

**QUARTERLY MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #3
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
December 5, 2019 at 8:00 a.m.
Rio Grande Water Conservation District Conference Room
Alamosa, Colorado 81101**

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

Staff and Consultants: Pete Ampe, Hill and Robbins, P.C.; Clinton Phillips, Davis Engineering; Amber Pacheco, Program Manager; Chris Ivers, Deputy Program Manager; and, April Mondragon, Administrative Assistant.

Guests: Deb Sarason, DWR.

Meeting Called to Order

President Salazar called the meeting to order at 8:02 a.m. A quorum was present. The Pledge of Allegiance was recited. Warren Crowther led the opening prayer.

Approval of the Consent Agenda Including September 5, 2019 Quarterly Meeting Minutes

President Salazar asked for changes or a motion to approve the consent agenda. A motion was made by Sam Vance to approve the consent agenda. The motion was seconded by Warren Crowther and unanimously approved.

Public Comment

President Salazar asked for public comment. There were none.

Attorney's Report

President Salazar asked for the Attorney's Report. Pete Ampe updated the Board on the progress of Subdistrict No. 6. Mr. Ampe reported on discussions with the Bureau of Land Management in connection with their interest of contracting in their three wells and renewing the Lovato lease and Forbearance Agreement. Mr. Ampe suggested they appoint one person from this Board to participate in discussions with one person from Subdistrict No. 6 Board regarding the Lovato lease. Mr. Ampe reported on a meeting with the Federal and State agencies and the Division of Water Resources regarding governmental wells.

President Salazar asked for the appointment of a representative to meet with the BLM regarding the Lovato water. Nathan Coombs volunteered to represent Subdistrict No. 3.

Program Manager's Report

President Salazar asked for the Program Manager's Report.

- ***Financial Update:*** Amber Pacheco provided the financial report. Ms. Pacheco provided the profit and loss statement and the balance sheet. Discussion was held on what the process would be if a property goes to tax sale. The Board asked staff to send out a letter to the property owner before it would go to advertising if this situation arises in the future.
- ***Report on Water Replacement Operations:*** Ms. Pacheco reported she is reviewing the records of the three river systems and provided a breakdown of the water replacements and storage amounts. Discussion was held on when the State would have the final numbers and if the prepayment of depletions concept was acceptable.

Discussion on Forbearance Agreement and the Timing of the Bonus Payment

President Salazar asked for a discussion on forbearance agreement payments. Amber Pacheco provided the total number of replacements for each forbearance agreement and broke them up by river system. Ms. Pacheco provided the amount of water they secured from the BLM and the total acre feet replaced through forbearance agreements. Discussion was held on how a bonus payment should be paid to multiple owners. Ms. Pacheco reported on the discussions with Monte Smith from the Trinchera Subdistrict regarding the bonus payment they will offer.

Executive Session-Receive Legal Advice Regarding the Potential Purchase of Real Estate

President Salazar asked for a motion to enter into executive session to receive legal advice regarding the potential purchase of real property. A motion was made by Ruben Sandoval to enter into executive session. The motion was seconded by Doug Bagwell and unanimously approved.

Mr. Ampe stated the Board was entering into executive session. All discussion would relate to receiving legal advice regarding the potential purchase of real estate. The Board would take no formal position while in executive session.

Action on Executive Session Discussion

Pete Ampe stated the Board was in executive session and had voted to come out. Discussion was related to receiving legal advice regarding the potential purchase of real property.

A motion was made by Nathan Coombs to direct Ruben Sandoval and himself to work with staff to pursue real property acquisitions, however to not enter into any contracts. The motion was seconded by Sam Vance and unanimously approved.

New Business

President Salazar asked for new business. Amber Pacheco stated anyone seeking to contract into the Subdistrict needs to do so prior to December 1st or risk not being covered. Pete Ampe suggested adding a discussion regarding the contracting of wells that could have petitioned into the Subdistrict but chose not to the next meeting agenda.

Sam Vance asked about the status of the Dan Cowan well and Perry Sowards appeal. Ms. Pacheco stated she would follow up and report back to the Board.

Next Meeting

The next quarterly meeting is scheduled for March 5, 2020, beginning at 8:00 a.m.

Adjournment

The meeting was adjourned at 10:07 a.m.



President



Vice-President/Secretary/Treasurer