

**MINUTES AND PROCEEDINGS OF THE PARKS AND OPEN SPACE ADVISORY  
COMMITTEE, October 25, 2007**

The meeting was called to order at 6:30 p.m. by Christine Quinlan in the Hearing Room of the Board of Commissioners, Third Floor, Boulder County Courthouse, Boulder, Colorado.

**POSAC Members in Attendance**

Present: David Batts, Lisa Dilling (arrived 6:50 pm), Mary McQuiston, Melanie Muckle, Christine Quinlan, Jason Vogel.

Excused: Sean McCoy, Christian Meyer, Janice Moore.

**Staff in Attendance**

Jan Burns, Sasha Charney, Jim Daus, Renata Frye, Therese Glowacki, Bob Hamblen, Dave Hoerath, Vivienne Jannatpour, Mel Stonebraker.

**September 27, 2007, Meeting Minutes**

David Batts moved to accept the September 27, 2007, minutes. Jason Vogel seconded the motion. *Motion carried unanimously.*

**Public Participation for Items not on the Agenda**

None.

**Property Transaction: Hassler** \* Action Requested- Recommendation to BOCC

3.51-acre mining claim west of Hessie trailhead.

Staff Presenter: Jim Daus

*See Staff Memo for Detail on Presentation.*

**Questions**

Melanie Muckle asked if Boulder County gets the cabin even if it is an inholding for Forest Service land. Jim Daus: Yes, as personal property.

**Public Comment**

None.

**Discussion**

Jim Daus commented that this particular property contains no mining waste rock although adjacent properties do contain some mining contaminants.

**Motion**

Melanie Muckle moved to accept staff recommendation for the purchase, and Mary McQuiston seconded the motion. *Motion carried unanimously.*

**Discussion on Motion**

Melanie Muckle noted that the cabin on this property could possibly be used as a cross-country ski hut for the public if the Forest Service agrees. Jim Daus responded that there might be issues with that use.

**Property Transaction: Howell Ditch Purchase** \* Action Requested- Recommendation to BOCC

Proposed purchase of one quarter of the Howell Ditch.

Staff Presenter: Mel Stonebraker

*See Staff Memo for Detail on Presentation.*

Questions

Mary McQuiston asked for clarification on a dry-up covenant. Sasha Charney explained that it is an agreement to dry up an area from where water, originally used to irrigate, is moved to another area. David Batts asked where the City of Lafayette gets its water. Sasha Charney stated that Lafayette has a number of native water rights and might have shares of other water rights. Lafayette is not known for having a particularly healthy water portfolio, compared to some other communities. Jason Vogel wanted clarification on what is an acre-foot, if it is equivalent to usage by 2 average U.S. households per year. David Batts: yes. Jason Vogel questioned why this is being sold for less than \$3,000 per acre-foot whereas current municipalities are buying for \$15,000-\$20,000 per acre-foot. Sasha Charney responded that established water market values can be around \$10,000-\$15,000 per unit. Jason Vogel asked why we are getting such a good deal. Sasha Charney answered the yield for the quarter share would be approximately 150 acre-feet for irrigation purposes. That is the diversion quantity. For municipal use, you would need to go through water court. This would lead to about a 50% consumptive use rate, resulting in 70-75 acre-feet. Jason Vogel asked if it could be used to enhance stream flows. Sasha Charney replied that water might be dedicated to a stream in some scenarios. If the County does not purchase it, Mr. Tiefel might sell it to someone who will probably transfer it upstream, removing it from the creek. Our intended purpose would be to continue to carry it through this region.

Public Comment

- Jack Wheeler, 5909 County Line Road, owns a quarter interest of this ditch and leases one-half interest from the City of Boulder. He added that he never received notice that the Howell Ditch purchase was being proposed at tonight's meeting. He read about it in the newspaper. Mr. Wheeler claims the purchase will affect his irrigation by cutting his water by one quarter. Jason Vogel asked if Mr. Wheeler also uses the remaining quarter owned by Mr. Tiefel. Mr. Wheeler said he did. Christine Quinlan asked if there was a formal agreement between Mr. Wheeler and Mr. Tiefel. Mr. Wheeler: No. Jason Vogel agreed that Mr. Wheeler should have been notified of the meeting. Christine Quinlan asked for a Boulder County staff member to address Mr. Wheeler's concerns. Mel Stonebraker explained that it was his understanding that Mr. Wheeler and Mr. Tiefel had been in frequent conversation regarding the purchase and apologized for not notifying Mr. Wheeler. He reiterated that it is the County's plan to not move the water and to lease it to Mr. Wheeler for the foreseeable future. Sasha Charney explained that the first use intended is for agriculture. Any other uses posed would be if irrigation stopped in the area.

Discussion by POSAC

Melanie Muckle wants to clarify that Mr. Tiefel was not paid for the quarter share of water when he sold the land (Bailey property) to the County and that he now wants to be paid for the water by Boulder County. Mel Stonebraker: Yes.

- Richard Schillawski, 1160 N. 119<sup>th</sup> Street, Lafayette, CO, stated he thinks the Howell Ditch purchase is a good idea. He said he believes the water would be of interest to the City of

Lafayette. However, he does not believe that characterizing Lafayette as “water short” is accurate at this time.

#### Discussion

Melanie asked Mr. Schillawski if he believes that water from a source such as this is more desirable than water from Colorado Big Thompson. Mr. Schillawski stated that CBT water is easy to move. Trying to move water from a source such as this would be expensive and would meet with resistance.

#### Motion

David Batts moved to accept staff recommendation for the purchase, and Melanie Muckle seconded the motion. *Motion carried unanimously.*

#### Discussion on Motion

Melanie Muckle stated she would like to learn more about local municipalities water situations. David Batts stated that the benefits of the purchase have already been mentioned. He thinks we should also acknowledge that our actions that benefit us are sometimes felt as a burden to other areas of the state and that the County might be able to offset those consequences in the future. Jason Vogel would like for the historic use of this water right for agricultural purposes to be respected and to be put on the record.

#### Fisheries Update

*\* Information Only*

Staff Presenter: Dave Hoerath  
*See Staff Memo for Detail on Presentation*

#### Discussion

Melanie Muckle asked about mitigating damage done by beavers. Dave Hoerath answered that putting wire around trees or clearing ditches or culverts helps manage the problem.

#### Extension Services Division Update

*\* Information Only*

Staff Presenter: Bob Hamblen  
*See Staff Memo for Detail on Presentation*

#### Discussion

Christine Quinlan commented that she appreciates the availability and vitality of the programs offered and their efforts toward outreach. Lisa Dilling commented that she has contacted Extension Services for questions with her garden and has always found them very helpful. When is the radio program on? Bob responded that the programming has been sporadic but they would like to have it aired more formally with a horticulture call-in program. Lisa Dilling voiced that she thought such a program would be a good idea.

#### Director's Update

No Director's Update. Christine Quinlan, POSAC Chair, led discussion on support for upcoming ballot initiative.

#### Adjournment

The meeting adjourned at 8:05 p.m.