

**RIO GRANDE WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS SPECIAL MEETING
April 15, 2022 at 11:00 A.M.
8805 Independence Way, Alamosa CO 81101
And By Zoom Teleconference**

Present: Greg Higel, President; Armando Valdez, Vice-President; Dwight Martin, Secretary/
Treasurer; Peggy Godfrey, Board of Director; Cory Off, Board of Director; Mike Kruse, Board of
Director; Zeke Ward, Board of Director; Steve Keller, Board of Director; and, Dale Bartee, Board of
Director.

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

Guests: Deb Sarason, David Hofmann, John Gerstle, Willie Hoffner, Doug Gunnels, Tyler Faucette,
Chris Lopez, Randy Brown, Monica McCafferty and Susan Storm.

CALL TO ORDER

President Greg Higel called the meeting to order at 11:05 a.m. There was a quorum present for the
meeting.

INTRODUCTION OF STAFF AND GUESTS

President Greg Higel welcomed all those present and asked for introductions.

APPROVE AGENDA

President Higel asked for amendments or a motion to approve the agenda. A motion was made by
Dwight Martin to approve the agenda as presented. The motion was seconded by Cory Off and
unanimously approved.

PUBLIC COMMENT

President Higel asked for public comment. Peggy Godfrey explained why she would vote against
every Subdistrict Annual Replacement Plan using Closed Basin Project water. Discussion was held on
the status of the judicial review of the State Engineer's denial of Subdistrict No. 5's 2021 Annual
Replacement Plan.

**CONSIDER PURCHASE OF A PARCEL OF LAND ASSOCIATED WITH WATER RIGHTS
IN SAGUACHE COUNTY, COLORADO, ON BEHALF OF SPECIAL IMPROVEMENT
DISTRICT #5**

President Higel asked for consideration of a purchase of a parcel of land associated with water rights
in Saguache County, Colorado, on behalf of Special Improvement District No. 5. Chris Ivers provided
an update on revisions being made to the contract. Mr. Ivers reported Subdistrict No. 5 requested a
variance of one week from the State Engineer and would not be submitting an ARP at this time.

**REVIEW AND ACTION SUBDISTRICT NO. 1's 2022 ANNUAL REPLACEMENT PLAN
(ARP)**

President Higel asked for the review and consideration of the following action items:

- ***Resolution to allow Subdistrict No. 1 to use a portion of the Closed Basin Project for the
replacement of injurious depletions***

Marisa Fricke highlighted the acre-foot amount of projected groundwater withdrawals, estimated
recharge, net groundwater consumptive use, 2022 impacts to the Rio Grande and the total post-plan
depletions for Subdistrict No. 1's 2022 ARP. Ms. Fricke reported how the Subdistrict plans to remedy
the impacts to the Rio Grande River and the acre-foot amount of Closed Basin Project water needed
for wintertime depletions. Mike Kruse highlighted Subdistrict No. 1 refrained from using Closed
Basin Project water for a portion of their wintertime depletions in the last ARP. Discussion was held
on payment of wintertime replacements to the compact.

A motion was made by Dwight Martin to approve/adopt the resolution to allow Subdistrict No. 1 to use 278 acre-feet of the Closed Basin Project water for replacement of injurious depletions as presented. The motion was seconded by Cory Off. Peggy Godfrey voted no on the motion. The motion passed.

- ***Resolution for approval of the 2022 Annual Replacement Plan***

A motion was made by Armando Valdez to approve/adopt the resolution for approval of the Subdistrict No. 1 2022 Annual Replacement Plan. The motion was seconded by Dwight Martin, Peggy Godfrey voted no; the motion passed.

REVIEW AND ACTION SUBDISTRICT NO. 2's 2022 ANNUAL REPLACEMENT PLAN (ARP)

President Higel asked for the review and consideration of the following action items:

- ***Resolution to allow Subdistrict No. 2 to use a portion of the Closed Basin Project for the replacement of injurious depletions and Resolution for approval of the 2022 Annual Replacement Plan***

Amber Pacheco presented a summary of the Subdistrict No. 2 ARP. Ms. Pacheco provided the estimated acre-feet of pumping, net groundwater consumptive use, wintertime impacts and post-plan impacts to the Rio Grande. She discussed the amount of the Closed Basin Project allocation amount being requested for wintertime depletions and described the forbearance agreements.

A motion was made by Mike Kruse to approve/adopt the resolution to allow Subdistrict No. 2 to use 1,002 acre-feet of Closed Basin Project water for replacement of injurious depletions as presented and to approve/adopt the resolution for approval of the Subdistrict No. 2 2022 Annual Replacement Plan. The motion was seconded by Dwight Martin. Peggy Godfrey voted no. The motion passed.

- ***Consideration of the RGWCD acting as financial guarantor for Subdistrict No. 2***

Amber Pacheco explained why Subdistrict No. 2 was the only Subdistrict to have a financial guarantor. She reported they are seeking longer term agreements and have the ability to cover a majority of their post-plan depletions with current agreements, storage and financial resources.

A motion was made by Mike Kruse to approve the RGWCD to act as financial guarantor for post-plan depletions for Subdistrict No. 2. The motion was seconded by Cory Off and unanimously approved.

REVIEW AND ACTION SUBDISTRICT NO. 3's 2022 ANNUAL REPLACEMENT PLAN (ARP)

President Higel asked for the review and consideration of the following action items:

- ***Resolution to allow Subdistrict No. 3 to use a portion of the Closed Basin Project for the replacement of injurious depletions and Resolution for approval of the 2022 Annual Replacement Plan***

Amber Pacheco presented a summary of the Subdistrict No. 3 ARP. She highlighted the forecast on the Conejos River system, the acre-feet of groundwater withdrawals, net groundwater consumptive use, total impacts to the Rio Grande, Conejos and Alamosa Rivers, and the post-plan impacts to the three rivers. Ms. Pacheco highlighted the replacement sources and reported the Alamosa River is covered almost entirely by forbearance.

A motion was made by Dwight Martin to approve/adopt the resolution to allow Subdistrict No. 3 to use 1,182 acre-feet of the Closed Basin Project water for the replacement of injurious depletions as presented and to approve/adopt the resolution for approval of the Subdistrict No. 3 Annual Replacement Plan. The motion was seconded by Armando Valdez. Peggy Godfrey voted no. The motion passed.

REVIEW AND ACTION SUBDISTRICT NO. 4's 2022 ANNUAL REPLACEMENT PLAN (ARP)

President Higel asked for the review and consideration of the following action items:

- ***Resolution for approval of the 2022 Annual Replacement Plan***

Chris Ivers reported Subdistrict No. 4 did not have any projected injury to the Rio Grande and would not need Closed Basin Project water. He highlighted the amount of depletions to San Luis and Crestone Creeks and the amount of post-plan depletions to San Luis and Crestone Creeks. Mr. Ivers also reported on the status of the Well Injury Payment agreements.

A motion was made by Cory Off to approve/adopt the resolution for approval of the Subdistrict No. 4 2022 Annual Replacement Plan. The motion was seconded by Peggy Godfrey and unanimously approved.

REVIEW AND ACTION SUBDISTRICT NO. 5's 2022 ANNUAL REPLACEMENT PLAN (ARP)

President Higel asked for a review of Subdistrict No. 5's 2022 ARP.

A motion was made by Cory Off to table the resolution for approval of the Subdistrict No. 5 2022 Annual Replacement Plan. The motion was seconded by Peggy Godfrey and unanimously approved.

Chris Ivers provided the projected 2022 depletions for Subdistrict No. 5 for Saguache Creek, the Rio Grande and San Luis Creek.

REVIEW AND ACTION SUBDISTRICT NO. 6's 2022 ANNUAL REPLACEMENT PLAN (ARP)

President Higel asked for the review and consideration of the following action items:

- ***Resolution to allow Subdistrict No. 6 to use a portion of the Closed Basin Project for the replacement of injurious depletions and Resolution for approval of the 2022 Annual Replacement Plan***

Amber Pacheco presented a summary of the Subdistrict No. 6 ARP. She highlighted the projected groundwater withdrawals and the impacts to the Rio Grande, Conejos and Alamosa rivers. Ms. Pacheco also reported on the post-plan impacts and the wintertime impacts. Ms. Pacheco highlighted the replacement sources for each river.

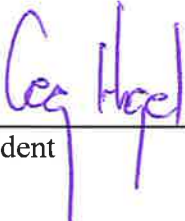
A motion was made by Armando Valdez to approve/adopt the resolution to allow Subdistrict No. 6 to use 3,145.00 acre-feet of the Closed Basin Project water for the replacement of injurious depletions and to approve/adopt the resolution for approval of the Subdistrict No. 6 2022 Annual Replacement Plan. The motion was seconded by Dwight Martin. Peggy Godfrey voted no. The motion passed.

ADJOURN

A motion was made by Cory Off to adjourn the meeting. The motion was seconded by Peggy Godfrey and unanimously approved.

The meeting was adjourned at 12:26 p.m.

The next quarterly meeting was scheduled for April 19, 2022.



President



Secretary/Treasurer

**RESOLUTION
OF THE BOARD OF DIRECTORS OF THE
RIO GRANDE WATER CONSERVATION DISTRICT**

**TO ALLOW SUBDISTRICT NO. 1 TO USE A PORTION OF THE CLOSED BASIN
PROJECT FOR THE REPLACEMENT OF INJURIOUS DEPLETIONS UNDER THE
2022 ANNUAL REPLACEMENT PLAN**

The Board of Directors of the Rio Grande Water Conservation District at a special meeting held on April 15, 2022, in Alamosa, Colorado does hereby resolve that:

WHEREAS, Special Improvement District No. 1 of the Rio Grande Water Conservation District (“Subdistrict No. 1”) was created to conserve and stabilize the water supply and groundwater storage in the unconfined aquifer of the Closed Basin for irrigation, domestic, municipal and other beneficial uses for the water users within the boundaries of Subdistrict No. 1; and

WHEREAS, Subdistrict No. 1 is operating under an approved Plan of Water Management which requires the development of an Annual Replacement Plan (“ARP”) showing, among other things, the predicted injurious depletions caused by Subdistrict Well pumping and the manner in which the Subdistrict will remedy those depletions; and

WHEREAS, the production from the Closed Basin Project can and should be used as a source of water to remedy injurious depletions caused by Subdistrict Well Pumping.

RESOLUTION

NOW, THEREFORE, be it resolved by the Board of Directors of the Rio Grande Water Conservation District that:

1. The District anticipates that the vast majority of this Project Water will be used to replace non-irrigation season depletions from October 31 through March 31. There may be circumstances during the irrigation season when Subdistrict No. 1 cannot deliver water to the Rio Grande below the Chicago Ditch due to intervening dry stream reaches or excessive losses in deliveries. In those circumstances, the District believes Project Water is an appropriate replacement source, but intends that its use during the irrigation season be minimized.

2. The inclusion of 278 acre-feet of water from the production of the Closed Basin Project as a source of supply in the Subdistrict No. 1 2022 Annual Replacement Plan (“2022 ARP”) and the use of said water under the 2022 ARP to remedy injurious depletions is approved.

**RESOLUTION
OF THE BOARD OF DIRECTORS OF THE
RIO GRANDE WATER CONSERVATION DISTRICT**

**APPROVING THE 2022 ANNUAL REPLACEMENT PLAN
OF SPECIAL IMPROVEMENT DISTRICT NO. 1
OF THE RIO GRANDE WATER CONSERVATION DISTRICT**

The Board of Directors of the Rio Grande Water Conservation District at a special meeting held on April 15, 2022, in Alamosa, Colorado does hereby resolve that:

WHEREAS, Special Improvement District No. 1 of the Rio Grande Water Conservation District (“Subdistrict No. 1”) was created to conserve and stabilize the water supply and groundwater storage in the unconfined aquifer of the Closed Basin for irrigation, domestic, municipal and other beneficial uses for the water users with the boundaries of Subdistrict No. 1; and

WHEREAS, Subdistrict No. 1 is operating under an approved Plan of Water Management which requires the development of an Annual Replacement Plan showing, among other things, the predicted injurious depletions caused by Subdistrict Well groundwater withdrawals and the manner in which the Subdistrict will remedy those depletions.

RESOLUTION

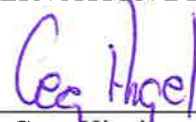
NOW, THEREFORE, be it resolved by the Board of Directors of the Rio Grande Water Conservation District that:

1. The Board of Directors of the Rio Grande Water Conservation District hereby accepts and approves the 2022 Annual Replacement Plan of Special Improvement District No. 1 of the Rio Grande Water Conservation District.

ATTEST:

RIO GRANDE WATER
CONSERVATION DISTRICT

By: 
Dwight Martin
Secretary/Treasurer

By: 
Greg Higel
President

**RESOLUTION
OF THE BOARD OF DIRECTORS OF THE
RIO GRANDE WATER CONSERVATION DISTRICT**

**TO ALLOW SPECIAL IMPROVEMENT DISTRICT NO. 2 TO USE A PORTION OF
THE PRODUCTION OF THE CLOSED BASIN PROJECT FOR THE REPLACEMENT
OF INJURIOUS DEPLETIONS UNDER ITS 2022 ANNUAL REPLACEMENT PLAN**

The Board of Directors of the Rio Grande Water Conservation District at a special meeting held on April 15, 2022, in Alamosa, Colorado does hereby resolve that:

WHEREAS, Special Improvement District No. 2 of the Rio Grande Water Conservation District (“Subdistrict No. 2”) was created to conserve and stabilize the water supply and groundwater storage for irrigation, domestic, municipal and other beneficial uses for the water users within the boundaries of Subdistrict No. 2 and to remedy injurious depletions caused by groundwater withdrawals from Subdistrict Wells; and

WHEREAS, Subdistrict No. 2 is operating under an approved Plan of Water Management which requires the development of an Annual Replacement Plan (“ARP”) showing, among other things, the predicted injurious depletions caused by Subdistrict Well groundwater withdrawals and the manner in which the Subdistrict will remedy those depletions; and

WHEREAS, the production from the Closed Basin Project can and should be used as a source of water to remedy injurious depletions caused by groundwater withdrawals from wells included in the Subdistrict’s 2022 ARP.

RESOLUTION

NOW, THEREFORE, be it resolved by the Board of Directors of the Rio Grande Water Conservation District that:

1. The District anticipates that the vast majority of this Project Water will be used to replace non-irrigation season depletions from November 1 through March 31. There may be circumstances during the irrigation season when Subdistrict No. 2 cannot deliver water to the Rio Grande below the Chicago Ditch due to intervening dry stream reaches or excessive losses in deliveries. In those circumstances, the District believes Project Water is an appropriate replacement source, but intends that its use during the irrigation season be minimized.

2. The inclusion of 1,002 acre-feet of water from the production of the Closed Basin Project as a source of supply in the Subdistrict No. 2 2022 Annual Replacement Plan and the use of said water under the 2022 ARP to remedy injurious stream depletions is approved.

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
RIO GRANDE WATER CONSERVATION DISTRICT**

April 15, 2022

**APPROVING 2022 ANNUAL REPLACEMENT PLAN
OF SPECIAL IMPROVEMENT DISTRICT NO. 2
OF THE RIO GRANDE WATER CONSERVATION DISTRICT**

The Board of Directors of the Rio Grande Water Conservation District (“District”) at a special meeting held on April 15, 2022, in Alamosa, Colorado does hereby resolve that:

WHEREAS, Special Improvement District No. 2 of the Rio Grande Water Conservation District (“Subdistrict No. 2”) was created to conserve and stabilize the water supply and groundwater storage for irrigation, domestic, municipal and other beneficial uses for the water users within the boundaries of Subdistrict No. 2 and to remedy injurious depletions caused by groundwater withdrawals from Subdistrict Wells; and


WHEREAS, Subdistrict No. 2 is operating under an approved Plan of Water Management which requires the development of an Annual Replacement Plan showing, among other things, the predicted injurious depletions caused by Subdistrict Well groundwater withdrawals and the manner in which the Subdistrict will remedy those depletions; and


NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the District on the 15th day of April, 2022 that:

The District hereby accepts and approves the Subdistrict No. 2 2022 Annual Replacement Plan.

ATTEST:

RIO GRANDE WATER CONSERVATION
DISTRICT

By: 
Dwight Martin
Secretary/Treasurer

By: 
Greg Higel,
President

COUNTY OF ALAMOSA)
) ss
STATE OF COLORADO)

Subscribed and sworn to me this 15th day of April, 2022, by Greg Higel, President, Board of Directors of the Rio Grande Water Conservation District

Witness my hand and seal.

My commission expires: 6.15.25

APRIL MONDRAGON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20054023915
MY COMMISSION EXPIRES 06/15/2025

April Mondragon
Notary Public

RIO GRANDE WATER CONSERVATION DISTRICT

April 15, 2022

**RESOLUTION
FOR THE DISTRICT TO ACT AS FINANCIAL GUARANTOR OF THE
REPLACEMENT OBLIGATIONS OF SUBDISTRICT NO. 2**

The Board of Directors of the Rio Grande Water Conservation District (“District”) does hereby resolve that:

WHEREAS, Special Improvement District No. 2 of the Rio Grande Water Conservation District (“Subdistrict No. 2”) was created to ensure remedy of injurious stream depletions to senior water rights resulting from the withdrawal of groundwater from wells in Subdistrict No. 2 and to conserve and stabilize the water supply and amount of groundwater in storage for irrigation and other beneficial uses for the water users within the boundaries of Subdistrict No. 2; and

WHEREAS, Subdistrict No. 2 is operating under an approved Plan of Water Management which requires the development of an Annual Replacement Plan (“ARP”) showing, among other things, the predicted injurious stream depletions caused by Subdistrict Well pumping and the manner in which Subdistrict No. 2 will remedy those stream depletions; and

WHEREAS, Subdistrict No. 2 continues to work diligently to obtain permanent and/or renewable supplies to remedy future stream depletions caused by present or future groundwater withdrawals by Subdistrict No. 2 wells, and

WHEREAS, at the present time it is impossible for Subdistrict No. 2 to acquire a sufficient quantity of water as a permanent supply to cover total post-plan injurious stream depletions after this Plan Year.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the District on the 15th day of April, 2022 that:

1. In order to address the issue identified above, the District, which is created by statute and has a mill levee which provides an annual and consistent stream of monies, will act as a financial guarantor itself if Subdistrict No. 2 were to fail or otherwise be unable to replace injurious stream depletions caused by the lagged effects of past and present groundwater withdrawals by Subdistrict No. 2 wells.

2. The District will provide funds to acquire water or compensate parties directly to insure injured parties are kept whole. This mechanism will act as a temporary measure to assure future replacement of injurious stream depletions until Subdistrict No. 2 is able to obtain permanent and/or renewable supplies to remedy future stream depletions caused by present or future groundwater withdrawals.

3. If Subdistrict No. 2 were to fail, the individual well owners of the former Subdistrict No. 2 would have to obtain plans for augmentation or take other measures to comply with rules and regulations governing existing groundwater withdrawals. Presumably, those plans would be required to replace these post-pumping stream depletions into the future. In the interim, the District would protect senior surface rights as explained in this Resolution.

ATTEST:

RIO GRANDE WATER
CONSERVATION DISTRICT

By: Dwight Martin
Dwight Martin
Secretary/Treasurer

By: Greg Higel
Greg Higel
President

COUNTY OF ALAMOSA)
) ss
STATE OF COLORADO)

Subscribed and sworn to me this 15th day of April, 2022, by Greg Higel, President, Board of Directors of the Rio Grande Water Conservation District.

Witness my hand and seal.

My commission expires: 6-15-25

APRIL MONDRAGON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20054023915
MY COMMISSION EXPIRES 06/15/2025

April Mondragon
Notary Public

**RESOLUTION
OF THE BOARD OF DIRECTORS OF THE
RIO GRANDE WATER CONSERVATION DISTRICT**

**TO ALLOW SPECIAL IMPROVEMENT DISTRICT NO. 3 TO USE A PORTION OF
THE PRODUCTION OF THE CLOSED BASIN PROJECT FOR THE REPLACEMENT
OF INJURIOUS DEPLETIONS UNDER ITS 2022 ANNUAL REPLACEMENT PLAN**

The Board of Directors of the Rio Grande Water Conservation District at a special meeting held on April 15, 2022, in Alamosa, Colorado does hereby resolve that:

WHEREAS, Special Improvement District No. 3 of the Rio Grande Water Conservation District (“Subdistrict No. 3”) was created to conserve and stabilize the water supply and groundwater storage for irrigation, domestic, municipal and other beneficial uses for the water users within the boundaries of Subdistrict No. 3 and to remedy injurious depletions caused by groundwater withdrawals from Subdistrict Wells; and

WHEREAS, Subdistrict No. 3 is operating under an approved Plan of Water Management which requires the development of an Annual Replacement Plan (“ARP”) showing, among other things, the predicted injurious depletions caused by Subdistrict Well groundwater withdrawals and the manner in which the Subdistrict will remedy those depletions; and

WHEREAS, the production from the Closed Basin Project can and should be used as a source of water to remedy injurious depletions caused by groundwater withdrawals from wells included in the Subdistrict’s 2022 ARP.

R E S O L U T I O N

NOW, THEREFORE, be it resolved by the Board of Directors of the Rio Grande Water Conservation District that:

1. The District anticipates that the vast majority of this Project Water will be used to replace non-irrigation season depletions from November 1 through March 31. There may be circumstances during the irrigation season when Subdistrict No. 3 cannot deliver water to the Rio Grande below the Chicago Ditch due to intervening dry stream reaches or excessive losses in deliveries. In those circumstances, the District believes Project Water is an appropriate replacement source, but intends that its use during the irrigation season be minimized.

2. The inclusion of 1,182 acre-feet of water from the production of the Closed Basin Project as a source of supply in the Subdistrict No. 3 2022 Annual Replacement Plan in the amount of 220 acre-feet to the Rio Grande River and 962 acre-feet to the Conejos River and the use of said water under the 2022 ARP to remedy injurious stream depletions is approved.

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
RIO GRANDE WATER CONSERVATION DISTRICT**

April 15, 2022

**APPROVING 2022 ANNUAL REPLACEMENT PLAN
OF SPECIAL IMPROVEMENT DISTRICT NO. 3
OF THE RIO GRANDE WATER CONSERVATION DISTRICT**

The Board of Directors of the Rio Grande Water Conservation District (“District”) at a special meeting held on April 15, 2022, in Alamosa, Colorado does hereby resolve that:

WHEREAS, Special Improvement District No. 3 of the Rio Grande Water Conservation District (“Subdistrict No. 3”) was created to conserve and stabilize the water supply and groundwater storage for irrigation, domestic, municipal and other beneficial uses for the water users within the boundaries of Subdistrict No. 3 and to remedy injurious depletions caused by groundwater withdrawals from Subdistrict Wells; and

WHEREAS, Subdistrict No. 3 is operating under an approved Plan of Water Management which requires the development of an Annual Replacement Plan showing, among other things, the predicted injurious depletions caused by Subdistrict Well groundwater withdrawals and the manner in which the Subdistrict will remedy those depletions; and

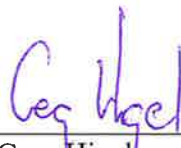
NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the District on the 15th day of April, 2022 that:

The District hereby accepts and approves the Subdistrict No. 3 2022 Annual Replacement Plan.

ATTEST:

RIO GRANDE WATER CONSERVATION
DISTRICT

By: 
Dwight Martin
Secretary/Treasurer

By: 
Greg Higel
President

COUNTY OF ALAMOSA)
) ss
STATE OF COLORADO)

Subscribed and sworn to me this 15th day of April, 2022, by Greg Higel, President, Board of Directors of the Rio Grande Water Conservation District

Witness my hand and seal.

My commission expires: 6.15.25

**APRIL MONDRAGON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20054023915
MY COMMISSION EXPIRES 06/15/2025**

April Mondragon
Notary Public

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
RIO GRANDE WATER CONSERVATION DISTRICT**

April 15, 2022

**APPROVING 2022 ANNUAL REPLACEMENT PLAN
OF SPECIAL IMPROVEMENT DISTRICT NO. 4
OF THE RIO GRANDE WATER CONSERVATION DISTRICT**

The Board of Directors of the Rio Grande Water Conservation District ("District") at a special meeting held on April 15, 2022, in Alamosa, Colorado does hereby resolve that:

WHEREAS, Special Improvement District No. 4 of the Rio Grande Water Conservation District ("Subdistrict No. 4") was created to conserve and stabilize the water supply and groundwater storage for irrigation, domestic, municipal and other beneficial uses for the water users within the boundaries of Subdistrict No. 4 and to remedy injurious depletions caused by groundwater withdrawals from Subdistrict Wells; and

WHEREAS, Subdistrict No. 4 is operating under an approved Plan of Water Management which requires the development of an Annual Replacement Plan showing, among other things, the predicted injurious depletions caused by Subdistrict Well groundwater withdrawals and the manner in which the Subdistrict will remedy those depletions; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the District on the 15th day of April, 2022, that:

The District hereby accepts and approves the Subdistrict No. 4 2021 Annual Replacement Plan.

ATTEST:

RIO GRANDE WATER CONSERVATION
DISTRICT

By: _____


Dwight Martin
Secretary/Treasurer

By: _____


Greg Higel,
President

COUNTY OF ALAMOSA)
) ss
STATE OF COLORADO)

Subscribed and sworn to me this 15th day of April, 2022, by Greg Higel, President, Board of Directors of the Rio Grande Water Conservation District

Witness my hand and seal.

My commission expires: 6.15.25

**APRIL MONDRAGON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20054023915
MY COMMISSION EXPIRES 06/15/2025**

April Mondragon
Notary Public

**RESOLUTION
OF THE BOARD OF DIRECTORS OF THE
RIO GRANDE WATER CONSERVATION DISTRICT**

**TO ALLOW SPECIAL IMPROVEMENT DISTRICT NO. 6 TO USE A PORTION OF
THE PRODUCTION OF THE CLOSED BASIN PROJECT FOR THE REPLACEMENT
OF INJURIOUS DEPLETIONS UNDER ITS 2022 ANNUAL REPLACEMENT PLAN**

The Board of Directors of the Rio Grande Water Conservation District at a special meeting held on April 15, 2022, in Alamosa, Colorado does hereby resolve that:

WHEREAS, Special Improvement District No. 6 of the Rio Grande Water Conservation District (“Subdistrict No. 6”) was created to conserve and stabilize the water supply and groundwater storage for irrigation, domestic, municipal and other beneficial uses for the water users within the boundaries of Subdistrict No. 6 and to remedy injurious depletions caused by groundwater withdrawals from Subdistrict Wells; and

WHEREAS, Subdistrict No. 6 is operating under an approved Plan of Water Management which requires the development of an Annual Replacement Plan (“ARP”) showing, among other things, the predicted injurious depletions caused by Subdistrict Well groundwater withdrawals and the manner in which the Subdistrict will remedy those depletions; and

WHEREAS, the production from the Closed Basin Project can and should be used as a source of water to remedy injurious depletions caused by groundwater withdrawals from wells included in the Subdistrict’s 2022 ARP.

RESOLUTION

NOW, THEREFORE, be it resolved by the Board of Directors of the Rio Grande Water Conservation District that:

1. The District anticipates that the vast majority of this Project Water will be used to replace non-irrigation season depletions from November 1 through March 31. There may be circumstances during the irrigation season when Subdistrict No. 4 cannot deliver water to the Rio Grande below the Chicago Ditch due to intervening dry stream reaches or excessive losses in deliveries. In those circumstances, the District believes Project Water is an appropriate replacement source, but intends that its use during the irrigation season be minimized.

2. The inclusion of 3,145 acre-feet of water from the production of the Closed Basin Project as a source of supply in the Subdistrict No. 6, 2022 Annual Replacement Plan in the amount of 1,737 acre-feet to the Rio Grande River and 1,408 acre-feet to the Conejos River and the use of said water under the 2022 ARP to remedy injurious stream depletions is approved.

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
RIO GRANDE WATER CONSERVATION DISTRICT**

April 15, 2022

**APPROVING 2022 ANNUAL REPLACEMENT PLAN
OF SPECIAL IMPROVEMENT DISTRICT NO. 6
OF THE RIO GRANDE WATER CONSERVATION DISTRICT**

The Board of Directors of the Rio Grande Water Conservation District (“District”) at a special meeting held on April 15, 2022 in Alamosa, Colorado does hereby resolve that:

WHEREAS, Special Improvement District No. 6 of the Rio Grande Water Conservation District (“Subdistrict No. 6”) was created to conserve and stabilize the water supply and groundwater storage for irrigation, domestic, municipal and other beneficial uses for the water users within the boundaries of Subdistrict No. 6 and remedy injurious depletions caused by groundwater withdrawals from Subdistrict Wells; and

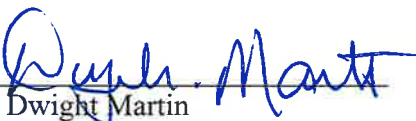
WHEREAS, Subdistrict No. 6 is operating under an approved Plan of Water Management which requires the development of an Annual Replacement Plan showing, among other things, the predicted injurious depletions caused by Subdistrict Well groundwater withdrawals and the manner in which the Subdistrict will remedy those depletions, and the status of the sustainability of the Confined Aquifer underlying Subdistrict No. 6; and

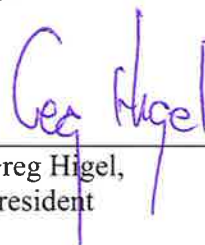
NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the District on the 15th day of April 2022 that:

The District hereby accepts and approves the Subdistrict No. 6 2022 Annual Replacement Plan.

ATTEST:

RIO GRANDE WATER CONSERVATION
DISTRICT

By: 
Dwight Martin
Secretary/Treasurer

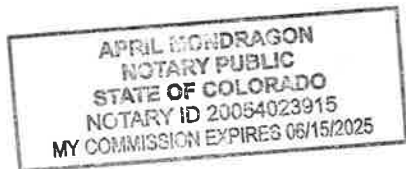
By: 
Greg Higel,
President

COUNTY OF ALAMOSA)
) ss
STATE OF COLORADO)

Subscribed and sworn to me this 15th day of April, 2022, by Greg Higel, President,
Board of Directors of the Rio Grande Water Conservation District

Witness my hand and seal.

My commission expires: 6-15-25_____



April Mondragon
Notary Public