



January 21, 2010

Meeting Minutes of the Board of Directors

Directors Present: Wayland Anderson, Alan Berryman, Lisa Darling, Greg Dewey, Dennis Harmon, Kim Hutton, John Kolanz, Randy Rhodes and Kevin Urie

Directors Absent: None

1. CALL TO ORDER / INTRODUCTIONS

Lisa Darling, President of SPWRAP, called the SPWRAP Board of Directors Meeting to order at 10:00 am at the offices of Northern Water. There was a quorum of Directors.

2. ADDITIONS/CHANGES TO THE AGENDA

There was one addition/change to the agenda: Discussion of finalizing the Tamarack Decree. And the order of discussion items was modified.

3. MINUTES FROM THE NOVEMBER 19, 2009 BOARD MEETING

MOTION: Randy Rhodes moved that the board approve the minutes from the November 19, 2009 board meeting. Dennis Harmon seconded the motion and it was approved unanimously by the directors present.

4. FINANCIAL REPORT

Dennis Harmon presented the SPWRAP financial report, including a financial statement from beginning of the 2009 fiscal year through December 31, 2009. Dennis also said the following bills needed to be paid:

- Trout, Raley, Freeman, et al. for legal services (Nov) – \$1,846.75
- Duncan, Ostrander & Dingess for legal services (Nov) – \$2,658.73
- Hunt, Spillman & Assoc. for monthly bookkeeping (October) -- \$95.00

MOTION: Kevin Urie moved that the board approve payment of the bills listed in the financial report, subject to review and approval from Alan Berryman. Wayland Anderson seconded the motion and it was approved unanimously by the directors present.

Dennis Harmon mentioned that SPWRAP retained Brock & Company for an audit of SPWRAP for 2009 and expects to see a report by next board meeting. Hunt, Spillman & Assoc. will prepare the IRS Form 990 for 2009.

Dennis Harmon discussed his concern to amend the payment approval process by which payments for recharge credits occur. To provide an appropriate separation of duties it was suggested that an additional person review the payments. Alan Berryman will do this by comparing the calculated recharge credits from the model and cross reference these figures with the requested payments.

5. UPDATE ON PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM ACTIVITIES

LAND: Alan Berryman reported that under the first increment, there is a goal to secure 10,000 acres for habitat purposes. Bruce Sackett in the Executive Director's Office has been instrumental in securing 6,138 acres toward this goal.

Joe Frank mentioned that there is a Land Committee meeting coming soon, but he is not planning to be the Colorado Water Users representative anymore. Anna Mauss said she would follow up with Ted Kowalski on finding a replacement for Joe Frank.

ADAPTIVE MANAGEMENT: The original assumption was that pallid sturgeon needs to be protected. Placing sediment in the lower river may be preferred action to enhance habitat.

WATER: Original projects score about 80,000 of the 130,000 to 150,000 acre-feet needed under the first increment. Olson Engineering did a study which showed promise for an 11,000 to 12,000 acre-foot re-regulation reservoir in the Central Nebraska Public Power and Irrigation District (CNPPID) to meet about half of the remaining water needed. Beorn Courtney in the Executive Director's Office has been instrumental in developing the Water Action Plan.

OTHER: Deb Freeman reported the following. The US Fish & Wildlife Service (Service) is currently studying whether or not to list the Platte River caddisfly, the known range of which coincides with the Platte River Recovery Implementation Program (Program) habitat area in the central Platte River. The Governance Committee raised concerns at their last meeting about how little the Service knows about the Platte River caddisfly. There are also concerns about how this potential listing might impact Program activities or the Program itself.

There was a recent Federal Register notice about a proposal to add the shovel-nosed sturgeon to the threatened and endangered species list. The effect is to extend the take prohibition to commercial fishing activities. The intent is to keep commercial fisherman from inadvertently harvesting pallid sturgeon and should not impact the Program.

6. DISCUSSION OF FINALIZATION OF TAMARACK DECREE

Austin Hamre mentioned that SPWRAP was formed to help partner with the State of Colorado to meet Colorado's obligations under the Program. The proposed decree itself was not discussed; moving the decree forward was discussed. Getting the decree finalized is of utmost importance to help Colorado meet its water obligations under the Program.

Susan Schneider and Scott Steinbrecher from the Colorado Attorney General's office were present by telephone to discuss the status. Susan said Scott Steinbrecher and Chad Wallace are going to be the state's attorneys on the case and they are ready to go. However, they are waiting on a determination on who can do the engineering, including the possibility of retaining Mary Halstead who is now with a different state agency. Jon

Altenhofen mentioned that Calvin Miller from Miller Groundwater has a lot of expertise on the actual modeling. Jon thought that Mary and Calvin would be a good team. Steve Simms mentioned that Mary also did the modeling on the Tamarack wells, which was central to the case. Steve Simms asked about the re-referral of the case. Discussion ensued. Susan Schneider confirmed that the case had not been re-referred but she would follow up accordingly.

Susan Schneider's understanding was that this case is of high priority and that the Colorado Water Conservation Board will make funds available to retain the engineering expertise. Discussion ensued. Susan Schneider agreed to give another status report in two months, at the March SPWRAP board meeting. The Substitute Water Supply Plan was approved through August 2010.

7. SCHEDULE

Kim Hutton requested that the board meetings start earlier than 10 am. Discussion ensued. The board agreed that future board meetings would start one hour earlier, at 9am.

8. POTENTIAL AGREEMENT WITH LOWER SOUTH PLATTE WATER CONSERVANCY DISTRICT FOR SERVICES PROVIDED

At the November 19, 2009 SPWRAP board meeting, the board approved an agreement with Lower South Plate Conservancy District (Lower) subject to SPWRAP comments and subject to a final review after Lower's consideration. Since then, Austin Hamre, Jon Altenhofen, Joe Frank, Kevin Urie and Greg Dewey participated in a conference call to discuss and clarify the scope of services. Based on discussions over the phone, one minor addition was made to the scope of services. This addition would require Lower's staff to review the SPWRAP reporting forms for accuracy. This is specifically related to making sure the calculated assessment is correct based on the data the member entity provides on the forms. The agreement will be revisited after one year.

9. ADJOURN

The meeting adjourned at 11:20 am.

Next Meeting of the Board of Directors:

March 18, 2010 – Northern Water – Berthoud, CO
9 am – Board of Directors (no Executive Committee)

Respectfully submitted,



Greg Dewey
Secretary, SPWRAP, Inc.