

NPBRT Minutes: 2-15-11 Meeting
NFS Conf. Room (3-5PM)
100 Main Street, Walden, CO

Members/Liaisons Present

*Jimmer Baller
Paula Belcher
*Kent Crowder
Deb Heeney
*Kay Meyring
*John Rich
Hunter Townsend
Carl Trick II
*Ty Wattenberg
Michael Wright
*Barbara Vasquez

Guests Present

Heather Bergman – Peak Facilitation
Mikala Gregg – Peak Facilitation
Greg Johnson
Shanna Lewis
Erin Light
John Stulp
Caid Waldron

Members/Liaisons Absent

*Mike Allnutt
Deb Alpe
Mike Alpe
Pete Conovitz
*James Carothers
*Scott Fischer
*Tom Hackleman
*Mike Honholz
*Randy Miller
Ann Timberman
*Rick Wyatt

(* Voting members)

Note on new members/liaisons:

Randy Miller has replaced Hal Hagan as Recreational Rep.

Hunter Townsend has replaced Brook Lee as Liaison from the Colorado State Forest.

I. Agenda Review: The agenda was accepted as published.

II. Approval of NPBRT Minutes: Jan. 18, 2011 Meetings

Carl Trick noted an error in the name of Meadow Creek Reservoir on p2. Ty Wattenberg motioned and Jimmer Baller seconded the motion to accept the minutes with that correction; the corrected minutes were approved unanimously.

III. John Stulp/Greg Johnson/ Heather Bergman

John Stulp took his position as new Director of IBCC and member of Governor Hickenlooper's cabinet approximately 30 days ago. This is the 7th RT meeting he has attended with Heather to carry the Governor's message about the importance of water in the state and collect feedback on the IBCC Framework that was completed in Dec. 2010. There will be additional advisor's, including Alex Davis (former Director of the IBCC) who serves

as the water expert for the DNR.

Greg Johnson gave us an overview of the IBCC Framework document. The Framework contains elements from the SWSI 2010 which was approved by CWCB at their Jan. meeting. The CWCB Staff will soon have CDs and bound executive summaries to deliver to all RT members. When Greg was discussing large new supply projects, he referred to the permitting process. Heather commented that work is underway to explore how to integrate or coordinate the local permitting process with the federal and state permitting processes. HB 1041 (1974) give local governments authority over sighting of water related projects of state-wide interest. She noted that, with the current sequential permitting approach, major projects for New Supply Development, such as the Yampa Pumpback or the Million Project (Flaming Gorge), can require years and considerable expense to complete the federal and state permitting processes, but risk having the project killed by a local government at the last step. The recorder won't attempt to capture all of Greg's summary comments, but refer you to the document itself.

Heather Bergman, with support from Mikala, proceeded to explain the polling process. Voting members of the RT were provided with electronic 'voting' remote devices. Nonvoting members and other attendees were provided with paper ballots. The polling questions were multiple choice, looking for opinions about the usefulness of the IBCC Framework to meeting the state-wide and local water needs. The polling results have been summarized and are attached with these meeting minutes. They will be presented at the Statewide Forum on Mar. 3 along with results from polling other RTs and the public at large. The RT members were asked which topic they'd like to brainstorm about in the few minutes left; they chose Ag Transfers. Heather captured our comments and the are attached with these meeting minutes.

There is an opportunity for further public comment on the IBCC Framework on Feb. 25 in Glenwood (Rec. Center, 1PM).

IV. Barbara Vasquez/Carl Trick: Rating/Ranking analysis – Prioritization of Future Consumptive Use

The full RT rated the 13 potential future consumptive uses in the NP Basin previously identified by the Consumptive Use Committee. Barbara presented results which had been analyzed and summarized in a manner similar to that used for the NCNA prioritization. The draft results are included with these meeting minutes. Ranking of the future uses shows the top three are 1) doubling water storage (off channel) 2) increasing irrigated acreage & 3) alternative energy development (including biomass). The analyses will be fine-tuned and brought back to the RT for finalization. Additional criteria may be added to the analysis of the future consumptive uses such as the estimated volume of water required, the value for economic diversification and/or the opportunity for mutual nonconsumptive and consumptive benefits. Erin Light reminded us that the transbasin diversion from Michigan Ditch to Ft Collins allowed under the United States Supreme Court Decree on the North Platte has been routinely under-diverted by approx 15,000-18,000 AF during the ten year running averages for the actual reported transbasin exported water. As Ft Collins grows, we can expect that their diversion will increase over time to the maximum allowed, reducing the flow in the Michigan subbasin; provided that their water rights are not determined to be partially abandoned under the Colorado statutes.

The above comments from Erin Light are related to the following language set forth in the United States Supreme Court Decree, *Nebraska v. Wyoming*, 325 U.S. 589, 665 (1945), modified and supplemented on June 15, 1953, *Nebraska v. Wyoming*, 345, U.S. 981 (1953), and further modified November 13, 2001, *Nebraska v. Wyoming*, 534 U.S. 40 (2001)

The State of Colorado, its officers, attorneys, agents and employees, be and they are hereby severally enjoined:

(c) From exporting out of the basin of the North Platte River and its tributaries in Jackson County, Colorado, to any other stream basin or basins more than 60,000 acre feet of water in any period of ten consecutive years reckoned in continuing progressive series beginning with October 1, 1945

V. Deb Alpe: Education Committee Update

Deb had a schedule conflict, so she provided a brief summary of preparation for the Mar. 3 Statewide meeting that was handed out at the meeting and will be attached with these minutes. Detailed planning for the NPBRT Poster for the Mar. 3 meeting in Denver will be done at the Education Committee meeting 2/17.

VI. CWCB Update: Carl Trick II

Carl gave an update from the CWCB meeting. The two applications from the North Platte were approved for WSRA funding (basin funds). The current status of Basin funds and allocations by CWCB for North Platte projects is attached with these minutes. Carl commented that the Instream Flow proposal for the North Fork of the North Platte is still in process, anticipating that it will come to the CWCB in March.

Last month there was mention of the project to catalog historical (older than 1960) ditches across the state. Carl explained the historians doing the study have distributed multiple property documentation forms in an attempt to gather the required data. The ditches could then be nominated for the Historical Register. Kent commented that the existing summary (over 30 pages) makes for very interesting reading, and it will be distributed with these minutes. However, the unintended consequences of such a designation would be much more red tape to maintain or adjust location of elements of existing ditches.

Because of bad weather, there was no North Platte representation at the IBCC meeting. However, John Stulp gave a summary, focusing on the ongoing RT and IBCC process, and the fact that the IBCC Framework document is an interim step. Carl Trick asked John to address the reasons why the NPBRT members should engage in the state-wide discussion about water, since all our water flows north out of the state. John commented that some of the new supply projects and ag→municipal transfer decisions can impact the North Platte Basin. There was considerable discussion about the impacts of reduced agriculture on the Front Range on markets and infrastructure for North Park agriculture. He summarized the situation with: ‘If you’re not at the table, you might be on the menu’. He encouraged participation in the Mar. 3 Statewide Forum. The next IBCC meeting will be 3 /29.

VII. Old Business
None offered.

V. New Business:
None offered.

VI. Set Next Meeting: The dates for the next two meeting were agreed to be held Tue, Mar. 29 & Tue, Apr. 19 (**3-5PM winter hours**) in the FS Conference Room.

ATTACHMENT PREVIOUSLY SENT:

- 1) Colorado History of Ditches (National Historical Register Application)

ATTACHMENTS TO MEETING MINUTES:

- 1) Results of NPBRT polling on IBBC Framework
- 2) Comments captured from NPBRT discussion of Ag transfers
- 3) Comments from Deb Alpe on Education Committee & 3/3 Poster prep
- 4) Future Consumptive Use Prioritization results
- 5) Current NPBRT membership list
- 6) Current NPBRT project status & basin account balance