



# COLORADO

## Colorado Water Conservation Board

Department of Natural Resources

John W. Hickenlooper  
Governor

Mike King  
DNR Executive Director

James Eklund  
CWCB Director

## JANUARY 25 - 26, 2016 Board Meeting Agenda

A meeting of the CWCB will be held on January 25, 2016 commencing at 9:30 AM and continuing through Tuesday, January 26, 2016. A Board finance workshop will take place during this time. The meeting will be held at the Hyatt Regency Denver Tech Center, located at 7800 E Tufts Ave, Denver, CO 80237.

The CWCB posts notice 30 days in advance of each regularly scheduled meeting. Notices for special meetings are posted on the website typically within five business days and not less than 24 hours of such a meeting. Notices of regular and special meetings may also be received by email. To receive notices by email please visit: <http://cwcb.state.co.us/Pages/CWCBI Insider.aspx>.

Although dates and times are indicated in this notice and in the following agenda, the CWCB may address and take action on noticed items in any order. Any known changes to the agenda will be announced at the beginning of the meeting. This notice, any late notice(s) of additional items, and briefing memos prepared for the CWCB will be posted at 1313 Sherman Street, Suite 721, Denver, CO 80203, and on our website at [www.cwcb.state.co.us](http://www.cwcb.state.co.us).

The CWCB's meetings are made available through live audio streaming on YouTube, although Board workshops are not. To listen to the proceedings, click the "Listen to the meeting LIVE!" link on the CWCB website homepage and select the link for the proper day and time. The link will be posted just prior to the start of the meeting.

The CWCB encourages citizens to express their views and provide feedback to the Board on the agenda items. This can be done by sending an email to [mara.mackillop@state.co.us](mailto:mara.mackillop@state.co.us), by sending a letter to a Board member or to the Chair of the Board, or by attending the meeting. If you attend a meeting, simply fill out a comment sheet and give it to the Board Coordinator at the recording station. The Board will appreciate hearing your views when it reaches that agenda item. If you have any questions, need special accommodations as a result of a disability, or require further information on any CWCB activity, please contact Mara MacKillop at 303-866-3441, ext. 3242. All programs, services, and activities of the CWCB are operated in compliance with the Federal Americans with Disabilities Act (ADA).



## **Monday, January 25, 2016**

11:30 - 12:30	<b>LUNCH</b>
12:30 - 12:32	<b>CWCB Call to Order and Pledge of Allegiance</b>
12:32 - 12:34	<b>1. Review and Approve Agenda</b>
12:34 - 12:36	<b>2. Review and Approve November 18 -19, 2015 Board Meeting Minutes</b>
12:36 - 12:38	<b>3. Review and Approve November 4, 2015 Board Meeting Minutes</b>
12:38 - 12:40	<b>4. Approve and/or Remove Consent Agenda Items</b>
12:40 - 12:42	<b>5. Future Board Meeting Dates in 2016</b> <ul style="list-style-type: none"><li>a. March 16 &amp; 17 La Junta</li><li>b. May 18 &amp; 19 Del Norte</li><li>c. July 20 &amp; 21 Steamboat</li><li>d. September 20 - 22 Colorado River Basin</li><li>e. November 16 &amp; 17 Denver</li></ul>
12:42 - 1:30	<b>6. Directors' Reports</b> <ul style="list-style-type: none"><li>a. DNR Executive Director</li><li>b. IBCC Director</li><li>c. Agriculture Commissioner</li><li>d. CWCB Director</li><li>e. State Engineer</li><li>f. Division of Parks and Wildlife Director</li><li>g. Water Resource and Power Development Authority</li></ul>
1:30 - 1:45	<b>7. Species Conservation Trust Fund Recommendations</b> <i>Interstate, Federal, &amp; Water Information Section</i>
1:45 - 2:15	<b>8. Wild and Scenic River Alternatives Update</b> <i>Interstate, Federal, &amp; Water Information Section</i> <ul style="list-style-type: none"><li>a. Presentation on Upper Colorado River Wild and Scenic Stakeholder Group</li><li>b. Presentation on Deep Creek and possible Wild and Scenic protection</li></ul>

2:15 - 2:30	<b>9. HB15-1178 Dewatering Grant Program Application from the Town of Gilcrest</b> <i>Interstate, Federal, &amp; Water Information Section</i>
2:30 - 2:35	<b>10. Attorney General's Report, Legal Briefing, and Executive Session</b>
2:35 - 2:45	<b>BREAK</b>
2:45 - 4:00	<b>11. Executive Session</b> <ul style="list-style-type: none"> <li>a. Glenwood Springs RICD</li> <li>b. Colorado River Legal Issues</li> <li>c. USFS Reserved Rights Litigation</li> <li>d. Bear Creek Lake Court Cases</li> <li>e. Republican River Litigation</li> <li>f. Rio Grande Interstate Litigation</li> <li>g. Pagosa Springs Water &amp; Sanitation District - Dry Gulch Reservoir</li> <li>h. Chatfield Reallocation Project</li> <li>i. Case No. 2-12CW125: Application of United States of America, Bureau of Land Management, and Park Center Water District</li> </ul>
4:00 - 4:05	<b>12. Report from Executive Session</b>
4:05 - 4:10	<b>13. Request for Authorization to Proceed to Trial in Case No. 2-12CW125 (Application of United States of America, Bureau of Land Management, and Park Center Water District)</b> <i>Stream &amp; Lake Protection Section</i>
4:10 - 4:30	<b>14. AWWA M36 Water Loss Audit Pilot Training Program Workshops</b> <i>Water Supply &amp; Planning Section</i>
4:30 - 5:00	<b>15. Criteria and Guidelines for Fallowing-Leasing Pilot Projects</b>
5:00	<b>RECESS</b>

## **Tuesday, January 26, 2016**

- 9:15 - 10:15      **16. Basin Directors' Report**
- a. Colorado River (Mainstem) Basin Director's Report
  - b. San Juan/San Miguel-Dolores River Basin Director's Report
  - c. Gunnison River Basin Director's Report
  - d. North Platte River Basin Director's Report
  - e. South Platte River Basin Director's Report
  - f. Arkansas River Basin Director's Report
  - g. City and County of Denver Director's Report
  - h. Rio Grande River Basin Director's Report
  - i. Yampa-White River Basin Director's Report
- 10:15 - 10:40      **17. Financial Matters - Construction Fund and Severance Tax Perpetual Base Fund**
- Finance Section*
- a. Projections and Cash Management Report
  - b. Severance Tax Revenue Presentation
- 10:40 - 10:55      **BREAK**
- 10:55 - 11:25      **18. Water Project Loans**
- Finance Section*
- a. Orchard Ranch Ditch Company - Orchard Ranch Ditch Piping
  - b. Lake McIntosh Reservoir Company - Lake McIntosh Outlet Works Repair
- 11:25 - 11:55      **19. Change to Existing Loans**
- Finance Section*
- a. North Poudre Irrigation Company - Reservoir No. 4 Rehabilitation
  - b. Orphan Wells of Wiggins - Collateral Change
- 11:55 - 12:25      **20. CWCB's 2016 Projects Bill**
- Finance Section*
- a. Animas La Plata Project - Statutory Spending Authority
  - b. Severance Tax Perpetual Base Fund - Granting Authority
  - c. Statewide Water Supply Initiative (SWSI) 2016 - Funding
  - d. Draft of 2016 Projects Bill Fact Sheet
- 12:25 - 1:25      **LUNCH**
- 1:25 - 2:05      **21. Instream Flow Recommendations in Water Divisions 1, 2, 4, 5 and 6**
- Stream & Lake Protection Section*

2:05 - 2:20                      **22. Update to Floodplain Rules and Regulations Local Adoption Status**  
*Watershed & Flood Protection Section*

2:20 - 2:35                      **BREAK**

2:35 - 3:05                      **23. Rio Grande Forecasting Project Update**  
*Watershed & Flood Protection Section*

3:05 - 3:25                      **24. WSRA Grants**  
*Water Supply & Planning Section*

WSRA Applications for Consideration at the CWCB January 2016 Board Meeting			
	Basin	Applicant	Name of Water Activity
a.	Colorado	Windy Gap Bypass Committee (Applicant) Trout Unlimited (Fiscal Agent)	Windy Gap Reservoir Modification Project (Bypass Project) - Engineering
b.	Colorado	Colorado Mesa University	Integrated Water Management Planning Framework
c.	Metro	Metropolitan State University	Theatre Troupe Water Outreach Project
d.	Southwest	San Miguel Watershed Coalition & TU	San Miguel River Stream Management Plan Pilot Project
e.	Southwest	Town of Mancos	Mancos Raw Water Improvements

3:25 - 3:40                      **25. Rainwater Harvesting Criteria and Guidelines**

3:40                                **ADJOURN**



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### CWCB Consent Agenda January 25 - 26, 2016

Matters may be placed on the Consent Agenda when the recommended action follows established policy or precedent, there has been a negotiated settlement, or the matter is uncontested and non-controversial. Staff provides memos to CWCB members explaining the matters on the Consent Agenda. Matters on the Consent Agenda are noticed for hearing in the same manner as other agenda items. If a member of the CWCB requests further consideration of an item on the Consent Agenda, the item will be withdrawn from the Consent Agenda and discussed at the end of the meeting or at the next meeting. The Consent Agenda may be voted on without reading or discussing individual items. Any CWCB member may request clarification about any matter on the Consent Agenda.

#### **1. Statements of Opposition**

##### *Stream & Lake Protection Section*

*The Board will be asked to ratify Statements of Opposition that have been filed by staff to protect instream flow and natural lake level water rights and to protect CWCB's exclusive authority to hold instream flow water rights in the following water court cases:*

- a. Case No. 1-15CW3145: Application of Winding River Ranch, LLC
- b. Case No. 3-15CW3025: Application of La Garita, LLC
- c. Case No. 5-15CW3079: Application of Everist Materials, LLC
- d. Case No. 5-15CW3091: Application of Town of Basalt

#### **2. Resolved Case**

##### *Stream & Lake Protection Section*

*The Board will be asked to ratify the Director's decision to settle this case by including procedures in the Stipulation to address a potential future inundation of instream flow water rights in the following case:*

- a. Case No. 4-12CW143 : Application of Ronald E. Tipping, Marie E. Tipping, William R. Patterson and Rodney C. Power

#### **3. Change to Existing Loans**

##### *Finance Section*

- a. Bergen Ditch and Reservoir Company - Bergen Reservoir No. 2 Rehabilitation

