

The Annual Meeting of the Board of Trustees of the Carbon Water Conservancy District was held Tuesday April 16, 2024 in the Downstairs Conference Room at the Carbon County Administration Building, 751 East 100 North, Price, UT 84501.

Present:

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

Also Present:

Derris Jones, Assistant Dam Tender
David Horsley – Utah Division of Water Rights
Janelle Jensen, Assistant Finance Director
Bryan Schmutz, USBR
Jordan Nielson – Trout Unlimited
Tommy DeHart – Trout Unlimited

Excused:

Doug Rasmussen, Finance Director
Daniel Allen, Trustee, Vice Chairman
R.J. Davis, Dam Tender

1. Open Meeting and Introduction of Guests.

Chairman Richens opened the meeting at 3:01 PM and welcomed everyone in attendance.

2. Review and Possible Approval of Minutes from Special Meeting on 1/16/2024.

There were no comments or concerns about the minutes. Trustee Timothy made a motion to approve the minutes as presented. Trustee Cox seconded the motion, and the motion was approved unanimously.

3. Dam Tender's Report – RJ Davis.

Assistant Dam Tender Derris Jones reported on current conditions at the dam. Elevation of the Reservoir is 7,610.11 which correlates to 63% Full - 46,003.94 acre ft. of water. The reservoir level has gone up a bit recently. Mr. Jones stated that we are currently releasing 199 second feet. As of April 1st, there was room in the reservoir for 20,500 acre ft. of water until the reservoir spills and anticipated inflows are 35,000 acre ft. Mr. Jones stated that based on the April 1 forecast, all snowpack and precipitation levels are above normal but soil moisture levels are below normal, so we can expect some of this moisture to soak into the soil, but it is still anticipated that there will be more inflows than the reservoir can hold. Chairman Richens noted that based on the most recent forecast there is a 90% chance of the lake reaching 7 ft above the spill level. The most recent SNOTEL readings are as follows: Mammoth-Cottonwood = 132 for today's Median and 116 is Peak Median, Clear Creek = 141 for Today's Median and 119 for Peak Median, White River = 140 for Today's Median and 108 for Peak Median, this shows that all drainage areas that pertain to the Price River are all significantly above average. Trustee Cox asked about when the Canal Companies start calling for irrigation water and how this figures into the task of managing the reservoir level and planned water releases. Chairman Richens stated that we are in regular contact with Gary Henrie from USBR, Utah Division of Water Rights, other USBR personnel, RJ and Derris to discuss the forecast, reservoir levels and releases. Currently we are releasing 200 cfs from the reservoir and we need to lower the level of the reservoir before runoff from White River peaks in order to have the storage capacity to regulate and decrease outflows when White River is high in order to prevent flooding downstream. It can be a tricky situation but we have a lot of resources to help us including USBR, Utah Division of Water

Resources, and the State Meteorologist. We are very fortunate to have these resources to help with these decisions and we will continue to try keeping and hopefully even improving a good line of communications going between all entities.

4. Trout Unlimited – Update on Current Activities and Future Plans concerning Price River Drainage Area - Jordan Nielson and Thomas DeHart.

Mr. Jordan Nielson introduced Tommy DeHart as a new representative and they are excited to have Mr. DeHart on board to take care of the on-site project work in the area. His engineering background is an additional resource for all of us to have available. Mr. DeHart gave a brief description of his experience and education. Switching from the mining industry to conservation related work, which Mr. DeHart stated he is passionate about, is an exciting change for him. Mr. DeHart then stated the first project coming up is the Clear Creek Culvert Replacement. Carbon County will provide the labor and Trout Unlimited will provide funding for the project from a Grant. This project will hopefully be completed by the end of June due to the time limits on their grant. There will be some small repairs to the stream bank on the upstream Southern end of Mud Creek. This work will be completed by the end of July, again due to time constraints related to the funding. Lastly, they have received the Scofield Tributaries Assessment from Jacobs and the next step is to move forward and apply for a EWRP Grant from USBR. If successful this grant will involve stream restoration work, fencing, culverts and grazing practices. The proposed grant will be for 5 million dollars and will be for conservation work and water quality improvements concerning Eccles Creek, Mud Creek, Gooseberry, Upper Fish Creek and other tributaries. This is a big Picture/Broad Scope Project and if successful the timeframe will be over a period of 3 years. Mr. Nielson informed the group that one of the requirements for this WaterSmart Grant is they will need a Group A Applicant with them for some support from a Government Authority such as a Special Service District with water delivery authority. Mr. Nielson asked if Carbon Water Conservancy would participate along with Trout Unlimited with a letter of Support. They are not asking for financial support, but rather asking for support involving the concepts and water quality improvements that are being proposed. A discussion was held and the trustees present all expressed agreement to supporting Trout Unlimiteds' efforts. Chairman Richens stated that although everyone in attendance agreed that it would be to our benefit to support Trout Unlimited in this project, we would need to vote on this at a future meeting where the vote could be listed on the meeting agenda and we could officially vote to support this effort. Chairman Richens and Mr. Nielson both agreed that there was enough time available to decide on the letter of support in a meeting in the near future.

5. 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.

Mr. David Horsley introduced himself to the group. He is with Utah Division of Water Rights and is the Distribution Engineer for the Price River Drainage. Mr. Horsley stated that although he is not on the agenda today, he wanted to ask if there was any interest in placing a physical structure (weir) below Scofield Dam to measure water flow directly below Scofield Dam. Mr. Horsley stated he was not looking for decisions today, just to see if there was still interest in the project as it would provide more accurate measurements for the water users as well as help to enable more accurate readings to

help determine reservoir elevation and storage levels. Chairman Richens stated this has been discussed several times during the past several years with both the Division of Water Rights and with the Division of Wildlife Resources in conjunction with a Fish Screen and although this would provide more accurate measurements of the releases from the dam, funding from the State was not available at the time. Along this same line of thought, Carbon Water Conservancy District has asked the USBR to conduct a Bathymetry Study which has been recently completed. When the charts are updated based on this study, we will have accurate information on the storage capacity and volume of the reservoir instead of relying on charts and tables that are 70+ years old. Chairman Richens stated that for the past year or so there have been discussions with the Colorado River Authority of Utah about placing USGS measuring devices on the Price River. Two locations were considered – one directly below Scofield Dam and one farther downstream past the last diversion near Helper. Chairman Richens stated he had just been informed by USGS that the Colorado River Authority of Utah has approved the funding and they will be placing one of their measuring devices just down from Scofield Dam and another at the location further downstream past the last diversion along Price River. Chairman Richens told Mr. Horsley that this doesn't necessarily mean no for the device below the dam. The Fish Screen Project with Wildlife Resources still needs to be figured out and possibly a weir could be incorporated with that structure, but with the USGS site going in below we would all need to consider the costs involved and if the additional costs (possibly substantial costs) would be beneficial. The accuracy of the USGS device is acceptable for many of the agencies involved with the Price River Drainage including the Division of Water Rights. Chairman Richens thanked Mr. Horsley and also stated that we would be willing to revisit this in the future if the Division of Water Rights, the water users and other agencies felt that it is worthwhile. River Commissioner Derris Jones mentioned that he had been contacted by a cattle rancher asking if there was a possibility of shutting down the volume of water released from the dam. The rancher had cattle trapped on some property across the river and with the level of the river being so high, he was not able to bring his cattle back across the river to where they should be. If this is not possible the rancher will need to figure a way to get feed to the cows until water levels go down later in the year. It was determined that due to the high runoff level, even if we shut down the releases from the dam, this would not lower the river enough to get the smaller cows and calves across the river. Mr. Jones will advise the rancher as such.

6. Discuss and Possible Approval of 1st Qtr. 2024 – YTD Financial Statements - Doug Rasmussen – Janelle Jensen.

Assistant Finance Director Janelle Jensen presented the Financial Statements as of March 31, 2024 for consideration by the Trustees. Ms. Jensen stated page 1 of the Balance Sheet shows the total of all Cash (Checking and Savings Accounts) is \$1,8 million and Total Assets of \$4,4 million. Current Liabilities are \$186,000. Total Liabilities and Equity are \$4,4 million showing the Balance sheet to be in balance. On the 3rd page is the Profit and Loss Statement for 1st Qtr. 2024. Since this only shows numbers for the first 3 months of the year, this report seems shorter than what we usually see. It shows Net Income of \$40,000, Expenses of \$20,000 and Net Income of \$20,000. The P&L Statement Actual vs Budget was presented along with P&L by Class showing income and expenses for each Fund - Capital Projects, Debt Service and the General Fund. Also included in the reports is a General Ledger Report showing all of the individual transactions for January, February and March. Ms. Jensen also provided a copy of the Large Financial Survey which is a condensed version of the 2023 Financial

Statements and which will be submitted to the State Auditors Office later in the year. There were no further questions concerning the Financial Statements. Trustee Cox made a motion to accept the Large Financial Survey for 2023 as presented. Trustee Timothy seconded the motion. The motion was passed unanimously. Trustee Cox made a motion to accept the 1st Quarter 2024 Financial Statements as presented. Trustee Timothy seconded the motion. The motion was passed unanimously.

7. Discuss and Possible Approval of Piezometer Automation for Scofield Dam as Requested by USBR – RJ Davis, Dam Tender.

Chairman Richens discussed this issue in the absence of Dam Tender RJ Davis. Chairman Richens stated that last February RJ and personnel from the USBR hiked in snowshoes down below the dam to get Piezometer Readings below the dam. Due to the significant snow depth this turned into a very difficult project due to the hiking and also considering they had to dig down through the deep snow to access the Piezometers. Afterwards, the Bureau asked if we would consider automating the Piezometers in the future due to the difficulties in accessing the piezometers in Winter. Chairman Richens had recently received cost estimates for this project. The cost would be approximately \$4,000 per Piezometer and there could be up to 8 locations, so we could possibly be looking at \$32,000 which is currently not budgeted in this year. Clerk Odendahl asked if the Bureau might participate in these costs. Bryan Schmutz stated he was only partially aware of the specifics of this request, but he would check into this for us. Mr. Schmutz stated if this was an issue concerning Safety of Dams, typically the USBR could pay for up to 85% of the cost if it truly involved Safety of Dams. Chairman Richens stated we would table this item until we could find out more information about the funding. We could have a Special Meeting to discuss this if necessary.

8. Ratify Decision for Agreed Upon Procedures Proposal from Keddington & Christensen.

Clerk Odendahl informed the group that we had informed the Trustees in early March of proposal from Keddington & Christensen for a cost of \$4,900.00. All trustees approved the proposal at that time and we are currently getting started with the process. Clerk Odendahl stated we just need to ratify this proposal in this meeting to make the decision official. Trustee Cox made a motion to Ratify the decision to accept Keddington & Christensen's proposal to perform the Agreed Upon Procedures for a cost of \$4,900.00. Trustee Timothy seconded the motion. The motion was passed unanimously.

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

a. Update on USBR Engineering Work for New Regulating Gate and Actuator.

Chairman Richens stated he has been in contact with Andy Quiniones from the USBR Technical Services Center in Denver. We recently received a cost estimate from Andy for \$368,000.00 requiring an estimated 302 man-days. There is a service agreement currently in the works where USBR would take care of the Engineering and Construction Management on a 30%/60%/90% basis. The USBR would also engineer the gate. In addition, we will be responsible to purchase the Gate and Actuator along with any relevant hardware and installation materials. Chairman Richens stated due to Andy being unavailable at this time, he had reached out to James Sheridan from the Provo Office to ask for clarification on a few of the items in the estimate. Mr. Sheridan has scheduled a meeting to review the scope of the project on next Friday. The plan would be to start the project October 1st of this year with a planned completion date at the end of 2025.

- b. Update on Bathymetry Study Final Report.
USBR Liaison Bryan Schmutz stated Chris Garcia is currently working on another Bathymetry Study in California. The final report is still going through all the channels for the approval process at USBR. Mr. Schmutz stated there are a number of peer reviews that are required before the final approval can be issued.
- c. Update on Security System Project.
Mr. Schmutz stated that Eric is working on the funding and materials purchase for this year. There has been a problem with IT Equipment but this should be resolved soon. They are planning to get the purchase package developed in early May and once the purchase package has gone through, they think they could get all of the equipment installed this summer. Mr. Schmutz stated the funding and material purchases will go hand in hand and will need to be approved again this year.
- d. Update on Flow Measuring Device(s).
Chairman Richens stated that Gary Henrie and 7 or 8 other people from USBR are working with Chris Wilkowske from the USGS Moab Office to get this measuring device installed. Funding has been approved and the USGS and USBR people will be working with Carbon County to get the device installed in the lower location.
- e. Update on Progress of 2024 Water Share Leasing Plan.
Clerk Gordon Odendahl stated that all water shares owned by CWCD have been leased for the year. All individuals who leased shares last year on the revolving "Right of First Refusal Program" leased the same shares for this year and for the revolving third of the shares we had some new individuals that leased the remaining shares on a 3 year basis for this year. The program seems to be successful and the right of first refusal for subsequent years seems to be an incentive to continue leasing the shares.
- f. Report on Dam Tenders Training – RJ Davis – Derris Jones.
Assistant Dam Tender Derris Jones reported the training program was held in Park City this year. The training was attended by both RJ Davis (Dam Tender) and Derris Jones (Assistant Dam Tender). Mr. Jones reported the USBR is working on a new warning/notification system which is an effort to improve on past procedures. The new notification system will now be divided into two separate categories. One will report on the level of safety for High Water Levels (flooding) and the other will report on the level of safety for Dam Safety levels (potential dam failure). This is still being processed internally through the USBR but they feel confident this new system will be finalized and implemented soon. These systems will be coordinated through the first responders in the affected areas. Mr. Jones stated there was a field trip after the training session which involved a tour of Mountain Dell and Little Dell Reservoirs. Due to the snowstorm and poor road conditions on that day, Mr. Davis and Mr. Jones elected not to go on the Field Trip. Chairman Richens noted that on our recent Annual Inspection, the USBR reported that both Mr. Davis and Mr. Jone had attended the annual training and we are current on that requirement.
- g. Report on Utah Water Law Seminar – Keith Cox.
Treasurer Cox noted that he attended the event in St. George, UT and Derris Jones was also in attendance. Mr. Cox stated the conference was very interesting. In past years this conference was primarily a technical law presentation talking about adjudication and technical issues. Now they have kind of transformed to current water related subjects in the legislature, such as recent

legislation concerning the Great Salt Lake, Water Banking and other current changes being considered. Mr. Cox stated the conference is very informative and is a good way to improve your knowledge. If anyone would attend in the future it would be a very worthwhile event and a great opportunity to learn about water related subjects.

h. Report on Utah Water Users Conference – RJ Davis / Keith Cox.

Treasurer Keith Cox reported that he and Derris Jones were both in attendance. There were approximately 30 discussion groups about a wide variety of water related issues. Again the Great Salt Lake was a subject that was top priority. Mr. Cox also noted that the meeting is an excellent networking opportunity for us to meet people from other areas and gain or share knowledge and to further our own education. Assistant Dam Tender Jones noted that the Colorado River was almost as big a topic as the Great Salt Lake. Mr. Jones stated that the Upper and Lower Colorado Basin organizations need to come to some kind of an agreement concerning water usage soon or else the Federal Government will step in and make the decision for them and then no one will be happy with that decision. Chairman Richens asked Jordan Nielson (Trout Unlimited) and Dave Horsley (Utah Division of Water Rights) if they had any additional comments about the meetings. Mr. Nielson stated that even though we are on the other side of the Wasatch Mountains, the level of the Great Salt Lake still affects us because if the water level is low then the State will always be looking for ways to divert water from other areas to the Great Salt Lake. Mr. Nielson wanted to remind us there is currently 300,000 acre ft. of water currently being piped from the Duchesne area into the Great Salt Lake. Mr. Nielson noted that concerning a Colorado River Water agreement, the Lower Basin States have submitted an alternative and the Upper Basin States have submitted their own alternative. Conservation Groups (which includes Trout Unlimited) have submitted an alternative and the Tribes have submitted an alternative to the government. Since none of the proposals agree with the others, it will be up to the Bureau of Reclamation to review all the proposals and see if they can try to come up with a compromise policy that will hopefully address as many concerns as possible from each group. There could be a draft EIS available as early as this fall addressing the Colorado River. Mr. Horsley said he was unable to attend the conference this year, but he also echoed the comments from others that it is an amazing opportunity for all of us to learn about water related subjects and to learn about what is happening with water around the region.

i. Discussion and Possible Approval of GRAMA Policy, Revised Version – Christian Bryner

Mr. Bryner stated he has been out of town for the past week and only today saw the agenda so he will work on this policy and present it at a later date. Chairman Richens tabled this item until our next meeting.

j. Possible Approval of 2024 Conflict of Interest Policy – Updated Forms to be Signed by Trustees and Officers.

Again this Item is tabled for a later date due to Mr. Bryner having been out of town.

k. Possible Approval and Updating of Banking Signature Card Policy for 2024.

Attorney Christian Bryner stated that we really do not need to approve a new Resolution each year, only when we actually have changes to the individuals who are authorized to sign checks or access the Safe Deposit Box. Chairman Richens stated that we would review who is authorized to sign checks at our annual meeting each year and then make any policy changes that might be necessary, based on the makeup and duties of the current Trustees and Officers. Chairman Richens stated this item would also be tabled until later.

I. Report on Updated Progress – Price River Water Users Committee.

Trustee Seeley stated he was unable to attend the last meeting so he would not be able to report on anything current. Trustee Seeley did say that the end is near, and the EIS is getting close to completion. Chairman Richens stated that there was really nothing to report on for that meeting. It was just basically GRAMA Training by Nick Tatton. Chairman Richens reviewed the previous meeting for the Price River Water Resource Committee. Items discussed at that meeting were the 5 alternatives including 4 reservoir locations. It was stressed that there needed to be better communications with neighbors located near-by to the proposed locations. The individual canal companies have each listed parts of the proposed projects that would not be acceptable to them. Regular attendance was also stressed to the committee members and it was stated that those who did not regularly attend the meetings would be replaced on the committee. Chairman Richens and Jordan Nielson discussed the video that Trout Unlimited presented at the previously held meeting and Chairman Richens noted that the video showing the recent projects (New Gate at the Dam, Gigliotti Diversion, and the Helper River Remediation Project) was the only part of the previous meeting that was not recorded and some of the attendees thought the video was the best part of the meeting. Mr. Nielson said he would make the video available to anyone who was interested in looking at it.

10. Election of Officers.

Chairman Richens stated that as this is our Annual Meeting, the election of officers is the next order of business. Trustee Seeley 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 2024/2025 term.

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

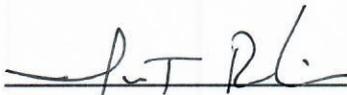
11. Unfinished Business.

Chairman Richens stated that he just recently received a copy of our Annual 2023 Site Inspection from May 2023. There were a few items still needing corrections. One was the ladder repairs that were done by BODEC during the time work was done on the Small Regulating Gate. Chairman Richens stated that they did a very poor job on the ladder and this still needs to be corrected. James Sheridan and Chairman Richens both thought that it would just be better to have a different contractor work on the ladder and coating the Support Beams. It was decided that perhaps this work could be accomplished later this year when we have people there working on the new Regulating Gate installation. Also, investigating several Piezometers that are giving erroneous and/or inconsistent pressure readings. We have had Reclamation try to rehab the piezometers, but it sounds like they are just going to abandon those few Piezometers because they have never given accurate readings. New O & M recommendations - there are two platforms inside the dam which are located beneath the ladders that need to be repaired. The metal decking on the platforms has been there for 70 plus years and someone recently stepped through one of the platforms leaving a hole in the decking. This

hole is currently covered by boards, but will need to be permanently repaired in the near future. Chairman Richens stated that last year it was reported that there were several places in the spillway where the concrete popped up or spalled after water had been coming over the spillway for 30 plus days, so we will have to get these areas inspected again this year after the reservoir stops spilling. We will also need to check for areas where new damage might have occurred this season. Inspectors will have to climb down the spillway using ropes and safety harnesses and visually inspect the areas and recommend what needs to be repaired and how to make the repairs. Chairman Richens announced that this year's USBR Annual O & M Meeting will take place in late April or Early May for 2024. Proposed dates are either Tuesday April 30th or Friday May 3rd. Any Board Members are welcome to attend this meeting.

12. Adjourn Meeting.

Chairman Richens asked if there was any further business to discuss. There was no further business. Trustee Timothy made a motion to Adjourn the meeting. Trustee Cox seconded the motion and the motion was approved unanimously. Chairman Richens declared the meeting closed at 4:25 PM.



Chairman



Vice Chairman