

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

***MINUTES***

**September 10, 2013**

*This regular monthly meeting of the Rio Grande Interbasin Roundtable was hosted by the Conejos Water Conservancy District at the Opera House in Manassa. Introductions: Chairman Mike Gibson welcomed Roundtable attendees and water users on the Conejos River, many of whom had attended the pre-meeting tour and luncheon and stayed for the meeting. Mike thanked District Manager Nathan Coombs for hosting, Mayor Toni Woods and Town Clerk Paul Butz for arrangements, Superintendent Schott for use of the school bus, the Dutch Mill Restaurant for catering an excellent Mexican buffet lunch for more than thirty, and Nicole Langley for organizing the day. Mike welcomed State Representative Ed Vigil. The list of attendees will be added to next month's Minutes. Quorum was established.*

**Approval of Minutes of August 13, 2013** - Judy Lopez moved to approve as written, Lawrence Gallegos seconded. Unanimous approval.

**Report from Colorado Division of Water Resources - Division 3 Engineer, Craig Cotten** reported on the recent heavy rains. The April 1 annual index forecast for the Conejos River system was 170,000 acre feet. By September 1 it was reduced to 140,000 acre feet. Of that amount we owe 16,000 AF to the Rio Grande Compact, with most of it already delivered. The Conejos has more than met its obligation, with an 8,000 AF over payment to downstream states. The over delivery occurred during the winter months before the irrigation season began, resulting in no curtailments required on the Conejos throughout the season. The irrigation season on the Conejos will be extended past the normal November 1st end date.

There is 45,000 AF of usable water in Elephant Butte Reservoir, which means there can be no storage in Platoro Reservoir.

State Engineer's work on the model is anticipated to be done in the next two to three weeks, except for some issues relating to the northern part of the Valley. The Well Rules and Regulations Advisory Committee meetings will follow.

The confined aquifer is reduced about 100,000 AF due to return flows drying up in the hotter part of the summer, and also due to reduced diversions. A few will help out a little, such as the Empire Canal. The Closed Basin is sending less than 1 cfs to the Rio Grande.

**Discussion:** Don Torres, a Conejos irrigator, spoke passionately about conditions being "so bad in the Mogote." He challenged Craig as to "why you're paying that Compact ahead of time, especially on a dry year like now. How come when we have had no water since April, not a trickle going down on the Mogote or other ditches for the whole irrigation season, you keep sending Colorado water to people downstream. And now you tell us we're over-delivered?"

Craig explained that the Mogote is too high a priority number for this year, and even if we had not overpaid, there was still not enough water to bring in the Mogote at priority 115. All of the Compact credit water came from the winter flows and no user was curtailed during the irrigation season. Virtually no water was delivered to the downstream states during the irrigation season this year. All of the water in the Conejos system was used by farmers in Colorado during the irrigation season.

In contrast, the Valley got about 1.78 inches of precipitation this month, possibly setting a new September record if rains continue. This past weekend monsoon rains exceeded the monthly average by 1.26 inches. On September 12, almost three-fourths of an inch of rain fell in a 24-hour period, recalling autumn rains a decade ago. The floor of the Valley averages seven inches of water a year. As of yesterday we've had 6.45 inches, with 2.23 of those inches in August, compared to last August, when we got only ½ inch of precipitation.

**Update on Sub-District # 1 Issues** - Steve Vandiver not present. Report at next meeting.

**Update on Activities of the Rio Grande Watershed Emergency Action Coordination Team (RWEACT) - Executive Director, Tom Spezze; Coordinator, Travis Smith** - The RWEACT Team was set up during the West Fork fire as a collaborative response to impacts from the West Fork Complex fire. The leadership team consists of Travis Smith, Superintendent for San Luis Valley Irrigation District & Board Member for Colorado Water Conservation Board; Dan Dallas, Forest Supervisor, Rio Grande National Forest; Stan Whinnery, Commissioner, Hinsdale County, in the role of fiscal agent; and Rio Grande National Forest Supervisor Dan Dallas and many more. <http://www.rweact.org/about-rweact/the-team>

As Tom explained, RWEACT brings together local, state and federal agencies, organizations, and individuals “to develop an effective, coordinated approach for immediate actions addressing fire-caused hazards.” Emphasis has shifted from emergency response to long term health and safety and the natural health of the Rio Grande River watershed and its environment. The locally driven coalition of agencies now consists of 30 to 50 participants, demonstrating a high level of public participation. The group met this morning, and the US Army Corps of Engineers, Albuquerque office, will be joining the efforts of the group. The focus now is on long term health and safety.

RWEACT's activities have gone according to schedule, with as much data as possible gathered in the 40-day deployment of a Doppler radar station placed at the top of Bristol Head. The radar, which cost nearly \$70,000 for 40-days, tracked storms in the Rio Grande National Forest which had the potential to cause flash floods on the Upper Rio Grande. RWEACT will study this data, combining it with findings from other radar studies by the Conejos Water Conservancy District, increasing the Basin's real-time ability to provide vital warning information to residents and to anticipate and avoid high waters and debris flows. These combined investigations will significantly improve the accuracy of streamflow forecasting.

RWEACT now has a \$2.5 Million funding from the Governor, with Hinsdale County fronting some quick emergency funds and stepping up as the fiscal agent in collaboration with other participating counties. There have been recent site visits: Little Squaw Canyon is a very frightening place. RWEACT is on a fast track until October. The number one priority

is to protect human life and promote safety. Tom explained the BAER team, created when Dan Dallas of the Rio Grande National Forest requested a Burned Area Emergency Response (BAER) “to identify imminent post-wildfire threats to human life and safety, property, and critical natural or cultural resources on National Forest System lands and take immediate actions, as appropriate, to manage unacceptable risks.” Heather Dutton is working with hydrologists from the Pagosa area, studying ways to address many issues, including working on small scale restoration efforts with seeding and mulching to see what level of regeneration can get started before winter. As RWEACT contemplates options for long term measures, this phase provides critical data for strategic near-term and long-term planning. Discussion included projects in Kerber Creek, 4UR Ranch, Humphreys Reservoir and other affected areas. RWEACT is looking at impacts on riparian areas, fish, debris flows, and the need to protect dams from debris flow damage. On results from debris flows from Little Squaw, Tom said “That’s an interesting piece of work.” (With fast-track developments emerging, please Contact Heather for details.)

Tom will report to CWCB at its September meeting in Telluride on how RWEACT is spending the \$2.5 Million and on how they’re working with CWCB staff, Division of Water Resources, the Forest Service, NRCS, and all collaborating agencies. The outlook is positive.

**Update on Preparing for the Rio Grande Basin Plan** - The request for funding will be considered by CWCB at its meeting in Telluride. Tom Spezze and Mike Gibson will both be there.

**Review of Projects on the Conejos River Funded by Water Supply Reserve Account, Conejos Water Conservancy District Manager Nathan Coombs** welcomed everyone and gave an overview of the Conejos River system. The District’s whole-river approach is to study, improve, and document surface and groundwater management efficiencies, combining upgraded diversion structures, improved irrigation methods, automated gates, SCADA system telemetry, and piezometer measurements. With many projects funded by CWCB, all projects contribute to meet Basin and Statewide objectives.

Nathan reviewed the Conejos system history and explained how farming practices have changed over time. The District’s water generally flows north and then east. Before the land was leveled, most farmers used flood irrigation, which created tail water and a return flow. Today we have leveled the land and we use sprinklers, the effect being to diminish return flows. He clarified once again that “a sprinkler is not a well” in the Conejos system, because all but two of the sprinklers in the District use surface flows. “Today we no longer are able to pay the Compact with the same water we use for irrigation, because we no longer have a return flow. That’s why an increase of index can at times obligate the District to provide what it cannot provide, so we must leave water in the channel in order to pay the Compact. The point is that now we **not only must leave the amount of curtailment in the river but we must now also add water to “transport” the compact water to Los Sauces.** The District’s cost of persistently “correcting” errors in streamflow forecasting and unnecessary curtailments are calculated to exceed \$13,000 per day, based on \$135/AF. “We make the best guess we can, but when forecasts miss the mark, irrigators on the Conejos system pay dearly.”

Nathan presented data comparing the Conejos and the Rio Grande Compact delivery requirements as a percentage of annual index flows on both systems. He also provided a perspective on groundwater usage and the inter-connected impacts which one well can

have upon neighboring wells at different locations with respect to the River. Since installing telemetry and automation, thanks to CWCB funding, the District is able to track and manage diurnal flows; we know what's happening to water we release from Platoro Reservoir; and we have seen **the increase of about 25 cfs at the North Branch diversion**. No, nobody is stealing water. We're just tightening up the management of water. On the Bountiful lateral, for instance, which runs for 7 miles forming the boundary between the Romero and Manassa, we are now putting in a parallel pipeline system to gather up the 12.5 cfs which is otherwise being lost to the ditch. We're putting the equivalent of what used to be our return flows back into the top of our system. Nathan explained how transducers in three speculative wells are used to demonstrate the effects each well has upon the others, revealing what causes the drops and correlating between ground and surface water - the impact of well A is X between here and there in Y amount of time. Soil types in the northern parts of the Valley are also different than in the Conejos watershed, where we have very diverse soil types and a very different hydrology. "As much money as the State has put into the model, the best model is the model you can check, and we're checking our water. We can actually see our water, and this will help to tune the model."

Winter flows this year had nothing to do with our irrigation season. Over deliveries and the effects for water users were caused by our geography, by the Compact, and by the fact that there is no SNOTEL site that measures the Conejos. "There is no comparison between now and before. As we're refining our ability to apply every available technology, we'll never go back to the non-monitoring and non-measuring of flows. That era has passed."

**Discussion:** Charlie suggested to Mike that perhaps we could ask Craig and Nathan to give the Roundtable a clear and simple explanation about forecasting, curtailments, the Rio Grande Compact, and how all of that works. "Also, we should get the manager of every ditch company to come and see what these guys are doing." Mike: We know how critical accurate forecasts are to the Conejos. Our Basin Plan will need to address this work, including radar, telemetry, etc.. "If it works so well here, then yes, I agree with Charlie."

**Discussion on Oil & Gas Regulations of Rio Grande County - Charles O. Spielman** - Charlie submitted to the Roundtable a redlined copy of his analysis and suggested revisions of the current draft of the proposed Rio Grande County Oil & Gas Operating Regulations. "My understanding was that BOCC intends to 'reference' the study that was done with funds that we provided, but I feel they need to do much more than that." Charlie asked the Roundtable to review his suggestions and to support his request to the Rio Grande County BOCC, which he will submit to Commissioner Karla Shriver for the hearing to be held on September 25. "I am recommending these additions and revisions to the draft with the objective of improving the effectiveness, fairness, and enforceability of the proposed county regulations." His two principal requests are (1) that the County should not simply "reference" the findings of the hydrogeologic study which was funded by the Roundtable, but that they should adopt the recommendations of that study in a manner that enables enforcement. "One of the main conclusions of that study is that, to protect surface and subsurface water quality, O&G operators should set and cement surface casing as deep as nearby water wells; and they should install conductor or production casing entirely through the Conejos formation." In addition (2) "The study does not recommend casing through the Blanco Basin formation, which in part of the area of interest is several hundred feet thick and, based on its lithologic

description, could be more permeable and a better water conductor than the Conejos formation. I believe that judicious use of electric logs and drill cuttings samples, perhaps with other tests and drilling experience, can be used to determine optimally, in each O&G well, whether and where to case through the Conejos and Blanco Basin formations; and this is a better approach than a general overall requirement to case through them.” Travis thanked Charlie for staying on top of this important issue. Mike said that we should ask the County to accept and adopt the recommendations of the study, not simply to reference it.

**VOTE** Charlie moved that the Roundtable concur with his recommendations and send a letter to the County and to the COGCC that the recommendation be adopted as requirements of the O & G County Regulations. Dale Wiescamp and Rio de la Vista seconded the motion. **Discussion:** Ron Brink stated that the hydrogeologic study was funded by the Roundtable and that we endorse that study. When the findings of the study came out Mike wrote to the County stating that we endorsed the study. At that time it was related to the specific wells of First liberty. Now it’s about the Dan Hughes well, and the County is reviewing their O & G regs. “I see nothing out of order in our advising the County that they should abide by the findings of that study in any applications that they receive”. Jim Ehrlich asked why the County seemed reluctant to include those findings in their permitting process. “They wanted the study, and it provides valuable information. Are they ignoring the findings? Rather than adopting them do they plan to simply reference them? We would like to recommend to the County that the recommendations of the study be included in their rules and regulations, as opposed to just being referenced. Travis: “This is appropriate. The Roundtable has deliberated, has funded the project, has provided guidance which the county asked for, so we are now recommending that they adopt it and include those findings to establish policy. Mike asked Paul Tigan of BLM if he had any comment: Paul did not. Mac McFadden complimented Charlie. “On this issue I very much want to be a part of what we do.” There being no further discussion, the vote was unanimously in favor. A copy of Charlie’s analysis and recommendations is available.

**Update on Oil & Gas Drilling - Rio Grande County - Paul Tigan, Assistant Field Manager, San Luis Valley Bureau of Land Management (BLM)** - On the Dan Hughes well BLM extended the public hearing period for 45 days and received 42 individual comments, some of them very lengthy. The BLM are required to go back to the document and take a hard look based on those comments and have committed to do all the NEPA work themselves. BLM have told operators that they are not likely to hear from the BLM in time to start this year, as it will probably be a couple of months before they get a document from BLM. Then the County has to have their work done after they get the BLM document. “The County commissioners signed on to the Allen Davey et al study and they do stand behind the work of the study. We will also take a look at that.”

Question: If the contractors are not able to start this season, what will be the effect?  
BLM: Oil and gas leases last for 20 years, so they will have plenty of time. The BLM NEPA process does not count against their time. They will have two years after the County gives them the permit.

**Other Business** - Rio reminded everyone of the Rio Grande Headwaters Land Trust’s Hoe Down and urged folks to come.

Lawrence Gallegos: Steve Vandiver sent a letter to Gail Schwartz, Chair of the Colorado Legislative Interim Water Review Committee, who were to meet on September 26, 2013 at which time they are to review the groundwater issues of the Valley and the Subdistrict 1 groundwater management plan will be on the table for discussion. Representative Ed Vigil and Senator Larry Crowder represent the Rio Grande basin on the Committee. Mike's District also got a notice of that meeting, and they will have someone there to testify.

**Drip Irrigation** - Jim Ehrlich reported on the drip irrigation tour, attended by almost 40 people. "Both farmers did some things right and some things wrong, but there's lots of learning going on." Both plots have good crops coming. CSU will do the economic analysis. Jim thanked the Roundtable for supporting and funding this project. Miller-Coors has taken an interest in the project and we'd like to keep it going on an extended basis. Jim will give a summary when the study is done. "This is the future. We need more data. We'll have a report soon".

**Next Meeting: Tuesday October 8, 2013  
Conference Room, San Luis Valley Water Conservancy District  
623 Fourth Street, Alamosa, Alamosa, Colorado**

**Light Refreshments Will Be Served**