

RECORD OF PROCEEDING

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**SOUTHEASTERN COLORADO WATER  
CONSERVANCY DISTRICT**

**MINUTES**

**May 18, 2017**

A regular meeting of the Board of Directors of the Southeastern Colorado Water Conservancy District (District) was held on Thursday, May 18, 2017 at 9:35 a.m. at the District office, 31717 United Avenue, Pueblo, Colorado.

President Long announced a quorum was present.

**DIRECTORS PRESENT:**

Bill Long	Ann Nichols	Gary Bostrom
Vera Ortegon	Kevin Karney	Gibson Hazard
Tom Goodwin	Carl McClure	Curtis Mitchell
Howard "Bub" Miller	Mark Pifher	Seth Clayton
Greg Felt		

**DIRECTOR(S) ABSENT AND EXCUSED:**

Dallas May and Alan Hamel-Advisory Board Member

**DISTRICT OFFICIALS PRESENT:**

Executive Director James Broderick; General Counsel Lee Miller; Administrative Manager Toni Gonzales; Principal Engineer Kevin Meador; Water Resources Engineer Garrett Markus; Issues Management Program Coordinator Chris Woodka; Administrative Support Specialist Margie Medina; and Federal Lobbyist Christine Arbogast.

**VISITORS PRESENT:**

Tom Simpson, Aurora Water; Abby Ortega, Colorado Springs Utilities; Roy Vaughan and Shane Hayden, U.S. Bureau of Reclamation; Steve Witte, Colorado Division of Water Resources; Curt Thompson, AECOM; Jerry Peña, GEI Consultants; Mark Scott, GHD; Jim Chapman; Doug Fitzgerald, Congressman Scott Tipton's office; Bill McDonald, McDonald Consulting; and Willard Behm.

**INTRODUCTION OF VISITORS:**

President Long welcomed the visitors to the meeting, and asked them to introduce themselves and identify the organization they represented.

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**ACTION ITEMS:**

**SWEARING IN OF APPOINTED BOARD MEMBERS**

Lee Miller said he had received a Court Order appointing Howard “Bub” Miller to four-year terms on the District Board. He asked that Mr. Howard “Bub” Miller, stand and repeat the oath. After reading the oath, the appointed Board member was asked to sign the oath, for filing with the court.

**PUBLIC HEARING JIM CHAPMAN PETITION FOR INCLUSION**

President Long called the hearing to order, May 18, 2017 at approximately 9:38 a.m., and said this is the Public Hearing on the petition for inclusion filed by Jim Chapman for the Chapman petition for inclusion, which consists of 440 acres of property north of Canon City into the Southeastern Colorado Water Conservancy District.

President Long asked if a representative of the petitioner was present, and Mr. Chapman indicated he was present. Mr. Chapman would have the opportunity to speak after staff provides its input into this petition. Mr. Garrett Markus provided the staff’s report on this petition stating this was the Public Hearing on the petition for inclusion of 440 acres of property filed by Jim Chapman north of Canon City into the Southeastern Colorado Water Conservancy District, pursuant to Colorado Revised Statutes, Section 37-45-136.

At the Board meeting held on April 20, 2017 the Board ordered that notice of the filing of this petition to be published in a newspaper of general circulation within the county where the land is located, which notice consisted of two (2) publications, and that the notice stated the filing of this petition, the name of the petitioner, and a descriptions of lands -- giving notice to all persons interested to appear at this time and location to show cause in writing why the petition should not be granted, and that this Public Hearing must be held within 30 days of the last publication, pursuant to Colorado Revised Statute Section 37-45-136(2).

The notice was published twice in the Canon City Daily Record, a newspaper of general circulation in Fremont County. A copy of the newspaper’s affidavit of publication is in the public record. The last publication date was May 5, 2017 which was less than 30 days ago.

A petition was received in 2014 from Jim Chapman, requesting that its property be annexed into the District. Initially the petition for inclusion included land in Fremont and Teller Counties, upon reviewing the parcels only the Fremont County acres that are outside of the District boundaries are considered. Legal counsel reviewed the petition and determined it was in compliance with the Water Conservancy inclusion statute found in Colorado Revised Statutes, Section 37-45-136. Staff has determined the following:

- The legal description is adequate.
- The total area included in this petition is 440 acres.
- The assessed valuation for 2017 is \$3,763.00.
- The Administrative Fee for processing is \$1,500.00
- The back tax amount assessed is \$77
- Required signatures were properly notarized, as required by statute

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The Southeastern District administers the Fryingpan-Arkansas Project which is a federally authorized Reclamation project. Under Southeastern's Repayment Contract with Reclamation, and applicable federal reclamation law, no changes can be made to Southeastern's boundaries through inclusions of land - except upon the Secretary of Interior's written permission. As Petitioner, the Chapman petitioner will bear the responsibility and costs for obtaining this federal permission. Any favorable action Southeastern takes on this petition is subject to Department of the Interior's approval. If the Board approves the petition, staff will file the appropriate documents with Reclamation.

After review, District staff is recommending that this petition be approved, subject to Department of Interior assent.

President Long said at this time we may hear a short presentation by a representative of the petitioner. We ask that you limit this to 10 minutes. After your presentation, if any, there will be a question period for Board members to ask questions of you. Mr. Chapman thanked the Board for their consideration of the inclusion. There were no questions of Mr. Chapman or Mr. Markus.

President Long asked if there were any opposer's who had provided written comments, if they so choose. Mr. Markus indicated there were no written objections received.

President Long said the Public comment period of this inclusion petition was closed.

Mr. Markus said at this time it would be appropriate for the Board to entertain a motion. Mrs. Ortegon moved, seconded by Mr. Goodwin, to approve the Petition for Inclusion of Chapman lands, subject to Department of Interior assent. Motion unanimously carried.

**APPROVAL OF MINUTES:**

President Long said the minutes of the April 20, 2017 Board meeting were posted to the Board website for review, and if there were any corrections or additions. Hearing none, Mrs. Ortegon moved, seconded by Mr. Bostrom, to approve the minutes. Motion unanimously carried.

**FINANCE COMMITTEE REPORT:**

Treasurer Nichols reported the financial statements for April were posted to the Board website for review. Ms. Nichols moved, seconded by Mr. Pifher, for acceptance of the April financial statements and payment of the May 2017 bills. Motion unanimously carried.

**ACTION ITEMS CONTINUED:**

**ELECTION OF OFFICERS**

Mr. Karney moved, seconded by Mr. Goodwin, to nominate the following slate of officers:

- Bill Long – President
- Gary Bostrom - Vice-President
- Vera Ortegon – Secretary
- Ann Nichols - Treasurer
- James Broderick to serve as Assistant Secretary-Treasurer

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Motion unanimously carried.

President Long recessed the District meeting at 9:45 a.m. and reconvened at 10:39 a.m.

**CONSENT ITEMS:**

None

**PRESENTATIONS:**

None

**MONTHLY/QUARTERLY REPORTS:**

**U.S. BUREAU OF RECLAMATION REPORT**

Roy Vaughan provided a PowerPoint presentation reviewing the following:

- As of May 14, 2017 there were 242,541 acre-feet stored in Pueblo Reservoir; 153,961 acre-feet of Project water; 45,053 acre-feet of Excess Capacity water; 42,570 acre-feet of Winter water.
- There is currently 91,412 acre-feet of Project space in Pueblo Reservoir and 65,067 acre-feet of space in Turquoise and Twin Lakes Reservoirs.
- Charts illustrating storage amounts in Turquoise, Pueblo, and Twin Lakes.
- Total M&I Project Water in the System.
- Project Reservoirs: Turquoise 81%; Twin Lakes 101%; Pueblo 130%
- Boustead Imports to Date – 7,000 a.f.
- Flood Operations
- Arkansas River Basin Time Series Snowpack Summary May 13, 2017
- Upper Colorado River Basin Time Series Snowpack Summary May 13, 2017
- May 1 Forecast-77,700 Acre-Feet
- Water Availability for VFMP and Contract Exchange
- U.S. Drought Monitor
- Pueblo Precipitation

Mr. Vaughan stated Mt. Elbert conduit is presently off. Reclamation plans to move an additional 5,000-7,000 af from the upper reservoirs. Movement of water will be adjusted according to the forecast and customers needs.

**DIVISION ENGINEER'S REPORT**

Steve Witte reported on the following:

- River and Reservoir Report
    - Reference Arkansas River Daily Report. River Call is:
      - 8/1/1896 Great Plains Storage
      - 5/31/1949 Compact Call (State line to John Martin & J.M. to Ft. Lyon)
- <http://www.dwr.state.co.us/div2/aras/arascal.asp>

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- Current River/Reservoir Operations
  - Pueblo Reservoir, May 1 minor reversion of 2015-16 winter storage
  - John Martin Storage resumed May 11, 2017
    - (1) Conservation Storage & Section III combined + 60k af
  - Trinidad Reservoir temporary flood detention (approx. 6000 af) released by May 15, 2017
    - (1) Called for release of 3000 cfs resulted in 1700 – 2000 cfs. Previous record 1260 cfs in 2004.
    - (2) Trinidad below Trinidad Lake offline
  - Other off channel storage nearly full
- Compact Issues
  - ARCA Special Engineering Committee continues to meet
    - Topics
      - (1) Additional source of water for John Martin Permanent Pool
      - (2) Remaining concerns related to the LAWMA decree 02CW181
  - A special meeting of ARCA was held on April 17, 2017 in order to approve a resolution authorizing use of Highland Canal yield to be used as a source of water for the Permanent Pool. A Substitute Water Supply Plan for change in type and place of use are pending.
- Administrative Activities
  - Rule 14 Pumping plans and Rule 10 Compact compliance plans have been approved for 2017-18

U.S. GEOLOGICAL SURVEY

None

STATE LEGISLATION UPDATE

Lee Miller reported the General Assembly adjourned *sine die* on May 10, 2017. The Colorado Water Congress State Affairs Committee is tracking 31 bills in the 2017 legislative session. With the legislative session just completed, he will report on the results of final legislative and gubernatorial action in the near future.

Plans are currently being made for the 2017 Water Resources Review Committee (WRRC). The following are the 2017 WRRC members:

<b>Senators</b>	<b>Representatives</b>
Jerry Sonnenberg (Chair)	Jeni James Arndt (Vice-Chair)
Randy L. Baumgardner	KC Becker
Don Coram	Diane Mitsch Bush
Matt Jones	Lori Saine
Kerry Donovan	Yeulin Willett

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Lee Miller will provide the schedule for the WRRC meetings, when it becomes available.

**INFORMATIONAL ITEMS:**

Christine Arbogast mentioned that Mr. Dwight Gardner recently had some major surgery.

Mr. Woodka provided the Board a write up on the presentation he provided at the 17<sup>th</sup> annual Children's Water Festival. And, acknowledged Toni Gonzales' role on the planning committee of the event for several years.

Kevin Meador stated there would be a croquet tournament after lunch for the AWWA professional engineer scholarships, which anyone that wished to participate or contribute was welcome.

The Board was provided written material on the following topics, which were posted to the Board website:

- Water Court Resume
- 2017 Xeriscape Tours – June 3-4, Pueblo
- Colorado Water Congress Summer Conference –August 23-25 – Vail
- NWRA Western Water Seminar – August 8-10 – Santa Fe, NM

President Long asked if there were any other matters to come before the meeting, and hearing none, adjourned the meeting at 11:20 a.m.

Respectfully submitted,

Toni Gonzales  
Administrative Manager

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Secretary

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