



COLORADO

Colorado Water Conservation Board

Department of Natural Resources

John W. Hickenlooper
Governor

Robert Randall
DNR Executive Director

Rebecca Mitchell
CWCB Director

March 21 - 22, 2018 Board Meeting Agenda

A meeting of the CWCB will be held on Wednesday, March 21, 2018 commencing at 8:30 AM and continuing through Thursday, March 22, 2018. The meeting will be held at the Colorado Department of Agriculture, Located at 305 Interlocken Pkwy, Broomfield, CO 80021.

The CWCB posts notice 30 days in advance of each regularly scheduled meeting. Notices for special meetings are posted on the website typically within five business days and not less than 24 hours of such a meeting. Notices of regular and special meetings may also be received by email. To receive notices by email please visit: <https://dnrweb.state.co.us/DNR/DNRPortal/Login.aspx>.

Although dates and times are indicated in this notice and in the following agenda, the CWCB may address and take action on noticed items in any order. Any known changes to the agenda will be announced at the beginning of the meeting. This notice, any late notice(s) of additional items, and briefing memos prepared for the CWCB will be posted at 1313 Sherman Street, Suite 721, Denver, CO 80203, and on our website at www.cwcb.state.co.us.

The CWCB's meetings are made available through live audio streaming on YouTube, although Board workshops are not. To listen to the proceedings, click the "Listen to the meeting LIVE!" link on the CWCB website homepage and select the link for the proper day and time. The link will be posted just prior to the start of the meeting.

The CWCB encourages citizens to express their views and provide feedback to the Board on the agenda items. This can be done by sending an email to andrew.rickert@state.co.us, by sending a letter to a Board member or to the Chair of the Board, or by attending the meeting. If you attend a meeting, simply fill out a comment sheet and give it to the Board Coordinator at the recording station. The Board will appreciate hearing your views when it reaches that agenda item. If you have any questions, need special accommodations as a result of a disability, or require further information on any CWCB activity, please contact Andrew Rickert at 303-866-3441, ext. 3249. All programs, services, and activities of the CWCB are operated in compliance with the Federal Americans with Disabilities Act (ADA).



Wednesday, March 21, 2018

- 8:30 - 8:32 **CWCB Call to Order and Pledge of Allegiance**
- 8:32 - 8:35 **1. Board Appointments and Election of Officers**
a. Review and Approve Agenda
- 8:35 - 8:37 **2. Review and Approve January 22 - 23, 2018 Board Meeting Minutes**
- 8:37 - 8:40 **3. Approve and/or Remove Consent Agenda Items**
- 8:40 - 8:43 **4. Board Meeting Dates in 2018**
a. May 23 & 24 Salida
b. July 18 & 19 Colorado Mainstem Basin
c. September 18 - 20 Steamboat
d. November 14 & 15 South Platte Basin
- 8:43 - 9:30 **5. Directors' Reports**
a. DNR Executive Director
b. IBCC Director
c. Agriculture Commissioner
d. CWCB Director
e. State Engineer
f. Division of Parks and Wildlife Director
g. Water Resource and Power Development Authority
- 9:30 - 9:40 **6. Financial Matters - Construction Fund and Severance Tax Perpetual Base Fund**
Finance Section
a. Financial Projections and Cash Management Report
- 9:40 - 10:10 **7. Water Project Loans/Grants**
Finance Section
a. San Luis Valley Irrigation District - Rio Grande Reservoir Rehabilitation
b. Trinchera Irrigation Company - Mountain Home Dam Outlet Works Rehabilitation Phase III
- 10:10 - 10:20 **8. Water Plan Financial Policy**
- 10:20 - 10:30 **BREAK**
- 10:30 - 10:45 **9. Dredging Grants**
Finance Section

a. Town of Georgetown - Dredging of Georgetown Lake

10:45 - 11:10

10. Changes to Existing Loans

Finance Section

a. *Corsentino Dairy Farms, Inc. - Holita Dam Rehabilitation*

b. *Tunnel Water Company - Laramie-Poudre Tunnel Rehabilitation Project*

11:10 - 11:35

11. Spring Climate Outlook

Watershed and Flood Protection Section & Sr. Climate Change Specialist

11:35 - 11:45

12. Colorado's Water Plan Implementation Update

Watershed and Flood Protection Section

11:45 - 11:55

13. Public Comment on 2018 Instream Flow Appropriations in Water Divisions 3, 4, 5, and 6

Stream and Lake Protection Section

11:55 - 12:05

14. Update on Himes Creek Instream Flow Recommendation in Water Division 7

Stream and Lake Protection Section

12:05 - 12:25

15. Notice of Instream Flow Recommendations for 2019

Stream and Lake Protection Section

12:25 - 1:25

LUNCH

1:25 - 1:45

16. Funding for Temporary Lease of Water for Instream Flow Use on Tomichi Creek (Water Division 4)

Stream and Lake Protection Section

1:45 - 2:00

17. Wild and Scenic Rivers Fund Terms and Conditions

Interstate, Federal & Water Information Section & Stream and Lake Protection Section

2:00 - 3:00

18. West Slope Basin Roundtables' Risk Study

Interstate, Federal & Water Information Section

3:00 - 3:10

19. Request for Authorization to Proceed to Trial (to defend CWCB stipulation if necessary)

Stream and Lake Protection Section

a. *Case No. 15CW3005, Water Division 2 (Application of Park Center Water District)*

b. *Case Nos. 14CW3097 and 3098, Water Division 5 (Application of*

3:10 - 3:15 **20. Attorney General’s Report, Legal Briefing, and Executive Session**

3:15 - 3:25 **BREAK**

3:25 - 4:40 **21. Executive Session**

- a. Case No. 16CW3090, Water Division 5 (Application of Powderhorn Ski Company, LLC)
- b. Case No. 15CW3111, Water Division 4 (Application of Colorado Water Conservation Board on Dolores River)
- c. CWCB’s use of C.R.S. 37-92-308(5) Substitute Water Supply Plans
- d. Colorado River Issues
 - 1. Drought Contingency Planning
 - 2. Compact Compliance
 - 3. Consumptive Use
 - 4. Litigation Funding for FY 2019
- e. Rio Grande
 - 1. Groundwater Rules Litigation
 - 2. US Supreme Court Litigation - Texas v. NM and CO
- f. Republican River Settlement Negotiations
- g. Arkansas River Compact Administration
- h. Dam Safety Matters

4:40 - 4:45 **22. Report from Executive Session**

4:45 - 5:00 **23. 2018 Projects Bill**
Finance Section

5:00 **RECESS**

Thursday, March 22, 2018

8:45 - 10:00 **24. Basin Directors’ Reports**

- a. Colorado River (Mainstem) Basin Director’s Report
- b. San Juan/San Miguel-Dolores River Basin Director’s Report
- c. Gunnison River Basin Director’s Report
- d. North Platte River Basin Director’s Report
- e. South Platte River Basin Director’s Report
- f. Arkansas River Basin Director’s Report
- g. City and County of Denver Director’s Report
- h. Rio Grande River Basin Director’s Report
- i. Yampa-White River Basin Director’s Report

10:00 - 10:10

BREAK

10:10 - 12:30

25. Water Supply Reserve Fund (WSRF)

Water Supply and Planning Section

| Water Supply Reserve Fund Applications for Consideration at the Mar. 2018 CWCB Board Meeting | | | |
|---|--------------|---|---|
| Agenda Item | Basin | Applicant | Name of Water Activity |
| a | Gunnison | Redlands Water and Power Company | Pump Plant Modernization Feasibility Study |
| b | Gunnison | Ouray County | Upper Uncompaghre Stream Management Plan |
| c | Gunnison | Diane Martin | Tornay Highline Diversion Improvement |
| d | Gunnison | Trout Unlimited | Tomichi Water Conservation Project |
| e | North Platte | Owl Mountain Partnership | Jackson County Water Structure Improvement Project |
| f | South Platte | St. Vrain and Left Hand Water Conservancy District | St. Vrain & Left Hand Stream Management Plan |
| g | South Platte | Lost Creek Groundwater Management District | Lost Creek Designated Basin Instrumentation Project |
| h | South Platte | Ducks Unlimited, Inc. | BOR - Narrows Tracts: Shallow Water Wetland Enhancements and Recharge Development |
| i | Arkansas | Lakeside Estes HOA | Ice Lake Preservation & Augmentation Project |
| j | Arkansas | Parkville Water District | Mountain Lake Spillway Rebuild |
| k | Arkansas | Huerfano County Water Conservancy District | Cucharas Collaborative Storage Study - Geotechnical Investigation |
| l | Arkansas | Town of Poncha Springs | Poncha Springs Water Infrastructure Improvement Project - Well Development |
| m | Arkansas | Town of Walsh | Municipal Water Well Feasibility and Evaluation |
| n | Colorado | Eagle River Watershed Council | Eagle River Integrated Water Management Plan (ER-IWMP) |
| o | Colorado | Middle Colorado Watershed Council | Middle Colorado Integrated Water Management Plan |
| p | Colorado | Town of Carbondale | Crystal River Restoration and Weaver Ditch Efficiency Project |
| q | Metro | Aurora Water, Denver Water & WISE Authority | Regional Investigation of Salinity Management Options |
| r | Metro | Peak Spatial Enterprises/ Chambers Econ and Analytics | Water Information / Real Estate Water Disclosure Site |
| s | Metro | Littleton/Englewood Wastewater Treatment Facility | SWIFT2 - South Platte Watershed One Water Infrastructure Sharing Initiative |

| | | | |
|-----------|------------|---|---|
| t | Rio Grande | Rio Grande Headwaters Land Trust | Paulson Conservation Easement |
| u | Rio Grande | Conejos Water Conservancy District | Conejos Diversions: Richfield to Conconco |
| v | Rio Grande | Trout Unlimited | Spruce Lakes Wilderness Reservoir Maintenance Project |
| w | Rio Grande | Colorado Open Lands | Anderson Lazy EA Conservation Easement |
| x | Rio Grande | Mineral County Fairgrounds Association | Development of Irrigation Water Right |
| y | Southwest | Mountain Studies Institute | Stream Management Plan, Upper San Juan River Basin |
| z | Southwest | Town of Rico | Water Systems Analysis |
| aa | Southwest | Ducks Unlimited | Sambrito Wetlands |
| bb | Southwest | Town of Ignacio | Irrigation Utility Improvements Project |
| cc | Southwest | Florida Consolidated Ditch Company | Florida Canal Diversion Structure Rehabilitation Project, Phase I |
| dd | Southwest | Animas Air Park Property Owners Association | Animas Airpark Water Distribution System |

12:30 - 1:30

LUNCH

1:30 - 1:40

26. Water Plan Grants - Overview

1:40 - 1:50

27. Water Plan Grants - Agriculture (Initial Review)

- a. Fire Mountain Canal & Reservoir Company - Automation, Remote Monitoring, & SCADA to improve System Efficiency
- b. Florida Consolidated Ditch Company - Florida Canal Structure Rehabilitation Project: Phase 2
- c. San Luis Valley Water Conservancy District - Rio Grande Basin Soil Moisture Pilot Project
- d. Arkansas River Watershed Collaborative - Arkansas Basin Project Implementation Guide to Watershed Health

1:50 - 1:55

28. Water Plan Grants - Storage (Initial Review)

- a. Ogilvy Irrigating and Land Company - Seeley Reservoir Dredging

1:55 - 2:05

29. Water Plan Grants - Supply Demand/Gap (Initial Review)

- a. Town of Castle Rock - Plum Creek Water Purification Facility Advanced Treatment Project
- b. Pikes Peak Regional Water Authority - El Paso County Groundwater Depletions: Project Implementation Strategies to Meet the Supply & Demand Gap

2:05 - 2:20

30. Water Plan Grants - Environmental & Recreation (Initial Review)

- a. Mountain Studies Institute - Animas River Removal and Replacement of Invasive Phreatophytes, Phase II
- b. Rio Grande Watershed Emergency Action Coordination Team (RWEACT) - Upper Rio Grande Environmental Restoration and Recreation Infrastructure Improvements
- c. City of Steamboat Springs - Fish Creek Critical Community Watershed Wildfire Protection Plan
- d. Florida Consolidated Ditch - Florida Canal Diversion Structure Rehabilitation Project: Phase 2

2:20 - 2:35

31. Water Plan Grants - Water Conservation and Land Use (Initial Review)

- a. Babbitt Center for Land & Water Policy, Getches-Wilkinson Center for Natural Resources - Guidance to Covered Entities for Land Use Planning Components of Water Efficiency Plans
- b. Green Mountain Water & Sanitation District - Customer Engagement & Analytics Tool
- c. The Meadows Neighborhood Company - Targeted, Integrated Irrigation Efficiency Improvements and Mgmt and Turf Conversion for Reduced Water Use
- d. Year One, Inc. dba Mile High Youth Corps - Energy and Water Conservation Program
- e. Sonoran Institute - Colorado Growing Water Smart
- f. Western Resource Advocates (WRA) - Best Practices for Water Meter Retrofit Projects Financed by State Performance Contracts in CO
- g. Western Resource Advocates (WRA) - Conservation Oriented Tap Fees: Guide and Workshop

2:35 - 2:45

32. Water Plan Grants - Engagement & Innovation (Initial Review)

- a. The Greenway Foundation - Clean River Design Challenge
- b. Water Education Colorado - Design and Build Statewide, Data-Based Strategic Water Education Action Plan and Associated Tools
- c. Left Hand Watershed Oversight Group - Stewardship Through Community Science
- d. Denver South Transportation Management Association - InfraRed Plant Stress Monitoring Pilot
- e. Sangre de Cristo Acequia Association - Preserving the Hispano Water Culture Curriculum

2:45

ADJOURN



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CWCB Consent Agenda March 21 - 22, 2018

Matters may be placed on the Consent Agenda when the recommended action follows established policy or precedent, there has been a negotiated settlement, or the matter is uncontested and non-controversial. Staff provides memos to CWCB members explaining the matters on the Consent Agenda. Matters on the Consent Agenda are noticed for hearing in the same manner as other agenda items. If a member of the CWCB requests further consideration of an item on the Consent Agenda, the item will be withdrawn from the Consent Agenda and discussed at the end of the meeting or at the next meeting. The Consent Agenda may be voted on without reading or discussing individual items. Any CWCB member may request clarification about any matter on the Consent Agenda.

1. Statements of Opposition

Stream & Lake Protection Section

The Board will be asked to ratify Statements of Opposition that have been filed by staff to protect instream flow and natural lake level water rights and to protect CWCB's exclusive authority to hold instream flow water rights in the following water court cases:

- a. *Case No. 16CW3160 (Water Division 1): Application of City of Boulder*
- b. *Case No. 17CW3195 (Water Division 1): Application of City of Boulder*
- c. *Case No. 17CW3203 (Water Division 1): Application of The Alice Springs Land & Cattle Company, LLC*
- d. *Case No. 17CW3205 (Water Division 1): Application of City of Aurora*
- e. *Case No. 17CW3210 (Water Division 1): Application of City of Arvada*
- f. *Case No. 17CW3212 (Water Division 1): Application of City of Lafayette and City of Boulder*
- g. *Case No. 17CW3217 (Water Division 1): Application of Evergreen Metropolitan District*
- h. *Case No. 17CW3083 (Water Division 4): Application of Ellen F. Price Trust and Joseph B. Price Trust*
- i. *Case No. 17CW3245 (Water Division 5): Application of Abundant Acres LLC*
- j. *Case No. 17CW3248 (Water Division 5): Application of Town of Gypsum*
- k. *Case No. 17CW3249 (Water Division 5): Application of CJC Properties Limited Partnership; Eagle River Water & Sanitation District*
- l. *Case No. 17CW3258 (Water Division 5): Application of Snowmass Water and Sanitation District*
- m. *Case No. 17CW3042 (Water Division 6): Application of City of Steamboat Springs*
- n. *Case No. 17CW3043 (Water Division 6): Application of City of Steamboat Springs*
- o. *Case No. 17CW3045 (Water Division 6): Application of TerraCarta Energy Resources, LLC*



2. New Prequalification Loans

Finance Section

- a. *Ogilvy Irrigating and Land Company - Seeley Reservoir Dredging*

3. Water Plan Grant Modifications

- a. *St. Charles Mesa Water District - Long-Term Potable Water Supply to the Zinno Subdivision*
- b. *Colorado River Water Conservation District - Fire Mountain Canal Regulating Reservoir*