

Minutes of the First 2020 Quarterly Board Meeting of the
Board of Directors of the
Republican River Water Conservation District
February 18, 2020
Burlington, Colorado

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, Old Town Museum – east meeting room Burlington, Colorado

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
Wayne Skold

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

A sign in sheet listing the members of the public attending the meeting is attached as Exhibit 1.

STATEMENT OF QUORUM

President Rod Lenz called the meeting to order at 10:02 am, welcomed the public and started the meeting with the Pledge of Allegiance and a prayer. Secretary Gil Anderson conducted a roll call of Board members. Greg Larson and Stan Laybourn were absent and excused. With 15 Directors attending the meeting, Secretary Anderson declared that a quorum of the Board was present. President Lenz acknowledged guests Woody Woods, Colorado FSA District 3 Director, Ivy Reynolds, CRP Specialist and Corey Pelton, District Director for Kit Carson, Cheyenne, and Lincoln counties and Chelsea Erickson from Kansas Department of Ag.

AGENDA AND APPROVAL OF MINUTES

President Lenz asked for any amendments to the agenda for the meeting. It was asked to add in Old Business, a report on attaining internet access and going digital during Board meetings—by Suzanna Baker. Tim Pautler

asked to get a report from the RRCA meeting. There was a motion to approve the agenda with noted changes, 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 January 9th and 10th 2020, and a copy of the executive session minutes held during that meeting. 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 January 9th and 10th 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 January 9th and 10th 2020. There being no suggested changes to these minutes, a motion to approve the executive session was made, seconded, and approved unanimously.

PRESIDENT'S REPORT

At 10:07 AM, President Rod Lenz gave his report, and informed the board that the Budget Committee meeting turned into a conservation meeting. The resolve on the Budget Committee was for conservation. President Lenz kept his report short due to the length of the agenda.

GENERAL MANAGER'S REPORT

At 10:10 AM, General Manager Deb Daniel, also wanting to keep her report short, gave a brief update on the activities of the office. She has been very busy with CREP contracts, she has met with several people interested and has several more pending contracts.

FINANCIAL REPORT

Next, Administrative Assistant, Suzanna Baker, presented the financial report for the quarter ending December 31, 2019, which was previously sent to the entire Board electronically as well as being included 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 fourth quarter of 2019 was made, seconded, and approved unanimously.

COMMITTEE REPORTS

- Director Aaron Sprague, Budget Committee Chairman, reported on the Budget Committee meeting held earlier in the month. The Budget Committee came out with a recommendation that the Board members will report and vote on later. Sprague felt it was a very productive meeting.
- Director Steve Kramer, Conservation Committee Chairman, reported on the conservation meeting they had December 6, 2019. Alex Funk with CWCB joined via teleconference. Alex explained several programs that might be beneficial to the RRWCD, even the possibility of an RRCP program. The Conservation Committee also looked into turning the Dryden property into a research farm, maybe setting up a calcutta type competition for the study. At a previous Conservation Committee meeting member discussed the RCPP further and if that would be a viable option for the RRWCD. We will also be presenting a conservation powerpoint later in the meeting that we would like the whole Board's opinion on. The goal is to receive approval of the presentation and to present to all GWMDs, county commissioner boards and more.
- Director Steven Meakins, Chairman of the Innovation & Technology Committee, spoke on the Dryden property and he is getting more information from Megan Schipanski, from CSU.

- Director Wil Bledsoe, Chairman of the Legislative Committee, reported there are a couple bills Jeni Arndt is representing and a few more bills that we will hear about from Scott Meiklejohn, state lobbyist later in the meeting.
- Director Roger Seedorf, member of the Negotiating Committee, gave an update. He stated there are 3 RRWCD district activities used for compact compliance: 1. Purchasing surface rights 2. The well field north of Wray and 3. Conservation programs. The Negotiating Committee heads up the purchasing of water rights and surface water rights.
 1. Roger Seedorf continued that the Negotiating Committee looked at a tract of land near Bonny. This was the Hutton property and the surface water rights were purchased for \$5.5 million. The RRWCD also purchased water rights on the Hayes Creek Ditch and Hayes Creek Ditch #3.
 2. Seedorf then reported, there is a 200 ac-ft need per year to add additional groundwater appropriation to the pipeline. RRWCD also purchased one well near the pipeline from Pro-Health, for \$800,000. There is also a well we call the 'Orphan Well' that is not currently included in the pipeline total. When the RRWCD's application for this well is approved, it will add about ~200 ac ft as well to the appropriation total for the pipeline.
 3. The RRWCD also has conservation program goals; we need to retire 25,000 acre in the South Fork Focus Zone. There is currently a grant from CWCB of \$2 million for incentive payments in the SFFZ. The first 10,000 acres signed up will receive an additional \$200/acre when entering into a conservation program in this area.
 4. The Negotiating Committee is looking into some other things that are sensitive and will be discussed in the executive session.
- Director Steven Meakins, Chairman of the Nominating Committee had nothing to report at this time.
- Director Roger Seedorf, Chairman of the Personnel Committee, gave a synopsis of his report and he will give a more in depth report later in the meeting. The personal committee had a teleconference recently to discuss the upcoming maternity leave for Suzanna Baker. Baker will use a combination of sick, personal and vacation leave. She can also use unpaid leave. Baker does not plan on being at the May meeting. It is anticipated Baker will start transitioning back to full time in mid-July. Baker will also be working from home a lot, tasks that can be done at home include but are not limited to QuickBooks, bills, payroll, assessment fees, minutes, etc. The board will consider a modified work schedule so that work can be done from home. The current RRWCD office hours will remain the same.
- Director Tim Pautler, Chairman of the PTAC Committee, reported the new radio frequencies are in and that has solved the interference issues. The tank sensor is in and working well. The frost and condensation are not affecting the new sensor as much as previous sensors.

ORGANIZATION REPORTS

- Director Steve Kramer reported on the latest Colorado Groundwater Commission meeting. The commission reviewed the Basin Rules. The Commission had a lot of discussion on oil and gas production in Colorado. The Colorado Master Irrigator program was talked about and the Commission was impressed with the efforts and looks forward to hearing more.
- Director Steve Kramer reported that the Colorado Water Congress (CWC), if anyone can attend CWC in the future he encourages you to go. He was very impressed with how many people Deb Daniel knew and the network she created. Kramer thanked David Robbins for all of his work at CWC. CWC is in favor of keeping agriculture going, they try to keep up with what is going on in the rural areas. Some of

the presentations during the winter conference were on WOTUS, surface water ATMs water transfers and how they deal with fluctuating demands. Christine Arbogast was awarded the prestigious Wayne Aspinall “Water Leader of the Year” award.

- General Manager Deb Daniel reported on the South Platte Basin Round Table, She was not able to attend the February meeting. However, in January they had several good presentations, including Greg Peterson, from Colorado Ag Water Alliance, who will be giving a presentation later in the meeting. Greg wants to have a tour in the RRWCD Basin this summer. The SPBRT received a presentation from a group of entrepreneurs asking for \$55,000 for a project in which they would compile solutions to solve wicked problems... their proposal was denied. Brent Schantz/Corey DeAngelis – applied for \$100,000 from SPBRT for data logger telemetry installation project. In the past, they have received over \$1.1M for equipment and updates. Funding has been provided by Roundtables, water conservation districts and individuals. Total cost of the current project is \$457,650. Modems have to be updated frequently. Real-time data is available through this equipment. Allows more efficient administration of water. Water data available to the public online. Their application was approved unanimously. The SPBRT also received a report on the Fremont Butte Reservoir being proposed west of Akron.
- Director Kenny Helling reported on the South Fork Republican Restoration Coalition. The SFRRC is working hard. The group had a great turn out at the public meeting on the project on February 10th in Burlington. William Burnidge from The Nature Conservancy gave the presentation. He reported to the public the possibility of cleaning up the stream bed through Bonny including cleaning out the silt. The project would also lower the inlet so that water that gets backed up in Bonny would only be during a major rain event. The option the Coalition chose was the most economical and also leaves open the opportunity for additional work in the future. The challenge in the future is funding for the project. There was some discussion and clarification on the flow of the river under and through the dam.
- Director Steve Kramer reported on the Water Preservation Partnership. Regrettably the WPP has not been very active. The Colorado Master Irrigator program is in the works. They have had two classes. Brandi Baquera has done an excellent job. The class seems very involved in surveys and worksheets. Participants who finish the program receive really great incentives. Some people in Kansas that are in the LEMA area have said they want the class in their state too. Tim Pautler added that Steve Kramer gave a presentation yesterday, and he is also very impressed with the program. Pautler’s nephew is taking the class and he is overwhelmed with the amount of knowledge that farmers who are already using the programs are willing to share. Amy Kremen from CSU, has been filling in while Brandi Baquera is out for medical reasons. Kremen has been amazing. Each participant must come up with a project for the class and Pautler is very interested to see what projects the class comes up with. Each session has a separate focus, from history of irrigation to technology and soil health. The last session will have NRCS heavily involved to present on cost-share programs available to them. Those who took the class will be at the top of the list for NRCS programs. The class must report back within a specific amount of time to show they used what they learned during the program. One of the main topics of the program was to be more profitable with less water. So far there is enough funding for two more years of classes but the CMI will be looking for more later.
- Director Kenny Helling, representative for Yuma County Water Authority, had nothing to report.
- Director Roger Seedorf, representative of Yuma County Pest District, reported Mike Foor, General Manager of YCPD will be presenting later for a funding request.

PROFESSIONALS REPORTS

- Tim Davis, RRWCD Program Consultant, reported CREP application sign-up is open. There has not been a lot of activity right now but he thinks that it is coming. He would like to see some publicity on the CREP program. Woody Woods has been working with Deb to schedule some public meetings. There is some interest, but we also want to see more CREP program activity later in the year.

Regarding the RCPP, Tim Davis reported there was some good discussion with the Colorado Master Irrigator program and we need to start looking at how we can pull those together. Clint Evans is all in for the master irrigator program and will be at the last meeting. RCPP started in 2008, and grew from other programs. In the 2018 Farm Bill, the RCPP is now listed as a stand-alone program. Need to discuss what programs we want to use between RCPP and EQIP. Tim Davis will keep us updated on what actions we need to take.

Tim Davis asked if upcoming CREP meetings will be very similar to meetings held last year. Deb Daniel responded that yes, CREP public meetings held this year will be very similar to last year's CREP public meetings. Meetings this year are being considered to be held in the locations where we had the most interest last year. Woody Woods, CO FSA, is also open to organizing more meetings throughout the Basin. He stated that he just needs to get them on his schedule. Ideally, they would like to give producers several options of meetings and we need to advertise for good participation. Currently the number of interested CREP participants is 50% in the SFFZ and 50% out of the zone.

- Christine Arbogast, RRWCD Federal Lobbyist, was congratulated on receiving the 2019 Wayne Aspinall award at CWC, before she could begin her report. She thanked everyone and was very appreciative of receiving this prestigious award. She started her report that there is not a whole lot going on in DC that is impactful to the district. There are serious cuts proposed to conservation programs in President Trump's draft national budget. However, Christine reported that every President's budget is "DOA". She expects Congress to add money back into the programs. She suggests the RRWCD send a letter expressing concern on the conservation program cuts. Currently there are no massive infrastructure bills. Christine reported WaterSmart grants may be possible in the future. The Senate won't accept the House bill because of environmental issues. Christine does not recommend going to Washington DC right now. She believes sending a letter would be just as beneficial.

Christine did connect with William Burnidge at The Nature's Conservancy to help with finding funding opportunities for the South Fork Republican Restoration Coalition project.

- Scott Meiklejohn, RRWCD State Lobbyist, stated that we are now 25% through the legislative session. 491 bills have been filed and read. There are about 300 more bills to go before the end of this year's session. These will be the more controversial bills the state legislators will consider. There are 12 bills Meiklejohn is following for the RRWCD. All bills are on the RRWCD website under legislative update.
- Randy Hendrix, RRWCD water engineer started his report by stating he has been doing analysis on 3 additional properties for the Negotiating Committee that will be presented during the executive session. The Bar 11 #2 water right will also be discussed in the executive session. He went on saying that the use of the South Platte River's 'free' water will also be discussed in the executive session.
- Pete Ampe RRWCD Legal Counsel, stated he was also going to be giving a fairly light report. He is currently looking to convert some RRWCD water rights to in-stream flow. The converting of those water rights will be discussed in more detail during the executive session. The engineers report is done for those water rights. Pete Ampe continued that on the litigation side, everything is quiet except for the Basin Rules. The trial is currently scheduled to be in 2022. RRWCD's legal team has also been working closely with the Conservation Committee and Personnel Committee.

PRESENTATIONS

- At 11:20 AM Colorado State Water Engineer, Kevin Rein, Mike Sullivan, Asst. Engineer, and Dan Steuer CO Senior State Assistant Attorney General, gave their report. Since the meeting was ahead of schedule, Kevin was gracious enough to move his report before lunch. They started by saying not a lot has happened since the January Board Retreat. They gave an update on the Basin Rules and stated that the East Cheyenne GWMD is the only remaining objector. The ECGWMD has hired someone who does water modeling and they have been in conversation with Willem Schreuder. They basically want to rewrite some of the rules based on other augmentation plans based on their model. First deadline is next February (2021) for expert reports. Steuer is trying to give time and space so that they can work through the model. Their attorney is catching up with the rulemaking. Steuer commented that if the East Cheyenne GWMD were to withdraw their protest, then there would be no objectors, and they would not have to go to court. The court would have to accept a motion to approve the Rules. They might want a day of hearings to understand the Rules. Judge Hartman usually approves when there are no objections.

The RRCA status will possibly take some pressure off of the compact compliance pipeline. We are overusing basin wide and we will have to deliver some water through the pipeline. If 2020 is like 2019, we will deliver about 6,000 ac ft. Sullivan reminded the Board that we will always have to pump the pipeline an annual minimum of 4,000 acre feet, per the 2016 Resolution. The RRCA has a meeting scheduled for tomorrow.

The calculations between the three states encountered a strange unanticipated challenge because of flood waters last year. Harlan Reservoir is full and so we will not be in a water short year. This reservoir is the basis of the Harlan Reservoir Resolution approved by the RRCA and Kansas has some issues they would like to fix i.e.: flood flow questions, etc.

David Barfield has retirement plans for the end of February, 2020. The Nebraska State Water Engineer is also retiring. Kevin and Mike do not anticipate any major changes. They are unsure who will be taking these positions. One of the questions asked by the Board was how long would it take to get a water short year in the Basin? The pool in Harlan Reservoir is not that big and we could easily be in a water short year in a very short amount of time.

Rein has never seen so many bills going through the state legislature in one year. Many could affect water, the State Engineer's office and the RRWCD.

Tim Pautler thanked Kevin Rein, Mike Sullivan, and Dan Steuer for all of their work. Rod Lenz echoed Tim's compliments and stated that Mike Sullivan even answers his phone on Saturdays.

- Rod Mason then explained to the board that the Arikaree River GWMD would like to apply for the conservation grant from the District and to donate the full \$6,000, to the Colorado Master Irrigator program. There was a motion to approve the grant application, seconded and passed unanimously.

OLD BUSINESS

Suzanna Baker reported on attaining internet access and going digital for Board meetings. Baker explained the process of having secured internet at Board meetings and how the Board can use their own tablets for accessing the Board packet. After some discussion the Board decided to continue to use internet and digital board packets on a trial basis. Moving forward the Board will decide whether or not to go digital and to consider adding a line item to the Budget to purchase iPads, Surface, or other devices for each board member to use.

NEW BUSINESS

Suzanna Baker, reported on adding a calendar to RRWCD website and possibly providing a page on the RRWCD website for each GWMD in Basin. The calendar would enable users to better view future events of the GWMDs and the RRWCD. The GWMD pages would also give them a chance to have a web page when they normally wouldn't do so which would make their district information more accessible to their constituents. There was a motion to approve adding a calendar and GWMD pages to the RRWCD website at a fee of \$50 per page/year to each GWMD. The motion was seconded and approved unanimously.

At 12:04 PM, President Lenz recessed the meeting for lunch.

AT 1:05 PM, President Lenz reconvened the meeting.

PUBLIC COMMENT

At 1:05 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.

- Dennis Coryell, a Plains GWMD board member and past RRWCD president, started by saying that one of the Colorado Master Irrigator programs was on how to use less water and be more profitable. He stated it was embarrassing to say that the basin is not under an inch allocation. He continued to declare that he is not willing to give up his drinking water so someone else can irrigate.

He thanked Aaron Sprague for his efforts with the Budget Committee meeting. Two years ago the Plains GWMD issued a resolution to the RRWCD board to look at the assessment fee and re-evaluate it. He feels the board's mind was made up and the Budget Committee did not look at the assessment fee seriously. Coryell referenced the Rio Grande fee of \$150/ac-ft pumped. The water in our basin is disappearing fast. He does not think anyone is in favor of taking drinking water away from some, so others can irrigate. He believes East Cheyenne GWMD should be angry for the lack of earnest consideration of the assessment fee. This does not change the fact that the aquifer is declining at such a fast rate that we have come to some point when water must be conserved. President Lenz announced that the 5-minute time limit was reached.

Aaron Sprague responded that it is ok that we don't have to agree on everything. One thing he will disagree on is that the Budget didn't look at it with a fair and honest view. Sprague then went through two years of meetings where the Budget sub-committee and Budget Committee considered the assessment fee at the Plains GWMD request. Sprague held off two votes before the boundary change so that representatives to the RRWCD Board from Cheyenne County and East Cheyenne GWMD could have a vote. Aaron stated he is in favor of allocations to save water and that we are all going to have to figure out what to do with our GWMDs and our board (the RRWCD) and be the driving force for conservation. The biggest thing we can do is to stop limiting ourselves. We need to come together as a group of people fighting the same problem who are from Northeast Colorado. It is time to conserve and we need to stop limiting ourselves to the boards we sit on.

- Dale Hansen from Burlington reported he feels he is being slighted on conserving water. He has 1 well that pumped in 2017-2018 and it would have cost \$7,000 for his drip tape system and his irrigation sprinkler. Dale reported the irrigation circle hasn't been irrigated for 10 years. Abbey Mullis, told Dale that since there is a sprinkler on the property, it will be assessed the fee. The people at the Colorado Master Irrigator program wouldn't respond with how much they were pumping. Dale Hansen was asked

to send his FSA 578 forms for 2018 & 2019 along with his corresponding maps to RRWCD for evaluation of his irrigated acres.

- Nate Midcap, GWMD manager for the Big Four GWMDs read a resolution from Sandhills GWMD, Central Yuma GWMD, Frenchman GWMD, and the Marks Butte GWMD. In summary, the four GWMDs are not in favor of changing the assessment fee at this time and if the RRWCD board did wish to change the fee they ask that they consider water use effects of individual well users and GWMDs to determine if a change is fair and equitable to all users in the basin. The Resolution will be attached to the minutes as Exhibit B.

Public comment closed at 1:22 PM, with there being no other comments from the public.

Dusty Johnson with Ken Buck's office gave a brief report. She stated that clean drinking water for rural southeastern water communities was addressed. There is \$8 million included for fiscal year 2021, they are hoping that it sticks. In technology it was voted to end 'robocalls' with the Trace Act. Scammers can now be hit with \$10,000 fine per call. This allows the police to look into it without the paperwork. Tracking numbers and making sure no one can steal a number.

PRESENTATIONS

- Compact Compliance Pipeline Operator Report – Tracy Travis CCP Operator. Deb Daniel reported for Tracy that radio frequencies and the tank sensor are working well. Tracy Travis told her that everything else is running fine.
- Presentation by Jim Yahn and Joe Frank are board members of the South Platte Basin Round Table and they reported on the SPROWG project and the Fremont Butte Reservoir. Jim Yahn is the manager of North Sterling irrigation district. He often looks to the RRWCD for how much we have done out here. He continued that they have both been on the South Platte Basin Round Table since its inception. Yahn continued that they are trying to get the CWCB board meeting out here in September.

They then started their presentation on a new reservoir, the Fremont Butte project. They had to prove they could supply enough water for endangered species in Nebraska. They were able to purchase some water rights to achieve that. They have the water right to build Fremont Butte Reservoir north of Akron. Prewitt Reservoir was built in 1910 for farmers in the Logan county area for irrigating sugar beet crops. There are 5 miles of inlet to the reservoir and the outlet goes right back to the South Platte. This was looked at as a source of supply by Parker because there is already a diversion point. Prewitt is still an irrigation reservoir.

Joe Frank continued through their presentation showing several maps on proposed locations for Iliff and Akron (Fremont Butte Reservoir), this would be for Parker Water and Sanitation District, 11 to 11.5 miles of pipelines, filed for 250 cfs, estimated 2 60" pipelines, probably built in stages. They tracked available flows, there would be a period of drought that they couldn't fill the pipeline 2002-2008. They would only fill the reservoir as needed. There is a limit of how much water they can take. They want to regulate it as a benefit for our farmers. They pay so much to have the water on standby.

There is a joint application between LSPWCD and Parker WSD, 2019 water right , 50% undivided interest for LSPWCD and the PWSD, with beneficial uses including irrigation, augmentation, domestic, municipal, commercial, industrial, recreational, environmental, etc. The water is to be delivered to PWSD via pipeline to Reuter-Hess reservoir, Water delivered to LSPWCD water users through the Prewitt Reservoir.

At 2:00 PM they continued, that the cost of the SPROWG project ranges from \$1.2 billion to \$3.4 billion, with a life cycle of costs up to \$4.4 billion. They are close to wrapping up the first phase of the SPROG project. There are about 90 people on the SPROWG task force. The project will be on the SPBRT website. Parker's budget is \$400 million that does not include the Fremont Butte construction.

- Presentation by Greg Peterson, Executive Director of Colorado Ag Water Alliance, on Regulation 85 talking on water Quality, point source water and nonpoint source. The agriculture community will be encouraged to reduce pollution to waterways due to nitrate and to maintain nutrient management. Colorado did not have a single edge of field study done. What is the impact on water by nitrogen and phosphorus? There is a strong need to conceptualize how agricultural practices affect nutrient management. They are hoping they will have data to prove what actually happens with nitrate pollution. They are working to get farmers to the meetings to talk about their practices at a water quality control commission meeting.
- Presentation by Mike Foor, Yuma County Pest District reporting on the North Fork & South Fork project. They need better machinery to have a better effect on spraying phreatophytes. He continued to report they used Clearcast on Hayes Creek and will check the kill this spring. There are a lot of cattails. Four wheelers work great on smaller creeks but better equipment with tracks would make a huge difference however they cost about \$20,000. A cheaper version would be \$12,000. The herbicides they have to use are also very expensive. Mike Foor is asking for financial help. He did not ask for a specific amount, just said as much as possible. Mike Foor said he will be able to report where the money is used if the District donates to the YCPD.
- Then the board heard a presentation from Testing Ag Performance Solutions (UNL-TAPS) given by Daran Rudnick, PhD, University of Nebraska Irrigation Management Specialist and Jason Warren, OSU Assoc. Prof. Soil and Water Cons./Management Extension Specialist. They conduct profitability-based competitions between producers at select locations. One location is in Nebraska and the other in Oklahoma. They had about 150 participants last year. The competition starts in February or March, they choose insurance, seeding, fertilizer, watering in real-time, and market their grains. For some, they will scale up to a 3,000-acre farm. Then, insurance is much more realistic. Using field technology, crop models, evapotranspiration models, marketing tools, are all for free. Jason then described the irrigation equipment capabilities of the farms. They had hiccups in their first year, but they got through the growing pains and think it will work better in the following years. There was much discussion between Mr. Rudnick, Mr. Warren and the Board. It is a possibility to turn the RRWCD Dryden property into a research/competition plot.

There were concerns expressed about the level of confidence in using a pivot for such a project. The TAPS program uses an irrigation system with VRI, with a component with fertigation, ground applications, precision planting capabilities, and harvesting. More labor intensive without the precision. This use will need buffer zones for ground applications. If you plant in a circle, the scripts would have to be different for each turn. Studies go all the way around the pivot. You will need imagery if you are maintaining the boundary between plots. It is important to fly in the fields. Treat as a research experiment, each team has more than 1 replication. Everyone must understand the realities of production, pivots break down, etc. Everyone needs fair access to information. The competitive part is the fun part, kept anonymous. Participants are only recognized if they are winners in the competition.

There was a question asked about using a lateral instead of a pivot. It would absolutely be easier. Now you are really farming.

Can you replicate production on the same plot? You have to have transition acres, half pivot was put to soybeans to minimize previous year's crops and herbicide applications. They use a 3-year program of corn, wheat and milo.

Break taken at 2:53PM

Break ended at 3:04PM

BOARD DISCUSSION AND ACTION ITEMS

- The Board received a recommendation on RRWCD Water Use Fee by Aaron Sprague, Budget Committee chairman. He said we had our first meeting February 21, 2018 and have had countless meetings since then with 3-4 delays of voting. Delays were because of requests for more information and to give new board members more time to be educated on the issue. He continued narrating the timeline of the past two years. Sprague continued that the committee started with 5 assessment fee options and narrowed down the list to 3 options. Sprague stated that it was inaccurate to state that the Budget Committee just went through the motions when considering options regarding the assessment fee. Sprague then stated that it is the recommendation of the Budget committee to leave the assessment fee at \$14.50/acre.

There was a motion to vote on the recommendation of the budget committee. Motion to include looking at the assessment in 3 years and no more than 5 years. Tim Pautler asked for a roll call vote. It was clarified that it would be a requirement of the board to look at the assessment fee again in 3-5 years. The assessment fee may be revisited by board vote at any time.

Tim Pautler added to discussion and stated that we never brought the public in on the conversations. Aaron Sprague disagreed that the Budget Sub-committee brought in the public several members from the public were on the committee. Pautler continued, one strong voice from the RRWCD, we didn't communicate the fee to the public well enough. At the budget committee meeting many individuals came up to Tim saying 'I am not in favor of it because it does not promote conservation.' What was said "I'll be damned if I pay more so someone else can pay less." That was the underlying tone. If that is the tone of the district, how can we have a conservation dialogue? We can't look at this through our own wallet. Are we afraid that any conservation talk will bring this issue up again? There is a group protecting the upper 40% of the basin, who is going to protect the lower 60%.

Brooke Campbell stated that when her board (East Cheyenne GWMD) sees the assessment fee as it is applied now, they are less likely to see that the fee is fair. The fee is currently equal, but it is not fair.

Wil Bledsoe then added that everyone wants to pay for what is in the hole now. Need to keep in mind what was pumped for the past generations. If it's not fair for me to pay \$14.50 now, because my well is only 200 ac ft. well, what was it 20-30 years ago? We also need to keep in mind that we are still paying for a pipeline. We need to get past paying for the pipeline before we consider a new assessment fee. The assessment fee is a two-piece problem. We will see the effects of pumping for many years to come.

Aaron Sprague commented, 'what is fair?' The view is that the \$14.50 fee is not fair to smaller wells because their fee is higher per acre foot. However, in the Rio Grande area they are paying \$75 to \$150 per acre foot and that didn't get it done. What will get it done here?

Tim Pautler stated that you are right, we have pumped much longer, and the conservation districts need to have their own conservation plan. Our budget is not going to change.

Wil Bledsoe reminded the board it is going to be harder and harder to offset funds with 25,000 acres that need to be retired in the SFFZ and those conservation program contract payments paid-off.

Aaron Sprague asked, do you think everyone is looking at pressing the button the same as you? Tim Pautler believes it will help with conservation. Aaron Sprague stated that it might increase the need for additional funds in the budget.

Kevin Penny asked Wil if the 25,000 acres to be retired is a basin problem and not just a Plains GWMD problem. Wil agreed. Kevin admitted that his thought process has changed over the past few years of being on the Board. He is sorry that members of the Board are not more in favor with the split fee, but he understands. He referenced the Big 4 resolution and continued that he also sees how hard it is to be on this Board and to make sure we are making the right decisions based on everyone's personal situations.

Steve Kramer added that he supports the split-rate fee because it supports conservation. It may be small, but it does do something.

Steven Meakins then asked, can we adjust the 3-5-year timeline to a set year? Tim Pautler stated his motion is just trying to stay in line with what the Budget Committee did.

Aaron Sprague then stated that in his heart he believed the issue was addressed well. He asked what else is needed? Tim Pautler brought up again that the public didn't know about it.

Deb Daniel asked what we should do for the advertisement. Aaron Sprague said that it is up to the Board members to try and get the public to our meetings. At the February 5th meeting, we had several members from the Plains GWMD district. Tim Pautler said, we needed to advertise in the paper.

Wayne Skold stated that he used the farm calculator on the RRWCD website. He stated on some wells he would pay more and some he would pay less. His difference would be .5-1 bushel/acre. He concluded that we need to talk conservation plans rather than a split-rate fee right now.

Kevin Penny referred to his presentation at the board retreat. Some didn't see a change and some saw a huge change with the fee assessment changes. Wayne's GWMD did not see much of a change.

Dennis Coryell stated his oldest well never pumped more than 1,000 gpm.

Dennis Coryell and Wil Bledsoe continued to discuss the issues involved in changing the fee structure or keeping it as is.

Aaron Sprague stated he is for staying the same (\$14.50/acre) because he is tired of us stopping right before conservation and doing nothing. We need to put the assessment fee behind us and move forward with conservation.

With no more discussion the motion was opened for a vote.

Yes - vote in favor of the recommendation. A no vote is not in favor of the recommendation. The recommendation from the Budget committee is maintain the status quo: No change in the assessment fee and to continue the fee at \$14.50 per irrigated acre within the RRWCD basin.

Gil Anderson - yes

Aaron Sprague - yes

Wil Bledsoe - yes
Brooke Campbell - no
Kevin Penny - no
Brent Deterding - yes
Jim Hadachek - no
Kenny Helling - yes
Steve Kramer - no
Rod Mason - yes
Steven Meakins - yes
Tim Pautler - no
Roger Seedorf - yes
Wayne Skold – yes

The motion was adopted on a vote of 9 in favor and 5 opposed.

President Rod Lenz did not vote as there was no tie, Stan Laybourn and Greg Larson were absent from the meeting.

- The Board then received a presentation on conservation concerns in the Basin by Steve Kramer, Conservation Committee chairman and Rod Lenz, RRWCD chairman. Steve Kramer went through the proposed conservation PowerPoint to present to GWMDs and other professionals. Throughout the presentation the board had comments and questions.
- The board received a report for the 2020 professional associate rates. Suzanna Baker explained the report. After some discussion there was a motion to approve the presented professional rates, seconded and approved unanimously. Suzanna Baker will also start collecting budget estimates and the hourly and monthly rates at the same time to be presented in the November Board meeting.
- Rod Mason asked the board to consider the Arikaree Ground Water Management District's grant application of \$6,000 to be awarded to the Colorado Master Irrigator program. There was a motion to approve the grant application, seconded and approved unanimously.
- The board then considered the funding request made earlier by Yuma County Pest District. A motion was made to award \$10,000 to YCPD for live phreatophyte control. The board asked them to come back with before and after pictures. The motion was seconded and approved unanimously.
- Deb Daniel then explained the sponsorship for Water Education Colorado Citizen's Guide. This is not our yearly membership but a sponsorship for an issue of their magazine entitled Colorado Groundwater. The Board was provided in the Board packet an explanation of different levels of sponsorship. There was a motion to sponsor the magazine for \$1000, seconded and approved unanimously.
- Suzanna Baker then explained recent issues with Auditing firms. The firm we normally go with has decided to retire their auditing practices. This left the RRWCD office in a frenzy to find another firm to go with. We received recommendations for two different firms and only one responded with a bid and had the time to do an audit on such short notice. Lauer Szabo and Associates was approved by a motion, second and unanimous approval.

EXECUTIVE SESSION


At 4:46 PM there was a motion to enter the executive session, seconded and approved unanimously.

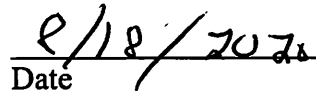
At 5:40 PM there was a motion to exit the executive session, seconded and approved unanimously.

BOARD DISCUSSION AND ACTION ITEMS

- The board received a proposal from the Negotiating Committee in executive session to consider purchasing the Hayes Creek surface water right of .5cfs from the Molly Nichols family. Roger Seedorf made a motion to reject the counter-offer from the water right owners and reply with a counter-offer of \$10,000. The motion was seconded and passed unanimously.
- Motion was made to give Negotiating sub-committee authorization to pursue purchasing the Arikaree ground for up to \$1.1 million to be used to trade to Colorado Parks and Wildlife for their Hale Ditch surface water rights. Motion was seconded and passed unanimously.
- Roger Seedorf, Personnel Committee chairman, then presented the modified work schedule for Administrative Assistant Suzanna Baker. There was a motion to accept the Resolution 20-01 policy of temporary flextime for Suzanna Baker. The motion was seconded and approved unanimously.
- A motion was made to authorize the legal counsel to work with CWCB and the Colorado Water Trust to move water rights into in-stream flow and for compact purposes. The motion was seconded and passed unanimously.

A motion was made to adjourn the meeting at 5:46 PM, seconded and passed unanimously.


Secretary


Date