

HUERFANO COUNTY WATER CONSERVANCY DISTRICT

Minutes of Board Meeting November 24, 2014

The monthly meeting of the Huerfano County Water Conservancy District was called to order by President Sandy White on Monday, November 24, 2014 at 5:59 pm.

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

Secretary Carol Dunn; Attorney Steve Monson.

Guests: Doug Brgoch, Max Vezzani, Delmar Janovec; Caitlin Dunn and David Rinehart, press.

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

MINUTES – Garcia moved and Mace seconded to approve the October 27, 2014 minutes. Board approved.

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

King moved and Garcia seconded to begin to draw against the ABRT/CWCB grant for the engineering on the Red Wing Augmentation Facility. Board approved.

OLD BUSINESS – The Board discussed the nationwide blanket 404 permit that will apply to the stream work necessary for HCWCD to replace its headgate.

Monson explained that the legal and engineering fees have been estimated to review the marijuana grow operation applications as a group to determine if/how they can be accommodated in the SWSP and regional augmentation plan. If fewer than four applicants are being reviewed, the price will not be much less than \$12,000 for legal and \$16,000 for engineering. The application fee was set at \$10,000, and applicants have been given a deadline of December 1 for payment.

Case 2014CW3041 – The State has asked for the case to be stayed until April 2015.

King moved and Garcia seconded to not oppose this case. Board approved.

Case 2014CW3045 – Garcia moved and King seconded to not oppose this case. Board approved.

Case 2014CW18 – Joe & Lorraine Vargas app for underground water right: Vargas Spring Well, Colorado Land & Grazing lot 41, tributary to Huerfano River, permitted exempt well, 8 gpm absolute. Edmundson moved and Mace seconded to not oppose this case. Board approved.

County Commissioner Max Vezzani reported that the Gardner water station has been pressure tested and is functioning. People have signed up for accounts, and the station has pumped 18,000 gallons so far. Monson reported that Steve Witte will allow the switchover from Malachite Spring to the Gardner Water Station, although it was not mentioned in the SWSP. Monson will ask John Faux to verify that the amount of water being taken is accounted for by someone.

NEW BUSINESS –

Brgoch reported that the Maria Stevens Reservoir is currently the calling entity on the Cucharas River. On the Huerfano River, the Welton is the call right now for 13 cfs. Regarding the discussions that have been held about the Welton winter call, Brgoch

explained he would prefer to have some river gauging stations to obtain much-needed data. He agreed to give suggestions for where a couple gauges should be placed.

Garcia moved and Mace seconded to authorize up to \$6,500 for TZA Water Engineers to calculate how much augmentation water would be available if the Wm Craig Ranch was completely dried up. Board approved.

Edmundson presented a newspaper ad for soliciting bids for lease of the Wm Craig Ranch. Garcia moved and King seconded to run the ad in both newspapers for three weeks, at a cost of up to \$40 per week. Board approved.

Garcia reported that two ventless heaters have been installed at the Ranch house. He is trying to schedule replacement of the V-notch with a Parshall flume on the augmentation station. The headgate will also be replaced, probably in early March.

DIRECTOR AND GUEST COMMENTS – Delmar Janovec, on behalf of one of the new commercial augmentation water applicants, asked about the diversion structures that will be needed. White explained that the engineers and attorneys will determine early next year what structures will be needed. White estimated that HCWCD is about eight months away from getting a court decree on the regional augmentation plan.

BILLS – Edmundson moved and Garcia seconded paying the following bills, total \$52,420.37 and transfer \$43,000 from ColoTrust into the checking account to cover the checks. Board approved.

JW Associates – Watershed assessment \$19,121.23

Huerfano World Journal – Legal ad: budget, budget message, hearing notice \$176.88

Carol Dunn – Clerical, mileage \$1,213.44

Felt Monson & Culichia – Legal on SWSP, 1041, OXY, CWCB/DWR mtgs \$18,887.91

TZA Water Engineers – Piezometer analysis, OXY, SWSP renewal \$11,001.50

Rick Dunn – Water analyst contract \$185.48

Walsenburg Lumber – Foam pipe \$3.93

Gary Hanisch – AEI contract \$1,810.00

Desiree Rosenberg – Library meeting room \$20.00

Break at 7:38 pm and reconvened at 7:53 pm.

At 7:53 pm King moved, Mace 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 9:38 pm, Edmundson moved and Mace seconded closing the executive session and returning to regular session. Board approved. The meeting was called back to regular session at 9:38 pm.

There being no further business, Garcia moved and King seconded to adjourn. Board approved. Meeting adjourned at 9:38 pm.

Sandy White, President

Carol Dunn, Secretary