

**QUARTERLY MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #4
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
March 7, 2023 at 9:00 a.m.
RIO GRANDE WATER CONSERVATION DISTRICT CONFERENCE ROOM
AND ZOOM/TELECONFERENCE**

Present: David Frees, President; Pete Stagner, Vice-President/Secretary/Treasurer; Jan Waye, Manager; Jeremy Uhlenbrock, Manager; Jeff Regenold, Manager; and Peggy Godfrey, Ex-Officio Member.

Staff and Consultants: Pete Ampe, Hill and Robbins, P.C.; Chris Ivers, Program Manager; Rose Vanderpool, Program Assistant; Clinton Phillips, Davis Engineering; Taylor Chick, Program Manager; Angelo Bellah, Program Manager; Linda Ramirez, Program Assistant; Kylie Gregg, Office Manager; April Mondragon, Administrative Assistant; and Wylie Keller, Water Resource Specialist.

Guests: David Hofmann, Dirk Rasmussen, Dick Sparks, John Gerstle, Michelle Lanzoni, William Myers.

Meeting Called to Order

President Frees called the meeting to order at 9:04 a.m. There was a quorum present for the meeting. The Pledge of Allegiance was recited.

Approval of the Agenda

President Frees asked to add the consideration of a Banking Resolution to the agenda. He asked for any other amendments or a motion to approve the agenda. A motion was made by Jan Waye to approve the agenda as amended. The motion was seconded by Jeff Regenold and unanimously approved.

Approval of the Consent Agenda

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

- November 29, 2022-Special Meeting Minutes
- December 6, 2022-Annual Meeting Minutes
- December 6, 2022-Executive Session Minutes
- January 31, 2023-Special Meeting Minutes
- February 7, 2023-Special Meeting Minutes

A motion was made by Jan Waye to approve the consent agenda. The motion was seconded by Jeff Regenold and unanimously approved.

Oath of Office-Jeff Regenold

President Frees asked for the Oath of Office for Jeff Regenold. Pete Ampe swore in Jeff Regenold, and he was welcomed to the Board of Managers.

Public Comment

President Frees asked for public comment. There was none.

Attorney's Report

President Frees asked for the Attorney's report. Pete Ampe updated the Board on the Texas vs. New Mexico and Colorado settlement agreement. He also provided an update on the District Board's approval of the draft Groundwater Compact Compliance and Sustainability Fund plan. Mr. Ampe explained the next steps in the approval process of the plan. President Frees asked for an update on the stream channel issue. David Hofmann reported photos had been taken and he would have a discussion with Pete Ampe once he had time to review them. Mr. Hofmann also updated the Board on the status of hiring a new Water Commissioner and Deputy Water Commissioner.

Program Manager's Report

President Frees asked for the Program Manager's report. Chris Ivers presented the financial report. He highlighted the Subdistrict tracking sheet, Balance Sheet, and Profit & Loss Statement. Mr. Ivers provided the checking account balance, assessments receivable and total expenses.

A motion was made by Jan Waye to approve the financial report. The motion was seconded by Jeff Regenold and unanimously approved.

Mr. Ivers provided an update on the groundwater conservation easement with Ron Bowman. He highlighted the next steps as well as the timeline. Mr. Ivers reported on the progress in connection with the pivot leases as well as the request for proposals for revegetation. President Frees directed Mr. Ivers to send out a thank you letter to those participating in Well Injury Payment agreements.

Discussion and Possible Action on Banking Resolution

President Frees asked for discussion and possible action on Banking Resolution. Chris Ivers presented the proposed Banking Resolution and explained its purpose.

A motion was made by Jeff Regenold to approve the Banking Resolution as presented. The motion was seconded by Jeremy Uhlenbrock and unanimously approved.

Discussion 2023 Outlook and Replacements

President Frees asked for the discussion on 2023 outlook and replacements. Chris Ivers provided the NRCS forecast update. He explained the source of remedy needed by the Subdistrict if conditions remain as dry as predicted. Mr. Ivers reported on a potential fallow opportunity in exchange for paying fees and the potential to negotiate a Well Injury Payment. Discussion was held on the amount of fees owed by the property owner and how often the water right holder would be the calling priority. Pete Ampe explained how an agreement could be worked out with the property owner. Mr. Ivers reported how the budget would respond to the loss of revenue. Staff was directed to work out a contract. Mr. Ivers also reported on the possibility of the Subdistrict operating on Well Injury Payments alone. Discussion was held on the State approving the Annual Replacement Plan and the forecast outlook.

Discussion Regarding Peachwood Farm’s 2023 Operations

President Frees asked for the discussion regarding Peachwood Farm’s 2023 operations. Chris Ivers presented the RFP. He reported on the revegetation operations and asked the Board how they wanted to handle routine purchases. Discussion was held on renozzleing and type of watering system. Dick Sparks described how the property owner has dealt with the adjustments of nozzles and how these types of repairs/adjustments/replacements could be managed going forward.

A motion was made by Jeremy Uhlenbrock to direct the Farm Management Committee to work with Dick Sparks and authorize purchase of replacement nozzle inserts as necessary and development of a new flow chart for the three (3) revegetation pivots. The motion was seconded by Jeff Regenold and unanimously approved.

Chris Ivers presented the notice of request for bids. Dick Sparks explained what would be planted and when the planting would begin. Mr. Ivers presented the notice of request for bids to spray application of two (2) herbicide treatments to three (3) center pivot irrigated fields. Dick Sparks provided some suggested changes to the bid and reported he would monitor the process and make recommendations to the committee. Discussion was held on the planting, mowing, chopping of the three (3) center pivot fields and the fall irrigation season. Staff was directed to publish the notices. Mr. Ivers reported he would work with Mr. Sparks to acquire price quotes from seed companies.

New Business

President Frees asked for new business. There was none.

Next Meeting

A special meeting was scheduled for April 10, 2023 at 1:00 p.m. Another special meeting was scheduled for April 17, 2023 at 1:00 p.m.

The next quarterly meeting was scheduled for June 6, 2023 at 9:00 a.m.

Adjournment

A motion was made by Pete Stagner to adjourn the meeting. The motion was seconded by Jeff Regenold and unanimously approved.

The meeting was adjourned at 10:54 a.m.



President



Vice-President/Secretary/Treasurer



Rio Grande Water Conservation District

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Protecting & Conserving San Luis Valley Water

RESOLUTION

Whereas, the Special Improvement District No. 4 of the Rio Grande Water Conservation District wishes to do banking with local banks in the San Luis Valley, and

Whereas, Cleave Simpson, the General Manager of Rio Grande Water Conservation District, shall be a signatory on all bank accounts held by the Subdistrict, and

Whereas, the Board of Managers of Special Improvement District No.4 of the Rio Grande Water Conservation District desire to have: Amber Pacheco, Deputy General Manager; Chris Ivers, Program Manager; the President, David Frees; and the Vice-President/Secretary/Treasurer, Kevin (Pete) Stagner as signatories on all bank accounts held by the Subdistrict, and

Therefore, be it resolved, that Special Improvement District No. 4 Board of Managers request that banks allow the General Manager, Deputy General Manager, Program Manager, President, Vice-President/Secretary/Treasurer to discharge the banking business of the Rio Grande Water Conservation District Special Improvement District No. 4.

Signed on this 7th day of March 2023, at the annual meeting of the Rio Grande Water Conservation District Special Improvement District No. 4.

David Frees, President

Kevin (Pete) Stagner, Vice President/Secretary/Treasurer

I Jeff Regenold, do [select swear or affirm] that I will support the constitution of the United States, the constitution of the state of Colorado, and the laws of the state of Colorado, and will faithfully perform the duties of the office of Manager of the Board of Special Improvement District No. 4, upon which I am about to enter, to the best of my ability.



Jeff Regenold,

March 7, 2023