

SWEETWATER COUNTY CONSERVATION DISTRICT (SWCCD)
MONTHLY BOARD MEETING
Thursday February 5, 2009 – 4:00 p.m.
79 Winston Drive Suite 110, Rock Springs, WY 82901

WORK SESSION MEETING

Call To Order

Mary Thoman, Chairman called to order the work session of the **Sweetwater County Conservation District (SWCCD)** at **3:00 PM** on **February 5, 2009** at the District's office located at 79 Winston Drive, Suite 110 Conference Room, Rock Springs, WY 82901.

Roll Call

Mary Thoman, Chairman, conducted a roll call and introductions. The following persons were present:

Mary Thoman, Chairman and Rural Supervisor, SWCCD
Doug Hamel, At-Large Supervisor, SWCCD
Jean Dickinson, Secretary and Urban Supervisor, SWCCD
Tom Burris, Rural Supervisor, SWCCD
Benny Folks, Landowner, Salt Wells Ranch
Larry Folks, Landowner, Salt Wells Ranch
Dennis Doncaster, Hydrologist, Bureau of Land Management (BLM)
Jeremy Caldwell, Wildlife Biologist, Bureau of Land Management, (BLM)
Tim Morrison, Little Snake River Conservation District (LSRCD)
Randy Shipman, Consultant, SWCCD
Justin Caudill, Wyoming Department of Agriculture, (WDA) and Wyoming Landscape Conservation Initiative (WLCI)
Betty Wilkinson, Co-Chair Bitter Creek Watershed Advisory Group (BKWAG)
Karen Pecheny, District Clerk, SWCCD
Dwight Bliss, Technical Coordinator, SWCCD
Bob LeFavre, Public

Conference Call / Pierotto Ditch

On conference call: Russell Hamilton, Engineer, from Environmental Design Engineering, (EDE).

Jean Dickinson brought the group up to speed from the January Board Meeting.

- Folks' Water Rights
- Meeting with Folks and the landowner of the Diversion Structure
- Find out what the next step will be "a plan of action" if the Folks' wanted to move ahead with their change on the Point of Diversion, and to keep working as the Bitter Creek Killpecker Creek Watershed Advisory Group (BKWAG) along with the Conservation District on implementing the Watershed Plan.

Water Right Status

Benny Folks talked to the State Engineer's office in Evanston on the Folks water rights. The water rights stays with the land, cannot change the water rights. Benny Folks will change over to the Folks name. The State Engineer's office is going to fax the paper work to Benny Folks. Benny Folks would like to move the Point of Diversion (POD) 150 feet upstream.

Tim Morrison followed up with the information and talked to the State Engineer office on the Folks' water rights. Morrison will give Benny a copy of the map and spreadsheet that the State Engineer's Office had on the Folks' water rights. (See attached). The water rights were adjudicated on the Ditch in 1950. *The definition of adjudicated means – it is finalized and that water right will run with the land forever and a day, unless it is taken by some entity and if it is taken they will have to provide justification.* Morrison contacted Jeff Geyer at the State Engineer's office and spoke with him about what the process would be to move the point of diversion. Because the water right is adjudicated, the board of control is the entity that approves any modifications to the water right and pursuant to the law the way it is described right now you would be in the same quarter quarter if you moved the diversion point 150 feet upstream. That means you don't have to file any paperwork with the board of control, or with the State Engineer. This may involve Folks' getting an easement/agreement from the State Engineers office to establish a new POD.

Establishment of Landowner on Point of Diversion (POD)

Dwight Bliss spoke about the landowner work he did through the County Clerk's office. Bliss said everything points to Union Pacific Railroad doing business as Anadarko in terms of tax records. Deeds haven't been transferred over. Tax records establish Anadarko.

Tim Morrison was unable to make connection with George Peters, Anadarko; Morrison wanted to make sure that Benny Folks was ok with Morrison speaking on behalf of the Folks' family.

- Jean Dickinson said the District would help and continue to help if the Folks' would like the District to continue on with conversations with Anadarko.
- Establish communication/agreement with Anadarko to change the POD
- Will it be possible to move forward this year with changing the POD
- Benny Folks said the POD has already been moved once when the dam was built 22-23 years ago.

Suggestions/Comments/Questions:

- Getting more historical knowledge/history on the Pierotto Ditch, build the historical record.
- Review the USGS report – The report talks about the headcut impacting the highway and railroad embankment
- Risks - overflow concerns
- Funding and technical assistance available to the irrigator
- Priorities for the Environmental Quality Improvement Program (EQIP)

- Introduction of the project to the Bitter Creek Killpecker Creek Watershed Advisory Group (BKWAG) and get their input. The District has to go back to the BKWAG Watershed Group
- Jeff Lewis, National Resource Conservation Service, and Benny Folks get together and have a conversation on the EQIP program
- Directions from the Board for Russell Hamilton, EDE, to review the United States Geological Survey report, which talks about the possibility of the headcut impacting the highway and Railroad.
- The District will continue to work on the POD, with the BKWAG group's input.
- Russell Hamilton, EDE, reiterated that the draft on the Pierotto Ditch is not a proposal, but more of an information collecting document to get everyone on the same page. Some studies will still have to be done. The next step in moving forward from an engineering standpoint is we still need to look at the potential runoff. After meeting with the BKWAG Advisory Group we can go onto the next phase. The needs, the whys, and here's how we are going to do it.
- Randy Shipman pointed out a flood on the Bitter Creek at Horse Thief Canyon, the flood occurred in 2007
- Have Russell Hamilton, EDE, continue to take a look at the USGS report, to build the historical record and work with the Natural Resource Conservation Service (NRCS).
- Contact persons on the Pierotto Ditch includes: Dennis Doncaster, BLM; Benny and Larry Folks, Landowners; Jeff Lewis, NRCS; Tim Morrison and Larry Hicks LSRCD; and the SWCCD Board; Russell Hamilton, EDE, lead on the project.
- Russell wanted to make sure the District wanted EDE to continue with the Pierotto Draft Report. The more information that can be compiled into one report will give everyone a good review point to see where the problems are.
- Dennis Doncaster said that if the headgate gets moved up ahead of the stabilization of the channel, it will most likely work for awhile, but have an inherent weakness if there is instability down below. There was discussion on the pros and cons of separating the two efforts. There is a need for communication so that we don't adversely affect one or the other.
- Best possible months for construction - July or August.
- Get a meeting together on the ground.

Proposed Action-call for BKWAG Meeting for Environmental Design Engineering (EDE)

- ✓ BKWAG Watershed Implementation Plan Milestone Table Update (to District by 2/28/09) Out to BKWAG 3/6/2009
- ✓ EDE presentation of interim monitoring report and UAA's and scope of work (to District 2/28/09) Out to BKWAG 3/6/2009
- ✓ Restructured draft of the Bitter Creek Channel Headcut Reinforcement project proposal and give direction to the District (to District 2/28/09) Out to BKWAG 3/6/2009
- ✓ Possible funding strategies for the Bitter Creek Channel Headcut reinforcement project (presentation from LSRCD to BKWAG March Meeting) on the structures

REGULAR MONTHLY BOARD MEETING

Call to Order

Mary Thoman, Chairman called to order the meeting of the **Sweetwater County Conservation District (SWCCD)** at **4:45PM** on **February 5, 2009** at the District office located at 79 Winston Drive, Suite 110, Conference Room, Rock Springs, WY 82901.

Roll Call

Mary Thoman, Chairman conducted a roll call and introductions. The following persons were present:

Mary Thoman, Chairman and Rural Supervisor, SWCCD
Jean Dickinson, Secretary and Urban Supervisor, SWCCD
Bob Slagowski, Rural Supervisor, SWCCD
Tom Burris, Vice Chairman and Board Supervisor, SWCCD
Doug Hamel, At-large Supervisor, SWCCD
Randy Shipman, Consultant, SWCCD
Benny Folks, Landowner, Salt Wells Creek
Larry Folks, Landowner, Salt Wells Creek
Tim Morrison, Consultant, Little Snake River Conservation District (LSRCD)
Kathy Raper, Sublette County Conservation District, (SCCD)
Randy Shipman, Consultant, SWCCD
Kathy Mulkey, Department of Environmental Quality. (DEQ)
Cora Bortello, University of Cooperative Wyoming Extension Office, (UWCES)
Justin Caudill, Wyoming Department of Agriculture, (WDA) and Wyoming Landscape Conservation Initiative (WLCI)
Karen Pecheny, District Clerk, SWCCD
Dwight Bliss, Technical Coordinator, SWCCD
Robert LeFaivre, Public

Minutes

A **motion** was made by **Jean Dickinson**, seconded by **Doug Hamel**, to approve the minutes of the January 8, 2009 meeting. **Motion carried.**

Approval of Agenda

A **motion** was made by **Jean Dickinson**, seconded by **Tom Burris**, to approve the agenda as presented and add two modifications to the agenda, legislation and award for Barb VanMatre. **Motion carried.**

Tim Morrison

- Pierotto Ditch data and information
- Researching water rights on Pierotto Ditch
- No more work with the Continental Divide Creston (CDC) will continue reviewing through February to review the document
- Next meeting with BLM – Adobe Town – speak on next meeting

- Joint meeting with LSRCDD on February 19th in Wamsutter WY – to discuss the agreement with SWCCD
- Coordinate with Jeff, Benny, with the on sight tour on the Pierotto Ditch after the LSRCDD meeting
- Tim will email SWCCD a draft agenda for the joint meeting with LSRCDD
- Proposed legislation on Rangeland Monitoring HB -213 – Give Districts help with the implementation
- Getting the historical documents and geology on the Pierotto Ditch Tim will email Russell Hamilton the information

Monitoring Update on the Big/Little Sandy Rivers –

Kathy Raper, Sublette County Conservation District, (SCCD) updated the District on the joint monitoring with SWCCD on the Big and Little Sandy Rivers.

- Biological Monitoring, which include 54 water sampling sites
- Kathy is going to check on where Western Watersheds is sampling on the Big and Little Rivers in Sweetwater County
- Five year base line data collected

The District would like to thank Kathy Raper for coming to the meeting.

Randy Shipman - updated the Board on the new federal policies.

- Anything that hasn't been put into the Federal Register will be reviewed.
- Coordinate with Dwight on the RS2477 road issues

Treasurer's Report

Mary Thoman, Chairman, presented \$22,423.33 of invoices to be paid. A **motion** was made by **Jean Dickinson**, seconded by **Tom Burris**, to approve the Treasurer's Report, and to pay bills as presented. **Motion carried.**

Supervisors Reports

Mary Thoman –

- Met with the County Commissioners to discuss the Jack Morrow Hills Meeting
- WLCI Executive Meeting will be March 9 and 10th at 8:00 am at the Santa Fe Restaurant in Rock Springs
- Rawlins Field Office Operator Meeting February 25, 26 and 27th
- Budget work session discussion for FY 2009-10
- Schedule a work session for 1:00 PM on budgets and projects for the March 5th Board Meeting

Tom Burris -

- Attended a irrigation District meeting on the Big Sandy Reservoir Expansion possibility with the Wyoming Water Development Commission (WWDC) on Watersheds

Jean Dickinson –

- Attended the Lander Resource Management Plan (RMP) meeting in Lander
- Spoke on The Nature Conservancy presentation on Hiawatha:
<ftp://partner:T3nsleep@ftp.tnc.org/jkiesecker>
- Programmatic agreement on Hiawatha in regards to traces, trails and roads

Doug Hamel –

- Doug will be in next week to go over the County vouchers and Treasurer duties

Staff Reports and Consultants

Dwight Bliss –

- Coordinate with Randy Shipman on the roads maps
- Get the layer with the resolution and the ability to get that digitized
- Update the Land Resource Use Plan and Policy (LRUPP), Dwight will get with Randy Shipman
- Coordinate with Tim Morrison on the Pierotto Ditch

Karen Pecheny –

- Rocket miner Progress Edition to be published the last week in March 2009
- Tree Delivery Date is scheduled for Tuesday, April 28, at 12:30 PM in the Sweetwater County Events Complex
- Earth Day T-Shirts – Karen can order 50 for the Home & Garden Show
- Attended Chamber of Commerce Meeting on January 12, 2009 – Topics included Importance of Energy Efficiency and Conservation.
- Chamber of Commerce Leadership Class is full for this session.
- Cora Bortello will help with SWCCD on the Home and Garden Show coming up on April 17, 18th & 19th.

Unfinished Business

Local Resource Advisory Committee

Review Flow Chart – *Networking Diagram* was a suggestion for the new name of the flow chart.

A **motion** was made by **Jean Dickinson**, seconded by **Doug Hamel**, to postpone the Resource Advisory Group with the WLCI project development team discussion to the March 5th Board meeting under unfinished business. **Motion** carried.

Local Work Group and NRCS –

A **motion** was made by **Jean Dickinson**, seconded by **Doug Hamel**, to postpone the Local Work Group and NRCS meeting until the March 5th Board meeting under unfinished business. **Motion** carried.

SWCCD Photo Contest –

Dwight explained the SWCCD photo contest rules to the Board

- Suggestions to keep the language positive were expressed.
- Add agriculture as a theme/reclamation photo sites
- September 18th will be the last day to submit photos
- Check with the Chamber of Commerce on their calendar
- Check with the local photo shops, studios and The UPS Store
- Check with the Board before advertising

Traces, Trails and road mapping -

Randy and Dwight will coordinate maps for the County layers.

Land & Resource Use Plan & Policy –

Randy and Dwight will review the Land & Resource Use Plan & Policy (LRUPP)

BKWAG/EDE Update –

Milestone Table – Jean Dickinson handed out the milestone table database spreadsheet.

Proposed Action-call for BKWAG Meeting for Environmental Design Engineering (EDE)

- ✓ BKWAG Watershed Implementation Plan Milestone Table Update (to District by 2/28/09) Out to BKWAG 3/6/2009
- ✓ EDE presentation of interim monitoring report and UAA's and scope of work (to District 2/28/09) Out to BKWAG 3/6/2009
- ✓ Restructured draft of the Bitter Creek Channel Headcut Reinforcement project proposal and give direction to the District (to District 2/28/09) Out to BKWAG 3/6/2009
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Septic Workshop –

There was discussion to get with Brenda Ashworth at Star Valley Conservation District (SVCD) on how to go about having a Septic workshop.

Pierotto Ditch –

- The District will continue to work with the Folks family with technical assistance and funding from NRCS
- The District will continue to work with and LSRCD to help the Folks family get a meeting together with Anadarko on establishing whether or not they need an easement for the POD and means of conveyance
- Work with Russ Hamilton to get that re-drafted to restructure the ditch proposal to separate out the issue of the change of the POD and means of conveyance from the headcut issue and bring in geology and historical record.
- Figure out the focus of the document / talk about the name of the document
- Headcut reinforcement drop structure.
- The Folks' will talk with NRCS to meet the sign up deadline for the 2009

Use Attainability Analysis (UAA) Meeting

Staff was directed to move the UAA meeting discussion to the April meeting agenda.

Wyoming Department of Agriculture (WDA) Interim Grant Report

A **motion** was made by **Jean Dickinson**, seconded by **Tom Burris**, to accept the WDA Interim Report. **Motion** carried.

New Business:

Joint Meeting with LSRCD –

The District will meet with the Little Snake River Conservation District (LSRCD) on February 19th from 11:00 am to 2:00 PM in Wamsutter to discuss mutual issues.

Western Watershed filing a law suit on the Little Sandy North of Farson

The Staff was directed to forward the appeal on to legal for comments.

Write a letter of support to Lance Porter, Bureau of Land Management, (BLM) thanking Lance for Dennis Doncaster's technical expertise to the Board and attendance at the Bitter Creek Watershed Advisory Group (BKWAG).

Write a letter to Lance Porter, to set up a meeting to understand monitoring, permit renewals, range improvement and on the ground projects. An April meeting time frame was discussed

A **motion** was made by **Jean Dickinson**, seconded by **Doug Hamel**, to send two letters to Lance Porter on the above aforementioned items. **Motion** carried.

House Bill 286

Jean Dickinson read House Bill 286 to the Board.

A **motion** was made by **Jean Dickinson**, seconded **Doug Hamel**, to send a letter in favor of HB 286 to legal staff to the legislators and Wyoming Association of Conservations Districts (WACD) **Motion** carried.

House Bill 213

Jean Dickinson read HB 213 to the Board.

A **motion** was made by **Jean Dickinson**, seconded by **Doug Hamel**, not to support the bill as written; the Board has issues revisions and comments to change. Send letter to the delegation and WACD. **Motion** carried.

Information and Education

Rocket Miner Progress Edition – Karen Pecheny submitted the edition to the Rocket Miner. The Edition will be printed in the Rocket Miner at the end of March.

Tree Delivery Date – Tree Delivery date will be **April 28th at 12:30 PM** at the Sweetwater County Fairgrounds, customers will be contacted via mail.

Natural Resource Conservation Service (NRCS) Response Letter –

The Board reviewed the NRCS response letter from Xavier Montoya, State Conservationist, Xavier and Jeri Sullivan, Area Conservationist, will be here at the March 5th Board meeting.

Adjournment –

Tom Burris moved, seconded by **Doug Hamel**, to adjourn the meeting at 8:45 p.m.

The next regular meeting will be March 5th, 2009 at 3 p.m. Work session scheduled for 1:00 p.m.

Submitted by Karen Pecheny

/s/ _____ Chairman

/s/ _____ Secretary