

**SPECIAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #1
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
February 5, 2021 at 2:00 p.m.
By Zoom Teleconference**

Present: Brian Brownell, President; Carla Worley, Vice-President; Jamie Hart, BOM; Miguel A. Diaz, BOM; Sheldon Rockey, BOM; Clay Mitchell, BOM; Chris Miner, BOM; Les Alderete, BOM; Tony Holcomb, BOM; Asier Artaechevarria, BOM; and Mike Kruse, Ex-Officio.

Staff and Consultants: Pete Ampe, Hill & Robbins P.C.; Marisa Fricke, Program Manager; Linda Ramirez, Program Assistant; Clinton Phillips, Davis Engineering; Michael Carson, Data Base Administrator; and April Mondragon, Administrative Assistant.

Guests: Deb Sarason, David Hofmann, Dale Bartee, Brian Rue, Darrel Dinkla, Judy Jolly, Hunter Sessums, Chad Spearman, Kelly Deacon, Brad Grasmick, Jake Burris, Steve Leverenz, William Myers, Margaret Goehl Trujillo/Goehl Ranches, Leslie Bechaver, Ernie Myers, Tyler Mitchell, Wayne Schwab, Jeffery McCullough, John Kretsinger, and Steve Keller.

Meeting Called to Order

President Brownell called the meeting to order at 2:09 p.m. A quorum was present.

Approval of the Agenda

President Brownell asked for amendments or for approval of the agenda. A discussion regarding humidification wells was added to the agenda during the Attorney's Report. A motion was made by Jamie Hart to approve the agenda as amended. The motion was seconded by Chris Miner and unanimously approved.

Program Manager Report

President Brownell asked for the Program Manager's report. Marisa Fricke updated the Board on staff tasks as well as the extended deadline from December 2020 to March 1, 2021, for those needing to contract wells into the Subdistrict. Ms. Fricke also provided an update on the Well Permit Program, RCPP and the Fallow programs. She reported that explaining the fee summaries remains one of the largest tasks being done by staff at this time. Ms. Fricke highlighted her participation in the Southern Rocky Mountain Ag Conference and provided an overview. She also reported providing the Board of Managers with a copy of a long-term storage agreement with the Rio Grande Reservoir and a Conflict-of-Interest Policy that was adopted by the District Board of Directors.

Attorney's Report

President Brownell asked for the Attorney's report. Pete Ampe updated the Board on Subdistrict Nos. 4 and 5 and addressed the District's conflict policy. Discussion was held on the letter sent out by the Division of Water Resources in connection with humidification wells and how to get them covered by the Subdistrict or by purchasing augmentation water. Mr. Ampe reported he would update the Board on the ongoing litigation during executive session

Executive Session

President Brownell asked for a motion to enter into executive session to receive legal advice regarding the ongoing litigation. A motion was made by Jamie Hart to enter into executive session. The motion was seconded by Chris Miner and unanimously approved.

Mr. Ampe stated the Board was entering into executive session to discuss a potential real property purchase. The Board would take no formal action or position during the 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 a potential property purchase.

Discussion and Possible Action

President Brownell asked for discussion and possible action on the following:

- *Surface Water Inclusions*

Marisa Fricke presented the proposed Surface Water Inclusion agreements for the Boards consideration. She pointed out the property locations within Subdistrict No. 1's boundaries on a

map and explained each agreements situation. Discussion was held on the number of surface water shares and how credits would be applied. The Brian Rue and Mike Kruse situations were discussed. Pete Ampe explained the difference between Mike Kruse's situation and the S&T situation. Ms. Fricke read the list of proposed surface water inclusion agreements as follows:

- ~ Young-80 ACRES, Farmers Union
- ~ Kruse-La Garita Creek
- ~ Benton-6 Shares, Rio Grande Canal
- ~ Benson-20 Shares, Rio Grande Canal

A motion was made by Miguel Diaz to accept all four (4) surface water inclusion agreements as presented. The motion was seconded by Les Alderete and unanimously approved.

- *Well Inclusion Contracts*

Maris Fricke presented a list of twenty (20) proposed well inclusion contracts. She explained they all met the required criteria, indicated whether they are small or large capacity, the use of the wells, the WDID numbers, the owner's names of the wells and reported her recommendation is approval for the 2021 Annual Replacement Plan with coverage to begin May 1st.

A motion was made by Clay Mitchel to approve all twenty (20) proposed well inclusion contracts Chris Miner and Sheldon Rockey recused themselves. The motion was seconded by Jamie Hart, the motion passed.

- *Crites Augmentation*

Marisa Fricke reported the Subdistrict has been working on this deal for quite some time, she provided the Board with the most recent collected information.

A motion was made by Jamie Hart to approve the Crites Augmentation Plan. The motion was seconded by Tony Holcomb and unanimously approved.

- *2020 Appeals*

Marisa Fricke reported receiving five (5) appeals, she explained the Hooper Swimming Pool situation and provided her recommendations.

A motion was made by Jamie Hart to approve all 2020 appeals which are Hooper Pool, Price-McCormick, Brown, Jim McCullough, and Warsh. The motion was seconded by Clay Mitchell and unanimously approved.

- *Fallow/CREP Contracts*

Marisa Fricke presented the Welch 2020 Fallow four (4) fields one (1) year contract she received last year.

A motion was made by Sheldon Rockey to approve the Welch Fallow contract. The motion was seconded by Les Alderete and unanimously approved.

Ms. Fricke presented the MS Hooks Farms three (3) fields, 360 acres permanent CREP contract. Brian Brownell and Mike Kruse recused themselves.

A motion was made by Clay Mitchell to approve the MS Hooks Farm CREP contract. The motion was seconded by Les Alderete, the motion passed.

- *2021 Programs*

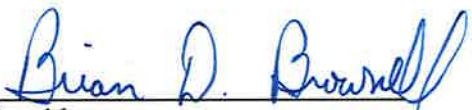
Marisa Fricke updated the Board on the 2021 Subdistrict programs. She reported on the number of CREP contracts and stated the CREP budget is almost fully account for. She provided the number of Fallow fields enrolling and the total budgeted amount. Ms. Fricke reported interest in the Well Permit Program continues to grow with 42 wells currently interested in selling to the Subdistrict. Pete Ampe explained the background information on how the program will work and reported sending out a draft resolution creating the Well Purchase Program. Discussion was held on the rules of the program in connection with surface water and how calculations will be done. Mr. Ampe addressed a section in the contract regarding mitigating blowing and soil health. Discussion was held on how the Subdistrict would monitor the wells to be sure they are not used.

Next Meeting

A special meeting was scheduled for February 9, 2021 at 10:00 a.m. The next quarterly meeting is scheduled for March 2, 2021 at 1:30 p.m.

Adjournment

The meeting was adjourned at 5:24 p.m.



President



Secretary/Treasurer