

HUERFANO COUNTY WATER CONSERVANCY DISTRICT

Minutes of Board Meeting March 6, 2017

The monthly meeting of the Huerfano County Water Conservancy District was called to order at the Spanish Peaks public library, Walsenburg, Colorado by President Scott King on Monday, March 6, 2017 at 6:01 pm.

Attendance –

Directors: Lewis “Beaver” Edmundson, Michael “Sandy” White, Scott King, Kent Mace, Juan Vallejos.
Secretary: Carol Dunn; Attorney: Steve Monson; Engineer: John Faux.

Guests: Lenna Rauber, Doug Brgoch, Dennis & Jeanne Hoyt, Manuel Garcia, John Stroh, John P. Janovec, John Sakun, Owen Shrout, Sheryl Hanisch, Rebecca Hoehne, Keith Bouchard, Gerald Cisneros, Rebecca & Phil Cummings, Sue & Dick Keyes; Bill Knowles & David Rinehart (press).

Minutes – White moved, Edmundson seconded and board approved the January 25, 2016 minutes.

Treasurer report – White moved, Mace seconded and board approved the treasurer’s report.

Ranch Update – Edmundson reported Shrout is working on Ranch house bathroom and plumbing repairs, and a septic system is needed. Vallejos estimated the system will be \$6,300 plus \$525 for the permit. White moved, Mace seconded and board approved authorizing up to \$15,000 to get the bathroom and septic functional, not including the bills that will be paid during this meeting.

Regarding increasing the height of the sand gate – Vallejos said hand work is really all that’s needed. Regarding a private hunting lease – Under the lease agreement, only Shrout and his family can hunt on the HCWCD Ranch.

River Reports – Water Commissioner Lenna Rauber reported that junior water users on the Huerfano River have been able to irrigate up till now. The call is on #11. Doug Brgoch reported that the Cucharas River has average flows for this time of year, with most being taken by the City of Walsenburg. Maria Lake ceased its call about two weeks ago.

We have no word yet from Melissa Peterson about the HCWCD 2017 SWSP. We are operating under an “assumed renewal” for surface diversions only. The expectation is that a single-location surface diversion will be authorized at Badito, which is preferable for Rauber.

Water cases:

2016CW3046 – For benefit of legal counsel, the board affirmed that it plans to take no action.

2015CW3048 – Previous board decision was to take no action on this, and it is an amendment. Brgoch reported there is an additional amendment expected to return to the original application.

Sheep Mountain Ranch – The lease agreement has been signed and is finalized. TZA Water Engineers has been hired to do the pond design, and work is underway. We are awaiting an Intergovernmental Agreement (IGA) with Huerfano County. A mining lease is being developed. We need a signed IGA to get the mining permit application filed, and the hope is to fit it under an expedited basis. The County wants to start mining the gravel in June. Faux reported that the Army Corps of Engineers approved a new 404 permit for the new Sheep Mountain Ranch pond location.

Water Infrastructure Improvements grant – White explained that the project will help Division of Water Resources develop a model for futile calls and administer Huerfano and Cucharas River water rights. DWR performed much of the work, and will install gages, but needs specific items from HRS Water Consultants. Negotiated by Bill Tyner, the HRS proposal is \$99,270 and will include monitoring installation of 4-5 monitoring wells (one on the Cucharas), modeling, and the bid packet for contractors. White moved, Edmundson seconded and board approved execution of the contract with HRS when it's ready.

Arkansas Basin Roundtable – White reported that Natural Resources Conservation Service talked about funding programs, but its EQIP projects are difficult because of the archeological and environmental considerations required. A study is underway on the Western Slope to determine the effect of Colorado River Compact curtailment and a related computer model. Western Slope interests want to eliminate transmountain diversions.

Bills: Edmundson moved, Mace seconded and board approved transferring \$11,000 to ColoTrust and paying the following bills, which total \$30,790.50:

Mountain States Financial group, bookkeeping – \$120.00
Dunn Write, contract, mileage & supplies – \$1,636.08
Dunn Write, Augmentation Facility grant work – \$180.00
Dunn Write, Cucharas Storage Collaborative grant admin – \$305.34
Dunn Write, BIP Coordinator grant admin February – \$165.00
Dunn Write, BIP Coordinator grant admin January – \$172.50
Monson, Cummins & Shoheit, January & February billings – \$17,425.60
La Veta Carpentry, water analyst – \$500.00
Garald Barber, BIP Coordinator – \$6,647.74
Pinnacol Assurance, Workers Comp insurance – \$234.00
TZA Water Engineers, Aug plan accounting, lagged well depletions – \$900.50
Century Link, February phone bill – \$54.21
Walsenburg Lumber, paint for Ranch house – \$108.96
John Pino, Roto-rooter on Ranch house septic – \$250.00
Owen Shrout, repairs to Ranch house bathroom – \$825.57
JNP Construction, sewer line excavation – \$475.00
Rye Septic Service, septic pumping – \$200.00
Las Animas Health Department, septic system permit – \$525.00
Spanish Peaks Library, February rent – \$65.00

Guest comments: John Stroh reported on the Two Rivers/Welton Ditch litigation: Judge Schwartz ruled there are issues that do need to be resolved. He reported that members of the Welton Ditch are indicating they may settle.

Donald Valdez, State Representative for House District 62, introduced himself. He said he is interested in matters that concern the Water Conservancy District.

Bouchard talked to the board about buying the water he needs in perpetuity as soon as possible and expressed frustration with only one location to pump water from the river, which was decided by DWR. Monson, Brgoch and Faux gave brief explanations of how the location of direct pumping from the River was set and why. Applications are now being accepted to be added to the adjudicated permanent augmentation plan, and three marijuana growers have turned in their applications. The

issues Bouchard raised are part of the problem caused by trying to renew the SWSP for the new participants after getting the permanent plan adjudicated.

At 8:01 pm, Mace moved, White seconded and board approved going into executive session to discuss matters involving the regional augmentation plan, ongoing litigation and SWSP, including the purchase, acquisition, lease or sale 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 pursuant to 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 9:10 pm, White moved, Edmundson seconded and board approved closing the executive session and returning to open session. The meeting was called back to regular session at 9:10 pm.

There was a motion by White, seconded by Edmundson and approved by the board, to have King sign the Huerfano County General Land Use permit application.

There being no further business, meeting adjourned at 9:15 pm.

Scott King
President

Carol Dunn
Secretary