

Executive Committee Minutes May 14, 2024

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, Committee Directors Brian Kembel, and Joe Patterson. Board Directors Dan Kendrick, Kent Pflager, Cody Poitz and Carson Smart were also in attendance along with staff members Manager Joe Frank, Rick Fleharty, Craig Brownell, and Deanna Eskew.

Board Minutes:

Director Pflager made the motion to approve both April 1, 2024 and April 9, 2024 Board Minutes. Director Kembel seconded. Motion passed unanimously.

Financial Report:

Manager Frank presented the financial report for the month of April. Director Manuello made the motion to approve payment of District checks 17137 – 17164 and Julesburg Recharge checks 1237 - 1240. Director Poitz seconded. Motion passed unanimously.

River Monitoring:

Division I Water Court Resume ':

No Statements of opposition will be filed from the March 2024 Water Court Resume'.

Julesburg Recharge Project:

Due to an error in accounting on last year's well pumping, adjustment checks are being issued to Carol Gillham, Ray Randall, Town of Ovid, Tim Haynes, Charles Bunner and Ted Watchorn. Deductions will be made next year on monies the Town of Julesburg, Wildcat Dairy, and Hensley Family Farm received on overpaid accretion credits this year.

Due to the statement of opposition from Harmony on the TGR application, legal costs were higher than originally expected. Final charges amount to an additional \$15,173.00 TGR owes the Julesburg Recharge Project. TGR has asked that the billing be divided into three payments (May 31, 2024, September 30, 2024, and December 31, 2024). The request was accepted by the board.

Heyborne Recharge Project:

The Heyborne site is running approximately 2,000 gpm.

Legal Report:

Manager Frank said that the board will need to go into executive session later in the meeting for the following:

1. Conference with the District's attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b),
2. 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).

Katie Leone from Spronk Water Engineers on behalf of LSPWCD and Logan Well Users issued a Memorandum detailing concerns with Harmony's Absolute Claim and Diligence Case No. 23CW3102.

President's Report:

None

Manager's Report:

Legislative Matters:

- WRASP/Colorado Water Congress –
 - The Dredge and Fill Program bill was the primary water legislation discussion this year. HB 24-1379 did pass with amendments. This bill creates a dredge and fill program in Colorado through the Colorado Department of Health and Environment. Manager Frank stressed the need to stay engaged as there will be a rule-making process that will need to be followed.
 - Colorado Water Congress is currently discussing the need to create a special project to specifically focus on the Dredge & Fill program process.
 - The Colorado Water Stewardship Project within the CWC was successful in getting Initiative 72, Rights of Nature denied for title setting. The Initiative would have allowed a citizen to sue on behalf of nature.

General Matters:

- Perkins Canal –
 - The Perkins Canal Work Group continues to meet the third Thursday of each month. However, the May meeting will be held the morning of May 23, 2024 followed by the NE Water Cooperative Annual Meeting in the afternoon at Lower's office.

- South Platte Water Related Activities Program (SPWRAP) –
 - Rick and Craig will be coring just off the Carlson Ditch later this week to help SPWRAP determine the feasibility of a new recharge project to develop water supplies for District constituents.
- South Platte Basin Roundtable (SPBRT) –
 - The next meeting of the Roundtable will be held later today, May 14, 2024. Members will be reviewing and approving grant applications at today’s meeting.
- South Platte Regional Opportunities Water Group –
 - The next meeting of SPROWG will be held on Tuesday, May 21, 2024. T
- Special Meetings –
 - Manager Frank reviewed the two-day tour with officials/biologists from both Colorado and Nebraska called the “Nebraska Knowledge Exchange.” Manager Frank felt the tour was successful in that the Nebraska officials were able to see for themselves the benefits of return flows and the positive effects of irrigated agriculture on wildlife habitat.
- Other Discussion Items –
 - Manager Frank noted that the June board meeting will need to be moved to either June 4th or June 18th. After discussion, it was decided that the June board meeting will be moved to June 18, 2024.
 - There will be a Lower South Platte Children’s Water Festival planning meeting tomorrow, June 15th at the District office.

Executive Session:

At approximately 10:19 a.m. Director Poitz made the motion to adjourn into executive session for the following:

1. Conference with the District’s attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b),
2. For the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e).

Director Kendrick seconded the motion which passed unanimously.

President Fritzler adjourned the executive session and reconvened the board meeting at approximately 10:58 a.m.

New Business:

Manager Frank and the board discussed a recent purchase / leaseback agreement by Aurora Water in the Arkansas Valley.


The board discussed coordinating a tour of the Chimney Hollow reservoir site this summer or fall to witness the progress of the new dam and reservoir. District board and staff members last toured the Chimney Hollow project in April of 2022.

Director Pflager made the motion that the District contribute \$5,000 towards the Public Opinion Survey with Sigler Communications. Director Poitz seconded. Motion passes unanimously.

Old Business: None

Adjournment:

There being no further business, Director Kembel made the motion to adjourn. Director Poitz seconded. Motion passed unanimously. The meeting was adjourned at approximately 11:22 a.m.



Deanna Eskew, District Secretary