

**SPECIAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #5
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
November 25, 2025 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; Corey Hill, Manager; Dale Gerstberger, Manager; and Kit Caldon, Manager.

Absent : Doug Gunnels, Ex Officio Member.

Staff and Consultants: Pete Ampe, Hill & Robbins, P.C.; Chris Ivers, Program Manager; Rose Vanderpool, Program Assistant; Michael Carson, Database Administrator; and April Mondragon, Administrative Assistant.

Guests: Tim Lovato, Jessica Valdez, William Myers.

Meeting Called to Order

President Schmittel called the meeting to order at 5:02 p.m. A quorum was present for the meeting.

Approval of the Agenda

President Schmittel 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 Kit Caldon and unanimously approved.

Public Comment

President Schmittel asked for public comment. There was none.

Executive Session to Receive Legal Advice Concerning the Potential Purchase of Real Property

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 Kit Caldon at 5:13 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 the potential purchase of real property. The Board would take no formal action or position during the executive session.

Direction for Staff

President Schmittel asked for direction for staff. Staff was directed to proceed as discussed.

Discussion Regarding 2025 Administrative and Groundwater Withdrawal Fee Assessments

President Schmittel asked for discussion regarding 2025 Administrative and Groundwater Withdrawal Fee Assessments. Chris Ivers presented the draft Subdistrict No. 5 updated Budget. He went over the changes and corrections that had been made.

A motion was made by Kit Caldon to approve the 2026 Budget as amended/presented. The motion was seconded by George Whitten and unanimously approved.

Mr. Ivers explained how the Rio Grande Canal credits are calculated and reported to the Subdistrict. William Myers questioned the calculation method. Mr. Ivers provided the Groundwater Withdrawal Fee for sprinkler, flood and the Administrative Fee for active and inactive wells. He highlighted the wells that were sold in the Senate Bill Retirement Program and presented the proposed Resolution.

Resolution to Approve 2025 Administrative and Groundwater Withdrawal Fee Assessments

President Schmittel asked for resolution to approve 2025 Administrative and Groundwater Withdrawal Fee Assessments. Chris Ivers went over the dollar amount needed to balance the budget for administrative expenses and the amount to fund the replacement of injurious depletions.

A motion was made by Kit Caldon to approve the Resolution to assess fees for budget year 2026 as presented. The motion was seconded by George Whitten and unanimously approved.

Discussion was held on the change to the efficiencies under Phase 7 of the RGDSS Model.

Next Meeting


A special meeting was scheduled for December 17, 2025 at 5:00 p.m.

The next quarterly meeting is January 21, 2026 at 5:00 p.m.

Adjournment

The meeting was adjourned at 5:44 p.m.

President



Vice-President/Secretary/Treasurer

RESOLUTION TO ASSESS FEES FOR SPECIAL IMPROVEMENT DISTRICT NO. 5 OF THE RIO GRANDE WATER CONSERVATION DISTRICT

A RESOLUTION ASSESSING FEES FOR THE BUDGET YEAR 2026 TO (1) FUND THE ADMINISTRATIVE COSTS OF SPECIAL IMPROVEMENT DISTRICT NO. 5 OF THE RIO GRANDE WATER CONSERVATION DISTRICT'S WATER ACTIVITY ENTERPRISE (SUBDISTRICT NO. 5); AND, (2) TO FUND THE COSTS OF REMEDYING INJURIOUS DEPLETIONS AS REQUIRED BY THE PLAN OF WATER MANAGEMENT FOR SUBDISTRICT NO. 5 FOR THE 2026 BUDGET YEAR.

WHEREAS, the amount of money necessary to balance the budget for Subdistrict No. 5 administrative expenses is \$165,412.80; and

WHEREAS, the amount of money necessary to fund the replacement of injurious depletions is \$581,799.01.

NOW THEREFORE, BE IT RESOLVED BY THE Board of Managers of Subdistrict No. 5, Colorado:

Section 1: That for the purpose of meeting all administrative expenses of the Special Improvement District No. 5 during the 2025 budget year there is hereby assessed a fee of \$875.20 per active Subdistrict Well and \$437.60 per inactive Subdistrict Well as defined by the Plan of Water Management for Subdistrict No. 5 for the year 2024.

Section 2: That for the purpose of funding the remedy of injurious depletions of Subdistrict No. 5 there is hereby assessed a fee of \$27.86 per acre-foot under sprinkler application, \$20.14 per acre-foot under flood application and between \$4.36 and \$33.57 per acre-foot for wells under an "other" application based on groundwater withdrawals during the year 2024 as defined by the Plan of Water Management for Subdistrict No. 5.

Section 3: That the General Manager is hereby authorized and directed to immediately certify to the County Commissioners of Saguache County, Colorado, the assessments above determined and set.

ADOPTED, this 25th day of November, 2025.



President

Attest: 

Secretary/Treasurer