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MEMORANDUM

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January 28, 2009

**TO:** Representative Randy Fischer  
**FROM:** David Beaujon, Senior Analyst, 303-866-4781  
**SUBJECT:** Water Conservancy District Board of Directors

This memorandum responds to your request for information about water conservancy districts. It provides general information about the major activities of water conservancy districts and describes the requirements for serving on a water conservancy board of directors. It also describes the process for conducting a board election and it identifies the number of registered electors that must sign a petition to cause an election of the board of directors for the Lower Arkansas, Northern Colorado, San Luis Valley, Southeastern Colorado, Tri-County, Upper Arkansas, and Upper Gunnison water conservancy districts. Staff is awaiting a response from Central Colorado and Lower South Platte water conservancy districts.

## Water Conservancy Districts

**Overview.** State law provides a mechanism for local communities to form water conservancy districts to finance dams, tunnels, and other water works that provide water for irrigation, mining, domestic, and other beneficial uses.<sup>1</sup> For example, the Northern Colorado Water Conservancy District was formed to finance a portion of the Colorado-Big Thompson project that diverts water from the Colorado River Basin into the South Platte River Basin. To date, 54 water conservancy districts have been formed in Colorado. Attachment A lists each water conservancy district and the county(s) in which it is located. Conservancy districts are authorized to levy property taxes and to impose special assessments to pay for waterworks.<sup>2</sup> Direct users of a conservancy district's water typically pay a tap fee or other service charge. In general, a district tax applies to all landowners in the district because it provides indirect economic benefits such as higher property values from more productive land. Table 1 identifies the 2008 assessed value of nine conservancy districts and the mill levy in affected counties.

## Water Conservancy District Board Requirements

**Board appointments and qualifications.** Most water conservancy districts are governed by a board of directors who are appointed by the district court. State law limits the number of directors to 15, and terms of board members to four years. Directors must be property owners within the district, knowledgeable about the district's water issues, and residents of the counties in which the water conservancy district is situated. They must also be appointed to achieve geographic representation.<sup>3</sup> Specifically, the court must appoint a director from each county within the district that contains more than 1 percent of the total land area of the district. Appointees must also own real property within the district and county which they represent. Based on the most recent federal census, the court must appoint the remaining directors, so far as practicable, in the same proportion that the population of each county, or portion of county within the district, bears to the total population of the district.

**Election petitions.** Elections of district directors may be held if at least 10 percent of the registered electors in a director's district petition the court to hold an election.<sup>4</sup> As with directors appointed by the court, candidates for district board elections must be property owners within the district, knowledgeable about the district's water issues, and residents of the counties in which the water conservancy district is situated.<sup>5</sup> Table 1 identifies the number of directors that govern nine water conservancy district and the

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<sup>1</sup>Section 37-45-101, C.R.S., et seq.

<sup>2</sup>Section 37-45-121, C.R.S.

<sup>3</sup>Section 37-45-114, C.R.S.

<sup>4</sup>Section 37-45-114 (2), C.R.S.

<sup>5</sup>Section 37-45-114 (4), C.R.S..

number of signatures required to cause an election for the directors of seven districts based on the most recent election data available including the Lower Arkansas, Northern Colorado, San Luis Valley, Southeastern Colorado, Tri-County, Upper Arkansas, and Upper Gunnison water conservancy districts. It also identifies the 2008 assessed value of the nine districts and the mill levy in affected counties.

***Election procedures.*** The law allows water conservancy districts to hold elections separately or concurrently with other elections, such as a general election or a primary.<sup>6</sup> Elections held concurrently with other elections are generally less expensive than special elections because the cost of adding another ballot question to an existing ballot is incremental. The cost of holding a district election also depends on the number of polling places that would be used. Due to staffing costs, elections with fewer polling places would be less costly. The law allows water conservancy districts to consolidate precincts in separately held elections.<sup>7</sup> A conservancy district must advertise district elections in a general circulation newspaper in the district for two consecutive weeks. The final advertisement must be run at least ten days prior to the election.<sup>8</sup>

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<sup>6</sup>Section 37-45-139 (2), C.R.S.

<sup>7</sup>Section 37-45-139 (4), C.R.S.

<sup>8</sup>Section 37-45-140 C.R.S.

**Table 1  
Water Conservancy District Board of Directors**

Water Conservancy District	Number of Directors	Signatures Required to Cause an Election in a Board of Director's District	2008 Assessed Value of District	2008 Mill Levy on Property within the District
Central Colorado	15 Directors	Awaiting a response	\$1,068,584,360	Adams - 0.487 Morgan - 0.487 Weld - 0.487
Lower Arkansas Valley	7 Directors <ul style="list-style-type: none"> <li>Crowley, Bent, Prowers, and Otero counties each represented by 1 director.</li> <li>Pueblo County represented by 3 directors.</li> </ul>	<u>2008 election data:</u> Bent director - 266 Crowley director - 276 Prowers director - 469 Otero director - 1,180 Pueblo directors - 10,175	\$1,220,065,166	Bent - 1.502 Crowley - 1.502 Otero - 1.502 Prowers - 1.502 Pueblo - 1.502
Lower South Platte		Awaiting a response	\$431,558,417	Logan - 0.515 Morgan - 0.515 Sedgwick - 0.515 Washington - 0.515
Northern Colorado	12 Directors <ul style="list-style-type: none"> <li>Boulder, Larimer, and Weld counties each represented by 3 directors.</li> <li>Logan and Sedgwick counties each represented by 1 director.</li> <li>Washington and Morgan counties represented by 1 director.</li> </ul>	<u>2000 election data:</u> Boulder directors - 18,033 Larimer directors - 16,505 Logan director - 1,111 Morgan and Washington director - 1,502 Sedgwick director - 181 Weld directors - 10,048	\$13,209,855,474	Boulder - 1.000 Broomfield - 1.000 Larimer - 1.000 Logan - 1.000 Morgan - 1.000 Sedgwick - 1.000 Washington - 1.000 Weld - 1.000

**Table 1  
Water Conservancy District Board of Directors (Cont.)**

Water Conservancy District	Number of Directors	Signatures Required to Cause an Election in a Board of Director's District	2008 Assessed Value of District	2008 Mill Levy on Property within the District
San Luis Valley	<p>10 Directors</p> <ul style="list-style-type: none"> <li>1 director appointed for each county that has at least 1 percent of its land in the district. Alamosa, Rio Grande, and Saguache each have 1 director based on this geographic criteria.</li> <li>7 directors appointed based on the proportion of the population of the county that lies within the district's boundaries compared with the total district population. Alamosa and Rio Grande counties have 3 directors and Saguache County has 1 director based on this population criteria.</li> </ul>	<p><u>2008 election data:</u></p> <p>Alamosa directors - 880            Rio Grande directors - 745            Saguache director - 381</p>	\$428,882,694	<p>Alamosa - 0.398            Hinsdale - 0.398            Mineral - 0.398            Rio Grande - 0.398            Saguache - 0.398</p>

**Table 1  
Water Conservancy District Board of Directors (Cont.)**

Water Conservancy District	Number of Directors	Signatures Required to Cause an Election in a Board of Director's District	2008 Assessed Value of District	2008 Mill Levy on Property within the District
Southeastern Colorado	15 Directors <ul style="list-style-type: none"> <li>• 1 at-large director.</li> <li>• Bent, Chaffee, Crowley, Otero, and Fremont counties each represented by 1 director.</li> <li>• Prowers and Kiowa counties represented by 1 director.</li> <li>• El Paso County is represented by 5 directors.</li> <li>• Pueblo County is represented by 3 directors</li> </ul>	<u>2000 election data:</u> Bent director - 715 Chaffee director - 1,859 Crowley director - 486 Fremont director - 4,594 Otero director - 2,786 Kiowa-Prowers director - 1,212 El Paso directors - 52,068 Pueblo directors - 16,898	\$7,081,862,474	Bent - 0.875 Chaffee - 0.875 Crowley - 0.875 El Paso - 0.875 Fremont - 0.875 Kiowa - 0.875 Otero - 0.875 Prowers - 0.875 Pueblo - 0.875
Tri-County	15 Directors <ul style="list-style-type: none"> <li>• Delta, Montrose, and Ouray counties are each represented by 5 directors</li> </ul>	<u>2000 election data:</u> Delta directors - 813 Montrose directors - 2,289 Ouray directors - 432	\$739,649,982	Delta - 1.463 Montrose - 1.463 Ouray - 1.463

**Table 1  
Water Conservancy District Board of Directors (Cont.)**

Water Conservancy District	Number of Directors	Signatures Required to Cause an Election in a Board of Director's District	2008 Assessed Value of District	2008 Mill Levy on Property within the District
Upper Arkansas	<p>13 Directors</p> <ul style="list-style-type: none"> <li>District is divided into six divisions that are defined by school district boundaries and a county boundary.</li> <li>Each division is represented by 2 board members.</li> <li>One board member is an at-large representative.</li> </ul>	<p><u>2000 election data:</u></p> <p>Division 1 (RE 3) director - 421            Division 2 (RE 32) director - 1,261            Division 3 (RE 31) director - 946            Division 4 (Custer County) director - 593            Division 5 (RE-1) director - 3,800            Division 6 (RE 2) director - 1,599            At-Large director - 8,620</p>	\$472,972,823	<p>Chaffee - 0.445            Custer - 0.443            Fremont - 0.478            Saguache - 0.443</p>
Upper Gunnison River	<p>11 Directors</p> <ul style="list-style-type: none"> <li>District is divided into eight divisions.</li> <li>Division 1 - 7 are represented by 1 board member.</li> <li>Division 8 is represented by 4 board members.</li> </ul>	<p><u>2000 election data:</u></p> <p>Division 1 director - 163            Division 2 director - 69            Division 3 director - 164            Division 4 director - 2,152            Division 5 director - 649            Division 6 director - 207            Division 7 director - 292            Division 8 directors - 1,004</p>	\$69,6621,869	<p>Gunnison - 2.000            Hinsdale - 2.000            Saguache - 2.000</p>

## Water Conservancy Districts in Colorado

Water Conservancy District	County
Alamosa-La Jara Water	Alamosa, Conejos, Rio Grande
Animas-La Plata	La Plata
Arkansas River	Bent
Badger And Beaver	Morgan, Washington
Basalt	Eagle, Garfield, Pitkin
Battlement Mesa	Mesa
Bluestone	Garfield, Mesa
Bostwick Park	Gunnison, Montrose
Center Of Colorado	Park
Central Colorado	Adams, Morgan, Weld
Collbran Water	Mesa
Conejos Water	Conejos
Crawford Water	Delta, Gunnison, Montrose
Crooked Arroyo	Otero
Dolores	Delores, Montezuma
Florida	La Plata
Fruitland Mesa	Delta, Gunnison, Montrose
Grand Mesa	Delta
Great Northern	Moffat, Routt
Huerfano County	Huerfano
Jackson County	Jackson
Juniper Water	Moffat
La Plata	La Plata
Logan County	Logn
Lower Arkansas Valley	Bent, Crowley, Otero, Prowers, Pueblo
Lower South Platte	Logan, Morgan, Sedgwick, Washington
Mancos	Montezuma
Michigan River	Jackson
Middle Park	Grand, Summit
Northern Colorado - Municipal Subdistrict	Adams, Boulder, Broomfield, Jefferson, Larimer, Logan, Morgan, Sedgwick, Washington, Weld



Water Conservancy Districts in Colorado (Cont.)

Attachment A

Water Conservancy District	County
North Fork	Delta, Gunnison
North La Junta	Otero
Northern Colorado	Boulder, Broomfield, Larimer, Logan, Morgan, Sedgwick, Washington, Weld
Paradox Valley	Montrose
Pot Hook	Moffat
Purgatoire River	Las Animas
Rio Blanco	Rio Blanco
Southeast Colorado	Bent, Chaffee, Crowley, El Paso, Fremont, Kiowa, Otero, Prowers, Pueblo
San Juan	Archuleta
San Luis Valley	Alamosa, Hinsdale, Mineral, Rio Grande, Saguache
San Miguel	Montrose, San Miguel
Sedgwick-Sand Draws	Sedgwick
Silt	Garfield
St. Vrain & Left Hand	Boulder, Larimer, Weld
Tri-County	Delta, Montrose, Ouray
Trinchera	Costilla
Upper Arkansas	Chaffee, Custer, Fremont, Saguache
Upper Gunnison River	Gunnison, Hinsdale, Saguache
Upper South Platte	Clear Creek, Douglas, Jefferson, Park, Teller
Upper Yampa	Moffat, Routt
Ute	Mesa
Well Augmentation Subdistrict of Central Colorado	Adams, Morgan, Weld
West Divide	Garfield, Mesa, Pitkin
Yellow Jacket	Garfield, Moffat, Rio Blanco

Source: Colorado Department of Local Affairs

