

**Center of Colorado Water Conservancy District
Meeting of the Board of Directors
December 10, 2025**

The monthly meeting of the Center of Colorado Water Conservancy District was held on Wednesday, December 10, 2025 at the main meeting room of the district offices located at 548 Front Street in Fairplay. Lisa McVicker, Board Chairman, called the meeting to order at 1:13 PM.

The members present in the office were Chris Fuller. Wallie Weld. Lynne Buchanan, Lisa McVicker, and Craigs Steinmetz were present by teleconference. Nola Knudsen, Administrative Manager and Lisa Brown, Operation's Manager were present in the office. David Shohet, legal counsel, was present by teleconference.

APPROVAL OF THE AGENDA

1.1 Lisa Brown add Execution of the Dental Lease under Administrative Matters 2.11; the Administrative Manager's 2026 Contract under New Business 5.2, and the Operations Manager's 2026 contract under 5.3. Chris Fuller made a motion to approve the agenda as amended. Wallie Weld seconded and the motion carried unanimously.

APPROVAL OF THE MINUTES

1.2 Chris Fuller moved to approve the November minutes as presented. Wallie Weld seconded and the motion carried unanimously.

ADMINISTRATIVE MATTERS

2.1 Administrator's Report: Nola Knudsen reviewed the check register with the Board. Nola reported on the bills that were paid prior to her absence and those that were written since her return via bill pay. All board members were sent a listing of the bills paid along with the minutes and general financials from last meeting. The invoices totaled \$1,2951.23. The total cash assets after the payment of bills are \$2,840,961.10. Nola discussed the option of having checks sent directly to our checking account rather than being sent to her for deposit. The board agreed and Nola will provide the necessary banking information to the Summit Community Care Dental Clinic. Nola also reported that when closing out the existing account with High Country Bank, she is enlisting the help of Craig Erickson help with the closure to maintain transparency.

2.11 Dental Lease: David Shohet said the dental group changed their name for marketing purposes a few months ago and were going to do a simple amendment to change the name to reflect the current entity. The term still goes until August 2026. Chris Fuller moved to authorize Lisa McVicker, board president to sign the amended Dental office contract to reflect the new name of Elevated Community Health Dental. Lynne Buchanan seconded and the motion carried unanimously.

2.2.1 Discussion and Approval of FY-26 Budget. Chris Fuller moved to approved the FY-26 Budget as presented. Lynne Buchanan seconded and the motion carried

unanimously. Chris Fuller and Lisa McVicker will sign the appropriate areas on the budget and send to required agencies.

2.2 Treasurer's Report: Nola Knudsen said we received the Summit Community Care rent of \$1,000.00, the water lease revenue from Centennial in the amount of \$21,219.15, and Knudsen Counseling rent and utilities in the amount of \$1,757.81. Property taxes received were \$21,234.70 and interest on the Colotrust Account was \$9,306.11.

2.3 Invoices and Warrants: Lynne Buchanan moved to approve the invoices and warrants as presented. Craig Steinmetz seconded and the motion carried unanimously.

OPERATIONS MANAGER'S REPORT

Smelter Pipeline Reservoir (SPR):

- I visited the SPR 5 times in November. On November 1st, a gage height of 8.89' was observed, for 23.18 AF in storage. Many visits were to battle beaver dam activity in the access road culverts.
- I completed the annual accounting and the report for Adventure Placer 2 and have received review from Wheeler. I have created an account in the CDSS system and am set up to directly upload it. This will be a monthly upload going forward.
- I met with the owner of the surrounding property, Delbert Scaggio, on November 14th. He has no immediate plans for the property, but may want to build a house in the future. *
- The reservoir was fully ice covered on November 15th. I visited a few times to clear culverts before the creek was too iced over.

***Additional Information:** Mr. Scaggio said he thought he had separate water rights with his property. He may want to utilize water rights to develop some other housing or tiny housing. David Shohet said Jan Leach did have Geraud 3T water that was not committed to Adventure Placer. He said Center has the first right of refusal to buy that right. He is not aware that it has ever come up for sale.

Lisa Brown said Mr. Scaggio had no issues with the new head gate. Lisa McVicker said we had investigated installing a bridge and suggested Lisa Brown keep this on her radar for 2026. Lisa Brown agreed and said at the South Platte forum, she got to talk to a few contractors and gathered their contact information as potential future resources.

Chatfield Reallocation Project (CRP):

- There was no CRMC Board meeting in November, but a newsletter describing this year's tree removal was circulated. Ground based and helicopter assisted tree removal of dead and dying trees began at the beginning of November. The December Board meeting will be a hybrid of in-person and virtual. If weather permits, the board members present will be able to observe the helicopter at work removing trees following the meeting.
- An update on tree removal was sent on November 20th. A total of 953 trees had been removed up to that date. The average tree per hour removal rate is anticipated to be about 26-30 trees. The chipping and hauling process began the week of November 23rd.
- Accounting was received at the end of November and has been updated to the state system through October. On October 31st, there was 119.71 AF in storage for CCWCD's use.
- There was no OAC meeting in November.

James Tingle Reservoir (JTR)

- Accounting was received in November and had been updated through October 31st. CCWCD had 60.44 AF in storage at the end of October. The accounting, which reflected the requested release of 4.1 AF of stored Randall Ditch credits was reviewed and confirmed by Wheeler.
- 3.60 AF of stored Randall Ditch credits were planned to be released during November. *
- The foundation for the second raptor tower was completed and placed in the prepared excavation. I met the contractor and delivered another section of tower to him. The completed tower will be lifted into place when wind conditions allow.
- I sent a request to Matt Loose asking him to provide the CCWCD Board with an estimate to produce a study evaluating how to make delivery of water to James Tingle Reservoir more efficient. He told me that they should have a proposal by the end of the year. I hope to be able to present that at January's meeting.
- The invoice for Leased Reserved Water was received by Highlands Ranch Water. There were no questions or issues with the invoiced amount, and payment should be received shortly.

***Additional information:** Lisa Brown just received the accounting for the end of November and an additional 3.60af of Randall ditch storage credits were release. At the end of November, there was 55.37af in storage.

South Platte Enhancement Board (SPEB):

- The monthly SPEB meeting was held virtually on November 19th.
- Matt Ashley, from Aurora Water, gave a presentation on the London Mine. The mine is owned by Mine Water, but Aurora Water has purchased the water rights. The water coming out of the mine is considered ground water, because the water coming from the mine wouldn't flow into the S. Platte River due to the London Fault. The water was intercepted and flows out of the mine due to the mining activity. Due to contamination from heavy metals, the water is pumped into a well where it is treated with a combination of molasses and alcohol, which leaches the contaminants out of the water. It then flows out of the treatment well at a relatively constant rate of 2.5 cfs. *
- Steve Bonowski, from the Colorado Mountain Club, gave a presentation about trail work that the CMC did on the Square Top Lakes Trail (Trail 600) on Guanella Pass this summer. Their focus was mitigating the heavily braided trail by creating water diversions to prevent erosion caused by water flowing directly down the trail. He shared some photographs of the work being done as well as a historical postcard of Glen Isle. He wasn't sure if Glen Isle was currently operating and I informed the group that there are new owners who have been doing a lot of work at the resort and that cabins are available for lodging. I relayed that this is an area that CCWCD had awarded a grant to Stewardship West for wildfire mitigation and fuels reduction. This ties into the North Fork WRAP that was discussed at the previous SPEB meeting.
- Josh Voorhis gave an update on Forest Service activities. The focus for now is on Executive Orders which are geared towards timber production, livestock grazing, critical minerals, and energy production and transmission. Wildlife and habitat conservation have been deemphasized. The River Patrol will not be implemented for the next few years, but the Forest Service is looking for partner agencies to step in to help facilitate this. He mentioned that MRHI has been very helpful this past summer in managing

activities in the South Park area.

- Andy Hough, from Douglas County, discussed the wildlife overpasses that have been built over I-25. The latest one, through the Gap Project segment, is believed to be the largest in the country, approximately eight lanes wide. Douglas County has twelve crossings throughout the county.
- Increased Quagga Mussel and New Zealand Mud Snails in the Colorado River were discussed. The Board talked about ways to increase public education regarding controlling the spread of these Invasive Nuisance Species and how SPEB could possibly fund such outreach.
- An update on CCWCD and Park County projects that relate to SPEB interests was requested from me to be presented at an upcoming meeting.

Additional Information: Lisa McVicker asked where Aurora stored that water. Lisa Brown believes it is stored in Spinney Reservoir. David Shohet said it either gets stored in Spinney or it is run down the South Platte and take a direct credit less transit losses where they are going to divert it. Lisa McVicker said she would like to see if there are any creative ways of using the Smelter water for exchanges in any way. This will be discussed in executive session.

Snowpack Report:

- Although it's early to start looking seriously at snowpack numbers, the recent storms have finally provided a little optimism: Hoosier Pass is at 53% of median (approximately 10% on Dec. 1), Michigan Creek at 82%, Rough & Tumble at 78%.

CCWCD Proposed Meeting Schedule:

- A proposed meeting schedule for 2026 accompanies this report.

CCWCD Website Issues:

- No issues with website performance have been reported. I have sent Daisy a number of updates, which she is in the process of making.

Wild Horse Reservoir:

- The Wild Horse Reservoir Cooperating Agencies meeting scheduled for Nov. 20th was also cancelled. The next meeting is planned for December 11th. Reports on Alternatives were sent out last week for CA review and comment. Any comments are due by December 23rd, and I am working through these documents.
- There is a “Lunch & Learn” scheduled for Dec. 12th at the Hartsel Community Center, with food being provided by Zuccaro’s Kitchen.

Kenosha Trout Club (KTC): No changes since last report.

Michigan Creek Restoration Plan (MCR): No changes since last report.

Bar Star Corporation (BSC): No changes since last report.

Indian Mountain Plan (IMP): No changes since last report.

Guffey-area Augmentation Plan (GAP): No changes since last report.

Division Two Delivery (DTD): No changes since last report.

Currant Creek Two (CCT): No changes since last report.

OLD BUSINESS

4.1 548 Front Street Building Updates: Nola Knudsen said we are using Tim Zingler for our annual snow removal. We set up an agreement with Tim a few months ago to be sure we would be on his route to take care of the snow removal for the office building and the Smelter Pipeline Reservoir. The first day we got pounded with snow and although he was at the office in the morning, the by the end of the day he had to return. Lisa Brown was out at the South Platte Forum at that time; however, Nola spoke with her regarding the SPR. Lisa Brown requested Nola advise Tim to plow per their prior agreement about the need for snow removal. Tim will also clear when there is wind that can create high drifts.

It is the end of the year and Nola has been looking at the annual charges for the utilities. She looked at 2023, 2024, and 2025. The primary bills were Xcel, Colorado Natural Gas and Bailey Propane. The propane to natural gas was very similar but believes the natural gas is going to be better this coming year by several hundred dollars. This is because in 2024 we had double propane payments because of the construction costs. The electricity expense in 2023 was a cost of \$1,136.00, in 2024 a cost of \$975.62 and in 2025 a cost of \$2,995.96. One possible reason is the need for the fans in the air exchange system needs to run continuously. The Dental office is operational two days of the week with multiple computers operating, although the prior tenant was a single person operating five days per week. In the therapy rooms, Nola Knudsen is open four days per week and on periodic Fridays which has been consistent for several years. Lisa McVicker suggested the Board may want to revisit the shared expenses among the entities using

the building. Chris Fuller said she wants to look at it because Nola is a “combo”. She is also working for CCWCD and all of the expense should not go entirely to her other business.

Nola reported in October she had requested information regarding retention of records. She just received the information the day before to be able to download a manual with the instructions for determining proper retention and destruction of District records. Nola will also relay this information to Lillian Wissel for the USPWCD records that share the storage area. Organization of this area will be a winter project.

Craig Steinmetz and Lisa Brown met with the neighbor and requested they remove the asphalt that has been splashed upon the side of our building, otherwise we would have to do the cosmetic work to remove it and send them a bill. Secondly, because of snow, we want to make sure the water runs away from our building and to the intersection of the dirt alley. Lisa Brown has looked at the alley, taken pictures, and sent them to Ishmel to see what he thinks. She is waiting to see what Ishmel thinks. The owner’s response was to paint over the damaged area which is unacceptable. Craig Steinmetz will request an estimate for the repair. Lisa Brown will confirm the height of the damaged area and send to Craig.

4.2 Revisit Grant Applications: Lisa Brown said she has a draft written for Stewardship West and just needs to finalize it and send it out. She did go out to Winding River Ranch last month with Garver Brown who was helping Jim Legg make a release of a substantial amount of Owe The River water from the two reservoirs, the Burlingame Two and Chappell, which have never been able to be administered until those Agridrains got put in this year, thanks in part due to the grants awarded. Garver Brown, the water commissioner, was very pleased and said this is a monumental day. This is the first time these reservoirs have made releases of water that was owed to the river. They are flow through reservoirs and their evaporated losses have never been accounted for, and they have never been able to make these releases before. They have remote telemetry on them and they can check levels. Lisa will be working with Jim Legg to get his report done. She took pictures to help with the process. Lisa said she will catch up with Shawnee to see how their project is going. She has not heard from Vincent Topo yet but will get an update and report from him.

Chris Fuller said CUSP owes CCWCD a report for the Lake George fish ladder design and planning. Chris will have that for next meeting. Lisa Brown has heard from Carl Hamilton who said the planning is pretty much good to go.

4.3 Confirm Dates and Budgets for 2026 Scholarships and Grants: Lisa Brown said the board talked about this last meeting and the board was in agreement with the dates. Lisa Brown said last year we had the grant window open from January 15th to March 31st. She is suggesting we expand the grant window and have it open on January 1st. The board was in favor of the change.

4.3.1 Update on proposed Co-Co grant: Lisa McVicker emailed Esther Duke, who works with Jonathan, sent out a 14-page letter. Lisa thought the pages were specific to their goals and objectives for the collaborate capacity and their vibrant planning tool, and what they are planning

on doing with their mapping was specific. She said she thought the fact so much of this has a focus on fire reduction and wild fire hazard, products being removed, it was similar to Stewardship West is doing. She noted that members of the South Park partnerships might be interested in receiving our announcement about grants. Lisa also said reading David Shohet's report and thinking about the Smelter and abandonment, and looking very specifically on the wild fire hazard, Lisa realized she is ignorant as to how to identify ponds that would be available if there were wild fires and there was need for water as a retardant; that could be one thing we could use the Smelter for. Lisa summarized the various elements and said she thought the report was very detailed asked the board for their thoughts and comments and whether they felt it was appropriate to go forward with consideration of a \$5,000 grant for Co-Co to specifically go forward with the Stage 2 and Stage 3 of SWERI collaborative readiness. Chris Fuller said CCSC has been working very well too. She is glad they sat down and thought about Park County. CCSC is a collaborative that brings to the for front some of the forest protection, wildfire risk decreases etc. Chris Fuller made a motion to Approve \$5k grant for Collaborative and Coalitions (Co-Co) grant specifically for the vibrant planet project in Park County. The motion was seconded by Lynne Buchanan and carried unanimously.

Chris said they can send the grant application to COCO to fill out. The grant application and focus should remain on what they are doing here in Park County. Lisa McVicker will write Esther and copy Johnathon, Chris, and Lisa Brown and then you could send that directly to Esther.

NEW BUSINESS

5.1 Discuss Arkansas River Basin Water Forum Sponsorship Request: David Shohet said last year he presented the opportunity to the district to be sponsors at the Arkansas River Basis Water Forum. Last year's meeting was in Pueblo We sponsored last year at \$1K and Lisa and Wallie attended. This year, the Forum will be in Salida at the Steam Plant. David and Lisa Brown were wondering if Center would want to sponsor again at \$1K which comes with two registrations. Wallie Weld moved to sponsor the Arkansas River Basin 2026 Water Form in Salida at the \$1K level. The motion was seconded by Lynne Buchanan and carried unanimously. The dates are April 22nd and 23rd.

5.2 Administrative Manager's 2026 contract: David Shohet reminded the Board has two separate contracts with Nola, one as the Administrative Assistant to CCWCD and the other one as the building manager. Those contracts expire in December. Nola was asked about comments for her two contracts. Nola reminded the board the Operations Manager and her are paid in arrears so anything they decide and vote on in January will not be paid until February. Nola has nothing extra to consider other than the usual cost of living and some consideration for adjustment of the utility payments. Lisa McVicker asked about the present split of utilities. Currently, the utilities are split for 1/3 for the three water districts, 1/3 for Knudsen Counseling and 1/3 for the dental office. Currently, the utilities are split for 1/3 for the three water districts (1/9th each), 1/3 for Knudsen Counseling and 1/3 for the dental office. Lisa suggested the board email David Shohet on ideas related to another option for shared split of the utilities as well as suggestions to David for a cost-of-living increase for the contracts.

5.3 Operations Manager's 2026 contract: Lisa McVicker said last year Lisa Brown was considering after a year whether she would want to go hourly or salaried. She has carefully kept track of her hours but hasn't had a chance to put it into a spreadsheet and break it down. She thinks salary makes sense as there are some times of the month that require more hours and others that require fewer. Lisa said when she has a chance breaks things down, send her thoughts about a cost of living raise to David keeping in mind what was previously discussed regarding an hourly amount and keep that in mind when doing an analysis of her time.

UPDATE ON LEGAL ISSUES

David Shohet said Center and HASP is in a total of 5 to 6 cases right now. There is not a lot to update right now. We did receive one rather large HASP application for a Christian Retreat Center, north of Guffey in the Ranger Station substation. They are looking at about 60 guest rooms along with a cafeteria and one acre pond surface area. That application is going to use about 3.5af of water out of the 02 plan. David said to remember that our 02 plan is already low. We will bring this to the HASP Board for approval since it is more than one acre foot to decide if they want to support this. Lisa McVicker said this would be a big hit on the 02 plan. David Shohet said it would put the 02 plan on "life support". He thinks there is either 8 or 9af left. That would leave approximately 6af of water on the 02 plan. It is a big chunk of what's left.

David said at the time he wrote his memo, he didn't have Wheeler's monthly report. He did send out the report yesterday evening when received and it looks like everything is moving along and there is nothing surprising. There is not a lot to report for last month.

6.1 Adjourn to Executive Session

Wallie Weld made a motion to go into executive session pursuant to Section 24-6-402(4)(b) C.R.S. for the purpose of receiving legal advice for:

6.1.1 Discussion regarding the County's use of Randall Ditch water rights

6.1.2 Discussion regarding the senior appropriation for the Smelter Pipeline

Reservoir

The motion was seconded by Chris Fuller and the board adjourned to executive session at 2:32pm.

6.2 Reconvene as Public Meeting: The board returned to regular session at 2:50pm.

6.3 Act on Executive Session Matters

Lynne Buchanan made a motion to authorize counsel to write a letter to the Park County attorney regarding the Randall Ditch water rights and historical releases thereof. Chris Fuller seconded and the motion carried unanimously.

PATRONS COMMENTS

None

DIRECTOR'S ISSUES

Wallie Weld said he attended the South Park Forum. He will send 6-8 pages of his notes regarding what took place there. It was a small meeting that went well except the Farmers and irrigators have a different opinion than the board. The board doesn't think it is worth working on water if we don't have storage. The rest was great; it was a good conference.

Craig Steinmetz said when and if the side of the building gets taken care of, they would not spot the area but would draw a straight line down to the top of the asphalt. When that is done, Craig will contact Ishmel and get a price from him right away. We should then send a letter of discovery to our neighbor. Lisa Brown did say we would probably look at this during the Spring.

Lynne Buchanan made a motion to adjourn. The motion was seconded by Chris Fuller and the meeting adjourned at 2:59pm.

**Center of Colorado Water Conservancy District
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Smelter Pipeline Reservoir –David Shohet said he wanted to talk about the senior appropriation for the Smelter Pipeline Reservoir. In the 1970s, the Leech family adjudicated a water right for the SPR. It is a 1909 water right (appropriation date) in a 1972 adjudication. This water right is junior to everything that was adjudicated before 1972 and once you get to 1972 adjudication, this has a 1909 priority date. Within the 1972 appropriations that took place, this is a senior water right but the reality is this is a relatively junior right on in terms of on the South Platte itself. It is probably rarely in priority other than when there are free water conditions. We did a little research and found it is decreed for storage for milling, for domestic, for recreation, firefighting, and fishing purposes. Based upon our interpretation of the decree, we think that probably means limited to what we're going to call the Jan Leach greater property area. He doesn't think we can use this for domestic, for other parts of Park County outside of whatever the Leach's owned at the time of their appropriation. It will probably only be for use around that very small area around Venture Placer and some of the other property the Leeches owned around the Smelter. David doesn't believe the original appropriation has been diverted in at least the twenty years that he has been working for Center or that we've owned the SPR. We have done little things like include it on the accounting and we've included it in other correspondence and other matters but we really haven't diverted and we haven't used it. David is not sure what we could use this water right for. Under Colorado law, nonuse of the water right for ten years raises the presumption the water right could be abandoned. Given the junior nature of the water right, if it was to be abandoned, I don't believe it has impact on CCWCD. We have other water rights to fill the SPR. For example, we went out and obtained a junior 2008 or 2009 appropriation that allows you to fill the SPR for augmentation purposes that you can use throughout your entire service area. We also have other water rights we can exchange and we can put in there. The loss of this water right is not going to cause the SPR to suddenly run dry because we have other more valuable and senior resources that we can fill the SPR with. If it were to be put on an abandonment list, we would probably have a long chat whether or not we would want to protest this. David wanted to bring this to the board in case the wanted to be proactive in trying to preserve this water right. The only thing we could probably do is divert this under a free river condition and then try to make some use around the reservoir. Lisa Brown had mentioned the neighbor may have some use for some water. Another idea we came up with is maybe try to utilize this for fishing or maybe there is a partnership the board might want to explore just to try

and divert some water and use it for its decreed purposes. We don't do anything at this time but I wanted to address this in case it is placed on an abandoned list and the board asks why I didn't notify you of this.

Twenty-two-acre feet is what was decreed to the original SPR rights. Craig Steinmetz said the idea of joining with other organizations would be recreational organizations like fishing wouldn't be that impactful. We wouldn't allow motor boats on the reservoir. However, then the liability insurance issue would come up and we would need to get a quote on that. Craig thinks partnering with other agencies that are in the recreation world would be a good idea and we should start right away. Chris Fuller is concerned about the size, it is small. How much capacity does it have, would we have to stock fish, what would the liabilities be? David said firefighting is one thing. There are a lot of ponds throughout Park County and other counties. Those ponds were not in compliance; they didn't have water rights and so they were diverting water out of priority without any sort of replacement plans or senior water rights that were going in them. A few years ago, they devised a plan to make the ponds firefighting dedicated reservoirs. The plan was designed to allow structures that don't have water rights to convert out of priority and retain that water for firefighting resources. CCWCD has other water rights to put in there. The firefighting protection probably isn't available for this reservoir because you have a legal supply to fill it. You could work with the local fire districts and tell them we would like to designate this, if there were to be a fire, we grant you permission to come in to our reservoir and dip out of it or throw a pump into it. We could figure out the water later. David said we don't need a separate water right or to store water underneath the original water right to accomplish that. The state is going to want us to do that whether we have Randall water or Session's water rights in there. Lisa McVicker asked if letting that go back into free river if that would count. David said no, you have to divert it in place of beneficial use.

Lisa McVicker said abandonment might not be a bad thing. David Shoheit said this water right, for what Jan Leach contemplated it for, as opposed to what CCWCD bought it for and is using it for, probably serves very little purpose. Every ten years the Division of Engineers puts together an abandonment list. The next abandonment list is in 2030. It's possible it doesn't make that list and then it is another ten years. The abandonment is accumulated. So, if we abandoned it today and someone wanted to resurrect it in the future, that cannot be done. Lynne asked what about if there could be use for a fire department, not for an actual fire, but, for example, if they wanted to fill a tanker for training purposes. David said if we could divert 3af into the SPR during free river conditions, our county would let us do this. We would divert 3af under the original right and now we have 3af of storage capacity utilizing or set aside just for this 3af right for firefighting uses, it takes away 3af for other purposes such as augmentation purposes. If there was a fire and we didn't fill it with 3af, the state will let us use whatever water rights we have in there for firefighting purposes.

Discussion regarding the County's use of Randall Ditch water rights: When the JTR was going through the county process, CCWCD had to obtain approvals from the county to construct JTR. During the negotiations and hearings, Dan Drucker and Jim Culichia said we're going to give you 5af of Randall water. They then approved construction permits for the construction of the JTR reservoir with the condition the county gets 5af of the Randall water right. Fast forward to 2025, their engineer was working with Aurora and Garver and said we would like 5af at

Spinney, and it happened very quickly. Garver said fine, then Center was charged 5.21af. What Garver had done was said there are transit losses down Michigan Creek and then down Tarryall. To get 5af of Randall in to Spinney, you have to account for the transit losses. Now Matt Loose, Lisa Brown, and all of us were behind the eight ball. We began chatting internally with Park County to say we don't think you did this correctly. The 5af you are supposing to get is at the headgate. If you guys want to move it around the county, you must carry the transit losses, not Center. Their engineer actually agreed with us. In the past, he had always just called for the 5af at the headgate at JTR, then he accounted for where ever the water was going to. Their attorney, Mark Detsky, took the position they are entitled to the transit losses, that 5af of delivery means that you deliver anywhere that they say within the county and we pay for the transit losses. That has not been the past historical practices. David said at .21af it is a small amount of water, particularly this year. However, he does believe it is an incorrect interpretation that the county is entitled to have CCWCD deliver the water anywhere within the county and pay the transit losses to get it there. David said we can let it lie or send them a strongly worded letter we disagree and here is why. Craig Steinmetz said we should follow the initial agreement. Lisa McVicker said .21af adds up. She thinks we need to be clear it is yours but it is at the head gate. Are they asking us to provides that water from last year? David Shohet said it already happened that the whole 5.21af was taken out of our water last year and we probably lost out of leasing Highlands Water Ranch .21af of water with a little loss of revenue. We had plenty of water for us. Chris Fuller said if it becomes a big deal, and here we are, supposed to be serving Park County, it is possible we would have to back off. Lisa McVicker said we should write that letter, especially since their engineer agreed. All board members agreed with writing the letter and see what happens.

Wallie Weld moved to adjourn to regular session. Chris Fuller seconded and the board returned to regular session at 2:50pm.