

**SPECIAL MEETING OF THE BOARD OF MANAGERS  
OF SPECIAL IMPROVEMENT DISTRICT #5  
OF THE RIO GRANDE WATER CONSERVATION DISTRICT  
December 12, 2022 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; Kit Caldon, Manager; and Corey Hill, Manager.

**Absent :** Dale Gerstberger, Manager ; and Doug Gunnels, Ex Officio Member.

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

**Guests:** Deb Sarason, David Hofmann, Michelle Lanzoni, John Gerstle, William Myers, Tim Lovato, Iris Garcia, Ryan Unterreiner, Rebie Hazard, Darrell, and Diane Woodard.

**Meeting Called to Order**

President Schmittel called the meeting to order at 5:09 p.m. A quorum was present for the meeting.

**Approval of the Agenda**

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

**Public Comment**

President Schmittel asked for public comment. Diane Woodard reported being a member of a ranch partnership and explained her difficulties and health challenges. Ms. Woodard described her concerns with surface water on the creek and impacts to artesian wells. She highlighted the beneficial uses of geo thermal energy. Ms. Woodard provided the Board with documentation regarding methane and asked the Board to consider not drying up their ranch. George Whitten explained the purpose of the Subdistrict and welcomed Ms. Woodard to visit his ranch.

Iris Garcia questioned the acre foot amount of pumping the Subdistrict well could produce and if there would be an impact to the town. Chris Ivers explained the permitted use of well and potential gallons per minute it may produce. David Hofmann described how the response function operates and provided an estimated pumping amount.

**Participation Contract**

President Schmittel asked for participation contract. Chris Ivers reported reaching out to Monte Ennis and has had no response or update at this time.

**Update on CWCB Loan Application**

President Schmittel asked for update on CWCB Loan Application. Chris Ivers reported on the date he submitted the loan application. He provided the total loan amount and explained how the funds would be expended.

**Discussion Regarding Augmentation Wells**

President Schmittel asked for discussion regarding augmentation wells.

- **Update on Drilling**

Clinton Phillips reported the drillers were on their third attempted well. He provided the depth they had reached and highlighted the equipment being used. Mr. Phillips described the drilling method and the progress being made. President Schmittel reminded the Board of the exceeded contract completion date and asked if they intend to seek liquidated damages. Discussion was held on whether or not the Board had any other options.

A motion was made by George Whitten to allow Ray Newmyer to continue to drill the well and postpone pursuing liquidated damages. The motion was seconded by Kit Caldon and unanimously approved.

- **Review and Approve Bid Documents**

Chris Ivers reported sending the Board bid documents to drill a well drafted by Davis Engineering to review. Clinton Phillips reported on a few individuals who have expressed interest in providing a bid. He described the size and capacity of the well. Discussion was held on the bid timeline. Staff was directed to advertise the bid for a well driller with a reply by date of January 20, 2023.

**Allocation of Groundwater Withdrawals for 2023**

President Schmittel asked for Allocation of Groundwater Withdrawals for 2023. Chris Ivers explained how the 70% allocation was calculated and the rules set by the State to have the allocation amount set by January 1<sup>st</sup> of each year. Kit Caldon asked for an update on the progress and improvements the Subdistrict has made over the past few years. Corey Hill requested the Board be provided with a draft of the calculations to review prior to a final decision. Clinton Phillips presented the confined aquifer pressures. Mr. Ivers presented the Composite Water Head Change the State published in July and the U.S. Seasonal Drought Outlook, Seasonal Temperature Outlook, and Seasonal Precipitation Outlook. Diane Woodard commented on soil conservation. Discussion was held on the possibility of keeping the allocation amount at 70% as well as the hardship the amount causes farmers. Mr. Hill reiterated the need to review the information prior to a final decision.

A motion was made by Kit Caldon to set the allocation for 2023 at 90%. The motion failed to receive a second and died.

A motion was made by George Whitten to set the allocation for 2023 at 80%. The motion failed to receive a second and died.

Kit Caldon reported on the sustainability of the Subdistrict and the improvements made to the aquifer. Corey Hill commented on the need to continue to replenish the aquifer for a few more years.

A motion was made by Corey Hill to table the allocation of groundwater withdrawals for 2023 and call another meeting before January 1, 2023. The motion was seconded by Kit Caldon and unanimously approved.

**Next Meeting**

A special meeting was scheduled for December 20, 2022 at 5:00 p.m.

The next quarterly meeting is scheduled for January 18, 2023 at 5:00 p.m.

**Adjournment**

The meeting was adjourned at 6:19 p.m.

  
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President

  
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Vice-President/Secretary/Treasurer