

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

April 10, 2014

Yuma, 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 Quintech Center, Yuma, Colorado.

Present were:

Board Members:

Dennis Coryell, President
Greg Larson, Vice President
Byron Weathers, Treasurer
Eugene Bauerle
Wil Bledsoe
Brent Deterding
Jack Dowell
Steve Kramer
Stan Laybourn
Rod Lenz
Rod Mason
Steven Meakins
Wayne Skold
Aaron Sprague

Deb Daniel, RRWCD General Manager
Dawn Webster, RRWCD Administrative Assistant
Pete Ampe, RRWCD General Counsel, Hill & Robbins, P.C.
Tim Davis, RRWCD Program Consultant, TJD LLC

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 10:09 a.m., welcomed the public and started the meeting with the Pledge of Allegiance and a prayer. Administrative Assistant Dawn Webster conducted a roll call of Board members, noting that Director Tim Pautler was absent, but excused. With 14 Directors attending the meeting, President Coryell 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. General Manager Deb Daniel stated that discussion of the pipeline well field revegetation needed to be discussed under new business. 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 regular Board meeting held on January 9, 2014, and the Special Teleconference Board meeting held on February 20, 2014 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 regular Board meeting held on January 9, 2014, and the special Board meeting held on February 20, 2014 and the minutes of the executive sessions held during those meetings was made, seconded, and approved unanimously.

GENERAL MANAGER & PIPELINE OPERATIONS MANAGER REPORT

At 10:15 a.m., General Manager Deb Daniel informed the Board that the District began pumping the Compact Compliance Pipeline (CCP) on January 17, 2014 and had the final walkthrough of the CCP on April 4, 2014. Manager Daniel commended Tracy Travis, CCP Operations Manager for his work on getting the CPP ready for pumping and that his knowledge of the pipeline is a huge asset to the District. She also thanked Dave Keeler and Devin Ridnour from Colorado Division of Water Resources for documenting all of the measuring information. Next, General Manager Daniel reported that the State of the Basin Symposium put on by the RRWCD Conservation Committee was a success and she thanked several of the sponsors that helped put on the symposium. Next, Mrs. Daniel stated that Bledsoe Cattle Company had submitted the highest bid on the Dryden property that the District put up for public bid. She thanked Pete Wilson and Wray State Bank for opening the bids. Finally, General Manager Daniel presented the financial report and the disbursements for the quarter ending March 31, 2014, 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 first quarter of 2014 was made, seconded, and approved unanimously.

At 10:31 a.m., Pipeline Operations Manager Tracy Travis informed the Board that water had been delivered from January 17, 2014 to March 21, 2014, delivering a little less than 4,100 acre-feet. Next, President Coryell spoke about the final walkthrough and how fascinating it is to watch Mr. Travis start up the Pipeline directly from his Apple Ipad. Finally, Mr. Travis answered questions regarding the Pipeline and the equipment needed to run the Pipeline in the future.

At 10:50 a.m., Manager Daniel informed the Board that GEI Consultants, the design firm for the CPP, sent a letter to the District asking that the final budget for the CPP be increased \$9,109.46. After some discussion, a motion to increase the final budget \$9,109.46 for the CCP design was made, seconded, and passed unanimously.

At 10:59 a.m., the Board of Directors discussed purchasing agency bonds through First Financial Equity Corporation. Director Sprague pointed out that the District is not looking to make money, but due to the current state of financial institutions within the Basin, the Board is looking at investing the money with this Corporation. After discussion, a motion to put \$3 million towards the CCP loan and invest \$2 million with First Financial Equity Corporation, as it becomes available, was made, seconded, and approved unanimously.

PROGRAM UPDATES AND REPORTS

At 11:05 a.m., Tim Davis, RRWCD Program Consultant, reported that hopefully sometime in May producers will be able to enroll in CREP, however there will be a small window of time to enroll because of the funding.

Director Greg Larson reported that the Colorado Water Congress (CWC) had its annual winter convention January 30 through February 1, 2012 in Denver, where flood damage throughout Colorado, emergency plans, and the Public Trust Doctrine were all topics that were discussed. Director Kramer encouraged more Board members to attend future CWC conventions, stating that it was a good experience.

Director Jack Dowell reported that Jordan Davison, who replaced Fred Raish, had informed him that money is still needed for the Republican River Weed Control.

Director Gene Bauerle reported that at a current South Platte Roundtable meeting which was held in Sterling, producers who had their wells shut down came and voiced their opinion of the State Water Plan.

Director Byron Weathers reported on the Yuma County Water Authority (YCWA), stating that he had spoke with Robin Wiley about ditch water rights within the Basin.

Director Steve Kramer reported that the Water Preservation Partnership (WPP) had several meetings, and WPP members, including himself and Manager Daniel, met with the South Platte Roundtable Needs Committee to ask for funding, but was denied the funds. He stated that the goal of the WPP was to work with the Groundwater Management Districts within the Basin and to continue with education within the Districts. Mr. Kramer also stated that the WPP would like the RRWCD to consider changing its name since conservation is part of it since there are questions as to what the RRWCD can do as far as conservation.

Scott Meiklejohn, RRWCD state lobbyist, discussed the late bills that are currently being filed, stating that there was nothing unusual, but that he is keeping an eye on the Public Trust Doctrine.

Alan Foutz, Representative for Congressman Gardener, reported that Congressman Gardner appreciated inviting him to speak at the State of the Basin Symposium, and the Congressman has introduced several bills, including one that will exempt grains from being FDA certified.

Jim Slattery, RRWCD Water Engineer, was not present at the meeting. President Coryell stated that Mr. Slattery did attend the Compact Compliance Pipeline final walk through earlier in the month.

Pete Ampe, RRWCD legal counsel, reminded the Board, in regards to the Public Trust Doctrine, that it cannot spend public funds for or against an initiative. Mr. Ampe also explained why the RRWCD was formed and that to change the name of the District, the legislation would have to be changed. Next, Mr. Ampe updated the Board on the US Supreme court litigation regarding KS vs. NE & CO, stating that exceptions were filed by all three states and that Nebraska and Colorado filed similar exceptions. Finally, Mr. Ampe briefed the Board of Directors on the abandonment cases taking place within the District.

At 11:35 a.m., Director Steve Kramer gave a brief report on the State of the Basin Symposium held on March 17, 2014, stating that around 300 people were in attendance. Mr. Kramer acknowledged General Manager Deb Daniel and Administrative Assistant Dawn Webster for the work they did and also commended Director Rod Lenz for his closing comments of the ‘Tip of the Spear’. Finally, Director Kramer asked Tim Davis, RRWCD Program Consultant, to give the presentation regarding the results of the survey that was given at the Symposium to the individuals whom attended.

At 12:06 p.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.

John Stulp, Governor Hickenlooper’s Water Advisor, thanked the Board of Directors for having the discussion about the Colorado Water Plan, noting that the basis of the Water Plan is going to be input from the roundtables and other groups that would like to have input. He stated that it is really important to start planning today as to what we want Colorado to look like in the future.

Mark Sponsler, General Manager of Colorado Corn Growers, appreciates that the Board of Directors keep Colorado Corn Growers involved, noting that the issues in the Republican River Basin are significantly different than the issues in the South Platte River Basin.

BreAnn Ferguson, Manager of Plains and East Cheyenne Groundwater Management District, read a letter to the Board of Directors from the Plains Groundwater Management District (GWMD) regarding funding of the Water Preservation Partnership, in which the Plains GWMD asked the RRWCD for financial support in getting the WPP established, and then possibly supplying a grant program in the future which the WPP could apply for. Director Rod Mason expressed that the Arikaree GWMD agrees with the Plains GWMD, as it feels that the GWMD’s don’t have the money to help fund the WPP. There was some discussion regarding why the WPP was created.

At 1:15 p.m., having no other comments from the public, public comment was closed.

PRESENTATIONS

At 1:15 p.m., HDR Engineering gave a presentation regarding the Colorado Water Plan, and answered questions from the Board of Directors.

At 2:00 p.m., General Manager Deb Daniel gave a film presentation titled The Great Divide, which is a documentary film regarding the increasing urgency to forge collaborative solutions for managing water in Colorado.

REPORTS

At 2:05 p.m., Scott Steinbrecher from the Colorado Attorney General's office, congratulated the Board of Directors on the successful first run of the Compact Compliance Pipeline and gave a brief report on the arbitration between Colorado and Kansas regarding the Compact Compliance Pipeline proposal and the Bonny Reservoir proposal. Mr. Steinbrecher also discussed the Republican River Compact Administration's approval for operation of the CCP during 2014.

EXECUTIVE SESSION

At 2:14 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 Scott Steinbrecher and Dave Keeler to stay.

At 2:45 p.m., Scott Steinbrecher left the meeting.

At 3:02 p.m., Director Wayne Skold left the meeting.

At 3:30 p.m., Dave Keeler left the meeting.

At 3:45 p.m., the executive session ended.

BOARD DISCUSSION AND ACTION ITEMS

At 3:45 p.m., Director Rod Mason left the meeting.

At 3:48 p.m., the Board discussed the level of participation and possible financial support of the Water Preservation Partnership (WPP). A motion to authorize the RRWCD legal counsel to work with the Republican River Basin's Groundwater Management District's legal counsel to form an entity for the WPP and to authorize a donation of \$5,000.00 be made to the WPP was made, seconded, and passed with 9 yes and 1 no vote.

Next, the Board discussed Public Trust Doctrine Initiative #83 and a motion to oppose the initiative, publishing the resolution in the Republican River Basin's newspapers, was made, seconded and passed unanimously.

Next, the Board discussed becoming a member of the Colorado Foundation for Water Education, whose mission is to promote better understanding of Colorado's water resources and issues by providing balanced and accurate information and education. After discussion, a motion to give funds to the Colorado Foundation for Water Education in the amount of \$2,000.00 and become a member was made, seconded and passed unanimously.

Finally, the Board discussed the revegetation of the land at the pipeline well field and a motion to authorize the Negotiating Committee to meet with Cure Land LLC to negotiate details regarding vegetation costs was made, seconded, and passed unanimously.

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no old business.

At 4:32 p.m., having no further business to be brought before the Board, a motion to adjourn the meeting was made, seconded, and passed unanimously.

Secretary

Date