

The Annual Meeting of the Board of Trustees of the Carbon Water Conservancy District was held Tuesday April 18, 2023 in the Downstairs Conference Room at the Carbon County Administrative Building, 751 East 100 North, Price, UT 84501.

Present:

Jon Richens, Trustee, Chairman
Daniel Allen, Trustee, Vice Chairman
Keith Cox, Trustee, Treasurer
Christian Bryner, Attorney
Gordon Odendahl, Clerk
Russell Seeley, Trustee
Brad Timothy, Trustee

Also Present:

R.J. Davis, Dam Tender
Derris Jones, Assistant Dam Tender
Janelle Jensen, Assistant Finance Director
Bryan Schmutz, USBR (Remote)
Bill Butcher, PRWUA

Excused:

Doug Rasmussen, Finance Director

1. Open Meeting and Introduction of Guests.

Chairman Richens opened the meeting at 3:00 PM and welcomed everyone in attendance.

2. Review and Possible Approval of Minutes from Quarterly Meeting on 1/17/2023.

Trustee Seeley made a motion to approve the minutes as presented. Trustee Timothy seconded the motion, and the motion was approved unanimously.

3. Dam Tender's Report – RJ Davis.

Dam Tender RJ Davis stated the elevation of Scofield Reservoir is currently 7596.9 ft or 16,538 acre ft. We are currently releasing 300 CFS and trying to get the elevation of the lake down to 7590 as soon as we can so that we can take on all the water that will be coming into the lake. The SNOTEL readings above the reservoir are approximately 200% of normal and as of today the projected inflow into the reservoir is 98,000 acre ft. We have already received about 4,000 acre ft. When empty the reservoir holds around 68,000 usable acre ft. so we have much more water projected to flow into the reservoir than it will hold. The only inflow that currently shows a reading is Mud Creek which shows 30.4 CFS. Mr. Davis stated the By-Pass Gate is now installed. There were a few issues with the regulating gate to begin with after the by-pass gate was put in, with but the issues are all pretty much resolved now. We had to repair a gate stem, we had to move the one they moved to put the by-pass gate in. We had to level and plumb the one they installed. There was some debris between the bottom of the gate and the leaf but we were able to clear out the debris by fully opening and fully closing the gate a lot of times. It seems to be working fine now. Trustee Cox asked if the reason we were releasing so much water now was based on a recommendation from the Bureau. Chairman Richens stated that we have met with and discussed this with (Hydrologist) Gary Henrie from USBR and they recommended that we release as much as possible as soon as we can. Trustee Timothy stated that the Wellington Mayor suggested the releases also. Chairman Richens stated our primary safety concern is to avoid uncontrolled releases coming over the spillway. Chairman Richens also noted that we were a week late getting started with the releases due to the By-Pass Gate Project. Once we started releasing water, we had to stop again due to ice building up near the railroad tracks and damaging the rail bed and to allow the railroad time to bring equipment in to clear the ice chunks and debris. Originally, we started releasing 20 cfs, then 50 cfs and when we were at 80 cfs is when the river started backing up close to the tracks. After the river was cleared of ice and debris, we eased the flow to 200 cfs and last Sunday, we increased it to 300 cfs. Everything seems to be flowing well now. Luckily with the mild

temperatures, the White River drainage is not melting fast so we are able to release water now before White River becomes full which could cause serious flooding issues in the river downstream if we were discharging large amounts when White River was also peaking. Trustee Timothy stated that the Price River is at the top of the banks in the Wellington area now. Mr. Davis stated that most of the high water is due to our releases. We are trying to release as much as we can before White River reaches its peak runoff. White River SNOTEL estimates are projected to be as much as 300% of normal. River Commissioner Derris Jones stated Willow Creek is currently only 10 CFS and Beaver has not really started yet either but they are also to be considered when we are thinking about flood control.

4. Public Comments on Matters Concerning Carbon Water Conservancy District.

Note: Public Comments will be limited to 2 Minutes per Person. Public Comments or Requests from the Public may not be voted upon by the CWCD Board at this meeting because they are not listed as Agenda Items for the current meeting.

There were no comments from the public.

5. Discuss and Possible Approval of Q1 2023 Financial Statement – Doug Rasmussen & Janelle Jensen.

Assistant Finance Director Janelle Jensen presented the Balance Sheet, Profit & Loss, Profit & Loss by Class, and Profit & Loss comparing Budget and Actual expenses. As of March 31, 2023 the Balance Sheet shows Total Current Assets are \$1,533.000, Total Fixed Assets are \$2,381.000 and Total Assets as well as Total Liabilities and Equity are \$4,175,000. The Profit and Loss shows a current loss of \$533.00. Ms. Jensen noted that it is early in the year so there is not a lot of information posted yet. The P&L by Class, Budget vs Actual and the 1st Quarter General Ledger Detail were reviewed. There was no unusual activity of note that occurred during the first quarter. Clerk Odendahl noted that we just recently received payment from the County Treasures office for 1st Qtr. Property Taxes and there have been several checks recently mailed out for payment, but these transactions occurred too late to be included on the Financial Statements so that information will be included in the 2nd Qtr. reports. Trustee Timothy made a motion to approve the Financial Statements as presented. Trustee Allen seconded the motion. The motion was passed unanimously.

6. Discuss and Set Water Share Lease Value for 2023 Irrigation Season.

Chairman Richens stated that we typically try to price our leased shares at approximately market value for the water year. Chairman Richens noted that PRWID “will” be leasing Water Shares this year. They have set their price at \$25.00 per Share. The average auction price for the PacifiCorp Shares managed by PRWUA was approximately \$30.00 per share. Mr. Bill Butcher from PRWUA stated that it should be noted that there were fewer shares auctioned this year. PacifiCorp elected to put 750 Shares into SCPP. Mr. Butcher stated that if the full 2100 shares had been auctioned off the average lease price per share would have been considerably lower. This year there were 1,371 shares of PacifiCorp’s water involved in the auction with the 750 shares being designated to SCPP and that water sent to Lake Powell. After some discussion as to whether we should set our price at \$25 or \$30 per share Trustee Allen made a motion to set this year’s lease price at \$25.00 per share continuing with our policy to give “right of first refusal” for subsequent years to the individuals who lease our shares. Trustee Timothy seconded the motion. The motion was passed unanimously.

7. Discuss & Ratify Decision for Audit/Agreed Upon Procedures Proposal from Keddington & Christensen.

Clerk Odendahl stated that he had sent an email to all of the trustees and they had all agreed to accept the proposal so we now just need to ratify this to make it official. Trustee Timothy made a motion to approve the proposal from Keddington & Christensen to perform the Agreed Upon Procedures for the year 2022 at a cost of \$4,700 which is an increase of \$200 from last year's cost. Trustee Allen seconded the motion. The motion was passed unanimously.

8. Report on Ongoing Business Matters or any New Business.

a. Report on 2023 Spring Runoff and Current Status of Scofield Reservoir's Capacity.

Chairman Richens noted that this was covered in the Dam Tender's Report and asked if there were any further questions. Trustee Seeley asked if there were any estimates as to when the runoff would peak or when the reservoir would spill. Dam Tender RJ Davis stated that it is not really something we can predict. There are so many variables that we are dependent on other factors such as temperatures and future storms to consider. We just have to work with it as it develops. River Commissioner Derris Jones stated that in 83 – 84 the peak was around Memorial Day. Trustee Timothy stated that it is estimated that there will still be High Water available until the end of July. Clerk Odendahl asked if there could be unforeseen flooding issues this year due to new development that has occurred over the last 40 or so years since we last had this much anticipated runoff. Dam Tender RJ Davis noted that when the reservoir level was last at as high a level as what is anticipated this year, there were some cabins around the perimeter of the lake that were flooded. The USBR and property owners have made attempts to resolve these issues but according to Chairman Richens, to his knowledge these property issues have not yet been resolved. Trustee Timothy mentioned there were some subdivisions near the river that weren't there many years ago, and also silt levels and the plant life along the river is constantly growing and narrowing the river channel. Trustee Timothy stated that Carbon Canal will soon be calling for water and Price Wellington Canal is already taking water so filling the canals should relieve some of the flooding concerns along the river in the Carbonville, Price and Wellington areas.

b. Update on Small Regulating Gate Project by Trout Unlimited/BODEC.

Chairman Richens noted that as stated earlier in the Dam Tender's Report, the Trout Unlimited Small Regulating Gate project was completed on the 2nd of this month. There were a few minor problems due to debris in the gate mechanism that affected the operation of the gate. Chairman Richens asked Trout Unlimited to hold back on the final payment to BODEC until they clean up the dust, gravel and other mess that was left behind after the job was completed. RJ and Derris have been working to correct some other problems that were discovered over the course of the job and have cleaned and fine-tuned the operating mechanism of the gate. Chairman Richens stated we think everything is functioning properly and is ok now. Chairman Richens also stated there is currently no way to measure the flow through the Small Regulating Gate so the engineering firm of Johansen & Tuttle is working on a solution for measuring outflow.

c. Update – Price River Water Resources Committee.

Trustee Seeley stated that nothing much has happened since the last meeting. They are finalizing a proposal for the NRCS to increase the EIS to include Piping of all the Canals. This would add an additional \$1,000,000 to the study and would include Cultural Studies looking for Arrowheads, Endangered Plants and Animal Species along all of the Canals and Laterals that could be affected if the canals were piped. Once that is completed then Piping the Canals could become part of the

overall project. Progress is slow, but it is moving along. The plant studies are scheduled for July sometime this year.

d. Report on Dam Tender's Training – RJ Davis and Derris Jones.

RJ Davis reported that he and Derris Jones both attended the USBR Dam Tender Training at Morrow Point Dam near Montrose, Colorado. Included in the training was a presentation from Jenn with USBR explaining the importance and reasons for instrumentation. Amy Van Horn from USBR reviewed the EAP and SOP procedures and explained their importance. Included in the training was a tour through the inside of the dam and the power generating facilities.

e. Report on Utah Water Law Seminar - Chairman Richens.

Chairman Richens reported that he attended the Utah Water Law seminar in St. George, UT. The first day of the seminar – Monday - was designated to Utah Water Law. He stated that a lot of the discussion was centered around legislation about changes and regulations concerning the Upper Colorado River Basin and The Lower Colorado River Basin and the ongoing negotiations as to where the water in the Colorado River is used now and into the future. The Upper Colorado and Lower Colorado River Authorities almost never agree on water usage and volumes. Chairman Richens noted that there was nothing specific discussed relating to our operations.

f. Report on Utah Water Users Conference – Chairman Richens.

Chairman Richens reported that Tuesday and Wednesday were for the Utah Water Users Conference. There were a lot of different breakout sessions concerning a variety of subjects. Chairman Richens attended a session by James Sheridan from USBR (who we work with a lot on projects for Scofield Dam). The presentation was about a project at Deer Creek Reservoir where major repairs are needed on the Outlet Structure. The presentation showed how the USBR and the Central Utah Water Conservancy District worked together to complete the project from the planning and design to engineering and through the construction process. Also discussed were Water Rights, Measuring and Telemetry from the State Engineer. Chairman Richens sat in on a meeting of the Colorado River Authority. They are trying to measure how much water is being used as well as how much water is returned to the river. Depletion accounting is a challenge and is something they are trying to find methods they can all agree upon so that all 7 states are measuring water flow, usage and volumes using the same methods.

g. Update on Security System Project(BOR).

Chairman Richens stated he has been in contact with Eric at USBR and they are currently trying to schedule a meeting where they can come up with system requirements, a parts list and final design for the system. This coming Friday is a possible date for the meeting if everyone involved can coordinate their schedules.

h. Update on Bathymetry Study for Scofield Reservoir (BOR).

USBR Liaison Bryan Schmutz stated he has been in contact with Chris Garcia and the plan is to complete the study sometime around the end of May or when the reservoir is full and spilling. Mr. Schmutz will contact Chris again and make sure that everyone involved still has this on their radar so the study can be completed when the reservoir is full.

i. Update on USBR Inspection of Outlet Structure and Gates.

Chairman Richens stated that he, Bryan Schmutz, James Sheridan, RJ Davis, Derris Jones, and Randy Green from USBR in Colorado who is a Gate Specialist were there for the inspection. BODEC was working there at the time and was able to pump out the back side to allow access to inspect the gates. Randy was able to gain access to the gates for inspecting them and after inspecting the gate

he informed the group that he had recently been involved with a project in Colorado replacing a gate similar to what we are looking at. They were able to fabricate a gate out of steel rather than trying to get a casting made and machined. When completed, the results were very positive, Mr. Green is currently obtaining a quote from that same supplier for a gate of our size and then we can use that information to develop a project, come up with a budget and with help from the USBR we can write an RFP for our proposed project. Then we can see about bringing in contractors and it could be possible that we could still get this project done this year. Chairman Richens stated that he had been under the understanding that in order to change out a gate you had to also take the frames out. The frames in Scofield are original and were grouted in place approximately 85 years ago. There could be a lot of unknowns removing the frames in order to replace the gate. However Randy said our frames are good and the brass seats are in very good condition so he didn't think it would be necessary to remove the frames. All we would need to do is pry out the gate and replace it. Randy also looked at our safety gate and the leak rate on our safety gate is within the standards set for a brand new gate, so he didn't see any reason for us to replace the safety gate. USBR Liaison Officer Bryan Schmutz stated that Mr. Green will be forwarding a written report to us once he gets everything written up. Chairman Richens told the group that as of right now everything is in the hands of the Bureau of Reclamation and we should be receiving more information sometime soon.

j. Update on Ongoing Repairs from Previous Inspections.

Chairman Richens stated that there is a to-do list from previous inspections where the ladder needed to be replaced. There were some areas that need to be repainted. After further inspection, the ladder doesn't need to be replaced, just painted. While BODEC was working on location Chairman Richens asked them to fix some of these items. They did clean up around the ladder and did some painting, but we may have to have it done again as it still doesn't look completely painted. BODEC didn't charge very much for the extra work. They did get the generator moved and the exhaust re-routed and a few other items fixed, but the ladder will require some additional cleaning and painting and some grating may need to be replaced.

k. Potential Additional Contribution for Price River Distribution System Gate Automation Project.

Before discussing this subject Chairman Richens asked Bill Butcher if he could report on the Colorado River System Conference he attended last December in Las Vegas, and if there was anything discussed in that meeting that would be of interest to us. Mr. Butcher stated that most of the discussions were concerning measurements and how much more could be done to get accurate measurements of water usage, how much is Agricultural, Municipal, Industrial or other uses. As it was still early in the water year, Mr. Butcher stated that there was a lot of concern about water shortages and how or if they would be able to meet the demand for all water needs. After this past winter being so good, he stated that some of those concerns are now temporarily relieved. Chairman Richens asked Mr. Butcher about Water Banking and if the methods currently being tried in Emery County with Joes Valley Reservoir could be applicable to Scofield Reservoir. Mr. Butcher stated the short answer is "no". The articles of the Price River Water Users Association specifically forbid banking. Trustee Cox stated that this is something that would require a lot of cooperation between those who would conserve water and those who would be inclined to use the water that had been conserved by others. Mr. Butcher stated the theory is good and he completely understands the concept but he was doubtful that the PRWUA would be able to change their articles. In the past, there just hasn't been enough support for votes to get a 2/3 majority to agree to any changes that have been proposed. Chairman Richens asked Mr. Butcher if they have been able to make any

progress with getting more reliable control on the automated gates that were installed last year. Mr. Butcher stated there is still no progress on being able to automate the control accurately. This subject was tabled for the time being and will be revisited at our Quarterly Meeting in July if further progress has been made.

I. Chairman Richens Representing Carbon Water Conservancy District on CRAU's CAC.

Chairman Richens told the board that he is serving on the Central Advisory Council of the Colorado River Authority of Utah. Chairman Richens asked the group if they had any reservations about him representing Carbon Water Conservancy District on this advisory council. No decisions are made by the council, as it is just an advisory committee, but Chairman Richens thought it might help if he was representing the Conservancy District rather than just being an individual on the council or representing his employer who is not a commonly known entity in these circles. The trustees all agreed that it would be beneficial for him to represent our district. Derris Jones also serves on this council. Chairman Richens stated that the Colorado River Authority and the State Engineer had put together a presentation and tour where the Central Advisory Council was advised of what is being proposed to help with the overall water situation. Organizations represented were Carbon Canal, PRWUA, CWCD, Emery CCD, Nature Conservancy, Trout Unlimited and the State Engineer. A Gap analysis has been performed and a metering program is being proposed using Federal Money.

Chairman Richens explained that the State Engineer is looking to implement a metering system in Carbon County similar to the system currently being implemented in Emery County. Here in Carbon County there are some challenges to overcome where we are fractured with several different entities being involved with differing responsibilities. Questions concerning which agency would be responsible for the metering system, maintenance and repairs, etc. would need to be addressed before any metering system could be considered. Chairman Richens then stated that based on the Gap Analysis study, there are multiple locations in Carbon County that have been identified where accurate measuring devices are being recommended: 1. - Below Scofield Reservoir and 2. – Below the Diversion of Carbon Canal near the golf course. They would also like to designate another location further down the river, but a good site has not yet been selected. The council tour started by visiting a concrete diversion that comes down Cottonwood Creek from Joes Valley where water is sent to North Huntington. They also looked at some flow meters on a farm. The tour continued to the Diversion at the end of Carbon Canal's Tail-End Ponds. They looked at the Water Banking project where water is being diverted to Olsen Reservoir. Then the tour concluded at the very last diversion on Carbon Canal where more questions are being considered as to how to shepherd the unused water back into the Price River without violating peoples Water Rights.

m. Any Other ongoing or new items of business to discuss.

Chairman Richens mentioned some upcoming meetings that are being held for the benefit of anyone that might be interested in attending these meetings.

On Thursday there will be a meeting with Skyline Mine, Huntington Canyon Irrigation System and PacifiCorp to address water that could be seeping from Electric Lake into the mine and then being released into Scofield. They will be discussing putting wells in or other possible ways to capture the water to keep it in Huntington Canyon.

There will also be a Seed Seminar May 1st to May 5th presented by the USBR about Engineering of Dams.

There have been 3 more accidents on the Dam so we will be trying to obtain Accident Reports, submit insurance claims and make sure all the damages caused by these accidents are repaired.

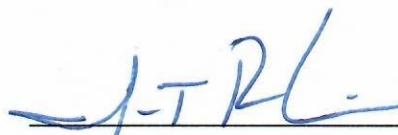
9. Election of Officers.

Chairman Richens stated that as this is our Annual Meeting, the election of officers is the next order of business. Trustee Cox made a motion that we keep all of the officers in their current positions. Trustee Timothy seconded the motion. The motion was passed unanimously. All officers agreed to continue in their present capacity. The following are the elected officers for the 2023/2024 term.

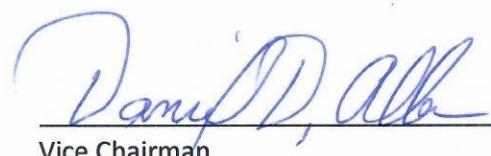
- a. Chairman - Jon Richens
- b. Vice Chairman - Daniel Allen
- c. Treasurer - Keith Cox
- d. Clerk - Gordon Odendahl
- e. Attorney - Christian Bryner

10. Adjourn Meeting

There were no further items to bring before the board. Trustee Cox made a motion to close the Meeting. Trustee Timothy seconded the motion and the motion passed unanimously. Chairman Richens closed the meeting at 4:06 PM.



Chairman



Vice Chairman