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**SOUTHEASTERN COLORADO WATER  
CONSERVANCY DISTRICT**

**MINUTES**

**May 19, 2011**

A regular meeting of the Board of Directors of the Southeastern Colorado Water Conservancy District was held on Thursday, May 19, 2011 at 10:30 a.m., at the District office, 31717 United Avenue, Pueblo, Colorado.

President Long announced a quorum was present.

**DIRECTORS PRESENT:**

Bill Long	Ann Nichols	Harold Miskel
Howard "Bub" Miller	Carl McClure	Kevin Karney
Scott Reed	Vera Ortegón	Lissa Pinello
Reed Dils	David Simpson	Gary Bostrom
Shawn Yoxey		

**DIRECTORS ABSENT AND EXCUSED:**

Gibson Hazard, Greg Johnson, and Alan Hamel-Advisory Board Member.

**DISTRICT OFFICIALS PRESENT:**

Executive Director James Broderick; Administrative Manager Toni Gonzales; Project Manager Phil Reynolds; Finance Coordinator Tina White; Director of Engineering and Resource Management Bob Hamilton; Conservation Outreach Coordinator Jean Van Pelt; Legal Counsel Steve Leonhardt and Lee Miller; and Federal Lobbyists Ray Kogovsek and Christine Arbogast.

**VISITORS PRESENT:**

Roy Vaughan, U.S. Bureau of Reclamation; Mark Carmel, Merrick & Company; Curtis Mitchell and Larry Patterson, City of Fountain; Chris Woodka, The Pueblo Chieftain; Kevin Meador, Black & Veatch; Jerry Peña, MWH; Doris Morgan, Congressman Cory Gardner's office; Dan Henrichs, High Line Canal Company; Jim Baldwin and Keith Goodwin, Otero County; Steve Witte, Colorado Division of Water Resources-Division 2; Sean Chambers, Cherokee Metro; Roy Heald, Security Water District and Fountain Valley Authority; Christine Thiebaut, Senator Udall's office; Bob Hartzman, City of Canon City; Rick Kienitz, Aurora Water; Bill Hower, Beulah Water; Shirley Klipfel, Pueblo; Greg Williams, Catlin Canal; Bret Gracely, Colorado Springs Utilities; Jay Winner, Lower Arkansas Valley Water Conservancy District and Eric Norwood, Wilson & Company, Inc.

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**INTRODUCTION OF VISITORS:**

President Long welcomed the visitors to the meeting, and asked them to introduce themselves and identify the organization they represented.

**APPROVAL OF MINUTES:**

President Long asked if the members of the Board had received their copy of the minutes of the March 17, 2011 Board meeting, and if there were any corrections or additions. Hearing none, Mrs. Ortegón moved, seconded by Mrs. Yoxey, to approve the minutes. Motion unanimously carried.

**FINANCE COMMITTEE REPORT:**

Treasurer Ann Nichols reported the financial statements for March and April were posted to the Board website for review. Treasurer Nichols moved, seconded by Mr. Howard Miller, for acceptance of the March and April financial statements and payment of the May 2011 bills. Motion unanimously carried.

**CONSENT ITEMS:**

None

**PRESENTATIONS:**

**SOUTHERN DELIVERY SYSTEM**

John Fredell, Southern Delivery System (SDS) Program Director presented a PowerPoint reviewing the following:

- Regional Project
- SDS Components
- Key SDS Milestones
- Phase 1 Schedule
- Construction Underway
- What's Ahead
- Regional Economic Benefits
- Follow Our Progress

Mr. Fredell thanked Mr. Broderick for his assistance on the contract for the SDS. He also thanked Pueblo West, Fountain, Security, and Colorado Springs for their partnership in the project.

Larry Patterson from the City of Fountain discussed the importance of the subagreement between the cities of Colorado Springs and Fountain for a trade of capacity within the Fountain Valley Conduit (FVC) and the Southern Delivery System Pipeline. He said that the purpose of the subagreement is to authorize a trade of capacity within the FVC and SDS pipeline to allow Fountain to convey on average 2.25 mgd per day of SDS water through the FVC and in exchange, to allow Colorado Springs to convey an equivalent amount of other water through the proposed SDS to offset that portion of its water displaced from conveyance in the FVC.

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It was suggested that at a future meeting a presentation be made to illustrate how the SDS is going to affect ag users.

**ACTION ITEMS:**

**ELECTION OF OFFICERS**

President Long reported the annual election of officers is done in May of each year. Nominations for the offices of President, Vice President, Secretary, and Treasurer are made.

The Executive Director serves as the Assistant Secretary-Treasurer. A nomination is required for that office.

President Long opened the floor for nominations. Mr. Karney moved to retain the current slate of officers and that Mr. Broderick serve as Assistant Secretary-Treasurer, seconded by Mr. Simpson. Motion unanimously carried.

The elected officers are as follows:

- President – Bill Long
- Vice President – Harold Miskel
- Treasurer – Ann Nichols
- Secretary – Scott Reed
- Assistant Secretary-Treasurer – James Broderick

President Long thanked the Board for their support of the re-elected slate of officers.

**EXECUTIVE COMMITTEE APPOINTMENT**

President Long said Pursuant to the SECWCD bylaws, *“An Executive Committee consisting of seven members of the Board, including the President (in office) may be appointed by the Board of Directors annually at the first meeting of the Board held after the appointment of directors by the court. The Executive Directors of said Board shall be a nonvoting member ex officio (only in sessions not dealing with personnel matters relating to the Executive Director). It shall have all the powers of the Board in the interim between Board meetings. The actions of the Executive Committee shall be subject to the approval of the whole Board. Meetings may be held at any time, and at any place within the State of Colorado, upon call by any Committee member. Notice of any meeting shall be given to each member in person, or by telephone, or it may be mailed electronically, mailed or telegraphed to him or her at his or her residence or business address at least 24 hours before the meeting. Public notice shall be provided consistent with applicable statutes. Three members shall constitute a quorum. The Secretary shall keep record of the minutes of each Executive Committee meeting in a book kept for the purposes and shall report same to the Board of Directors at its next meeting.”*

President Long said he is recommending appointing the same members to the Executive Committee that now serve in that capacity.

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Mrs. Pinello moved, seconded by Mr. Howard Miller, to approve President Long's recommendation and appoint the following to the Executive Committee:

Bill Long, President and Chairman of the Arkansas Valley Conduit Committee  
Harold Miskel, Vice President and Chairman of the Enlargement & Excess Capacity Committees  
Scott Reed, Secretary  
Ann Nichols, Treasurer and Chairwoman of the Finance Committee  
Lissa Pinello, Chairwoman of the Human Resources Committee  
Carl McClure, Chairman of the Allocation Committee  
Vera Ortegón, Chairwoman of the Resource & Engineering Planning Committee  
James Broderick, Executive Director (nonvoting member ex officio)

Motion unanimously carried.

**SUBAGREEMENT BETWEEN CITIES OF COLORADO SPRINGS AND FOUNTAIN FOR A  
TRADE OF CAPACITY WITHIN THE FOUNTAIN VALLEY CONDUIT AND THE SOUTHERN  
DELIVERY SYSTEM PIPELINE**

Mr. Lee Miller reported on the subagreement between the cities of Colorado Springs and Fountain for a trade of capacity within the Fountain Valley Conduit and the Southern Delivery System Pipeline. He said on July 10, 1979, the U.S. Secretary of the Interior executed a contract with the District for conveyance service from the FVC, and for the repayment within a 40-year period of the reimbursable costs of the FVC plus interest at a rate of 3.046 percent per annum. At the same time, the District, the Fountain Valley Authority (FVA), the City of Colorado Springs, the City of Fountain, the Security Water District, the Stratmoor Hills Water District, and the Widefield Homes Water Company executed a subcontract ("FVC Conveyance Agreement") to provide for the use of the FVC to convey water from Pueblo Reservoir to the service areas of the signatories. Each of the municipal water provider parties to the FVC Conveyance Agreement was individually allocated a specific conveyance capacity in the FVC facility, and all of these parties obligated themselves to set water utility charges adequate to repay the United States their respective shares of the construction cost obligation for the FVC.

The subagreement states that it does not amend, change, or affect the obligations in the District's FVC repayment contract, the FVC Conveyance Agreement, or any other agreement governing or related to the SDS Project. The FVA and SDS parties will continue to remain responsible for paying their respective obligations under the repayment contract and the FVC Conveyance Agreement.

Because the District is contractually bound to repay the reimbursable costs of the FVC, and executed the FVC Conveyance Agreement with the FVA and its constituent entities, it is appropriate that the District concur in the subagreement before it becomes effective.

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Mr. Lee Miller stated Staff and legal counsel recommend that the District concur in the subagreement and that the Board authorize the President to sign the same. Mrs. Pinello moved, seconded by Mr. Dils, to approve this recommendation. Motion passed with Mr. Bostrom recusing.

**POND SEEPAGE STUDY FINANCIAL SUPPORT**

Mr. Broderick said that he had brought this issue to the Board in November of 2010, and said he asked for the Board's approval to contribute \$5,000 once the Southeastern District had received documentation of what the study was intended to accomplish. That documentation has been received by the Southeastern District.

Mr. Hamilton reported the Lower Arkansas Valley Water Conservancy District (LAVWCD) agreed to contribute a portion of the matching fund for a Natural Resources Conservation Service (NRCS) Colorado Conservation Innovation Grant by the Prowers Conservation District titled, "Remote Flow Measurement and Data Management Technology of Irrigation Systems". The study will demonstrate the use of modern technology in calculating seepage losses from irrigation head stabilization ponds. These ponds are used by ditch irrigators to stabilize canal deliveries and allow some sediment reduction prior to using the water for sprinkler and drip irrigation.

The project will install recording and transmitting flow measurement into the ponds, precipitation gauges, and flow meters to the sprinkler systems on ponds along the Fort Lyon Canal, generally between Las Animas and Lamar, north of Highway 50. The seepage from the ponds will be calculated using NRCS-approved water balance methods.

The project will obtain the necessary data and demonstrate modern technologies to the producers and water compact regulators. Incorporation of these systems will help conserve water, reduce soil erosion, and encourage better irrigation system management.

Some of the other contributors to the matching funds, besides the LAVWCD, are Prowers County Conservation District, AgriTech Consulting, Lower Arkansas Water Management Association (LAWMA), and the Fort Lyon Canal Co. The District's contribution to this grant will be \$5,000 and will be charged to the Engineering outside contracts.

Mr. Witte said this study is a result of the State Engineer's Irrigation Rules, and will assist in providing documentation to record the credit for pond seepage.

Mrs. Ortegón moved, seconded by Mr. Howard Miller, to contribute \$5,000 to the Lower Arkansas Valley Water Conservancy District as a part of matching fund for the "Remote Flow Measurement and Data Management Technology of Irrigation Systems" Grant by the Prowers Conservation District. Motion passed with Mr. Reed recusing.

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**WATER COURT RÉSUMÉ**City of La Junta (Case No 11CW13)

Mr. Hamilton reported that Application 11CW13 was filed in February 2011, and was mentioned in the March Board meeting Water Court Résumé report as a case of interest to the District. The April 2011 Board meeting was cancelled, and Statements of Opposition had to be filed by the end of April. Accordingly, there was no opportunity for Board action in this case. Jim Broderick and Bob Hamilton discussed this case with legal counsel and determined that the proper course of action would be to file a Statement of Opposition in Case 11CW13 and request to have that action ratified by the Board of Directors at the May 19, 2011 Board meeting. If the Board decides not to ratify this staff action, the Statement of Opposition will be withdrawn.

The application is by the City of La Junta for a Change of Water Rights and Appropriative Right of Exchange. La Junta owns 883.7 shares of the Holbrook Mutual Irrigating Company (Holbrook) and proposes to change the water represented by these shares, which also includes water in the Winter Water Storage Program. These 883.7 shares have historically been used to irrigate four (4) farms in Otero County totaling 774.7 acres of irrigated land. Some of this water has already been used for replacement purposes in the Colorado Water Protective and Development Association's (CWPDA) Rule 14 Plan.

The Holbrook shares are currently decreed for irrigation and domestic uses within Holbrook's service area. La Junta is proposing to add municipal, irrigation, industrial, commercial, recreational, and domestic uses within La Junta's service area as may be amended, and for approved augmentation, replacement or substitute water supply plans. La Junta also wants to include the Holbrook exchanges, the District's exchange, Case No. 06CW08, of non-Fry-Ark Project water into Pueblo Reservoir, and in their own exchange into Pueblo Reservoir under this new application.

Mr. McClure moved, seconded by Mr. Bostrom, the Board ratify staff and legal counsel's action of filing a Statement of Opposition in Water Division 2, Case No. 11CW13. Motion unanimously carried.

Wallace R. Stealy (Case No. 11CW15)

Mr. Hamilton reported on Case No. 11CW15, an application by Wallace R. Stealey for Approval of Plan for Augmentation, Change in Place of Use and Exchange of 35 shares of the Bessemer Irrigating Ditch Company (Bessemer). Mr. Stealey proposes to use his shares of Bessemer for augmentation of pond evaporation and for irrigation, and to operate an exchange bringing the water down Sixmile Creek instead of down a lateral off the Bessemer.

Staff believes there are sufficient issues in this application that meet the Criteria for Filing of Statements of Opposition in Water Division 2. These issues include, but are not limited to:

- the allocation and sale of Fry-Ark Project water;
- the use of Fry-Ark Project facilities;
- the Winter Water Storage Program.

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In other cases changing rights under the Bessemer, Southeastern has had similar issues. Staff believes the Fry-Ark and Winter Water conditions in the earlier cases can easily be incorporated in this case.

Mrs. Ortegón moved, seconded by Mrs. Pinello, the Board authorize legal counsel to file a Statement of Opposition in Water Division 2, Case No. 11CW15, to ensure the necessary language is in the final Decree protecting the Fry-Ark Project and the Winter Water Storage Program. Motion passed with Mrs. Yoxey recusing herself.

LEGAL MATTERS

Southeastern's West Slope Diligence Application (Case No. 09CW40-Division 5) Stipulation with Trout Unlimited

Mr. Leonhardt reported on Case No. 09CW40, Water Division 5. Southeastern seeks a finding of diligence from the Water Court, to maintain its conditional water rights for the Fry-Ark Project Collection System. These rights include those decreed in 1958 for ten structures that have not yet been built, and remaining conditional portions of the water rights for three existing structures that have not yet diverted water to their full decreed capacity. Statements of opposition were filed in June 2009 by the United States Forest Service, Trout Unlimited, and the City of Aspen.

Last November, the District Board approved a settlement stipulation with the U.S. Forest Service, resolving the Forest Service's concern with six of the unbuilt structures that have decreed points of diversion located within, or for canals that would cross, the Holy Cross Wilderness Area. The stipulation provides that the United States consents to a decree finding diligence on all Southeastern's conditional rights, in the form of a proposed decree attached to the stipulation. The stipulation next summarizes the dispute over decreed facilities over the wilderness area, including the assertions made by both the Forest Service and Southeastern, and states that the underlying dispute regarding use of wilderness lands is not resolved by this stipulation. The stipulation then provides the United States' agreement to allow Southeastern to assess feasibility of alternatives during the next six-year diligence period after this decree is entered, without waiving the Forest Service's right to assert the same objection in a future diligence application to continue the conditional rights within the Wilderness Area. In particular, the stipulation provides that during the next six-year diligence period, Southeastern will undertake a study of (1) the historical shortfall of Fry-Ark Project diversions from the authorized yield, (2) Southeastern's remaining conditional water rights, and (3) alternatives for realizing the Project's authorized yield. Such alternatives may include changing conditional rights to diversion points outside the Wilderness Area, and/or making improvements to the Project facilities. Southeastern will communicate periodically regarding the study, as it proceeds, with the Bureau of Reclamation and the Forest Service. Then, based on the study outcome, Southeastern will decide by the time of its next diligence filing (six years after a final decree is entered in the current case) whether to request changes in any decreed diversion points, abandonment of any decreed conditional rights, or continuation of the conditional rights as decreed.

Mr. Leonhardt reported the attorney for the U.S., (Jim DuBois) executed the stipulation approved by Southeastern and the Forest Service in April. Trout Unlimited (TU) is prepared to enter into a similar

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stipulation to resolve its objections in Southeastern's diligence case. Recent revisions to the proposed decree, negotiated with both TU and the U.S., simply clarify that the decree will not nullify rights that the U.S. and TU would reserve by their stipulations, to raise similar objections in Southeastern's next diligence case. The new proposed decreed version dated April 18, 2011, is attached to the stipulation with the U.S., and contains the negotiated clarifications in paragraphs 3 and 14.

Mr. Leonhardt recommended the District Board authorize legal counsel to enter into a stipulation with Trout Unlimited for settlement in Southeastern's pending diligence case in Water Division 5, in a form substantially similar to the proposed stipulation provided to the Board. Mrs. Pinello moved, seconded by Mr. Howard Miller to approve Mr. Leonhardt's recommendation. Motion passed with Mr. Dils recusing.

Catlin Canal Company (Case No. 09CW35-Division 2)

Mr. Leonhardt reported that Catlin Canal Company (Catlin) filed Case No. 09CW35 on March 11, 2009. Catlin's Petition claims that there is a clerical error in a 1955 decree with respect to the location of the Catlin Canal point of diversion, and another clerical error in describing the Catlin Canal's priorities in the same decree. The case has not yet been set for trial. On July 20, 2009, legal counsel received a letter from Catlin's attorney providing a proposed decree in this matter. The other two objectors (Ft. Lyon and Holbrook) have stipulated to the proposed decree.

The Board was provided a copy of the proposed decree, which was stipulated to by both Holbrook Mutual Irrigating Company and Fort Lyon Canal Company. It is straightforward. The change of the legal description of the Catlin diversion point and the priorities does not impact any of Southeastern's pending Water Court applications, including Case No. 06CW8, which seeks approval of exchanges of non-Project water for the AVC from several downstream points, including the Catlin Canal headgate. Mr. Leonhardt recommended the Board approve the settlement with Catlin, consenting to the current proposed decree terms, and recommend the Board authorize legal counsel to execute a standard stipulation, agreeing to entry of this proposed decree, to resolve Southeastern's participation in Case No. 09CW35, Water Division 2. Mr. Simpson moved, seconded by Mr. Karney, to approve Mr. Leonhardt's recommendation. Motion unanimously carried.

Town of Carbondale-RICD (Case No. 06CW77-Division 5)

Mr. Lee Miller reported in Case No. 06CW77 (Water Division 5), the Town of Carbondale applied for recreational in-channel diversion (RICD) rights in the Roaring Fork River near the intersection of Highways 82 and 133, below the confluence with the Fryingpan River. Southeastern filed a statement of opposition to protect its water rights for the Fry-Ark Project collection system and ensure that any RICD will not reduce the transmountain diversions to which Southeastern is legally entitled.

Initially, Carbondale requested a hearing before the Colorado Water Conservation Board (CWCB), as it considered findings on the statutory factors regarding the RICD. Subsequently, Carbondale waived that hearing. In June of 2009, the CWCB stipulated with Carbondale. Most notably, the stipulation with the CWCB reduced the flow rates and the number of different flow periods. The CWCB also required Carbondale to designate in writing an official who is authorized to place a call. These changes helped

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reduce the impact of the RICD on the stream and helped clarify operations, both of which furthered Southeastern's interests in this case.

Following the stipulation with the CWCB, Carbondale asked the parties to review the updated proposed decree in consideration of settlement with additional parties. In August of 2009, legal counsel asked Carbondale for some modifications to their proposed decree. These proposed changes were to address the concern of how the intermittent high flows for the RICD are managed. The 2009 proposed decree required Carbondale to notify the Division Engineer at least seven days in advance of placing any call for the intermittent flows greater than 1,000 c.f.s. Because of the potential impact on Southeastern's water rights, legal counsel asked for notice by April 1 of the tentative dates for such events. Then, Carbondale should provide notice of the actual events and flow rates to Southeastern at the same time they provide notice to the Division Engineer.

Legal counsel received a revised proposed decree along with a standard proposed stipulation on March 29. The Board was provided a copy of the revised proposed decree, which includes all the revisions legal counsel requested. Lee Miller recommended the Board's approval of settlement with Carbondale, consenting to the current proposed decree terms, and recommend the Board authorize legal counsel to execute a standard stipulation, agreeing to entry of this revised proposed decree, to resolve Southeastern's participation in this case. Mr. Dils moved, seconded by Mrs. Pinello, to approve Mr. Lee Miller's recommendation. Motion unanimously carried.

#### AMENDMENT TO 80/20 RULE DEADLINE

Mr. Hamilton reported at the March 17, 2011 Allocation Committee meeting during the Listening Session, the Committee decided to discuss as an action item changing the date of the 80 percent use deadline in the 80/20 Rule from November 1 to before November 15 at the next Allocation Committee meeting.

The 80/20 Rule is a mechanism for maximizing the use of Fry-Ark Project water and Fry-Ark storage space. The first sentence in Paragraph 8 states "Eighty (80) percent of any allocation of Project water purchased for agriculture must be used by November 1 of the current year." Extending the deadline for the use of 80 percent of their Project water by 14 days until, "before November 15," would both maximize the use of Project water and storage space by allowing the irrigators more time to use their Project water, which would in some years increase storage space in Project facilities because the water is used and does not revert back to the Enterprise where it would remain in storage.

8: Eighty (80) percent of any allocation of Project water purchased for agriculture must be used ~~by November 1~~ before November 15 of the current year. The remaining twenty (20) percent must be used by May 1 of the following year. If Project water allocations are not used by the specified dates, the allocation will be canceled, and monies paid will be forfeited. (amended) It is the District's policy to accommodate reasonable requests for extension of these deadlines in circumstances where storage space is available and such extension will not impact storage under the Winter Water Storage Program and the Reoperations program (excess capacity contracts for

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eligible municipal entities within the District to store non-Project water in Project carryover space). In considering such request, the District will consider that water committed to augmentation plans often requires longer-term storage. Approved carry-over storage past May 1 of the following year of Project water allocated for agricultural shall be subject to appropriate evaporation and transportation charges, and to financial surcharges similar to those paid for municipal carryover storage.

The new deadline would coincide with the beginning of the Winter Water Storage Program giving the water managers more flexibility in scheduling their water runs prior to November 15 when irrigation ceases. Staff believes this change would also result in fewer requests for extending the 80/20 deadline.

Mr. McClure moved, seconded by Mr. Karney, to amend the "by November 1" in the first sentence of Paragraph 8 of the "Water Allocation Policy" to read "before November 15," thus extending the deadline for the use of 80 percent of allocated Ag Project water. Motion unanimously carried.

**MONTHLY REPORTS:**

**U.S. BUREAU OF RECLAMATION REPORT**

Roy Vaughan presented a PowerPoint presentation reviewing the following:

- As of May 16, there were 265,790 acre-feet stored in Pueblo Reservoir; 176,830 acre-feet of Project water; 32,258 acre-feet of Excess Capacity water; 26,925 acre-feet of Winter water.
- There is currently 80,119 acre-feet of Project space in Pueblo Reservoir and 88,621 acre-feet of space in Turquoise and Twin Lakes Reservoirs.
- There is 1,372 acre-feet of imports
- Project Reservoirs: Turquoise 75%; Twin Lakes 81%; Pueblo 126%.
- Upper Colorado River Basin Time Series Snowpack Summary.
- SNOTEL Graphs for:
  - Fry-Arks Collection System
  - Kiln
  - Ivanhoe
  - Nast Lake
  - Independence Pass

Mr. Vaughan reported the May 1 forecast for water is 94,200 acre-feet.

Mr. Vaughan reported that placement of the dividers for the Southern Delivery System on the dam began the week of May 16. The South Outlet Works project is going on at this time also.

**DIVISION ENGINEER'S REPORT**

Steve Witte reported that the call changed to Rocky Ford Highline 3/11/1886. Although Arkansas at Portland is showing increased flows each day, runoff has not started in earnest, water users are burning through stored water supplies.

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Mr. Witte reported on Compact matters reporting the review of Rule 14 Plans that have been submitted by well associations pursuant to the Amended Ground Water Use Rules have been completed. A total of 1,764 wells in AGUA, CWPDA, and LAWMA have been approved to pump 137,439 acre-feet. This will require replacement of 43,300 acre-feet to Colorado senior water users in this plan year and these three associations are obligated to replace 60,636 acre-feet due to pumping in this plan year and in previous years.

The Lower Arkansas Valley Water Conservancy (LAVWCD) District's Rule 10 Plan was received on April 1, 2011. There was a glitch in getting the plan out to the Notification List, but ultimately succeeded and received comments from the Southeastern District, Tri-State, District 67 Ditch Association, and LAWMA. Mr. Witte met with Heath Kuntz to go over the comments from the Notification List and plan to work on the approval letter to be completed by the end of May.

There are 81 improvements covered by the LAVWCD Plan on 62 farms. The majority of those structures are under the Fort Lyon Canal, but structures under the Bessemer, Catlin, Holbrook, Highline, Rocky Ford, Consolidated, Fort Bent, Lamar, and Amity Canals are also included in the plan.

The estimated return flow deficit for the plan was 930 acre-feet requiring a release of 1,247 acre-feet from LAVWCD's If & When account in Pueblo Reservoir. Most of the deficit occurs below John Martin Reservoir and deliveries must be shepherded through John Martin Reservoir to the points of deficit for the reaches below John Martin Reservoir. Mr. Witte's office conducted a release operation for April based on plan estimates.

Only one Rule 8 Plan under the Rocky Ford Highline Canal was submitted. This plan involved installation of a small amount of lateral pipeline that served two farms. The Irrigation System Analysis Model (ISAM) depletion never reached an acre-foot for any of the ten years in the analysis. Mr. Witte's office will approve this plan with conditions requiring re-submittal if more of the lateral is ever placed in the pipeline.

Mr. Witte reported the long bill has been passed and next year's budget is set. His office will be managing a 2.5 percent restriction on the personal services budgeted for FY 2011-12. Last year they managed the funding restriction by cutting over-time approximately in half and holding some positions vacant. The same strategy will be used for FY 2011-12.

Weekend administrative services will continue through the Ark River Ops email and call-in number which will be monitored at 8:00 a.m., 12:00 p.m., and 6:00 p.m. on weekends.

U.S. GEOLOGICAL SURVEY REPORT  
None

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**INFORMATIONAL ITEMS:**

The Board was provided written material on the following topics, which were posted to the Board website:

- Committee Appointments
- Water Court Résumé
- OM&R Quarterly Update
- Quarterly Legal Update
- Arkansas River Basin Water Forum – Bob Appel Award

**OTHER BUSINESS MATTERS:**

President Long said the Human Resources Committee will meet at 12:45 p.m. today (May 19).

President Long asked if there were any other matters to come before the meeting, and hearing none, adjourned the meeting at 12:04 p.m.

Respectfully submitted,

Toni Gonzales  
Administrative Manager

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Secretary

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