

**Minutes of the Second 2013 Quarterly Board Meeting of the
Board of Directors of the
Republican River Water Conservation District**

April 11, 2013

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
Tim Pautler, Secretary
Eugene Bauerle
Wil Bledsoe
Brent Deterding
Jack Dowell
Garry Kramer
Steve Kramer
Rod Lenz
Stan Laybourn
Wayne Skold
Aaron Sprague

Deb Daniel, RRWCD General Manager
Dawn Webster, RRWCD Administrative Assistant
Peter Ampe, RRWCD General Counsel, Hill & Robbins, P.C.
Tim Davis, RRWCD Program Consultant, TLD 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 10:07 a.m. and 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 Director Rod Mason was absent, but excused. With 14 Directors in attendance, 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. There being none, a motion to approve the agenda was made, seconded, and approved unanimously.

Prior to the meeting, the Directors had received, electronically, drafts of the minutes of the regular Board meeting held on January 10, 2013, and the executive session held during the regular Board meeting on January 10, 2013. These documents were also included in the Board packet today. President Coryell asked if there were any changes or corrections to the minutes. There were none. A motion to approve the minutes of the regular Board meeting held on January 10, 2013, and the minutes of the executive session held during that meeting was made, seconded, and approved unanimously.

GENERAL MANAGER'S REPORT

At 10:13 a.m., General Manager Deb Daniel thanked the Directors, RRWCD professionals, and the public for attending the meeting. She then briefed the Board on several Negotiating Committee meetings and stated that the Conservation Committee had sent out surveys regarding conservation within the Basin, noting that over 400 surveys were received. General Manager Daniel also thanked the Board for allowing her to go to several conventions and to attend the Governors Ag Forum, which she felt were very beneficial to her and the District. Next, she thanked the Sandhills Ground Water Management District (GWMD) Board of Directors for their cooperation and approval of the export of up to 500 acre feet of ground water to test the Compact Compliance Pipeline. Mrs. Daniel then briefed the Board on the presentations she has been giving to local boards and clubs regarding the RRWCD. Director Lenz said he would like the Board to see the presentation that General Manager Daniel is giving. Finally, General Manager Daniel presented the financial report and the disbursements for the quarter ending March 31, 2013, which were previously sent to the entire Board electronically as well as being included in the Board packet. After discussion, a motion to approve the financial report and the disbursements for the first quarter of 2013 was made, seconded, and approved unanimously.

PROGRAM UPDATES AND REPORTS

At 10:25 a.m., Tracy Travis, Compact Compliance Pipeline Operations Manager, gave a brief report on the Pipeline and answered questions from the Directors regarding the final walk through and the equipment that Mr. Travis suggested he would need for maintenance of the Pipeline.

Alan Foutz, representing Congressman Cory Gardner, discussed the Farm Bill as well as immigration bills and gun control. Mr. Foutz said Congressman Gardner is continuing to work with Yuma County Commissioners on recreational sites at Bonny Dam.

Tim Davis, RRWCD Program Consultant, briefed the Board on the Conservation Reserve Enhancement Program (CREP) and the Agriculture Water Enhancement Program (AWEP).

Director Greg Larson reported on the Colorado Water Congress annual convention, where he, other Board members, and General Manager Daniel met with representatives of Congressman Gardner, Senator Udall, and Senator Bennet to stress the importance of conservation programs in the District.

Director Gene Bauerle thanked General Manager Daniel for the presentation she gave to the members of the South Platte Basin Roundtable.

Fred Rausch, representing Yuma County Pest Control District, gave a presentation regarding the Republican Restoration Project.

There was no report on the Yuma County Water Authority (YCWA).

Scott Meiklejohn, RRWCD State Lobbyist, briefed the Board on several water bills that are currently in the Senate.

Peter Ampe, RRWCD legal counsel, briefed the Board on the export hearing held by the Sandhills GWMD Board of Directors, stating that a draft ruling approving the export had been issued. Next, Mr. Ampe noted that the resolutions submitted by the State of Colorado to the Republican River Compact Administration (RRCA) to approve an augmentation plan for the Pipeline and the change to the representation of Bonny Reservoir in the RRCA groundwater model had been finalized. Finally, Mr. Ampe briefed the Board on the Hutton Educational Foundation's lawsuit against the Colorado State and Division Engineers regarding its Hale Ditch water right and its protest to the inclusion of its Tip Jack Ditch, Hutton No. 1, and Hutton No. 2 water rights on the revised abandonment list, noting that the trial on both cases was to begin the following Monday, April 15th, in water court in Greeley, CO.

At 12:00 p.m., President Coryell recessed the meeting for lunch.

At 12:59 p.m., the meeting was re-convened.

PUBLIC COMMENT

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

Denny Salvador, W-Y GWMD Board member, expressed his concern about the use fee assessment and suggested putting a cap on the use fee, as well as his concern that the State of Colorado receive credit under the Compact for the conservation measures that have been taken in the Basin. Peter Ampe, RRWCD legal counsel, responded that to the extent such measures reduce consumptive use in Colorado or increase stream flow at the Compact accounting gages, they will be accounted for and Colorado will receive credit for the conservation measures.

Tony Rayl of the Yuma Pioneer expressed concern about the wells that were over pumped that have been acquired by the RRWCD for the Pipeline and are currently being leased for irrigation use, and asked the Board if there was any action being taken to prevent that from happening in the future. RRWCD President Dennis Coryell stated that the State is addressing over pumped wells by requiring third-party meter administration and payback on a one to one basis. Mr. Coryell also said that the RRWCD is working with the lessees to ensure that it does not happen again in the coming year.

At 1:10 p.m., having no further comments, public comment ended.

REPORTS

At 1:10 p.m., Colorado State Engineer Dick Wolfe and Scott Steinbrecher of the Colorado Attorney General's office gave a report on the Pipeline and Bonny Reservoir Resolutions that were presented to the RRCA on April 5, 2013. Mr. Wolfe thanked the Board for its efforts to assist the State in achieving Compact compliance, noting that General Manager Daniel and President Coryell had provided a significant amount of input as had the Basin's Ground Water Management Districts. Mr. Wolfe also expressed appreciation for the help of RRWCD Engineer, Jim Slattery. Mr. Wolfe then gave a brief history of the first Pipeline Resolution that was submitted to the RRCA in 2009 and was not approved and discussed the changes in the new Resolution and answered questions from the Board and the public.

Next, Mr. Wolfe asked Dave Keeler, Republican River Basin Water Commissioner, to discuss the State's enforcement with respect to wells that were over pumped in the Basin. Mr. Keeler did so, providing an overview of the options available to the Division of Water Resources for enforcement of permitted pumping limits.

Next, Conservation Committee Chairman Steve Kramer briefed the Board on the conservation surveys that were mailed out to approximately 1300 well owners within the Basin. Mr. Kramer then handed the presentation over to Tim Davis, RRWCD Program Consultant. Mr. Davis gave a slideshow presentation showing the results of the conservation survey. After discussion, the Board agreed the Conservation Committee should keep moving forward and meet with the NRCS to discuss conservation measures.

EXECUTIVE SESSION

At 3:24 p.m., a motion was made pursuant to section 24-6-402(4), C.R.S., to enter into executive session to discuss water supply agreements and easements necessary for the Compact Compliance Pipeline, determine positions and instruct negotiators, and receive legal advice on legal questions related to such agreements and easements, Compact compliance, the Compact Compliance Pipeline, and to discuss and receive legal advice on personnel matters. 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 and Scott Steinbrecher to stay for a portion of the executive session.

At 4:06 p.m., Director Brent Deterding left the meeting

At 4:20 p.m., Director Rod Lenz left the meeting.

At 5:31 p.m., the executive session ended.

BOARD DISCUSSION AND ACTION ITEMS

A motion to give the Yuma County Pest Control District \$15,000.00 for use in its stream restoration projects was made, seconded, and approved unanimously.

Next, a motion to approve the Second Amendment to the lease of rights to designated ground water with Cure Land and Cure Land II was made, seconded, and approved unanimously.

Next, a motion to direct RRWCD legal counsel to take such actions as are necessary to enforce the agreement for the purchase of the Rush Creek water rights was made, seconded, and approved unanimously.

Finally, a motion to direct the Negotiating Committee to meet regarding the Bledsoe Cattle Co. Lease for 2014 was made, seconded, and approved unanimously.

OLD BUSINESS

There was no old business.

NEW BUSINESS

Under New Business, the Board discussed office safety and security for District employees. A motion to allow the Executive Committee to approve the safety equipment to be installed at the District office was made, seconded, and approved unanimously.

At 5:47 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