

**Meeting of the Board of Directors of the
Republican River Water Conservation District
Special Meeting
January 25, 2023, Teleconference/Zoom**

The Board of Directors of the Republican River Water Conservation District convened a special meeting, pursuant to notice required by statute and the District's By-Laws, utilizing teleconference/Zoom technology.

Present were:

Board Members:

Rod Lenz, President
Greg Larson, Vice-President
Aaron Sprague, Treasurer
Gil Anderson, Secretary
Don Brown, excused
Wil Bledsoe
Brooke Campbell
Kevin Penny
Steve Kramer
Jim Hadachek
Robin Liming
Rod Mason
Steven Meakins
Tim Pautler, excused
Roger Seedorf
Kristen Schneider
Josh Lechman

Deb Daniel, RRWCD General Manager
Reon McBride, RRWCD Finance and Office Manager
Payton Liming, RRWCD Administrative Assistant
Pete Ampe, RRWCD General Counsel, Hill & Robbins, P.C.

STATEMENT OF QUORUM

President Rod Lenz called the meeting to order at 2:06 PM. Board Secretary Gil Anderson conducted a roll call of the Board members and declared that a quorum of the Board was present. Don Brown and Tim Pautler were absent, but excused.

AGENDA

President Lenz asked for a motion to approve the agenda. There was a motion, second and the vote was unanimous.

LEGISLATIVE COMMITTEE REPORT

Daniel received an email notice from Denise Bode and Patrick Firth that they had left MBS and wanted to alert the District they had moved to the firm Constitution Partners, LLC.

The Legislative committee recommends that the RRWCD disengage with MBS strategies giving 30 days notice, and then follow Bode to Constitution Partners, LLC.

There was a motion to disengage with MBS giving 30 days notice via letter. There was a second.

There was discussion on whether the district interviewed MBS or Bode, and Bledsoe clarified that Bode came highly recommended by Cory Gardner. RRWCD will pay MBS through February. There was discussion that the rate for Constitution Partners would be the same as MBS.

The vote was unanimous to disengage with MBS.

Ampe clarified that the Board needs to see a contract from Constitution Partners, LLC before the Board takes any more action. Ampe stated the Board has agreed to send a letter of disengagement to MBS strategies and then request additional information from Denise Bode at Constitution Partners, LLC. Ampe advised the group to be very careful with discussion related to MBS and make sure nothing overlaps with signing a contract with Constitution Partners LLC.

Bledsoe discussed the upcoming DC trip (March 10th timeframe), the Feb. 9 day at the Capitol talking to Legislators, and the March 1 Legislative reception hosted by Capitol Focus.

Bledsoe discussed Rep. Holtorf update: He is adamant about doing an economic study and discussed the District's legal team has some serious concerns with the language in the Bill. Ampe's concern is the language of the bill will send the wrong message to Kansas and Nebraska. The idea of the study is good, but the language needs revised.

FEE EVALUATION COMMITTEE REPORT

Penny discussed the weather and how the Basin needs the snow, but it has made it very difficult to keep all the meetings as scheduled. After the presentation has been seen by all GWMDs and county commissioners, the committee will get together and bring some points to the board.

BOARD DISCUSSION & ACTION ITEMS

Discuss and vote on Well Permit Purchase Program report: WPPP 23-01 – Deb Daniel, General Manager

There was discussion on why or why not to accept all of WPPP/RAMP presented for approval.

There was a motion to approve 79.21 acres for WPPP (to move forward with a contract with the District). There was a second, the vote was unanimous.

Discuss and vote on Republican Acre Management Program report: RAMP 23-01 – Deb Daniel, General Manager

Daniel discussed some of the details related to the acres wanting to be enrolled. Meakins asked for clarification on the 237 acres and Daniel explained the dual purpose of the 237 acres well and how the acres will be retired and the water will be used for a different purpose. She also pointed out that the 122.5 acres RAMP application will be used for feedlot use. There was extended discussion on the use required by the dual purpose for 237 acres. Daniel ended up divulging the other use was for municipal use.

Brooke Campbell left the meeting at approximately 2:40 PM

There was a motion and a second to approve all of the RAMP acres presented for contracts. The vote was unanimous.

Discuss and vote on increase to 2023 ACT Now NRCS contracts – Deb Daniel, General Manager

Daniel discussed the issue of those producers who were wanting to irrigate the year of 2023 and also enroll into the ACT NOW EQIP program. There was extended discussion on the issue and how to solve the problem. There was also extended discussion on how the District staff will work to prevent this same issue from occurring in the future by working closely with the local and state NRCS offices.

There was a motion to fill in the gap of \$146.77/ acre for the ACT NOW EQIP contracts in the SFFZ for those who wish to irrigate in 2023.

Discuss and vote on engineering request from Steven Meakins

There was discussion on the benefits of having further engineering work done across the basin. There was also discussion on how to handle having Willem Schreuder do engineering work for the District while he is technically contracted through the state of Colorado. There will need to be a contract with the District and the State will have to approve having the RRWCD as a client for Willem. Sprague stated that there is a general model built by a civil engineer, which looks at

the saturated thickness at the singular well level. Soheil Nozari is the engineer's name, and perhaps there could be work done looking at what Nozari has already built.

There was a motion to extrapolate data using engineers in relation to Steven Meakins proposal. There was a second and the vote was unanimous. (This is related to the proposal initially drafted by Meakins.)

Tim Pautler entered the meeting at 3:03PM

Report on conservation committee meeting

Discussion on the conservation committee rough recommendation. There was extended discussion on allowing the GWMDs to develop a plan but have a deadline of how long the District will wait. The Water Use Fees are set to accomplish payments for programs.

The motion:

To allow the conservation committee, from this point forward, to add the recommendation in presentations to the Joint Task Force to develop a conservation plan or support the RRWCD in pursuing jurisdictional authority to develop a conservation plan and implement it basin wide.

There was discussion on using implement vs. develop and also if there is a requirement for how much reduction is required.

The motion is to get the JTF going together again. There was extended discussion on pushing conservation in the GWMD and the issue of how the District does not have the ability to enforce groundwater management.

Brooke Campbell rejoined the meeting at 3:40 ish.

There was a second for the motion. There was discussion on when the motion will be voted upon. Lenz discussed the PowerPoint will be shown at the Feb. 21 meeting and this allows the group to begin moving forward with conservation.

The vote was unanimous.

There was a motion exploring the methodology required to pursue statutory authority. There was a second. There was discussion on amending the initial motion to add this being a secondary option on the road map for meeting compliance. The person who made the motion approved the amendment as did the second. The vote was unanimous.

Pautler thanked Lenz for beginning this difficult discussion.

There was a motion to adjourn the meeting at 3:50 PM. There was a second and the vote was unanimous.

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Secretary

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Date