

**PURGATOIRE RIVER WATER CONSERVANCY DISTRICT  
MINUTES, THURSDAY, May 4, 2023**

**Board Meeting:** Purgatoire River Water Conservancy District monthly meeting was held on Thursday, May 4, 2023, at 7:30 P.M. City Hall Chambers, Trinidad, CO.81082

**Directors Present:**

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

**Directors Absent:** None

**District Staff:**

Steve Kastner; General Manager, Connie Mantelli; District Secretary

**Guests:** See Attachment A

**Enterprise Account**

Connie Mantelli paid the City of Trinidad \$15,000.00 for 500 af of leased water for the 2023 irrigation year.

The District has received payments from 3 of the sprinkler accounts for the Annual Application fee.

Tom Verquer made a motion to accept the Enterprise report. Daryl Aubuchon seconded the motion which was voted upon and passed.

**Regular Monthly Board Meeting**

Tom Verquer made a motion to accept the minutes of the April 2023 meeting. Tony Paradisa seconded the motion which was voted upon and passed.

Joey DeGarbo made a motion to approve the Financial Statements and Cash Disbursements for the April 2023 as printed. Tom Verquer seconded the motion which was voted upon and passed.

**Chairman's Report:**

David Philpott addressed the audience regarding the stock water issue that was discussed at the April meeting.

David stated that there will be minimal discussion on the stock water. This is an issue that will be decided upon by the PRWCD Board appointed committee.

David then asked for comments from the audience.

Sherry Jacobs (Picketwire Ditch) read a statement which brought attention to the livelihood of some of the water right owners with livestock. She referenced a 1964 document which states the use of 1500 af of water to be used for stockwater within the District.

Clint Winter (Picketwire Ditch) asked if one of the issues to be decided by the Board would include an additional fee to water users for stock water and what would that cost be. He also mentioned the existing federal contract the District has in place with the District. General manager, Steve Kastner confirmed that the federal contract cannot be initially changed by the District. Tom Verquer (Baca Ditch) stated that the allowance of the 1200 af of stock water is to be an equitable distribution in the District. If any particular ditch company chooses not to run stock water, that distribution should still be in place and any unused water should remain in the accounts.

Ron Arant (Baca Ditch) asked what the outcome would be if none of the ditches chose to run stock water; how many days would that give to each ditch?

Steve Kastner stated that to date, the entire 1200 af allowance has not been used.

Michael Yoder (Enlarged South Side Ditch) quoted several lines from the 1960 contract.

David Philpott ceased discussion. Mr. Philpott announced that a committee would be created to discuss the stock water. The committee will consist of General Manager Steve Kastner, Water Commissioner Jeff Montoya, PRWCD board member Daryl Aubuchon and Clint Winter.

The committee will meet and present their recommendations at the July 2023 PRWCD board meeting.

**NRCS:**

Sammie Molinaro reported that Whiskey Creek is currently at .9 water and 4.1 inches of snow (22% snow pack). Wind appears to be the main factor in the decreased amount of moisture.

The Apishipa is at 0% moisture.

There is no snow on the north slopes around the Stonewall area.

Mr. Molinaro is hopeful for a wet July, August and October.

**District Manager's Report – May 4, 2023**

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

- The total content of Trinidad Reservoir on April 30 was 22,787 acre-feet. A net decrease of 856 acre-feet from the end of the previous month. This net decrease is due to Irrigation Season storage releases.
- The Project Account currently contains 4,244 acre-feet. A decrease during the preceding month of 766 acre-feet.
- The Model Account currently contains 2,640 acre-feet. An increase of during the preceding month of 186 acre-feet.
- The Joint Use Pool currently contains 2,833 acre-feet.
- The Permanent Fishery Pool currently contains 13,205 acre-feet.
- April precipitation in Trinidad was 0.88 inches. Average April precipitation is 1.28 inches.
- By majority opinion of the ditch companies, the District's Irrigation Season began on April 24<sup>th</sup>. The District began the season in Project Administration given the initial volumes of Project and Model Account waters in the reservoir.
- Most ditches began diversion on this date with a couple not being yet ready. The Corps of Engineers computed inflow for the 24<sup>th</sup> was 29 cfs. Currently, computed inflow to the reservoir has risen to 52 cfs.
- The Hoehne Ditch diversions from April 1 - 23<sup>rd</sup> were 983 acre-feet. The Hoehne Ditch's allocation was adjusted -58 acre-feet on the 24<sup>th</sup> to 4,045 acre-feet which was the remaining Irrigation Season obligation to the Hoehne Ditch. The Hoehne Ditch diverted a total of 1,301 acre-feet in April. The remaining approximate 800 acre-feet of water in

the Project Account was allocated to the remaining Project Account ditches.

### **B. Livestock Water Discussions**

Board discussion regarding Non-Irrigation Season livestock water allocations occurred at the board's regular April meeting. The board determined to seek a legal opinion on the general subject of the District's obligations, allotment requirements and allocation procedures for livestock waters. The District's attorney provided opinions on this subject and this information has been provided to the board for further discussion at the May meeting.

### **C. General Items**

The District forwarded the Acreage Verification Report to the State of Kansas and the Bureau of Reclamation on April 19<sup>th</sup>. This report is due February 1<sup>st</sup> under the Operating Principles but is often delayed due to the availability of federal crop resource information and additionally required field or interview work.

The District leased 500 acre-feet of fully consumable water from the City of Trinidad in April. This water was transferred by the city to the District's "Consumable Account" on April 27<sup>th</sup>. Request letters were forwarded to the ditch companies. Most ditch companies have replied requesting their proportion of this water. The District will forward invoices for this water based upon the ditch company's requests next week.

The District filed its Irrigation Improvement Rules Plan for 2023 with the Division Engineer's Office on March 29<sup>th</sup>. 26 sprinkler systems are included in this plan. No approval has yet been forwarded from the Division Engineer's Office to date. This approval process does include a 30-day comment period.

Two of the three Rubicon headgates installed this past Non-Irrigation Season have been working and operating as intended. The third gate on the Model Canal has not yet functioned. Diversions have been made through the remaining manual headgate at the Model diversions for the Model and John Flood Ditches. Technicians have been called but they have not yet arrived to fix the gate.

The contracting process is underway for the federal WaterSmart and state CWCB funds to purchase two additional Rubicon headgates. This process is expected to be completed within a month or two.

Colorado Legislative Updates. The bill to provide for stream channel restoration work (SB270) which included un-augmented stream depletions of up to 8 acre-feet per restoration stream mile was heavily modified during an April legislative committee meeting. The edited version of this bill no longer includes an allowance for any stream depletions in any stream restoration work absence augmentation of any newly created depletions. Based upon these edits, the District did not forward a letter to its legislative representatives stating opposition to this bill.

The District and the City of Trinidad continue discussions on the city's proposed conditional right of exchange from its WWTP upstream to Trinidad Reservoir. The District provided comments back to the city regarding the city's proposed ruling/decreed dated March 31<sup>st</sup>. A remote meeting between the city and the District is scheduled for May 16<sup>th</sup>. Pursuant to the court's case management plan, a new draft decree is due from the city June 9<sup>th</sup> and the next court status conference is set for June 14<sup>th</sup>.

District staff attended the Arkansas River Water Forum in Colorado Springs on April 24 & 25. A summary of forum topics and discussions were provided to the board.

**Secretary's Report:**

Connie Mantelli reported that Steve, David, Tom and herself reviewed the interest rates in the local banks and made the decision to move some of their accounts to banks with better interest rates. The District has active accounts at Century Savings & Loan, The First National Bank in Trinidad and IN Bank. Connie also reported that the auditors from Dixon, Waller & Co. have begun the annual process of the District audit.

**Water Commissioner's Report:**

Jeff Montoya reported that most of the repairs and/or improvements he recommended to the ditches in the District have been completed. Thank you to everyone for the completed projects. Mr. Montoya and the Division Engineer will be meeting the week of May 8 to discuss stock ponds. He believes the discussion of the contract is on the agenda. He will inquire as to whether stock

ponds are allowable.

Jeff and Steve have been working diligently on making sure the water is being allocated correctly in the District. This has become quite a long process.

**Corp of Engineers:**

No one present.

**City of Trinidad:**

No One present

**Purgatoire Watershed Project**

Nothing to report at this time.

**Other Business:**

Chairman, David Philpott presented the priority 27 issue. The Board discussed rotating the 16 cfs of project water amongst the Model/New John Flood, Picketwire and Enlarged Southside ditches. Tom Verquer made a motion to rotate the priority 27 three ways as discussed. Frank Milinazzo seconded the motion. A roll call vote was called. There were 6 'yes' votes and one 'no' vote. The motion passed by a majority vote.

Tom Verquer made a motion to adjourn the meeting. Tony Paradisa seconded the motion. The motion passed. The meeting was adjourned at 8:53 pm.

The next meeting is scheduled for June 1, 2023 at 7:30 pm.

---

**Connie Mantelli, Secretary**

**Attachment 'A'**

**Guests in Attendance**

Anthony Ruscetti	PicketWire
Louie Mantelli	PicketWire
Anthony Cirone	PicketWire
Jacob Atencio	PicketWire
Victor Ferendelli	PicketWire
Richard Jeanblanc	Enlarged Southside
Joe Abeyta	Enlarged Southside
Ed Diemer	Division of Water Resources – Deputy
Will Diemer	PicketWire
Clint Winter	PicketWire
TJ Verquer	Chilili
Frank Tortorelli	PicketWire
Jeff Mangino	Baca
Jim Duran	Enlarged Southside
Ron Arant	Baca
Jeb Crummer	Enlarged Southside
Michael Yoder	Enlarged Southside
Cliff Wienen	Enlarged Southside

Larry Tortorice  
David Serafini  
Sherry Jacobs  
Julie Knudsen  
Jeff Montoya  
Sammie Molinaro

Enlarged Southside  
Enlarged Southside  
PicketWire  
Purgatoire Watershed Partnership  
Division of Water Resources – Water Commissioner  
NRCS – Trinidad Office