

**RIO GRANDE WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS QUARTERLY MEETING**

July 15, 2025, at 9:00 A.M.

2335 Sherman Ave.,

Monte Vista, CO 81144

And By Zoom Teleconference

Present: Greg Higel, President; Armando Valdez, Vice-President; Zeke Ward, Secretary/Treasurer; Elliott Salazar, Director; Sheldon Rockey, Director; Mark Deacon, Director; Doug Gunnels, Director; and Kim Cooley, Director.

Staff and Consultants: David Robbins and Peter Ampe, Hill & Robbins, P.C.; Cleave Simpson, General Manager; Amber Pacheco, Deputy General Manager; Chris Ivers, Program Manager; Angelo Bellah, Program Manager; Quinton Norris, Program Manager; Wylie Keller, Water Resource Specialist; Kylie Gregg, Office Manager; Clinton Phillips, Davis Engineering; Rose Vanderpool, Program Assistant; Crystal Benavidez, HCP Coordinator/ Program Assistant ; April Mondragon, Administrative Assistant; and, Michael Carson, Database Administrator.

Guests: Jessica Valdez, Chris Lopez, Rio de la Vista, Nate Reynolds, Sally Wier, Willie Hoffner, David Hofmann, Leroy Martinez, Rosalie Martinez, Chuck Finnegan, Ryan Finnegan, Eric Hinton, Larry Brown, Ryan Smith, Julieanne Robinson, Lucy Smith, Brett Shawcroft, Bart Shawcroft, Andrew Klakulak, Virgil Valdez, Krystal Brown, Star Quintana, Patrick Oneil, Jennifer Rodriguez, David Schmittel, Ron Reinhardt, Rod Reinhardt, Chris Miner, Mason Brown, K. Cordova, Mary Finnegan, Deb Sarason, William Myers, Leroy Salazar, Tony Holcomb, Miguel Diaz, Karla Shriver, David Ruybal, Karen Henderson, Brett Hemmerling, Jan Waye, David Frees, Peter Clark, Patrick Ortiz, Michael Schaefer, James Cooley, Michael Jones, Jake Burris, Virginia Christensen, Kevin Boyle, George Whitten and Monty Smith.

CALL TO ORDER

President Greg Higel called the meeting to order at 9:04 a.m. There was a quorum present for the meeting. The Pledge of Allegiance was recited.

INTRODUCTION OF STAFF AND GUESTS

President Higel welcomed all those present and asked for introductions.

APPROVE AGENDA

President Higel asked to remove the presentation of the audit by Wall, Smith and Bateman and add an update from Davis Engineering. He asked for any other changes, additions or a motion to approve the agenda. A motion was made by Elliott Salazar to approve the agenda as amended. The motion was seconded by Mark Deacon and unanimously approved.

OATH OF NEW DIRECTOR

President Higel asked for the oath of the new Director. Sheldon Rocky, representing Rio Grande County, was sworn in as a Board of Director of the Rio Grande Water Conservation District. He was welcomed to the Board.

APPROVAL OF THE CONSENT AGENDA

President Higel asked for approval of the consent agenda items:

- April 11, 2025-Special Meeting Minutes
- April 15, 2025-Quarterly Meeting Minutes

A motion was made by Armando Valdez to approve the consent agenda as presented. The motion was seconded by Mark Deacon and was unanimously approved.

PUBLIC COMMENT

President Higel asked for public comment. Larry Brown described and asked the Board to consider offering and setting up a training for the Coffee Break program. He explained how and why the program was established, the reasons he got involved and who facilitates the program.

MANAGER'S REPORT

President Higel asked for the Manager's report. Amber Pacheco reported she has been continue to work with Kylie on HR policies and the annual audit. She gave an update on the garage build and announced an upcoming public meeting regarding Agricultural Water Protection Water Rights to be held at the District's office.

Cleave Simpson reported on the passing of the former Ag Commissioner John Stulp. He reported there will need to be a special meeting to review the audit once it is completed. Mr. Simpson described how he functions in his dual role as General Manager of the District and Senator for Senate District 6. He explained how the current arrangement has worked well and how his roll and time commitment at the Senate has increased. He asked the Management Committee to reengage and reconsider his arrangement as he can no longer dedicate the same time to the District. Mr. Simpson reported on the recent loss of Cory Off who was a District Board Member and a member of the Management Committee. President Higel appointed Mark Deacon and Doug Gunnels as new members of the Management Committee.

FINANCIAL REPORT

President Higel asked for the Financial Report. Amber Pacheco presented the Profit and Loss Statement and the Balance Sheet. She highlighted how the District is tracking compared to the budget. Ms. Pacheco reported on the remaining funds from the Senate Bill program. She went over the due from Subdistricts and how the investment account would show a change due to the necessity to cash out some of the Operating CDs to cover cash flow needs.

A motion was made by Sheldon Rockey to approve the Financial Report as presented. The motion was seconded by Zeke Ward and unanimously approved.

DISTRICT ATTORNEY'S REPORT-DAVID ROBBINS

President Higel asked for the District Attorney's report. David Robbins announced the resignation of Peggy Godfrey from the Board of Directors effective immediately. He explained the process to take place concerning the Management Committee and the options for Cleave Simpson's employment arrangement going forward. Mr. Robbins reported on Phase 7 of the RGDSS Model and the commitment to the Water Court on how the RGDSS Model would be used and managed. He gave a legislative update on matters that could potentially impact water users in the San Luis Valley. Mr. Robbins also reported on the upcoming trials: the challenges to the Subdistrict No. 1 Plan of Water Management No. 4; the Swag augmentation plan case; and, the work his office is doing to prepare to file a change case on the wells purchased from North Star and on the Malone Sullivan water right. Mr. Robbins also announced Aurthur Sayre is a new attorney now practicing at Hill & Robbins.

DISTRICT ENGINEER'S REPORT-CLINTON PHILLIPS

President Higel asked for the District Engineer's report. Clinton Phillips provided the Change in the Unconfined Aquifer Storage Study update. He highlighted the change for 2025, the change between June 2024 and June 2025, the current aquifer level, the current five (5) year average and the acre-feet needed to get to the -400,000 level. He reported on his participation in the PRT process and on the new set of depletions based on the Phase 7 of the RGDSS Model. David Robbins described the District's support in getting the model to consistently describe changes in pumping and the impacts on the system. Mr. Phillips reported on the data being collected on the wells drilled and monitored in the Diamond Springs area. Discussion was held on the lack of precipitation, pumping trends and the poor snowpack. Mr. Phillips commented on the sustainability system in place in the Trinchera Subdistrict where they have a near 50% pumping cutback. He also commented on the areas that saw a decrease in composite water head levels.

PRESENTATION FROM LA JARA ARROYA/DIAMOND SPRINGS WATER USERS-RYAN FINNEGAN AND DAVID RUYBAL

President Higel asked for the presentation from La Jara Arroya/Diamond Springs water users. Ryan Finnegan and David Ruybal presented on the Phase 7 RGDSS representation of the La Jara Arroya/Diamond Springs. David Robbins provided some of the history and explained the purpose of the presentation. He described the difference of opinion and who they have hired to gain expert opinions. Mr. Finnegan described the current protest regarding the representation of the La Jara Arroya/Diamond Springs in the RGDSS Model 6P98 as well as the new data since the prior case. He asked to receive input from the Board and assistance in determining what the next steps should be. Mr. Finnegan went over the Finding of Fact and Conclusion of Law for Case 2015CW3024. He highlighted the drill reports of eleven (11) test wells and four (4) long-term monitoring wells. He

presented a graph of the monitoring well levels and reported on the impact of Con 1 on Phase 6 and 7 of the RGDSS Model. Armando Valdez reported he is a property owner on the La Jara Arroyo/Diamond Springs and a party to the protest. He stated he would abstain from any action the Board takes in regard to this matter. Armando provided input, information and also explained some of the frustrations the owners in the area have. A request was made that the presentation slides be forwarded to the Board, Clinton Phillips, Willem Schreuder and Mike Sullivan for review/comments. Staff was directed to schedule a meeting with Willem Schreuder, Mike Sullivan, Clinton Phillips and owners on the La Jara Arroyo/Diamond Springs to further discuss the modeling of the area and the concerns the group has with how it is represented in the Model and to come back to the Board with a recommendation of how they should proceed in regards to the protest to the Phase 7 RGDSS representation of La Jara Arroyo/Diamond Springs.

REVIEW AND POSSIBLE ACTION

President Higel asked for review and possible action items.

- Request to allow Counsel to apply for Party Status on Behalf of the RGWCD in the matter of a request for a hearing on the April 3, 2025 revisions of the RGDSS Model

David Robbins suggested the Board seek further information/comments and recommendations from Willem Schreuder, Mike Sullivan and the State prior to taking a position on the matter and respond based on your technical advisors.

A motion was made by Mark Deacon to allow counsel to request party status and indicate whether the District is neutral or opposing the existing model to be submitted after hearing from experts. The motion was seconded by Doug Gunnels. Armando Valdez abstained, the motion passed.

- Request for matching funding for a Water Plan Grant for Colorado Upper Rio Grande Cooperative Project Phase 2

Amber Pacheco described the Project, named the partners and described the tools that had been created in the first phase. She explained the benefits that have been realized and the goal to build on these tools. Ms. Pacheco reported on the interest from others. She went over the match requirements for the grant application as well. David Robbins explained how any contractual agreement would need to include language prohibiting the export of water from the Basin and the data/information would not be used for export of water outside the San Luis Valley. Ms. Pacheco highlighted the application's timeline and the goals of the project.

A motion was made by Mark Deacon to support match funding for a Water Plan Grant for Colorado's Upper Rio Grande Cooperative Project Phase 2 with the requirement no water derived from any process could be used for export or support export out of the San Luis Valley or out of the State. The motion was seconded by Armando Valdez and unanimously approved.


- Request for matching funding for a Water Plan Grant for an Airborne Electromagnetic (AEM) Study by Dr. Ryan Smith

Dr. Ryan Smith presented on the Airborne Electromagnetics Study he is working on for the San Luis Valley. He introduced himself and explained what airborne electromagnetics is, how it works and how it could be beneficial to the San Luis Valley. Dr. Smith explained what he is proposing to do and gave examples of scenarios under the study. Discussion was held on match funding and potential Subdistrict contributions. President Higel reported budget discussions would begin in August and Dr. Smith was asked to work with Amber Pacheco and provide her with an amount for the budget.


ADJOURN

The meeting was adjourned at 12:03 p.m.

The next quarterly meeting is scheduled for October 21, 2025.



President



Secretary/Treasurer