

Center of Colorado Water Conservancy District
Meeting of the Board of Directors
June 10, 2026

The monthly meeting of the Center of Colorado Water Conservancy District was held on Wednesday, June 10, 2026 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 1:04 PM. The members present in the office were Chris Fuller, Lynne Buchanan, and Wallie Weld. Lisa McVicker and Craig 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 via teleconference.

Patrons Present: Scholarship recipients present were Alex Norman, Erich McLean, Wrangler Elliot, Jordana Logue, Caliana Heisler, and via teleconference was Jackson Miller.

APPROVAL OF THE AGENDA

1.1 Wallie Weld made a motion to approve the agenda as presented. Lynne Buchanan seconded and the motion carried unanimously.

APPROVAL OF THE MINUTES

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

NEW BUSINESS

2.1 Introductions of 2026 Scholarship Recipients: Lisa Brown congratulated the scholarship recipients and asked them to speak to where they planned to go. Erich McLean plans to attend Red Rocks Community College and then transfer to the School of Mines and study environmental engineering as his major. Wanger Elliot plans to attend Western Colorado University to study business for a year and then transfer to Montana State or Boulder University in his junior year. Jordana Logue plans to attend University of Fairbanks in Alaska to study fisheries and focus on oceanography. Caliana Heisler will attend MSU Denver to study environmental engineering. Alex Norman will attend the School of Mines to study electrical engineering. Jackson Miller is going to Western University as an environment and sustainability major with an emphasis in water. Nola Knudsen reminded the recipients she will need a student ID in order to send the checks to the colleges. The students were congratulated on their outstanding successes. The students left at 1:15pm.

2.2 Discuss 548 Front St. Mural Proposal: Asyha Berlin described her ideas for a mural on the building. She said the plan was to start on the wall side that faced Main Street, and wraps around to the alley side. The north facing side would contain the mountains, flowers, and passage of water. In the alley, she would paint the two moose with foliage and water to cover up the damaged area. Ashya said her proposal was for \$7,000. \$2,000 of it would go for paint that is of high quality and has weather shielding in it. It is also a little more because she will be painting on stucco. She estimates it will take between 70-90 hours of labor to complete the mural. Lisa McVicker asked how much of the alley area would be included. Ashya said what she had talked about was the lower area with a stream and foliage running through it to cover the damage on the

stucco. She would like for the moose to be lifelike in height. It was discussed to add additional foliage such as aspen trees that the moose could be eating. Lisa McVicker said on the alley side we have a 6' moose and the water is coming around the corner; she thinks we need to have more dimension. We could use more willows, elders, aspen, foliage than just water and moose. Lisa understands it will be more paint and more expensive. Lynne Buchanan said when the water curves around the wall, it should drop slowly. We have expanded the scope of work during this discussion with the long alley wall. Craig Steinmetz said when painting mountains, it would be great if she could duplicate some of the mountains around Fairplay. Aysha said this is already a high-priced project. With expanded work, she said she could look at \$7500 to \$8,000. Lynne Buchanan moved to approve Ashya Berlin to go forward with completing the wall mural for an amount not to exceed \$10K. Wallie Weld seconded and the motion was approved unanimously. Ashya's schedule is to go on vacation before Burro Days. She said she will get a good amount done on the mural before Burro Days. She was asked to put this in writing. David Shoet suggested we have a contract to lay out responsibilities going forward. David will draft a contract and send to Nola to provide Ashya. Ashya added her budget does include any touchups needed for a year Ashya stated she did not have insurance. David will check about what may or may not be included in the district insurance. Chris Fuller offered a way the subcontractor could waive the liability insurance for this project. Ashya asked if the board would like an upgraded rough draft of the added features. The board agreed and she will provide an updated design. Craig Steinmetz said we want to be a good neighbor and should notify our neighbor of the work to be done.

ADMINISTRATIVE MATTERS

3.1 Administrator's Report on Accounts: Nola Knudsen reviewed the check register with the Board. All board members were sent a listing of the bills paid via bill pay along with the minutes from the last meeting. Nola explained an extra bank charge this month when a check from one of our associates bounced a check that had been deposited. As a result, Nola consulted with Lynne Buchanan, Treasurer, and it was decided to have a larger balance in the TBK bank to avoid any future issues. The agreement was to maintain \$5,000 in the account. The board members agreed. The invoices totaled \$23,070.61. The total cash assets after the payment of bills are \$3,300,466.89

3.2 Treasurer's Review: Lynne Buchanan reported the deposits from last meeting to current include funds from HASP for rent and utilities and rent and utilities from Knudsen Counseling in the amount of \$1,364.03. In Colotrust, we received property taxes of \$45,049.63 and interest \$10,180.92. Lynne also said the audit has finished up and issued a draft report. Additionally, we are having CPA Craig Erikson look at it. When it is all finalized, she will send it out to the board.

3.3 Approval of Invoices and Warrants: Chris Fuller moved to approve the invoices and warrants as presented. Wallie Weld seconded and the motion carried unanimously.

OPERATIONS MANAGER'S REPORT

Smelter Pipeline Reservoir (SPR):

- I visited the SPR 4 times in May. On May 1st, a gage height of 9.61' was observed, for

25.43 AF in storage. On May 31st, the gage height read 9.44', for 24.90 AF in storage.

- The beaver population continues to flourish, but with little runoff, water is still passing through the 3rd and 4th culverts and the road has not flooded. A proposal for design work to replace the culverts was just received from Wheeler and accompanies this report.
- I have spent some time working on revegetating the disturbed area near the new headgate.

Additional Information: In the proposal, Wheeler would do a site visit to take measurement, survey and work on survey data. They would supplement that lidar data that is available and use that base map to develop a hydraulic model to determine what maximum flows might come through there during high water years and make sure the culvert is more than sufficient. They believe a single 48" diameter culvert will be sufficient, pending modeling confirmation. They would use the results of that model to prepare a drawing set and design summary memorandum for the proposed culvert. The drawing set will likely be two to three drawing sheets showing the proposed culvert site plan profile sections and installation details. It will document the hydraulic modeling and results as well as construction recommendations. Wheeler anticipates completing the design, drawings, and memorandum within four weeks of the site visit and the schedule allows for the culvert installation to occur in late summer end of 2026. Assuming notice is given to proceed by the end of this month, the terms will be honored for a period of 90 days and they propose a fee not to exceed \$11,900. Lisa McVicker noticed there was a discrepancy in the amount bid. In the table breakdown, the amount is \$11,300 and the proposed amount is \$11,900. Lisa McVicker sees this as very important. Craig Steinmetz had emphasized the importance of having this engineered. Chris Fuller made a motion to approve Wheeler's proposal not to exceed \$11,900 with a request for Wheeler to correct the table. Lynne Buchanan seconded the motion. Wallie Weld asked if two 36" culverts would be better than one 48". Chris Fuller said two walls together is an obstruction and helps the beavers. Lisa Brown reported the last couple of Wheeler projects came in under budget. The vote was taken and the motion passed unanimously.

Lisa Brown said she has been working on revegetating the area near the new headgate. The seeds are starting to come up. Lisa has also been working on updating the accounting, and the storage of Garo 3T water in the reservoir. Right now, we have a little under 2af in there. I am wondering if we should go ahead and store that Garo water while we can. We are back to an 1871 call and I have been told that more senior calls are coming our way. Lisa said she could store the couple acre feet of Adventure Placer water and we could use that toward our evaporation. Don't know if we will have an opportunity to exchange Randall or Sessions water in there The Board agreed.

Chatfield Reallocation Project (CRP):

- There was no regular CRMC meeting held in May. A special in person meeting is scheduled for June 24th to elect at least one new director to replace Rick McLoud and possibly Kris Wahlers (CPW).
- Accounting through April was received in May. On April 30, there was 114.49 AF in storage.
- Matt Loose attended the OAC meeting on May 27th on CCWCD's behalf.
 - o CRMC has developed work sequences with its tree removal contractor so that work can begin if the reservoir drops low enough to make tree and stump

removal efficient.

o DWR provided the following updates on current river conditions:

- There has been a little bit of snow and rain in the South Park area, but there has not been enough precipitation to see significant increases in flows.
- If the long-range forecast for above average precipitation holds up, conditions may not be as bad in the Lower Basin.

o Denver Water provided the following update on its current and planned operations:

- Denver is continuing to move water from Antero Reservoir to Cheesman Reservoir and had about two weeks left at the time of this report.
- Denver has turned down Roberts Tunnel deliveries with the added water going from Antero Reservoir to Cheesman Reservoir.
- Denver is continuing to operate its Last Chance pumps and Chatfield Reservoir pumps.
- Denver's Chatfield account has increased over the past month. Possibility two new directors will need to be elected.

James Tingle Reservoir (JTR)

- Accounting has been updated through April. On April 30th, CCWCD had 39.78 AF in storage. 6.70 AF of stored Randall Ditch credits was released in April for delayed return flows.
- Some water was able to be stored in the reservoir on May 29th, due to downstream stores releasing the senior call on the river.
- A trade of stored Randall Ditch credits between CCWCD and HRW for 5.55 AF between James Tingle Reservoir and Chatfield Reallocation Project were arranged at the beginning of May. Case 05CW111, joint applicants. HRW is amenable to such trades in the future.
- I just received an update on the Sessions Ditch efficiency study from Christine Mugele, and it will be ready at the end of this week. We are scheduling a meeting to discuss their assessment.
- I visited JTR yesterday to meet with Swithin Dick and Kristie Davis, from the Colorado Climate Center at CSU. The CoAgMET team wants to move the station to a drier location and add an OTT Pluvio all-season weighing precipitation gauge to the station. CWCB is funding the Pluvio. The only cost that may be assessed is for improved fencing around the site, with a maximum cost of about \$1,000. This may also be covered by CWCB.
- During our visit, we observed that animals have been rubbing up on the guy wires on one of the raptor towers. We tightened everything up, but it would be smart to add additional guy wires and add some fencing around the towers. I will contact Jason Spann to see if he can give us a quote for this.
- David Shohet and I have been meeting with HRW to work out the allotment of absolute and conditional water rights, to be discussed later in the meeting.

Additional Information: Lisa Brown looked up the OTT Pluvio gauge and found it is a highly sensitive and superior weight-based technology to measure amounts and intensity of rain, snow,

and hail. It is a very expensive gauge that CWCB is paying for. New sites were looked at and found one closer to where the current station is and believes that is suitable. Where it is located now, the soil is always saturated and is closer to Michigan Creek. They want to get more accurate soil moisture readings.

South Platte Enhancement Board (SPEB):

- I attended the May 17th meeting virtually.
 - o The grant window is currently open, and three letters of intent have been received. One is from the Buffalo Park Improvement Association and two are from CUSP.
 - o A presentation was given by the Jefferson Conservation District. Matt McLemore described a forest restoration project ongoing just east of Bailey, treating 300-400 acres. Weed managers are utilized after forestry work is completed. JCD will also try to get a grant application submitted.
 - o The Forest Service was able to hire four new seasonal employees who will be working throughout the district.
 - o The Colorado Mountain Club will be doing trail work this summer on the Square Top Mountain Trail.
 - o SPEB is also looking for a replacement for Rick McLoud.
 - o I was asked if CCWCD would host a future SPEB meeting in Fairplay. I told them that September would be an optimal time and that I would ask the CCWCD Board. The meeting is on the third Wednesday of the month.

Lisa McVicker agrees this is an appropriate use of the conference room. Board members agreed.

CCWCD Website Issues:

- The website has been functioning well. The new water law flyer has been posted: Wells, Streams & Your Water Rights. I am working with Daisy to create a new page with more details on the class that can be linked to from the flyer.

Wild Horse Reservoir:

- I joined the May 21st meeting remotely. With the new south site being selected by Aurora, the BLM will no longer be the lead coordinator on the project. BLM will still be active with guidance on the NEPA process. Cooperating Agency meetings will be reduced going forward, and the BLM is reviewing the list to limit participants to those with regulatory authority. Aurora still plans to hold less frequent update meetings for the whole group, and recommends signing up for the monthly newsletter. They are also planning more public engagement forums.

Kenosha Trout Club (KTC):

- I heard from Dave Echter at the end of May, and he sent me an initial calculation for this year's storage at \$14,894.50. He should be sending an invoice soon. There is a new member who will eventually be taking over the water duties. His name is Jake Vossen. I suggested that we all try to meet up sometime this summer.

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

Lisa McVicker asked if there had been any rumors circulated about Bar Star. Lisa Brown said Bar Star would be interested in selling the reservoir and augmentation plan separately from the real-estate. A price they are looking for is \$1.5million dollars for the Indian Mountain plan. David Shohet explained approximately 5-6 years ago, a group from Wheeler, Dan Drucker, Dave Wissel, Jon Rice and himself, all went on a field trip and looked at the Slatter Ditch which takes off Tarryall Creek. They walked the whole thing from its headgate down to look at the reservoir site. At the time, they were trying to cut a deal with Bar Star to purchase the Indian Mountain augmentation plan as well as storage space in that reservoir. One of the opponents to it was actually Indian Mountain themselves. They felt they had gone to HASP to separate from the augmentation plan and they essentially didn't like the fact they would have paid us to buy their augmentation system back for them. That was one of the things that killed the deal.

The system itself needs some work. The Slater Ditch has a tremendous ditch loss down from its headgate to the reservoir. The reservoir itself had some issues, the dam safety has had some issues with toe drains, outlets, and it is going to need some work. Then, when you make releases back to Tarryall, it has been questionable if water gets back to Tarryall from that reservoir. There is a lot of information and history we have on this system. David thinks the price is high but said it doesn't hurt to continue negotiations. Lisa McVicker said she thinks it is importation to continue researching, and with Tarryall, the fact it is available and possible to get water back to Tarryall even if we were to have to go to piping, that it is worth doing a little more research. Price is always negotiable and we have come a long way with Indian Mountain since then.

It seems like that old point of contention, while understandable, might be something that would be beneficial to Indian Mountain in the long run. Wallie Weld thinks some that stuff is in the rear-view mirror and may not be an issue now. Wallie said there are two separate scenarios over there. We have a meter we report once a month. As long as it is not exorbitant, there are no issues for us. There are other residents that accepted a bill from Bar Star and they paid it, and are continuing to pay. That could be problematic. David Shohet said Elkhorn is another involved party. They are a little bit different in that they have a deed that conveyed the augmentation plan and provides augmentation water to them, whereas Indian Mountain didn't have that. At one point, we were trying to acquire both the Elkhorn and the Indian Mountain plans and take it over for both entities. There may be a larger opportunity to try to get this cleaned up. Lisa McVicker thinks it is worth asking David Shohet to do some research and put pen to paper and think about what next steps are feasible that could be a benefit to CCWCD, HASP, and Indian Mountain and for our obligations in terms of return flows getting water back to Tarryall. The Board agreed.

Lisa Brown said she was approached by folks who represent the current owners of the pit off of CR14, that is identified as a possible site of the Gloria Z reservoir. They are looking at reclaiming that pit and creating a reservoir there. Lisa Brown wanted to know if CCWCD was interested in that property. In addition, they have a partnership with a property owner south of Fairplay who is currently building a personal reservoir on his property for fishing and would

entertain the idea of another reservoir on that property. David Shohet said that would basically just be digging down. Gloria Z is already there but a lot of reclamation needs to be done; that is what they are working on now. David Shohet and Lisa Brown had chatted about that. It is already decreed as a storage site in all of our blanket augmentation plans and it makes sense to pursue it and see where they are. It could be a good deal for the district. We wouldn't need to do anything to get it to operate. The minute we built it out, from day one, we could operate without having to do anything further in water court. David said we could put all of our water there. We could put our Randall water there, we could exchange JTR water, Spinney water can go in there. We can exchange pretty much anything into Gloria Z underneath our existing blanket augmentation plans.

Lisa Brown said her husband wants to go out of town July 2th. Lisa will attend the July meeting remotely.

OLD BUSINESS

5.1 Update on 2025 Grant Reports: Lisa Brown said she met with Jim Legg a couple of weeks ago. She helped him finalize his report and got it into a more presentable format; she has only to attach some pictures. She wrote an amendment for the reallocation of funds for the Stewardship West Glen Isle project that the board approved via email. She just received the signed amendment from Jennifer Baker yesterday. She also wrote an agreement for Co-Co grant and David Shohet said it looked good. She will send that to them tomorrow. Stewardship West is working with the Forest Service regarding the new grant and the amount awarded of \$60,000. They are revising the budget they submitted with their application. Once Lisa Brown receives the revised budget, she will get that agreement written. The Snotel grant is third on her list because it isn't happening until 2027.

5.2 2026 Open House: Lisa Brown said both sizes of the dog bowls were received. She bought the first round of plants to plant this weekend. She is letting them harden off; the high winds could damage them. She will buy more from the local greenhouse. She is working at getting pictures to Lynne Buchanan. Lisa is looking at getting 6 dozen cookies ordered for this year. She inventoried the Water Education Colorado booklets and will get our stock back up. Lynne Buchanan discussed the ads for the newspaper with Lisa Brown. They decided not to advertise in the paper because they are not sure that is what is bringing people here. They are just showing up to Burro Days and stopping in. We will focus on adds for the law class this year. We do have the sandwich boards we can put out on busy days to advertise. Lisa Brown did look at ads at the Ute Country News and thought we could advertise for the open house. Lisa McVicker said if we advertise the open house in the Ute and have flyers for the water law class it would be enough.

5.3 CCWCD Water Law Class – New Date August 8, 2026: People seem to be enthusiastic with the new title. Lisa Brown worked up a new flyer with additional details.

5.4 548 Front St. Updates: Nola Knudsen reported on the progress with the repair of the sewer drain to the Town. The concrete sub-contractor was unable to find the stain color used previously and has it on order. There are some weeds on the side of the building and she will ask Chris for how to remove them. She said the bear cans were received and are working.

UPDATE ON LEGAL ISSUES

David Shohet provided a brief summary of legal matters for public view prior to executive session.

- 1. In regard to water court cases, Aurora's Johns Ranch Ditch case is still on hold.**
- 2. We are in one application, a case that has been on hold, as we continue to deal with the State Land Board and Aurora related to issues around the Spinney Mountain Reservoir.**
- 3. The Central Colorado Water Conservancy case is a change for Chatfield that we're in for HASP and is set for a trial but he doesn't think we will participate in it. We are still an opposer.**
- 4. We have a diligence filing due in August. He and Alison Gorsevski are working on that for the Lininger Lake appropriation we made back in 2017 to fill Lininger as well as exchanges to Lininger.**
- 5. In other matters, there is one rather large HASP application consisting of 13 guest cabinets along with five permanent residents and a launderette and washer room up Quanella Pass Road up a mile from the junction highway 285 up to Geneva Creek in Grant. They are needing .6acre annual feet of water based on their project.**
- 6. Directors Terms: David said the court uploaded two letters, one for Wallie Weld and one for Craig Steinmetz. He will file the paperwork with the court to reappoint both Wallie and Craig as directors.**

6.1 Adjourn to Executive Session:

6.1.1 Discuss Allocation of Absolute and Conditional Water Rights in JTR

Wallie Weld made a motion to adjourn to executive session pursuant to Section 24-6-402(4)(b) C.R.S. for the purpose of discussing allocation of Absolute and Conditional Water Rights in the JTR. Lynne Buchanan seconded and the motion carried unanimously. The board entered executive session at 2:40pm.

The board returned to regular session at 2:47pm. There were no decisions made in executive session. The board received legal discussion on the allocation of absolute and conditional water rights in the JTR.

Lynne Buchanan made a motion to authorize Lisa Brown and David Shohet to continue negotiations with Highlands Ranch Water for a revised agreement from the original 2008 agreement regarding the James Tingle Reservoir and that we will accept Highland Ranch Water's allocation of absolute and conditional water rights in the JTR. Wallie Weld seconded and the motion carried unanimously.

PATRONS COMMENTS

Wallie Weld said there is a hiring forum going on in Golden that is related to the battery project that was taken care of four years ago. He asked if there were any water scenarios going on. Lisa Brown said the Water commissioner has contacted the construction company doing the project and they are proposing to drill a well out there and in conjunction with that, they are going to put in some sort of storage tank for water for firefighting purposes. HASP should expect to receive an application request to purchase water from HASP. Lisa McVicker said this is problematic because they asked for augmentation water a couple of months ago and it was a lot. There is none. Lisa Brown said they are looking for spot water for the construction project and may have come up with a solution since HASP has a moratorium on spot water. They may seek a well and then seek to join the HASP plan. Lisa McVicker said we don't make sales to commercial endeavors because they go out of business. It is usually a lease. Lisa Brown said some of the "dinosaur water" could be available for the construction project.

DIRECTOR'S ISSUES

None

Wallie Weld moved to adjourn. Lynne Buchanan seconded and the board adjourned at 2:55PM.

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David Shohet said Highlands Ranch Water, formerly Centennial and CCWCD applied for a joint water right for JTR. It had two components. One was called the first fill of the JTR of 235af of water and then a refill amount of 235af on top of that. During early operations, we stored a bunch of water in JTR and were able to make a certain portion of those water rights absolute, meaning they had been diverted and placed to beneficial use. The first fill of the 235acre feet was made absolute, and a portion of the refill of the 235af was made absolute (157af made absolute) with the remaining 77af conditional.

We filed the diligence case about two years ago and David said at that time he raised a question. CCWCD and HRW have been doing this jointly as a pooled water resource. But David asked the question, do we need to look at who actually owns which portions of the remaining conditional and absolute amounts? Wheeler took a look at it and their original analysis indicated that water was stored underneath everyone's accounts. They came up with a proposal that said Center should receive 20af of the refill component that's been made absolute and HRW should receive 137af of that amount. Highlands Ranch then went back through the accounting and provided us with some additional accounting that was not previously provided. Their accounting was able to show that of the refill amount, the first fill amounts are done with, there is no fight over them. HRW accounting showed that of the refill amount, they operated it solely within their accounting, that is,

they filled their account, drained it, and then refilled it. Their argument is that they should receive all of the 157af of the refill amount and Center should receive zero.

At this point, David said Center has arguments they could make under the original 2008 contract that this was a joint water right. We filed it jointly. The allocation of the water rights was based on ownership percentages and not necessarily whose account was being filled and not filled. HRW has certainly shown that all of the refill portion was in HRW's account. They accounted for it, they diverted it, and they used it. Wheeler agreed with this.

David feels if we pressed this issue , the court would likely rule in favor of being HRW's water even though the contract between us says we share in this equitably in the proposed ownership. The court would look at this and say HRW operated it, filled it, diverted it and probably are entitled to the full amount of refill. We can press this issue more but David's general since is at this point, we are on the wrong side of this and HRW's argument they are entitled to all of the refill amount and Center is entitled to none of it, would be accepted. David and Lisa Brown talked about this and what they think Center will have to do is the next time we get some free river conditions, we must be diligent to fill JTR with our 30af space, of flushing it and refilling it and making our portion absolute. David is fairly confident we can do that.

Lisa McVicker doesn't think this is worth a fight with HRW. David said the 2008 agreement was entered before the JTR was constructed. We have had some preliminary discussions with HRW to revise or to modernize the 2008 agreement with more modern terms and conditions on how it is operated. We are going to need the board's approval as the current agreement states spending over \$1,000 requires approval from both boards. It may be appropriate to up that amount to \$5K. That way minor projects can be made without having to wait for that approval. If Swithin or Lisa Brown need to make a decision and it is a relatively small project, that is an issue to consider. Chris Fuller agrees this is not worth the fight and increasing the spending amount up to \$5K is reasonable. Chris Fuller left the meeting at 2:46pm.

If the board agrees out of executive session, David suggests we be agreeable to their proposal to split the conditionals and absolutes and that we have about 7-8 projects we would like to update the agreements upon. We could send them a list of what these items are to modernize the 2008 agreement and then we would have to present the amended agreement to the board for approval. We will only need direction for Lisa Brown and David to continue to negotiate a revised agreement and approval of HRW's allocation of the conditionals and absolutes are an acceptable allocation to Center.

Lynne Buchanan moved to leave executive session at 2:47pm. Wallie Weld seconded.

