

HUERFANO COUNTY WATER CONSERVANCY DISTRICT

Minutes of Board Meeting

May 23, 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 May 23, 2022 at 6:00 pm.

Directors: Scott King, Lonnie Brown, Beaver Edmundson, Sandy White. Mace's absence was excused because he was out of the country.

Secretary: Carol Dunn; **Attorney:** Ryan Farr; **Engineer** (by Zoom): Steve Smith

Guests: Doug Brgoch, Rick Dunn, Mayor Charles Bryant, Larry Dasenbrock, Renee Martinez (Sen. Bennet's staff) by Zoom.

The meeting agenda was discussed. It was approved on a White/Edmundson **motion**.

MINUTES: The minutes for the April 25, 2022 board meeting were approved on a White/Brown **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:

Water case 2022CW5 Ferrendelli Ranch application for water storage rights, Santa Clara Creek; 4 named ponds, total 6.1 acre-feet spring fed; livestock, wildlife, piscatorial, recreation. Board decided to take no action on the case.

River reports: Doug Brgoch reported on Huerfano River flows. The Read 97 right started diverting May 22. Cucharas River flows improved after the big snow on May 21. Walsenburg will be turning on #62 on May 24.

Flood emergency gage on Middle Creek: Brgoch met with Huerfano County personnel at the site. The County crew will start working on moving the channel back where it belongs so the emergency gage can read the flows again.

Sheep Mountain Augmentation Facility: Water coming off Pass Creek is heavy with silt. After the latest snow melts, we should be able to start putting water in the reservoir. It's unknown if Bruce Bacon, Hydrologik, has finished programming for the Pass Creek emergency flood warning gage.

Infrastructure improvements project: Farr reported that a template was sent to HCIC and GPIC for an easement to install and access a monitoring well in the silt bed of the former Cucharas #5 Reservoir. They are reviewing it, and we're waiting to hear back from them.

Collaborative Storage Phase 5: Steve Smith reported Applegate has submitted the 50% engineering design on Maria Stevens Reservoir Enlargement. The Estimate of Probable Cost has been reduced because of several revisions in estimated work; it is now \$10.5 million.

Smith has been working with Mark Perry, Dam Safety Inspector. Once the design is final, Monson can forward it to Maria Lakes Grazing Association.

Maria-Stevens Reservoir Dredging Feasibility: The study is underway with hydrologic hazard work. Brgoch reported on the dredging at Maria Lakes. It is not proceeding as fast as was hoped. They may be getting 1/3 of the amount of sediment they were hoping to remove.

Congressionally Directed Spending request: Renee Martinez, staff for Senator Michael Bennet, reported Sen. Bennet supports the HCWCD request for funding to complete 90% design on Bruce Canyon Reservoir, which was submitted in April. The \$310,335 request has moved on to the next stage, and it will be submitted to committee by the Senator.

Huerfano Augmentation Plan update: Farr reported he sent Singing River a copy of the lease-purchase agreement and an example of the augmentation certificate. Dunn sent them a copy of the purchase contract. They are deciding on how much tier 1 and tier 2 water they want. There is no word back from Bear Bottom; however, they need their own water engineer. The attorney has worked with the Maces on their application; they haven't quite decided what they're going to do. They also need to get an engineer.

SCG Holdings pumping request: Through the district's engineer and attorney, the participant suggested being allowed to pump more water some years and less some years, so it averages out to what they are contracted for over a period of five or ten years. Board discussion settled on several problems: part of the quantity was lease-purchased, not purchased outright; DWR Division 2 Engineering would need to give approval; this would set a precedent that others would also want to do; extra administration would be required, raising the admin cost for all. Counsel recommended not getting involved in exceptions like this. Tier 2 water would not work because of lagged depletion (may not have tier 2 water available when it's needed to replace the depletions). On a White/Edmundson **motion**, the board voted no to this suggestion.

Publicity

Board discussed ideas for more newspaper articles in the 2022 Water Series, but not weekly. The articles that were already published could be expanded upon and parsed out in pieces. Ideas: CWCB; what and why on local water conservancy districts; the original HCWCD: Arkansas Basin Roundtable (ABRT); details on the Infrastructure Improvements grant; Robert Rice ditch; failed proposals for reservoirs, canal and ditch systems (i.e. Mustang); wet years vs. dry years; Colorado River Compact; the Dust Bowl.

King and White reported on happenings at the ABRT.

King called a break at 7:32; meeting reconvened at 7:42.

BILLS – On a White/Brown **motion**, board authorized the transfer of \$79,000 to ColoTrust savings and approved paying the May bills, which total \$24,789.02:

Mountain States Financial group: bookkeeping	\$170.00
Monson, Cummins, Shoheit & Farr: exch storg, aug plan & applicants, misc	\$13,605.40
Dunn Write: contract, mileage, internet service	\$1,836.40
Admin SCF Recovery Strategic Analysis	\$677.25
Admin MSR Dredging Feasibility grant	\$193.50

Admin SCF Flood Mitigation grant	\$823.44
La Veta Carpentry: Water analyst for diversion readings & website maintenance	\$350.00
Applegate Group: 50% design of Maria Stevens Reservoir Enlargement	\$6,801.25
IOA, Walsenburg Insurance: Bond, Kent Mace	\$100.00
San Isabel Electric: monthly usage + access fee at SMAF	\$166.78
Spanish Peaks Library: May rent	\$65.00

At 7:58, there was a **motion** by White, seconded by Edmundson and approved by the board, to go into executive session to discuss matters involving diligence, reservoir construction, and correspondence from Steve Leonhardt of BFW Law. 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/Edmundson **motion**, the executive session was closed at 8:10, and the regular session was reconvened.

There being no further business, meeting adjourned at 8:10 pm.

Scott King, President

Carol Dunn, Secretary