

**SPECIAL MEETING OF THE BOARD OF MANAGERS  
OF SPECIAL IMPROVEMENT DISTRICT #5  
OF THE RIO GRANDE WATER CONSERVATION DISTRICT  
April 13, 2023 at 11:00 a.m.  
Rio Grande Water Conservation District Conference Room  
And by Zoom/Teleconference**

**Present:** David Schmittel, President; Kit Caldon, Manager; Corey Hill, Manager; and Dale Gerstberger, Manager.

**Absent:** George Whitten, Vice-President/Secretary/Treasurer; Doug Gunnels, Ex Officio Member.

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

**Guests:** William Myers, David Hofmann, Zeke Ward, Westley Ensz, Steve Keller, Michelle Lanzoni.

**Meeting Called to Order**

President Schmittel called the meeting to order at 11:05 p.m. A quorum was present for the meeting.

**Approval of the Agenda**

President Schmittel asked for changes, additions or a motion to approve the agenda. A motion was made by Kit Caldon to approve the agenda as presented. The motion was seconded by Dale Gerstberger and unanimously approved.

**Public Comment**

President Schmittel asked for public comment. There was none.

**Approval of the 2023 Annual Replacement Plan**

President Schmittel asked for approval of the 2023 Annual Replacement Plan.

- **Board Discussion**

Chris Ivers presented the North Star Farms lease agreement. He highlighted the total lease price for the year and when the payment would become due. Discussion was held on erosion and what the Subdistrict could do to manage it.

A motion was made by Kit Caldon to approve the lease agreement with North Star Farms as presented. The motion was seconded by Dale Gerstberger and unanimously approved.

Chris Ivers presented the Annual Replacement Plan (ARP). He highlighted the 2023 ARP well list including new wells and contract wells. Mr. Ivers provided the total Subdistrict diversions, the 2023 stream flow forecasts for Saguache Creek and the Rio Grande River. He highlighted the monthly stream depletions for the plan year on Saguache Creek, San Luis Creek and the Rio Grande River as well as the replacement sources including Well Injury Payment agreements (WIP). Mr. Ivers explained the difference between the lower and higher NRCS stream flow forecasts for Saguache Creek and how each would impact the Subdistricts depletions to Saguache Creek. Mr. Ivers suggested using the official NRCS forecast, which predicted lower stream depletions, but to remedy depletions as if it was an average year with greater stream depletions, at least until it was clear what level the Saguache Creek stream flows would be.

A motion was made by Kit Caldon to proceed with the lower professional NRCS forecast in the ARP and to remedy depletions as if it was a higher stream flow. The motion was seconded by Corey Hill.

Zeke Ward commented on the NRCS forecast and the probability of the Division of Water Resources approving the Subdistricts ARP.

The motion was voted on and unanimously approved.

Chris Ivers described how 100% dry up on the Hazard property would impact the Subdistrict in the future. He highlighted the 2023 projected groundwater withdrawals, the calculated recharge decree credits, the post plan depletions and the replacement sources. Mr. Ivers reported on the total allocation of Closed Basin Project water to the Subdistricts and the amount allocated to Subdistrict No. 5. He highlighted the assessments to fund the ARP operations, an MOU with Subdistrict No. 4, and the sustainability progress.

- Public Comment

There was none.

- Recommendation to the Board of Directors

A motion was made by Kit Caldon to approve the Annual Replacement Plan for 2023 as presented. The motion was seconded by Corey Hill and unanimously approved.

**Other Director Reports/Comments/Questions**

President Schmittel asked for other director reports/comments/questions. There was none.

**New Business**

President Schmittel asked for new business. Chris Ivers provided an update on the augmentation well including the status of Xcel Energy getting power to the well. Discussion was held on continuing the work on the original first well and move forward with a well further downstream. Clinton Phillips reported he would discuss the project further with Cooper Drilling.

**Next Meeting**


President Schmittel asked for next meeting. The next meeting is scheduled for April 19, 2023 at 5:00 p.m.

**Adjournment**

The meeting was adjourned at 12:13 p.m.

  
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President

  
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Vice-President/Secretary/Treasurer