

HUERFANO COUNTY WATER CONSERVANCY DISTRICT

Minutes of Board Meeting September 26, 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 September 26, 2022 at 6:01 pm.

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

Secretary: Carol Dunn; **Attorney:** Ryan Farr; **Engineer:** Steve Smith, by Zoom.

Guests: Doug Brgoch, Lenna Rauber, Charles Bryant, Jim Alt, John Stroh; Renee Martinez by Zoom.

Agenda: accepted on a White/Edmundson **motion**.

Minutes: The minutes for the August 15, 2022 board meeting were approved on a White/Edmundson **motion**.

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

Budget: Dunn presented the draft 2023 budget to the board and requested comments before the October meeting.

OLD BUSINESS:

Robert Rice Ditch abandonment case 2022CW19: Attorney Ryan Farr determined HCWCD did not need to file a protest in the case.

Infrastructure improvements project: Farr reported the redlined standard State easement for HCWCD to install and access a monitoring well is still in review by the State.

NEW BUSINESS: There were no new water cases.

River reports: Doug Brgoch reported the calling right on the Cucharas is #3 (Walsenburg) and #5 on the lower river. Lenna Rauber reported on the Huerfano the calling right is #50; #27 on Turkey Creek. Maria-Stevens Reservoir comes into priority on November 1.

Huerfano Regional Augmentation Plan

Administrative fee: Farr and Dunn calculated a new recommended aug plan administration fee for 2023 based on the addition of participants. There was a White/Brown **motion** to adopt the new admin fee of \$1,000 per acre-foot for 2023 beginning November 1. Board approved.

Aspen River Ranch (ARR) Tier 2 augmentation application – Although the original request was for 7 ponds, the applicant settled on keeping one larger pond and a small one. ARR will need to get water for the initial fill and each time they have to refill in case there is no Tier 2 water available. The Applegate estimate is they need 1.5 af. The initial fill will be 2.4 af. We are awaiting an affidavit about how long the ponds have been in existence. Brgoch confirmed DWR will not charge any of the pond owners for the initial fill. However, the owner will need outlets, measuring devices, evaporative computations, and a diversion structure. The rest of the 7 ponds will need to be drained. Farr and Smith will set up a conference call with ARR to be sure the applicant understands what is required.

Gardner Public Improvement District has requested additional aug water under its 2022 lease. Farr and Smith will determine the amount, but the estimate is 2 acre-feet.

Sheep Mountain Augmentation Facility:

Regarding degradation of the liner because of constant wave action at the SMAF site, there are two alternatives: riprap, which could cost \$2-million, or Shockcrete fiber mesh reinforcement, for about \$300K. Steve Smith advised a wave runup study would determine where to place either option. Applegate Group will obtain firmer estimates. Although conditions depend on the wind, Smith considers this a high priority.

As recommended by Brian Sutton, Division 2 Augmentation Coordinator, the recharge pond needs to be scraped and vegetation removed during the winter months. Edmundson was asked to coordinate this and involve others as needed.

Funding

Congressionally directed funding request – HCWCD was not chosen for funding.

CO Water Plan Grant – Application for 90% design of Bruce Canyon Reservoir is pending.

HCFMLD grant opening – We will apply for matching funds toward the CO Water Plan Grant.

Ag water availability funding – On a White/Brown **motion**, the board affirmed the joint letter of interest from HCWCD and Huerfano County which was sent to the Lincoln Institute about local projects in Colorado to explore changes in agricultural water availability.

PL-566 Potential Project – On a White/Brown **motion** the board agreed to send a letter to NRCS requesting a combined PL-566 project in the Cucharas River basin to construct Bruce Canyon Reservoir and enlarge Maria-Stevens Reservoir.

Arkansas Basin Roundtable report: CWCB got \$28M for Water Plan and WSRF grants.

White suggested HCWCD apply for a WSRF grant soon, as the program will be going away.

John Stroh invited the board members to the Farm Bureau annual meeting on October 29 at noon at the Gardner Community Center. Cleave Simpson will be the guest speaker.

Charles Bryant reported that work has started on the phreatophyte removal project within the county. Northern tamarisk beetles – a biological control – have taken hold in the Cucharas basin and expanded into Pueblo County, spreading 7 miles in past couple years.

Break – King called a break at 7:43; meeting reconvened at 7:56.

Bills – On a White/Edmundson **motion**, board authorized the transfer of \$372,500 to ColoTrust savings and approved paying the September bills, which total \$15,041.17:

Mountain States Financial group: bookkeeping	\$170.00
Monson, Cummins, Shoheit & Farr: bd mtg, aug plan, GPIC, aug applic, reservoirs	\$6,023.00
Dunn Write: contract, mileage, internet, phone, antivirus s/w, office supplies	\$2,509.69
Admin MSR Dredging Feasibility grant	\$236.50
Admin SCF Flood Mitigation grant	\$734.29
La Veta Carpentry: monthly website admin + monthly water analyst duties	\$350.00
Applegate Group: aug admin, water eng'g, SCG pumping, aug plan applicants	\$3,750.69
Royal Electric: repair SMAF electrical issue at pumphouse	\$953.74
San Isabel Electric: monthly usage + access fee at SMAF	\$248.26
Spanish Peaks Library: September rent	\$65.00

At 7:57, there was a **motion** by White, seconded by Edmundson and approved by the board, to go into executive session to discuss matters involving water court cases and the revised SCG request for alternate pumping schedule. 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 an Edmundson/White **motion**, the executive session was closed at 9:06 pm, and the regular session was reconvened.

On a White/Brown **motion**, it was decided to add the SCG request for an alternate pumping schedule to the October meeting agenda for further discussion.

There being no further business, meeting adjourned at 9:08 pm.

Scott King, President

Carol Dunn, Secretary