

**QUARTERLY MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #1
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
December 6, 2023 at 1:30 p.m.
8805 Independence Way, Alamosa CO 81101
And by Zoom Teleconference**

Present: Jake Burris, President; Clay Mitchell, Vice President; Sheldon Rockey, Secretary/Treasurer; Miguel A. Diaz, BOM; James Cooley, BOM; Tony Holcomb, BOM; Chris Miner, BOM; Michael Jones, BOM; Brett Hemmerling, BOM; and Mike Kruse, Ex-Officio Member.

Absent: Jamie Hart, BOM.

Staff and Consultants: Pete Ampe, Hill & Robbins P.C.; Taylor Chick, Program Manager; Linda Ramirez, Program Assistant; Wylie Keller, Water Resource Specialist; Michael Carson, Database Administrator; and April Mondragon, Administrative Assistant.

Guests: Deb Sarason, Curt Trimble, Margaret Trujillo, Sally Wier, Les Aldereti, William Myers, Andrea Rue, Brian Rue, Karla Van Treese, Steve Van Treese, and, Kelsey Martinez.

Meeting Called to Order

President Burris called the meeting to order at 1:30 p.m. The Pledge of Allegiance was recited, a quorum was present.

Approval of the Agenda

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

Approval of the Minutes

President Burris asked for approval of the following minutes:

- September 5, 2023-Quarterly Meeting
- September 5, 2023-Executive Session
- September 26, 2023-Special Meeting
- October 10, 2023-Special Meeting
- October 10, 2023-Executive Session

A motion was made by Miguel Diaz to approve the minutes as presented. The motion was seconded by James Cooley and unanimously approved.

Public Comment

President Burris asked for public comment. There was none.

Program Manager's Report

President Burris asked for the Program Manager's report.

• *Financial Report*

Taylor Chick presented the Balance Sheet, he highlighted the balance in the account, accounts receivable, and reported on the 2023 storage costs. Mr. Chick updated the Board on the pay out of the Fallow and CREP obligations.

A motion was made by Sheldon Rockey to approve the financial report as presented. The motion was seconded by Tony Holcomb and unanimously approved.

Taylor Chick provided an update on current business. He reported closing on eight (8) of the nine (9) Well Purchase Program (WPP) accepted bids and one opting out into the SB22-028 program. Mr. Chick reported sending out the fee assessments to the counties, receiving Participation Contracts and Surface Water Inclusion Agreements and finalizing payout obligations to the incentive program. He provided the total incentive obligation if all contracts are approved. Mr. Chick reported working with the Deputy State Engineer to get the annual CREP report. Mr. Chick updated the Board on the 2023 ARP depletion replacement operations. He provided an update on the Lacy property bidding process and reported the invoice for sheep grazing on the Medano property remains unpaid.

Attorney's Report

President Burris asked for the Attorney's report. Pete Ampe updated the Board on the Plan of Water Management No. 4 and the possibility of the trial date not getting set until 2025. Mr. Ampe reported on the filing of another claim by RWR and provided an update on the SWAG case and the settlement agreement in the Texas vs New Mexico/Colorado compact case.

Engineer's Report

President Burris asked for the Engineer's report. Taylor Chick presented the map of the San Luis Valley unconfined aquifer. He reported on the change in the unconfined aquifer storage study update and provided the change for December 2023, the current aquifer level, the current five (5) year average and the acre feet needed to get to the -400,000 level.

Discussion and Possible Action Items

President Burris asked for discussion and possible action items.

- Participation Contracts

Taylor Chick presented the Participation Contracts. He reported receiving eight (8) contracts seeking participation into the Subdistrict in order to be covered for the 2024 Annual Replacement Plan (ARP). Mr. Chick highlighted the WDID, the location, well permit/decree, well name and staff recommendation for the contracts. Discussion was held on the alternatives to joining the Subdistrict and the procedure once the Board approves a contract. Deb Sarason explained the no expanded use stipulation on supplemental/redrill wells.

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.

Taylor Chick reported on the potential number of additional participation contract requests to come into the Subdistrict. Discussion was held on the approaching deadline and the need for additional time to process applications.

A motion was made by Chris Miner to extend the Participation Contract deadline to January 15th. The motion was seconded by James Cooley and unanimously approved.

- Surface Water Inclusion Agreement

Taylor Chick presented the Steve and Karla Van Treese Surface Water Inclusion Agreement. He provided the water source, the amount of shares and how it would be diverted into Subdistrict No. 1 response area. Mr. Chick explained how the water has been historically tracked outside Subdistrict No. 1 and asked the Board for recommendation on how to build a five (5) year average. Discussion was held on changing the diversion.

A motion was made by Clay Mitchell to approve the Surface Water Inclusion Agreement and include the use from 2022 in the five (5) year average to start. The motion was seconded by Sheldon Rockey and unanimously approved.

- Discussion on Medano Property

Taylor Chick reported on the possibility to lease the Medano property for hunting access rather than leasing it out for grazing. The discussion was tabled until staff has a discussion with CPW.

- Taos Valley #3 SWSP Interest

Taylor Chick explained the amount of water unused and lost to the Compact from the Taos Valley #3 water right. Pete Ampe reported the SWSP was entering into its fifth (5) year and the SLV Irrigation Well Owners continue to seek ways to utilize the water right. Deb Sarason commented on how the water could be used to pay depletions.

A motion was made by James Cooley to direct staff to continue to pursue ways to utilize the Taos Valley #3 water right. The motion was seconded by Miguel Diaz and unanimously approved.

- Open Bids for "Lacy Property" equipment

President Burris opened the bids. The first bid was from Don Jolly in the amount of \$5,600 for group one (1) sprinkler and panel. The second bid was from Cross Roads Farm, LLC for group two (2) motors and pumps in the amount of \$780.00.

A motion was made by Sheldon Rockey to accept the bids as offered. The motion was seconded by Chris Miner and unanimously approved.

- Budget Update and potential approval

Taylor Chick presented the budget with the updated assessments. He highlighted the change to the Administrative Fee and the total being assessed for the groundwater withdrawal fee. Mr. Chick provided the amount allocated to incentivize programs. Discussion was held on the amount of funds remaining in the SB22-028 program. Pete Ampe updated the Board on the amount spent by the Republican River Conservation District and described their procedure. Wylie Keller reported on the available funds remaining.

A motion was made by Sheldon Rockey to approve the updated budget as presented. The motion was seconded by Tony Holcomb and unanimously approved.

Board of Mangers Open Discussion

President Burris asked for Board of Managers Open Discussion. There was none.

New Business

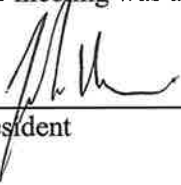
President Burris asked for new business. There was none

Next Meeting

The next quarterly meeting is scheduled for March 5, 2024 at 1:30 p.m.

Adjournment

The meeting was adjourned at 2:54 p.m.



President



Secretary/Treasurer