

# HUERFANO COUNTY WATER CONSERVANCY DISTRICT

## Minutes of Board Meeting September 25, 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 September 25, 2023 at 6:00 pm.

**Directors:** Scott King, Lonnie Brown, Kent Mace, Sandy White, Beaver Edmundson.

**Secretary:** Carol Dunn; Engineer: Steve Smith; Attorney: Steve Monson

**Guests:** Doug Brgoch, Dave Steffan, Amos Mace, Jim Alt, Ed Diemer, Gary Vezzani, Fred Eccher, Blair Stutzman, Lenna Rauber.

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

Minutes: The minutes for the August 28, 2023 board meeting were approved on a White/Brown **motion**.

Financial Reports: There was a White/Brown **motion** to accept the August financial reports as presented. Board approved. The Certificate of Deposit has been redeemed and deposited in ColoTrust, where the interest rate is approximately 5.5%.

OLD BUSINESS: Thorne Ranch – Huerfano County Commissioners met with the HCWCD board for discussion on August 30. Issues are being narrowed, but further negotiations are needed. The water rights need to be released by the lien holder. Easements may be in order.

NEW BUSINESS: There were no new water cases.

**River reports:** Lenna Rauber reported the call on the Huerfano River is #12 as of today. Ed Diemer reported the Cucharas River call is #5. Applications for fire suppression ponds are no longer being taken by DWR. Rauber met with a Siete representative. She established that Siete was pulling water from the river east of I-25 at the Vucetich Ranch; they may start pulling water at Badito.

### Huerfano Regional Augmentation Plan

**Bear Bottom Ranch** (Tier 1 aug application) – Deadline for comments on participation is October 26, 2023. The lease for 4 af of temporary aug water is valid through October 31. This will be discussed again in executive session.

**Mace** (Tier 2 aug application) – The notice of inclusion has received no comments. It is now officially included in the augmentation plan.

**Siete Inc** – Smith reported we may be short on water to cover Siete's lease. Monson advised the Board to wait to approve the Siete lease. The decision on the lease will be made at the October meeting.

**Recharge Pond** – Mace reported the work on the recharge pond used perforated pipes, and the estimate is that we have gotten about three acre-feet infiltrated over the past two weeks.

**SMAF** – Final work on the pumphouse slab stabilization by Straightline Construction is still pending.

**SCF Flood Mitigation Project** – David Steffan has eyes on the burn scar and reported on the correlation he's been tracking between rainfall and flood stages. Four flood incidents triggered the warning gages in the last month. Despite the spotty rainfall events, there is good moisture in the soil. This is the fifth year since the burn, and rain has helped things green up, especially the aerial-seeded areas. He handed out an aerial photo map of the Middle Creek project area showing proposed structures. There was a **motion** by White/Mace to allocate \$5,000 to establish access to the project area for future work. Board approved.

**Emergency gages** – OTT/Hydromet has provided a quote on the cost to continue to monitor the emergency gages for another year = \$3344.50. There was a Mace/Brown **motion** to approve one more year of monitoring. Dunn will ask Joey Talbott to drop off the velocity radars and cables at La Veta Town Hall. We will let him know we are taking over and ask if he/DWR would shut off for the winter the five gages that remain. We will be dismantling S. Abeyta Creek and Pass Creek gages.

**Infrastructure Project** – Monson reported the easement agreement has not been received back from Great Plains. Farr is checking with the State Land Board about putting the monitoring well on its land.

**PL-566 Project** – Brown reported on the stakeholder meeting earlier in the day.

**CWCB new representative** – White will arrange for a tour of HCWCD projects for Joshua Godwin, our new CWCB project manager. He will visit on the day of the October 23 board meeting.

**Director terms** expiring: Sandy White, Lonnie Brown. White's letter has been received.

**Arkansas Basin Roundtable report** – Brgoch reported on accountability plans for ABRT board member attendance. ABRT is trying to gather data on water grant projects that have been started and whether they have been completed. ABRT is looking to get a joint meeting with the Rio Grande Roundtable. The Water Supply Reserve Fund is expected to have \$733K by the end of October. Any future water project needs to be introduced through the Roundtable.

White reported HCWCD needs to create a Powerpoint summary of CWCB projects that we have completed since 2014. Regarding Huerfano County's new comprehensive plan, Brgoch and White met online with SE Group to talk about water in the County.

**Break** – King called a break at 8:36; meeting reconvened at 8:56.

**Bills** – On a White/Brown **motion**, the board authorized the transfer of up to \$24,000 from ColoTrust savings and approved paying the following bills, which total \$31,107.99:

Mountain States Financial group: monthly bookkeeping	\$200.00
Monson,Cummins,Shohet,Farr: mtg, aug plan, exchg, GPIC, Thorne; Mace	\$6,883.76
Dunn Write: contract, mileage, internet, phone	\$2,030.20
Admin SCF Flood Mitigation grant	\$1,338.75
La Veta Carpentry: monthly website admin + monthly water analyst	\$400.00
Applegate Group: mtg, water acctg, Wm Craig ops, Thorne Ranch, SCG aug.	\$7,080.56
Doug Brgoch: monthly contract	\$500.00
Mace Water and Land: Wm Craig Ranch recharge pond infiltration system	\$11,350.40
David Steffan: remediation coordinator contract	\$232.98
Sadie Wardell: water operations contract, August	\$645.00
Huerfano Co Clerk & Recorder: recording augmentation certificate	\$28.00
World Journal: publish legals, Mace Tier 2 notice of inclusion & director terms	\$172.92
San Isabel Electric: monthly usage at SMAF	\$180.42
Spanish Peaks Library: monthly rent	\$65.00

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At 8:58, there was a **motion** by White/Edmundson and approved by the board to go into executive session, joined by the District's consultant and engineer, to discuss: PL-566; Siete lease; CWCB grant for BCR 90% design; Thorne Ranch; futile call doctrine; Bear Bottom lease water rollover; administration fees. 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 an Edmundson/Mace **motion**, the executive session was closed at 10:33 pm, and the regular session was reconvened.

On a Mace/Edmundson **motion**, the board accepted the Applegate Group letter for Siete Inc and authorizes to proceed to publish the notice of inclusion that we “intend to lease the water.” In addition, HCWCD authorizes the lease for Siete to be drawn up as soon as Steve Smith determines enough water has accrued to storage to meet delivery obligations. Approved.

There being no further business, the meeting adjourned at 10:35 pm.

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Scott King, President

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Carol Dunn, Secretary