



COLORADO

**Colorado Water
Conservation Board**

Department of Natural Resources

Jared Polis
Governor

Dan Gibbs
DNR Executive Director

Rebecca Mitchell
CWCB Director

July 21 -22, 2021 Board Meeting Agenda

A meeting of the CWCB will be held on Wednesday, July 21, 2021 commencing at 9:00 AM and continuing through Thursday, July 22, 2021. The meeting will be held virtually on Zoom and in person at the CAVEA Theater on the Metro State University Campus in the Student Success Building 890 Auraria Parkway, Denver, CO. 80204.

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 by sending a letter to a Board member or to the Chair of the Board, or by attending the meeting. If you want to make a public comment during the meeting you must fill out a [comment sheet](#) prior to the meeting date and email it to the [Board Coordinator](#). 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, July 21, 2021

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 May 19-20, 2021 Board Meeting Minutes
9:07 - 9:10	3. Approve and/or Remove Consent Agenda Items
9:10	Board Meeting Dates in 2021 a. September 15 & 16 - TBD <i>(Finance committee meeting September 14)</i> b. November 17 & 18 - TBD
9:10 -10:10	4. Directors' Reports a. DNR Executive Director b. CWCB Director c. IBCC Director d. Agriculture Commissioner e. State Engineer f. Division of Parks and Wildlife Director g. Water Resource and Power Development Authority
10:10-10:25	5. Expedited Temporary Loan of Water for Instream Flow Use on Big Beaver Creek and the White River (Water Division 6) <i>Stream and Lake Protection Section</i>
10:25-10:35	6. Final Action on Uncontested 2021 Uncontested Instream Flow Appropriations in Water Divisions 2 and 4 <i>Stream and Lake Protection Section</i>
10:35-10:50	Morning BREAK
10:50-11:00	7. Update on Contested ISF Appropriation on Rincon la Vaca Creek -Water Division 7 <i>Stream and Lake Protection Section</i>
11:00-11:10	8. Financial Matters - Construction Fund and Severance Tax Perpetual Base Fund <i>Finance Section</i> <ul style="list-style-type: none">• Financial Projections and Cash Management Report
11:10-11:20	9. Change to Existing Loan <i>Finance Section</i> <ul style="list-style-type: none">• Arapahoe County Water and Wastewater Authority - Chambers Reservoir Liner Rehabilitation

11:20-11:30	<p>10. Loan Delinquency Action <i>Finance Section</i></p> <ul style="list-style-type: none"> Two Rivers Water & Farming Company, and Two Rivers Farms F-2, Inc. 																				
11:30-11:45	<p>11. Colorado River Updates <i>Interstate, Federal, and Water Information Section</i></p>																				
11:45-11:55	<p>12. Wild and Scenic Rivers Update and Fund Annual Review <i>Interstate, Federal, and Water Information Section</i></p>																				
11:55-12:15	<p>13. Colorado Weather Modification Program Update <i>Interstate, Federal, and Water Information Section</i></p>																				
12:15-1:15	LUNCH																				
1:15-2:45	<p>14. Demand Management Feasibility Investigation Update <i>Interstate, Federal, and Water Information Section</i></p>																				
2:45-3:00	<p>15. Budget Update <i>Operations Section</i></p>																				
3:00-3:10	<p>16. Water Supply Reserve Fund Applications for Consideration at the July 2021 CWCB Board Meeting</p> <table border="1"> <thead> <tr> <th></th> <th>Basin</th> <th>Applicant</th> <th>Name of Water Activity</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>a.</td> <td>North Platte</td> <td>Jackson County Water Conservancy District</td> <td>North Platte Basin Airborne Cloud Seeding Project</td> <td>\$225,000</td> </tr> <tr> <td>b.</td> <td>North Platte</td> <td>Owl Mountain Partnership</td> <td>Homestead Ditch Improvement Project</td> <td>\$111,920</td> </tr> <tr> <td>c.</td> <td>North Platte</td> <td>Owl Mountain Partnership</td> <td>Irrigation Infrastructure Improvement Project</td> <td>\$320,537</td> </tr> </tbody> </table>		Basin	Applicant	Name of Water Activity	Amount	a.	North Platte	Jackson County Water Conservancy District	North Platte Basin Airborne Cloud Seeding Project	\$225,000	b.	North Platte	Owl Mountain Partnership	Homestead Ditch Improvement Project	\$111,920	c.	North Platte	Owl Mountain Partnership	Irrigation Infrastructure Improvement Project	\$320,537
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3:10-3:25	Afternoon BREAK																				
3:25-3:35	17. Attorney General’s Report, Legal Briefing, and Executive Session																				
3:35-4:05	<p>18. Executive Session</p> <p>a. Best Practices for Boards and Commissions Compliance</p>																				
4:05-4:10	19. Report from Executive Session																				
4:10	RECESS																				

Thursday, July 22, 2021

9:00-10:30	20. Basin Directors' Reports <ul style="list-style-type: none">a. Arkansas River Basin Director's Reportb. City and County of Denver Director's Reportc. Rio Grande River Basin Director's Reportd. Yampa-White River Basin Director's Reporte. Colorado River (Mainstem) Basin Director's Reportf. San Juan/San Miguel-Dolores River Basin Director's Reportg. Gunnison River Basin Director's Reporth. North Platte River Basin Director's Reporti. South Platte River Basin Director's Report
10:30-10:45	Morning BREAK
10:45-11:00	21. Water Education Colorado Scope of Work Review
11:00-11:30	22. Floodplain Rules and Criteria Manual Update <i>Watershed and Flood Protection Section</i>
11:30-12:10	23. Water Plan Scoping Phase and Next Steps <i>Water Supply Planning Section</i>
12:10-12:40	24. Chatfield Settlement Agreements <i>Lauren Ris</i>
12:40	ADJOURN

CWCB Consent Agenda July 21-22, 2021

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. 21CW3006 (Water Division 3): Application of Karen R. Rhoads and John H. Rhoads
- b. Case No. 21CW3029 (Water Division 5): Application of Eagle River Water & Sanitation District and Upper Eagle Regional Water Authority
- c. Case No. 21CW3030 (Water Division 5): Application of Eagle River Water & Sanitation District and Upper Eagle Regional Water Authority

2. Water Supply Reserve Fund Application Grants

	Basin	Applicant	Name of Water Activity	Amount
a.	North Platte	Lucky Penny Ranches, LLC	Aqua Fria Reservoir Rehabilitation	\$75,000
b.	Yampa/White/Green	City of Craig	Yampa River Diversion Park	\$65,000
c.	Yampa/White/Green	Town of Oak Creek	Sheriff Dam Rehabilitation - Advanced Hydrology and Gate Replacement	\$73,750

3. Flood Plain Designations

Watershed and Flood Protection Section

- a. Flood Plain Designation: "Flood Hazard Area Delineation, Sulphur Gulch", by Merrick and Company, dated February 2021