

**SPECIAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #5
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
May 19, 2022 at 5:00 p.m.
Rio Grande Water Conservation District Conference Room
And by Zoom/Teleconference**

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

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

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

Guests: David Hofmann, Deb Sarason, William Myers, Cody Redden, Darrel (last name unidentified), Warren Collins, Rebie Hazard, Rick Lorenze, Chris Schaefer, and Tim Lovato.

Meeting Called to Order

President Schmittle called the meeting to order at 5:06 p.m. A quorum was present for the meeting.

Approval of the Agenda

President Schmittle asked for any changes, additions or a motion to approve the agenda. A motion was made by Dale Gerstberger to approve the agenda as presented. The motion was seconded by Kit Caldon and unanimously approved.

Public Comment

President Schmittle asked for public comment. Tim Lovato commented on the Subdistrict's recent purchase of property next to his property. He voiced his concern that the No. 4 water right will no longer serve the property and asked how land owners would be compensated.

Executive Session

President Schmittle 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 Dale Gerstberger 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 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 Schmittle asked for possible action from executive session. A motion was made by Dale Gerstberger to lease a quarter from North Star Farms for \$40,000.00. The motion was seconded by George Whitten and unanimously approved.

2022 Annual Replacement Plan Update

President Schmittle asked for 2022 Annual Replacement Plan (ARP) update. Chris Ivers reported the ARP was submitted and not approved or denied. He also reported the Subdistrict closed on the Hazard Ranch and began the thirty-five (35) day waiting period on the SWSPs. Mr. Ivers stated June 16th would be the soonest they could have approval.

Saguache Creek Depletion Remedies

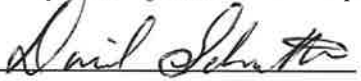
President Schmittle asked for Saguache Creek depletion remedies. Chris Ivers reported on the historic consumptive use on the Hazard Ranch. He presented the calling priorities, depletions and provided the amount of water that will be needed to cover the depletions. Mr. Ivers highlighted other options and possibilities the Subdistrict could investigate in order to make up depletions. Discussion was held on possibly purchasing a quarter or two (2) from North Star Farm, drilling a new well and pumping the water into the stream. David Hofmann updated the Board on the pipeline operation being used by the Trinchera Subdistrict and suggested they take a tour. Mr. Ivers reported on the recommendations from the CWCB project manager concerning the Subdistrict's loan. He also explained the Bill Cleave Simpson wrote and how those funds could be used.

Next Meeting

The next quarterly meeting is scheduled for July 20, 2022 at 5:00 p.m.

Adjournment

The meeting was adjourned at 6:06 p.m.



President

Vice-President/Secretary/Treasurer