

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 13, 2021

DIRECTORS PRESENT:

Allen Coyne	Joe Patterson
Ken Fritzler	Carson Smart
Brian Kembel	Don Schneider via Zoom
Gene Manuello	Brad Stromberger

DIRECTORS ABSENT:

Dan Kendrick	Jack McClary
Terry Linker	Bryan Ruf
Bob Mari	

DISTRICT STAFF PRESENT:

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

VISITORS PRESENT:

Jeff Rice, Sterling Journal Advocate via Zoom
Darlene Carpio, Aide to U.S. Congressman Ken Buck

The meeting was called to order by President Fritzler.



APPROVAL OF THE MARCH 9, 2021 EXECUTIVE COMMITTEE MINUTES:

Director Coyne made the motion to approve the March 9, 2021 Executive Committee Minutes as presented. Director Patterson seconded the motion which passed unanimously.

FINANCE REPORT:

Treasurer Coyne presented the financial report for the month of March. Treasurer Coyne then made the motion to approve payment of District check 15888 – 15926 and Julesburg Recharge checks 1130 – 1135. Director Patterson seconded. Motion passed unanimously.

RIVER MONITORING REPORT:

Division I Water Court Resume':

No statements of opposition will be filed from the February 2021 Water Court Resume'.

Julesburg Recharge Project:

Manager Frank reiterated that the District would continue to pay the Beaver's Highline Electric bill through the month of April. Beginning in May all electric bills will be paid by the owner. The well will then enter into a Special "D" contract similar to other wells in the District's augmentation plan.

Manager Frank also noted that bills for last years pumping were sent out last month. All but a few of the bills have been paid.

Manager Frank updated the board on the property recently purchased by Beau Davis who would like to add three short term recharge / habitat ponds to his property and include them in the District's Augmentation Plan. Mr. Davis will be required to pay up front past costs to develop the District's augmentation plan plus all estimated legal and engineering as previously required by the District board. Manager Frank has contacted Spronk Water Engineers to provide the engineering estimates on the project.

Heyborne Recharge Project:

Manager Frank updated the board on electrical issues at the Heyborne Project and progress in fixing the issues. District staff hopes to have the project running soon.

LEGAL REPORT:

Manager Frank, Counsel Woldridge and others are currently working through the Prewitt, Parker, and ditch company agreements for 19CW3253.

PRESIDENT'S REPORT:

None

PUBLIC COMMENT:

Darlene Carpio, aide to Congressman Ken Buck reported on one of President Biden's new Executive Orders 14008, which in part establishes a goal of conserving at least 30 percent of federal lands and waters by 2030. Manager Frank noted that he would be following this action, possibly through the Federal Affairs Committee at Colorado Water Congress.

MANAGER'S REPORT:

Included in Manager Frank's report were the following:

Legislative Matters:

- State Navigable Waters Rule Bill – (Gap Waters) - Manager Frank stated that the WRASP group has taken a position against the draft bill as is. Manager Frank will email the bill along with comments from the Colorado Mining Association for the directors to then review and be able to take a vote on the District's position.
- Manager Frank also reviewed the 2021 Bill Status Sheet from the Colorado Water Congress. Manager Frank noted that Water Congress has created a task force to better understand existing equity, diversity and inclusivity challenges related to Colorado Water issues.
- Manager Frank updated the board on the Anti-Speculation work group he is involved in, which was set up to analyze potential measures to strengthen speculation laws in Colorado.

General Matters:

- South Platte Water Related Activities Program (SPWRAP) – Bank stabilization at Tamarack has been completed.
- NE Colorado Water Cooperative – The Cooperative will be requesting at least a one (1) year extension on the WaterSMART grant to continue to fulfill the group's plans.
- South Platte Basin Round Table – The next meeting will be held later today via GoToMeeting.
- South Platte Regional Opportunities Water Group – The next facilitated meeting will be

held on April 30th. Manager Frank reviewed the SPROWG In-kind coverage of Out-of-Scope expenses for Doug Robotham. Last month the District board approved to pay no more than \$3,000 to cover those expenses. Ultimately, the District contributed an additional \$2,079.58

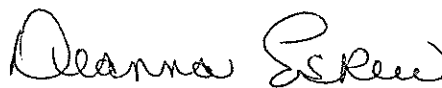
- Water Rights Development 19CW3253 – Manager Frank updated the board regarding the Lower/Parker Agreement as well as the Lower/Parker/Prewitt Agreement, local water users and land-owner agreements as well as the draft decree and preliminary engineering.
- AWRA’s Annual Symposium (American Water Rights Association) will be held as a virtual event on April 26th – 28th. Manager Frank stated that on Tuesday, April 27th, Bruce Lytle from Lytle Water Solutions will be talking about the Lower/Parker Project.
- Manager Frank reviewed the draft comments from Colorado Water Congress regarding the funds Colorado is receiving from the 2021 American Rescue Plan. Priorities should include 1) Repayment of Colorado Water Conservation Board Construction Loan Fund. These funds were “borrowed” with the promise that they were be restored. Paying back those funds should take precedence over any new expenditure of funds, 2) Fire Recovery and 3) Rainy Day Funds

NEW BUSINESS: None

OLD BUSINESS: None

ADJOURNMENT:

There being no further business, Director Coyne made the motion to adjourn. Director Patterson seconded the motion which passed unanimously. The meeting was adjourned at approximately 12:35 p.m.



Deanna Eskew, Secretary