

Minutes of the Second 2020 Quarterly Board Meeting of the  
Board of Directors of the  
Republican River Water Conservation District  
May 19, 2020  
Zoom Video Conference

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, Zoom Video Conference due to COVID-19 pandemic.

Present were:

Board Members:

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

Deb Daniel, RRWCD General Manager  
Suzanna Baker, RRWCD Administrative Assistant  
Payton Liming, assisting with meeting minutes  
David Robbins and Pete Ampe, RRWCD General Counsel, Hill & Robbins, P.C.  
Randy Hendrix, RRWCD Engineer, Hendrix WAI, LLC

### STATEMENT OF QUORUM

President Rod Lenz called the meeting to order at 10:01 am, welcomed the public and started the meeting with the Pledge of Allegiance and a prayer conducted by Wayne Skold. Secretary Gil Anderson conducted a roll call of Board members. All board members were present.

With 17 Directors attending the meeting, Secretary Anderson declared that a quorum of the Board was present.

President Rod Lenz discussed how making a motion and voting would be declared. To make a motion declare yourself and then make your statement. Voting would be declared by a thumbs up on the screen showing affirmative and a thumbs down on the screen would be against.

Deb Daniel described how to unmute, what to do during the short lunch break, how to view speakers in gallery view for presentations, how to send a chat and that during executive session everyone except for board members and RRWCD staff would be placed into the waiting room. President Lenz also acknowledged guests.

### **AGENDA AND APPROVAL OF MINUTES**

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.

Prior to this meeting, the Directors had received, electronically, a draft of the minutes of the special Board meeting held on February 18, 2020, a copy of the executive session minutes held during that meeting, and the Board meeting minutes from the teleconference held March 27, 2020. These documents were also included in the Board packet. President Lenz asked if there were any changes or corrections to the minutes.

With no changes, a motion to approve the minutes of the special Board meetings held on February 18, 2020 was made, seconded, and approved unanimously.

President Lenz then asked if the board had any changes or corrections to the Executive session minutes from the special Board meeting held on February 18, 2020. There being no suggested changes to these minutes, a motion to approve the executive session was made, seconded, and approved unanimously.

With no changes, a motion to approve the minutes of the special Board meetings held on March 27, 2020 was made, seconded, and approved unanimously.

### **PRESIDENT'S REPORT**

At 10:15 AM, President Rod Lenz gave his report, President Rod Lenz thanked Deb and Suzanna for their preparation for this Zoom meeting. President Rod Lenz thanked Payton Liming for filling in for Suzanna Baker. President Rod Lenz stated the zoom (online) format will work for today but he does not want this to become a norm for meetings. He suggested Zoom meetings may be more efficient for certain committee meetings and may be implemented in the future.

Steve Kramer was promised this year would be focused on conservation however, the pandemic has made that more difficult than anticipated. The conservation committee had given seven presentations to six groundwater management districts and to the Philips county commissioners. The presentations were made to create a sense of urgency in the basin and it will need to be discussed how those presentations will proceed in the future.

Update on the Hutton 1 and 2 diversion berm, as per contract John Cure removed some of the berm to increase flow, the state then stated more of the berm needed to be removed and President Rod Lenz talked to John Cure at the site and they agreed they would work with Chris Kucera to facilitate the removal of the berm.

Lenz also made the board aware that Deb Daniel asked for the board to review the reimbursement provision for the district pickup because she is not commuting to Wray, and President Rod Lenz advised it will be looked at after the end of the work from home status.

President Rod Lenz discussed not allowing the pandemic to change the goals of the committees. It is important to keep these issues in the forefront of the public's mind:

*25,000 acres in the focus zone, along with accommodating all CREP and EQIP contracts*

*Hale water rights with Colorado Parks and Wildlife, continue to search for properties*

*20+ conservation presentations need to be done, hope to see a conservation task force come out of those presentations.*

*Dryden property decisions, contract is up in fall, that will be up to the negotiating committee.*

*“Alluvial acquisitions and their impact on the compact, we need to look at them as a priority going forward?”*

As the busy planting season comes up for farmers, social distancing doesn't really change their process. RRWCD office, (specifically Deb working from home) has not slowed down. Rod has been in quarantine a lot of the time and cannot wait to get back to “all hands-on deck.”

### **GENERAL MANAGER'S REPORT**

At 10:10 AM, General Manager Deb Daniel began her report. Deb is still filing new CREP contracts. FSA offices are limiting the number of employees in offices, which slows the process down. The new applications are not going to be effective until October 1, or later. The sign-up for CREP is closing in mid-August. Daniels is waiting to hear from local NRCS offices who qualified for the 2020 EQIP program. When she learns who qualifies she will contact Steve Kramer to set up a conservation committee meeting to figure out who is eligible for the supplemental payment. The committee will then make a recommendation to the full board for the 2020 rate.

Daniel continued, the RRWCD received the funds from the CWCB loan. These funds are being held in checking at the Bank of Colorado, Yuma branch.

Daniels reported that the District is working on a grant application for the South Fork Republican Restoration Coalition through the NRCS and RCPP. It is an AFA alternative funding arrangement and would provide funding for removal of phreatophytes along the South Fork and Arikaree rivers on private property. Tim Davis will report on this more later in meeting. Christine Arbogast is also assisting the SFRRRC with funding through federal legislators. Christine will report more later.

Payton Liming has stepped in to take notes and compile minutes for meeting. We needed the extra help with the Zoom platform and the possibility of Suzanna Baker being out.

General Manager Deb Daniel compiled a report for the Colorado Groundwater Commission the past Friday, Greg Larson shared it with the commission. Steve Kramer is the only commissioner who speaks of the activities in their area, Steve always makes the effort to mention what is going on in the basin. General Manager Deb Daniel thanked Steve Kramer for keeping those on the CGC board informed. Commission meeting went very well and was over in record time.

Three presenters for the day: Jayla Poppleton, Water Education Colorado Executive Director; Kindra Bradner, EQIP Program Manager, Colorado Beginning Farmer and Rancher Coordinator; and Alex Funk, Agricultural Water Resources Specialist.

General Manager Deb Daniel and Administrative Assistant Suzanna Baker have worked from home since March 16, 2020 because of COVID-19. We continue doing our work from home. Suzanna continues managing the finances. Deb makes a trip once a week to the office, sometimes once every two weeks, depending on the demand. They have adjusted well no matter where they are working from. Deb is thankful to Suzanna for her ability to work with everyone and everyone is excited to meet Baby Baker.

### **FINANCIAL REPORT**

Next, Administrative Assistant, Suzanna Baker, presented the financial report for the quarter ending March 31, 2020, which was previously sent to the entire Board electronically in the Board packet. Suzanna Baker also included notes in the electronic version in an effort to help clarify financials for Board members and allow time for questions before the meeting. A motion to approve the financial report for the first quarter of 2020 was made, seconded, and approved unanimously.

### **TRACY TRAVIS: PIPELINE REPORT**

Tracy Travis reported that the CCP pumped approximately 8,800 acre-feet from November 7, 2019, until April 3, 2020. With a couple of storm power outages and tank sensor failure, other than that, no big issues.

The tank sensor is fixed and working again. As for the radio interference issue we were having, Timberline has tried four frequencies before finding one without interference, so time will tell if we have that solved or not, but it looks good so far. (Gone six weeks without interference at the time of the meeting.)

Tracy Travis is planning on starting annual maintenance in the next couple of weeks.

Maintenance that is occurring is mostly erosion from storms and cattle.

### **COMMITTEE REPORTS**

- Director Aaron Sprague, Budget Committee Chairman, reported on the Budget Committee. From a Budget Standpoint we are looking good. The loan funds have gone through. Everyone should be proud of and appreciative of all the work Deb Daniel did for that to happen. The audit was a success, sounds like it went really well especially for switching companies, we expect a full report in a few weeks.
- Director Steve Kramer, Conservation Committee Chairman, reported that the top priority is to send an invitation to East Cheyenne and Plains to get everyone thinking about a day where they meet in person. Wants to also touch base with ground water districts who have already seen the presentation to get their thoughts and suggestions for the task force.

Applications on EQIP, hopeful to fund as much as possible, check into RCPP with Tim Davis, see where that will go and try to some acres retired in future.

- Director Steven Meakins, Chairman of the Innovation & Technology Committee, reported on the TAPS program; corn planted April 30, the variety planted was Channel 213,19VT at 33,000 was sprayed, and will begin watering in the next few weeks. There was then some discussion about how the committee is making decisions for this program: they are able to key in decisions on the computer and it is all electronically based. Once reports come in it will be easier to make decisions within the committee. Crystal Rhoades is leading the entire project, they feel at a disadvantage because they have not done this before, and are learning as they go
- Director Wil Bledsoe, Chairman of the Legislative Committee, stated there was not much to report, the Legislature has been out since mid-March. Christine Arbogast reported that the Joint budget committee and other committees (those impacted by COVID) have been meeting but they are narrow in scope, mostly budget oriented and to last three weeks. Rural and ag committees have not been meeting to date. Virtual meetings will commence on May 26<sup>th</sup>.
- Director Greg Larson, member of the Negotiating Committee, Hale ditch rights negotiations have been back and forth, subcommittee has been helping, stuff in works, but not much to report on. Will Bledsoe

added they are after a property within the basin and with water rights. This is not an ideal situation but is what CPW wants. We have not found any yet.

- Director Steven Meakins, Chairman of the Nominating Committee had nothing to report at this time.
- Director Roger Seedorf, Chairman of the Personnel Committee, stated that there was not much to report, we passed modified work schedule with maternity leave, work 8 hours a week, target for mid-July resume and start flex-time until Dec. 31,2020 for further review. COVID has created a modified work schedule and if anyone has any notes or suggestions to mention it to the committee. President Rod Lenz asked to include a review of General Manager Deb Daniel's reimbursement suggestion in a future meeting so a recommendation may be made from the Personnel Committee to the board at large
- Director Tim Pautler, Chairman of the PTAC Committee, nothing to report, but thought the season ran smoothly despite power outages and frequency issues.

### **ORGANIZATION REPORTS**

- Directors Greg Larson reported on the latest Colorado Groundwater Commission meeting. Thank you to Chris Grimes who made it run smoothly, everyone worked together to make it happen. Enforcement guidelines 2011-1: procedures used for potential violations from state was updated and approved. San Luis Valley was going to be the meeting spot in fall, however because of COVID a tentative plan changed to Castle Rock in August, the San Luis Valley meeting will occur at a later date.
- That meeting was the last meeting for Steve Kramer, it is tough to let him go.

Steve Kramer: Has had many questions answered through email, keep the line of communication open, they are very responsive and receptive to any questions. President Rod Lenz added that Steve Kramer is our representative for the Groundwater Commission so the RRWCD will also lose him as a representative. We expect to find a replacement in the summertime.

Greg Larson: new appointment from the CGD to the RRWCD board will be discussed at the next commission meeting. One member of the board shall be selected by the groundwater commission and shall be a member of the commission. The statute states the representative from the CGC must live in the basin. Steve Meakins asked if the board has any influence on the next representative? David Robbins stated they will take suggestions. Kevin Rein can forward a recommendation to governors' office to make appointment. Kevin Rein stated that they do have a recommendation already just moving more slowly this year. David Robbins asked if the board needs to be concerned by this recommendation? Kenny Helling asked if the recommendation can be shared? Kevin Rein stated that the recommendation was Tim Pautler. It was then asked if the board needs to find a Kit Carson County representative. Steve Kramer and Tim have been trying to meet to have a discussion on who would be best.

- Director Steve Kramer reported that the Colorado Water Congress (CWC) had nothing to report
- General Manager Deb Daniel reported on the South Platte Basin Round Table, Funds are very tight this year. The SPBRT will not be providing funds for things that are even approved this year. Time will tell what they will be able to fund at all. Daniels reported the SPBRT discussed the upcoming update to our Basin Implementation Plan. Deb volunteered to participate in the agricultural category of the BIP and will be asking for the board's input on that in the near future. We will be having a virtual meeting in June.

- Director Kenny Helling reported on the South Fork Republican Restoration Coalition. Coalition is waiting on final report from engineering group hired by the coalition, Deb and others are working on grant funding. General Manager Deb Daniel also stated that Christine Arbogast is also working with them to get federal funding. They Will be able to move more quickly if they can get the federal funds.
- Director Steve Kramer reported that the Water Preservation Partnership (WPP) needs to meet again soon. They have funds sitting in an account that could be used. Conservation would be one place to use such funds. It would also be a good way to circle back around with the water districts. There was then conversation on whether or not the WPP would be a good fit for the conservation task force following conservation presentations.
- Director Kenny Helling, representative for Yuma County Water Authority, nothing to report.
- Director Roger Seedorf, representative of Yuma County Pest District, one landowner contacted this year looking into getting equipment to make it possible to get into the difficult areas. Looking for available funding. North fork is the focus right now, then will go into summer ag plan, and then they will focus on the south fork in the fall. We need photos of projects of before and after.

### **PROFESSIONALS REPORTS**

- Tim Davis, RRWCD Program Consultant, EQIP signup ended in April. NRCS local offices will update with successful applicants. 1 year ago, the RRWCD requested increasing EQIP funding for irrigated to dryland conversion, The NRCS has moved annual payment from \$79 to \$120 an acre/a year. National headquarters approved payments to be made over a 5-year timeframe. This results in an increase from \$239 to \$600 dollars an acre. Tim recognized everyone for getting that done. He hopes we see increased use due to the additional funding from NRCS.

RCPP-AFA (Alternative Funding Arrangement), provides quasi grant to non-federal entities to address certain resource concerns that can't be dealt with under conventional NRCS practices. He and Deb are working through application process. It took 1 week to get into portal to enter data and start process. Request funding to restore native habitat on South Fork east of Hwy 385 and along the Arikaree River. The SFRRC is trying to get these projects approved to increase flows for the project. Christine is attempting to assist the SFRRC in getting funding and support from our legislative delegation. The RCPP-AFA application is due May 29.

Davis has been working with Mike Sullivan, Deb and Pete Ampe on a categorical exclusion on the CREP amendment, trying to get geographical boundary changed on CREP to match new basin boundary. If we can get the categorical exclusion approved, it will having to have an environmental assessment of the additional area and will have \$60,000 for the district.

Mike Sullivan reported that Virgil Ireland suggested a categorical exclusion because most of the acres have already been assessed. Cheyenne county acres are similar to Kit Carson county acres. Mike sent a draft request a couple weeks ago. This will help build a formal request. Good working relationship with local, state, and national staff.

Davis reported NRCS and FSA local offices are open but conducting everything virtually. Call ahead if you want to meet about any of the programs.

- Christine Arbogast, RRWCD Federal Lobbyist, reported that there is lots of attention being paid to south fork restoration project. Rumors of an infrastructure build continue. COVID-19 has had an economic impact. One way is through the annual appropriations process, we might see budget cuts happen.

Appropriators are saying that FY21 may show increases in domestic spending, infrastructure may happen in appropriations process if there is an availability of funds. Focus would be on water infrastructure and other reclamation programs. Corps of engineers-reduced funding but trying to get funding increased. Corps continuing grants are 65 to 35 federal/non-federal match.

Additional RCPP funding being asked for. It is a popular program that does not have enough funding to meet the demand. Hope to see increases in those pots of money and get the South Fork project eligible for those funds. Water Resources Development bill likely to be vehicle for whatever water infrastructure might look like in the short-term.

Arbogast continued the Senate is back working, virtually. The House is more complicated as they have 435 members.

Waters of Untied States New Rule was finalized and then immediately challenged in court. It is supposed to be implemented in the next month or so. It is hard to say when/how it will be implemented. Court cases that affect ground water, other groups and NWRA concerned about Maui, did not make things crystal clear. EPA guidance processes requested.

Colorado Water Congress Board and staff are working to see if summer meeting in Steamboat Springs will be possible. The decision hinges on the progress of the reopening plan in Colorado. It is possible the meeting may not happen. Decision will be made soon after Memorial day.

- Scott Meiklejohn, RRWCD State Lobbyist, not with us.
- Randy Hendrix, RRWCD water engineer, reported that currently it appears we will need to pump 9,500 acre-feet in 2020 for the CCP, which is slightly larger than needed to meet compliance. Pumping more now will help to keep from pumping so much later in the 5-year rolling average. We need to start addressing this issue now to avoid having even larger pumping amounts in the future. Hendrix was asked at the last meeting to make some RRCA groundwater model runs however his Windows operating system would not work. Randy is working on learning a new operating system. He will make Colorado pumping model runs and will run Nebraska and Kansas in future.

Randy has started running the model with a 25% reduction across the basin, reducing each county/district by 25%. Hendrix figured it would be best to share that across all wells since all of the wells would be impacted. Randy is trying to show everything out to 2050 because some of the producers will still be farming by then and impacts last even longer.

Discussion about considering water short years being calculated into the estimate

- Pete Ampe RRWCD Legal Counsel, submitted a written report and briefly spoke, they have been working on various contracts for land etc. Republican river rules litigation is still ongoing. Status conference occurred that morning, East Cheyenne has hired an engineer, and the AG has been trying to set up a meeting with the East Cheyenne board. Status conference scheduled for Sep. 2020 Trial is still set for Jan 2022.

The continue to work on moving the 'orphan wells' to the CCP wells, but there is a broader policy concern: Have to keep adding water to pipeline because depletions keep going up. If we take wells out of production somewhere else but move water through Sandhills that puts a lot of the burden on Sandhills. If we are trying to move water from down south and move it up north, they have legitimate concern about taking on the entire burden of supplying the CCP..

## REPORT FROM STATE ENGINEERS OFFICE

- At 12:00 PM Colorado State Water Engineer, Kevin Rein, Mike Sullivan, Asst. Engineer, and Dan Steuer, Senior Assistant Attorney General, gave their report. Kevin Rein started by thanking Steve Kramer for his service on the groundwater commission we will miss you.

Rein summarized the Statewide water situation: South end of state D2 and D3 drought. Hot, dry and windy, general look for Las Animas, San Juan, Rio Grande and Arkansas

DWR is working remotely, only doing as needed tasks in the office. They have gone paperless and processes have gone paperless.

State is facing huge budget shortfall, up to \$3 billion+ in the upcoming year. DWR did face budget reductions for current fiscal year. The Joint-Budget Committee (JBC) is considering cuts for next year, basically restructuring the budget, currently working through that. JBC had other approaches, like increasing application fees, but that will not be implemented now. DWR is preparing for difficult budget year, next year. Approaching it conservatively to maintain critical staff.

Legislature resumes May 26, hope to have budget by June 15

- **Mike Sullivan then reported**, CCP April Forecast, in that forecast we had some estimates for Benkelman and Arikaree, those flows are drifting downward, not sure we're going to see our estimates show up. Weather patterns will be looked at and the numbers will be adjusted. Hope for good year for good crops.

Meetings are being held virtually between the three states.

Flood flow into Harlan County Reservoir means 2020 will be a non-water short year because we had a full supply for the irrigation districts below the Harlan County Reservoir, they had 130,000 acre/feet available in the irrigation pool. That non water short year decision came early, with the water in the reservoir. With the non-water short year we will be able to include Colorado's Beaver Creek allocation in the State Wide accounting, which is a reduction in required CCP output of approximately 1,800 AF.

States continued to discuss the flood flow issue that can occur resulting in Nebraska's allocation going down. This result is counter-intuitive to how the accounting should work. The States decided that was a rare occurrence and would not occur often, decided to annotate in the accounting and did the accounting as was originally laid out.

Kansas had some concerns about the resolutions on Harlan County Reservoir that called for review of how operation was occurring. Under the resolution, Nebraska can refrain from pumping it's compact compliance pipeline to put water in the Reservoir, but Kansas can still call for that water to be delivered in the future. Discussions have been postponed because of retirements of State water directors in both Kansas and Nebraska.

Both states are having the same budget woes as Colorado is, and are looking at severe cuts as well. They however have not touched the settlement funds sent to resolve the 2003-2013 extra use of water under the compact. Nebraska has allocated an amount to the Frenchman Cambridge irrigation district, for the installation of Rubicon gates in the Meeker driftwood canal system. They currently have about 15 miles done. The gates will help prevent waste and will keep water higher up in their system. Nebraska is looking at additional efficiency improvements to the Nebraska Bostwick system which takes water from Harlan County Reservoir. Any way we can prevent loss of water through the system, will help keep

water in the Harlan County Reservoir and will help that reduce the years when water-short provisions are in place.

DWR is working with Kansas on the South Fork and distribution of those funds, Kansas had allocated \$250,000 of improvements in the area. Funds have been used to improve the irrigation system efficiencies.

Swanson Reservoir is about 2/3 full, increasing 80a/f a day, 40 cfs inflow, with no outflow, at 74,000 acre/feet

- **Dan Steuer then reported,** East Cheyenne has hired a groundwater modeler. He has been working with East Cheyenne to get move forward on negotiations. Basics of dispute, East Cheyenne wants to use RRCA model as basis to determine impacts for alternative compliance plans under the rules. They hope to determine their basis is zero, and therefore would not have to contribute to water compliance. This would be inappropriate use of regional model designed for interstate compact compliance, it was not designed to determine impacts for single well or group of wells within the state. It would also require development of new set of rules, substantive rule changes require a new case to be started. Changing rules would not help us maintain compact compliance. Hope to sit down and explain that pursuing this challenge will be costly to everyone who is monitoring, would not change status quo. May be ways we can work with them that do not involve changing the rules.

At 12:19 PM, President Lenz recessed the meeting for lunch.

At 12:51 PM, President Lenz reconvened the meeting.

#### **PUBLIC COMMENT**

At 12:59 PM, President Lenz invited comment from the public, stating that all public comments would be limited to 5 minutes today due to the length of the meeting.

- Darlene Carpio, Cory Gardner's representative for our area: COVID update, Gardner has been getting PPE for state and country. Last week a 988 suicide hotline was unanimously approved by Senate. Colorado has been selected as headquarters for Space Force. Rehire America legislation awards temporary wage increases for employees brought back to their jobs. President Rod Lenz asked Darlene Carpio to convey that we are at fundraising stage for South Fork project.
- Dusty Johnson, Rep. Ken Buck: In April, Buck led Colorado delegation letter, calling for Nancy Pelosi and senate majority leader McConnell to expand the definition of local government in the CARES Act because in Colorado only 4 counties have gotten the COVID funds because most counties do not have more than 500,000 people populating them. Get America Back to Work Act, this bill would credit individuals' wages at 100% of previous wages. Some people are getting more than 100% of wages so they are choosing to stay out of work to get more money. Buck sees a need to incentivize people to go back to work.
- Danyel Brenner, RRWCD basin resident thanked the District for the updates, thank you for the task force update and thank you for the update about the South Fork, she also enjoys the Zoom format.
- Nate Midcap, Manager of the Big 4 GWMDs, thanked the District for funding the Big 4 with part of the conservation funds that were available for the WPP, on behalf of the districts. They would be interested in reapplying for the next year. Discussions are easier face-to-face until reopening of the state. Conservation conversations are being pushed but have slowed down. Nate Midcap has concerns about

the central Yuma permit applied for as a diversion point into the Sandhills and then pumping back out in the central Yuma, rules on their books they are going to need two separate hearing processes. Both of those will have to follow rule 17a, central Yuma will have to approve the well in their district, to export into the Sandhills, central does not have a rule 17a to specify how that rule occurs. Will follow the Sandhills 17a and asks that he get that in writing from RRWCD.

Public comment closed at 1:14 PM with there being no other comments from the public.

### **Presentations**

- Kindra Bradner, EQIP Program Manager, and the Colorado Beginning Farmer and Rancher Coordinator. EQIP has moved from three-year payments to five-year payment schedule. In 2020, the NRCS will pay \$122.01 acre per year payments, so over the five years the payment becomes \$610.05. It was asked of NRCS why the \$79 payment was so low compared to Kansas and Nebraska and Bradner answered that it is because Colorado is in a different region. National costs are done on a regional basis, so after explaining the situation with the compact, they prorated Colorado's payment rate, so it is comparable to Nebraska's rate. They also now have a Targeted conservation proposal, gives more local and state patrol for setup. Thanks to Tim and Deb for their patience while putting out guidance for the TCP rules

Bradner reported that the EQIP application cutoff was April 10, and they are in the process of doing rankings. Ranking deadline is May 29, pre-approved will be known by June 1

Bradner has been selected as Colorado Beginning Farmer and Ranch manager. Clint Evans, State Conservationist, has been selected for a detail in Texas until September. While he is gone, the interim is Gene Bachaus until mid-July, Randy Randall will be after that date until Clint Evans is back

There are currently 30 NRCS positions open across state of Colorado

- Alex Funk, Agricultural Water Resources Specialist, gave a quick overview of the CWCB program, and the programs it funds for example the Master Irrigator Program. One of the programs mentioned, the Watershed Restoration Grant could be utilized for the Bonny Reservoir Restoration Program. In the process of updating the Colorado Water Plan, a living plan. They also have an opportunity to work with the Roundtable beginning in July for data and research collection.

CWCB is tracking the budget planning at the state level for the next year, the funds may not be there because of the COVID-19 pandemic. They are preparing for the possibility of fund being taken from their two main accounts.

- Jayla Poppleton, Water Education Colorado Executive Director, gave an update on Water Education Colorado activities and Benefits of Water Education Colorado membership. They have had to make many adaptations to fulfill their program requirements, for example, moving some programs to virtual because of COVID-19. Jayla spoke about how she became director of the Water Education Colorado program and gave a quick overview of what the program has done since its beginning in 2002, including but not limited to Headwaters magazine, which has distributed over 50 issues since its beginning in 2003. WEC co-works a lot on making sure their editions for their Citizen's guides are up-to-date, expect a couple dozen editions of the Citizen's guide to Colorado Ground water soon, and Fresh water news has been publishing since July 2018, this is weekly reporting with email news additions every Wednesday.

### **BOARD DISCUSSION AND ACTION ITEMS**

- President Rod Lenz asked General Manager Deb Daniel to describe the current subscription for the Water Education Colorado programs. Steven Meakins moved to support Water Education Colorado at the \$1,000 level. The motion was seconded and passed unanimously.
- Payment in Lieu of taxes for the Dryden property, last year the taxes were \$7,930 this year went down to \$7,674 for 2020. It was moved to make payment in lieu of taxes, seconded, and approved unanimously.
- David Robbins discussed the retention of records and how RRWCD does not have a policy on how long what records must be kept. Matt Montgomery from their office went through and classified how long a record must be lawfully held. These records can be kept in paper or electronic form. David recommends that the policy set forward be accepted by the board. There was a motion to approve the records retention policy, which was seconded and approved unanimously.
- AG in the classroom sent a letter asking for donations this year. Last year the RRWCD donated \$300. There was a motion to approve supporting Ag In the Classroom at the \$300 level, which was seconded, and approved unanimously.

#### OLD BUSINESS

- No old business to be brought to the board.

#### NEW BUSINESS

- No new business to be brought to the board.

#### EXECUTIVE SESSION

At 2:22 PM there was a motion to enter the executive session, seconded and approved unanimously.

- **President Rod Lenz read** to receive legal advice on legal questions and litigation concerning South Fork water rights; to discuss and determine positions, develop strategies, and instruct negotiators concerning the purchase or lease of water rights; determine positions and instruct negotiators concerning water supply acquisition, receive legal advice on legal questions related to such agreements, contracts and easements, discuss program applications; Compact Compliance, discussions with Kansas (to the extent subject to privilege), the Compact Compliance Pipeline and Bonny Reservoir and personnel issues

Kenny Helling left the meeting at 3:23 p.m. His iPad ran out of battery.

At 3:57 PM there was a motion to exit the executive session, seconded and approved unanimously.

- Greg Larson moved to allow the Negotiating committee to negotiate a contract to acquire property to trade for the Hale ditch rights not to exceed \$1.5 million, this would also include the authority to appraise and survey when or if needed. A motion and second from the board to allow the negotiating committee to proceed on a potential deal on the Hale property not to exceed \$1.5 million was passed unanimously.

A motion was made to adjourn the meeting at 3:59 PM, seconded and passed unanimously.

  
 \_\_\_\_\_  
 Secretary

8/18/2020  
 \_\_\_\_\_  
 Date