

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

**MINUTES OF BOARD OF DIRECTORS MEETING  
February 15, 2018**

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, and Treasurer Bruce E. Wampler. Secretary Robert J. Zanella, and Director Kelly Couey were absent. Also in attendance were Tammy Keenan, Office Manager; Wendy Ryan and Chris Manera, Colorado River Engineering, Inc.; Edward B. Olszewski, Counsel; Water Commissioners Bill West and Glen Lund.

PUBLIC COMMENT

There was no comment from the public.

MINUTES

Dan R. Harrison moved the minutes of the January 18, 2018, 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; Dan R. Harrison seconded; motion carried.

**Financial Statements:** Bruce E. Wampler moved the January 2018, Financial Statements prepared by Barnes, Pearson & Associates, LLC be accepted; Dan R. Harrison seconded; motion carried.

WATER CONTRACTS

**Moulton, Martha;** Bruce E. Wampler moved approval of this amendment from **Moulton, William and Martha to Moulton, Martha and 1 dwelling to 2 dwellings;** 1 a.f., Colorado River, Domestic; seconded by Dan R. Harrison; motion carried.

**Michelle and Edward Buchman;** Bruce E. Wampler moved approval of this assignment from **Randall and Cecilia Harmon;** 1 a.f., Colorado River, Domestic; seconded by Dan R. Harrison; motion carried.

**Stephanie and Calvin Whitman and Kevin and Briana McLaren;** Bruce E. Wampler moved approval of this assignment from **Stephanie and Calvin Whitman and Mindy Kittay;** 2.5 a.f., Silt Interconnect, Domestic; seconded by Dan R. Harrison; motion carried.

ROUNDTABLE REPORT

Received oral report from Dan R. Harrison of the January 22, 2018 meeting. The next meeting will be March 26, 2018.

WATER RESOURCES' REPORT

Bill West clarified the water contract cancellation process. West Divide will send letters to contractees first with an opportunity to pay for their annual water contract. If the district does not receive a response from the contractee, then the contract will be cancelled and the Division will be notified of the cancelled contract. At that time the Division will follow up with the contractee.

HYDROLOGISTS' REPORT

Water watch and augmentation reports were handed out and discussed with Wendy Ryan.

Received oral reports on pending projects from Wendy Ryan and Chris Manera.

MARTIN RESERVOIRS:

Colorado River Engineering will continue to solicit cost estimates for the CIPP. At this time all estimates have been astronomically high. An RFP will be put together for the construction work.

ATTORNEY'S REPORT

Received written and oral report from counsel.



RESOLUTION TO ACCEPT DONATION, *clough*

Bruce Wampler moved to accept the donation and attached Resolution 18-01 seconded by Dan R. Harrison. Resolution 18-01 duly accepted.

Roll call vote: Samuel B. Potter -- yes; Dan R. Harrison -- yes; Bruce E. Wampler-- yes; Kelly Couey – absent; Robert J. Zanella --absent. (Copies attached)

NEW BUSINESS

The next meeting is scheduled for March 15, 2018.

Reminder that Tammy Keenan will be on vacation April 16, 2018 thru April 20, 2018. The April meeting has been tentatively set for April 12, 2018.

DIRECTORS' COMMENTS

The Middle Colorado Integrated Water Management Plan was discussed.

Bruce E. Wampler moved to donate \$1000.00 each to both the Middle Colorado Integrated Water Management Plan and the Bookcliff, Mount Sopris and South Side Conservation District; seconded by Dan R. Harrison; motion carried.

ADJOURN

Meeting adjourned at 11:25 a.m.

SIGNED:



Robert J. Zanella, Secretary

ATTEST:



Samuel B. Potter, President

**GENERAL FUND**

Num	Name	Memo	Account	Amount
DD102	Keenan, Tamara S	Direct Deposit	5221 - Salary	2,344.68
5162	Bookcliff Professional Building, LLC	Escrow	5394 · Rent-Prop. Taxes/Ins/Utilities	200.00
5162	Bookcliff Professional Building, LLC	Feb Rent	5395 · Rent--Office unit	877.66
5163	Tammy S. Keenan	Feb 2018	5396 · Janitorial	75.00
5164	CEBT	TSK Health Ins	5222 · Medical Insurance--Employer	728.72
5165	Special District Association of Colorado	2018 Membership	5240 · Dues/Registration	602.67
5166	Capital One, F.S.B.	Postage	5300 · Postage/Box Rent/Etc.	27.61
5166	Capital One, F.S.B.	Hanging folders, paper, contract folders	5100 · Office Supplies	132.94
5166	Capital One, F.S.B.	Century Link	5390 · Telephone & Internet	121.53
5166	Capital One, F.S.B.	Hosting Metro - Domain Site	5390 · Telephone & Internet	120.00
5167	Olszewski, Massih & Maurer, P.C.	General Legal	5280 · Legal	720.00
5167	Olszewski, Massih & Maurer, P.C.	Water Rights	5280 · Legal	67.50
5168	Barnes, Pearson & Associates, LLC	Jan Financial Prep	5150 · Accounting	600.00
5168	Barnes, Pearson & Associates, LLC	4th Qtr PR reports	5150 · Accounting	170.00
5168	Barnes, Pearson & Associates, LLC	2017 1099s	5150 · Accounting	190.00
eft	Electronic Federal Tax Payment System	84-0976632	2205-FICA/MED/FWT Payable	633.30
				7,611.61

**GENERAL STORED WATER**

Num	Name	Memo	Account	Amount
2276	Olszewski, Massih & Maurer, P.C.	Alsbury Diligence	7047 · Legal--General	307.50
2276	Olszewski, Massih & Maurer, P.C.	Area A	7047 · Legal--General	637.50
2276	Olszewski, Massih & Maurer, P.C.	Contracts	7047 · Legal--General	37.50
2276	Olszewski, Massih & Maurer, P.C.	Legislation	7047 · Legal--General	75.00
2276	Olszewski, Massih & Maurer, P.C.	Martin Diligence	7049 · Legal--Martin Reservoirs	487.50
2277	Garfield County Clerk and Recorder	Memorandums	7070 · Memorandum Recording Fees	13.00
2278	Colorado River Engineering, Inc.	Bd Mtg, Accounting	7032 · Hydrology--General	2,972.50
2278	Colorado River Engineering, Inc.	Martin Reservoirs	7036 · Hydrology--Martin Reservoirs	680.00
2278	Colorado River Engineering, Inc.	Alsbury	7047 · Legal--General	400.00
				5,610.50

**FOURMILE**

Num	Name	Memo	Account	Amount
1796	Greenwald Children's Irrevocable Trust	Refund of 25% of 2015 - 2017 fee paid on BC 2400	Due to Greenwald Trust	12,132.50
1797	Greenwald Children's Irrevocable Trust	Refund of 25% of 2018 fee paid on BOTH Sp 2400	Due to Greenwald Trust	4,325.50
1798	Olszewski, Massih & Maurer, P.C.	General	8050 · Legal--General	2,357.76
1799	Garfield County Clerk & Recorder	Memorandum recording	8070 · Memorandum Recording Fees	33.00
1800	Colorado River Engineering, Inc.	General	8030 · Hydrology	1,050.00
				19,898.76

**SILT INTERCONNECT**

Num	Name	Memo	Account	Amount
396	Silt Water Conservancy District	10% of 2018 fees - Joint Agreement	7200 · SWCD Joint Project Legal	3,480.96
				3,480.96

**GRAND TOTAL** **36,601.83**

**WEST DIVIDE WATER CONSERVANCY DISTRICT  
RESOLUTION 18-01**

**RESOLUTION TO ACCEPT DONATION**

WHEREAS, the Clough Sheep Company, LLC (“Clough Sheep Company”), is the owner of certain senior water rights in the Pioneer Ditch;

WHEREAS, the Clough Sheep Company wishes to donate the Pioneer Ditch water rights to the West Divide Water Conservancy District (“District”); and

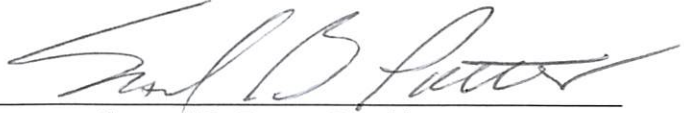
WHEREAS, the Board of Directors of the District wishes to accept the donation of the Pioneer Ditch water rights from the Clough Sheep Company and set a value therefor.

THEREFORE, BE IT RESOLVED, the Board of Directors hereby accepts the donation of the Pioneer Ditch Water rights as set forth in the Quit Claim Deed attached as Exhibit A and values the donation at \$750.00 per acre foot for a total of \$45,000.00.

ADOPTED this 15th day of February 2018.

WEST DIVIDE WATER CONSERVANCY DISTRICT

By



Samuel B. Potter, President

ATTEST:



Robert J. Zanella, Secretary

**QUIT CLAIM DEED  
(Water Rights)**

CLOUGH SHEEP COMPANY, LLC ("Grantor"), whose address is P.O. Box 686, Rifle, Colorado 81650, for the consideration of Ten Dollars and other good and valuable consideration, in hand paid, hereby remises, releases, sells, conveys and QUIT CLAIMS to WEST DIVIDE WATER CONSERVANCY DISTRICT ("Grantee"), whose address is P.O. Box 1478, Rifle, Colorado 81650, its successors and assigns, forever, all of the right, title, interest, claim and demand which the Grantor has in and to the following described water rights situate, lying and being in the County of Garfield and State of Colorado, described as follows:

**Pioneer Ditch:**

Priority No. 1, 5.0 c.f.s., Civil Action 0103, Water Division 5, Water District 39, decree dated May 11, 1889.

Priority No. 62, 1.9 c.f.s., Civil Action 0103, Water Division 5, Water District 39, decree dated May 11, 1889.

Priority No. 92, 2.0 c.f.s., Civil Action 0103, Water Division 5, Water District 39, decree dated May 11, 1889.

4.239 c.f.s., Case No. 83CW0110, District Court, Garfield County,

0.50 c.f.s., 39.24 annual consumptive use credits, Case No. 03CW0290, District Court, Garfield County,

*Note:* it is determined that Clough Sheep Company, LLC owns two separate parcels that are or were irrigated by the water of the Pioneer Ditch, totaling approximately 31 acres of irrigated land resulting in 60 acre-feet of consumptive use credits.

**Source:** Rifle Creek, tributary to the Colorado River.

**Appropriation Date:** CA 0103 May 10, 1882 (Priority No. 1)  
April 1, 1886 (Priority No. 62); and  
March 1, 1887 (Priority No. 92).

**Uses:** Historic: Irrigation then Recreation and Piscatorial.

Together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto pertaining, and all the estate, right, title, interest, and claim whatsoever either in law or equity, to the only proper use, benefit and behalf of the Grantee, its successors and assigns forever.

Signed this 28<sup>th</sup> day of December, 2017.

CLOUGH SHEEP COMPANY, LLC

By: *Stormy Dawn Anderson*  
Stormy Dawn Anderson, Member/Manager

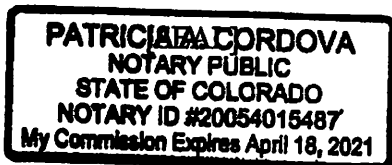
By: *Danny L. Snyder*  
Danny L. Snyder, Member/Manager

STATE OF COLORADO    )  
  ) ss.  
COUNTY OF GARFIELD    )

The foregoing instrument was acknowledged before me this 28<sup>th</sup> day of December, 2017, by Stormy Dawn Anderson and Danny L. Snyder, as the Mangers of the Clough Sheep Company, LLC.

Witness my hand and official seal.  
My commission expires: 4-18-2021

*Patricia A. Cordova*  
Notary Public



\*\*\* Consideration less than \$500; no documentary fee required \*\*\*