

**Minutes of a Special Meeting of the
Board of Directors of the
Republican River Water Conservation District**

February 1, 2019

Via Teleconference

The Board of Directors of the Republican River Water Conservation District convened a special telephonic meeting, pursuant to notice required by statute and the District's By-Laws on February 1, 2019.

Present were:

Board Members:

Rod Lenz, President
Greg Larson, Vice President
Aaron Sprague, Treasurer
Wil Bledsoe
Kevin Penny
Brent Deterding
Kenny Helling
Steve Kramer
Stan Laybourn
Rod Mason
Steven Meakins
Roger Seedorf
Wayne Skold

Deb Daniel, RRWCD General Manager
Suzanna Baker, RRWCD Administrative Assistant
Pete Ampe, RRWCD General Counsel, Hill & Robbins, P.C.
David Robbins, RRWCD General Counsel, Hill & Robbins, P.C.

A telephone was made available in the District office for any member of the public to use during this call. Ben Cantrall and Matt Blecha were in attendance for the meeting. Randy Hendrix RRWCD Engineer was also on the call.

Rod Lenz called the meeting to order at 2:00 PM. Suzanna Baker took roll call and declared a quorum was present. Tim Pautler and Gilbert Anderson were absent but excused.

Rod Lenz re-opened the water use fee policy hearing at 2:02 PM and explained the hearing will continue into the April Board meeting in Yuma CO, to ensure the public has adequate opportunity to voice their concerns.

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President Lenz called on David Robbins to discuss the reason to continue the hearing until April. Mr. Robbins explained that it is important to have a full record that detailed the reasons the Board was adopting a new water use fee structure which needs to include an explanation from the State Engineer's office of how Compact compliance was determined and how wells and surface water are taken into account in the Compact accounting. He then explained that he would like to see Randy's report made an exhibit to the hearing record and to then have the Board make specific factual findings in support of any decision it might make. He also said that it would be better to allow any producers to be able to present their views on the water use fee policy in person.

Matt Blecha and Ben Cantrall did not have any comments but wanted to be in attendance for the Board's decision.

Aaron Sprague joined the meeting.

Rod Lenz asked the Board to voice any comments of their own.

Stan Laybourn joined the meeting.

There being no comments from the Board, President Rod Lenz asked Randy Hendrix to wait to give his report until the April Board meeting.

Rod Lenz recessed the water use fee water hearing to be reconvened April 11, 2019 at Quintech in Yuma, CO.

Pete Ampe explained that the potential contracts on Hayes Creek are not ready for final action, but the Board will discuss details in Executive session.

Pete Ampe further explained that any well producing under 50 ac-ft per year was covered by an exemption both in the Compact accounting and in the well fee structure, \$14.50 per irrigated acre will continue under the new policy, if adopted and there will be fees for municipal wells, reservoirs above 15 acre-feet and surface water.

A motion to go into Executive Session, to discuss the acquisition of water rights, instruct negotiators and review pending litigation, was made, seconded, and approved at 2:11 PM. Matt Blecha and Ben Cantrall left the meeting.

Rod Lenz entertained a motion to exit executive session and there was a motion, second and the Board voted to exit executive session.

Once the Board exited executive session the Special Meeting was resumed and there was a motion for the Negotiating Committee and legal to amend the contracts for the Hayes Creek and Hayes Creek No.3 ditches to reflect the need for Tracy and Archer to provide a clear chain of title to the water rights. Legal was instructed to write a letter to Bev Tracy and John Archer to explain the situation with the titles. The motion was seconded and approved unanimously.

Regarding the water use fee policy, it is the Board's intention to accept additional evidence and public comment. The Board will then vote on the water use fee policy at the regular quarterly Board meeting April 11, 2019, to be held at Quintech in Yuma, Colorado.

Legal will prepare a set of draft factual findings for the Board's review.

Aaron Sprague then gave an update of the Budget subcommittee meeting. They discussed options to change the fee per irrigated acre and narrowed it down. Their next meeting is Wednesday February 6, 2019. They will vote on options and present to the RRWCD Budget Committee. The Budget Committee will decide on their recommendation to the full Board during the upcoming quarterly meeting on April 11, 2019. Aaron explained that the time it has taken to reach this point is not because the sub-committee is dragging their feet but taking the discussions seriously and making sure the tough decisions, that effect everyone who pays the water use fee per irrigated acre, are well thought out.

There being no further business, at 2:33, President Lenz adjourned the meeting.


Secretary

4-25-19
Date