

**ANNUAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #3
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
March 7, 2024 at 8:00 a.m.
8805 Independence Way, Alamosa, CO 81101
And By Zoom/Teleconference**

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

Absent: Sam Vance, Manager; Warren Crowther, Manager.

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

Guests: Michelle Lanzoni, Jason Lorenz, Kit Caldon, JD4, Greg Higel, Wayne Quinlan, Dean Smartman, Jim Payne, Matt Peterson, Mario Peterson, John Salazar, David Hofmann.

Meeting Called to Order

President Salazar called the meeting to order at 8:03 a.m. A quorum was present. The Pledge of Allegiance was recited. Elliott Salazar led the opening prayer.

Approval of the Consent Agenda

President Salazar asked for changes, additions or a motion to approve the consent agenda items:

- Agenda
- November 29, 2023-Special Meeting Minutes
- December 7, 2023-Quarterly Meeting Minutes
- December 7, 2023-Executive Session Minutes
- December 13, 2023-Special Meeting Minutes
- December 13, 2023-Executive Session Minutes
- January 17, 2024-Special Meeting Minutes
- January 17, 2024-Executive Session Minutes

A motion was made by Nathan Coombs to approve the consent agenda. The motion was seconded by Ruben Sandoval and unanimously approved.

Election of Officers

President Salazar asked for election of officers. Pete Ampe reminded the Board of the current officers. He opened the floor for nominations for President including self-nominations or a nomination to retain the current slate of officers.

A motion was made by Elliott Salazar to maintain the current slate of officers. The motion was seconded by Doug Bagwell and unanimously approved.

Public Comment

President Salazar asked for public comment. There was none.

Attorney's Report

President Salazar asked for the Attorney's report. Pete Ampe reported working on the final SWSP on the Alpha property. He provided an update on the Texas vs. New Mexico/Colorado case and stated an argument date was set by the US Supreme Court for March 20th. Mr. Ampe also updated the Board on the Subdistrict No. 1 Plan of Water Management No. 4.

Program Manager's Report

President Salazar asked for the Program Manager's report.

- *Financial Report:* Angelo Bellah presented the financial report. He went over formation costs and expenses covered by the District since formation, the amount reimbursed and the

remaining balance. Mr. Bellah presented the Balance Sheet and the Profit and Loss Statement. He highlighted the assets, liabilities & equity, expenses and net income.

- Review of 2023 Preliminary Annual Water Report

Angelo Bellah presented the preliminary Annual Water Report. He explained what information is included in the report and why it is required. Mr. Bellah highlighted the projected vs preliminary final streamflow's on the Conejos, Rio Grande and Alamosa Rivers. He went over the projected, preliminary, and actual plan year depletions, groundwater withdrawals and post plan depletions. Mr. Bellah presented and explained the comparison of Subdistrict No. 3's 2023 projected and calculated stream depletions. Discussion was held on how to achieve sustainability. Mr. Bellah reported on a request from the Division of Water Resources to change the consumptive use amount applied to CPW fish wells which would increase the Subdistricts depletions.

- Update on Progress of the Annual Replacement Plan for 2024

Angelo Bellah reported depletions during the non-irrigation season were being remedied by the Closed Basin Project. He presented a list of forbearance agreements and highlighted the ones he is working to secure. Mr. Bellah provided the ARP due date, the current reservoir balances and reported no contracts were actively being worked on. He updated the Board on the Lupita and Taos Valley No. 3 SWSPs. David Hofmann explained the SWSP process. Mr. Bellah reported on the Expo SWSP five (5) year filing limit being reached and on the on-going projects.

Update on Progress of Sale of Alpha Hay Farms Lots

Mr. Bellah updated the Board that no offers had been received for the lots put up for sale. The Board discussed how to proceed and if hiring a realtor was necessary. A motion was made by Doug Bagwell to contact a realtor. The motion was seconded by Elliott Salazar and unanimously approved.

- Update on Ongoing Operations

Mr. Bellah updated the Board on the CWCD closing, sale of assets on the Alpha property and provided the names of the Board of Managers whose terms were set to expire. He went over an appeal filed on property owned by Jack Reynolds. Discussion was held on the appeal process.

A motion was made by Nathan Coombs to provisionally approve the appeal based on the evidence presented so if he files it can be expedited. The motion was seconded by Elliott Salazar and unanimously approved.

Mr. Bellah reported \$1,470.75 would be the amount to be refunded.

District Engineer's Report-Clinton Phillips

President Salazar asked for the District Engineer's report. Clinton Phillips reported not having updated measurements on the confined wells. He presented a map of the wells being measured monthly grouped by model layer. Mr. Phillips presented the change compared to the 2015 baseline and 2022 well measurement preliminary data. He highlighted the decline in model layer four (4) and the increase in model layer two (2) and a decline in layer three (3).

Discuss Potential Measures to Achieve Aquifer Sustainability

President Salazar asked for the discussion on potential measures to achieve aquifer sustainability. He described the success Subdistrict No. 5 has had with an allocation. Jason Lorenz explained what it would take to stabilize and improve the aquifer. He presented the NRCS forecast, composite water head change, and a model he drafted to show groundwater consumptive use. Mr. Lorenz described the different allocation methods. President Salazar presented his proposed cutback idea. Chris Ivers explained how Subdistrict No. 5 set their allocation as a percent of the historic average. He described the carry over and credit exchange within the Subdistrict and the variance tool in place. President Salazar asked Wylie Keller and Clinton Phillips to draft the historical 2009-2018 pumping on each farm unit in order to begin to develop a plan and prepare for the long term. President Salazar requested information on water savings being included in the letter to Subdistrict members. Clinton Phillips presented the March 1st forecast showing an increase on the Conejos and San Antonio.

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

President Salazar asked for an executive session to receive legal advice concerning the purchase of real property. A motion was made at 10:11 a.m. by Nathan Coombs to enter into executive session. The motion was seconded by Doug Bagwell 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 Action from Executive Session

President Salazar asked for possible action from the executive session. Staff was directed to continue to negotiate on purchases and leases of water in order to achieve the purposes of sustainability and the offset of injury.

New Business

President Salazar asked for new business. Angelo Bellah provided an update on a one-year pumping reduction program being offered in Subdistrict No. 6 focused on sustainability.

Next Meeting

The next quarterly meeting was scheduled for June 6, 2024, at 8:00 a.m.

Adjournment

The meeting was adjourned at 11:24 a.m.



President



Vice-President/Secretary/Treasurer