

**Southwestern Water Conservation District  
Board of Directors Meeting—Teleconference  
October 30, 2018**

**Present:** J.R. Ford† David Guilliams Rusty Hinger†  
Jenny Russell† Don Schwindt† Charlie Smith†  
Doug Stowe† Bob Wolff

**Absent:** Monte Naslund

**Staff:** Bruce Whitehead, SWCD Executive Director  
Laura Spann, SWCD Programs Coordinator

**Consultants:** Beth Van Vurst, Fairfield and Woodst†  
Carrie Padgett, Harris Water Engineering†

**Guests:** Peter Fleming, Colorado River Water Conservation District†  
Andy Mueller, Colorado River Water Conservation District†  
Mike Preston, Dolores Water Conservancy District†

*†Participated by phone.*

Robert Wolff called the work session to order at 9:02 a.m. Roll was taken and a quorum was established.

**Questions/Comments from Audience**

*(time: 00:01:00)*

There were no questions.

**Old Business**

**Upper Basin & Intra-State Drought Contingency Planning Efforts**

*(time: 00:01:20)*

Bruce Whitehead and Beth Van Vurst reported on recent coordination between SWCD and the River District regarding upper basin drought contingency planning (DCP), which includes exploration of demand management and seeking federal legislation to establish a non-equalized upper basin storage account in Lake Powell. On October 9, the State of Colorado along with the other six basin states, released the draft agreements that comprise the DCP. On October 10, there was significant DCP discussion and presentations by CWCB at the Southwest Basin Roundtable meeting, then again at the IBCC meeting at Fort Lewis College on October 18. On October 23, the Grand Valley Water Users Association hosted a seminar at which much of the discussion focused on the DCP. SWCD staff, board members, and legal counsel have also briefed several Boards of County Commissioners in southwestern Colorado. The Roundtable has established a subcommittee to further digest demand management developments, which will hold its first meeting on November 6 at 1pm. The CWCB board plans to consider a policy regarding the demand management portion of the DCP at their November 14-15 meeting. SWCD staff and legal counsel are seeking further guidance from the board regarding strategy in addressing the board's concerns regarding demand management.

**Executive Session**

*(time: 00:09:50)*

Beth Van Vurst recommended that the board go into executive session for the purpose of discussing upper basin and intra-state drought contingency planning efforts. The statutes covering this session are § 24-6-402(4)b, C.R.S., "conferences with an attorney for the district for the purpose of receiving legal advice on specific legal questions" and § 24-6-402(4)(e), C.R.S., "determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators." David Guilliams moved that the board go into executive session. Rusty Hinger seconded. The motion passed unanimously.

October 30, 2018

On behalf of the Colorado River Water Conservation District, Andy Mueller and Peter Fleming participated in the portion of executive session discussing drought contingency planning in the Upper Colorado River basin and within the State of Colorado. Their participation is permitted pursuant to the common interest agreement between the River District and SWCD.

Beth Van Vurst announced that the board was out of executive session, during which no action was taken. The board developed strategy for negotiations and instructed negotiators on upper basin and intra-state drought contingency planning efforts. David Guilliams moved to direct staff and counsel to work with River District to develop an alternative to the consensus-based approach previously requested by the Districts. Rusty Hinger seconded. The motion passed.

**Next Meetings**

Tuesday, December 4                      9:00am                      Regular Board Meeting



---

Robert Wolff, Board President