

WATER & SEWER BOARD AGENDA

Wednesday, January 16, 2019
2:00 p.m.

GREELEY CITY CENTER

1001 11TH Avenue

Greeley, CO 80631

1. Roll Call: _____ Chairman Harold Evans _____ Vice Chairman Mick Todd
 _____ Mr. Bob Ruyle _____ Mr. Fred Otis
 _____ Mr. Joe Murphy _____ Mr. Tony Miller
 _____ Mr. Manuel Sisneros _____ Mayor John Gates
 _____ Mr. Roy Otto _____ Mrs. Victoria Runkle
2. Approval of Minutes
3. Approval of and/or Additions to Agenda

Consent Agenda

The Consent Agenda is a meeting management tool to allow the Board to handle several routine items with one action.

The Board or staff may request an item to be “pulled” off the Consent Agenda and considered separately under the next agenda item in the order they were listed.

4. Action: Approve Resolution Amending Greeley-Loveland System Yield Values

End of Consent Agenda

5. Action: Election of Officers
6. Action: Approve Acquisition of Farm and WSSC Water Rights (Dann Brown, Et Al.)
7. Report: 4th Quarter Water Court Update
8. Legal Report
9. Executive Session
10. Director’s Report
11. Such Other Business That May Be Brought Before the Board and Added to This Agenda by Motion of the Board



If, to effectively and fully participate in this meeting, you require an auxiliary aid or other assistance related to a disability, please contact Shannon Metcalf at 970-350-9818.

**City of Greeley
Water and Sewer Board
Minutes of December 19, 2018
Regular Board Meeting**

Chairman Harold Evans called the Water and Sewer Board meeting to order at 1:59 p.m. on Wednesday, December 19, 2018.

1. Roll Call

The Clerk called the roll and those present included:

Board Members:

Chairman Harold Evans, Vice Chairman Mick Todd, Fred Otis, Tony Miller, Manny Sisneros, Mayor Gates, Roy Otto, Victoria Runkle

Water and Sewer Department staff:

Water and Sewer Director Sean Chambers, Operations Manager Bob Neal, Deputy Director Adam Jokerst, Business Manager Erik Dial, Water Resources Operations Manager Jennifer Petrzela, Water and Sewer Services Coordinator Chrissy Lutz, Plans Examiner Jamie Boelstler, Water Resources Engineer Laura Prechel, Water Resource Admin. Kelen Dowdy, Water Resources Admin. Emily Carbone, Water Resource Analyst Alex Tennant, Waste Water Superintendent Jeremy Woolf, Waste Water Superintendent Thomas Dingeman, Government Liaison Donna Brosemer, Office Manager Shannon Metcalf and Senior Administrative Assistant Ettie Arnold

Legal Counsel:

Counsel to Water & Sewer Board Attorney Carolyn Burr, Environmental and Water Resources Attorney Jerrae Swanson, Environmental and Water Resources Attorney Dan Biwer, Environmental and Water Resources Attorney Aaron Goldman

Guests:

Doug Jeavons and Kel Rayens of BBC Consulting, Mary Gearhart and Shanna Yepez of Brown and Caldwell, and Community Development Director Brad Mueller

2. Approval of Minutes

Vice Chairman Todd made a motion, seconded by Mr. Miller, to approve the November 28, 2018 Water and Sewer Board meeting minutes with the two noted changes. The motion carried 5-0.

3. Approval of and/or Additions to Agenda

There were no changes made to the agenda. Sean Chambers introduced new staff and recognized staff leaving employment.

4. Report: Multi-Family and Commercial Raw Water Dedication

Mr. Dial discussed a proposal that would modify the raw water requirements for commercial and multi-family development. The proposal had been introduced to the Board at the September and October Board meetings. The non-residential raw water requirements were last modified in 1989 and are based on the tap size. The proposed policy would change raw water requirements to a volume of use based methodology. Staff has spent the last two months refining the usage requirements per category type, soliciting comments from development interests, and testing the potential impacts with BBC Research and Consulting. Doug Jeavons of BBC Research and Consulting discussed his review of the proposal and his findings. His review found that the proposal will require less raw water for most types of new development but the projected raw water requirements more accurately reflect actual water use.

The Board indicated that they support the concept of the proposal and asked staff to start developing the necessary changes to the City Code.

Mayor Gates left the meeting at 2:40 p.m.

Doug Jeavons and Kel Rayens of BBC Research and Consulting, left the meeting at 2:55 p.m.

5. Action: Approve the Proposed 2019 Water and Sewer Rate Adjustments

Mr. Dial presented the proposed 2019 water and sewer rates, plant investment fees and cash-in-lieu of raw water fee. The water and sewer rates and fees were developed in response to the 2019/2020 budget that the Board recommended to the City Manager at the July 2018 meeting. He noted that residential water rates are increasing 5.0% and residential sewer rates are increasing 2.5%. Greeley's combined water and sewer bill cost is in the bottom half for Front Range providers. The new water and sewer rates will take effect January 1, 2019.

Mr. Dial reminded the Board that plant investment fees are updated annually for water and sewer. The water plant investment fee is decreasing \$600 to \$10,800 for a ¾" tap while the sewer plant investment fee will remain unchanged at \$5,700 for a ¾" tap. The new plant investment fees will take effect March 1, 2019.

Mr. Dial discussed the revised pricing method for cash-in-lieu of raw water fees approved by the Board at the July 2018 meeting. The 2019 cash-in-lieu of raw water fee will increase from \$29,000 to \$31,000. The new cash-in-lieu price will take effect on March 1, 2019.

Mr. Miller made motion, seconded by Vice Chairman Todd to Approve the Proposed 2019 Water and Sewer Rate Adjustments, as set forth in the enclosed resolution. The motion carried 5-0.

6. Action: Approve Proposed 2019 Board Meeting Schedule

All dates were the 3rd Wednesday with no changes for 2019. Board members concurred August 23, 2019 for the Summer Board Tour date.

Mr. Miller made motion, seconded by Vice Chairman Todd to Approve Proposed 2019 Board Meeting Schedule. The motion carried 5-0.

7. Action: The Delegation of Authority to Close on Overland Pond 5 (Deines Parcel) of the Overland Pond Storage Facility

On June 20, 2018, the Water and Sewer Board approved the Purchase and Sale Agreement by and among Deines Trust and the City of Greeley ("Greeley"), as to an undivided Fifty Percent (50%) Interest; Fort Collins-Loveland Water District, as to an undivided Twenty-One Percent (21%) Interest; North Weld County Water District, as to an undivided Sixteen and Five/Tenths Percent (16.5%) Interest; and East Larimer County Water District, as to an undivided Twelve and Five/Tenths Percent (12.5%) Interest ("Purchase Contract") to acquire property, including Lot 3, Deines Minor Land Division, File #15-S3353, recorded March 2, 2017 at Reception No. 20170013807, County of Larimer, State of Colorado, commonly known as Pond 5 of the Overland Ponds Project ("Property"). Staff has completed due diligence on the Property, and the Water and Sewer Board has since ratified the Purchase Contract. The closing is now scheduled for January 7, 2019. Staff requested that the Water and Sewer Board delegate authority to the Director of Water and Sewer, or his designee, to close on the purchase of the Property.

Vice-Chairman Todd Made motion, seconded by Mr. Miller to authorize the delegation of authority to close on Overland Pond 5 (Deines Parcel) of the Overland Pond Storage Facility. The motion carried 5-0.

8. Action: Approve Big Thompson Bypass Agreement

Water Resources staff recommend that the Water and Sewer Board approve the enclosed Bypass Agreement with the Big Thompson and Platte River Ditch Company. The previous Bypass Agreement expires on December 31, 2018, and a new Agreement is needed. This Agreement allows Greeley to consistently deliver water from the Greeley Loveland Irrigation Company system to the South Platte River, which is necessary to meet return flow obligations and augmentation demand. This Bypass Agreement will expire on December 31, 2023.

Mr. Miller made motion, seconded by Mr. Sisneros to Approve Big Thompson Bypass Agreement. The motion carried 5-0.

9. Report: Review GLIC Dedication Resolutions

Ms. Petrzelka presented an overview of the Raw Water Dedication Policy set forth in Resolution 1, 1995, which sets the yield values at which new demand or new development may provide raw water supply to the City from the Greeley-Loveland system. Raw water dedication credits, average yields and firm yields for the Greeley-Loveland system were discussed. Ms. Petrzelka recommended that the Board amend the resolution to use firm yield values for the raw water dedication credit given for Greeley-Loveland Irrigation, Lake Loveland and Seven Lakes shares. The Board generally concurred with the recommendation, and inquired as to whether it could take action by motion at this meeting. Mr. Biwer clarified that the Board would need to take action by resolution at a future meeting.

10. Report: Semi-Annual Legislative Update

Government Liaison Donna Brosemer gave an update on recent legislative developments. The November 2018 elections represent a shift in governance philosophy at the State level with many new legislators and changes to the structure of House Committees, which hear water and environmental bills. As well, uncertainty about the governor's cabinet and many new representatives exists.

Ms. Brosemer will continue to stay active in the Colorado Water Congress State Affairs Committee, follow Colorado River Water Users Association (CRWUA), and coordinate with key staff and legal counsel on new legislation during the 2019 session.

11. Report: Right of First Refusal (Ditch Carriage Rights) in the Taylor and Gill

Staff reviewed the terms under the Right of First Refusal (Ditch Carriage Rights) Agreement for excess capacity in the Taylor and Gill Ditch.

12. Executive Session

At 3:36 p.m. Chairman Evans made a motion to move into Executive Session to address the following matters:

1. Purchase, acquisition, lease, transfer, or sale of property under C.R.S. §24-6-402(4)(a) and Greeley Municipal Code 2.04.020(1).
2. Conferences with an attorney for the purposes of receiving legal advice on specific legal questions under C.R.S. §24-6-402(4)(b) and Greeley Municipal Code 2.04.020(2).
3. Determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators, as authorized by C.R.S. §24-6-402(4)(e) and Greeley Municipal Code 2.04.020(5).

Chairman Evans identified the following topics for discussion:

1. Matters Related to Right of First Refusal.
2. Matters Related to the Milton Seaman Water Supply Project.

Mr. Miller seconded the motion. The motion carried 5-0.

Present during the executive session were:

Chairman Harold Evans, Vice Chairman Mick Todd, Fred Otis, Tony Miller, Manual Sisneros, City Manager Roy Otto, Director of Finance Victoria Runkle, Director of Water and Sewer Sean Chambers, Deputy Director of Water Resources Adam Jokerst, Business Manager Erik Dial, Water Resources Manager Jennifer Petrzelka, Environmental and Water Resources Attorney Jerrae Swanson, Environmental and Water Resources Attorney Dan Biwer, Environmental and Water Resources Attorney Aaron Goldman, Water and Sewer Board Counsel Carolyn Burr, MSWSP Project Manager Mary Gearhart and Shanna Yopez of Brown and Caldwell, Office Manager Shannon Metcalf, and Senior Administrative Assistant Ettie Arnold

The Executive Session ended at 4:48 p.m. and the regular meeting resumed.

13. Legal Report

Ms. Burr stated that legal counsel does not recommend Greeley file any new statements of opposition this month. She also noted that Greeley has not filed any new applications. The Leprino case (17CW3020) was set for trial in July 2020, if staff and legal counsel cannot settle with the remaining opposers before then.

14. Director's Report

Mr. Chambers gave a report on the following items:

- Wastewater Treatment and Reclamation Master Plan Update
- Poudre River Forum – February 1, 2019 at the Drake Centre in Fort Collins

15. Such Other Business That May be Brought Before the Board and Added to This Agenda by Motion of the Board

Chairman Evans adjourned the meeting at 4:51 p.m.

Harold Evans, Chairman

Shannon Metcalf, Office Manager

WATER & SEWER BOARD AGENDA JANUARY 16, 2019

ENCLOSURE X NO ENCLOSURE

ITEM NUMBER: 4

TITLE: ACTION: APPROVE RESOLUTION
 AMENDING GREELEY-LOVELAND SYSTEM
 YIELD VALUES

RECOMMENDATION: APPROVE RESOLUTION

ADDITIONAL INFORMATION:

At the December 2018 Board meeting, Staff presented an overview of the 1995 Raw Water Dedication Policy, which defines the process for new demand or new development to provide raw water supply to the City. Raw water dedication credits, average yields and firm yields for the Greeley-Loveland system were reported. Staff made a recommendation to amend the 1995 Resolution to utilize firm yield, instead of average yield, values for credit given to Greeley-Loveland, Lake Loveland and Seven Lakes shares transferred to the City in satisfaction of its raw water requirements.

As requested by the Board in response to the December staff recommendation, the enclosed resolution will mandate the use of firm yield values to determine credit given for Greeley-Loveland system water rights, and will replace the 1995 Resolution in its entirety.

**CITY OF GREELEY, ACTING BY AND THROUGH
ITS WATER AND SEWER BOARD**

RESOLUTION ___, 2019

**A RESOLUTION AMENDING YIELD VALUES
FOR GREELEY-LOVELAND SYSTEM WATER RIGHTS TRANSFERRED TO THE
CITY IN SATISFACTION OF RAW WATER DEDICATION REQUIREMENTS**

WHEREAS, the City of Greeley (“City”) is a Colorado home-rule municipality empowered, pursuant to Sections 1 and 6 of Article XX of the Colorado Constitution, to construct, purchase, acquire, lease, add to, maintain, conduct, and operate water works and everything required therefor, within or without its territorial limits, for the use of the City; and

WHEREAS, Section 17-4 of the Greeley City Charter and Section 14.04.110 of the Greeley Municipal Code empower and require the Water and Sewer Board (“Board”) to, *inter alia*, acquire and develop the water and sewer assets, supplies and facilities needed to fully use water supplies decreed, adjudicated or contracted for the City; and

WHEREAS, the Board adopted Resolution 1, 1995 on May 25, 1995, in which the Board set yield values for Greeley-Loveland System and Colorado-Big Thompson Project water transferred to the City in satisfaction of its raw water dedication requirements; and

WHEREAS, the yield values for Greeley-Loveland System water rights set in Resolution 1, 1995 were determined by using an estimated average-year yield of the water rights; and

WHEREAS, City Water and Sewer staff have since recommended to the Board that firm yield values are a more accurate representation of the yield to be realized by Greeley-Loveland System water rights transferred to the City in satisfaction of its raw water requirements; and

WHEREAS, it is in the best interests of the City and its water supply planning objectives for City staff to utilize firm yield values to determine raw water credit for Greeley-Loveland System water rights transferred to the City in satisfaction of its raw water requirements.

**NOW, THEREFORE, BE IT RESOLVED BY THE WATER AND SEWER BOARD
OF THE CITY OF GREELEY, COLORADO:**

1. Except where otherwise stipulated by contract, City staff and counsel shall use the following yield values to determine raw water credit for Greeley-Loveland System water rights transferred to the City in satisfaction of raw water dedication requirements:

The Greeley-Loveland Irrigation Company	8 acre-feet/share
The Seven Lakes Reservoir Company	8 acre-feet/share
The Loveland and Greeley Reservoir Company (Lake Loveland)	20 acre-feet/right

2. Except where otherwise stipulated by contract, City staff and counsel shall continue to use a yield value of 0.75 acre-feet per unit to determine raw water credit for Colorado-Big Thompson Project water (C-BT) transferred to the City in satisfaction of raw water dedication requirements.

3. This Resolution shall take immediate effect upon its passage and execution, and supersedes Resolution 1, 1995 in its entirety.

**PASSED AND ADOPTED, SIGNED AND APPROVED THIS ____ DAY OF
JANUARY 2019.**

ATTEST:

Secretary to the Board

Board Chairman

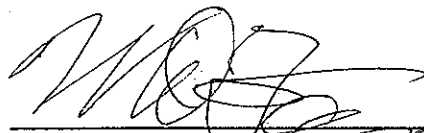
WATER AND SEWER BOARD
RESOLUTION NO. 1 OF 1995

**YIELD VALUE OF WATER RIGHTS TRANSFERRED
IN SATISFACTION OF RAW WATER REQUIREMENTS**

1. Except where otherwise stipulated by contract, the following yield values will be used in satisfying the City's raw water requirement.

<u>Water</u>	<u>Yield</u>
Greeley-Loveland Irrigation Co.	20 acre feet/share
Seven Lakes Irrigation Co.	20 acre feet/share
Lake Loveland	40 acre feet/right
Colorado-Big Thompson	0.75 acre foot/unit

2. This resolution shall become effective on January 1, 1996.



W. D. Farr, Chairman



Paul M. Grattet, Secretary

May 25, 1995
Date

WATER & SEWER BOARD AGENDA JANUARY 16, 2019

ENCLOSURE X NO ENCLOSURE

ITEM NUMBER: 5

TITLE: ACTION: ELECTION OF OFFICERS

RECOMMENDATION: APPROVE 2019 OFFICERS

ADDITIONAL INFORMATION:

WATER & SEWER BOARD AGENDA JANUARY 16, 2019

ENCLOSURE X NO ENCLOSURE

ITEM NUMBER: 6

TITLE: ACTION: APPROVE ACQUISITION OF FARM
AND WSSC WATER RIGHTS (DANN BROWN,
ET AL.)

RECOMMENDATION: APPROVE ACQUISITION

ADDITIONAL INFORMATION:

Staff recommends that the Water and Sewer Board approve the enclosed Purchase and Sale Agreement for Land and Water Rights with Dann R. Brown, Sharon Hooper, and the Richard J. Brown Trust B (“Sellers”). The Sellers own a parcel of real property consisting of approximately 152 acres located to the northwest of Eaton in Weld County, and a total of two shares of stock in The Water Supply and Storage Company, which water rights were historically used to irrigate this property. The total purchase price is \$3,949,670.00.

The farm property includes a single-family residence built in 1925, and is currently occupied and farmed by tenants of the Sellers on the terms of a farm lease initially executed around 1967. The Sellers have agreed to convey the property free of this leasehold interest, so that Greeley may replace the agreement with its own comprehensive farm and water rights lease.

The agreement contemplates a shorter inspection period than typically employed by the City on water rights acquisitions, in order to facilitate an anticipated 1031 exchange by the Sellers. However, Greeley staff has already undertaken preliminary due diligence activities and will be able to complete all necessary inspections and associated tasks in advance of contract deadlines.



WSSC Water Rights and Farm Acquisition (Brown)

January 16, 2019

Purchase & Sale Overview

- 2 shares of stock in Water Supply & Storage Company (WSSC)
 - Firm Yield of WSSC Share = 70 AF/share
- 152 Ac Farm northwest of Eaton, CO in Weld County historically irrigated with the above noted 2 shares of WSSC
- Total Purchase Price is \$3,949,670.00
- 2 shares of WSSC stock valued at approx. \$925K/share based on recent market comps
 - Approx. \$13,214.30 per acre foot of firm yield
- Shares appear to have strong historic consumptive use (HCU) on this farm; due diligence pending.

Map Brown/Brown Trust Farm



Weld Co.
Brown Farms,
Eaton, CO

Corn 2/3
Hay 50%
Beans 2/3
Wheat 2/3

Ogan & Sons
Unit 1
Guy Brown Farm
c/o Wayne Gustafson

Due Diligence & Path Forward

- Initiated Share Trace, Title Work and Preliminary Water Use Research on WSSC Shares
- Parcel C.U. Engineering to be verified by Martin & Wood Engineering
- Approx. 60 days due diligence; working towards facilitating seller's goals of utilizing 1031 exchange tool
- Closing Scheduled for March 8, 2019
- No Brokers or Commissions

Recommendation

- Expenses fit within the budget identified in Departmental Budgeting and the acquisitions are priced consistent with the market; therefore
- W&S Staff Recommend the Acquisition of the 152 Ac Farm and associated 2 shares of WSSC stock in accordance with the water acquisition strategies set forth in the Dept.'s Master Plan and Future Water Account plan

Questions?

WATER & SEWER BOARD AGENDA JANUARY 16, 2019

ENCLOSURE X NO ENCLOSURE

ITEM NUMBER: 7

TITLE: REPORT: 4TH QUARTER WATER COURT
UPDATE

RECOMMENDATION: INFORMATION ONLY

ADDITIONAL INFORMATION:

Staff will provide an update.



Water & Sewer Department

MEMORANDUM

TO: Greeley Water & Sewer Board
FROM: Jen Petrzeka, Water Rights Manager/Water Resources Operations Manager
DATE: January 16, 2019
RE: 4th Quarter Water Court Cases Update

This memorandum is a review of the Water and Sewer Department's legal activities from October of 2018 through December of 2018. The review includes an update on Greeley's current Water Court cases and a summary of the Water Resources Division's legal expenses.

STATEMENTS OF OPPOSITION

Since the last update in October, Greeley has stipulated to decrees in three cases and has not filed any statements of opposition. Therefore the current number of pending Water Court cases where Greeley is an opposer is 10.

Cases stipulated:

- 16CW3093 (Seaworth change of Taylor-Gill)
- 17CW3152 (SEO Ag Water Rule Making)
- 16CW3119 (CCWCD change of Rural ditch)

GREELEY AS APPLICANT

A summary of Greeley's pending Water Court cases where Greeley is the applicant or seeking to be the applicant is as follows:

17CW3020 Leprino

Greeley has been working with Leprino Foods, Inc. ("Leprino") on a water court application for quantification of reusable return flows and appropriative rights of substitution and exchange. Our application was filed in February of 2017. Statements of Opposition were filed by

- GIC-stipulated
- Thornton-stipulated
- Sorin (entry of appearance)
- Northern Water-stipulated

SERVING OUR COMMUNITY • IT'S A TRADITION

We promise to preserve and improve the quality of life for Greeley through timely, courteous and cost-effective service.

- Central Colorado Water Conservancy District
- New Cache Irrigation Company
- Ogilvy Ditch Company
- Bijou Irrigation Company
- Martin Marietta Materials-stipulated
- City of Evans-stipulated
- Cache la Poudre Water Users
- United Water-stipulated
- Farmer's Reservoir and Irrigation Co.-stipulated
- ACWWA-stipulated
- ECCV-stipulated

Of the 14 opposers, nine have stipulated. We are continuing to work through the remaining Opposers' issues, and we anticipate most of the remaining opposers will stipulate in the near future. This case is now on Trial track with a trial set for July 2020 and our expert disclosures due December 9th.

Larimer & Weld Irrigation Company change case

Greeley now owns and will seek to change its shares under the Larimer and Weld system. Greeley and the Companies entered into a cost reimbursement agreement in November 2016 and are cooperating to review their records in anticipation of a future change case. We have started working on a draft engineering report and have met with the Companies twice over the past year to discuss each other's operations and strategize ways we can mutually benefit from the use of the Companies water.

18CW3016 (Application to make absolute, and for reasonable diligence, for 06CW258 Tunnel Water Company conditional rights)

In January 2018 Greeley filed its application for a finding of reasonable diligence on some of the Tunnel Water Company rights decreed in Case No. 06CW258, which include conditional appropriative rights of exchange and substitution, including storage. Greeley owns 7% of the Tunnel Water Company, which is a transbasin supply entering the Poudre River from the Laramie River Basin. In this diligence application, Greeley seeks a determination that a portion of the exchange from the Tunnel to Milton-Seaman Reservoir has been made absolute in the amount of 13.6 cfs. Statements of Opposition were filed by:

- City of Thornton-stipulated
- Cache La Poudre Water Users Association

Greeley received additional technical comments from the Cache La Poudre Water Users Association and is working on a response to be circulated sometime in the next week.

LEGAL & ENGINEERING EXPENSES:

The Water Resource Division's outside legal and engineering expenses through December of 2018 totaled \$579,725 which is 102% of the \$570,049 total spent in 2017.

2018 Water Resources Legal and Engineering Costs

<u>1st quarter</u>	
Legal	\$60,430
Engineering	\$29,952
<i>Total</i>	<i>\$90,381</i>
<u>2nd quarter</u>	
Legal	\$110,740
Engineering	\$110,412
<i>Total</i>	<i>\$221,152</i>
<u>3rd quarter</u>	
Legal	\$112,753
Engineering	\$44,867
<i>Total</i>	<i>\$157,620</i>
<u>4th quarter</u>	
Legal	\$71,201
Engineering	\$39,371
<i>Total</i>	<i>\$110,571</i>
<i>Annual Total</i>	<i>\$579,725</i>



Water Court Cases Update

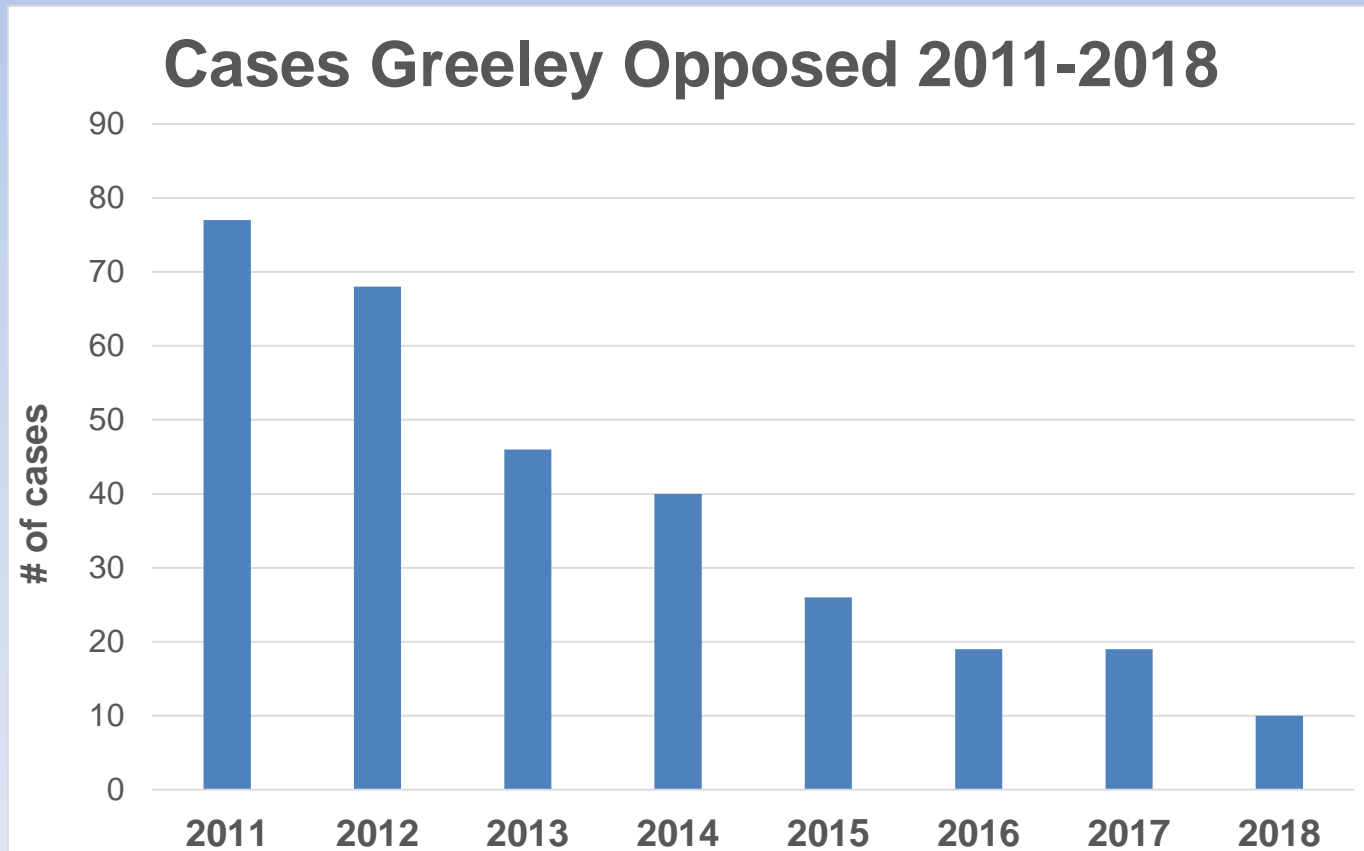
Jen Petrzelka, Water Rights Manager

January 16th , 2019



Statements of Opposition

- Since October, stipulated to 3 cases, no SOO
- Number of cases Greeley is an opposer: 10
- Down ~50% from end of 2017



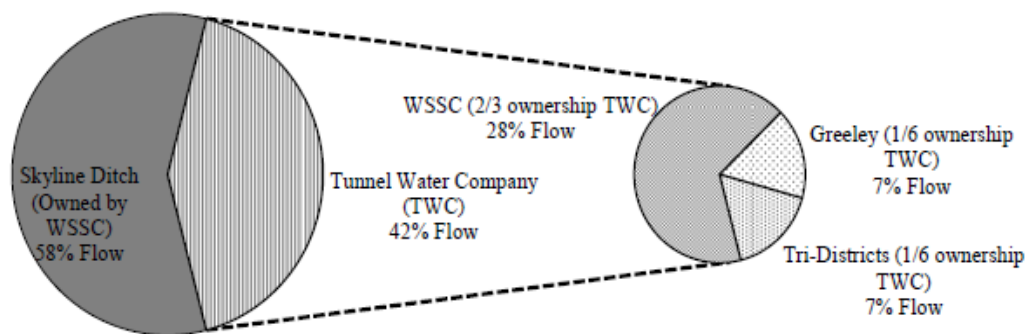
Greeley as Applicant

- ***Leprino (17CW3020)***
 - Quantification of reusable dairy bi-product water and appropriative rights of substitution and exchange
 - 14 opposers, 1 entry of appearance
 - 9 opposers stipulated
 - Working through 3rd round of comments
 - Trial se for July 2020
 - Expert disclosures due December 9th
- ***Larimer & Weld Change Case***
 - Entered into a Cost Reimbursement Agreement (2016)
 - Cooperating to obtain and review records
 - Preparing draft engineering report
 - 2 meetings held in 2018

Greeley as Applicant

- ***Tunnel Water Company diligence for Case No. 06CW258 (18CW3016)***
 - Greeley owns 1/6 of company or 7% flows (~900 AF)
 - Seeking absolute exchange of 13 cfs (cond.=36 cfs)
 - 2 opposers, 1 stipulation
 - **Just sent response to last remaining opposer**

Laramie River Flows through Tunnel



Legal & Engineering Expenses

2018 Costs to date

Legal	\$ 355,124
Engineering	\$ 224,602
Total	\$ 579,725

This is 102% of the \$570,049 spent in 2017

Questions?

WATER & SEWER BOARD AGENDA JANUARY 16, 2019

ENCLOSURE _____

NO ENCLOSURE X

ITEM NUMBER: 8

TITLE: LEGAL REPORT

POSSIBLE ACTION: STATEMENTS OF OPPOSITION, IF ANY

RECOMMENDATION: INFORMATION ONLY

ADDITIONAL INFORMATION:

WATER & SEWER BOARD AGENDA DECEMBER 19, 2018

ENCLOSURE _____

NO ENCLOSURE X

ITEM NUMBER: 9

TITLE: EXECUTIVE SESSION

RECOMMENDATION: INFORMATION ONLY

ADDITIONAL INFORMATION:

WATER & SEWER BOARD AGENDA JANUARY 16, 2019

ENCLOSURE _____

NO ENCLOSURE X

ITEM NUMBER: 10

TITLE: DIRECTOR'S REPORT

RECOMMENDATION: INFORMATIONAL ONLY

ADDITIONAL INFORMATION:

WATER & SEWER BOARD AGENDA JANUARY 16, 2019

ENCLOSURE _____

NO ENCLOSURE X

ITEM NUMBER: 11

TITLE: SUCH OTHER BUSINESS THAT MAY BE
 BROUGHT BEFORE THE BOARD AND
 ADDED TO THIS AGENDA BY MOTION OF
 THE BOARD

RECOMMENDATION: TO BE DETERMINED

ADDITIONAL INFORMATION: