

**Southwestern Water Conservation District  
Board of Directors Special Meeting via Zoom  
March 17, 2022**

**Present:** Dagan Chadd David Guilliams Rusty Hinger  
Amy Huff Jenny Russell Charlie Smith

**Absent:** JR Ford Monte Naslund Don Schwindt

**Staff:** Laura Spann, Programs Coordinator  
Steve Wolff, General Manager

**Consultants:** Carrie Padgett, Harris Water Engineering  
Garin Vorthmann, Colorado Legislative Strategies  
Beth Van Vurst, General Counsel, Van Vurst Law

**Guests:** Clyde Church, La Plata County Commissioner

### **1.0 Call to Order – Roll Call and Verification of Quorum**

President Jenny Russell called the meeting to order at 12:01 p.m. Roll was taken and a quorum was established.

### **2.0 Review and Approve Agenda**

*(time: 00:05:00)*

There was unanimous consent to approve the agenda.

### **3.0 Questions & Comments from the Public**

*(time: 00:01:15)*

There were no questions or comments from the public.

### **5.0 Diligence Application for the SWCD and La Plata County Animas Service Area Water Right, Case No. 06CW127, Division 7**

*(time: 00:01:30)*

Beth Van Vurst directed the board to the memo and final draft diligence application to maintain the jointly owned SWCD and La Plata County Animas Service Area water right in case number 06CW127, Division 7. The draft application outlines the conditional depletion amounts that SWCD wishes to maintain as well as the activities undertaken by SWCD and La Plata County to develop and maintain the water right over the past six years. The draft application has been developed in coordination with La Plata County and must be filed by March 31, 2022.

Amy Huff moved to approve filing the diligence application for the SWCD and La Plata County Animas Service Area Water Right, Case No. 06CW127, Division 7. Charlie Smith seconded. The motion passed.

### **4.0 State Legislative Update & SWCD Position on Bills**

*(time: 00:04:45)*

Steve Wolff and Garin Vorthmann provided the following state legislative updates

- Senator Donovan is proposing a strike-below amendment to SB22-029 (Investment Water Speculation), which would add a legislative declaration regarding the Anti-Speculation Workgroup's report on the topic and remove language regarding mutual ditch companies and the State Engineer's authority contained in the introduced bill. The proposed amendment continues to attempt to define "investment water speculation" in the bill. Once she receives feedback on the amendment, Senator Donovan will be addressing the bill again in a hearing.
- There's a proposed amendment to HB22-1092 (Loans from Irrigation Districts to Landowners), which would expand the eligible irrigation districts from those established in 1907 to 1921 as well.
- Beth Van Vurst summarized the stakeholder meeting held on Monday to discuss proposed legislation, not yet introduced, that would permit the designation of recreational in-channel values reaches (RIVR) of up to 400

yards to protect certain recreation uses across the state. This proposed legislation would allow water rights to be leased, loaned, or purchased to deliver water to that reach. Beth will continue to participate in the stakeholder meetings as the discussion progresses.

- Steve Wolff recommended that SWCD consider supporting HB22-1151 (Turf Replacement Program) given the growing support for the bill and its potential favorable impacts. Charlie Smith moved that SWCD support HB22-1151 (Turf Replacement Program). Dagan Chadd seconded. The motion passed.

## 6.0 Executive Session (if needed)

There was no need for executive session.

## 7.0 Adjournment

President Russell adjourned the meeting at 12:17 p.m.



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Jenny Russell, President