

HUERFANO COUNTY WATER CONSERVANCY DISTRICT

Minutes of Board Meeting January 28, 2019

The monthly meeting of the Huerfano County Water Conservancy District was called to order by President Scott King on Monday, January 28, 2019 at 6:02 pm at the Walsenburg Housing Authority activities room.

Directors present: Lewis "Beaver" Edmundson, Michael "Sandy" White, Scott King, Kent Mace.
Secretary: Carol Dunn; Attorney: Steve Monson
Guests: Rick Dunn, Doug Brgoch, Delmar Janovec.

The agenda was approved.

MINUTES – Mace moved and White seconded to approve the December 11, 2018 minutes as presented. Board approved.

TREASURER REPORT – White moved and Edmundson seconded to approve the Treasurer's reports. Board approved.

White moved and Mace seconded to approve Resolution 2019-01-1 setting the 2019 meeting schedule. Board approved.

King signed the Certificate of Substantial Completion on the SMAF Phase 2 construction by Paul Morgan Excavating, which was certified by TZA Water Engineers. The invoice amount is \$158,000.

There was a **White/Edmundson motion** to have John Faux proceed with the budget for Phase 3 using the synthetic liner.

Water Commissioner Brgoch reported low flows on both rivers. Maria Lake has the call on the Cucharas River. The Cucharas dam is not translating water through the silt bed. This would be a good time to put in the last monitoring well for the Infrastructure Improvements grant project. Brgoch will contact the owner (Bullard) as soon as she is available. There's no way to get any call to the Welton ditch, and they have released their call for a month. Orlando (Huerfano Valley) ditch also placed a call about the same time. The call is #30 on the Huerfano River. State of Colorado is trying to recover the fees surrounding breaching the Cucharas #5, close to a million dollars, plus punitive damages.

Water case 17CW3063 – City of Walsenburg amended application for appropriate rights of exchange, approval of intersystem substitution and quantification of reusable return flows. HCWCD has a live statement of opposition to this case, so there was discussion of how the application has changed. White asked Monson to make sure the other collaborators, La Veta and Cucharas Sanitation & Water District, are aware and have discussed the changes in the case with their attorneys. Infrastructure Improvements project – The consulting engineer is nearly finished with the administrative tool for DWR personnel to use.

Post-fire early flood warning gages project – White explained the project to install early flood warning gages in the subwatersheds upstream of La Veta. They will give 38-52 minutes advance warning of flash flooding in La Veta with notifications handled by the Sheriff's office, Marshal's office, and emergency services. On Pass Creek, the warning would be a little longer for Gardner. DHSEM, DOLA

and CWCB will collaborate for funding the gages at 100%. Brgoch is locating appropriate installation sites. **Edmundson moved and Mace seconded** to go forward with this grant application.

HCWCD will co-sponsor the Eagle Scout Flood Expo project on a **White/Mace motion**.

Annual report – Judge Appel, upon his retirement, recommended that HCWCD send an annual report to the new District Judge McKisson. There was an **Edmundson motion, seconded by White**, to have attorney Steve Monson finish the document and get it filed with the judge. Board approved.

On February 11 at 6 pm at the La Veta Community Center, there will be a meeting for all diverters and water users on Pass, South Abeyta, Middle and Indian Creeks. Brgoch reports a 10% flood event will take out virtually every headgate on the streams where it occurs. Presenters will include Division of Water Resources, Colorado Water Conservation Board, HCWCD, and Natural Resources Conservation Service. Information will include what's expected, where assistance might come from and what that assistance might be. Since CWCB loans are not available to individuals, there is a question of how multiple diverters can apply for loans, perhaps under an umbrella organization, to get relief from the flood damages. Although HCWCD seems to be a possible sponsor to pass through the money for restoration work, no decision was made to serve in that capacity at this time. **White moved, Edmundson seconded, and board approved** being a co-sponsor for the La Veta diverters meeting and having King and Dunn speak on behalf of HCWCD.

Collaborative Storage and Geotechnical Study – Phase 2 of this study is completed, and the last reimbursement has been requested from CWCB. If the grant is approved for Phase 3, there will be additional geotech work at Bruce Canyon and South Baker Creek (SBC), with 30% engineering design at SBC also. If the grant is approved for Phase 4, the 30% engineering designs will be done for the Bruce Canyon dam and Maria Lakes enlargement. Marshall Moore promised to donate the SBC site to Cucharas Sanitation & Water District. There was a **White motion, seconded by Mace**, that, until the SBC site is donated, a reservoir will not be constructed there. Board approved. Steve Smith, Applegate Group, gave the board a list of the next steps: Get preliminary input from DWR Dam Safety Branch; complete 50% designs; final geotechnical investigation and final reservoir designs; obtain permits; locate and apply for construction funding; bid the job(s); select contractor; construction.

Enginuity + CoCo may work together on the flood restoration work. Enginuity could also be the disaster manager for Huerfano County.

Since LVFPD Auxiliary has a GoFundMe campaign for post-fire remediation fundraising, it was suggested that the HCWCD GoFundMe campaign be a "save our agriculture" effort to develop a ditch headgate repair/replacement fund.

Mace suggested the June 2019 HCWCD Water Day program include: history of HCWCD and water development in Huerfano County; explain what we've done over the past 10 years; explanation of the augmentation plan; the collaborative storage efforts; outreach into the greater water community; local water discussion; possibly the PEPO documentary; keynote by John Stulp; future goals, including Cucharas augmentation plan; public input into future efforts. We can use this input as a precursor to the next strategic plan. There was a **White motion, seconded by Edmundson**, to proceed with the Water Day.

Edmundson agreed to do a walkthrough of the Ranch house with the departing tenant, Ernie Hart, on February 13 or 14.

Keith Bouchard has decided not to purchase the last acre-foot of augmentation water allocated to marijuana business, so it is available again.

At 9:03 King called for a break. At 9:11 the meeting was called back to order.

Bills: Edmundson moved, White seconded and board approved transferring \$159,000 from ColoTrust and paying the following bills, which total \$207,400.45:

Payable to	Amount	For
Mountain States Financial Grp	120.00	Bookkeeping, January
Monson, Cummins & Shoheit	6,180.85	Bd mtg, Sheep Mtn, Ranch, aug plan, exchg storage, Wbg & Perrino cases
Dunn Write	245.25	Infrastructure improvements grant admin, final
Dunn Write	1,979.90	Contract, mileage, GoTo Meeting annual subscription
Dunn Write	1,475.74	Collab Geotech Investigation grant admin, final
IOA/Walsenburg Insurance	100.00	Bond for White
La Veta Carpentry	200.00	Water analyst contract, December
La Veta Carpentry	501.62	Water analyst, SMAF inspections 12/18 and 12/21 per TZA requests
La Veta Carpentry	150.00	HCWCD Web site maintenance, December
TZA Water Engineers	6,357.19	Water acctg; Perrino case; straightline diagram of ditch priorities
total \$13,073.71	6,108.12	SMAF phase 2 – Coordinate construction w/Morgan; document, inspect
CenturyLink	58.00	Phone service, January
HRS Water Consultants	7,114.00	Infrastructure improvements grant project, December 2018
Applegate Group	16,158.78	Collab Storage Geotechnical Investigation grant project, final invoice
Glatfelter Underwriting	2,466.00	Liability and property insurance renewal for 2019
Postmaster	56.00	PO Box 442 renewal for one year
Paul Morgan Excavating	158,064.00	SMAF Phase 2 – access road and pipe installation, job complete
Spanish Peaks Library	65.00	Rent, January
Total	\$207,400.45	
Available in checkbook	49,272.26	
diff.	158,128.19	
Suggest transfer frm ColoTrust	159,000.00	
Leaves a checkbook balance	871.81	

At 9:13 there was a **motion by White, seconded by Mace**, to go into executive session to discuss matters involving Regional Plan for Augmentation case 13CW3062, Walsenburg Exchange case 17CW3060, and Cucharas Collaborative exchange case 17CW3075, 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 regarding the William Craig Ranch pursuant to CRS 24-6-402(4)(e).

At 10:02 pm, **White moved, Edmundson seconded and board approved** closing the executive session and returning to open session. The meeting was called back to regular session at 10:02 pm.

There being no further business, meeting adjourned at 10:03 pm.

Scott King, President

Carol Dunn, Secretary