

RECORD OF PROCEEDING

**SOUTHEASTERN COLORADO
WATER ACTIVITY ENTERPRISE
MINUTES
May 18, 2023**

A meeting of the Board of Directors of the Southeastern Colorado Water Activity Enterprise (Enterprise) was held on Thursday, May 18, 2023, at the District office, 31717 United Avenue, Pueblo, Colorado. President Long called to order the Enterprise meeting at 11:15 a.m. The ZOOM platform was also made available for Board members and visitors.

President Long established that a Quorum was present.

DIRECTORS PRESENT:

Andy Colosimo (remote)	Dallas May	Matt Heimerich (remote)
Alan Hamel	Howard "Bub" Miller (remote) @ 10:01	Pat Edelmann
Ann Nichols	Kevin Karney	Patrick Garcia
Bill Long	Mark Pifher	Seth Clayton
Curtis Mitchell		Tom Goodwin

DIRECTOR(S) ABSENT AND EXCUSED:

Greg Felt

DISTRICT OFFICIALS:

Executive Director James Broderick; General Counsel Lee Miller; Staff Attorney Peter Levish; Senior Policy and Issues Manager Chris Woodka; Water Resources Principal Engineer Garrett Markus; Principal Engineer Kevin Meador (remote); Administrator of Administration Leann Noga; Administrative Support Specialist's Margie Medina and Patty Rivas; and H2O Consultant Roy Vaughan.

VISITORS PRESENT:

Abba Ahmed and Rick Kienitz, Aurora Water; Erin Wilson, Wilson Water; Krystal Brown, USGS; Mike Holmberg, USBR; Rachel Zancanella, Lonnie Spady, Brian Lenherr and Beth Nasker, Colorado Division of Water Resources; Robert Wahl, Travis White, and Katherine Kornbrust, JHL Constructors; and Steve Kastner, Sunset View Water Company.

VISITORS CONNECTED VIA ZOOM:

Jerry Pena, Kennedy Jenks; Kevin Salter, Kansas Department of Agriculture; Luke Mecklenburg, Assistant Attorney General, Federal and Interstate Water Unit; Sean Berzins, AECOM; and Roy Heald, Security Water & Sanitation (@ 10:50).

RECORD OF PROCEEDING

APPROVAL OF MINUTES:

President Long said the minutes of the April 20, 2023, Enterprise Board meetings were posted to OnBoard and the website for review and asked if there were any corrections or additions. Hearing none, Mr. Garcia, seconded by Mr. Edelman to approve the minutes. Motion unanimously carried.

TREASURER REPORT:

Mrs. Nichols reported the financial statements for April 2023, were posted to OnBoard and the Board website for review. Mrs. Nichols moved, seconded by Mr. Clayton, for acceptance of the April 2023 financial statements and payment of the May 2023 bills. Motion unanimously carried.

ACTION ITEM:

FRYINGPAN ARKANSAS PROJECT WATER AND RETURN FLOW ALLOCATION

Mr. Garrett Markus presented an action item, in the form of a PowerPoint to the Board to approve the allocation of 42,282 acre-feet (AF) of Fry-Ark Project Water (Project Water) (22,103 AF for municipal use and 20,179 AF for agricultural use) and the allocation of 7,098 AF of Project Water Return Flows (Return Flow) based off the May 1, 2023, import basis for allocation of 55,400 AF. Seventy percent (70%) of the imports will be made available for allocation to municipal and agricultural entities following payment for one hundred percent (100%) of the allocation. The remaining thirty percent (30%) will be made available when the District is confident that imports will meet Project obligations. If any portion of the remaining thirty percent (30%) of allocated water is not available to the entities at that time, that portion of their Project Water payments will be refunded.

Anticipated Project Water and surcharge revenues resulting from this Project Water and Project Water Return Flow allocation are expected to be \$43,295 lower than, or 94.67 percent, of the 2023 Budget.

Mr. Hamel moved, seconded by Mr. May, the Board allocate 42,282 AF of Project water and 7,095 AF of Return Flows. Project water allocations would be available initially at seventy percent (70%) of the projected import amount available to municipal and agricultural entities following payment for 100 percent (100%) of the allocation. The remaining thirty percent (30%) would be made available when the District is confident that imports will meet Project obligations. If any portion of the remaining thirty percent (30%) of allocated Project water is not available to the entities at that time, that portion of their Project water payments will be refunded.

Questions were opened to the Board. Mr. Kastner of *Sunset View Water Company* asked that Mr. Markus explain to the Board the issues with his water allocation request. The well companies request could not be met due to issues associated with 1979 Allocation Principals. District staff is working to resolve the issue.

PRESENTATION ITEM:

AVC GROUNDBREAKING VIDEO

Mr. Woodka presented a video, showing the April 28, 2023, Bureau of Reclamation, and the Southeastern Colorado Water Conservancy District groundbreaking for the Arkansas Valley Conduit (AVC) at the construction staging site in Pueblo County near the connection point of the AVC with Pueblo Water's system. The video shows key points in the addresses given at the groundbreaking.

SECWAE

May18, 2023

3

RECORD OF PROCEEDING

One major highlight was that Margie Medina, of SECWCD, was part of the lineup of individuals that shoveled dirt for the groundbreaking. This honor was given to her since she has the longest tenure at the District Office.

Christine Arbogast of Kogosovek & Associates was unable to attend the Board meeting. She did send in a copy of a letter from John Hickenlooper and Michael Bennet to Honorable Camille Touton of the Bureau of Reclamation, thanking her for her attendance at the event and continued support to the project. A hard copy of the letter was given to the Board.

INFORMATION ITEMS:

The Board was provided written material on the following topics, which was posted to the Board website:

- AVC Update
- JWBHP Update
- Excess Capacity Master Contract Update

President Long asked if there were any other matters to come before the Enterprise Board, hearing no other matters Mr. Long adjourned the meeting at 11:48 a.m.

SECWAE
May 18, 2023
4

RECORD OF PROCEEDING

Respectfully submitted,

Patty Rivas
Administrative Support Specialist

Seth Clayton – Secretary

Bill Long – President

Howard “Bub” Miller

Curtis Mitchell – Vice President

Kevin Karney

Ann Nichols – Treasurer

Mark Pifher

Alan Hamel

Matt Heimerich

Andy Colosimo

Pat Edelman

Dallas May

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Greg Felt

Tom Goodwin