



**COLORADO**

**Colorado Water  
Conservation Board**

Department of Natural Resources

Jared Polis  
Governor

Dan Gibbs  
DNR Executive Director

Rebecca Mitchell  
CWCB Director

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## March 11 -12, 2020 Board Meeting Agenda

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A meeting of the CWCB will be held on Wednesday, March 11, 2020 commencing at 9:00 AM and continuing through Thursday, March 12, 2020. The meeting will be held at the Sheraton Denver West Hotel 360 Union Boulevard, Lakewood, CO. 80228.

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://dwr.state.co.us/Portal/Login/>.

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 <https://cwcb.colorado.gov/>.

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](mailto: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).



<b><u>Wednesday, March 11, 2020</u></b>	
9:00 -9:02	<b>CWCB Call to Order and Pledge of Allegiance</b>
9:02 - 9:05	<b>1. Board Appointments and Election of Officers</b> a. Review and Approve Agenda
9:05 - 9:07	<b>2. Review and Approve January 27-28, 2020 Board Meeting Minutes</b>
9:07 - 9:10	<b>3. Approve and/or Remove Consent Agenda Items</b>
9:10	<b>Board Meeting Dates in 2020</b> a. May 20 & 21 - Southwest Basin b. July 15 & 16 - Colorado Basin c. September 16 & 17 - South Platte Basin d. November 18 & 19 - Denver Metro
9:10 -10:00	<b>4. Directors' Reports</b> a. DNR Executive Director b. IBCC Director c. Agriculture Commissioner d. CWCB Director e. State Engineer f. Division of Parks and Wildlife Director g. Water Resource and Power Development Authority
10:00 - 10:10	<b>5. Financial Matter - Construction Fund and Severance Tax Perpetual Base Fund</b> <i>Finance Section</i> a. Financial Projections and Cash Management Report
10:10 - 10:20	<b>6. Water Project Loans - Finance</b> <i>Finance Section</i> a. Deuel and Snyder Improvement Company - Diversion Structure Replacement
10:20 - 10:35	<b>Morning Break</b>
10:35 - 11:15	<b>7. Changes to Existing Loans</b> <i>Finance Section</i> a. The Tunnel Water Company - West Half Laramie-Poudre Tunnel Rehabilitation b. Northern Colorado Water Conservancy District - Windy Gap Firing Project
11:15 -11:35	<b>8. Severance Tax Operational Fund Grants FY20/21</b> <i>Finance Section</i>

11:35 - 11:55	<b>9. Marketing and Communications Update</b> <i>Operations Section</i>
11:55 - 12:55	<b>Lunch</b>
12:55 - 1:05	<b>10. Proposed Lease of Water for Instream Flow Use in the 15-Mile Reach of the Colorado River, Water Division 5 (Ute Water Conservancy District)</b> <i>Stream and Lake Protection Section</i>
1:05 - 1:15	<b>11. Public Comment on 2020 Instream Flow Appropriations in Water Divisions 2, 4, and 6</b> <i>Stream and Lake Protection Section</i>
1:15 - 1:25	<b>12. Notice of Instream Flow Recommendations for 2021</b> <i>Stream and Lake Protection Section</i>
1:25 - 1:45	<b>13. Demand Management Update</b> <i>Interstate, Federal, and Water Information Section</i>
1:45 - 2:05	<b>14. Paradox EIS Update</b> <i>Interstate, Federal, and Water Information Section</i>
2:05 - 2:35	<b>15. Alternative Transfer Method Grant Program</b> <i>Interstate, Federal, and Water Information Section</i> a. Colorado Basin Roundtable and Trout Unlimited, Evaluating Conserved Consumptive Use in the Upper Colorado River b. Lower Arkansas Valley Water Conservancy District, Ag-Municipal Conservation Easement Demonstration
2:35 - 2:40	<b>16. Attorney General's Report, Legal Briefing, and Executive Session</b>
2:40 - 2:55	<b>Afternoon BREAK</b>
2:55 - 3:55	<b>17. Executive Session</b> a. Upper Basin Fund MOA Negotiations b. Colorado Compact Compliance Study c. Case No. 16CW3160 (Water Division 1) - Application of The City of Boulder and CWCB
3:55 - 4:00	<b>18. Report from Executive Session</b>
4:00 - 4:15	<b>19. Colorado Compact Compliance Study - Next Steps</b> <i>Interstate, Federal, and Water Information Section</i>
4:15 - 5:15	<b>20. Snow Data, LiDAR Pilot Program</b> <i>Interstate, Federal, and Water Information Section</i>
5:15	<b>RECESS</b>

## Thursday, March 12, 2020

8:30 - 10:00	<b>21. Basin Directors' Reports</b> <ul style="list-style-type: none"> <li>a. Colorado River (Mainstem) Basin Director's Report</li> <li>b. San Juan/San Miguel-Dolores River Basin Director's Report</li> <li>c. Gunnison River Basin Director's Report</li> <li>d. North Platte River Basin Director's Report</li> <li>e. South Platte River Basin Director's Report</li> <li>f. Arkansas River Basin Director's Report</li> <li>g. City and County of Denver Director's Report</li> <li>h. Rio Grande River Basin Director's Report</li> <li>i. Yampa-White River Basin Director's Report</li> </ul>		
10:00 - 10:15	<b>Morning BREAK</b>		
10:15 - 10:25	<b>22. Request for Authorization to Proceed to Trial, Case No. 16CW3160, (Water Division 1) - Application of The City of Boulder and CWCB</b> <i>Stream and Lake Protection Section</i>		
10:25 - 12:10	<b>23. WSRF Grant Applications</b> <i>Water Supply Planning Section</i>		
	<b>Water Supply Reserve Fund Application Grants at the March 2020 CWCB Board Meeting</b>		
	<b>Agenda Item</b>	<b>Basin</b>	<b>Applicant</b>
	<b>a.</b>	Arkansas	Arkansas River Watershed Collaborative
	<b>b.</b>	Arkansas	Huerfano County Water Conservancy District
	<b>c.</b>	Arkansas	Huerfano County Water Conservancy District
	<b>d.</b>	Arkansas	St. Charles Mesa Cottonwood Irrigation Ditch #2 Headgate/Augmentation Station Project
	<b>e.</b>	Colorado	Grand Valley Audubon Society
	<b>f.</b>	Colorado	Garfield County School District 16
			<b>Name of Water Activity</b>
			Arkansas Basin Fire, Flood, and BIP Initiative
			Bruce Canyon 50% Design
			Maria Stevens 50% Design
			Audubon Nature Preserve Wetlands Improvement Project
			Diamond Ditch Piping Project

	<b>g.</b>	Colorado	Colorado River Water Conservation District	Investigations of Augmentation Demands, Exchange Potential, Small Reservoir Storage and Recharge Pit Feasibility in the Crystal River Basin
	<b>h.</b>	Gunnison	Redlands Water & Power	RWPC Pumphline Replacement Project
	<b>i.</b>	Gunnison	Lake Fork Conservancy	Lake Fork River Enhancement Project
	<b>j.</b>	Gunnison	City of Ouray	Non-Potable Water Supply Project Phase I
	<b>k.</b>	Rio Grande	Terrace Irrigation Company	Alamosa River Water Delivery Improvement Project
	<b>l.</b>	Rio Grande	Colorado Open Lands	Jackson Ranch Conservation Easement
	<b>m.</b>	Rio Grande	Colorado Open Lands	Schaefer Farms Conservation Easement
	<b>n.</b>	Rio Grande	Rio Grande Watershed Conservation and Education Initiative	Rio Grande Basin Roundtable Community Education Staff Liaison 2020-2023
	<b>o.</b>	Rio Grande	New Ceniceri Ditch Company	Cenicero Diversion Dam, Headgate and Bank Stabilization
	<b>p.</b>	Southwest	Montazuma Land Conservancy	Innovative Agricultural Management and Colorado's Next Generation of Water Leaders
	<b>q.</b>	Southwest	Mountain Studies Institute	416-Fire Aquatic Monitoring Year 2
	<b>r.</b>	Southwest	Mountain Studies Institute	Upper San Juan Integrated Water Management Planning Phase II
	<b>s.</b>	Southwest	Conservation Legacy or Southwest Conservation Corps	Dolores River Restoration Partnership Revegetation and Outreach
	<b>t.</b>	Southwest	<del>Upper Road 42 Water Association</del>	<del>Upper Road 42 Water Extension Phase I</del>
	<i>This item has been removed from the agenda per request from the applicant.</i>			
	<b>u.</b>	South Platte	Colorado Trout Unlimited	South Boulder Creek Stream Management Plan Phase II and Infrastructure Design Preliminary Engineering Design of Physical Infrastructure Modifications (WSR Phase I)
		Metro		
	<b>v.</b>	South Platte	Colorado Division of Water Resources	Data Logger/Telemetry Installation Project, South Platte River Basin (Division 1)

	<b>w.</b>	Yampa/White/Green	Trout Unlimited	Lower Elkhead Creek Restoration Project, Phase 1
	<b>x.</b>	North Platte	Colorado State University – Colorado Climate Center	Continuation of Weather Stations for North Park Lysimeters to Determine High Altitude, Hay Meadow Crop Coefficients
	<b>Change of Fiscal Agenda (Grantee)</b>			
	<b>y.</b>	<b>Basin</b>	<b>Original Grantee</b>	<b>Proposed Grantee</b>
		North Platte	Colorado State University – Colorado Climate Center	Colorado River Engineering
12:10 - 1:10	<b>LUNCH</b>			
1:10 - 1:25	<b>24. Snow Course Work</b> <i>Interstate, Federal, and Water Information Section</i>			
1:25 - 1:55	<b>25. Spring Drought and Flood Climate Report</b> <i>Water Supply Planning &amp; Watershed and Flood Protection Section</i>			
1:55 - 2:25	<b>26. SPROWG Grant Effort Update - Matt Lindburg</b> <i>Water Supply Planning Section</i>			
2:25	<b>ADJOURN</b>			

## CWCB Consent Agenda March 11 - 12, 2020

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. This item has been removed*
- b. Case No. 19CW3086 (Water Division 2): Application of Henderson, et al.*
- c. Case No. 19CW3089 (Water Division 2): Application of Upper Arkansas Water Conservancy District*
- d. Case No. 19CW3019 (Water Division 3): Application of The City of Alamosa*
- e. Case No. 19CW3091 (Water Division 4): Application of Dalwhinnie Group LLC*
- f. Case No. 19CW3092 (Water Division 4): Application of Dalwhinnie Group LLC*
- g. Case No. 19CW3098 (Water Division 4): Application of Board of County Commissioners of Ouray County, Ouray County Water Users Association, Tri-County Water Conservancy District*
- h. Case No. 19CW3102 (Water Division 4): Application of Rocking JL Ranch, LLC*
- i. Case No. 19CW3103 (Water Division 4): Application of Rocking JL Ranch, LLC*
- j. Case No. 19CW3129 (Water Division 5): Application of Grand County Water & Sanitation District No. 1*
- k. Case No. 19CW3143 (Water Division 5): Application of The Basalt Water Conservancy District*
- l. Case No. 19CW3159 (Water Division 5): Application of The City of Aurora*
- m. Case No. 19CW3161 (Water Division 5): Application of Sun River Run Ranch RV, LLC and Town of Granby*
- n. Case No. 19CW3174 (Water Division 5): Application of Williams Fork Valley Ranch, LLC*
- o. Case No. 19CW3031 (Water Division 6): Application of Eastern Rio Blanco Metropolitan Recreation & Park District and Town of Meeker*
- p. Case No. 19CW3035 (Water Division 6): Application of Harvey and Seaton Cattle Co., LLC*
- q. Case No. 19CW3036 (Water Division 6): Application of Harvey and Seaton Cattle Co., LLC*