

equipment when MVEA transmission and distribution power lines collided with each other at least twice during a windstorm.

Petersen reported that Donala would not be paid by MVEA's insurance company, Federated Rural Electrical Insurance Exchange. The position stated by MVEA CEO Jim Herron in his March 12 letter to the district is that MVEA is not responsible for wind-caused damage because "extreme high winds are considered an act of nature."

However, Donala's carrier, Cincinnati Insurance Co. of Littleton, has agreed to cover Donala's claim. The amount of damage was over \$50,000. Since MVEA has stated that it will not provide any additional surge protection, Donala will add additional electrical surge protection of its own, wherever possible.

Petersen noted the superb work of all the staff in repairing the electrical surge damage and restoring full, safe, and effective operations, particularly the continuous 12-hour shifts by Lead Operator Terri Ladouceur, Superintendent Robert Hull, Donala Maintenance Operator and employee of the quarter Troy Vialpando, and former Operator Del Phipps, who has just moved out of state.

Some of the statements Cincinnati Claims Specialist Brian Lord wrote in a follow-up letter on Feb. 28 to Petersen were:

- Your staff is an incredible team of dedicated professionals. From the outset of my meeting with you and Terri, it was readily apparent your team took immediate action to avoid a potentially devastating environmental disaster.
- The team knew what action to take, who would do what, and where to go to effect controls to prevent a system calamity. All this was done in a very short period of time with limited resources and compromised electro-mechanical controls. It was apparent that Terri and the group maintained their wits and set about situational control.
- It seemed as if they ran drills for such an unforeseen contingency.
- They reacted to alarms and fault codes and delegated the work.
- They were able to maintain a safe environment.

Petersen introduced new, though very experienced mechanical systems operator J.R. Vialpando to the board as the latest addition to the Donala staff.

**Financial reports**

Office Manager Betsy Bray reported that the purchase of two Trimble handheld meters for mid-month meter readings at a cost of \$8,950.

**Manager's report**

On March 20, the Donala board unanimously approved a lease agreement with the Arkansas Groundwater Users Association (AGUA) of Pueblo for AGUA to be able to lease all available excess fully consumable water available at the Upper Monument Creek Regional Wastewater Treatment Facility at a rate of \$125 per acre-foot (or 325,851 gallons), a 25 percent rate increase. A new clause specifies a 4 percent annual rate increase in the future. Donala will report the amount of excess water available.

AGUA will bear all transit losses of water after the treated effluent enters Monument Creek, while Donala will pay all administrative fees for participation in the Fountain Creek Transit Loss Model. The one-year agreement will expire on March 31, 2015. AGUA has been using about 300 acre-feet per year of excess facility water.

Donala's water attorney Rick Fendel led a lengthy technical discussion regarding the district's current water

rights as well as future water rights acquisition possibilities. Fendel also discussed how water rights are allocated in the Arkansas River basin, district water policies for new development, and district inclusion policies including requiring that included property water rights to be deeded to Donala.

It will be difficult for Donala to include new territory in the future. The district is prohibited from providing services to areas outside the current Donala service area as a condition of the district's Willow Creek Ranch renewable water decree. Any new development must provide all the water to Donala that will be required to meet their demands for new services. All water and wastewater costs for the development must be paid for by the developer, including any new or modified infrastructure costs as well as the district's water development fees.

The Pikes Peak Regional Water Authority nominated Ann Nichols of Forest Lakes Metropolitan District and Curtis Mitchell to be appointed to the Southeastern Colorado Conservancy District, which exercises a great deal of influence over policies and operation of the Pueblo Reservoir.

Petersen also noted that the authority is opposing a statewide ballot initiative for November that would make all public waters in Colorado "waters of the state for use by all Colorado residents," negating the current system of state water right while allowing uncontrolled access to all public and private waters. All private land owners would be required to allow any person to cross their property to access any stream, river, or lake, particularly for any recreational purpose. An inevitable outcome of this new state policy would be stopping construction of all future reservoirs or other water storage processes.

**Development status**

Petersen noted that there had been no change in status in the past month regarding the proposed Kum and Go fuel station at Struthers and Gleneagle Drive or contact with the Gleneagle Golf Course owner. As requested by the owner, the district has shut off all water to the golf course.

No tap fees were collected since the Feb. 20 board meeting.

The meeting went into executive session for discussions with Fendel related to negotiations on specific water rights at 3:20 p.m.

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The next meeting will be held at 1:30 p.m. on April 17 in the district conference room at 15850 Holbein Drive. Meetings are normally held on the third Thursday of the month. Information: 488-3603 or www.donalawater.org - News & Events

Jim Kendrick can be reached at jimkendrick@ocn.me.



**Above:** The Upper Monument Creek Regional Wastewater Treatment Facility, located south of West Baptist Road, is operated by these six Donala Water and Sanitation District employees. From left are JR Vialpando, Troy Vialpando, Robert Hull, Terri Ladouceur, Tom Waite, Aaron Tolman, and Shadow. At the March 20 district board meeting, General Manager Kip Petersen praised them all for their skilled work during a recovery from the major Mountain View Electric Association (MVEA) power surges Feb. 15. Photo by Jim Kendrick on April 2.

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