



## **WATER RIGHTS COMMITTEE REPORT FOR MARCH 18, 2023, BOARD MEETING**

**Pat Sorenson, BEMA Water Rights Committee Chairman and Administrator**

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**Written & submitted by: Pat Sorenson - March 9, 2023 BOD meeting time requested – 10 minutes**

**Charter:** To protect our Water Rights, operate our exchanges, and remain in compliance with the State Department of Water Resources

**Members:** Roy McCutchen, Paul Flanagan, Victoria Darling, Selina Davis, Karl Davis, Bill Tolle, Ray Merry

**Support Team:** Applegate Group – Jared Dains, HROD – Austin Hamre and Teri Petitt **Water**

**Commissioner:** Jean Lever, Division 1, District 4, Colorado Department of Natural Resources

### **WATER RIGHTS & OPERATIONS REVIEW FOR JANUARY 2023 TO MARCH 9, 2023 BEM Lakes**

**(All situated in West Fork of Little Thompson River tributary to Big Thompson-South Platte) • Sunset Lake (6.7' Full)**

- Continues to overflow into Rainbow.
- Rainbow Lake (8.6' Full)
  - Continues to overflow into Willow.
- Willow Lake (10.3' Full)
  - Continues to overflow into Mirror.
- Mirror Lake (11.0' Full)
  - Continues to overflow into Meadow.
- Meadow Lake (13.95' Full)
  - Depth as of January 1, 2023 was 12.50'. Depth fully recovered to 13.95' crest with some overflow occurring at spillway somewhat continuously. Lake considered full as of March 1. Notes:
    - 1) BEM may be able store up to about 110 acre-ft (AF) which is equal to about 36 million gallons (MG), per decree 2) Due to our downstream obligations in the prior irrigation year, we stored 82 AF or about 27 MG. At the start of this irrigation year, say as early as April 1, 2023, discussions will continue with our water commissioner on storing as much of the winter-spring runoff as allowable with our priority water and other smaller water rights sources available to us. 3) All lake level changes were closely coordinated with Lake Health and Fishing Committee

### **Recent Meeting Activities**

- Pinewood Springs (PWS) staff and board meetings with Big Elk representatives.
  - Staff along with Paul Cyphers, Paul McDaniel, Bobby Clevenger, and Pat Sorenson met with PWS in January to go over water supply opportunities and constraints. PWS can likely mitigate some of their supply issues by looking into their own lake quality and treatment improvements. opportunities water quality expert to PWS and will continue close communications with Pinewood to exchange opportunities as good neighbors.
- Ditch Company meetings
  - Karl Davis and Pat Sorenson attended the Boulder and Larimer County Ditch Co. annual meeting on February 25, 2025. This company also manages the Ish reservoir situated north of Longmont in the lower portion of our watershed. BEM owns 12 shares of the 1000 in Ish. The annual assessments will remain at \$21/share. Their plans for 2023 include significant ditch and reservoir work which may delay needs for water this spring, possibly a benefit to BEM in the sense our required releases could potentially be stalled.
  - Pat and Jared Dains will be moving forward in March-April with developing relationships with

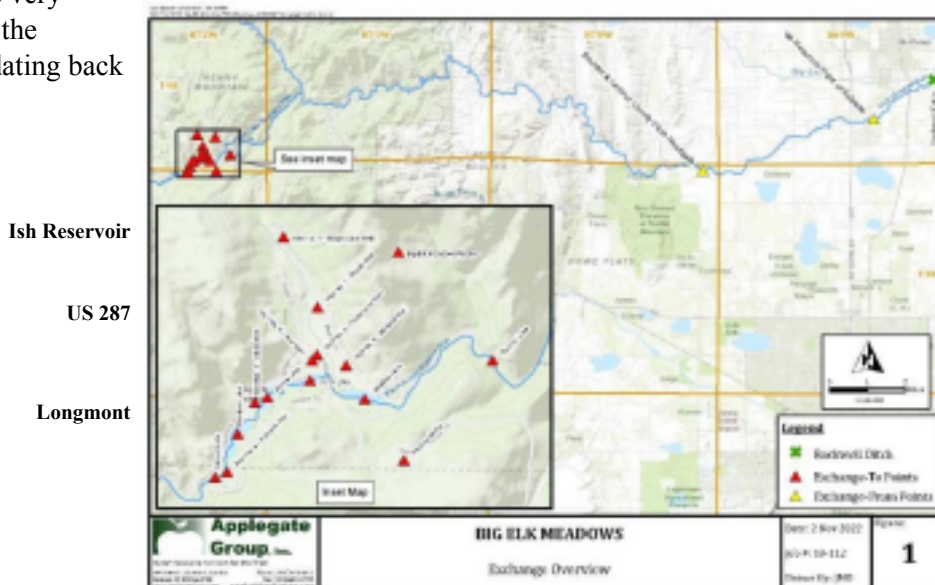
Riverglen and the newly owned FFA property served by Osborne Caywood Ditch near Longmont.

### Recent Meeting Activities (cont.)

- Water Rights Attorney staff change.
  - John Dingess of HROD who has represented BEM for 10 + years retired in 2022. Pat Sorenson met with Austin Hamre, John's replacement for BEM and Teri Petitt February 21 to review the Conservation Easement matter, pending due diligence for 2023 on our conditional water storage at Canyon Lake and a direct flow right for the BEM pipeline. Also, a possible update to our professional services fee schedule at their request was mentioned. Information forthcoming.
  - Water Rights valuation
    - Wright Water Engineers, previous support consultant to BEM on numerous matters, has been contacted by Pat for a proposal on an evaluation of our water rights value. The proposal should be forthcoming before the end of March for review with other committees to discuss possible next steps.

### 2023 WATER RIGHTS YEAR AHEAD

As previously reported, we are on the Little Thompson west fork tributary that extends within our water rights “portfolio” just slightly beyond the Ish Reservoir in Larimer County, such reservoir located around 3 and ½ miles north of Longmont and then ultimately to the South Platte river. The following image depicts a glimpse of the primary extent of our system. Our water rights are very junior compared to others in the watershed that have to the mid 1800's.



We continue to carefully work with our water commissioner to coordinate our needs and best interests, filing reports on a monthly basis and communicating by phone or email whenever there is a need.

The spring of 2023 is off to a very favorable situation in that our lakes are all full. To protect this opportunity, as of the date of this report, we are in the process of “making way” for spring runoff and a possible opportunity for storing priority water Big Elk Meadows could be entitled to in 2023.

As of March 9, the gate for Meadow has been opened providing for a low rate of release from that lake. This will not only allow for some storage of spring runoff and possible water that may come in priority, but will also expedite the thaw of ice (4” + thick) near the lower flume concrete construction modifications that are yet to be backfilled and protected. The backfill work is anticipated to be completed the week of March 12-17, 2023. While this backfill work is underway, the valve will be closed, then re-opened with the expectation Meadow can be lowered on the order of up to a couple feet. The board can be more closely apprised of the day to day activities and short-term goals for Meadow Lake at the March 18, 2023 meeting.

**OTHER WORK IN PROGRESS FOR 2023**

We had previously reported pending updates to our operating procedures, manual and extensive reporting tables. These matters remain as work in progress, anticipated to be complete in the next 45 days or so.