

# HUERFANO COUNTY WATER CONSERVANCY DISTRICT

## Minutes of Board Meeting February 27, 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 February 27, 2023 at 6:01 pm.

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

**Secretary:** Carol Dunn; **Attorney:** Steve Monson; **Engineer:** Steve Smith (by Zoom).

**Guests:** Steve Wardell, Jim Alt, Dan Gomez, Corey Gomez, Tor Tschanz, Dick Keyes, Dawn Tschanz, Doug Brgoch, John Stroh; by Zoom: Doug Winter, Renee Martinez.

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

**Minutes:** The minutes for the January 23, 2023 board meeting were approved on a White/Mace **motion**.

**Financial Reports:** There was a White/Brown **motion** to accept the financial reports as presented. Board approved. White asked if line numbers can be added to the financials. Dunn will check with the bookkeeper.

OLD BUSINESS: None.

NEW BUSINESS: No new water cases.

**Colorado Water Congress** – Brown reported on the January 25-27 conference. Colorado's pending PL-566 projects were summarized, including the HCWCD application to build Bruce Canyon Reservoir and enlarge Maria-Stevens. Steve Monson and Steve Smith were also at that presentation. Brown said he made good contacts and learned about the US Forest Service policy about work on burned areas. Becky Mitchell spoke about the Colorado River Compact.

**Thorne Ranch water** – Monson reported the senior water right could be added to the existing augmentation plan. An IGA will be needed, as well as the administrative process to change the water right. The county's attorney is Julianne Woldridge.

Huerfano Regional Augmentation Plan – Steve Smith reported:

**Aspen River Ranch** changed their request to 2 acre-feet of Tier 1 aug water. DWR Division 2 has responded. A controllable, lockable headgate will be required. They would need to buy additional aug water to refill if the ponds are emptied.

**Bear Bottom Ranch** The applicant will need  $\frac{3}{4}$  to 4 af of Tier 1 aug water, depending on which ponds they decide to keep.

**Mace** Tier 2 application – Engineering is still in process. Applicant will need 4 af. There are some administrative questions.

**Water Operations on Wm Craig Ditch** – Steve Wardell presented a proposal for 30 hours a month at \$15 per hour providing services on the HCWCD diversion and flume on the Wm Craig Ditch. On a White/Edmundson **motion** the board accepted and directed the attorney to draw up an agreement. Board approved.

**Recharge Pond Work** – Smith said the siltation basin upstream of the pond is the most important component of the proposed renovation. The estimate he presented is \$416,738 to clean the upper ditch, install a concrete bottom siltation basin, clean the recharge pond, and remove/replace the filtration pipes. There was a White/Edmundson **motion** to start talking to contractors about doing the work.

**Sheep Mountain Augmentation Facility** – Mace reported 1/10 acre-foot of augmentation water was released from SMAF on February 24. Hydrologic is considering hiring Amos Mace and contracting with HCWCD to provide his services at SMAF. Regarding the need to fortify the reservoir against wind and wave runup, it was suggested to make a request to Sen. Bennet and Hickenlooper and Cong. Boebert for Congressionally Directed Spending to pay for the project, which the engineer estimates at \$2,100,768.

**Arkansas Basin Implementation Plan** – White asked for input from the Board before March 27 for the Huerfano County portion of the BIP list.

**Arkansas Basin Roundtable** report – White and King reported on the ABRT meeting.

**Comments** – Tor Tschanz spoke to the board about the Robert Rice Ditch being on the DWR abandonment list. It is HCWCD policy to not get involved in disputes between water users. Mr. Tschanz was invited to the March meeting if he has a suggested alternative HCWCD policy about involvement in water disputes.

**Break** – King called a break at 7:57; meeting reconvened at 8:19.

**Bills** – On a White/Brown **motion**, board authorized the transfer up to \$10,500 from ColoTrust savings and approved paying the following bills, which total \$13,770.13:

Mountain States Financial group: bookkeeping	\$200.00
Monson, Cummins, Shohet & Farr: bd mtg, aug plan, GPIC, exchg/stor, reservoir	\$7,532.95
Dunn Write: Contract, mileage, internet, phone, meeting, supplies	\$2,030.66
Admin SCF Flood Mitigation grant	\$1,012.50
La Veta Carpentry: monthly website admin + monthly water analyst duties	\$350.00
Pinnacol Assurance: Workers Comp premium	\$186.00
CDPHE: SMAF emissions permit, annual fee	\$3.99
Applegate Group: water acctg, PL-566, recharge pond, aug plan participants	\$2,156.25
San Isabel Electric: Monthly usage at SMAF	\$232.78
Spanish Peaks Library: February rent	\$65.00

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At 8:24, there was a **motion** by White, seconded by Mace and approved by the board, to go into executive session to discuss personnel matters for 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). At 8:36, the board returned to regular session on a White/Mace **motion**.

There was a White/Mace **motion** to contract with Doug Brgoch as a consultant on water rights at the rate of \$500 per month, subject to adjustment if necessary based on workload. Board approved. Monson was instructed to draw up the appropriate agreement.

At 8:40, there was a White/Brown **motion** to go into executive session to discuss the following: recharge pond renovation, the status of HCWCD's diligence filing, the proposed PL-566 project, augmentation rules and regulations about sales increments, the futile call model as it affects the Water Infrastructure grant project, Thorne Ranch water, and water rights acquisition on the lower Huerfano River. These discussions 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/Mace **motion**, the executive session was closed at 10:08 pm, and the regular session was reconvened.

There being no further business, meeting adjourned at 10:11 pm.

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Scott King, President

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Carol Dunn, Secretary