

Minutes of the Fourth 2021 Quarterly Board Meeting of the
Board of Directors of the
Republican River Water Conservation District
November 16, 2021

The Board of Directors of the Republican River Water Conservation District convened a regular meeting, pursuant to notice required by statute and the District's By-Laws. Because of the coronavirus pandemic the meeting occurred with participants following recommended protocols and with others participating through the Zoom platform.

Present were:

Board Members:

Rod Lenz, President
Greg Larson, Vice President
Gil Anderson, Secretary
Aaron Sprague, Treasurer
Wil Bledsoe
Brooke Campbell
Kevin Penny
Jim Hadachek
Kenny Helling
Steve Kramer
Stan Laybourn
Rod Mason
Steven Meakins
Tim Pautler
Wayne Skold
Roger Seedorf-came later

Debra Daniel, RRWCD General Manager
Suzanna Baker, RRWCD Administrative Assistant
Payton Liming, RRWCD Contractor
David Robbins and Pete Ampe, RRWCD General Counsel, Hill & Robbins, P.C.
Ayrton Hendrix, RRWCD Engineer, Hendrix WAI, LLC

STATEMENT OF QUORUM

President Rod Lenz called the meeting to order at 9:20 am, welcomed the public and started the meeting with the Pledge of Allegiance and a prayer. Due to scheduling with a local photographer the meeting started early, no decisions were made prior to the published starting time of 10:00 AM. Secretary Gil Anderson conducted a roll call of Board members. Gil Anderson declared a quorum with all present except for Brent Deterding and Roger Seedorf.

RESOLUTIONS RECOGNIZING RETIRING BOARD MEMBERS

Rod Lenz then read resolutions honoring Stan Laybourn, Wayne Skold and Brent Deterding for their years of service to the RRWCD Board. Brent Deterding was not present and would be presented with his resolution at a later date.

PRESIDENT'S REPORT

At 9:38 AM, President Rod Lenz gave his report, Lenz gave his respects and condolences to Kenny Helling, Kevin Penny and Dennis Coryell on the loss of their family members.

Rod Lenz then introduced new Board members Josh Lechman, representing Sedgwick County, Kristen Schneider representing Washington County, and Don Brown, who was not present, for Central Yuma Groundwater District.

Rod Lenz discussed the issues related to the fee assessment evaluation, current water conditions and the positive influx of contracts to meet compliance. President Lenz suggested to always listen to and not take the issues personally.

GENERAL MANAGER'S REPORT

At 9:43AM General Manager Daniel gave a yearly report, as requested by the personnel committee. Daniel stated community is so important and our communities are the best. In order for the communities to continue prospering, we are going to have to work with each other and our elected officials to make that happen. Daniel then thanked Stan Laybourn and Wayne Skold for their time on the board. Laybourn was present when Daniel interviewed for her position and Skold was a wonderful personnel committee member. Daniel welcomed new board members, Josh Lechman and Kristen Schneider. For the Compact Compliance Pipeline review, Tracy Travis had some issues, but he worked it out with Timberline. Tracy will present later. Daniel discussed the web page and the promotion of the Master Irrigator program. Daniel thanked the board for the allowance of Flex Time to make it possible for her to work outside of the office. Daniel welcomed Payton Liming on board as contractor and mentioned she travels to the office on Monday. Daniel then discussed the public meeting held in each Groundwater Management District area, and thanked board members for their cooperation. Daniel then showed the number of acres retired in the SFFZ to date amounting to approximately 3,270 acres. Daniel then showed histograms that were shown to the public at the public meetings. She showed a graph that showed how quickly wells deplete the aquifer. She also showed a video that demonstrated the depletion of the aquifer yearly.

Daniel showed photos of good examples of programs: CREP, EQIP, and RAMP. Daniel then presented a graph that showed the increase fee assessment payments which displayed the payments farmers will get from CREP, EQIP and RAMP. Daniel is working on 40 contract applications in the SFFZ and over 15 contract applications in the remainder of the District. Daniel mentioned Tim Pautler worked diligently on the NASS presentation because it establishes the price for CRP by county. Daniel also thanked Steve Kramer, Rod Lenz, Tim Davis, and Suzanna Baker. Daniel thanked Tim Pautler and Dave Keeler for attending Colorado Groundwater Commission. Daniel thanked Kenny Helling for representing the RRWCD at the RRCA meeting. Daniel believes it will prove very important to have a RRWCD Representative at those meetings.

Roger Seedorf arrived at approximately 10:00 AM.

Daniel gave a recap of the South Platte Basin Roundtable. She asked for more representation, as she is not able to attend many of these meetings due to other priorities. Daniel thanked all of the members of the Legislative committee but especially to those who were available to meet with Senator Cleave Simpson (David Robbins, Pete Ampe, Landon Gates also). Daniel thanked everyone who attended the CWCB meeting and reminded Board members to fill out the reimbursement request form if you have not already done so.

Daniel showed the Ag Commissioner of Colorado-Kate Greenberg around the Basin. She gave a presentation of the economy and showed Greenberg examples of alternative farming taking place in the basin – specifically black-eyed peas. And how the Whiskey Sisters of Kit Carson County are highlighting the community with their business.

The South Fork of the Republican river is in a poor situation, and the South Fork Republican Restoration Committee is requesting assistance in cleaning it up. the Committee earned a \$310,000 grant awarded to use on private property.

Daniel reported that there are many moving parts in the RRWCD, however our main focus remains the SFFZ, the restoration of the Bonny Reservoir.

Daniel then asked for questions and gave clarification to the board as needed.

AGENDA AND APPROVAL OF MINUTES

At 10:10 AM President Lenz asked for any amendments to the agenda for the meeting. There was a motion to approve the agenda with no changes, which was seconded and approved unanimously. Discussion for clarification about when discussion for hearings will be made and when Kevin Penny will do his presentation for the Plains GWMD.

President Lenz asked if there were any changes to the August 17th quarterly meeting minutes. Suzanna Baker announced a couple of minor edits to the minutes. Including correcting two PMs to AMs around the lunch hour. With those changes, there was a motion to approve the minutes, which was seconded and approved unanimously.

10:12 AM-Break for photos of new board, old board and staff

10:29 AM-Reconvene the meeting

OATH OF OFFICE FOR NEW BOARD MEMBERS

Rod Lenz then administered the oath of office to Kristen Schneider, appointed by Washington County, and Josh Lechman, appointed by Sedgwick County. Don Brown who was also appointed by Central Yuma GWMD, he was absent and will take his oath at a later meeting. Rod Lenz then announced the reappointments for Wil Bledsoe, Lincoln County, Roger Seedorf for WY GWMD, Kevin Penny, Plains GWMD, and Jim Hadachek, Cheyenne County.

FINANCIAL REPORT

Administrative Assistant Suzanna Baker presented the financial report for the quarter ending September 30, 2021. A motion to approve the financial report for the Third quarter of 2021 was made, seconded, and approved unanimously.

Suzanna Baker then presented the proposed Professional Associates Rates for 2022 to be voted on later in the meeting.

TRACY TRAVIS: PIPELINE REPORT

Tracy Travis started pipeline deliveries last Thursday (Nov. 11), pumping 60 acre/feet a day. Had some tech issues, but those have been resolved. Rod Lenz thanked Tracy for his work, they are comfortable with him at the helm. Tim Pautler mentioned he has board support if issues arise. Steve Kramer asked how the new radio frequency was doing. Tracy Travis acknowledged the radio frequency is working well.

BUDGET HEARING

At 10:36 AM the Board opened a Public Hearing on the proposed 2022 budget for the RRWCD and the RRWCD WAE. Notice of the hearing had been published in accordance with law. Aaron Sprague, Budget Committee chairman opened the Public Budget Hearing. Justin Dodsworth, RRWCD Accountant, began by informing the Board that the Budget Committee had met previously to prepare the 2022 Proposed Budget. Mr. Dodsworth gave a presentation on the 2022 Budget, going through the budget line by line.

Dodsworth showed the top three points from his presentation. He clarified that this is the amount permitted to spend up to. '2020 actual' column was updated to reflect actual expenses. '2021 estimate' is up to date up through August.

Justin Dodsworth continued to go through budget line items, discussing only the 2022 budget.

Roger Seedorf asked Dodsworth if the \$2M for the \$200 per acre incentive payments were put in at zero? Justin Dodsworth answered, we expect this line item to be shown as zero at the end of each year. The payout will match the reimbursement from CWCB therefore it is shown as a zero at an income standpoint and cost standpoint. David Robbins clarified to the board and public-Kansas only took \$2m and gave the other \$2m to Colorado to use to get into compliance. It isn't money that comes into the budget, it is distributed when a contract is at hand.

Dodsworth then continued discussing anticipated signups for conservation programs in the SFFZ. Dodsworth clarified that the costs may change based upon the rate the FSA declares for Kit Carson County. The rate was also built on current interest in the programs (this is an approximated estimate). Roger Seedorf explained for new board members that CREP payments are paid out over 15 years and therefore must be built into the budget.

Dodsworth then explained the cash flow. He explained that this process looks at future years to make sure the District will never be in the negative. There has already been approximately 3,000 acres retired in the SFFZ. The budget will focus on the future liabilities of the rest of the 22,000 acres.

Dodsworth mentioned that in 2032, the cash bottoms out (known as the bottleneck year). The goal of the budget is to prevent reaching zero cash during that year. The estimates were shown to demonstrate how cash flows are affected by getting approximately 2,500 acres retired a year. Dodsworth demonstrated how the program payments would look into the future (after the program signups have been fulfilled).

Discussion was held on the 2029 end date and whether the district will have sufficient funds to fulfill each contract's payments. Dodsworth clarified that they had budgeted for the lifetime of the contracts.

Discussion was held on the payment schedule for 2006 CREP contracts and how the final payment in the payment schedule was made this fall. The sum for the contracts was quite sizable.

Aaron Sprague, Budget Committee Chair, asked for any questions on the budget and commended Justin Dodsworth on a job well done putting the budget together.

Aaron Sprague then asked if there was any public comment. Hearing none, the Budget hearing was closed at 11:20AM.

ASSESSMENT FEE HEARING

Aaron Sprague opened the public assessment fee hearing at 11:20 AM. Notice of the hearing had been published in accordance with law. Aaron Sprague, Budget Committee chairman opened the Public Assessment Fee Hearing. He then proposed that Kevin Penny gave the Plains GWMD presentation (please see attached for the speech, provided by Kevin Penny).

There was discussion between board members on what fair and equitable truly is. Kevin Penny and Tim Pautler stated they would agree to the Assessment Fee as is, but wanted the Board to continue to work to find another fee structure.

Chairman of the Budget Committee Aaron Sprague agreed with this assessment and stated this is a larger issue and we need to come to the middle and find something that works across the basin (cross section).

Aaron Sprague then asked if there was any public comment. There was no public comment however, there was a comment from the Board that spurred further discussion. Roger Seedorf brought up that he would like to discuss a sunset for the Resolution regarding the Assessment Fee during board action items. Rod Lenz stated that an additional committee would be created to aggressively pursue finding a resolution for the Fee Assessment structure. The hearing closed at 11:37AM.

COMMITTEE REPORTS

- Director Aaron Sprague, Budget Committee Chairman, had nothing more to report after the budget hearing and the assessment fee hearing.
- Director Steve Kramer, Conservation Committee Chairman, The fee change was received better than we expected, there were some public comments, including why did the District wait so long, but the support from the Board and public was there. The general feeling is just get the job done, it doesn't matter the cost, because the economic impact of failure would be huge to local communities. CREP payments are based on rental rates, and we have permanently given up the water right, but in Nebraska they had a nonpermanent water right but payments were still based on rental rates. There have been discussions before but it was mentioned the CREP program was not made to retire water rights. You are giving up the well before the end of the contract, I feel there could be more to be done.

Daniel then explained that you have to irrigate a minimum of 6 inches per acre for 4 out of the last 6 years to qualify for CREP. Within the first 12 months you are allowed to irrigate to establish grass. Then the well is cancelled or downsized within 2 years. With EQIP you have 1 year to cancel your permit or downsize your well to a domestic or stock well. You also have to irrigate 2 out of the last 5 years for the EQIP program. Daniel stated she would like more support to have those rental rates up in the counties. There is not enough federal compensation, compared to other states.

Rod Lenz stated the reevaluation of the rental rates is already showing benefit, the appeal to fill out the surveys has worked in the District's favor.

Kramer mentioned that having the public fill out the NASS surveys was so important because the data gathered there is used to establish the rates.

- Director Steven Meakins, Chairman of the Innovation & Technology Committee, we finished out the program and are waiting on results. He believes whoever planted the longest season corn will win. The results will be announced in January.

- Director Wil Bledsoe, Chairman of the Legislative Committee, stated that it has been pretty busy. Landon Gates will give an update later. Aaron Sprague did a great job on the presentation for the RRWCD for the infrastructure bill. Wil Bledsoe stated that Christine Arbogast will be leaving the RRWRD and we have a list of 7-8 names to fill her position. She has been available to help find the right fit and is willing to stay on until we have that right person. She is wanting to leave sooner rather than later.

Wil Bledsoe then mentioned the possibility of getting funds for the SFRRRC project. We are not shovel ready but we have a 5-year timeline to help get us there and he wants to try to tap into some of the infrastructure bill funds. We are hoping to propose a plan of phreatophyte removal for the short term. Roger Seedorf mentioned that we should have a plan for restoration to the original state of the rivers with no trees. Rod Lenz thought we may not have time to complete that project. Keeping our proposal narrow may give us more leverage at this point. There was more discussion on how to present a shovel ready project.

Wil Bledsoe stated Christine Arbogast thought we could get money every year and we should start this year. The infrastructure bill is an even playing field every year so the timeline could be extended. The money is given out over a timeline. If we don't ask for the money, we won't get it. Rod Lenz suggested we give this project to the project manager Stuart Dykstra. More discussion was held on who/how to proceed.

- Director Greg Larson, member of the Negotiating Committee, the committee met Oct. 28 and discussed how the direction may have changed, but the committee is still looking for getting more pipeline water. We are thinking we will not lease the property next year. We lost Stan and Wayne from the committee and we will greatly miss their service.
- Director Steven Meakins, Chairman of the Nominating Committee, stated that elections are this afternoon, if you want to be on the committee put your name in before this afternoon.
- Director Roger Seedorf, Chairman of the Personnel Committee, there was a recommendation by the committee to add a full-time position to the RRWCD staff. Payton Liming is currently temporary part-time and this would be a new position. Deb Daniel personnel review will occur in executive session.
- Director Tim Pautler, Chairman of the PTAC Committee, Tracy gave the best report, we are up and running and we are sending water down the stream.

Lunch break taken at 12:08PM

Meeting resumed at 1:00 PM

STATE AND FEDERAL LEGISLATOR REPORTS

- Darlene Carpio, with Ken Buck's office, made a trip to the border, local issues-we talked about this at the last meeting, but Buck sent a letter to the Secretary. The vaccine mandate has really strongly impacted local FSA offices. It is possible up to 40 percent of the FSA employees are believed to be leaving because of the vaccine mandate. If you have a CDL license, don't let it lapse because in February the licensing requirements change and you will have to go to a classroom to get your licensing and it may cost up to \$4,000 for new licenses.

PUBLIC COMMENT

Public Comment was opened at ~1:05

- Denny Salvador-I agree with Kevin Penny, we need to do something, do an economic study so that we do not decimate the economy we currently have. (In regards to the Fee Assessment increase to \$30/acre).

Public Comment closed at 1:09

- Tim Pautler reported on the Colorado Groundwater Commission, the commission met last Thursday and Friday in Baca County. The issue down there is that water is still available. The State Engineer is bound by statute to issue permits. However, some of those permits are going to big companies, causing issues with the locals. They are appealing the decisions of the Colorado Water Engineer. The appeals have happened for three years. The State Engineer can't pick and choose who the permits go to. The people feel that water is over-appropriated. There

hasn't been any engineering to prove that. They need to start at the GWMD level but they keep coming to the Ground Water Commission. The public is strongly divided and considered disbanding their groundwater district because they felt they didn't need it. Tim made the point that the GWMD is their avenue to operate.

ORGANIZATION REPORTS

- Director Greg Larson reported that the Colorado Water Congress quarterly meeting was on Nov 15. He mentioned the three water conservation bills; Doug Kemper, director of CWC, mentioned Senator Hugh McKean reached out to water congress and wants to be more active on that front.
- General Manager Daniel reported on the South Platte Basin Round Table, meeting was last week. Four different proposals were brought before the Round Table. There were no outstanding applications or presentations, but the amount available was (\$800,000). They want our support.
- Director Kenny Helling, South Fork Republican Restoration Coalition, coalition has not met for some time. We did receive a \$310,000 grant to put toward our project down there. The SFRRRC will use that for tree removal. The coalition will be in contact with Mark Lengel. There will be a committee meeting to discuss getting funding from the infrastructure bill.
- Director Roger Seedorf reported that the Yuma County Pest District is working on prairie dogs at the current time. Need to start working on tree sprouts. They have sprayed some on the Lengel property. However, they still haven't received extra funds. Roger will go to their board to discuss funding.
- Director Kenny Helling had nothing to report for Yuma County Water Authority,

PROFESSIONALS REPORTS

- Tim Davis, RRWCD Program Consultant, absent from the meeting.
- Landon Gates, RRWCD State Lobbyist, the District has a big ask in front of the assembly. Asking for \$50 million for the district and an additional \$50 million in cooperation with RGWCD. There is a chance to get funding through ARCA, \$3.9 billion was received and there is \$2 billion left to be spent, it needs to be spent by 2026. The district is at the table and asking for help. Governor Polis does have the RRWCD and Rio Grande as a line item on his budget (\$15m between the two). We need to thank David Robbins, Kevin Rein, Senator Simpson, and others for that big step. The Interim Water Committee voted to approve the bill. It will be a bipartisan bill, Sonnenberg, Simpson, Roberts and Catlin are sponsoring the bill. Representative Rod Pelton may sponsor the bill in the house.

Daniel asked that Gates explain Senator Moreno's position. He is key because of his seniority and a member of the majority caucus. He is now in the Senate and will be term-limited in 1 year. He is chair of the Senate, he has now been chair twice and is very respected on both sides of the aisle. He is also key chairman of the taskforce to figure out how the state is going to spend the remaining federal stimulus dollars. They have metrics to determine how to spend those dollars. The district will be working to be ranked highly for their metrics and then those rankings will go to the full legislature in January.

The Joint Budget Committee will be working to put together a budget for 2022-2023. Gates stated he will be working to get the district as many zeros as possible. DNR recognizes the importance but it will take a lot of work to get those dollars.

- Christine Arbogast, RRWCD Federal Lobbyist, absent from the meeting, Wil Bledsoe gave a quick update for her earlier in the meeting.
- Ayrton Hendrix, Wai Engineering, gave his report; stating we prepared the graphs in Deb Daniel's PowerPoint this morning, we agree the delivery should remain at the 9,500 acre-feet. The pipeline began pumping Nov. 11. They prepared the following listed graphs for the District:

2020 Inclusion in Streamflow Graphs

- *HWE updated the surface flow graphs to include 2020 for the North Fork, South Fork, and Arikaree rivers and provided them to RRWCD in early September.*

2020 Inclusion in RRWCD Pumping Graph

- *HWE updated the annual pumping graph for the RRWCD basin to include 2020 data and provided the updated graph to RRWCD in early September.*

Compact Compliance Pipeline Estimate 2021

- *In September, HWE prepared the Compact Compliance Pipeline estimate with the assistance from Willem Schreuder and Mike Sullivan. It was agreed to by Willem, Mike and HWE that the District's annual delivery should remain at 9,500 acre-feet of water with an initial start date for winter deliveries around November 11th to December 31st. The full delivery rate would continue from January 1, 2021 to April 30, 2021. We will continue to work with Willem and Mike and monitor the pipeline deliveries through the winter before the April 2022 projection estimate is prepared. Willem's initial (way early projection) for 2022 is 9,500 acre-feet again. This early projection at 9,500 acre-feet indicates to us that we have absorbed the initial swings in the groundwater model and are only looking at variations in the hydrologic conditions. Of course, if the 2022 year is deemed a water short year additional pumping may need to be provided with the loss of the Beaver Creek allocation.*

Permanent Dry-Up Compliance Mapping Project

- *HWE finished preparation of a series of maps for use in field visits to determine compliance with conservation program rules on October 27, 2021. Maps for Sedgwick, Phillips, and Washington Counties were completed by the beginning of August and work on maps for Yuma and Kit Carson Counties continued into August and finished in late September with the final touches to all maps being completed in October.*

Irrigated Acreage Mapping Project

- *HWE continued development of a series of maps of the irrigated acreages in 2010, 2016, and 2019 in order to determine the number of acres that have been retired for compliance with the 10,000 acres retired by December 31, 2022. This work is being done in conjunction with the Permanent Dry-Up Compliance Mapping Project in order to accurately determine which acres would be accepted as retired acres by the compact.*

David Robbins, RRWCD Legal Counsel, working at the Capital with CWCB on the Compact Groundwater bill. Peter Ampe reported that he was preparing to assist the Attorney General's office to defend the Compact Rules. The East Cheyenne Groundwater Management District is the sole opposing party left. East Cheyenne filed a motion for determination of law that the Rules were illegal. Mr. Ampe and the Attorney General's office opposed the motion. Judge Hartman has retired. Judge Taylor is presiding. The Judge held a hearing on the motion and seemed to understand the issues involved and we hope for a favorable ruling from the Judge soon. If he does not dismiss the case, trial will begin January 31, 2022. East Cheyenne has not filed a draft witness or exhibit list and has not performed any discovery in the case, so it seems like they are relying on their motion. If East Cheyenne settles, the state may still put on a short *prima facie* case to help the Judge understand the Rules and why they're necessary. David continued, it has been such a pleasure to work with Landon Gates and set up a great lobbying process. They have also been working at length and explaining how to set up a new fee structure. He read the legislative declaration that established this board. It clarifies the powers of this Board. He read Legislative Declaration 37-50-101. Robbins further explained, you don't have the authority to establish a fee and then use the funding for something beside the established use. Example=tax. It is all knitted together, he wants all board members to understand we always tie the use back to what we were established to do which is to meet compact compliance.

President Rod Lenz stated the District has struggled to meet the intersection of compact compliance and conservation. We don't want to step on the groundwater management districts. The statute was tailored so that we have stayed in our lane without harming the groundwater management districts.

REPORT FROM STATE ENGINEER'S OFFICE

- At 1:52 PM Colorado State Water Engineer, Mike Sullivan, Deputy State Engineer, gave their report. Kevin Rein apologizes for not being here. The NRCS rates for Kit Carson county increased but are still low comparatively. The National committee will be reviewing the rates and appeals in the next month. As Pete indicated, the rules trial begins in January. Landon already discussed the task force. It is good to see the task force coming together for funding on the bill.

Statewide, we are still in drought with about 1/3 to severe to extreme drought. As this continues, we will see a lot of pressures to make water available to lower basin states. We will see a very vigorous fire season if we don't get a lot of snow. We came through two major snowstorms, and we hope it is a good start.

He then talked about Swanson and Harlan county. Harlan County is the key reservoir, it determines if we are in a water short year and we lose the Beaver Creek allocation. We do have a full allocation in Harlan County and we will not have a water short year next year. This is the earliest we have ever received this letter, most likely due to the floods.

REPORT FROM COLORADO WATER COMMISSIONER FOR THE REPUBLICAN RIVER

- Chris Kucera, Team Lead Commissioner, Brandi Baquera is reporting for him. **Currently on the S Fork:** *Ponded/small flow west of 385, no flow east of 385. Small flow east of the dam and no flow at the State line.. Roughly 5 miles east of the State line, there is approx. 2 cfs of flow. West of St. Francis, flow is approx. 1.5 cfs, and north of St. Francis, there is no flow. At Benkelman, there is no flow and hasn't been since June 21st. For the 2021 irrigation year, a total of 319 AF was recorded at the Benkelman gauge. Pioneer Ditch shut down operations on Oct. 19th which resulted in the Arikaree gauge to stop recording any flow on Oct 20. For the 2021 irrigation year, the Arikaree totaled approximately 1648 AF of water recorded. **Currently on the N. Fork,** the flow at the State line gauge is recording 47 cfs. We want to give a big thanks to Pioneer Ditch rider Lonnie MacArthur as he helped clean the N. Fork west of Laird. It appears the cleaning of that portion is holding, we will know how well it is holding when Spring storms/melt happens.*

This past irrigation season, we had approximately 1900 meters that needed to be reverified in accordance to the measurement rules of the Republican River Basin. Enforcement of the rules also resulted in us placing approximately 60 well head orders for various reasons, ie - expired well tests, inactive structures and bad meters/failed PCC tests. Currently, we are receiving the end of irrigation year readings on all meters. We have received approximately 1000-meter readings so far, another 2400 yet to report, which are not due until December 1st. In mid-December, I will start the long process of reviewing the readings which will hopefully be finalized by mid-January. After that, we will start the process of identifying the meters that didn't record accurately (if at all) and estimate the usage. We will also identify the wells that over pumped their appropriation. Come mid-February, we should be finalizing all the diversion totals and submitting them to the Division Engineer.

PRESENTATIONS

- The presentation to be given by Steven Meakins was pushed to reviewing at the Board retreat due to time limitations at this meeting. If you want to make any suggestions please get them to Steve Kramer.
- President Rod Lenz made the statement, he applauds Steven for not giving up. "You go back and retool and come back. You are tenacious."

BOARD DISCUSSION AND ACTION ITEMS

- Discuss and vote on Resolution 21-10 to adopt the Budget for 2022, Rod Lenz presented Resolution 21-10, it was moved and seconded to adopt the budget. The resolution was approved unanimously.
- Discuss and vote on Resolution 21-11 to appropriate funds for 2022, Rod Lenz Presented Resolution 21-11, it was moved and seconded to appropriate the funds for 2022. The resolution was adopted unanimously.
- Discuss and vote on professional's rates for 2022, presented by Aaron Sprague, Budget Committee Chairman, it was moved and seconded to adopt the professionals rates for 2022.
- Discuss and vote on Resolution 21-12 Approval of Certification of Special Water Use Fee Assessment– Yuma County, presented by Suzanna Baker, Administrative Assistant. Rod Lenz asked for a motion and second to approve Resolution 21-12, it was approved unanimously
- Discuss and vote on Resolution 21-13 to adopt an Increase to RRWCD Water Use Fee to \$30.00 per Irrigated Acre beginning January 1, 2024, presented by Aaron Sprague, Board Treasurer. There was a motion and a second to approve Resolution 21-13. The Board continued discussion on this resolution

- Roger Seedorf mentioned his 2 concerns: He would like the last whereas to focus on the SFFZ. He also wants to include a sunset clause (December 31, 2029). Roger and Pete proposed an additional clause. Pete then read his drafted clause.
- Further discussion was held.
 - Kevin-is that the main driver for the money?
 - Rod-making it exclusive cuts the flexibility out, budgetarily we have to be able to make those payments
 - Aaron-program payments are the highest in the zone. We sent a financial signal to producers, that is the signal.
 - Roger-there must be public comment
 - Tim-there is a public budget committee meeting, where public comments could have been made
- There was a motion to amend the last whereas to focus solely on the South Fork Focus Zone.
 - Yes-limits moneys to SFFZ, No-is for the whole basin
 - NAYS won the vote
 - No roll call was necessary
- Discussion was held on the addition to a sunset to the additional 15.50 per acre fee to the Resolution.
 - The Clause now reads as “Unless the Governing Body takes other specific action through a written resolution prior to December 31, 2029, the annual use fee will be reduced to \$14.50 per assessed groundwater irrigated acre without further action from the Governing Body.”
- There was a motion to approve the sunset addition. It was seconded and passed unanimously.
- There was a motion to approve the resolution as presented on the projection screen (showing amendments), seconded and approved unanimously.

Discuss and vote on creating a new RRWCD sub-committee to review the RRWCD Water Use Fee

- Proposed by Rod Lenz, Board President
 - This will be a permanent committee and the timeline will be up to the committee.
 - There was a motion to approve the addition of an ad hoc committee to review the RRWCD Water Use Fee. It was seconded and the motion was approved unanimously.

Discuss and vote on offering a new full-time administrative assistant position, Presented by Roger Seedorf, Personnel Committee Chairman. The committee met on Nov 10. Personnel Committee recommends the board approve the position based on the following;

- Salary range between \$38,000 and \$43,000,
- Brooke Campbell then read the recommended job description to the board.
- Roger asked Daniel to explain why this is important to the district.
 - Daniel then explained how busy the office has been with the increased interest in conservation programs because of the increased program payments. She does not see the office getting less
 - Roger then brought up that we will need to reconsider the flextime policy. With 3 full time employees we may need to amend the policy.
 - It was moved and seconded that the Board hire a full-time employee with pay range \$38,000 to \$43,000. The motion was approved unanimously.
- Daniel suggested changing Suzanna’s title to office manager, because the two positions would have different job descriptions.
 - There was a motion to change Suzanna’s job title to office manager effective immediately, it was moved and seconded, the vote passed unanimously
 - There was a motion to adopt the job description for a new administrative assistant was made, seconded, and approved unanimously.

Discuss and vote on Resolution 21-14 to identify the location of public notice of Board and Committee meetings. Presented by Suzanna Baker, Administrative Assistant. It was moved and seconded to approve Resolution 21-14, to post meeting notices on the District’s website, the vote passed unanimously.

**PUBLIC COMMENT ON RESOLUTIONS
BOARD DISCUSSION AND ACTION ITEMS
ELECTION OF OFFICERS**

- At 3:30 the election of officers began for 2022.

Nominating Committee Chairman Steven Meakins stated that Rod Lenz had submitted his name for the position as President. There were no nominations from the floor. A motion to cease nominations and cast a unanimous ballot for Rod Lenz as President was made, seconded, and passed unanimously.

Greg Larson had submitted his name for Vice President. There were no nominations from the floor. A motion to cease nominations and cast a unanimous ballot to declare Greg Larson as Vice President was made, seconded, and passed unanimously.

Aaron Sprague had submitted his name for Treasurer. There were no nominations from the floor. A motion to cease nominations and cast a unanimous ballot to declare Aaron Sprague as Treasurer was made, seconded, and passed unanimously.

Gil Anderson had submitted his name for Secretary. There were no nominations from the floor. A motion to cease nominations and cast a unanimous ballot to declare Gil Anderson as Secretary was made, seconded, and passed unanimously.

OLD BUSINESS

- No Old Business

NEW BUSINESS

- Looking for a motion to allow Stuart Dykstra with V3 to forge ahead for funds. The motion was made, seconded and passed unanimously. Discussion was had about what to do in the case of Stuart not being able to do this. The plan was to reach out to other entities if needed.

EXECUTIVE SESSION

Personnel committee and negotiating committee asked to enter into executive session.


10-minute break at 3:45 before executive session.

Entered into executive session at 3:56. The motion to enter into executive session was seconded and passed unanimously.

Suzanna Baker and Payton Liming left executive session during the personnel portion of executive session.

Exited executive session at 5:30 pm

At 5:38 there was a motion to adjourn the meeting, seconded and approved unanimously.


Gilbert L. Anderson (Feb 28, 2022 16:16 MST)

Secretary

2/28/2022

Date