



Rob Helmick <helmicrp@co.larimer.co.us>

Fwd: TWP and Poudre River Option

1 message

Linda Hoffmann <hoffmalc@co.larimer.co.us>

Wed, Feb 6, 2019 at 11:17 AM

To: John Kefalas <kefalajm@co.larimer.co.us>, Steve Johnson <johnsosw@co.larimer.co.us>, Tom Donnelly <donnelt@co.larimer.co.us>

Cc: "Helmick, Rob" <helmicrp@co.larimer.co.us>, Lesli Ellis <ellislk@co.larimer.co.us>

Commissioners -- Forwarded for your information and consideration.

Staff -- Please include this message in the public record for the application.



Linda Hoffmann
County Manager

Commissioners' Office
200 W Oak St, Fort Collins, CO 80521 | 2nd Floor
W: (970) 498-7004
lhoffmann@larimer.org | www.larimer.org

----- Forwarded message -----

From: **Martin, Timothy** <tmartin@rti.org>

Date: Wed, Feb 6, 2019 at 11:01 AM

Subject: TWP and Poudre River Option

To: bocc@larimer.org <bocc@larimer.org>

Dear Commissioners,

I have attended both of the meetings about TWP in the past 10 days. I strongly support the Poudre River Option.

I've spent most of my career in water resources management, water rights, etc, in Colorado, neighboring states, and in developing countries where I'm working now on river basin management in very large river systems in S. Asia. Thankfully, we solve water issues with courts, public dialogue and government processes. We have an opportunity to influence the health, planning and development of this community permanently. Given all the arguments, I ask you to support the River Option.

Sincerely,

Tim Martin

6869 E. CR 54, Fort Collins

Timothy Martin, Ph.D.

Senior Director

2/6/2019

co.larimer.co.us Mail - Fwd: TWP and Poudre River Option

RTI International

Fort Collins, Colorado, USA

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Office tele: +1 970 498 1820

Mobile: +1 970 217 5732

(formerly Riverside Technology, inc.)



Rob Helmick <helmicrp@co.larimer.co.us>

Fwd: Please deny Thornton's 1041 permit application

1 message

Linda Hoffmann <hoffmalc@co.larimer.co.us>

Mon, Feb 4, 2019 at 1:18 PM

To: John Kefalas <kefalajm@co.larimer.co.us>, Steve Johnson <johnsosw@co.larimer.co.us>, Tom Donnelly <donnelt@co.larimer.co.us>

Cc: "Helmick, Rob" <helmicrp@co.larimer.co.us>, Lesli Ellis <ellislk@co.larimer.co.us>

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From: **Karen Berkner** <keberkner@hotmail.com>

Date: Mon, Feb 4, 2019 at 12:34 PM

Subject: Please deny Thornton's 1041 permit application

To: bocc@larimer.org <bocc@larimer.org>

From:

Karen Berkner

2863 Custer Dr, Unit E

Fort Collins CO 80525

keberkner@hotmail.com

Dear Commissioners Kefalas, Johnson, and Donnelly,

Please "deny" Thornton's 1041 permit application and strongly encourage them to pursue the "Poudre River Option".

At your January 28th hearing, you have a once-in-100 years opportunity to provide extraordinary benefits to the people of Larimer County and help restore the Cache la Poudre River through Fort Collins.

At this moment in history when the strain on water resources and the Poudre River seems to be at its highest, you have an opportunity to turn that story around and start restoring the Poudre River rather than further draining it.

The City of Thornton's proposed "Thornton Pipeline" would be massively damaging to the people and communities it would cross in northern Larimer County by impacting private property rights, sensitive ecosystems, and traffic patterns that could imperil human safety. This project is the biggest and most controversial project in recent Larimer County history, and you have done the right thing to delay the decision and appoint a Working Group to address it.

The alternative to the Thornton Pipeline is staring everyone in the face. The City of Thornton has the opportunity to do the right thing and run their water down the Poudre River rather than through a pipeline. In fact, the City of Thornton itself created the "Poudre River Option" early in their planning process because it is a reasonable solution to meet their water supply needs. The Poudre River Option would:

- have little or no impact on private property rights in Larimer County,
- cost the City of Thornton significantly less money for construction,
- provide extraordinary benefits to the people of Larimer County by helping to restore the health and water quality of the depleted Cache la Poudre River through Fort Collins,

2/4/2019

co.larimer.co.us Mail - Fwd: Please deny Thornton's 1041 permit application

- be perfectly legal and likely only require permits on a short timeline,
- and still get Thornton all of its water at a diversion point near Windsor.

Thornton needs your leadership to get this done. The people of Larimer County need your leadership to provide this extraordinary benefit to Larimer County's environment.

Again, please "deny" Thornton's 1041 permit application and strongly encourage them to pursue the "Poudre River Option".

Sincerely,

Karen Berkner



Rob Helmick <helmicrp@co.larimer.co.us>

Fwd: Strong Support for Keeping Thornton's water in the Poudre

1 message

Linda Hoffmann <hoffmalc@co.larimer.co.us> Mon, Feb 4, 2019 at 1:19 PM
To: John Kefalas <kefalajm@co.larimer.co.us>, Steve Johnson <johnsosw@co.larimer.co.us>, Tom Donnelly <donnelt@co.larimer.co.us>
Cc: "Helmick, Rob" <helmicrp@co.larimer.co.us>, Lesli Ellis <ellislk@co.larimer.co.us>

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From: **Jim Welch** <jameswelch1009@gmail.com>
Date: Mon, Feb 4, 2019 at 12:39 PM
Subject: Strong Support for Keeping Thornton's water in the Poudre
To: bocc@larimer.org <bocc@larimer.org>

Commissioners, Thank you for your excellent work to understand the diverse issues around Thornton's pipeline. I strongly support keeping Thorntons water in the Poudre River through town.

Thanks you for your consideration,

Jim Welch
817 W. Douglas Rd.
Fort Collins, CO 80524

--

"What a beauty to find an eagle in the sky,
a fox on the land and a fast horse"
Mongolian Saying.
970-217-4424.

My name is Roger Gunderson, and my wife Deborah and I have lived in the Eagle Lake Subdivision since 1998.

Thirty years ago, the City of Thornton developed a sophisticated strategy of acquiring property and water in northern Colorado. It seems, however, that they did not give much thought or put much effort towards water delivery logistics. It is unfortunate that they failed to properly address this issue over the last 30 years, while much of the area remained undeveloped. In 1988, the Eagle Lake and Hearthfire subdivisions did not exist, and Highway 1 and Douglas Road had limited traffic. Thornton was careless in delaying the search for a viable option. Had Thornton acted early on, they may have been able to purchase much of their right-of-way, from reservoir 4 to I-25, without the significant impact and disruption to private property owners' lives.

We supported the Douglas Road option, because we understood that much of that route would be on public right-of-way. Douglas road will eventually require improvement to accommodate the increasing traffic volume due to North Fort Collins growth, and coordinating this construction and sharing costs with Thornton made sense.

The decision to co-locate the Thornton and NISP pipelines may solve some problems, but it creates others. It severely limits the possible routes for the pipelines. The current proposed tortuous route either crosses or significantly impacts private property. It puts tremendous pressure and an unfair burden on property owners along the route.

The City of Thornton is using an aggressive strategy to acquire right-of-way, that I think can best be described as divide and conquer. It focuses on private, non-transparent, discussions with only a few property owners and HOA Board members that border reservoirs, which results in division amongst all affected property owners. In the Eagle Lake, 8 property owners out of 80 will determine if this pipeline goes through the subdivision. We now have neighbor pitted against neighbor, resulting in strained relations with people that we have know for almost 20 years. We deeply resent the process and methods that Thornton has used. Thornton has not been a good partner, where all the accommodation seems to be expected of those of us in Larimer County.

The decision to co-locate Thornton and NISP pipelines eliminates Douglas road as an option. Commissioners are now left with one poorly conceived option that largely snakes through private property. If approved, that action will reward Thornton for their incompetence and failure to confront water delivery logistics, when it would have had much less impact.

There were some compelling arguments made at the meeting on January 28 that got my attention, which I will briefly mention. First, the legal argument that Thornton purchased agriculture quality shares on the plains, and then the data from Fort Collins City that showed water quality through the urban corridor. Commissioner Johnson seemed to express skepticism that the water quality would improve, and I agree that this information needs to be better understood. I hope the Commissioners do not reject these arguments outright and continue to consider all viable options.

I turned 65 last year, and I think it is important to consider, not just what is good for us today, but to also consider the impact these decisions will have on subsequent generations. I hope that we provide them with a legacy where they will proud of those who came before. It is important to remember, that without the Poudre River, Fort Collins would be just a whistle stop.

Thank you.

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OPINION

(<https://coloradoan.com/opinion>)

Opinion: Letter writers urge Larimer County commissioners to oppose Thornton pipeline

Coloradoan readers Published 7:00 a.m. MT Feb. 3, 2019

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More than 200 people attended the Jan. 28 Larimer County commissioners' public hearing for the proposed Thornton pipeline. (Photo: Jacy Marmaduke/The Coloradoan)

Editor's note: The Larimer County commissioners will continue taking public comment on Thornton's proposed pipeline at 6:30 p.m. Monday, Feb. 4, at 200 W. Oak St. Another hearing is penciled in for Feb. 11.

Thornton's pipeline process is a sham

To the Larimer County commissioners:

My name is R Warren Lemerich and I was a member of the Working Group that at your directive was formed to assist Thornton in finding "alternative" (pipeline) routes to their initially proposed Douglas Road route.

Thornton decided on CR 56 and the Braidwood area. The vast majority of the Working Group and the community that provided input suggested the Poudre River option.

The Working Group met five times for at least three hours per meeting. Throughout the entire process, Thornton was present, yet they made absolutely no effort nor showed any interest in locating viable alternative routes other than what has been proposed to you on Dec. 17. The process was a sham.

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Thornton was dishonest, disingenuous, and never once showed any interest in finding an alternative route that met your directives nor the community's best interests.

As a result, Thornton accomplished nothing but to waste our time and energy in this process. The fact that there "new" 1041 application was complete and on your desk on Dec. 17 tells you enough that they had been planning the slight variation of the same Douglas Road proposal from the get go.

My family and neighbors reside along the Starlite Drive corridor. Thornton's latest proposal is worse for us than the original Douglas Road route in that not only will they harm our quality of life for which we live in this area, but they will also permanently alter the Poudre River, neither of which benefits us as citizens of Larimer County.

We urge you to vote no on Thornton's 1041. Not only did Thornton not satisfy your Aug. 1 directives, but their "new" proposal is worse for everyone in Larimer County and especially those of us off Douglas Road.

R Warren Lemerich, Fort Collins

Oppose the pipeline on principle

As the hearings on Thornton's proposed pipeline continue, we as residents of Larimer County try not to imagine what our area will be like if Thornton is allowed to put their pipeline in this area and what it will do to property values.

We are senior citizens and have lived in residential areas with house upon house all our lives. It was such a feeling of openness and freedom when we found this area. If Thornton is allowed to put the pump house on Dick Brauch's farm and potentially put the pipeline down Joey Road, this will change the area forever.

The truck traffic in and out of the immediate area and on Douglas Road from construction to maintenance will ruin what we, who live here, work for. Our immediate roads are dirt and privately maintained; Starlite is a dead end and we want to keep it that way.

We certainly do not want Thornton using Starlite for any of their purposes or turning Joey Road into a connection to Braidwood. No matter where Thornton would put the pump house on Dick Brauch's farm, it would affect every resident along Starlite with vibration (we are on a shale bed), lights on all night, noise, open space view taken away, not to mention the disruption to the wildlife we all enjoy.

We are opposed to Thornton taking Dick Brauch's farm just on general principle. That land is a farm, not zoned for an industrial building, not to mention that Thornton has other options in so many factors of this project.

Thornton was supposed to be working with our residents on the Working Groups. It is obvious Thornton had no interest in listening to alternative solutions and went full speed ahead with another proposal, which obviously was being drafted all along and still harmful to Larimer County residents and the Poudre River.

I saw a letter in the Coloradoan (Jan. 20) from Windsor residents voicing the same concerns as we are.

Please tell Thornton "no" to putting a pipeline in Larimer County. They need to use the Poudre River as a conduit. Their expense and permitting is not our problem.

Thank you for all the time you have spent in reviewing this process. We are all counting on you to deny Thornton's pipeline project and changing our way of life in Larimer County forever.

Jean and Garth Korfanta, Fort Collins

Read or Share this story: <https://www.coloradoan.com/story/opinion/2019/02/03/opinion-letter-writers-oppose-thorntons-pipeline/2749181002/>

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Rob Helmick <helmicrp@co.larimer.co.us>

Fwd: Thornton Pipeline

1 message

Linda Hoffmann <hoffmalc@co.larimer.co.us>

Mon, Feb 4, 2019 at 1:14 PM

To: Steve Johnson <johnsosw@co.larimer.co.us>, Tom Donnelly <donnelt@co.larimer.co.us>

Cc: "Helmick, Rob" <helmicrp@co.larimer.co.us>, Lesli Ellis <ellisk@co.larimer.co.us>

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lhoffmann@larimer.org | www.larimer.org

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From: **John Kefalas** <kefalajm@co.larimer.co.us>

Date: Mon, Feb 4, 2019 at 9:11 AM

Subject: Fwd: Thornton Pipeline

To: Linda Hoffmann <hoffmalc@co.larimer.co.us>

FYI and to share with other commissioners.



John Kefalas
County Commissioner, District 1

Commissioners' Office
200 W Oak St | 2nd Floor
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jkefalas@larimer.org | www.larimer.org

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From: **Christopher Fields** <Christopher_Fields@msn.com>

Date: Mon, Feb 4, 2019 at 9:00 AM

Subject: Thornton Pipeline

To: jkefalas@larimer.org <jkefalas@larimer.org>

Hi John -

Congratulations on your new position - I hope it suits you well.

I wanted to share a few thoughts on the Thornton pipeline project. As a water professional in Northern Colorado, what I see getting lost in much of the public discourse is the fact that over the past 150+ years, Colorado has established a set of rules surrounding water utilization and development. Thornton has invested a significant amount of time and money developing this water right in accordance with those rules.

Additionally, it would seem that Thornton has also followed the rules that Larimer County has set forth for the planning and development of their pipeline. Most arguments against the pipeline seem to be impassioned pleas based on emotion rather than being concerned with following the guidelines that have been put in place and are to be followed during processes such as these.

Now, I completely agree with the premise that running water down the river a little further before removing it from the system would provide some great benefits to the environment and to the City of Fort Collins and Larimer County. However, this would increase the costs to Thornton for water treatment. I would ask those who are in favor of this option if they are willing to pay these extra costs. My guess is that, like me, most of them would not want to. It is always easy to spend someone else's money.

Thanks for your time. I am not necessarily supporting one side of the argument or the other, but in this age of righteous indignation that we live in, loudly complaining about something seems to get a disproportionate amount of attention. Instead, we need to follow the established rules or else change them. Otherwise, what is the point of having them?

I wish you the best of luck in your new role!

Chris Fields
Fort Collins



Rob Helmick <helmicrp@co.larimer.co.us>

Fwd: Thornton 1041 piplene application

1 message

Linda Hoffmann <hoffmalc@co.larimer.co.us>

Mon, Feb 4, 2019 at 1:15 PM

To: John Kefalas <kefalajm@co.larimer.co.us>, Steve Johnson <johnsosw@co.larimer.co.us>, Tom Donnelly <donnelt@co.larimer.co.us>

Cc: "Helmick, Rob" <helmicrp@co.larimer.co.us>, Lesli Ellis <ellislk@co.larimer.co.us>

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County ManagerCommissioners' Office
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lhoffmann@larimer.org | www.larimer.org

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From: **kohnfried** <kohnfried@comcast.net>

Date: Mon, Feb 4, 2019 at 10:36 AM

Subject: Thornton 1041 piplene application

To: <bocc@larimer.org>

Dear Commissioners,

I attended last weeks hearing and planned to provide the short comment below. I'm signed up for Tuesday's hearing but will not be able to attend so am forwarding my comments.

"The Poudre River has served Fort Collins, surrounding communities and regional agriculture well for over 150 years. However the river corridor has suffered overuse and abuse. We now have a unique opportunity to at least partially improve the river corridor through Larimer county. As currently proposed, the Thornton Water Project 1041 would take water out of the river near the mouth of the canyon and send it to Thornton through a new pipeline. I strongly request that the commissioners DENY this request and encourage Thornton to re-consider conveying the water downstream through Fort Collins to a take out point near Windsor.

Bottom line, as a Larimer County resident, my interest is the health of the river not whether the Thornton proposed solution is the most advantageous and cost effective for them. As a resident I ask the commisioners to do what's best for the river through Larimer county!"

Sincerely,

Dan Siegfried

1002 W Magnolia, Fort Collins, CO 80521

mobile: 970-227-0305

Sent from my T-Mobile 4G LTE Device



Rob Helmick <helmicrp@co.larimer.co.us>

Thornton Water Decree 96CW1116

1 message

John Barth <barthlawoffice@gmail.com>

Wed, Jan 30, 2019 at 10:05 AM

To: boccc@larimer.org, rhelmick@larimer.org

Cc: Karen Wagner <kaswagner@me.com>, Gary Wockner <gary.wockner@savethepoudre.org>

Dear Commissioners:

I am writing on behalf of the No Pipe Dream Association. During my presentation on Monday January 28, 2019 in the Thornton Northern Project 1041 hearing I referred to a newly discovered Thornton water decree in case 96CW1116. The water decree is attached. To my knowledge, Thornton has never submitted this decree to the County or the public during the Thornton 1041 application process. The decree contains several provisions that could provide support for the Poudre River Alternative. For example, the decree states the following:

1. Paragraph 7 of the decree identifies a number of existing storage facilities in Weld County and elsewhere acquired by Thornton that could serve as water storage for the Thornton Northern Project using the Poudre River Alternative.

2. Paragraph 10 refers to another Thornton water decree (91CW126) that to my knowledge has never been disclosed to the public or the County in Thornton's 1041 application. This decree may present other alternatives to Thornton's County Road 56 pipeline. Paragraph 10 also notes that all of the decrees are part of Thornton's "intergrated system" and thus could be relevant to the 1041 application.

3. Paragraph 11.1.1 states:

"The Northern Project Decree established that there is exchange potential and water available at the exchange to points in the Poudre River basin for Thornton to conduct

the river and ditch exchanges. Thornton has shown in Case No. 91CWI26 and in this case that

there is water available to provide a substitute supply from the Exchange Reservoirs to operate such exchanges to the Northern Project facilities on the Poudre River." Further examination of these exchange reservoirs could support the Poudre River Alternative.

4. Paragraph 14.2.1 states:

"Under the 'river exchange', as decreed in the Northern Project Decree, Thornton may divert water from the Cache la Poudre River at nine locations (the " Poudre points of diversion"): the Larimer County Canal (" LCC"), Jackson Ditch, Thornton Pump Station No. 1, New Cache la Poudre Canal (also known as the Greeley No. 2 Canal), Thornton Pump Station No. 2, Larimer & Weld Irrigation Canal, Boxelder Ditch, Fossil Creek Reservoir Inlet, and the Ogilvy Ditch." These previously approved 9 points of diversion may support the Poudre River Alternative.

5. Paragraph 15.2 states:

"Thornton' s exchanges of its Northern Project water may be operated by any of the following means:

15.2. 1 Storage and release. Thornton may store water diverted under its Northern Project water rights and subsequently release such water to the Cache la Poudre River and divert

or store by exchange at the Exchange Reservoirs or the Additional Facilities.

15. 2.2 Diversion and return. Thornton may divert water under its Northern Project water rights and return such water to the Cache la Poudre River through return structures with measuring devices reasonably acceptable to the Division of Water Resources." This provision may support implementation of the Poudre River Alternative.

Because Thornton's various water decrees may shed light on other viable alternatives, No Pipe Dream requests that the Commissioners require Thornton to publicly disclose in its 1041 permit application all water decrees relevant to the Thornton Northern Project. By disclosing all related water decrees, the County and the public can examine all of the decrees to determine whether there are other reasonable and available alternatives to the County Road 56 pipeline proposal that have not been disclosed or considered by Thornton.

Please include this email and the attached water decree in the administrative record for this 1041 permit proceeding. Thank you for considering this information and our request.

John Barth
Attorney for No Pipe Dream

--
John Barth
Attorney at Law
P.O. Box 409

1/30/2019

co.larimer.co.us Mail - Thornton Water Decree 96CW1116

Hygiene, CO 80533
(303) 774-8868
barthlawoffice@gmail.com

 **96CW1116.pdf**
1726K