

**QUARTERLY MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #1
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
December 7, 2022 at 1:30 p.m.
8805 Independence Way, Alamosa CO 81101
And by Zoom Teleconference**

Present: Brian Brownell, President; Jake Burris, Vice President; Clay Mitchell, Secretary/Treasurer; Jamie Hart, BOM; Miguel A. Diaz, BOM; Sheldon Rockey, BOM; Tony Holcomb, BOM; Chris Miner, BOM; and Mike Kruse, Ex-Officio Member.

Absent: James Cooley, BOM.

Staff and Consultants: Pete Ampe, Hill & Robbins P.C.; Rob Phillips, Program Manager; Linda Ramirez, Program Assistant; Wylie Keller, Water Resource Specialist; Clinton Phillips, Davis Engineering; Cassandra McCuen, HCP Coordinator/Program Assistant; Kylie Gregg, Office Manager; Michael Carson, Database Administrator; Rose Vanderpool, Program Assistant; and April Mondragon, Administrative Assistant.

Guests: Brian Rue, Andrea Rue, Brett Hemmerling, Sally Weir, Curt Tremble, Elbert Davis, Brian David, Michelle Lanzoni, Deb Sarason, David Hofmann, William Myers, Craig Cotten, Roger Sherman, and Glenda Franson.

Meeting Called to Order

President Brownell called the meeting to order at 1:31 p.m. The Pledge of Allegiance was recited, a quorum was present.

President Brownell announced the resignation of his commission of Presidency and membership on the Subdistrict No. 1 Board of Managers effective January 1, 2023. He was thanked for his many years of commitment and service to the Subdistrict.

Approval of the Agenda

President Brownell asked for approval of the agenda. A motion was made by Miguel Diaz to approve the agenda as presented. The motion was seconded by Sheldon Rockey and unanimously approved.

Approval of the Minutes

President Brownell asked for approval of the following minutes:

- August 17, 2022-Quarterly Meeting
- November 1, 2022-Quarterly Meeting

A motion was made by Sheldon Rockey to approve the minutes as presented. The motion was seconded by Jake Burris and unanimously approved.

Public Comment

President Brownell asked for public comment. Sally Weir introduced herself as a Program Manager with Colorado Open Lands and provided an overview on her focus of work. Ms. Weir reported on the first groundwater conservation easement which had recently closed in Subdistrict No. 4. She explained the difference between a traditional conservation easement and a groundwater conservation easement. Pete Ampe commented on the helpful, creative and innovated ideas from Colorado Open Lands.

Jake Burris thanked Brian Brownell for his time and sacrifice to the Board of Managers.

Program Manager Report

President Brownell asked for Program Manger report. Rob Phillips reported the fee calculation process had been completed and certifications submitted to the County. He thanked Linda Ramirez, Wylie Keller and Clinton Phillips for their assistance. Mr. Phillips provided the total number of CREP Contracts, Participation Contracts and Surface Water Inclusion Contracts. He reported on a recommendation from John Kuenhold on how to better track usage on small capacity 100% consumptive use wells. Mr. Phillips provided an update on the progress made to the Plan of Water Management No. 4. He thanked Brian Brownell for his time on the Board of Managers and asked the Board to take some time and consider who they want to replace him.

- *Financial Report*

Rob Phillips presented the financial report including the Balance Sheet and Profit and Loss Statement. Discussion was held on miscellaneous expenses and asked for clarification prior to approval.

Engineer's Report

President Brownell asked for Engineer's report. Clinton Phillips presented the change in the unconfined aquifer storage study. He highlighted a map of the Subdistrict No. 1 boundary area, provided the current aquifer level, current five (5) year average, the change in storage and the acre feet needed to get to -400,000.

Kyle Gregg provided clarification on the miscellaneous expense and was asked to reclassify the item as payment in lieu of property taxes or in a way to be able to better identify the item. Discussion was held on the classification of properties under the Well Purchase Program and CREP properties.

A motion was made by Sheldon Rockey to approve the financials. The motion was seconded by Jake Burris and unanimously approved.

Attorney's Report

President Brownell asked for Attorney's report. Pete Ampe thanked Brian Brownell for his service, demeanor and care he has shown to the Board of Managers of Subdistrict No. 1. Mr. Ampe reported on his focus of work which included the Plan of Water Management No. 4 and working on contracts. He also provided an update on the Texas vs. New Mexico/Colorado case.

Action Items

President Brownell asked for Action Items.

- *Participation contracts*

Rob Phillips reported working with individuals that received letters from DWR on contracts to get them covered by Subdistrict No. 1. His recommendation was to include the wells. Mr. Phillips highlighted the type of wells, how they are used and why they are requesting to join the Subdistrict. Mike Kruse suggested the Subdistrict allocate additional funds to purchase wells. Discussion was held on the criteria when ranking wells for the Well Purchase Program.

A motion was made by Sheldon Rockey to approve the participation contracts based on staff recommendations. The motion was seconded by Clay Mitchell and unanimously approved.

- *Surface Water Inclusion Contract*

Rob Phillips described an inclusion contract filed by Lawrence Ortega for one (1) share of Prairie Ditch he purchased in August. Mr. Phillips explained why the Subdistrict would not be able to give credit for the surface water this year, his recommendation is approval.

A motion was made by Miguel Diaz to approve the Surface Water Inclusion contract based on staff recommendations. The motion was seconded by Sheldon Rockey and unanimously approved.

- *CREP Contract*

Rob Phillips reported receiving interest from Ben Schmidt to participate in the CREP program. He provided the five (5) year average and historical acre foot pumping. Mr. Phillips stated all qualifications had been met and staff recommendation was approval.

A motion was made by Sheldon Rockey to approve the Ben Schmidt CREP contract. The motion was seconded by Clay Mitchell and unanimously approved.

2022 Fee Update

President Brownell asked for 2022 Fee Update. Rob Phillips presented the updated budget for 2023, he highlighted the changes and adjusted calculations.

A motion was made by Jake Burris to approve the revised budget showing the added increase. The motion was seconded by Sheldon Rockey and unanimously approved.

President Brownell asked if Subdistrict No. 1 planned to apply for funds from SB22-028. Pete Ampe reported the District Board of Directors had not come up with the criteria on how to apply for funds. He explained how funds from SB22-028 could be used and how it would be reflected in the budget.

Update on the Plan of Water Management and Rules and Regulations

President Brownell asked for update on the Plan of Water Management and Rules and Regulations. Pete Ampe reported on a meeting Clinton Phillips and staff attended with The Division of Water Resources. He explained the small changes being done to the Plan of Water Management and Rules and Regulations.

Discuss Fees Associated with Wells Purchased by the Subdistrict

President Brownell asked for discussion on fees associated with Wells Purchased by the Subdistrict. Rob Phillips explained the admin fee is currently attached and still being charged on wells purchased by the Subdistrict. Discussion was held on how it should be managed. Pete Ampe described how CREP and non-benefited lands are to be managed according to the Plan of Water Management. The definition of non-benefited lands was also discussed.

Board of Mangers Open Discussion

President Brownell asked for Board of Managers Open Discussion. Pete Ampe highlighted the progress being made on the Plan of Water Management No. 4. Mike Kruse reported wanting the Courts to have the final decision on any significant matters. The Board requested any correspondence from the State be forwarded to the Board of Managers.

New Business

President Brownell asked for new business. Clay Mitchell asked about the process to compensate staff for performing above and beyond their normal duties after the resignation of the Program Manager. Pete Ampe directed staff to submit a letter with the request of the Board of Managers to the Board of Directors. Rob Phillips reported he may not be continuing his employment at the Rio Grande Water Conservation District. Pete Ampe updated the Board on Amber Pacheco’s promotion within the District. Discussion was held on the process and new appointment in January for a President of Board of Managers.

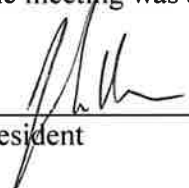
A motion was made by Clay Mitchell to direct the Program Manager to make recommendations of bonuses to staff to the General Manager. The motion was seconded by Sheldon Rockey and unanimously approved.

Next Meeting


The next quarterly meeting is scheduled for March 7, 2023 at 1:30 p.m.

Adjournment

The meeting was adjourned at 3:48 a.m.



President



Secretary/Treasurer