

**SPECIAL MEETING OF THE BOARD OF MANAGERS  
OF SPECIAL IMPROVEMENT DISTRICT #1  
OF THE RIO GRANDE WATER CONSERVATION DISTRICT  
January 7, 2022 at 9:00 a.m.  
8805 Independence Way, Alamosa CO 81101  
And by Zoom Teleconference**

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

**Absent:** Les Alderete, BOM.

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

**Guests:** Chad Spearman, Doug Gunnels, Brian Rue, Chayito Espinoza, Larry Crowther, Chris Lopez, Craig Cotton, Deb Sarason, David Hofmann, William Myers, Pricilla Waggoner, Steve Keller, Ernie Myers, Shon Tonner, Jake Burris, Cameron, John Slane, Monica McCafferty, John, Margaret Trujillo.

**Meeting Called to Order**

President Brownell called the meeting to order at 9:05 a.m. A quorum was present

**Approval of the Agenda**

President Brownell asked for approval of the agenda. Jamie Hart asked to add a discussion regarding a possible lease of the Subdistrict owned Lacy property to Chad Spearman. A motion was made by Sheldon Rockey to approve the agenda as amended. The motion was seconded by Jamie Hart and unanimously approved.

**Public Comment**

President Brownell asked for public comment. There was none.

**Discussion on Possible Lease of Lacy Property**

President Brownell asked for a discussion on a possible lease of the Lacy property. Jamie Hart reported being contacted by Chad Spearman who has interest in leasing the Lacy property. Chad Spearman was present and highlighted his proposal to graze cattle on the Lacy property. He presented maps of the property and reported on some of the challenges with fence repairs. Mr. Spearman also asked questions in connection with water for the livestock as well and if there would be an option to graze in the winter months. Discussion was held on the recharge ponds and how they are managed. President Brownell asked Mr. Spearman to submit a written proposal for the Board to consider.

**Discussion and Possible Action on Plan of Water Management No. 4**

President Brownell asked for discussion and possible action on Plan of Water Management No. 4. Jake Burris asked the Board to consider not moving forward with the sustainability factor. Discussion was held on the one for one concept, Subdistrict sustainability, five (5) year benchmarks and carry over credits.

A motion was made by Sheldon Rockey that the Plan of Water Management would read, for the first five (5) years the sustainability factor would not be changed, after the first five (5) years of the Plan, the sustainability factor could be changed in the Board's discretion annually. The motion was seconded by Clay Mitchell.

Mike Kruse asked for clarification on how the sustainability would be adjusted in dry years, Clinton Phillips explained. Marisa Fricke highlighted what she likes about the sustainability tool as well as when and how it will work the best. Larry Crowther asked how water export fits into the new plan.

Pete Ampe restated the motion, roll call vote was taken:

Tony Holcomb: No  
Chris Miner: No  
Jamie Hart: No  
Miguel Diaz: Yes  
Carla Worley: Abstained  
Sheldon Rockey: Yes  
Clay Mitchell: Yes  
Brian Brownell: No

Asier Artaechevarria: Abstained

There were four (4) no's, three (3) yes's and two (2) abstentions, the motion failed.

A motion was made by Jamie Hart to include in the Plan of Water Management that the sustainability factor would be left alone for the first five (5) years and only adjust it every five (5) years by projecting and looking at the twenty (20) year goal, a hard adjustment to the factor at the twenty (20) year review mark could be made. The motion was seconded by Miguel Diaz, roll call vote was taken:

Tony Holcomb: Yes  
Chris Miner: Yes  
Jamie Hart: Yes  
Miguel Diaz: Yes  
Carla Worley: Yes  
Sheldon Rockey: No  
Clay Mitchell: Yes  
Brian Brownell: Yes  
Asier Artaechevarria: Abstained

There were seven (7) yes's, one (1) no and one (1) abstention, the motion passed.

Tony Holcomb questioned if the appeal date would change due to the change of charging a year in arrears. Discussion was held on identifying taxes collected in the current year for the past years pumping. Marisa Fricke presented the Roll Out of the Plan of Water Management Timeline and Calendar; the appeal deadline and the purchase/sale of credits deadline were discussed. Discussion was held on possibly raising the over pumping fee to \$500 after year one (1) rather than year five (5). Discussion was also held on possibly changing the sustainability metric and the effects it would have. Ms. Fricke reported on the public's interest in addressing what happens to the groups that exit the Subdistrict to pursue augmentation plans and are no longer charged Subdistrict fees and if they would be bound by the same sustainability requirements. Carla Worley suggested adding language to the Plan of Water Management that would exclude Subdistrict members from future ARP's until they come back into compliance. Ms. Worley also suggested directing Ms. Fricke to work with Subdistrict members that struggle to make their water sustainable on their farms. Discussion was held on when the Plan of Water Management No. 4 will be finished and the Board of Managers would be able to vote on it. Pete Ampe described what would need to be conformed on the appendix as well as the economic report before a vote of the Board would take place.

**Discussion and Possible Action on 2022 Well Purchase Program**

President Brownell asked for discussion and possible action on 2022 Well Purchase Program. Marisa Fricke reported having a running list of individuals interesting in participating in the Well Purchase Program if it is offered in 2022.

**Next Meeting**

The next quarterly meeting is scheduled for March 1, 2022 at 1:30 p.m.

**Adjournment**

The meeting was adjourned at 12:15 p.m.

  
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President

  
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Secretary/Treasurer