

# HUERFANO COUNTY WATER CONSERVANCY DISTRICT

## Minutes of Board Meeting September 15, 2014

The monthly meeting of the Huerfano County Water Conservancy District was called to order by President Sandy White on Monday, September 15, 2014 at 6:01 pm.

Directors present: Lewis "Beaver" Edmundson, Michael "Sandy" White, Scott King, Al Garcia, Kent Mace. Secretary: Carol Dunn. Attorney: Steve Monson.  
Guests: Doug Brgoch, Max Vezzani, Ray Garcia, Al Tucker, Rachel Zancanella, Gerald Cisneros, Mr. & Mrs. Phil Cummings.

Garcia moved and Edmundson seconded to approve the agenda. Board approved.

MINUTES – King moved and Garcia seconded to approve the August 25, 2014 minutes as presented. Board approved.

TREASURER'S REPORT – Edmundson moved and King seconded to accept the September Treasurer's reports and the draft 2015 budget. Board approved.

### OLD BUSINESS –

Al Garcia reported the RFP/SOW was mailed, and three engineering firms attended the site visit today.

The recharge pond is working well. John Faux said we should be able to shut it down soon. Garcia reported 30 ac-ft. of water has run through the pond. The test wells demonstrate that the water at the pond is 7' higher than the dry up area, so water will flow toward the river.

Garcia reported that the Wardells want to add a hard number instead of a % of ditch loss then they will be ready to sign the Ditch Users' Agreement.

Al Tucker will meet with Mayor Eccher and Dave Johnston to formulate the sample letter that is being requested from HCWCD.

The public hearing for the District's 1041 permit application will be October 28 at 2 pm at the Community Center in Walsenburg. It is hoped that the Commissioners will take action on it at their meeting on October 29.

Ray Garcia reported that the cost for the Gardner water station will be about \$35,000. The tap and underground infrastructure should be in place by the end of September. There will be a separate meter because, per Doug Brgoch, this water will be 100% consumptive. Pre-purchasing of water will take place through County government. The estimated charge will be three cents per gallon. The County's goal is to have it all finished by the end of October. John Faux is working on an amendment to be filed on the current SWSP to accommodate this station.

Regarding Malachite Spring, Mace delivered a check for \$1500.00 toward payment of the outstanding augmentation invoice.

NEW BUSINESS – Doug Brgoch reported the call is #13 on the Huerfano River, while the Cucharas River is at call #3, which takes most of the River. Regarding the Water

Commissioner position, an offer has been made to an applicant and the State hopes to have the position filled by October 1.

Rachel Zancanella, engineer with the Division Engineer's Office in Pueblo, discussed the use of exempt wells for marijuana growing operations. Growers are purchasing land then trying to find water. Zoning issues are causing them to operate outside municipal boundaries, thus using a well. Domestic wells are not intended to support commercial greenhouses, so the uses need to be augmented. She said an SWSP is a good setup for the entities that belong, but each added participant requires that the SWSP be amended, and grow operations require 100% consumptive water with replacement required at the point of use. The State is trying to develop guidelines for planning & zoning commissions. She advised if lagged depletions go beyond five years, they do not qualify for an SWSP.

SWSP: White advised that the District's SWSP renewal for 2015 needs to be filed by October 3, so all potential customers need to indicate interest by September 22. Monson and Faux will try to get permission for a delayed filing date of October 10. Regarding taking on new participants, King expressed his concern about depleting all the water that's in reserve. His question was, in case it's needed for contingency what's available? Dunn will prepare a press release advising all new potential 2015 augmentation customers to contact John Faux and specify location, amount and timing of the depletions they need to augment.

Ranch: Garcia reported that none of the ranch hay has been sold yet. Heaters will be installed in the ranch house this month.

Arkansas Valley Roundtable meeting: White and King reported the group is still working on the State Water Plan. White handed out a list of the Huerfano County-wide projects that were recommended. Sub-committees have narrowed down the proposals. Huerfano County started with 40 proposed projects and ended up with 27 that are considered vital water projects.

#### DIRECTOR AND GUEST COMMENTS –

On behalf of CO61 Water Association, Gail Terry said they appreciate the work HCWCD has done...Smaller entities really rely on the SWSP and this process.

#### BILLS –

There was a motion by King, seconded by Edmundson, to pay the following bills, total \$15,133.38, and transfer \$8,500.00 from ColoTrust into the checking account. Board approved.

Main Street Office Supply – office supplies \$8.07

Alfred Garcia/Family Investment – attend Special District Assn conference \$700.00

Carol Dunn – Clerical, mileage, postage, supplies \$1,239.02

Pine Environmental – 100' probe to measure water depth in wells \$383.32

Felt Monson & Culichia – Legal on Rowland case, 1041 permit, decree \$4,050.35

Walsh Environmental – 1041 permit application \$6,950.00

Sutron – Stage discharge recorder, float, accessories \$1,485.00

Rick Dunn – Water analyst contract \$297.62

Desiree Rosenberg – Library meeting room \$20.00

At 7:06 pm King moved, Edmundson seconded and Board approved going into executive session to discuss matters involving the regional augmentation plan, ongoing litigation, SWSP and including the purchase, acquisition or lease of real, personal or other property interest as in CRS 24-6-402(4)(a), conference with an attorney representing the District for the purposes of receiving legal advice on specific legal questions as in CRS 24-6-402(4)(b), and determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations and instructing negotiators pursuant to CRS 24-6-402(4)(e).

At 8:44 pm, King moved and Garcia seconded closing the executive session and returning to regular session. Board approved. The meeting was called back to regular session at 8:44 pm.

There being no further business, Edmundson moved and King seconded to adjourn. Board approved. Meeting adjourned at 8:44 pm.

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Sandy White, President

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Carol Dunn, Secretary