

Minutes of the 4th Special (4th) Meeting of the
Republican River Water Conservation District

September 24, 2004

Yuma, Colorado

Present were:

Board Members:

Eugene Bauerle
Grant Bledsoe
Kelly Burr
Dennis Coryell
Jack Dowell
Raymond Enderson
Kim Killin
Garry Kramer
Steve Kramer
Bruce Latoski
Stan Laybourn
Tim Pautler
Jerry Sonnenberg

Ken Knox, Deputy State Engineer
Scott Richrath, State Engineer's Office
Peter Ampe, Assistant Attorney General
Mike Shimmin, Vranesh and Raisch
David Robbins, Hill and Robbins
Dennis Montgomery, Hill and Robbins

A sign in sheet listing the members of the public attending the meeting is attached.

MINUTES

President Coryell convened the meeting at approximately 10:10 a.m.

The Board approved the Agenda. The Board approved the Minutes of the August 31, 2004 meeting.

Due to the death of Ted Tuell, Yuma County Commissioner Robin Wiley attended the meeting in place of Director Tuell; however Mr. Wiley did not vote or take any formal action.

At 10:15 a.m., President Coryell read a resolution memorializing Director Tuell. The Board adopted the resolution unanimously and asked Mr. Knox to send the resolution to Director Tuell's family.

At 10:20 a.m., Vice President Killin updated the board on the actions of the ad hoc legal subcommittee since the previous meeting. Vice President Killin informed the board that after several meetings and additional interviews, the subcommittee narrowed the choice for general counsel to Vranesh & Raisch or Hill & Robbins.

David Robbins then made a short presentation to the board regarding his firm's qualifications for the general counsel position. Mr. Robbins answered several questions from the board. Mike Shimmin then made a short presentation to the board regarding his firm's qualifications for the general counsel position. Mr. Shimmin answered several questions from the board.

At 10:55 a motion was made for the Board to go into executive session for the purpose of discussing the applicants for the general counsel position. The motion passed unanimously and the board went into executive session.

At 11:40 the Board returned from executive session and took a short break. The Board reconvened at 11:45. There was no additional discussion regarding the applicants for general counsel. A motion was made to hire Hill & Robbins as general counsel for the Board. The Motion passed with 11 in favor and 1 opposed.

At 11:50 the standing Budget Committee informed the board of its actions since the last board meeting. Mr. Richrath gave an overview of the results of the budget committee's rough draft of an annual budget. The Board was informed that it must have a proposed budget in place by October 15, 2004, for planning purposes by the various counties. Therefore, the Board must also decide funding mechanisms and structures by that date. Vice-President Killin updated the board on the status of potential loans from the power companies within the District.

The Board broke for lunch at approximately 12:03 pm.

The Board reconvened from lunch at 1:10 p.m. President Coryell noted that Mr. Garry Kramer offered to replace Mr. Tuell on the budget committee and Mr. Kramer confirmed that he had accepted the appointment. Vice-President Killin reviewed activities of the Budget Committee to date and fielded questions concerning the working operating budget. Mr. Richrath answered questions concerning lease options, budget projects, and other issues. Mr. Knox provided estimates of pipeline development. The Board requested legal counsel to explore the use of a water enterprise and report back to the Board at the next meeting. President Coryell noted that the ad hoc legal subcommittee had fulfilled its purpose and, therefore, disbanded that subcommittee.

At 1:30 p.m., Mr. Knox updated the Board on the preliminary approval by the Colorado Water Conservation Board to approve a \$50,000 grant to the district for

calendar year 2005. Mr. Knox discussed CREP implementation and that he had been directed by his superiors to proceed with application.

At 1:40 p.m., President Coryell discussed the current duties of the budget committee and appointed a separate Legal & Funding Committee for the purposes of pursuing grants, loans, and other funds. The committee will be represented by Mr. Pautler, Mr. Sonnenberg, Mr. Bledsoe, and Mr. Skold. Ms. Killin recognized Y-W Electric, represented at the meeting, for its willingness to provide favorable loans to the district. President Coryell directed the budget committee to prepare job descriptions and benefits packages for the Executive Director position.

At 1:50 p.m., Stan Holmes, City Manager for Wray, and Lance Bohau, CPA, made a presentation regarding the available office space in Wray. They were immediately followed by Doug Sanderson, City Manager for Yuma, who presented on available space in Yuma. Ms. Killin, as chair of the Budget Committee, agreed that the committee would further review available space.

Public comment began at 2:10 p.m. and covered several topics, including assessments per acre-foot versus per acre, retention ponds, and declining pump production. With no further questions or comment, public comment concluded at 2:30 p.m. and President Coryell called for a break.

The meeting resumed at 2:55 p.m. President Coryell discussed the importance of public relations and education and requested that any Board members interested in assisting with public presentations should contact the State Engineer's Office. The budget committee noted that it will wait for answers from Legal Counsel before proceeding with additional budget review. The legal & funding committee noted that it will monitor the state's progress on CREP funding. The quarterly Board meeting was confirmed for October 12 at a site to be determined.

At 3:05 p.m., Mr. Knox, at the request of the Board, discussed well totals in the basin – both permitted and constructed. The Board discussed the logistics of assessing irrigation, commercial, and municipal, versus domestic and stock. Mr. Knox addressed the impact of first-year retirement and long-term retirement.

The Board voted unanimously to adjourn at 3:30 p.m.

Secretary

Date