**PURGATOIRE RIVER WATER CONSERVANCY DISTRICT**

**MINUTES, THURSDAY, October 5, 2023**

**Board Meeting:** Purgatoire River Water Conservancy District monthly meeting was held on Thursday, October 5, 2023, at 7:30 P.M. City Hall Chambers, Trinidad, CO.81082

**Directors Present:**

Frank Milinazzo, Joey DeGarbo, David Philpott, Tony Paradisa, Jeremy Yoder, Jarrod Tortorelli, Tom Verquer, Joe Amato & Daryl Aubuchon

**Directors Absent:** None

**District Staff:**

Steve Kastner; General Manager, Connie Mantelli; District Secretary

**Guests:** Michael Yoder (Enlarged SouthSide), Sammie Molinaro (NRCS), Jeff Montoya (Water Commissioner), TJ Verquer (Chilili Ditch), Kim Falen (Corps of Engineers), Anthony Ruscetti (Picketwire Ditch), Louie Mantelli (Picketwire Ditch), Hattie Jolly (Picketwire Ditch), Jim Jolly (Picketwire Ditch), Clint Winter (Picketwire Ditch), Sherry Jacobs (Picketwire Ditch) & Robert Philpott (New John Flood Ditch Co.)

**Enterprise Account**

Connie Mantelli reported that there were 2 deposits made in the Enterprise Account for the month of August. Tom Verquer made a motion to accept the report. Joey Amato seconded the motion which was voted upon and passed unanimously.

**Board Meeting Minutes & Cash Disbursements**

Tom Verquer made a motion to accept the minutes of the September 2023 meeting. Daryl Aubuchon seconded the motion which was voted upon and passed.

Frank Milinazzo made a motion to approve the Financial Statements and Cash Disbursements for the September 2023 as printed. Joe Amato seconded the motion which was voted upon and passed**.**

**Chairman’s Report:**

Nothing to report at this time.

**NRCS:**

Sammie Molinaro reported that there is currently 2” of water at Whiskey Creek SnoTel site; normal measurement is 3.5”. There is a dusting of snow on the mountains this morning.  The water year begins July 1 for SnoTel reporting so our area is a little ahead currently. August was above average for moisture. Mr. Molinaro has not been to the North Fork area since July 1, but is planning on going soon to check out the moisture.

Sammie stated that as of right now the is no Farm Bill in the works from the Federal Government. It may not be back in place for 2 more years.

3 billion dollars is expected for inflation in the near future.

The Trinidad and Walsenburg NRCS offices have career opportunities available now. A bachelors degree in soil conservation, forestry, water or civil engineering is preferred. A background in agriculture is a plus. There are 4 positions available for immediate hire.

**District Manager’s Report – October 5, 2023**

**A. Trinidad Reservoir and PRWCD Operations Report**

* The total content of Trinidad Reservoir on September 30th was 17,457 acre-feet. A net decrease of 946 acre-feet from the end of the previous month. This net decrease in storage is principally due to Irrigation Season storage releases to meet crop irrigation demands.
* The Project Account currently contains 777 acre-feet. A decrease from the preceding month of 948 acre-feet.
* The Model Account currently contains 40 acre-feet. This account is empty except for this remaining 40 acre-feet which is owned by the River Canyon Ranch.
* The Joint Use Pool currently contains 3,836 acre-feet. A net increase of 208 acre-feet, which increase is principally due to City of Trinidad’s storage of its changed John Flood Ditch and Model Canal water rights. This city did also lease 500 acre-feet of water to the Colorado Parks & Wildlife for use in the Permanent Pool.
* The Permanent Fishery Pool currently contains a total of 12,798 acre-feet.
* Purgatoire River flows for the month of September averaged 47 cfs at the PURMADCO stream gage. Historically September flows average 43 cfs.
* The District forwarded a letter to parties as required in the Trinidad Project Operating Criteria confirming that the District would switch to Priority Administration beginning on October 1st. Due to a recalculation of the water for which the Hoehne Ditch was yet entitled and recalculation of remaining Project Water storage supplies this date of returning to Priority Administration was delayed until October 8th.
* Hoehne Ditch Irrigation Season diversions through September total 4,633 acre-feet. The District’s remaining obligation to the Hoehne Ditch for October is 339 acre-feet.
* District sprinkler systems have diverted 2,657 acre-feet of water through August. Lagged return flow deficits through August total 121 acre-feet. This value remains higher than the originally modeled value of 70 acre-feet. All return flow replacement obligations for August were made using reusable irrigation return flows from District ditches. It is anticipated that these reusable lagged return flows will provide for the majority of the remaining return flow obligations through the rest of the irrigation season and into the winter/spring period remaining plan period.

**B. City of Trinidad Conditional Right of Exchange (21CW3083)**

The District and the City of Trinidad continued negotiations regarding the city’s Water Court application for a conditional right of exchange from the city’s WWTP location upstream to Trinidad Reservoir during the month of September. The final concerns of the District were expressly acknowledged by the city and the District staff and the District attorney can now recommend to the board that the board approve the proposed stipulation with the city in this case. After discussion, the board voted to approve the proposed ruling/decree and stipulation with the city in Case No. 21CW3083 dated September 19, 2023 with authority to make minor edits as appropriate.

**C. Stock Water Policy**

The board reviewed the proposed District Stock Water Policy as provided to the board in the September board meeting. This draft policy was provided to all District ditch entities during September.

The board held discussion on this topic. Oral comments were provided by several shareholders in the Picketwire Ditch. Board member Joe Amato originally made a motion to require three ditches to call for diversions of stockwater prior to any deliveries. Discussion was held on this motion. Eventually it was determined that this practice may not be workable. Mr. Amato withdrew this motion and further made a motion for the District to operate stockwater deliveries as it has in the past. This practice being to attempt as best as possible to coordinate stockwater deliveries to all ditches requesting this water in a single operation and to maximize use of existing river flows. The draft written stockwater policy was not adopted by the board.

**D. General Items**

City of Trinidad August Water Lease to the District

Of the 500 acre-feet of water that the District leased from the City of Trinidad, all but 42 acre-feet of this water was leased by District ditch entities. The El Moro, Chilili and Hoehne Ditches declined to lease their proportion of these waters. This remaining 42 acre-feet remains in the District’s unallocated account as it is too small of an amount to proportionally offer to the leasing ditch entities. It is planned that this water may be leased to the District ditches next spring.

Trinidad Reservoir Joint Use Pool Water Storage Right

The Water Court judge decreed the District’s ruling in its continuing diligence application for the remaining 2,810,97 acre-feet of water in its 39,000-acre-foot Joint Use Pool water storage right in case no. 23CW3000 on September 13, 2023. This case is now completed. A reasonable diligence/claim to make absolute Water Court application will need to be filed within 6 years (September 2029).

Bureau of Reclamation WaterSMART Grant

The Bureau of Reclamation provided a Notice to Proceed letter to the District for the Bureau’s share of grant funding to support new automatic headgates for the Picketwire and John Flood Ditches. Rubicon personnel also visited and inspected these two District ditches on September 19th and will be providing final quotes for these new installations. Ordering of the needed materials is planned shortly after review and approval of the quotes. Rubicon personnel also replaced one of the sensors on the Model Canal headgate this month. This headgate now functions properly.

Acreage Verification Field Work

District staff completed their share of the annual acreage verification inspections during August and September. This survey information has been forwarded to the Division Engineer’s Office.

**Secretary’s Report:**

Connie Mantelli gave a report on the recent meeting she and Steve Kastner has with LAC Assessor, Jodi Amato regarding preparation for the 2024 PRWCD Budget.

A work session was scheduled for October 26 at 1:00 pm for the Board to review the 2024 budget.

Connie presented the Board with a proposed lease agreement for the PRWCD office space for 2024. The new agreement reflects a monthly rate increase of $95.00.

Ms. Mantelli reported that she had recently renewed the liability insurance with Pinnacol Insurance for the District.

Connie inquired with the office personnel at District Judge’s office regarding the appointment of a board member for Subdivision 4. As of October 5, no decision had been made for the board position.

**Water Commissioner’s Report:**

Jeff Montoya reported that he had recently attended the Annual Fall Meeting. Rachael Zancanella, Division Engineer asked for suggestions for futile call administration. There does not appear to be any major issues with District 19 which includes the Purgatoire River Water Conservancy District. The Cuchara area is more affected with futile call administration.

Jeff stated that Ms. Zancanella was planning on attending the November 2, 2023 PRWCD regular monthly meeting. She would like to introduce herself to the District and share her thoughts on the direction her office is going.

Mr. Montoya has been working on completing the Acreage Verification for the 2023 irrigation year.

There have been some recent personnel changes. Kevin Ryan will be retiring. His absence will affect this area.

Ed Diemer has been promoted from his position as Jeff’s deputy in Las Animas County to the Water Commissioner in Huerfano County. At this time the position of deputy in Las Animas County is available for qualified applicants.

The City of Trinidad recently contacted Jeff to have 500 af transferred from John Martin Reservoir to Trinidad Lake Reservoir.

**Corp of Engineers:**

Kim Falen had nothing to report at this time.

**City of Trinidad:**

No one present

**Purgatoire Watershed Project**

No one present

**Other Business:**

Daryl Aubuchon made a motion to go into executive session. Tom Verquer seconded the motion which was voted upon and passed.

The audience exited the meeting room and the executive session meeting proceeded.

Frank Milinazzo made a motion to return to the regular meeting. Jeremy Yoder seconded the motion which was voted upon and passed.

Tom Verquer made a motion to adjourn the meeting. Daryl Aubuchon seconded the motion. The motion passed. The meeting was adjourned at 8:16 pm.

The next meeting is scheduled for November 2, 2023 at 7:00 pm.at Trinidad City Hall Chambers.

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**Connie Mantelli, Secretary**

**Executive Session Meeting Notes**

Chairman David Philpott called the meeting to order.

David announced that Mr. Steve Kastner has decided to retire from the Purgatoire River Water Conservancy District as the General Manager effective March 31, 2024. Tom Verquer made a motion to accept Mr. Kastner’s retirement. Joe Amato seconded the motion which was voted upon and passed.

A search for a new General Manager is in place. Steve has agreed to assist with this process.

A work session will be held on October 12 at 1:00 pm in the PRWCD office to discuss the requirements for the position.

Daryl Aubuchon made a motion to end the Executive Session. Jarrod Tortorelli seconded the motion.

Executive session adjourned at 8:14 pm.

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**Connie Mantelli, District Secretary**