

HUERFANO COUNTY WATER CONSERVANCY DISTRICT

Minutes of Special Meeting Proposed Water Augmentation Plan for Huerfano County February 4, 2009

CALL TO ORDER

A special meeting of the Huerfano County Water Conservancy District was called to order by Vice-president Dawson Jordan on Wednesday, February 4, 2009 at 6:03 pm at the County Commissioners Board room, County Courthouse, Walsenburg.

Attendance

Directors present:

Dawson Jordan

Ray Ryan

Erin Jerant

John Vucetich

Secretary:

Carol Dunn

Consultant:

Ted M. Zorich, Jr.

Guests:

John Galusha, Roger Cain, Kent Mace, Joe Vucetich, Jim Felt, Robert Loeffler, Rhonda Hribar, Jim Hribar, Steve Wachterman, Ray Garcia, Orlando Martinez, Mike Doyle, Larry Michaels, Gail Terry, David Rinehart, Brian Johnson, R. Keagle, Larry D. Bullock, Ran Nygard, Steve Witte.

There was a Jerant motion, seconded by Vucetich, to approve the following statement read by Dawson Jordan:

“Huerfano County Water Conservancy District is willing to take the responsibility for the participants in helping set up the plan of augmentation, provided the costs are paid by the participants and the administration and maintenance of the plan are paid annually by the participants.

HCWCD is not interested in making money off this plan, only serving to help protect the water rights of the owners in Huerfano County.

We feel a working plan is feasible but will not put a final approval stamp on it until all details and costs are worked out.

The proposed plan will benefit less than 200 taxpayers in Huerfano County, and our charge is to all tax paying residents in Huerfano County to protect the use of the waters in this County.”

Jordan enumerated the proposal, attached, for providing a water augmentation plan for the Huerfano River.

The first action would be to file a substitute water supply plan as soon as possible.

Regarding future augmentation water needs, Paradise Acres Homeowners are required to furnish 2 acre feet of replacement water, which they accomplish now with a 3.5 acre-foot pond. A spokesman said once all 70 lots are built out, they will need more augmentation water. Water Commissioner Ray Garcia said there could be people who want to subdivide smaller than 35 acres and will need augmentation water, or there will be people

who want water for uses other than household use. Wind farms will also need water to mix concrete when erecting the wind turbine towers.

Felt recommended HCWCD go to local ranchers to purchase water rights, as the money is more likely to remain in the area. Steve Witte told the Board the Gardner District needs to go to the water court on February 12 with a plan, perhaps not a full-blown plan, but at least something.

Felt offered to defer attorney fees until HCWCD is able to pay them.

There was a motion by Jerant, seconded by Vucetich that HCWCD retain Felt, Monson & Culichia, LLC for legal representation on this water augmentation project. Board approved.

The District now needs to identify potential senior water rights that can be purchased for augmentation. Potential sources of funding, both loans and grants, need to be identified. John Galusha offered to approach the El Pomar Foundation on behalf of HCWCD for a \$40,000 grant. A substitute water supply plan needs to be prepared and submitted to the Division of Water Resources. The District needs to set up an enterprise fund. The blanket augmentation plan should be filed by the end of December, 2009.

Jerant moved and Vucetich seconded for the Board to recess to executive session for the purpose of obtaining legal counsel. Board approved.

To end the executive session, Jerant moved and Vucetich seconded to return to the regular session from executive session where the Board had been discussing issues with legal counsel. Board approved.

ADJOURNMENT

Vucetich moved and Jerant seconded to adjourn the meeting at 7:41 pm. Board approved.

Dawson Jordan, Vice-president

Carol Dunn, Secretary