

RECORD OF PROCEEDINGS
SAN JUAN WATER CONSERVANCY DISTRICT
SPECIAL MEETING – JANUARY 20, 2025, 4 PM

Attendance

A Special Meeting of San Juan Water Conservancy District (SJWCD) was held Monday, January 20, 2025, at 4 PM in person at 46 Eaton Drive and on Zoom.

The following Directors were present in person: Candace Jones, Joe Tedder, Bill Nobles, Rod Proffitt, Randy Cooper, Rob Hagberg, and Chuck Riehm. Also present in person was Sally High (SJWCD Executive Assistant) and Bill Hudson (Pagosa Area Water and Sanitation District and Pagosa Daily Post).

Attending on Zoom were Director Susan Nossaman, Jeff Kane (Attorney), Josh Pike x2 (Pagosa SUN), Renee Lewis (PAWSD).

Call to Order

The Special Meeting of the San Juan Water Conservancy District (SJWCD) was called to order by President Candace Jones at 4:04 PM. A quorum was present.

Consideration of Executive Session

Director Nobles read the statute defining SJWCD's use of Executive Session.

Upon an affirmative vote of at least two-thirds of the members present, the San Juan Water Conservancy District will go into executive session pursuant to section 24-6-402(4) of the Colorado Revised Statutes to discuss matters concerning the transfer or sale of real, personal or other property interest pursuant to section 24-6-402(4)(a) of the Colorado Revised Statutes, to confer with the District's attorney for the purposes of receiving legal advice on specific legal questions pursuant to section 24-6-402(4)(b), C.R.S., and to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators pursuant to section 24-6-402(4)(e), C.R.S., all regarding the potential sale of the Running Iron Ranch on the initiative of the Pagosa Area Water & Sanitation District and related litigation (Case No. 24CV30069 filed in Archuleta County District Court) and forthcoming settlement negotiations.

Director Nobles moved to enter Executive Session. Director Hagberg seconded. A roll call vote resulted in unanimous approval.

Non-board members were placed in the Zoom waiting room. Mr. Hudson left the SJWCD office. The SJWCD Board of Directors entered Executive Session.

No action was taken in Executive Session. Director Hagberg moved to end Executive Session. Director Tedder seconded. A unanimous roll call vote ended Executive Session at 5:12 PM.

Consideration of Actions Regarding Running Iron Ranch and Related Litigation

Upon leaving Executive Session, SJWCD Directors discussed PAWSD's litigation (Case No. 24CV30069 filed in Archuleta County District Court), the settlement conference between representatives of SJWCD and PAWSD and their respective attorneys. Director Cooper moved to authorize the SJWCD Attorney to respond to litigation by January 31, to authorize Directors Jones and Riehm to assist the Attorney as needed to complete the response, and to continue related communications. Director Nobles seconded. The motion passed unanimously.

Consideration of Attorney's Report

Attorney Jeff Kane reported on pending water rights cases, referencing documents submitted to Directors in the Board Packet.

Kane responded to proposed decrees, submitted in September 2024, involving Bureau of Land Management (BLM) Division 7 and Division 3 water rights cases involving the Treasure Pass Ditch. Kane stated that Southwestern Water Conservation District had made progress resulting in a revised decree limiting water diversion from the San Juan basin to the Rio Grande basin by the BLM through the Treasure Pass Ditch. Kane submitted comments on behalf of SJWCD in a December 2024 letter.

No response has been received regarding the two Colorado Parks and Wildlife Piedra Pass diversion cases. A revised decree(s) is expected. A Status Conference is scheduled for spring 2025. Kane will confer with the CPW attorney and report to SJWCD.

Boot Jack Ranch provided responses to concerns that Kane submitted in July 2024. A Status Conference is scheduled for March 14. Kane stated concerns that Boot Jack augmentation plans were being duplicated and needed clarification.

Hidden Valley Ranch Association filed in November 2024 to change their water rights, making some rights permanent and filing diligence on others. Director Nobles moved that Kane prepare and file a Statement of Opposition to proposed changes. Director Hagberg seconded. The motion passed unanimously.

Consideration of Treasurer's Report

The Board Packet contained a full year summary spread sheet of 2024, a year-to-date spread sheet of 2025, and an AIR form. Director Nobles moved to accept the Treasurer's Report. Director Cooper seconded. The motion passed unanimously.

Consideration of Resolution 2025-01

Resolution 2025-01 authorizes SJWCD to apply for exemption from audit for 2024. Director Hagberg moved. Director Nobles seconded. Unanimous approval. The approved Resolution was signed by all Directors present.

Consideration of Resolution 2025-02

Resolution 2025-02 authorizes that notices of all meetings to appear on www.sjwcd.org (and/or the door of 46 Eaton Drive Suite 5) in advance of 24 hours before each meeting. Director Proffitt moved. Director Hagberg seconded. Unanimous approval. The resolution was signed by the President and Vice President.

Update on Contract with Yeh Engineering

SJWCD Directors Cooper and Jones reported that the authorized contract agreement between SJWCD and Yeh Engineering had begun. A completion of Yeh's work is expected in eight weeks with two weeks more to report results and answer questions for the SJWCD Board.

Updates from Directors

- San Juan-Chama Watershed's 9th Annual Rio Chama Congreso and the next 2-3-2 meeting will be held at Ghost Ranch on Friday and Saturday, February 28 and March 1. Director Hagberg plans to attend.
- Water Education Colorado (WECO)'s River Basin Tour will focus on the southwest region of the state this year. WECO will hold a planning call in early February to identify tour stops. Director Jones is in contact with WECO and will report to the SJWCD board as plans progress.
- Colorado Water Congress is the last three days of January. Director Tedder will send the SJWCD payment for a CWC 2025 membership. Director Cooper may attend.
- Southwestern Water Conservation District will present a Compact Compliance and Risk Analysis presentation on Tuesday, March 25. SJWCD directors suggested that the event be from 3 to 8 pm and the presentation followed by refreshments at a local restaurant. The venue is being determined. Steve Wolff and Pete Foster are both available to come to Pagosa Springs.
- San Juan Headwaters Forest Health Partnership on January 17 was attended by Directors Hagberg and Tedder. The Jackson Mountain thinning and fire mitigation project was approved. Director Tedder made a presentation about the third film, "Threats...." Rob stated that Bill Trimarco reported about "Forest Fire Adaptive Network" (Wildfire Adapted Partnership) and his funding. A representative from Colorado Cattleman's Agricultural Land Trust presented about wildfire readiness and a well-funded Steamboat Springs Watersheds study. Josh Peck (USFS San Juan National Forest) stated that the local Four Mile drainage is at the highest risk for fire in history. Directors were reminded to study the Fire Risk map sent by

Director Tedder. Alex Handloff previously stated to Director Jones that SJWFHP was working on the CWCB Fire Prevention grant.

- Director Jones continued to pursue replacing wall maps.
- Director Riehm contacted Charlie O’Leary and Trust for Public Lands. Director Jones sent documents to clarify SJWCD’s part ownership of RIR. Mr. O’Leary will contact higher-ups in the Trust. Director Riehm will make contact mid-week, after inviting Doug Secrist to join the conversation about the relationship between CPW and SJWCD.
- Southwest Basin Roundtable will meet on January 23. Director Jones intends to Zoom in, to ensure a quorum.
- Southwestern Water Conservation District’s annual meeting at Sky Ute is Friday, March 28. Registration is forthcoming.

Discussion of Video Three, “Threats to Our Water”

Director Tedder began the discussion by examining SJWCD’s budget. The estimate needed to complete the third film is between \$17K and \$18K, including the release event. “Threats to Our Water” will be about 12 minutes and based on data and facts. Directors considered funding the third film. Director Nobles moved to transfer \$20K from reserves to the 2025 Public Education line item. Director Riehm seconded. Approval was unanimous.

Consideration of Approval of Records of Proceedings

Director Hagberg moved to approve Records from 12/2/24, 12/17/24, and 1/6/25. Director Riehm seconded. Unanimous approval.

Special Meeting Date Set and Adjournment

A Work Session to consider Strategic Objectives for 2025 was set for Tuesday, February 4, at 4 pm. A Regular Meeting was scheduled for Monday, February 17, at 4 pm. Director Hagberg moved. Director Riehm seconded. Approval was unanimous. There being no further business to come before the Board, the Special Meeting was adjourned at 6:24 pm.

SAN JUAN WATER CONSERVANCY DISTRICT

By /s/ Sally High

Executive Assistant for Board of Directors

DISTRICT SEAL