

**SPECIAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #5
OF THE RIO GRANDE WATER CONSERVATION DISTRICT**

April 27, 2021 at 5:00 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; Dale Gerstberger, Manager; and, Corey Hill, Manager.

Absent: 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; Linda Ramirez, Program Assistant; Michael Carson, Database Administrator; and, April Mondragon, Administrative Assistant.

Guests: Deb Sarason, David Hofmann, CJ Weis, JoAnn Ortega, Phil Ortega, Lynn Thompson, John Gerstle, Tom McCracken, Rebie Hazard, Joe Smesny, Tim Lovato, Keenan Anderson, Liz Marron, Mike Kruse, William Myers, and, Ryan Fox.

Meeting Called to Order

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

Approval of the Agenda

President Schmittel asked for any changes, additions or a motion to the 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.

Executive Session

President Schmittel asked for a motion to enter into executive session to receive legal advice concerning the potential purchase of real property. A motion was made by Dale Gerstberger 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 pursuant to section 24-6-402(4)(a) to discuss a potential purchase of real property. The Board would take no formal action or position during the executive session.

Possible Action from Executive Session

All direction was provided and understood.

Discussion on Saguache Creek Remedies

President Schmittel asked for discussion on Saguache Creek remedies. Chris Ivers reported actively seeking contracts to make remedies but had not secured any agreements at the present time. President Schmittel commented on how he felt the subcommittee meetings should be ran. Dale Gerstberger suggested consulting with and potentially hiring a moderator to attend subcommittee meetings. Discussion was held on accepting Well Injury Payment agreements and Contracts at any time to be considered after acquired sources. President Schmittel asked if the Division of Water Resources would take into consideration the wellbeing of the community when considering allowing the Subdistrict to operate. David Hofmann highlighted the double and even triple amount of money offered to the surface water users for Well Injury Payment agreements but they remain ~~adamite~~-adamant on not assisting. Mr. Hofmann further explained that the Subdistrict would always need a form of wet water as remedy source.

New Business

President Schmittel asked for new business. Pete Ampe reported sending the Board the first draft of the Well Groundwater Allocation Agreement Rules. Mr. Ampe explained the information and stipulations included in the agreement and the information he needed the Board to discuss and provide him with. Mr. Ampe highlighted the allocation set date and how the

allocations would be calculated. Keenan Anderson commented on his experience in Subdistrict No. 1 with carry over credits.

Next Meeting

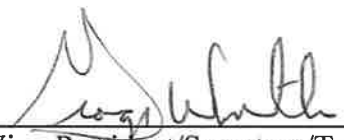
The next quarterly meeting is scheduled for July 21, 2021.

Adjournment

The meeting was adjourned at 6:16 p.m.



President



Vice-President/Secretary/Treasurer