



COLORADO

**Colorado Water
Conservation Board**

Department of Natural Resources

Jared Polis
Governor

Dan Gibbs
DNR Executive Director

Rebecca Mitchell
CWCB Director

January 23 - 24, 2023 Board Meeting Agenda

A meeting of the CWCB will be held on Monday, January 23, 2023 commencing at 12:00 PM and continuing through Tuesday, January 24, 2023. The meeting will be held at The Hyatt Regency 13200 E 14th Pl Aurora and virtually on Zoom.

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 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 a public comment that does apply to one of the agenda items there is time on the agenda at the end of the second day of the meeting. 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).



<u>Monday, January 23, 2023</u>	
11:15-12:00	LUNCH
12:00-12:03	CWCB Call to Order and Pledge of Allegiance
12:03-12:05	1. Review and Approve Agenda
12:05-12:07	2. Review and Approve November 16 & 17, 2022 Board Meeting Minutes
12:07-12:12	3. Approve and/or Remove Consent Agenda Items
	<p>Board Meeting Dates in 2023</p> <ul style="list-style-type: none"> a. March 15 & 16 - Yampa/White/Green Basin b. May 17 & 18 - TBD c. July 19 & 20 - Rio Grande Basin d. September 20 & 21 - Arkansas Basin e. November 15 & 16 - South Platte Basin
12:12-1:30	<p>4. Directors' Reports</p> <ul style="list-style-type: none"> a. DNR Executive Director/IBCC Director b. CWCB Director c. Agriculture Commissioner d. State Engineer e. Division of Parks and Wildlife Director f. Water Resource and Power Development Authority
1:30-1:45	Afternoon Break
1:45-1:50	5. Attorney General's Report, Legal Briefing, and Executive Session
1:50-3:00	<p>6. Executive Session</p> <ul style="list-style-type: none"> a. Colorado River Interstate Negotiations b. Demand Management c. Easement Guidelines for the South Platte Downstream Channel Improvement Project
3:00-3:05	7. Report from Executive Session
3:05-3:25	<p>8. Colorado River Updates <i>Interstate, Federal, and Water Information Section</i></p>

3:25-3:35	9. System Conservation Pilot Program <i>Interstate, Federal, and Water Information Section</i>
3:35-4:05	10. Demand Management <i>Interstate, Federal, and Water Information Section</i>
4:05-4:15	11. 2023 Species Conservation Trust Fund Eligibility List Approval <i>Interstate, Federal, and Water Information Section</i>
4:15	RECESS

Tuesday, January 24, 2023

8:30 - 10:00	12. 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. South Platte River Basin Director's Report
10:00 - 10:15	Morning BREAK
10:15- 10:25	13. Financial Matters - Construction Fund and Severance Tax Perpetual Base Fund <i>Finance Section</i> <ul style="list-style-type: none">a. Financial Projections and Cash Management Report
10:25- 11:10	14. Water Project Loans <i>Finance Section</i> <ul style="list-style-type: none">a. Fort Morgan Reservoir and Irrigation Company - Augmentation Pump Replacement Projectb. Ogilvy Augmentation Company - Loloff Reservoir Acquisitionc. Special Improvement District No. 4 of the Rio Grande Water Conservation District - Peachwood Farms Augmentation and Aquifer Sustainability Projectd. Platte Valley Irrigation Company - Platte Valley Reservoir No. 1 Constructione. Twin Lakes Reservoir and Canal Company - Grizzly Reservoir Rehabilitation
11:10- 11:25	15. Changes to Existing Loan <i>Finance Section</i> <ul style="list-style-type: none">a. Special Improvement District No. 5 of the Rio Grande Water Conservation District Saguache Pipeline Project
11:25- 11:35	16. 2023 Projects Bill Summary <i>Finance Section</i>

11:35-11:45	<p>17. Request for Authorization to Proceed to Trial on Stipulated Opposition Case: <i>Stream and Lake Protection Section</i></p> <p>a. Case No. 18CW3106 (Water Division 1): Application of Central Colorado Water Conservancy District</p>
11:45-12:45	LUNCH
12:45-1:05	<p>18. Proposed Acquisition for Instream Flow Use <i>Stream and Lake Protection Section</i></p> <p>a. Proposed Renewable Temporary Lease of Direct Flow Water Rights for Instream Flow Use on Tomichi Creek, Water Division 4 (Gunnison County) (2nd Meeting)</p>
1:05-1:55	<p>19. 2023 Instream Flow (ISF) and Natural Lake Level (NLL) Appropriations <i>Stream and Lake Protection Section</i></p> <p>a. Request to Form Intent to Appropriate ISF and NLL Water Rights in Water Divisions 1, 4, 5, and 6</p> <p>b. ISF Recommendations on Cottonwood Creek, Monitor Creek, and Potter Creek, Water Division 4 (Informational Item)</p>
1:55-2:25	20. Appointment of CWCB Representative to Closed Basin Project Operating Committee
2:25-2:35	<p>21. Turf Program Rollout Plans <i>Water Supply Planning Section</i></p>
2:35-3:05	<p>22. 2023 Colorado Water Plan Approval <i>Water Supply Planning Section</i></p>
3:05-3:15	Public Comment
3:15	ADJOURN

CWCB Consent Agenda January 23 - 24, 2023

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

Staff recommends the Board ratify CWCB's filing of the following Statements of Opposition:

- a. Case No. 22CW3042 (Water Division 3): Application of Forbes Park Land Owners Association
- b. Case No. 22CW3097 (Water Division 5): Application of M & M Industries, Inc., Cari Elizabeth Mankowski & Eric David Mankowski and Patricia Price & Robert Price
- c. Case No. 22CW3037 (Water Division 7): Application of LLH Operations LLLP

2. Floodplain Designation

Watershed and Flood Protection Section

- a. "Flood Hazard Area Delineation, Second Creek (Lower) and Third Creek (Lower)", by RESPEC Consulting & Services, dated October 2022
- b. "Flood Hazard Area Delineation, Goldsmith Gulch", by Matrix Design Group, Inc., dated October 2022

3. WSRF Guideline Clarifications

Water Supply Planning Section

4. Changes to Existing Loan

Finance Section

- a. Tunnel Water Company - West Half Laramie-Poudre Tunnel Rehabilitation