

**SPECIAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #3
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
February 13, 2019 at 8:00 a.m.
Rio Grande Water Conservation District Conference Room
Alamosa, Colorado 81101**

Present: LeRoy Salazar, President; Nathan Coombs, Vice-President/Secretary/Treasurer; Sam Vance, Manager; Jack Gilleland, Manager; Ruben Sandoval, Manager; Warren Crowther, Manager; and Dwight Martin, Ex-Officio Member.

Staff and Consultants: Pete Ampe, Hill & Robbins P.C.; Cleave Simpson, General Manager; Amber Pacheco, Program Manager; Chris Ivers, Deputy Program Manager; Rose Vanderpool, Program Assistant; Linda Ramirez, Program Assistant; and, April Mondragon, Administrative Assistant.

Guests: Deb Sarason, David Hofmann, Heather Dutton, Chuck Finnegan, Adam Skadberg, Tom Stewart, Wayne Crowther

Meeting Called to Order

President Salazar called the meeting to order at 8:05 a.m. A quorum was present. The Pledge of Allegiance was recited.

Approval of the Consent Agenda

President Salazar asked for a motion to approve the consent agenda which included December 6, 2018 Quarterly Meeting Minutes, January 14, 2018 Special Meeting Minutes and January 14, 2018 Executive Session minutes.

A motion was made by Nathan Coombs to approve the consent agenda. The motion was seconded by Sam Vance and unanimously approved.

Discussion Regarding Progress Towards Finalizing 2019 Forbearance Agreements on the Conejos River, Alamosa River and the Rio Grande

President Salazar asked for discussion regarding forbearance agreements. President Salazar reported on the importance of getting signed forbearance agreements ahead of the Annual Replacement Plan. Amber Pacheco provided the names of the ditches that have agreed to enter into forbearance agreements as well as the dollar amounts. Ms. Pacheco provided the names of the ditch companies they will be reaching out to and discussing forbearance agreements with. Ms. Pacheco presented a list prepared by Chris Ivers which identified all of the priorities by reach on the Conejos River.

Discussion Regarding Progress Towards Securing Replacement Water for Conejos River, Alamosa River and the Rio Grande

President Salazar asked for the progress on securing replacement water on the Conejos River, Alamosa River and the Rio Grande River. Amber Pacheco stated the Subdistrict has made some purchases of water from the San Luis Valley Water Conservancy with some water being exchanged with Platoro. Ms. Pacheco stated they would continue discussions with the BLM about leasing water they own which can be used as augmentation. Ms. Pacheco also reported on a potential lease agreement with Gerald Faucette to fallow some of his land temporarily and allow the Subdistrict to use the CU of his surface water as a replacement source on the Alamosa. Davis Engineering is working on the calculations. Sam Vance provided an update on the San Luis Valley Irrigation Well Owners and stated they are very interested in a reservoir in Ortiz. Discussion was held regarding additional water opportunities.

Discussion and Possible Action (Approve/Not Approve/Table)-Memo of Understanding with San Luis Valley Water Conservancy District to Exchange and Later Replace a Portion of Subdistrict No. 3's Water Stored in Beaver Reservoir:

Heather Dutton reported Tony Aloia, with CPW, has been storing 760 acre-feet of water which Rio Grande Water Conservation District purchased on behalf of Subdistrict No. 3 in Beaver Reservoir. Ms. Dutton stated Mr. Aloia expressed he would appreciate being able to move some water around so he could store some of his own water. Ms. Dutton suggested conveying the water back to the her district to be released for augmentation needs and then exchange the same amount of water back to the Subdistrict when SLVWCD's water rights come into priority in May and June.



Pete Ampe suggested changing the language to allow for “up to 120 acre-feet of exchange”. Ms Dutton stated that the SLVWCD is very confident they will have the 120 acre-feet available to replace this water.

A motion was made by Sam Vance to approve the Memorandum of Understanding with suggested edits from Pete Ampe. The motion was seconded by Ruben Sandoval and unanimously approved.

Discussion and Possible Action (Approve/Not Approve/Table)-Lease Agreement with EXPO, LLC to lease excess augmentation water on the Alamosa River

President Salazar asked for the discussion and possible action on a lease agreement with Expo, LLC. Amber Pacheco presented the proposed details of the offer from Expo, LLC. Ms. Pacheco received a request from Expo LLC to amend the language regarding responsibility for evaporation or seepage loss prior to the transfer of stored water. Pete Ampe stated he would review it again before it is finalized for signature. President Salazar asked Ms. Pacheco work with EXPO LLC to make the suggested changes to the agreement.

A motion was made by Warren Crowther to approve the purchase of 22-acre feet at \$200.00 per acre-foot from Expo, LLC for the purpose of wet water supplies for the 2019 ARP. The motion was seconded by Nathan Coombs and unanimously approved.

Discussion Regarding the Preparation of the 2019 Annual Replacement Plan

President Salazar asked for the discussion regarding the preparation of the 2019 Annual Replacement Plan. Ms. Pacheco stated staff is working hard on securing forbearance agreements and contracts for wet water. Ms. Pacheco stated the ARP is due April 15, 2019 and suggested holding a special meeting prior to that date. Discussion was held on whether or not a decrease in consumptive use will occur in the upcoming season due to the fees the Subdistrict charged on tax notices. The Board also discussed possible incentives on drying up lands and winter crop methods. President Salazar stated sustainability needs to be addressed in the Annual Replacement Plan. Pete Ampe stated that the Subdistrict is currently within the sustainability metric under current use by the SEO. Mr. Ampe added the Subdistrict will see what impact the first round of fees has on pumping. The Subdistrict is also putting funds towards long term projects and contracts to reduce groundwater withdrawals. Mr. Ampe said the ARP will state the Subdistrict does have the ability to enforce a reduction of pumping across the board if necessary, for meting sustainability.

Discussion Regarding the Process for Appealing Subdistrict Fee Assessments

President Salazar asked for a discussion on the process for appealing subdistrict fee assessments. Amber Pacheco provided the fee amounts and stated the fees are tied directly to the budget. Ms. Pacheco stated an appeal form is up on the Subdistrict website and encouraged those with potential issues to contact the District staff so they could email a breakdown of the charges to them. Ms. Pacheco explained the full appeal process.

Next Meeting

The next quarterly meeting is scheduled for March 7, 2019, at 8:00 a.m.

Adjournment

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



President



Vice-President/Secretary/Treasurer

