

**Teleconference Meeting of the Board of Directors of the  
Republican River Water Conservation District**

**September 10, 2020 Teleconference/Zoom**

The Board of Directors of the Republican River Water Conservation District convened a special meeting, pursuant to notice required by statute and the District's By-Laws, utilizing teleconference/Zoom technology

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  
Rod Mason  
Steven Meakins  
Tim Pautler  
Roger Seedorf

Deb Daniel, RRWCD General Manager  
Suzanna Baker RRWCD Administrative Assistant  
David Robbins, RRWCD General Counsel, Hill & Robbins, P.C.  
Pete Ampe, RRWCD General Counsel, Hill & Robbins, P.C.  
Tim Davis, TJD, Inc.  
Mike Sullivan, Deputy State Engineer

A telephone was provided at the District office for interested members of the public to participate but no public attended.

**STATEMENT OF QUORUM**

President Rod Lenz called the meeting to order at 8:00 am. Board Secretary Gil Anderson conducted a roll call of the Board members and declared that a quorum of the Board was present. Greg Larson, Wayne Skold and Stan Laybourn were not able to call-in to the teleconference and were excused.

**AGENDA**

- CREP - The RRWCD had made a commitment to the wells added to the District as part of the boundary change in the southern part of Kit Carson County, in Sedgwick and Cheyenne counties to use best efforts to make sure they are eligible for CREP. President Lenz discussed the options currently available for the district to move forward, which are:

1. Do not amend the original CREP. No change to the original CREP Agreement and the annual rental rates for future CREP producer contracts within the current/original CREP area will not be affected by the 10% reduction to the rental rate mandated by the 2018 Farm Bill. However, this will require pursuing a new CREP agreement for the area added to the District in 2019 if the Board wants to offer a CREP program to that area. The new CREP would be subject to the requirements of the 2018 Farm Bill, including the 10% reduction in the NASS annual rental rate (see alternative 3, below).
2. Amend the current CREP Agreement to add the new area to the District. This could result in a 10% reduction to rental rates mandated by the 2018 Farm Bill in all counties. FSA has not clarified if this reduction would be based on the current CREP rental rates or the current NASS data. There would be no change to the terms of the existing CREP contracts.
3. Prepare a new CREP agreement that would only be applicable to the areas added to the District in 2019. This would likely result in a 10% reduction in the annual rental rates for producer contracts within the new CREP agreement area.

Another possible option--

4. Reach out to Secretary Purdue and request that he waive the 10% reduction to the proposed CREP Amendment area. The Board believes that the Secretary has the authority to waive the 10% reduction. If the Secretary would agree to waive the 10% reduction to the rental rate, the District could move forward with the amendment to the current CREP Agreement and avoid a new round of environmental compliance by relying on the original categorical exclusion.

Mike Sullivan then reported that the categorical exclusion has been approved letting the lands in without an additional environmental assessment if the existing CREP is amended but not if a new CREP is created for the new land.

Tim Davis discussed a fifth alternative that would be to do nothing. Just keep everything as is. Secretary Purdue could waive the 10% reduction. They may also review the rates nationally and possibly annually. Tim Davis believes their workload is already high and doesn't believe an annual change will occur. Rental rates could possibly change under the current CREP. Existing contracts will not change, only new contracts will be affected.

According to the NASS data, all counties went down except for Yuma county which went up. This data is received in September.

Board Discussion on CREP - Option 3 would amount to \$60,000 - \$80,000 for the environmental assessment to develop a new CREP for the new lands because there could be no automatic categorical exclusion.

Seeking a waiver from Secretary Purdue – The initial request would be made through Mike Sullivan to Virgil Ireland, asking how to apply for the waiver from the 10% reduction. It was reported that Pete Ampe did send an email to Christine but has not heard back from her yet.

Stan Laybourn, Steven Meakins and Pete Ampe joined the Zoom meeting at 8:27am.

The Board believes option 4 is the best case forward right now but doesn't want to delay any other options by choosing option 4.

There was an option to move forward to procure a waiver from Secretary Purdue to include new lands into the current CREP contract.

Jim Hadachek was in favor of the 10% cut across the board, no other board member voiced their opinions.

Mike Sullivan will contact Virgil Ireland to verify the process for acquiring the waiver from Secretary Purdue.

- Seward Project on the Arikaree— Rod reported that the Board received a response letter from the State, which Mike Sullivan explained, and which walks through the perils and pitfalls of the Seward proposal. The proposal would not positively affect the compact in Colorado's favor. Rod's thought was using the wells to stop the underflow and bring it into the stream. Sullivan suggested that would only help while you have banked water. Possibly less flow when the bank is gone because the alluvium has been drained.

The Letter from the State Engineer's office, will be attached to the minutes as Exhibit A.

- Mark Lengel proposal – Mark contacted the district asking for financial help to take out phreatophytes such as cattails and Russian olives along the South Fork of the Republican on his property using a mobile grinder. Lengel projects an initial cost of \$15,000. Lengel does not own the equipment on his own, he would pay rent for the tree grinder. He believes he would cover 15-20 acres. The district has about \$10,000 available for channel restoration. Lengel is requesting an answer fairly soon in order to get work. President Lenz clarified that funds in the line item Tee Removal/Channel Restoration could be used for the Mark Lengel project. This also works well with the SFRRC project. Any extra funds will need to go towards follow-up herbicide applications.

There was a motion to adjourn the meeting at 9:04am. Motion was seconded and approved unanimously.

  
Secretary

  
Date