



COLORADO

Colorado Water Conservation Board

Department of Natural Resources

Jared Polis
Governor

Dan Gibbs
DNR Executive Director

Rebecca Mitchell
CWCB Director

March 20 & 21, 2019 Board Meeting Agenda

A meeting of the CWCB will be held on Wednesday, March 20, 2019 commencing at 9:00 AM and continuing through Thursday, March 21, 2019. The meeting will be held at the Marriott Fort Collins, located at 350 East Horsetooth Road Fort Collins, CO 80525.

There will be a tour of the Hydrology Lab at CSU's Engineering Research Center located at 4451 La Porte Ave. Fort Collins held on March 19, 2019, beginning at 4:00p.m. If you are interested in attending please RSVP to [Viola Bralish](mailto:Viola.Bralish@state.co.us) by Friday, March 15, 2019. The public is welcome to attend but must provide their own transportation.

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 viola.bralish@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 Viola Bralish at 303-866-3441, ext. 3206. All programs, services, and activities of the CWCB are operated in compliance with the Federal Americans with Disabilities Act (ADA).



Wednesday, March 20, 2019

9:00 - 9:02	CWCB Call to Order and Pledge of Allegiance
9:02 - 9:05	1. Board Appointments and Election of Officers a. Review and Approve Agenda
9:05 - 9:07	2. Review and Approve January 28 & 29, 2019 Board Meeting Minutes
9:07 - 9:10	3. Approve and/or Remove Consent Agenda Items
9:10	4. Board Meeting Dates in 2019 a. May 15 & 16 Gunnison Basin b. July 17 & 18 Arkansas Basin c. September 17 - 19 Rio Grande Basin (includes date for Finance Meeting) d. November 20 & 21 Denver Metro
9:10 - 10:10	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
10:10 - 10:30	6. City of Boulder Water Delivery Agreement from Gross Reservoir for Instream Flow Use in South Boulder Creek (Water Div. 1) <i>Stream and Lake Protection Section</i>
10:30 - 10:45	7. Request for Approval of Water Conservation Program on San Miguel River <i>Stream and Lake Protection Section</i>
10:45 - 10:55	8. Legislation Amending Section 37-83-105, C.R.S. (Temporary Loans of Water for Instream Flow Use) <i>Stream and Lake Protection Section</i>
10:55 - 11:15	9. Financial Matter - Construction Fund and Severance Tax Perpetual Base Fund <i>Finance Section</i> a) Financial Projections and Cash Management Report b) Sale of Chatfield Storage Space to Dominion Water and Sanitation District
11:15 - 11:30	Morning Break
11:30 - 12:15	10. Water Project Loans - Finance <i>Finance Section</i>

	<ul style="list-style-type: none"> a) Groundwater Management Subdistrict of Central Colorado Water Conservancy District - Pioneer Reservoir b) The Tunnel Water Company - West Half Laramie-Poudre Tunnel Rehabilitation Project c) Dominion Water & Sanitation District - Chatfield Reallocation Project
12:15 - 12:25	11. Severance Tax Operational Fund Grants <i>Finance Section</i>
12:25 - 12:35	12. 2019 Projects Bill Update <i>Finance Section</i>
12:35 - 1:35	LUNCH
1:35 - 1:55	13. Lease of Water to Benefit Endangered Fish Recovery Program <i>Interstate, Federal, and Water Information Section</i>
1:55 - 2:15	14. Spring Drought and Flood Climate Report <i>Watershed and Flood Protection Section</i>
2:15 - 2:35	15. Colorado Water Plan Update <i>Water Supply Planning Section</i>
2:35 - 2:50	16. Tap-In/Innovation Item <i>Water Supply Planning Section</i>
2:50 - 2:55	17. Request for Authorization to Proceed to Trial in Case No. 17CW3037, Water Division 2 (Application of Upper Arkansas Water Conservancy District) <i>Stream and Lake Protection Section</i>
2:55 - 3:00	18. Attorney General's Report, Legal Briefing, and Executive Session
3:00 - 3:15	Afternoon BREAK
3:15 - 5:15	19. Executive Session <ul style="list-style-type: none"> a. Case No. 17CW3037 (Water Division 2), Application of Upper Arkansas Water Conservancy District b. Poudre ISF Augmentation Plan Update c. Update on Discussions of Process to Recognize Claimed Stock Watering Uses Pursuant to Section 37-92-102(3)(b), C.R.S. d. Republican River Rules Concept e. Rio Grande Litigation f. Colorado River Issues <ul style="list-style-type: none"> 1. Drought Contingency Planning 2. Demand Management (Planning and Funding) 3. Basin Fund MOA 4. Animas La-Plata Association g. Compact Compliance Study Update h. Waters of the United States Litigation and Proposed Rule

	i. Case No. 15CW3148 (Water Division 1), Application of Central Colorado Water Conservancy District, the Groundwater Management Subdistrict of the Central Colorado Water Conservancy District, and the Well Augmentation Subdistrict of the Central Colorado Water Conservancy District
5:15 - 5:20	20. Report from Executive Session
5:20	RECESS

Thursday, March 21, 2019

8:30 - 10:15	21. Basin Directors' Reports <ul style="list-style-type: none"> 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
10:15 - 10:25	Morning BREAK
10:25 - 11:40	27. Himes Creek ISF Appropriation <i>Stream and Lake Protection Section</i>
11:40 - 12:40	LUNCH
12:40 - 1:50	24. WSRF Grant Applications

**Water Supply Reserve Fund Application Grants
at the March 2019 CWCB Board Meeting**

Agenda Item	Basin	Applicant	Name of Water Activity
a	South Platte	Trout Unlimited	South Boulder Creek Stream Management Plan, Phase I
	Metro		
b	South Platte	Colorado Corn	Historical Analysis of South Platte River Salinity to Identify Severity, Trends, and Potential Sources
c	South Platte	Big Thompson Watershed Coalition	Big Thompson River Envisioning Project
d	Gunnison	Delta Brick & Climate Company	Chemical Water Production via Methane Mitigation
e	Gunnison	Western Slope Conservation Center	Integrated Water Management in the North Fork Gunnison River Phase 2

f	Gunnison	Trout Unlimited/Gunnison Angling Society	Cottonwood Pass Day Use Area Vault Toilet Project
g	Gunnison	Overland Ditch and Reservoir Company	Overland Reservoir, Construct Reservoir Level Gauge
h	Gunnison	Trout Unlimited	Wilbur Ditch Diversion Improvement Project
i	Gunnison	Leroux Creek Water Users Association	Leroux Creek Reservoir System, Dam Outlet Rehabilitation
j	Gunnison	Turner Ditch Company	Turner Lone Cabin Ditch Combination Salinity Reduction Project
k	North Platte	Ducks Unlimited	North Park Irrigated Meadows Conservation Program – Phase 2
l	Yampa/White/Green	Yampa-White-Green Basin Roundtable/Colorado River Water Conservation District	Yampa River Basin Integrated Water Management Project
m	Colorado	Pitkin County Board of County Commissioners	Robinson Ditch Diversion Modification
n	Southwest	Animas Consolidated Ditch Company	Water Supply/Watershed Restoration
o	Southwest	Valley Floor Preservation Partners	Telluride Valley Floor River Restoration Phase Two
p	Southwest	Southwest Basin Roundtable/San Juan Resource Conservation and Development Council	San Miguel Stream Management Plan: Stakeholder Engagement Process
q	Southwest	416-Fire Aquatic Monitoring Research Group/Mountain Studies Institute	416-Fire Aquatic Monitoring
r	Southwest	Town of Silverton	Town of Silverton Water Supply/Storage Investigation
s	Southwest	Forests to Faucets/Mountain Studies Institute	Forests to Faucets (F2F): My Water Comes from the San Juan
t	Arkansas	Catlin Canal Company	Water Delivery & Accounting Feasibility Study
u	Arkansas	Huerfano County Water Conservancy District	Cucharas Collaborative Storage Phase 3
1:50 - 2:10	22. Colorado River Basin Fund MOA <i>Interstate, Federal, and Water Information Section</i>		
2:10 - 2:20	23. Technical Assistance for Federal Cost-Share (TAFC) Program <i>Interstate, Federal, and Water Information Section</i>		
2:20 - 2:30	25. Public Comment on 2019 Instream Flow Appropriations in Water Divisions 2, 3, 4, 6, and 7 <i>Stream and Lake Protection Section</i>		

2:30 - 2:40	26. Notice of Instream Flow Recommendations for 2020 <i>Stream and Lake Protection Section</i>
2:40 - 2:50	Afternoon Break
2:50 - 3:35	28. Colorado River Drought Contingency Planning and Demand Management <i>Interstate, Federal, and Water Information Section</i>
3:35 - 3:50	29. Glenwood Springs RICD <i>Interstate, Federal, and Water Information Section</i>
3:50 - 4:20	30. Colorado Springs Utilities Following-Leasing Pilot Project Proposal <i>Interstate, Federal, and Water Information Section</i>
4:20 - 4:25	31. Request for Authorization to Proceed to Trial in Case No. 15CW3148 (Water Division 1) (Application of Central Colorado Water Conservancy District, the Groundwater Management Subdistrict of the Central Colorado Water Conservancy District, and the Well Augmentation Subdistrict of the Central Colorado Water Conservancy District) <i>Stream and Lake Protection Section</i>
4:25	ADJOURN

CWCB Consent Agenda March 20 - 21, 2019

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 during the meeting or at the next meeting, with action taken after discussion of the item. If a member of the CWCB requests further consideration of an item on the Consent Agenda that pertains to a pending or imminent court action, the matter will be withdrawn from the Consent Agenda and may be discussed during executive session of the same meeting, and any action on that item will be taken in public session. 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. 18CW3193 (Water Division 1): Application of City of Loveland*
- b. Case No. 18CW3195 (Water Division 1): Application of The City of Brighton*
- c. Case No. 18CW3211 (Water Division 1): Application of The Evans Ranch Preservation Association and Mountain Mutual Reservoir Company*
- d. Case No. 18CW3218 (Water Division 1): Application of The City of Aurora*
- e. Case No. 18CW3219 (Water Division 1): Application of The City of Aurora*
- f. Case No. 18CW3220 (Water Division 1): Application of The City of Aurora*
- g. Case No. 18CW3230 (Water Division 1): Application of The Consolidated Mutual Water Company*
- h. Case No. 18CW3239 (Water Division 1): Application of Benjamin Wolin & Jennifer Rhodes*
- i. Case No. 18CW0011 (Water Division 2): Application of Gold Basin Mine, LLC*
- j. Case No. 18CW3076 (Water Division 2): Application of Upper Arkansas Water Conservancy District*
- k. Case No. 18CW3077 (Water Division 2): Application of Colorado Division of Parks and Wildlife*
- l. Case No. 18CW3017 (Water Division 3): Application of United States - Bureau of Land Management*
- m. Case No. 18CW0051 (Water Division 4): Application of Robert K. Robbins*
- n. Case No. 18CW3064 (Water Division 4): Application of Double RL Company*
- o. Case No. 18CW3065 (Water Division 4): Application of Double RL Company*
- p. Case No. 18CW3199 (Water Division 5): Application of William Powell*

- q. *Case No. 18CW3211 (Water Division 5): Application of Sunny Ranch, LLC*
- r. *Case No. 18CW3223 (Water Division 5): Application of Winter Park Recreational Association*
- s. *Case No. 18CW3050 (Water Division 6): Application of Frank Vesely Revocable Trust*
- t. *Case No. 18CW3051 (Water Division 7): Application of Bootjack Ranch, LLC*
- u. *Case No. 18CW3052 (Water Division 7): Application of Montezuma Valley Irrigation Company*
- v. *Case No. 18CW3054 (Water Division 7): Application of Troy R. Hall*

2. FloodPlain Designation

Flood Section

- a. *Flood Hazard Area Delineation, Sloan's Lake Drainage Way and Tributaries, by Matrix Design Group, dated July 2018*