

**QUARTERLY MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #1
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
June 16, 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; Tony Holcomb, BOM; Jake Burris, BOM; James Cooley, BOM; and, Mike Kruse, Ex-Officio Member.

Absent: Carla Worley, Vice-President; Chris Miner, BOM; Sheldon Rockey, BOM; Miguel A. Diaz, BOM.

Staff and Consultants: Pete Ampe, Hill & Robbins P.C.; Marisa Fricke, Program Manager; Clinton Phillips, Davis Engineering; Wylie Keller, Water Resource Specialist; Michael Carson, Database Administrator; and April Mondragon, Administrative Assistant.

Guests: Les Alderete, Deb Sarason, David Hofmann, Dale Barte, Chris Lopez, Dee Greeman, Brian Rue, Andrea Rue, Judy Jolly, RossRierson, Willie Hoffner, Margaret Goehl Trujillo, Peggy Godfrey, Steve Keller, Tod Smith, and Rob Phillips.

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 Clay Mitchell to approve the agenda as presented. The motion was seconded by Jake Burris and unanimously approved.

Approval of the Minutes

President Brownell asked for approval of the following minutes:

- February 25, 2022-Special Meeting
- March 11, 2022-Special Meeting
- March 16, 2022-Quarterly Meeting
- April 5, 2022-Special Meeting
- April 5, 2022-Executive Session
- April 12, 2022-Special Meeting

A motion was made by Jaime Hart to approve the minutes with a correction to the March 16, 2022 set of minutes and the others as presented. The motion was seconded by Clay Mitchell and unanimously approved.

Public Comment

President Brownell asked for public comment. Dee Greeman described an appeal request and refund for S&T Farms. Mr. Greeman highlighted the length of time S&T Farms has been a part of Subdistrict No. 1 and reported the mistake was not caught last year. Discussion was held on the discrepancy in acres and how the property is assessed at the County. Marisa Fricke explained the appeal process and the need to treat each appeal consistently.

Program Manager's Report

President Brownell asked for the Program Manager's report. Marisa Fricke reported the Farm Unit updates had been mailed out and provided the return deadline date. She highlighted the Surface Water Credit lease deadline and provided the number of acre feet credits leased to date. Ms. Fricke reported on the status of the CREP and Fallow field checks and reported on the Subdistricts depletions for the month of June. She highlighted the acre feet of depletions to be covered by releasing Santa Maria water and reported there were not any new CREP contracts this year. Ms. Fricke explained how many CREP contracts the Subdistrict budgeted for and provided the budget committees suggestions. She also reported on the deadline for the Well Purchase Program, highlighted the number of bids, the number of wells and provided the total dollar amount for the bids. Ms. Fricke reported finalizing documentations for the audit and stated the check register may show old checks that had not cleared but have since been reissued. She also reported coming across state land board parcels that had been leased and explained how collection would be done as well as the uncollected amount, and how they would be billed going forward. Ms. Fricke reported on the check to Subdistrict No. 5 for the MOU to cover Russel Lakes. She also gave an update on collections (CREP, Admin, Variable).

Attorney's Report

President Brownell asked for the Attorney's report. Pete Ampe provided an update on Senate Bill 22-28. He explained how the money could be used, the process, type of projects and the deadline to expend the money. Mr. Ampe reported the other Subdistricts were working to secure permanent water sources. He highlighted a lease Subdistrict No. 3 completed and reported on Subdistrict No. 6's progress on ATM projects. Mr. Ampe updated the Board on a purchase made by Subdistrict No. 5 from Perry Hazard and the possibility of receiving a provisional approval of their Annual Replacement Plan. He also highlighted the grant through the Bureau of Reclamation focusing on an alternate to buy and dry.

Engineer's Report

President Brownell asked for the Engineer's report. Clinton Phillips presented the change in unconfined aquifer storage study update. He provided the change for June 2022, the change between June 2021 and 2022, the current aquifer level, the current five (5) year average and the acre feet need to get to the -400,000 level. Marisa Fricke presented a preliminary look at the 5-year running average, she highlighted last year's 5-year average on the Rio Grande Canal, Farmers Union, San Luis Valley Canal and the Prairie Ditch.

Action Items

President Brownell asked for the following action items:

- **Appeals**

Marisa Fricke reported on the number of appeals the Subdistrict received, and provided her recommendations. Discussion was held on the Temple appeal, President Brownell asked for an explanation on the discrepancy. Ms. Fricke explained the discrepancy in the number of irrigated acres being assessed at the time of fees and suggested a revised appeal be submitted with the adjustments from the County Assessor.

A motion was made by Jamie Hart to go with staff recommendation to approve the nine (9) appeals. The motion was seconded by James Cooley and unanimously approved.

Ms. Fricke highlighted three (3) surface water appeals requesting credit rather than cash. Clay Mitchell requested the Mitchell Farms appeal be tabled for further clarification. Ms. Fricke explained her recommendation for approval of the two (2) appeals.

A motion was made by Jaime Hart to approve the appeals excluding the Mitchell Farms. The motion was seconded by Clay Mitchell and unanimously approved.

Ms. Fricke highlighted the budgeted amount for appeals.

- **Surface Water Inclusions**

Marisa Fricke reported receiving more calls on water not included in the Subdistrict. She explained the inclusion requests up for consideration. Mike Kruse commented on the importance to make sure the water is being recharged and not for irrigation.

A motion was made by Tony Holcomb to approve the Nolt and Jake Pargin Rio Grande Canal surface water inclusion contracts. The motion was seconded by Jamie Hart and unanimously approved.

Ms. Fricke described the inclusion contract request from Cory Off. She presented the location on a map and reported part of the parcel having a different owner.

A motion was made by Jamie Hart to approve the Cory Off inclusion contract. The motion was seconded by James Cooley and unanimously approved.

Ms. Fricke described the inclusion contract request from Brian and Andrea Rue. She presented the location on a map and reported on the outside of the original boundary line situation.

A motion was made by Jake Burris to approve the Brian and Andrea Rue inclusion contract. The motion was seconded by Jamie Hart and unanimously approved.

- **2022 Well Purchase Program**

Mike Kruse and James Cooley recused themselves from the discussion. Marisa Fricke explained the ranking system, provided the number of bids received, number of individuals and total number of wells. She provided the amount for each well, total amount for all of the wells and stated it would not exceed the budgeted amount. Ms. Fricke recommended purchasing the wells, she highlighted the amount of consumptive use that would be turned off and the amount turned off last year. Discussion was held on opening up the bids again and possibly changing the perspective on how they are considered.

A motion was made by Jake Burris to approve the eight (8) bids contingent upon legal consideration. The motion was seconded by Jamie Hart. Mike Kruse and James Cooley recused themselves. The motion passed.

Discussion was held on when the checks would be distributed, the timeframe to shut off the wells that are being purchased and how to utilize all of the budgeted expenditures.

A motion was made by Jake Burris to use the remaining \$633,000.00 to fund another well bid buyout program. The motion was seconded by Clay Mitchell and unanimously approved.

Clay Mitchell asked if temporary CREP quarters could participate, it was discussed.

A motion was made by Clay Mitchell to entertain bids from temporary CREP. The motion was seconded by Jake Burris. Tony Holcomb was opposed; the motion passed.

- 2022 CREP Budget

Marisa Fricke reported how she drafted the budget for CREP, the number of anticipated contracts, the bonus amount and reported the budget committee decided they would revisit at the next budget discussion. Jake Burris highlighted some ideas to best use the funds and the Subdistricts ability to incentivize. Discussion was held on possibly offering new incentives, reducing the CREP fee next year and giving credit or paying the money back.

- Monitoring Wells

Marisa Fricke reported on the need to have some of the monitoring wells drilled deeper due to dry up. Discussion was held on possibly using other established wells or the wells the Subdistrict recently purchased. Staff was directed to continue the conversations.

- Plan of Water Management#4

Marisa Fricke presented the key points of the Plan of Water Management #4. She updated the Board on a discussion held with Craig Cotten and his team regarding questions they had about the Plan. Ms. Fricke highlighted their concerns with benchmarks and the one for one calculation and how the Subdistrict could accommodate their concerns. She reported another discussion will be held and that she would report back to the Board. Jake Burris voiced his concern on why the discussions were not being held in a public meeting setting. Deb Sarason reported on the points made by Craig Cotten which had not been incorporated into the Plan. Discussion was held on the approval process, benchmarks and the calculation process for the one for one in the Plan of Water Management.

Board of Mangers Open Discussion

President Brownell asked for Board of Managers Open Discussion. Mike Kruse suggested the Board begin to think how the Subdistrict could benefit from the ARPA funds.

New Business

President Brownell asked for new business. There were none.

Next Meeting

Pete Ampe reported he would not be available on September 6, 2022, the next quarterly meeting is scheduled for August 17, 2022 at 1:30 p.m.

Adjournment

The meeting was adjourned at 5:58 p.m.


President


Secretary/Treasurer