

**SPECIAL MEETING OF THE BOARD OF MANAGERS  
OF SPECIAL IMPROVEMENT DISTRICT #1  
OF THE RIO GRANDE WATER CONSERVATION DISTRICT  
November 1, 2022 at 1:30 p.m.  
8805 Independence Way, Alamosa CO 81101  
And by Zoom Teleconference**

**Present:** Brian Brownell, President; Clay Mitchell, Secretary/Treasurer; Jamie Hart, BOM; Miguel A. Diaz, BOM; Sheldon Rockey, BOM; Tony Holcomb, BOM; Chris Miner, BOM; Jake Burris, BOM; James Cooley, BOM; and Mike Kruse, Ex-Officio Member.

**Staff and Consultants:** Pete Ampe, Hill & Robbins P.C.; Rob Phillips, Program Manager; Linda Ramirez, Program Assistant; Wylie Keller, Water Resource Specialist; Clinton Phillips, Davis Engineering; Michael Carson, Database Administrator; Kylie Gregg, Office Manager; and April Mondragon, Administrative Assistant.

**Guests:** Deb Sarason, David Hofmann, Peggy Godfrey, Jan Bigelow, Steve Keller, Brian Rue, Andrea Rue, Shawn Schulz, Marcie Schulz, Jessica Jolly, Adam Klecker, Linda Johansson, Roger Sherman, Bill Paddock, Brett, Monica Lanzoni, Dick Sparks, Zach Gaines, Les Alderete, and Mirko Kruse.

**Meeting Called to Order**

President Brownell called the meeting to order at 1:35 p.m. A quorum was present, the Pledge of Allegiance was recited.

**Approval of the Agenda**

President Brownell asked for approval of the agenda. A motion was made by Jake Burris to approve the agenda as presented. The motion was seconded by Sheldon Rockey and unanimously approved.

**Nomination/election of Vice President**

President Brownell reported on the passing of Vice President Carla Worley and asked for nomination/election of Vice President. Pete Ampe opened the floor for nominations of Vice President to complete the term of Carla Worley. Mike Kruse nominated Jake Burris for Vice President; he accepted the nomination. There were no other nominations, it was voted on and passed unanimously.

**Action Items**

President Brownell asked for action items.

• ***CREP Contracts***

Rob Phillips reported receiving six (6) temporary CREP contracts. He highlighted field checks were done and reported they all showed historical irrigation. Staff recommended approval.

A motion was made by Sheldon Rockey to approve all six (6) temporary CREP contracts. The motion was seconded by Clay Mitchell and unanimously approved.

Mike Kruse commented on the contracts being temporary rather than permanent. Staff was directed to have a discussion with the new applicants regarding their decision to sign up for temporary CREP rather than permanent.

• ***Surface Water Inclusion Agreements***

Rob Phillips reported on the requested Surface Water Inclusions. He highlighted the request from Cleghorn to include 1.2 shares of Rio Grande Canal on property recently purchased. Mr. Phillips reported on the inclusion request from Rick Davie to include surface water from the Rio Grande Ditch #2 for 1.0-3.0 cfs per day. He highlighted Mr. Davie's various storage facilities, flow rates and diversions. Mr. Phillips reported on the inclusion request from Shawn Schulz, he highlighted the location of the farm unit and how the San Luis Valley Canal water is diverted. Mr. Phillips reported the applicants were aware they would have to build up a five (5) year average. He also reported staff recommends approval of all three (3) inclusion agreements.

A motion was made by Sheldon Rockey to accept the Surface Water Inclusion agreements as emailed and presented by Mr. Phillips. The motion was seconded by James Cooley and unanimously approved.

• ***Remove Marisa Fricke and add Robert Phillips as new signatory on local banks***

President Brownell explained the need to remove Marisa Fricke and add Rob Phillips as the new signatory on the Subdistrict bank accounts.

A motion was made by Sheldon Rockey to replace Marisa Fricke with Rob Phillips and add Jake Burris on the Subdistrict bank accounts. The motion was seconded by Tony Holcomb. Roll call vote was taken as follows:

Chris Miner, Board of Manager: YES  
Jamie Hart, Board of Manager: YES  
Tony Holcomb, Board of Manager: YES  
Sheldon Rockey, Board of Manager: YES  
James Cooley, Board of Manager: YES  
Brian Brownell, President: YES  
Clay Mitchell, Secretary/Treasurer: YES  
Miguel Diaz, Board of Manager: YES  
Jake Burris, Vice President: YES

The motion passed unanimously.

**Discussion on Plan of Water Management #4 and the Rules and Regulations**

President Brownell asked for discussion on Plan of Water Management #4 and Rules and Regulations. Cleave Simpson highlighted the timeline and the scope of work Pete Ampe and Bill Paddock had been working on. Mr. Simpson provided his understanding of what the Board of Managers were trying to accomplish. He directed staff to continue to update the Rules and Regulations. Pete Ampe reported the surface water credit rules were created by the engineers, he explained the intent and why it was done the way it was. Discussion was held on the accuracy of the rules and how credit would be given. Clinton Phillips explained the intent to give the producer up to a certain amount of acres and anything beyond would be charged a flood deduct. Discussion was held on whether or not ponds larger than seven (7) acres would receive full credit, plant growth and when to classify as flood irrigation.

A motion was made by Sheldon Rockey to amend the draft Surface Water Credit Rules and Regulations No. 3.5.3 to read that any water delivered to an aquifer recharge facility of seven (7) acres or less per quarter section will not be deducted from gross surface water credit, the water delivered to a dedicated aquifer recharge facility from which no crop is harvested or grazed regardless of size will not be deducted from gross surface water. The motion was seconded by Jake Burris and unanimously approved.

Jamie Hart requested the Board review and receive an explanation of 5.3. Pete Ampe highlighted an example; Clinton Phillips reported it would go into the one-year credit carry over, he provided further explanation. Wylie Keller explained the year in arrears operation, surface water credit summary and fee summary. He also highlighted the intent of the summary. Discussion was held on 4.3, the process to get to a year in a rear, and surface water credit based on the five (5) year average. Jamie Hart voiced his concerns regarding 5.3, discussion was held on how to apply the 40%.

A motion was made by Sheldon Rockey to change rule 3.5.3 to recognize surface water applied directly to flood irrigation will receive surface water credit with a reduced amount of sixty percent (60%) per acre foot when metered. The motion was seconded by Jake Burris.

President Brownell reported he would much rather see it written into the document prior to voting and that he did not agree with the 60/40 agreement.

The motion was voted on, Jamie Hart abstained, Brian Brownell and Chris Minter voted no, the motion passed.

A motion was made by Sheldon Rockey to accept the Rules and Regulations for surface water calculations with the two (2) amendments made today. The motion was seconded by Jake Burris and passed unanimously.

Bill Paddock highlighted the pertinent considerations outlined in section four (4).

A motion was made by Sheldon Rockey to accept the draft Rules for Review of Progress Towards Achieving and Maintaining a Sustainable Unconfined Aquifer in Special Improvement District No. 1 of the Rio Grande Water Conservation District as amended. The motion was seconded by Jake Burris and unanimously approved.

Cleave Simpson reported on the intent and next steps in connection with the Subdistrict Rules and Regulations as well as the Plan of Water Management. Discussion was held on items in the Plan of Water Management that were not clear and needed to be addressed. Mr. Simpson reported on and asked for Board direction on possibly selling approximately seven hundred (700) acres of District owned property located west of the Medano property. Staff was directed to continue to review the Rules and Regulations and Plan of Water Management and report back with comments and suggestions.

**Board of Managers Open Discussion**


President Brownell asked for Board of Managers open discussion. Pete Ampe reported on a possible request from the Town of Center to contract a well into the Subdistrict.

**Next Meeting**

A special meeting was scheduled for November 17, 2022 at 1:30 p.m. The next quarterly meeting is scheduled for December 6, 2022 at 1:30 p.m.

**Adjournment**

The meeting was adjourned at 5:40 p.m.

  
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President

  
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Secretary/Treasurer