

**SPECIAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #5
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
June 5, 2025 at 3:00 p.m.
Rio Grande Water Conservation District Conference Room
And by Zoom/Teleconference**

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

Absent: Corey Hill, Manager; Doug Gunnels, Ex Officio Member.

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

Guests: Tim Lovato, Adam Crowther, Jessica Valdez, Kim Cooley, William Myers, Andrea Gerstberger, David Hofmann.

Meeting Called to Order

President Schmittle called the meeting to order at 3:02 p.m. A quorum was present for the meeting.

Approval of the Agenda

President Schmittle asked for 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 Dale Gerstberger and unanimously approved.

Public Comment

President Schmittle asked for public comment. There was none.

Review and Discuss Model and Response Function Updates

President Schmittle asked for a review and discussion regarding the RGDSS model and response function updates. Chris Ivers explained how the Subdistrict had been operating under phase 6 of the RGDSS Groundwater Model and that phase 7 had been completed. He reported on the release of the updated response functions and currently being in the public comment period. Mr. Ivers described the differences and changes in phase 7 from phase 6. He presented a depletions comparison graph and explained how the depletions significantly increased under phase 7. Wylie Keller reported on the years of new data now available indicating how the creek was flowing further into the valley, for longer periods creating an impact in certain months. David Hofmann explained how a stream could not be impacted when it is dry, and how the numbers will decrease to reflect the reduced pumping. Discussion was held on what it is going to require to remedy the depletions. Mr. Ivers presented the Saguache Creek forecast and highlighted the average monthly depletions grouped by stream flow. Discussion was held on what actions to take when a wet year occurs late in the irrigation season. George Whitten voiced his concern over the cost to cover the depletions and striving to keep fees as low as possible. Mr. Ivers continued to explain the complexity of making replacements in June. Kit Caldon asked if Subdistrict No. 1 would be willing to cost share. Mr. Ivers went over the funding available from the CWCB loan and possible ways to work with Subdistrict No. 1 and 4 on depletions owed to Saguache Creek. He reported looking back at past model results from previous wet years, and that the phase 7 updates show about the maximum rate of depletions. If the Subdistrict can get to where they can remedy depletions on a wet year under the phase 7 numbers, they will have a source of remedy going forward, which should cover them with future model updates. Mr. Ivers was directed to set up a meeting with the Subdistrict No. 1 and 4 Board of Managers to discuss the situation. He was also directed to set up a meeting to discuss drilling another well and to have a discussion with the State Land Board on a potential location and water rights available for purchase. Pete Ampe described the importance of having a discussion with Willem Schreuder and Mike Sullivan to better understand the changes.

Executive Session to Receive Legal Advice Concerning Potential Litigation

President Schmittle asked for a motion to enter into executive session to receive legal advice concerning potential litigation. A motion was made by Dale Gerstberger at 4:26 p.m. to enter into executive session. The motion was seconded by George Whitten and unanimously approved.

Mr. Ampe stated the Board was entering into executive session pursuant to section 24-6-402(4)(a) to receive legal advice concerning potential litigation. The Board would take no formal action or position during the executive session.

Possible Action from Executive Session

President Schmittel asked for possible action from executive session. There was none. Chris Ivers provided the gallons per minute (gpm) needed by Subdistrict No. 1, 4 and 5 on Saguache Creek in a wet year. He highlighted the number of additional wells needed to produce the required gpm. Mr. Ivers reported he would work to get bids out for a well on the Hazard property and one on the Sheppard property.

Next Meeting

The next quarterly meeting was scheduled for July 16, 2025 at 5:00 p.m. and was changed to July 18, 2025 at 3:00 p.m.

Adjournment

The meeting was adjourned at 4:52 p.m.



President

Vice-President/Secretary/Treasurer