurer, P.C.	CRWCD	7047 · Legal--General	256.00
2491	Olszewski, Massih & Maurer, P.C.	Water Rights	7047 · Legal--General	80.00
2491	Olszewski, Massih & Maurer, P.C.	Inclusion	7047 · Legal--General	240.00
2491	Olszewski, Massih & Maurer, P.C.	Contracts	7047 · Legal--General	96.00
2491	Olszewski, Massih & Maurer, P.C.	Area A	7047 · Legal--General	560.00
2491	Olszewski, Massih & Maurer, P.C.	Crystal	7048 · Legal-Crystal River	120.00
2491	Olszewski, Massih & Maurer, P.C.	Pioneer Ditch	7047 · Legal--General	936.00
2491	Olszewski, Massih & Maurer, P.C.	General	7047 · Legal--General	1,304.00
2491	Olszewski, Massih & Maurer, P.C.	Policies	7047 · Legal--General	592.00
2491	Olszewski, Massih & Maurer, P.C.	WD Diligence	7046 · Legal-WD project Diligence	472.00
				<u>19,808.25</u>

## **FOURMILE CREEK**

Num	Name	Memo	Account	Amount
1934	General Fund #1414008103	3rd Qtr Reimbursement	8056 · Rent--office Space Proration	621.25
1934	General Fund #1414008103	3rd Qtr Reimbursement	8058 · Accounting Fees Proration	1,036.25
1934	General Fund #1414008103	3rd Qtr Reimbursement	8057 · Directors fees Proration	678.75
1934	General Fund #1414008103	3rd Qtr Reimbursement	8059 · Personnel Service Proration	2,501.00
1935	Colorado River Engineering, Inc.	Flannery Yield Operations	8030 · Hydrology	660.00
1935	Colorado River Engineering, Inc.	Releases and memo to DWR	8033 · Hydrology -- Martin # 1 & 2	360.00
1936	Olszewski, Massih & Maurer, P.C.	General	8050 · Legal--General	560.00
1936	Olszewski, Massih & Maurer, P.C.	Martin Diligence	8053 · Legal -- Martin Reservoirs	536.00
				6,953.25

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Mrd

## SILT INTERCONNECT

Num	Name	Memo	Account	Amount
508	General Fund 1414008103	3rd Qtr Reimbursement	8100 · Rent–Office Space Proration	361.50
508	General Fund 1414008103	3rd Qtr Reimbursement	8200 · Personnel Service Proration	1,455.00
508	General Fund 1414008103	3rd Qtr Reimbursement	8400 · Directors Fees Proration	394.75
508	General Fund 1414008103	3rd Qtr Reimbursement	8300 · Accounting Fees Proration	602.75
509	Olszewski, Massih & Maurer. P.C.	Silt Mesa Service Area	7801 · Legal	200.00
510	Colorado River Engineering, Inc.	General	7802 · Hydrology	360.00
				3,374.00

SP

**GRAND TOTAL**                   **35,625.37**