

HUERFANO COUNTY WATER CONSERVANCY DISTRICT

Minutes of Board Meeting July 11, 2022

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 July 11, 2022 at 6:00 pm.

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

Secretary: Carol Dunn; **Attorney:** Ryan Farr

Guests: Jim Alt, Doug Brgoch, Chris Humbert, Lee Etter, Ryan Schuelke, Rob Piziali, Heidi Welsh, Susan Ryan. There was no zoom meeting.

Agenda: Mace requested that his Tier 2 water application be added to the agenda – added on a White/Edmundson **motion**.

MINUTES: The minutes for the June 27, 2022 board meeting were approved on a White/Edmundson **motion**.

FINANCIAL REPORTS: There was a White/Edmundson **motion** to accept the financial reports. Board approved. Dunn summarized the cash flow and grant & loan reports.

OLD BUSINESS: None.

NEW BUSINESS: There was a White/Edmundson **motion** to change the August meeting date to August 15. Board approved.

River reports: **Doug Brgoch** reported the calling right on the Cucharas is #14 before the storm that happened on this date. On the Huerfano it is #18, with the river trailing off. Coler water rights have been offered to HCWCD to lease. Brgoch explained the water was changed to all uses except irrigation by a supreme court case involving Ackerman rights.

Mace Tier 2 application: Mace and Brgoch together surveyed three ponds on the Mace property. A couple qualify as fire protection water supplies; one is 1920s-era and probably qualifies under a County fire protection supply. Brgoch recommends Mace can pull water from the Huerfano River to keep static levels in the ponds. The augmentation application will need to be amended to define this scenario and identify the exact surface area for evaporation.

Infrastructure improvements project: Farr reported that Huerfano-Cucharas Irrigation Company (HCIC) and Great Plains Irrigation Company (GPIC) redlined the standard State easement for HCWCD to install and access a monitoring well in the silt bed of the former Cucharas #5 Reservoir. It has been sent to Bill Tyner and will also go through procurement.

Huerfano Regional Augmentation Plan

SCG pumping: SCG/Schwazze attendees were introduced. Susan Ryan explained the company's request for an alternate pumping scenario. The proposed pumping schedule is for 2022 and 2023. SCG is working on finding long-term sustainable water supplies. SCG emailed a proposed schedule prior to the meeting for the board to review. Under the alternate schedule, lagged depletions never exceed five acre-feet.

Singing River application: Singing River is reviewing the purchase agreement. There was a White/Brown **motion** to approve the agreement pending their approval and signature.

Sheep Mountain Augmentation Facility: Mace reported the road looks good. The entrance sign has yet to be installed. No additional water has been added to the pond. Seed should be drilled this fall and next fall to stabilize the site and meet Mined Land Reclamation specs.

Arkansas Basin Roundtable – White will talk to the ABRT board on July 14 to get a letter of support for our CWP grant application for 90% design of Bruce Canyon Reservoir.

Break – King called a break at 7:21; meeting reconvened at 7:41.

BILLS – On a Mace/Edmundson **motion**, board authorized the transfer of \$7,000 to ColoTrust savings and approved paying the July bills, which total \$21,806.54:

Mountain States Financial group: bookkeeping	\$170.00
Monson, Cummins, Shoheit & Farr: exch storg, aug plan, GPIC, aug applicant, misc	\$4,727.50
Dunn Write: contract, mileage, internet service	\$1,938.73
Admin SCF Recovery Strategic Analysis	\$1,100.00
Admin MSR Dredging Feasibility grant	\$473.00
Admin SCF Flood Mitigation grant	\$473.00
La Veta Carpentry: monthly website admin + monthly water analyst duties	\$350.00
Huerfano County Road & Bridge: work on Middle Creek flood warning gage	\$7,675.00
Div Reclamation, Mining & Safety: annual mining permit fee	\$791.00
Dixon, Waller & Co: audit of 2021 financials	\$3,750.00
San Isabel Electric: monthly usage + access fee at SMAF	\$293.31
Spanish Peaks Library: July rent	\$65.00

At 7:42, there was a **motion** by White, seconded by Mace and approved by the board, to go into executive session to discuss matters involving request by SCG regarding alternative pumping. Discussion 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 White/Brown **motion**, the executive session was closed at 8:11 pm, and the regular session was reconvened. Regarding the SCG request for alternate pumping schedule, there was a White/Brown **motion** as follows: In order to consider this request further, the augmentation water would need to be fully perpetual water. SCG would need to pay for the legal and engineering costs to review the modified pumping schedule and prepare the required agreement. In addition, the request would need to be referred to the Division of Water Resources and would be contingent upon DWR approval. A decision will be made at the August 15 board meeting. The roll-call vote: Brown (Y), White (Y), Mace (Y), Edmundson (N), King (Y). Motion passed 4-1. Farr will contact Susan Ryan with this information. There being no further business, meeting adjourned at 8:16 pm.

Scott King, President

Carol Dunn, Secretary