



COLORADO

Colorado Water Conservation Board

Department of Natural Resources

Jared Polis
Governor

Dan Gibbs
DNR Executive Director

Rebecca Mitchell
CWCB Director

May 15 & 16, 2019 Board Meeting Agenda

A meeting of the CWCB will be held on Wednesday, May 15, 2019 commencing at 9:00 AM and continuing through Thursday, May 16, 2019. The meeting will be held at Western State College, located at 1 Western Way, Gunnison CO 81231.

There will be a tour of Taylor Dam held on May 14, 2019, beginning at 3:00p.m. If you are interested in attending please RSVP to [Viola Bralish](mailto:Viola.Bralish@state.co.us) by Friday, May 10, 2019. The public is welcome to attend but must provide their own transportation.

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: <https://dnrweb.state.co.us/DNR/DNRPortal/Login.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.

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 viola.bralish@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 Viola Bralish at 303-866-3441, ext. 3206. All programs, services, and activities of the CWCB are operated in compliance with the Federal Americans with Disabilities Act (ADA).



Wednesday, May 15, 2019

9:00 - 9:02	CWCB Call to Order and Pledge of Allegiance
9:02 - 9:05	1. Review and Approve Agenda
9:05 - 9:07	2. Review and Approve March 20 & 21, 2019 Board Meeting Minutes
9:07 - 9:10	3. Approve and/or Remove Consent Agenda Items
9:10	4. Board Meeting Dates in 2019 <ul style="list-style-type: none">a. July 17 & 18 Arkansas Basinb. September 17 - 19 Rio Grande Basin (includes date for Finance Meeting)c. November 20 & 21 Denver Metro
9:10 - 10:10	5. Directors' Reports <ul style="list-style-type: none">a. DNR Executive Directorb. IBCC Directorc. Agriculture Commissionerd. CWCB Directore. State Engineerf. Division of Parks and Wildlife Directorg. Water Resource and Power Development Authority
10:10 - 10:20	6. Dianne Hoppe Memorial Scholarship <i>Operations Section</i>
10:20 - 10:35	7. Bear Creek Lake Reallocation <i>Interstate, Federal, and Water Information Section</i>
10:35 - 10:55	8. Colorado's Decision Support Systems Update <i>Interstate, Federal, and Water Information Section</i>
10:55 - 11:10	Morning Break
11:10 - 11:25	9. Paonia Dam Outlet Works Modification MOA Reallocation Request <i>Interstate, Federal, and Water Information Section</i>
11:25 - 11:45	10. Wild and Scenic Rivers Fund Annual Review <i>Interstate, Federal, and Water Information Section</i>
11:45 - 12:00	11. Weather Modification Update <i>Interstate, Federal, and Water Information and Watershed and Flood Protection Section</i>
12:00 - 1:00	LUNCH
1:00 - 1:25	12. Colorado River Drought Contingency Planning and Demand Management Feasibility <i>Interstate, Federal, and Water Information Section</i>

1:25 - 1:35	<p>13. Financial Matter - Construction Fund and Severance Tax Perpetual Base Fund <i>Finance Section</i> a) Financial Projections and Cash Management Report</p>
1:35 - 2:00	<p>14. Water Project Loans <i>Finance Section</i> a) Town of Empire - Guanella Reservoir Storage Purchase b) Upper Platte & Beaver Canal Company - Diversion Structure Replacement</p>
2:00 - 2:15	<p>15. Water Project Loans/Grants <i>Finance Section</i> a) Logan Irrigation District - Prewitt Reservoir Dredging</p>
2:15 - 2:30	<p>16. City of Boulder Water Delivery Agreement from Gross Reservoir for Instream Flow Use in South Boulder Creek (Water Div. 1) <i>Stream and Lake Protection Section</i></p>
2:30 - 2:45	<p>17. Renewal of Ute Water Conservancy District Lease of Ruedi Water for Instream Flow Use in the 15-Mile Reach (Water Div. 5) <i>Stream and Lake Protection Section</i></p>
2:45 - 2:55	<p>18. Final Action on Uncontested 2019 Instream Flow Appropriations in Water Divisions 2, 4, and 6 <i>Stream and Lake Protection Section</i></p>
2:55 - 3:05	<p>19. Contested 2019 Instream Flow Appropriations in Water Divisions 3, 6, and 7 <i>Stream and Lake Protection Section</i></p>
3:05 - 3:15	<p>20. Public Comment on 2019 Instream Flow Appropriation on Himes Creek, Water Division 7 <i>Stream and Lake Protection Section</i></p>
3:15 - 3:20	<p>21. Attorney General's Report, Legal Briefing, and Executive Session</p>
3:20 - 3:35	<p>Afternoon BREAK</p>
3:35 - 5:05	<p>22. Executive Session</p> <ul style="list-style-type: none"> a. Instream Flow Protective Terms and Conditions b. Conflict of Interest Guidance c. Colorado River <ul style="list-style-type: none"> (I) Demand Management/DCP (II) Aspinall Unit Operations (III) Basin Fund MOA d. Rio Grande <ul style="list-style-type: none"> (I) Texas v. New Mexico and Colorado, Orig. 141 e. Hill v. Warsewa f. Republican River <ul style="list-style-type: none"> (I) Compact Rulemaking g. Litigation Funding

5:05 - 5:10	23. Report from Executive Session
5:10 - 5:30	24. Litigation Fund <i>Interstate, Federal, and Water Information Section</i> a) Annual Report b) Litigation Fund Request
5:30	RECESS

Thursday, May 16, 2019

8:30 - 10:15	25. Basin Directors' Reports 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 - 10:30	Morning BREAK
10:30 - 10:50	26. WSRF Grant Applications a. Attorney General's Opinion Regarding For-Profit Entities Eligibility to Receive WSRF Grant Funding

**Water Supply Reserve Fund Application Grants
at the May 2019 CWCB Board Meeting**

Agenda Item	Basin	Applicant	Name of Water Activity
b	Gunnison	Delta Brick & Climate Company	Chemical Water Production via Methane Mitigation
c	Gunnison	Trout Unlimited	Cimarron Canal Diversion Gate Replacement and Water Management Planning Project
d	Yampa/White/Green	The Nature Conservancy	Maybell Ditch Diversion Structure Rehabilitation and Headgate Modernization
e	Yampa/White/Green	Upper Walker Ditch Company	Walker Ditch Headgate Replacement
f	Colorado	Trout Unlimited and the Blue River Watershed Group	Blue River Integrated Water Management Plan
g	Colorado	Eagle Vail Metropolitan District	Phase 1 – Stone Creek Master Plan
h	Rio Grande	Colorado Rio Grande Restoration Foundation	Rio Grande, Conejos, and Saguache Stream Management Planning Project

10:50 - 11:20	27. Colorado Water Plan Update <i>Water Supply Planning Section</i>		
11:20 - 12:20	LUNCH		
12:20 - 12:50	28. Colorado Water Plan Grant Funding Discussion		
12:50 - 3:15	29. Water Plan Grants Overview		
Water Plan Grants at the May 2019 CWCB Board Meeting			
Agenda Item	Category	Applicant	Name of Water Activity
29. a-l Agriculture			
a	Agriculture	Colorado Open Lands	San Luis Valley River and Aquifer Recovery and Enhancement Partnership
b	Agriculture	Julesburg Irrigation District	Petersen Ditch Diversion Integrated Rehabilitation Project
c	Agriculture	The Nature Conservancy	Maybell Ditch Diversion Structure & Headgate Modernization
d	Agriculture	San Miguel County	Expansion of Payment for Ecosystem Services Program
e	Agriculture	Turner Ditch Company	Turner and Lone Cabin Ditch Salinity Reduction Project
f	Agriculture	Trout Unlimited	Innovative Irrigation Efficiency for Mountain Meadows
g	Agriculture	Lake Fork Ditch Company	Lake Fork Ditch Piping and Salinity Reduction Project
h	Agriculture	Overland Ditch and Reservoir Company	Overland Ditch Cal Poly ITRC Flap Gates
i	Agriculture	Schneider Ditch Company	Schneider Diversion Structure Replacement Project
j	Agriculture	Upper Platte and Beaver Canal Company	Upper Platte and Beaver Canal Rehabilitation Project
k	Agriculture	Mancos Water Conservancy District	Jackson Gulch Inlet Improvement Project
l	Agriculture	Short Ditch Extension Company	Short Ditch Piping and Salinity Reduction Project
29. m - q Conservation and Land Use			
m	Water Conservation and Land Use	Bohn Farm Cohousing Community, LLC (BFCC)	BFCC- Stormwater Infrastructure
n	Water Conservation and Land Use	Sonoran Institute	Breaching the Divide: West Slope-Front Range Partnerships to Integrate Water and Land Use Planning
o	Water Conservation and Land Use	Fort Collins Utilities	Transforming the Front Range HOA
p	Water Conservation and Land Use	Greenway Foundation	Denver One Water Plan
q	Water Conservation and Land Use	Montezuma County Noxious Weed Dept.	Russian Olive and Salt Cedar Waterway Project

29. r – w Engagement and Innovation

r	Engagement and Innovation	Adams State University	Water Education Initiative at Adams State University
s	Engagement and Innovation	Ditch and Reservoir Company Alliance	Innovative Water Education Workshops
t	Engagement and Innovation	Fourmile Watershed Coalition	Boulder County Forest Collaborative Education and Outreach
u	Engagement and Innovation	Lefthand Watershed Oversight Group	Watershed Days: A Community Based Assessment of Front Range Watershed Recovery
v	Engagement and Innovation	Middle South Platte River Alliance	Agriculture Producers Outreach and Education Program
w	Engagement and Innovation	Tri-County Health Department	Water Conservation Outreach

29. x – kk Environment and Recreation

x	Environment and Recreation	Central Colorado Conservancy	Envision Recreation in Balance – Sediment Control Project
y	Environment and Recreation	Pitkin County Board of Supervisor	Robinson Ditch Diversion Modification
z	Environment and Recreation	Trout Unlimited/Blue River Group	Blue River Integrated Water Management Plan
aa	Environment and Recreation	Grand Valley Audubon Society	Audubon Nature Preserve Wetlands Improvement Project
bb	Environment and Recreation	Uncompahgre Watershed Partnership	Governor Basin Restoration Project
cc	Environment and Recreation	Gunnison County	Shady Island River Park
dd	Environment and Recreation	National Forest Foundation	Taylor Park, Gunnison County, Watershed Erosion Control and Stream Restoration
ee	Environment and Recreation	Trout Unlimited	Octate Properties Channel and Irrigation Improvement Project
ff	Environment and Recreation	Trout Unlimited	Cimarron Canal Diversion Gate Replacement and Water Management Planning Project
gg	Environment and Recreation	Gunnison Angling Society	Addressing Water Quality with a Vault Toilet at Cottonwood Pass Day Use Area
hh	Environment and Recreation	CO Rio Grande Restoration Foundation	Park Creek Watershed Improvement Project
ii	Environment and Recreation	Colorado Open Lands	Watershed Analysis of Beaver Restoration Potential in Park County
jj	Environment and Recreation	Colorado Open Lands	Riparian Reconnect Project
kk	Environment and Recreation	Valley Floor Preservation Partners	Telluride Valley Floor River Restoration Phase Two

29. ll – pp Storage and Supply

ll	Storage & Supply	Huerfano County Water Conservancy District	Collaborative Storage 30% Design
mm	Storage & Supply	Logan Irrigation District	Prewitt Reservoir Dredging
nn	Storage & Supply	North Fork Water Conservation District	Paonia Reservoir Sediment Removal

oo	Storage & Supply	Delta Conservation District	Grand Mesa Reservoir Measurement
pp	Storage & Supply	Lower Arkansas Water Management Association	West Farm Gravel Acquisition
3:15 - 3:30	30. Water Education Colorado - Annual Scope of Work <i>Water Supply Planning Section</i>		
3:30	ADJOURN		

CWCB Consent Agenda May 15 - 16, 2019

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 during the meeting or at the next meeting, with action taken after discussion of the item. If a member of the CWCB requests further consideration of an item on the Consent Agenda that pertains to a pending or imminent court action, the matter will be withdrawn from the Consent Agenda and may be discussed during executive session of the same meeting, and any action on that item will be taken in public session. 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. 19CW3016 (Water Division 1): Application of Arapahoe County Water and Waste Water Authority, East Cherry Creek Valley Water and Sanitation District, United Water and Sanitation District, and 70 Ranch, LLC*
- b. Case No. 19CW3019 (Water Division 1): Application of Fort Collins - Loveland Water District*
- c. Case No. 19CW3012 (Water Division 4): Application of Double RL Company*
- d. Case No. 19CW0005 (Water Division 5): Application of James R. Frazier and Tracy Frazier*
- e. Case No. 19CW3022 (Water Division 5): Application of Iron Rose Land and Cattle II, LLC*