

**SPECIAL MEETING OF THE BOARD OF MANAGERS  
OF SPECIAL IMPROVEMENT DISTRICT #3  
OF THE RIO GRANDE WATER CONSERVATION DISTRICT  
February 2, 2021 at 8:00 a.m.  
By Zoom/Teleconference**

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

**Staff and Consultants:** Pete Ampe, Hill & Robbins, P.C.; Amber Pacheco, Program Manager; Rose Vanderpool, Program Assistant; Clinton Phillips, Davis Engineering; Michael Carson, Database Administrator; and, April Mondragon, Administrative Assistant.

**Guests:** Chuck Finnegan, David Hofmann and Deb Sarason.

**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 Agenda**

President Salazar asked to add forbearance discussion to the agenda. He asked for any other amendments or a motion to approve the agenda. A motion was made by Sam Vance to approve the agenda as amended. The motion was seconded by Nathan Coombs and unanimously approved.

**Discussion and possible action to amend the Rules and Regulations in regards to the deadline for contracting with the Subdistrict to include wells in future ARP's**

President Salazar asked for discussion and possible action to amend the Rules and Regulations in regards to the deadline for contracting with the Subdistrict to include wells in future ARP's. President Salazar highlighted the letters sent out by the Division of Water Resources concerning wells that need to come into compliance. Deb Sarason reported how the meter staff identified structures and how the information for the letters was gathered. Ms. Sarason provided the number of structures found in Conejos County and how some of the other Subdistricts are responding. She explained what the owners of those wells need to do in order to come into compliance and provided the deadlines. President Salazar reported owning one of the wells in question and receiving a letter from the Division of Water Resources, discussion was held on his situation. Discussion was held on a possible change to the Subdistrict's Rules and Regulations to extend the contract deadline.

A motion was made by Sam Vance to allow flexibility and extend the contract deadline to March 1st and direct staff to work with well owners to satisfy the requirements of the State. The motion was seconded by Nathan Coombs, Leroy Salazar abstained. The motion passed with all remaining members voting yes.

**Discussion and Possible action on contracting additional engineering support to assist in the review of additional replacement sources**

President Salazar asked for discussion and possible action on contracting additional engineering support to assist in the review of additional replacement sources. Amber Pacheco highlighted the necessity to formalizing an agreement that Subdistrict No. 3 would agree to pay a portion of Mike Saylor's time for additional engineering support. She explained the percentage split with the other Subdistricts and how she came up with the pro-rata share.

A motion was made by Sam Vance to hire Mike Saylor for additional engineering support. The motion was seconded by Warren Crowther and unanimously approved.

Nathan Coombs reported on the importance of the Subdistrict being notified of new programs and updates from legislation in order to remain creative and adapt to the changes.

**Discussion on paying a pro-rata share of the Subdistrict Fees billed to the Closed Basin Project mitigation wells in Saguache Subdistrict**

President Salazar asked for discussion on paying a pro-rata share of the Subdistrict Fees billed to the Closed Basin Project mitigation wells in Saguache Subdistrict. Ms. Pacheco described the Closed Basin Project mitigation requirement that is covered by Russell Lakes State Wildlife Area.

in securing forbearance agreements. Sam Vance requested sending them a letter of appreciation. Discussion was held on when the Subdistrict would make the forbearance and bonus payments. Ms. Pacheco reported the Subdistrict's winter time depletions were covered under the Closed Basin Project and provided an update on a meeting held with the State concerning Closed Basin Project allocations. Deb Sarason also commented on the topic. Dwight Martin highlighted the importance of using Closed Basin Project water for winter replacements. Ms. Pacheco provided the total acre-feet amount of project allocations between all of the Subdistricts. She also provided a preliminary report on next year's Annual Replacement Plan. Discussion was held on the Subdistrict's amount of evaporation loss in the reservoirs.

**Discussion Regarding 2020 Administrative and Groundwater Withdrawal Fee Assessments**

President Salazar asked for discussion regarding the 2020 Administrative and Groundwater Withdrawal Fee assessments. Amber Pacheco reported the Subdistrict was keeping rates the same as 2019. She presented the Subdistrict's new 5-year average. She provided the amount to be assessed for sustainability and the water management portfolio.

**Resolution to Approve 2020 Administrative and Groundwater Withdrawal Fee Assessments**

President Salazar asked for resolution to approve the 2020 Administrative and Groundwater Withdrawal Fee assessments. Nathan Coombs questioned the inactive fee status; Amber Pacheco explained the qualifications for inactive status.

A motion was made by Nathan Coombs to approve the resolution to approve the 2020 Administrative and Groundwater Withdrawal Fee assessments as presented. The motion was seconded by Rueben Sandoval and unanimously approved.

**Discussion and Possible Action on Long-Term Storage Agreement with San Luis Valley Irrigation District**

President Salazar asked for discussion and possible action on the long-term storage agreement with the San Luis Valley Irrigation District. Amber Pacheco highlighted how the potential storage agreement was introduced, she provided the details contained in the agreement, how it would operate and the benefits it could provide to the Subdistricts. Clinton Phillips highlighted an allocation analysis prepared by Cleave Simpson.

A motion was made by Nathan Coombs to direct staff to move forward and accept the long-term storage agreement with the San Luis Valley Irrigation District. The motion was seconded by Dwight Martin. President Salazar called a roll call vote as follows:

Nathan Coombs: yes  
Warren Crowther: yes  
Rueben Sandoval: yes  
Dwight Martin: yes  
Leroy Salazar: yes  
Sam Vance: not on the call.

President Salazar announced the motion passed.

**Joint Subdistrict Discussions**

President Salazar asked for a report on the joint Subdistrict cooperative discussions. President Salazar reported on discussions surrounding how to offset wet water requirements and how dependent the Rio Grande Water Conservation District is on Davis Engineering. He highlighted Clinton Phillips' large work load which led to discussions of possibly seeking additional engineering support that would be Subdistrict funded. President Salazar reported a discussion was held on trying to streamline a process for coordinated efforts using various tools and strategies, rather than engineering alone. Nathan Coombs reported seeing the benefit of having an expedited path to get engineering done, he asked Clinton Phillips for his thoughts. President Salazar provided the next steps.

**Discussion on Potential Efficiency Improvements and Incentive Program**

President Salazar asked for discussion on a potential efficiency improvements and incentive program. President Salazar reported how Water Works may envision a Subdistrict-created program that would provide incentives on system improvements. He explained some of the conversions he has made on his farm and the costs associated. President Salazar explained the idea of adjusting irrigation schedules based on ET data and stated the Subdistrict may be able to offer incentives in

doing so. He asked for the Board's comments. Sam Vance suggested offering rewards to farmers that show a reduction in their average but to only award them after seeing results. Warren Crowther agreed with Sam Vance in providing a reward for decreasing groundwater pumping. Ruben Sandoval stated he felt the Board was spending too much time on the issue. Deb Sarason described the Trincheria Subdistrict's incentive program. Dwight Martin reported not being too sure they need to spend too much time on fee incentives because he felt the fees on groundwater pumping will do it on its own. President Salazar requested a proposal be put together for the Board's consideration.

Amber Pacheco reported she was receiving calls regarding the Division of Water Resources abandonment list. Pete Ampe and Dave Hofmann explained how abandonment generally works.

**Executive Session**

President Salazar asked for a motion to enter into 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 Ruben Sandoval and unanimously approved.

Mr. Ampe stated the Board was entering into executive session to receive legal advice concerning the purchase of real property. The Board would take no formal action or position.

**Action on Executive Session**

President Salazar asked for action on executive session.

Leroy Salazar made a motion to authorize the Board of Managers of Subdistrict No. 3 to work with the Rio Grande Water Conservation District and Clinton Phillips to complete a preliminary analysis on any water right projects worth investigating. The motion was seconded by Nathan Coombs and unanimously approved.

Dwight Martin reported he is in favor of the expedited process to purchase property with water rights.

**New Business**

President Salazar asked for new business. There was none.

**Next Meeting**

The next quarterly meeting was scheduled for March 4, 2021, beginning at 8:00 a.m.

**Adjournment**

The meeting was adjourned at 11:13 a.m.

  
President

  
Vice-President/Secretary/Treasurer