

September 16, 2010
Meeting Minutes of the Board of Directors

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

Directors Absent: John Kolanz and Kevin Urie

1. CALL TO ORDER / INTRODUCTIONS

Lisa Darling, President of SPWRAP, called the SPWRAP Board of Directors Meeting to order at 9:00 am at the lunch room of Northern Water. There was a quorum of Directors.

2. ADDITIONS/CHANGES TO THE AGENDA

There were two additions to the agenda:

- Discussion about SPWRAP coverage for depletions related to construction activities by state and federal transportation agencies.
- Ducks Unlimited Update

3. MINUTES FROM THE JULY 15, 2010 BOARD MEETING

ACTION: The board approved the minutes from the July 15, 2010 board meeting by consensus.

4. FINANCIAL REPORT

Dennis Harmon presented the SPWRAP financial report, including a financial statement from beginning of fiscal year through August 31, 2010. Dennis said the following bills needed to be paid:

- Trout, Raley, Freeman, et al. for legal services (July) – \$703.70
- Duncan, Ostrander & Dingess for legal services (August) - \$189.44

MOTION: Dennis Harmon moved that the board approve payment of the bills listed in the financial report. Wayland Anderson seconded the motion. The motion was approved unanimously by the directors present.

Discussion of bill paying procedure. Austin Hamre circulated a draft “Policy Regarding Procedure for SPWRAP’s Payment of Invoices, which he had drafted. The board discussed the policy.

MOTION: Dennis Harmon moved that the board adopt the policy as presented. Alan Berryman seconded the motion. The motion was approved unanimously by the directors present.

5. PRESENTATION BY BEORN COURTNEY, PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM (PRRIP) EXECUTIVE DIRECTOR'S OFFICE

Beorn Courtney, gave a presentation titled, "Water Plan Update and Look Ahead." She also handed out copies of the "2009 Water Action Plan Update", dated February 23, 2010.

6. UPDATE ON PLATTE RIVER RECOVERY IMPLEMENTATION PROGRAM (PRRIP) ACTIVITIES

Alan Berryman gave a brief update on the PRRIP activities. The Governance Committee met earlier this week. Island squishing and sediment issues were discussed in the Platte River reach above and below the Kearny Canal. Elm Creek Reservoir Feasibility Study was authorized. The budget is interesting. Every year, about \$18 million is budgeted. The biggest cost will likely be purchasing water. However, the timing of the authorized budgets is on an annual basis. However, a project like a reservoir will require payment of larger amounts within a relatively short time-frame. Budget and cash flow will continue to present challenges. Jon Altenhofen will serve on a groundwater recharge study committee.

Ted Kowalski mentioned the state's perspective. The state hired Suzanne Sellers, a professional engineer with groundwater modeling experience. She will be the State's rep on the WAC. The DOW is planning to hire a field person who will potentially be the State's rep on the LAC. The DOW may also be able to dedicate a field person for the TAC and AMWIG. CWCB will request another \$3M in the 2011 budget; this would bring the states total contributions to \$26M.

Deb Freeman reported that the Nebraska Wildlife Foundation is doing an environmental report card on the PRRIP. They plan to present information at the Platte River Symposium in the fall. Deb suggested that they first bring any concerns to the Governance Committee since the PRRIP provides a forum where issues like this can be raised.

7. UPDATE ON FINALIZING TAMARACK DECREE

Austin Hamre reported that Steve Simms filed a motion for re-referral in August. A status conference for trial date setting is scheduled for September 24. There have been some discussions between the parties regarding the length of the trial. The State suggested 3 days, while Centennial Water & Sanitation District suggested 14 days. More information will be known by the date of the SPWRAP annual meeting of members and can be reported at that time.

8. DISCUSSION ABOUT SPWRAP COVERAGE FOR DEPLETIONS RELATED TO CONSTRUCTION ACTIVITIES BY STATE AND FEDERAL TRANSPORTATION AGENCIES

Ted Kowalski mentioned that he, Kevin Urie, and Sandy Vana-Miller (USFWS) met regarding state and federal transportation agencies and their proposed depletions. Ted mentioned that the depletions stem from dust suppression and concrete mixing associated

with construction activities. Ted and Kevin will be meeting with her in the next few weeks to get an update on the magnitude of depletions. The State is putting up the \$26M and has a special X-1 membership. Ted suggested that it would be an appropriate use of the State's SPWRAP membership to cover these depletions.

Lisa asked if the agencies would present a proposed list of projects each year. The list could include an estimate of the depletions, not to exceed some maximum annual amount that SPWRAP agreed to. Ted suggested that an agreement be drawn up between the State and SPWRAP giving specificity to the depletions to be covered.

Ted welcomed Tom Econopouly, who replaced Don Anderson as a lead hydrologist from USFWS. Ted stated that Don Anderson was a great resource, and his approach in how he worked with the State and SPWRAP was much appreciated. Tom echoed Ted's sentiments and vowed to work with the same spirit of cooperation.

9. CONSIDERATION OF CLASS X-4 RESOLUTION (COLORADO SPRINGS UTILITIES AND COVERAGE UNDER SPWRAP)

Lisa Darling introduced this item. At the previous SPWRAP board meeting, the board had directed Austin Hamre to draft a resolution for the board to consider. However, it was not clear if the board's understanding was the same as that of Colorado Springs Utilities (CSU). Lisa suggested that Kevin Urie discuss the matter with Pat Wells from CSU prior to the board taking any action.

ACTION: Kevin Urie will discuss the matter with Pat Wells. Then Austin Hamre will circulate a draft resolution by email for the board to consider.

10. SPWRAP ADMINISTRATIVE AND CORPORATE ISSUES

Lisa Darling introduced this item as being restricted to those items related to the annual meeting. The annual meeting will be held on October 21 in Longmont, immediately following the South Platte Forum.

Annual Meeting Update

The following will be presented at the annual meeting as an update. More time will be spent on the PRRIP and how SPWRAP fits into that, than on the details of the current year activities.

Deb – PRRIP background (5 minutes)

Kevin / Lisa – How does SPWRAP fit in? Administration, budget (5 minutes)

Jon – Water accounting and projects (5 minutes)

ACTION: By October 1, Deb, Kevin, Lisa and Jon will send their written notes to Joe Frank to compile into an annual report and handout to the members at the annual meeting. The report will include a map as well as webpage addresses to find more information.

Protocol for sending out notices and collecting assessments:

- Meeting in Oct where the board informs the members of the board-agreed to assessment rate (in the case of 2011, it will be the same as 2010 – 15 cents per unit)
- The membership votes to ratify this action of the board at the annual meeting.
- In December, the secretary emails the minutes from the annual meeting. In the email, the secretary can highlight the agreed upon assessment rate from annual meeting.
- In January, prior to Jan board meeting, the secretary sends the assessment form to members already in good standing (we already have their mailing addresses).
- March 1 is the due date for the assessment payments.
- Members already in good standing, who have not submitted payment by April 1 get a courtesy notice that payment is due.
- If membership is not paid / renewed within 30 days (May 1st) then membership in SPWRAP is lapsed and interest is due.

Discussion on proposed 2011 budget

Dennis Harmon passed out a draft 2011 budget and list of assumptions. The revenues and expenses were estimated to be very similar to those of 2010. The draft budget used an assessment of 15 cents per membership unit. Discussion followed.

MOTION: Wayland Anderson moved that the board keep the 2011 assessment the same as the 2010 assessment, or 15 cents per membership unit. Randy Rhodes seconded the motion. The motion was approved unanimously by the directors present.

Finalize ballot – board of directors

Greg Dewey passed out a draft ballot. No changes were made. The draft ballot was approved by consensus by the board.

Discussion of the SPWRAP Board meeting dates in 2011.

The SPWRAP will likely need to spend more time with the subcommittees. The entire board could meet quarterly, one month following the PRRIP Governance Committee meetings which are also quarterly. SPWRAP Board meeting dates in 2011:

- January 20 (Northern Water)
- April 21 (May include a field tour)
- July 21 (Northern Water)
- October 20 (Following the South Platte Forum)
- Other meetings may be set as appropriate, including a September phone meeting to prepare for October annual meeting.

11. DUCKS UNLIMITED UPDATE

Greg Kernohan gave a brief update on projects related to the Ducks Unlimited. According to the grant funding, projects must be designed, built and operational by April 2012. He will be working with Jon Altenhofen and Austin Hamre to develop agreements for disposition of the recharge credits.

12. ADJOURN

The meeting adjourned at 12:15 pm.

Next Meeting of the Board of Directors:
October 21, 2010 – 3pm – Annual Meeting of Members
Radisson Conference Center; 1900 Ken Pratt Blvd.; Longmont, CO 80501
(Board of Directors to meet following the annual meeting)

Respectfully submitted,



Greg Dewey
Secretary, SPWRAP, Inc.