

# HUERFANO COUNTY WATER CONSERVANCY DISTRICT

## Minutes of Board Meeting August 28, 2017

The monthly meeting of the Huerfano County Water Conservancy District was called to order by President Scott King on Monday, August 28, 2017 at 6:02 pm.

Directors present: Michael "Sandy" White, Scott King, John Vallejos, Kent Mace, Beaver Edmundson.  
Secretary: Carol Dunn; Attorney: Steve Monson.

Guests: Keith Bouchard, Jim Eccher, Doug Brgoch, Lenna Rauber, Delmar Janovec, John Janovec, Gail Terry, Rebecca Cummings, Phil Cummings, Gerald Cisneros; Bill Knowles, David Rinehart (press).

White moved, Edmundson seconded and board approved the agenda.

Minutes – White moved, Vallejos seconded and board approved the July 17, 2017 minutes.

Treasurer's Report – White moved, Edmundson seconded and board approved the treasurer's report.

Old Business – White reported the next step on the Collaborative Storage project is a geotechnical survey to choose the best reservoir site. He is working on a WSRA grant application due December 1 for \$123,350, which will require a 50% match. The board approved White sending letters to local governments requesting letters of support and intent to contribute matching funds. On a Mace/Edmundson motion, board approved an HCWCD commitment of \$10,000 toward the grant.

Water Infrastructure Improvements Grant Project – Brgoch reported that monitoring well sites have been chosen, excluding one in the natural alluvium on Cucharas #5. He suggested building a model with a placeholder for that well and tie it in later. An alternative might be to put the well slightly below the Welton headgate. Since the project is scheduled to end 12/31/18, and the Two Rivers work to Cucharas #5 may not be complete by then, the cost of that well (~ \$14,000) would be borne by HCWCD. White requested that Bill Tyner (DWR) describe the change needed to the grant scope of work so a change request can be presented to the CWCB at its September meeting.

New Business – The board decided to take no action on water cases 2015CW3072 and 2017CW8. River reports: Rauber reported there are no local calls on the Huerfano River. A 1,000 cfs flood hit the Huerfano last week. Brgoch reported there are no local calls on the Cucharas River, and all the reservoirs are full. They cannot be filled again until the new irrigation season begins on November 1.

Augmentation leases and payment status as of August 28: Emerald Valley, 2 acre-feet, total due \$8,800, no lease & no payment. ACME/Bouchard, 3 af, total due \$13,200, lease in hand, received payment at this meeting. SCG/Sakun, 2 af, total due \$8,800, received \$8,000, lease in hand. Pop's Farm/Cummings, 1 af, \$4,400 paid, lease in hand. NuGro/Janovec, 2 af, \$8,800 paid, lease signed.

On a Mace/Edmundson motion, the board accepted and King signed the 2017 augmentation water lease for SCG/Sakun (received preliminary acceptance as a participating diversion at the July 17 meeting, but there was no lease or payment).

On a White/Mace motion the board accepted and King signed the 2017 augmentation water lease for ACME Growers/Bouchard (ACME's attorney corresponded with Melissa Peterson, DWR, about which aquifer the ACME well is in and reached an agreement). There were no other objections.

On a White/Mace motion, the board accepted and King signed the 2017 augmentation water lease for Pop's Farm/Cummings (issues with DWR have been resolved; neighboring property owner objections have not, although John Faux has addressed all of the issues). Applicable documents: 8-3-2017 Response of the State Engineer-Cummings; 2017-06-01 Notice of Inclusion, Attachments, and Certificate of Service – Cummings; 2017-06-15 Proof of Publication-Cummings; 2017-08-04 Board ltr

to Cummings; 2017-08-23 King Ltr re Cummings appl; Castle et al. Comments re Cummings Application (2); Figure 1 (5.11.17); License Docs 2017 to 2018; Pump Installation and Test 8-7-2017; TZA Response re Castle 8-22-17.

These companies have gone through the required process to qualify as participating diversions added to the decreed regional augmentation plan (RAP). There was a White/Vallejos motion to add them as participating diversions to the decreed RAP, subject to the rules and regulations and fee structure, with ACME being conditional, subject to acceptance by the State of the proposed lagging. Board approved.

King called a recess at 7:42 pm. Meeting was called back to order at 7:59 pm.

Bills – White moved, Edmundson seconded and board approved transferring \$77,000.00 from ColoTrust and paying the following bills, which total \$139,283.23:

Mountain States Financial group, August bookkeeping –	\$120.00
Monson, Cummins & Shohet, Bd mtg, Sheep Mtn, Aug plan, Perrino, Ranch sale	\$16,621.52
Monson, Cummins & Shohet, work for 5 growers/new applicants–	\$1,467.79
Dunn Write, contract, mileage, meeting expense –	\$1,661.09
Dunn Write, Cucharas Storage Collaborative grant admin, 7/17/17– 8/17/17	\$1,745.34
Dunn Write, Infrastructure Improvements grant admin, 7/17/17–8/15/17	\$367.50
Dunn Write, BIP Coordinator grant admin, 7/11/17–8/17/17	\$227.50
TZA Water Engineers, Water acctg, Bd mtg, SMAF permits & conference, Ranch sale –	\$5,324.01
TZA Water Engineers, Inclusions of growers/new applicants in Reg Aug Plan –	\$3,009.50
Paul Morgan Excavating, SMAF phase 1 construction –	\$100,923.25
La Veta Carpentry, Water analyst contract, August –	\$200.00
La Veta Carpentry, Water analyst assist TZA on Sheep Mtn Aug Facility	\$1,687.39
Century Link, phone service, August –	\$55.52
Garald Barber, BIP Coordinator invoice for July 2017 (grant pmt pending) –	\$3,060.00
HRS Water Consultants, Engineering on Infrastructure improvements grant project --	\$2,114.00
The Signature, Legal ad: inclusion notice (Emerald Valley) –	\$45.46
World Journal, Legal ad: inclusion notice (Emerald Valley) –	\$63.36
Huerfano County, refund Collab Storage contrib., was under-budget –	\$131.25
City of Walsenburg, refund Collab Storage contrib., was under-budget –	\$131.25
Cucharas San & Water District, refund Collab Storage contrib., was under-budget –	\$131.25
Town of La Veta, refund Collab Storage contrib., was under-budget –	\$131.25
Spanish Peaks Library, August rent –	\$65.00

Executive Session – At 8:02 pm White moved, Mace seconded and board approved going into executive session to discuss matters involving the regional augmentation plan and ongoing litigation, including the 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). At 9:20 pm, White moved, Vallejos seconded and board approved closing the executive session and returning to open session.

The meeting was called back to open session at 9:20 pm. White moved, Edmundson seconded and board approved spending up to \$500 for project sign at the Sheep Mountain Augmentation Facility site. White moved, Vallejos seconded and board approved the draft rules and regulations for the regional augmentation plan as provided by counsel. The road bond payment was approved retroactive to 8/2/17 on a White/Edmundson motion. There being no further business, meeting adjourned at 9:25 pm.