

**SPECIAL MEETING OF THE BOARD OF MANAGERS  
OF SPECIAL IMPROVEMENT DISTRICT #5  
OF THE RIO GRANDE WATER CONSERVATION DISTRICT  
August 23, 2021 at 4:00 p.m.  
8805 Independence Way, Alamosa, CO 81101  
And by Zoom/Teleconference**

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

**Absent:** Bill McClure, Ex-Officio Member.

**Staff and Consultants:** Matt Montgomery, Hill & Robbins, P.C.; Chris Ivers, Program Manager; Wylie Keller, Water Resources Specialist, Clinton Phillips, Davis Engineering; Linda Ramirez, Program Assistant; Michael Carson, Database Administrator; and, April Mondragon, Administrative Assistant.

**Guests:** William Myers, Deb Sarason, Anthony Lobato, Joe Smesny, David Hofmann, Chris Schaefer.

**Meeting Called to Order**

President Schmittel called the meeting to order at 4:06 p.m. A quorum was present. The Pledge of Allegiance was recited.

**Approval of the Agenda**

President Schmittel asked for any 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 Corey Hill and unanimously approved.

**Review and Consider Lease and Option to Purchase Agreement**

President Schmittel asked for review and consider lease and option to purchase agreement. Chris Ivers provided the details and what had been agreed on by all parties involved in the John Baxter contract. The Subdistrict would pay an upfront payment of \$50,000 and an additional \$90 per acre foot withdrawn from the well while John Baxter owns the well and his heirs would receive a \$45.00 per acre-foot withdrawn from the well while they maintain ownership. In exchange the Subdistrict would receive a lease which allowed them to drill and complete a well, give them the right of first refusal to purchase the property, an option to purchase the 35 acre reservoir site, a carriage agreement for the Mill Ditch, and a permanent easement for the well and pipeline.

A motion was made by Dale Gerstberger to approve the John Baxter contract as presented. The motion was seconded by Kit Caldon and unanimously approved.

**Consider Allocation of Groundwater Withdrawals**

President Schmittel asked for consider allocation of groundwater withdrawals. Chris Ivers reported on an allocation option and highlighted an option to send producers a letter that would provide them with information on 70% of their historic average so they would be able to compare it with the amount of water they used this year. The Board agreed on the importance of informing producers of possible pumping reductions the following year as soon as possible. Kit Caldon suggested a possible 30% reduction overall rather than per well. Mr. Ivers highlighted the items the Board would need to work through before they could set an allocation amount. Discussion was held on the allocation amount and how to determine a reduction amount.

**Direction for Staff**

Mr. Ivers was directed to send out a letter to the well users containing their historic average pumping. He was also directed to schedule another meeting to receive feedback the well users and have a discussion on how the Subdistrict will be setting the allocations and consequences for the 2022 season.

**Next Meeting**

A budget work session was scheduled for September 2, 2021 at 5:00 p.m.

The next quarterly meeting was scheduled for October 20, 2021 at 5:00 p.m.

**Adjournment**

The meeting was adjourned at 5:00 p.m.

  
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President

  
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Vice-President/Secretary/Treasurer