

**QUARTERLY MEETING OF THE BOARD OF MANAGERS  
OF SPECIAL IMPROVEMENT DISTRICT #1  
OF THE RIO GRANDE WATER CONSERVATION DISTRICT  
August 17, 2022 at 1:30 p.m.  
8805 Independence Way, Alamosa CO 81101  
And by Zoom Teleconference**

**Present:** Brian Brownell, President; Clay Mitchell, Secretary/Treasurer; Jamie Hart, BOM; Tony Holcomb, BOM; Jake Burris, BOM; James Cooley, BOM; Chris Miner, BOM; Sheldon Rockey, BOM; Miguel A. Diaz, BOM; and Mike Kruse, Ex-Officio Member.

**Staff and Consultants:** Pete Ampe, Hill & Robbins P.C.; Clinton Phillips, Davis Engineering; Wylie Keller, Water Resource Specialist; Linda Ramirez, Program Assistant; Rose Vanderpool, Program Assistant; Trevor Harmon, Well Technician; Amber Pacheco, Program Manager; Kylie Gregg, Office Manager; Michael Carson, Database Administrator; and April Mondragon, Administrative Assistant.

**Guests:** Deb Sarason, David Hofmann, Dee Greeman, Brian Rue, Andrea Rue, Willie Hoffner, Peggy Godfrey, Steve Keller and Jerry Brown.

**Meeting Called to Order**

President Brownell called the meeting to order at 1:30 p.m. President Brownell paid tribute to Carla Worley. A quorum was present, the Pledge of Allegiance was recited.

**Approval of the Agenda**

President Brownell asked for approval of the agenda. A motion was made by Miguel Diaz to approve the agenda as presented. The motion was seconded by James Cooley and unanimously approved.

**Approval of the Minutes**

President Brownell asked for approval of the following minutes:

- April 26, 2022-Special Meeting
- June 16, 2022-Quarterly Meeting
- July 14, 2022-Special Meeting

A motion was made by Jake Burris to approve the minutes as presented. The motion was seconded by Jamie Hart and unanimously approved.

**Public Comment**

President Brownell asked for public comment. There were none.

**Program Assistant's Report**

President Brownell asked for the Program Assistant's report. Linda Ramirez updated the Board on the items she had been working on. She highlighted finalizing Farm Plans and when meter reading forms would be sent out. Ms. Ramirez provided the number of Farm Plans that had not been returned and reported working with Wylie Keller on the Well Permit Program. She highlighted the July depletions and reported how they are being remedied.

- **Financial Report**

Linda Ramirez presented the financial report, she highlighted the Profit and Loss Statement and Balance Sheet. Kylie Gregg explained the projected amount and actual amount under land acquisitions.

A motion was made by Sheldon Rockey to approve the financial report. The motion was seconded by Jake Burris and unanimously approved.

- **Presentation and Possible Adoption of the 2023 Budget**

Sheldon Rockey presented the 2023 proposed budget. He reported being on track from what was budgeted last year. Mr. Rockey provided the budget committee recommendation to keep the Admin Fee at \$3.00 with the Variable Fee and expenses remaining the same as last year. He highlighted the amounts for the Well Permit Purchase Program, conservation programs and a change in the CREP. Jake Burris explained the amount available for the second round of the Well Permit Purchase Program. Mr. Rockey gave the ending balance to be carried over to next year and the amount left in the conservation budget. Clay Mitchell reported on the poor quality of some of the recharge ponds within the Subdistrict and reported he would continue to seek ideas and standards on designs of good ponds. Mr. Rockey provided the budget committee recommendation of \$150 variable fee and \$0 for the CREP fee due to the lack of participation in permanent contracts. Mike Kruse asked for a discussion on the bonus payment amount. Discussion was held on the current number of CREP contracts and how to increase participation.

A motion was made by Jamie Hart to approve the admin and budget for the administration fee and keep it at \$3.00. The motion was seconded by Clay Mitchell and unanimously approved.

A motion was made by Jake Burris to accept and set the variable fee proposed budget as presented for next year at \$150 per acre foot. The motion was seconded by Jaime Hart and unanimously approved.

A motion was made by Jaime Hart to accept the budget and set the CREP fee for next year at \$0. The motion was seconded by Jake Burris and unanimously approved.

Jake Burris explained when the approved fees would be applied to the tax rolls. Pete Ampe reported on the certification of fees process in November. Mike Kruse did not agree with what was reported.

#### **Engineer's Report**

President Brownell asked for the Engineer's report. Clinton Phillips presented the change in unconfined aquifer storage study update. He provided the acre foot amount of decline for August 2022, the acre foot amount of decline between August 2021 and August 2022, the current aquifer level, the current five (5) year average and the total acre feet needed to get to the -400,000 level. Mr. Phillips reported on the decline despite the recent rainfall and reported being close to hitting the lowest level ever recorded. Discussion was held on the study being done by an independent firm hired by the Saguache County Commissioners. Mr. Phillips explained how the wells in the Closed Basin Project are modeled. Jamie Hart suggested hiring a private engineer.

#### **Attorney's Report**

President Brownell asked for the Attorney's report. Pete Ampe reported on the relocation of his office and provided an update on filling the Program Manager position. He highlighted the sale of the Medano house and working to determine how to handle the water shares which were excluded from the sale. Mr. Ampe provided an update on the Plan of Water Management No. 4; the informal review being done by the State Engineer and the status of drafting the documents for the Well Permit Purchase Program.

#### **Executive Session to Receive Legal Advice on Potential Well Purchases**

President Brownell announced the Board did not need to go into executive session at this time.

#### **Action Items**

President Brownell asked for the following action items:

- *Discussion and Possible Action on Well Permit Program*

Mike Kruse and Jake Burris recused themselves from the discussion. Wylie Keller presented a summary of nine (9) total bids for fifteen (15) wells. He provided the total dollar amount for all of the wells, the total acres represented and the average price per acre foot. Mr. Keller highlighted the asking price per acre foot and total rank for each bid. He also explained the ranking calculation.

A motion was made by Jaime Hart to accept the No. 1 ranked bid and decline the rest. The motion was seconded by Clay Mitchell and unanimously approved.

- *Discussion and Possible Action on Surface Water Inclusion Agreements*

Linda Ramirez reported on the Kennan Anderson request to include fifteen (15) shares to be used on his property.

A motion was made by Sheldon Rockey to approve the Kennan Anderson surface water inclusion agreement for fifteen (15) shares. The motion was seconded by Jaime Hart and unanimously approved.

Discussion was held on the fees that would be assessed on the new parcel and the definition of non-benefited lands.

Linda Ramirez reported on the Joel Mickey request to include two (2) shares of Rio Grande Canal to be leased to Joseph Nolt. Discussion was held on how to assess fees on the parcel and how to ensure the water would be recharged.

A motion was made by Jake Burris to approve the Joel Mickey surface water inclusion agreement for 2022, contingent upon charging an administrative fee on sixty (63) acres of the parcel. The motion was seconded by Sheldon Rockey and unanimously approved.

- Discussion and Possible Action on Policy Regarding Requirements and Limitations for Surface Water Contracts

The Board did not discuss or take action on a policy regarding requirements and limitations for surface water contracts.

- Discussion and Possible Action on Appeals

Linda Ramirez provided the information on the S&T appeal request for refund. Dee Greeman explained what they are trying to accomplish and how S&T receives credit on pumped surface water.

A motion was made by Jaime Hart to approve/accept the S&T appeal. The motion was seconded by Clay Mitchell and unanimously approved.

Ms. Ramirez provided the information on the Mitchel Farms appeal request for refund. Clay Mitchell recused himself. Wylie Keller explained the different parts of the appeal. Deb Sarason reported on the augmentation plan recharge allowance.

A motion was made by Jaime Hart to approve/accept the three (3) Mitchell Farms appeals, adjust the augmentation plan from thirty-five (35) percent to forty (40) percent and include the Santa Maria shares from this day going forward. The motion was seconded by Sheldon Rockey and unanimously approved.

- Discussion and Possible Action on SLV REC Sprinklers on the Medano

Linda Ramirez reported on a request from San Luis Valley Rural Electric Company regarding the sprinklers on the Medano property. Ms. Ramirez highlighted the expenses associated with getting the sprinklers into working order. Discussion was held on either pulling the meters or establishing a cover crop on the property.

A motion was made by Sheldon Rockey to request SLV Rural Electric Company to pull the service meters from the sprinklers on the Medano property. The motion was seconded by Jake Burris and unanimously approved.

#### **Board of Mangers Open Discussion**

President Brownell asked for Board of Managers Open Discussion. Jerry Brown explained an agreement he believed he had with Subdistrict No. 1 to graze sheep on Subdistrict owned property. President Brownell described a grazing contract with Wayne Brown on the Medano property and the poor condition/over grazed Lacy property. It was explained to Jerry Brown that there was no grazing available on any other Subdistrict owned property including the Lacy property.

#### **New Business**

President Brownell asked for new business. Sheldon Rockey recommended doing a memorial in honor of Carla Worley.

A motion was made by James Cooley to donate \$1,500.00/ gold sponsorship to the 4H club in the name of Carla Worley. The motion was seconded by Jamie Hart and unanimously approved.

Pete Ampe highlighted what was needed to finish up the Plan of Water Manager No. 4. He also explained the adoption process.

#### **Next Meeting**

The next quarterly meeting is scheduled for December 6, 2022 at 1:30 p.m.

#### **Adjournment**

The meeting was adjourned at 4:00 p.m.

  
President

  
Secretary/Treasurer