

Sylvan Lakes Metropolitan District Regular Meeting 7/23/2016 4:05 PM  
Lake County Public Library - AMAX Room

Board Members Present:

Ginny Peros

Greg Conway

Irv Tracy

Alan Agee

Attendees:

Phil Huval

Mike Bordogna

4:05 Mike Bordogna was introduced.

Lake County Augmentation Plan: Mike Bordogna (full recording available)

Sylvan Lakes has expressed a desire to be a part of the Lake County Water Augmentation plan through storage with several discussions with Greg Conway and Ante and Ginny Peros over the last several years.

The County has been working on two plans - a blanket Augmentation plan that would allow Lake County to administer water and then there is a storage plan. They would both have to be done together. Lake County re-negotiated with the city of Aurora in 2001 and 2011. In 2011 Lake County traded them back an option to buy almost 200 acre feet of water for fair market value for 40 acre feet of water in storage. If Lake County bought it they would immediately have to put it into storage. The major expense would be to create storage vessels. LC explored using Homestake Trout Club, Sylvan Lakes, 2 ponds east side of Escondido storage (Pueblo Board of Water works) as well as Birdseye Gulch. They would all need to be increased or constructed. The existing water storage created on the county's Haden Meadows Recreation Area property was for fish recreation only and cannot be used for storage until 2021.

In order to administer an augmentation plan the County has all of the objectors south of us and they all objected. The County went to court in 2011 - they were supposed to be done in 2014 and now they will be looking at court in January 2017 to deal with all of the statutory objectors. Lake County has given up a bunch to deal with the objectors. The State engineer has been requesting extensions. They are looking at the summer of 2017 to go back to court due to all of the objectors. Lake County traded back their option to buy in order to "store water".

Through this process Lake County has had to give up a lot.

Lake County owns 3 agricultural ditches - Derry 1,2, and 3. They did not keep great records after 1980. The water court balked at these.

Derry 1 was used to fill BoxCreek being built by Aurora. The preferred

Derry 2 has a minimal usage and had to be given away to get rid of objectors. They kept Derry #3 which has a ballpark 30-acre feet of water.

Lake County will have about 70 acre-feet of water. They can get more water in the future and administer it under the blanket augmentation plan.

Objections were explained for board members questions. Objections are made by water owners so that no possible use will injury their rights in the future for their wells or senior water rights owners. It cannot diminish their use or access their water in drought years. They do not want a municipality to develop more water that could take water away from them. Chaffee County wanted to make sure any drop of water used within Lake County was replaced at the same moment that it hit the Chaffee County Line. The water that Lake County uses is put back into the Arkansas. Parkville has a 4.1 square miles service district. City of Leadville has a 1 square mile service area.

Water education series created by the County – Water Where 2011 ? 5 DVD set available at the Library.  
Sylvan Lakes is A4 in the Lake County augmentation map. Lake County was only able to keep area A3 for now. That could change in the future.

You cannot deliver water above from where you can deliver water to.

The water case was actually started in 1998 but Lake County lost their 1998 water date by withdrawing from the original court case.

County needs: Lake County is divided into A groups A1 to A5

A1 Leadville

A2 The Greater Pan Ark Area and all the way up Hwy 82 – reliant on Trans Mountain Diversion- water from the western slope.

A3 Turquoise Lake and the Golf Course

A4 Hwy 24 including Sylvan Lakes – dream for this area for making snow for Ski Cooper- reliant on Trans Mountain Diversion water.

A5 Up Highway 91 and is dependent on the development of Bird's Eye Reservoir but also on the Trans-mountain Diversion that already exists - the Columbine Ditch.

(Trans-Mountain Diversion water is dependent on water from the western slope. There is one that exists from behind Ski Cooper, through Climax and ending at Chalk – the Columbine ditch. Pueblo Water Works sold it to the City of Aurora and Climax. Water from below Bird's Eye would be reliant on a new storage vessel.

Lake County already has the Hayden Meadows pond for storage, which is how they kept A3. The City of Aurora said they would deliver some of their storage water from Turquoise Lake. Lake County was planning on getting water from the City of Pueblo but would have to start paying \$200 per acre foot as well as build storage vessels now versus 10 to 15 years from now when they would actually need it. Lake County had to let those areas go – A2, A4, and A5.

Not much water is coming through the Grizzly Tunnel in the middle of winter when our depletions are the most. Lake County depletes water most in the wintertime, which is different from other areas.

This is why Lake County was not able to use Sylvan Lakes, as they would have to completely drain the lakes and also increase the size of the storage. Each lake would have to be changed and improved vs. just building one large storage vessel.

They could work with us if we build the vessel and have the Trans Mountain Diversion water and could deliver it 12 months of the year. Water doesn't come in until April. We would only have a 2-month window to completely fill the vessel.

Sedimentation uses up storage. It used to be ignored. Lake County had to use sonar to map the bottom of Hayden Meadows to show no new sedimentation had settled in.

Be able to fill reservoir by June and be able to fill it all year round. Mike used Hayden Meadow pond as an example. It is 7 sq acres surface area and is 7" in depth which is 49 Acre feet of storage – Lake County pays for 17 acre feet in evaporative loss a year. If there is a wetland you don't even want to bother as you would have to replace the wetlands somewhere else and have to guarantee a water source.

Large and Lined storage vessels would help or minimize evaporative loss. Liners are made of High Density Polyethylene (HDPE) – thicker than a roof lining – Bentonite liner /several layers – the county's engineers could get that information for us. We would also need to change the surface area in respect to the depth – creating more storage.

Grant Sources through the Arkansas River Basin Roundtable - Water Supply Reserve Account. A group of city, county and water owners that meet on a monthly basis to discuss specific water issues.

The current status of identification of storage facilities and water rights: It was going to cost Lake County an extreme amount of money and They weren't going to be able to use it in the next 10 to 15 years.

The engineering came in for Birdseye for a 30 acre foot reservoir would cost \$700,000.00(for storage of the Derry 3 ditch water of 30 acres). They could apply for grant money. Lake County would have 20% of the usable storage in Box Creek if it were built. Box Creek reservoir would be 25,000 acre-feet of water - 5,000 acre feet of storage. Lake County has 70 aces to put in it. For us they could store water and there are not many intervening objectors except for the wetlands at Berthoud Ranch owned by Pueblo Water works which could be used as a wetland bank. For perspective, Turquoise Lake is 125,000 acre-feet of water.

Ski Cooper's new management is now contemplating making snow. If there is a drought year and they don't open until February it would close them permanently. They have serious interest in finding storage. The Nordic Center meadows is

wetlands and cannot be used. There are some private mine claims that could service Ski Cooper as well as the SLMD area. The SLMD could try to work with Ski Cooper to use the Columbine Ditch water. Ski Cooper is owned by private not for profit but the County owns the Lease for Ski Cooper. If Sylvan Lakes worked with their board and get them to agree and then they would approach the County who would have to approve and authorize of the storage vessel. We could serve Ski Cooper, A4 as well as A3 and A1. Strategically it is best to have water as north as possible to the County line as it would serve more of the county. Ski Cooper does not have water except for one well for drinking. They have to build a reservoir if they were to make snow. They could not use a well to make snow it takes too much water.  $\frac{3}{4}$  of Ski Cooper is in Eagle County – the western slope – it is the Continental Divide – only 3 runs on the front are in Lake County. They would need to make snow on Black Powder – a run on the front side - to ensure the water would get back to the Arkansas River Basin.

Could we use Parkville's discharge water? – No - they do not have a business plan and could not physically deliver water to us – they would have to go to court to change their service plan to include administering water augmentation plan.

Will the ARBR give us a nod and some grant money if we could create something with our water in Sylvan Lakes? They could give us up to possibly at the high end about \$300,000.00 in Grant money that we would need to match – dollar for dollar. They would want a guarantee that we are coming up with the rest of the money to build the storage vessel and that we have the water to put in it and the legal right to administer it. Lake County could have helped us if we had the storage vessels and the water supply. The big hold up is the storage. They could get the water – it would be expensive - but the storage is the lynchpin.

One vessel can have multiple, concurrent users. Time sensitivity when vessels are filled and when is the water used.

Irv's questions – read and answered by Mike – Find the hard copy for the minutes.

Alan called the regular SLMD meeting to order at 5:05 PM

Motion to accept the minutes as written made by Greg, seconded by Irv. Any discussion - Irv brought up Pete's concerns about abandoning the water easement. All approved.

Treasurer's report:

\$30,600.00 tax revenue so far this year

Balance of \$23,000.00 in the checking account

Bill from Greg for the maintenance has not been received.

Legal fees continue – 6500.00 this year (Greg has been paying his part of the legal fees for Hartner 1)

Water engineer \$2,700.00

Aurora lease bill needs to be requested? When, where.....

Insurance bill, Special District Dues are coming up Dec/Jan.

Alan is proposing that we stay with asking for the 30K in taxes. September we need to have the preliminary budget to get the final budget and Certification of Tax Mill Levy to the County for the December budget deadline.

Service Plan for the SLMD – generic Service Plan listed in the statutes. Should we list it on the website? Most board members agreed.

John Phillip Huval was nominated for the empty board spot by Ginny, seconded by Alan all in favor. Oath of office will be given next month.

## WATER

Maintenance Report revisions – Scope of work revisions were discussed. The boilerplate contract will be amended and worked on for the next meeting. A motion was made by Irv to approve the Scope of work, Ginny seconded – all in favor.

Ginny will bring a clean copy of the maintenance agreement.

SEO - Monthly reports and end of the year reports

Yearly work list

Listing of repairs and capital improvements that when money is available we could prioritize.

\$1,125.00 to be paid to Greg for the start of the maintenance payment – Alan made the motion, Ginny seconded – all in favor. His report is to follow.

Greg's report - see attached Ditch report

Ditch officially turned on 7/19 at 11:00 .7 cfs or on the gauge says .4 feet high.

Irv suggested that we use the Twin Lakes Water next then start to use the Aurora water. What we don't use, Greg would be able to use.

Having the water turned on without permission gave us skewed readings for filling the lakes. We should put up signage that there is a \$10,000.00 fine for doing this. A note should be put on the website.

Irv wants to ask Brian if we have to pay for the entire month of July for the evaporative loss – even though the system didn't get full until late in the month – or does he pro-rate it.

Why have we been restricted in using the Twin Lakes Water and why can't IT be used for evaporation? Irv has asked this question several times and has not received an answer.

Discussion of 2017 Water Requirements

Proposed letter to Steve Monson about viability of administrative exchange or SWSP. See Draft attached.

Meeting was adjourned at 6:15.

Next meeting will be at 3:00 PM at the Lake County Public Library in the Baby Doe Room Saturday August 20, 2016.