

AGENDA

UPPER YAMPA WATER CONSERVANCY DISTRICT BOARD OF DIRECTORS MEETING

WEDNESDAY, JANUARY 19, 2022 (10:30 AM)
MOUNTAIN VALLEY BANK COMMUNITY ROOM
2220 CURVE PLAZA, STEAMBOAT SPRINGS, CO

ONLINE MEETING:

<https://us06web.zoom.us/j/84010651148?pwd=RzhqY2owMi9OUW5PZDV5RXJSYTFpdz09>

DUE TO THE RECENT INCREASE IN COVID-19 CASES IN ROUTT COUNTY AND TO ENSURE THE HEALTH AND SAFETY OF OUR STAFF AND BOARD, ONLY STAFF AND BOARD MEMBERS WILL BE ALLOWED TO ATTEND THE MEETING IN PERSON. MEMBERS OF THE PUBLIC MAY JOIN THIS MEETING VIA ZOOM. THESE RESTRICTIONS MAY CHANGE AS CONDITIONS ALLOW.

INSTRUCTIONS ON HOW TO JOIN A ZOOM MEETING FOLLOW THE AGENDA

A Board of Directors meeting packet is available for public review on our website at <https://upperyampawater.com/agendas-and-meeting-documents/> by the Friday before the meeting. Amendments to the Agenda and new documents that are generated or submitted after the original posting of the meeting materials will be posted under "Additional Documents" on the website for the relevant meeting.

QUESTIONS ON AGENDA AND/OR BOARD MATERIALS: Members of the public or Board of Directors with questions on the agenda or meeting materials, including the consent agenda, are welcome to contact the General Manager at the District offices prior to the meeting. You may reach the General Manager at: arossi@upperyampawater.com or (970) 871-1035 Ext. 2.

MEETING PROCEDURE: Comments from the Public are welcome at two different times during the course of the meeting: 1) Comments no longer than three (3) minutes on items **not** scheduled on the Agenda will be heard under Public Input and Comment; and 2) Comments no longer than three (3) minutes on all scheduled public hearing items will be heard following the presentation. Please wait until you are recognized by the President. With the exception of subjects brought up during Public Input and Comment, on which no action will be taken or a decision made, the Board may take action on, and may make a decision regarding, ANY item referred to in this agenda, including, without limitation, any item referenced for "review", "update", "report", or "discussion" whether or not listed as an "Action Item."

- (1) **10:30 AM** Establishment of Quorum and Call to Order
- (2) **10:30 AM** Approval of Agenda for Meeting **Action item**
- (3) **10:35 AM** Board Member Reports
 - a. Results of Director's Self Evaluation Survey
 - b. UYWCD GM Annual Review
- (4) **11:05 AM** Executive Sessions:
 - a. Executive session under CRS § 24-6-402(4)(f)(l) concerning personnel matters except if the employee who is the subject of the session has requested an open meeting, or if the personnel matter involves

more than one employee, all of the employees have requested an open meeting. This executive session concerns the annual review of General Manager Andy Rossi who has not requested an open meeting. This session will be recorded, and a copy of the recording maintained for not less than 90 days.

- (5) **12:00 PM** Public Input and Comment
The Board will make no decision nor take action, except to direct the General Manager. Those addressing the Board are requested to identify themselves by name, organization, if any, and address. Comments shall not exceed three (3) minutes.
- a. Update from Erin Light
- (6) **12:10 PM** Consent Agenda **Action Item**
- a. Approval of the Minutes of November 17, 2021, Board Meeting
- b. Financials
- i. Approval of Disbursements
- ii. Budget Comparison
- (7) **12:15 PM** Report of General Counsel
- a. UYWCD Bylaws Review
- (8) **12:20 PM** Pending Water Cases
- a. Water Resumes
- b. Status of Other Water Cases
- (9) **12:35 PM** Executive Sessions:
- a. Executive session under CRS § 24-6-402(4)(b) to discuss legal issues on Water Resumes, Water Cases, Contract Negotiations, Water Horse case in Utah and Yamcolo water rights. Mere presence or participation of an attorney at an executive session is not sufficient to satisfy the requirements of CRS § 24-6-402(4)(b). Executive sessions to discuss legal matters are not recorded.
- (10) **1:05 PM** Report of General Manager
- a. Election of Officers, Determination Committees, and Selection of industry meeting(s) UYWCD participants
- i. Election of Officers and Determination of Committees **Action Item**
- ii. Water Industry UYWCD Representation **Action Item**
- b. Board of Directors Appointments
- c. Town of Oak Creek: Sheriff Reservoir Rehabilitation Design Funding Request **Action Item**
- d. Stagecoach Reservoir Water Storage Contracts
- e. 2022 UYWCD Water Pricing **Action Item**
- f. Coal Creek Diversion Project Update and Scheduling of Special UYWCD BOD Meeting
- g. Financial Audit Schedule
- h. Resolution to Approve Posting Place **Action Item**
- (11) **3:30 PM** District Engineer Report
- a. Update on Reservoir Water Status
- (12) **3:45 PM** Public Information Updates
- a. UYWCD Grant Program
- b. UYWCD Annual Report
- (13) **4:00 PM** New Business (Limited to emergency matters that came up **Action Item**
During the course of the meeting)
- (14) **4:05 PM** Executive Sessions:
- a. Executive session under CRS § 24-6-402(4)(e)(I) for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators with respect to _____ (insert brief description). This session will be recorded, and a copy of the recording maintained for not less than 90 days.
- (15) **4:15 PM** Board Actions in Regard to Executive Session
- (16) **4:20 PM** Determination of Next Meeting(s) Agenda(s)
- (17) **4:30 PM** Adjournment.

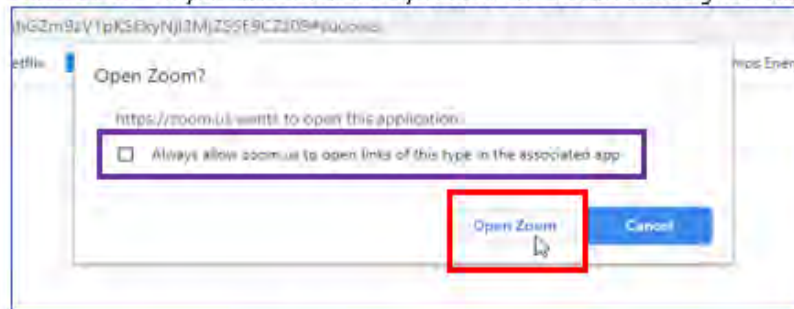
How to join a Zoom meeting

Join via "Join Zoom Meeting" link:

To join a Zoom meeting, click on the meeting link that has been sent to you by the host:

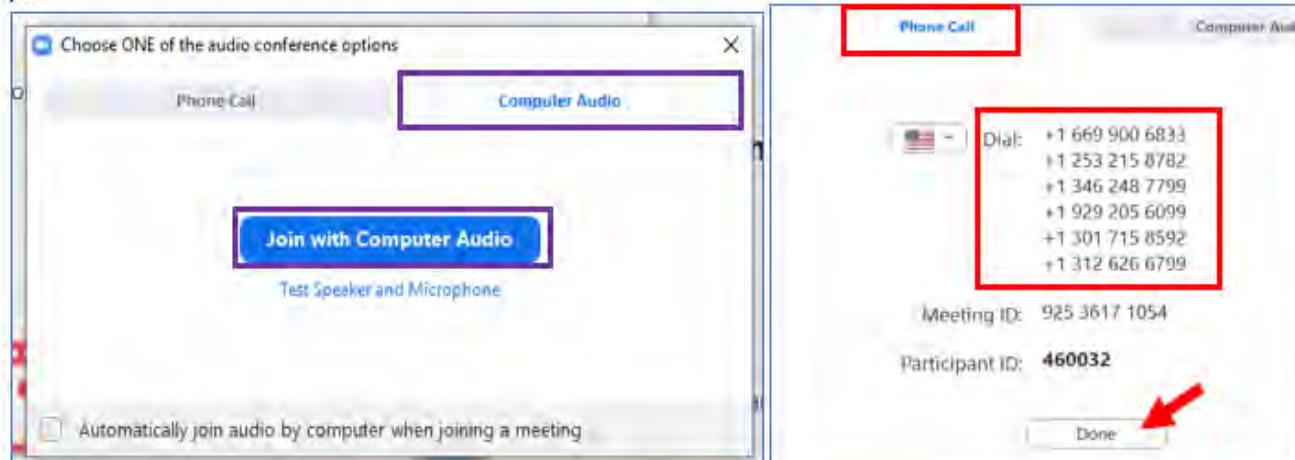


If you have not used Zoom before, you may receive this dialogue box to open Zoom. First, click on "always allow zoom.us..." so you will automatically connect for future meetings. Then, click on "Open Zoom" and follow the prompts.



Once you are connected to Zoom, you will need to choose your audio conference option. To join via your computer, click on "Computer Audio" and then "Join with Computer Audio".

To use your cell phone or landline, click on "Phone Call" and then choose a number from the list. Once you dial the number, you will be asked for the Meeting ID and Participant ID to enter the meeting. Click on "Done" once you are connected to the Zoom meeting. Or, you can use the "One tap mobile" option, see below, to connect via your cell phone.



Join via cell phone with "One tap mobile":

If you will be joining a Zoom meeting via your cell phone, click one of the "One tap mobile" links. Then click on "Call +1...". You will hear a request to "enter your Meeting ID followed by pound (#)". You **do not** need to enter the ID as the link will do this automatically for you.

You will be asked if you are a participant and to "Please press pound (#) to continue". You **must** press the pound key (#). Then you will be asked to "Enter your Participant ID followed by pound (#) or just press pound (#) to continue". If you **do not** enter anything, you will be automatically connected to the meeting.



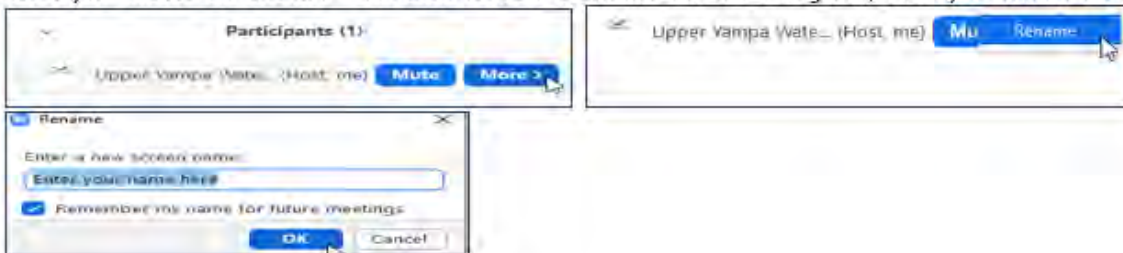
Join via "Dial by your location":

If you will be joining a Zoom meeting via your cell phone or landline, you can choose any of the numbers below to access the meeting. Once you dial the number you will be asked to "Enter your Meeting ID followed by pound (#)". Then, you will be asked to "press pound (#) if you are a participant". Finally, you will be asked to "Enter your Participant ID followed by pound (#) or just press pound (#) to continue". If you **do not** enter anything, you will be automatically connected to the meeting.



Be sure you are identified properly:

Once in Zoom, be sure that you are identified properly. If you need to change, in "Participants" click on your ID and hover your mouse on "More >" and then click on "Rename". In the dialog box, enter your name and click "OK".



Contact Deb Bastian for any questions

- Email: dbastian@upperyampawater.com
- Phone: 970-819-0189





BOARD COMMUNICATION FORM

From: Deb Bastian, Business Manager

Date: January 6, 2022

Item: Results of Director's Self Evaluation Survey

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I. Request/Issue and Background Information:

The Governance Committee (GC) for the Upper Yampa Water Conservancy District (UYWCD) had been asked by the Directors to prepare a draft self-evaluation survey of the UYWCD Board's efficacy. The Directors approved the draft document at the November 19, 2021, Board meeting, and the self-evaluation survey was sent to the Board via Survey Monkey. The survey period is complete, and the results have been compiled and are attached for the Board's review.

II. Summary and Alternatives:

None

III. Staff Recommendation:

None

IV. Legal Issues:

None

V. Consistency with Board Goals and Policies:

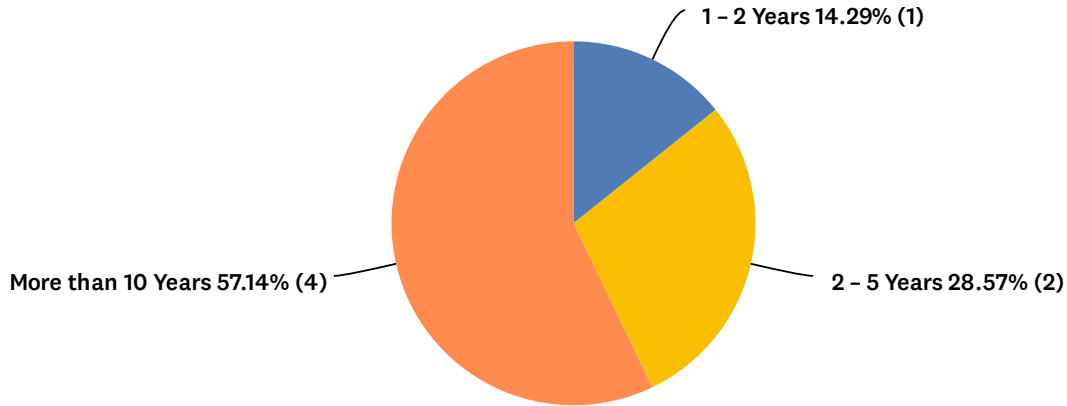
In 2020 the Directors approved a Governance Manual, developed by the GC members, in response to feedback received from a questionnaire of District constituents and stakeholders. This self-evaluation of Board performance is consistent with an effort to respond to the questionnaire and to assess where Directors have been successful and where they still have an opportunity to improve.

Attachments:

Attachment 1: 2021 UYWCD BOD Assessment Survey Results

Q1 How long have you served on the UYWCD BOD?

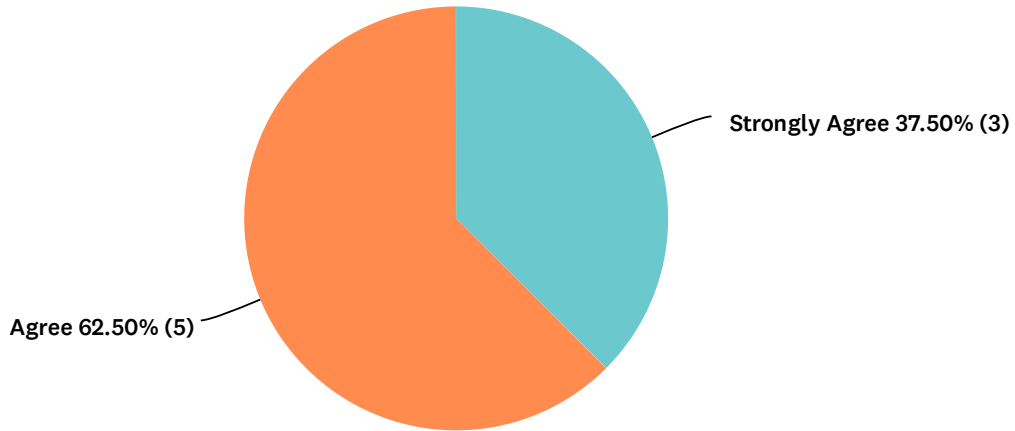
Answered: 7 Skipped: 1



ANSWER CHOICES	RESPONSES	
Less Than 1 Year	0.00%	0
1 - 2 Years	14.29%	1
2 - 5 Years	28.57%	2
5 - 10 Years	0.00%	0
More than 10 Years	57.14%	4
TOTAL		7

Q2 I understand the UYWCD's mission statement and strategic plan well enough to explain it to others.

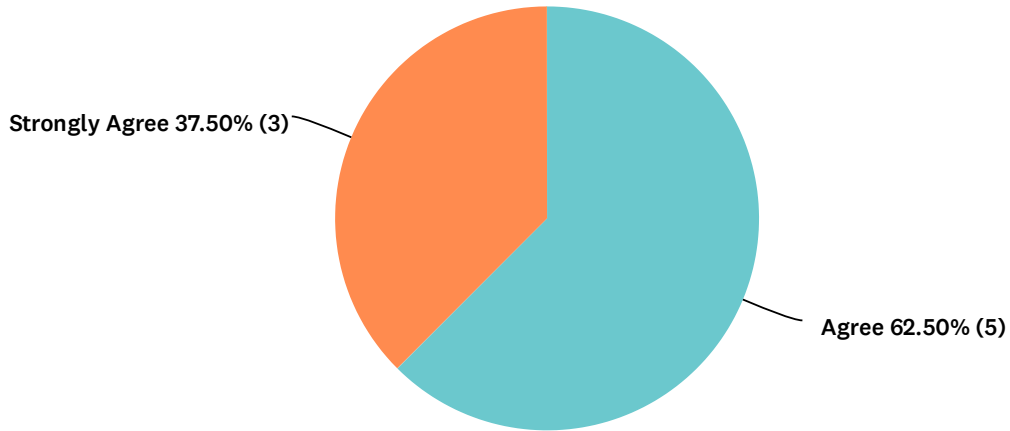
Answered: 8 Skipped: 0



ANSWER CHOICES	RESPONSES	
Strongly Disagree	0.00%	0
Disagree	0.00%	0
Neutral	0.00%	0
Strongly Agree	37.50%	3
Agree	62.50%	5
TOTAL		8

Q3 I understand the UYWCD's current operations and services well enough to explain them to others.

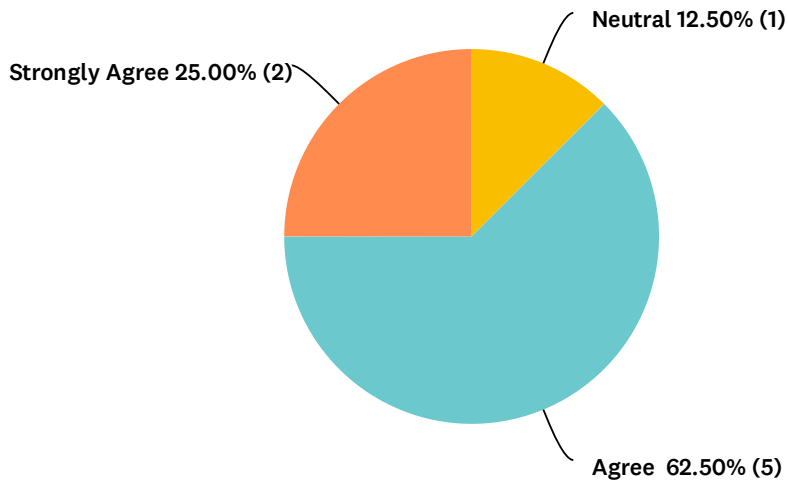
Answered: 8 Skipped: 0



ANSWER CHOICES	RESPONSES	
Strongly Disagree	0.00%	0
Disagree	0.00%	0
Neutral	0.00%	0
Agree	62.50%	5
Strongly Agree	37.50%	3
TOTAL		8

Q4 I believe that the UYWCD's mission statement is being followed.

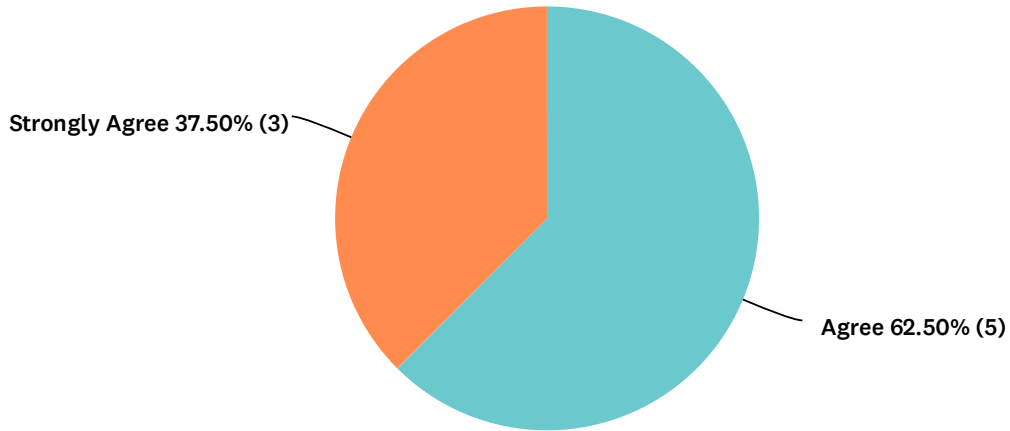
Answered: 8 Skipped: 0



ANSWER CHOICES	RESPONSES	
Strongly Disagree	0.00%	0
Disagree	0.00%	0
Neutral	12.50%	1
Agree	62.50%	5
Strongly Agree	25.00%	2
TOTAL		8

Q5 I believe the UYWCD has a clear sense of direction through the current strategic plan.

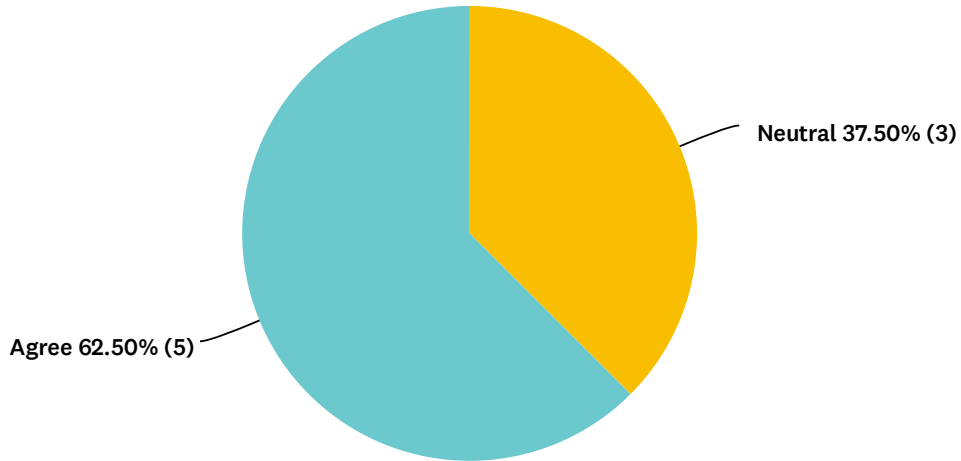
Answered: 8 Skipped: 0



ANSWER CHOICES	RESPONSES	
Strongly Disagree	0.00%	0
Disagree	0.00%	0
Neutral	0.00%	0
Agree	62.50%	5
Strongly Agree	37.50%	3
TOTAL		8

Q6 The current board governance policies, structure, and committees are what the organization needs to be effective.

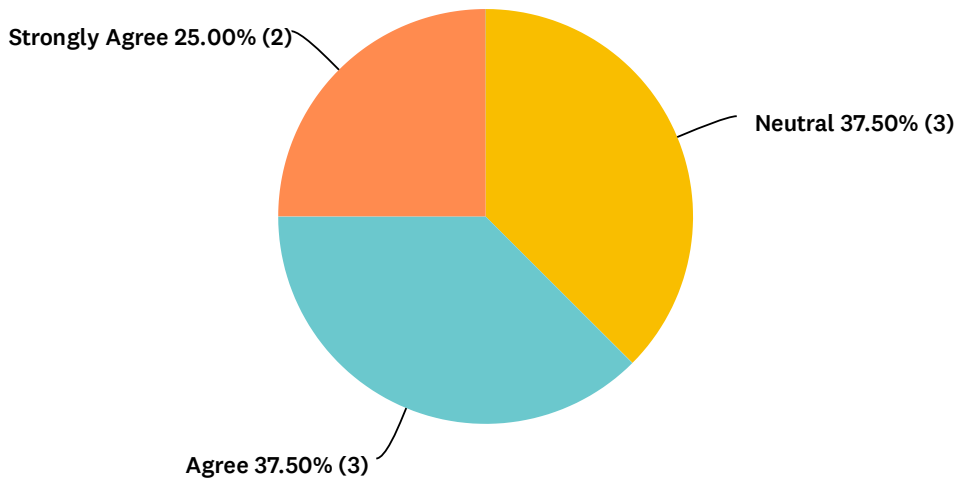
Answered: 8 Skipped: 0



ANSWER CHOICES	RESPONSES	
Strongly Disagree	0.00%	0
Disagree	0.00%	0
Neutral	37.50%	3
Agree	62.50%	5
Strongly Agree	0.00%	0
TOTAL		8

Q7 The executive committee performs a useful function.

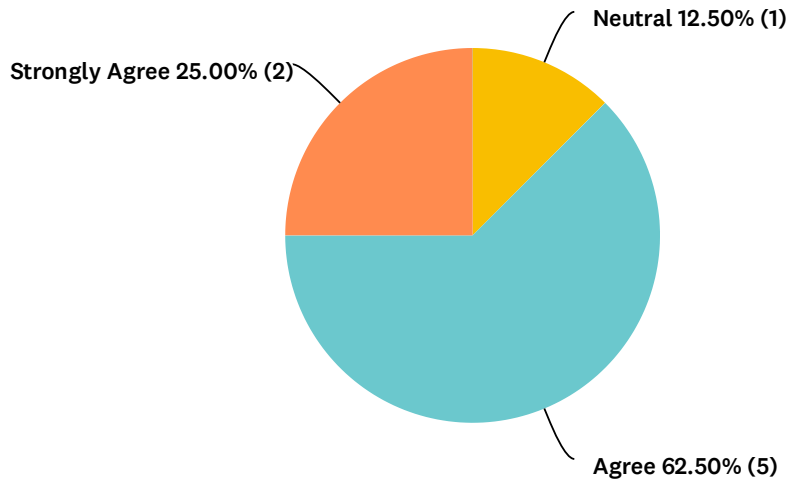
Answered: 8 Skipped: 0



ANSWER CHOICES	RESPONSES	
Strongly Disagree	0.00%	0
Disagree	0.00%	0
Neutral	37.50%	3
Agree	37.50%	3
Strongly Agree	25.00%	2
TOTAL		8

Q8 The UYWCD staff and BOD officers provide an appropriate amount of information for me to fulfill my governance responsibilities.

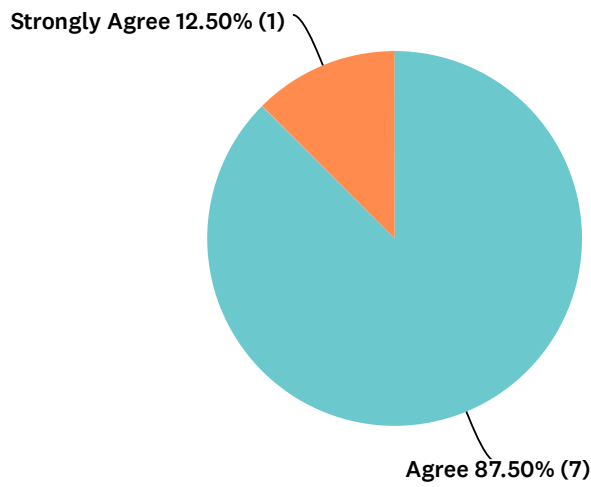
Answered: 8 Skipped: 0



ANSWER CHOICES	RESPONSES	
Strongly Disagree	0.00%	0
Disagree	0.00%	0
Neutral	12.50%	1
Agree	62.50%	5
Strongly Agree	25.00%	2
TOTAL		8

Q9 The current UYWCD BOD regular meetings schedule is adequate.

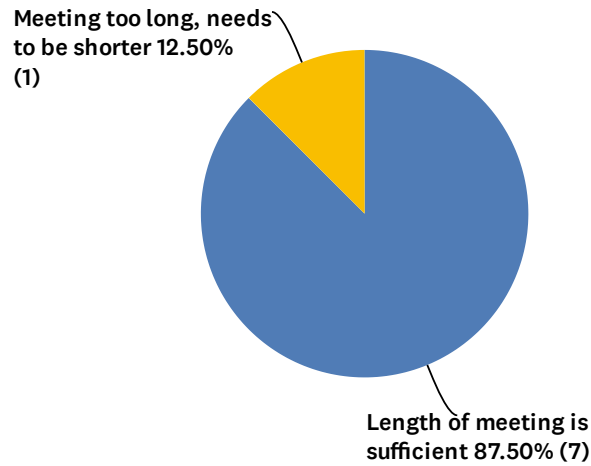
Answered: 8 Skipped: 0



ANSWER CHOICES	RESPONSES	
Strongly Disagree	0.00%	0
Disagree	0.00%	0
Neutral	0.00%	0
Agree	87.50%	7
Strongly Agree	12.50%	1
TOTAL		8

Q10 The length of the UYWCD regular meetings is sufficient to cover Action Items.

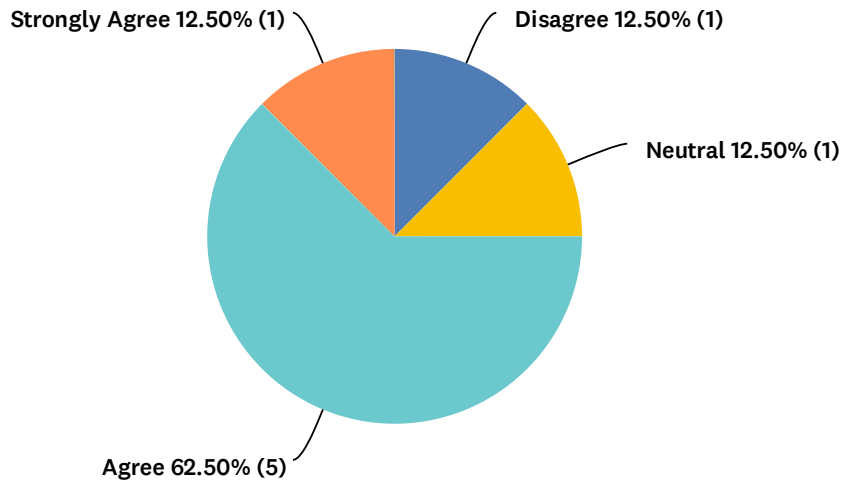
Answered: 8 Skipped: 0



ANSWER CHOICES	RESPONSES	
Meeting too short, needs to be longer	0.00%	0
Length of meeting is sufficient	87.50%	7
Meeting too long, needs to be shorter	12.50%	1
TOTAL		8

Q11 The UYWCD BOD regular meetings include enough non-Action Item information updates for me to be informed about the organization's current activities.

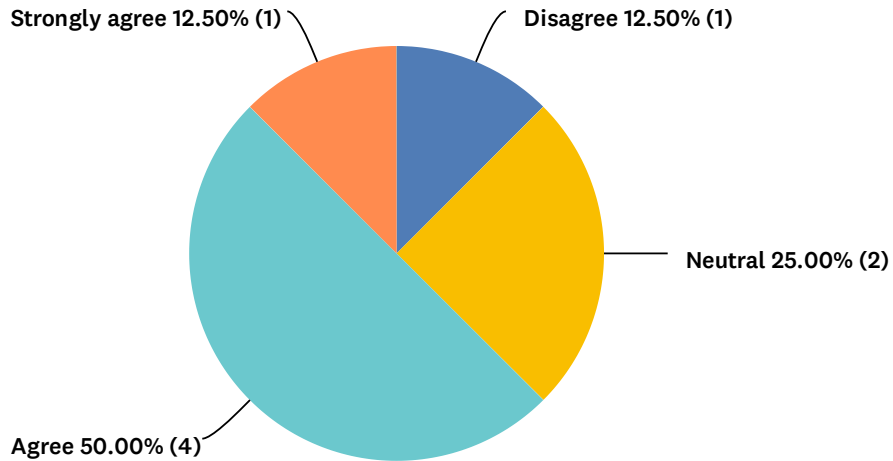
Answered: 8 Skipped: 0



ANSWER CHOICES	RESPONSES	
Strongly Disagree	0.00%	0
Disagree	12.50%	1
Neutral	12.50%	1
Agree	62.50%	5
Strongly Agree	12.50%	1
TOTAL		8

Q12 The UYWCD BOD considers the necessary diversity of perspectives, skills, and experience to be representative of District constituents.

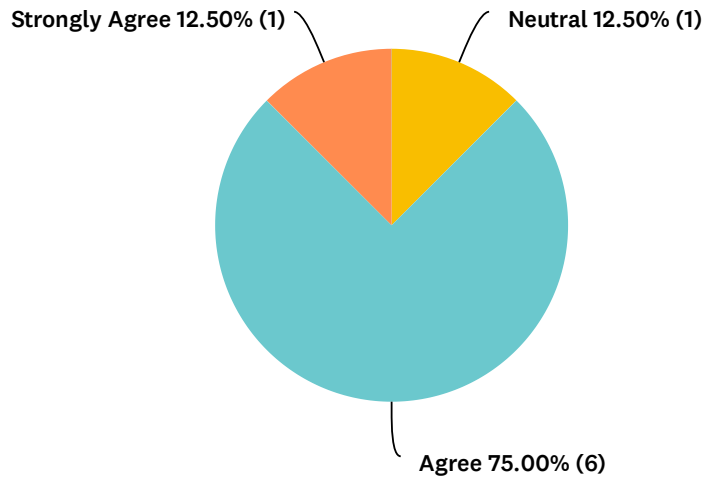
Answered: 8 Skipped: 0



ANSWER CHOICES	RESPONSES	
Strongly Disagree	0.00%	0
Disagree	12.50%	1
Neutral	25.00%	2
Agree	50.00%	4
Strongly agree	12.50%	1
TOTAL		8

Q13 The UYWCD BOD has a strong, collaborative relationship with the General Manager that is "nose in, fingers out" as stated in the Board Governance Manual.

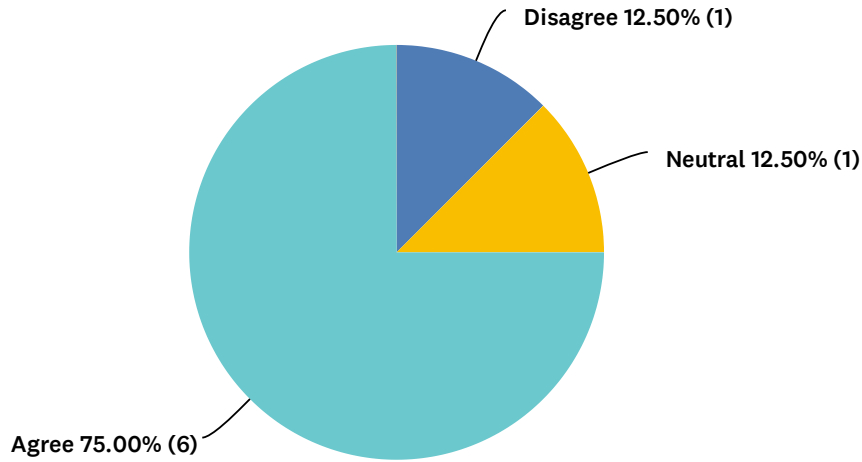
Answered: 8 Skipped: 0



ANSWER CHOICES	RESPONSES	
Strongly Disagree	0.00%	0
Disagree	0.00%	0
Neutral	12.50%	1
Agree	75.00%	6
Strongly Agree	12.50%	1
TOTAL		8

Q14 The UYWCD BOD respects the role of constituents in the governance of the District and encourages their participation as stated in the Board Governance Manual.

Answered: 8 Skipped: 0



ANSWER CHOICES	RESPONSES	
Strongly Disagree	0.00%	0
Disagree	12.50%	1
Neutral	12.50%	1
Agree	75.00%	6
Strongly Agree	0.00%	0
TOTAL		8

Q15 Please provide any comments on anything you believe is a strength of the UYWCD BOD and anything you believe needs improvement for the UYWCD BOD.

Answered: 4 Skipped: 4

#	RESPONSES	DATE
1	Improvements: Allow more equal active participation by all board members. Encourage non-expert opinions - all board members have an equal vote. Feel more comfortable reaching out to the General Manager or staff ahead of BOD meetings. Strengths: Time of service, expertise and variety of Board Member backgrounds. The Board respects staff recommendations and asks questions to make informed decisions.	12/1/2021 9:09 AM
2	We can still do better in some areas. Decorum, not only in our meetings (much better) but when working with others in the Waterworld, still has room for improvement. I would like to see at least one community organization that works on water matters invited to share a pre-meeting lunch with any Directors that care to show up early. Continue to use a Director roundtable to receive feedback or comments from all Directors when discussing agenda items, especially those with action item designation.	11/26/2021 1:07 PM
3	It seems that a small number of Board Members carry the majority of the work load and thus can dominate discussions. I would encourage the Chair and General Manager to help individual Board members find their niche and gently prod members who are often quiet to voice their thoughts more. I am very excited by the 2022 plan adopted at the last meeting, especially as it relates to more interaction with the public. UYWCD will greatly benefit from establishing better two-way communication with its constituents.	11/19/2021 9:46 AM
4	I would enjoy having additional pertinent presentations at Board meetings as appropriate to keep up with developments in the water world. If not too burdensome on staff and now that board packets are digital, having shorter meetings more frequently would be preferable.	11/18/2021 12:14 PM





BOARD COMMUNICATION FORM

From: Ken Brenner

Date: 01/11/21

Item: General Manager Annual Review

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I. Request/Issue and Background Information:

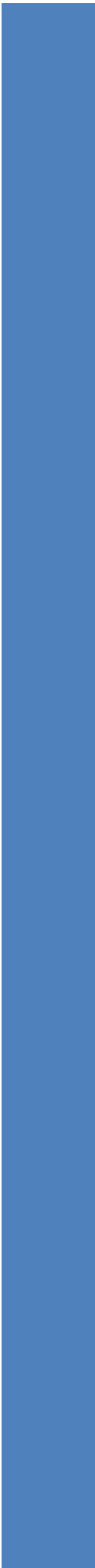
An annual review of the Upper Yampa Water Conservancy District's (UYWCD) General Manager will be conducted as a discussion with the full UYWCD Board of Directors.

Executive session under CRS § 24-6-402(4)(f)(1) concerning personnel matters except if the employee who is the subject of the session has requested an open meeting, or if the personnel matter involves more than one employee, all of the employees have requested an open meeting. This executive session concerns the annual review of General Manager Andy Rossi who has not requested an open meeting. This session will be recorded, and a copy of the recording maintained for not less than 90 days.

PUBLIC INPUT AND COMMENT

The Board will make no decision nor take action, except to direct the General Manager. Those addressing the Board are requested to identify themselves by name, organization, if any, and address. Comments shall not exceed three (3) minutes.





RECORD OF PROCEEDINGS

**UPPER YAMPA WATER CONSERVANCY DISTRICT
BOARD OF DIRECTORS MEETING
WEDNESDAY, NOVEMBER 17, 2021 (12:00 PM)
MOUNTAIN VALLEY BANK COMMUNITY ROOM
2220 CURVE PLAZA, STEAMBOAT SPRINGS, CO
ONLINE MEETING:**

[HTTPS://US06WEB.ZOOM.US/J/86846901429?pwd=QkLcRwMwOUVsQTBWm1owA183L2Z1Zz09](https://us06web.zoom.us/j/86846901429?pwd=QkLcRwMwOUVsQTBWm1owA183L2Z1Zz09)

MINUTES

Chairman Ken Brenner called the meeting to order and declared a quorum present. In addition to Chairman Brenner, the Board Members present were Doug Monger, Jim Haskins, John Redmond, Ron Murphy, Lyn Halliday, Tom Sharp, Webster Jones and Nicole Seltzer. General Manager Andy Rossi, District Engineer Emily Lowell, Public Information and External Affairs Manager Holly Kirkpatrick, Business Manager Deb Bastian, Chief Accountant Karina Craig and General Counsel Bob Weiss were also present. Members of the public present included David Torgler, Town of Oak Creek; Tom Holliday, Town of Oak Creek; Alyson Gould, Colorado Water Trust; Erin Light, Colorado Division of Water Resources; Steve Jamieson, W.W. Wheeler & Assoc., Inc.; Jerry Smith.

This meeting was held in person and by videoconference utilizing Zoom. The meeting agenda included instructions to the public describing the process to participate in the meeting and comment on agenda items.

The following agenda was proposed:

AGENDA

- (1) **12:00 PM** Establishment of Quorum and Call to Order
- (2) **12:00 PM** Approval of Agenda for Meeting **Action item**
- (3) **12:05 PM** Public Input and Comment
The Board will make no decision nor take action, except to direct the General Manager. Those addressing the Board are requested to identify themselves by name, organization, if any, and address. Comments shall not exceed three (3) minutes.
- (4) **12:10 PM** Consent Agenda **Action item**
 - a. Approval of the Minutes September 15, 2021, Board Meeting, October 14, 2021, Board Governance Committee Meeting, October 20, 2021, Board Retreat and Special Board Meeting and October 26, 2021, Board Governance Committee Meeting.
 - b. Financials
 - i. Approval of Disbursements
- (5) **12:15 PM** Report of District Engineer
 - a. Update on Reservoir Water Status
 - b. Update on Capital Projects
- (6) **12:30 PM** Report of General Manager

RECORD OF PROCEEDINGS

- a. Sheriff Reservoir Project Update
 - b. Stagecoach Reservoir Storage Contracts
 - i. Existing Stagecoach Reservoir Municipal Contracts
 - ii. CWT-UYWCD 10-Year Stagecoach Reservoir Contract **Action Item**
 - c. UYWCD Employee Handbook **Action Item**
 - d. Proposed 2022 UYWCD District Meeting Schedule **Action Item**
 - e. UYWCD 2022 Strategic Plan
 - f. UYWCD 2021 Budget Amendment **Action Item**
 - g. UYWCD Board of Directors Compensation **Action Item**
 - h. UYWCD 2022 Budget **Action Item**
- (7) **3:30 PM** Public Information Updates
- a. Grant Update
- (8) **3:40 PM** Board Member Reports
- a. UYWCD Board of Directors Self Evaluation Survey
 - b. UYWCD General Manager Annual Review
 - c. Letter of Support **Action Item**
- (9) **4:00 PM** Report of General Counsel
- a. Utah Counsel change of Employer
- (10) **4:05 PM** Pending Water Cases
- a. Water Resumes
 - b. Status of Other Water Cases
- (11) **4:10 PM** New Business (Limited to emergency matters that came up During the course of the meeting) **Action item**
- (12) **4:15 PM** Executive Sessions:
- a. Executive session under CRS § 24-6-402(4)(b) to discuss legal issues on Water Resumes, Water Cases, Contract Negotiations and _____ (insert description) . Mere presence or participation of an attorney at an executive session is not sufficient to satisfy the requirements of CRS § 24-6-402(4)(b). Executive sessions to discuss legal matters are not recorded.
 - b. Executive session under CRS § 24-6-402(4)(e)(I) for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators with respect to _____ (insert brief description). This session will be recorded, and a copy of the recording maintained for not less than 90 days.
- (13) **4:50 PM** Board Actions in Regard to Executive Session
- (14) **4:55 PM** Determination of Next Meeting(s) Agenda(s)
- (15) **5:00 PM** Adjournment

Chairman Brenner established a quorum and called the meeting to order at 12:03 PM. Chairman Brenner turned the chairmanship over to Vice President Monger because Chairman Brenner was participating in the meeting via Zoom.

Meeting Agenda. Director Brenner moved to approve the agenda. Director Jones seconded the motion which was unanimously approved.

Public Input and Comment. Chairman Monger invited members of the public to comment on items not otherwise scheduled on the agenda. Erin Light, Division of Water Resources (DWR), provided an update on the stakeholder meetings held by the DWR regarding the measurement rules and the over appropriation designation. General Manger Rossi commented that he will prepare a memo, for review by the Board at the

RECORD OF PROCEEDINGS

January 2022 Board meeting, to the DWR regarding the measurement rule making process and how it affects the District.

Consent Agenda. Director Haskins moved to approve the consent agenda as presented. Director Redmond seconded the motion which was unanimously approved.

District Engineer Report. District Engineer Emily Lowell provided an update on reservoir water status and capital projects.

Report of General Manager.

Sheriff Reservoir Project Update. General Counsel Weiss disclosed that he is the attorney for the Town of Oak Creek and that if the District went into negotiations with the town he would recuse himself and have Special Counsel Grosscup handle any negotiations. David Torgler, Oak Creek Town Administrator provided a brief overview of the concerns and issues with the Sheriff Dam and requested the District consider putting funds in their 2022 budget to assist the town with the design, construction and engineering costs. David would like to come back to the January Board meeting to present the scope of services for the design and engineering and to have a more detailed discussion on what the needs are for the town. Steve Jamieson, consulting engineer for the Town of Oak Creek, gave a presentation on the recent analyses, repair and planned future activities for the repair of Sheriff Dam.

Stagecoach Reservoir Storage Contracts

1. **Existing Stagecoach Reservoir Municipal Contracts.** General Manager Rossi provided an update on the progress of distributing the proposed amendment to and discussion with existing Stagecoach Reservoir municipal contractors and commented that only the Stahl's have not been contacted since they have 2 contracts that have different terms, and they are the only private party. The Board provided direction that they want to offer the Stahl's the same amendment provided to the other parties.
2. **Colorado Water Trust (CWT)-UYWCD 10-Year Stagecoach Reservoir Contract.** General Manager Rossi provided an overview and presented a final draft version of the proposed CWT 10-Year Stagecoach Reservoir contract. Alyson Gould, Colorado Water Trust, was present and commented that the Colorado Water Conservation Board also reviewed the proposed contract and had no concerns or issues. The Board discussed. Director Sharp stated that he would support the contract if it was a 3 year contract and not a 10 year contract. Director Brenner moved to approve the 10-year Stagecoach Reservoir Environmental, Instream, and Recreational Water Storage Contract with the CWT as presented. Director Seltzer seconded the motion. Directors Brenner, Monger, Halliday, Haskins, Murphy, Seltzer, Jones and Redmond voted in favor. Director Sharp voted against. The motion passed.

UYWCD Employee Handbook. Business Manager Deb Bastian and General Manager Rossi provided an overview of the process to update and revise the District's Employee Handbook. Director Seltzer disclosed that her partner is employed by the District and asked if the Board is comfortable with her continuing in the discussion. The Board was comfortable with her continued participation. The Board discussed. The Board requested that the floating holidays be removed from the Holidays section which would provide 12 holidays with no restrictions and add 3 days to Personal Time section and remove the "in case of emergency" wording. Director Redmond moved to approve the UYWCD Employee Handbook with the requested amendments. Director Haskins seconded the motion which was unanimously approved.

Proposed 2022 UYWCD District Meeting Schedule. General Manager Rossi presented a proposed 2022 Board of Director's meeting schedule. The Board reviewed. Director Sharp moved to accept the 2022 UYWCD

RECORD OF PROCEEDINGS

District Board Meeting dates and the discretionary dates for Executive Committee meetings as presented. Director Redmond seconded the motion which was unanimously approved.

UYWCD 2022 Strategic Plan. General Manager Rossi provided the current version of the 2022 UYWCD Strategic Plan for Board review.

UYWCD 2021 Budget Amendment. Chief Accountant Karina Craig provided an overview of the budget comparison and budget amendment. The Board reviewed and discussed. Director Sharp moved to approve the budget comparison report, the 2021 budget amendment and Resolution 2021-5-Resolution for Amended Budget as presented. Director Murphy seconded the motion which was unanimously approved.

UYWCD Board of Directors Compensation. General Manager Rossi presented a draft revision to **Section 4 – Compensation** of the District Bylaws to address the request from the Board to increase Director compensation. The Board discussed. Director Sharp moved to approve the recommendation to revise **Section 4 – Compensation** of the District Bylaws as presented. Director Brenner seconded the motion which was unanimously approved.

UYWCD 2022 Budget. General Manager Rossi provided an overview of the 2022 Budget and addressed inquiries from the Board. Director Sharp moved to approve the 2022 budget, Resolution 2021-6 Appropriate Sums of Money, Resolution 2021-7 Set Mill Levies and Resolution 2021-8 Adopt Budget and Salary Range Schedule as presented. Director Jones seconded the motion which was unanimously approved.

Public Information Updates. Public Information and External Affairs Manager Holly Kirkpatrick provided reports to the Board on the Diversion Infrastructure Improvement Grant and Community Grant Funding programs.

Board Member Reports.

UYWCD Board of Director's Self-Evaluation Survey. Director Brenner provided an overview of the Governance Committee's process in developing the Director's Self-Evaluation. The Board reviewed and discussed the draft survey. The survey will be voluntary, and Director Sharp informed the Board that he will not participate in the survey process. The Board directed staff to send the survey to the remaining Board members and request all respond by December 1st. Additionally, staff, as a collective, will also complete the survey. The results of the survey will be presented at the January 2022 Board meeting.

UYWCD General Manager Annual Review. Director Brenner reviewed the process and Director Jones discussed how he developed the draft review. The Board discussed. Business Manager Deb Bastian will send the document to the Board and General Manager Rossi. General Counsel Weiss will collect all responses and forward them to Director Brenner and Monger to compile the results. Results will be provided to the Directors in advance as confidential materials for discussion during an Executive Session at the January 2022 Board meeting.

Letter of Support. Director Brenner discussed the Colorado Airborne Snow Observatory (CASO) program and their request for the District to write a letter of support for the CASO grant proposal. The Board reviewed the draft letter of support and the briefing on the Water Plan Grant. Director Redmond moved to approve the letter of support for CASO as presented. Director Murphy seconded the motion which was unanimously approved.

RECORD OF PROCEEDINGS

Report of General Counsel. General Counsel Weiss informed the Board that Water Horse Utah counsel Graham Gilbert has left Snell & Wilmer LLP as of November 2, 2021, and has joined Parson, Behle & Latimer. Counsel Gilbert requested the Board's authorization to take the District files regarding the Water Horse case with him and allow him to continue to represent the District in this matter. The Board discussed. Director Brenner moved to authorize the transfer of representation on an interim basis and revisit the matter at the January 2022 Board meeting. Director Haskins seconded the motion which was unanimously approved.

Pending Water Cases.

Water Resumes. General Counsel Weiss stated there were no resumes for Division 5 and 6.

Status of Other Water Cases. Counsel Weiss provided an update of the water court cases.

New Business. There was no new business.

Executive Session. There was no Executive Session.

Board Action Regarding Executive Session. There was no Executive Session.

Determination of Next Meeting Agenda. The agenda for the January 2022 Board Meeting was reviewed. General Manager Rossi stated that he will add the following to the agenda:

- Update on Sheriff Reservoir
- Update on the CDWR rule making and a potential official statement from Upper Yampa on the matter to be submitted to the state
- Coordinate with Erin Light of DWR to provide her a spot on the agenda on a regular basis
- Financial audit schedule

Chairman Monger adjourned the meeting at 4:17 PM.

I certify that the foregoing constitutes a true and correct summary of the proceeds at the above referenced meeting.

Andy Rossi, District Secretary/Manager

Date: _____

CONSENT AGENDA

**FINANCIAL REPORTS:
APPROVAL OF DISBURSEMENTS & BUDGET
COMPARISON**





BOARD COMMUNICATION FORM

From: Karina Craig, Chief Accountant.

Date: January 10, 2022

Item: Financial Reports: Cash Disbursement Report, January 1, 2022 Budget Comparison Report.

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I. Request/Issue and Background Information:

The ***Cash Disbursement Report*** contains disbursements from the Upper Yampa Water Conservancy District (the District) of reconciled monthly statements. These include disbursements incurred with check and electronic payments through December 31, 2021, and credit card payments through December 3, 2021. Disbursements include operating and capital expenditures totaling \$420,353.15.

The ***Budget Comparison Report*** includes transactions accrued up to December 31, 2021. Additional transactions for the reported period are expected as documentation is received and processed.

Combined Water Sale Revenues for Stagecoach and Yamcolo Reservoirs projected for the year 2021 are \$65,004 above budget. Sources of variances include:

- ✓ New contracts
 - Colorado Water Trust, 1,850 AF, \$84,286
 - Yampa River Augmentation Water, 13.7AF, \$3,583
 - Stagecoach Agricultural water and fees, 71 AF, \$2,768
- ✓ Augmentation plan contract application fees, \$3,600
- ✓ The small price adjustments that follow the publication of the semiannual CPI index, a few months after the annual budget is approved, -\$2,663
- ✓ Abatements of Yamcolo non-municipal water, -\$26,570

Stillwater Ditch carriage fees are not included in the budget and thus Ditch revenues are slightly above budget (\$2,175, 26%)



Power Revenues and Interest Earned are projected to be below budget. Power Revenues vary with water storage and release management, powerhouse maintenance needs, and overall water availability conditions. Interest income from Colotrust investments represents most of the District's interest revenues and reflect changing market conditions.

Tax Revenues projections are estimated to be slightly above budget (8%).

As of January 1, 2022, the District has accrued approximately 80% of budgeted Expenses and Capital Expenditures. Both items are projected to remain within budget.

Pass Through revenues and accrued expenditures associated with the *Diversion Infrastructure Improvement Project Grants*, the *Soil Moisture Study* and the *Coal Creek Diversion Analysis* are shown in the report as well.

Additional transactions for the 2021 fiscal year are expected to be incorporated in early 2022.

II. Summary:

Overall, revenues and expenditures are expected to be 2% above and 2% below budget, respectively. The current year Annual Net income is projected to be \$911,773. The projected 2021 Ending Fund Balance is \$18,447,914.

III. Staff Recommendation: Accept reports.

IV. Legal Issues: None

V. Consistency with Board Goals and Policies: UYWCD By-Laws and SP Goal 3.

Attachments:

Attachment 1: Cash Disbursement Report.

Attachment 2: Budget Comparison Report.

Upper Yampa Water Conservancy District
Cash Disbursement Report
January 1, 2022

Date	Name	Memo	Amount
09/10/2021	Middle Creek Ranch, LLP	Middle Creek Ditch and Last Chance Extension flume installations	1,652.38
10/04/2021	Silverton Capital LLC	Vehicle maintenance	17.00
10/05/2021	Ken Brenner	7-16, 7-21, 8-17, 8-18 and 9-15 meetings	500.00
10/05/2021	Ken Brenner	Colorado Watersheds Conference registration	100.00
10/05/2021	Restaurant.	Monthly staff meeting lunch	82.97
10/05/2021	Routt County Clerk and Recorder	Recording of augmentation contract with CG 17 LLC, W. Stempel	29.40
10/05/2021	Restaurant.	Meeting lunch	11.84
10/05/2021	CrashPlan Code42	Monthly subscription, October services	9.99
10/07/2021	Garmin	Monthly Support	34.95
10/08/2021	CPW Colorado Parks & Wildlife	Snowmobile registration	30.25
10/11/2021	esri - Environmental Systems Research Ins	GIS Software Renewal, 12-1-2021 to 11-30-2022.	400.00
10/11/2021	Eventbrite	Upper Colorado River Basin Water Forum Registration	54.67
10/12/2021	Yampa Valley Tire Pros & Express Lube	Vehicle maintenance	127.00
10/12/2021	Westerch Rigging Supply	Safety Buoy Hardware	83.81
10/13/2021	NDS Northwest Data Services	Laptop for Ditch Rider/Dam Operator.	2,195.00
10/13/2021	Extreme Canopy	Events canopy, tent.	1,280.00
10/15/2021	Microsoft	Microsoft annual subscription	2,758.80
10/18/2021	Steamboat Specialties, Inc.	Meeting expenses	369.28
10/18/2021	Edge Communications	Services 10-06-2021 to 11-05-2021.	116.36
10/18/2021	Amazon	Office supplies	70.45
10/18/2021	Safeway	Coffee creamer	6.26
10/19/2021	SSRC Steamboat Ski and Resort Corporation	21-22 Ski Medallion	3,999.00
10/19/2021	NDS Northwest Data Services	Wireless Access Point for Stagecoach Dam	316.25
10/20/2021	YVEA	Electrical service at Stagecoach powerhouse and shed, 09-02-21 to 09-30-21	479.91

Subtotal

14,725.57

Upper Yampa Water Conservancy District
Cash Disbursement Report
January 1, 2022

Date	Name	Memo	Amount
10/21/2021	Ken Brenner	WeCo Reception reimbursements	440.19
10/21/2021	ACE Hardware	Facilities' maintenance	277.95
10/21/2021	Yampa Valley Tire Pros & Express Lube	2021 Dodge Ram Oil Change	76.24
10/21/2021	Napa	Vehicle maintenance	44.98
10/21/2021	Friends of the Yampa	Event Sponsorship for Friends of the Yampa Big Snow Bash	1,500.00
10/21/2021	Adobe	Monthly subscription 10-20-2021 to 11-19-2021	118.93
10/23/2021	CenturyLink Lumen	SC Telephone, October 2021.	157.53
10/24/2021	Amazon	Office supplies	116.85
10/24/2021	NYT The New York Times	Monthly subscription	4.00
10/27/2021	SmartVault	Software, interphase with quickbooks	42.40
10/27/2021	Restaurant.	Meeting lunch	36.77
10/28/2021	Cabela's	Safety Buoy Parts	59.62
10/28/2021	Routt County Clerk and Recorder	Recording of augmentation contract with CCJG Ranch, LLC	39.62
10/28/2021	Routt County Clerk and Recorder	Recording of augmentation contract with R. Broadnax	24.28
10/29/2021	CenturyLink Lumen	Office Telephone & Internet Oct 7 to Nov 6, 2021	239.35
11/01/2021	X Field Services	Stillwater Ditch, flume improvements and maintenance	2,435.00
11/01/2021	HY Cattle Corp.	Installation of two measuring devices on Elgin Creek Ditch	1,903.35
11/01/2021	LRE Water	Services through Sep 25, 2021. - Proj. 21047UYCD01-21. Augmentation Plan depletion calculations.	1,419.50
11/01/2021	Conoco Universal WEX	Gasoline, October 2021.	519.15
11/01/2021	All Natural of Yampa Valley Inc	Office cleaning, Oct 2021.	300.00
11/01/2021	NDS Northwest Data Services	Stagecoach electronic upgrades, dam point to point	79.00
11/01/2021	NDS Northwest Data Services	Stagecoach electronic updates, IT services.	76.50
11/01/2021	ACE Hardware	Facilities' maintenance	62.14
11/01/2021	Flat Tops Ranch Supply	Yamcolo maintenance, generator oil	14.98

Subtotal

9,988.33

Upper Yampa Water Conservancy District
Cash Disbursement Report
January 1, 2022

Date	Name	Memo	Amount
11/01/2021	ACS Advanced Copier Solutions, Inc.	Monthly copier fees, October 2021.	2.45
11/01/2021	SurveyMonkey	Annual subscription, 11-1-2021 to 10-31-2022.	900.00
11/01/2021	Colorado Motor Vehicle Services	Vehicle Registration	0.81
11/02/2021	NDS Northwest Data Services	IT Services. Monthly Cloud Services, October	179.62
11/02/2021	Restaurant.	Monthly staff meeting lunch	116.21
11/02/2021	Verizon Wireless	Stagecoach Cell phones 10-14-21 to 11-13-21	84.91
11/03/2021	Friends of the Yampa	Staff ticket for Friends of The Yampa event	35.00
11/04/2021	United Companies	Stagecoach Operation and Maintenance	1,086.50
11/05/2021	ECS Employers Council Services, Inc.	HR Training	145.00
11/05/2021	Mailchimp	Email marketing	15.66
11/05/2021	CrashPlan Code42	Monthly subscription, November services	9.99
11/07/2021	Garmin	Monthly subscription,11-06-2021 to 12-05-2021.	34.95
11/09/2021	Brundage Bone Concrete Pumping	Stagecoach maintenance, concrete.	890.24
11/11/2021	Restaurant.	Meeting lunch	14.20
11/12/2021	ECS Employers Council Services, Inc.	HR Training	145.00
11/15/2021	Wilson Water Group	Water Resource Engineering: Professional services through October 25, 2021	5,425.00
11/15/2021	Colorado Water Congress CWC	Colorado River Project 2020 Activities 12-31-21 to 12-30-22	2,200.00
11/15/2021	Stand Creative Studio	Marketing Services	1,450.00
11/15/2021	Catamount Ranch & Club	2021 Retreat	1,144.00
11/15/2021	Gray Matter Systems, LLC TMMI	SCADA upgrade, professional services through Oct 16, 2021.	647.50
11/15/2021	Ranch at Steamboat	District Winter Party	75.00
11/15/2021	Colorado Water Congress CWC	Stbt Pilot legal notice of draft 2022 budget	35.33
11/15/2021	CMNM Colorado Mountain News Media	Craig Daily Press legal notice of draft 2022 budget.	35.33
11/15/2021	ACE Hardware	Office supplies	8.98

Subtotal

14,681.68

Upper Yampa Water Conservancy District
Cash Disbursement Report
January 1, 2022

Date	Name	Memo	Amount
11/15/2021	RCWP Routt County Weed Program	Weed mitigation	1,557.45
11/15/2021	Whelan Land Surveys	Union Ditch Survey	1,380.00
11/15/2021	Amazon	Office supplies	67.52
11/15/2021	Kum & Go	Fuel expenses	30.01
11/16/2021	Edge Communications	Services 11-06-2021 to 12-05-2021	115.98
11/16/2021	Napa	Vehicle maintenance	102.05
11/16/2021	Safeway	Board meeting supplies	48.36
11/17/2021	YVEA	Electrical service at Stagecoach powerhouse and shed, 09-30-21 to 10-28-21	909.39
11/17/2021	Restaurant.	Board meeting lunch	187.33
11/19/2021	Internal Revenue Service	Federal Tax Deposit, November payroll.	14,967.92
11/19/2021	ICMA-401a	Monthly contributions, November 2021 payroll.	4,224.87
11/19/2021	ICMA-457	Monthly contributions, November 2021 payroll.	2,546.74
11/20/2021	Amazon	Board meeting supplies	28.04
11/21/2021	CenturyLink Lumen	SC Telephone, November 2021.	160.93
11/21/2021	Adobe	Monthly subscription 08-20-2021 to 09-19-2021	118.93
11/21/2021	NYT The New York Times	Monthly subscription	4.00
11/28/2021	CenturyLink Lumen	Office Telephone & Internet Nov 7 to Dec 6, 2021	239.06
11/29/2021	Quickbooks Payroll Service	November payroll	43,162.45
11/30/2021	SmartVault	Software, interphase with quickbooks	140.00
11/30/2021	Facebook	Facebook advertising, Water Trust Contract	10.00
12/01/2021	MVB Mountain Valley Bank	December Rent	6,471.94
12/01/2021	Family Support Registry	Remittance November 2021	716.00
12/01/2021	Cummins Sales and Service	Stagecoach generator maintenance	952.67
12/02/2021	Verizon Wireless	Stagecoach Cell phones 11-14-21 to 12-13-21	84.91

Subtotal

78,226.55

Upper Yampa Water Conservancy District
Cash Disbursement Report
January 1, 2022

Date	Name	Memo	Amount
12/03/2021	CO CSDPL Property and Liab Pool	Property and Liability policy 01-01-22 to 12-31-22	26,066.00
12/03/2021	CEBT	Medical, dental, vision, life, STD, LTD December 2021 coverage.	12,966.23
12/03/2021	Weiss & Van Scoyk	Legal services, September and October 2021. Stagecoach and General Matters, price-inclusive.	7,927.00
12/03/2021	CO CSDPL Property and Liab Pool	Workers Compensation Insurance policy 01-01-22 to 12-31-22	7,548.00
12/03/2021	CO Division of Water Resources - WAFP	Satellite Monitoring, Morrison Creek, from Oct 1, 2021 to Sept 30, 2022	5,831.00
12/03/2021	USGS	21REJFAC0123. Streamgaging Stations Above and below Stagecoach Reservoir	5,560.00
12/03/2021	Worthington Products, Inc	Safety Buoy Maintenance	5,252.10
12/03/2021	iPROMOTEu	Event supplies, promotional materials.	2,833.18
12/03/2021	Weiss & Van Scoyk	Legal services, September and October 2021. Stagecoach, price-exclusive.	1,794.00
12/03/2021	Yampa Valley Tire Pros & Express Lube	2019 RAM Vehicle maintenance	1,051.57
12/03/2021	CDC Civil Design Consultants	SW Ditch Dogleg Structure. October 2021 Services.	647.60
12/03/2021	NDS Northwest Data Services	IT Services	450.00
12/03/2021	All Natural of Yampa Valley Inc	Office cleaning, Nov 2021.	300.00
12/03/2021	All Natural of Yampa Valley Inc	Fall deep clean of office	250.00
12/03/2021	ECS Employers Council Services, Inc.	Consulting from ERC Counsel	112.50
12/03/2021	Holly Kirkpatrick	Reimbursement, phone accessories.	100.00
12/03/2021	ACE Hardware	Stagecoach operation and maintenance	53.92
12/03/2021	ACE Hardware	Stagecoach operation and maintenance	45.42
12/07/2021	Conoco Universal WEX	Gasoline, November 2021.	596.20
12/16/2021	Stagecoach State Park	2021 Stagecoach State Park Subsidy of Improvements	35,000.00
12/16/2021	UC San Diego	Soil Moisture Study, 50% pass through, 50% expense.	16,538.59
12/16/2021	UC San Diego	Soil Moisture Study, 50% pass through, 50% expense.	14,828.06
12/16/2021	Bob Woodmansee	Water Quality work through Nov 30, 2021.	13,500.00
12/16/2021	Water Education Colorado (CFWE, WeCO)	2022 Annual member dues and sponsorships.	10,000.00

Subtotal

169,251.37

Upper Yampa Water Conservancy District
Cash Disbursement Report
January 1, 2022

Date	Name	Memo	Amount
12/16/2021	Wilson Water Group	Water Resource Engineering: Professional services through November 25, 2021	7,516.25
12/16/2021	Rig to Flip Water Education Awareness	Facilities tour and environmental release videos.	5,477.40
12/16/2021	Weiss & Van Scoyk	Legal services, November 2021. General Matters, price-inclusive.	2,553.00
12/16/2021	Weiss & Van Scoyk	Legal services, November 2021. Stagecoach, price-exclusive.	1,587.00
12/16/2021	Balcomb & Green, P.C.	Miscellaneous Matters and Public Service Co case 20CW3019/20CW3020, October legal services	1,528.00
12/16/2021	Stand Creative Studio	Monthly digital marketing Services	1,450.00
12/16/2021	Balcomb & Green, P.C.	Miscellaneous Matters and Catamount Development case 2020 CW3015, November legal services	888.00
12/16/2021	Jim Haskins	10-14, 10-20, 10-26 and 11-17 meetings	400.00
12/16/2021	Nicole Seltzer	10-20, 10-26 and 11-17 meetings	300.00
12/16/2021	John Redmond	10-20 and 11-17 meetings	200.00
12/16/2021	Ron Murphy	10-20 and 11-17 meetings	200.00
12/16/2021	Lyn Halliday	10-20 and 11-17 meetings	200.00
12/16/2021	Douglas Monger	10-26 and 11-17 meetings	200.00
12/16/2021	ECS Employers Council Services, Inc.	Consulting from ERC, Handbook	168.75
12/16/2021	ACE Hardware	Stagecoach & Yamcolo operation and maintenance	148.48
12/16/2021	ACE Hardware	Stagecoach operation and maintenance	71.91
12/16/2021	NDS Northwest Data Services	IT Services	37.50
12/16/2021	Flat Tops Ranch Supply	Stagecoach maintenance	20.87
12/16/2021	ACS Advanced Copier Solutions, Inc.	Monthly copier fees, November 2021.	17.16
12/23/2021	CEBT	Medical, dental, vision, life, STD, LTD January 2022 coverage.	13,618.71
12/23/2021	USGS	21REJFAC0123. Streamgaging Stations Above and below Stagecoach Reservoir	11,122.00
12/23/2021	NDS Northwest Data Services	IT Services	439.00
12/23/2021	All Natural of Yampa Valley Inc	Office cleaning, Dec 2021.	300.00
12/27/2021	Internal Revenue Service	Federal Tax Deposit, December payroll.	13,981.96

Subtotal

62,425.99

Upper Yampa Water Conservancy District
Cash Disbursement Report
January 1, 2022

Date	Name	Memo	Amount
12/29/2021	USDA Forest Service	Yamcolo special use permit 2022	22,458.86
12/30/2021	Colorado Department of Revenue	Colorado tax withholdings, Quarter 4 2021.	6,826.00
12/30/2021	Quickbooks Payroll Service	December payroll	41,474.00
12/29/2021	USDA Forest Service	Special Permit Irrigation Water Ditch, 2022 fiscal year	294.80
Subtotal			71,053.66
Total			420,353.15

UPPER YAMPA WATER CONSERVANCY DISTRICT - 2021 BUDGET COMPARISON REPORT, AS OF DECEMBER 31, 2021

	2020 ACTUALS audited	2021 BUDGET amended Nov 17, 2021	2021 ACTUALS Dec 31, 2021	2021 PROJECTIONS Dec 31, 2021	2022 BUDGET
Fund Opening Balance including Encumbered Funds	16,012,911	17,536,141	17,536,141	17,536,141	18,447,914
Encumbered Funds	6,212,424	5,870,780	5,870,780	5,870,780	5,870,780
Emergency Facilities Reserve	4,485,814	4,606,931	4,606,931	4,606,931	4,814,243
Capital Maintenance Reserve	752,436	772,752	772,752	772,752	807,526
Stagecoach Wetlands Mitigation Reserve	419,734	419,734	419,734	419,734	419,734
Routt County Road #14 Contribution	500,000				
Tabor Reserve	54,440	71,363	71,363	71,363	89,571
Capital Projects Development Fund	9,800,487	11,665,361	11,665,361	11,665,361	12,577,134
Revenues					
Facilities					
Stagecoach Reservoir					
Power Sales	162,432	195,000	49,968	58,824	193,000
Water Sales	162,197	118,288	212,145	212,145	189,190
Yamcolo Reservoir					
Water Sales	167,913	167,937	139,374	139,374	169,025
Stillwater Ditch & Reservoir Company	11,556	8,408	10,582	10,582	8,850
Elk River Augmentation Water Sales		1,668	1,668	1,668	476
Property taxes	2,644,690	2,520,875	2,714,740	2,714,800	2,715,657
Interest earned	124,735	31,045	14,001	15,798	11,300
Other income	20,835				
Pass through income	72,761	70,477	41,077	70,477	
	revenues	3,367,118	3,113,697	3,183,555	3,223,668
Expenditures					
Operating					
Facilities					
Stagecoach Reservoir	409,709	485,415	432,589	485,415	643,533
Yamcolo Reservoir	116,440	150,543	130,958	150,543	154,277
Stillwater Ditch & Reservoir Company	40,707	34,905	30,097	30,143	59,209
Administration	262,197	329,216	290,472	301,049	344,750
Board of Directors	125,671	114,232	52,669	55,115	117,913
External Affairs	106,310	117,278	102,874	105,122	125,482
Finance	103,206	154,304	105,482	114,310	147,310
Legal	157,532	156,623	105,792	155,134	157,641
Planning	53,869	95,053	84,682	93,486	283,571
Grants, Scholarships & Public Information	133,030	288,346	200,155	215,732	328,039
Treasurer fees	80,543	77,854	82,564	82,600	81,470
Pass through expenses	84,681	70,477	34,381	70,477	
	Subtotal Operating	1,673,894	2,074,247	1,652,715	2,443,194
Capital					
Stagecoach Reservoir	59,361	257,769	198,131	257,769	297,500
Yamcolo Reservoir	38,276	70,000	54,515	70,000	130,000
Stillwater Ditch & Reservoir Company	72,357	125,000	54,795	125,000	115,000
Office Space		2,500			
	Subtotal Capital	169,994	455,269	307,441	542,500
	expenditures	1,843,888	2,529,515	1,960,156	2,985,694
	net income (loss)	1,523,230	584,182	1,223,399	301,805
Ending Fund Balance	17,536,141	18,120,323	18,759,540	18,447,914	18,749,719



BOARD COMMUNICATION FORM

(Not Confidential and Privileged Attorney-Client Communication)
(January 19, 2022 Board Meeting)

From: Robert Weiss, legal counsel

Date: January 10, 2022

Item: Annual Review of Bylaws

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I. Request/Issue and Background Information: The Bylaws of the District should be periodically reviewed to see if any amendments are needed.

II. Summary and Alternatives: The District's Bylaws were last amended in November 2021 to change per meeting compensation of Board members from \$100 to \$200. Staff and legal counsel have reviewed the current version of the Bylaws to see if any further changes are warranted at this time.

III. Staff Recommendation: Staff and legal counsel do not recommend that the Bylaws be further amended at this time.

IV. Legal Issues: Bylaw amendments require approval of the Board.

V. Consistency with Board Goals and Policies: Staff and legal counsel believe the Bylaws are consistent with applicable law and Board goals and policies.

VI. Fiscal Impact: No direct fiscal impact.

Attachments: None



BOARD COMMUNICATION FORM

From: Scott Grosscup, legal counsel

Date: January 10, 2022

Item: Water Resumes for November

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I have reviewed the water resumes for Water Divisions 5 and 6 for the month of November. December water resumes are not yet available. The following case may be of interest to the District.

Case No. 21CW3046, Tri-State Generation and Transmission Association, Inc. This case is an application for finding of reasonable diligence for the Craig Station Ditch and Pipeline. This water right has an appropriation date of November 1, 1972 and is conditional in the amount of 15.07 cfs for commercial, industrial, mining and temporary storage at the Craig Station Power Plant.

The UYWCD previously opposed Tri-State's diligence application for the Wessels Canal, which Tri-State ultimately abandoned. The UYWCD may wish to oppose this application. The District has until the end of January to file a statement of opposition.

PENDING WATER CASES

STATUS OF OTHER WATER CASES



BOARD COMMUNICATION FORM

From: Scott Grosscup, legal counsel

Date: January 10, 2022

Item: Water Court Cases Update

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

Following is an update of the status of water court cases in which the Upper Yampa Water Conservancy District is an Applicant or Opposer and matters pending before the Utah Division of Water Resources.

Case No. 20CW3019 – This is the diligence application filed by Public Service Company of Colorado for 52.5 cfs decreed to the Wessels Canal. We received a letter from PSCo directing us to review documents pertaining to its water rights plan. We have responded indicating the letter did not provide information responsive to the request that PSCo show a need and plan on how it was going to use the conditional aspects of the water right in the future.

Case No. 20CW3020. This diligence application filed by Public Service Company of Colorado is for Hinman Park Reservoir and the Saddle Mountain Pump Station. The District entered into a stipulation that incorporates prior terms between the Applicant and District. The Applicant is negotiation with the remaining opposers.

Yamcolo Reservoir Objection to Abandonment – The Division Engineer has submitted her finalized decennial abandonment list to the Division 6 Water Court. This list includes a partial abandonment of Yamcolo Reservoir water rights, including 525 acre feet for irrigation purposes decreed to the Yamcolo Reservoir Second Enlargement for Irrigation uses, and abandonment of 410.9 acre feet decreed to the Yamcolo Reservoir First Enlargement for all decreed uses. Her letter informing the District is attached. Staff is investigating and considering the impact of such an abandonment on Yamcolo operations and will have a report to the Executive Committee and recommendation to the full Board in March. The deadline to protest the inclusion of the water right on the abandonment list is June 30, 2022.

Water Horse Resources – A confidential memorandum from Graham Gilbert, Esq. will be provided to the Board separately providing the status of this matter.

Case 21CW__ Yamcolo Reservoir Second Filling – The District has an application for finding of reasonable diligence or to make absolute for the Yamcolo Reservoir Second Filling

water right by the end of January 2022. This water right is conditional in the amount of 7,066 acre feet.

RECOMMENDATION: Staff requests authorization to file the application.



December 10, 2021

Andy Rossi
Upper Yampa Water Conservancy District
P.O. Box 775529
Steamboat Springs, CO 80477

Mr. Scott Grosscup
Balcomb & Green, P.C.
PO Drawer 790
Glenwood Springs, CO 81602

Subject: Response to Statement of Objection - Yamcolo Reservoir (WDID 5804240)

Dear Messrs. Rossi and Grosscup:

This letter is in response to the statement of objection you filed with this office concerning the inclusion of the Yamcolo Reservoir First Enlargement and Yamcolo Second Enlargement water rights on the Division Engineer's 2020 Abandonment List (List). Pursuant to §37-92-401(1)(a) of the Colorado Revised Statutes, the Division Engineer shall prepare an abandonment list comprising all absolute water rights that have been determined to have been abandoned in whole or in part. Following is a description of the water rights decreed to Yamcolo Reservoir, an explanation of why these water rights were included on the List, and the determination of the inclusion of these rights on the Revised Abandonment List:

In Civil Action 3538, Yamcolo Reservoir was awarded a conditional water right in the amount of 6,531.9 AF for storage, irrigation, domestic and manufacturing uses with an appropriation date of February 26, 1963 (referred to herein as the Original Right). This water right was later made absolute in Case No. 82CW210.

In Case No. W0946-76, Yamcolo Reservoir was recognized as an alternate point of diversion for the Pleasant Valley Reservoir conditional water right in the amount of 2,500 AF decreed for irrigation, domestic, stock watering, municipal, industrial, and power uses with an appropriation date of June 29, 1959 (referred to herein as the Pleasant Valley Right). This water right was later made absolute for storage, irrigation, domestic and manufacturing purposes in Case No. 82CW210. In this case, the decree refers to the Pleasant Valley Right as being transferred to Yamcolo Reservoir. The other uses not made absolute in this case remain conditional, and it appears no diligence has ever been filed to maintain these uses.

In Case No. 80CW175, Yamcolo Reservoir was awarded an absolute water right, referred to as Yamcolo Reservoir First Enlargement (First Enlargement), in the amount of 1,000 AF for water storage, irrigation, domestic, industrial and all other beneficial uses. In Case No. 82CW211, this water right was recognized as absolute.

In Case No. 89CW139, Yamcolo Reservoir was awarded an absolute water right, referred to as Yamcolo Reservoir Second Enlargement (Second Enlargement), in the amount of 525 AF for municipal, domestic, industrial, fish propagation, recreation and irrigation of 210 acres. In



Case No. 03CW04, this right was made absolute for purposes of irrigation, fish propagation, and recreation uses. Furthermore, in Case No. 09CW60, the Second Enlargement was made absolute for municipal, domestic and industrial uses. The decree in this case was entered in September 2013, which falls within the 2020 abandonment period (January 1, 2010 to December 31, 2019).

All of the above listed water rights were changed in whole or in part in Case No. 95CW79. Specifically, in Case No. 95CW79, the decreed uses were changed to include export of water diverted and captured from the Bear River to the Colorado River basin for first use within the District's existing boundaries.

The total amount of water decreed to Yamcolo Reservoir not including the second fill water right which is not described herein, is 10,556.9 AF. The capacity of Yamcolo Reservoir is 9,621 AF, a difference of 935.9 AF. This office assumes water rights are diverted (or stored) from most senior to junior. Both the Original Right and Pleasant Valley Right are senior to the First Enlargement and Second Enlargement. For this reason, the First Enlargement water right was included on the List in the amount of 410.9 AF for all decreed uses and the Second Enlargement Right was included on the List in the amount of 525 AF for all decreed uses. The sum of these two rights amounts to 935.9 AF, or the difference between the amount decreed to the reservoir and the actual capacity of the reservoir.

To fully evaluate the abandonment of these two water rights, it is necessary to look beyond the volumetric amount of water decreed to the reservoir and consider the various uses decreed to each water right:

- Each water right is decreed for irrigation, domestic, manufacturing/industrial, and export to the Colorado River basin.
- Only the Second Enlargement is decreed absolute for municipal, fish propagation, and recreation uses.
- Of the Second Enlargement, municipal, industrial and domestic uses were made absolute during the abandonment period; though in reflection, it is questionable whether this water right should have been made absolute for domestic and industrial uses as water was likely never stored for these purposes. One could argue on the other hand that water was stored for municipal use since the Second Enlargement water right is the only right decreed absolute for this purpose.

You argue in both the objections filed (one for the inclusion of the First Enlargement on the List and one for the inclusion of the Second Enlargement on the List) that the water rights are included in a number of augmentation plans, however, none of the water rights decreed to Yamcolo Reservoir are specifically decreed for augmentation use. The only water right which this use could possibly fall under is the First Enlargement right which is decreed for "all other beneficial uses", though I doubt this use was contemplated at the time of that decree. This said, if it is determined that "all other beneficial uses" does include augmentation, 589.1 AF of this right was not included on the List.

As evidenced by all the information provided above, it is clear there are many things to consider when evaluating the abandonment of the First Enlargement and Second Enlargement, and through this evaluation it is my determination that the First Enlargement

right will remain on the List in the amount of 410.9 AF for all decree uses, and the Second Enlargement right will remain on the List for 525 AF but only for irrigation use. In relation to the Second Enlargement, municipal, fish propagation and recreation uses are removed since arguably these rights could have been stored in-lieu of another right and [municipal], industrial and domestic uses are removed since these uses were made absolute during the abandonment period.

If you disagree with the inclusion of these water rights on the abandonment list, you may file a protest with the Water Court after December 31, 2021 and after the Revised Abandonment List is published by the Court.

Sincerely,

A handwritten signature in black ink, appearing to read "E.C.H. Light". The signature is written in a cursive, flowing style.

Erin C. H. Light, P.E.
Division Engineer Water Division 6

cc: William Summers, Water Resources Engineer
Scott Hummer, Water Commissioner District 58

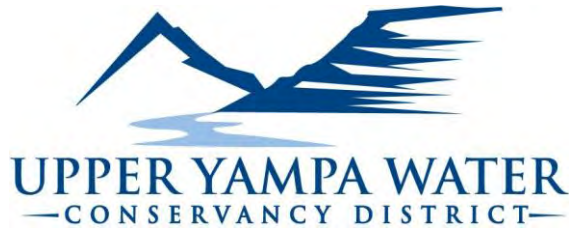
EXECUTIVE SESSIONS

Executive session under CRS § 24-6-402(4)(b) to discuss legal issues on Water Resumes, Water Cases, Contract Negotiations, Water Horse case in Utah and Yamcolo water rights. Mere presence or participation of an attorney at an executive session is not sufficient to satisfy the requirements of CRS § 24-6-402(4)(b). Executive sessions to discuss legal matters are not recorded.

REPORT OF GENERAL MANAGER

**GENERAL MANAGER REPORT ON UYWCD
WATER RESOURCES MANAGEMENT ACTIVITIES**





BOARD COMMUNICATION FORM

From: Andy Rossi

Date: 01/12/22

**Item: General Manager's Report on UYWCD Water Resources Management Activities:
Early 2022 Edition**

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I. Request/Issue and Background Information:

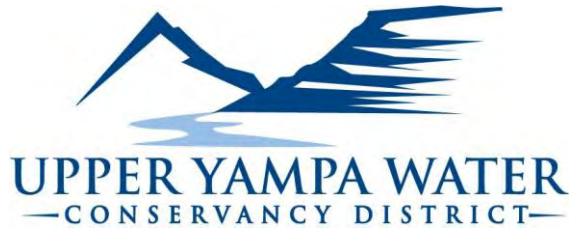
General Manager's report summarizing current and ongoing Upper Yampa Water Conservancy District activities.

II. Summary and Alternatives:

The onset of winter conditions in early 2022 is a period of preparation and planning for the Upper Yampa Water Conservancy District's (UYWCD) activities planned for the remainder of 2022. Accordingly, the UYWCD staff and basin partners remain extremely active as the basin recovers from extended drought conditions. These drought conditions are accelerating the Yampa Basin's consideration of new baseline river conditions. Responses to the most recent low flow conditions already include new legal mechanisms for water release, studies of new water supply projects, and coordinated management efforts amongst Yampa basin water user groups.

Presented below is a summary of the water resources management activities the UYWCD has been involved in. Many of the items included in this communication will be discussed during the 01/19/22 meeting and/or future meetings in 2022.

If you have any further questions about any of the items included in this communication please contact Andy Rossi, UYWCD General Manager, for additional detail



UYWCD Water Resources Management Activities: Early 2022

Winter Facilities Operations

- Stagecoach Reservoir Operations
 - Stagecoach Reservoir operations are in a volume maintenance holding pattern as we observe the continued 2022 snowpack development. Stagecoach Reservoir water status is presented as Agenda item 11 a.

- Yamcolo Reservoir Operations
 - Yamcolo Reservoir operations are focused on storage and volume recovery from the 2021 Bear River irrigation activities as main-stem reservoir agricultural water storage supplies were exhausted in early August of 2021. Yamcolo Reservoir water status is presented as Agenda item 11 a.

- Snowpack Tracking
 - Please refer to the materials included with agenda item 11 a for details on the current Yampa Basin and regional snowpack data.

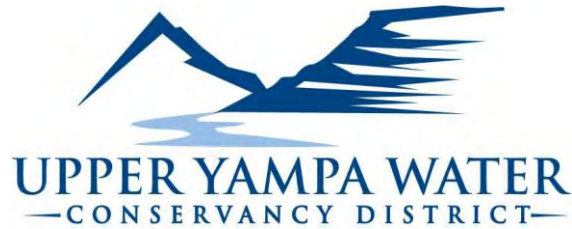
Other UYWCD Projects and Water Resources Activities

- Water Supply Infrastructure
 - The Coal Creek Diversion Project flow analysis is now complete. The results of the study and next steps in project development are to be discussed at a proposed Special Meeting of the UYWCD Board of Directors on February 15, 2022.

- Winter Water Resources Conferences and Events
 - Colorado Water Congress 2022 Annual Convention is scheduled for January 26-28, 2022.

- Recognition for UYWCD Efforts in 2021
 - The UYWCD was presented with the Yampa Valley Sustainability Council's 2021 Partner of the Year Award for the numerous collaborative water resources management efforts completed by the UYWCD and Yampa River Basin partners in 2021.

- Water Resource Management Efforts
 - The UYWCD and Colorado Water Trust (CWT) initiated the formal application process for the loan of Stagecoach water storage water rights to the CWCB for release to maintain and improve the instream flow reach of the Yampa River between Stagecoach Reservoir and Lake Catamount. This multi-step process will

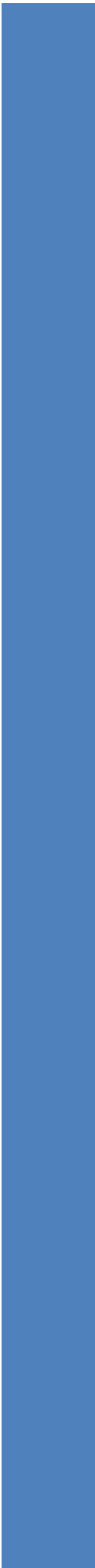


likely be completed by early summer of 2022.

- Yamcolo Reservoir Water Rights Abandonment Process and additional diligence proceedings- The UYWCD is entering into the next cycle of diligence filings for the UYWCD's water rights with a proposed partial abandonment of some of the Yamcolo Reservoir water rights. The UYWCD will begin briefings on these matter during the 01/19/22 BOD meeting. Discussions of the proposed partial abandonment of Yamcolo Reservoir Water Rights will continue at a proposed Special Meeting of the UYWCD Board of Directors on February 15, 2022.
- Yampa River Flows and Reservoir Release Working Group – The UYWCD General Manager has agreed to take a lead in the continued discussions of coordinated flow shortage responses and basin reservoir releases with a small working group from the near complete IWMP efforts.
- Upper Yampa River Basin Analysis: Soil Moisture Station Location Priorities study performed by a research group from the University of California, San Diego is complete. The recommend first location for a pilot soil moisture sensor station is in the Flattops area of Routt County. The pilot station installation is planned for the summer of 2022.

REPORT OF THE GENERAL MANAGER

**ELECTION OF OFFICERS AND DETERMINATION OF
COMMITTEES**





BOARD COMMUNICATION FORM

From: Andy Rossi, General Manager

Date: 01/05/22

Item: Election of Board Officers and Selection of Executive Committee

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I. Request/Issue and Background Information:

A per the Bylaws of the Upper Yampa Water Conservancy District (UYWCD), the Board of Directors (BOD) shall elect officers at the first regular UYWCD BOD meeting of the year. In addition, an Executive Committee shall consist of five (5) persons, all of whom shall be members of the Board of Directors and are to be selected by the UYWCD BOD.

II. Summary and Alternatives:

The sections of the UYWCD Bylaws governing the election of officers, duties of officers, and the executive committee are included here, in part, for reference. The UYWCD General Manger serves as the UYWCD Secretary/Treasurer.

ARTICLE IV - OFFICERS

SECTION 1 - Designation.

The officers of the District shall be a President, Vice-President, and Secretary/Treasurer, and such other officers as may be authorized from time to time by Board resolution. The officers shall serve in their capacities for the District in the conduct of all of its affairs.

SECTION 2 - Qualification and Election of Officers.

The President and Vice-President shall be members of the Board of Directors. The Board of Directors shall elect a President and Vice-President at the first regular Board meeting of each year. The General Manager shall be appointed by the Board of Directors from time to time, to serve at the pleasure of the Board. The General Manager shall also be the ex officio Secretary/Treasurer of the District, but shall not be a member of the Board of Directors.



SECTION 3 - Term of Office of Officers.

The President and Vice-President shall serve for a term of one (1) year, and shall hold their offices until their successors shall have been elected. On or after the 2020 calendar year, the term of consecutive service by the President of the Board in such President position shall not exceed two (2) consecutive years, unless in any year the incumbent President is the only candidate for such position. A Director may again be elected to serve as President after a break in service of at least 2 years. The Vice-President and Secretary/Treasurer are not subject to any term limitations.

ARTICLE V - DUTIES OF OFFICERS

SECTION 1 - President.

The President shall be the Chairman of the Board of Directors and shall preside at all meetings of the Board. Except as otherwise provided herein or by Board action, the General Counsel for the District shall approve as to form and the President shall sign all documents required to be approved by the Board of Directors under Article II, Section 3 hereof.

SECTION 2 - Vice-President.

The Vice-President shall act, in all things, and shall possess all of the powers and be subject to all of the duties of the President in the event of the latter's absence from any meeting of the Board of Directors, or his/her inability to act.

SECTION 3 - Secretary/Treasurer.

(a) The Secretary/Treasurer shall be the secretary of the Board of Directors and all special and standing committees of the Board of Directors. The Secretary/Treasurer, or a designee working under his/her direction and control, shall keep a record of all meetings of the Board of Directors and all special and standing committees of the Board of Directors, except that the meeting minutes may initially be prepared by a recording secretary so designated by the Board of Directors from time to time.

(b) The Secretary/Treasurer shall have custody of the Seal of the District and shall attest the signatures of the President or Vice-President upon all instruments and other documents signed by such officer.

SECTION 4 - Assistant Secretary/Treasurer.

The Board may designate an Assistant Secretary/Treasurer, subject to confirmation by the Board of Directors, who shall discharge the duties of the Secretary/Treasurer in his/her absence or inability to act.



ARTICLE VI - COMMITTEES

SECTION 1 - Executive Committee.

An Executive Committee is hereby created in order to more efficiently and economically carry out and effectuate the express powers of the District set forth in the Water Conservancy Act, including operation of the District as an Enterprise.

SECTION 2 - Executive Committee Membership and Selection.

The Executive Committee shall consist of five (5) persons, all of whom shall be members of the Board of Directors selected in the following manner:

(a) The President shall be a member and chairman of the Executive Committee. The Vice President shall also be members of the Executive Committee.

(b) The remaining members of the Executive Committee shall be selected by the vote of the Board of Directors on an annual basis.

Appointment and selection of members of the Executive Committee shall be made at the first regular meeting of the Board of Directors in each year.

SECTION 3 - Powers and Duties of Executive Committee.

Except as otherwise limited by law, the Executive Committee shall have the following powers and duties, to-wit:

(a) To act on behalf of the Board as directed by the Board of Directors at any regular or special meeting of the Board of Directors.

(b) Between regular meetings of the Board of Directors, the Executive Committee shall have power and authority to make contracts and agreements for the development and implementation of the District's policies, provided that no one such contract shall involve the expenditure or disbursement of more than \$50,000.

(c) To direct the General Manager and General Counsel for the District to perform such duties and functions as are deemed necessary for the carrying on of the business and affairs of the District, until the next regular or special meeting of the Board of Directors.

(d) To authorize, subject to Board of Directors, ratification, statements of opposition in water cases and settlement of litigation.

(e) To act on behalf of the Board in an emergency.



III. Staff Recommendation:

Complete election of UYWCD BOD officers and selection of the Executive Committee as allowed for in the UYWCD Bylaws. Matters possibly to be considered by the UYWCD Executive Committee in 2022 include:

- UYWCD-State of Colorado Lease Agreement for Stagecoach State Park Operations
- Stagecoach Reservoir Municipal Water Storage Contracts
- Water Rights Legal Matters
- Coal Creek Diversion Project Development and Permitting
- Other matters as determined to be appropriate for Executive Committee consideration.

IV. Legal Issues:

UYWCD Bylaws

V. Consistency with Board Goals and Policies:

UYWCD Bylaws





BOARD COMMUNICATION FORM

From: Holly Kirkpatrick

Date: 1/05/2022

Item: UYWCD Representation at Industry Meetings

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I. Request/Issue and Background Information:

The UYWCD is involved with many organizations, committees, and working groups both locally and statewide. Some organizations are formalized with appointed seats for UYWCD representatives, while others are less formal and simply consist of UYWCD participation. As you know, many of our directors play a multitude of roles in the community and may be involved in organizations or committees on behalf of an organization/role outside of UYWCD. As such, several directors and staff attend the same meetings without clear designation of who is representing UYWCD.

This matter has been discussed at several board meetings and as we move into the new year, the board has decided to appoint a UYWCD director or staff representative for committee involvement and industry meetings. The appointed UYWCD representative will attend meetings on behalf of UYWCD and will provide committee reports to the UYWCD Board of Directors during regular board meetings.



II. Summary and Alternatives:

Please review the attached list of industry meetings/committees with volunteers as UYWCD representatives for appointment.

III. Staff Recommendation:

The board may choose to make a motion to designate UYWCD committee representatives.

IV. Legal Issues:

N/A

V. Consistency with Board Goals and Policies:

Goal 5, Objectives 1 and 2.

Attachments:

Attachment 1: List of Industry Meetings & Committee Involvement with Volunteers as UYWCD Representatives

UYWCD Industry Meetings & Committee Involvement

Colorado Water Congress:	State Affairs Committee	Andy Rossi
Yampa/White/Green Basin Roundtable:	PEPO (Public Education, Participation, and Outreach) Committee	Ken Brenner
Integrated Water Management Plan	Reservoir Releases and Flows Work Group	Andy Rossi
Yampa River Fund:	Technical Advisory Committee	Lyn Halliday
Upper Yampa Watershed Group:		Lyn Halliday
Colorado River District Demand Management Stakeholder Advisory Committee:		John Redmond



BOARD COMMUNICATION FORM

January 19, 2022 Meeting

From: Bob Weiss, Legal Counsel

Date: January 11, 2022

Item: Board Appointments

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I. Request/Issue and Background Information: The terms of Directors Redmond, Sharp and Murphy will expire March 8, 2022. Appointments are made by the Chief Judge.

State Law says this: *Not more than sixty days and not less than forty-five days prior to expiration of a director's term, the conservancy district shall publish notice, once in a newspaper of general circulation within the district, that applications for appointment as director will be accepted by the court until thirty days prior to the expiration of the director's term. The notice shall specify the address of the court to which resumes may be sent, shall specify that the applicant must have resided within the district for a period of one year and be the owner of real property within the district, and, when applicable by decree or revised decree, shall specify that the applicant must be the owner of real property within the particular county whose director's term is expiring.*

We published as required by the statute on January 8, 2022. The deadline for applications is February 7, 2022. Application forms are available on the District website. Completed applications should be submitted to Deb who will forward to me for filing with the Court. These are 4 year terms expiring March 8, 2026. In the event there is more than one application for a particular seat on the Board Judge O'Hara will make the selection at a hearing which I have scheduled for February 16, 2022 at 9AM and which will be held by video conference on the Court's system.

II. Summary and Alternatives: N/A

III. Staff Recommendation: N/A

IV. Legal Issues: Legal issues are identified above.

V. Consistency with Board Goals and Policies: N/A

VI. Fiscal Impact: N/A

Attachments: UYWCD Public Notice – Applications for Appointment of Directors

PUBLIC NOTICE

APPLICATIONS FOR APPOINTMENT OF DIRECTORS OF THE UPPER YAMPA WATER CONSERVANCY DISTRICT (3 Directors to be Appointed to Four Year Terms Starting March 8, 2022)

NOTICE IS HEREBY GIVEN that applications for appointment of three (3) directors of the Upper Yampa Water Conservancy District are being accepted by the Clerk of the Combined Court, Routt County Courthouse, 1955 Shield Dr., Unit 200, Steamboat Springs, Colorado 80487. Applications with a resume showing a background in agricultural, municipal, industrial and other interests in the beneficial use of water within the District must be received by the Clerk no later than February 7, 2022, at the address set forth above. An application form may be requested from Deb Bastian, Business Manager, at dbastian@upperyampawater.com. To be eligible, an applicant must have resided within the Upper Yampa Water Conservancy District for a period of one year and be the owner of real property within the District. In addition, the applicant must be a resident of the division which they seek to represent.

One Board member will be appointed from each of the following divisions for a four-year term beginning March 8, 2022.

Division 1 (Hayden area) which consists of that part of the District lying West from the East boundary of Range 87 West of the 6th P.M., including all that part of the District contained in Moffat County.

Division 2 (Steamboat Springs area) which consists of that part of the District lying East of the West boundary of Range 86 West of the 6th P.M. and North of the South boundary of Township 6 North of the 6th P.M.

Division 3 (Oak Creek/Yampa area) which consists of that part of the District lying East of the West boundary of Range 86 West of the 6th p.m. and South of the North boundary of Township 5 North of the 6th P.M.

A map showing the District and the boundaries of each division within the District is available for inspection on the District website at <https://upperyampawater.com/wp-content/uploads/2021/07/District-Divisions-Map-1.pdf> for in the office of the District located at 2220 Curve Plaza Ste. 201, Steamboat Springs, Colorado 80487.

Information about the District is available on the District's website. Questions regarding the District and the responsibilities of Directors should be directed to Andy Rossi, General Manager, at (970) 871-1035.

Date of Publication: January 8, 2022

UPPER YAMPA WATER CONSERVANCY DISTRICT

By: /S/ Andy Rossi
Andy Rossi, General Manager





BOARD COMMUNICATION FORM

From: Andy Rossi, General Manager UYWCD, David Torgler, Town of Oak Creek Administrator

Date: 01/10/22

Item: Sheriff Dam Repairs

<input checked="" type="checkbox"/>	DIRECTION
<input checked="" type="checkbox"/>	INFORMATION
<input checked="" type="checkbox"/>	MOTION
<input type="checkbox"/>	RESOLUTION

I. Request/Issue and Background Information:

Sheriff Dam is located approximately 12 miles southwest of Oak Creek, Colorado and within the Medicine Bow-Routt National Forest and Rio Blanco County. Sheriff Dam is a 47-foot-high, high hazard, embankment dam that has a decreed water right of approximately 987 acre-feet. Surveys of the reservoir in 2018, indicate approximately 85 acre-feet of this water storage have been lost to sedimentation since the dam was originally constructed.

Two significant potential dam failure modes have been identified by the Division 6 Dam Safety Engineer at Sheriff Dam. These failure modes include erosion of the glacial moraine dam foundation and inadequate spillway capacity. If the dam were to fail, there is a potential for loss of life and property damage downstream of the dam. As the owner of the dam, the Town of Oak Creek would be liable for these consequences. Dam failure would also limit the Town's ability to provide safe drinking water during periods of low flows in Oak Creek.

Two primary alternatives were developed in a 2021 feasibility report to reduce the dam failure risks and make the dam reliable for the next 50 years. One alternative involves increasing spillway capacity by constructing a 500-foot-wide, roller compacted concrete (RCC) emergency spillway over the dam. The second alternative involves replacing the existing 35-foot-wide spillway with a 175-foot-wide, labyrinth spillway. Both alternatives would include measures to reduce the risk of foundation erosion and replace the existing outlet works gate. The opinion of project cost in 2022 dollars for the RCC overtopping alternative is about \$10.4 million and the labyrinth spillway alternative is about \$13 million. The U.S. Forest Service and the Colorado Dam Safety Branch both prefer the labyrinth spillway alternative for aesthetic and long-term durability reasons, respectively.



The final engineering analyses and design of the preferred repair alternative is planned for 2022. W. W. Wheeler and Associates, Inc. provided the Town of Oak Creek with a Final Design Scope of Work and Budget Estimate for the Rehabilitation of Sheriff Dam on January 5, 2022. This document is attached with this communication for review.

II. Summary and Alternatives:

David Torgler, Oak Creek Town Administrator, will provide an update on the planned activities in 2022 for the repair of Sheriff Dam. Mr. Torgler's discussion will include a request for financial assistance from the UYWCD for the completion of the efforts detailed in the W. W. Wheeler and Associates, Inc. Final Design Scope of Work and Budget Estimate for the Rehabilitation of Sheriff Dam. The UYWCD understands that the Town of Oak Creek is currently engaged in requests for financial assistance from multiple sources, including Routt County.

III. Staff Recommendation:

Approve a financial assistance grant to the Town of Oak Creek for the Sheriff Dam repair engineering analyses and design to be completed in 2022 as detailed in the Sheriff Dam Rehabilitation Final Design Scope of Work and Budget Estimate provided by W. W. Wheeler and Associates, Inc.

IV. Legal Issues:

The proposed grant to the town of Oak Creek is not included in the approved 2022 UYWCD Annual Budget. A budget amendment will be necessary for the expenditure of additional funds. A formal budget amendment, including any newly authorized grant expenditures can be prepared for the March 16, 2022 UYWCD BOD meeting.

V. Consistency with Board Goals and Policies:

UYWCD SP Objectives 4.1, 4.3, 4.5

Attachments:

Attachment 1: Sheriff Dam Rehabilitation Final Design Scope of Work and Budget Estimate



January 5, 2022

David Torgler, Town Administrator
Town of Oak Creek
PO Box 128
Oak Creek, Colorado 80477

RE: Sheriff Dam Rehabilitation Final Design Scope of Work and Budget Estimate

Dear David:

Per our previous discussions, W. W. Wheeler and Associates, Inc. (Wheeler) has prepared this scope of work and budget estimate to complete the final design for Rehabilitation of Sheriff Reservoir Dam. This letter was prepared so that the Upper Yampa Water Conservancy District (UYWCD) can evaluate the details of our proposed final design scope and budget. It is our understanding that the UYWCD will consider providing financial assistance to the Town of Oak Creek in support of this work at their January 19, 2022 Board of Directors Meeting.

This letter has been prepared prior to a scheduled meeting with the Colorado Division 6 Dam Safety Engineer and the U.S. Forest Service on February 15, 2022 to discuss a preferred alternative to proceed forward into final design. Based on previous discussions, both agencies preferred a labyrinth spillway design to address the inadequate spillway issues at Sheriff Reservoir Dam. As a result, this scope of work is based on preparing a final design for a labyrinth spillway. If another design alternative is selected, such as constructing roller compacted concrete (RCC) overtopping protection over the existing embankment dam, the proposed scope and budget outline in this letter should be revisited.

The estimated budget to complete the final design of the dam rehabilitation as described in this letter is \$320,000. This budget includes \$290,000 in engineering fees plus an expected \$30,000 Colorado Division of Water Resources dam design review fee. As part of our existing Agreement with the Town of Oak Creek, Wheeler will also assist the Town in applying for additional final design partnership grants from other sources in the next few months including:

- A Colorado River District Community Funding Partnership (CFP) Grant
- Grants from the Yampa/White/Green (Y/W/G) Basin Roundtable
- Grants from the Colorado Water Conservation Board (CWCB)
- Grants from the Department of Local Affairs (DOLA);
- Routt County; and
- Other potential funding sources

If the UYWCD were to make a significant contribution towards the final design budget, their support would encourage additional financial partnerships with the above-listed entities

Project Background

Sheriff Reservoir Dam is a 47-foot-high, high hazard embankment dam that was originally constructed across Trout Creek in 1954. The dam was constructed on U.S. Forest Service land and is owned and operated by the Town of Oak Creek (Town). The reservoir currently impounds approximately 900 acre-feet of water for municipal and agricultural water use and is the sole source of drought protection for the Town's water supply. The reservoir is also a popular recreational facility.

The dam has several significant dam safety issues, which has resulted in a storage restriction order placed on the dam by the Colorado Division of Water Resources. These dam safety concerns include:

- Inadequate spillway capacity;
- The identification of numerous sinkholes in the dam foundation; and
- Concerns that the 68-year-old outlet works gate is near the end of its service life.

The Town has completed a Colorado Water Conservation Board (CWCB) feasibility study 2021 that indicates that the preferred alternative to address these issues would cost approximately \$13.5 million. With a population of about 940 people and a median income of approximately \$50,000 per year, the Town cannot afford a project of this magnitude.

The Town has previously secured funding from the Yampa/White/Green Basin Roundtable and DOLA plus reserves from the Town's water enterprise fund for \$295,000 that are planned to be spent in 2022 as follows:

- Design, bidding, and construction to replace the outlet works control gate;
- Update hydrology using the latest Colorado Division of Water Resources research in mountain hydrology infiltration techniques that could significantly reduce the inflow design flood to the reservoir. If the inflow can be significantly reduced, the size of the replacement spillway could be reduced, which has the potential for significantly reduced construction and overall project costs;
- Updating the financial plan based on updated project costs; and
- Performing a Tabletop Exercise of the current Emergency Action Plan for the dam with local emergency responders and governments. This exercise is scheduled for February 15, 2022 in the Routt County Emergency Operations Center.

Dam Rehabilitation Final Design Scope of Services

If the Town can secure final design funding assistance from others as described above, the Town could initiate final design of the preferred alternative in the second half of 2022. This would allow bidding and construction to potentially begin in 2023 if appropriate Federal

Emergency Management Agency (FEMA), CFP, CWCB or other construction funding can be secured before 2023. The previous final design budget estimate documented in the 2021 CWCB feasibility report was \$350,000. The estimated 2022 final design budget is now approximately \$290,000 plus the Colorado Division of Water Resources design review fee. This is lower than the previously estimated final design budget because the outlet works design, the hydrology work, and potential failure modes analysis of the foundation sinkhole issues will be completed using existing financing that has been secured through the Y/W/G Basin Roundtable and DOLA Grants.

The 2022 final design budget details are attached to this letter. The objectives of the Sheriff Reservoir Dam Rehabilitation Project are to remove the existing storage restriction in Sheriff Reservoir and reduce the risk of loss of life and property damage downstream of the dam. The final design would be prepared to meet the requirements of the Colorado Division of Water Resources, 2020 Rules and Regulations for Dam Construction. The design would also be prepared to meet FEMA Hazard Mitigation Grant requirements. The final design package required by the Colorado Division of Water Resources includes the following tasks:

- Preparation of a detailed design summary report, including documentation of all engineering calculations.
- Preparation of a design criteria memorandum.
- Documentation of the mountain hydrology work in a detailed hydrology report.
- Documentation of all of the geotechnical analysis to address the remediation of the foundation sinkhole issue in a geotechnical design summary report. The geotechnical design summary report would also need to document adequate factors of safety for slope stability, seismic loading, seepage, and settlement issues.
- A detailed structural analysis report that documents the expected loadings, three-dimensional stresses, and reinforcing for the new spillway structure under normal, flood, and seismic loading conditions.
- Preparation of detailed construction drawings for the dam rehabilitation work. A drawing set of approximately 30 drawings is anticipated for the current preferred design concept.
- Preparation of construction contract documents and detailed construction specifications.
- Coordination with the Town, the Division 6 Dam Safety Engineers, and other partners as the design develops. Design workshops are anticipated at the 30-percent, 60-percent, and 90-percent complete design phases.
- Preparation of construction cost estimates.
- Addressing comments from the Colorado Dam Safety branch after the final design package is submitted for review.

The final design budget does not include the cost of bidding assistance or U.S. Forest Service permitting. These costs are anticipated to be included in future construction funding budgets and assistance programs.

Oak Creek Water Needs Analysis

Based on discussions between the UYWCD District Manager and the Town, we understand that the UYWCD would like to understand how much of the 900 acre-feet of storage in Sheriff Reservoir would actually be needed by the Town during extreme drought conditions. It is our understanding that the UYWCD might be interested in discussing a future lease or purchase agreement with the Town if it is determined that extra water storage is available in Sheriff Reservoir. If extra storage is available in Sheriff Reservoir, the UYWCD may consider funding a larger portion of the construction cost based on the negotiation of potential future water storage agreements with the Town.

In Support of these discussions between the UYWCD and the Town, Wheeler has estimated the budget for an initial Town water needs study. This study would involve looking at existing and future water demands in the town and comparing these needs with existing stream flow data and water rights in Oak Creek and Trout Creek along with an estimate of the Sheriff Reservoir firm yield. This water needs study is outside of the required scope of the dam rehabilitation final design and is estimated to cost about \$15,000 to complete this study and prepare a brief summary report.

Summary

In summary, if the UYWCD could fund a significant part of the final design budget plus pay for the Town of Oak Creek Water Needs Analysis Study, it would provide some excellent momentum to obtain other funding sources that would allow the final design work to be started in the second half of 2022. Initiating the final design would be a significant step in reducing the current loss-of-life and property damage risk at Sheriff Reservoir. The project would also help preserve the existing recreation resource at Sheriff Reservoir and help ensure viable future flows and water supplies along Trout Creek and Oak Creek within the UYWCD.

We understand that there are several complex issues associated with this project, so please don't hesitate to call if we can provide any further clarifications to this letter.

Sincerely,

W. W. Wheeler & Associates, Inc.



Stephen L. Jamieson, P.E., Project Manager

Project: Sheriff Dam Final Design Budget Estimate

Budget Estimate

Task	Labor Cat.	Senior Project Engr.	Project Engineer	Associate Engineer	Staff Engineer	Structural Engineer	Structural CADD	CADD Drafter	Junior Engineer	Admin.Asst	Labor
	\$/hr	\$171.00	\$144.00	\$131.00	\$118.00	\$130.00	\$80.00	\$83.00	\$97.00	\$82.00	

Final Design Budget Estimate

Client/SEO Review Workshops	40.0			40.0	24.0						\$14,680
Internal Design Coordination Meetings	24.0	24.0		24.0	24.0					8.0	\$14,168
H&H & Civil Analysis	40.0	16.0		80.0							\$18,584
Geotechnical Analysis	40.0	60.0							120.0		\$27,120
Design Criteria Memorandum	8.0	8.0		16.0	16.0					4.0	\$6,816
Design Summary Report	20.0	8.0		120.0			8.0	8.0		16.0	\$21,484
Hydrology & Hazard Classification Report	16.0	24.0		40.0						16.0	\$12,224
Geotechnical Design Report	16.0	24.0					8.0	80.0		16.0	\$15,928
Structural Analysis Memos	12.0				240.0						\$33,252
Design Drawings	40.0			120.0	120.0	200.0	200.0				\$69,200
Technical Specifications	40.0			60.0	16.0					24.0	\$17,968
Cost Opinions	16.0	16.0		40.0			16.0	16.0			\$12,640
Address SEO Review Comments	40.0	24.0		40.0	40.0	24.0	24.0			24.0	\$26,096
Total Hours	352.0	204.0	0.0	580.0	480.0	224.0	256.0	224.0	108.0		
										Subtotal	\$290,160
Oak Creek Water Needs Analysis	24.0	8.0		60.0					16.0	16.0	\$15,200

Total \$305,360





BOARD COMMUNICATION FORM

From: Andy Rossi, General Manager

Date: 01/10/22

Item: Existing Stagecoach Reservoir Water Storage Contracts

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I. Request/Issue and Background Information:

The Upper Yampa Water Conservancy District (UYWCD) Board of directors (BOD) approved a proposed Stagecoach Reservoir Municipal Storage Contract Amendment at the October 20, 2021, UYWCD BOD meeting. The UYWCD sent the approved amendment to most Stagecoach Reservoir municipal contractors on 11/12/21. There was some delay in the distribution of the amendment to one contractor due to uncertainty about authorized agent contact information.

The UYWCD confirmed that multiple municipal contractors are actively working through the consideration of the proposed amendment with their respective governing bodies. One contractor, Mount Werner Water and Sanitation District, requested that the UYWCD consider a freeze on municipal water storage contract pricing through the first quarter of 2022 to allow time for organization decision making processes. An update on the discussions with existing Stagecoach Reservoir municipal contractors will be provided.

II. Staff Recommendation:

Continue discussion with the existing Stagecoach Reservoir municipal contractors with the intent of pricing option decisions for all contracts by May of 2022. A separate recommendation for municipal water contract pricing will be presented as part of agenda item (7) e: 2022 UYWCD Water Pricing.

III. Legal Issues:

UYWCD Water Storage Contracts for more than 100 AF or for Longer than One Year Term must be approved by the full UYWCD BOD.

IV. Consistency with Board Goals and Policies: UYWCD SP Goal 4, UYWCD By-Laws

Attachments: November 9, 2021, Letter from Mount Werner Water



November 9, 2021

Andy Rossi, General Manager
Upper Yampa Water Conservancy District
2220 Curve Plaza, Suite 201
P.O. Box 775529
Steamboat Springs, CO 80477-5529

Re: Mt. Werner Water's Request to Freeze 2022 Contractor Water Allotment Pricing

Dear Andy,

As you know, Mount Werner Water & Sanitation District (District) is currently reviewing both the new Stagecoach Water Supply Contract and the Amendment of Water Allotment Contract. On Monday, November 8, 2021, the District's Water Matters Committee met and conducted an initial review and discussion about both Contracts. The committee's goal is to present a recommendation regarding each contract to the District Board at their December 10, 2021, meeting, and will probably meet one more time between now and December 10. If the recommendation is approved, I would then deliver to you the revised contract forms for the Upper Yampa Water Conservancy District Board consideration.

While the timing of the above-described events would realistically fall within 2021, the Holidays are right around the corner, thus, I am not confident Upper Yampa, and the District will be able to execute a final agreement (s) prior to the end of the year. Plus, I am not sure if the Upper Yampa Board meets in December. For these reasons, the District would request Board consideration to freeze, or extend the current pricing through the first quarter of 2022, allowing ample time for the parties to negotiate and execute contract (s).

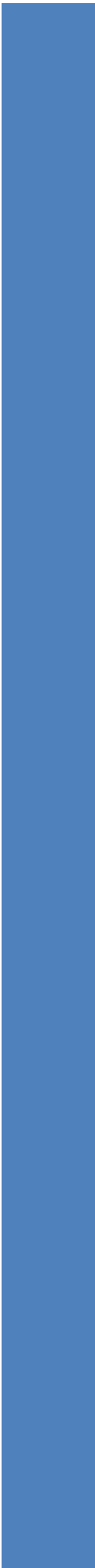
If this request is acceptable to the Upper Yampa District, MWW will continue committing the time and resources necessary to reach agreement soon.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Alfone", with a long horizontal stroke extending to the right.

Frank Alfone
General Manager

CC: Gavin Malia, Board Chair
Wade Gebhardt, Board Member
Jeff Houpt
Mark Hamilton
Jonathan Kelly





BOARD COMMUNICATION FORM

From: Andy Rossi, General Manager

Date: 01/12/22

Item: Upper Yampa Water Conservancy District 2022 New Water Contract Pricing

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I. Request/Issue and Background Information:

The Upper Yampa Water Conservancy District (UYWCD) has multiple existing agreements for stored water in UYWCD facilities. These existing agreements contain specific criteria for the determination of the price per acre-foot of stored water. The UYWCD anticipates that new agreements for stored water will be finalized in 2022 and beyond. Therefore, the UYWCD may determine the price per acre-foot of stored water for new agreements.

II. Summary and Alternatives:

The existing UYWCD water storage contracts include specific criteria for the determination of the price per acre-foot of stored water in UYWCD storage facilities. Many of these criteria rely on an economic indicator index for pricing adjustments. Unless altered by mutual agreement(s), these pricing adjustments will continue uninterrupted in 2022. Some existing water storage contracts, such as the existing Stagecoach Reservoir municipal water contracts include more complex pricing criteria.

The categories of existing UYWCD water storage contracts fall into the following categories:

- 1) Yamcolo Reservoir:
 - a) Municipal
 - b) Agricultural (Yamcolo Irrigators Assoc., Individual Irrigators, Junior Priority)
- 2) Stagecoach Reservoir:
 - a) Industrial
 - b) Municipal
 - c) Environmental/Recreational
 - d) Agricultural
- 3) UYWCD Umbrella Augmentation Plans



- a) Yampa River Plan (Stagecoach and Yamcolo Reservoirs)
 - i) Large and Small, Non-Commercial
 - ii) Large and Small, Commercial
- b) Elk River Plan (Steamboat Lake)
 - i) Large and Small, Non-Commercial
 - ii) Large and Small, Commercial

Any **new** water storage agreements for UYWCD facilities will also fall into the categories listed above. The only exception to this water contract categorization may occur if, through discussion with current storage contractors, new volumes of uncontracted water become available in Yamcolo Reservoir.

It is important for the UYWCD to continue with water storage contract pricing that is consistent with the current contracts in each of the categories listed above. The existing contracts in each category set a reference point for the price per acre-foot of water for any new water storage contracts. The UYWCD can establish a consistent pricing practice by adjusting the 2022 price per acre-foot of stored water for new contracts in a manner that is consistent with the existing contracts that include economic indicator index pricing adjustments. Therefore, the UYWCD General Manager recommends that the price per acre foot for 2022 new water storage contracts be set by adjusting the 2021 price per acre foot for new water storage contracts in UYWCD facilities by the methodology described in the existing water storage contracts that rely on an economic indicator index for price adjustment to determine the 2022 prices per acre-foot for new water storage contracts. This methodology (in general) is:

The price per acre-foot of stored water shall be an amount equal to the greater of (i) the price per acre-foot charged to the Contractor for the Contracted Water the prior Water Year, or (ii) the product obtained by multiplying the Base Price by a fraction, the denominator of which is the Consumer Price Index for All Urban Consumers, Denver-Aurora-Lakewood Metropolitan Area, "All Items" (1982 – 84 = 100), published by the Bureau of Labor Statistics of the United States Department of Labor (the "CPI") for the semi-annual period ending December 31 in the Water Year prior to the First Water Year and the numerator of which is the CPI for the semi-annual period ending December 31 of the prior Water Year.

The recommended price adjustments will be applied to all new contracts for stored water in Yamcolo and Stagecoach Reservoirs, including stored water agreements enacted under the UYWCD Yampa and Elk River Umbrella Augmentation plans, except the price per acre-foot of water for new municipal water storage contracts in Stagecoach Reservoir. In response to the request from Mount Werner Water and Sanitation District, the UYWCD staff recommends that the price per acre-foot of water for new municipal water storage contracts in Stagecoach Reservoir not be adjusted until March 16, 2022.



Over the period considered for new water contract price adjustments, the Consumer Price Index for All Urban Consumers, Denver-Aurora-Lakewood Metropolitan Area, “All Items” increased by 5.2%.

III. Staff Recommendation:

The UYWCD staff recommend the following actions:

1. Table the determination of the price per acre-foot of water for new municipal water storage contracts in Stagecoach Reservoir until the March 16, 2022, UYWCD BOD meeting.
2. Set the price per acre-foot of stored water in UYWCD facilities for new water storage contracts as indicated in the tables attached with this communication:

Table 1: Stagecoach Reservoir 2022 New Water Contract Pricing

Table 2: Yamcolo Reservoir 2022 New Water Contract Pricing

Table 3: Augmentation Plans New Water Contract Pricing

IV. Legal Issues:

The UYWCD BOD retains the ability to determine the price per acre-foot for stored water for new water storage contracts on a periodic basis.

V. Consistency with Board Goals and Policies:

UYWCD SP Objective 3.1

Attachments: Proposed Prices per Acre-Foot of Water for New Water Storage Contracts

Table 1: Stagecoach Reservoir 2022 New Water Contract Pricing

Adopted by UYWCD BOD: 3/17/2021 Stagecoach Reservoir Water Contract Pricing					
Appendix B					
Contract Category	Contract Volume (AF)	All Prices = \$ per AF/year			Notes:
		Earliest Contract Year = 2021			
		Contract Period (Years or End Date)			
		11 years to 2041	6 to 10 years	1 to 5 years	
Industrial	1 to 2000	125.94	132.93	139.93	
	Contract Period (Years or End Date)				
		11 to 40 years	6 to 10 years	1 to 5 years	
New Municipal	1 to 2000	82.00	86.55	91.11	Municipal contract period terms detailed in section 4 g (i) of Stagecoach Water Marketing Policy
	Contract Period (Years or End Date)				
		Existing Contract Term			
Existing Municipal	As Specified in Existing Contract(s)	CP			CP = Contract Price calculated as per existing contract terms w/Budget Data
	Contract Period (Years or End Date)				
		Contract Term (all end in 2041)			
Environmental Recreational	1 to 2000	45.56			
	Contract Period (Years or End Date)				
		11 years to 2041	6 to 10 years	1 to 5 years	
Agricultural	1 to 2000	28.70	30.29	31.89	
	Contract Period (Years)				
		40 years			
Augmentation	1 to 10 (Greater than 10 AF requires Approval by UYWCD BOD)	212.54			Price Approved by BOD Annually
		249.00			

CPI
5.22%

Proposed to UYWCD BOD: 1/19/2022 Stagecoach Reservoir Water Contract Pricing					
Appendix B					
Contract Category	Contract Volume (AF)	All Prices = \$ per AF/year			Notes:
		Earliest Contract Year = 2022			
		Contract Period (Years or End Date)			
		10 years to 2041	6 to 9 years	1 to 5 years	
Industrial	1 to 2000	132.51	139.87	147.23	
	Contract Period (Years or End Date)				
		10 to 40 years	6 to 9 years	1 to 5 years	
New Municipal	1 to 2000	TBD, 03/16/22	TBD, 03/16/22	TBD, 03/16/22	Municipal contract period terms detailed in section 4 g (i) of Stagecoach Water Marketing Policy
	Contract Period (Years or End Date)				
		Existing Contract Term			
Existing Municipal	As Specified in Existing Contract(s)	CP			CP = Contract Price calculated as per existing contract terms w/Budget Data
	Contract Period (Years or End Date)				
		Contract Term (all end in 2041)			
Environmental Recreational	1 to 2000	47.93			
	Contract Period (Years or End Date)				
		10 years to 2041	6 to 9 years	1 to 5 years	
Agricultural	1 to 2000	30.20	31.88	33.55	
	Contract Period (Years)				
		40 years			
Augmentation	1 to 10 (Greater than 10 AF requires Approval by UYWCD BOD)	223.63			Price Approved by BOD Annually
		262.00			

Table 2: Yamcolo Reservoir 2022 New Water Contract Pricing
Proposed 1/19/22

All Prices = \$ per AF/year

Contract Category	2021 Actual Price	CPI	2022 Proposed Price
Municipal	\$86.88	5.22%	\$91.42
Agricultural (Individual)	\$11.17	5.22%	\$11.75

**Table 3: Augmentation Plans New Water Contract Pricing
Proposed 1/19/22**

All Prices = \$ per AF/year

Applicable for All New Augmentation Plan Contracts for both Yampa River and Elk River Umbrella Augmentation Plans			
Contract Category	2021 Actual Price	CPI	2022 Proposed Price
Large & Small Non-commercial	\$212.54	5.22%	\$223.63
Large & Small Commercial	\$249.00	5.22%	\$262.00





BOARD COMMUNICATION FORM

From: Andy Rossi, General Manager

Date: 01/11/22

Item: Coal Creek Diversion Project

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I. Request/Issue and Background Information:

The Upper Yampa Water Conservancy District's (UYWCD) Coal Creek Diversion is conditionally decreed to divert 100.0 cfs from Coal Creek, a tributary of the Bear River (Yampa River). The Coal Creek confluence with the Bear River is located approximately ½ mile downstream from the outlet of Yamcolo Reservoir. The water supply diverted by this direct flow right is to be delivered through a pipeline to Yamcolo Reservoir, upstream of this confluence for subsequent storage and/or for the reregulation of flows in Coal Creek. The contemplated diversion is located on United States National Forest Lands near the Yamcolo Dam Spillway. Background materials for the Coal Creek Diversion were presented at the March 17, 2021 UYWCD Board of Directors (BOD) meeting. All materials presented at the March 17th meeting are posted to the UYWCD Website:

<https://upperyampawater.com/wp-content/uploads/2021/07/0519-2021-BOD-Meeting-Packet.pdf>

As originally contemplated, the primary purpose of the Coal Creek Diversion was to divert up to 100 cfs from Coal Creek during the spring runoff and then subsequently release that supply through Yamcolo Reservoir to stabilize daily streamflow fluctuations. This flow stabilization would benefit water use practices and Colorado Division of Water Resources (CDWR) administration of the Bear River section of the Yampa River.

The second original purpose of the Coal Creek Diversion was to improve the overall yield of Yamcolo Reservoir. Yamcolo Reservoir successfully filled 66% of the 33 total years of reservoir operations. Yamcolo Reservoir did not fill again in 2021, due to agricultural water storage releases in 2020 and 2021, drought conditions, and the early onset of river administration. The operation of the Coal Creek Diversion for storage may be limited.



Additional benefits from the Coal Creek Diversion may be realized by the UYWCD in the use of water diverted to Yamcolo Reservoir from Coal Creek, and later released for the decreed use of power production at the UYWCD owned and operated Stagecoach Dam Hydro-Electric Power generating facility. Other benefits may be possible for UYWCD facilities as the Coal Creek Diversion is decreed for the following beneficial uses:

Municipal, industrial, domestic, irrigation, stock watering, power production, recreational, fishery, reservoir evaporation, aesthetic purpose and for use by exchange for appropriative rights of exchange and substitution, and for augmentation and exchange for replacement purposes, including diversion from Coal Creek for such uses and storage in Yamcolo Reservoir for such uses, including later releases from storage for such uses.

The UYWCD completed studies of the Coal Creek Diversion project in 2003 and 2015. The 2003 consideration of Coal Creek was in the form of a proposed engineering design and Engineer's Estimated Cost of Construction of the project. The Engineer's Estimated Cost of Construction was updated by the UYWCD in 2020 with the inclusion of new information and is included as an attachment to this communication.

The 2015 consideration of the Coal Creek Project was included in the UYWCD Water Supply and Water Rights Master Plan. The conclusions of this 2015 analysis were:

- 1. The full diversion amount associated with the Coal Creek Diversion water right should be maintained: 100 cfs. This diversion project has the potential to help stabilize streamflow conditions in the Bear River, during the spring runoff when diurnal fluctuations can cause flows to change significantly throughout the day. Moreover, this diversion project has the potential to improve the yield of Yamcolo Reservoir.*
- 2. Additional hydrologic studies are recommended to better quantify the potential benefits associated with the Coal Creek Diversion. This process would be helpful to the District in its continuing discussions with the U.S. Forest Service regarding reservoir operations, flushing flows, and required bypass flows.*

The analysis and conclusions of the UYWCD Water Supply and Water Rights Master Plan were accepted by the State Engineer and Division Engineer, Water Division 6.

In 2021, the UYWCD staff began work on the two recommendations included in the UYWCD Water Supply and Water Rights Master Plan. The StateMod model used for the 2015 UYWCD Master Plan analysis was updated in 2021 to include new information for a baseline water use model for the Yampa River system. The UYWCD hired Wilson Water Group to use the updated StateMod configuration to complete a Coal Creek flow and reservoir operations analysis for Yamcolo Reservoir. The Wilson Water Group's StateMod analysis was coupled with an evaluation of potential storable flows under experienced historical river administration



practices. The Wilson Water Group's Coal Creek Supply for Yamcolo Modeling analysis is complete with a final report delivered on January 10, 2022.

The UYWCD plans to install a flow monitoring sensor in Coal Creek at the proposed project location in 2022. The UYWCD staff is waiting for United States Forest Service (USFS) Authorization and favorable site conditions to complete the installation. The installation and long-term maintenance of Coal Creek flow monitoring will provide the UYWCD with real flow data for model comparison/calibration and more accurate project hydraulic design parameters.

The UYWCD held preliminary discussion with the USFS staff regarding the permitting of the Coal Creek Diversion. Project permitting and USFS resource protection concerns were discussed during these meetings. The UYWCD provided background and preliminary design information to the USFS staff in May of 2021. The UYWCD will continue discussions with the USFS staff as project technical analysis progresses.

II. Staff Recommendation:

Schedule a Special Meeting of the UYWCD BOD for February 15, 2022, for the purpose of discussing the findings of the technical analysis and engineer's cost estimate of the Coal Creek Diversion Project with the full UYWCD BOD to determine if any further investigations are desired before initiating project permitting activities.

III. Legal Issues:

Application for reasonable diligence for the Coal Creek Diversion water right is required by October 31, 2024.

IV. Consistency with Board Goals and Policies:

UYWCD 2021 Strategic Plan Objective 9.1.





BOARD COMMUNICATION FORM

From: Karina Craig, Chief Accountant.

Date: January 19, 2022

Item: 2021 Financial Audit Schedule

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I. Request/Issue and Background Information:

Throughout the fiscal year, District staff carries out the accounting of the District's financial activities adhering to Generally Accepted Accounting Principles in the United States of America (U.S. GAAP) as promulgated by the Governmental Accounting Standards Board (GASB). As a local government administering public funds the District is subject to Colorado Auditing Standards and is required to undergo an annual audit of its financial books.

In the year 2020 the District sought proposals and engaged services from Watson Coon Ryan, a Colorado firm experienced in governmental auditing with a focus on best practices. A fully remote first-time audit was successfully performed for the 2020 fiscal year and services were reengaged for services in the current year.

The following scheduled is being proposed:

- January 31 to February 4, 2022, specific date TBD, kick-off meeting with Auditor
- February 2022, field work.
- March 4, 2022, initial draft released for Accountant's review
- March 18, 2022, review of *preliminary draft* with auditor and directors, if needed.
- April 11th or May 9th, *final draft* released for Directors' review
- April 20th or May 18th *final draft* presented by Auditor.

II. Summary and Alternatives: none.

III. Staff Recommendation: Accept schedule

IV. Legal Issues: None



V. Consistency with Board Goals and Policies: Goal 3.

Attachments:

Attachment 1: Watson Coon Ryan Engagement Letter



6025 SOUTH QUEBEC STREET, SUITE 260
CENTENNIAL, COLORADO 80111
303-792-3020 (O) | 303-232-7237 (F)
WWW.WCRCPA.COM

November 18, 2021

Upper Yampa Water Conservancy District
PO Box 775529
Steamboat Springs, Colorado 80477

Dear Board of Directors,

The following represents our understanding of the services we will provide Upper Yampa Water Conservancy District.

You have requested that we audit the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of Upper Yampa Water Conservancy District, as of December 31, 2021, and for the year then ended and the related notes, which collectively comprise Upper Yampa Water Conservancy District's basic financial statements as listed in the table of contents. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter.

The objectives of our audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America (GAAS) will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

Accounting principles generally accepted in the United States of America, (U.S. GAAP,) as promulgated by the Governmental Accounting Standards Board (GASB) require that management's discussion and analysis be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the GASB, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the required supplementary information (RSI) in accordance with auditing standards generally accepted in the United States of America, (U.S. GAAS). These limited procedures will consist primarily of inquiries of management regarding their methods of measurement and presentation, and comparing the information for consistency with management's responses to our inquiries. We will not express an opinion or provide any form of assurance on the RSI. The following RSI is required by U.S. GAAP. This RSI will be subjected to certain limited procedures but will not be audited:

- Management's Discussion and Analysis

Supplementary information other than RSI will accompany Upper Yampa Water Conservancy District's basic financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and perform certain additional procedures, including comparing and reconciling the supplementary information to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and additional procedures in accordance with U.S. GAAS. We intend to provide an opinion on the following supplementary information in relation to the basic financial statements as a whole:

- Statement of Net Position
- Schedule of Revenues Expenses, and Change in Fund Net Position – Budget and Actual
- Statement of Capital Assets
- Budgetary Comparison

Auditor Responsibilities

We will conduct our audit in accordance with GAAS. As part of an audit in accordance with GAAS, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about Upper Yampa Water Conservancy District's ability to continue as a going concern for a reasonable period of time.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements may not be detected exists, even though the audit is properly planned and performed in accordance with GAAS.

Our responsibility as auditors is limited to the period covered by our audit and does not extend to any other periods.

Compliance with Laws and Regulations

As previously discussed, as part of obtaining reasonable assurance about whether the basic financial statements are free of material misstatement, we will perform tests of Upper Yampa Water Conservancy District's compliance with the provisions of applicable laws, regulations, contracts, and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

Management Responsibilities

Our audit will be conducted on the basis that management and, when appropriate, those charged with governance acknowledge and understand that they have responsibility:

- a. For the preparation and fair presentation of the basic financial statements in accordance with accounting principles generally accepted in the United States of America
- b. For the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of basic financial statements that are free from material misstatement, whether due to error, fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements; and
- c. To provide us with:
 - i. Access to all information of which management is aware that is relevant to the preparation and fair presentation of the basic financial statements such as records, documentation, and other matters;
 - ii. Additional information that we may request from management for the purpose of the audit;
 - iii. Unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence.
 - iv. A written acknowledgement of all the documents that management expects to issue that will be included in the annual report and the planned timing and method of issuance of that annual report; and
 - v. A final version of the annual report (including all the documents that, together, comprise the annual report) in a timely manner prior to the date of the auditor's report.
- d. For including the auditor's report in any document containing basic financial statements that indicates that such basic financial statements have been audited by us;
- e. For identifying and ensuring that the entity complies with the laws and regulations applicable to its activities;
- f. For adjusting the basic financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any

uncorrected misstatements aggregated by us during the current engagement and pertaining to the current year period(s) under audit are immaterial, both individually and in the aggregate, to the basic financial statements as a whole; and

- g. For acceptance of nonattest services, including identifying the proper party to oversee nonattest work;
- h. For maintaining adequate records, selecting and applying accounting principles, and safeguarding assets;
- i. For informing us of any known or suspected fraud affecting the entity involving management, employees with significant role in internal control and others where fraud could have a material effect on the financials; and
- j. For the accuracy and completeness of all information provided.

With regard to the supplementary information referred to above, you acknowledge and understand your responsibility: (a) for the preparation of the supplementary information in accordance with the applicable criteria; (b) to provide us with the appropriate written representations regarding supplementary information; (c) to include our report on the supplementary information in any document that contains the supplementary information and that indicates that we have reported on such supplementary information; and (d) to present the supplementary information with the audited basic financial statements, or if the supplementary information will not be presented with the audited basic financial statements, to make the audited basic financial statements readily available to the intended users of the supplementary information no later than the date of issuance by you of the supplementary information and our report thereon.

As part of our audit process, we will request from management and, when appropriate, those charged with governance, written confirmation concerning representations made to us in connection with the audit.

Nonattest Services

With respect to any nonattest services we perform, including the following at the end of each year

- Propose adjusting or correcting journal entries to be reviewed and approved by Upper Yampa Water Conservancy District Management
- Prepare financial statements and related notes to those statements to be reviewed and approved by Upper Yampa Water Conservancy District Management.

We will not assume management responsibilities on behalf of Upper Yampa Water Conservancy District. However, we will provide advice and recommendations to assist management of Upper Yampa Water Conservancy District in performing its responsibilities.

Upper Yampa Water Conservancy District's management is responsible for (a) making all management decisions and performing all management functions; (b) assigning a competent individual to oversee the services; (c) evaluating the adequacy of the services performed; (d) evaluating and accepting responsibility for the results of the services performed; and (e) establishing and maintaining internal controls, including monitoring ongoing activities.

Our responsibilities and limitations of the nonattest services are as follows:

- We will perform the services in accordance with applicable professional standards.
- The nonattest services are limited to the services previously outlined. Our firm, in its sole professional judgment, reserves the right to refuse to do any procedure or take any action that could be construed as making management decisions or assuming management responsibilities, including determining account coding and approving journal entries. Our firm will advise Upper Yampa Water Conservancy District with regard to tax positions taken in the preparation of the tax return, but Upper Yampa Water Conservancy District must make all decisions with regard to those matters.

Reporting

We will issue a written report, in electronic format, upon completion of our audit of Upper Yampa Water Conservancy District's basic financial statements. Our report will be addressed to the governing body of Upper Yampa Water Conservancy District. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph(s) to our auditor's report, or if necessary, withdraw from the engagement. If our opinions on the basic financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

Other

We understand that your employees will prepare all confirmations we request and will locate any documents or support for any other transactions we select for testing.

If you intend to publish or otherwise reproduce the basic financial statements and make reference to our firm, you agree to provide us with printers' proofs or masters for our review and approval before printing. You also agree to provide us with a copy of the final reproduced material for our approval before it is distributed.

Regarding the electronic dissemination of audited financial statements, including financial statements published electronically on your Internet website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Professional standards prohibit us from being the sole host and/or the sole storage for your financial and non-financial data. As such, it is your responsibility to maintain your original data and records and we cannot be responsible to maintain such original information. By signing this engagement letter, you affirm that you have all the data and records required to make your books and records complete.

Provisions of Engagement Administration, Timing and Fees

During the course of the engagement, we may communicate with you or your personnel via fax or e-mail, and you should be aware that communication in those mediums contains a risk of misdirected or intercepted communications.

The timing of our audit will be scheduled with fieldwork to begin in February 2022 and a draft to be provided by March 4, 2022. Anticipated meetings are as follows:

- Meeting during fieldwork – date TBD
- Board meeting March 16th for initial board questions regarding the draft
- Board meeting on either April 20th or May 18th to present the audit to the full board for approval.

Kelly Watson will attend the final board meeting in person, if at all possible. If scheduling prohibits her attendance, she will attend the March 16th meeting in person to answer any board questions.

Kelly Watson is the engagement partner for the audit services specified in this letter. Her responsibilities include supervising Watson Coon Ryan LLC.'s services performed as part of this engagement and signing or authorizing another qualified firm representative to sign the audit report.

Our fees are based on the amount of time required at various levels of responsibility, plus actual out-of-pocket expenses. Invoices will be rendered every two weeks and are payable upon presentation. We estimate that our fee for the audit will be \$8,500. Travel expenses of \$500 will also be billed following the in person presentation at the final board meeting. We will notify you immediately of any circumstances we encounter that could significantly affect this initial fee estimate. Whenever possible, we will attempt to use Upper Yampa Water Conservancy District's personnel to assist in the preparation of schedules and analyses of accounts. This effort could substantially reduce our time requirements and facilitate the timely conclusion of the audit. Further, we will be available during the year to consult with you on financial management and accounting matters of a routine nature.

During the course of the audit we may observe opportunities for economy in, or improved controls over, your operations. We will bring such matters to the attention of the appropriate level of management, either orally or in writing.

You agree to inform us of facts that may affect the basic financial statements of which you may become aware during the period from the date of the auditor's report to the date the financial statements are issued.

We agree to retain our audit documentation or work papers for a period of at least five years from the date of our report.

At the conclusion of our audit engagement, we will communicate to those charged with governance the following significant findings from the audit:

- Our view about the qualitative aspects of the entity’s significant accounting practices;
- Significant difficulties, if any, encountered during the audit;
- Uncorrected misstatements, other than those we believe are trivial, if any;
- Disagreements with management, if any;
- Other findings or issues, if any, arising from the audit that are, in our professional judgment, significant and relevant to those charged with governance regarding their oversight of the financial reporting process;
- Material, corrected misstatements that were brought to the attention of management as a result of our audit procedures;
- Representations we requested from management;
- Management’s consultations with other accountants, if any; and
- Significant issues, if any, arising from the audit that were discussed, or the subject of correspondence, with management.

The audit documentation for this engagement is the property of Watson Coon Ryan LLC. and constitutes confidential information. However, we may be requested to make certain audit documentation available to certain regulators pursuant to authority given to it by law or regulation, or to peer reviewers. If requested, access to such audit documentation will be provided under the supervision of Watson Coon Ryan LLC.’s personnel. Furthermore, upon request, we may provide copies of selected audit documentation to specified regulator. The regulator may intend, or decide, to distribute the copies of information contained therein to others, including other governmental agencies.

Please sign and return the attached copy of this letter to indicate your acknowledgment of, and agreement with, the arrangements for our audit of the basic financial statements including our respective responsibilities.

The services to be performed by Watson Coon Ryan, LLC pursuant to this engagement are subject to the terms and conditions set forth herein and in the accompanying appendix.

We appreciate the opportunity to be your financial statement auditors and look forward to working with you and your staff.

Respectfully,

Watson Coon Ryan, LLC
 WATSON COON RYAN, LLC

RESPONSE:

This letter correctly sets forth our understanding.

Upper Yampa Water Conservancy District

Acknowledged and agreed on behalf of Upper Yampa Water Conservancy District by:

Name: Karina Rüegg Craig *Karina Rüegg Craig*

Title: Chief Accountant

Date: 12/10/21

APPENDIX TO THE ENGAGEMENT LETTER

This Appendix is part of the engagement letter dated November 18, 2021, between Watson Coon Ryan, LLC and Upper Yampa Water Conservancy District.

Electronic copy

An electronic or fax copy of this letter may serve in place of the original for all purposes.

Use of a Third-Party Service Provider

Our firm may transmit confidential information that you provided us to third parties in order to facilitate delivering our services to you. For example, such transmissions might include, but not be limited to: Right Networks our network storage provider, Citrix ShareFile our file exchange provider, Microsoft 365 our email provider and CCH Prosystems fx our income tax electronic filing provider. We have obtained confidentiality agreements with all our service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have the appropriate procedures in place to prevent the unauthorized release of confidential information to others. We will remain responsible for the work provided by any third-party service providers used under this agreement. By your signature, you consent to having confidential information transmitted to entities outside the firm. Please feel free to inquire if you would like additional information regarding the transmission of confidential information to entities outside the firm.

Paycheck Protection Program (PPP)

While we are happy to answer questions and consult on best practices as it relates to the PPP and your business, this engagement letter does not include consulting as it applies to applying for or determining forgiveness of PPP loans. Due to the complexity of these services, they are considered a separate engagement governed by the *Statement on Standards for Consulting Services* issued by the American Institute of Certified Public Accountants (“AICPA”) and a separate engagement letter would be required to provide these services. If you require additional support beyond general questions please let us know and we can discuss the terms of the engagement. While we will only provide resources that we believe to be helpful and accurate to help you in your decision making process, please be sure to review the resources to ensure they meet your needs and your specific situation. Watson Coon Ryan is not responsible for the content maintained by outside providers and makes no representations as to the completeness and accuracy of the information they provide.

Conflicts of Interest

The potential for conflicts of interest exists in every engagement. In the unlikely event that circumstances occur which we, in our sole discretion, believe could create a conflict with either the ethical standards of our firm or the ethical standards of our profession in continuing our engagement, we may suspend our services until a satisfactory resolution can be achieved, or we may resign from the engagement without issuing a report. We will notify you of such conflicts as soon as practicable and will discuss with you a possible means of resolving them prior to suspending our services.

Settlement of Differences

Disputes arising under this agreement (including the scope, nature and quality of services to be performed by us, our fees and other terms of the engagement) shall be submitted to mediation. A competent and impartial third-party, acceptable to both parties, shall be appointed to mediate, and each disputing party shall pay an equal percentage of the mediator’s fees and expenses. No suit or

arbitration proceedings shall be commenced under this agreement until at least 60 days after the mediator's first meeting with the involved parties. If the dispute requires litigation, the court shall be authorized to impose all defense costs against any non-prevailing party found not to have participated in the mediation process in good faith.

Records Retention Policy

Our records retention policy requires us to return all original records and documents that you have given us to you at the conclusion of the engagement. Your records are the primary records for your operations and comprise the backup and support for your financial reports. Our working papers, including any photocopies that we obtain from management, are our property and are not a substitute for your own records. Our working papers will be retained by us in accordance with our established record retention policy. This policy stipulates that, in general, we will retain these working papers for a minimum of seven years, or as required by law. After this period expires, the files will be destroyed. Catastrophic events may result in our firm's records being unavailable before the expiration of the above retention period.

Solicitation of Personnel

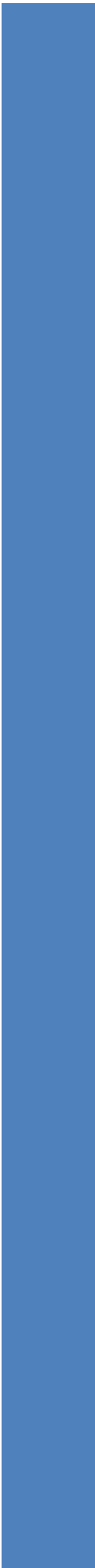
To ensure that Watson Coon Ryan, LLC's independence is not impaired under the AICPA Code of Professional Conduct, you agree to inform the engagement partner before entering into any substantive employment discussions with any of our personnel.

Gramm Leach Bliley Act Privacy Disclosure Provision

We collect personal information about you and all our clients from the information you submit to us orally or on application forms, and through information we obtain over the course of your business relationship with us, our affiliates, and others. In addition, we may from time to time receive information about you from a consumer reporting agency. Personal information is information that we collect from you that is not otherwise available from public sources. The categories of personal information we collect include (i) information you submit to us, such as your name, address, social security number, names of family members, assets, and income and (ii) information about your transactions with us, our affiliates, or others, such as your account balances, investments, current and prior tax information, and credit card usage. We will not disclose any personal information about our clients or former clients to anyone, except as permitted by law. Upon your written request we will disclose information about you. In rare circumstances, we may be required by law to disclose personal information about you, such as in response to a subpoena or other court order. Within our institution, we provide access to your personal information only to those employees who need to know the information to provide you with our services. We maintain physical, electronic, and procedural safeguards to guard your personal information. We do not share your personal information with companies that perform marketing services.

Indemnification

Upper Yampa Water Conservancy District agrees to indemnify Watson Coon Ryan, LLC for any damages, including attorney fees, caused in whole or part, by Upper Yampa Water Conservancy District's failure to fulfill the management responsibilities outlined within this engagement letter.



BOARD COMMUNICATION FORM

From: Bob Weiss, General Counsel

Date: January 10, 2022

Item: 2022 Posting of Meeting Notices

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I. Request/Issue and Background Information:

State law requires the District to designate annually the posting place for notice of Board meetings at the first regular Board meeting of each calendar year. The Open Meetings Law was amended in the 2019 Legislative Session to state the intent of the General Assembly that local governmental entities transition from posting physical notices of public meetings in physical locations to posting notices on a website, social media account, or other official online presence of the local government to the greatest extent practicable and to provide that a local public body shall be deemed to have given full and timely notice of a public meeting if the local public body posts the notice, with specific agenda information if available, no less than twenty-four hours prior to the holding of the meeting on a public website of the local public body. Physical posting is also allowed but no longer legally required. The State law also requires that if the District decides to provide official notice of meetings on its website it shall provide the address of the website to the department of local affairs for inclusion in the inventory maintained by it for that purpose.

II. Summary and Alternatives: The District is not yet required by State Law to make its website the official posting location but it is clear that this is the strong preference of the Legislature. The Board could continue to require physical posting of meeting notices either as the official posting location or in addition to the website. The Resolution before you allows but does not require physical posting except in exigent circumstances when on-line posting is not available.

III. Staff Recommendation: Staff recommends that the Board adopt the Resolution as proposed.

IV. Legal Issues: The Resolution complies with Colorado law.

V. Consistency with Board Goals and Policies: The proposed Resolution is consistent with the District's Strategic Plan and Board manual.

VI. Fiscal Impact: The proposed Resolution would not have a significant direct financial impact.

Attachment: Resolution 2022-1- Resolution Designated Posting Place

RESOLUTION No. 2022-1
UPPER YAMPA WATER CONSERVANCY DISTRICT
RESOLUTION DESIGNATING POSTING PLACE

WHEREAS, CRS Section 24-6-402 (2)(c) requires local public bodies to designate annually a posting place for notice of meetings; and

WHEREAS, local public bodies are encouraged under CRS Section 24-6-402 (2)(c)(II) to transition from the posting of physical meeting notices to posting meeting notices on a website accessible to the public, and

WHEREAS, the Board of Directors of Upper Yampa Water Conservancy District desires to designate posting places for 2022.

NOW THEREFORE, be it resolved by the Board of Directors of Upper Yampa Water Conservancy District that the notice of meetings shall be posted on the District's public website at <https://upperyampawater.com/agendas-and-meeting-documents/>. Notice of meetings may also be physically posted at the Offices of the Upper Yampa Water Conservancy District, 2220 Curve Plaza, Steamboat Springs, Colorado 80487, except that nothing in this section shall be construed to require such other posting. If exigent or emergency circumstances such as a power outage or an interruption in internet service prevents the public from accessing the notice online a notice of the meeting shall be physically posted at such District offices.

Read, adopted and approved this 19th day of January 2022.

UPPER YAMPA WATER CONSERVANCY DISTRICT
President

ATTEST: _____





BOARD COMMUNICATION FORM

From: Emily Lowell, District Engineer

Date: 1/10/2022

Item: Reservoir Water Status

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I. Request/Issue and Background Information:

Water storage data for Yamcolo Reservoir and Stagecoach Reservoir are included as reference materials for a summary discussion of the 2021/2022 water year to date.

II. Summary:

Yamcolo Reservoir Status as of 1/10/2022- Filling

Current Storage Volume: 3,655 AF

Volume Stored since January 2022: 345 AF

Volume Stored since December 2021: 562 AF

Current Outflow: 10 cfs

Stagecoach Reservoir Status as of 1/10/2022 – Holding Steading

Current Storage Volume: 27,453 AF

Volume Stored since January 2022: 94 AF

Volume Stored since December 2021: 116 AF

Current Inflow: ~30 cfs

Current Outflow: 30 cfs



III. Staff Recommendation:

N/A

IV. Legal Issues:

N/A

V. Consistency with Board Goals and Policies:

Policy Statement: 2

Attachments:

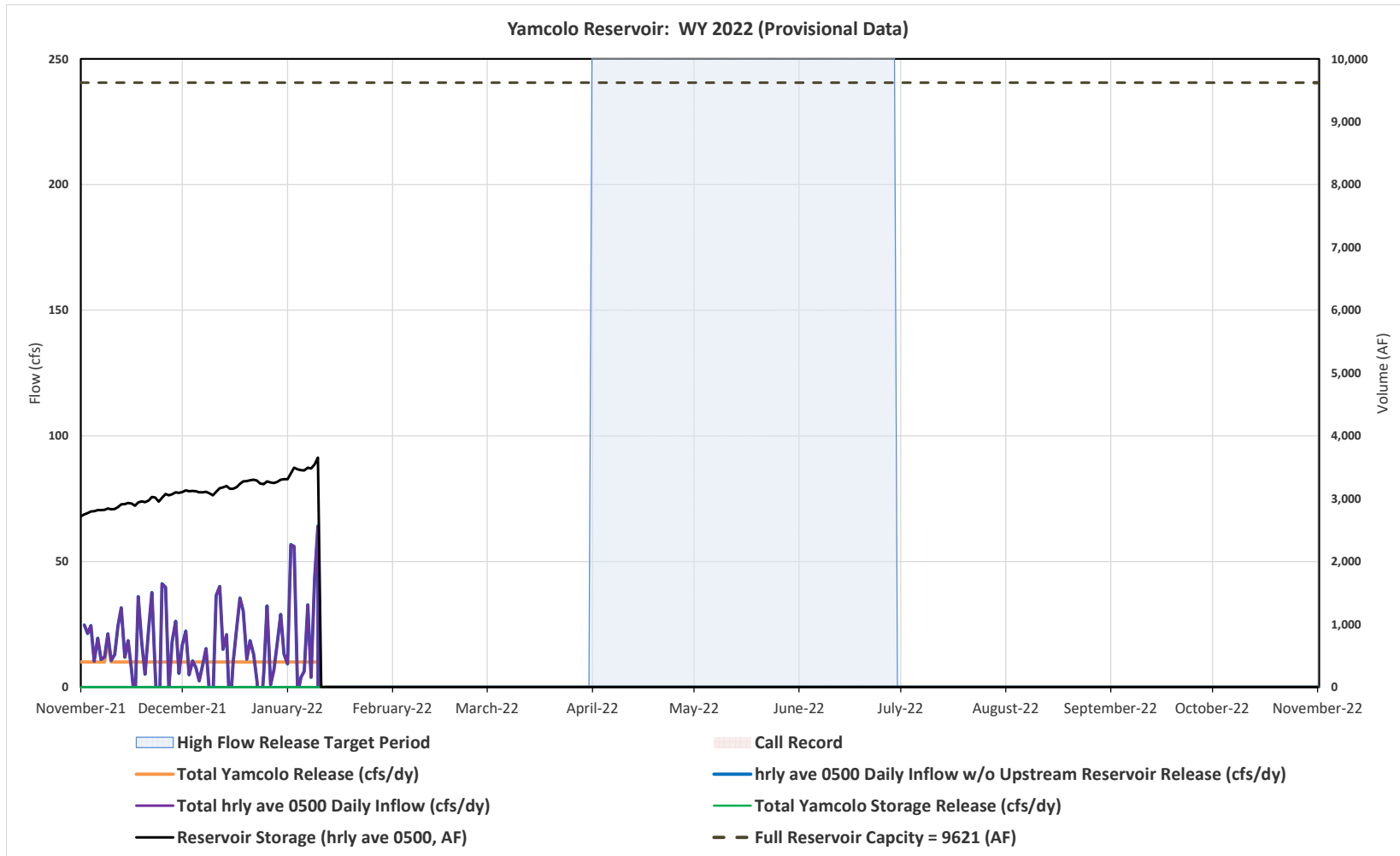
1. Yamcolo Water Storage Data (WY 2022)
2. Stagecoach Water Storage Data (WY 2021)
3. Colorado Water Supply Outlook
4. Colorado SWE Update Map
5. Colorado Snotel WY to Date Precipitation Map
6. DNR Drought Update
7. Yampa SWE Hydrograph
8. Yampa SWE Projection

Yamcolo Reservoir Operations
Total Monthly Volume (AF)

Water Year 2022

INFLOW	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Total
Physical	966	832	543										2,341
Storable	490	340	385										1,215
Stored	375	217	345										937

OUTFLOW	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Total
Operator	611	615	139										1,364
Spill													0
Gage	611	615	139										1,364



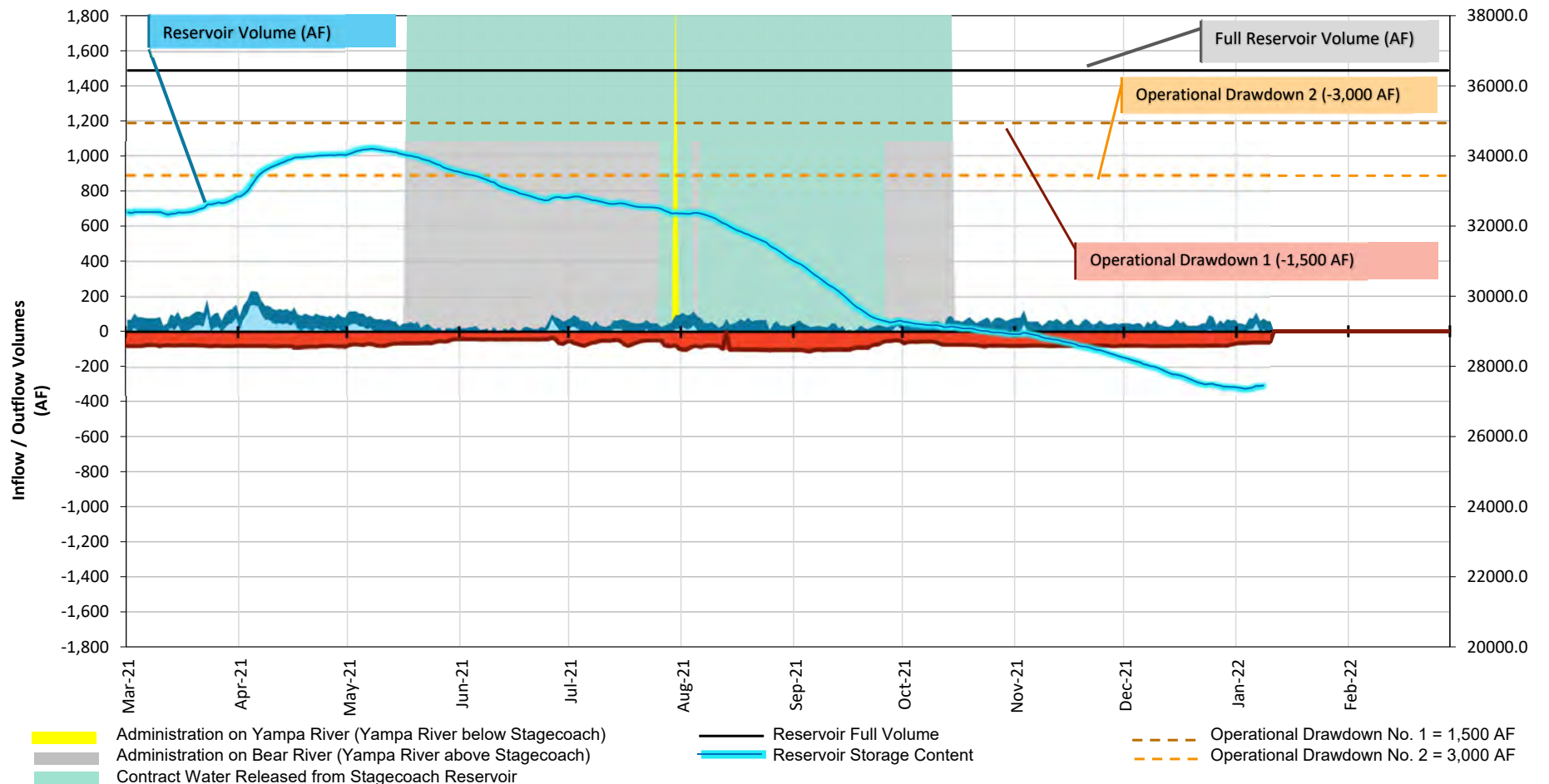
Stagecoach Reservoir Operations

Total Monthly Volume (AF)

Accounting Year 2021

INFLOW	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Total
Physical	2,939	3,778	1,770	887	1,778	1,868	1,062	1,891	1,757	1,595	657		19,980
Storable	631	1,399	230	145	189	109	69	52	48	22	94		2,988
Stored	612	1,326	230	145	189	109	69	52	46	22	94		2,893

OUTFLOW	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Total
Operator	-2,445	-2,460	-2,016	-1,304	-1,914	-2,955	-2,614	-2,176	-2,389	-2,450	-614		-23,337
Spill	0	0	0	0	0	0	0	0	0	0	0		0
Gage	-2,445	-2,460	-2,016	-1,304	-1,914	-2,854	-2,614	-2,176	-2,389	-2,450	-614		-23,237



Colorado

Water Supply Outlook Report

January 1st, 2022



Hydrologist Zack Wilson and Tristan Amaral prepare for a snow survey training on January 10th at Monarch Pass. Storms in December helped push the snowpack to above median levels in the area. Porphyry Creek SNOTEL, near the summit of Monarch Pass, recorded 139 percent of median snow water equivalent (SWE) on January 1st.

Photo By: Heather McIntyre

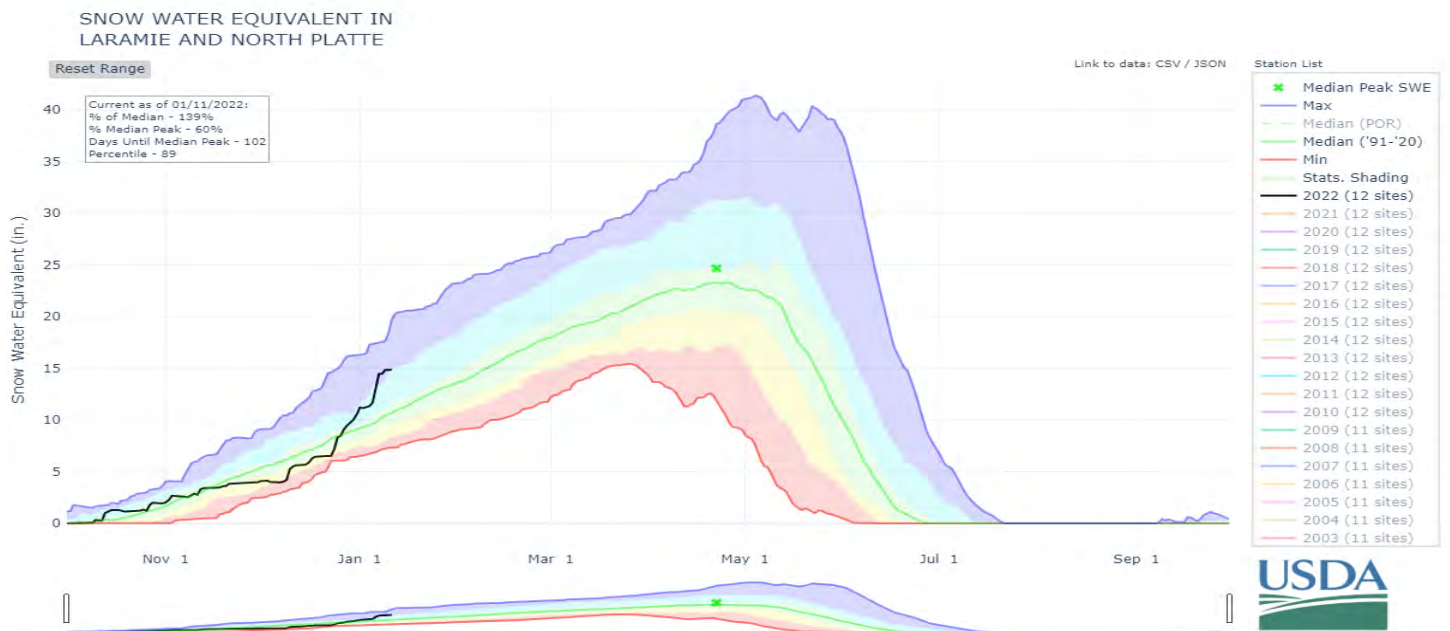
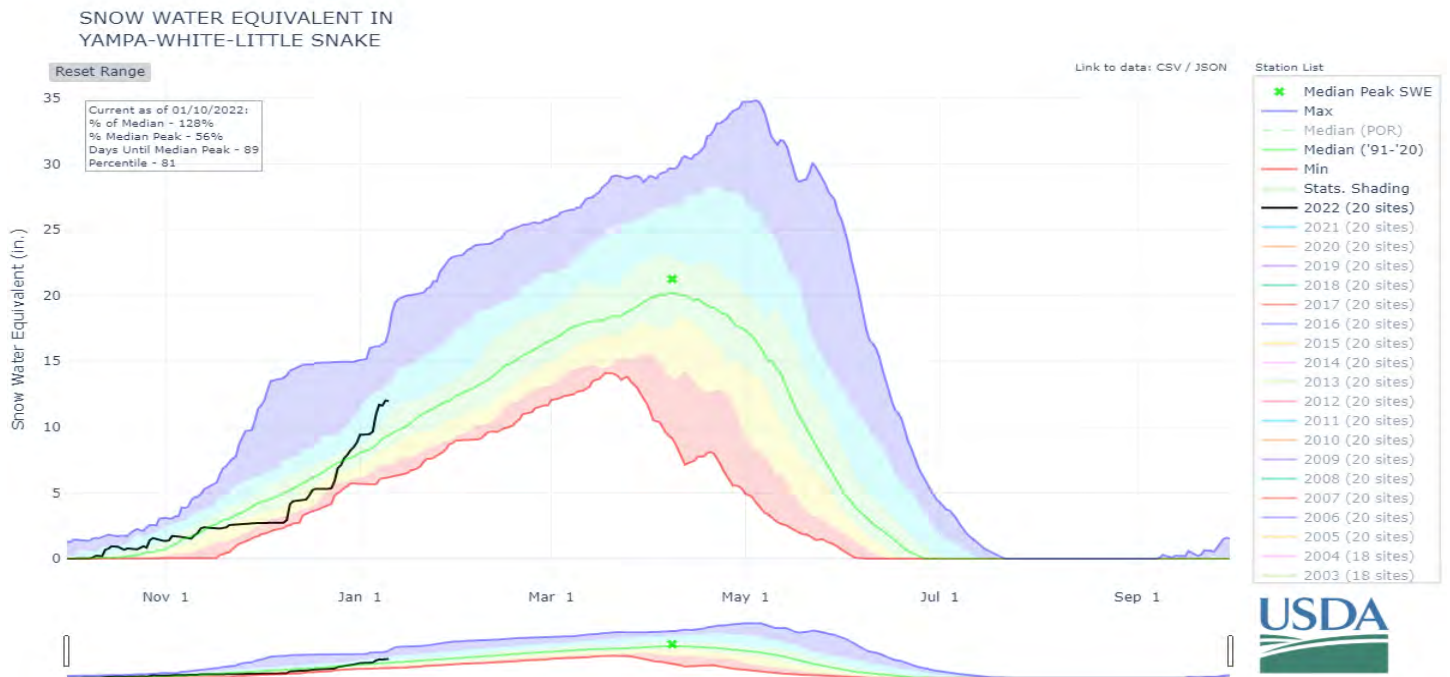
REMINDER: We are soliciting field work photos from the field again this year. Each month we will pick one to grace the cover of this report! Please include information on where, when and of who/what the photo was taken.

YAMPA-WHITE-LITTLE SNAKE AND LARAMIE-NORTH PLATTE RIVER BASINS

January 1st, 2022

Snowpack in the Yampa-White-Little Snake and the Laramie-North Platte River basins were both above normal at 117% and 122% of the median. Precipitation for December was 181% and 190% of median and water year-to-date precipitation is 127% and 125% of median, respectively. Reservoir storage at the end of December for the Yampa-White-Little Snake was 77% of median compared to 97% last year. Current streamflow forecasts range from 110% of median at White River near Meeker to 149% of median at Little Snake River near Lily.

*SWE values calculated using daily SNOTEL data only



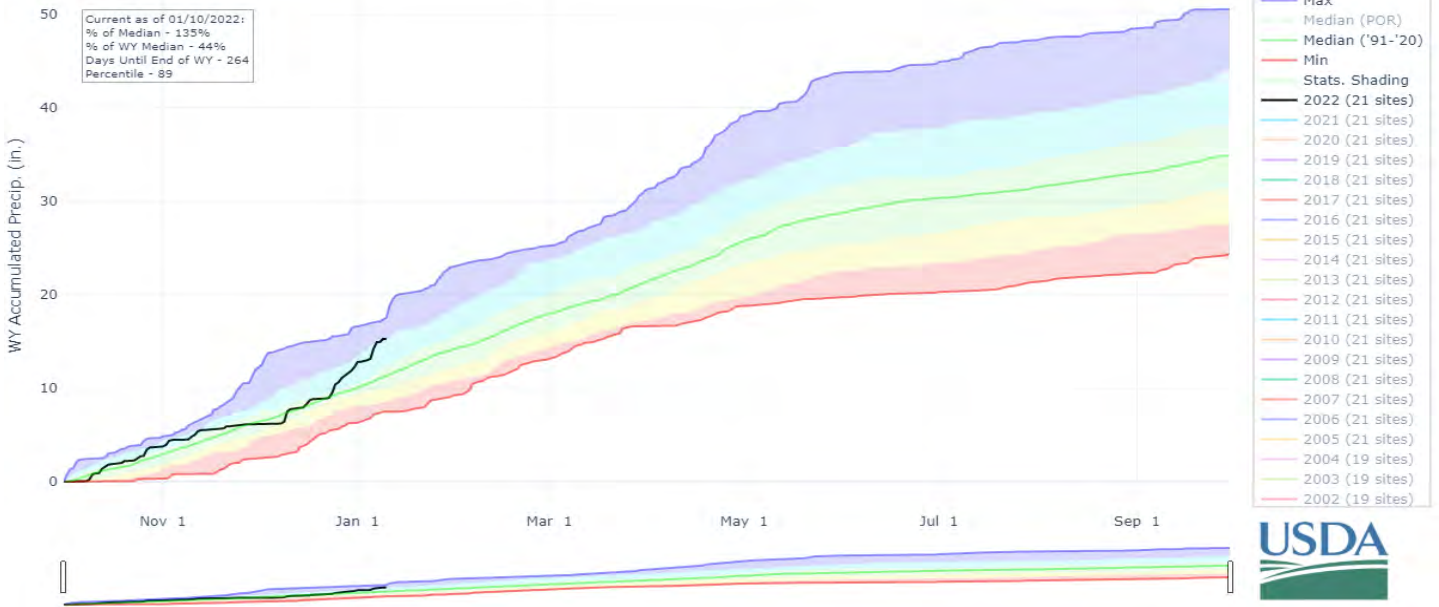
PRECIPITATION IN YAMPA-WHITE-LITTLE SNAKE

Reset Range

Link to data: CSV / JSON

Station List

Current as of 01/10/2022:
% of Median - 135%
% of WY Median - 44%
Days Until End of WY - 264
Percentile - 89



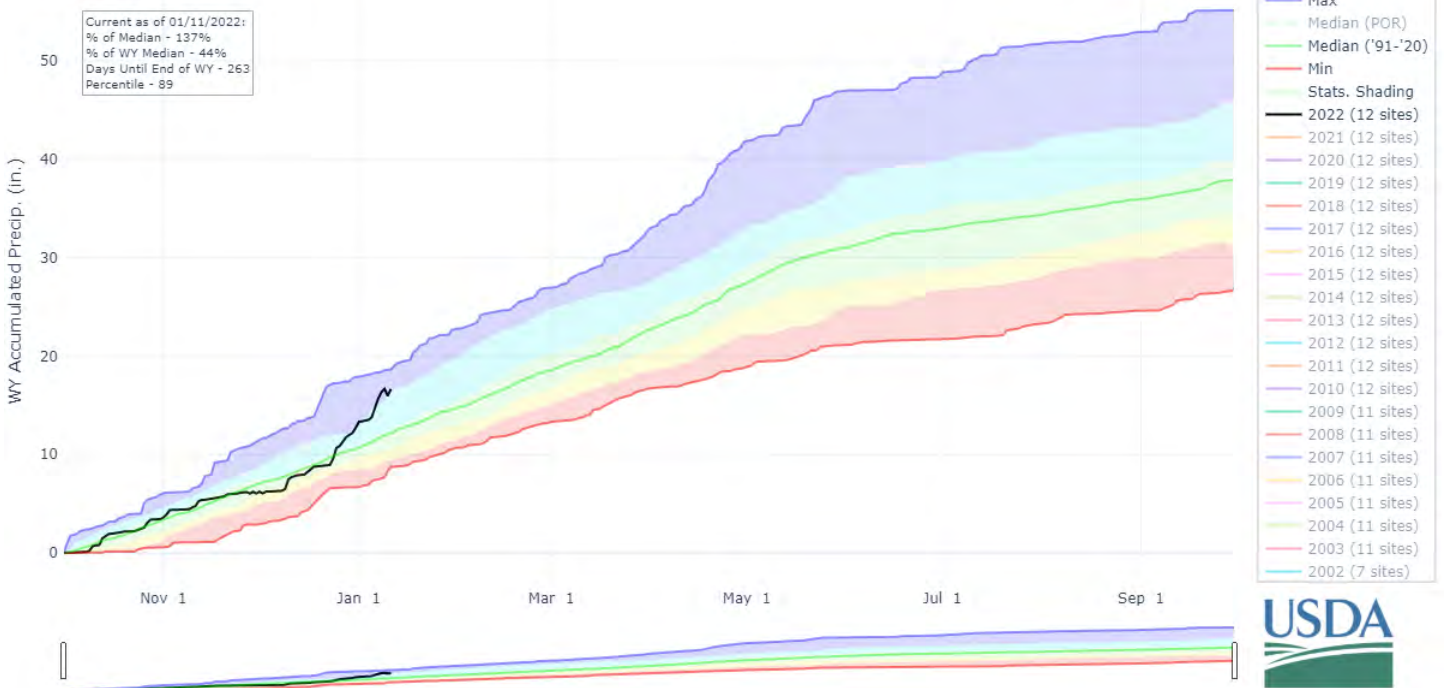
PRECIPITATION IN LARAMIE AND NORTH PLATTE

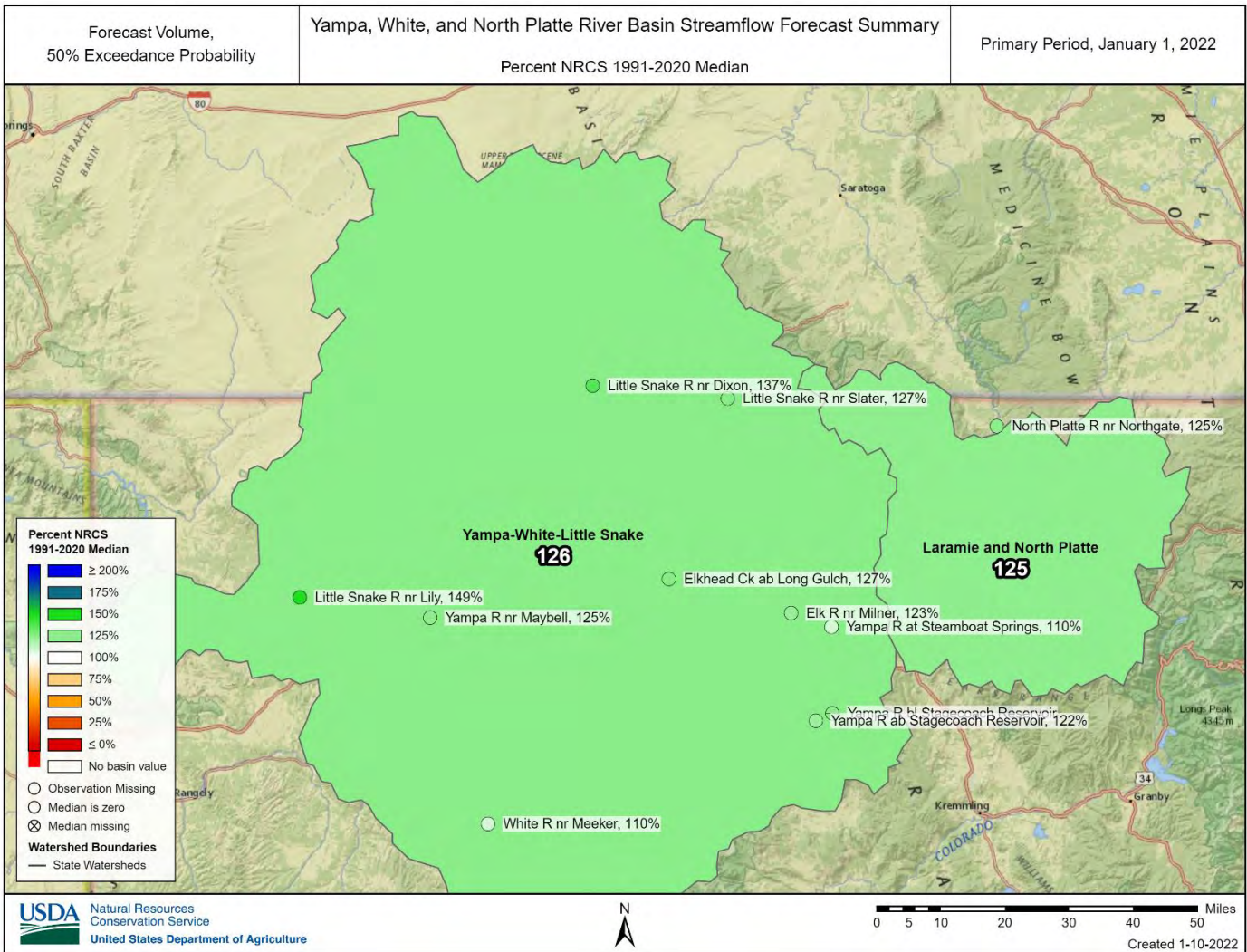
Reset Range

Link to data: CSV / JSON

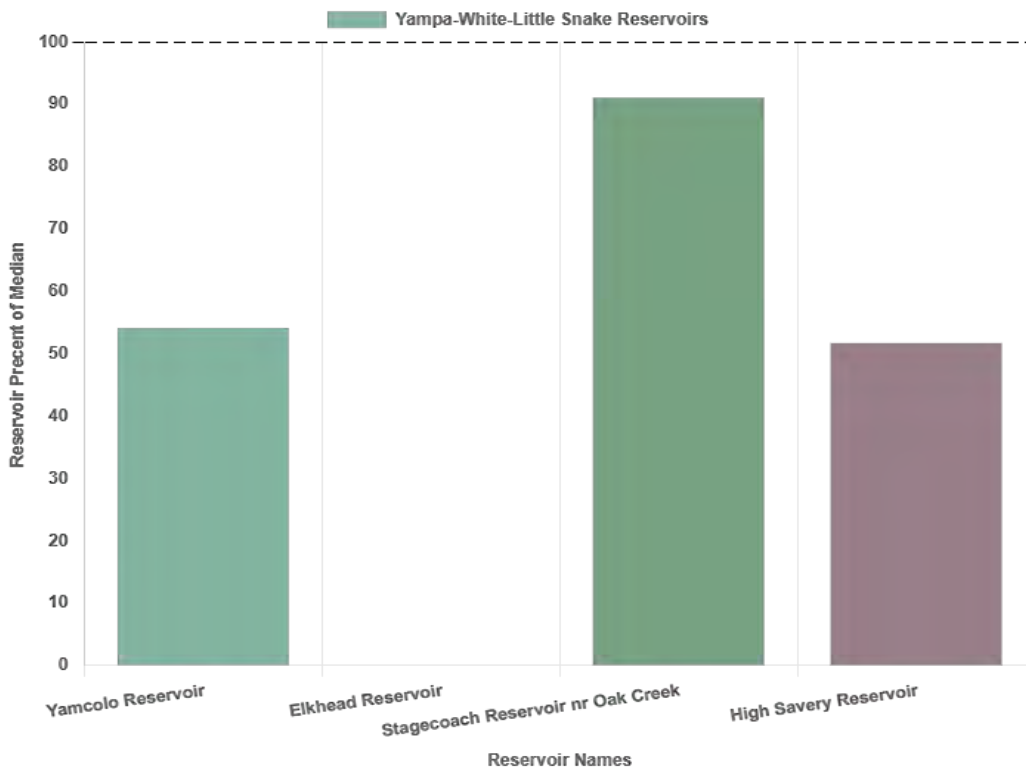
Station List

Current as of 01/11/2022:
% of Median - 137%
% of WY Median - 44%
Days Until End of WY - 263
Percentile - 89





Reservoir Conditions for Yampa-White-Little Snake on January 1st 2022



*No reservoirs are currently monitored in the Laramie-North Platte combined basin.

Watershed Snowpack Analysis January 1st, 2022

Sub-Basin	# of Sites	% Median	Last Year %	
			Median	
Laramie	2	133	85	
North Platte	8	120	77	
Total Laramie & North Platte	10	122	79	
Elk	2	136	73	
Yampa	9	118	71	
White	3	111	76	
Total Yampa & White	11	114	72	
Little Snake	7	129	85	
Basin-Wide Total	25	120	78	

*SWE values calculated using first of month SNOTEL data and snow course measurements

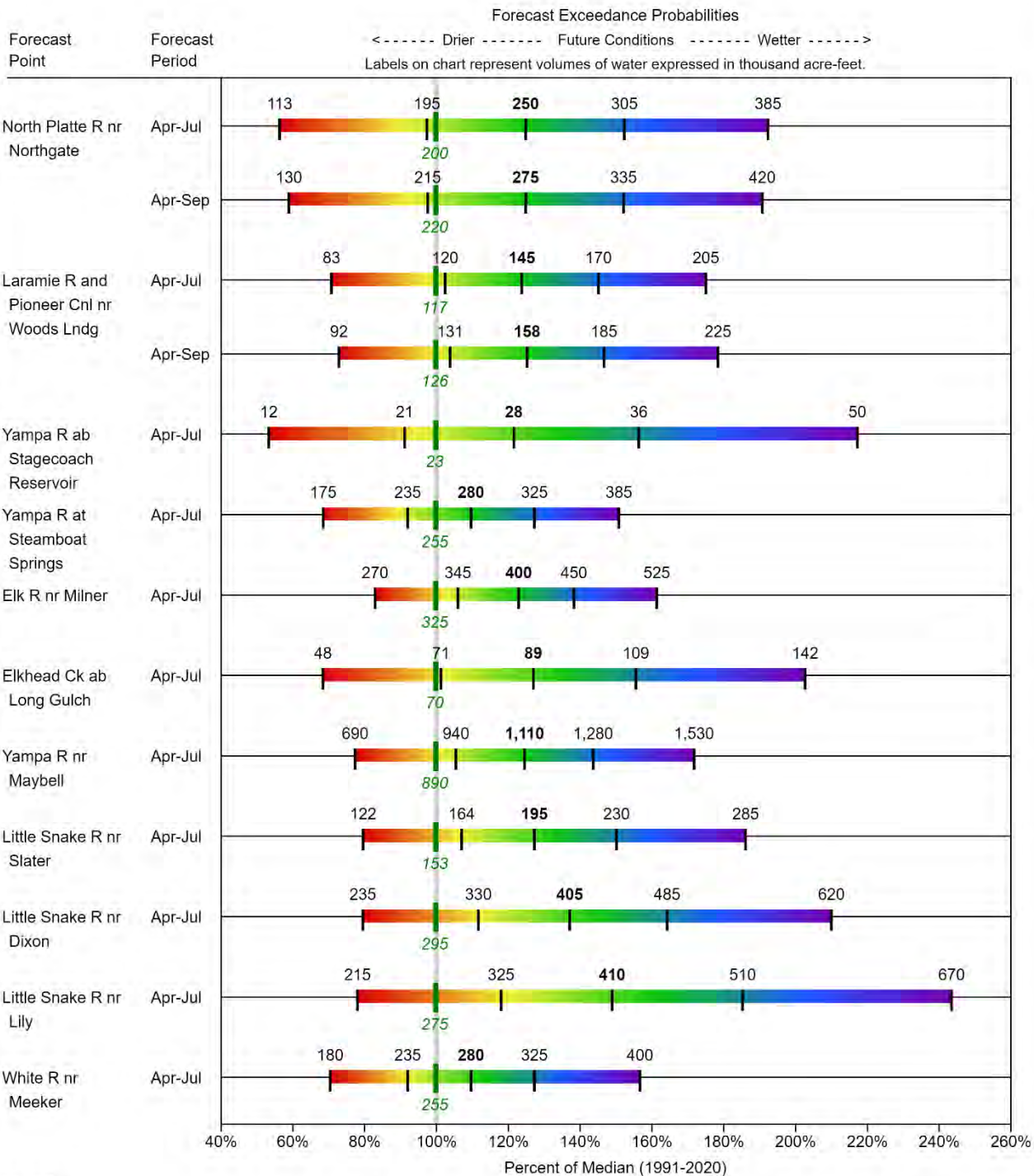
Reservoir Storage End of December 2021

Reservoir	Current (KAF)	Last Year (KAF)	Average (KAF)	Capacity (KAF)
STAGECOACH RESERVOIR NR OAK CREEK	32.5	35.2	29.3	36.5
YAMCOLO RESERVOIR	4.2	7.7	5.3	8.7
BASINWIDE	36.7	42.9	34.6	45.2
Number of Reservoirs	2	2	2	2

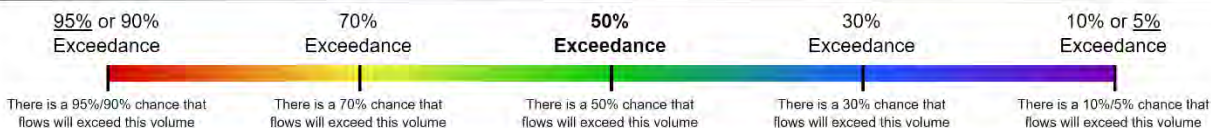
YAMPA-WHITE-NORTH PLATTE RIVER BASINS

Water Supply Forecasts

January 1, 2022



Legend



When selected, the following historic streamflow values and statistics will be shown.

Period of Record Minimum Streamflow KAF (Year)

1991-2020 Normal Streamflow KAF

Observed Streamflow KAF

Period of Record Maximum Streamflow KAF (Year)

Some forecasts may be for volumes that are regulated or influenced by diversions and water management.

How to Read Snowpack Graphs

The graphs show snow water equivalent (SWE) (in inches), using daily SNOTEL data. for the October 1 through September 30 water year. Basin “observed” SWE values are computed using SNOTEL sites which are characteristic of the snowpack of the particular basin.

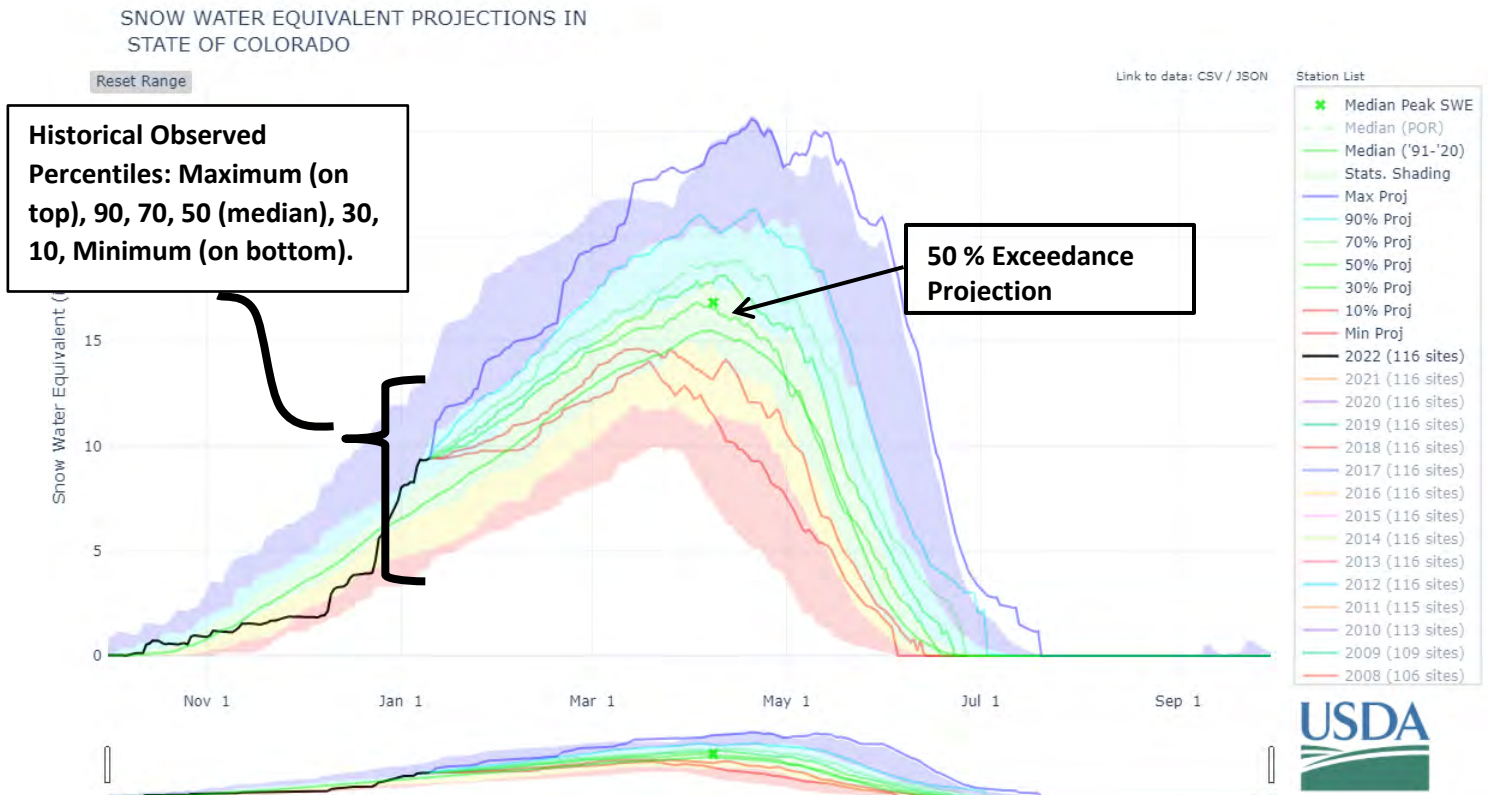
Current water year is represented by the heavy red line terminating on the last day the graphic was updated.

Historical observed percentile range is shown as a gray background area on the graph. Shades of gray indicate maximum, 90 percentile, 70 percentile, 50 percentile (solid black line), 30 percentile, 10 percentile, and minimum for the period of record.

50 % Exceedance Projection: The most probabilistic snowpack projection, based on the median snowpack is projected forward from the end of the current period to the end of the current water year.

For more detailed information on these graphs visit:

http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs144p2_062291.pdf



How Forecasts Are Made

For more water supply and resource management information, contact:

Brian Domonkos

Snow Survey Supervisor

USDA, Natural Resources Conservation Service

Denver Federal Center, Bldg 56, Rm 2604

PO Box 25426

Denver, CO 80225-0426

Phone (720) 544-2852

Website: <http://www.nrcs.usda.gov/wps/portal/nrcs/main/co/snow/>

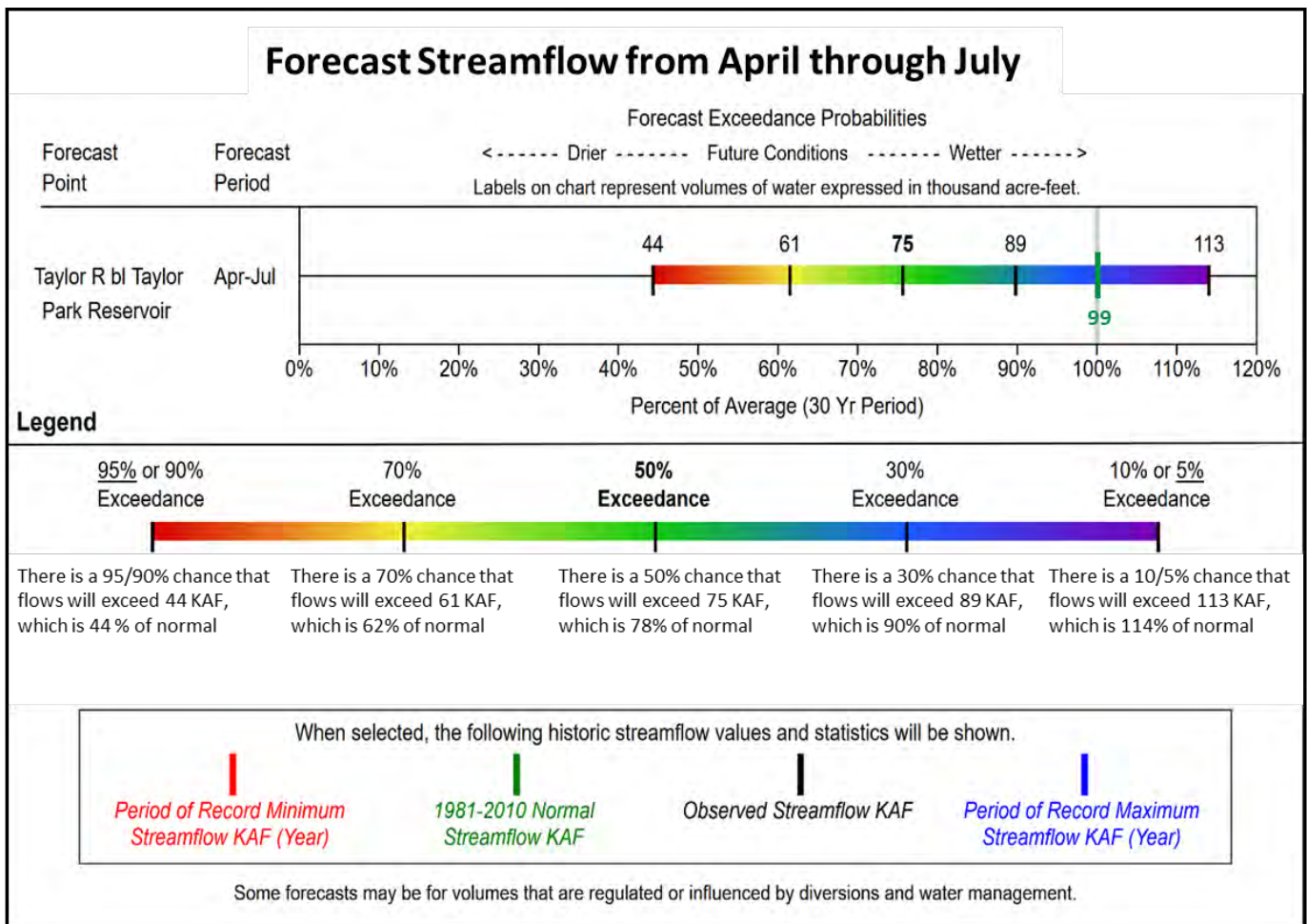
Most of the annual streamflow in the western United States originates as snowfall that has accumulated in the mountains during the winter and early spring. As the snowpack accumulates, hydrologists estimate the runoff that will occur when it melts. Measurements of snow water equivalent at selected manual snow courses and automated SNOTEL sites, along with precipitation, antecedent streamflow, and indices of the El Niño / Southern Oscillation are used in computerized statistical and simulation models to prepare runoff forecasts. Unless otherwise specified, all forecasts are for flows that would occur naturally without any upstream influences.

Forecasts of any kind, of course, are not perfect. Streamflow forecast uncertainty arises from three primary sources: (1) uncertain knowledge of future weather conditions, (2) uncertainty in the forecasting procedure, and (3) errors in the data. The forecast, therefore, must be interpreted not as a single value but rather as a range of values with specific probabilities of occurrence. The middle of the range is expressed by the 50% exceedance probability forecast, for which there is a 50% chance that the actual flow will be above, and a 50% chance that the actual flow will be below, this value. To describe the expected range around this 50% value, four other forecasts are provided, two smaller values (90% and 70% exceedance probability) and two larger values (30%, and 10% exceedance probability). For example, there is a 90% chance that the actual flow will be more than the 90% exceedance probability forecast. The others can be interpreted similarly.

The wider the spread among these values, the more uncertain the forecast. As the season progresses, forecasts become more accurate, primarily because a greater portion of the future weather conditions become known; this is reflected by a narrowing of the range around the 50% exceedance probability forecast. Users should take this uncertainty into consideration when making operational decisions by selecting forecasts corresponding to the level of risk they are willing to assume about the amount of water to be expected. If users anticipate receiving a lesser supply of water, or if they wish to increase their chances of having an adequate supply of water for their operations, they may want to base their decisions on the 90% or 70% exceedance probability forecasts, or something in between. On the other hand, if users are concerned about receiving too much water (for example, threat of flooding), they may want to base their decisions on the 30% or 10% exceedance probability forecasts, or something in between. Regardless of the forecast value users choose for operations, they should be prepared to deal with either more or less water. (Users should remember that even if the 90% exceedance probability forecast is used, there is still a 10% chance of receiving less than this amount.) By using the exceedance probability information, users can easily determine the chances of receiving more or less water.

Interpreting the Forecast Graphics

These graphics provide a new way to visualize the range of streamflows represented by the forecast exceedance probabilities for each forecast period. The colors in the bar for each forecast point indicate the exceedance probability of the forecasts and the vertical lines on the bar signify the five published forecast exceedance probabilities. The numbers displayed above the color scale represent the actual forecasted streamflow volume (in KAF) for the given exceedance probability. The horizontal axis provides the percent of median represented by each forecast and the gray line centered above 100% represents the 1981-2010 historical median streamflow. The position of the gray line relative to the color scale provides a benchmark for considering future streamflows. If the majority of the forecast range is to the right of the gray line, there is a higher likelihood of above median streamflow volumes during the provided forecast period. Conversely, if the majority of the color bar is to the left of the median mark, below median volumes are more likely. The horizontal span of the forecasts offers an indication of the uncertainty in a given forecast: when the bar spans a large horizontal range, the forecast skill is low and uncertainty is high; when the bar is narrow in width, the forecast skill is higher and uncertainty lower.





Denver Federal Center, Bldg 56, Rm 2604
PO Box 25426
Denver, CO 80225-0426

In addition to the water supply outlook reports, water supply forecast information for the Western United States is available from the Natural Resources Conservation Service and the National Weather Service monthly, February through June. The information may be obtained from the Natural Resources Conservation Service web page at <http://www.wcc.nrcs.usda.gov/wsf/westwide.html>

Issued by

Matthew J. Lohr
Chief, Natural Resources Conservation Service
Farm Production and Conservation Mission Area
U.S. Department of Agriculture

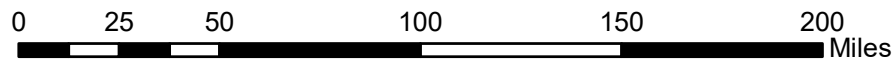
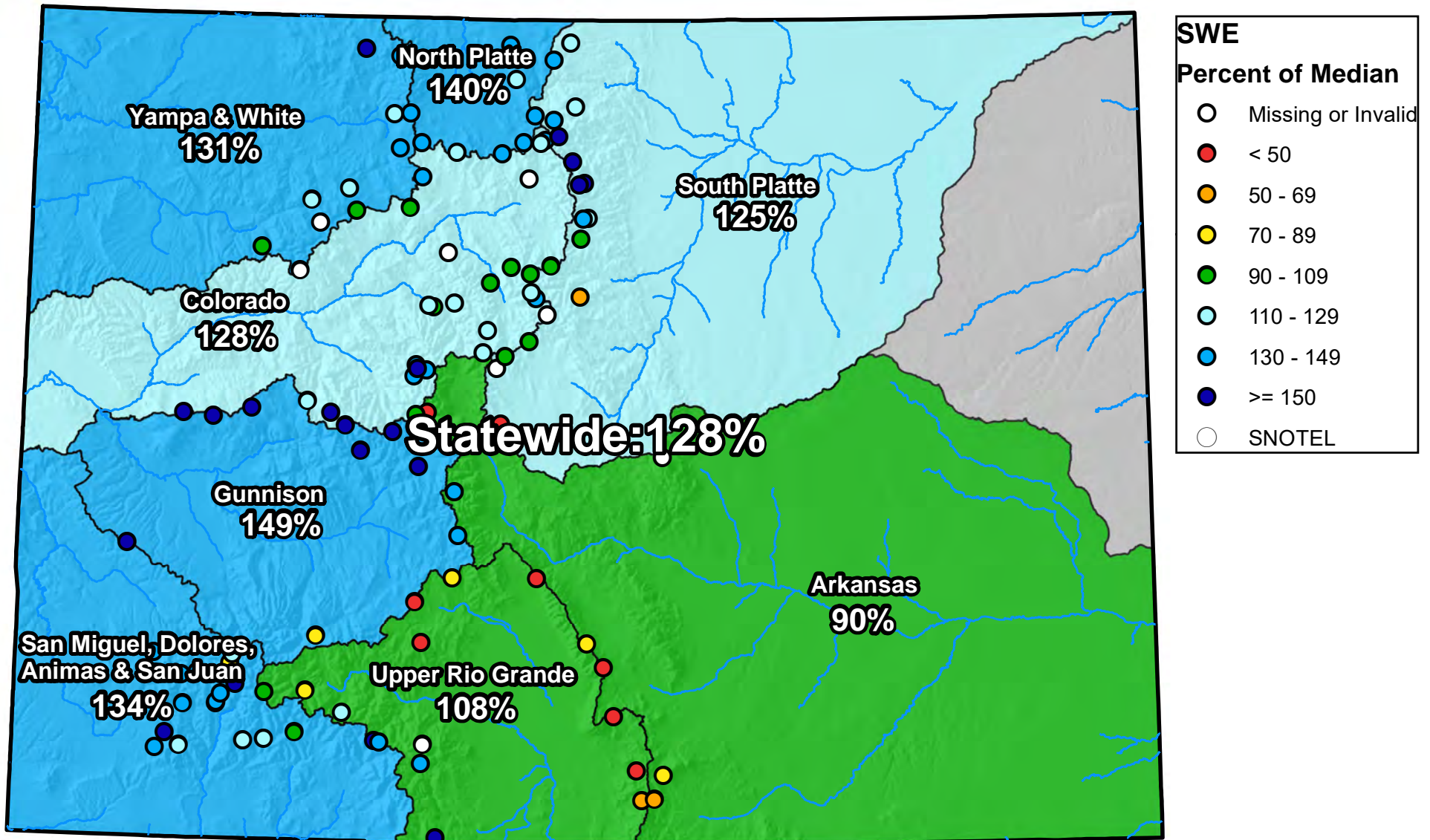
Released by

Clint Evans
State Conservationist
Natural Resources Conservation Service
Lakewood, Colorado

Colorado
Water Supply Outlook Report
Natural Resources Conservation Service
Lakewood, CO

Colorado SNOTEL Snow Water Equivalent (SWE) Update Map with Site Data

Current as of Jan 10, 2022

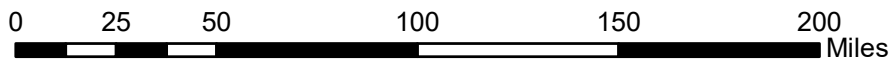
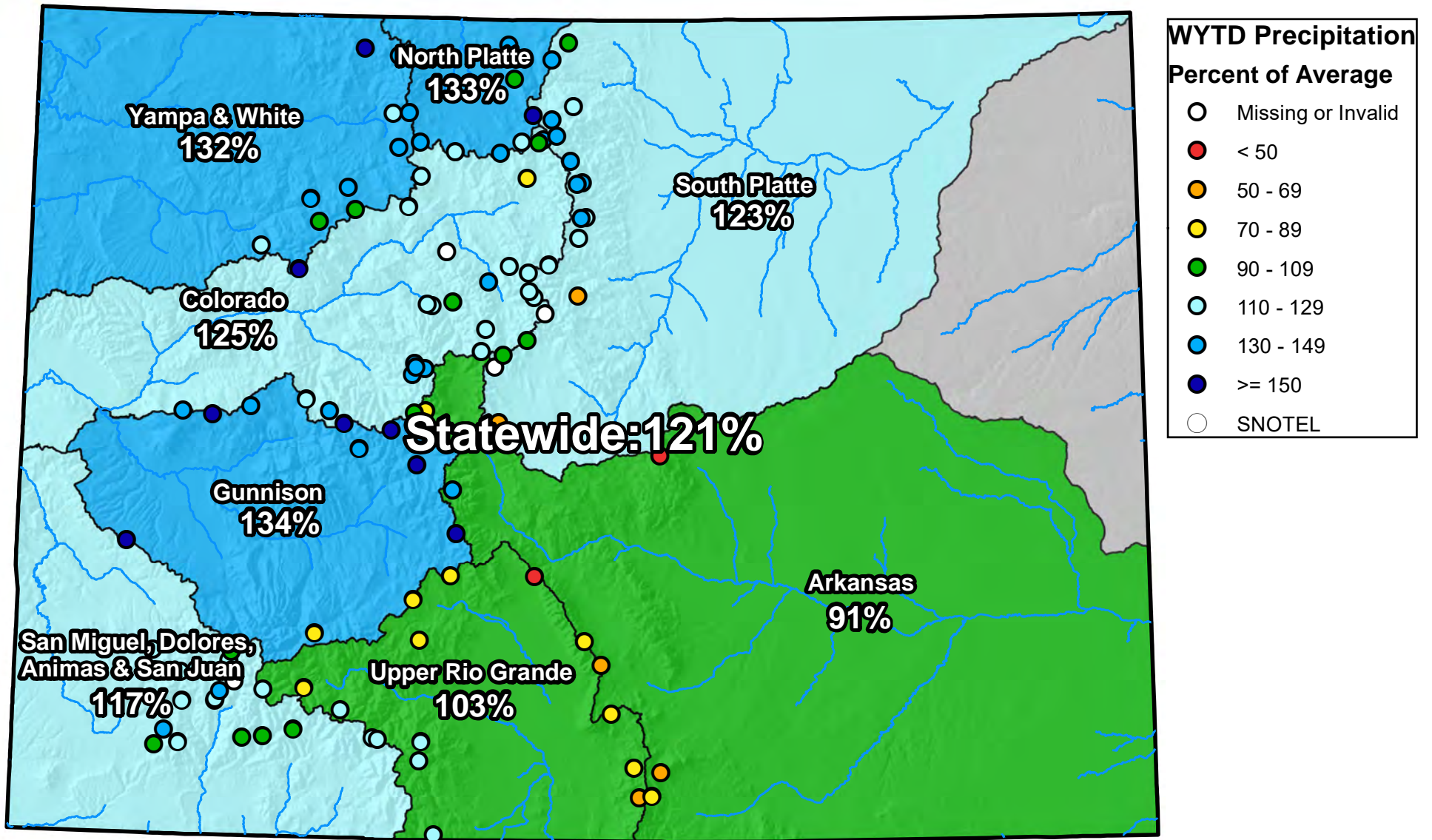


United States Department of Agriculture

Natural Resources Conservation Service

Colorado SNOTEL Water Year to Date Precipitation

Current as of Jan 10, 2022



United States Department of Agriculture

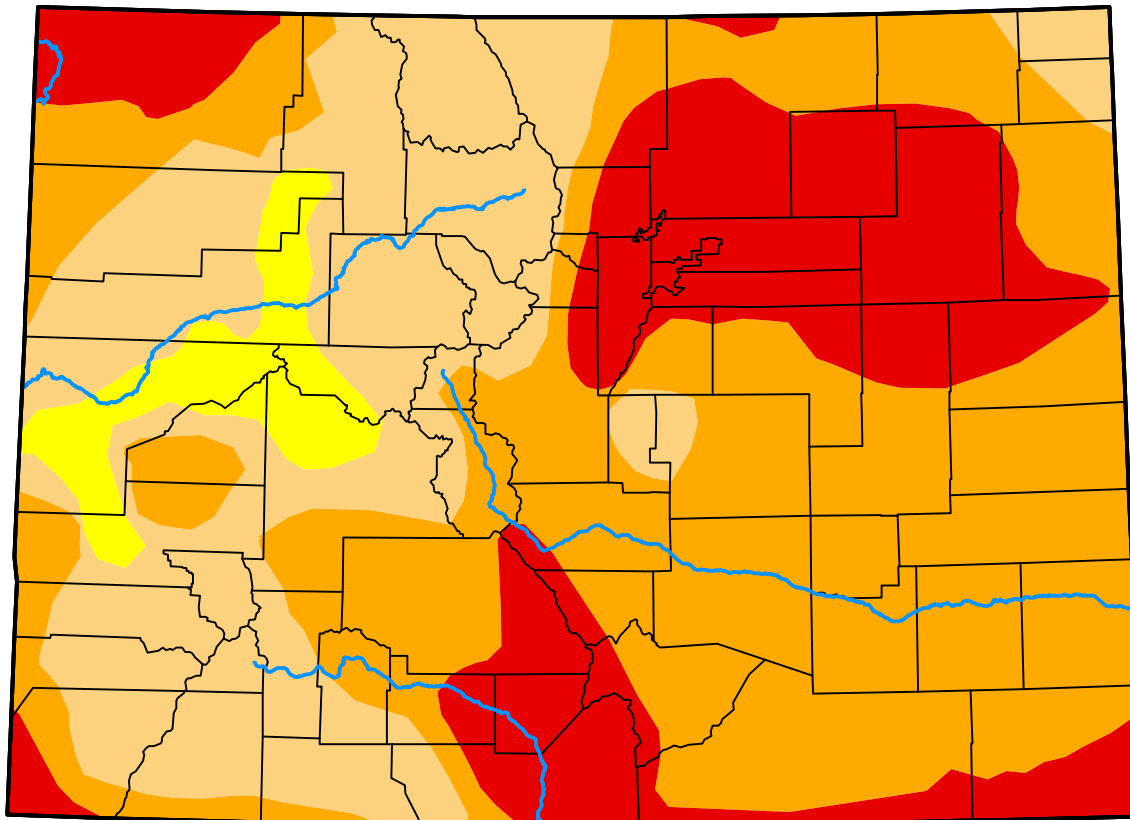
Natural Resources Conservation Service

U.S. Drought Monitor Colorado

January 4, 2022
(Released Thursday, Jan. 6, 2022)
Valid 7 a.m. EST

Drought Conditions (Percent Area)

	None	D0-D4	D1-D4	D2-D4	D3-D4	D4
Current	0.00	100.00	95.49	67.08	22.25	0.00
Last Week <i>12-28-2021</i>	0.00	100.00	100.00	67.27	22.21	0.00
3 Months Ago <i>10-05-2021</i>	10.34	89.66	54.10	26.59	12.97	1.95
Start of Calendar Year <i>01-04-2022</i>	0.00	100.00	95.49	67.08	22.25	0.00
Start of Water Year <i>09-28-2021</i>	12.72	87.28	46.42	26.30	15.05	3.91
One Year Ago <i>01-05-2021</i>	0.00	100.00	100.00	93.73	76.17	27.60



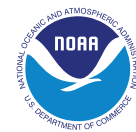
Intensity:

- None
- D0 Abnormally Dry
- D1 Moderate Drought
- D2 Severe Drought
- D3 Extreme Drought
- D4 Exceptional Drought

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/About.aspx>

Author:

Richard Tinker
CPC/NOAA/NWS/NCEP



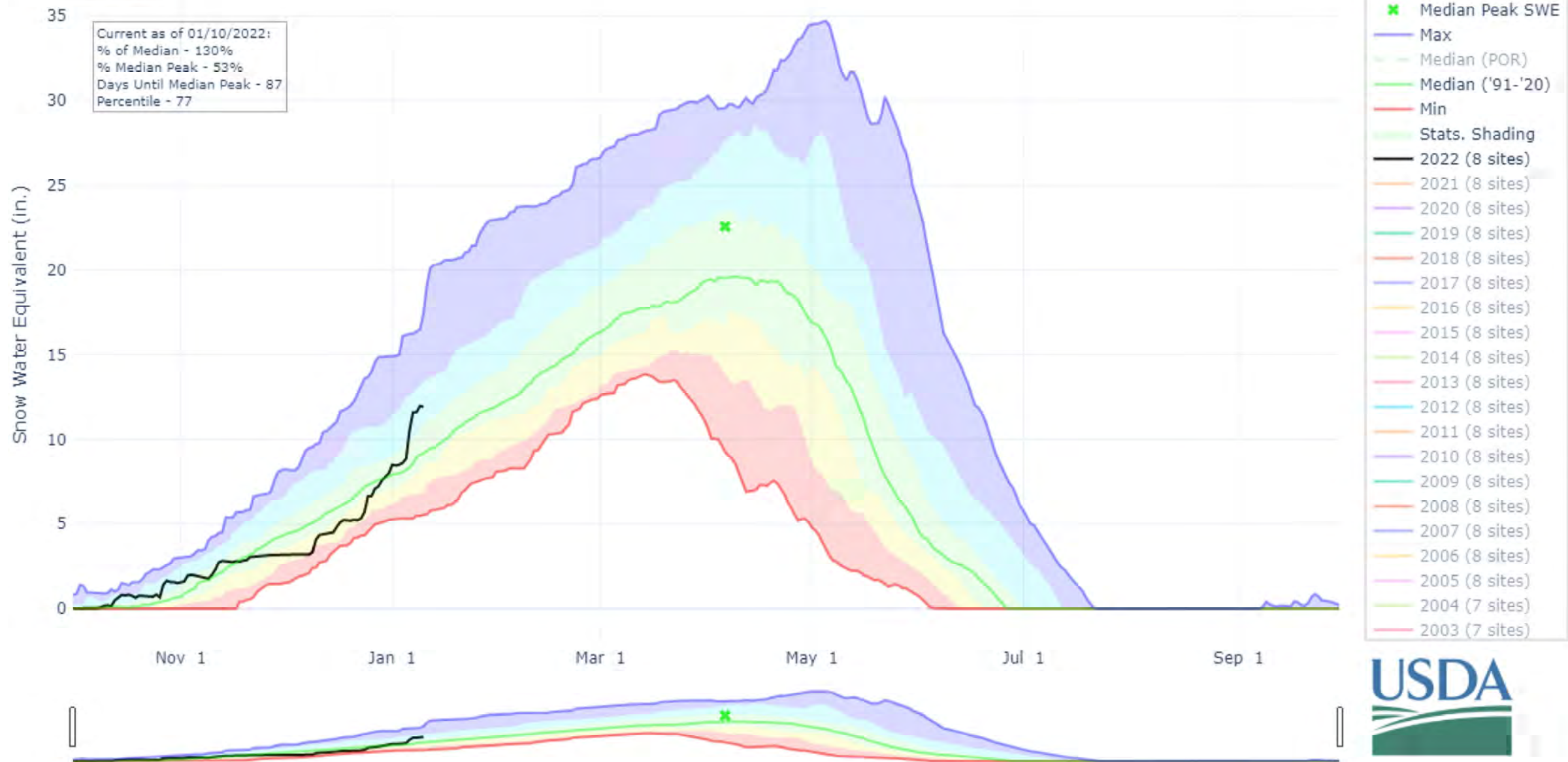
droughtmonitor.unl.edu

SNOW WATER EQUIVALENT IN YAMPA

Reset Range

[Link to data: CSV / JSON](#)

Station List

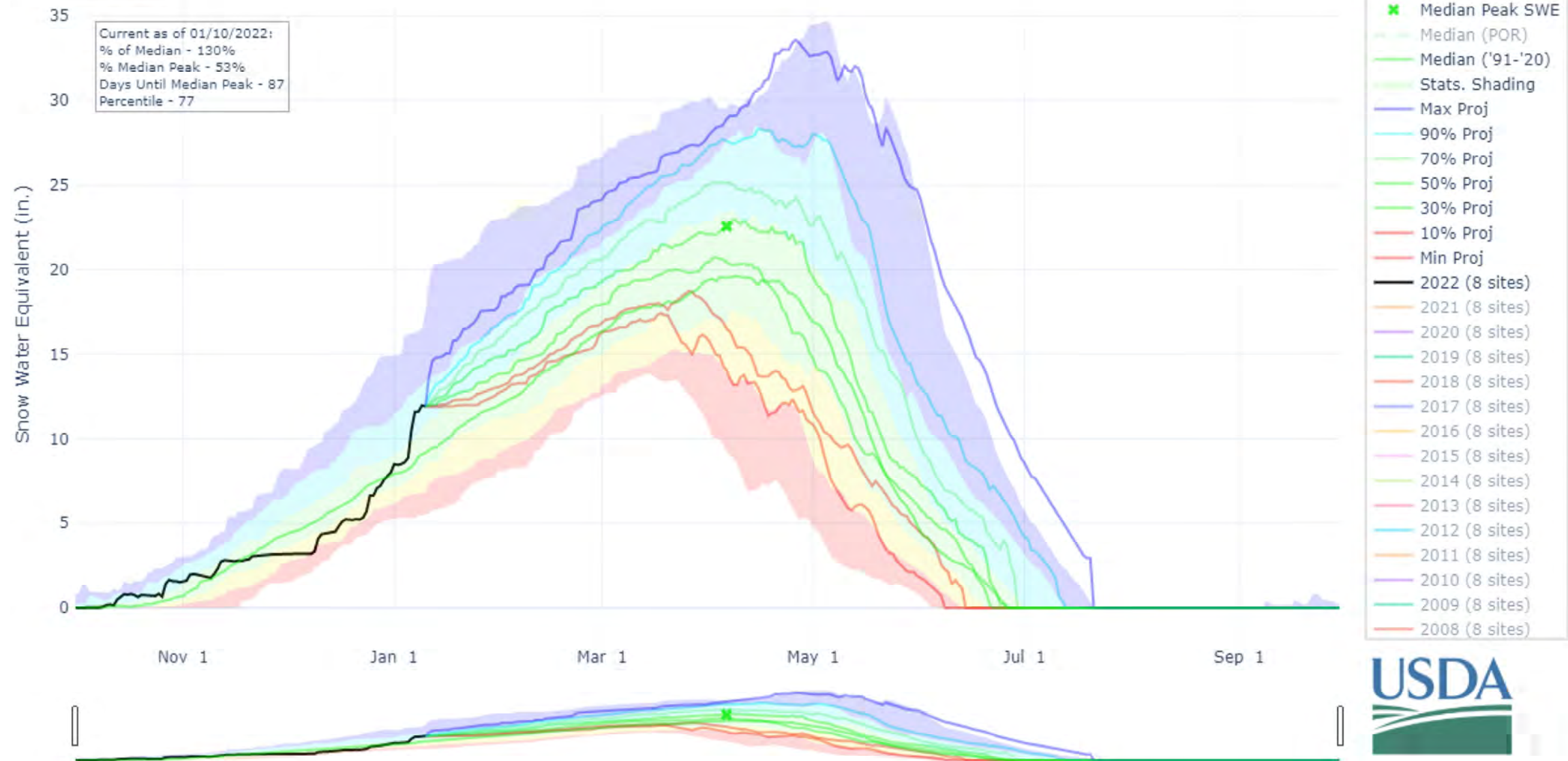


SNOW WATER EQUIVALENT PROJECTIONS IN YAMPA

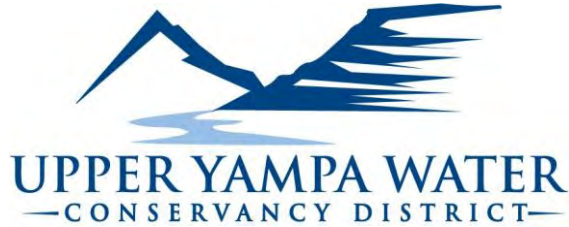
Reset Range

[Link to data: CSV / JSON](#)

Station List







BOARD COMMUNICATION FORM

From: Holly Kirkpatrick

Date: 1/10/2022

Item: UYWCD Grant Disbursements

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I. Request/Issue and Background Information:

The attached Diversion Infrastructure Improvement Project Grant Report and Community Grant Funding Report will be included in each board packet to provide a full background of all grant disbursements. The Diversion Infrastructure Improvement Project Report tracks all disbursements throughout the life of the project. The Community Grant Funding Report tracks disbursements on an annual basis.

II. Summary and Alternatives:

To date, there is \$148,399.10 remaining of the allocated \$200,000 for the Diversion Infrastructure Improvement Project.

The Community Grant Funding Program issued over \$50,000 in grant funds in 2021 and closed out the year with \$0 remaining in the 2021 budget.

Please see the attached reports for disbursement details.

III. Staff Recommendation: n/a

IV. Legal Issues: n/a

V. Consistency with Board Goals and Policies:

Goal 4, 7, and 8.

Attachments:

Attachment 1: Diversion Infrastructure Improvement Project Grant Report
Attachment 2: Community Grant Funding Report

Diversion Infrastructure Improvement Project Grant Funding

Structure Name	Applicant	Disbursement Date	UYWCD Funding	WSRF Funding	Total Project Cost
Boor #3	John Redmond	9/15/2020	\$ 968.86	\$ -	\$ 1,937.72
Boor #4	John Redmond	9/15/2020	\$ 968.86	\$ -	\$ 1,937.72
Beaver Creek Parshall Flume	John Redmond	9/15/2020	\$ 446.86	\$ -	\$ 893.72
Creek Ranch Headquarters Pond	Creek Ranch Owners Association	11/4/2020	\$ 459.20	\$ 459.19	\$ 1,836.77
Dry Creek Ditch	Kathleen Barnes	11/4/2020	\$ 2,288.49	\$ 2,288.49	\$ 9,153.97
Kemmer Ditch	Riverbank Ranches LLC	11/4/2020	\$ 1,233.00	\$ 1,233.00	\$ 4,932.00
Lucas Ditch #1	Rick Milway	11/23/2020	\$ 724.40	\$ -	\$ 1,448.80
Lucas Ditch #2	Rick Milway	11/23/2020	\$ 550.75	\$ -	\$ 1,101.50
Welch & Monson Ditch	Catamount Metropolitan District	3/8/2021	\$ 803.01	\$ 803.00	\$ 3,212.03
Martin Springs Diversion	Deborah Martin	3/8/2021	\$ 1,086.77	\$ 1,086.77	\$ 4,347.07
Duquette Ditch	Duckels Construction, Inc	3/8/2021	\$ 2,131.26	\$ 2,131.25	\$ 8,525.02
Brinker Creek Ditch	Finger Rock Preserve, LLC	3/8/2021	\$ 1,079.75	\$ 1,079.75	\$ 2,504.50
Hamill Ditch	Jake Hamill	3/8/2021	\$ 932.70	\$ -	\$ 1,865.40
Utley Ditch	Jake Hamill	3/8/2021	\$ 584.75	\$ 584.75	\$ 2,339.00
Grouse Creek Ditch	Joe Roberts	3/8/2021	\$ 1,431.61	\$ 1,431.61	\$ 5,726.43
Morrison Creek Ditch #2	Margaret E. Hagenbuch Trust	3/8/2021	\$ 1,128.61	\$ 1,128.61	\$ 4,514.44
Larsen Ditch	Mark Foster	3/8/2021	\$ 1,442.78	\$ 1,442.78	\$ 5,771.12
Sage Creek Diversion	The Nature Conservancy	3/8/2021	\$ 1,498.44	\$ 1,498.44	\$ 5,993.75
Baxter Ditch	Baxter Ditch Association	6/29/2021	\$ 2,500.00	\$ 2,500.00	\$ 11,527.67
Dequine Ditch	Lou Dequine	9/8/2021	\$ 895.32	\$ 895.32	\$ 3,581.28
Dequine Ditch Alternate Point #1	Lou Dequine	9/8/2021	\$ 416.44	\$ 416.43	\$ 1,665.73
Yampa Pump#2	Julie Green	9/8/2021	\$ 246.96	\$ 246.96	\$ 987.83
Middle Creek Ditch	Middle Creek Ranch, LLLP	9/8/2021	\$ 1,652.38	\$ -	\$ 3,304.76
Steamboat Lake Golf Course Pond/Feeder Ditch	The Preserves at Pearl Lake Homeowners Association	9/8/2021	\$ 2,500.00	\$ 2,500.00	\$ 18,338.08
Elgin Creek Ditch	Hy Cattle Corporation	10/28/2021	\$ 951.68	\$ 951.67	\$ 3,806.70
Total Work Completed:					\$ 111,253.01
TOTAL DISBURSED:			\$ 28,922.88	\$ 22,678.02	\$ 51,600.90
DIIP FUNDS REMAINING:			\$ 71,077.12	\$ 77,321.98	\$ 148,399.10

2021 Community Grant Funding

Project	Applicant	Date Approved	Amount Approved
Yampatika Water Education Program	Yampatika	11/20/2019	\$5,000
Stagecoach Reservoir Mixing Zone Study	Morrison Creek Water & Sanitation District	1/20/2021	\$15,828.21
Yampa River/Walton Creek Confluence Restoration Project	Yampa Valley Sustainability Council	5/19/2021	\$5,000
Intergrated Water Management Plan (IWMP)	Colorado River District (Fiscal Agent)	11/14/2018	\$10,000
Upper Yampa Watershed Water Quality Project	Upper Yampa Watershed Group	12/16/2021	\$15,000
TOTAL APPROVED:			\$50,828.21



BOARD COMMUNICATION FORM

From: Holly Kirkpatrick

Date: 1/11/2022

Item: Community Grant Funding Project Guidelines

x _____ DIRECTION
_____ INFORMATION
_____ MOTION
_____ RESOLUTION

I. Request/Issue and Background Information:

In 2021, UYWCD issued over \$50,000 in grant funds for projects that fell outside of the Diversion Infrastructure Improvement Project (DIIP), which include the installation of measuring devices and headgates. This is the first year that UYWCD has distributed the full amount of grant funds allocated for these types of projects in our annual budget. The board and staff have acknowledged the need to establish a formal application process including criteria and guidelines for eligibility. At the request of the board, I have prepared the attached Community Grant Funding Project Guidelines to help formalize the grant application and approval process for projects outside of the DIIP.

II. Summary and Alternatives:

In the attached Community Grant Funding Guidelines, I have outlined proposed eligibility requirements, project categories, application processes, reporting requirements, and a payment schedule for your review. The proposed Guidelines were developed from the review of similar grant programs and suggestions from UYWCD board members. Please review the attached Guidelines and note any concerns, suggestions, and feedback for discussion at the January 19th board meeting.

III. Staff Recommendation:

Upon direction from the Board, I will revise the Guidelines as needed and develop an application form and other forms as needed to present at the March 16th Board meeting.

IV. Legal Issues: n/a



V. Consistency with Board Goals and Policies:

Goal 4: Objective 1

Attachments:

Attachment 1: Community Grant Funding Project Guidelines



2022 Community Grant Funding Project Guidelines

Background:

The Upper Yampa Water Conservancy District Board of Directors adopted its first Strategic Plan on January 15, 2020. The [UYWCD Strategic Plan](#) includes policy statements, goals, and objectives that reflect the District's responsibilities, values, and opportunities. As outlined in the strategic plan, the mission and vision of UYWCD are as follows:

Mission Statement:

To lead water resource management within the District's boundaries by responsibly conserving, protecting, developing, providing and enhancing the water resources of the Upper Yampa River Basin for the benefit of the Basin.

Vision Statement:

An Upper Yampa River Basin with safe, secure water storage and supply for its customers that benefits all uses in the Basin.

The Community Grant Funding Project was established to assist with funding projects that align with the UYWCD mission to conserve, protect, develop, and enhance the water resources of the Upper Yampa River Basin for the benefit of the Basin. The UYWCD Board of Directors allocated \$75,000 in the 2022 budget to assist with local projects that fall within the criteria and guidelines below.

Eligibility:

Entities: Entities eligible to apply for funding through the Community Grant Funding Project include:

1. Public agencies including local governments such as municipalities and counties, special districts such as irrigation or conservation districts, and all public authorities;
2. Private corporations including mutual ditch companies, homeowners associations, and partnerships;
3. Non-governmental organizations including non-profit and for-profit organizations and corporations.

Projects: Eligible projects **must**



1. Be located within the [District boundary](#) **OR** demonstrate a direct benefit to water users located within the [District boundary](#).
2. Demonstrate alignment with the mission, vision, and [strategic plan](#) of the Upper Yampa Water Conservancy District.
3. Provide progress reports demonstrating measurable outcomes within a time period determined to reasonable by UYWCD and the applicant.

Completed projects will not be considered for funding.

Project Categories:

Projects that align with the mission, vision, and strategic plan of the Upper Yampa Water Conservancy District may be considered. Projects may fall within the following categories:

1. Infrastructure improvement projects that do not fall within the eligibility requirements for the [Diversion Infrastructure Improvement Project](#). Projects would address infrastructure upgrades above and beyond the installation of headgates or measuring devices and may include improvements to existing water storage and delivery projects.
2. Water supply planning projects that address the needs of changing climate conditions, populations shifts, and other changes that may effect long-term water supply and use for all water users in the Yampa River Basin. Projects may include conservation and efficiency improvements that impact water supply and demand.
3. River restoration projects that support healthy streams, wetlands, fish passage, fish and wildlife habitat, productive agriculture, and environmental and recreational needs.
4. Water quality and watershed health projects using science-based and systems - based methods to improve watershed management and forest and rangeland health to increase resiliency to a changing climate and climate events including extended drought, wildfire, and flood events, address pollutants, and secure quality drinking water supplies for the Yampa River Basin.
5. Education and outreach projects that promote science-based information on all water uses, current and future water issues, water management, water quality, and watershed health.

Project Examples: Examples of on-going or completed projects funded, in part, by the Upper Yampa Water Conservancy District include:

- Crosho Lake dam improvements
- Yampatika K-12 Water Education Program
- Walton Creek Restoration Project



Application Process:

Pre-application Consultation: All applicants are strongly encouraged to contact District staff for a pre-application consultation to determine eligibility and review required documentation prior to completing the District application.

Submissions Requirements: The following documentation must be completed and submitted to District staff for review:

- District application form
- Budget worksheet
- Timeline
- Map of project location
- List of matching funds or in-kind contributions
- Monitoring/reporting proposal
- Letter(s) of support

Submissions Deadlines & Application Review: The Community Grant Funding Project is a rolling program with an open application process. Applications and accompanied documentation may be submitted at any time. Applications will be reviewed by District staff, who will make a recommendation to the UYWCD Board of Directors for approval at a regular board meeting. Applicants must present their proposed project to the Board of Directors and be available for questions at the regular board meeting.

The UYWCD Board of Directors holds regular meetings every other month on the third Wednesday of the month. Completed applications and accompanied documentation must be received by the 10th of the month prior to the regularly scheduled board meeting for consideration. The application deadlines for 2022 are as follows:

Application Deadline:	UYWCD Board of Directors Meeting:
February 10 th	March 16 th
April 10 th	May 18 th
June 10 th	July 20 th
August 10 th	September 21 st
October 10 th	November 16 th

Scoring Matrix: TBD

Reporting Requirements:



Progress Reports: Applicants will be required to submit a progress report including financial status and tasks accomplished every 6 months following the approval of funding.

Final Report: Upon completion of the project, the applicant must provide a report summarizing the project including:

- Steps to completion
- Obstacles encountered and addressed during project completion
- Financial report including all income and expenditures
- Engineering reports if applicable
- Photographs of completed project

Payment:

UYWCD will issue quarterly payments for work completed. Payments may be made from invoices for completed work and do not require the applicant to pay in advance and submit a reimbursement request. A payment request form and all invoices must be submitted 15 days after the close of the quarter as follows:

Payment Request Deadline:
Q1: April 15th
Q2: August 15th
Q3: October 15th
Q4: January 15th

The final payment will be issued upon acceptance of the final report described above.





BOARD COMMUNICATION FORM

From: Holly Kirkpatrick _____

Date: 1/10/2022 _____

Item: 2020-2021 UYWCD Annual Report _____

_____ DIRECTION
x _____ INFORMATION
_____ MOTION
_____ RESOLUTION

I. Request/Issue and Background Information:

n/a

II. Summary and Alternatives:

The 2021 Plan of Work included an annual report to summarize some of the operations and achievements of UYWCD throughout the year. You will be presented with a digital draft of the very first annual report to be released by the District. A printed version of the 2020-2021 Annual Report will be available by the end of January. If you would like to request a hard copy of the report, please email me directly at hkirkpatrick@upperyampawater.com. The final digital version will be available on our website and emailed to you directly.

III. Staff Recommendation:

n/a

IV. Legal Issues:

n/a

V. Consistency with Board Goals and Policies:

Goal 8: Objectives 1 & 2

Attachments:

NEW BUSINESS



EXECUTIVE SESSIONS

Executive session under CRS § 24-6-402(4)(e)(I) for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators with respect to _____. This session will be recorded, and a copy of the recording maintained for not less than 90 days.

BOARD ACTIONS IN REGARD TO EXECUTIVE SESSION



DETERMINATION OF NEXT MEETING(s) AGENDA(s)



AGENDA

**UPPER YAMPA WATER CONSERVANCY DISTRICT
BOARD OF DIRECTORS SPECIAL MEETING
TUESDAY, FEBRUARY 15, 2022 (12:00 PM)
MOUNTAIN VALLEY BANK COMMUNITY ROOM
2220 CURVE PLAZA, STEAMBOAT SPRINGS, CO
ONLINE MEETING: **XXXXX****

AS RECOMMENDED BY THE STATE PUBLIC HEALTH ORDER AND THE CDC, THE UPPER YAMPA WATER CONSERVANCY DISTRICT REQUESTS THAT UNVACCINATED PEOPLE ATTENDING THE BOARD OF DIRECTORS MEETING AT THE MOUNTAIN VALLEY BANK COMMUNITY ROOM WEAR A MASK.

MATERIALS FOR BOARD PACKET DUE: FEBRUARY 7TH (MONDAY) BY 5:00 PM

INSTRUCTIONS ON HOW TO JOIN A ZOOM MEETING FOLLOW THE AGENDA

A Board of Directors meeting packet is available for public review on our website at <https://upperyampawater.com/agendas-and-meeting-documents/> by the Friday before the meeting. Amendments to the Agenda and new documents that are generated or submitted after the original posting of the meeting materials will be posted under "Additional Documents" on the website for the relevant meeting.

QUESTIONS ON AGENDA AND/OR BOARD MATERIALS: Members of the public or Board of Directors with questions on the agenda or meeting materials, including the consent agenda, are welcome to contact the General Manager at the District offices prior to the meeting. You may reach the General Manager at: arossi@upperyampawater.com or (970) 871-1035 Ext. 2.

MEETING PROCEDURE: Comments from the Public are welcome at two different times during the course of the meeting: 1) Comments no longer than three (3) minutes on items **not** scheduled on the Agenda will be heard under Public Input and Comment; and 2) Comments no longer than three (3) minutes on all scheduled public hearing items will be heard following the presentation. Please wait until you are recognized by the President. With the exception of subjects brought up during Public Input and Comment, on which no action will be taken or a decision made, the Board may take action on, and may make a decision regarding, ANY item referred to in this agenda, including, without limitation, any item referenced for "review", "update", "report", or "discussion" whether or not listed as an "Action Item."

- (1) **12:00 PM** Establishment of Quorum and Call to Order
- (2) **12:00 PM** Approval of Agenda for Meeting **Action item**
- (3) **12:05 PM** Public Input and Comment
The Board will make no decision nor take action, except to direct the General Manager. Those addressing the Board are requested to identify themselves by name, organization, if any, and address. Comments shall not exceed three (3) minutes.
- (4) **12:10 PM** Report of General, Special Counsel
 - a. Water Resumes
 - b. Status of Other Water Cases

- (5) **12:30 PM** Executive Session:
- a. Executive session under CRS § 24-6-402(4)(b) to discuss legal issues on Water Resumes, Water Cases, Contract Negotiations and _____ (insert description) . Mere presence or participation of an attorney at an executive session is not sufficient to satisfy the requirements of CRS § 24-6-402(4)(b). Executive sessions to discuss legal matters are not recorded.
- (6) **1:00 PM** Report of General Manager
- a. Coal Creek Diversion Project Update
- (7) **2:00 PM** New Business (Limited to emergency matters that came up **Action item**
During the course of the meeting)
- (8) **2:05 PM** Executive Sessions:
- a. Executive session under CRS § 24-6-402(4)(b) to discuss legal issues on Water Resumes, Water Cases, Contract Negotiations and _____ (insert description) . Mere presence or participation of an attorney at an executive session is not sufficient to satisfy the requirements of CRS § 24-6-402(4)(b). Executive sessions to discuss legal matters are not recorded.
 - b. Executive session under CRS § 24-6-402(4)(e)(I) for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators with respect to _____ (insert brief description). This session will be recorded, and a copy of the recording maintained for not less than 90 days.
- (9) **2:35 PM** Board Actions in Regard to Executive Session
- (10) **2:45 PM** Adjournment.

AGENDA

**UPPER YAMPA WATER CONSERVANCY DISTRICT
BOARD OF DIRECTORS MEETING
WEDNESDAY, MARCH 16, 2022 (12:00 PM)
MOUNTAIN VALLEY BANK COMMUNITY ROOM
2220 CURVE PLAZA, STEAMBOAT SPRINGS, CO
ONLINE MEETING: XXXXX**

AS RECOMMENDED BY THE STATE PUBLIC HEALTH ORDER AND THE CDC, THE UPPER YAMPA WATER CONSERVANCY DISTRICT REQUESTS THAT UNVACCINATED PEOPLE ATTENDING THE BOARD OF DIRECTORS MEETING AT THE MOUNTAIN VALLEY BANK COMMUNITY ROOM WEAR A MASK.

MATERIALS FOR BOARD PACKET DUE: MARCH 7TH (MONDAY) BY 5:00 PM

INSTRUCTIONS ON HOW TO JOIN A ZOOM MEETING FOLLOW THE AGENDA

A Board of Directors meeting packet is available for public review on our website at <https://upperyampawater.com/agendas-and-meeting-documents/> by the Friday before the meeting. Amendments to the Agenda and new documents that are generated or submitted after the original posting of the meeting materials will be posted under "Additional Documents" on the website for the relevant meeting.

QUESTIONS ON AGENDA AND/OR BOARD MATERIALS: Members of the public or Board of Directors with questions on the agenda or meeting materials, including the consent agenda, are welcome to contact the General Manager at the District offices prior to the meeting. You may reach the General Manager at: arossi@upperyampawater.com or (970) 871-1035 Ext. 2.

MEETING PROCEDURE: Comments from the Public are welcome at two different times during the course of the meeting: 1) Comments no longer than three (3) minutes on items **not** scheduled on the Agenda will be heard under Public Input and Comment; and 2) Comments no longer than three (3) minutes on all scheduled public hearing items will be heard following the presentation. Please wait until you are recognized by the President. With the exception of subjects brought up during Public Input and Comment, on which no action will be taken or a decision made, the Board may take action on, and may make a decision regarding, ANY item referred to in this agenda, including, without limitation, any item referenced for "review", "update", "report", or "discussion" whether or not listed as an "Action Item."

- (1) **12:00 PM** Establishment of Quorum and Call to Order
- (2) **12:00 PM** Approval of Agenda for Meeting **Action item**
- (3) **12:05 PM** Public Input and Comment
The Board will make no decision nor take action, except to direct the General Manager. Those addressing the Board are requested to identify themselves by name, organization, if any, and address. Comments shall not exceed three (3) minutes.
 - a. **Update from Erin Light**
- (4) **12:10 PM** Consent Agenda **Action item**
 - a. Approval of the Minutes January 19, 2022, Board of Directors Meeting Minutes

- b. Financials
 - i. Approval of Disbursements
 - ii. Budget Comparison
- (5) **XX:XX PM** Report of General Manager
 - a. Financial Audit Update
 - b. Board Member Appointment Recognition
 - c. Stillwater Reservoir Grant Request
 - d. Stagecoach Reservoir Water Storage Contracts
 - i. Existing Municipal Contracts
 - ii. CWT Contract and CWCB Loan Program
- (6) **XX:XX PM** District Engineer Report
 - a. Update on Reservoir Water Status
- (7) **XX:XX PM** Public Information Updates
 - a.
- (8) **XX:XX PM** Board Member Reports
 - a.
- (9) Report of General Counsel
- (10) **XX:XX PM** Pending Water Cases
 - a. Water Resumes
 - b. Status of Other Water Cases
- (11) **XX:XX PM** New Business (Limited to emergency matters that came up **Action item**
During the course of the meeting)
- (12) **XX:XX PM** Executive Sessions:
 - a. **Executive session under CRS § 24-6-402(4)(b) to discuss legal issues on Water Resumes, Water Cases, Contract Negotiations** and _____ (insert description) . Mere presence or participation of an attorney at an executive session is not sufficient to satisfy the requirements of CRS § 24-6-402(4)(b). Executive sessions to discuss legal matters are not recorded.
 - b. **Executive session under CRS § 24-6-402(4)(e)(I) for the purpose of determining positions relative to matters that may be subject to negotiations;** developing strategy for negotiations; and instructing negotiators with respect to _____ (insert brief description). This session will be recorded, and a copy of the recording maintained for not less than 90 days.
- (13) **XX:XX PM** Board Actions in Regard to Executive Session
- (14) **XX:XX PM** Determination of Next Meeting(s) Agenda(s)
- (15) **XX:XX PM** Adjournment.