

**ANNUAL MEETING OF THE BOARD OF MANAGERS  
OF SPECIAL IMPROVEMENT DISTRICT #4  
OF THE RIO GRANDE WATER CONSERVATION DISTRICT  
DECEMBER 7, 2021 at 9:00 a.m.  
RIO GRANDE WATER CONSERVATION DISTRICT CONFERENCE ROOM  
AND BY ZOOM TELECONFERENCE**

**Present:** David Frees, President; Jan Waye, Manager; Jeremy Uhlenbrock, Manager; and, Peggy Godfrey, Ex-Officio Member.

**Absent:** Pete Stagner, Vice-President/Secretary/Treasurer.

**Staff and Consultants:** Pete Ampe, Hill and Robbins, P.C.; Chris Ivers, Program Manager; Rose Vanderpool, Program Assistant; Linda Ramirez, Program Assistant; Clinton Phillips, Davis Engineering; Wylie Keller, Water Resource Specialist; April Mondragon, Administrative Assistant; and, Michael Carson, Database Administrator.

**Guests:** David Hofmann, Charlie Goodson, Chris Schaefer, Brian Caruso, Monica McCafferty, and John Gerstle.

**Meeting Called to Order**

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

**Approval of the Consent Agenda**

President Frees asked for amendments or a motion to approve the Consent Agenda:

- Agenda (amended- move the Election of Officers to when Pete Ampe was available, add a discussion on the Groundwater Rules Allocations)
- August 9, 2021-Special Meeting Minutes
- August 20, 2021-Special Meeting Minutes
- August 20, 2021-Executive Session Minutes
- September 7, 2021-Quarterly Meeting Minutes
- October 15, 2021-Special Meeting Minutes
- October 15, 2021-Executive Session Minutes

A motion was made by Jan Waye to approve the Consent Agenda as amended. The motion was seconded by Jeremy Uhlenbrock and unanimously approved.

**Program Manager's Report**

President Frees asked for the Program Manager's report. Chris Ivers presented the financial report. He highlighted the total due to the District since formation of the Subdistrict as well as the amount that has been reimbursed, and the remaining balance. Mr. Ivers presented the checking account balances, the Profit and Loss Statement and highlighted the administrative fee, special projects and engineering.

A motion was made by Jeremy Uhlenbrock to approve the financial report as presented. The motion was seconded by Jan Waye and unanimously approved.

Mr. Ivers reported receiving three (3) participation contracts. He also reported on the format Saguache County requested the fees be submitted. Mr. Ivers reported the proposed contracts would use the historic consumptive use from the Kelly Smith wells to new wells. He highlighted that the State would need to approve of the SWSPs and water court applications. Discussion was held on the amount of water, the location of the proposed wells and the impacts the wells may have on the Subdistrict.

A motion was made by David Frees to table all three (3) of the participation contract applications until more information is received and also wait for a decision from the State and County Land use office. The motion was seconded by Jan Waye and unanimously approved.

**Potential Replacement Sources on San Luis Creek**

President Frees asked for potential replacement sources on San Luis Creek. Chris Ivers reported speaking with several Well Injury Payment Agreement holders who are willing to participate for the 2022 irrigation season. Mr. Ivers stated some of the Subdistricts have voted to pay the Well Injury Payment participants early and he asked this board to consider the same.

A motion was made by Jeremy Uhlenbrock to pay out the Well Injury Payment Agreements at 90% around the first of the year and the remaining 10% when the final numbers are available. The motion was seconded by Jan Waye and unanimously approved.

**Attorney's Report**

President Frees asked for the Attorney's report. Pete Ampe reported waiting to see if Well Injury Payment Agreements would need to be renewed. He also reported that Subdistrict No. 5 plans to continue to operate on a protest through April without the ability to do it again. Mr. Ampe stated Subdistrict No. 3 is working to secure permanent water sources, and Subdistricts 2, 3, and 6 are looking at doing ATMs. He reported Subdistrict No. 1 continues to work to amend their Plan of Water Management.

**Executive Session**

President Frees asked for a motion to enter into executive session to receive legal advice concerning a potential purchase of real property. A motion was made by Jan Waye to enter into executive session. The motion was seconded by Jeremy Uhlenbrock and unanimously approved.

Mr. Ampe stated the Board was entering into executive session pursuant to section 24-6-402(4)(a) to discuss a potential purchase of real property. The Board would take no formal action or position during the executive session.

**Election of Officers**

President Frees asked for Election of Officers. Pete Ampe opened up the floor for President or a motion to keep all of the officers the same. A motion was made by Jeremy to retain all of the officers the same. The motion was seconded by Jan Waye and unanimously approved.

**New Business**

President Frees asked for new business. There was none.

**Next Meeting**

The next quarterly meeting is scheduled for March 1, 2022 at 9:00 a.m.

**Adjournment**

A motion was made by Jan Waye to adjourn the meeting. The motion was seconded by Jeremy Uhlenbrock and unanimously approved.

The meeting was adjourned at 10:30 a.m.

  
\_\_\_\_\_  
President

\_\_\_\_\_  
Vice-President/Secretary/Treasurer