

**QUARTERLY MEETING OF THE BOARD OF MANAGERS  
OF SPECIAL IMPROVEMENT DISTRICT #1  
OF THE RIO GRANDE WATER CONSERVATION DISTRICT  
December 4, 2024 at 1:30 p.m.  
8805 Independence Way, Alamosa, CO 81101  
And by Zoom Teleconference**

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

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

**Guests:** Deb Sarason, Brian Rue, Andrea Rue, Willem Schreuder, Peggy Godfrey, Curt Trimble, Chris Lopez, Wayne Schwab, Dee Greeman, Heather Dutton, Sheldon Rockey, Virginia, Matt Hildner, Joaquin Valdez.

**Meeting Called to Order**

President Burris called the meeting to order at 1:31 p.m. A quorum was present. The Pledge of Allegiance was recited.

**Approval of the Agenda**

President Burris asked for changes, additions or approval of the agenda. A motion was made by Miguel Diaz to approve the agenda as presented. The motion was seconded by Michael Jones and unanimously approved.

**Approval of the Minutes**

President Burris asked for approval of the following minutes:

- September 3, 2024-Quarterly Meeting
- September 3, 2024-Executive Session
- October 23, 2024-Special Meeting
- October 23, 2024-Executive Session

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

**Public Comment**

President Burris asked for public comment. There was none.

**Phase 7 Model Discussion-Willem Schreuder**

President Burris asked for Phase 7 Model discussion. He thanked Willem Schreuder for being present and asked him to describe the current outputs of the model and assuming the Subdistrict would be operating under the Amended Plan of Water Management. Willem Schreuder explained how the Subdistrict would still have depletions. He presented the Subdistrict No. 1 response zone and the Rio Grande Alluvial Response Zone. Mr. Schreuder highlighted the average pumping for the last ten (10) years, he explained the non-linear system and how Saguache Creek is so different. He also described the model's response to the imbalance between pumping and recharge. Mr. Schreuder explained the challenges and complexities with coming up with new response functions for the one-for-one scenario on multiple streams. He reported being confident with the framework of the model and went over his experience/background and work history with the model. Mr. Schreuder presented the Subdistrict No. 1 impact on Saguache Creek graph and he explained how the model calculates stream depletions to Saguache Creek and the continuous updates being made. Discussion was held on how Saguache Creek flowed prior to wells being drilled, changes in the trends, the cone of depression, and the purpose of the model.

**Program Manager's Report**

President Burris asked for the Program Manager's report.

- Financial Report

Amber Pacheco presented the Balance Sheet, the Profit and Loss Statement, and the Statement of Cash Flows. She highlighted the accounts receivables, payables and the incentive payables. Ms. Pacheco went over liabilities and equity, expenses, incentive payments, and the fallow program expenses.

A motion was made by Michael Jones to approve the financial report as presented. The motion was seconded by James Cooley and unanimously approved.

- Program Manager Quarterly Report

Amber Pacheco went over the payout obligations to the Senate Bill Incentive Program. She reported on the finalized Fee Summaries and submitted certification of assessments to the counties. Ms. Pacheco provided an update on the search for a new Program Manager and reported interviews would be conducted soon. President Burris, Clay Mitchell, and Patrick Brownell volunteered to be on the Hiring Committee and participate in interviews. Michael Jones asked if they needed to discuss adding another position to assist with the Subdistrict No. 1 workload. Ms. Pacheco explained how the office has staff available to assist if needed.

### Attorney's Report

President Burris asked for the Attorney's report. Pete Ampe updated the Board on the funds remaining in the Senate Bill 28 program. He reported the other Subdistricts continue to work on securing permanent water supplies. Mr. Ampe gave an update and review on the Texas vs New Mexico and Colorado US Supreme Court case as well as the next stages in the process.

The Board recessed at 3:25 p.m. and resumed at 3:40 p.m.

### Engineer's Report

President Burris asked for the Engineer's report. Clinton Phillips presented the map of the San Luis Valley Unconfined Aquifer Storage Study area. He went over the change for November 2024 and the change between November 2023 and 2024. Mr. Phillips highlighted the current aquifer level, current five (5) year average and the acre-feet needed to get to the -400,000 level. He went over the change in the unconfined aquifer storage between the period 2002 to current and presented the overall graph showing the monthly change and five (5) year running average.

- Review and Possible Action on Change Order No. 1 from Mackey Construction CO. LLC on the White Property Recharge Project

Clinton Phillips presented photos of the completed White Property Recharge Project. He reported on the overall success of the project and explained the contractors request for a change order.

A motion was made by James Cooley to approve the Change Order No. 1 from Mackey Construction CO., LLC on the White Property Recharge Project. The motion was seconded by Clay Mitchell and unanimously approved.

### Discussion and Possible Action Items

President Burris asked for discussion and possible action items.

- Request for Payment (Denied Fallow)

Amber Pacheco went over the two (2) Allied Potato 2024 Fallow Contracts and denial of payments. She highlighted the acre-foot amount of over pumping that occurred. Ms. Pacheco reported Jared Myers had been notified but failed to resolve the issues.

A motion was made by Mike Kruse to deny the appeals. The motion was seconded by Clay Mitchell and unanimously approved.

- San Luis Valley Irrigation Well Owners-Taos Valley Water Lease

Amber Pacheco reported on the offer to Subdistrict No. 1 to participate in the San Luis Valley Irrigation Well Owners lease agreement. She explained an SWSP is filed each year and the cost is \$50 per acre-foot. The water could be used towards the Annual Replacement Plan. Ms. Pacheco explained the terms of the lease and described the original purpose of the water right.

A motion was made by Michael Jones to pass on the offer and re-evaluate next year. The motion was seconded by Chris Miner and unanimously approved.

- MOU Request for Subdistrict No. 2 & Subdistrict No. 6 Purchase of SMRC Water

Amber Pacheco reported including the MOU offers from Subdistrict No. 2 and 6 in the Board packet. She went over each offer including the acre-foot amount of water being requested and the price per acre-foot. Discussion was held on the amount of water Subdistrict No. 1 has paid in storage fees over the years.

A motion was made by Clay Mitchell to approve the MOU with Subdistrict No. 2 and Subdistrict No. 6. The motion was seconded by Miguel Diaz and unanimously approved.

- Participation Contract

Amber Pacheco reported receiving a participation contract from Ralph and Vickie Sue Bamber for a year-round commercial well. She highlighted the water right went to court for the added use, the contract fee had been paid and Taylor Chick's recommendation was to approve.

A motion was made by Miguel Diaz to approve the Participation Contract. The motion was seconded by Michael Jones and unanimously approved.

- New CREP Contract

Amber Pacheco reported receiving a new permanent CREP Contract from Moonlight Farms. She stated the owner signed and agreed to the payment schedule which includes a partial year payment in the first year.

A motion was made by Miguel Diaz to approve the new CREP Contract. The motion was seconded by James Cooley and unanimously approved.

- North Star Purchase Sale Agreement

Amber Pacheco reported submitting the North Star Purchase Sale Agreement to the District Board of Directors for consideration. She reported on their approval of the agreement conditionally on Subdistrict No. 1 Board of Managers approval. Ms. Pacheco went over the purchase price and the closing deadline outlined in the agreement. Peggy Godfrey suggested the Board ask the District to reimburse Subdistrict No. 1 and retire the wells if it turns out they do not need them.

A motion was made by Michael Jones to move forward with the North Star Purchase Sale Agreement. The motion was seconded by Clay Mitchell and unanimously approved.

### Board of Mangers Open Discussion

President Burris asked for Board of Managers Open Discussion. Clay Mitchell asked for a discussion to be added to the next meeting agenda regarding the water the Subdistrict has in storage.

### New Business

President Burris asked for new business. Michael Jones asked if it would be possible to request funding from the Roundtable to help fund purchases. Amber Pacheco went over instances Roundtable funding could be sought. Mr. Jones suggested launching a marketing campaign to get the word out regarding the Subdistrict Programs. Ms. Pacheco provided the dollar amount budgeted for the Well Purchase Program and the Fallow Program. Tony Holcomb suggested offering a zero water allowance Fallow Program. Mr. Jones commented on the struggle to get participation in the programs and suggested setting a low cap. Staff was directed to put together a program with zero (0) allowance and another program with a limited amount.

### Next Meeting

A special meeting was scheduled for January 14, 2025 at 12:30 p.m.

The next quarterly meeting is scheduled for March 4, 2025 at 1:30 p.m.

### Adjournment

The meeting was adjourned at 5:00 p.m.

  
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President

  
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Secretary/Treasurer