

**QUARTERLY MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #3
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
June 1, 2023 at 8:00 a.m.
8805 Independence Way, Alamosa, CO 81101
And By Zoom/Teleconference**

Present: LeRoy Salazar, President; Nathan Coombs, Vice-President/Secretary/Treasurer; Sam Vance, Manager; Ruben Sandoval, Manager; Doug Bagwell, Manager; and, Elliott Salazar, Ex-Officio Member.

Absent: Warren Crowther, Manager.

Staff and Consultants: Pete Ampe, Hill & Robbins, P.C; Amber Pacheco, Deputy General Manager; Angelo Bellah, Program Manager; Rose Vanderpool, Program Assistant; Taylor Chick, Program Manager; Wylie Keller, Water Resource Specialist; Linda Ramirez, Program Assistant; Kylie Gregg, Office Manager; Michael Carson, Database Administrator; Clinton Phillips, Davis Engineering; and, April Mondragon, Administrative Assistant.

Guests: David Hofmann, Sally Wier.

Meeting Called to Order

President Salazar called the meeting to order at 8:05 a.m. A quorum was present. The Pledge of Allegiance was recited. Sam Vance led the opening prayer.

Approval of the Agenda

President Salazar asked to add the disposition of real property and a discussion on Xcel Energy right of way under New Business. A motion was made by Nathan Coombs to approve the agenda as amended. The motion was seconded by Doug Bagwell and unanimously approved.

Approval of the Consent Agenda

President Salazar asked for changes, additions or a motion to approve the consent agenda items:

- February 10, 2023-Special Meeting Minutes
- February 10, 2023-Executive Session Minutes
- March 2, 2023-Annual Meeting Minutes
- March 2, 2023-Executive Session Minutes
- April 13, 2023-Special Meeting Minutes
- April 13, 2023-Executive Session Minutes

A motion was made by Sam Vance to approve the consent agenda as presented. The motion was seconded by Ruben Sandoval and unanimously approved.

Public Comment

President Salazar asked for public comment. There was none.

Attorney's Report

President Salazar asked for the Attorney's report. Pete Ampe highlighted the closing on Alpha Farms and the SWSP's being worked on. He reported a change of water rights would be filed in the near future and provided an update on what was happening in the other Subdistricts.

Program Manager's Report

President Salazar asked for the Program Manager's report.

- Financial Report: Angelo Bellah presented the financial report. He highlighted formations costs, expenses paid by the District and the remaining balance due to the District. Mr. Bellah presented the Balance Sheet and the Profit and Loss Statement. He highlighted the assets, liabilities, equity and total liabilities. Mr. Bellah also highlighted the gross revenue, total expenses and water leases.

A motion was made by Sam Vance to approve the financial report as presented. The motion was seconded by Nathan Coombs and unanimously approved.

- 2023 ARP Update

Angelo Bellah reported on the approval of the 2023 ARP by the Division of Water Resources. He provided the due date for the Annual Report and gave an update on the irrigation season forbearance agreements as well as the current reservoir account balances. Discussion was held on the source of water to use to pay obligations and how to utilize the Taos Valley water. Mr. Bellah reported on the Closed Basin Projects inability to produce enough water to cover the Subdistricts compact obligations for the 2022/2023 ARP year. He also provided an update on the Alpha Farms project and the CWCB requirements.

District Engineer's Report

President Salazar asked for the District Engineer's Report. Clinton Phillips presented the yearly change in wells grouped by model layer. He also provided the Board with a map highlighting the location of the wells on the Alpha Farms property.

CREP-Board of Directors Directed Staff to Address CREP with Subdistrict Board of Managers

President Salazar asked for a discussion on CREP. Angelo Bellah reported on a request from the Board of Directors to address CREP with the Subdistrict Board of Managers. He provided an overview of what the CREP program is and asked the Board if they had interest in creating a program in Subdistrict No. 3. Pete Ampe explained the problem with alfalfa fields and irrigated meadows. President Salazar asked to invite someone to present on CREP at the next meeting in order to better understand. Mr. Ampe highlighted how the CREP program works as well as the cost share. Sally Wier provided her thoughts and some of the rules that apply to CREP. She also highlighted a few things being worked on to add flexibility to the CREP Program.

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

President Salazar asked for an executive session to receive legal advice concerning the purchase of real property. A motion was made by Nathan Coombs to enter into executive session. The motion was seconded by Sam Vance 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 the purchase of real property. The Board would take no formal action or position during the executive session.

Possible Action from Executive Session

President Salazar asked for possible action from the executive session. A motion was made by Sam Vance for Subdistrict No. 3 to sell to the Conejos Conservancy District the SW 40.29 acres of circle eleven (11) for the consideration of \$60,000 in cash and the right to purchase up to 50% of the firm storage space in a reservoir to be constructed by the Conejos Conservancy District. The motion was seconded by Ruben Sandoval, Nathan Coombs abstained, the motion passed.

New Business

President Salazar asked for new business. President Salazar asked for discussion and possible action on disposition of real property and discussion on Xcel Energy right of way.

- Disposition of Real Property

Clinton Phillips presented a draft survey of the Alpha Farms property purchased by the Subdistrict. He highlighted the idea to have easements for access to the properties and possibly for a pipeline, a recharge pond and a power source. Discussion was held on moving the location of the ditch, building a structure around the well, retaining ownership and the responsibility that goes with ownership.

- Xcel Energy Right of Way

President Salazar reported being approached by Xcel Energy requesting an easement on the west side of the property for a power line project.

A motion was made by Leroy Salazar to sell thirty-five (35) acre minimum tracts, retain the area around the reservoir, subdivide, have a discussion with Xcel Energy, relocate the ditch, and Clinton Phillips will provide a map to attach to the motion. The motion was seconded by Nathan Coombs and unanimously approved.

President Salazar asked for a discussion on the disposal of vintage sprinklers and can pump. Discussion was held on how and when to advertise for bids.

A motion was made by Nathan Coombs to add a structure around the Subdistrict owned well. The motion failed to receive a second.

A motion was made by Sam Vance to sell the sprinklers. The motion was seconded by Nathan Coombs and unanimously approved.

Nathan Coombs withdrew his motion to add a structure around the Subdistrict owned well. Discussion was held on placing the sprinklers out for bid now and the land early fall.

Next Meeting

The next quarterly meeting was scheduled for September 7, 2023, at 8:00 a.m.

Adjournment

A motion was made by Nathan Coombs to adjourn the meeting. The motion was seconded by Sam Vance and unanimously approved.

The meeting was adjourned at 10:35 a.m.



President



Vice-President/Secretary/Treasurer