

District Manager's Report – July 6, 2023

A. Trinidad Reservoir and PRWCD Operations Report

- The total content of Trinidad Reservoir on May 30th was 24,420 acre-feet. A net increase of 2,457 acre-feet from the end of the previous month. This net increase in storage is principally due to Irrigation Season storage during June when the District's Model Reservoir storage water right came into priority to store in Trinidad Reservoir. The District was able to store 3,192 acre-feet under this storage right from June 8 - 23. This storage right continued to be available after June 23 but irrigation demands limited storage to this period.
- The Project Account currently contains 6,993 acre-feet. An increase from the preceding month of 3,115 acre-feet.
- The Model Account currently contains 962 acre-feet. A decrease from the preceding month of 610 acre-feet.
- The Joint Use Pool currently contains 3,684 acre-feet. A net increase of 334 acre-feet, which increase is principally due to City of Trinidad's storage of its change John Flood Ditch and Model Canal changed water rights.
- The Permanent Fishery Pool currently contains 13,079 acre-feet.
- Purgatoire River flows for the month of June averaged 191 cfs at the PURMADCO stream gage. Historical June flows average 196 cfs.
- The District remains in Project Administration. All District ditches continue to receive at least some direct flow river waters at this time.
- Approximately 20 cfs is currently being bypassed through the District to meet the downstream Highland Canal's first water right of 16 cfs. Precipitation events below the

District area continue to provide for multiple flow peaks on the lower Purgatoire River.

- Hoehne Ditch diversions through June total 2,599 acre-feet. The District's remaining obligation to the Hoehne Ditch is 2,373 acre-feet. The Hoehne Ditch's storage account currently contains 2,564 acre feet. 850 acre-feet of water was transferred from the Hoehne Ditch's storage account to the other Project Account ditches at the end of June.
- Sprinkler system diversions through May totaled 445 acre-feet. Total diversions through June totaled 879 acre-feet.
- The new Rubicon automatic headgates on the Southside Ditch, Hoehne Ditch and Model Canal presently all appear to be functioning properly. The gates appear to be maintaining set diversion rates into these ditches relative to changing river flows and are also making remote control diversion rate changes.

B. Division Engineer's Office Administration Number Administration

The Division Engineer's Office began administering the large canal water rights along the lower mainstem of the Arkansas River this irrigation season by their calculated Administrative Number as opposed to the historical practice of administering these water rights solely by their appropriation dates relative to each other. The board held a discussion on the potential affect this change in administration may have on District water supplies.

C. Irrigation Improvement Rules Approval

The District's Irrigation Improvement Rules Plan application for the 2023 Irrigation Year was approved by the Division Engineer on June 16th. This plan was approved for 26 sprinklers and for an estimated 70 acre-feet of reduced return flows. Unexpectedly higher spring runoff flows may result in an increase in this

estimated return flow deficit value. The District believes however that it has adequate replacement supplies.

D. Sprinkler System Policy Amendment

At its regular monthly May 2023 meeting, the board voted to charge sprinkler system users a per acre-foot fee for reusable return flow waters generated by one ditch system which reusable return flows were relied upon by sprinkler system owners under a differing ditch system. This fee being payable to the District's Activity Enterprise at the end of the irrigation year.

The District Manager presented a proposed amendment to the District's existing Policy 2018-01 to the board for review. This amendment to the District's existing policy seeks to record this May 2023 decision by the board.

The board voted to approve this policy amendment with slight revisions.

E. Livestock Water Committee Report

At its regular monthly May 2023 meeting, the president of the board appointed a committee to review the District's past Non-Irrigation Season stockwater operations and to report back at the board's July meeting with any recommendations for changes in operations.

The General Manager, Clint Winter, Daryl Aubuchon and Water Commissioner Jeff Montoya (as an advisor) met twice during the month of June. This committee has discussed all relevant aspects of District stockwater operations since the year 2000. A draft recommendation letter has been prepared but has not yet been approved by all committee members. The committee requests additional time from the board for submission of its recommendations. The board approved this request.

F. General Items

A Consultation Report was provided to the District from the Division Engineer's Office. This report questioned the ability of the District to perfect the remaining conditional portion of the Joint Use Pool water storage right. The court ordered a response by the District to the court to this consultation report by June 30th. District staff and legal counsel provided a response to the court during June. This response argued that multiple means are available by which the District's conditional water storage right for storage in Trinidad Reservoir can be made absolute in the future and that this water right should be continued as conditional.

The District is still awaiting a Notice to Proceed from the Bureau of Reclamation for its requested WaterSmart grant funds to purchase and install new automatic headgates on the John Flood and Picketwire Ditches.

The Colorado Supreme Court issued its ruling in Case No. 22SC119, State v Hill on June 5th. This case involved a fisherman on the Arkansas River asserting his right to fish in the river and upon the riverbed upon the property of other private landowners. The court determined that the fisherman had no standing in the case to seek a judgment that he has the right to fish upon other landowner's property. The fisherman's claim was that the navigable river and streambeds in Colorado are owned by the state and therefore are available to the public.