

Executive Committee Minutes May 11, 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, Directors Brian Kembel and Joe Patterson. Directors Bob Mari, Bryan Ruf, Don Schneider via Zoom and Carson Smart were also in attendance. Staff members Manager Joe Frank, Rick Fleharty, Craig Brownell, and Deanna Eskew were present along with guest via Zoom Darlene Carpio, aide to Congressman Ken Buck.

Board Minutes:

Director Kembel made the motion to approve the April 13, 2021 Board Minutes. Director Coyne seconded. Motion passed unanimously.

Financial Report:

Treasurer Coyne presented the financial report for the month of April. Director Coyne then made the motion to approve payment of District checks 15927 – 15956 and Julesburg Recharge checks 1136 - 1137. Director Patterson seconded. Motion passed unanimously.

River Monitoring:

Division I Water Court Resume’:

No Statements of Opposition will be filed from the March 2021 Water Court Resume’.

Julesburg Recharge Project:

Manager Frank will be sending notices including late fee charges to Charles Julias, Charles Bunner and Leon Woodhams who have yet to pay their pumping bill from last year.

Final construction on the Peterson Diversion structure should be finished by the end of the month.

At the request of the Board of Directors, the District’s attorney, Ryan Donovan, sent a letter to TGR Farms (Beau Davis/Anton Rainold, formerly owned by Jeff Herbert) outlining the requirements for adding their well and recharge ponds to Lower’s augmentation plan. The letter states that the current estimate of total fees is \$25,000 with a deposit of \$15,725.00 required in advance. The letter noted that “Lower will make every reasonable effort to accomplish the addition of your Well and Recharge Ponds to LSPWCD Plan for less than this estimate, but the final costs could be higher”.

Heyborne Recharge Project:

Rick Fleharty reported that the Heyborne project is operational.

Legal Report:

Manager Frank updated the board on the Parker/Lower Project. The directors also discussed a memo from Counsel Woldridge regarding Water Conservancy District powers in contracting options for supplying water.

A workshop with Parker is planned for May 24th to discuss the joint project operations agreement.

President's Report:

None

Manager's Report:

Included in Manager Frank's report were the following:

Legislative Issues:

- Manager Frank stated that it does not look like there will be a sponsor for the Colorado Department Public Health & Environment's (CDPHE) Draft Bill to "Establish A State Dredge and Fill Water Permit Program" as written. Further work on this issue is scheduled to take place in the interim once this year's legislative session concludes.
- Manager Frank noted that the Anti-Speculation Committee is required to submit a final report to the General Assembly by the end of August. One of the difficult issues to address is trying to balance speculation against private property rights. In addition, determining an upfront intent to speculate during the time of purchase is difficult if not impossible to judge and prohibit.

General Matters:

- SPWRAP -
 - Manager Frank said that the bank stabilization and well rehab efforts at the Tamarack Project have been completed.
 - Manager Frank asked the directors to note a memo written by Jon Altenhofen regarding Water District 64 Historical Hydrology and River Administration
 - SPWRAP approved a motion to not intervene in the Parker/Lower case #19CW3253 during its latest quarterly board meeting on April 15th.
- NE Colorado Water Cooperative –
 - The Cooperative met yesterday (05/10/2021) in Fort Morgan.
 - The Cooperative has been given permission to request and receive a one (1) year extension on the WaterSMART grant, which would move the end of the

WaterSMART grant to December 2022. Any extension beyond next year will be determined later.

- The Annual meeting for the Coop will be held on June 2, 2021 at the Morgan County Quality Water office.
- The next meeting of the South Platte Basin Round Table will meet later today via GoToMeeting.
- South Platte Regional Opportunities Water Group (SPROWG) –
 - Manager Frank said that Parker Water and Sanitation District is now participating in ongoing SPROWG discussions and will be meeting with other group members to discuss the Parker/Lower project.
 - It was also decided that any future consultant fees will be divided among Denver Water, Northern, Aurora and South Metro.
- Manager Frank and Ron Redd have been asked to speak at the Colorado Ag Water Alliance (CAWA) Convention in Frasier on December 9-10 regarding the Parker/Lower project.

New Business: None

Old Business: None

Adjournment:

There being no further business, Director Coyne made the motion to adjourn. Director Patterson seconded. Motion passed unanimously. The meeting was adjourned at approximately 12:25 p.m.



Deanna Eskew, Secretary