SPECIAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #5
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
April 10, 2026 at 4:00 p.m.
Rio Grande Water Conservation District Conference Room
And by Zoom/Teleconference

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

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

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

Guests: Jessica Valdez, David Hofmann, Tim Lovato, William Myers.

Meeting Called to Order
President Schmittel called the meeting to order at 4:05 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 Kit Caldon to approve the agenda as presented. The motion was seconded by David Schmittel and unanimously approved.

Public Comment
President Schmittel asked for public comment. There was none.

Review and Consider Waiving the Contract Deadline and Approving the Contract with the Town of Saguache for the 2026 ARP Year
President Schmittel asked for review and consider waiving the contract deadline and approving the contract with the Town of Saguache for the 2026 ARP year. Chris Ivers presented the Remedy Contract. He explained how the Town of Saguache may not be able to remedy their depletions to Saguache Creek and how they asked if the Subdistrict could include a contingency to the contract to remedy those depletions. Mr. Ivers reported on the 24-hour notice requirement for the Subdistrict to remedy depletions, the flat fee of $100, contract term of one (1) year, and their source of augmentation. Discussion was held on whether or not the Town of Saguache has sources to assist the Subdistrict.

A motion was made by Kit Caldon to waive the contract deadline and approve the Contract with the Town of Saguache for the 2026 ARP year. The motion was seconded by George Whitten and unanimously approved.

Approval of the 2026 Annual Replacement Plan
President Schmittel asked for approval of the 2026 Annual Replacement Plan (ARP).

- *Board Discussion*

Chris Ivers presented the draft ARP. He went over the number of ARP wells, 2025 groundwater withdrawals, 2026 projected groundwater withdrawals, and the stream flow forecast on the Rio Grande and Saguache Creek. Mr. Ivers highlighted a change to the irrigation categories as a result of the Phase 7 response functions. He went over the estimated net groundwater consumptive use and the calculated recharge decree credits for Subdistrict No. 5 during 2026. Mr. Ivers presented a table on projected recharge decree offsets and provided an outline of annual depletions on stream reaches, monthly stream depletions and post-plan depletion totals. He went over the table of remedies and reported all Well Injury Payment (WIP) agreements had been reapproved for San Luis Creek and Kerber Creek for 2026. Mr. Ivers reported on the total irrigation season depletions on San Luis Creek and Saguache Creek, zero curtailment and a request to purchase additional water from the District. He also reported on a potential decrease to the five (5) year average. Discussion was held on how carry-over credits factor into this year's forecast.

- *Public Comment*

William Myers asked why Subdistrict No. 1 and No. 4 operate under a Memorandum of Understanding (MOU) and the Town has a contract. Pete Ampe explained how all Subdistricts operate as the Rio Grande Water Conservation District and the Town is an independent entity.

- *Recommendation to Board of Directors*

A motion was made by Kit Caldon to request 250 acre-feet of stored water from the District and approve the 2026 ARP as presented and recommend it to the District Board. The motion was seconded by George Whitten and unanimously approved.

Other Director Reports/Comments/Questions

President Schmittel asked for other Director Reports/Comments/Questions. George Whitten thanked Chris Ivers and staff for their efforts. Discussion was held on the approaching ten (10) year period and whether the Subdistrict is sustainable.

New Business

President Schmittel asked for new business. There was none.

Next Meeting

The next annual meeting is April 15, 2026 at 5:00 p.m.

Adjournment

The meeting was adjourned at 4:48 p.m.

President

Vice-President/Secretary/Treasurer