

LOWER SOUTH PLATTE WATER CONSERVANCY DISTRICT

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**MINUTES OF MEETING OF THE BOARD OF DIRECTORS  
OF THE  
LOWER SOUTH PLATTE WATER CONSERVANCY DISTRICT**

April 12, 2022

**DIRECTORS PRESENT:**

Allen Coyne                                      Gene Manuello  
Ken Fritzier                                      Bob Mari  
Dan Kendrick                                    Joe Patterson  
Brian Kembel                                    Brad Stromberger

**DIRECTORS ABSENT:**

Terry Linker  
Jack McClary  
Bryan Ruf  
Carson Smart

**DISTRICT STAFF PRESENT:**

Joe Frank, General Manager  
Rick Fleharty, Technician  
Craig Brownell, Technician  
Deanna Eskew, Secretary

**VISITORS PRESENT:**

None

The meeting was called to order by President Fritzier.

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## **APPROVAL OF THE MARCH 8, 2022 EXECUTIVE COMMITTEE MINUTES:**

Director Kembel made the motion to approve the March 8, 2022 Executive Committee Minutes as presented. Director Kendrick seconded. Motion passed unanimously.

## **FINANCE REPORT:**

Treasurer Coyne reviewed the financial report for the month of March. Treasurer Coyne then made the motion to approve payment of District checks 16262 – 16306 and Julesburg recharge checks 1154 – 1166. Director Mari seconded the motion which passed unanimously.

## **RIVER MONITORING:**

*Division I Water Court Resume':*

No statements of opposition will be filed from the February 2022 Water Court Resume'.

Manager Frank noted that Castle Rock did file an amendment to their case 21CW3185 for water rights in Fremont and associated structures. Lower is already in the case so no further action is needed at this time.

*Julesburg Recharge Project:*

- The TGR agreement has been finalized and recorded.
- Manager Frank will send Counsel Donovan the final costs incurred in the Woodhams well deletion for the tax lien.
- A status conference has been set for July 14<sup>th</sup> regarding Lower's decree and SWSP. Harmony is the only objector in the case. Most of Harmony's comments center around the new TGR project.

*Heyborne Recharge Project:*

Heyborne is currently retiming excess recharge accretions into Pond 2 through April.

## **LEGAL REPORT:**

The board will need to recess into executive session to discuss legal issues.

## **PRESIDENT'S REPORT:**

President Fritzier and Manager Frank updated the board on the informative Chimney Hollow Reservoir tour given to Lower's board members by Northern's staff. The projected date that the reservoir will start filling is June of 2025.

## **MANAGER'S REPORT:**

### *Legislative Issues:*

- WRASP – Manager Frank stated that the group has taken a monitor position on 22 SB114 concerning fire suppression ponds which would allow counties to have a maximum of thirty acres of ponds in their county for fire suppression.

### *General Matters:*

- SPWRAP – The next quarterly board meeting will be held virtually on April 21, 2022.  
All Tamarack wells were shut off the end of March.
- NE Colorado Water Cooperative – Manager Frank noted that the Water SMART grant is extended through December of 2022. The annual meeting for NECWC will be held either the end of May or the first part of June to discuss the co-op's future plans. Brown and Caldwell will be analyzing the benefits of the Platte Valley Water Partnership for optimizing water supplies to co-op members and other water users in Water Districts 1 and 64.
- South Platte Basin Round Table (SPBRT) will be meeting later today in person.
- South Platte Regional Opportunities Water Group (SPROWG)- The next meeting of the group will be held April 19<sup>th</sup>. Even though Lower is no longer a paying member of the group, Manager Frank stated that he and Jim Yahn will continue to attend meetings in an advisory capacity to maintain an agriculture presence in the group.
- Presentations – Tours:
  - ✓ March 10<sup>th</sup> – Morgan County Farm Bureau
  - ✓ March 16<sup>th</sup> – Sterling Rotary Club
  - ✓ March 21<sup>st</sup> – Douglas County Commissioners
  - ✓ April 1<sup>st</sup> – Platte Valley Water Partnership tour
  - ✓ April 11<sup>th</sup> – Chimney Hollow tour
  - ✓ April 27<sup>th</sup> - Fremont landowners
  - ✓ May 14<sup>th</sup> – 19<sup>th</sup> – Colorado Water Congress Retreat in Cortez

- Children’s Water Festival – Members of the Northeast Colorado Children’s Water Festival group are currently soliciting sponsors and presenters for the festival which will be held in Sterling on September 21<sup>st</sup>, 2022 at the Logan County Fairgrounds for fifth graders in Logan, Morgan, Sedgwick, and Washington Counties.

**EXECUTIVE SESSION:**

At approximately 10:48 a.m. Director Coyne made the motion that 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 position relative to matters that may be subject to negotiations developing strategy for negotiations, and/or instructing negotiators under C.R.S. Section 24-6-402(4) (€). Director Patterson second the motion which passed unanimously.

President Fritzler adjourned the executive session and reconvened the board meeting at approximately 1:10 p.m.

**NEW BUSINESS:**

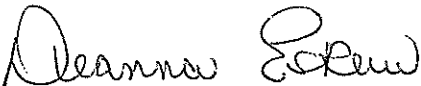
None

**OLD BUSINESS:**

None

**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 1:11 p.m.

  
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Deanna Eskew, District Secretary