



WATER RIGHTS COMMITTEE BOARD REPORT

Pat Sorenson, Committee Chairman

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Written & submitted by: Pat Sorenson June 9, 2023

BOD meeting time requested – 5 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 Pettit

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

WATER RIGHTS & OPERATIONS REVIEW FOR MAY 1 TO MAY 31, 2023

BEM Lakes (All situated in West Fork of Little Thompson tributary to Big Thompson-South Platte)

- Sunset Lake (6.7' Full and overtopping at spillway and weir)
 - Continues to overflow into Rainbow
- Rainbow Lake (8.6' Full and overtopping at spillway)
 - Continues to overflow into Willow
- Willow Lake (10.3' Full and overtopping at spillway)
 - Continues to overflow into Mirror
- Mirror Lake (11.0' Full and overtopping at spillway)
 - Continues to overflow into Meadow
- Meadow Lake (13.95' Full and overtopping at spillway)
 - A controlled release of 0.5 cfs, i.e., 1 acre-foot per day has been underway to prepare for spring run-off and to return water to the stream as required per our decree. The controlled release has stopped during the first week in June.

Notes:

- 1) *BEM can store up to about 110 acre-ft (AF) of water which is equal to about 36 million gallons (MG)*
- 2) *Our past downstream obligations have been met through the free river resulting from continuous and high rates of runoff further. We have 12 shares of water in the Ish reservoir, which is now full resulting in an allocation of 40" or approximately 15 acre feet we will be able to store this year if needed for consumptive and irrigation losses.*
- 3) *All lake level changes were closely coordinated with Lake Health and Fishing Committee*

Recent Activities

- Water Rights valuation
 - A proposal has been received from Wright Water Engineers on our water rights valuation. Another proposal is now being pursued in part due to cost and for a better aligned scope of work for BEM.
- Lower Flume
 - The concrete construction modifications backfill has been partially completed. Our previous committee reports anticipated earlier completion but that has been delayed due to spring runoff. That could subside this month but due to saturated conditions, we may not see this work completed until July. When work is underway, conditions will be closely assessed for any possible but now appear to be very unlikely spring runoff impacts.
- Report Updates
 - These matters remain as work in progress noting our accounting table is completely updated with our water year forecast going through internal review. Our May report to the state is scheduled for submittal on June 12, 2023, pending flow data which is delayed due to safety and access to our flumes. We have been communicating with our water commissioner frequently this spring. We will provide a full report on our forecast for water storage and flow to our commissioner during June to confirm our free river situation noted above.
- Water Rights Portfolio Evaluation
 - Two front range engineering consultants having known expertise in this area were contacted this year. Weiss and Williams have better expertise in the upper front range area and their price of \$10,540.00 is about \$6,000 less than the quote by Wright Water Engineers. (See attached Scope of Work) Their work is scheduled to take about eight weeks from initiation of services. (See attached Scope of Work) This valuation is needed to determine the current market value of our water which will also be used for our due diligence reporting on conditional rights including Canyon Dam due later this year.

Scope of Work

To Conduct a Water Rights Portfolio Evaluation

Prepared for: Big Elk Meadows Association

Prepared by: Williams and Weiss Consulting, LLC

May 3, 2023

Overview

Williams and Weiss Consulting, LLC (“WWC”) has prepared the following scope of work to evaluate the water rights portfolio for Big Elk Meadows Association and develop an estimate for the water supply system’s firm yield and associated dollar valuation.

Tasks

The following tasks will be performed as part of the water right portfolio evaluation.

Task 1: Data Collection and Processing

WWC will review material provided by Big Elk Meadows Association, including water rights decrees and accounting forms, maps, previous studies, and other information relevant to the water supply system. WWC will acquire associated information from the State of Colorado’s CDSS/Hydrobase database to support the analysis. This may include diversion data, stream flows, administrative call records, and other associated data

Task 2: Yield Estimation

Historical yields for the water supply system for both absolute and conditional rights will be developed using observed records. Coupled with the historical call analysis and other readily available basin studies, a dry-year yield estimate (firm-yield) will be quantified for the historical drought of record (2000's drought) using a simple multi-year sequencing tool to be built in Excel.

Task 3: Valuation

The yield of the water supply system will be valued on dollar per acre-foot basis. WWC will use several factors for developing the valuation, including regional markets and cash-in-lieu rates, and other available metrics.

Task 4: Letter Report

WWC will provide, in electronic format, a letter report summarizing the analysis and its conclusions. WWC will provide a draft report to Big Elk Meadows Association for review and comments, which will then be incorporated into the final report.

Budget

Task	Hours	Rate	Cost
Data Collection and Processing	16	\$170/hr	\$2720
Yield Estimation	18	\$170/hr	\$3060
Valuation	8	\$170/hr	\$1360
Letter Report	20	\$170/hr	\$3400
Totals	62	\$170/hr	\$10,540

Invoices will be submitted on a monthly basis and will provide a summary of completed tasks and billable hours. Billing is based upon time and materials, not to exceed \$10,540.00 without written authorization from Big Elk Meadows Association.

Schedule

Substantial completion of the yield analysis and valuation, and submittal of the draft report is expected to occur by mid July, 2023 (approximately 6 weeks after initiation of project.) A final report will be made available no more than two weeks after receipt of comments from client.