

**UPPER SOUTH PLATTE WATER CONSERVANCY
DISTRICT
JANUARY 14, 2021
MONTHLY MEETING
548 FRONT STREET
FAIRPLAY, CO 80440**

At 1:05 p.m. the January 14, 2021 meeting of the USPWCD was called to order by Dave Wissel, President (at the District office). Members present: Lynda James (phone), Bob Slagle (phone), Jon Rice (phone), Brian Woodyard (phone), District Secretary, Lillian Wissel (phone).

APPROVAL/MODIFICATION OF PROPOSED AGENDA

Agenda – Bob moved to approve the January 14, 2021 agenda as amended, adding E. election of officers, F. Legal Posting Place, under Administrative Matters. Jon seconded the motion. Ayes carried.

PUBLIC INPUT/COMMENTS

No public comment

ADMINISTRATIVE MATTER

- a. **Minutes of previous meetings – November 11, 2020.**

Bob moved to approve November 11, 2020 minutes as corrected. Lynda Seconded. Ayes carried.

- b. **Financial report- Bob gave an overview of the December 2020 financials.**

General Fund - \$ 34,763.47 December 2020 EB
Chase Trust Fund - \$ 138,150.87
Project Reserve Fund -\$ 96,340.36
Colo Trust Public Ed Fund \$ 33,863.66
\$278,901.69 December 2020 EB

Lynda motion to adopt the treasurer's report as presented. Brian seconded the motion. Ayes Carried

- c. **Invoices for legal services, bills needing review for payment & directors' expenses – Bob overview of normal regular bills for December 2020:**

Lynda moved to approve the invoices/bill payments for the month of December 2020 and January 2021 director's expenses. Jon seconded. Ayes carried.

- d. **Legal Report – Dave W. – nothing much going. Madoline didn't have much.**
- e. **Election of Officers – There was discussion and agreed that the same 2020 USP Elected Officers would hold their positions for 2021. Dave Wissel President, Jon Rice Vice President and Bob Slagle Treasurer.**

Lynda moved to elect the following members as the 2021 USPWCD Officers: David Wissel as President, Jon Rice as Vice President and Bob Slagle as Treasurer. Brian seconded the motion. All ayes carried.

- f. **Legal posting place – The USPWCD 2021 legal posting place will remain the same as 2020, on the District web site location.**

Dave made the motion to adopt the “USPWCD.org” web site as the official posting place for the USPWCD. Bob seconded the motion. All ayes carried.

DISTRICT PROJECTS

- a. **Jones/Colin Bills water – Jon Rice – need to get five year lease signed. As soon as we have water they will be able to irrigate. Bob asked if he should include the lease contract with the check to Jones. Board members said yes send contract with check. There was discussion**
- b. **Foxtail Estates – nothing new to report**
- c. **Harris Park Reservoir Storage & water rights WW Wheeler update – Dave stated we have asked Matt Loose to look for information and data about their reservoir storage capabilities. Matt had not looked at the issue as of this meeting. There was discussion.**
- d. **Update on Ruglowski Family water & storage rights – Dave W. HASP looking to see if they have water rights or any free board. They sent information to board members.**

9-acre feet of water storage and surface water rights (with the use agreement to be negotiated with Aurora)

1.74-acre feet first right of refusal, the last piece of the Ruglowski family water rights. If they decide to not

utilize these water rights within 2 years, we have the right to obtain at the same unit price.

Renegotiate with Aurora block of water without incumbrances. Dave has concerns.

Dave has a concern with one of the Center of Colorado Water Conservancy District water attorney representing the District/HASP and the Ruglowski family. How can he represent the family? After making an offer in response to their invitation to bid, they counter an offer for “new” terms of the sale? They then propose them keeping 1.74 acres with HASP having a first right of refusal. There was discussion.

Dave and Jon went along with reservations. They believe there is a serious conflict of interest for the CCW. HASP did grant unanimously to allow him a waiver of a conflict for this transaction. Madoline Wallace – Gross handled all negotiations for HASP exclusively. Dave stated that perhaps USP could purchase the entire block alone. This would eliminate the conflict for all sides. There was discussion.

Dave stated that the USPWCD and CCWCD should buy the whole block of water as joint tenants. Each district would own an undivided one – half interest in this new water and storage rights. There was discussion as to the funds that would pay for this water purchase. HASP has the available resources and could pay for the water. USP wants all capital assets to be owned in joint tenancy by both districts. There was discussion.

The Ruglowski's want HASP to pay Dave Shoheit \$2,000 if the deal doesn't go through. Dave and Jon are very opposed to this. There was discussion.

HASP UPDATE

a. **January HASP meeting update – Jon R**

HASP met twice in December and again in January about Indian Mountain. Indian Mountain doesn't want anything more to do with Barr Starr. There was discussion

Jon and Dave were informed of an investigation of the Silvertip Lodge reservoir's for possible storage. This is being conducted by David S, Dan D, and John M for Hasp. Dave and Jon were opposed to this because they did not include one of our board members in the exploration or the negotiations. There was discussion. This was the first time our board members ever heard about this deal. The other objection was this is in Jon's district and why wasn't he included in this discussion. There was discussion by board members.

Jon stated we have a potential purchase of lease water. We have a potential client who has approached HASP about augmenting their ponds. Would like to purchase 24.9 acre feet of water. There was discussion.

Dan Drucker went off on some conspiracy theory about this client purchasing all the water from another water entity (since this customer had money) and then the other entity won't be competitors with HASP. There was discussion.

- b. **Jon gave an overview of the HASP books as follows:**

Balance of accounts as of December 31, 2020:

Bank of West \$63,038.43
Money Market -0-
Colo Trust + \$704,767.59

There was discussion.

- c. **Current Creek 2 project update – Jon R nothing new. He stated that we paid another engineer from the same firm again for the same work. Dan Drucker insisted on another engineer to review what the first engineer did. There was discussion.**

Bob discussed the possibility of looking into a few parcels that is owned by a gentleman he has been talking to. He doesn't know how much value there is in the water rights. Bob would like to ask Madoline to check into theses water rights. He is willing to lease water for storage as long it doesn't interfere with grazing. There was discussion.

Jon made the motion to allow Bob to continue discussing with owner water lease and storage right

**and to engage Madoline to research the water rights,
Lynda seconded. All ayes carried.**

DIRECTORS ISSUES

- a. **Lynda – gone**
- b. **Jon – none**
- c. **Bob – none**
- d. **Brian –none**
- e. **Dave –none**

ADJOURNMENT

**The next regular board meeting of the USPWCD is scheduled
for February 10, 2021 at 12:00 p.m.**

Next joint meeting is – February 10, 2021 at 2:00 p.m.

**With no further business to come before the board the
meeting was adjourned at 2:25 p.m.**

Moved, seconded and passed this ___ day of _____ 2021.

President, David Wissel

Attest:

District Secretary, Lillian Wissel

