



# COLORADO

## Colorado Water Conservation Board

Department of Natural Resources

John W. Hickenlooper  
Governor

Robert Randall  
DNR Executive Director

Lauren Ris  
CWCB Acting Director

## MAY 17 - 18, 2017 Board Meeting Agenda

A meeting of the CWCB will be held on Wednesday, May 17, 2017 commencing at 9:00 AM and continuing through Thursday, May 18, 2017. The meeting will be held at the Parelli Natural Horsemanship, located at 7 Parelli Way, Pagosa Springs, CO 81147.

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](http://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](mailto: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, May 17, 2017

- 9:00 - 9:02                      **CWCB Call to Order and Pledge of Allegiance**
- 9:02 - 9:17                      **1. Board Appointments**
- 9:17 - 9:19                      **2. Review and Approve Agenda**
- 9:19 - 9:23                      **3. Review and Approve March 22 - 23, 2017  
Board Meeting Minutes**
- 9:23 - 9:25                      **4. Approve and/or Remove Consent Agenda Items**
- 9:25 - 9:28                      **5. Proposed Board Meeting Dates in 2018**
- a. January 22 & 23              Denver Tech Center
  - b. March 21 & 22                South Platte Basin
  - c. May 23 & 24                  Arkansas Basin
  - d. July 18 & 19                  Yampa Basin
  - e. September 18 - 20          Colorado Mainstem Basin
  - f. November 14 & 15          South Platte Basin
- 9:28 - 9:30                      **6. Future Board Meeting Dates in 2017**
- a. July 19 & 20                  Crested Butte
  - b. September 19 - 21          Walden
  - c. November 15 & 16          Denver
- 9:30 - 10:20                    **7. 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
- 10:20 - 10:30                    **BREAK**
- 10:30 - 11:30                    **8. Colorado's Water Plan and Statewide Water Supply  
Initiative (SWSI) Update**  
*Water Supply and Planning Section*
- 11:30 - 12:10                    **9. Colorado's Water Plan Funding Guidelines**  
*Finance Section*

12:10 - 12:30 **10. Colorado's Foundation for Water Education (CFWE)**  
**Annual Scope of Work**  
*Water Supply and Planning Section*

12:30 - 1:30 **LUNCH**

1:30 - 1:50 **11. Water Supply Reserve Fund (WSRF)**  
*Water Supply and Planning Section*

<b>Water Supply Reserve Fund Applications for Consideration at the May 2017 CWCB Board Meeting</b>			
<b>Agenda Item</b>	<b>Basin</b>	<b>Applicant</b>	<b>Name of Water Activity</b>
<b>(a)</b>	Rio Grande	Colorado Rio Grande Restoration Foundation	Rio Grande State Wildlife Area Design Project
<b>(b)</b>	Rio Grande	Trinchera Irrigation Company	Phase II - Engineering Services For Mountain Home Reservoir Dam Outlet Works Upgrade

1:50 - 2:10 **12. Telluride Valley Floor Project Update**  
*Watershed and Flood Protection Section*

2:10 - 2:30 **13. Fish and Wildlife Resources Fund - UDFCD Grant Request for South Platte River/River Run Project**  
*Watershed and Flood Protection Section*

2:30 - 2:45 **14. Uncontested 2017 Instream Flow and Natural Lake Level Appropriations in Water Divisions 1, 2, 4, 5 and 6**  
*Stream and Lake Protection Section*

2:45 - 3:00 **15. Public Comment on 2017 Instream Flow Appropriations in Water Division 7**  
*Stream and Lake Protection Section*

3:00 - 3:05 **16. Attorney General's Report, Legal Briefing, and Executive Session**

3:05 - 3:15 **BREAK**

3:15 - 4:00 **17. Executive Session**

- a. Animas LaPlata Association Policy Reviews
- b. Bear Creek Lake Water Rights
- c. Rio Grande - Texas v. New Mexico and Colorado, Orig. 141
- d. Colorado River Issues
  - Drought Contingency Planning

- Minute 32X Negotiations
- e. Appellate Court Decisions
  - Agua Caliente Band of Cahuilla Indians v. Coachella Valley Water District, (Ninth Circuit)
  - Catskill Mountains Chapter of Trout Unlimited, Inc. v. EPA, (Second Circuit)
- f. Litigation Account
- g. Windy Gap Connectivity Channel
- h. Board Appointments During the Legislative Interim

4:00 - 4:05

**18. Report from Executive Session**

4:05 - 4:25

**19. Bear Creek Lake Reallocation Water Rights Application**  
*Interstate, Federal, & Water Information Section*

4:25 - 4:40

**20. Wild and Scenic Rivers Update and Fund Annual Review**  
*Interstate, Federal, & Water Information Section*

4:40 - 4:50

**21. Litigation Account**  
*Interstate, Federal, & Water Information Section*

4:50

**RECESS**

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**Thursday, May 18, 2017**

9:00 - 10:00

- 22. 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 - 10:25

**23. Criteria for Grant Applicants Under Projects Bill Funding for Technical Assistance for Federal Irrigation Improvement Cost Sharing Programs**  
*Interstate, Federal, & Water Information Section*

- 10:25 - 10:40                    **24. HB15-1178 Dewatering Grant Application for Year 2 of the Gilcrest-Area Pilot Project**  
*Interstate, Federal, & Water Information Section*
- 10:40 - 10:50                    **BREAK**
- 10:50 - 11:20                    **25. HB16-1228 Criteria and Guidelines Update - Agricultural Water Protection Programs**  
*Water Supply and Planning Section*
- 11:20 - 11:30                    **26. Financial Matters - Construction Fund and Severance Tax Perpetual Base Fund**  
*Finance Section*
- a. Financial Projections and Cash Management Report
  - b. Level of Funding for Loan Guarantee Program
  - c. Species Conservation Trust Fund Update
- 11:30 - 12:10                    **27. Water Project Loans**  
*Finance Section*
- a. Florida Consolidated Ditch Company - Hess Lateral Improvement
  - b. San Juan Water Conservancy District - Dry Gulch Reservoir Land Acquisition
  - c. City of Walsenburg - City Lake Dam Rehabilitation & Enlargement
- 12:10 - 1:10                    **LUNCH**
- 1:10 - 1:40                    **28. Changes to Existing Loans**  
*Finance Section*
- a. Boxelder Basin Regional Stormwater Authority - Loan Payment Deferment Request
  - b. Grand Mesa Water Conservancy District - Peak Reservoir and Blanche Park Reservoir Rehabilitation Project
- 1:40 - 2:10                    **29. Underground Storage Pilot Projects - Grant Applications**  
*Interstate, Federal, & Water Information Section*
- a. Trout Creek Park Alluvial Aquifer Storage Pilot Project
  - b. Lost Creek Alluvial Aquifer Storage Pilot Project
- 2:10 - 2:30                    **30. Temporary Lease of Water for Instream Flow Use on the Yampa River**

*Stream and Lake Protection Section*

2:30 - 2:50

**31. Community Perspective on Watershed Protection  
Lessons Learned From Gold King Mine Spill**  
*Animas River Community Forum*

2:50

**ADJOURN**

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### CWCB Consent Agenda May 17 - 18, 2017

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. 17CW3008 (Water Division 4): Application of Sound of Music, L.L.C.*
- b. *Case No. 17CW3000 (Water Division 6): Application of Kimberly Kelly Weinstein*
- c. *Case No. 17CW3004 (Water Division 6): Application of James Ritchie*

#### 2. Green Ditch Company Withdrawal of Injury with Mitigation Proposal

*Stream & Lake Protection Section*

#### 3. Floodplain Designation, "Colorado Hazard Mapping Program, Phase I and Related Study Areas, Boulder County," by AECOM, April 2017.

*Watershed and Flood Protection Section*

#### 4. New Prequalification Loans:

*Finance Section*

- a. *Fort Lyon Canal Company - Adobe Creek Dam Rehabilitation*

#### 5. Change to Existing Loan

*Finance Section*

- a. *Sanchez Ditch and Reservoir Company - Sanchez Reservoir Outlet Rehabilitation Project*

