

**RIO GRANDE WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS SPECIAL MEETING**

August 11, 2025, at 12:30 P.M.

8805 Independence Way

Alamosa, CO 81101

And By Zoom Teleconference

Present: Greg Higel, President; Armando Valdez, Vice-President; Zeke Ward, Secretary/Treasurer; Mark Deacon, Director; Elliott Salazar, Director; Doug Gunnels, Director; Sheldon Rockey, Director; and Kim Cooley, Director.

Absent: Dale Hazard, Director.

Staff and Consultants: David Robbins and Pete Ampe, Hill & Robbins, P.C.; Cleave Simpson, General Manager; Amber Pacheco, Deputy General Manager; Chris Ivers, Program Manager; Wylie Keller, Water Resource Specialist; Quinton Norris, Program Manager; Kylie Gregg, Office Manager; Clinton Phillips, Davis Engineering; Rose Vanderpool, Program Assistant; Linda Ramirez, Program Assistant; April Mondragon, Administrative Assistant; and, Michael Carson, Database Administrator.

Guests: Jessica Valdez, Willem Schreuder, Mike Sullivan, Karla Shriver, Chris Lopez, Deb Sarason, Chuck Finnegan, Ryan Finnegan, David Ruybal, Michelle Lanzoni, Chris Shaffer, Jamie Hart, Patrick Ortiz, Craig Cotten, Kim Temple, Paul Formisano, David Hofmann, Rio de la Vista.

CALL TO ORDER

President Greg Higel called the meeting to order at 12:37 p.m. There was a quorum present for the meeting. The Pledge of Allegiance was recited.

INTRODUCTION OF STAFF AND GUESTS

President Higel welcomed all those present and asked for introductions.

APPROVE AGENDA

President Higel asked to remove the oath of office for Dale Hazard. He asked for any other changes, additions or a motion to approve the agenda. A motion was made by Armando Valdez to approve the agenda as amended. The motion was seconded by Zeke Ward and unanimously approved.

PUBLIC COMMENT

President Higel asked for public comment. There was none.

REVIEW AND POSSIBLE APPROVAL OF THE 2025 FINANCIAL AUDIT

President Higel asked for review and possible approval of the 2025 financial audit. Kim Temple introduced herself and went through the results of the audit. Ms. Temple described the auditor's and management's responsibilities and went over the government-wide financial statements. She highlighted the Schedule of Findings, the type of auditor's report issued and provided recommendations. Cleave Simpson commented on the internal controls and a change in the fund balance. Discussion was held on fees for inclusion contracts and the opinion on internal controls.

A motion was made by Elliott Salazar to approve and accept the 2024 Audit as submitted by Wall, Smith and Bateman. The motion was seconded by Armando Valdez and unanimously approved.

CONSIDER THE DISTRICT'S POSITION REGARDING A PROTEST TO THE STATE ENGINEER REGARDING THE REPRESENTATION OF DIAMOND SPRINGS IN RGDSS MODEL PHASE 7

President Higel asked for consideration of the District's position regarding a protest to the State Engineer regarding the representation of Diamond Springs in the Phase 7 RGDSS Model. David Robbins described the presentation given to the Board at the last quarterly meeting by individuals with water rights in the La Jara area below Diamond Springs. He reported on their objection is to the way the Phase 7 RGDSS Model is set up as it relates to Diamond Springs. Mr. Robbins explained the purpose of the meeting and the decision the Board would need to make regarding the role the District would play in connection with this protest. Willem Schreuder was present and provided a summary of the group's objection and what they want to have happen, as he understood it following a meeting he attended with the individuals filing the protest. Mr. Schreuder said he is recommending the Board not support the objections as articulated by Mr. Finnegan and that the Phase 7 RGDSS Model is the best

available at this time. Mr. Schreuder provided background information on how Diamond Springs is represented in the Model, the history of Diamond Springs and his understanding of the hydrology. Mike Sullivan reported on the changes in surface water, climate, compact curtailment, and groundwater. Mr. Sullivan presented a graph of the Conejos at Mogote gage and reported on the declining diversions. Mr. Schreuder presented a Mogote Ditch diversions and Diamond Springs water levels graph. He gave his overall recommendations and reiterated Phase 7 of the Model is the best it can be with the data available. Chuck Finnegan presented a document and explained the basis of their protest. Armando Valdez reported he is a party to the protest and would be abstaining from any vote taken by the Board. Armando highlighted increased aquifer levels and higher flows on the Mogote during the years of less pumping. Mr. Finnegan also presented a chart of cumulative storage loss in SLV aquifers. David Robbins described the limited action to be taken by the Board in regards to the representation of Diamond Springs in the Phase 7 RGDSS Model and explained that the Board would not be voting on technical distinctions. Mr. Finnegan presented documents showing the water available from the La Jara Arroyo between 1970-2001 and further explained their basis of disagreement. Cleave Simpson outlined the positions the Board could take at this time in regards to the protest filed in regards to the representation of Diamond Springs in the Phase 7 RGDSS Model which were: support the protest, not support the protest or stay neutral.

A motion was made by Kim Cooley to remain neutral in regards to the protest filed by the owners of water rights on La Jara Arroyo/Diamond Springs. The motion was seconded by Elliott Salazar. A roll call vote was taken:

Elliott Salazar-Yes
Doug Gunnels-No
Sheldon Rockey-No
Zeke Ward-Yes
Armando Valdez-Abstained
Kim Cooley-Yes
Mark Deacon-Yes
Greg Higel-No

The motion passed with four (4) yes votes, three (3) no votes and one abstention.

DISCUSSION AND POSSIBLE ACTION REGARDING GENERAL MANAGER DUTIES

President Higel asked for a discussion and possible action regarding his duties as General Manager. Cleave Simpson gave a history of his modified employment agreements as General Manager of the District while serving as a Senator at the Capital. He highlighted his obligations at the Capital since being elected in 2020 and how his time commitment has again increased exponentially since being appointed Senate Minority Leader. He reported on a meeting held by the Management Committee and some of the options that were discussed. David Robbins highlighted the value Mr. Simpson brings to the District and the fact that he would be term limited in three (3) years. Armando Valdez reported on the options explored by the Management Committee and the value of Mr. Simpson remaining as General Manager of the District. Mr. Valdez described the Management Committee's recommendation of a modified agreement to offer 20% of Cleave's current salary. Zeke Ward reported he is in favor of citizen legislators and thanked the Management Committee for their diligent negotiations.

A motion was made by Armando Valdez to extend an offer for a modified work agreement to Cleave Simpson for 20% of his current salary and to authorize Cleave Simpson, David Robbins, Amber Pacheco and the Management Committee to work out the final details of the written agreement. The motion was seconded by Mark Deacon and unanimously approved.

OTHER DIRECTOR REPORTS

President Higel asked for other Director reports. There were none.

ADJOURN

The meeting was adjourned at 2:59 p.m.

The next quarterly meeting is scheduled for October 21, 2025.

Ge Huel

President

Thom Wurd

Secretary/Treasurer