

**QUARTERLY MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #5
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
January 21, 2026 at 5:00 p.m.
Rio Grande Water Conservation District Conference Room
And by Zoom/Teleconference**

Present: David Schmittel, President; George Whitten, Vice-President/Secretary/Treasurer; Corey Hill, Manager; and Kit Caldon, Manager.

Absent : Dale Gerstberger, Manager; 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; Quinton Norris, Program Manager; Michael Carson, Database Administrator; and April Mondragon, Administrative Assistant.

Guests: Tim Lovato, Deb Sarason, Jessica Valdez, David Hofmann, William Myers, Mike Schreck, Kalee Mattive, Philip Eicher.

Meeting Called to Order

President Schmittel called the meeting to order at 5:10 p.m. A quorum was present for the meeting. The Pledge of Allegiance was recited.

Approval of the Consent Agenda

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

- Agenda
- October 15, 2025-Quarterly Meeting Minutes
- October 15, 2025-Executive Session Minutes
- November 25, 2025-Special Meeting Minutes
- November 25, 2025-Executive Session Minutes

A motion was made by Kit Caldon to approve the consent agenda as presented. The motion was seconded by George Whitten and unanimously approved.

Public Comment

President Schmittel asked for public comment. There was none.

Attorney's Report

President Schmittel asked for the attorney's report. Pete Ampe provided an update on the 2026 filing of SWSPs. He also updated the Board on the settlement agreement in the Texas vs New Mexico and Colorado case.

Engineers Report

President Schmittel asked for the Engineers report. Clinton Phillips presented the Subdistrict No. 5 Saguache monitoring well update. He highlighted a map of the different monitoring wells tracked in the response area. Mr. Phillips went over the change compared to the 2015 baseline and 2024 and the data/measurements per well according to model layer. He reported including the individual hydrographs in the Board packet. Discussion was held on a decrease in a few of the deeper wells and an overall slight increase according to the average of all the wells.

Program Manager's Report

President Schmittel asked for the Program Manager's report

- *Review and Consider Financial Report*

Chris Ivers went over the costs and expenses covered by the District for and since formation as well as the remaining balance due to the District. Mr. Ivers presented the Balance Sheet and Profit and Loss Statement for 2025. He highlighted the assets, liabilities and equity, special project costs and other large expenses. Mr. Ivers provided the estimated annual payment amount on the CWCB loan.

A motion was made by Kit Caldon to approve the financial report as presented. The motion was seconded by George Whitten and unanimously approved.

- Update on Saguache Creek Remedies

Chris Ivers reported on the results from the pump tests done on two (2) wells. He provided the gallons per minute and reported how it should eliminate the need for a third (3rd) well on the Hazard property. Mr. Ivers reported a request for bids should be put out by the end of the month. Discussion was held on what determines the depletions in any given month and when the big well would be used.

Review and Consider Options for Rio Grande Depletions

President Schmittel asked for review and consider options for Rio Grande depletions. Chris Ivers reported using a significant amount of stored water last year when the compact curtailment was at zero (0) percent. He went over the various options available to replace the pool of water including forbearance agreements, leasing and or purchasing water. Discussion was held on leasing Santa Maria water for replacement purposes and whether or not Middlemist water could be used for augmentation. William Myers highlighted a conversation he had with Keith Holland regarding leasing Santa Maria shares. Mr. Ivers reported leasing water from the District as the most cost effective. Mr. Ivers was directed to explore all paths to potentially purchase and or lease water.

Review and Consider Groundwater Allocation Variance Request

President Schmittel asked for the review and consider Groundwater Allocation Variance Request. Chris Ivers presented a letter requesting a variance of 250 acre-feet annually from Mike Schreck. Kalee Mattive asked the Board to revisit the variance request from last year which resulted in an allotment of 150 acre-feet annually. Mr. Ivers provided a recap of how the Board acted on the matter last year. Mr. Schreck described their plan to install a sprinkler and meter.

A motion was made by George Whitten to approve the application for groundwater allocation variance in the amount of 250 acre-feet. The motion was seconded by Kit Caldon and unanimously approved.

Review and Consider Surface Water Inclusion

President Schmittel asked for the review and consider Surface Water Inclusion. Chris Ivers explained how the contract would be a renewal on an agreement the Board has approved the last two (2) years. He described the benefits to the Subdistrict by offsetting net groundwater withdrawals/net depletions. Mr. Ivers reported on the option to add automatic renewal and his recommendation to approve the contract and waive the \$500.00 contract fee.

A motion was made by Kit Caldon to approve the Surface Water Inclusion agreement with William Myers, waive the \$500.00 contract fee without the need to renew every year as long as Mr. Myers is leasing it. The motion was seconded by Corey Hill and unanimously approved.

Review and Consider Participation Contract

President Schmittel asked for the review and consider Participation Contract. Chris Ivers reported on a recent purchase made by Philip Eicher of a portion of Jim Warner's property. He reminded the Board of Mr. Warner's decision not to petition or contract into the Subdistrict despite extensive effort by staff to communicate with him. Mr. Ivers reported on the request made by Mr. Eicher to contract into the Subdistrict beginning this year. Mr. Eicher reported purchasing the property this year and trying to get to where he can use the one well on the west property line. Mr. Ivers presented a map of the property highlighting the location of the well. Kit Caldon asked what layer the well was in being that it is 950 feet deep. Pete Ampe explained how the well would be treated like every other well in the Subdistrict. Mr. Eicher reported owning ten (10) shares of Rio Grande Canal. Mr. Ivers presented the contract, he went over the Boards options to either approve, deny, or approve with conditions which could include assessing past Subdistrict fees. He gave the total amount of past Subdistrict fees and provided the acre-foot allocation. Discussion was held on how the Rio Grande Canal shares could offset the allocation. George Whitten commented on being hesitant to adding additional pumping when everyone has given up so much to recover the aquifer. Mr. Ivers explained how the historical pumping by Jim Warner was included in the 1978-2000 numbers and was pumping during the period used to update the response functions.

A motion was made by George Whitten to approve the Philip Eicher Participation Contract.

Kit Caldon asked for clarification on how the Rio Grande Canal shares are used. Mr. Ampe explained how some users dig a recharge pit to recharge the water into the aquifer then pump the water back out, using the aquifer as a reservoir.

The motion was seconded by Kit Caldon and unanimously approved.

A motion was made by Kit Caldon to assess the past Subdistrict fees of \$3,022.76. The motion was seconded by George Whitten and unanimously approved.

Direction for Staff

President Schmittel asked for direction for staff. Staff was directed to explore options on the Rio Grande depletions.

New Business

President Schmittel asked for new business. David Hofmann reported Philip Ortega deactivated his second (2nd) well. Chris Ivers reported on the District's approval to enter into a lease agreement on the State Land Board property for the augmentation well.

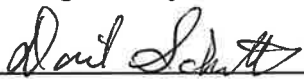
Next Meeting

A special meeting was scheduled for April 10, 2026 at 4:00 p.m.

The annual meeting is April 15, 2026 at 5:00 p.m.

Adjournment

The meeting was adjourned at 6:34 p.m.



President

Vice-President/Secretary/Treasurer