

**Center of Colorado Water Conservancy District**  
**Meeting of the Board of Directors**  
**August 13, 2025**

The monthly meeting of the Center of Colorado Water Conservancy District was held on Wednesday, August 13, 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 1:09 PM.

The members present in the office were Lynne Buchanan, Lisa McVicker , and Chris Fuller. Wallie Weld and Craig Steinmetz joined by teleconference. Nola Knudsen, Administrator, was present in the office as was Lisa Barden Brown, Operations Manager. David Shohet, legal counsel, was in the office. Craig by phone, Wallie by teleconference.

**APPROVAL OF THE AGENDA**

David Shohet requested to add a discussion of the Dental office lease under new business item 4.3. Chris Fuller moved to approve the agenda as amended. Lynne seconded and the motion carried unanimously.

**APPROVAL OF THE MINUTES**

Lynne Buchanan moved to approve the minutes as presented. Chris Fuller seconded and the motion carried unanimously.

**ADMINISTRATIVE MATTERS**

2.1 Administrator's Report on Accounts: Nola Knudsen reviewed the check register with the Board. Checks for the month of August totaled \$45,671.24. Cash assets after payment of August invoices total \$2,844,333.94. Nola brought up the possible need to expand the chart of accounts to expand the legal billing to various projects. David Shohet said he could propose several different billing categories for larger projects. Nola will provide David with the current Chart of Accounts and categories already designated so we can determine how best to expand the record keeping.

Nola explained the problems that had developed with the building boiler, its repair, and payment for services.

2.2 Treasurer's Review: Lynne Buchanan informed the board the 20245 audit was completed by the end of July. She emailed the board the results from Hoelting and Company. Income for the month of July include property taxes of \$170,821.28. We had a second deposit from Park County

for taxes for the month of August in the amount of \$30,734.88. Interest from Colotrust was \$10,429.74. We also received August rent and July utilities from Knudsen Counseling for \$1,223.43.

### 2.3 Approval of Invoices and Warrants

Chris Fuller moved to approve the invoices and warrants as presented. Lynne Buchanan seconded and the motion carried unanimously.

## **OPERATIONS MANAGER'S REPORT**

### **Smelter Pipeline Reservoir (SPR):**

- I visited the SPR at least three times in July. On July 1st, a gage height reading of 7.05' was read, equivalent to 17.49 AF in storage. On August 1st, a gage height of 6.77' was observed, or 16.64 AF in storage.
- The contract with FlyWater was completed after review and consultation with David Shohet and Wheeler's engineers. A pre-construction meeting was held on August 5th at the SPR. Equipment for the project was mobilized last week and the project commenced in earnest yesterday.
- I ran my plan to try to store the Giraud 3T water for Adventure Placer 2 by the contractors and Wheeler's engineers at the pre-con meeting, and they thought I should go for it. 2.28 AF was successfully stored last week as the old headgate was operated for the last time.
- I am still working on getting the accounting updated, but have everything documented, just need to transfer it into the spreadsheet.

**Additional Information:** Today they are dewatering at the Smelter Pipeline Reservoir and have already been placing super sacks in the creek, drying out the headgate and they are going to do a fish salvage today. Flywater has put together a tight schedule and is having weekly meeting updates. Chris Fuller asked when she could plan to get into the reservoir for weed management. Lisa Brown said the project is scheduled for completion September 9<sup>th</sup>. Chris said she can wait until that date.

### **Chatfield Reallocation Project (CRP):**

- There is no regular CRMC Board meeting in July. The next meeting will be held on August 28th.
- Accounting was received at the end of July and has been updated to the state system through June. On June 30th, there was 125.89 AF in storage for CCWCD's use.
- Matt Loose attended the OAC meeting in July and provided some updates:
  - o Storage in the reallocation pool is around 12,800 AF.
  - o DWR anticipates storage calls to be in place for this winter. Senior river calls are expected to remain in place for the rest of the season.

### **James Tingle Reservoir (JTR)**

- Accounting was received in June and had been updated through June 30th. CCWCD had 85.70 AF in storage.
- No releases occurred in July, and none are planned for August.
- The annual dam safety inspection occurred on July 10th, and the dam safety engineer was pleased with the new raptor tower. Swithin and I discussed plans to build the other raptor tower in the fall, when conditions will hopefully be favorable. The dam inspection report was sent out and all categories were rated as acceptable, and the reservoir was recommended for full storage.
- Park County did not request any Randall Ditch credits in July.

### **South Platte Enhancement Board (SPEB):**

- The monthly SPEB meeting was held virtually on July 16th.
- After discussion, the only grant request remaining is for the Boy Scout Camp for river restoration. A presentation was given by Trout Unlimited and representatives from Camp Alexander in support of the project. The Board delayed the decision on this grant request until the August meeting.
- Denver Water is working with rafting groups to try to ensure adequate flows for Bailey Fest over Labor Day.
- Prior to the meeting, I took a trip to Pine Grove to document the work done at the History Park with one of last year's grants. They have built a great new sign, an accessible concrete trail

through the park, a covered picnic table, and a couple memorial benches shaded by a pergola. They have also stabilized the structure of the train cars on site. One of the volunteers happened to be there watering the gardens, and he told me that they have seen quite an increase in visitation this summer.

**River Flows:**

- Flows into Spinney are at 22 cfs, which is about 18% of normal flows of 124 cfs.
- Flows on the Tarryall are at 15 cfs, which is 34% of normal flows of 45 cfs.

**CCWCD Website Issues:**

- Daisy posted the water law announcement to the website and has been running regular maintenance monitoring.

**Advertising:**

- An advertisement for the water law class was placed in The Flume published last week.

**Wild Horse Reservoir:**

- The meeting was a recap of the previous meeting on Aurora's goals and objectives, essentially providing an emergency reserve. They discussed the primary risks to their system and the need to meet 2075 projected needs.

**Kenosha Trout Club (KTC):**

- The exchange of 2.47 AF of Deer Creek water occurred in July as planned.

**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):**

- I purchased 50 pheromone packets as recommended to protect the other trees on the property and have attached them to all of the larger diameter trees surrounding the cabin and along the

highway fence line towards Guffey. I made an area of focus around the southwest corner of the property (towards Guffey) where there are a number of beetle-killed trees.

Additional Information: Lisa Brown informed the board she has made plans to meet up with her in-law October 7 through the 10<sup>th</sup>. She didn't realize the CCWCD meeting is October 9<sup>th</sup>. The place they will be staying does not have internet accessibility or phone. The board told Lisa Brown her reports are thorough and there is no need to attempt to attend the meeting. Lisa Brown, at the request of the Upper South Platte, who might want to attend the South Platte Forum. Bob Slagle has already reserved a block of rooms at the Country Inn for approximately \$90.00 per room. Wallie Weld wants to attend. The Forum is on Dec 3<sup>rd</sup> in the Greeley area.

## **NEW BUSINESS**

4.1 Discuss CCWCD by-laws: David Shohet said in the prior meeting, there was a discussion regarding a set of bylaws that was found dated January 3, 1998 but without a signature of adoption. Sedona looked in her files and found a copy of those bylaws with no signature. David thinks CCWCD does not need bylaws nor should have bylaws. motion because we are a special district under title 37, Chris Fuller made a motion that CCWCD is a special district under title 37 that does not require bylaws as a regular corporation would need, and we revoke any bylaws that may have been created in the past. Lynne Buchanan seconded and the motion carried unanimously. The initial need was a request from TBK bank for bylaws to open a new account for the district. Nola Knudsen was able to provide founding documents to the bank that satisfied their requirements.

4.2 Memo on CORA and records retention: David Shohet said he was contacted by Nola Knudsen requesting information on the requirements for records retention. David some research and found the statute states three years is the requirement. In his research, David found the state archives has a process where you set a schedule, documentation of what is destroyed and provides documentation of what is destroyed. Chris Fuller said she believes there are certain requirements for financial documents that are audited that may be required. Lisa McVicker said hiring someone to scan documents would be appropriate. David Shohet was directed by the board to do some further research regarding retention requirements.

4.3 Dental Lease: David Shohet reviewed with the board that the district previously entered into a lease with the dental office that used to be called Summit Community Care Clinic for a one-year lease with three one-year options. They renewed it last year through 2025 and it expired the end of August. They did send David a request to renew through 2026. They have changed their name to Summit Community Care Clinic DBA Elevated Community Health. David suggests doing a change in parties with the new tenant's name on the lease name.

## **OLD BUSINESS**

5.1 Update on water law class: Lisa Brown said she will order catering, light snacks, sweet treats, salads etc. The class starts at 1:00pm. Lisa said exposure has been through word of mouth, newspaper advertising, notices being sent through realtors etc. The help for setup will come at noon. Once Lisa Brown knows the numbers attending, she will set up the tables the day before.

5.2 548 Front Street Building updates: Nola Knudsen has talked with Small Town Drains who has said they are prepared to fix the drain that extends into the street. Originally, the decision was to wait until after Burro Days and any major town activities. Nola will coordinate Small Town Drains with Lazano to schedule the repair and any required permits. Nola also showed the board how the sun falls directly into the eyes of some participants and requested approval to purchase some shades for the conference room to fix the issue.

5.3 Recap of 2025 Open House – Lisa Brown did an accounting of what handouts are left after the open house. She said there were only 12 small dog bowls, 61 water bottles and we have plenty of water law books to hand out at the water law class. Lisa did get a notice from WECO, that they have come out with a new version of the Colorado Water Conservation guide. This guide has been constantly unavailable when we wanted to order previously. The guides come in packs of ten and the board directed Lisa Brown to purchase 80 of them while we can get them. Craig Steinmetz requested additional water bowls.

5.4 Update on 2025 Grant Agreements: Lisa Brown said all the grant agreements have been written and completed. Stewardship West has received their check for Glen Isle. She sent that out priority mail and it was received on Monday. They are super thankful and will take Lisa on a tour of that project in September, possibly the 15<sup>th</sup>. They were happy with the language for the Webber Park grant but they have run into a snag with the forest service, and they have to change the scope of their work. Lisa doesn't know what that will entail. This is the \$60K grant. They were meeting with the forest service today and will let Lisa know what has happened and how they might need to modify their application and restructure their budget.

## **UPDATE ON LEGAL ISSUES**

Chris Fuller asked David Shohet if there are any time constraints on any of our water rights or holdings, or conditional water rights and risk of abandonment. David Shohet said if you have a decreed water right and you don't use it in ten years; there is a presumption that it has been abandoned and it could be abandoned by the state. We don't have any water rights or assets that David can think of that hasn't been diverted or utilized. We haven't used the Smelter much but the Smelter has an original adjudication that no one has used or diverted that could be at risk of abandonment at some point David doesn't know what it can really be used for. It can probably be used on the SPR property. We could go through water court and change it but it is a junior water

right that little to no historical use. Chris Fuller asked it could be used for the 5af given to Park County. David said it must be from the Randall water as that is what our 1041 permit requires. David said originally, the county wanted storage in the JTR. The agreement is for water only and no storage. David said we do have several water rights, most of whom are exchanges that are conditional, meaning we anticipate we are going to use them as development when we have more augmentation needs. We have decreed them but we have not used them. Every six years, we have to go to water court if we have not utilized and say we're still working on towards this. About year 18, they may question if we are still going to use that water. Chris said it appears there is nothing we can use the Smelter water for. David Shohet said a couple of years ago, we exchanged Randall water into SPR. He said Lisa Brown keeps a record of the numbers of how much Randall water there is. We could possibly make a release of Randall water out of the SPR if we wanted to. However, we would be drawing down our SPR water. Lisa Brown said the original appropriation was 1909 for the SPR. We are already at a call of 1871 and is the reason Lisa wanted to store the Garo water when we could because it looked like it was in danger of being called out. It is anticipated an 1866 call to come out. David said we really don't have a use of that senior SPR right; everything we are doing is augmentation. Lisa Brown asked if the 1909 was absolute; David said it was. David also explained that there is a requirement before we divert water we talk with the water commissioner as they have a duty or obligation to say "does this diversion constitute waste"? If there is no end beneficial use for the water, they may say they may not allow that use of water.

Chris Fuller asked how David keeps track of all these requirements. David said when we get a diligence case, we calendar it with a five- or six-year reminder. The court also sends Center a notice that Nola sends to David saying we have diligence due three months prior to the date due. Due process requires that Center is notified by a certain date to be able to take action or the water right is abandoned. David Shohet said that when the SPR account sheet was revised, he requested that Wheeler put in a cell with the original adjudication to have something of evidence that we have intent to divert it at some point.

## **DIRECTORS ISSUES**

None

Lynn Buchanan made a motion to adjourn. Chris Fuller seconded the motion and the board adjourned at 2:20pm.