

# HUERFANO COUNTY WATER CONSERVANCY DISTRICT

## Minutes of Board Meeting

May 22, 2023

The monthly meeting of the Huerfano County Water Conservancy District, which had been properly noticed and was available for public participation, was called to order by President Scott King in person at Walsenburg Housing Authority, 220 Russell St, Walsenburg on May 22, 2023 at 6:03 pm.

**Directors:** Scott King, Lonnie Brown, Kent Mace, Sandy White. Beaver Edmundson was excused.  
**Secretary:** Carol Dunn; **Attorney:** Ryan Farr. **Guests:** Rick Dunn, Doug Brgoch, Jeff Montoya, Tor Tschanz, Dick Keyes. Steve Smith, Cassidy Woodard by Zoom.

Agenda: Accepted on a White/Mace **motion**.

Minutes: The minutes for the April 17, 2023 board meeting were approved on a White/Mace **motion**.

Financial Reports: There was a White/Brown **motion** to table the financial reports until the mill levy amount received in March is shown as deposited rather than as receivable. Board approved.

### OLD BUSINESS:

**Thorne Ranch:** Farr presented an outline on Thorne Ranch consumptive use and yield. There was discussion about how to move forward on an agreement with Huerfano County. HCWCD would be prosecuting the case to add the water to the existing augmentation plan. The outline will be used to work toward an IGA with the County. Farr suggested a pre-filing meeting with Colorado DWR to see if they have any issues with it.

NEW BUSINESS: No new water cases.

**River Reports:** The rivers are running high with the rains over the past ten days. Jeff Montoya reported he met with the City of Walsenburg about reservoir operation and water operations, there being low motivation to divert when the water rights are in priority. Daigre Reservoir is under restriction. Wahatoya Reservoir is also of concern to DWR Dam Safety.

### Huerfano Regional Augmentation Plan

**Aspen River Ranch** Tier 1 augmentation application – The public notice has been published, and June 8 is the end of the comment period.

**Bear Bottom Ranch** Tier 1 aug application – The newest application is for ½ acre-foot for Dinner Pond. Applicant will also apply for a 4-af lease, with which they want to file a substitute water supply plan. They are looking at alternatives. There was a White/Mace **motion** to accept the Bear Bottom Ranch application for ½ af. Cassidy Woodard explained the purpose behind the water lease.

**Mace** Tier 2 aug application – The engineering report has been submitted to DWR Division 2 for review and comments. A reply is expected in a couple months.

**Siete Inc** – The need is a lease of 18-af of Tier 1 aug water for soil conditioning and dust suppression for the I-25 highway project until summer 2024. Huerfano County has negotiated to supply 9-af from a revision to its 2023 Road & Bridge lease. The other 9-af would be needed in June 2024. There was a White/Mace **motion** to reject the Siete application so it can be corrected and resubmitted at the June meeting. Approved.

On a White/Brown **motion**, the existing 2023 lease agreement with Huerfano County was amended to add 9-af. Approved.

**Recharge Pond** – Mace reported he will have the perforated pipe at the recharge pond water jetted hopefully in a couple weeks.

**SMAF** – Mace reported the pumphouse is having subsidence issues. Straightline Construction (Michael Lemons, PE) provided an estimate of \$50,000 to \$75,000 to reinforce the foundation with screws and

clips on the slab. Viron Huff, employee of Sheep Mountain Ranch, dug up the SMAF valve and water pipe on the easement. Mace will contact Grady Grissom about getting that fixed at SMR expense.

**SCF Flood Mitigation Project** – The remediation coordinator agreement with David Steffan was approved effective March 1, 2023 on a White/Mace **motion**. King will sign after Steffan signs.

**Arkansas Basin Roundtable** report – White reported on the status of Senate bill 23-270 to construct stream restoration structures senior to adjudicated water rights.

**Ark Basin Water Forum** report – Brown and King reported on their attendance at the Water Forum. Highlights included water quality issues related to Peterson Air Force Base and an increase in funding for the Water Supply Reserve Fund for infrastructure repairs. Anna Mauss and Mark Shea reported CWCB is trying to get more money to water conservancy organizations.

**Break** – King called a break at 8:17; meeting reconvened at 8:25.

**Bills** – On a White/Brown **motion**, the board authorized the transfer of up to \$94,500 to ColoTrust savings and approved paying the following bills, which total \$23,534.24:

Mountain States Financial group: bookkeeping	\$200.00
Monson,Cummins,Shohet,Farr: mtg, aug plan, exchg, GPIC, aug app, reservoir	\$11,439.50
Dunn Write: contract, mileage, internet, phone, meeting & office supplies	\$2,069.00
Admin SCF Flood Mitigation grant	\$810.00
La Veta Carpentry: mo website admin + mo water analyst + 3 batteries @ Ranch	\$530.70
Stephen Wardell @ Ranch Mar-May ditch cleaning, sets, headgate, water on/off	\$1,245.00
Applegate Group: water acctg, Thorne Ranch, collab exchg, aug plan participants	\$5,573.75
Doug Brgoch: monthly contract	\$500.00
Lonnie Brown: hotel & mileage to attend Ark Basin Water Forum	\$443.91
Scott King: hotel & mileage to attend Ark Basin Water Forum	\$447.84
San Isabel Electric: Monthly usage at SMAF	\$209.54
Spanish Peaks Library: May rent	\$65.00

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At 8:42, there was a **motion** by White, seconded by Brown and approved by the board to go into executive session, joined by the District's consultant, to discuss: Terms and conditions of a potential IGA with Huerfano County about Thorne Ranch; Bear Bottom lease of extra water; exchanging Twin Lakes water; aug water request by Siete Inc. Discussion in the executive session included 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).

On a Mace/White **motion**, the executive session was closed at 9:59 pm, and the regular session was reconvened.

On a White/Mace **motion**, Farr was directed to offer the proposed Thorne Ranch agreement to Huerfano County's attorney.

On a White/Mace **motion**, Farr was directed to ask Bear Bottom Ranch to submit a proposal for a Tier 2 water lease through October 31, 2023 and let them know, if they need water in 2024, we will lease it to them again if we have it available. Board approved.

There being no further business, the meeting adjourned at 10:01 pm.

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Scott King, President

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Carol Dunn, Secretary