

**Minutes of the January Regular Meeting of the
Republican River Water Conservation District
January 13, 2005
Yuma, Colorado**

Present were:

Board Members:

Dennis Coryell
Raymond Enderson
Garry Kramer
Steve Kramer
Stan Laybourn
Tim Pautler
Rick Seedorf
Wayne Skold

Tony Puga, Natural Resources Conservation Service
Dennis Montgomery, General Counsel, Hill & Robbins, P.C.
Ken Knox, Deputy State Engineer
Scott Richrath, State Engineer's Office

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

MINUTES

President Coryell convened the meeting, pursuant to notice required by statute, at the Church of the Nazarene, Yuma, Colorado, at approximately 10:00 a.m. Legal counsel called the roll and stated that a quorum of the Board was present.

The Board approved the Agenda.

Secretary Tim Pautler introduced Tony Puga of the National Resources Conservation Service (NRCS). Secretary Pautler reported that he and General Manager Stan Murphy had worked on items for discussion and had drafted policies for supplemental funding by the Water Activity Enterprise (Enterprise) for Environmental Quality Incentives Program (EQIP) land conversion contracts. A copy of the draft of the Policy Manual was handed out and Secretary Pautler led a discussion of the policies.

In the course of the discussion, Mr. Puga stated that the Board needed to make it very clear that the Enterprise will not pay for conversion of acres that are not listed as irrigated on the county assessor's records.

Mr. Knox explained the Compact Compliance Buffer Zone Maps. Secretary Pautler requested that a larger map be provided to the NRCS and the District office. Mr. Knox said

that he would prepare 12 large maps for the District and the Groundwater Management Districts.

Mr. Puga discussed the time frame for the NRCS evaluation of applications for EQIP contracts and the deadline for signing contracts.

At 12:13 p.m., the Board discussed the fact that the county treasurers had not been able to identify the assessed irrigated acres that are irrigated with pre-Compact surface water rights and had sent out bills to owners of pre-Compact surface rights for the use fee imposed by the Enterprise. A motion was made that the Board, acting as the Governing Body of the Enterprise, direct the General Manager to consider and evaluate requests for refunds by owners of pre-Compact surface rights who were billed for use fees under the Enterprise's Water Use Resolution and to make recommendations to the Board regarding refunds and, if appropriate, to advise the county assessors to correct their records. The motion was moved, seconded, and passed unanimously.

The Board also instructed the General Manager to determine if there were pre-Compact wells and to put that issue on the agenda for the next Board meeting.

At 12:20 p.m., the Board recessed for lunch.

At 1:20 p.m., President Coryell reconvened the meeting. Director Wayne Skold had advised the President that he would be unable to return for the afternoon session. The Board continued the review of the draft policies.

At 1:40 p.m., Director Grant Bledsoe arrived, so there was a quorum present.

The Board then discussed the draft 2005 application for funding supplemental to EQIP by the Enterprise. Mr. Murphy recommended that the form require that the applicant authorize the District to obtain access to utility information. It was also recommended that the form state that the applicant is the owner of or has the authority of the owner of the land to be converted to submit the application. Secretary Pautler said the goal was to have the application to review by the February Board meeting. There was also a discussion of what would be required as proof of ownership. Mr. Puga said that the NRCS will sign a contract with a lessee if the lessor who owns the property consents.

Legal counsel advised the Board that it should consider whether to impose a use fee on the diversion of water for lands that are included in the EQIP contracts.

The Board then discussed the use fee on diversions by commercial and municipal wells. A motion to direct the General Manager to develop a billing procedure for commercial and municipal wells and to present it to the Board at the next meeting was made, seconded, and passed unanimously.

The Board then discussed lands in the Conservation Reserve Program (CRP) that are assessed as irrigated lands. Robin Wiley, County Commissioner from Yuma County,

recommended that the Board develop a procedure to refund the use fee on CRP lands that are not being irrigated. After discussion, a motion to direct the General Manager to develop a procedure to refund the use fees that were billed for lands that were assessed as irrigated, but were not irrigated was made, seconded, and passed unanimously.

The Board then discussed the Appendix to Form CCC-1200 Environmental Quality Incentives Program Contract. Secretary Pautler said there are some issues that the Board may need to look at. Legal counsel was directed to review the Appendix and develop a contract with the user.

The Board voted unanimously to adjourn at 3:20 p.m.

Secretary

Date