

**Republican River Water Conservation District**  
**Board meeting – May 21, 2024**  
**offered virtually and in person**  
**St. Andrew the Apostle Catholic Church,**  
**412 Dexter Street, Wray CO 80759**

**A. 10:00 AM - Welcome – Rod Lenz - President of the Board**

- a. Pledge of Allegiance & Prayer
- b. Roll call of Directors/declare a quorum – Kristen Schneider, Secretary of the Board
  - i. Rod Lenz, President
  - ii. Steve Kramer, Vice President
  - iii. Kristen Schneider, Secretary
  - iv. Aaron Sprague, Treasurer
  - v. Wil Bledsoe, present via Zoom
  - vi. Don Brown
  - vii. Brooke Campbell
  - viii. Tim Fetzner
  - ix. Jim Hadachek
  - x. Greg Larson
  - xi. Josh Lechman
  - xii. Steven Meakins
  - xiii. Tim Pautler
  - xiv. Kevin Penny
  - xv. Roger Seedorf
  - xvi. Dennis Wieser
  - xvii. Quorum declared with 16 present, Robin Liming joined the meeting at 10:48 AM after roll call.**
- c. Introduction of guests
  - i. CO State Engineer, Jason Ullmann and Marie Sullivan with Division of Water Resources
- d. Approve the agenda
  - i. **There was a motion to approve the agenda as presented, there was a second and the vote was unanimous.**
- e. Approve the minutes
  - i. February 20, 2024 - quarterly Board meeting
    1. **There was a motion to approve the February 20, 2024 Meeting minutes as presented. There was a second and the vote was unanimous.**
  - ii. February 20, 2024 - executive session
    1. **There was a motion to approve the February 20, 2024 Executive Session Meeting minutes as presented. There was a second and the vote was unanimous.**

**B. 10:05 AM - Administration Reports**

- a. President's Report – Rod Lenz, Board President
  - i. President Lenz discussed the terrible storm the evening before the meeting and thanked everyone for their flexibility in changing meeting spaces. Lenz discussed the daily workload of the staff and how they do a wonderful job. Lenz discussed how the district auditor commended the district on having a happy staff, and also keeping the funds the district has growing and liquid. Lenz also discussed a conversation held with local commissioners after a meeting. The commissioners told him the district has an image problem because they had heard board members say they are going to pump their wells to the bottom and walk away. Lenz then discussed how the board members have been working through issue after issue to change the water use fee and keep it equitable across the basin. Lenz discussed what the board members can expect from the upcoming meeting.
- b. General Manager's Report – Deb Daniel, General Manager
  - i. Daniel reported over 14,489 acres had been retired in the South Fork Focus Zone. The Legislative Committee met virtually with over a dozen federal legislators and with the House Ag committee democratic and republican staff members. Brooke Campbell and Wil Bledsoe from the Legislative committee along with Daniel also spent a day at the state capitol meeting with 10 state legislators. Board President, Rod Lenz and Daniel have participated in meetings with the Bureau of Reclamation concerning the status of Bonny Dam. They also are planning to meet

with Dan Gibbs, Executive Director of Colorado Department Natural Resources. Don Brown, Mike Sullivan, consultant for the RRWCD and Daniel compiled a letter encouraging changes to the USDA FSA CP-100 Dryland Farmable CREP program and forwarded it to State Engineer, Jason Ullmann and Deputy State Engineer, Tracy Kosloff. Congressionally Directed Spending applications have been submitted to the offices of senators Bennet and Hickenlooper along with letters of support from the county commissioners in Kit Carson and Yuma counties. Roger Kleweno and Roger Brenner have submitted an application to move the point of diversion for a surface water right owned by Kleweno. Activities in the district office: continuing to work with well owners in applying for water conservation contracts, evaluating assessments throughout the Basin, promoting the efforts of the RRWCD through interviews with universities and news reporters, etc. Daniel concluded her report with her concerns about the lack of actions taken throughout the basin to conserve water for future generations.

- c. Financial Report – Reon McBride, Finance/Office Manager
  - i. There was a motion to approve the Financial Report as presented, there was a second and the vote was unanimous.
- d. SFFZ Acre Update – Deb Daniel, General Manager
  - i. 15,023 acres retired at this point in time
- e. CCP Operation Report – Tracy Travis, CCP Operator
  - i. The Compact Compliance Pipeline has pumped approximately 11,000 acre feet during the October 6, 2023, through April 11, 2024, time period.

#### **C. 10:30 AM - RRWCD Committee Reports**

- a. Budget Committee – Aaron Sprague, chairperson
  - i. Be prepared for a meeting in the future
- b. Conservation Committee – Steve Kramer, chairperson
  - i. Discussed the potential for an E-RAMP program
- c. Fee Evaluation Committee – Kevin Penny, chairperson
  - i. The staff has been diligently working to clean up the database, and Reon has developed a dashboard for the information. The cleaned information will be reviewed by the committee next quarter.
- d. Innovation/Technology Committee – Steven Meakins, chairperson
  - i. Nothing to report
- e. Legislative Committee – Wil Bledsoe, chairperson
  - i. Bledsoe reported on the meeting with legislators by Zoom. Bledsoe discussed meeting with the district's lobbyist and when to expect the finalized report for the economic study. Gates stepped in to discuss bills working through the Colorado legislature as well as setting meetings for the summer session of Water Congress. Discussion was held on where the District should look for grant and funding opportunities for SFFZ retirements and Bonny Dam.
- f. Negotiation Committee – Roger Seedorf, chairperson
  - i. Seedorf discussed putting the negotiations with the Colorado State Land Board on pause for now.
- g. Nominating Committee – Steven Meakins, chairperson
  - i. Nothing to report
- h. Personnel Committee – Brooke Campbell, chairperson
  - i. Nothing to report
- i. PTAC Committee – Tim Pautler, chairperson
  - i. Pautler discussed working with Bill Hahn, Dennis McGrane, Randy Hendrix, and Chad Ball, for creating the plans for construction and the protocol documents for maintenance on the Compact Compliance Pipeline.

#### **D. 11:00 AM - Associated Organizations Reports**

- a. Colorado Groundwater Commission – Tim Pautler
  - i. Pautler discussed a family from Nebraska going through the hearing process to fix a clerical error on a Colorado water permit to clarify the acres to be irrigated. The commission approved the recommendation from the hearing officer.
- b. Colorado Water Congress – Greg Larson
  - i. Larson discussed the tours from the last meeting and mentioned the summer session for Water Congress will be in Colorado Springs.
- c. South Fork Republican Restoration Coalition – Stuart Dykstra

- i. Dykstra was not able to attend, but Daniel discussed the meeting with Colorado Parks and Wildlife to finalize the report for the CPW grant. Final design documents are being completed now and Brian Sullivan will be out to view the property with Dykstra in June. Dykstra is finalizing the hydrology report and calculations, including the sub surface drainage. There have been meetings with the Bureau of Reclamation and they appreciate the work that we have shared with them. Daniel discussed working with Garrett Travis for the herbicide application on the phreatophytes. The final invoice will be going to CPW to close out that grant soon. Next steps are the evaluation of the sediment behind the dam, a study of equestrian use and downstream flood damage assessment if the dam is breached. Whether to breach the dam or to repair the structure will be a decision by BOR.
- d. South Platte Basin Roundtable – Deb Daniel
  - i. Daniel discussed the upcoming tour of the area with Commissioner of Ag, Kate Greenberg on June 11. Daniel stated any board members who would like to attend are welcome.
- e. Yuma County Water Authority – Mike Leerar
  - i. Not present to report, but Mike had forwarded information on the bonds for the Pioneer and Laird ditches being close to being paid off.

**E. 11:30 AM - Professional Reports**

- a. Lobbyist Reports
  - i. Federal Lobbyists – Denise Bode/Patrick Firth, Constitution Partners, LLC
    - 1. Firth discussed setting 12 virtual meetings with the Legislative committee to discuss the CREP Enhancement bill and the need to pass a Farm Bill this year for the good of those enrolling into conservation programs.
  - ii. State Lobbyists – Landon Gates/Brock Herzberg, Capitol Focus, LLC
    - 1. Presented during Bledsoe’s legislative report
- b. Engineer’s Report – Randy Hendrix, water engineer, Hendrix Wai Engineering LLC
  - i. Hendrix reported on the data changes since for the first 10 years of the Compact Compliance Pipeline’s deliveries. Hendrix discussed past deliveries and future estimates. Hendrix discussed his concern with the pipeline very quickly meeting the maximum delivery threshold of the pipeline since the beginning of its operation while pumping habits have not changed throughout the Basin.
- c. Attorney’s Report – David Robbins/Pete Ampe, legal counsel, Hill and Robbins P.C.
  - i. Ampe reported on compiling the statement of opposition on the change of the point of diversion of a surface water right in the South Fork. Ampe discussed working with staff on the contracts and the little issues that have come up with SB 22-028, stating it is moving along smoothly. Ampe and Robbins have been following HB 1379 and do not believe it will affect the District much, but will impact other districts.

**12:45 PM LUNCH** – provided for everyone in attendance

**F. 1:30 PM – Public Comment**

- a. **There was no public comment and the session closed at 1:31 PM.**

**G. 1:33 PM - Report from State Engineer, Jason Ullmann**

- a. Ullmann introduced himself to the full board and gave a brief overview of his past and how he came to be in the position of State Engineer. Ullmann discussed how water is intertwined with science, politics, sociology and economics. He stated there are extensive historical records on the Division of Water Resources website and how much of the historical knowledge in his staff has been lost due to recent turnovers in the Staff. Ullmann discussed keeping an eye on the decision to come out of the Texas vs. New Mexico and Colorado trial. Ullmann discussed his priorities for the Republican River Basin going forward.
- b. Report by Chris Kucera, Republican River Team Lead Commissioner
  - i. Kucera was not present but Daniel gave a report in his place
  - ii. Currently, there is no call on the River, if someone wants to place a call on the river they need to reach out to the Republican River Commissioners
  - iii. ***Wil Bledsoe left the meeting at approximately 2:00PM***

**H. 2:00 PM – Legislative reports**

- a. State Legislators attending meeting in person or virtually are invited to give comments
  - i. State Representative Richard Holtorf discussed his dedication to agriculture and the history of his family ranch. Holtorf discussed Senate Bill 24-1397 as WOTUS 2.0 and the far reaching implications of the bill; districts which utilize ditches will no longer have agricultural exemptions.

- b. Federal Legislative representatives:
  - i. James Thompson - Senator Bennet
    - 1. Not present to report
  - ii. Jake Nemmers - Senator Hickenlooper
    - 1. Nemmers discussed the introduction of two bills: The Drought Preparedness Act and the Water Data Improvement Act. Both of the bills would extend existing programs to continue important water management programs and address long-term drought in the West. Nemmers discussed the Congressionally Directed Spending request and the potential funding options for the Bonny project.

**I. 2:50 PM - Report on status of Economic Impact study by CSU - Deb Daniel, General Manager**

- a. There is nothing significant to report at this time, but there will be a report during the August meeting.

**J. 3:00 PM - Presentations (continued)**

- a. Presentation on assessment dashboard-Reon McBride, Finance and Office Manager
  - i. The dashboard will be used to forecast the pumping and costs for whatever variable the FEC committee wants
- b. Presentation on extended RAMP contract proposal - Steve Kramer, Cons. chairperson & Dennis Wieser, Cons. comm. member
  - i. Kramer discussed asking the board if they would like to create a program that allows producers to enter into a RAMP contract - but the landowner would not have to permanently retire the irrigated acres in the contract until a later agreed upon date. Some issues the board considered: The funds would need to be allocated at the date of the contract, there could be issues with the Dry-up covenant following the chain of title. Robbins advised the district can build restrictive covenants and attach that to maintain the chain of title. Wieser stated he believes this RAMP alternative option may be of interest to people in his area.

**BREAK AT 3:10 PM, RESUMED THE MEETING AT 3:23 PM**

- c. Presentation on PTAC Evaluation of Compact Compliance Pipeline-Tim Pautler, PTAC chairperson
  - i. Pautler gave an extensive presentation on the past, present and future needs of the CCP. He reported on the maintenance needs and possible expenses and gave an in depth explanation of the need to enlarge the pipeline system to include additional wells.

**K. 3:30 PM – Board Discussion & Action Items**

- a. Discuss and vote on pipeline maintenance protocol recommendation from PTAC-Tim Pautler, PTAC chairperson
  - i. **There was a motion to accept Hahn Water Resources and McGrane Engineering's protocol document as recommended by PTAC this includes Phase 1 of collection of data for \$15,700.**
  - ii. There was discussion on phase one and phase two costs and possibilities.
  - iii. There was discussion on a potential significant change for how electricity is charged.
  - iv. **There was a second and the vote was unanimous.**
- b. Discuss and vote on 2 well maintenance recommendation from PTAC - Tim Pautler, PTAC chairperson
  - i. **There was a motion to proceed on the phase 2 maintenance on well A8. There was a second, and the vote was unanimous.**
- c. Discuss and vote on pipeline expansion protocol recommendation from PTAC – Tim Pautler, PTAC chairperson
  - i. There was discussion on the budget for the pipeline.
  - ii. **There was a motion to accept the expansion protocol documents for Hahn/McGrane and GEI. There was a second, and the vote was unanimous.**
- d. Discuss and vote on preliminary engineering analysis of 4 well expansion recommendation from PTAC - Tim Pautler, PTAC chairperson
  - i. **There was a motion to investigate a 4 well expansion project, (those wells included in the easements). There was a second and the vote was unanimous.**
- e. Discuss and vote on requesting a hearing with Sandhills GWMD for adding wells to CCP - Kristen Schneider, Board Secretary
  - i. **There was a motion to meet with Sandhills for a hearing, the wells to be discussed included the orphan well, the Larson well, the Bledsoe wells, and the SE/4 FPI well.**
  - ii. There was discussion on the hearing process.
  - iii. **There was a second. The vote was unanimous.**

- f. Discuss and vote on need for additional \$1,488,856.22 to fund remaining conservation contracts in SFFZ - Deb Daniel, General Manager
  - i. **There was a motion to fund the remaining conservation contracts. There was a second.**
  - ii. There was discussion on when folks get paid after their contracts are finalized.
  - iii. **The vote was unanimous.**
- g. Review and vote on blind RAMP evaluations - Payton Liming, Administrative Assistant
  - i. **There was a motion to accept the RAMP \$2,750 blind evaluation. There was a second, and the vote was ayes 14 with Dennis Wieser voting nay.**
  - ii. **There was a motion to accept the RAMP \$3,250 blind evaluation. There was a second, and the vote was ayes 14 with Dennis Wieser voting nay.**
    - 1. **Wieser requested additional information listed for all blind evaluations going forward to include permitted acres, irrigated acres and number of acres in the application.**
- h. Review and vote on blind WPPP evaluations - Payton Liming, Administrative Assistant
  - i. **There was a motion to accept the WPPP blind evaluation, there was a second. The vote was 14 ayes with Dennis Wieser voting nay.**
    - 1. **Wieser requested additional information listed for all blind evaluations going forward to include permitted acres, irrigated acres and number of acres in the application.**
- i. Discuss and vote on asking Conservation Committee to further investigate investigate E-RAMP option - Steve Kramer, Conservation committee chairperson
  - i. **There was a motion to have the conservation committee to further investigate the E-RAMP option. There was a second and the vote was unanimous.**
- j. Discuss and vote on objection to Kleweno/Brenner request to move point of diversion - Deb Daniel, General Manager & David Robbins, legal counsel
  - i. Daniel discussed the district receiving the letter via certified mail. Ampe discussed that a point of diversion is allowed to move upstream, not downstream.
  - ii. Dennis Wieser read the minutes of May 29, 2015 where the district voted to allow the negotiating committee to speak to Kleweno to purchase the water right.
  - iii. There was discussion about filing the letter of objection.
  - iv. **There was a motion to file a letter of opposition to the application from Kleweno. There was a second and the motion passed with 14 ayes and 1 nay by Dennis Wieser.**
  - v. With this motion, Rod Lenz refers this matter to the negotiating committee.
- k. Discuss and vote on payment in lieu of taxes for recently acquired property - Reon McBride, Office and Finance Manager
  - i. **There was a motion to pay the payment in lieu of taxes which totaled \$2,200.64 . There was a second and the vote was unanimous.**
- l. Discuss and vote on contribution to Water Education Colorado - Deb Daniel, General Manager
  - i. **There was a motion to approve a donation to Water Education Colorado for \$2,000.00, there was a second and the vote was unanimous.**
- L. 4:45 PM - Old Business
  - a. **No old business**
- M. 4:50 PM - New Business
  - a. **No new business**
- N. 4:55 PM - Executive Session
  - a. **There was no executive session**
- O. 5:56 PM - Adjourn Meeting
  - a. **There was a motion to adjourn the meeting at 5:56 PM.**

*Kristin M Schneider*

Secretary

*12/31/24*

Date