



KERN BOARD REGULAR MEETING

January 26, 2015

Immediately before or after the Regular Town Board Meeting
Town Board Chambers or 3rd Floor Conference Room
301 Walnut Street, Windsor, CO 8055

The Town of Windsor will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 674-2400 by noon on the Thursday prior to the meeting to make arrangements.

AGENDA

1. Call to Order
2. Roll Call of Directors Present
3. Approval of Minutes November 10, 2014 Board of Directors Meeting – P. Garcia
4. Approval of Bills – D. Moyer
5. Designation of Oil/Gas Royalty Funds
6. 2015 Use of Kern Owned New Cache Shares
7. Kyger Pump Station Schedule and Operations for 2015
8. Communications
9. Adjourn



KERN BOARD REGULAR MEETING

November 10, 2014

Immediately before or after the Regular Town Board Meeting
Town Board Chambers or 3rd Floor Conference Room
301 Walnut Street, Windsor, CO 80550

MINUTES

1. President Vazquez called the meeting to order at 6:45 pm

2. Roll Call of Directors Present

President John Vazquez
Vice President Kristie Melendez
Sec/Treas Christian Morgan
Myles Baker
Robert Bishop-Cotner
Ivan Adams

Absent:

Jeremy Rose

Also Present: Town Manager
Town Attorney
Town Clerk
Director of Finance

Kelly Arnold
Ian McCargar
Patti Garcia
Dean Moyer

3. Approval of Minutes September 8, 2014 Board of Directors Meeting – P. Garcia
Board Member Baker motioned to approve the Minutes September 8, 2014 Board of Directors Meeting; Board Member Adams seconded the motion. Roll call on the vote resulted as follows:

Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez
Nayes – None. Motion passed.

President Vazquez offered to entertain a motion to revise the Agenda to include consideration of Notification by New Cache la Poudre Irrigation Company dated October 31, 2014, for participation in Cornish Plains Reservoir oil and gas leasing program.

Board Member Adams motioned to amend the Agenda by adding the consideration of Notification by New Cache la Poudre Irrigation Company for participation in Cornish Plains Reservoir leasing program as Item 4 (a), and moving Approval of Bills to Item 4 (b); Board Member Baker seconded.

Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez
Nayes – None. Motion passed.

4. (a) Consideration of Notification by New Cache la Poudre Irrigation Company for participation in Cornish Plains Reservoir leasing program. – I. McCargar

General Counsel Brad Grasmick circulated a Notification from the New Cache la Poudre Irrigation Company, a copy of which is attached. Upon review, Mr. Grasmick

recommended that the Kern Board decline to offer for leasing of the Kern's interest in Cornish Plains Reservoir. He has reviewed the Decree for the water right, and urges we ask New Cache to allow the Kern to use its interest for augmentation, well depletions and return flows, and to receive it into Kern Reservoir for irrigation purposes. President Vazquez inquired regarding the effect of accepting the offer vs. declining the offer. Mr. Grasmick responded that by declining, the Kern has an "insurance policy", and that the Lease revenue per year doesn't justify the loss of the benefit within augmentation and irrigation needs.

Mr. Grasmick suggested that the Kern's position be put in writing for signature by the Kern Manager, *to wit*: the offer to lease the Kern's interest is declined and that the Kern's use of its interest in Cornish Plains capture the full breadth of the Decree (not just irrigation, but augmentation, well depletion and return flows).

Board Member Adams inquired what happens if New Cache resists our request. Mr. Grasmick indicated that such a situation would come back to Kern Board, and emphasized the need for long-term planning needs, dry-up points downstream.

Board Member Adams motioned that the Kern decline the offer to lease the Kern's interest, and in writing request that the Kern's use of its interest in Cornish Plains capture the full breadth of the Decree (not just irrigation, but augmentation, well depletion and return flows); Board Member Baker seconded the motion. Roll call on the vote resulted as follows:

**Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez
Nays – None. Motion passed.**

4. (b) Approval of Bills – D. Moyer

Board Member Bishop-Cotner motioned to approve the bills as presented; Board Member Adams seconded the motion. Roll call on the vote resulted as follows:

**Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez
Nays – None. Motion passed.**

5. Adjourn

Board Member Bishop-Cotner motioned to adjourn; Vice President Baker seconded the motion. Roll call on the vote resulted as follows:

**Yeas – Baker, Morgan, Melendez, Bishop-Cotner, Adams, Vazquez
Nays – None. Motion passed.**

The meeting adjourned at 6:57 p.m.

KERN RESERVOIR & DITCH CO

REPORT OF BILLS

11/1-12/31-2014

*At the regular meeting of the Kern Reservoir & Ditch Authority,
Colorado, held in the Windsor Town Hall Board Room on January 26, 2015
the following claims were presented, examined, and approved by the KERN Advisory.*

DATE	VENDOR	DESCRIPTION	INVOICE #	AMOUNT
11/13/2014	CLEAR WATER SOLUTIONS INC	KERN/WCSD RE-4	4273	\$2,382.50
11/14/2014	CLEAR WATER SOLUTIONS INC	WINDSOR GENERAL WATER	4255	\$5,169.30
11/15/2014	CLEAR WATER SOLUTIONS INC	KRDC GENERAL WATER RIGHTS	4253	\$2,296.35
11/25/2014	LAWRENCE JONES CUSTER GRASMICK	LEGAL SVCS-AUG PLAN 02CW301	45432	\$522.50
11/26/2014	LAWRENCE JONES CUSTER GRASMICK	LEGAL SVCS-GENERAL	45433	\$470.00
11/27/2014	LAWRENCE JONES CUSTER GRASMICK	LEGAL SVCS	45431	\$94.00
11/28/2014	LAWRENCE JONES CUSTER GRASMICK	LEGAL SVCS	45579	\$776.00
11/29/2014	LAWRENCE JONES CUSTER GRASMICK	LEGAL SVCS	45582	\$1,057.50
11/30/2014	LAWRENCE JONES CUSTER GRASMICK	LEGAL SVCS	45581	\$117.50
12/1/2014	LAWRENCE JONES CUSTER GRASMICK	LEGAL SVCS	45580	\$118.50
12/5/2014	CLEAR WATER SOLUTIONS INC	WINDSOR GENERAL WATER	4295	\$4,085.60
12/5/2014	XCEL ENERGY	UTILITIES	433577177	\$62.71
12/6/2014	CLEAR WATER SOLUTIONS INC	KRDC GENERAL WATER RIGHTS	4291	\$3,040.14
12/6/2014	XCEL ENERGY	UTILITIES	436939963	\$62.66
12/7/2014	CLEAR WATER SOLUTIONS INC	KERN/WCSD RE-4	4301	\$1,200.00
		TOTAL DISBURSEMENT REQUEST		\$21,455.26
		TOTAL		\$21,455.26



301 Walnut Street
 Windsor, CO 80550
 Office 970-674-2400
 Fax 970-674-2456

<u>Finance Department</u>	
Vendor #	105551
Obligation #	

PAYMENT REQUEST

INVOICE NUMBER: 4273	Notes:
VENDOR: Clear Water Solutions	
DBA	
(IF OTHER THAN VENDOR)	
Address: 8010 S. County Road 5, Ste. 105	
Windsor, CO 80528	
Phone: (970) 223-3706	
Fax:	

INVOICE DATE	PROCESSED BY	SUPERVISOR APPROVAL	DEPT. HEAD APPROVAL
11/5/2014	Wade Willis	<i>[Signature]</i>	<i>[Signature]</i>

BUDGET LINE ITEM					
FUND	DEPT.	FUNCTION	PROJECT	DESCRIPTION	TOTAL
06	484	6253	N/A	KERN/WCSD RE-4 12-120	\$2,382.50
				TOTAL	\$2,382.50

POSTED



*clear***WATER***solutions*
 water rights • planning • engineering

Clear Water Solutions
 8010 S County Road 5 Ste 105
 Windsor, CO 80528
 970-223-3706

Kern Reservoir & Ditch Co
 301 Walnut Street
 Windsor, CO 80550

Invoice number
 Date

4273
 11/05/2014

Project **12-120 KERN/WCSD RE-4
 AUGMENTATION PLAN 2014**

Billing Period: 9/29/14– 11/2/14

A detail of the value provided by Clear Water Solutions, Inc. during this billing period is as follows:

- Phase A: Kern Reservoir & Ditch Company
- Finalize lease details
 - Organize and track down replacement water
 - Dry up mapping for 2014 and confirmation of claimed dry up
 - Communications with Wade regarding lease
 - Summarize detailed operations in July and August
 - Revise lease numbers per updated Loudon numbers
 - Miscellaneous coordination of Windsor/Latham lease
 - Request data for monthly accounting
 - Revise July and August accounting to include lease
 - Complete and submit September and October 2014 accounting

Please do not hesitate to contact us with any questions regarding this invoice or your project.

Invoice Summary

Description	Current Billed
KERN RESERVOIR & DITCH COMPANY	
A KERN RESERVOIR & DITCH COMPANY	2,382.50
KERN REIMBURSABLE EXPENSES	0.00
Subtotal	2,382.50
Total	2,382.50

KERN Reservoir & Ditch Company
Kern Reservoir & Ditch Company
Professional Fees

	Hours	Rate	Billed Amount
Project Manager I	2.75	110.00	302.50
Senior Project Manager VI	13.00	160.00	2,080.00
			<u>2,382.50</u>
Phase subtotal			2,382.50
KERN Reservoir & Ditch Company subtotal			<u>2,382.50</u>

Invoice total **2,382.50**

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
4273	11/05/2014	2,382.50	2,382.50				
	Total	2,382.50	2,382.50	0.00	0.00	0.00	0.00

We thank you for your business!



301 Walnut Street
 Windsor, CO 80550
 Office 970-674-2400
 Fax 970-674-2456

<u>Finance Department</u>	
Vendor #	105551
Obligation #	

PAYMENT REQUEST

INVOICE NUMBER: 4255	Notes:
VENDOR: Clear Water Solutions	
DBA	
(IF OTHER THAN VENDOR)	
Address: 8010 S. County Road 5, Ste. 105	
Windsor, CO 80528	
Phone: (970) 223-3706	
Fax:	

INVOICE DATE	PROCESSED BY	SUPERVISOR APPROVAL	DEPT. HEAD APPROVAL
11/5/2014	Wade Willis	<i>[Signature]</i>	<i>[Signature]</i>

BUDGET LINE ITEM					
FUND	DEPT.	FUNCTION	PROJECT	DESCRIPTION	TOTAL
06	484	6253	N/A	WINDSOR GENERAL WATER RIGHTS 09-280	\$5,169.30
				TOTAL	\$5,169.30 ✓

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*clear***WATER**solutions
water rights • planning • engineering

Clear Water Solutions
8010 S County Road 5 Ste 105
Windsor, CO 80528
970-223-3706

Town of Windsor
301 Walnut Street
Windsor, Co 80550
Wade Willis

Invoice number
Date

4255
11/05/2014

Project **09-280 WINDSOR GENERAL WATER RIGHTS SERVICES NON POTABLE 2014**

Billing Period: 9/29/14– 11/2/14

A detail of the value provided by Clear Water Solutions, Inc. during this billing period is as follows:

Phase A: General Water Rights Services

- Kyger/Kern operational memo
- Conference with Brad re: operational memo
- Research shares of New Cache direct off Lorenz Farm
- Review document and historical aerals
- Follow up on miscellaneous questions for Town Hall application with Wade and Dale
- Progress on Summary of Consultation Response for Kyger Pit
- Update Kyger Reservoir accounting through 10/9/14
- Town Hall irrigated acreage, Poudre Plan
- Follow up with New Cache on status of delivery records to Lorenz Farm
- Mapping for Town Parks and irrigated areas with CLPWUA
- Prepare Poudre Plan well table
- Kern Meeting 10/28/14

Please do not hesitate to contact us with any questions regarding this invoice or your project.

Invoice Summary

Description	YTD Billed	Current Billed
A GENERAL WATER RIGHTS SERVICES	48,934.70	4,747.50
B KERN MEASURING DEVICES/FLOWS	0.00	0.00
ADMINISTRATION	1,940.00	240.00
EQUIPMENT, SUPPLIES & GENERAL EXPENSES	1,549.08	181.80
REIMBURSABLE EXPENSES	18.60	0.00
Total	52,442.38	5,169.30

General Water Rights Services

Professional Fees

	Hours	Rate	Billed Amount
Principal	12.00	170.00	2,040.00
Project Manager I	7.25	110.00	797.50
Senior Project Manager VI	11.50	160.00	1,840.00
Sr. Project Manager I	0.50	140.00	70.00
Phase subtotal			4,747.50

Description	Prior Billed	Current Billed
ADMINISTRATION	1,700.00	240.00
EQUIPMENT, SUPPLIES & GENERAL EXPENSES	1,367.28	181.80
Total	3,067.28	421.80

Invoice total **5,169.30**

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
4255	11/05/2014	5,169.30	5,169.30				
	Total	5,169.30	5,169.30	0.00	0.00	0.00	0.00

We thank you for your business!



301 Walnut Street
 Windsor, CO 80550
 Office 970-674-2400
 Fax 970-674-2456

<u>Finance Department</u>	
Vendor #	105551
Obligation #	

PAYMENT REQUEST

INVOICE NUMBER: 4253	Notes:
VENDOR: Clear Water Solutions	
DBA (IF OTHER THAN VENDOR)	
Address: 8010 S. County Road 5, Ste. 105 Windsor, CO 80528	
Phone: (970) 223-3706	
Fax:	

INVOICE DATE	PROCESSED BY	SUPERVISOR APPROVAL	DEPT. HEAD APPROVAL
11/5/2014	Wade Willis	<i>[Signature]</i>	<i>[Signature]</i>

BUDGET LINE ITEM					
FUND	DEPT.	FUNCTION	PROJECT	DESCRIPTION	TOTAL
06	484	6253	N/A	KRDC GENERAL WATER RIGHTS 08-210	\$2,296.35
				TOTAL	\$2,296.35

POSTED



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water rights • planning • engineering

Clear Water Solutions
8010 S County Road 5 Ste 105
Windsor, CO 80528
970-223-3706

Kern Reservoir & Ditch Co
301 Walnut Street
Windsor, Co 80550
Wade Willis

Invoice number **4253**
Date **11/05/2014**

Project **08-210 KRDC GENERAL WATER RIGHTS SERVICES 2014**

Billing Period: 9/29/14– 11/2/14

A detail of the value provided by Clear Water Solutions, Inc. during this billing period is as follows:

- Phase A: Decree Accounting
- Talk with Dale on last run
- Estimate final water level and need for CBT
- Decree accounting

Invoice Summary

Description	YTD Billed	Current Billed
A DECREE ACCOUNTING	13,937.50	2,040.00
B KERN JUNIOR WATER RIGHTS	0.00	0.00
C MISCELLANEOUS	5,707.50	0.00
ADMINISTRATION	1,005.00	120.00
EQUIPMENT, SUPPLIES & GENERAL EXPENSES	1,036.12	136.35
REIMBURSABLE EXPENSES	6.20	0.00
Total	21,692.32	2,296.35

Decree Accounting

Professional Fees

Description	Hours	Rate	Billed
			Amount
Principal	12.00	170.00	2,040.00
ADMINISTRATION			120.00
EQUIPMENT, SUPPLIES & GENERAL EXPENSES			136.35
Total			256.35

Invoice total **2,296.35**

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
4253	11/05/2014	2,296.35	2,296.35				

LAWRENCE JONES CUSTER GRASMICK LLP

Attorneys at Law
5245 Ronald Reagan Blvd., Suite 1
Johnstown, CO 80534

Invoice submitted to:
Kern Reservoir and Ditch Company
301 Walnut Street
Windsor, CO 80550

(Kern)
11/07-10/14

November 06, 2014

In Reference To: Aug Plan 02CW301
Invoice #45432

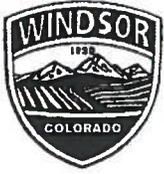
Professional Services

	<u>Amount</u>
10/16/2014 BG Review and revise Lease with Latham and discuss same with Rachel.	235.00
10/31/2014 RD Work on proposed decree; review Kern decree.	280.00
For professional services rendered	\$515.00
Additional Charges :	
10/23/2014 ICCES Filing Fees - Updated Dry Up	7.50
Total costs	\$7.50
Total amount of this bill	\$522.50
Previous balance	\$94.00
10/27/2014 Payment - thank you. Check No. 71078	(\$94.00)
Total payments and adjustments	(\$94.00)
Balance due	<u>\$522.50</u>

PLEASE MAKE CHECKS PAYABLE TO LAWRENCE JONES CUSTER GRASMICK LLP.

PLEASE NOTE THE NEW TELEPHONE NUMBER (970)622-8181.

(970)622-8181



Town of Windsor
 301 Walnut Street
 Windsor Colorado 80550
 (970)686-7476 Fax (970)686-7180

payment request

Finance Department	
Vendor #	106424
Obligation #	

INVOICE NUMBER: 45433	Notes:
VENDOR: Lawrence Jones Custer Grasmick	
MERCHANT: Attorney's At Law (IF OTHER THAN VENDOR)	
Address: 5245 Ronald Reagan Blvd, Suite 1 Johnstown, CO 80534	
	KERN EXPENSE
Phone:	

INVOICE DATE	PROCESSED BY	SUPERVISOR APPROVAL	DEPT. HEAD APPROVAL
11/06/14	S. SWANSON		

BUDGET LINE ITEM				DESCRIPTION	TOTAL
FUND	DEPT.	FUNCTION	PROJECT		
01	418	6253	500	GENERAL	\$470.00
				TOTAL	\$ 470.00

POSTED

LAWRENCE JONES CUSTER GRASMICK LLP

Attorneys at Law
5245 Ronald Reagan Blvd., Suite 1
Johnstown, CO 80534

Invoice submitted to:
Kern Reservoir and Ditch Company
301 Walnut Street
Windsor, CO 80550

Kern non-pot-

November 06, 2014

In Reference To: General
Invoice #45433

Professional Services

	<u>Amount</u>
10/2/2014 BG Review Kern Dry Up letter from Clearwater.	47.00
10/17/2014 BG Review emails regarding Latham Lease.	47.00
10/22/2014 BG Email Rachel regarding submitting accounting with Latham Lease.	23.50
10/23/2014 BG Finalize and send Dry Up confirmation to Division Engineer's Office and parties as required by Decree.	117.50
10/28/2014 BG Attend Kern meeting with Kelly, Wade, Ian, John, and Steve.	235.00
For professional services rendered	<u>\$470.00</u>
Previous balance	\$94.00
10/27/2014 Payment - thank you. Check No. 71078	(\$94.00)
Total payments and adjustments	<u>(\$94.00)</u>
 Balance due	 <u><u>\$470.00</u></u>

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PLEASE NOTE THE NEW TELEPHONE NUMBER (970)622-8181.



Town of Windsor

301 Walnut Street
Windsor Colorado 80550
(970)686-7476 Fax (970)686-7180

Finance Department	
Vendor #	106424
Obligation #	

PAYMENT REQUEST

INVOICE NUMBER: 45431	Notes:
VENDOR: Lawrence Jones Custer Grasmick	
MERCHANT: Attorney's At Law (IF OTHER THAN VENDOR)	
Address: 5245 Ronald Reagan Blvd, Suite 1 Johnstown, CO 80534	
Phone:	KERN EXPENSE

INVOICE DATE	PROCESSED BY	SUPERVISOR APPROVAL	DEPT. HEAD APPROVAL
11/06/2014	S. SWANSON		

BUDGET LINE ITEM					
FUND	DEPT.	FUNCTION	PROJECT	DESCRIPTION	TOTAL
01	418	6253	500	Legal services	\$94.00
				TOTAL	\$ 94.00

POSTED

LAWRENCE JONES CUSTER GRASMICK LLP

Attorneys at Law
5245 Ronald Reagan Blvd., Suite 1
Johnstown, CO 80534

Invoice submitted to:
Kern Reservoir and Ditch Company
301 Walnut Street
Windsor, CO 80550

(Kern)
Non-pot

November 06, 2014

Invoice #45431

Professional Services

	<u>Amount</u>
10/1/2014 BG Review information, status of case, and Statements of Opposition.	94.00
For professional services rendered	<u>\$94.00</u>
Previous balance	\$101.50
10/27/2014 Payment - thank you. Check No. 71078	(\$101.50)
Total payments and adjustments	<u>(\$101.50)</u>
Balance due	<u><u>\$94.00</u></u>

PLEASE MAKE CHECKS PAYABLE TO LAWRENCE JONES CUSTER GRASMICK LLP.

PLEASE NOTE THE NEW TELEPHONE NUMBER (970)622-8181.

DUE UPON RECEIPT. 1.5% PER MONTH INTEREST CHARGED ON ALL PAST DUE BILLS. REFLECTS ONLY PAYMENTS AND CHARGES THROUGH ABOVE DATE.



301 Walnut Street
 Windsor, CO 80550
 Office 970-674-2400
 Fax 970-674-2456

Finance Department	
Vendor #	10 6424
Obligation #	

PAYMENT REQUEST

INVOICE NUMBER: 45579	Notes:
VENDOR: Lawrence Jones Custer Grasmick LLP	
DBA:	
Address: 5245 Ronald Reagan Blvd., Ste 1 Johnstown, CO 80534	KRDC EXPENSE
Phone: 970-622-8181	
Fax:	

INVOICE DATE	PROCESSED BY	SUPERVISOR APPROVAL	DEPT. HEAD APPROVAL
12/8/2014	Megan Walter		

BUDGET LINE ITEM					
FUND	DEPT.	FUNCTION	PROJECT	DESCRIPTION	TOTAL
01	418	6253	500	General Matters	776.00
				TOTAL	\$ 776.00

POSTED

LAWRENCE JONES CUSTER GRASMICK LLP

Attorneys at Law
5245 Ronald Reagan Blvd., Suite 1
Johnstown, CO 80534

Invoice submitted to:
Kern Reservoir and Ditch Company
301 Walnut Street
Windsor, CO 80550

December 08, 2014

Invoice #45579

Professional Services

	<u>Amount</u>
11/3/2014 RD Review and revise proposed ruling; email to Clear Water Solutions regarding needed information; review summary of consultation	232.00
11/4/2014 RD Respond to email from Clear Water Solutions	16.00
11/6/2014 RD Review email from Rachel Kullman regarding accounting, projection, location of depletions, and Glover factors for the Covenant Park Well; review projection and accounting; revise decree; email to Brad.	80.00
BG Review email from Ryan.	23.50
11/10/2014 RD Review Covenant Park Well Addition to 02CW301 draft decree and Brad's comments; revise decree.	176.00
11/11/2014 BG Review and revise Covenant Park decree and discuss changes with Ryan.	235.00
For professional services rendered	<u>\$762.50</u>
Additional Charges :	
11/24/2014 ICCES Filing Fees - Motion for Entry of Ruling and Decree	13.50
Total costs	<u>\$13.50</u>
Total amount of this bill	<u>\$776.00</u>
Previous balance	\$94.00
11/30/2014 Payment - thank you. Check No. 71357	(\$94.00)
Total payments and adjustments	<u>(\$94.00)</u>

Kern Reservoir and Ditch Company

Page 2

Amount

Balance due

\$776.00

PLEASE MAKE CHECKS PAYABLE TO LAWRENCE JONES CUSTER GRASMICK LLP.

PLEASE NOTE THE NEW TELEPHONE NUMBER (970)622-8181.

DUE UPON RECEIPT. 1.5% PER MONTH INTEREST CHARGED ON ALL PAST DUE BILLS. REFLECTS ONLY PAYMENTS AND CHARGES THROUGH ABOVE DATE.

LAWRENCE JONES CUSTER GRASMICK LLP

Attorneys at Law
5245 Ronald Reagan Blvd., Suite 1
Johnstown, CO 80534

Invoice submitted to:

Kern Reservoir and Ditch Company
301 Walnut Street
Windsor, CO 80550

December 08, 2014

In Reference To: General

Invoice #45582

Professional Services

	<u>Amount</u>
11/7/2014 BG Review New Cache letter and decree for Cornish Plains; Email Dennis regarding need for action; Telephone conference with Ian regarding same.	470.00
11/10/2014 BG Emails with Wade regarding Covenant Park and Main Park well; Review and revise Covenant Park decree; Prepare for and attend Kern Board meeting regarding use of New Cache water under Cornish Plains decree.	470.00
11/13/2014 BG Draft letters to New Cache regarding leasing program and email to Kelly and Ian.	117.50
For professional services rendered	\$1,057.50
Previous balance	\$470.00
11/30/2014 Payment - thank you. Check No. 71357	(\$470.00)
Total payments and adjustments	(\$470.00)
 Balance due	 <u>\$1,057.50</u>

PLEASE MAKE CHECKS PAYABLE TO LAWRENCE JONES CUSTER GRASMICK LLP.

PLEASE NOTE THE NEW TELEPHONE NUMBER (970)622-8181.

DUE UPON RECEIPT. 1.5% PER MONTH INTEREST CHARGED ON ALL PAST DUE BILLS. REFLECTS ONLY PAYMENTS AND CHARGES THROUGH ABOVE DATE.



301 Walnut Street
 Windsor, CO 80550
 Office 970-674-2400
 Fax 970-674-2456

Finance Department	
Vendor #	10 6424
Obligation #	

PAYMENT REQUEST

INVOICE NUMBER: 45581	Notes:
VENDOR: Lawrence Jones Custer Grasmick LLP	
DBA:	
Address: 5245 Ronald Reagan Blvd., Ste 1 Johnstown, CO 80534	KRDC EXPENSE
Phone: 970-622-8181	
Fax:	

INVOICE DATE	PROCESSED BY	SUPERVISOR APPROVAL	DEPT. HEAD APPROVAL
12/8/14	Megan Walter		

BUDGET LINE ITEM					
FUND	DEPT.	FUNCTION	PROJECT	DESCRIPTION	TOTAL
01	418	6253	500	BROE 07CW326	117.50
				TOTAL	\$ 117.50

POSTED

LAWRENCE JONES CUSTER GRASMICK LLP

Attorneys at Law
5245 Ronald Reagan Blvd., Suite 1
Johnstown, CO 80534

Invoice submitted to:
Kern Reservoir and Ditch Company
301 Walnut Street
Windsor, CO 80550

December 08, 2014

In Reference To: Broe 07CW326

*Invoice #*45581

Professional Services

	<u>Amount</u>
11/21/2014 BG Review Motion to Operate Under Substitute Water Supply Plan and consent to same.	117.50
For professional services rendered	<u>\$117.50</u>
Balance due	<u><u>\$117.50</u></u>

PLEASE MAKE CHECKS PAYABLE TO LAWRENCE JONES CUSTER GRASMICK LLP.

PLEASE NOTE THE NEW TELEPHONE NUMBER (970)622-8181.

DUE UPON RECEIPT. 1.5% PER MONTH INTEREST CHARGED ON ALL PAST DUE BILLS. REFLECTS ONLY PAYMENTS AND CHARGES THROUGH ABOVE DATE.



301 Walnut Street
 Windsor, CO 80550
 Office 970-674-2400
 Fax 970-674-2456

<i>Finance Department</i>	
Vendor #	10 6424
Obligation #	

PAYMENT REQUEST

INVOICE NUMBER: 45580	Notes:
VENDOR: Lawrence Jones Custer Grasmick LLP	
DBA:	
Address: 5245 Ronald Reagan Blvd., Ste 1 Johnstown, CO 80534	KRDC EXPENSE
Phone: 970-622-8181	
Fax:	

INVOICE DATE	PROCESSED BY	SUPERVISOR APPROVAL	DEPT. HEAD APPROVAL
12/8/2014	Megan Walter		

BUDGET LINE ITEM					
FUND	DEPT.	FUNCTION	PROJECT	DESCRIPTION	TOTAL
01	418	6253	500	AUG Plan 02CW301	118.50
				POSTED	
				TOTAL	\$ 118.50

LAWRENCE JONES CUSTER GRASMICK LLP

Attorneys at Law
5245 Ronald Reagan Blvd., Suite 1
Johnstown, CO 80534

Invoice submitted to:
Kern Reservoir and Ditch Company
301 Walnut Street
Windsor, CO 80550

December 08, 2014

In Reference To: Aug Plan 02CW301
Invoice #45580

Professional Services

	<u>Amount</u>
11/11/2014 RD Finalize decree and tender	48.00
11/24/2014 BG Finalize and file Covenant Park Decree.	70.50
For professional services rendered	\$118.50
Previous balance	\$522.50
11/30/2014 Payment - thank you. Check No. 71357	(\$522.50)
Total payments and adjustments	(\$522.50)
Balance due	<u>\$118.50</u>

PLEASE MAKE CHECKS PAYABLE TO LAWRENCE JONES CUSTER GRASMICK LLP.

PLEASE NOTE THE NEW TELEPHONE NUMBER (970)622-8181.

DUE UPON RECEIPT. 1.5% PER MONTH INTEREST CHARGED ON ALL PAST DUE BILLS. REFLECTS ONLY PAYMENTS AND CHARGES THROUGH ABOVE DATE.



301 Walnut Street
 Windsor, CO 80550
 Office 970-674-2400
 Fax 970-674-2456

<u>Finance Department</u>	
Vendor #	105551
Obligation #	

PAYMENT REQUEST

INVOICE NUMBER: 4295	Notes:
VENDOR: Clear Water Solutions	
DBA (IF OTHER THAN VENDOR)	
Address: 8010 S. County Road 5, Ste. 105 Windsor, CO 80528	
Phone: (970) 223-3706	
Fax:	

INVOICE DATE	PROCESSED BY	SUPERVISOR APPROVAL	DEPT. HEAD APPROVAL
12/3/2014	Wade Willis		

BUDGET LINE ITEM					
FUND	DEPT.	FUNCTION	PROJECT	DESCRIPTION	TOTAL
06	484	6253	N/A	WINDSOR GENERAL WATER RIGHTS 09-280	\$4,085.60
				TOTAL	\$4,085.60

PAID



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Clear Water Solutions

8010 S County Road 5 Ste 105
Windsor, CO 80528
970-223-3706

Town of Windsor
301 Walnut Street
Windsor, Co 80550
Wade Willis

Invoice number

4295

Date

12/03/2014

Project **09-280 WINDSOR GENERAL WATER RIGHTS SERVICES NON POTABLE 2014**

Billing Period: 11/3/14– 11/30/14

A detail of the value provided by Clear Water Solutions, Inc. during this billing period is as follows:

Phase A: General Water Rights Services

- Monitor Kyger water levels and volumes
- Meeting with Wade and Brad on miscellaneous non-potable projects 11/3/14
- Town Hall irrigation plans and CLPWUA
- Mapping of Glover parameters and determine point of depletion for Covenant Park Well
- Valuation letter for New Cache share purchases for CWCB reimbursement
- Conference with Brad on New Cache Cornish Plains water 11/10/14
- Camfield share research
- Coordinate legal location research for Main Park wells as requested by Brad
- Correspondence with Dale Trowbridge at New Cache
- Review Kyger lease
- Cost/benefit to filling Kyger
- Coordinate pump station RFP meeting with Dennis and staff
- Kyger Reservoir accounting

Please do not hesitate to contact us with any questions regarding this invoice or your project.

Invoice Summary

Description	YTD Billed	Current Billed
A GENERAL WATER RIGHTS SERVICES	52,593.45	3,658.75
B KERN MEASURING DEVICES/FLOWS	0.00	0.00
ADMINISTRATION	2,180.00	240.00
EQUIPMENT, SUPPLIES & GENERAL EXPENSES	1,735.93	186.85
REIMBURSABLE EXPENSES	18.60	0.00
Total	56,527.98	4,085.60

General Water Rights Services

Professional Fees

	Hours	Rate	Billed Amount
Principal	12.00	170.00	2,040.00
Project Manager I	8.25	110.00	907.50
Senior Project Manager VI	4.00	160.00	640.00
Water Resource Engineer II	0.75	95.00	71.25
Phase subtotal			3,658.75

Description	Prior Billed	Current Billed
ADMINISTRATION	1,940.00	240.00
EQUIPMENT, SUPPLIES & GENERAL EXPENSES	1,549.08	186.85
Total	3,489.08	426.85

Invoice total **4,085.60**

We thank you for your business!

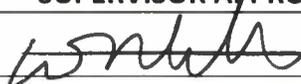


301 Walnut Street
 Windsor, CO 80550
 Office 970-674-2400
 Fax 970-674-2456

<u>Finance Department</u>	
Vendor #	100552
Obligation #	

PAYMENT REQUEST

INVOICE NUMBER: 433577177	Notes: KERN BILL
VENDOR: Xcel Energy	ACCT# 53-0029078-2
DBA:	
(IF OTHER THAN VENDOR)	
Address: PO BOX 9477	
MPLS, MN 55484-9477	
Phone:	KERN
Fax:	

INVOICE DATE	PROCESSED BY	SUPERVISOR APPROVAL	DEPT. HEAD APPROVAL
11/04/2014	S Swanson		

BUDGET LINE ITEM					
FUND	DEPT.	FUNCTION	PROJECT	DESCRIPTION	TOTAL
06	484	6260	000	KERN-NON POTABLE WATER	
				107A CHIMNEY PARK DR-UNIT KERN	
				1A MAIN ST UNIT KERN	
				561 E GARDEN DR	
				10A E Garden Dr 53-0877549-9	
				TOTAL	\$62.71

POSTED



MAILING ADDRESS	ACCOUNT NUMBER	DUE DATE
TOWN OF WINDSOR KERN 301 WALNUT ST WINDSOR CO 80550-5141	53-0029078-2	11/25/2014
	STATEMENT NUMBER	STATEMENT DATE
	433577177	11/04/2014
		AMOUNT DUE
		\$62.71

QUESTIONS ABOUT YOUR BILL?

See our website: xcelenergy.com
 Email us at: Customerservice@xcelenergy.com
 Please Call: 1-800-481-4700
 Hearing Impaired: 1-800-895-4949
 Fax: 1-800-311-0050
 Or write us at: XCEL ENERGY
 PO BOX 8
 EAU CLAIRE WI 54702-0008

ACCOUNT BALANCE

Previous Balance	As of 09/23	\$65.85
Payment Received	Check 10/22	-65.85 CR
Balance Forward		\$0.00
Current Charges		\$62.71
Amount Due		\$62.71

PREMISES SUMMARY

PREMISES NUMBER	PREMISES IDENTIFIER	PREMISES DESCRIPTOR	CURRENT BILL
304241524	107A N CHIMNEY PARK DR UNIT KERN		\$16.09
304241529	1A MAIN ST UNIT KERN		\$15.45
304241530	561 E GARDEN DR		\$15.84
304331438	10A E GARDEN DR		\$15.33
Total			\$62.71

INFORMATION ABOUT YOUR BILL

Thank you for your payment.

Heat a Home, Warm a Heart - Help a neighbor struggling to pay their home energy bill by donating to Energy Outreach Colorado, the state's only nonprofit that raises funds for energy bill payment assistance. It's easy to donate, and every dollar helps keep someone warm and safe in their home. Look on the back of your bill pay stub for details. For more information, visit www.EnergyOutreach.org or call toll-free 1-866-HEAT-HELP (1-866-432-8435)

RETURN BOTTOM PORTION WITH YOUR PAYMENT • PLEASE DO NOT USE STAPLES, TAPE OR PAPER CLIPS



301 Walnut Street
 Windsor, CO 80550
 Office 970-674-2400
 Fax 970-674-2456

Finance Department	
Vendor #	105551
Obligation #	

PAYMENT REQUEST

INVOICE NUMBER: 4291	Notes:
VENDOR: Clear Water Solutions	
DBA (IF OTHER THAN VENDOR)	
Address: 8010 S. County Road 5, Ste. 105 Windsor, CO 80528	
Phone: (970) 223-3706	
Fax:	

INVOICE DATE	PROCESSED BY	SUPERVISOR APPROVAL	DEPT. HEAD APPROVAL
12/3/2014	Wade Willis	<i>[Signature]</i>	

BUDGET LINE ITEM					
FUND	DEPT.	FUNCTION	PROJECT	DESCRIPTION	TOTAL
06	484	6253	N/A	KRDC GENERAL WATER RIGHTS 08-210	\$3,040.14
				TOTAL	\$3,040.14

POSTED



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Clear Water Solutions
8010 S County Road 5 Ste 105
Windsor, CO 80528
970-223-3706

Kern Reservoir & Ditch Co
301 Walnut Street
Windsor, Co 80550
Wade Willis

Invoice number 4291
Date 12/03/2014

Project **08-210 KRDC GENERAL WATER RIGHTS SERVICES 2014**

Billing Period: 11/3/14– 11/30/14

A detail of the value provided by Clear Water Solutions, Inc. during this billing period is as follows:

Phase A: Decree Accounting

- Decree accounting

-

Phase C: Miscellaneous

- Check into status of Covenant Well permit application
- Communication with Brad and Wade
- Review proposed decree and provide legals to Ryan Donovan
- Develop accounting and projection form for exhibits to draft decree

Please do not hesitate to contact us with any questions regarding this invoice or your project.

Invoice Summary

Description	YTD Billed	Current Billed
A DECREE ACCOUNTING	14,277.50	340.00
B KERN JUNIOR WATER RIGHTS	0.00	0.00
C MISCELLANEOUS	8,147.50	2,440.00
ADMINISTRATION	1,125.00	120.00
EQUIPMENT, SUPPLIES & GENERAL EXPENSES	1,176.26	140.14
REIMBURSABLE EXPENSES	6.20	0.00
Total	24,732.46	3,040.14

Decree Accounting

Professional Fees

	Hours	Rate	Billed Amount
Principal	2.00	170.00	340.00

Miscellaneous

Professional Fees

	Hours	Rate	Billed Amount
Principal	8.00	170.00	1,360.00
Project Manager I	4.00	110.00	440.00
Senior Project Manager VI	4.00	160.00	640.00

Phase subtotal 2,440.00

Description	Prior Billed	Current Billed
ADMINISTRATION	1,005.00	120.00
EQUIPMENT, SUPPLIES & GENERAL EXPENSES	1,036.12	140.14
Total	2,041.12	260.14

Invoice total **3,040.14**

We thank you for your business!



301 Walnut Street
 Windsor, CO 80550
 Office 970-674-2400
 Fax 970-674-2456

<i>Finance Department</i>	
Vendor #	100552
Obligation #	

PAYMENT REQUEST

INVOICE NUMBER: 436939963	Notes: KERN BILL
VENDOR: Xcel Energy	ACCT# 53-0029078-2
DBA: (IF OTHER THAN VENDOR)	
Address: PO BOX 9477 MPLS, MN 55484-9477	
Phone:	KERN
Fax:	

INVOICE DATE	PROCESSED BY	SUPERVISOR APPROVAL	DEPT. HEAD APPROVAL
12/03/2014	S Swanson		

BUDGET LINE ITEM				DESCRIPTION	TOTAL
FUND	DEPT.	FUNCTION	PROJECT		
06	484	6260	000	KERN-NON POTABLE WATER	
				107A CHIMNEY PARK DR-UNIT KERN	
				1A MAIN ST UNIT KERN	
				561 E GARDEN DR	
				10A E Garden Dr 53-0877549-9	
				TOTAL	\$62.66

POSTED



MAILING ADDRESS	ACCOUNT NUMBER	DUE DATE
TOWN OF WINDSOR KERN 301 WALNUT ST WINDSOR CO 80550-5141	53-0029078-2	12/23/2014
	STATEMENT NUMBER	STATEMENT DATE
	436939963	12/03/2014
		AMOUNT DUE
		\$125.37

Your Account is Overdue - Please Pay Immediately

QUESTIONS ABOUT YOUR BILL?

See our website: xcelenergy.com
 Email us at: Customerservice@xcelenergy.com
 Please Call: 1-800-481-4700
 Hearing Impaired: 1-800-895-4949
 Fax: 1-800-311-0050
 Or write us at: XCEL ENERGY
 PO BOX 8
 EAU CLAIRE WI 54702-0008

ACCOUNT BALANCE

Previous Balance	As of 10/22	\$62.71
No Payments Received		\$0.00
Balance Forward		\$62.71
Current Charges		\$61.72
Non-Recurring Charges / Credits		\$0.94
Amount Due		\$125.37

PREMISES SUMMARY

PREMISES NUMBER	PREMISES IDENTIFIER	PREMISES DESCRIPTOR	CURRENT BILL
304241524	107A N CHIMNEY PARK DR UNIT KERN		\$15.67
304241529	1A MAIN ST UNIT KERN		\$15.29
304241530	561 E GARDEN DR		\$15.57
304331438	10A E GARDEN DR		\$15.19
Total			\$61.72

NON-RECURRING CHARGES/CREDITS SUMMARY

DESCRIPTION	CURRENT BILL
Late Charge Assessed	\$0.94
Total	\$0.94

INFORMATION ABOUT YOUR BILL

Just a reminder about the past due amount on your account. If you have already sent your payment, thank you. Otherwise, please call 1-800-481-4700 to confirm the status of your account.

RETURN BOTTOM PORTION WITH YOUR PAYMENT • PLEASE DO NOT USE STAPLES, TAPE OR PAPER CLIPS



301 Walnut Street
 Windsor, CO 80550
 Office 970-674-2400
 Fax 970-674-2456

<u>Finance Department</u>	
Vendor #	105551
Obligation #	

PAYMENT REQUEST

INVOICE NUMBER: 4301	Notes:
VENDOR: Clear Water Solutions	
DBA	
(IF OTHER THAN VENDOR)	
Address: 8010 S. County Road 5, Ste. 105	
Windsor, CO 80528	
Phone: (970) 223-3706	
Fax:	

INVOICE DATE	PROCESSED BY	SUPERVISOR APPROVAL	DEPT. HEAD APPROVAL
12/3/2014	Wade Willis	<i>[Signature]</i>	

BUDGET LINE ITEM					
FUND	DEPT.	FUNCTION	PROJECT	DESCRIPTION	TOTAL
06	484	6253	N/A	KERN/WCSD RE-4 12-120	\$1,200.00
				TOTAL	\$1,200.00

POSTED



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Clear Water Solutions
 8010 S County Road 5 Ste 105
 Windsor, CO 80528
 970-223-3706

Kern Reservoir & Ditch Co
 301 Walnut Street
 Windsor, CO 80550

Invoice number
 Date

4301
 12/03/2014

Project **12-120 KERN/WCSD RE-4
 AUGMENTATION PLAN 2014**

Billing Period: 11/3/14– 11/30/14

A detail of the value provided by Clear Water Solutions, Inc. during this billing period is as follows:

- Phase A: Kern Reservoir and Ditch Company
- Follow up on call situations for September and October
 - September and October accounting
 - End of year reports and accounting
 - Follow up with Brad regarding Latham lease

Please do not hesitate to contact us with any questions regarding this invoice or your project.

Invoice Summary

Description	Current Billed
KERN RESERVOIR & DITCH COMPANY	
A KERN RESERVOIR & DITCH COMPANY	1,200.00
KERN REIMBURSABLE EXPENSES	0.00
Subtotal	1,200.00
Total	1,200.00

KERN Reservoir & Ditch Company
Kern Reservoir & Ditch Company
Professional Fees

	Hours	Rate	Billed Amount
Senior Project Manager VI	7.50	160.00	1,200.00
KERN Reservoir & Ditch Company subtotal			1,200.00

Invoice total **1,200.00**

We thank you for your business!



MEMORANDUM

Date: January 28, 2015
To: Kern Board
From: Kelly Arnold, Town Manager
Re: Briefing on Kern Board Agenda Items
Item #: Kern Board – 5-7

The Kern Board has three agenda items that are reports from Town staff and Kern Board attorney regarding the finances and operations of the Kern Reservoir.

Oil/Gas Royalty Revenues – Accounting and Use

The Kern Board entered into oil/gas lease agreements for their rights. These royalties are now starting to arrive from the oil/gas company since the wells are now producing. To date, \$236,995 in royalty revenue has been received with the first revenue starting in August, 2014.

Since these revenues are associated with the Kern Reservoir and are made out to the Kern Board, it is appropriate that the Kern Board use the funds for operations and capital projects associated with the Kern. Also, since the checks are made to the Kern Board, the bank is requiring signatures by the Kern and should be placed into a Kern Board account. To date there is no established account for Kern funds.

It is staff's recommendation that a bank account be established by the Kern Board. In addition, it is recommended that an annual budget be initiated for 2016 to determine the use of funds.

Finally, it is staff's recommendation that the Kern determine use of funds for 2015. It is staff's recommendation that the use of funds for this year be used towards the scheduled rip rap improvement project that is now scheduled for 2015 in the Town's Capital Improvement Fund. That project was scheduled for \$250,000. Other future uses could include other capital related items or legal and engineering expenditures associated with change of use cases.

2015 Use of Kern Owned New Cache Shares

The Kern owns 8 shares of New Cache. Historically these shares have been used for irrigation purposes. It is staff's recommendation that for this year, these shares are used again for irrigation purposes. The Kern Attorney would like next year to initiate a change of use case for the 8 shares of New Cache along with the 4 shares of New Cache/Timnath Reservoir owned by the Town for Kyger.

Kyger Pump Station Schedule and Operations for 2015 – *if time allows*

The Town Engineer will be presenting the schedule for the pump station on Kyger. This discussion will also be about strategies to keep our current Kyger obligations and the timing of entering into other obligations or not as it relates to the pump station construction schedule.