

# HUERFANO COUNTY WATER CONSERVANCY DISTRICT

Minutes of Board Meeting

**December 15, 2014**

The monthly meeting of the Huerfano County Water Conservancy District was called to order by President Sandy White on Monday, December 15, 2014 at 6:06 pm.

Directors present: Lewis "Beaver" Edmundson, Michael "Sandy" White, Scott King, Al Garcia, Kent Mace.

Administrator Carol Dunn; Attorney Steve Monson; Engineer John Faux.

Guests: Andrew Hall, Debi Sporleder, Eric Parker, Jennifer Parker, Nick Parker, Phil Cummings, RL Cummings, Tina Severns, James Severns, Gail Terry, Ray Garcia, Kent Hay, Delmar Janovec, Gerald Cisneros, Joann Tomsic; Caitlin Dunn and David Rinehart, press.

King moved and Mace seconded to approve the agenda. Board approved.

MINUTES – Edmundson moved and Mace seconded to approve the November 24, 2014 and December 12, 2014 minutes as presented. Board approved.

TREASURER'S REPORTS – King moved and Garcia seconded to accept the December Treasurer's reports. Board approved.

OLD BUSINESS – Four applications for augmentation water for marijuana grow operations have been received along with application fees of \$10,000 each. Malachite Spring – The use of the spring has been measured through June, when it was reportedly shut down. TZA Water Engineers have determined that a credit of \$8,444 is due for unused augmentation water. Subtracting that from the outstanding receivable, the balance due is \$1056. An anonymous donation has been received to pay that balance, so the board agreed that the account receivable is satisfied. Garcia reported that the estimate of augmentation water required for 2015 will be the same, except OXY asked for one more acre-foot, and the marijuana grow operations will require four acre-feet.

NEW BUSINESS – Water Case 2014CW19: Gregory & Sandra Smith, application for finding of reasonable diligence: James Springs 1, 2, 3, 4 with total amount of 0.93 gpm. Garcia moved and Mace seconded to not oppose this case. Board approved.

There was a motion by King, seconded by Mace, to pay Div. of Water Resources for the 2015 satellite monitoring. Board approved. Monson said he has a few suggested changes for the new contract to discuss in executive session, one of which is that the "user," presumably HCWCD, maintains the gaging station; he suggests that be changed.

Garcia reported the Individual Project Agreement with Atencio Engineering is ready for negotiation, and that should take place next week.

Dunn has not received the competitive quotes for insurance yet, so that topic will be discussed at the January meeting.

White reported that there is an opportunity to apply for a Bureau of Reclamation grant which might be appropriate to help with cost overruns on the Red Wing Augmentation Facility. Garcia will work on these with Dunn, and King offered to help.

The tentative 2015 meeting schedule was reviewed, with meetings on the 4<sup>th</sup> Monday of each month. Mace moved and King seconded to change the May and July meetings to the 3<sup>rd</sup> Monday. Board approved.

DIRECTOR COMMITTEE REPORTS – King reported on the Arkansas Valley Basin Roundtable. The State Water Plan draft has been submitted to the Governor. The Roundtable deliberations focused on (1) the creation of a watershed health sub-committee intended to extend to the entire basin the type of work we are doing on the Cucharas watershed assessment; (2) the designation of those projects to be singled out in the BIP and, presumably, to be at the head of the list for State funding.

DIRECTOR AND GUEST COMMENTS – Joann Tomsic told the Board she is concerned with marijuana grow operations and the effect their water use will have on existing wells in the area of Lascar Road. White explained three of the applicants have domestic well permits, and the fourth doesn't have a well permit yet. They will all have to have commercial wells, which would have to be granted by the State Engineer. 600 feet separation is the current standard to determine well-to-well interference.

Break at 6:59 pm; reconvened at 7:15 pm.

BILLS – Mace moved and Edmundson seconded paying the following bills, total \$41,930.68 and transfer \$8,000 to ColoTrust from checking. Board approved.

Division of Water Resources – Satellite monitoring \$2,400.00  
Main Street Office Supply – File folders \$9.99  
Huerfano World Journal – Ranch lease ad, first week \$24.40  
The Signature – Budget legal ad and ranch lease ad \$88.00  
Carol Dunn – Clerical, mileage, meeting supplies \$1,274.07  
Walsenburg Insurance – Sandy White bond \$100.00  
Felt Monson & Culichia – Legal on SWSP, 1041, OXY, mtgs \$12,461.67  
TZA Water Engineers – OXY, SWSP renewal \$14,167.70  
Rick Dunn – Water analyst contract \$80.24  
La Plaza Inn – Board dinner meeting \$243.20  
Special District Association – 2015 dues \$547.58  
Desiree Rosenberg – Library meeting room \$30.00  
Michael White – Director expenses \$1,820.97  
Lewis Edmundson – Director expenses \$1,558.40  
Scott King – Director expenses \$1,990.72  
Kent Mace – Director expenses \$1,620.00  
Alfred Garcia/Garcia Family Investment – Director expenses \$3,513.74

At 7:20 pm King moved, Garcia seconded and Board approved going into executive session to discuss matters involving the regional augmentation plan, ongoing litigation, SWSP and including the purchase, acquisition or lease 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 as in 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 9:31 pm, Mace moved and King seconded closing the executive session and returning to regular session. Board approved. The meeting was called back to regular session at 9:31 pm. There being no further business, King moved and Mace seconded to adjourn. Board approved. Meeting adjourned at 9:32 pm.

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Sandy White, President

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Carol Dunn, Secretary