

**SPECIAL MEETING OF THE BOARD OF MANAGERS  
OF SPECIAL IMPROVEMENT DISTRICT #5  
OF THE RIO GRANDE WATER CONSERVATION DISTRICT  
December 15 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; and, Kit Caldon, Manager.

**Absent:** Dale Gerstberger, Manager; Corey Hill, Manager; and, Bill McClure, Ex-Officio Member.

**Staff and Consultants:** Pete Ampe, Hill & Robbins, P.C.; Chris Ivers, Program Manager; Rose Vanderpool, Program Assistant; 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, John Gerstle, David Hofmann, Allen Davey, Ty Mares, Ryan Unterrainer, Charlie Goodson, James Cooley, Ray Newmyer, Gary Dirks, Steve Keller, and, Cody Redden.

**Meeting Called to Order**

President Schmittel called the meeting to order at 5:03 p.m. A quorum was present.

**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 George Whitten and unanimously approved.

**Public Comment**

President Schmittel asked for public comment. Chris Ivers reported the augmentation well that was being drilled did not produce and had been pumped dry in about 40 minutes. Ray Newmyer highlighted the drilling process including some of the challenges. Mr. Newmyer reported being on site and drilling the well six to seven (6-7) days out of the week, he highlighted the struggles and reasons for the delays.

**Discussion on Saguache Creek Replacements**

President Schmittel asked for discussion on Saguache Creek replacements. Chris Ivers provided an update on the 1041 permit process through Saguache County. Clinton Phillips highlighted the options available for the pipeline route. Mr. Ivers presented a map of the environmental impacts study area and the provided the estimated cost. Discussion was held on possibly using an old culvert that was already in place and a pipeline being the number one priority of the Subdistrict at the current time. Mr. Ivers reported on the timeframe and what is need in order to apply for the 1041 permit. President Schmittel highlighted the urgency in order to have the next ARP in place. Mr. Phillips highlighted the 4 main structures CDOT will be looking for in the permit. George Whitten suggested renegotiating with surface water owners to try to secure some wet water. Discussion was held on pushing forward with the pipeline, additional discussion with the Cattlemen's Association and other water sources. Cleave Simpson highlighted the Board of Directors unchanged supportive position of the Closed Basin Project and Russel Lakes. William Myers asked if those with Santa Maria shares could use the test well as an augmentation well.

**Discussion and Possible Action Regarding Groundwater Withdrawal Allocations for Subdistrict Wells**

President Schmittel asked for discussion and possible action regarding groundwater withdrawal allocation for Subdistrict wells. Chris Ivers reported the Board of Managers had not set an allocation and provided the total acre feet amount of pumping for the current year which resulted in about a 28% cut back on the Subdistrict as a whole. Pete Ampe reported if the Board sets an allocation, it would need to be set by December 31<sup>st</sup>. Discussion was held on the proposed allocation amount.

A motion was made by George Whitten to set a groundwater allocation amount and a 30% reduction from the 10-year average. The motion was seconded by Kit Caldon and unanimously approved.

**Executive Session**

President Schmittel asked for a motion to enter into executive session to receive legal advice concerning litigation. 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 pursuant to section 24-6-402(4)(a) to receive legal advice concerning 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


**Next Meeting**

The next quarterly meeting is scheduled for January 19, 2022 at 5:00 p.m.

**Adjournment**

The meeting was adjourned at 7:05 p.m.

  
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President

  
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Vice-President Secretary Treasurer