

**SPECIAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #5
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
December 15, 2020 at 5:00 p.m.
By Zoom/Teleconference**

Present: David Schmittel, President; George Whitten, Vice-President/Secretary/Treasurer; Dale Gerstberger, Manager; Corey Hill, Manager; Kit Caldon, Manager; and, Peggy Godfrey, Ex-Officio Member.

Staff and Consultants: Pete Ampe, Hill & Robbins, P.C.; Chris Ivers, Program Manager; Rose Vanderpool, Program Assistant; Allen Davey and Clinton Phillips, Davis Engineering; Michael Carson, Data Base Administrator; and, April Mondragon, Administrative Assistant.

Guests: Deb Sarason, Dave Hofmann, Rachael Walke, and Paul Macklin.

Meeting Called to Order

President Schmittel called the meeting to order at 5:07 p.m. A quorum was present.

Approval of the Agenda

President Schmittel asked for 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 George Whitten and unanimously approved.

Executive Session

President Schmittel asked for a motion to enter into executive session to receive legal advice concerning a potential real property purchase. A motion was made by George Whitten to enter into executive session. The motion was seconded by Kit Caldon and unanimously approved.

Mr. Ampe stated the Board was entering into executive session to discuss a potential real property purchase. The Board would take no formal action or position during the executive session.

Action on Executive Session Discussion

President Schmittel asked for action on executive session. Pete Ampe reported staff has received instructions and no formal decisions have been made at this point.

New Business

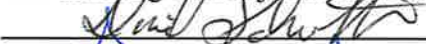
President Schmittel asked for new business. Chris Ivers asked for a discussion on Well Injury Payment agreements. Mr. Ivers highlighted the urgency in getting Well Injury Payment agreements signed. Pete Ampe highlighted the importance of the Board of Managers signing their Well Injury Payment agreements and the benefit of Board of Managers speaking to individuals regarding Well Injury Payment agreements. Mr. Ampe reported he would reach out to the legal counsel of the Colorado Cattlemen's Association to confirm that a Well Injury Payment would not impact their conservation easements. Discussion was held on the position of the Division of Water Resources concerning Well Injury Payments and whether or not water rights would be impacted in the future. Dave Hoffmann from the Division of Water Resources reported that a Well Injury Payment agreement would not affect water rights or abandonment status. Discussion was held on the possibility of prepaying Well Injury Payments with wet water, the Subdistricts need of a reservoir, how fish farms use the model and their consumptive use. Allen Davey asked if the modelers would be looking at the fish wells in more detail, Pete Ampe stated that it can be brought up at the next PRT meeting.

Next Meeting

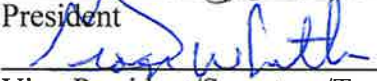
President Schmittel asked for the next meeting. A special meeting was scheduled for January 8, 2021 at 9:00 a.m. The next quarterly meeting is scheduled for January 20, 2021 at 1:00 p.m.

Adjournment

The meeting was adjourned at 6:38 p.m.



President



Vice-President/Secretary/Treasurer