

HB 1177 Southwest Basin Roundtable Minutes July 11, 2012

Members	Mike Preston	John Porter	Mike Canterbury
Present:	Gerald Koppenhauser	Larry Deremo	Ann Oliver
	Ed Zink	Steve Harris	David Graf
	Chuck Lawler	Don Magnuson	John Taylor
	Don Schwindt	Bruce Whitehead	Ken Beegles
	Rod Proffitt	Tim Hunter	Chuck Wanner
	Steve Fearn	April Montgomery	Jenny Russell
	Peter Mueller	Wendy McDermott	John Ey
Guests:	Denise Rue-Pastin	Ed Tolen	Jim Greer
	J. Paul Brown	Katie Wilkins-Wells	Greg Johnson
	Ryan Christianson	Chris Landry	Reg Leach
	Dennis Miller	Lee Ann Hill	Marsha Porter-Norton
	Randy Carver	Collin Robinson	

Chairman Mike Preston called the meeting to order at 3:00 p.m. Introductions were made. Ed Zink who is replacing Bobby Lieb as La Plata County representative was welcomed to the Roundtable.

Administrative Reports

Review and Approve Minutes – April 11, 2012

The minutes of April 11, 2012 were approved.

Officer and IBCC Representative Reports

Steve Harris reported that the IBCC is finished with the portfolios; the next steps are scenario planning and adaptive management definitions. Steve is on the Metric Subcommittee who will identify, quantify, and evaluate the scenarios. The next meeting of the Subcommittee is Sept. 10-11.

Committee/Task Force Reports

Wendy McDermott reported on the Non-consumptive Committee meeting held prior to the Roundtable. The committee is reviewing the list of NC IPPs in the SWSI 2010 report to categorize them into more usable segments. Next step is to determine the best way to go back to the sub-basins to determine status of IPPs, which are ready to move forward as well as potential new projects. Roundtable members were invited to participate in outreach within their sub-basins. The other item of discussion was the GIS database created by Jim Sisco and how best to house it so it is accessible to members.

Headwaters Magazine

The June edition of Headwaters magazine featuring southwestern Colorado is published and copies are available for roundtable members' constituents and organizations. Additional copies of SWSI 2010 are also available.

WSRA Basin Roundtable Fund Balance

WSRA Basin Roundtable balance is \$290,304; this does not include the Roundtable approved grant of \$20,000 for the Mancos River Habitat and Diversion project which will be reviewed by at CWCB meeting in September.

Future Use Allocation Discussion

John Porter recapped his memo that was sent to roundtable members, saying that the subject came up at the last Southwestern Water Conservation District meeting. The Board felt that the Roundtable was the best forum to start discussion about the concept. Inputs included the following:

- How does this fall into Colorado's constitutional concept of first in use – first in right?
- CWCB ensures that water compact issues and existing water rights are not negatively impacted when developing In-Stream Flow (ISF) recommendations or evaluating River In-Channel Diversions (RICD).
- There is a precedent for filing for currently unspecified water rights in conjunction with an RICD.
- CWCB does not take into account the development of conditional water rights in hydrologic evaluations of ISFs.
- Future use allocations are speculative and as such, not legal.
- Would probably require legislative change to current law to implement a policy change.
- Need to start thinking about how to make change cases work in the future. As you lock up the whole system with existing uses, what have you done for changing needs in the future?
- Not comfortable with unspecific carve-outs because newer water rights would be superseded by the carve-out rights.
- ISF are meant to protect the environment to a reasonable degree; not trying to stop development. The state wants to see its rivers healthy. Worried about trying to undermine the legitimacy of a program that's gone a long way to protect what people care about in Colorado.
- How do you create a balance of the right of future needs in light of decreased availability of a limited resource?
- Currently, the law does strike a balance by providing protection to a reasonable degree and imposes a lengthy public review process during which there is opportunity for debate and negotiation. By applying a legislative fix, you're walking away from the entire prior appropriation system and you should be wary about that.

Mike wrapped up the comments saying that the subject can be the topic of future agendas and could be something that unfolds over a period of time.

Project Implementation Discussion

Greg Johnson, CWCB, talked about the next step in the state's development of a water plan. The focus is now on project implementation. A document was distributed explaining the technical support available to the roundtables.

Members are to let Mike know if there are Non-consumptive or Consumptive project(s) that should be considered as priority for implementation support from CWCB that can be discussed at the next meeting. Mike suggested having a meeting prior to a future roundtable meeting to discuss specific projects with Greg's assistance and then report to the roundtable.

Approved Project Update

A report from Mancos Valley Resources on “Protecting Irrigated Agricultural Lands and Water Rights for Agricultural Production” was sent to roundtable members. Jenny Russell thanked members for the grant and discussed the project’s accomplishments. Additional financial support was received from other entities for this project. John Taylor took the report to the Colorado Association of Conservation Districts who expressed interest in incorporating some of the concepts.

Review of Applications

Montezuma Valley Irrigation Company \$52,500 Basin (only)

Don Magnuson discussed the application that will be used to purchase water accounting software for the Company that will be used to build a delivery record and increase efficient water management. MVIC will also request a grant in the same amount from SWCD. There was general consensus to add this to the consumptive IPP list. Steve Harris moved to approve the funding request and the IPP. There were no objections.

La Plata – Archuleta Water District \$25,000 Basin \$475,000 State

Ed Tolen, Manager for LPLAWD, gave a brief history of the newly formed district. The funds will be used to construct a municipal water distribution pipeline. Discussion occurred. John Taylor moved and John Porter seconded to approve the grant. There were no objections to approval with consideration that this may end up being a combination grant-loan application, and the caveat that the basin funding would be contingent upon approval of state funds and the basin grant will be no more than 5% of the amount approved by the State.

Red Mesa Reservoir Company \$19,400 Basin (only)

Dennis Miller and Jim Greer gave a description of the company and the application. Funds would be used to analyze spillway alternatives needed to bring the spillway into compliance with dam safety requirements. Ken Beegles moved and Bruce Whitehead seconded to approve the grant. There were no objections.

Upcoming Events

- 2012 Quarterly Meeting Schedule: October 10, Cortez
- Statewide Drought Conference in Denver, Sept. 20
- Water in the West Art Show, Durango Arts Center, Aug. 10 – Sept. 15

Wrap Up and Adjourn

Chairman Mike Preston adjourned the meeting at 5:15 p.m.