

**Minutes of the First 2014 Quarterly Board Meeting of the  
Board of Directors of the  
Republican River Water Conservation District**

**January 9, 2014**

**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, at the Burlington Community & Education Center, Burlington, Colorado.

Present were:

Board Members:

Dennis Coryell, President  
Greg Larson, Vice President  
Tim Pautler, Secretary  
Eugene Bauerle  
Wil Bledsoe  
Brent Deterding  
Steve Kramer  
Stan Laybourn  
Rod Lenz  
Rod Mason  
Steven Meakins  
Wayne Skold  
Aaron Sprague

Deb Daniel, RRWCD General Manager  
Dawn Webster, RRWCD Administrative Assistant  
David Robbins, RRWCD General Counsel, Hill & Robbins, P.C.  
Pete Ampe, RRWCD General Counsel, Hill & Robbins, P.C.  
Jim Slattery, RRWCD Engineer, Slattery & Hendrix Engineering

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

**STATEMENT OF QUORUM**

President Dennis Coryell called the meeting to order at 10:10 a.m., welcomed the public and started the meeting with the Pledge of Allegiance and a prayer. Secretary Tim Pautler conducted a roll call of Board members, noting that Directors Byron Weathers and Jack Dowell were absent, but excused. With 13 Directors attending the meeting, Secretary Pautler declared that a quorum of the Board was present.

## **AGENDA AND APPROVAL OF MINUTES**

President Coryell asked for any amendments to the agenda for the meeting. Deb Daniel stated that there would be no reports given by Tracy Travis and Tim Davis. There being no other changes, a motion to approve the agenda with that addition was made, 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 November 20 and 21, 2013, and the Special Teleconference Board meeting held on December 13, 2013 and the executive sessions held during those meetings. These documents were also included in the Board packet today. President Coryell asked if there were any changes or corrections to the minutes. A motion to approve the minutes of the special Board meetings held on November 20 and 21, 2013, and December 13, 2013 and the minutes of the executive sessions held during those meetings was made, seconded, and approved unanimously.

### **GENERAL MANAGER'S REPORT**

At 10:19 a.m., General Manager Deb Daniel informed the Board that the District office has received multiple Christmas cards and goodies from different companies and individuals. Next, General Manager Daniel stated that the Board of Directors held a Special Telephonic Board meeting on December 13, 2013, in which they discussed a proposal from Kansas to operate the Compact Compliance Pipeline in 2014. During that meeting, the Board also decided to not renew the water rights lease to Cure Land LLC. Next, Mrs. Daniel reported that she will be attending the South Platte Roundtable meeting on Tuesday, January 14<sup>th</sup> and also the Four State Irrigation Convention in Ft Collins in the later part of January. Finally, General Manager Daniel presented the financial report and the disbursements for the quarter ending December 31, 2013, which were previously sent to the entire Board electronically as well as being included in the Board packet. General Manager Daniel answered questions from the Directors about the financial report and the disbursements. A motion to approve the financial report and the disbursements for the fourth quarter of 2013 was made, seconded, and approved unanimously. After some discussion, a motion to add and discuss a prepayment of three million dollars towards the Compact Compliance Pipeline loan, to the agenda under Board Discussion and Action Items was made, seconded, and approved.

### **PROGRAM UPDATES AND REPORTS**

At 10:31 a.m., Dennis Coryell gave a report from Tim Davis, RRWCD Program Consultant, regarding the conservation programs within the Basin.

Director Greg Larson reported that the Colorado Water Congress (CWC) will have its annual winter meeting January 30 through February 1, 2014, which he planned to attend with General Manager Deb Daniel, as well as with Director Coryell and Director Kramer.

Director Gene Bauerle reported that the South Platte Roundtable will have its next meeting on Tuesday, January 14, 2014 at 4:00 PM.

Director Jack Dowell did not give a report on the Republican Weed Control projects.

Director Byron Weathers had nothing to report on the Yuma County Water Authority (YCWA).

Director Steve Kramer reported that the Water Preservation Partnership (WPP) met on January 7, 2014 to discuss asking for funding from the South Platte Roundtable, but that the WPP may ask the RRWCD for funding in the future. He informed the Board that the next meeting will be held on February 4, 2014.

Director Greg Larson, chairman of the RRWCD Negotiating Committee, reported that the committee was still in negotiations with Bledsoe Cattle Company regarding the Dryden property. Mr. Larson stated there was some interest in leasing the home on the property, along with an individual who offered to remove the iron off the property.

Director Steve Kramer, chairman of the RRWCD Conservation Committee, reported that the committee is planning a 'State of the Basin' Symposium to be held on March 17, 2014 at the Wray Kitzmiller Auditorium at 9:00 AM. He reported that committee is inviting large & small businesses, as well as the public to attend.

Scott Meiklejohn, RRWCD state lobbyist, discussed the prospects for various bills that are currently being looked at in the state legislature. He said he would be keeping an eye on any bills that pertain to the RRWCD, and will make a link available to put on the RRWCD website to keep the District updated.

At 11:00 a.m., President Coryell recessed the meeting for a 10 minute break.

At 11:12 a.m., the meeting was re-convened.

At 11:12 a.m., Jim Slattery, RRWCD water engineer, discussed the presentation that he gave to the WPP, also noting that he helped the State of Colorado on the Resolution, which was submitted to the Republican River Compact Administration. Mr. Slattery then answered several questions from the Board of Directors regarding the Compact Compliance Pipeline and the one year temporary pumping proposal from Kansas.

Pete Ampe, RRWCD legal counsel, stated that he had been working with Colorado and Kansas, along with the RRWCD Board, to get approval of the Resolution to pump the Compact Compliance Pipeline in 2014. Mr. Ampe also stated that he had been helping the District with the CCP and flow meter problems. Finally, Mr. Ampe briefed the Board of Directors on the abandonment cases taking place within the District.

Pam Shaddock, Regional Director for Senator Udall, informed the Board that the Senator congratulates the Board of Directors on the accomplishments of pumping the CPP in 2014. Ms. Shaddock then handed out a brochure to the Directors, which would allow them to contact the Senator.

At 11:52 a.m., President Coryell recessed the meeting for lunch.

At 1:00 p.m., the meeting was re-convened.

## **PUBLIC COMMENT**

At 1:00 p.m., President Coryell invited comment from the public.

Galan Travis, an irrigator in the Republican River Basin, spoke regarding the structure of the assessment fee. He expressed that he feels that there should be pro-rating involved and that the assessment fee should be based on acre-feet or acre-inches pumped, not acres. President Coryell stated that the Board is taking a look at different ways as to how the fee assessment should look in the future.

Alan Welp, representing CAPA, informed the Board of Directors that CAPA supports the State of the Basin Symposium and that he encourages the Conservation Committee to bring in other producers that have been practicing conservation in other areas like Kansas and Nebraska.

At 1:29 p.m., having no other comments from the public, public comment was closed.

## **REPORTS**

At 1:29 p.m., Colorado State Engineer Dick Wolfe and Scott Steinbrecher from the Attorney General's office gave a brief report on the arbitration between Colorado and Kansas regarding the Compact Compliance Pipeline proposal and the Bonny Reservoir proposal. Mr. Wolfe also discussed the Republican River Compact Administration's approval for operation of the CCP during 2014.

## **EXECUTIVE SESSION**

At 1:47 p.m., a motion was made pursuant to section 24-6-402(4), C.R.S., to enter into executive session to develop a strategy for negotiations for the purchase, acquisition, or lease of water rights, easements, and property and to receive advice on legal questions. The motion was seconded and passed unanimously. President Coryell stated that no adoption of any proposed policy, position, resolution, rule, regulation, or formal action shall occur in executive session. Before entering into executive session, President Coryell thanked the public for attending the meeting and asked Dick Wolfe, Scott Steinbrecher, and Dave Keeler to stay.

At 2:20 p.m. Dick Wolfe, Scott Steinbrecher, and Dave Keeler left the meeting.

At 3:50 p.m., the executive session ended.

## **BOARD DISCUSSION AND ACTION ITEMS**

At 3:51 p.m., the Board discussed the public place or places for posting notice of meetings in accordance with the Colorado Open Meetings Law. A motion to continue posting such notice at the Yuma County Courthouse and the RRWCD website was made, seconded, and passed unanimously.

Next, the Board reviewed the rates for Professional Associates for 2014. After discussion, a motion to approve the proposed rates for Professional Associates for 2014 was made, seconded, and passed unanimously.

Next, the Board discussed purchasing steel tape to be installed into the Compact Compliance Pipeline steeling well. A motion to approve the purchase of the steel tape was made, seconded, and approved unanimously.

Next, the Board discussed paying GEI Consultants, Inc. for the remainder of the contract for the engineering and design of the Compact Compliance Pipeline. After discussion, a motion to withhold payment to GEI Consultants, Inc. and to send a letter outlining the outstanding issues was made, seconded and passed unanimously.

Next, the Board discussed when to start operation of the Compact Compliance Pipeline. A motion to begin pumping the CPP after the clean out T and the steeling well tape were installed was made, seconded, and passed unanimously.

Next, the Board discussed a water right owned by the RRWCD on Cure Land LLC's property in Central Yuma Groundwater Management District, which is not currently being used for the CPP. A motion to enter into negotiations with Cure Land LLC was made, seconded, and passed unanimously.

Next, the Board discussed and made a motion to make a prepayment of \$3 million towards the Compact Compliance Pipeline loan. The motion was seconded and passed unanimously.

Finally, the Board discussed and made a motion to make a donation of \$200.00 towards the Northeast Colorado Water Fest. The motion was seconded and passed unanimously.

#### **OLD BUSINESS**

There was no old business.

#### **NEW BUSINESS**

There was no old business.

At 4:24 p.m., having no further business to be brought before the Board, a motion to adjourn the meeting was made, seconded, and passed unanimously.

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Secretary

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Date