

HUERFANO COUNTY WATER CONSERVANCY DISTRICT

Minutes of Board Meeting October 28, 2024

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 October 28, 2024 at 6:00 pm.

Directors: Scott King, Kent Mace, Lonnie Brown.

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

Guests: Gary Vezzani, Doug Brgoch, Dick Keyes, Kristan Lowe, Dale Lyons.

Agenda: Added items: PER and ER for Rural Development grant application; request for assignment of an augmentation certificate. Additions to the agenda were approved on a Brown/Mace **motion**.

Minutes: Minutes of the September 23, 2024 board meeting were approved on a Brown/Mace **motion**.

Financial Reports: Financial reports were accepted as presented on a Mace/Brown **motion**.

A final draft budget was presented to the board. It was accepted for publication in the local newspaper on a Mace/Brown **motion**.

Old Business: **Thorne Ranch**—Farr suggested discussing this in executive session.

New Business: There were no new water cases.

King reported the District Court appointed Jacque Sikes to fill the vacancy of Beaver Edmundson's expired term. The legal notice for the unexpired term resulting from the loss of Sandy White was published in the local newspaper on October 3, with a deadline of November 3 for letters of interest.

DWR river reports: Lenna Rauber reported on the rivers. Huerfano flows: 17 cfs on the upper Huerfano at Manzanares, 12 cfs at Badito, and 1 cfs at I-25. Cucharas flows: 8 cfs at Boyd Ranch, 4.5 cfs at Harrison Bridge, and 0 at Highway 10. There is a possibility to perform the desired water exchange (about 3 af) up the Huerfano after the Welton stops sweeping; it would take 2-5 days. Lenna will find out if that's possible and let Steve Smith know.

HUERFANO REGIONAL AUGMENTATION PLAN

Augmentation water application – The Bear Bottom Ranch lease for Tier 3 aug water expires 10/31/24; renewal is in process. The Bear Bottom purchase agreement for the ½ acre-foot may be rewritten as a lease-purchase. If so, Farr will prepare that agreement.

There was a request for Assignment of Augmentation Certificate from Aspen River Ranch to Aught Six Ranch. On a Mace/Brown **motion**, the board approved transfer of the augmentation certificate contingent on: the use will remain the same as for Aspen River Ranch; we receive the deed for the property sale; we complete an Assignment and Assumption contract with Aught Six; and payment of the 2025 administration fee plus a transfer fee.

Pond liner repair: Applegate presented the preliminary engineering report (PER) and environmental report (ER) to submit with the USDA Rural Development grant application. In addition to a wave runoff design, schedule and cost comparisons, the **PER** demonstrates that feasible alternatives were considered: riprap; patching the geofabric over the liner; a shotcrete alternative; or taking no action. Shotcrete would have required adding rock for a uniform subgrade without damaging the existing liner, which is not feasible. No action would result in a loss of water. Applegate justified why we chose the riprap option. In response to a comment from the board, he will add a riprap specification as an attachment. The **ER** is a high level cursory review of any possible environmental impacts from the

project. Letters were sent to other agencies seeking input. The only letters received were from NRCS and SHPO. On a Mace/Brown **motion**, the board accepted the reports for submittal with the app.

SMAF: Mace reported that Alpine Electric installed the new grounding system around the pumphouse, and it is operational. Kent volunteered Alana Mace to investigate the risks of having someone hack into the SMAF controls.

Revegetation: Brgoch reported on the NRCS plan for reveg of the dryup acreage (92 ac) at Wm Craig Ranch (WCR). It includes repairing the fencing and seeding with an NRCS-approved mixture between Oct. 15, 2024 and May 1, 2025. Brgoch estimated the costs at around \$8,000. Cattle will need to be excluded for a year. Kent will talk to the landowner (Kenney) about sharing the cost of fence repair. Kent suggested we also plan now to revegetate at the SMAF site (28 ac). At SMAF, the seed will need to be drilled into mulch padding or hydromulched because of the wind. An additional fence needs to be built to exclude cattle. On a Brown/Mace **motion**, the board approved up to \$15,000 to purchase seed for the WCR and SMAF revegetation and contract for no-till seeding and fencing.

REPORTS

Arkansas Basin Roundtable: King reported on the meeting. Bill Tyner is working on morphology of the Arkansas River and will be making a presentation. Colorado's Attorney General is concerned that the Kansas Compact showed a 3,000 acre-feet deficit in 2023. ABRT completed a letter of support for the Fountain Creek watershed project.

Water consultant: Brgoch reported that the emergency warning gages should now be shut down. Dunn will confirm with Caleb Brown.

Public comments: None.

Break – King called a break at 7:27; meeting reconvened at 7:44 pm.

Bills: On a Brown/Mace **motion**, the board authorized the transfer of up to \$10,000 from ColoTrust savings and approved paying the following bills, which total \$18,990.11:

Mountain States Financial Group: monthly bookkeeping	\$220.00
Monson, Cummins, Shohet, Farr: mtg, Thorne Rnch, aug plan & particip, Pryor Ditch	\$2,698.00
Dunn Write: contract, mileage, internet, phone, supplies	\$2,295.98
La Veta Carpentry: monthly website admin	\$200.00
monthly water analyst contract	\$200.00
Doug Brgoch: monthly water consultant contract	\$500.00
Applegate Group: mtg, aug plan acctg, admin, apps; Wm Craig;Twin Lakes; SMAF	\$2,431.76
Sadie Wardell: Wm Craig water operations; ditch maintenance September	\$615.00
Mace Water & Land: Operations of SMAF September 2024	\$1,862.00
CDPHE water quality/mining permit renewal	\$541.00
Rfarmer, LLC: audit of 2023 financials	\$7,012.50
Huerfano County Clerk: recording Mace augmentation certificate	\$28.00
World Journal: Legal ad for Notice of Board Vacancies	\$38.28
San Isabel Electric: monthly usage at SMAF	\$282.59
Spanish Peaks Library: monthly rent	\$65.00

At 7:48, there was a Brown/Mace **motion**, approved by the board, to go into executive session, joined by HCWCD consultant Brgoch and engineer Smith to discuss possible terms and conditions for the

purchase of land and water rights in the Huerfano River Basin and to discuss the response to Welton Land & Water Company's Pryor Ditch exchange case.

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). On a Mace/Brown **motion**, approved by the board, the executive session was closed at 8:31 pm, and the regular session was reconvened.

There was a Brown/Mace **motion** to have Applegate Group perform a preliminary historical consumptive use analysis on the water right discussed in executive session at a cost of approximately \$8,000. Approved.

There was a Mace/Brown **motion** to have the attorney reach out to the attorney for Welton Land & Water in response to the most recent proposed Pryor Ditch decree. Approved.

There being no further business, the meeting adjourned at 8:33 pm.

Scott King, President

Carol Dunn, Secretary