

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

October 13, 2020

DIRECTORS PRESENT:

Allen Coyne	Gene Manuello
Ken Fritzler	Jack McClary
Dan Kendrick	Carson Smart
Brian Kembel	Don Schneider

DIRECTORS ABSENT:

Bart Ginther	Joe Patterson
Terry Linker	Bryan Ruf
Bob Mari	Brad Stromberger

DISTRICT STAFF PRESENT:

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

VISITORS PRESENT:

Dusty Johnson, Aide to Congressman Buck via Zoom

The meeting was called to order by President Fritzler.



APPROVAL OF THE SEPTEMBER 8, 2020 EXECUTIVE COMMITTEE MINUTES:

Director Kembel made the motion to approve the September 8, 2020 Executive Committee Minutes as presented. Director Manuello seconded the motion. Motion passed unanimously.

FINANCE REPORT:

Treasurer Coyne presented the financial report for the month of September. After review, Treasurer Coyne then made the motion to approve district checks 15681-15728 as well as Julesburg Recharge check #1109. Director Manuello seconded the motion which passed unanimously.

PRESENTATION OF THE 2021 PROPOSED BUDGET:

After presentation of the 2021 proposed budget by Manager Frank and board review, Director Coyne made the motion to accept the amended proposed budget for publication and set the date for the public hearing to November 10, 2020. Director Manuello seconded. Motion passed unanimously.

RIVER MONITORING:

Division I Water Court Resume':

- 20CW3117 – ACWWA/ECCV/United – Director Coyne made the motion that Manager Frank contact Counsel Donovan and authorize him to file a statement of opposition on this case. Director Manuello seconded. Motion passed unanimously.

Julesburg Recharge Project:

- Director Coyne made the motion that the District pursue termination of the “Beavers” Agreement. Director Kembel seconded the motion which passed unanimously.
- Manager Frank said that he is working on Diligence for the Julesburg Recharge Project augmentation plan which is due this November.

Heyborne Recharge Project:

- Manager Frank will be reviewing Counsel Donovan’s final Decree for Diligence on the Heyborne Recharge Project.

LEGAL REPORT:

Manager Frank reported that Andy Jones, one of the original founders of Lawrence, Jones, Custer & Grasmick is leaving the firm. However, partners Brad Grasmick, David Jones and Ryan Donovan will be continuing the water law practice started by Kim Lawrence. The firm's name will be changing to Lawrence Custer Grasmick Jones & Donovan, LLP as of October 1, 2020.

PRESIDENT'S REPORT:

None

MANAGER'S REPORT:

Included Mr. Frank's report were the following:

- *WRASP* - Mr. Frank who serves as a board member of the Colorado Water Congress discussed concerns regarding multiple Colorado State agencies ability to serve as voting members of the Colorado Water Congress State Affairs Committee. Discussions are ongoing with State Affairs, CWC board of directors and representatives of the State of Colorado. Potential voting on the issue is tentatively slated for November 9, 2020.
- *SPWRAP* –
 - The bank stabilization project at Tamarack is scheduled to start in December.
 - SPWRAP has purchased a floating dock for use at the Heyborne site for safer access to the floating pump.
 - SPWRAP is close to finalizing an agreement with the Julesburg Irrigation District re: the cost sharing on the new Petersen Ditch diversion structure. Construction on the new diversion structure is scheduled to begin later this month.
 - The rehabilitation of the Petersen wellfield was recently completed.
 - The Executive Director position for SPWRAP has yet to be filled.
- *NE Colorado Water Cooperative* – Manager Frank stated that there is still approximately one year left on the WaterSMART grant through the Bureau of Reclamation which will be used for outreach meetings, updating the Cooperative's work plan and the District's role between the cooperative and water rights development.
- *South Platte Regional Opportunities Water Group* – Manager Frank noted that the next meeting of the group will be held on October 30th to discuss potential next steps with SPROWG.
- *Water Rights Development 19CW3253* – Manager Frank said the Prewitt Agreement is currently being reviewed by the Prewitt Reservoir attorney. Manager Frank also stated that comments on the Draft Decree and Preliminary Engineering reports are due October

30th.


- *Anti-Speculation Committee* – Manager Frank reviewed the Draft Report Structure of the Anti-Speculation Law Work Group that is working on recommendations to the Water Resources Review Committee on whether and how to strengthen current water anti-speculation law.

OLD BUSINESS: None

NEW BUSINESS: None

ADJOURNMENT:

There being no further business, Director Coyne made the motion to adjourn. Director Kembel seconded. Motion passed unanimously. The meeting was adjourned at approximately 11:20 a.m.



Deanna Eskew, Secretary