

Executive Committee Minutes July 12, 2022

The meeting was called to order by President Fritzler at approximately 9:00 a.m. at the District office. The following Executive Committee Directors were present: President Ken Fritzler, Vice President Gene Manuello, Treasurer Allen Coyne, and Committee Directors Brian Kembel (Zoom) and Joe Patterson. Directors Bob Mari, Dan Kendrick (Zoom) and Carson Smart were also in attendance along with Jeff Rice from the Sterling Journal Advocate, Darlene Carpio from Congressman Buck's office and staff members Manager Joe Frank, Rick Fleharty, Craig Brownell, and Deanna Eskew.

Board Minutes:

Director Coyne made the motion to approve the June 7, 2022 Board Minutes as submitted. Director Patterson seconded. Motion passed unanimously.

Financial Report:

Treasurer Coyne presented the financial report for the month of June. Treasurer Coyne then made the motion to approve payment of District checks 16368 – 116405 and Julesburg Recharge checks 1173 - 1178. Director Manuello seconded. Motion passed unanimously.

River Monitoring:

Division I Water Court Resume':

No Statements of opposition will be filed from the May 2022 Water Court Resume'.

Julesburg Recharge Project:

- ✓ The Substitute Water Supply Plan was filed last week for both the Julesburg School District and TGR.
- ✓ The Decree for 21CW3135 is still before the referee. Harmony is the only objector in the case.
- ✓ Manager Frank noted that his water accounting shows that there will not be as much excess this year as in previous years.
- ✓ Louise Geisert did make a partial payment on last year's pumping bill. An invoice for the balance including a late fee was mailed to her last week.

Heyborne Recharge Project:

The Heyborne Recharge site is off for the season.

Legal Report:

- ✓ Opposition to ACWWA/ECCV – Counsel Donovan provided comments to applicants last month. Counsel Donovan noted in his monthly report to Lower that ACWWA/ECCV will be submitting their 26a2 expert reports at the end of August. Opposer reports are due 12/23/22. Counsel Donovan would like to review their expert report and see if we cannot get a settlement with them to avoid further costs.
- ✓ Manager Frank reviewed the appropriation dates of the following cases that were filed close to the Platte Valley Water Partnership case 19CW3253.

19CW3230 – Morgan County Quality Water
19CW3246/20CW3209 – Fort Morgan Farms
20CW3215 – BennT
21CW3185 – Castle Rock

President's Report:

None

Manager's Report:

Included in Manager Frank's report were the following:

- ✓ *Perkins County Canal* –
On July 6th, Manager Frank attended a short tour and discussion with Governor Polis and others at the Colorado/Nebraska state line regarding the Perkins County Canal.
- ✓ *Colorado Water Congress* -
Manager Frank who is on the policy committee stated that the committee met in May during the board retreat to update and summarize CWC's policies which will help in discussions with state and federal lawmakers. The committee is hoping to have the policies finalized by the Summer CWC Convention on August 23-25.
- ✓ *SPWRAP* –
A presentation of the SPWRAP website will be held tomorrow via Zoom for members of the SPWRAP board, Northern and Lower. Plans are to have the website up and running by the end of the year.

The next quarterly meeting of SPWRAP will be held on July 21st via Zoom.

- ✓ *South Platte Basin Roundtable*
The next meeting of the SPBRT will be held later today.

Manager Frank stated that the Colorado Water Plan is now available for public comment. Kara Sobieski with Wilson Water will be attending Lower's September meeting to discuss the draft plan.

- ✓ *South Platte Regional Opportunities Water Group (SPROWG) –*
The next meeting of the group will be held on July 19th. The group is working on an intergovernmental agreement and possibly hiring a project manager.
- ✓ *Platte Valley Water Partnership –*
Manager Frank will be discussing the Prewitt Agreement with the board in executive session today.
Manager Frank stated that there was good feedback regarding the public relations questionnaire that was conducted a few months ago.
- ✓ *Presentations – Tours – Special Meeting –*
On June 24th, Greg Peterson of Colorado Ag Water Alliance and a group interested in reservoir enlargement/rehabilitation met at Lower's office to discuss potential in feasibility of enlarging the Julesburg Reservoir.

The Colorado Water Congress Summer Convention will be held August 23 -25th at Steamboat Springs.

Children's Water Festival will be held in Sterling on September 21st.

Public Comment:

Darlene Carpio from Congressman Buck's office stated that the Supreme Court is expected to make a ruling on the EPA 401 certification soon.

New Business: None

Old Business: None

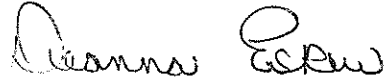
Executive Session:

At approximately 10:59 a.m. Director Coyne made the motion for the board recess into executive session for a conference call with the District's attorney for the purpose of receiving legal advice on a specific legal question under C.R.S. Section 24-6-402(4)(b) and for the purpose of determining positions relative to matters that may be subject to negotiations developing strategy for negotiations, and/or instruction negotiators under C.R.S. Section 24-6-402(4)(e). Director Patterson seconded the motion which passed unanimously.

President Fritzler adjourned the executive session and reconvened the board meeting at approximately 12:18 p.m.

Adjournment:

There being no further business, Director Coyne made the motion to adjourn. Director Mari seconded. Motion passed unanimously. The meeting was adjourned at approximately 12:19 p.m.

A handwritten signature in cursive script that reads "Deanna Eskew". The signature is written in black ink and is positioned above a horizontal line.

Deanna Eskew, District Secretary