

**ANNUAL MEETING OF THE BOARD OF MANAGERS  
OF SPECIAL IMPROVEMENT DISTRICT #6  
OF THE RIO GRANDE WATER CONSERVATION DISTRICT  
February 14, 2024, at 1:30 p.m.  
RIO GRANDE WATER CONSERVATION DISTRICT CONFERENCE ROOM  
AND BY ZOOM/TELECONFERENCE**

**Present:** Tyler Faucette, President; Virgil Valdez, Vice-President; Ronald Reinhardt, Secretary/Treasurer; Mario Curto, Manager; Rodney Reinhardt, Manager; Kenneth Reynolds, Manager; Gerald Faucette, Manager; Austin Miller, Manager; and, Armando Valdez, Ex-Officio Member.

**Absent:** Peter Clark, Manager; and Robert Middlemist, Manager.

**Staff and Consultants:** Pete Ampe, Hill & Robbins, P.C.; Angelo Bellah, Program Manager; Rose Vanderpool, Program Assistant; Linda Ramirez, Program Assistant; Clinton Phillips, Davis Engineering; Wylie Keller, Water Resource Specialist; and, April Mondragon, Administrative Assistant.

**Guests:** Virginia Christensen, Lavern Heersink, Travis, Rodney Archer, Luke Archer, Jason Lorenz, Wade Henderson, Trevor Zimmerman, Chay Yund, Scot Johnson, Jennifer Johnson, Jeff Washburn, Ray Welch, Martin Gonzales, Jeremy Faucette, Shawna Lease, Jace Booth, Christopher Lease, Stanley Price, John Curto, Justin Rogers, Curtis Schnider, Chad Cochran, Steve Valdez, Garret Valdez, Ron Miller, Matt (last name unidentified), Deb Sarason, Wade Henderson, Ryan Unterreiner, Chris Schaefer.

**Meeting Called to Order**

President Faucette called the meeting to order at 1:30 p.m. A quorum was present. The Pledge of Allegiance was recited.

**Approval of the Agenda**

President Faucette asked to add Public Comment and Engineers Report to the agenda. He asked for any other changes/amendments or a motion to approve the agenda. A motion was made to approve the agenda as amended. The motion was seconded and unanimously approved.

**Approval of the Consent Agenda**

President Faucette asked to amend the November 20, 2023 Special Meeting Minutes to correct the name of the President from Shriver to Faucette. He asked for any other amendments or a motion to approve the following consent agenda items:

- November 7, 2023-Quarterly Meeting Minutes
- November 7, 2023-Executive Session Minutes
- November 20, 2023-Special Meeting Minutes
- November 20, 2023-Executive Session Minutes
- December 20, 2023-Special Meeting Minutes
- December 20, 2023-Joint Subdistrict Meeting
- December 20, 2023-Joint Subdistrict Executive Session Minutes
- January 18, 2024-Special Meeting Minutes

A motion was made to approve the consent agenda items as amended. The motion was seconded and unanimously approved.

**Public Comment**

President Faucette asked for public comment. There was none.

**Election of Officers**

President Faucette asked for election of officers. Pete Ampe reminded the Board of the current officers and opened up the floor for nominations for President including self-nominations or a nomination to maintain the current slate of officers. A motion was made to maintain the current officers. The motion was seconded and unanimously approved.

**Attorney's Report**

President Faucette asked for the Attorney's report. Pete Ampe reported on the preparations ahead of Annual Replacement Plan (ARP) and SWSP season. He provided an update on the setting of oral arguments by the United States Supreme Court on the United States objections to the State's settlement agreement in the Texas vs New Mexico/Colorado case. Mr. Ampe reported it was set for March 30<sup>th</sup> in Washington D.C. and an audio recording would be available online shortly after.

**Engineers Report-Clinton Phillips**

President Faucette asked for the Engineers report. Clinton Phillips presented a map of the Subdistrict No. 6 Alamosa/La Jara monitoring wells grouped by model layer. He reported on the yearly difference between the 2015 baseline and 2023. Mr. Phillips highlighted the decline in the average difference from the baseline for

model layer three (3) and four (4) wells and the increase in both last year. He reported emailing copies of the hydrographs to the Board.

### **Program Manager Update**

President Faucette asked for the Program Manager update.

- **Financial Report**

Angelo Bellah presented the financial report. He highlighted the costs covered by the District for formation, expenses since formation and the remaining balance due to the District. Mr. Bellah presented the Balance Sheet and the Profit and Loss Statement. He went over the current assets, the amount in the checking account, accounts receivable, liabilities and net income. Mr. Bellah highlighted the total liabilities and equity, the amount due from Subdistrict No. 2. President Faucette requested a copy of the unaudited Profit Loss statement for the prior year be provided to the Board.

A motion was made to approve the financial report as presented. The motion was seconded and unanimously approved.

- **Ongoing Operations**

Angelo Bellah highlighted the on-going efforts to secure forbearance agreements and a request to combine the Conejos forbearance agreements with Subdistrict No. 3 and the Trinchera Subdistrict in order to streamline the process.

A motion was made to authorize staff to combine all forbearance agreements with Subdistrict No. 3 and the Trinchera Subdistrict on the Conejos River. The motion was seconded and unanimously approved.

Mr. Bellah provided the current reservoir storage balances and gave an update on potentially leasing Santa Maria Reservoir Company's Monte Vista Canal shares. Staff was directed to reach out to the shareholders. Mr. Bellah reminded the Board of the work Ronald Reinhardt volunteered to do on the ditch from the flume to the pond. He also updated the Board on the contract with the City of Alamosa, the Board of Manager terms set to expire in 2024 and described the process should they have interest in continuing to serve on the Board. Mr. Bellah gave an update on SWSPs and asked the Board for direction on how to remedy wintertime depletions. President Faucette asked for the discussion to be revisited near the end of the irrigation season.

A motion was made to continue to pursue the Taos Valley No. 3 water to pay daily depletions as available for the 2024 irrigation season. The motion was seconded. The motion was amended to remove "irrigation season." It was voted on and unanimously approved.

- **Preliminary Water Report Update**

Angelo Bellah reported on a meeting he attended with the Division of Water Resources (DWR) regarding the Alamosa Creek Canal SWSP. He provided an update on the Subdistricts real property/water right purchases and the City of Monte Vista Anderson Ditch water lease. Discussion was held on how to divide the leased water with Subdistrict No. 2 and the need for municipalities to participate in funding a sustainability project. President Faucette volunteered to have a discussion with Scot Schaefer, the point of contact from Subdistrict No. 2 regarding the division of the water and bring it back to the Board for consideration.

- **2024 Annual Replacement Plan (ARP) update**

Angelo Bellah highlighted the ARP due date and the information included in the report.

### **Discuss Potential Measures to Maintain Aquifer Sustainability**

President Faucette asked for a discussion on potential measures to maintain aquifer sustainability. Jason Lorenz presented the 2024 composite head change table and Groundwater Diversion vs. Change in Composite Water Head at Forecasted Streamflow chart he developed. He explained what it would take to maintain the aquifer and reduce the amount of groundwater acre feet being withdrawn. President Faucette highlighted the amount budgeted for 2024 to fund a sustainability program. He encouraged the well owners to minimize their groundwater withdrawals and reported the Board of Managers would rather put a program in to place utilizing the free market rather than a program of rationing. Angelo Bellah presented a graph showing Subdistrict No. 6 diversion history with reduced amounts. Discussion was held on using the last five (5) years of pumping to determine the average, the value of water, how to quantify a cut back and verify a reduction of pumping. The Board also discussed setting parameters and starting point of a program and leasing vs purchasing.

A motion was made to offer \$220 per acre foot of verifiable pumping reduction. The motion was seconded and unanimously approved.

A motion was made to base the timeframe off of the last five (5) years (2018-2022) to build averages with a variance allowance. The motion was seconded and unanimously approved.

Pete Ampe reported he would work with staff to draft a standard application to be accepted through March 15<sup>th</sup>. Discussion was held on the most effective way to advertise the program. The application deadline was changed to March 8<sup>th</sup>.

**The meeting recessed at 3:36 p.m. and resumed at 3:53 p.m.**

**Executive Session to Receive Legal Advice Regarding Negotiations for the Lease/Purchase of Real Property**

President Faucette asked for a motion to enter into executive session to receive legal advice regarding negotiations for the lease/purchase of real property. A motion was made at 3:53 p.m. to enter into executive session to receive legal advice regarding negotiations for the lease/purchase of real property. The motion was seconded and unanimously approved.

Mr. Ampe stated the Board was entering into executive session pursuant to section 24-6-402(4) to receive legal advice regarding negotiations for the lease/purchase of real property and the Board would take no formal action or position during the executive session

**Direction for Staff**

President Faucette asked for direction for staff. Staff was directed to set up a meeting with entities to discuss sustainability, move forward with ranking applications as they are submitted and keep them anonymous.

**New Business**

President Faucette asked for new business. Pete Ampe reported a summary of the application rankings would be sent out to the Board before the March 15<sup>th</sup> meeting.

**Next Meeting**

A special meeting was scheduled for March 15, 2024 at 1:30 p.m.

The next quarterly meeting is scheduled for May 8, 2024, at 1:30 p.m.

**Adjournment**

A motion was made to adjourn the meeting. The motion was seconded and unanimously approved. The meeting was adjourned at 4:41 p.m.

  
President

  
Secretary/Treasurer