

HUERFANO COUNTY WATER CONSERVANCY DISTRICT

Minutes of Board Meeting

June 26, 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 June 26, 2023 at 6:05 pm.

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

Secretary: Carol Dunn; **Attorney:** Ryan Farr. **Guests:** Lenna Rauber, Doug Brgoch, Jeff Montoya, Brian Lalander, Dick Keyes, Ed Diemer, Jim Alt, Amos Mace, Jacque Sykes, Blair Stutzman, Veronica Maes, David Steffan. By Zoom: Doug Winter; Steve Smith, Engineer.

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

Minutes: The minutes for the May 22, 2023 board meeting were approved on a White/Mace **motion**.

Financial Reports: There was a White/Brown **motion** to accept the April and May financial reports as presented. Board approved.

OLD BUSINESS:

Thorne Ranch: Farr reported Huerfano County Commissioners would like to meet with the HCWCD board during the week of August 21 to discuss their offer/ideas. The meeting would be open to the public but not for public discussion.

NEW BUSINESS: There were no new water cases.

River Reports: Deputy Water Commissioner Ed Diemer reported on the Cucharas River, which is dropping in volume. He is monitoring City of Walsenburg water administration. Jeff Montoya added that the City is proposing telemetry for Daigre Reservoir so it can be tracked on the DWR website. Cucharas Sanitation & Water Dist. is reconstructing a headgate, putting a new flume on Baker Creek.

Huerfano Regional Augmentation Plan

Aspen River Ranch (Tier 1 augmentation) is now a participating diversion under the plan.

Bear Bottom Ranch (Tier 1 aug application) – Engineering is underway for the ½-af Dinner Pond. The applicant sent a proposed lease agreement for another 4-af. Board discussed Farr's redlined version.

Mace (Tier 2 aug application) – The engineering report has been revised to address DWR Division 2 comments about metering the water. On a White/Brown **motion**, the board accepted the engineering report; Mace did not vote. The notice of inclusion will now be published in the local paper.

Siete Inc – A revised application was submitted. 9-af will be needed in June 2024. There was a White/Brown **motion** to accept the revised Siete application so Applegate Group can begin the engineering review. Approved.

Recharge Pond – Mace reported Steve Wardell has moved away. His plan was for his boys to take over responsibilities for the ditch/water stations at the Wm Craig Ranch. Rauber and Brgoch agreed to check in with the Wardells and confirm what needs to be done with the water operations.

SMAF – Mace reported the reservoir is full. Straightline Construction (Michael Lemons, PE) provided an estimate of \$48,000 to jack up the foundation with (8) 18-foot deep piers. There was a White/Brown **motion** to execute the contract. Approved.

Mace has been trying to contact Grady Grissom about getting the valve and water pipe on the easement repaired at Sheep Mountain Ranch expense.

SCF Flood Mitigation Project – Steffan reported on two stakeholder meetings and the expected participants for the next project(s), which he anticipates in the Fall: HCWCD, ARWC, NRCS, Upon the Rock, Colorado Parks & Wildlife, State Land Board. Steffan has been looking at potential work sites; the area is still unstable. He will be recording flood events to correlate monsoon rains with effects on streams. Aerial and hand seeding were discussed, as well as cutthroat trout restoration. On Oak Creek the private landowner will pay for work. The willows on South Abeyta Creek have mitigated flood surges. Middle Creek seems most needy, particularly in the location of the flood emergency stream gage. On Pass Creek the road is the primary issue. Brown reported he spoke with the Tollgate Ditch owner, who needs a headcut repaired and wants to be involved to get the engineering done. Terrace stream structures at that location were recommended by Enginuity in the Treatment Alternatives Study.

Infrastructure Project – White explained the project was funded by CWCB and local entities, installing monitoring wells and stream gages so the Division Engineer could determine futile calls. The new State Engineer policy assumes there will not be a futile call. Brgoch pointed out there is a School Section across the reservoir from the planned final monitoring well, 1,100 feet to the west.

Arkansas Basin Roundtable report – Brgoch has been appointed as member-at-large on the Arkansas Basin Roundtable. Rachel Zancanella has suggested a surcharge on each augmentation plan to produce surplus water to meet the Kansas Compact – likely to be decided in court or by legislation.

Water consultant report – Regarding the exchange of leased Twin Lakes water, the possibilities are Britton Pond 3, La Veta Lakes or Maria-Stevens Reservoir. City of Walsenburg is not willing to store the water in City Lake at this time because they currently have no water manager. It is poor timing; they may be interested in working with us in the Fall.

Brown reported Jones & DeMille Engineering, which is doing the PL-566 PIFR, wants an initial meeting around July 19 with HCWCD, as well as site visits to the Bruce Canyon location and Maria-Stevens Reservoir.

Break – King called a break at 7:46; meeting reconvened at 7:55.

Bills – On a White/Emunson **motion**, the board authorized the transfer of up to \$78,500 to ColoTrust savings and approved paying the following bills, which total \$20,708.99:

Mountain States Financial group: bookkeeping	\$200.00
Monson,Cummins,Shohet,Farr: mtg, aug plan, exchg, GPIC, aug app, reservoir	\$7,664.25
Dunn Write: contract, mileage, internet, phone, meeting & office supplies	\$2,087.71
Admin SCF Flood Mitigation grant	\$1,695.36
La Veta Carpentry: mo website admin + mo water analyst	\$400.00
Applegate Group: water acctg, Thorne Ranch, collab exchg, aug plan participants	\$6,103.75
Doug Brgoch: monthly contract	\$500.00
IOA/Walsenburg Insurance: Bond for Mace	\$100.00
David Steffan: remediation coordinator contract	\$609.43
Aristata Communications: SMAF connectivity	\$978.00
San Isabel Electric: Monthly usage at SMAF	\$305.49
Spanish Peaks Library: June rent	\$65.00

At 7:58, there was a **motion** by White, seconded by Brown and approved by the board to go into executive session, joined by the District's consultant, to discuss: Infrastructure Project monitoring well; proposed Bear Bottom lease of extra water; exchange of Pueblo Board of Water Works water to Cucharas. 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 a Mace/White **motion**, the executive session was closed at 8:50 pm, and the regular session was reconvened.

On a White/Brown **motion**, the board agreed to accept the lease agreement with Bear Bottom Ranch for \$4,400 per acre foot of extra water through October 31, 2023, with legal and engineering costs to be billed separately. Board approved.

There being no further business, the meeting adjourned at 9:01 pm.

Scott King, President

Carol Dunn, Secretary