

**ANNUAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #2
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
February 9, 2024, 9:00 a.m.
Rio Grande Water Conservation District Conference Room
Alamosa, CO 81101
And by Zoom/Teleconference**

Present: Karla Shriver, President; Eric Hinton, Vice-President; Scot Schaefer, Secretary/Treasurer; Michael Schaefer, BOM; Gerald Ziegler, BOM; Mark Deacon, BOM; Harold Stoeber, BOM; and, Greg Higel, Ex-Officio.

Staff and Consultants: Pete Ampe, Hill & Robbins P.C.; Angelo Bellah, Program Manager; Rose Vanderpool, Program Assistant; Linda Ramirez, Program Assistant; Clinton Phillips, Davis Engineering; Michael Carson, Database Administrator; Taylor Chick, Program Manager; Wylie Keller, Water Resource Specialist; Crystal Benevidez, HCP Coordinator/Program Assistant; Chris Ivers, Program Manager; and, April Mondragon, Administrative Assistant.

Guests: Chad Cockran, Ryan Unterreiner, Morgan Cummins, Diana Anderson, Rodney Archer, Luke Archer.

Meeting Called to Order

President Shriver called the meeting to order at 9:03 a.m. A quorum was present. The Pledge of Allegiance was recited.

Approval of the Agenda

President Shriver asked for amendments or a motion to approve the agenda. A motion was made by Gerald Ziegler to approve the agenda as presented. The motion was seconded by Michael Schaefer and was unanimously approved.

Election of Officers

President Shriver asked for Election of Officers. Pete Ampe opened the floor for nominations including self-nominations for President or a motion to retain the officer as currently appointed. A motion was made by Gerald Ziegler to retain all of the current officers. No other nominations were made, the motion was seconded by Michael Schaefer and was unanimously approved.

Approval of the Minutes

President Shriver asked for approval of the following minutes:

- October 24, 2023-Special Meeting
- October 24, 2023-Executive Session
- November 7, 2023-Quarterly Meeting
- November 7, 2023-Executive Session
- November 20, 2023-Special Meeting
- November 20, 2023-Executive Session
- December 7, 2023-Special Meeting
- December 7, 2023-Executive Session
- December 20, 2023-Joint Meeting with Subdistrict No. 6
- December 20, 2023-Joint Executive Session with Subdistrict No. 6
- December 20, 2023-Special Meeting
- December 20, 2023-Executive Session

Mark Deacon reported on the inability to review the minutes prior to the meeting. The approval of the minutes was tabled until later on in the meeting to give Mr. Deacon time to review them.

Public Comment

President Shriver asked for public comment. There was none.

Attorney's Report

President Shriver asked for the Attorney's report. Pete Ampe reported on the preparations ahead of completing the Annual Replacement Plans (ARPs) and SWSPs. He provided an update on the oral arguments set by the US Supreme Court on the United States exceptions to the Special Masters report in the Texas vs New Mexico/Colorado case. Mr. Ampe reported the hearing was set for March 20, 2024 in Washington D.C. and an audio recording should be available on the Supreme Court website within 24 hours of the hearing. He reminded the Board of the settlement agreement reached by the three (3) states and hopes to have an opinion by the end of the term. Mr. Ampe reported a five (5) week trial was set for January 5, 2026 on the Subdistrict No. 1 Plan of Water Management No. 4.

Program Manager's Report

President Shriver asked for the Program Manager's report.

- **Financial Report**

Angelo Bellah presented the financial report. He highlighted the costs, expenses covered by Rio Grande Water Conservation District for formation, a summary of total expenses paid by the District and the remaining amount due to the District. Mr. Bellah presented the Balance Sheet, he went over the current assets, total assets, liabilities and equity, accounts payable, CPW fees and net income. President Shriver highlighted the reflection of a debt for the 20% water purchase and not a reflection of an asset value. Mr. Bellah presented the Profit and Loss Statement. He reported no fees had been collect at this time and highlighted the expenses and total net income.

A motion was made by Eric Hinton to approve the financial report as presented. The motion was seconded by Scot Schaefer and unanimously approved.

- **Ongoing Operations**

Mr. Bellah provided an update on forbearance agreements; he named the ditch companies yet to sign an agreement. President Shriver asked for a breakdown on the current status of forbearance agreements. Mr. Bellah presented the requested breakdown. He provided the reservoir balances and reminded the Board of the amount they pay for storage. Mr. Bellah asked the Board if they would like to consider permanently changing the date of the annual meeting due to a conflict with the AG Conference and Water Congress each year. He reported a resolution to amend the Rules and Regulations would be required to make such change.

A motion was made by Eric Hinton to move the Subdistrict No. 2 Annual Meeting to the second (2nd) Wednesday of February every year. The motion was seconded by Harold Stoeber and unanimously approved.

Mr. Bellah reported on the Board of Managers terms set to expire and asked them to submit a letter of interest to serve if they wish to remain on the Board. He explained letters would be sent out to the members of the Subdistrict and if no letters of interest are received, the current member would automatically remain on the Board. He also described the process if letters of interest are received.

- **Preliminary Water Report Update**

Mr. Bellah updated the Board on the SWSP's and asked how they wanted to pay winter depletions. President Shriver reported on the need to maximize use of the Closed Basin Project. She asked if there was a chance for the Project to be shut down. Pete Ampe reported a change to the Federal Legislation would need to be done in order for the Closed Basin Project to be shut down. Mr. Bellah provided an update on the real property water rights purchase and asked if the Board had interest in leasing water from the City of Monte Vista /Anderson Ditch and how it could be fairly divided between Subdistrict No. 2 and 6. He gave a suggestion and stated it would also be presented to Subdistrict No. 6. Consensus of the Board was they had interest in pursuing a potential lease.

A motion was made by Mark Deacon to appoint Scot Schaefer to represent Subdistrict No. 2 in the negotiations. The motion was seconded by Michael Schaefer and unanimously approved.

- **2024 Annual Replacement Plan**

Mr. Bellah reported the Preliminary Water Report (PWR) would become due March 1st and the Annual Replacement Plan (ARP) would be due on April 15th. Mark Deacon asked if the Board had interest in possibly leasing a share from the Excelsior Ditch.

Engineer's Report

President Shriver asked for the Engineer's report. Clinton Phillips presented a map of the San Luis Valley unconfined aquifer storage study area. He reported on the change in the unconfined aquifer 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 presented the yearly change month by month for the last year and the well measurement preliminary data for the confined aquifer.

Ryan Unterreiner reported continuing to work with Angelo Bellah to manage water stored in Beaver Reservoir and reported looking at another agreement with Davey Ranch to assist in his operation in exchange for wildlife benefits. He updated the Board on other ongoing operations and partnerships and encouraged the Board to bring any new ideas to him or Tony Aloia.

Executive Session to Receive Legal Advice Regarding Negotiations for the Lease/Purchase of Real Property

President Shriver asked for a motion to enter into executive session to receive legal advice regarding negotiations for the lease/purchase of real property. A motion was made by Mark Deacon 10:10 a.m. to enter into executive session. The motion was seconded by Scot Schaefer 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 regarding negotiations for the lease/purchase of real property. The Board would take no formal action or position during the executive session.

Possible Action from Executive Session

President Shriver asked for possible action from Executive Session. There was none.

Approval of the Minutes

President Shriver asked for approval of the following minutes which were tabled earlier in the meeting in order for Mark Deacon to review them:

- October 24, 2023-Special Meeting
- October 24, 2023-Executive Session
- November 7, 2023-Quarterly Meeting
- November 7, 2023-Executive Session
- November 20, 2023-Special Meeting
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- December 20, 2023-Joint Executive Session with Subdistrict No. 6
- December 20, 2023-Special Meeting
- December 20, 2023-Executive Session

A motion was made by Eric Hinton to approve all of the minutes as presented. The motion was seconded by Scot Schaefer and unanimously approved.

Direction for Staff

President Shriver asked for direction for staff. There was none.

New Business

President Shriver asked for new business. There was none.

Next Meeting

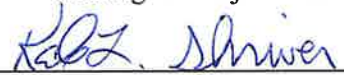
A special meeting was scheduled for February 28, 2024 at 2:00 p.m.

The quarterly meeting is scheduled for May 7, 2024, at 9:00 a.m.


Adjournment

A motion was made by Gerald Ziegler to adjourn the meeting. The motion was seconded by Harold Stoeber and was unanimously approved.

The meeting was adjourned at 10:58 a.m.



President



Secretary/Treasurer