

Executive Committee Minutes January 12, 2021

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 along with Committee Directors Brian Kembel and Joe Patterson. Directors Dan Kendrick, Terry Linker, Bob Mari, Carson Smart, Bryan Ruf and Don Schneider (via Zoom) were also in attendance. Staff members Manager Joe Frank, Rick Fleharty, Craig Brownell, and Deanna Eskew were also present.

Board Minutes:

The December 8, 2020 Minutes were corrected to show that Director Don Schneider was in attendance via Zoom and Rob Crowder shown as being in attendance via Zoom was not in attendance. Director Kembel made the motion to approve the December 8, 2020 Board Minutes as corrected. Director Coyne seconded. Motion passed unanimously.

Financial Report:

Treasurer Coyne presented the financial report for the month of December. Treasurer Coyne made the motion to approve payment of District checks 15784 – 15823 and Julesburg Recharge checks 1114 - 1115. Director Mari seconded. Motion passed unanimously.

River Monitoring:

Division I Water Court Resume':

No Statements of opposition will be filed from the November 2020 Water Court Resume' at this time pending further review of case #20CW3113 an Amended Application by Lazy D Grazing Association.

Julesburg Recharge Project:

Manager Frank spoke to Doyle Beavers regarding the termination of the 2001 Agreement. Mr. Beavers' well will be converted into a Special "D" Contract. The District will continue to pay electrical costs on the well through April 2021.

Manager Frank will finalize billing for last year's pumping season as soon SPWRAP lease amounts are received from Jon Altenhofen.

Photos of the new diversion structure work on the Peterson Ditch were also viewed by the board.

Heyborne Recharge Project:

The board reviewed photos of the Heyborne Project and discussed icing and channel issues at the site. Manager Frank stated that horizontal ground water wells at the site may be a way of solving issues related to the project.

Legal Report:

Manager Frank said that the board will need to recess into executive session later to discuss pending negotiations with Counsel Woldridge.

President's Report:

None

Manager's Report:

Included in Manager Frank's report were the following:

Legislative Matters:

- Manager Frank reviewed the new appointments to State House and Senate committees. The House has changed the name of agriculture committee back to the Agriculture, Livestock and Water Committee.
- The State Legislature is in recess until at least February 16th and the State Affairs Committee will be in recess until February 8, 2021 due to COVID-19.
- Manager Frank reviewed two draft bills and one potential bill of interest.
 1. *Water Share Right Mutual Ditch Corporation – Concerning the use of water right obtained through a mutual ditch corporation.*
 2. *Study Artificial Recharge Max Beneficial Use Water – Concerning a study of artificial recharge to maximize the beneficial use of water within Colorado.*
 3. *DNR Legislative Proposal: Colorado Alternative Transfer Method Streamlining.* Key Potential Changes Identified: 1) Amendment to the Interruptible Water Supply Agreement Process; 2) Temporary Volumetric Historic Consumptive Use (HCU) Determinations; and 3) Ability to Change/Modify Sources of Return Flows to Prevent Material Injury.
- Manager Frank who is a member of the Anti-Speculation Committee reviewed some of the discussions regarding risks associated with speculation in Colorado.

General Matters:

- SPWRAP – The well rehabilitation work at Tamarack has been completed, however there are still some electrical issues that need to be corrected. The executive director position for SPWRAP has yet to be filled. Manager Frank noted that the 1st quarter meeting of the group will be held on Thursday, January 21st via Go To Meeting.

- NE Colorado Water Cooperative – The next meeting of the cooperative will be held on Thursday, January 28th. The cooperative will also be filing for a one (1) year extension on the WaterSMART grant.
- South Platte Basin Round Table (SPBRT) – Election of officers will be one of the main items scheduled for today’s meeting which will be held via Go To Meeting.
- The South Platte Regional Opportunities Water Group will be holding its’ next facilitated meeting on Friday January 29th.
- Water Rights Development: 19CW3253 – Manager Frank stated that the District has identified thirty (30) possible recharge feasibility sites in Morgan County. Manager Frank clarified that current District tax revenue would not be used to construct and operate the project, similar to the way current operations occur under the Julesburg Recharge Project. Taxes would be used for staffing, engineering, obtaining water rights, legal agreements, and expenses etc. to advance the project as water supply development by the District.
- Colorado Water Congress Convention – The winter convention will be held February 9 – 12 via video conferencing. Manager Frank will be registering for the on-line convention and noted that any board members who would like to register to please let him know. The District will pay for any board member and staff who would wish to attend on-line.

New Business: None

Old Business: None

Executive Session:

Director Manuello made the motion that the board recess into executive session for the purpose of determining positions 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)e regarding legal matters. The motion was seconded by Director Smart which passed unanimously.

The board meeting was recessed at approximately 1:45 p.m. President Fritzler adjourned the executive session and reconvened the board meeting at approximately 1:47 p.m.

Adjournment:

There being no further business, Director Mari made the motion to adjourn. Director Patterson seconded. Motion passed unanimously. The meeting was adjourned at approximately 1:50 p.m.

Deanna Eskew, Secretary