

**Interbasin Compact Committee Basin Roundtables
Rio Grande Inter Basin Roundtable**

M I N U T E S

**October 12, 2010
Adams State College - Student Center**

Attending: Mike Gibson, JB Alexander, Nicole Langley, Jim Rhett, Ed Nielsen, Travis Smith, Judy Lopez, Vern Elliott, Mario Curto, Mike Willett, Nicole Rowan, Lewis H. Entz, Rio de la Vista, Bill Yohey, Ralph Curtis, Paul Robertson, Don Thompson, Rodney Smith, Dale Wiescamp, Linda Bassi, Greg Johnson, Ronald Riggensbach, Cindy L. Clark, Paul R. Clark, Bruce Bagwell, Peter Clark, Ruth Heidi, Karla Shriver, Gene Farrish, Charles Spielman, Craig Cotten

Approval of Minutes, September 14, 2010: Travis corrected the minutes saying he was listed as having attended, but he did not attend. Ed Nielsen moved to approve as corrected. Peter Clark seconded. Unanimous approval as corrected.

Colorado Division of Water Resources Division 3 Engineer – Craig Cotten - Rio Grande and Conejos River Compact flows: The Rio Grande is looking good on obligation to the Compact, with 535,000 AF forecast and 139,000 AF owed downstream. The State expects not to have an over delivery or an under delivery, so meeting the obligations and supporting downstream endangered species. Of the 540,000 AF flow for the year, 140,000 AF are obligated to meet the Compact. Only about 5% of the Rio Grande obligation is still owed and that is being met through return flows. The Conejos is also meeting its obligation and is slightly below average in total forecast flow. Average annual flows on the Conejos are 325,000 AF with this year's adjusted forecast being 285,000 AF. The State has delivered all the necessary compact water during the irrigation season. There have been no curtailments on either river system since July. On the Conejos Compact deliveries may be slightly over those required, but having the Conejos ditches run into November should fix that. The ditches will be shut down on the Rio Grande on November 1st. Craig reported that the State Engineer approved a presumptive irrigation season of April 1 to November 1, which applies to groundwater as well as surface irrigators. This could change depending on where we are on the Compact deliveries and could be different for different streams. Irrigation season policy lays out the criteria for any given year and the Division Engineer will make and publish that decision based on those criteria. People may appeal the decision by contacting the State Engineer. This has never been done in such a formal manner as the Division usually worked with water users. The Division was holding its Fall Water Commissioner meeting, where they give out awards. Jim and Tim Coleman were named "Water User of the Year" and Bruce Bagwell was named "Ditch Rider of the Year."

Oil and Gas Drilling Concerns - Dale Wiescamp reported that oil and gas drilling near Del Norte is a matter of deep concern, with a high potential for water pollution. He said this should be a Valleywide concern, not just limited to the Del Norte area. A Houston-based firm, Dan A. Hughes, owns O & G rights up San Francisco Creek and may seek permission to drill. Dale said the potential drill site is next to an area drilled in the early 1980's when an exploratory well was drilled to about 4,200 feet. Dale recalled when Owen Scherzer of Twin Pines Ranch hit artesian geothermal water of 110 degrees at 4,100-4,200 feet. Any exploratory oil and gas drilling could hit our underground water sources. "That tells me we are playing with fire," Dale said. "We are very concerned about them punching into our source of water with hydraulic 'fracking' chemicals." Craig Cotten said that there has not been water permitting requirements for oil and gas exploration, since that water is not being

put to beneficial use. The State Engineer got sued over that in the last couple of years. Craig advised that the Division had to regulate the use of water. If it is tributary to a stream system it will require a permit, whether or not they're going for water or for oil or whatever. Also they will have to have an augmentation plan. "This is something new to the Valley and new to me too. We have other divisions which do thousands of these." Discussion: Permitting only for consumptive use? They use very little consumptive use. Water quality a concern of the State? Evidently not. The groundwater has to be protected. Craig: CDWR Division 3 has been contacted by people concerned and also by the drilling company. "The Division of Water Resources doesn't really have any say in these types of wells unless they produce water," he said. However, he has contacted the Oil and Gas Commission to recommend precautions be taken during any drilling, should it occur. Mike: Representatives from the oil and gas company came to his office too. If the oil and gas company files a permit application there would be a public hearing. Dale: In the last two years Rio Grande County has developed oil and gas regulations so the County would at least have some control over what happens there. Mike: I know that on Lexam RGWCD made some recommendations re drilling on the preserve. Mike suggested RGBRT set up a sub-committee with Dale Wiescamp to head it. Carla, Travis and Jim Rhet volunteered. Mike will be ex officio member. Maybe RT could ask a geologist, hydrologist, maybe Alan Davey, to contribute pro bono expertise. RGBRT can support Rio Grande County if they tighten up their regs. To sit on this subcommittee, contact Dale Wiescamp at 719-850-2324.

EarthNest Institute, Nicole Langley – "Documenting the Stories of Water in the SLV" Nicole, in her role as Executive Producer, updated the Roundtable on the positive reception for this project from Dr. Perry Cabot of the Colorado Water Institute and CSU Extension, Sangre de Cristo National Heritage Area, San Luis Valley Public Lands Center, Rio Grande National Forest, Bureau of Land Management, Adams State College's Agribusiness Department, and the Southwest Area of the Colorado Division of Wildlife. Judy Lopez said that a documentary on the Basin's water issues would be of great educational benefit within the school system and also for informing the public about the complexities of our water issues. It would help to discourage polarizing water issues and to see the human side that's affecting all of us. Nicole outlined the theme of "Sustainable Water" for the documentary, described the plan for development and funding, and showed two trailers of other documentaries done by Director/Producer Karuna Eberl of Wandering Dog Films.

Manassa Land & Irrigation Company (MLI), Jack Gilleland and Nathan Coombs – Request for Funding: Conejos North Branch Water Conservation and Management. Jack gave a progress report on the completion of prior work on the Conejos Diversion and expressed MLI's gratitude to the Roundtable and to CWCB for that funding, which was to benefit multiple ditches on that diversion. He and Nathan Coombs returned to the RT requesting \$75,000 of Basin funds, explaining that this was specifically for the MLI irrigation system to replace Headgates # 3 and # 98 and to establish measuring weirs on the laterals of the system. Ed Pizel moved grant the funding. Dale Wiescamp seconded. Unanimous approval. JB asked about the need for this funding and Travis had some editorial suggestions. Travis encouraged Jack and Nathan to have someone attend the CWCB Board meeting in Denver, January 25-26 Denver.

Update on McDonald Ditch / Plaza Plan – Mike reported that the expanded need for NRCS engineering has been approved and that now the Rio Grande Headwaters Restoration Project needed to secure a real commitment from the other ditches if they are going to participate in the project. A presentation for funding will be submitted at the November Roundtable meeting.

Consumptive Needs Assessment – Review of CWCB Documents, Mike Gibson: Two meetings ago we had presentations from Greg Johnson and Nicole Rowan on consumptive use. A group of us reviewed this data and found no fatal flaws, with figures corresponding closely to what we submitted. The glaring issue is that five years ago SWSI showed the Rio Grande Basin as having a hugely

inflated calculation of water consumed per person in the Basin when compared to all other basins. It was a red flag for us, an anomaly, as these figures have been used to anticipate future municipal demands. Consideration was given to further researching this matter consider, which maybe appropriate in the future by taking some Basin funds to hire someone to research the matter further. One possible explanation of the high figures is that Alamosa is the largest population center in Valley and that it has two college campuses, with Adams State's playing fields, and the City's golf course with large consumptive use. Changing this figure is not going to significantly change the basin's future needs as the shortfall is in the agricultural sector. Population growth is minor in comparison to our plan to put 40,000 to 80,000 acres out of agricultural production.

Update on Phase 2 of the Nonconsumptive Needs Assessment – Nicole Rowan, CDM and Greg Johnson, CWCB: Nicole and Greg reported on what CDM and CWCB have done to date and how Phase 2 addresses the nonconsumptive needs assessment methodology used to calculate the water supply future for the Rio Grande Basin. She gave an overview of Phase 1 and Phase 2 priorities, quantification, how they identified projects and methods, with statewide maps showing the different bottoms-up grassroots projects. The Rio Grande map showed places with lower and higher numbers of environmental attributes. Linda Bassi of CWCB In-Stream Flow Program identified “gap areas” in which we need to determine what projects will be needed in the future to protect environmental and recreation attributes. Need to distinguish between planned and completed projects and indicate if studies are planned for gap areas. Rio said there ought to be a way to combine and present this information in a better way, maybe digitizing information from all projects into a more visible understandable GIS GPS map. “So we can look at the map and see if the data is mapped correctly.” Many statewide areas identified in Phase 1 were restoration projects, flow protection projects, or studies of various kinds not resulting in any specific projects or methods. It was felt that there was a need to see planned projects and methods by Basin, and the Rio Grande has about 12 or 13 planned projects. Nicole and Rio showed the big maps with projects that are numbered and keyed to the table and areas where there is not a planned project. Land use is taken into account as an attribute on the maps. Rio and Nicole worked with people during the break to review, comment on, and edit the maps.

Report from IBCC – Steve Vandiver: IBCC has not had a meeting since the last Roundtable meeting. Several sub-committees have been set up to look at different water supply projects, with a subcommittee on each topic, i.e. Agricultural Transfers, Conservation, Existing IPPs and PPPs, New Water Supplies, etc. Draft documents will be available from each sub-committee. Full reports will be presented to the IBCC Committee this Thursday, October 14, 2010. This will determine how the State should interact on new projects, the extent of advocacy, and how the State can be involved without overstaffing. Federal agencies will then be informed of the “state the State”. Steve said that Greg Johnson had been very helpful, very patient with the subcommittee.

Report on Subdistrict – Steve Vandiver: The Board of Managers for the RGWCD Subdistrict # 1 has established fees which will be assessed to sub-district irrigators in 2011. A public meeting was held last week to finalize the Board of Managers budget, but after many attempts the issue of the fee per acre was tabled. Mike asked Steve to give us a report next month about how the pieces of the jigsaw fit together. (The subdistrict budget is available at www.rgwcd.org.)

Education Committee Update – Judy Lopez: Judy encouraged RT members to provide input and suggestions to the sub-committee and gave an update on PEPO, or the Public Education, Participation, and Outreach workgroup. This group will assist Basin Roundtables to strengthen their education and outreach activities. By the end of 2011, each Roundtable is expected to have an Education Action Plan. “This plan will identify Roundtable member education activities that promote a well-informed and high-functioning Basin Roundtable. It will also define public participation objectives

and appropriate implementation methods.” Judy said the committee would be meeting before the next Roundtable.

Other Business – Instream Flow: Mike asked Linda Bassi to tell us about In Stream Flow (ISF). Linda reported CWCB did the first purchase of water right for instream flow in Pitkin County on the Roaring Fork River. Mike asked about Roaring Fork and Washington Gulch water rights and water being diverted to consumptive use. Linda suggested the Roundtable could help, as CWCB are looking for ISF opportunities and ISF can help meet nonconsumptive needs. Mike: We have ISF rights on the Rio Grande and said it would be good to hear from CWCB as to what they are, why, where, purpose. Discussion: secure water for wetlands? Can get a water right to irrigate wetlands? What is ISF language? Mike asked Linda to give us an update when she comes back next.

Water Supply Reserve Account Balance Summary: Greg Johnson, CWCB, reported there is about \$2.5Million in the Statewide Account and it will have another increase of about 30% in January, 2011, to possibly \$3.8 Million. Basin Accounts will probably also be increased. Approved grants for RG Basin funds stand at \$1,035,450 and RG State funds at \$2,961,400. The current RG Basin fund balance is \$209,800 and as Mike said, this is going fast. Greg advised this is the time to apply for 2011 funds and he commented on the high quality of proposals submitted by the Rio Grande Basin Roundtable. Mike gave a big thanks to CWCB staff for coming and for strongly supporting our grant proposals.

Approved _____

Date: November 9, 2010

**Next Meeting November 9, 2010
Student Center
Adams State College, Alamosa 81101**