

HUERFANO COUNTY WATER CONSERVANCY DISTRICT

Minutes of Board Meeting
February 23, 2009

CALL TO ORDER

The regular monthly meeting of the Huerfano County Water Conservancy District was called to order by President Raymond Harriman on Monday, February 23, 2009 at 6:02 pm at the Walsenburg Housing Authority office.

ROLL CALL

Directors present:

Dawson Jordan

Ray Ryan

Raymond Harriman

John Vucetich

Erin Jerant, arrived late

Secretary: Carol Dunn

Consultant: Ted M. Zorich, Jr.

Attorney: James Felt

OLD BUSINESS

Water augmentation plan –

There was a motion by Ryan, seconded by Jordan, to make Ted M. Zorich, Jr. the water consultant on the augmentation plan project. Board approved.

Steve Wachterman, representing the Gardner Sanitation and Water District, told the Board the Court has given GSWD until April 1 to come up with an augmentation plan. GSWD is on a “household use only” court order at this time.

Attorney Felt reported that he inquired into water availability from Wolf Springs Ranch (transbasin water from San Luis Valley), but they will be using all of their water to extinction. Sheep Mountain Ranch, Rob Lovelace and Grady Grissom partnership, has the Reed 18/Woods Ditch decreed at 112 ac ft/yr. Division Water Engineer Steve Witte told Felt he likes the water right for the augmentation plan. Witte’s requirements include having an engineer determine what the efficiency has been. The zoning would have to be changed from irrigation to augmentation.

Grissom was present to discuss the “fit” between the need for cash flow on Sheep Mountain Ranch and the water needs of the community. There was discussion on lease periods and rates, long term financing, and the possibility of a reservoir on the property. If the deal goes through, Sheep Mountain Ranch is considering giving a rebate back to GSWD and Malachite Spring.

Rather than a Substitute Supply Plan, HCWCD will be filing a Rule 14 Plan under the Arkansas Basin rules for well pumping. The application can be approved in 48 hours by Witte’s office, without going through the typical comment periods of a substitute water supply plan. The water right will need to be appraised and quantified.

Pending Water Court cases –

Regarding case #08CW34, the applicant has changed the application to .06 cfs after being contacted by Zorich. Jordan moved and Jerant seconded to approve the change in the decree and the stipulation and have Harriman sign the stipulation. Board approved.

MINUTES

Jordan moved and Jerant seconded to dispense with the reading of the January 26, February 2 and February 4, 2009 minutes and approve them as written. Board approved.

TREASURER'S REPORT

The total of all four certificates of deposits is \$86,620.81; total in the First National Bank in Trinidad/Walsenburg checking account is \$7,686.33; for a grand total of \$94,307.14 in all accounts. Jordan moved and Jerant seconded to accept the February Treasurer's Report. Board approved.

Jerant moved and Jordan seconded to cash in the CD that matures on March 2, 2009 and move it to the checking account. Board approved.

Jerant moved and Jordan seconded to approve the application for Exemption from Audit. Board approved.

Jordan moved and Jerant seconded the Resolution for Exemption from Audit. Board approved.

NEW BUSINESS

New Water Court cases –

#02CW28: Roger Cisneros, 2nd amended app for surface water rights, Palo Duro Creek;
#09CW1: Jim & Jean White, underground water right, Silver Spurs subdivision;
#09CW2: Jim & Karen Morine, underground water right, Silver Spurs subdivision;
#09CW4: Scott Billstrand, underground water right, Silver Spurs subdivision;
#09CW8: Alan & Janice Tucker, underground water right, Majors Ranch subdivision;
#09CW9: Linda Alderman, underground water right, Silver Spurs subdivision;
#09CW10: Dave & Kelly Wheeler, underground water right, Majors Ranch subdivision;
#09CW14: Susan Galvez, app for surface water rights/spring, Palo Duro Creek;
#09CW15: James Conley, underground water right, River Ridge Ranch subdivision.

Jordan moved and Vucetich seconded to take no action on all of the above listed cases. Board approved.

DIRECTOR AND GUEST COMMENTS

None.

ATTORNEY REPORT

Most of Felt's report was already covered under the augmentation plan update. Felt suggested the augmentation plan should hereafter be referred to as the Conservancy District Augmentation Plan, not the Gardner plan.

Felt explained conflict of representation, regarding the different parties involved in the augmentation plan, including Huerfano County, Kent Mace, and GSWD.

BILLS TO PAY

The following vouchers were presented for payment:

Ortiz Tax Service, Exemption from Audit application – \$150.00

Carol Dunn, clerical fee, mileage, postage – \$309.33
Ted M. Zorich, Jr. – \$615.90
Ted M. Zorich, Jr. – \$260.60 reissue check written on 9/22/08, lost

Total of the new bills is \$1,075.23. Jerant moved and Jordan seconded the payment of the bills. Board approved.

OTHER

Next meeting will be a work session on March 4, 2009 at 6:00 pm, City Hall.

ADJOURNMENT

There being no further business, Jerant moved and Jordan seconded to adjourn. Board approved.

Meeting adjourned at 8:20 pm.

Raymond Harriman, President

Carol Dunn, Secretary