

**ANNUAL MEETING OF THE BOARD OF MANAGERS  
OF SPECIAL IMPROVEMENT DISTRICT #1  
OF THE RIO GRANDE WATER CONSERVATION DISTRICT  
March 5, 2024 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; Jamie Hart, BOM; Brett Hemmerling, BOM; and Mike Kruse, Ex-Officio Member.

**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; Clinton Phillips, Davis Engineering; Rose Vanderpool, Program Assistant; Crystal Benavidez, HCP Coordinator/Program Assistant; Kylie Gregg, Office Manager; and April Mondragon, Administrative Assistant.

**Guests:** Deb Sarason, Curt Trimble, Sally Wier, William Myers, Andrea Rue, Brian Rue, Wayne Brown, Jason Lorenz, Willie Hoffner, Peggy Godfrey, Mario Diaz, Grant Mattive, Grant Harrison, Brian Harrison, Greg Higel, David Hofmann, Rob Jones.

**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 Miguel Diaz to approve the agenda as presented. The motion was seconded by Brett Hemmerling and unanimously approved.

**Election of Officers**

President Burris asked for election of officers. Pete Ampe reminded the Board of the current officers. He opened the floor for nominations for President including self-nominations. Sheldon Rockey announced his term had ended and he would not seek another term, therefore this would be his last meeting. He was thanked for his twelve (12) years of service on the Board of Managers.

A motion was made by Mike Kruse to nominate Jake Burris as President. The motion was seconded by Michael Jones and unanimously approved.

President Burris asked for nominations for Vice President. A motion was made by Miguel Diaz to nominate Clay Mitchell as Vice President. The motion was seconded by James Cooley and unanimously approved.

President Burris asked for nominations for Secretary/Treasurer. A motion was made by Jake Burris to nominate Michael Jones as Secretary/Treasurer. The motion was seconded by Chris Miner and unanimously approved.

Sheldon Rockey announced being on the Board was an honor and time well spent and he wished everyone well.

**Disclosure of Potential Conflicts of Interest**

President Burris asked for disclosure of potential conflicts of interest. Pete Ampe explained the purpose and procedure of the disclosure.

Sheldon Rockey: San Luis Valley Irrigation District, Rio Grande Canal, Santa Maria, groundwater.

Michael Jones: San Luis Valley Irrigation District, San Luis Valley Canal, groundwater.

Tony Holcomb: Rio Grande Canal, groundwater.

Clay Mitchell: San Luis Valley Irrigation District, Rio Grande Canal, Prairie Ditch, Santa Maria.

Jake Burris: Special Water, Rio Grande Canal, Santa Maria, San Luis Valley Irrigation District, La Garita Creek, groundwater.

Chris Miner: Rio Grande Canal, Santa Maria, McDonald Ditch, Prairie Ditch, groundwater.

Miguel Diaz: Billings Ditch, Prairie Ditch, Rio Grande Canal, Santa Maria, groundwater.

Brett Hemmerling: Rio Grande Canal, Santa Maria, Shockrol Ditch, King Callan Ditch, groundwater.

James Cooley: Farmers Union, San Luis Valley Canal, Prairie Ditch, Rio Grande Canal, Annie Rabur.

Mike Kruse: Farmers Union, San Luis Valley Canal, Rio Grande Canal, Special Water, La Garita Creek, groundwater.

Jamie Hart: groundwater in Subdistrict No. 1, groundwater in Subdistrict No. 2, groundwater in Subdistrict No. 6, Rio Grande Canal, Santa Maria, McDonald Ditch, Butler Ditch.

Discussion was held on how the Board meets the policy requirements in connection with conflict of interest.

### **Approval of the Minutes**

President Burris asked for approval of the following minutes:

- November 29, 2023-Special Meeting
- December 6, 2023-Quarterly Meeting
- January 25, 2024-Special Meeting
- January 25, 2024-Executive Session
- February 1, 2024-Special Meeting

A motion was made by Clay Mitchell to approve the minutes as presented. The motion was seconded by Tony Holcomb and unanimously approved.

### **Public Comment**

President Burris asked for public comment. There was none.

### **Sustainability Analysis Presentation-Jason Lorenz**

President Burris asked for the sustainability analysis presentation. Jason Lorenz presented the current snow pack SNOTEL water levels and the Rio Grande basin SNOTEL snow/precipitation update report on mountain range basins. He presented the upper Rio Grande forecast and reported all Subdistricts were in bad shape. Mr. Lorenz presented the change in the unconfined aquifer storage and the Subdistrict No. 1 recharge vs streamflow, the net groundwater consumptive use vs change in groundwater storage, the net groundwater consumptive use streamflow vs change in aquifer storage and reported on the amount of recharge needed. He presented a slide title Value of Water and explained what it would take to make farmers whole. Mr. Lorenz presented Cost of Sustainability, he highlighted the acre foot of reduction needed to achieve a sustainable level and the value of water.

### **Program Manager's Report**

President Burris asked for the Program Manager's report. Taylor Chick presented his quarterly Program Manager's report. He reported on the finalized 2023 Annual Report (AR), incentive obligations for SB22-028 and the impact on groundwater wells. Mr. Chick provided an update on the Annual Replacement Plan (ARP), Board Member terms set to expire and the pumps and motors being removed from Subdistrict property. He reported how winter time depletions were made and gave an update on how many acre feet had been retired through the Well Purchase Program (WPP).

- *Financial Report*

Taylor Chick presented the Balance Sheet. He highlighted the current assets, checking account balances, accounts receivable, liabilities and equity and highlighted the amount for CREP contracts and storage costs. Mr. Chick updated the Board on the Fallow contracts and incentives payable. He presented the Profit and Loss by Class Statement and the projected interest on the CD. President Burris asked when the last time CD interest rates were looked at and stated it may be time to revisit.

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

### **Attorney's Report**

President Burris asked for the Attorney's report. Pete Ampe provided an update on the US Supreme Court oral arguments in the Texas vs New Mexico/Colorado case. He also gave an update on the Plan of Water Management No. 4 and the SWAG case.

### Engineer's Report

President Burris asked for the Engineer's report. Clinton Phillips presented the map of the unconfined aquifer storage study. He reported on the change for January 2024, the change between January 2023-2024, the current aquifer level, the current five (5) year average and the acre foot amount needed to get to the -400,000 level. Discussion was held on the depth of the aquifer and the amount of water left in the aquifer. Mr. Phillips also presented the change in the confined aquifer.

### Discussion and Possible Action Items

President Burris asked for discussion and possible action items.

- District Property Recharge Pits Project

Taylor Chick provided a recap on discussions regarding recharge pits and using the Subdistrict properties as a model. He presented the Lacy property recharge pond map. Clinton Phillips explained the construction plan and highlighted the dimensions and the volume of water the pond could potentially hold. Pete Ampe suggested seeking a grant through the Roundtable. Mr. Phillips presented the proposed recharge pit locations on the White property. He gave the dimensions of the pond and reported it would be a bit smaller. Mr. Chick presented a map of the McConnell property. Discussion was held on doing one pond with sediment and one without and if a deeper pond would be better than a shallower pond.

A motion was made by Miguel Diaz to direct Clinton Phillips, Wylie Keller and Taylor Chick to review the schematics in like of the suggestions of the Board and public and move forward with the redesign, provide to the Board for review and put out for bids for contractors. The motion was seconded by Clay Mitchell and unanimously approved.

- 2024 District Property Leases

Taylor Chick presented the steel building storage lease with Gary Dickey and Diamond D Bar Ranch, the White McConnell Grazing lease contract with Dickey and Diamond D Bar Ranch and the Wayne Brown Lease for grazing. He reported none of the terms had changed on the leases. Mr. Chick also presented a draft proposed grazing lease on the Lacy property.

A motion was made by Chris Miner to go with staff recommendations to approve the first three (3) leases. The motion was seconded by Brett Hemmerling and unanimously approved.

Discussion was held on the request for a grazing lease on the Lacy property and the lack of fencing along the canal.

- Appeals

Taylor chick presented two (2) Consaul appeals; his recommendation was approval of both. The first one a refund in the amount of \$8,967 and the second one a refund in the amount of \$10,537.50. Mr. Chick then presented the Van Treese Farms appeal with the recommendation of approval of a refund in the amount of \$19,293 plus 147.22-acre feet of carry over.

A motion was made by Clay Mitchell to approve all three (3) of the appeals. The motion was seconded by James Cooley and unanimously approved.

- Amendment to Rules & Regulations for Change of Deadline for Contract Wells

Taylor Chick reminded the Board of the extensions previously approved to extend the deadline to get contracts into the Subdistrict. He highlighted the section in the Rules and Regulations and the proposed change.

A motion was made by Miguel Diaz to amend the Rules & Regulations to change the deadline for contract wells to February 15<sup>th</sup>. The motion was seconded by Michael Jones and unanimously approved.

- New RGDSS Model-Phase 7

Taylor Chick presented the Subdistrict No. 1 response zone current RGDSS Model 6P98. He provided an update on where the PRT is with modeling and the data that goes into the model. Mr. Chick reported on the potential for Subdistrict No. 1 to owe depletions to Saguache Creek. He highlighted the aspects Subdistrict No. 5 has explored to remedy depletions to Saguache Creek. Pete Ampe explained some of the challenges Subdistrict No. 5 has had. Mr. Chick presented the change in the unconfined aquifer storage RGDSS model 6P98 and RGDSS Model 7P. He also presented stream flow records from a gauging station near Saguache. Mr. Ampe reported RGDSS Model 7P

may not take affect until 2025 or 2026 and suggested they begin to seek replacement sources. Michael Jones highlighted the repercussions that could possibly result in the denial of Subdistrict No. 1 ARP. Peggy Godfrey commented on the pumping of the wells on North Star Farms and how they affect Saguache Creek. President Burris suggested setting up a joint work session with Subdistrict No. 5.

- Fallow Program

Michael Jones reported on his short-term fallow program idea and described the idea to shut off wells this season. Taylor Chick presented an excel spreadsheet summarizing the fallow program bid system idea and another spreadsheet showing a flat rate fallow program system. He highlighted the pros and cons of each potential program. Mr. Chick provided the amount in the Subdistrict budget for conservation. He also updated the Board on the Well Purchase Program (WPP). Staff was directed to draft a temporary fallow program and bring it back to the Board for review.

**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. Willie Hoffner asked if the program would apply to surface water credit holders and offered to sell his surface water credits to the Subdistrict. Discussion was held on the need to advertise and offer the opportunity to everyone. Pete Ampe suggested the Board think about the idea and add the item to the next meeting agenda.

**Next Meeting**

A special meeting was scheduled for March 20, 2024 at 1:30 p.m.

The next quarterly meeting is scheduled for June 4, 2024 at 1:30 p.m.

**Adjournment**

The meeting was adjourned at 4:20 p.m.

  
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President

  
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Secretary/Treasurer