

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

**MINUTES OF BOARD OF DIRECTORS MEETING
March 20, 2025**

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, Director Brad Mollman, Treasurer Tom Jankovsky, Secretary Christopher Treese. Director Kelly Couey was absent. Also in attendance were Tammy Keenan, Office Manager; Wendy Ryan and BBA Water, Inc.; Edward B. Olszewski, Counsel;

PUBLIC COMMENT

There was no comment from the public.

MINUTES

Christopher Treese moved the minutes of the February 19, 2025 meeting be approved with changes; Tom Jankovsky seconded; motion carried.

FINANCE REPORT

Bills to be Paid: Tom Jankovsky moved the attached list of bills be paid; Christopher Treese seconded; motion carried.

Financial Statements: Tom Jankovsky moved the February, Financial Statements prepared by Barnes, Pearson & Rudow, LLC be accepted; Christopher Treese seconded; motion carried.

Accounts Receivable: The board discussed the current accounts receivable balances.

Digital Documents: Christopher Treese moved to hire Emma Keenan to digitize the West Divide files, not to exceed \$175.00 per box; Tom Jankovsky seconded; motion carried.

WATER CONTRACTS

Assignments

Tom Jankovsky moved approval of the following assignments; seconded by Christopher Treese; motion carried; assignments approved.

KSW Properties, LLC assignment from **HES 51 County Road 223 LLC**, 2.72 a.f commercial, General Stored Water.

Amdenments

Christopher Treese moved approval of the **Big R Lot Owners Association Inc.** amending from 9.97 to 1.40 a.f Commercial, General Stored Water; Tom Jankovsky seconded; motion carried.

Christopher Treese moved approval of the **Winter Paster Water Association** amending from 1.93 to 2.187 a.f Subdivision, Silt Interconnect; Tom Jankovsky seconded; motion carried.

Contracts

K Squared & Fam LLC; Christopher Treese moved approval of this water allotment contract, 1.00 a.f., domestic, Silt Interconnect, contingent upon receiving a well sharing agreement; seconded by Tom Jankovsky; motion carried.

Heisel Trust/ Fred and Dendy Heisel; Christopher Treese moved approval of this water allotment contract, 1.00 a.f., domestic, Fourmile Creek; seconded by Tom Jankovsky; motion carried.

Bald Mountain Water Association – Gene Hilton; Christopher Treese moved approval of this water allotment contract, 1.00 a.f., domestic, Fourmile Creek; seconded by Tom Jankovsky; motion carried.

RIVER DISTRICT REPORT

There was no report this month. Samuel B. Potter voiced his concerns about the \$40 million Shoshone grant in limbo and suggested a writing campaign to keep the funds moving forward as this is not a political issue and all of Western Colorado needs this. Christopher Treese will follow up and see if there is anything West Divide can assist with.

ROUNDTABLE REPORT

The next meeting is Monday March 24, 2025. Grant funding will be reviewed at this meeting.

WATER RESOURCES REPORT

Samuel B. Potter, Wendy Ryan and Edward B. Olszewski met with Division 5 March 19, 2025 to go over Crystal River and Fourmile Creek augmentation plans. A high-level description of the proposed plans for augmentation was provided and minimal concerns were identified. Wendy will meet with the hydrogeology team to discuss the proposed aquifer parameters for developing lagged depletion zones.

HYDROLOGISTS' REPORT

Wendy Ryan provided Water Watch and Augmentation reports and an oral report on ongoing projects.

THREEMILE

Wendy, Ed, and Sam met with the Threemile water users' association and they feel our operations at Flannery Reservoir will harm Threemile Creek. The only difference over

historical operations is the need to refill a bit more in the spring. They do not want any water to go to Fourmile Creek. It appears that they have their own water rights issues that require augmentation. Wendy, Ed and Sam discussed with Division 5 the service areas, (ID controlling water rights and groundwater mapping) presumptive diversion and depletion values (domestic, irrigation, stock watering, hotels, office, evaporation) and lagged depletion mapping (geology mapping, well construction logs, aquifer parameters for alluvial bedrock zones.)

FOURMILE

Wendy has been looking into a pipeline from Flannery to Fourmile to reduce damage potential from releases. The pipeline would be 1.7 miles with steep slope of 65% and crossing 10 properties including a BLM parcel. An alternative option would be to use the road. This option would be 3.5 miles with a 39% slope and crossing 12 properties.

Division 5 indicated the Zilm hydro call will likely be active soon. Heather Ramsey will verify if the call is valid and that the water being received from the call is being put to beneficial use.

Division 5 also asked about the Martin releases for Oak Meadows during the Zilm hydro plant call and creative solutions were discussed.

Ed and Wendy met with Springridge representatives and discussed combining their three contracts into one. They are OK not receiving the excess Atkinson ditch water any longer.

Ebbs and Flowers (Hughes) has provided comments on the Flannery case, some of which are unreasonable. The majority of their concerns will be remedied with the installation of measuring devices.

Tom Jankovsky moved to accept W.W. Wheeler & Associates proposal for Scope of Work and Budget for Engineering Services for Flannery Reservoir Outlet Repair Project, not to exceed \$30,000.00; Christopher Treese seconded; motion carried.

ACTIVE CALLS

Rifle Creek 11/1/24 call at Rifle Creek Canon Ditch

Fourmile Creek – OFF (per Division 5 – will be coming back on soon)

Mainstem – Shoshone

ATTORNEY'S REPORT

Received written and oral report from counsel.

NEW BUSINESS

The next meeting will be April 17, 2025.

DIRECTORS' COMMENTS

Christopher Treese researched debrucing and losing the enterprise status and found it is a one-year penalization only.

Tom Jankovsky attended a government agency and forest service meeting and mentioned the BLM & Forest service will be adding fire mitigation on Threemile, no particulars on what the project entails.

EXECUTIVE SESSION

No need for executive session this month.

ELECTION OF OFFICERS

officer Christopher Treese nominated Brad Mollman to fill Dan Harrison's vacancy *as Vice President* and to leave *other* positions as is; Tom Jankovsky nomination accepted.

ADJOURN

Meeting adjourned at 11:40 a.m.

SIGNED:



Brad Mollman, Vice President

ATTEST:



Samuel B. Potter, President

GENERAL FUND				
Num	Name	Memo	Account	Amount
DD11	Keenan, Tamara S	Direct Deposit	5221 · Salary	2,853.32
eft	Capital One, F.S.B.	Comcast	5390 · Telephone & Internet	291.89
eft	Capital One, F.S.B.	Zoom	5390 · Telephone & Internet	17.29
eft	Capital One, F.S.B.	Postage	5300 · Postage/Box Rent/Etc.	250.88
eft	Capital One, F.S.B.	Water	5100 · Office Supplies	47.48
eft	Capital One, F.S.B.	Checks	Due from CR	273.79
eft	Capital One, F.S.B.	Shredding	5100 · Office Supplies	80.00
eft	Capital One, F.S.B.	Labels, Cleaning supplies, paper, stapler	5100 · Office Supplies	140.12
5760	Bookcliff Professional Building, LLC		5395 · Rent--Office unit	1,132.18
5760	Bookcliff Professional Building, LLC		5394 · Rent-Prop.Taxes/Ins/Utilities	200.00
5761	Olszewski & Massih, P.C.	General	5280 · Legal	555.75
5762	Align Multimedia, LLC	General Feb & March	5397 · Website	150.00
5763	Barnes, Pearson & Rudow, PC	Financials - Jan & Feb	5150 · Accounting	1,650.00
5763	Barnes, Pearson & Rudow, PC	2024 1099s	5150 · Accounting	370.00
5763	Barnes, Pearson & Rudow, PC	4th Qtr Reports	5150 · Accounting	240.00
eft	American Funds		2227 · Simple IRA Payable	119.24
eft	American Funds		2227 · Simple IRA Payable	119.24
eft	Electronic Federal Tax Payment System	84-0976632	2205-FICA/MED/FWT Payable	1,087.10
				<u>9,578.26</u>

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GENERAL STORED WATER				
Num	Name	Memo	Account	Amount
2782	Silt Mesa Interconnect Enterprise Fund	Cardillo	2050 · Due to Other Funds	435.00
2783	Silt Mesa Interconnect Enterprise Fund	Collins	2050 · Due to Other Funds	435.00
2784	Silt Mesa Interconnect Enterprise Fund	K Squared App fee	2050 · Due to Other Funds	395.00
eft	Fourmile Credit Cards	Dendy Heisel Application Fee	2050 · Due to Other Funds	395.00
2785	Colorado River Water Conservation Distric	Wolford 10 A.F	7076 · CRWCD--Wolford	412.50
2786	Colorado River Water Conservation Distric	Option 900 A. F.	CRWCD - Option	22,986.00
2787	Colorado River Water Conservation Distric	Ruedi 100 A.F.	7074 · CRWCD--Ruedi II	25,535.00
2788	Garfield County Clerk and Recorder	Memorandums	7070 · Memorandum Recording Fees	26.00
2789	General Fund	1st Qtr Reimbursement	7062 · Personnel Service Proration	10,775.75
2789	General Fund	1st Qtr Reimbursement	7063 · Office Rent Proration	2,214.00
2789	General Fund	1st Qtr Reimbursement	7064 · Directors Fees Proration	2,081.25
2789	General Fund	1st Qtr Reimbursement	7061 · Accounting Fees Proration	3,600.50
2790	BBA Water Consultants, Inc.	General	7032 · Hydrology--General	5,300.00
2791	Olszewski & Massih, P.C.	General	Flannery	564.81
2791	Olszewski & Massih, P.C.	Directors	7047 · Legal--General	526.50
2791	Olszewski & Massih, P.C.	CRWCD	7047 · Legal--General	331.50
2791	Olszewski & Massih, P.C.	Contracts	7047 · Legal--General	906.75
2791	Olszewski & Massih, P.C.	Area A	7047 · Legal--General	780.00
2791	Olszewski & Massih, P.C.	Martin Diligence	Legal -- Martin Diligence	789.75
2791	Olszewski & Massih, P.C.	Toothache Spring	7047 · Legal--General	136.50
				<u>78,626.81</u>

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CRYSTAL RIVER

Num	Name	Memo	Account	Amount
1002	BBA Water Consultants, Inc	55757	Hydrology	4,623.75
eft	General Fund	Harland Check order	due to other funds	273.79
1003	Olszewski & Massih, P.C.	Crystal River Aug Investigation	Legal	39.00
1003	Olszewski & Massih, P.C.	Beaver Lak Expansion	Legal	273.00
				<u>5,209.54</u>

FOURMILE CREEK

Num	Name	Memo	Account	Amount
2074	General Fund #1414008103	1st Qtr Reimbursement	8056 · Rent--office Space Proration	439.25
2074	General Fund #1414008103	1st Qtr Reimbursement	8058 · Accounting Fees Proration	714.25
2074	General Fund #1414008103	1st Qtr Reimbursement	8057 · Directors fees Proration	413.00
2074	General Fund #1414008103	1st Qtr Reimbursement	8059 · Personnel Service Proration	2,138.00
2075	Garfield County Clerk & Recorder	Memorandum recording	8070 · Memorandum Recording Fees	13.00
2076	Olszewski & Massih, P.C.	General	8050 · Legal--General	2,203.50
2077	BBA Water Consultants, Inc	General	8036 · Hydrology - Flannery	4,214.26
2077	BBA Water Consultants, Inc	General	8030 · Hydrology	306.25
				<u>10,441.51</u>

SILT INTERCONNECT

Num	Name	Memo	Account	Amount
577	General Fund 1414008103	1st Qtr Reimbursement	8100 · Rent--Office Space Proration	338.75
577	General Fund 1414008103	1st Qtr Reimbursement	8200 · Personnel Service Proration	1,648.75
577	General Fund 1414008103	1st Qtr Reimbursement	8400 · Directors Fees Proration	318.50
577	General Fund 1414008103	1st Qtr Reimbursement	8300 · Accounting Fees Proration	550.75
578	Bureau of Reclamation	Carriage of non-project water in Silt pump can	7010 · Warren Act/Non-Project Water	1,881.14
579	Farmers Irrigation Company	26 Shares	7015 · Farmers Irrigation Water	614.00
580	BBA Water Consultants, Inc.	general	7802 · Hydrology	131.25
				<u>5,483.14</u>

GRAND TOTAL

109,339.28

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March 12, 2025

Tammy Keenan
West Divide Water Conservancy District
818 Taughenbaugh Blvd. #101
Rifle, CO 81650

Subject: Scope of Work and Budget for Engineering Services for Flannery Reservoir Outlet Repair Project.

Dear Tammy:

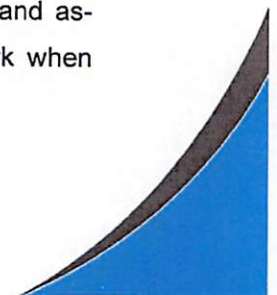
W. W. Wheeler and Associates, Inc. (Wheeler) is pleased to provide West Divide Water Conservancy District (WDWCD) with our engineering services proposal for the outlet works replacement of Flannery Reservoir Dam. Based on our discussion following our site assessment, Wheeler proposes to provide professional engineering services as described in the following Scope of Work.

Scope of Work

Based on our conversations with the State Dam Safety Engineer, we understand that the State Engineer would consider this work to be covered under Rule 6.1.3 of the State of Colorado Rules and Regulations for Dam Safety and Construction (Rules). Wheeler will prepare construction drawings to replace the existing headgate, installation of a new manhole vault, replacement of the access catwalk, and line the existing outlet pipe. Wheeler will prepare technical specifications for construction. Wheeler will also prepare a design letter report with calculations for the State Engineer to review and approve. Wheeler will coordinate with contractors to receive bids to perform the construction services.

Our scope of work does not include the following:

1. Construction Administration and Oversight. We have not included hours for on-site construction administration as well as the final construction completion report and as-construction drawings. This will be provided under a separate Scope of Work when construction is scheduled.



Budget

Wheeler proposes to perform the work described in the proposal for a not-to-exceed budget of \$30,000. Our fees for engineering services are based on our hourly fees and expenses as documented in our attached Standard Rate Schedule. Our total fee for this work will not be exceeded without prior authorization from WDWCD.

Schedule

Wheeler is available to start on this outlet replacement design right away upon acceptance of this proposal. John Treacy P.E. will be Wheeler's Project Manager for this work and will be responsible for the technical and administrative aspects of the project. John Treacy is a registered Professional Engineer in the State of Colorado. John has over 18 years of experience in dam safety evaluations, inspections and rehabilitation design. Paul Perri, P.E., will provide a technical review of the work and other Wheeler staff will be involved as needed.

Please call or email John Treacy if you have any questions about the proposed Scope of Work, budget and schedule. Thank you for considering W. W. Wheeler and Associates for this project.

Sincerely,
W. W. Wheeler and Associates, Inc.

A handwritten signature in black ink that reads "John Treacy". The signature is written in a cursive, flowing style.

John J. Treacy, P.E.

STANDARD RATE SCHEDULE

EFFECTIVE APRIL 1, 2025

<u>Classification</u>	<u>Rate Per Hour</u>
Chief Engineer.....	\$248.00
Senior Water Resources Engineer	\$231.00
Senior Geotechnical Engineer	\$231.00
Senior Project Engineer.....	\$213.00
Senior Engineer.....	\$197.00
Project Engineer.....	\$180.00
Associate Engineer.....	\$164.00
Staff Engineer.....	\$148.00
Assistant Engineer.....	\$133.00
Junior Engineer	\$119.00
CADD Technician	\$111.00
Administrative Assistant	\$98.00
Technician III	\$110.00
Technician II	\$85.00
Technician I	\$69.00

Our Lab Testing Rate Schedule is provided on the following page. In addition to the above Rate Schedule, the following expense items will be reimbursed to W. W. Wheeler & Associates, Inc. at cost or as indicated below:

- Fees by subconsultants, surveyors, laboratories, etc. will be billed at cost plus a 5% mark-up.
- Prints, photos, and reproductions by others will be billed at cost.
- Special supplies and equipment will be billed at cost.
- Out-of-town living expense will be billed at cost or per-diem.
- In-house reproductions:

Black and White:	\$0.15/page
Color Letter:	\$0.50/page
Color Ledger:	\$1.00/page
- Two-wheel-drive vehicle: \$0.70/mile
- Four-wheel-drive vehicle: \$0.85/mile

