

**SPECIAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #6
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
November 20, 2024, at 11:00 a.m.
8805 Independence Way, Alamosa, CO 81101
AND BY ZOOM/TELECONFERENCE**

Present: Tyler Faucette, President; Virgil Valdez, Vice-President; Ronald Reinhardt, Secretary/Treasurer; Rodney Reinhardt, Manager; Robert Middlemist, Austin Miller, Manager; Manager; and, Virginia Christensen, Manager.

Absent : Mario Curto, Manager; Gerald Faucette, Manager; Peter Clark, Manager; and, Armando Valdez, Ex-Officio Member.

Staff and Consultants: Pete Ampe, Hill & Robbins, P.C.; Angelo Bellah, Program Manager; Amber Pacheco, Deputy General Manager; Wylie Keller, Water Resource Specialist; Kylie Gregg, Office Manager; Linda Ramirez, Program Assistant; Michael Carson, Database Administrator; and, April Mondragon, Administrative Assistant.

Guests : Chris Shaffer, Sally Weir, Michelle Lanzoni, Jamie Hart.

Meeting Called to Order

President Faucette called the meeting to order at 11:01 a.m.

Approval of the Agenda

President Faucette asked to amend the agenda to move item #6 to item #4 and shift the other items down. A motion was made to amend the agenda. A motion was made to approve the agenda as amended. The motion was seconded and unanimously approved.

Public Comment

President Faucette asked for public comment. There was none.

2025 Irrigation Season Projects

President Faucette asked for 2025 Irrigation Season Projects.

- *Mr. Hart's Fish Well*

Angelo Bellah described Jamie Hart's updated offer to the Subdistrict for \$150 per acre foot of reduced pumping, 400 acre feet per year for five (5) years, a total of \$60,000 per year, \$300,000 over the term of the contract. Discussion was held on the depth of the well, the layer it pumps from, how the reduction of pumping could benefit the Subdistrict for sustainability and if the well's HCU could be used to remedy depletions, and if not, would it be possible to use a different water right with adequate HCU through the well for remedy. President Faucette reported for the record that the well is a Subdistrict No. 6 well.

A motion was made to approve and move forward with the five (5) year contract adding the well could be used for augmentation by transferring a separate water right to be used through the well and any and all fees associated with the augmentation well would be paid for by the Subdistrict. The motion was seconded.

Jaime Hart commented on the well being used for augmentation while he continues to use a portion of the water for his trout farm. Pete Ampe described a clause that could be added to include augmentation use would not interfere with piscatorial use.

The motion was voted on and passed unanimously.

- *MVC SWSP*

Angelo Bellah provided an update on the MVC SWSP. He reported having two (2) participants and would soon be meeting with Wylie Keller and Amber Pacheco to determine the feasibility for 2025. Discussion was held on the dollar amount per irrigated acre to offer participants, and the potential to utilize outside consultants to assist with the project. Robert Middlemist described some of the concerns brought up by the Board of the MVC Water Users. Discussion was held on how to work through the issues.

A motion was made to offer \$180 per acre foot to those willing to participate. Virginia Christensen abstained. The motion was seconded and approved.

- *Alamosa River/Capuline Ditch WSA*

Angelo Bellah reported on two (2) shareholders that have expressed interest participating in the Alamosa River/Capulin Ditch WSA. He asked the Board to consider the amount to offer per acre foot.

A motion was made to offer \$180 per acre foot to those willing to participate. The motion was seconded and unanimously approved.

- *Pumping Reduction Program*

Tyler Faucette reported he may participant in the program, therefore recused himself from the discussion. Vice President Valdez led the discussion. Pete Ampe provided the baseline average used for the last program as well as the dollar amount per acre foot of pumping reduction. Discussion was held on the amount to offer per acre foot and possibly moving the average up one (1) year. Virginia Christensen recused herself from the discussion.

A motion was made to accept/approve the Pumping Reduction Program (“PRP”) with reductions to be based on average groundwater withdrawals per farm unit for the years 2019-2023 inclusive for each acre foot of reduced groundwater withdrawals during the 2025 irrigation season against the five (5) year average. For applicants who participated in the PRP during the 2024 irrigation season, their farm unit’s 2018-2022 five (5) year average would be used. Subdistrict No. 6 will pay the producer \$180, and if the producer exceeds 2025’s irrigation season pumping limit then the producer must pay Subdistrict No. 6 \$540 per acre foot above said irrigation season pumping limit, and the amount would be offset against any amount owed to the producer by Subdistrict No. 6 under this program. The motion was seconded. The motion was amended to add that the well(s) must be active with an historic use of at least five (5) years in order to apply for the Pumping Reduction Program. The motion was voted on and unanimously approved, with Tyler Faucette and Virginia Christensen abstaining.

Discussion Regarding 2024 Administrative and Groundwater Withdrawal Fee Assessments

President Faucette asked for discussion regarding 2024 Administrative and Groundwater Withdrawal Fee Assessments. President Faucette reminded the Board of the direction given to fund the Aquifer Recovery Program in the amount of \$693,018.97 for the replacement of injurious depletions. He asked the Board if they wished to modify the amount. Angelo Bellah presented the budget fee scenarios. Discussion was held on the drop in depletions and whether or not to maintain the fund balance. Kylie Gregg described where an error occurred in the budget. Ms. Gregg and Angelo Bellah reported they would work on corrections to the budget/Resolution while the Board enters into executive session.

Executive Session to Receive Legal Advice Concerning the Lease/Purchase of Real Property

President Faucette asked for a motion to enter into executive session to receive legal advice concerning the lease/purchase of real property. A motion was made at 12:21 p.m. to enter into executive session to receive legal advice concerning 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 concerning the lease/purchase of real property and the Board would take no formal action or position during the executive session

Possible Action Following Executive Session

President Faucette asked for possible action following executive session. A motion was made to authorize Pete Ampe to disclose/discuss the general discussion held in executive session to Subdistrict No. 2 in their executive session. The motion was seconded and unanimously approved.

Resolution to Approve 2024 Administrative and Groundwater Withdrawal Fee Assessments

President Faucette asked for the Resolution to Approve 2024 Administrative and Groundwater Withdrawal Fee Assessments.

The Board recessed to give staff time to make amendments to the Resolution.

Angelo Bellah presented the amended Resolution to Approve 2024 Administrative and Groundwater Withdrawal Fee Assessments, he read it into record.

A motion was made to approve the Resolution to Approve 2024 Administrative and Groundwater Withdrawal Fee Assessments. The motion was seconded and unanimously approved.

Staff was directed to notify Subdistrict No. 6 members that staff would be accepting applications for the Pumping Reduction Program until February 1, 2024. The MVC SWSP application deadline was set for December 15, 2024.

Next Meeting

The annual meeting is scheduled for February 12, 2025, at 1:30 p.m.

Adjournment

The meeting was adjourned at 12:59 p.m.



President



Secretary/Treasurer

DRAFT

**RESOLUTION TO ASSESS FEES FOR SPECIAL IMPROVEMENT DISTRICT NO. 6
OF THE RIO GRANDE WATER CONSERVATION DISTRICT**

A RESOLUTION ASSESSING FEES FOR THE BUDGET YEAR 2024 TO (1) FUND THE ADMINISTRATIVE COSTS OF SPECIAL IMPROVEMENT DISTRICT NO. 6 OF THE RIO GRANDE WATER CONSERVATION DISTRICT'S WATER ACTIVITY ENTERPRISE (SUBDISTRICT NO. 6); AND, (2) TO FUND THE COSTS OF REMEDYING INJURIOUS DEPLETIONS AS REQUIRED BY THE PLAN OF WATER MANAGEMENT FOR SUBDISTRICT NO. 6 FOR THE 2024 BUDGET YEAR.

WHEREAS, the amount of money necessary to balance the budget for Subdistrict No. 6 administrative expenses is \$144,655.10; and

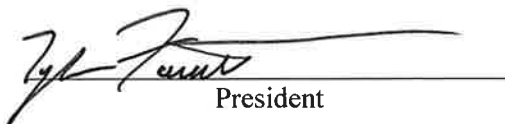
WHEREAS, the amount of money necessary to fund the replacement of injurious depletions is \$1,186,597.79.

WHEREAS, the amount of money necessary to fund aquifer recovery is \$693,018.97.

NOW THEREFORE, BE IT RESOLVED BY THE Board of Managers of Subdistrict No. 6, Colorado:

- Section 1: That for the purpose of meeting all administrative expenses of the Special Improvement District No. 6 during the 2024 budget year there is hereby assessed a fee of \$310.62 per active Subdistrict Well and \$155.31 per inactive Subdistrict Well as defined by the Plan of Water Management for Subdistrict No. 6.
- Section 2: That for the purpose of funding the remedy of injurious depletions of Subdistrict No. 6 there is hereby assessed a fee of \$16.47 per acre-foot under sprinkler application, \$11.90 per acre-foot under flood application and between \$0.60 and \$19.84 per acre-foot for wells under an "other" application based on a five-year average of groundwater withdrawals during the period 2019-2023 as defined by the Plan of Water Management for Subdistrict No. 6.
- Section 3: That for the purpose of funding the recovery of the aquifer there is hereby assessed a fee of \$7.79 per acre-foot of groundwater withdrawn through a Subdistrict Well based on a five-year average of groundwater withdrawals during the period 2019-2023.
- Section 4: That the General Manager is hereby authorized and directed to immediately certify to the County Commissioners of Alamosa County, Conejos County, and Rio Grande County, Colorado, the assessments above determined and set.

ADOPTED, this 20th day of November, 2024.



President



Secretary/Treasurer