

**SPECIAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #6
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
April 12, 2023, at 7:00 p.m.
Rio Grande Water Conservation District Conference Room
And By Zoom/Teleconference**

Present: Tyler Faucette, President; Virgil Valdez, Vice-President; Ronald Reinhardt, Secretary/Treasurer; Rodney Reinhardt, Manager; Peter Clark, Manager; Mario Curto, Manager; Robert Middlemist, Manager; Gerald Faucette, Manager; Austin Miller, Manager; Kenneth Reynolds, Manager; and, Armando Valdez, Ex-Officio Member.

Staff and Consultants: Pete Ampe, Hill & Robbins, P.C.; Amber Pacheco, Deputy General Manager; Angelo Bellah, Program Manager; Rose Vanderpool, Program Assistant; Linda Ramirez, Program Assistant; Clinton Phillips, Davis Engineering; and, April Mondragon, Administrative Assistant.

Guests: David Hofmann, Virginia Christensen, Steve Clark and Chris Schaefer.

Meeting Called to Order

President Faucette called the meeting to order at 7:03 p.m. A quorum was present.

Approval of Agenda

President Faucette asked for changes, amendments or a motion to approve the agenda. A motion was made to approve the agenda as presented. The motion was seconded and unanimously approved.

Public Comment

President Faucette asked for public comment. There was none.

Esperanza Farms, LLC Participation Contract Request

President Faucette asked for discussion on the Esperanza Farms, LLC, Participation Contract request. Virgil Valdez reported on his Participation Contract request to include four potato storage humidification wells. He described the water lease Esperanza Farms currently has with Expo and the work Cooper Drilling would be doing on the wells. David Hofmann explained the well metering rules.

A motion was made to approve the Participation Contract with Esperanza Farms, LLC. The motion was seconded. Virgil Valdez abstained. The motion was approved.

Stephen Cole-Hatchard Land Inclusion Agreement

President Faucette asked for discussion on the Stephen Cole-Hatchard Land Inclusion Agreement request. Angelo Bellah gave an overview of the Land Inclusion Agreement request. He provided details on the co-ownership of the well, how the well was original decreed and how an issue developed. Amber Pacheco highlighted the average acre-feet of groundwater withdrawal.

A motion was made to approve the Stephen Cole-Hatchard Land Inclusion Agreement. The motion was seconded and unanimously approved.

Rodney Reinhardt Fallow/Lease

President Faucette asked for Rodney Reinhardt Fallow/Lease request. Angelo Bellah explained the need to ratify a vote done via email on March 7, 2023. Pete Ampe asked for those still in favor to ratify their previous vote. Rodney Reinhardt abstained. The Board voted in unanimous favor. Mr. Bellah explained the fallow/lease agreement. He provided the cost per acre-foot, the amount of consumptive use being leased, the fees associated with the use of a recharge pit owned by Expo, and the term of agreement. President Faucette thanked Rodney Reinhardt for working with the Subdistrict. Discussion was held on possibly constructing a recharge pit for the Subdistricts use.

MVC ATM Project Update

President Faucette asked for the MVC ATM Project Update. Angelo Bellah provided an update on the SWSP. He reported on the use of a well owned by Karla Shriver to pump the consumptive use credit from the unconfined. Mr. Bellah highlighted the well began pumping and then went dry. He reported on an agreement with Mr. Archuleta for to use a confined well to pump return flows and highlighted the location of the well. Mr. Bellah explained the second part of the exchange at Terrace Reservoir. David Hofmann gave the max acre-feet of water to be stored from the project.

A motion was made to amend the agenda to change the order of the agenda to move the executive session from item No. 7 to item No. 8. The motion was seconded and unanimously approved.

Approval of the 2023 Annual Replacement Plan

President Faucette asked for approval of the 2023 Annual Replacement Plan

• **Board Discussion**

Angelo Bellah presented a summary of the Annual Replacement Plan (ARP). He highlighted the forecast on the Rio Grande River, the projected groundwater withdrawals, projected net groundwater consumptive use, total injurious depletions and total post-plan depletions. Mr. Bellah described how the projections were calculated and reported on the forbearance agreements. President Faucette summarized the amounts of water being stored in the reservoirs. Amber Pacheco reported on the forbearance agreements accepted for ten years. She also reported on the potential to exchange the Taos Valley no. 3 water and what the water could be used for. Discussion was held on the amount of water lost during transfer and other ways to utilize the Taos Valley No. 3 water. Mr. Bellah highlighted the replacement sources on the Rio Grande River, the Alamosa River and highlighted the water purchase from Subdistrict No. 1. Amber Pacheco reported on the Closed Basin Project conversations. She reported on the Subdistrict’s request for winter time depletion coverage from the Closed Basin Project. David Hofmann provided his thoughts on the amount of depletions and the amount of production from the Closed Basin Project.

• **Public Comment**

There was none.

• **Recommendation to Board of Directors**

A motion was made to approve the 2023 Annual Replacement Plan and to present Subdistrict No. 6’s Annual Replacement Plan to the Board of Directors for approval. The motion was seconded and unanimously approved.

Executive Session to Receive Legal Advice Concerning the Lease/Purchase of Real Property

President Faucette asked for a motion to enter into executive session to receive legal advice concerning the lease/purchase of real property. A motion was made to enter into executive session. The motion was seconded and unanimously approved.

Mr. Ampe stated the Board was entering into executive session pursuant to section 24-6-402(4)(a) to receive legal advice concerning the lease/purchase of real property. The Board would take no formal action or position during the executive session.

Possible Action from Executive Session

President Faucette asked for possible action from Executive Session. Clinton Phillips was directed to prepare the analysis as discussed.

Next Meeting

The annual meeting was scheduled for May 10, 2023, at 1:30 p.m.

Adjournment

A motion was made to adjourn the meeting. The motion was seconded and unanimously approved. The meeting was adjourned at 8:54 p.m.



President



Secretary/Treasurer