

**RIO GRANDE WATER CONSERVATION DISTRICT  
BOARD OF DIRECTORS QUARTERLY MEETING**

**April 20, 2021 at 10:00 A.M.**

**By Zoom Teleconference**

**Present:** Greg Higel, President; Armando Valdez, Vice-President; Dwight Martin, Secretary/Treasurer; Peggy Godfrey, Director; Steve Keller, Director; Zeke Ward, Director; Mike Kruse, Director; Cory Off, Director; and Bill McClure, Director.

**Staff and Consultants:** David Robbins, Hill & Robbins P.C.; Cleave Simpson, General Manager; Clinton Phillips, District Engineer; Amber Pacheco, Program Manager; Marisa Fricke, Program Manager; Chris Ivers, Program Manager; Rose Vanderpool, Program Assistant; Linda Ramirez, Program Assistant; Cheryl Anderson, Office Manager; Michael Carson, Database Administrator; and April Mondragon, Administrative Assistant.

**Guests:** Adam Moore, Christine Zook, David Hofmann, John Gerstle, Jessica, Christine Arbogast, Deb Sarason, Allen Law, Craig Cotton, Lori Laske, Becky Brooks, Monica McCafferty, Heather Dutton, Erin Minks, Rio de la Vista, Allen Law, Judy Lopez, Cathy Garcia, Daryl Kohut, Bethany Howell, Sally Wier, Morgan Dingfelder, Chris Schaefer, Sharon Vaughn, Emma Ressor, Pam Rice, and, Sue Swift Miller.

**CALL TO ORDER**

President Greg Higel called the meeting to order at 10:05 a.m. The Pledge of Allegiance was recited. There was a quorum present for the meeting.

**INTRODUCTION OF STAFF AND GUESTS**

President Greg Higel welcomed all those present and asked for introductions.

**APPROVE AGENDA**

President Higel announced the order of the agenda including the executive session may change as they go along. A motion was made by Dwight Martin to approve the agenda. The motion was seconded by Bill McClure and unanimously approved.

**APPROVE THE CONSENT AGENDA ITEMS**

President Higel asked for a motion to approve the consent agenda items:

- January 19, 2021-Quarterly Meeting Minutes
- January 19, 2021-Executive Session Minutes
- March 2, 2021-Special Meeting Minutes

A motion was made by Peggy Godfrey to approve the consent agenda. The motion was seconded by Armando Valdez and unanimously approved.

**PUBLIC COMMENT**

President Higel asked for public comment. There were none.

**BOARD APPOINTMENTS-GREG HIGEL (ALAMOSA COUNTY), PEGGY GODFREY (SAGUACHE COUNTY) AND ARMANDO VALDEZ (CONEJOS COUNTY)**

President Higel asked Lori Laski for confirmation of his appointment to the Board. Ms. Laski gave verbal confirmation and said she would submit a letter to the district. Greg Higel, Peggy Godfrey and Armando Valdez all reaffirmed their oath.

**ELECTION OF OFFICERS**

President Higel asked for Election of Officers and turned the meeting over to David Robbins. Mr. Robbins opened the floor for nominations for President of the Board of Directors currently being held by Greg Higel. A motion was made by Bill McClure to nominate Greg Higel as President of the Board of Directors. The motion was seconded by Zeke Ward. Mike Kruse made a motion for nominations to cease. The motion was seconded by Armando Valdez. A motion was made by Armando Valdez to elect Greg Higel for a one-year term as President by acclamation. The motion was seconded by Steve Keller and unanimously approved. Greg Higel was nominated President by acclamation.

The meeting was turned back over to President Higel. President Higel asked for nominations for Vice President currently held by Armando Valdez. A motion was made by Dwight Martin to nominate Armando Valdez as Vice President. The motion was seconded by Mike Kruse. Bill McClure made a motion for nominations to cease. The motion was seconded by Mike Kruse and unanimously approved. Armando Valdez was elected Vice President by acclamation.

President Higel asked for nominations for Secretary/Treasurer currently held by Dwight Martin. A motion was made by Armando Valdez to reappoint Dwight Martin as Secretary/Treasurer. The motion was seconded by Steve Keller. Mike Kruse made a motion for nominations to cease. The motion was seconded by Steve Keller and unanimously approved. Dwight Martin was elected Secretary/Treasurer by acclamation.

### **FINANCIAL REPORT**

President Higel asked for the financial report. Amber Pacheco presented the financial report including the Profit & Loss statement and reported everything was tracking well. Ms. Pacheco highlighted the Bureau of Reclamation and Subdistrict reimbursements as well as a dividend received from the health insurance which was paid back to employees. Discussion was held on the storage agreement and how it may be divided among the Subdistricts. Ms. Pacheco reported on a funding request submitted by Director Martin. Discussion was held on potential funding for gauging stations and the best location for the gauging stations. Ms. Pacheco presented the Balance Sheet; she highlighted the Subdistrict tracking as well as the bank balances for the district accounts and Subdistrict accounts.

A motion was made by Peggy Godfrey to approve the financial report as presented. The motion was seconded by Bill McClure and unanimously approved.

### **PROGRAM MANAGER'S REPORTS**

President Higel asked for the Program Manager's reports.

- ***Subdistrict No. 1- Marisa Fricke:*** Marisa Fricke updated the Board on the Subdistrict No. 1 pending projects including the budget litigation and staff tasks including day to day operations. She reported working on the ARP, the Plan of Water Management and highlighted that the Board continues to research how to reach sustainability. Ms. Fricke reported on the conservation programs being worked on including the Well Permit Purchase Program.

President Higel thanked Ms. Fricke for her report.

***Subdistrict No.'s 2, 3 and 6-Amber Pacheco:*** Amber Pacheco reported the preliminary water reports were close to being due, she provided the due date and what the reports entail. She highlighted some of the challenges the Subdistricts faced last year and reported they are all on track at this time. She reported submitting the Annual Replacement Plans for Subdistricts 2, 3 and 6 and was waiting for approval from the State. Ms. Pacheco highlighted forbearance agreements, Subdistrict operations, and her assistance to the Trinchera Subdistrict. President Higel thanked Ms. Pacheco for her report.

- ***Subdistrict No.'s 4 and 5-Chris Ivers:*** Chris Ivers reported Subdistrict No. 4 was successful in getting the Annual Replacement Plan completed. He highlighted the success the Subdistrict has had with getting Well Injury Payment Agreements signed and the cooperation with the surface water right owners. Mr. Ivers reported George Whitten and David Schmittel from Subdistrict No. 5 Board of Managers terms are up.

A motion was made by Steve Keller to keep George Whitten and David Schmittel on the Subdistrict No. 5 Board of Managers. The motion was seconded by Bill McClure and unanimously approved.

Mr. Ivers provided the Board with an update on the struggles Subdistrict No. 5 has had finding sources of wet water. He provided an update on the potential Tarbell lease, North Star Lease and 1041 permit with Saguache County. Mr. Ivers reported the Subdistrict No. 5 Board of Managers approved the Annual Replacement Plan the night before and are asking the Board of Directors to approve it in order to send it to the Division of Water Resources so they can deny it, which would give them additional time to acquire remedies. Discussion was held on approving an "inadequate plan". Mr. Ivers highlighted the details of the 2021 Annual Replacement Plan.

A motion was made by Peggy Godfrey to ask Subdistrict No. 5 to request an additional variance that will give them additional time and bring it back to the Board. The motion was seconded by Armando

Valdez. Discussion was held and Zeke Ward commented. The motion was voted on, Greg Higel, Mike Kruse, Steve Keller, Bill McClure, Dwight Martin, Zeke Ward voted No, the motion did not pass.

A motion was made by Bill McClure to approve the resolution to approve the 2021 Annual Replacement Plan for Subdistrict No. 5. The motion was seconded by Dwight Martin. Discussion was held and Armando Valdez questioned if different standards are being set for Subdistrict No. 5. The motion was voted on, Mike Kruse, Armando Valdez, Steve Keller voted no, Peggy Godfrey abstained, the motion passed. Director Valdez encouraged staff to continue to push forward.

President Higel thanked Mr. Ivers for his report.

#### **KOGOVSEK & ASSOCIATES-CHRISTINE ARBOGAST**

President Higel asked for Kogovsek & Associates. Christine Arbogast provided an update on the infrastructure packages being introduced. Ms. Arbogast reported the administration called out Western Water in its rollout of their infrastructure plan recognizing the local needs resulting in doubling of the Bureau's budget. She also highlighted Secretary Holland was confirmed and Tonya Trujillo is officially the Secretary of Water and Science.

President Higel thanked Ms. Arbogast for her report.

#### **MANAGER'S REPORT**

President Higel asked for the Manager's report. Cleave Simpson commended the district staff in his absence and reported interviewing four (4) candidates for the Water Resource Specialist position. Mr. Simpson reported an offer was made to Wiley Keller who accepted the terms of an employment agreement and will start in June. Mr. Simpson stated for the record Steve Keller who is Wiley Keller's father was not engaged in the hiring process, he did contact Mr. Simpson to ask if it would be a conflict of interest for Wiley Keller to apply for the job. Mr. Simpson updated the Board on the Bureau of Reclamation and Closed Basin Project discussions held regarding the district potentially taking over the operation of the Closed Basin Project. He also provided an update on the RWR export threat and the state legislation session.

President Higel thanked Mr. Simpson for his report.

#### **EXECUTIVE SESSION**

President Higel asked for a motion to enter into executive session to receive legal advice concerning real property acquisitions. A motion was made by Armando Valdez to enter into executive session. The motion was seconded by Bill McClure and unanimously approved.

David Robbins stated the Board was entering into executive session to discuss potential real property acquisitions. The Board would take no formal action or position during the executive session.

#### **ACTION ON EXECUTIVE SESSION DISCUSSION**

David Robbins stated the Board was in executive session and had voted to come out. Discussion was related to potential property acquisitions

**The meeting recessed for lunch at 1:15 p.m. and resumed at 1:50 p.m.**

- *Resolution for BOR WaterSMART Grant Application*

Amber Pacheco highlighted her duties while taking on acting General Manager in Cleave Simpsons absence. Ms. Pacheco reported on a water roundtable meeting she attended with congress woman Boebert, she explained the WaterSMART Grant, Alternate Transfer Methods (ATM) and thanked all those that contributed and proved letters of support.

A motion was made by Dwight Martin to approve the Resolution for the Bureau of Reclamation WaterSMART Grant Application. The motion was seconded by Peggy Godfrey and unanimously approved.

President Higel thanked Ms. Pacheco for her report.

#### **DISTRICT ENGINEER'S REPORT**

President Higel asked for the district engineer's report. Clinton Phillips presented the change in the unconfined aquifer storage between April 2020 and 2021, the current aquifer level, the current five (5) year average level and acre feet needed to get to the -400,000 level. Mr. Phillips also presented the change in the unconfined aquifer storage graph, a map of all the wells that get measured by the district, and the Rio Grande Water Conservation District confined aquifer monitoring well measurements.

President Higel thanked Mr. Phillips for his report.

#### **DISTRICT LEGAL COUNCEL'S REPORT**

President Higel asked for the district's attorney report. David Robbins commented and congratulated Tonya Trujillo on her nomination of Assistant Secretary of Water and Science. Mr. Robbins provided an update on the efforts with the US Fish and Wildlife Service on issues related to several wildlife species and the Habitat Conservation Plan which is in place and how it may change. Mr. Robbins also provided an update on the Subdistrict No. 1 budget litigation; the Texas vs. New Mexico litigation and reported Pete Ampe continues to work hard on all of the Subdistricts including the issues Subdistrict No. 5 continues to confront.

President Higel thanked Mr. Robbins for his report

#### **SENATOR BENNET'S OFFICE-ERIN MINKS**

President Higel asked for Senator Bennet's Office report. Erin Minks highlighted getting involved in anything tied to federal agencies and asked how they could get more involved in assisting with BOR projects. Ms. Minks reminded the Board how she and her office can assist the district and reported how Senator Michael Bennet is tied to the farm bill. Discussion was held on the possibility of expanding the CREP program boundaries to other Subdistricts. David Robbins explained how a new CREP program could be developed.

President Higel thanked Ms. Minks for her report.

#### **STEALEY II-BECKY BROOKS**

President Higel asked for the Stealey II report. Becky Brooks reported the State is grateful to the Valley and the value and knowledge Cleave Simpson brings to the legislature. Ms. Brooks provided an update on the bills within the house including a water bill from last year and the Ag Workers Rights Bill. She reported water bills are not the high focus at this time.

President Higel thanked Ms. Brooks for her report.

#### **DIVISION (3) ENGINEER'S REPORT-CRAIG COTTON**

President Higel asked for the Division Engineers report. Craig Cotton updated the Board on the compact delivery and reported this appeared similar to last year. Mr. Cotton provided the forecast on the Rio Grande River, Conejos River and the curtailment percentages on both river systems. Mr. Cotton highlighted the Commissioners did not approve the Engineer Advisor Report at the Compact meeting, he explained the reasons behind their decision. Mr. Cotton announced the resignation of water commissioner Pat Gordon of Texas and provided an update on the compact case. Mr. Cotton reported dealing with an abundant amount of SWSP's due to the groundwater rules.

President Higel thanked Mr. Cotton for his report.

#### **U.S.B.R REPORT- MORGAN DINGFELDER**

President Higel asked for U.S.B.R report. Morgan Dingfelder reported via Zoom however was inaudible, a copy of her report is attached.

President Higel thank Ms. Dingfelder for her report.

#### **U.S.F. & W.S. REPORT- CHRIS SCHAFFER**

President Higel asked for the U.S.F. & W.S. report. Chris Schaffer reported on a couple change cases being worked on at the Baca and provided an update on a USGS gauging grant on North Crestone Creek and one on the Rio Grande River. Sharon Vaughn commented on the habitat management plan, the history of the plan, and what the plan focuses on.

President Higel thanked Mr. Schaffer and Ms. Vaughn for their report.

**U.S.B.L.M-SUE SWIFT MILLER**

President Higel asked for the U.S.B.L.M report. Sue Swift Miller provided an update on a water right application regarding Treasure Pass Ditch. She also reported working with Parks and Wildlife on an agreement to store water in reservoirs and working with the San Luis Valley Water Conservancy District in an attempt to acquire Shaw Reservoir. Ms. Miller highlighted that the deal is still in the negotiation phase and the hope is to close the deal late 2021.

President Higel thanked Ms. Miller for her report.

**U.S.P.S REPORT- PAM RICE**

President Higel asked for U.S.P.S. report. Pam Rice reported gearing up for a busy summer with a good running creek. She provided the Snow Tel snowpack peak report and highlighted the ongoing planning efforts on ways to reduce congestion at the park, improve visitor access and expand visitor facilities.

President Higel thanked Ms. Rice for her report.

**SLVWC DISTRICT/CWCB REPORTS-HEATHER DUTTON**

President Higel asked for the SLVWC District and CWCB reports. Heather Dutton reported working to get people in compliance with the Rules and Regulations. Ms. Dutton updated the Board on the augmentation certificates being processed and reported storing as much of the conservancy districts water as they can to make available to the district. Ms. Dutton reported on the CWCB meetings and gave an update on the water plan and engagement sessions.

President Higel thanked Ms. Dutton for her report.

**COLORADO STATE PARKS AND WILDLIFE REPORT-RYAN UNTERREINER**

President Higel asked for Colorado State Parks and Wildlife Report. Ryan Unterreiner was on Zoom but had already signed off. Michael Carson read his comments into record.

President Higel thanked Mr. Carson for reading Mr. Unterreiner's comments.

**EDUCATION REPORT-BETHANY HOWELL**

President Higel asked for the Education Report. Bethany Howell provided an update on the modified water festival being taken into the schools. She highlighted how many schools are participating and what the focus of the education program is. Ms. Howell highlighted the riparian restoration work Hanna is doing with Adams State University and reported the youth conservation camp registrations are at full capacity this year. She also provided an update on funding and supporters.

President Higel thanked Ms. Howell for her report.

**RIO GRANDE HEADWATER RESTORATION PROJECT-EMMA REESOR**

President Higel asked for the Rio Grande Headwaters Restoration Project report. Emma Reesor reported phase 5 of the Riparian Park was under way. She highlighted projects in partnership with Adams State University, the high school, and the City of Alamosa. Ms. Reesor reported on the continued efforts with the Conejos Water Conservancy District, the WaterSMART grant and continued work with landowners on the Rio Grande River.

President Higel thanked Ms. Reesor for her report.

**COLORADO OPEN LANDS-JUDY LOPEZ**

President Higel asked for Colorado Open Lands report. Judy Lopez updated the Board on the number of conservation easements in progress as well as RCPP contracts and the amount of federal funding available. She also touched on state tax credits, equip, and closings in Conejos County. Ms. Lopez reported on the potential value of groundwater easements and the conservation groups involved. Allen Law explained the difference between groundwater easements and traditional conservation easements.

President Higel thanked Judy for her report.

**RIO GRANDE INITIATIVE/RIGHT-ALLEN LAW**

President Higel asked for Rio Grande Initiative/RiGHT report. Allen Law reported closing on a conservation easement near Monte Vista and highlighted hiring two (2) new staff members to assist

with the conservation programs. Mr. Law provided an update on the conservation projects being focused on and the number of closings coming up. He reported his group continues to work to be a good partner with different organizations and they are glad to be back at full capacity.

President Higel thanked Mr. Law for his report.

**SALAZAR RIO GRANDE DEL NORTE CENTER-RIO DE LA VISTA**

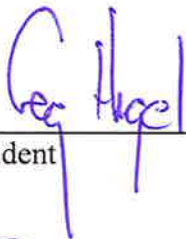
President Higel asked for Salazar Rio Grande Del Norte Center report. Rio de la Vista thanked the Board for their continued supported. She reported on the State of the Basin Symposium, thanked Armando Valdez, Michael Carson and all of the sponsors for their contribution. Ms. De la Vista reported looking forward to the WaterSMART grant and highlighted that Adams State will be offering Water courses. She also provided an update on the new signs and the ribbon cutting at the Rio Grande Natural Area.

President Higel thanked Ms. De la Vista for her report.

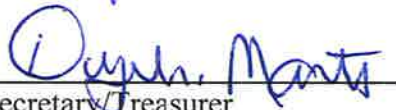
**ADJOURN**

The meeting was adjourned at 4:30 p.m.

The next scheduled quarterly meeting will be held on July 20, 2021 at 10:00 a.m.



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President



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Secretary/Treasurer

## **RESOLUTION**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RIO GRANDE WATER CONSERVATION DISTRICT**

At a regular meeting of the Board of Directors (“Board”) of the Rio Grande Water Conservation District (“District”), held on April 20, 2021, which meeting was duly noticed and properly called and at which a quorum was present, the following resolution was made and adopted by affirmative vote of all of the directors present, as follows:

**WHEREAS**, the District was established by the Colorado Legislature as a body corporate and as a public agency for specified purposes pursuant to Section 37-48-101, C.R.S. et seq.; and

**WHEREAS**, the District has established six (6) special improvement districts (subdistricts), pursuant to its statutory authority, to provide groundwater management in various geographic areas within the District’s boundaries; and

**WHEREAS**, the subdistricts’ goals are to sustain agriculture and the local economy, while protecting senior surface water users, managing groundwater depletions and creating and maintaining sustainable aquifers; and

**WHEREAS**, the District has responsibility for budget approvals and the oversight of the subdistrict funds, as well as funds awarded through grants; and

**WHEREAS**, the subdistricts, through annual assessments to subdistrict members, have the full capacity to provide the amount of funding and/or in-kind contributions specified in the funding plan; and

**WHEREAS**, the District is opposing efforts to export water from within the District to other basins in the State which will only make the groundwater management plans of the District all the more difficult to operate; and

**WHEREAS**, developing a strategy to allow irrigation and municipal water users within the District and its subdistricts to utilize innovative strategies to all the sharing of available water supplies to contribute to the success of the subdistrict efforts is in the interest of the District and its residents; and

**WHEREAS**, the Board of Directors has been informed of, understands, and supports the Grant Application prepared by its staff for the Bureau of Reclamation’s WaterSMART Water Marketing Strategy Grant Program; and

**WHEREAS**, if selected for grant funds, the District, through its subdistricts, will work with the Bureau of Reclamation to meet established deadlines for entering into a grant or cooperative agreement.

**NOW THEREFORE**, be it resolved by the Board of Directors of the Rio Grande Water Conservation District, that for the foregoing reasons, the Board authorizes and directs the District staff to submit a grant application requesting funding from the 2021 U.S. Bureau of Reclamation WaterSMART Water Marketing Grant Program in the amount of \$212,755.50 to conduct the proposed studies, outreach, and partnership building necessary to develop potential water sharing agreements among water users within Water Division No. 3 (the Rio Grande Basin within Colorado) which meet Subdistrict objectives, sustain agriculture, keep water from being exported from the District, and provide multiple other benefits such as enhanced environmental conditions and beneficial streamflows where feasible.

**BE IT FURTHER RESOLVED**, that the General Manager, Cleave Simpson, is and shall be authorized to sign the grant application and all associated documents required for submittal of the application.

Done and signed this 20<sup>th</sup> day of April, 2021.



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Greg Higel, President

Attest:



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Armando Valdez, Vice-President



**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE  
RIO GRANDE WATER CONSERVATION DISTRICT**

**April 20, 2021**

**APPROVING 2021 ANNUAL REPLACEMENT PLAN  
OF SPECIAL IMPROVEMENT DISTRICT NO. 5  
OF THE RIO GRANDE WATER CONSERVATION DISTRICT**

The Board of Directors of the Rio Grande Water Conservation District (“District”) at the annual meeting held on April 20, 2021, in Alamosa, Colorado does hereby resolve that:

WHEREAS, Special Improvement District No. 5 of the Rio Grande Water Conservation District (“Subdistrict No. 5”) was created to conserve and stabilize the water supply and groundwater storage for irrigation, domestic, municipal and other beneficial uses for the water users within the boundaries of Subdistrict No. 5 and to remedy injurious depletions caused by groundwater withdrawals from Subdistrict Wells; and

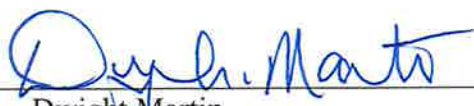
WHEREAS, Subdistrict No. 5 is operating under an approved Plan of Water Management which requires the development of an Annual Replacement Plan showing, among other things, the predicted injurious depletions caused by Subdistrict Well groundwater withdrawals and the manner in which the Subdistrict will remedy those depletions; and

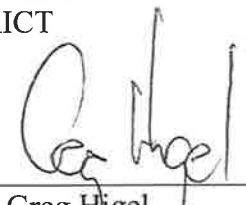
NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the District on the 20<sup>th</sup> day of April, 2021, that:

The District hereby accepts and approves the Subdistrict No. 5 2021 Annual Replacement Plan with the contingency a sufficient source of remedy for all injurious depletions projected to occur to all streams is secured prior to the State Engineer’s approval of the Annual Replacement Plan.

ATTEST:

RIO GRANDE WATER CONSERVATION  
DISTRICT

By:   
Dwight Martin  
Secretary/Treasurer

By:   
Greg Higel,  
President

COUNTY OF ALAMOSA            )  
  ) ss  
STATE OF COLORADO         )

Subscribed and sworn to me this 20<sup>th</sup> day of April, 2021, by Greg Higel, President, Board of Directors of the Rio Grande Water Conservation District

Witness my hand and seal.

My commission expires: 6-15-21



April Mondragon  
Notary Public

**RESOLUTION  
OF THE BOARD OF DIRECTORS OF THE  
RIO GRANDE WATER CONSERVATION DISTRICT**

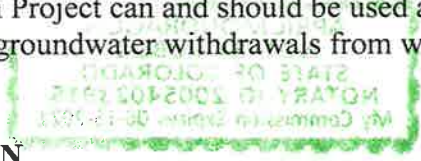
**TO ALLOW SPECIAL IMPROVEMENT DISTRICT NO. 5 TO USE A PORTION OF  
THE PRODUCTION OF THE CLOSED BASIN PROJECT FOR THE REPLACEMENT  
OF INJURIOUS DEPLETIONS UNDER ITS 2021 ANNUAL REPLACEMENT PLAN**

The Board of Directors of the Rio Grande Water Conservation District at a special meeting held on April 15, 2021, in Alamosa, Colorado does hereby resolve that:

WHEREAS, Special Improvement District No. 5 of the Rio Grande Water Conservation District (“Subdistrict No. 5”) was created to conserve and stabilize the water supply and groundwater storage for irrigation, domestic, municipal and other beneficial uses for the water users within the boundaries of Subdistrict No. 5 and to remedy injurious depletions caused by groundwater withdrawals from Subdistrict Wells; and

WHEREAS, Subdistrict No. 5 is operating under an approved Plan of Water Management which requires the development of an Annual Replacement Plan (“ARP”) showing, among other things, the predicted injurious depletions caused by Subdistrict Well groundwater withdrawals and the manner in which the Subdistrict will remedy those depletions; and

WHEREAS, the production from the Closed Basin Project can and should be used as a source of water to remedy injurious depletions caused by groundwater withdrawals from wells included in the Subdistrict’s 2021 ARP.



**RESOLUTION**

NOW, THEREFORE, be it resolved by the Board of Directors of the Rio Grande Water Conservation District that:

1. The District anticipates that this Project Water will be used to replace depletions from May 1<sup>st</sup>, 2021 – April 30<sup>th</sup>, 2022, on the Rio Grande.
2. The inclusion of 306 acre-feet of water from the production of the Closed Basin Project as a source of supply in the Subdistrict No. 5 2021 Annual Replacement Plan and the use of said water under the 2021 ARP to remedy injurious stream depletions is approved.

ATTEST:

RIO GRANDE WATER  
CONSERVATION DISTRICT

By: *Dwight Martin*  
Dwight Martin  
Secretary/Treasurer

By: *Greg Higel*  
Greg Higel  
President

COUNTY OF ALAMOSA   )  
  ) ss  
STATE OF COLORADO   )

Subscribed and sworn to me this 2<sup>nd</sup> day of April, 2021, by Greg Higel, President, Board of Directors of the Rio Grande Water Conservation District.

Witness my hand and seal.

My commission expires: 6-15-21



*April Mondragon*  
Notary Public

## RGNF RGWCD Report

**Office Hours:** Supervisors Office Limited hours 8:30 – 11:30 and 12:30 – 4:00 M-F. Due to lack of coverage and safety we ask people call first before they drop in.

High recreation numbers are forecast we ask for patience and consideration on Forest.

No Active timber sales, stopped for “break-up season”.

Most roads closed until mid May.

Expecting most campgrounds to be open Memorial Weekend to Labor Day.

**Prescribed burns** – on hold right now due to weather forecasts, waiting for windows

- **English Valley:** This 1200-acre prescribed fire will take place on the Divide Ranger District approximately five miles north of Del Norte. The purpose of this burn is to rejuvenate grass and shrub cover to improve pronghorn habitat.
- **Conejos Canyon Unit 1:** This 200-acre fire area is located on the Conejos Peak Ranger District one mile north of the Fox Creek subdivision. The prescribed burn is designed to reduce fuels buildup adjacent to the subdivision.
- **Bighorn/Stateline Units 5 & 6:** These two units, totaling 1,225 acres, are located on the Conejos Peak Ranger District four miles southwest of Mogote and will take several days to complete. The purpose of the burn is to improve elk and deer winter range and reduce woody debris left from forest thinning projects.
- **Squaw Creek:** Located approximately 17 miles west of Saguache, CO, this 550-acre burn is on Forest Service and Bureau of Land Management lands. The purpose of the burn is to reduce fuel loading and improve timber stand health by reducing spruce budworm and mistletoe infected trees.

Residents and visitors will likely see smoke coming from these areas for several hours each day during burn operations. Burn area maps will be posted on the roads leading into the project areas. Local residents will be contacted prior to initiation of the prescribed burns.

**Nelson Tunnel** – problem: series of collapses of unknown stability in the Nelson Tunnel are impounding large volumes of water. A sudden release of this water would have extensive environmental impacts downstream in Willow Creek. This is an Interim Remedy until a long term solution can be found.

- **EPA announced their decision for the Interim Action at Nelson Tunnel (April 9<sup>th</sup>)**
- Info @ [www.epa.gov/superfund/nelson-tunnel](http://www.epa.gov/superfund/nelson-tunnel)
- Remedy is Alternative 4
  - Install new adit that intersects Nelson Tunnel to bypass the Nelson Tunnel Portal Pool
  - Rehab the Nelson Tunnel from the bypass adit connection to the location where bulkhead construction is planned.
  - Install of a flow control bulkhead in the Nelson Tunnel to reduce the likelihood of a sudden and large release from the Nelson Tunnel
  - Install an accessible flow control structure in the Commodore 5 level to reduce the likelihood of a sudden, large release through this tunnel

**Bureau of Reclamation Report to the RGWCD  
April 20, 2021**

**OPERATIONS**

Water salvage operations continued as recommended by the Project Operating Committee to meet Rio Grande Compact and mitigation obligations.

For the YTD (1/1/2021 to 3/31/2021)

A total of 614 AF was delivered to the Alamosa National Wildlife Refuge through CHO1 & 2.

A total of 181 AF was delivered to the Blanca Wildlife Habitat Area through CHO3 & 4.

Delivery to the Rio Grande has been 2,442 AF.

San Luis Lake is frozen at an Elevation of 7511.9 ft.

**San Luis Lake (3/31/21)**

San Luis Lake	San Luis Lake Elevation ....	7511.9 ft. MSL
	Storage	1,492 acre-feet
	TDS	3630 ppm TDS

**Project Deliveries: (1/1/2021 to 3/31/21)**

Deliveries to:	Rio Grande—total	2,442 acre feet
	Alamosa National Wildlife Refuge—total	614* acre feet
	Blanca Wildlife Habitat Area—total	181* acre feet
	San Luis Lake—total	0.0 acre feet
	Head Lake (West)	0.0 acre feet
	<b>Total Deliveries as of March 31, 2021</b>	<b><u>3,237 acre-feet</u></b>

*\*Includes 250 AF exchange delivered to BLM, but credited to USFWS mitigation total.*

## **MAINTENANCE BRANCH**

### **Rio Grande Water Conservation District Crew**

The RGWCD crew continues to assist with salvage well maintenance, rehabilitation and drilling activities. Other work completed includes blading and mowing all canal berms and lateral access roads, removal of aquatic weeds and sediment from the canal and associated structures, repair and maintenance of right-of-way fences, and repair of erosion along the canal berms. RGWCD staff also assisted in maintenance of vehicles and heavy equipment.

### **Manager's Work**

Division Manager continues to work with RGWCD Management Team to schedule work for the RGWCD maintenance crew.

## **WATER LABORATORY**

A total of 675 samples were collected from the Closed Basin Project during the period of October 1, 2020, through March 31, 2021.

Total Dissolved Solids at the Outlet was an average of 288 mg/L for the period.

Sampling was completed for Stages 3 and 4 during this period.

## RGNF RGWCD Report

**Office Hours:** Supervisors Office Limited hours 8:30 – 11:30 and 12:30 – 4:00 M-F. Due to lack of coverage and safety we ask people call first before they drop in.

High recreation numbers are forecast we ask for patience and consideration on Forest.

No Active timber sales, stopped for “break-up season”.

Most roads closed until mid May.

Expecting most campgrounds to be open Memorial Weekend to Labor Day.

**Prescribed burns** – on hold right now due to weather forecasts, waiting for windows

- **English Valley:** This 1200-acre prescribed fire will take place on the Divide Ranger District approximately five miles north of Del Norte. The purpose of this burn is to rejuvenate grass and shrub cover to improve pronghorn habitat.
- **Conejos Canyon Unit 1:** This 200-acre fire area is located on the Conejos Peak Ranger District one mile north of the Fox Creek subdivision. The prescribed burn is designed to reduce fuels buildup adjacent to the subdivision.
- **Bighorn/Stateline Units 5 & 6:** These two units, totaling 1,225 acres, are located on the Conejos Peak Ranger District four miles southwest of Mogote and will take several days to complete. The purpose of the burn is to improve elk and deer winter range and reduce woody debris left from forest thinning projects.
- **Squaw Creek:** Located approximately 17 miles west of Saguache, CO, this 550-acre burn is on Forest Service and Bureau of Land Management lands. The purpose of the burn is to reduce fuel loading and improve timber stand health by reducing spruce budworm and mistletoe infected trees.

Residents and visitors will likely see smoke coming from these areas for several hours each day during burn operations. Burn area maps will be posted on the roads leading into the project areas. Local residents will be contacted prior to initiation of the prescribed burns.

**Nelson Tunnel** – problem: series of collapses of unknown stability in the Nelson Tunnel are impounding large volumes of water. A sudden release of this water would have extensive environmental impacts downstream in Willow Creek. This is an Interim Remedy until a long term solution can be found.

- **EPA announced their decision for the Interim Action at Nelson Tunnel (April 9<sup>th</sup>)**
- Info @ [www.epa.gov/superfund/nelson-tunnel](http://www.epa.gov/superfund/nelson-tunnel)
- Remedy is Alternative 4
  - Install new adit that intersects Nelson Tunnel to bypass the Nelson Tunnel Portal Pool
  - Rehab the Nelson Tunnel from the bypass adit connection to the location where bulkhead construction is planned.
  - Install of a flow control bulkhead in the Nelson Tunnel to reduce the likelihood of a sudden and large release from the Nelson Tunnel
  - Install an accessible flow control structure in the Commodore 5 level to reduce the likelihood of a sudden, large release through this tunnel