

**QUARTERLY MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #4
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
June 6, 2023 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; Jeff Regenold, Manager; and Peggy Godfrey, Ex-Officio Member.

Staff and Consultants: Pete Ampe, Hill and Robbins, P.C.; Amber Pacheco, Deputy General Manager; Chris Ivers, Program Manager; Rose Vanderpool, Program Assistant; Clinton Phillips, Davis Engineering; Taylor Chick, Program Manager; Linda Ramirez, Program Assistant; Michael Carson, Database Administrator; Crystal Benavidez, HCP Coordinator; Kylie Gregg, Office Manager; April Mondragon, Administrative Assistant; and Wylie Keller, Water Resource Specialist.

Guests: David Hofmann, Dick Sparks, and Sally Wier.

Meeting Called to Order

President Frees called the meeting to order at 9:04 a.m. There was a quorum present for the meeting. The Pledge of Allegiance was recited.

Approval of the Consent Agenda

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

- Agenda
- March 7, 2023-Quarterly Meeting Minutes
- April 10, 2023-Special Meeting Minutes
- April 10, 2023-Executive Session Minutes
- April 12, 2023-Special Meeting Minutes
- April 17, 2023-Special Meeting Minutes

A motion was made by Pete Stagner to approve the consent agenda. The motion was seconded by Jeff Regenold and unanimously approved.

Public Comment

President Frees asked for public comment. There was none.

Attorney's Report

President Frees asked for the Attorney's report. Pete Ampe congratulated the Board of Managers on closing the first in the nation Groundwater Conservation Easement. He updated the Board on Subdistrict No. 3's recent closing on the Alpha Hay Farms in conjunction with the Trinchera Subdistrict. Mr. Ampe reported on the projects being worked on in other Subdistricts as they continue to work on securing permanent water supplies. He provided an update on the Hill court case. Discussion was held on the time frame Mr. Bowman has to remove any personal property from the Peachwood property and the Subdistricts obligation to secure and insure the property. Chris Ivers was directed to contact Mr. Bowman regarding the remaining personal property on the Peachwood Farm.

District Engineer's Report

President Frees asked for the District Engineer's report. Clinton Phillips presented the yearly difference in wells from April 2015 to 2023. He presented a map of the measured wells listed by model layer and provided the number of years the State has left in their study. Mr. Phillips presented the composite water head change chart.

Program Manager's Report

President Frees asked for the Program Manager's report. Chris Ivers provided an update on the revegetation leases. He reported what had been planted on the quarters and explained the issues with equipment and repairs. Dick Sparks highlighted the second spraying and reported he would evaluate the weeds and be looking to plant in a week to ten (10) days. He updated the Board on the seed mixture and explained why he suggests drilling first and watering later. Mr. Ivers reported on the smooth closing process. He gave an update on the Well Injury Payment Agreements (WIPs) and the ditch cleaning agreement. Discussion was held on the amount of water running in the creek.

- *Financial report*

Chris Ivers presented the financial report. He highlighted the total costs and payments made to the District as well as the remaining balance due to the District. Mr. Ivers presented the Balance Sheet, he

highlighted the balance in the checking account, assessments receivable and loan payable amount. Mr. Ivers highlighted the miscellaneous revenue, utilities, equipment repairs and maintenance contained in the Profit and Loss Statement. Discussion was held on the remaining loan proceeds, the high cost of a well, and how the Subdistrict would be affected if Saguache and San Luis Creeks were to be considered in the average category.

A motion was made by Jan Wayne to approve the financials as presented. The motion was seconded by Jeff Regenold and unanimously approved.

Chris Ivers announced the sale of the Dick Blumenhein property and the ineligibility of Jeremy Uhlenbrock to serve on the Board of Managers as a representative of Mr. Blumenhein. President Frees suggested providing a token of appreciation for the time served on the Board of Managers. Mr. Ivers provided the number of pivots sold and who purchased the property. Staff was directed to create a resolution of appreciation.

Discussion Regarding Peachwood Farm's 2023 Operations

President Frees asked for discussion regarding Peachwood Farm's 2023 operations. Chris Ivers reported on the grain operation, revegetation and the spraying of herbicide completed by the Monte Vista Co-op. Dick Sparks gave an update on the irrigation schedule after planting. Discussion was held on who would be responsible to take meter readings. Mr. Sparks reported on a flow meter not working too well and requested to see the baseline and last meter reading. Discussion was held on the recertification of wells and preferred meter testers. Sally Weir reported being present to observe and offer support. Pete Stagner asked for discussion regarding elk control on the property. Mr. Sparks highlighted his concern of prairie dogs. Staff was directed to investigate a potential land owner partnership program to receive hunting vouchers. President Frees announced a special meeting would be set to discuss the development of criteria. He also reported on a meeting with Bob and Steve Bunker regarding the interest from the scientific community on sites with potential ancient artifacts. Discussion was held on the disposition if something is found, the Board decided it would be discussed further at another meeting.

Executive Session

President Frees asked for a motion to enter into executive session to receive legal advice regarding potential litigation. A motion was made by Pete Stagner to enter into executive session. The motion was seconded by Jan Wayne and unanimously approved.

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

New Business

President Frees asked for new business. He asked for a discussion regarding the development of monitoring wells being considered by Saguache County. Peggy Godfrey reported how the county plans to fund the project and how they will develop the location of the wells. Discussion was held on the purpose of the monitoring wells, how the data would be used and how it would affect the Subdistrict. President Frees reported on a request for a letter of support and his concern with the redundancy to install monitoring wells in locations that already have them or the potential to rival the RGDSS model. President Frees welcomed Saguache County to present their idea to the Board and have the opportunity to have a discussion to better understand the project. Discussion was held on advertising the open Board of Manager position and the qualified candidates.

Next Meeting

The next quarterly meeting was scheduled for September 5, 2023 at 9:00 a.m.

Adjournment

A motion was made by Pete Stagner to adjourn the meeting. The motion was seconded by Jeff Regenold and unanimously approved.

The meeting was adjourned at 10:54 a.m.


President


Vice-President/Secretary/Treasurer