

**QUARTERLY MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #2
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
April 13, 2020, 9:00 a.m.
By Telephone Only**

Present by Telephone: Karla Shriver, President; Eric Hinton, Vice-President; Scot Schaefer, Secretary/Treasurer; Gerald Ziegler, BOM; Harold Stoeber, BOM; and Greg Higel, Ex-Officio.

Absent: Mark Deacon, BOM; and Michael Schaefer, BOM.

Staff and Consultants by Telephone: Pete Ampe, Hill and Robbins, P.C.; Cleave Simpson, General Manager; Amber Pacheco, Program Manager; Rose Vanderpool, Program Assistant; Clinton Phillips, Davis Engineering; and, April Mondragon, Administrative Assistant.

Guests: Deb Sarason and David Hofmann, DWR.

Meeting Called to Order

President Shriver called the meeting to order at 9:04 a.m. A quorum was present.

Approval of the Agenda

President Shriver asked for amendments or for approval of the agenda. A motion was made by Scot Schaefer to approve the agenda as presented. The motion was seconded by Eric Hinton and unanimously approved.

Approval of the Minutes

President Shriver asked for additions, corrections or a motion to approve the following meeting minutes:

- January 22, 2020 Annual Meeting
- February 12, 2020 Special Meeting
- March 4, 2020 Special Meeting
- March 4, 2020 Executive Session

A motion was made by Scot Schaefer to approve the minutes as presented. President Shriver requested to change the date of the February 13, 2020, minutes to February 12, 2020. The motion was seconded by Eric Hinton and unanimously approved.

Public Comment

President Shriver asked for public comment. There were none.

Program Managers Report

President Shriver asked for the Program Manager's report. Amber Pacheco updated the Board on the progress of the Annual Replacement Plan, forbearance agreements and contracts. Ms. Pacheco reported the water year began April 1, 2020, and stated they continue to seek permanent and/or long-term sources of water. She also reported on a tour of one potential property and would provide an update on the visit in executive session. Ms. Pacheco provided the amount of Santa Maria water shares that would be leased on the Monte Vista Canal and reported on a permanent structure being built on that canal. She also provided a brief financial update.

Consideration of Participation Contracts.

President Shriver asked for the consideration of participation contracts. Amber Pacheco reported she sent the Board a summary of all of the contract wells included in the Annual Replacement Plan and highlighted the contracts that they need to consider for approval:

- Colorado Parks and Wildlife
- Robert and Judy Phillips
- Matthew and Victoria Gonzales
- Morris and Ethel Chapman-URG
- Brian and Andrea Rue-URG

Ms. Pacheco reported she had sent out a summary of the contracts to the Board for review prior to the meeting. She highlighted the details of each contract including the number of wells, location of the wells and the historic consumptive use. Discussion was held on the contract fee.

A motion was made by Scott Schaefer to approve the Participation Contracts for Colorado Parks and Wildlife, Robert and Judy Phillips, Matthew and Victoria Gonzales, Morris and Ethel Chapman and Brian and Andrea Rue, fees would be assessed according to the Subdistricts adopted policy. The motion was seconded by Eric Hinton and unanimously approved.

Attorney's Report

President Shriver asked for the Attorney's report. Pete Ampe provided an update on Subdistrict No. 4 and 5.

Approval of the 2020 Annual Replacement Plan

President Shriver asked for the approval of the 2020 Annual Replacement Plan. Amber Pacheco described details of the Annual Replacement Plan, including: the estimated pumping for the year, the lower stream flow forecasts, how she calculates the groundwater consumptive use and how the response function calculates the current and post-plan depletions to the Rio Grande. Ms. Pacheco said she had to run two (2) response functions to include the Upper Rio Grande contracts and then combined them to get the total depletions owed. She also provided details on the replacement water sources and where the water was being stored. Ms. Pacheco reported on the amount of water leased from Santa Maria shareholders and on a two memos of understanding with the Rio Grande Water Conservation District and Subdistrict No. 1 for additional water. Ms. Pacheco reminded the Board Subdistrict No. 2 does not have a sustainability requirement. Scot Schaefer asked for an update on transmountain water which Ms. Pacheco provided.

A motion was made by Gerald Ziegler to recommend the Rio Grande Water Conservation District Board of Directors approve the Subdistrict No. 2 2020 Annual Replacement Plan with the contingency it may need to be amended depending on Subdistrict No. 1 Board vote on use of their Santa Maria Reservoir water and San Luis Valley Canal's vote on a forbearance agreement. The motion was seconded by Harold Stoeber and unanimously approved.

Executive Session

President Shriver asked for a motion to go into executive session to receive an update and legal advice regarding a potential purchase of real property. A motion was made by Scot Schaefer to go into executive session. The motion was seconded by Harold Stoeber and unanimously approved.

Pete Ampe stated the Board was entering into executive session. All discussion would relate to a potential purchase of real property. The Board would take no formal action while in 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 receiving legal advice regarding the potential purchase of real property. President Shriver asked for any motions or recommendations based on the discussions.

A motion was made by Gerald Ziegler to direct Amber Pacheco to have a discussion with the land owner to work toward a temporary acquisition of the property through a lease option, and to direct Pete Ampe to discuss matters with Peter Nichols regarding the remaining owners of the ditch.

Next Meeting

The next quarterly meeting is scheduled for August 4, 2020, at 9:00 a.m.


Adjournment

President Shriver asked for a motion to adjourn the meeting. A motion was made by Scot Schaefer to adjourn the meeting. The motion was seconded by Harold Stoeber and unanimously approved.

The meeting was adjourned at 10:42 a.m.



President



Secretary/Treasurer