

**SPECIAL MEETING OF THE BOARD OF MANAGERS  
OF SPECIAL IMPROVEMENT DISTRICT #5  
OF THE RIO GRANDE WATER CONSERVATION DISTRICT  
March 2, 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; Dale Gerstberger, Manager; and, Corey Hill, Manager.

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

**Guests:** David Hofmann, William Myers, Tony Windham, Ryan Unterrianer, Mike Dill, Deb Sarason, Joel Ensz, Joann Ortega, Dale Barte.

**Meeting Called to Order**

President Schmittel called the meeting to order at 5:10 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 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. There were none.

**Discussion and Possible Action on Groundwater Allocation Rules**

President Schmittel asked for discussion and possible action on groundwater allocation rules. Chris Ivers updated the Board on a meeting he had with Clinton Phillips and Wylie Keller. He presented examples of inconsistent well use scenarios and a way to account for the inactive and surface water wells. Mr. Ivers explained a system of coming up with an average from the top five (5) years from the period of 2011-2020 and discounting any years the well may have been registered as inactive. Clinton Phillips reported on a possible pumping credit carry over discussion. Pete Ampe reported if there was consensus of the Board with what Mr. Ivers and Mr. Phillips suggested with the variance, he would put together a revised Rules and Regulations to be presented at the next meeting.

**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 Kit Caldon to enter into executive session. The motion was seconded by Dale Gerstberger 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.

**Possible Action from Executive Session**

President Schmittel directed staff to just continue negotiations.

**Next Meeting**

A special meeting was scheduled for March 9, 2022.

The annual meeting is scheduled for April 20, 2022.

**Adjournment**

The meeting was adjourned at 5:42 p.m.

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President

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Vice-President/Secretary/Treasurer