

**SPECIAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #1
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
February 25, 2022 at 1:30 p.m.
8805 Independence Way, Alamosa CO 81101
And by Zoom Teleconference**

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

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

Guests: Deb Sarason, David Hofmann, William Myers, Steve Keller, Adam Klecker, Chris Hayes, Kelci Martinez, Mosby Farms, Tony Windhelm, Ben Schmidt, Brian Rue, Andrea Rue, Jean Consaul, Keith Holland, Dale Barte, Ramstetter Farms, Sherry Haugen, David Gladem, Kyra Stillings, Andy Jones, Vantrees Farms, Willie Hoffner, Britt Hughes, Lynn's iPad, Gary Klecker, Paul New, James Cooley, Ron Bowman, Bill Paddock, Trudi Kretsinger, Kent Palmgren, Jeff McCullough.

Meeting Called to Order

President Brownell called the meeting to order at 1:40 p.m. A quorum was present, the Pledge of Allegiance was recited.

Approval of the Agenda

President Brownell asked for approval of the agenda. A motion was made by Sheldon Rockey to approve the agenda as presented. The motion was seconded by Clay Mitchell and unanimously approved.

Public Comment

President Brownell asked for public comment. Brian Rue commented on the wells outside of the response area that he feels they are treated differently than the ones within the boundaries. Jake Burris reported being an advocate of going back to the original draft of the Plan of Water Management. Brian Rue commented on the Well Permit Purchase Program and the surface water rights that go with it. Andy Jones asked if the draft Plan of Water Management was available on line.

Discussion and Possible Action on Plan of Water Management No. 4

President Brownell asked for discussion and possible action on Plan of Water Management No. 4. Marisa Fricke presented an overview of the Plan of Water Management No. 4 and highlighted the steps before it would take effect. Mike Kruse suggested a public meeting once a final draft had been developed. Ms. Fricke highlighted the key points that would be discussed including the new items and the old undecided topics. Clinton Phillips presented the Change in Unconfined Aquifer Storage chart and provided a Subdistrict outlook. Ms. Fricke emphasized some of the new terminology that goes through out the Plan and presented the Tools for Recovery. She also highlighted the Sustainability Factor tool and provided an example. Ms. Fricke presented an example time line on how things would work once the Plan of Water Management No. 4 is approved and how to file an appeal. Pete Ampe highlighted the changes made to the draft Plan of Water Management No. 4 including a section regarding Subdistrict lands and territory which could not leave the Subdistrict due to how the statues are set up. Discussion was held on this topic; some objections were heard. Mr. Ampe reported the Board could revisit the topic if they would like. Discussion was held on the sustainability factor determining fees and having it available to use as a tool. Mr. Ampe explained how the Republican River charges fees and how the depletion fee could be used. Discussion was held on how to set the water value. Carla Worley suggested making a separate set of rules from the Plan of Water Management that could be changed every five years if needed.

A motion was made by Clay Mitchell to wait five (5) years before adjusting the sustainability factor and starting with the 6th year the Board will look at progress towards achieving sustainability and may adjust the sustainability factor. The motion was seconded by Sheldon Rockey.

Discussion was held on the motion on the table.

Roll call vote was taken as follows:

Tony Holcomb-NO
Sheldon Rockey-YES

Carla Worley-YES
Miguel Diaz-YES
Clay Mitchell-YES
Asier Artachevarria-ABSTAINED
Chris Miner-NO
Jamie Hart-NO
Les Alderete-YES
Brian Brownell-YES

The motion passed with six (6) yeses, three (3) no's and one (1) abstention.

A motion was made by Tony Holcomb that you cannot adjust the sustainability factor so that a subdistrict member can receive more than 1 acre foot of surface water credit for each acre foot, as applied to groundwater withdrawals, of water brought into the Subdistrict until the sustainability requirement is met. The motion was seconded by Jamie Hart.

Marisa Fricke presented the current and after the five (5) year evaluation sustainability factor. Clay Mitchell reported the motion on the table offsets the prior motion and felt they needed to leave in flexibility.

Roll call vote was taken as follows:

Tony Holcomb-YES
Sheldon Rocky-NO
Carla Worley-NO
Miguel Diaz-NO
Clay Mitchell-NO
Asier Artachevarria-ABSTAINED
Chris Miner-YES
Jamie Hart-YES
Brian Brownell-YES
Les Alderete-ABSTAINED

There was a tie, four (4) no's, four (4) yeses, Mike Kruse was asked to vote to break the tie:

Mike Kruse-YES

The motion passed with five (5) yeses, four (4) no's and two (2) abstentions.

Pete Ampe continued to highlight other requested changes throughout the Plan of Water Management. Discussion was held on the Board of Director's non authority to lower the water value and whether or not depletions should continue to be paid by the Subdistrict when a well leaves the Subdistrict.

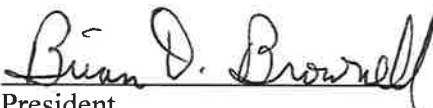
Next Meeting

The next quarterly meeting is scheduled for March 1, 2022 at 1:30 p.m.

A special meeting is scheduled for March 11, 2022 at 1:30 p.m.

Adjournment

The meeting was adjourned at 4:55 p.m.



President



Secretary/Treasurer