



COLORADO

**Colorado Water
Conservation Board**

Department of Natural Resources

Jared Polis
Governor

Dan Gibbs
DNR Executive Director

Rebecca Mitchell
CWCB Director

March 10 -11, 2021 Board Meeting Agenda

A meeting of the CWCB will be held on Wednesday, March 10, 2021 commencing at 9:00 AM and continuing through Thursday, March 11, 2021. The meeting will be held 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 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's [online calender](#) and select the link under "Listen to this meeting live" for the proper date 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, March 10, 2021

9:00 - 9:02	CWCB Call to Order and Pledge of Allegiance
9:02 - 9:05	1. Board Appointments and Election of Officers <ul style="list-style-type: none">a. Board Appointmentsb. Election of Officersc. Review and Approve Agenda
9:05 - 9:07	2. Review and Approve January 25-26, 2021 Board Meeting Minutes
9:07 - 9:10	3. Approve and/or Remove Consent Agenda Items
9:10	Board Meeting Dates in 2021 <ul style="list-style-type: none">a. May 19 & 20 - TBDb. July 21 & 22 - TBDc. September 15 & 16 - TBD <i>(Finance committee meeting September 14)</i>d. November 17 & 18 - TBD
9:10 - 10:00	4. Directors' Reports <ul style="list-style-type: none">a. DNR Executive Directorb. CWCB Directorc. IBCC Directord. Agriculture Commissionere. State Engineerf. Division of Parks and Wildlife Directorg. Water Resource and Power Development Authority
10:00-10:10	5. Public Comment on 2021 Instream Flow Appropriations in Water Divisions 1, 4, and 7 <i>Stream and Lake Protection Section</i>
10:10-10:35	6. 2021 Instream Flow Appropriations in Water Divisions 2 and 4 <i>Stream and Lake Protection Section</i>
10:35-10:50	Morning BREAK
10:50-11:05	7. Notice of Instream Flow Recommendations for 2022 <i>Stream and Lake Protection Section</i>
11:05-11:25	8. Loan and Grant Review Process <i>Operations Section</i>
11:25-11:55	9. Chatfield Environmental Pool and Shares Purchase <i>Lauren Ris, Deputy Director</i> Action Item

11:55 - 12:25	10. Demand Management Feasibility Investigation Update <i>Interstate, Federal, and Water Information Section</i>
12:25-1:10	LUNCH
1:10-1:25	11. Colorado River Updates <i>Interstate, Federal, and Water Information Section</i>
1:25-2:10	12. Grant Recommendations <i>Lauren Ris, Deputy Director</i> Action Item
2:10-2:25	13. Loan Delinquency Action <i>Finance Section</i> Two Rivers Water & Farming Company, and Two Rivers Farms F-2, Inc.
2:25-2:30	14. Attorney General's Report, Legal Briefing, and Executive Session
2:30-2:45	Afternoon BREAK
2:45-3:30	15. Executive Session a. Two Rivers Water & Farming Company, and Two Rivers Farms F-2, Inc. b. Chatfield Environmental Pool and Shares Purchase
3:30-3:35	16. Report from Executive Session
3:35	RECESS

Thursday, March 11, 2021

8:30 - 10:00	17. Basin Directors' Reports <ul style="list-style-type: none">a. City and County of Denver Director's Reportb. Rio Grande River Basin Director's Reportc. Yampa-White River Basin Director's Reportd. Colorado River (Mainstem) Basin Director's Reporte. San Juan/San Miguel-Dolores River Basin Director's Reportf. Gunnison River Basin Director's Reportg. North Platte River Basin Director's Reporth. South Platte River Basin Director's Reporti. Arkansas River Basin Director's Report
10:00 - 10:15	Morning BREAK
10:15-10:25	18. Financial Matters - Construction Fund and Severance Tax Perpetual Base Fund <i>Finance Section</i> Financial Projections and Cash Management Report
10:25-11:55	19. Water Project Loans <i>Finance Section</i> <ul style="list-style-type: none">a. Rio Grande Water Conservation District Subdistrict No. 5 - Saguache Pipelineb. City of Victor - Victor Reservoir No. 2 Dam Rehabilitationc. Logan Irrigation District - Prewitt Reservoir Rehabilitationd. North Sterling Irrigation District - North Sterling River Diversion Replacemente. Grand Valley Water Users Association - Vinelands Power Plantf. Orchard Mesa Irrigation District - Vinelands Power Plantg. The Tunnel Water Company - Rawah Ditch Tunnel Rehabilitationh. The Tunnel Water Company - Headgate Improvements (Wildfire Impact Loan) Action Item
11:55-12:40	LUNCH
12:40-1:25	20. Spring Drought and Flood Climate Report <i>Water Supply Planning Section & Watershed and Flood Protection Section</i>

1:25-1:45	21. Wildfire Watershed Recovery Update <i>Watershed and Flood Protection Section</i>
1:45-2:05	22. Program Guidance for Special Release of Colorado Watershed Restoration Program <i>Watershed and Flood Protection Section</i> Action Item
2:05	ADJOURN

CWCB Consent Agenda March 10 - 11, 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. 20CW3165 (Water Division 1): Application of Board of County Commissioners of the County of Clear Creek and Clear Creek School District RE-1*
- b. *Case No. 20CW3208 (Water Division 1): Application of HF2M, Inc.*
- c. *Case No. 20CW3216 (Water Division 1): Application of City and County of Broomfield*
- d. *Case No. 20CW3087 (Water Division 2): Application of Chris and Dale Van Aelstyn*
- e. *Case No. 20CW3099 (Water Division 4): Application of Quartz Creek Land Company*
- f. *Case No. 20CW3100 (Water Division 4 : Application of Hartman Family Trust*
- g. *Case No. 20CW3102 (Water Division 4 : Application of Beaver Pines LLC*
- h. *Case No. 20CW3137 (Water Division 5): Application of Crystal River Ranch Co LLC*
- i. *Case No. 20CW3138 (Water Division 5): Application of Winter Park Water and Sanitation District*
- j. *Case No. 20CW3139 (Water Division 5): Application of Upper Midnight LLC*
- k. *Case No. 20CW3166 (Water Division 5): Application of Laramie Energy, LLC*
- l. *Case No. 20CW3173 (Water Division 5): Application of Kevin Mize*
- m. *Case No. 20CW3174 (Water Division 5): Application of James Peak Ranch LLC*
- n. *Case No. 20CW3176 (Water Division 5): Application of Big Fish Amalgamated, LLC*
- o. *Case No. 20CW3185 (Water Division 5): Application of Cornerstone Winter Park Holdings, LLC; Byers Peak Properties, LLC; Byers Peak Downhill Properties, LLC; C. Clark Lipscomb; and Meredith C. Lipscomb; Colorado Adventure Park LLC*
- p. *Case No. 20CW3187 (Water Division 5): Application of Compass For Lifelong Discovery and The Aspen School District*

2. Water Supply Reserve Fund Application Grants

	Basin	Applicant	Name of Water Activity
a.	Arkansas	Northern Water	Colorado Airborne Snow Observatory Expansion Plan
	Colorado		
	Gunnison		
	Metro		
	South Platte		
b.	Colorado	Colorado Ag Water Alliance	Outreach & Capacity Building for Ag Water Projects
c.	Colorado	Charles F Perry	The Toponas Project: Phase I Continued HDPE Install
d.	Colorado	City of Glenwood Springs	Three Mile Creek Confluence Restoration Project
e.	Metro	City of Thornton	Regional Land Use Assessment & Water Optimization Study
	South Platte		
f.	Metro	Independence Water & San	Regulation 84 Edible Crop Irrigation Public Education & Outreach
	South Platte		
g.	Metro	Colorado Watershed Assembly	Roundtable Education/Outreach
	South Platte		
h.	Metro	The Greenway Foundation	Nautilus 2
	South Platte		
i.	Metro	Western Resource Advocates	Non-Essential Turf Replacement
	South Platte		
j.	Metro	Open Water Foundation	River Basin Information Websites
	South Platte		
k.	Metro	The Greenway Foundation	Clean River Design Challenge
l.	Metro	West Denver Trout Unlimited	Clear Creek Integrated Water Management Plan Phase I
m.	South Platte	Town of Erie	Horizontal Well Pilot Project
n.	Southwest	Mountain Studies Institute	416 Fire Aquatic Monitoring Phase 3
o.	Southwest	Mountain Studies Institute	Forests 2 Faucets

p.	Southwest	Mountain Studies Institute/Upper San Juan Watershed Enhancement Partnership	San Juan Integrated Water Management Planning, Phase 3
q.	Yampa	White River & Douglas Creek Conservation Districts	White River Integrated Water Initiative
Change of Grantee			
r.	Rio Grande	Conejos Water Conservancy District	Conejos Ground Water Monitoring and Analysis

3. Water Plan Grants

Agenda Item	Applicant	Name of Water Activity	Staff Recommendation
Agriculture			
a	Carson Pearson	Vouga Reservoir Dam Rehabilitation	No Funding Recommended
b	Colorado Open Lands	Acequia Conservation Initiative; Protecting Colorado's Oldest Agricultural Communities - Phase II	Approve \$45,000
c	Colorado State University	Improving Irrigation Efficiency Through the Development of the Hydraulic Infrastructure at Irrigation Innovation Consortium Headquarters	Approve \$157,384
d	Dave Miller Mutual Ditch Company	Dave Miller Ditch Piping Project	No Funding Recommended
e	Florida Consolidated Ditch Company	Florida Canal Diversion Structure Rehabilitation Project - Phase II	Approve \$125,000
f	Grand Valley Water Users Association	Vinlands Power Plant	Approve \$200,000 (\$100,000 Ag and \$100,000 Env/Rec)
g	Jack's Solar Garden LLC	Agrioltaics Research	Approve \$99,675
h	Keep It Colorado	Colorado's Private Lands Conservation Plan	Approve \$75,000
i	Onward! A Legacy Foundation dba Montezuma Orchard Restoration Project	Sustainable Infrastructure to Support Restoration of Southwest Colorado's Orchard Culture and Economy	Approve \$150,000
j	River Network	Piloting Multi-Benefit Project Coordinators	Approve \$133,170
k	Root & Ratliff Ditch Company	Root & Ratliff Pipeline Project	No Funding Recommended
l	The Nature Conservancy	Maybell Headgate Replacement	Approve \$168,114
m	Trout Unlimited	Copeland Elk Creek Ditch Efficiency Improvement	No Funding Recommended
n	Trout Unlimited	Lawrence Ditch Diversion Improvement Project	No Funding Recommended
o	Upper Arkansas Conservation District	Upper Arkansas Watershed Resiliency Plan - Phase I	Approve \$27,500
Conservation and Land Use			
p	City of Thornton	Thornton Northern Properties Stewardship Plan	Approve \$100,000

		(NPSP): Land Use & Water Optimization Study	
q	City of Westminster	Reclaimed Water Feasibility Evaluation & Implementation Plan	No Funding Recommended
r	Denver Regional Council of Governments (DRCOG)	Regional Land Cover Project	Approve \$101,103
s	ULI Colorado	Advancing Water Smart Development	Approve \$20,000
t	WaterNow Alliance, a program of Multiplier	Advancing High Impact Water Efficiency Solutions in Colorado Communities	Approve \$138,355
u	Western Resource Advocates	Enabling Large-Scale Replacement of Non-Essential Turf	Approve \$259,887
Engagement and Innovation			
v	Colorado Cattlemen's Association	Agriculture Water User 2021 Priorities: Outreach, Technical Assistance, Infrastructure Inventory	No Funding Recommended
w	Independence Water & Sanitation	Regulation 84 Edible Crop Irrigation Public Education & Outreach	Approve \$32,600
x	Montezuma School to Farm Project	Montezuma CWP Education Initiative	Approve \$95,000
y	Open Water Foundation	River Basin Information Websites	No Funding Recommended
z	The Water Connection (Greenway Foundation)	Clean River Design Challenge	Approve \$45,655
aa	Trout Unlimited	Supporting Outreach & Engagement for the "Evaluating Conserved Consumptive Use in the Upper Colorado River" Project	Approve \$50,000
bb	Water Education Colorado	Statewide Water Education Action Plan Phase II & Water '22	No Funding Recommended
Environment and Recreation			
cc	Adams County Parks	Clear Creek Whitewater Park	Approve \$100,000
dd	American Whitewater	Economic Impact of River Recreation	Approve \$83,458
ee	Boulder County	Watershed Health Toolkit & Planning Guide	No Funding Recommended
ff	Costilla County Conservancy District	Upper Culebra Watershed Assessment	Approve \$107,224
gg	Colorado Rio Grande Restoration Foundation	Conejos River Partnership Project - Phase II	Approve \$272,000
hh	Lefthand Watershed Oversight Group	Expanding & Implementing the St. Vrain Forest Health Partnership Plan	Approve \$122,916
ii	Middle Colorado Watershed Council	Middle Colorado Integrated Water Management Plan - Implementation Phase I	Approve \$27,400
jj	Town of Naturita	Naturita Town Park Revitalization Project	Approve \$40,000
Storage and Supply			
kk	Genesee Water & Sanitation District	Enlargement of Genesee Reservoir No. 1	Approve \$1,384,000

II	Town of Silverton	Kendall Mountain Alluvial Aquifer Test Drilling Program	Approve \$27,702
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4. Alternative Water Transfer Method Grants

Interstate, Federal, and Water Information Section

- a. Trout Unlimited, Evaluating Conserved Consumptive Use in the Upper Colorado River - Phase II
- b. Lower Arkansas Water Conservancy District, Evaluation of Agricultural Land Protection Measures

5. Technical Assistance for Federal Cost-Share Grant

Interstate, Federal, and Water Information Section

- a. Rocky Mountain Farmers Union, Natural Working Lands, and Water Co-Benefits Tech Assistance

6. Change to Existing Loan

Finance Section

- a. Lateral Ditch ML47, Inc. - Increase Lateral Ditch Pipeline Project