

RECORD OF PROCEEDINGS
SAN JUAN WATER CONSERVANCY DISTRICT
REGULAR MEETING - JUNE 19, 2023, 4 pm

Attendance

A Regular Meeting of San Juan Water Conservancy District was held Monday, June 19, 2023, at 4 pm in person at 46 Eaton Drive Suite 5 and on Zoom.

The following Directors were present in person: Al Pfister, Rob Hagberg, Candace Jones, Bill Nobles, and Chuck Riehm. Also present were Sally High (SJWCD Executive Assistant), Bill Hudson (PAWSD and Pagosa Daily Post), and Josh Pike (Pagosa Sun). Erik Skeie (CWCB) joined at 4:45 pm.

Director Doug Secrist attended by Zoom. Others on Zoom were Jeff Kane (SJWCD Attorney), Terri House (Pagosa Sun), Rick Ehat (Ehat Consulting, LLC), and Peter Hurley (PAWSD).

Call to Order

The Regular Meeting of the San Juan Water Conservancy District (SJWCD) was called to order by Chairman Al Pfister at 4:00 p.m. A quorum was present.

Revisions to Agenda

The Board considered Revisions to the Agenda. No revisions were necessary.

Declarations of Conflicts of Interest

The Board considered Declarations of Conflict of Interest. No Conflicts of Interest were identified.

Public Comments

Chairman Pfister opened the meeting to public comment. Bill Hudson (PAWSD Board Member and Pagosa Daily Post) addressed Directors about (1) the PAWSD municipal water supply and plans for future supply and (2) a Dry Gulch Reservoir

Project Feasibility Study prepared in 2007. He distributed two handouts to Directors: (1) a SJWCD “Where does Your Water Come From?” map to which he had added data about PAWSD’s municipal water supply and (2) the Dry Gulch Reservoir Project Feasibility Study for CWCB Loan Application. Information in both documents was already known to SJWCD. Mr. Hudson was asked whether he was representing the PAWSD Board in his comments. He replied that he was not representing the PAWSD Board, but was speaking as one member of the PAWSD Board. Bill was thanked for his comments. No other public comments were offered.

Consideration of Attorney’s Report

Directors considered Attorney Kane’s updates on several water rights cases. There was no written report in the Board Packet.

- Boot Jack Ranch has two pending cases asking to increase their water rights. SJWCD opposed both. Attorney Kane communicated with Boot Jack’s attorneys and there were no developments in either case.
- Attorney Kane communicated with Southwestern Water Conservation District about SJWCD’s two FOIA requests regarding the proposed increases to Treasure Pass transmountain diversions. The United States Forest Service (USFS) and the Bureau of Land Management (BLM) have been asked to provide information about their requests to increase the water diverted to the eastern slope. SJWCD received approximately 800 pages of information from USFS. Director Pfister reminded the Board that some records had been received from BLM. Attorney Kane stated that a thorough review of the USFS information was underway and encouraged Directors to review the information. SJWCD has 90 days to file an appeal if it is believed that records were withheld, but Kane does not anticipate the need for an appeal.
- Kane attended a Status Conference regarding the two Colorado Parks and Wildlife proposals to divert water from the upper Piedra River in the federal Weminuche Wilderness Area. SJWCD opposed both transmountain diversions. Other opposers include the United States and CWCB. The US stated that without a Special Use Authorization, CPW was “trespassing” on federal land. The CPW attorney stated that Kane should expect a decree to be filed within 30 to 60 days.

Updates from Chairman

- Director Pfister stated that the required form for permission to address the Southern Ute Tribal Council about the Headwaters Project is yet to be filed.
- Two meetings were held with board members of the Park Ditch. Directors Pfister, Hagberg, and Secrist met with the Park Ditch president and two board members. Park Ditch representatives appeared to be open to further conversation about the Headwaters Project. Directors Riehm, Secrist, and Pfister attended the Park Ditch Annual Meeting. The SJWCD Directors learned that the Colorado State Engineer, Kevin Rein, recently informed water entities in southwest Colorado about the need for more measuring devices. The Park Ditch runs through Running Iron Ranch, but the water flowing into and out of the property is not measured. The Park Ditch Board priced two Parshall flumes to be installed at the points where the ditch enters and then exits the property. The cost of the Parshall flumes is estimated to be approximately \$15,000 plus \$5,000 for installation. Justin Ramsey suggested funding through the Roundtable. The Park Ditch board was interested. An application needs to go to Roundtable by July 27 for consideration on August 1, followed by an in-person presentation at end of October. CWCB approval will likely follow in early 2024. Director Pfister spoke with Laura Spann and Renee Lewis about coordinating a CWCB application. Park Ditch users could possibly install the concrete Parshall flumes and use the ~\$5,000 installation as in-kind matching funds.
- Director Pfister attended the CWCB Drought Summit. SJWCD Directors can listen to relevant sessions at www.engagewcb.org/droughtsummit. Recommended were “Progress at the Speed of Trust,” on Day One and “The Fireside Chat on the Colorado River” on Day Two. Also, a session on Climate Change included CWCB Board Members, Becky Mitchell, Chuck McCallon, Lorelei Cloud. It described valuable data being collected for a future report and considered Upper Basin States versus Lower Basin States issues.
- The FOIA documents received from USFS were estimated to be ~800 pages. Directors Jones and Riehm volunteered to review part of what has been received. Attorneys Jeff Kane and Maya Kane will also review. CWCB (and others) also filed Letters of Opposition to the Treasure Pass and Piedra Pass cases. Director Pfister will make the documents available electronically.

- Aspen Springs Metro District has not responded to PAWSD or SJWCD about the proposal to extend municipal water to Aspen Springs residents.
- Justin Ramsey reported to Director Pfister that construction workers may dry-camp in RV's at the Running Iron Ranch 20-acre parcel on the San Juan River, on the gravel pad above the small lake (gravel pit). The purpose of their lodging there would be the construction of the Snowball Water Treatment Plant, expected to be completed in about two years. Derek Woodman, Archuleta County Manager, has no update on the proposal that the county lease the 20-acre parcel to provide a recreational boat put-in point.

Consideration of Airborne Snow Observatory (ASO) Activities

Erik Skeie (CWCB) described the opportunity for SJWCD to produce a public educational presentation about Airborne Snow measurement, snow data collection methods using LiDAR technology. Airborne Snow Observatory (ASO) data is more robust and reliable than data collected through existing SnoTel sites. Bureau of Reclamation states, including Colorado and California, applied for grants to engage in this new technology. Participating Colorado basins could use this data collection method in the future. The Dolores Water Conservancy District is already using LiDAR and ASO data to make decisions about water storage and reservoir management. A public presentation this fall was mentioned as a possibility.

Consideration of Approval of Records of Proceedings

Directors approved Records of Proceedings from the April Regular Meeting and the May Special Meeting. Director Riehm moved for approval. Director Hagberg seconded. The vote to approve was unanimous.

Consideration of Directors' Reports on Three Strategic Objectives

Objective One: Advance the San Juan River Headwaters Project (SJRHP) as one resource for meeting agricultural, municipal, environmental, and recreational water needs of the San Juan Water Conservancy District (SJWCD) community.

Directors Pfister, Secrist, and Riehm considered first steps of the Headwaters Project in a work session. The Long Hollow Project specs were shared, but will not be made public at the request of the La Plata Conservancy District. Engineer Rick Ehat was recommended to assist SJWCD in initial planning and organization of the Headwaters project “in its infancy.” Ehat’s resume and a draft contract were in the Board Packet. Preliminary site work must precede design work. An engineer is needed to help SJWCD understand the professional engineering language as SJWCD approaches the design phase. All three Objective One directors recommended hiring Ehat at approximately \$185 per hour for an estimated 120 to 160 hours, not to exceed the budgeted \$30,000 in 2023. Directors were asked to review the draft contract and identify milestones / benchmarks in the planning phase that will lead to the design / engineering phase. Ehat suggested that he meet with Steve Harris to identify initial steps toward design. Various reports must be accomplished using field data yet to be collected. Ehat would work with the Objective One Committee and eventually provide options to the full Board. He would conduct investigation of existing research and initial studies and provide a report and recommendations. Any contract should include a specifically sequenced schedule and deliverables. Director Pfister asked Directors to provide comments about the draft contract by Monday, July 3. A Work Session of the Objective One Committee will follow. A revised draft contract will be considered at the July Special Meeting.

Renee Lewis is still available for grant writing, even though her responsibilities with PAWSD will be increasing. After discussion, a Special Meeting was scheduled for Monday, July 24, to include Renee. Mr. Ehat also expects to be available on July 24.

Objective Two: Consider strategies beyond water storage for meeting agricultural, municipal, environmental, and recreational water needs of the SJWCD community.

The Objective Two Committee reviewed projects from the Upper San Juan Watershed Enhancement Partnership (WEP) list and identified projects that may be feasible, fundable, and relevant to the Running Iron Ranch property. They plan to meet with the new WEP coordinator, Kathy Rall. Director Pfister reminded the board that Southwestern Water Conservation District had identified a significant number of water-saving irrigation improvements totaling \$8.6 million. WEP is currently focused on the South Yamaguchi Project and the Pagosa Gateway

Project. After being under the umbrella of Mountain Studies Institute since its inception, WEP is reorganizing, considering becoming a 501c3 corporation, and pursuing funding. Director Hagberg moved that the Objective Two Committee contact WEP Coordinator Kathy Rall to learn of WEP's priorities. Director Jones seconded. Approval was unanimous.

Opportunities for SJWCD to partner with Park Ditch were briefly discussed. The two alternatives to get water to the Running Iron Ranch are: (1) through the ditch or (2) through a pipeline from the head gate to the ditch to the property. An engineering feasibility study would cost approximately \$100,000. Director Jones moved that Objective Two Committee meet with Park Ditch representatives to explore collaboration. Director Hagberg seconded. Unanimous approval.

Objective Three: Educate the SJWCD community about the water resources of the Upper San Juan River Basin and related issues, including SJRHP, water resource planning, water conservation, and the work of SJWCD.

Director Nobles reported that the Objective Three Committee met with J.D. Kurz and summer plans are moving forward. Directors Tedder and Pfister wrote an article for Water Information Project (WIP) which will be published soon. Director Nobles named the Airborne Snow Observatory project with CWCB and a proposed public meeting in the fall as being newsworthy for publication in the Sun.

A Special Meeting was scheduled for Monday, July 24, at 4 pm.

There being no further business to come before the Board, the Regular Meeting was adjourned at 5:52 pm.

SAN JUAN WATER CONSERVANCY DISTRICT

By /s/ Sally High

Executive Assistant for Board of Directors

DISTRICT SEAL