

**Minutes of the Board meeting of the
Board of Directors of the Republican River Water Conservation District
March 21, 2025**

Offered virtually only

- A. The Board of Directors of the Republican River Water Conservation District convened their board meeting, March 21, 2025 pursuant to notice required by statute and the District's by-laws. President Rod Lenz opened the meeting at 12:00 PM.
- a. Lenz led the group in the pledge of allegiance and Lenz led the group in prayer.
 - b. Secretary Kristen Schneider conducted a roll call of Directors. Board members present for the roll call were:
 - i. Rod Lenz, president
 - ii. Steve Kramer, vice president
 - iii. Aaron Sprague, treasurer
 - iv. Kristen Schneider, secretary
 - v. Don Brown
 - vi. Brooke Campbell, excused
 - vii. Tim Fetzer
 - viii. James Harlow, excused
 - ix. Greg Larson
 - x. Josh Lechman
 - xi. Trent Leoffler
 - xii. Robin Liming
 - xiii. Steven Meakins
 - xiv. Tim Pautler, excused
 - xv. Kevin Penny
 - xvi. Roger Seedorf
 - xvii. Dennis Wieser
 - xviii. A quorum of the board was declared with Trent Leoffler, Josh Lechman, and Kevin Penny absent and Brooke Campbell, Tim Pautler and James Harlow excused. There were 11 of 17 board members present.
 - xix. Staff/consultants present: Deb Daniel, Reon McBride, Payton Liming, David Robbins, Pete Ampe, Randy Hendrix, Patrick Firth
 - c. Introduction of guests
 - i. There were no guests present.
 - d. **Item G, comment on next steps to resolve next steps for committee assignments was added to the agenda. There was a motion to accept the amended agenda. There was a second and the vote was unanimous.**
 - e. The District staff gave a quick update on things in the office. McBride discussed working with Schneider to have the by-laws and retention plan reviewed for the Board to review at the May meeting. Daniel discussed traveling to the upcoming CWCB meeting to be present for questions related to the \$6.0 million grant. Daniel also discussed meeting with the CWCB staff to discuss the process and distribution of funds when awarded to the participants of the \$6.0 million grant.

B. Discuss Sandhills GWMD concerns – Steve Kramer, Vice Chairman & Randy Hendrix, RRWCD water engineer

Josh Lechman joined the meeting at 12:10 PM

Trent Leoffler joined the meeting at 12:11 PM

- a. The Executive Committee met with Sandhills Groundwater Management District (SHGWMD), the group discussed the following issues: Payment in lieu of taxes; Sandhills requested static water measurements the day before the pumping season, 75 days in and after the pipeline has been turned off, notice for the amount of the water delivered; payment for water pumped for export (the injury of the loss of the recharge water)

- b. Hendrix discussed requesting SHGWMD amend their numbers on record for the appropriation of the well field wells, to the numbers DWR has and all additions to the well field be handled separately from the past numbers going forward
- c. Kramer discussed the formula to determine the cost to potentially pay for the exported water to SHGWMD the Board previously discussed and would like input on that formula to move forward with SHGWMD
 - i. There was extensive discussion on the formula to pay for exported water from SHGWMD, the precedence set by using a formula based on acre-feet pumped, and also the loss of tax dollars to the county due to those acres in the well field being dried up, but not qualifying for the CREP program.
- d. Daniel discussed the SHGWMD requested static water level measurements be made the day before the pipeline pumps, 75 days into the pumping season and the day after the pipeline has completed the pumping season.
- e. Seedorf brought forward the issue of water that may be pumped out of Central Yuma Groundwater Management District with the Orphan Well, Seedorf suggested a per acre foot-fee may be best in the case of an export fee for all future pumping for Compact Compliance.
- f. There was continued discussion concerning the rates the Board may pay for exported water moving forward.
- g. Brown suggested that the Board consider proposing a fee to the SHGWMD per acre-foot annually. There was no dissent to this suggestion.
- h. There was discussion on the dollar amount per acre-foot pumped. There was discussion on placing a value on water pumped. Brown withdrew his previous recommendation on the charge being on the acre-feet pumped and stated use the 17% formula and adds in this is addressing this applies to all exported water for Compact Compliance, including that from Central Yuma.
- i. There was continued discussion on designating some of a export fee funds to be used for by the GWMD for a conservation program. Robbins stated this would be part of the contract negotiation with SHGWMD
- j. Lechman suggested a \$35 cap per acre-foot in the 17% formula. Wieser was opposed to this recommendation. Everyone else was in consensus.
- k. Schneider asked if the Board wanted to use a 5-year rolling average for the amount pumped out of the Compact Compliance Pipeline? Hendrix suggested that the 5-year rolling average mimics compact compliance best.
- l. The board took no formal action on the formula to pay for exported water.

C. Discuss and vote on Congressionally Directed Spending apps – Deb Daniel, General Manager and Patrick Firth, RRWCD federal lobbyist

- a. The award through the CWCB granted \$280,500 for engineering for SFRRRC to plan to drain the phreatophyte base and the silt.
- b. Daniel has requested letters of support from: Yuma county commissioners, Kit Carson county commissioners, state legislators, federal legislators, Nate Pearson and Executive Director of Colorado Department of Natural Resources Dan Gibbs, Commissioner of Agriculture, Kate Greenberg and Colorado State Governor Polis for Congressionally Directed Spending for \$2.2 million for SFRRRC through Congresswoman Boebert's office and \$10.1million for the pipeline expansion project through Senator Hickenlooper's office.
- c. **Brown moved to participate in these activities at the levels currently determined. There was a second.**
- d. Firth clarified that there is a tight fiscal environment and if there is a preference for which project is prioritized it should be the pipeline project.
- e. **The vote was unanimous to support the Congressionally Directed Spending applications.**

D. Discuss and vote on Pipeline Maintenance Overrun – Aaron Sprague, Budget Chairman and Randy Hendrix, RRWCD water engineer

- a. Sprague presented this issue in place of Pautler's absence. Sprague discussed there have been technical issues getting the wells looked at. Sprague stated there was an estimate to get the work done but there has been additional well work done at a cost that occurred higher from the estimate suggested. From Sprague's perspective the budget is fine to carry these additional costs. Sprague wanted to make sure the Board had this information though. There was discussion on acknowledging this has been brought to the Board and because the budget has been approved there is nothing to be done at this point because the cost has not exceeded the O&M budget line item.

E. Discuss and vote on Assistant Pipeline Operator contract – Roger Seedorf, Personnel Committee and Pete Amp RRWCD legal counsel

- a. The Personnel Committee suggests the District contract for an assistant pipeline operator to protect the District when the pipeline operator must do two-person manhole work/maintenance or is unavailable for some reason. Seedorf read through the contract and pointed out specific language to the board. Seedorf read through the duties and brought forward the point that the CCP operator has the same duties. There was discussion about adding language clarifying those tasks will only be completed when the CCP operator is unavailable to complete those tasks. Because the contract is with the LLC, there needs to be specific language stating that Garrett Tracy will be the only person of the LLC to conduct this work. There was discussion about removing the language about reimbursement for the liability insurance. There was additional discussion about the District recently hiring someone for this position, so why is a second person being hired? There was additional discussion about redrafting the language in the contract.
- b. Action on the final contract was tabled by Don Brown until the contract is amended by legal and reviewed by the full Board.**
- c. There was a motion to authorize payment to Garrett Travis, with the Board acknowledging this is a payment for services that were performed without a contract and further review of the contract will occur. There was a second. The vote was unanimous.**

F. Discussion on late bill status – Rod Lenz, Chairman of the Board and Landon Gates, RRWCD state lobbyist

- a. The District submitted a request for late bill status for addressing self-invoicing fees for the District. Gate stated that he believes if the request was going to be rejected it may have been done by this point but Gates will continue keeping the district up-to-date on this issue.
- b. Brown asked, is the title tight enough or will someone attempt to slide some amendments into the bill? Gates stated he is currently focused on getting the status approved and then will contact a title writer.

G. Comment on next steps to resolve committee assignments – Rod Lenz, Chairperson of the Board

- a. Lenz discussed his belief to handle issues at the lowest level possible. Lenz discussed the personnel issue and the multiple requests made for the recording of the Dec. 3, 2024 Executive Committee. This issue has not been resolved as of yet and the Personnel Committee will bring forth a resolution at a future meeting.
- b. Brown stated the requests for the audio have not been driven by Brown.

H. Executive Session 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 and discussions with Kansas (to the extent subject to privilege), and the Compact Compliance Pipeline and Bonny Reservoir, and to discuss personnel matters

- a. There was no executive session held.**

I. 1:55 PM – Adjourn Meeting

Kristen M. Schneider
Secretary

5/20/25
Date