

**QUARTERLY MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #6
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
November 2, 2021, at 1:30 p.m.
Rio Grande Water Conservation District Conference Room
And By Zoom/Teleconference**

Present: Tyler Faucette, President; Virgil Valdez, Vice-President; Ronald Reinhardt, Secretary/Treasurer; Gerald Faucette, Manager; Rodney Reinhardt, Manager; Peter Clark, Manager; Mario Curto, Manager; Kenneth Reynolds, Manager; Ted Heersink, Manager; and, Robert Middlemist, Manager.

Absent: Armando Valdez, Ex-Officio Member.

Staff and Consultants: Pete Ampe, Hill & Robbins, P.C.; Amber Pacheco, Program Manager; Marisa Fricke, Program Manager; Rose Vanderpool, Program Assistant; Linda Ramirez, Program Assistant; Michael Carson, Database Administrator; Clinton Phillips, Davis Engineering; Chris Ivers, Program Manager; Wylie Keller; Water Resources Specialist; and, April Mondragon, Administrative Assistant.

Guests: Virginia Christensen, Charlie Goodson, Steve Keller, Chris Schaefer, and, David Hofmann, DWR.

Meeting Called to Order

President Faucette called the meeting to order at 1:30 p.m. A quorum was present. The Pledge of Allegiance was recited.

Approval of Agenda

President Faucette asked for changes, amendments or a motion to approve the agenda. A motion was made to approve the agenda as presented. The motion was seconded and unanimously approved.

Approval of the Minutes

President Faucette asked for changes or a motion to approve the minutes.

A motion was made to approve the August 3, 2021 quarterly meeting minutes as presented. The motion was seconded and unanimously approved.

A motion was made to approved the August 3, 2021 executive session minutes as presented. The motion was seconded and unanimously approved.

A motion was made to approve the September 21, 2021 special meeting minutes as presented. The motion was seconded and unanimously approved.

Public Comment

President Faucette asked for public comment. Charlie Goodson from Colorado Open Lands introduced himself.

Attorney's Report

President Faucette asked for the Attorney's report. Pete Ampe reported working with staff and engineering on ATMs and highlighted Subdistrict No. 3 purchased a portion of a ditch. Mr. Ampe also reported that Subdistrict No. 5 is in the process of having an augmentation well being drilled and provided the status of the Texas vs. New Mexico case.

Program Manager Update

President Faucette asked for the Program Manager update.

- **Financial Report**

Amber Pacheco presented the financial report. She highlighted the costs covered by the District since formation, the total that has been reimbursed as well as the total formation cots remaining. Ms. Pacheco presented the balance sheet and highlighted the accounts receivable and current liabilities. Discussion was held on the process in which forbearance agreements were being paid and booked.

A motion was made to pay the remaining balance of forbearance agreements to the Rio Grande Canal for 2020 prior to the annual meeting. The motion was amended to pay all of the remaining balances of forbearance agreements of 2020. The motion was seconded and unanimously approved.

Ms. Pacheco presented the Profit and Loss Statement and highlighted the administrative fees, inclusion contract fees, water leases and engineering expenses.

- Update on 2021 Replacement Operations

Amber Pacheco provided the amount of acre-feet of depletions covered by forbearance and wet water releases and at what cost on the Alamosa River, the Conejos River and the Rio Grande River for the irrigation season. Ms. Pacheco highlighted the reservoir storage balances and the amount of CPW water. Ms. Pacheco provided potential replacement sources and the estimated ARP needs for each river.

Discussion and Possible Action Regarding Compensation to Participants for an Alternative Transfer Method (ATM) Project on the Monte Vista Canal

President Faucette asked for the discussion and possible action regarding compensation to participants for an alternative transfer method (ATM) project on the Monte Vista Canal. President Faucette reported on the meeting he attended with BBA. He highlighted the discussions surrounding what it would take to get someone to lease out their land and put it into an ATM. Discussion was held on what the effects would be on Subdistrict fees, forbearance costs, and the cost of commodities.

A motion was made to table the discussion and action regarding the Monte Vista Canal ATM until after the combined meeting in a couple of weeks. The motion was seconded and unanimously approved.

Discussion and Possible Action on Making an Offer to Terrace Irrigation Company Members to Follow Irrigated Acres for a Replacement Source on the Alamosa River in the 2022 ARP

President Faucette asked for the discussion and possible action on making an offer to Terrace Irrigation Company Members to Follow Irrigated Acres for a replacement source on the Alamosa River in the 2022 ARP. Amber Pacheco reported at the last quarterly meeting the Board discussed making an offer at the Terrace annual meeting to see if anyone had interest in following on the Alamosa. Discussion was held on possibly purchasing reservoir water as potentially being the option to get more participation.

A motion was made to start negotiations at \$200. The motion was seconded and unanimously approved.

Discussion and Possible Action on Participation Contract

President Faucette asked for the discussion and possible action on a participation contract. Amber Pacheco provided the details concerning the Duane Harer well and potential participation contract. Discussion was held on getting the well removed from the abandonment list, charging back fees and requiring the well to be metered.

A motion was made to accept the Duane Harer well into Subdistrict No. 6 including all past fees and the 10% penalty fee. The motion was seconded and unanimously approved.

Ms. Pacheco reported another potential participation contract has been submitted from the Wolfe Family Trust. She provided the information she had on the well and reported she would update the Board once she received all of the information.

Executive Session to Receive Legal Advice Concerning the Potential Lease/Purchase of Real Property

President Faucette asked for a motion to enter into executive session to receive legal advice concerning the potential lease/purchase of real property. A motion was made to enter into executive session to receive legal advice concerning the potential lease/purchase of real property. The motion was seconded and unanimously approved.

Mr. Ampe stated the Board was entering into executive session pursuant to section 24-6-402(4) to receive legal advice concerning the potential lease/purchase of real property. The Board would take no formal action or position during the executive session.

Direction for Staff

President Faucette asked for direction for staff. Ron Reinhart suggested he and Amber Pacheco possibly attend the next meeting held by the Prairie Ditch to see if they would be interested in signing a forbearance agreement. Discussion was held on other potential ditches to secure forbearance agreements on.

Next Meeting

A special meeting was scheduled for November 23, 2021, at 8:00 a.m.

The next quarterly meeting is scheduled for February 9, 2022, at 1:30 p.m.

Adjournment

A motion was made to adjourn the meeting. The motion was seconded and unanimously passed. The meeting was adjourned at 4:36 p.m.



President



Secretary/Treasurer