

**QUARTERLY MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #4
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
March 1, 2022 at 9:00 a.m.
RIO GRANDE WATER CONSERVATION DISTRICT CONFERENCE ROOM
AND ZOOM/TELECONFERENCE**

Present: David Frees, President; Pete Stagner, Vice-President/Secretary/Treasurer; Jan Waye, Manager; Jeremy Uhlenbrock, Manager; and, Peggy Godfrey, Ex-Officio Member.

Staff and Consultants: Pete Ampe, Hill and Robbins, P.C.; Chris Ivers, Program Manager; Rose Vanderpool, Program Assistant; Linda Ramirez, Program Assistant; Clinton Phillips, Davis Engineering; Wylie Keller, Water Resource Specialist; April Mondragon, Administrative Assistant; and, Michael Carson, Database Administrator.

Guests: David Hofmann, Deb Sarason, Willie Myers, Monica McCafferty, and Charlie Goodson.

Meeting Called to Order

President Frees called the meeting to order at 9:01 a.m. A quorum was present.

Approval of the Consent Agenda

President Frees asked for amendments or a motion to approve the Consent Agenda.

- Agenda
- November 29, 2021-Special Meeting Minutes
- December 7, 2021-Annual Meeting
- December 7, 2021-Executive Session Minutes

A motion was made by Jan Waye to approve the Consent Agenda as presented. The motion was seconded by Jeremy Uhlenbrock and unanimously approved.

Public Comment

President Frees asked for public comment. Willie Myers asked if Subdistrict No. 4 would be offering forbearance agreements to those with SWSPs that are contracted into Subdistrict No. 5. Mr. Myers reported being interested in contracting into Subdistrict No. 4 and asked what the process would be. President Frees provided the contract fees and directed Mr. Myers to work with Chris Ivers.

Attorney's Report

President Frees asked for the Attorney's report. Pete Ampe reported working on contracts and permanent water supplies as well as getting ready for the next Annual Replacement Plans and SWSPs. Mr. Ampe provided an update on the work being done to revise the fourth amended Plan of Water Management in Subdistrict No. 1, and an update on the RWR meeting with Douglas County Commissioners traveling to the San Luis Valley on March 26th.

Program Manager's Report

President Frees asked for the Program Manager's report. Chris Ivers presented the financial report. He highlighted the total due to the Rio Grande Water Conservation District, the payments that have been made, and the remaining balance due. Mr. Ivers presented the Profit and Loss Statement, Balance Sheet and highlighted the amount in the checking account as well as the total assets.

A motion was made by Jan Waye to approve the financial report as presented. The motion was seconded by Jeremy Uhlenbrock and unanimously approved.

Chris Ivers reported working on the preliminary water report which was due today. He presented the total stream depletions and stream flows that were submitted last year on San Luis Creek and Crestone Creek. Discussion was held on why the Subdistrict does not have to pay depletions in the winter time. Mr. Ivers provided the projected flows on Saguache Creek and presented the current snowtel graph. He also presented the last months forecasts and the expected acre feet in comparison to last year.

Review and Consider Participation Contracts

President Frees asked for review and consider participation contracts.

- *Blue Earth*

Chris Ivers reported being approached with three (3) participation contracts that want to use Kelly Smith's historical consumptive use with new wells. Mr. Ivers highlighted a letter from DWR which expressed their views and how they would make their determination. He described what the well is used for, the gallons per minute, the approximate amount of acre feet pumped, and that it is year-round commercial use. Mr. Ivers reported the Board can approve the contract with conditions and he showed the potential location of where the well may be placed on a map. Discussion was held on possibly waiting to act on the participation contract until they have all of the state approvals in order.

- Dune Valley Farms

Chris Ivers presented the Dune Valley Farms participation contract and reported they are pursuing a permanent change of use. He presented a map of the property and explained how they have been bringing water to the property by the truck load and are hoping to reduce those costs. Mr. Ivers reported the well would be in the San Luis Creek response area and that they are working toward getting everything in order with the State. Pete Ampe and Clinton Phillips both agree that the well should not change the response function.

- Skogland

Chris Ivers presented the application, he reported Ken Skogland is working with Kelly Smith on a fill station in the Town of Moffat and explained how it would operate. President Frees commented on the close proximity of this well to the parent well.

David Frees stepped out of the chair and made a motion to approve the Skogland participation contract subject to State approval of the SWSP with the understanding it is a non-renewable contract that would need to be revisited every year. The motion was seconded by Jeremy Uhlenbrock, Pete Stagner opposed, the motion passed.

A motion was made by Pete Stagner to table the Dune Valley participation contract. The motion was seconded by Jan Waye and unanimously approved.

A motion was made by Pete Stagner to table the Blue Earth participation contract. The motion was seconded by Jan Waye and unanimously approved.

Executive Session

President Frees asked for a motion to enter into executive session to receive legal advice concerning a potential purchase of real property. A motion was made by Jan Waye to enter into executive session. The motion was seconded by Pete Stagner and unanimously approved.

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

Possible Action From Executive Session

President Frees asked for possible action from executive session.

David Frees stepped out of the chair and made a motion to direct staff to proceed with negotiations on potential acquisition of property and water rights. The motion was seconded by Jan Waye and unanimously approved.

New Business

President Frees asked for new business. There was none.

Next Meeting

A Special ARP Meeting was scheduled for April 13, 2022 at 11:00 a.m.

The next quarterly meeting is scheduled for June 7, 2022 at 9:00 a.m.

Adjournment

A motion was made by Jan Waye to adjourn the meeting. The motion was seconded by Jeremy Uhlenbrock and unanimously approved.

The meeting was adjourned at 11:34 a.m.



President



Vice-President/Secretary/Treasurer