

The Quarterly Meeting of the Board of Trustees of the Carbon Water Conservancy District was held Tuesday July 15, 2025 in the Downstairs Conference Room at the Carbon County Administration Building, 751 East 100 North, Price, UT 84501.

Present:

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

Also Present:

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

1. Open Meeting and Introduction of Guests.

Chairman Richens opened the meeting at 3:02 PM and welcomed everyone in attendance.

2. Review and Possible Approval of Minutes from Meetings on 4/22/2025.

There were no comments or concerns about the minutes. Trustee Allen made a motion to approve the minutes of the Annual Meeting on 4/22/2025 as written. Trustee Cox seconded the motion, and the motion was approved unanimously.

3. Dam Tenders Report – RJ Davis.

Dam Tender RJ Davis stated the elevation of the reservoir is currently 7,614.5 ft. The level of the reservoir is 3 ft below the spillway. We are currently releasing 150. cfs through the dam. Mr. Davis reported the observed accumulation of runoff this year is 22,000 acre ft. Chairman Richens asked if Mr. Davis knew what percentile the 22,000 acre ft. was of the forecasted runoff from the forecast from April 1<sup>st</sup>. Mr. Davis stated he thinks this is in the 90<sup>th</sup> percentile range. Chairman Richens stated he was in agreement, and the 50<sup>th</sup> percentile from April 1<sup>st</sup> was approximately 50,000 acre ft. so the forecasted runoff underdelivered this year based on the forecasts. Chairman Richens stated we will have to be mindful in the future when we are projecting runoff based on the forecasting. Chairman Richens asked if there were any questions about the Dam Tender Report and if Assistant Dam Tender Jones had any further comments. There were no further comments concerning the Dam Tenders report.

(Item 12 b).

Chairman Richens stated that Due to Mr. Davis's travels and his being in attendance remotely, at this time he like to would jump ahead and get Mr. Davis's report on the Scofield Periodic Facility Review Inspection (Item 12. b on the agenda) which was conducted on May 9<sup>th</sup> at Scofield Dam by USBR personnel from the USBR's Provo and SLC offices. Mr. Davis reported that Keri Stout from USBR's Salt Lake Office was in charge of the inspection. She came up with a short list of things she wanted us to work on – most of which were already being addressed:

The culverts running underneath the highway near the dam need to be cleaned out. Mr. Davis stated UDOT takes care of the culverts under the highway and he would talk to Tony Cook who is in charge of that section of the road for UDOT. Chairman Richens asked about the culvert under the dirt road on the downstream side of the dam. Mr. Davis stated that would be up to us



to clean that culvert out, but that culvert has remained pretty much clean since we last cleaned it.

The wire mesh on the right side of the slope below the dam has holes in it. Mr. Davis stated the holes appear wherever the wire mesh material was spliced together at the seams and there have been some big rocks roll down the slope and have caused the fasteners to come apart in some places. We will address this later in the summer when we have a chance to determine if the existing mesh materials can be repaired or if we just need to start over again with a different type of repairs.

Mr. Davis stated another thing she mentioned was the repairs to the regulating gate which we have been working with the Bureau for the past couple of years. We need to get engineering and gate design work completed for the gate replacement. She noted some rust on the access shaft cover which will also be taken care of when the regulating gate is replaced.

She noted that there are some places on the spillway where the concrete needs repairing. Mr. Davis stated the spillway repairs have been scheduled to be made in August of this year. (The repairs were originally scheduled for last fall, but the Bureau was not able to work that job into their schedule at that time.)

Keri also noted some soil and vegetation in the outlet works which she wants us to clean up. Mr. Davis stated when we are down there on August 9<sup>th</sup>, we can take a shovel with us and clean the debris up at that time.

Keri said everything else looked good and most of the items she listed have already been addressed and we have been working towards getting them repaired. Overall, she was impressed with our Dam.

Chairman Richens stated he has an email summary of the items listed to be taken care of and he will forward the email to everyone. Trustee Cox stated that it appeared that most of the items that were listed are already being worked on except for the Chain Link/Wire Mesh on the South slope. Trustee Cox asked if we have a plan for that. Chairman Richens stated at this time we do not. Chairman Richens stated that around 4 years ago we brought in a contractor to lay down some fencing material on the South Slope which is basically a cliff. The fencing material was tied together with Hog Rings and it has been torn apart as some of the large rocks have sluffed off the side and rolled down the slope underneath the mesh materials. We may be able to rappel down the slope and attempt to repair some of it, or may have to just wait and re-do the whole thing again. This has helped as compared to what it was like before but we just need to look at it some more. Maybe a more permanent fix would be to cover the whole area with Gunnite or shotcrete, which may or may not last any longer than 10 years. Chairman Richens stated that later in August we will be having another inspection which he will talk about later in the meeting. We will be looking at this problem more thoroughly at that time.

#### 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 2<sup>nd</sup> Qtr. 2025 Financial Statements - Doug Rasmussen –



Janelle Jensen.

Assistant Finance Director Janelle Jensen reviewed the YTD Financial Statements for the quarter ending June 30<sup>th</sup> 2025. Ms. Jensen reviewed the Balance Sheet, Combined Profit & Loss Statement, Profit & Loss by Fund (Class) and the Profit and Loss Statement (Budget vs Actual). The Balance Sheet shows Total Current Assets at 2.36 Million and Fixed Assets at 2.3 Million, with Total Assets of 4.66 Million. Current Liabilities are 46,700 and Long Term Liabilities are 118,917. Equity is 4.5 Million with the Total Equity and Liabilities Totaling 4.66 Million which balances with Total Assets as required. The Combined Income Statement shows Total Income of \$139,000, Expenses are \$85,697, leaving a Net Income of \$52,986. Other than Interest Income there was no activity in the Capital Projects Fund. The Debt Service Fund is on Budget. Finance Director Doug Rasmussen noted that we have received 2 payments this year from the County Treasurer for 2024 Property Taxes, but because Governmental Accounting Rules do not allow for transactions for prior years to be carried over for a period of more than 60 days, these payments must be recorded in the current year (2025), so the \$22,000 deposit in April and the \$11,000 deposit in May must be recorded in 2025. This will make our Property Tax Income appear higher than normal. Clerk Odendahl noted that today there was a deposit of \$17,600 which is 2025 Property Tax Income and is not included in these reports. Ms. Jensen stated that attached to the Financial Statements is a General Ledger Detail showing each individual transaction for the 2<sup>nd</sup> Quarter. Mr. Rasmussen stated this G/L Detail is required quarterly by the State Auditor's Office. Chairman Richens asked Mr. Rasmussen that after reviewing the financials, if there was anything that concerned him in the reports. Mr. Rasmussen replied there was nothing unusual and all line items in the reports are within budget. Trustee Allen asked why the property tax revenue seems to be different than what was listed in the budget. Finance Director Rasmussen stated that we are required to report what is actually received. This usually differs somewhat from the budget which is a projection, and actual taxes collected can differ from what was projected. Reviewing the 2024 financials, you will notice Property Tax Revenue was \$40,000 more than the budget. As was discussed earlier these differences can also be due to taxes from a previous year being collected and recorded in the current year. Trustee Clark made a motion to accept the 2<sup>nd</sup> Quarter 2025 Financial Statements as presented. Trustee Allen seconded the motion. The motion was passed unanimously.

6. Report from Audit Committee – Russell Seeley - Review and Possible Approval of Agreed Upon Procedures and Finalized Year End Financial Statements for 2024.

Trustee Seeley stated the Audit Committee met at Smuin Rich & Marsing's office on July 2<sup>nd</sup> to review the Agreed Upon Procedures Report from Aycock, Miles & Associates and to review other financial concerns as needed. Trustee Seeley stated it is his understanding the Agreed Upon Procedures is a process to prevent and discourage fraud, to make sure the right procedures are in place and the right people are being utilized to process these procedures. This process acts as a health checkup for our organization for the way we conduct our meetings and to make sure the rules set forth by the state are followed. Trustee Seeley reported the AUP Report noted "no exceptions" on anything which means there were no problems found. Finance Director Rasmussen noted that in addition to reviewing the Agreed Upon Procedures Report, the Audit Committee also reviewed the "Final" 2024 Financial Reports. These finalized reports have all the adjustments made for 2024 transactions that were made after the December 31<sup>st</sup> 2024 reports that were presented to the board in January 2025. They are also what was used for the AUP. Trustee Cox made a motion to approve the 2024 Agreed



upon Procedures Report and to approve the Finalized 2024 Financial Statements. Trustee Clark seconded the motion and the motion was passed unanimously.

7. Ratify Certified Tax Rate for 2025 Property Tax Revenue.

Clerk Odendahl reported we approved the Certified Tax Rate that had been set by the Carbon County Clerk/Auditor's Office. Due to rules set forth by the State, this Tax Rate must be approved by June 30<sup>th</sup> of each year. Clerk Odendahl noted the accepted rate and signed resolution has been submitted to the County Auditor's office and to the State Tax commission. Clerk Odendahl reported the accepted tax rate is .000125 and our estimated Property Tax Revenue based on this tax rate is \$273,410. The 2025 Budget for Property Tax Revenue is \$271,267, so this is a little over \$2,000 of the budgeted revenue so it is very close to budget. Trustee Allen asked about the tax revenue for 2024. The total revenue received was \$40,000 more than what was budgeted. Finance Director Doug Rasmussen stated that sometimes the county collects more tax than anticipated. The overage could also come from the timing of when the tax was received, so the overage could also be from prior year taxes received the following year. Trustee Allen made a motion to ratify the Certified Tax Rate for 2025 as submitted. Trustee Seeley seconded the motion and the motion was approved unanimously.

8. Ratify New Technical Services Agreement 25-WC-40-10230 With USBR and Revised Task Order 2024-02.

Chairman Richens stated it was brought up at our last meeting by USBR Liaison Officer Bryan Schmutz that our 10 Year Agreement with USBR had expired, and USBR was unable to enter into any agreements or do any work until a new agreement is executed. The only changes in the new agreement are to change the mailing address to our current PO Box 591 in Price and to Change the name and title of the Chairman to Jon Richens. Also, the Task Order 2024-2 for Spillway Repairs needs to be extended to October 1, 2025 so the work can be completed, because the repairs were not able to be completed last year. Chairman Richens noted the trustees were advised of these changes and both agreements were recently signed and mailed to the USBR Offices in Provo to be executed. We just need to ratify the agreements for them to become official. Trustee Seeley made a motion to ratify the new Technical Services Agreement 25-WC-40-10230 with the Bureau of Reclamation and to ratify the Updated USBR Task Order 2024-02 for Spillway Repairs. Trustee Allen seconded the motion, and the motion was passed unanimously.

9. Ratify Protest Letter to Utah Division of Water Rights Dated May 6, 2025.

Chairman Richens stated that he had shared with everyone the letter of protest that was sent to the Utah Division of Water Rights concerning Carbon Canal. The letter was sent as well as protest letters from other organizations in the county. There was a hearing which was held at the County Administration Building with many individuals and organizations and attorneys in attendance. Trustee Allen asked if there were any updates as to when a decision might be made by the Division of Water Rights. River Commissioner Jones stated that any decisions were not expected on this matter until October or November. Chairman Richens stated since the letter was sent on behalf of the Carbon Water Conservancy District, he thought it would be proper to have the letter ratified. Trustee Cox made a motion to ratify the Protest Letter. Trustee Clark seconded the motion and the motion was passed unanimously.



10. Ratify Letter of Support for Congressionally Funding for Lower Basin Reservoir Dated May 6, 2025.

Chairman Richens stated he had been in contact with people from Price City regarding the Lower Basin Reservoir Project. Funding from NRCS for the EIS and then additional funding for the expanded project has basically run dry on this project, and Erik who is the attorney working with Price City, has suggested that we request help from Senator John Curtis and Representative Mike Kennedy for further funding to keep the project moving. He asked that organizations in favor of the reservoir write a letter of support for the Lower Basin Reservoir and send it to him (Erik) to accompany the funding request Price City will be submitting to Congress. Again, since this is a letter from Carbon Water Conservancy District, Chairman Richens thought it would be appropriate for the Board to Ratify the Letter of Support. Trustee Seeley made a motion to Ratify Letters of Support sent to The Honorable Senator John Curtis, and The Honorable Congressman Mike Kennedy, supporting additional funding for the Lower Basin Reservoir. Trustee Cox seconded the motion, and the motion was passed unanimously.

11. Ratify DMPP Storage Forbearance Agreement with Colorado River Authority of Utah.

Chairman Richens briefly explained about the Demand Management Pilot Program which we have discussed in previous meetings this year. Chairman Richens explained there are three aspects of the program, of which only two are being focused on this year. The first part is Field Fallowing and is handled directly by the canal companies. This is also what the Protest Letters from CWCD and other Local groups concerning the Change Application of Carbon Canal are related to. The second part is the Reservoir Forbearance Program which is administered by PRWUA. This program is where we have agreed to not lease approximately one third of our water shares this year. It worked out that we would not lease the water shares which are not committed to leasing to anyone this year or any committed shares that were not leased under our "Three Year Right of First Refusal Program". The water involved will be held in Scofield Reservoir until after the irrigation season is over and then the water will be released and sent downriver eventually ending up in Lake Powell. Chairman Richens stated that after a few back and forth discussions, we have committed 290 Shares to this program. We provided copies of our Water Share Certificates and we received an agreement from Colorado River Water Authority of Utah, which was reviewed by CWCD Attorney Christian Bryner. Mr. Bryner had no problems with the agreement. The engineers have calculated that each share will result in 64% Depletion Savings, which translates to 185.6 Acre Ft. of water. They will pay us \$150.00 per share for the water which will be \$27,004.80 and PRWUA will get 3% for administrative costs, which will be \$835.20. Chairman Richens stated The Colorado River Authority and the State Engineer wants to track the water released which will be measured at the stream gauges located below Scofield Dam, near the Golf Course and once again at Woodside and we have to assume the water makes its way to Lake Powell from there as there are no more measuring devices on the Price River. Trustee Cox asked if this program will be carried on into next year. Chairman Richens stated there was originally Six and a Half Million Dollars committed to this program, so it all depends on how long the funding lasts. Originally 80% of the funding was projected to be used in the first year. Chairman Richens noted this is State money so it will not be affected by the Federal cuts, but it is not certain how much longer the State will continue funding the program. Trustee Allen made a motion to ratify the DMPP Agreement with Colorado River Authority of Utah. Trustee Seeley seconded the motion and the motion was passed unanimously.



## 12. Report on Recent Meetings with USBR.

### a. Annual O&M Meeting with Reclamation (April 25<sup>th</sup>)

Chairman Richens stated the O&M Meeting was held Friday April 25 in this same room at 9:00 AM. Those in attendance were Chairman Jon Richens, Trustee Keith Cox, Clerk Gordon Odendahl, Dam Tender RJ Davis and James Sheridan from USBR. Projects discussed were the Regulating Gate Replacement which is anticipated to be our next big project and was the main focus of the discussion. Also discussed were projects that could occur in the future over the next 5 to 10 years. Funding such as WaterSmart and other sources were discussed. The requirement for us to keep a half million dollar Emergency Fund (which we have had in place since 2015 and which has been fully funded since 2018) were discussed. The new Technical Services Agreement that is in the process of being renewed with USBR was discussed. Fencing that was hanging off the wall was repaired previously, but it is back on the list, ladder repair/replacement and other ongoing items were discussed. The ladder was painted last year by a contractor, but the work was not done sufficiently well enough, so we will work on getting the ladder replaced with a new ladder during the upcoming bigger project. Chairman Richens stated we recently had a call with the Tennessee Valley Authority (TVA) about the possibility of getting help from TVA for Engineering Services, etc. for the Regulating Gate Replacement project. This is because the regional Denver Technical Services Group does not currently have the manpower to take on this project in the timeframe that will be required. Chairman Richens stated we were hoping to communicate with the Engineering Group at TVA but the call was with their Construction Group instead. The TVA People told us they would be happy to work with us to help us develop a budget for the project and help us get started, but we were also told the TVA was very busy and very expensive. They recommended we work with private engineering firms for the project. James Sheridan from USBR can recommend firms to us that they have worked with in the past that they believe are capable for this work. James will send an NDA for us to fill out as well as a list of local engineering (Utah) firms for us to work with. The TSC group in Denver stated they would be happy to work with an engineering firm to make sure the gate design and materials meet their standards, but once that is done, it is almost like the TSC will wash their hands of this project and then we will need to work with a contractor or the TVA to execute the work. O&M costs for 2024 were discussed as well as O&M recommendations by the USBR. Chairman Richens stated the TVA will be meeting with us at Scofield Dam on Monday August 11<sup>th</sup> to look at the gate. This was moved up because TVA had people traveling through the area for another project and they wanted to be able to visit both sites during the same trip. Chairman Richens and River Commissioner Derris Jones discussed the possibility that we will have to have to shut off water through the dam for up to 6 or 7 hours so the Water Users can be made aware of the shutoff. The access to the gates (the Ski Jump) will need to be pumped out beforehand. The TVA Personnel are scheduled to be at the dam from 9:00 AM to 1:00 PM. Chairman Richens stated he could get access to a generator for electricity and a submersible pump so the TVA people can access the gate, the frame and the surrounding area. We will need to start pumping early (at daylight) in order to have the access available so they can get in there to do the inspection, take pictures and whatever else they need to look at. If anyone who is available on August 11<sup>th</sup> could be there to help in case



additional manpower is needed, it would be appreciated. We anticipate to be there most of the morning on the 11<sup>th</sup>.

b. Scofield Dam Periodic Facility Review Inspection (May 9<sup>th</sup>) – Dam Tender RJ Davis.

Chairman Richens stated this item was discussed previously When Dam Tender RJ Davis was on the remote call.

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

a. Update on Colorado River Authority of Utah DMPP Field Fallowing and Scofield Reservoir Storage Forbearance Program.

Chairman Richens stated this subject was touched on earlier. Currently we need to wait on the status of the Change Application by PRWUA as our agreement is subject to PRWUA's Change Application being approved. Chairman Richens stated he was not aware of any protests to PRWUA's Change Application, there was a letter of concern however, but we don't know when it will be approved. We also know the Colorado River Water Authority of Utah has committed to funding the program regardless of the Change Application. They did say that next year the change application will need to be approved ahead of time for 2026.

b. Update on USBR Engineering Work for Regulating Gate and Actuator replacement.

Chairman Richens noted this was mostly explained earlier in the item 12. a. We will meet with TVA on August 11<sup>th</sup>. He will then get the NDAs sent out and he will reach out to the various engineering firms, and get quotes on that. Then we will try to move forward from there.

c. Update on Security System Project.

Chairman Richens asked USBR Liaison Officer Bryan Schmutz for an update. Mr. Schmutz stated they are just waiting on the end of year funding request for this.

d. Update on Piezometer Automation.

USBR Liaison Officer Bryan Schmutz stated that Joe Saldana has stated he needs more justification for this project, so the Automation Group is going to revise the request to highlight the accessibility difficulties in winter conditions. Mr. Schmutz stated that he kind of gets the feeling they will need quarterly reminders to keep this project moving, so he will try to keep on top of this. Mr. Schmutz stated originally, they asked us to do this, but now the USBR is going to get this funded and get it done. There is nothing needed from us (CWCD) at this time.

e. Update on Spillway Repair Project.

Chairman Richens and USBR Liaison Officer Bryan Schmutz discussed the schedule for Spillway Repairs. The repairs are scheduled during the time period of August 18<sup>th</sup> to August 20<sup>th</sup>. Mr. Schmutz stated the repairs should be complete by the end of the day on the 20<sup>th</sup>. Chairman Richens stated if anyone wants to observe the work there will be people at the dam using ropes.

f. Update on Calibration of Flow Measuring Devices with USGS.

Chairman Richens asked River Commissioner Derris Jones if he had any reports from USGS. Mr. Jones stated the USGS was sending people to read the meters basically once a month but the water levels have all been so low and they do not have information to compare the readings at higher levels. Mr. Jones stated the USGS has said they would like to work with us and get readings during the time period when we will be releasing more water for the forbearance program. Mr. Jones said he will keep the USGS apprised of the releases at that time. Chairman Richens asked Mr. Jones if he thought the Stream Gauges were helping any and if they were



placed in the right locations. Chairman Richens stated we now have 3 different measuring methods – the Rating Tables for the outlets, the Elevation Deltas and now we have the Stream Gauges. The State Engineer uses one method and we use a different method. Mr. Jones stated he thought we should pick the one method that gives the best data and use it. Chairman Richens also noted there is quite a bit of seepage that goes through and it would be nice if that was also accounted for.

g. Report on Updated Progress – Price River Water Resources Committee.

Chairman Richens stated he that reached out to Jonathan Johansen because Price City had previously wanted to meet with us and be part of this meeting as stated in an email he shared with the trustees. Mr. Johansen recently stated they do not want to meet with us just yet, so Price City was not placed on the agenda for this meeting. Chairman Richens stated we have not had a big meeting for a while, and Trustee Seeley has attended more meetings than he has recently so Chairman Richens asked Trustee Seeley if there were any updates. Trustee Seeley stated as mentioned earlier, the EIS is close but has run out of money. It is a substantial amount of money they are short, in the neighborhood of \$900,000 to get the EIS across the finish line. Trustee Seeley said he spoke with the mayor and they had gone to visit with Horrocks about finishing the EIS. There were some negotiations and some pencil sharpening and they all agreed to lower the cost to an additional \$200,000 to complete the EIS. This involves some Pro-Bono work by Horrocks and fewer meetings, so Trustee Seeley stated he does see a path forward to completing the EIS. The City and the County have each agreed to pay half of the additional costs. Trustee Seeley went on to state that once the EIS is complete, the next step will be to figure out a way to fund the project. Piping the canals will save a grundle of water. The total cost of the project is \$200,000,000 and the NRCS will pay for 75% of the costs or \$150,000,000. Still \$50,000,000 would have to be paid locally and 50 million dollars is a lot of money. There are people working on possible ways to develop projects that could fund the dam. The county might be able to bring in projects on Ridge Road that would make use of this saved water, and the sale or use of that water could be used to fund a dam. Trustee Seeley stated the NRCS Will pay for the design of the Dam if we can demonstrate we have legitimate means to pay for our portion of the construction costs. If we can get some kind of commitment for that type of development, it would help a lot. Chairman Richens asked if anyone had questions and there were none.

14. Unfinished Business.

There was no Unfinished Business.

15. Adjourn Meeting.

Chairman Richens asked if there was any further business to discuss. There was no further business. Trustee Clark made a motion to Adjourn the meeting. Chairman Richens declared the meeting closed at 4:01 PM.

  
Chairman

  
Vice Chairman



