

## RESOLUTION NO. 2015-1

A RESOLUTION OF THE LA PLATA WEST WATER AUTHORITY ESTABLISHING A TIME AND PLACE FOR REGULAR MEETINGS AND DESIGNATING PLACES FOR THE POSTING OF NOTICES OF REGULAR AND SPECIAL MEETINGS.

WHEREAS, the La Plata West Water Authority is required by its Establishment Agreement and its Bylaws to designate a time and place for regular meetings and to post notice of all regular and special meetings at designated locations; and

WHEREAS, the Authority is also required by the Colorado Sunshine Law, C.R.S. 24-6-402(2)(c) to designate annually at its first regular meeting of each calendar year the public places for posting of notice to the public of all meetings.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE LA PLATA WEST WATER AUTHORITY:

1. That the Board of Directors of the La Plata West Water Authority shall hold regular meetings on the first and third Wednesday of each month at 6:30 PM at the conference room of the Fort Lewis Mesa Elementary School. Special meetings of the Board of Directors shall be called in accordance with the provisions of the Authority's establishment Agreement and Bylaws and shall be held at such times and places as are designated in the notice of the special meeting.
2. Notice of all regular and special meetings shall be posted at the following three places:
  - a. Fort Lewis Mesa Elementary School, 11274 Colorado Highway 140, Hesperus, CO 81326
  - b. US Post Office, 10864 Highway 160, Hesperus, CO 81326
  - c. US Post Office, Marvel, Colorado 81329
3. A copy of the notice and time and place designated for all regular meetings shall be posted in the locations specified above and shall be posted in the office of the County Clerk and Recorder of La Plata County, Colorado.

ADOPTED this 7th day of January, 2015.

ATTEST:

  
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Secretary

La Plata West Water Authority

  
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President

## **LA PLATA WEST WATER AUTHORITY**

### **BUDGET MESSAGE 2015 BUDGET**

The La Plata West Water Authority budget for the calendar year 2015 is attached. The Authority was formed in November 2007 and started operations in January 2008.

The Authority was organized to design, build, and operate a rural domestic water system (RDWS) to provide domestic water service to portions of southwestern La Plata County and northern New Mexico. A preliminary engineering report and project overview have been prepared to provide a basic outline of how the RDWS could be developed.

During 2008, the Authority obtained funding consisting of grants and a bridge loan to design and construct a water intake structure at Lake Nighthorse which was the first significant construction phase of the RDWS. The intake structure cost was approximately \$5.6 million of which approximately \$ 2.5 million was expended in 2008 with the balance of \$3.1 million expended in 2009. The intake structure project was completed in July 2009. Funding of the intake structure cost came from grants from the State of Colorado, Southwestern Water Conservation District and a short-term bridge loan from the Colorado Water Resources and Power Development Authority. The short-term bridge loan was repaid in 2009 and 2010 from investments by the Southern Ute Indian Tribe and Ute Mountain Tribe of \$3 million and \$1.5 million, respectively. These funds were obtained by the Tribes from Resource Funds provided to the Tribes by the Colorado Ute Settlement Act of 2000.

During 2010, the Authority's primary activity was the preparation of a USDA application requesting funding to construct part or all of the remaining RDWS with an estimated total cost of approximately \$35.4 million. The preliminary application was submitted to the USDA in early December 2010.

In March of 2011, the Authority submitted a grant application to the Bureau of Reclamation for appraisal study funding which would provide a basis for feasibility funding and possible Federal appropriations for the project. The application was not successful, but ranked highly among submitted projects and the Authority has been encouraged by the BOR to re-submit an updated application in 2012. During the fall of 2011, the Authority was informed by USDA that funds for the entire project would not be available and encouragement was given to identify additional funding sources to augment available USDA funding. Subsequent to an update presentation in December of 2011 to USDA and various Colorado state funding agencies, discussions regarding the phased development of the project have begun in parallel with ongoing negotiations with the Southern Ute Indian Tribe, Ute Mountain Ute Tribe and Lake Durango Water Authority pertaining to operating agreements for the intake structure.

During the early part of 2012, and subsequent to LPWWA's first application review with Colorado Department of Public Health and Environment's associated Water Quality Revolving Fund it was determined that LPWWA's project did not qualify for funding.

During 2013 the Authority finalized Memorandum of Understanding for the intake structure with the Southern Ute Indian Tribe and the Ute Mountain Ute Tribe. La Plata West Water Authority has nearly completed an operating agreement with Lake Durango Water Authority to use a portion of LPWWA's capacity in the intake structure. LPWWA has hired the engineering firm of Bartlett and West to develop a phased approach for the construction of the project, re-engage our community and design a water delivery system using a 'Phase' approach to help find and qualify for funding. LPWWA is in process of reach out to the community to garner additional support to increase the density and make the project more feasible.

In 2014, LPWWA was successful in securing grant funding from the Southwest Water Conservation District. This funding is being used to further our efforts to research rights of way, implement a GIS system, perform cultural resource investigation, and other preliminary survey functions to serve the phase one portion of the proposed project. LPWWA was successful in reaching agreements with both the Southern Ute Indian Tribe and the Ute Mountain Ute Tribes as well as Lake Durango Water Authority to construct a Raw Water Pipeline from Lake Nighthorse to Lake Durango. Both Tribes contributed 1 million dollars each, and Lake Durango has contributed up to 1.5 million towards the design and construction of the Raw Water Pipeline. The Tribes share an interest in getting the water from the lake to the county road but LPWWA and LDWA will construct the pipeline the rest of the way from County Road 210 to Lake Durango. Work continued on the Preliminary Engineering Report (PER) for Phase 1, which is complete and ready for submittal to the funding agencies. The Phase 1 PER identifies a need for 200 total tap purchases, and identifies the tap purchase price which serves as a basis for the rate structure and funding application. The number of tap commitments the Authority holds from the 2010 USDA application process is 110. We believe that most of these commitments will be converted to purchases when the opportunity arises. The funding applications will be sent to both the USDA as well as the Colorado Department of Public Health and Environment for consideration.

Construction of the Raw Water Pipeline will be a major undertaking for the authority in 2015. In early 2015 LPWWA hopes to finalize operating agreements with the Southern Ute Indian Tribe and the Ute Mountain Ute Indian Tribe for the intake structure. If the Authority is successful with its funding application, it will begin construction of Phase 1 Municipal water system in late 2015. We believe we have accurately budgeted for all of the activities which may take place in 2015. If the need arises or we identify a need to amend the budget it will be completed through the formal process.

The Authority utilizes the modified accrual basis of accounting. The Authority is not subject to TABOR since it has no power to levy taxes or hold elections on TABOR issues.