

RECORD OF PROCEEDINGS
SAN JUAN WATER CONSERVANCY DISTRICT
SPECIAL MEETING – JULY 21, 2025, 4 pm

Attendance

A Special Meeting of San Juan Water Conservancy District was held Monday, July 21, 2025, at 4 pm in person at 46 Eaton Drive and on Zoom.

The following Directors were present in person: Rob Hagberg, Bill Nobles, Rod Proffitt, Candace Jones, John Kappelman, Randy Cooper, and Susan Nossaman. Also present in person was Sally High (SJWCD Executive Assistant).

Attending on Zoom were Jeff Kane (SJWCD Attorney), Randi Pierce and Terri (Pagosa Sun), Michael (otherwise unidentified), and Craig Hoover (BHI Engineering).

Call to Order

The Special Meeting of the San Juan Water Conservancy District (SJWCD) was called to order by President Candace Jones at 4:00 pm. A quorum was present.

Consideration of Executive Session

Director Jones read the legal description of reasons that Directors may enter Executive Session. Director Hagberg moved to enter Executive Session. Director Nobles seconded. A roll call vote resulted in unanimous approval. Guests on Zoom were placed in the waiting room. Executive Session commenced at 4:05.

Director Cooper moved to end Executive Session. Director Proffitt seconded. A roll call vote resulted in unanimous approval. Executive Session ended at 4:29. Guests on Zoom were readmitted to the Special Meeting.

Consideration of Actions Regarding Running Iron Ranch and Related Litigation (Case No. 24CV30069 filed in Archuleta County District Court), settlement negotiations, and public statements.

No action was taken as a result of discussions with the Attorney in Executive Session.

Consideration of Attorney's Report

Attorney Jeff Kane provided updates on five water rights cases. No actions were proposed at this meeting. Expected by the August Regular Meeting are proposed decrees for the Boot Jack Ranch Case and the Treasure Pass Ditch Case.

- Boot Jack Ranch Case. Kane had proposed one term of condition to protect the SJWCD water rights at the site of the Headwaters Project. Boot Jack did not agree to that condition. Kane continues to consider alternative protections for SJWCD.

- Treasure Pass Ditch Case. The final decrees appear to be close. It is agreed that the bypass flows will not be used when other water rights are being used. Southwestern WCD has succeeded in protecting other water rights and not allowing the United States Bureau of Reclamation to divert water unless there is more water than needed by other water users.
- Piedra Pass Ditch Case. Kane will be analyzing a new proposed decree soon and reporting to SJWCD.
- Hidden Valley Case. Their attorney will be responding to all opposers and providing more requested information. Hidden Valley requested to refill the pond due to evaporation from a relatively shallow pond. There is little precedent. Kane will update SJWCD.
- Caribou Spring Ranch (neighbor of Boot Jack Ranch) requested additional water rights to use an unusually large amount of water for a small area. Kane confirmed that the numbers were not typos. Kane will update SJWCD when more information is gained.

Discussion of RFP for Engineering Design Professional Services

He predicted that the recommendation of one firm would accompany the RFP and include further details. Director Cooper predicted that a firm would be engaged in 2025.

[CMJ: A recommendation of one firm should not "accompany the RFP;" selection of a firm would be the outcome. I believe Randy was describing that he and Chuck asked the four firms to provide examples of similar RFPs, which some did and Randy found useful. Predictions, I believe, refer to Randy's assessment that the RFP should lead to selection of one firm, which should be able to get work started in 2025. Perhaps Randy can clarify this one.]

Director Cooper reported that he and Director Riehm conferred with four firms and would be ready to write the Request for Proposals when Director Riehm returned. All four firms expressed an interest and described expert professional qualifications to design the reservoir. All four were able to perform all related tasks and understood the necessity that SJWCD would pay for the work in small sequenced bites. All four recommend a yield analysis be performed. Some work likely would be hired out; environmental surveying was an example. Representatives of two of the four firms had already visited the Running Iron Ranch site. Director Cooper expressed confidence that a draft RFP could be reviewed by all SJWCD Directors and Attorney soon, before the next meeting. He stated that it is possible for one firm to be engaged in 2025.

Consideration of Actions Related to SJWCD's Watershed Restoration Project with Monica Nigon

Directors were reminded that a subcommittee of two (Directors Kappelman and Proffitt) had been approved previously to work with Monica and relay information to the full Board. A meeting will be scheduled among the two directors and Monica. An update from Monica was included in the Board Packet with photographs of two sites identified in US Forest Service ground in Turkey Springs. A contract with the Forest Service must be signed. Director Cooper moved to authorize either Director Kappelman or Proffitt to

sign the contract with the Forest Service. Director Hagberg seconded. Approval was unanimous.

A number of organizations were named that had agreed to help recruit volunteers for Monica's restoration work. Directors agreed that a social media presence for SJWCD was not needed at this time, due to the supporting organizations' outreach capabilities.

Director Jones asked others to send her the number of volunteer hours each had spent working with Monica, so that Blue Elements could name those hours as match for a grant.

Updates from Directors

- Director Hagberg reported on the recent San Juan Headwaters Forest Health Partnership (SJHFHP) meeting, also attended by Director Jones. Because of federal funding cuts, Alex Handloff is leaving SJHFHP in October in a pending Mountain Studies Institute transition. CWCB described their grant process for funding Wildfire Ready Watershed Health and Restoration projects available to collaborations, not individual organizations. CWCB has 21 active plans funded out of 3,500 watersheds in Colorado. Work may involve mitigating problems with erosion, flooding, debris and mud flow sedimentation. Mancos and Conejos/Costillo Counties have received funding for restoration projects. Directors Hagberg and Jones detailed what they knew about how the grants are structured. The Four-Mile Watershed was specifically named a critical location.
- Senator Bennett introduced a Watershed Protection and Flood Prevention Act providing \$150 million starting in 2026. The Act was passed in the recent One Big Bill. Someone on the board will contact Wyatt Bair, Bennett's aide with an office in Durango.
- Director Jones stated that she intends to contact Gene Tautges and ask him to coffee to discuss a future Work Session. Ideas that may be presented to PAWSD for a future Work Session included:
 - the Aspen Springs municipal water fill station
 - the Watershed Enhancement Partnership, the work of SJHFHP, and other significant water projects
 - understanding the Community Development Planning processes
- The 2025 Weather Modification Cloud Seeding Evaluation was included in the Board Packet. Knowledgeable board members discussed pros and cons and will consider future funding in the next budget. An informational public meeting would be ideal.
- Director Jones will attend the SWCD Collaborative meeting in Cortez next Thursday to discuss combining projects in grant requests for southwest Colorado. A Basin Roundtable meeting will follow. There is a Zoom option that any director is welcome to join.
- Director Nobles represents SJWCD with Pagosa Area Recreation Coalition (PARC). Recent PARC considerations included "new trails" in the Jackson Mountain and

Turkey Springs areas. He also asked SJWCD to pay attention to the dysfunctional irrigation system shared by Town of Pagosa Springs parks and schools.

Strategic Objectives Reports (when needed)

Strategic Objective 1: Redefine the financial partnership for Running Iron Ranch.
(Directors Tedder, Riehm, Cooper, Proffitt)

Strategic Objective 2: Make the case for a reservoir at RIR by defining feasibility and demand. *(Directors Cooper, Hagberg, Kappelman)*

Strategic Objective 3: Engage with the community, including PAWSD, on a project that advances a common community interest, like a planning/municipal water demand study and/or wildfire mitigation *(Directors Hagberg, Nobles, Nossaman, Tedder)*

Consideration of Approval of Record of Proceedings from 7/3 Special Meeting

Director Hagberg moved to approve the Special Meeting Record from July 3. Director Nobles seconded. Approval was unanimous.

Next Meeting and Adjournment

A Regular Meeting was scheduled for Monday, August 18, at 4 pm. There being no further business to come before the Board, the Special Meeting was adjourned at 5:47 pm.

SAN JUAN WATER CONSERVANCY DISTRICT

By /s/ Sally High

Executive Assistant for Board of Directors

DISTRICT SEAL

