

**SPECIAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #1
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
January 25, 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; James Cooley, BOM; Brett Hemmerling, BOM; Tony Holcomb, BOM; Chris Miner, BOM; Miguel A. Diaz, BOM; Michael Jones, BOM; and Mike Kruse, Ex-Officio Member.

Absent: Jamie Hart, BOM.

Staff and Consultants: Pete Ampe, Hill & Robbins P.C.; Taylor Chick, Program Manager; Linda Ramirez, Program Assistant; Wylie Keller, Water Resource Specialist; Clinton Phillips, Davis Engineering; Rose Vanderpool, Program Assistant; and April Mondragon, Administrative Assistant.

Guests: Peggy Godfrey, Deb Sarason, Brian Rue, Andrea Rue.

Meeting Called to Order

President Burris called the meeting to order at 1:32 p.m. A quorum was present, the Pledge of Allegiance was recited.

Approval of the Agenda

President Burris asked for changes, additions or a motion to approve the agenda. The agenda was amended to move the 2024 Well Purchase Program under Discussion and Possible Action items. A motion was made by Tony Holcomb to approve the agenda as amended. The motion was seconded by Miguel Diaz and unanimously approved.

Public Comment

President Burris asked for public comment. There was none.

Discussion and Possible Action

President Burris asked for discussion and possible action items:

- **Participation Contracts**

Taylor Chick reported receiving an additional eighteen (18) contracts requesting Subdistrict coverage on the 2024 Annual Replacement Plan (ARP). He recommended approval on three (3) commercial use wells and conditional approval of the others. Discussion was held on the wells not being able to operate unless they are included in the ARP, the extension of the contract deadline, number of conditional approvals in the past, and the location of the wells. Michael Jones commented on the amount of administration efforts associated with the Participation Contract approval process and suggested conditionally approving them. They discussed the need to have Board approval on each Participation Contract.

A motion was made by Miguel Diaz to approve the three (3) commercial well Participation Contracts. The motion was seconded by Brett Hemmerling and unanimously approved.

A motion was made by Miguel Diaz to conditionally approve upon court approval of the remaining supplemental well Participation Contracts. The motion was seconded by Brett Hemmerling. Chris Miner recused himself. The motion passed.

- **2024 Well Purchase Program**

Taylor Chick reported receiving on going interest from individuals to submit well purchase bids. He highlighted the conclusion of the Senate Bill/Subdistrict incentive program. Mr. Chick presented the 2024 Subdistrict No. 1 Senate Bill Incentive program. He provided the amount budgeted for the Well Purchase Program for 2024. Michael Jones highlighted the lack of interest in the CREP program. Mr. Chick reported on the Subdistrict incentives for the CREP program and the importance of using CREP to reduce groundwater withdrawals. Discussion was held on the comparable differences of the Well Purchase Program and CREP. Tony Holcomb described a potential program he developed to purchase wells with surface water and pay more for the wells that have been trying to cut down on pumping. Chris Miner emphasized the need to take advantage of the federal money for the CREP program. Mr. Holcomb described his frustration with paying individuals that over pump. Clay Mitchell reported on the need to act quickly and retire as many wells as soon as possible.

Board of Managers Open Discussion

President Burris asked for Board of Managers open discussion items:

- Subdistrict No. 1 Property Recharge Project

Taylor Chick reported working with Clinton Phillips on the Subdistrict No. 1 property recharge project. He highlighted the goal to get the project out for bid in March and put water in the recharge ponds with runoff water. Clinton Phillips described the plans being developed for the recharge ponds. He reported on a study done by Davis Engineering using different shapes and sizes of ponds in order to understand which was more effective. He explained the different parameters to be looked at in order to come up with one for the Subdistrict property.

- Recharge Maintenance Program

Mr. Chick reported on the designs being worked on and highlighted the idea to use the Subdistrict property recharge pond as an example to move forward on a program.

- Aquifer report

Clinton Phillips presented the aquifer report. He provided the change for January 2024, the change between January 2023 and 2024, the current aquifer level, the current five (5) year average, and the acre feet needed to get to the -400,000 level. Mr. Phillips reported on the downward trend of the five (5) year average. He presented the change in the unconfined aquifer storage study monthly update and reported on the decline each month due to the lack of monsoon moisture.

- Plan of Water Management Update

Pete Ampe updated the Board on the scheduling conference held. He reported council for SWAG informed the Judge on the lack of time for a trial in 2025. Mr. Ampe highlighted the Judges announcement of a five (5) week trial set to begin January 5, 2026. Discussion was held on when the Subdistrict could see a final decision.

Executive Session to Receive Legal Advice Concerning Potential Litigation, and to Receive Legal Advice Thereto

President Burris asked for a motion to enter into executive session to receive legal advice concerning potential litigation, and to receive legal advice thereto. A motion was made by Clay Mitchell at 3:04 p.m. to enter into executive session. The motion was seconded by James Cooley and unanimously approved.

Mr. Ampe stated the Board was entering into executive session pursuant to section 24-6-402(4)(a) to receive legal advice concerning potential litigation, and to receive legal advice thereto. The Board would take no formal action or position during the executive session.

New Business

President Burris asked for new business. Discussion was held on the need to retire groundwater withdrawals and how to make the CREP program more feasible.

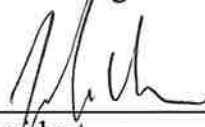
Next Meeting

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

The next quarterly meeting is scheduled for March 5, 2024 at 1:30 p.m.

Adjournment

The meeting was adjourned at 3:27 p.m.



President



Secretary/Treasurer