

**SPECIAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #3
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
April 6, 2022 at 4:00 p.m.
8805 Independence Way, Alamosa CO 81101
And By Zoom/Teleconference**

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

Absent: Sam Vance, Manager.

Staff and Consultants: Pete Ampe, Hill & Robbins, P.C; Amber Pacheco, Program Manager; Wylie Keller, Water Resource Specialist; Kylie Gregg, Office Manager; Clinton Phillips, Davis Engineering; Michael Carson, Database Administrator; Rose Vanderpool, Program Assistant; and, April Mondragon, Administrative Assistant.

Guests: David Hofmann and Deb Sarason, DWR.

Meeting Called to Order

President Salazar called the meeting to order at 4:07 p.m. A quorum was present. The Pledge of Allegiance was recited and an opening prayer was said.

Approval of the Agenda

President Salazar asked to amend the agenda to add a discussion regarding the offer to purchase Santa Maria water currently owned by Subdistrict No. 1 and also add a discussion regarding a cease and desist order from the State sent to the Conejos County Hospital. A motion was made by Ruben Sandoval to approve the agenda as amended. The motion was seconded by Warren Crowther and unanimously approved.

Executive Session

President Salazar asked for a motion to enter into executive session to receive legal advice concerning the purchase of real property. A motion was made by Warren Crowther to enter into executive session. The motion was seconded by Ruben Sandoval and unanimously approved.

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

Possible Discussion and/or Action from Executive Session

President Salazar asked for possible action from executive session. A motion was made by Nathan Coombs to approve \$2,187,209.90 to purchase 2 circles with \$120,000 of the total as a down payment for the rental of the two (2) circles and the water rights for this irrigation season. The two (2) circles of land are described as field eleven (11) and field twelve (12) and include a groundwater well and portions of the J.F. Chacon No. 2 and the Heads Mill Ditches. The motion was seconded by Ruben Sandoval and a roll call vote was taken as follows:

Ruben Sandoval: yes
Warren Crowther: yes
Dwight Martin: yes
Nathan Coombs: yes
Doug Bagwell: yes
Leroy Salazar: yes

The motion passed unanimously.

Discussion was held on obtaining a legal description of the property.

Discussion and Possible Offer to Purchase Santa Maria Water from the Currently Owned Subdistrict No. 1

President Salazar asked for the discussion and possible offer to purchase Santa Maria Water currently owned Subdistrict No. 1. Amber Pacheco reminded the Board of the counter-offer

Subdistrict No. 3 made to Subdistrict No. 1; she provided a breakdown including estimated storage costs. Ms. Pacheco asked the Board to allow her to work with Marisa Fricke to verify with the reservoir company the actual storage costs.

A motion was made to approve the counter-offer to purchase 47.66-acre feet of Rio Grande Canal shares of Santa Maria water currently owned by Subdistrict No. 1 at \$250 per acre-foot and 152.34 acre-feet of Monte Vista Canal shares of Santa Maria water currently owned by Subdistrict No. 1 at \$100 per acre-foot and to allow Amber Pacheco to negotiate the storage component. The motion was seconded by Warren Crowther and unanimously approved.

Discuss Conejos County Hospital Participation Contract

President Salazar asked for the discussion on the Conejos County Hospital cease and desist order and their request for a participation contract for the 2022 Annual Replacement Plan. Amber Pacheco reported on the cease and desist letters the State mailed out to those who did not come into compliance within the timeline set out in the State's Groundwater Rules. She reported she received a call from the new administrator of the Conejos County Hospital who received one of these letters. Ms. Pacheco explained the hospital did not receive a letter in 2019 from the State letting them know the Rules had come into effect and the Subdistrict staff had not contacted them since the formation of the Subdistrict. She provided the well is used for outside sprinkler use and the average use for the well. Ms. Pacheco asked the Board if they would extend the contracting deadline for the 2022 Annual Replacement Plan and to consider the participation contract for the hospital.

A motion was made by Nathan Coombs to extend the contracting deadline for the 2022 Annual Replacement Plan and accept the Conejos County Hospital participation contract with payment of all back fees to include a 20% penalty on all back fees. The motion was seconded by Doug Bagwell and unanimously passed.

Next Meeting

The next quarterly meeting was scheduled for June 2, 2022, at 8:00 a.m.

Adjournment

A motion was made by Warren Crowther to adjourn the meeting. The motion was seconded by Ruben Sandoval and unanimously approved.

The meeting was adjourned at 5:13 p.m.



President



Vice-President/Secretary/Treasurer