

**WEST DIVIDE WATER CONSERVANCY DISTRICT
818 Taughenbaugh Blvd., Suite 101
Rifle, Colorado 81650**

**MINUTES OF BOARD OF DIRECTORS MEETING
January 16, 2025**

CALL TO ORDER

The regular Board of Directors meeting was called to order at the District office at 9:00 a.m. by President Samuel B. Potter.

ROLL CALL

The following directors were present: President Samuel B. Potter, Treasurer Tom Jankovsky, Secretary Christopher Treese and Director Kelly Couey. Vice President Dan R. Harrison was absent. Also in attendance were Tammy Keenan, Office Manager; Wendy Ryan and Kristina Wynne, BBA Water, Inc. via zoom; Edward B. Olszewski, Counsel; Tiffanie Rudow, Accountant, via zoom, Kim Crawford, Counsel, via zoom, Todd and Susan Thacker and District 39 Water Commissioner Glen Lund.

PUBLIC COMMENT

There was no comment from the public.

MINUTES

Christopher Treese moved the minutes of the December 12, 2024 meeting be approved as received; Tom Jankovsky seconded; motion carried.

FINANCE REPORT

Bills to be Paid: Tom Jankovsky moved the attached list of bills be paid; Christopher Treese seconded; motion carried.

Financial Statements: Tom Jankovsky moved the November and December 2024, Financial Statements prepared by Barnes, Pearson & Rudow, LLC be accepted; Christopher Treese seconded; motion carried.

Resolution 01-25 Creation of Crystal River Enterprise Fund

Tom Jankovsky moved approval of Resolution 01-25, Crystal River Enterprise Fund; seconded by Christopher Treese; motion carried.

Roll call vote: Samuel B. Potter – yes; Christopher Treese – yes; Tom Jankovsky – yes. Resolution attached.

TODD THACKER

Todd and Susan Thacker have a winter storage right in the Harris Reservoir. The dam was built in 1904 and was designed to store 200 a.f. of water. The dam has sunk and currently only holds 100 a.f. The Thacker's can build a new reservoir to store the water or rebuild the existing dam. Both options are expensive and come with risks. Mr. Thacker discussed

the options with the board and asked if the board would be interested in assisting with costs or leasing the extra water if he were to rebuild the reservoir. The board has looked at this reservoir in the past for other projects and determined the project was expensive at that time. The board still agrees that the project will be expensive and doesn't see a visible demand for water at this time. The board suggested several other entities for him to reach out to.

KIM CRAWFORD

Kim Crawford with Butler Snow discussed debrucing with the board. She explained the TABOR restrictions and the ins and outs of an election. Tom Jankovsky would like to continue this conversation and potentially move forward.

WATER CONTRACTS

Assignments

Christopher Treese moved approval of the following assignments; seconded by Kelly Couey; motion carried; assignments approved.

Miguel Herrera Castillo assignment from **Cody and Amanda Ward**, 1.00 a.f domestic General Stored Water.

Amdenments

Christopher Treese moved approval of the following amendments; seconded by Kelly Couey; motion carried; amendments approved.

Aaron Hall amending from one dwelling unit to 2 dwelling units, 1.00 a.f domestic, General Stored Water.

RIVER DISTRICT REPORT

No report this month.

ROUNDTABLE REPORT

The next roundtable meeting will be in two weeks. There are several vacancies that need to be filled, Silt, at large water owner, municipal water supplier and a domestic water supplier.

WATER RESOURCES REPORT

Glenn Lund directed any additional questions about the Harris Reservoir to Caleb or James.

HYDROLOGISTS' REPORT

Wendy Ryan provided Water Watch and Augmentation reports and an oral report on ongoing projects.

CRYSTAL RIVER

January 9, 2025 Wendy attended a technical meeting with BWCD, Pitkin County and CRWCD. She provided an overview of feasibility and progress. She received a positive response to the Beaver Lake agreement. She is looking for more Pitkin County

representation for the next meeting about Janeway. Rumors are that Janeway is “off the table” but the River District would like to know why, given their investment in the study.

Wild and Scenic subcommittee has requested an update as well. The first informal outreach is scheduled for the evening of January 23, 2025.

Other public outreach suggestions are the Crystal Valley Echo, Aspen Journalism and Pitkin County Commissioners

FOURMILE

The Zilm Hydro call remains off due to icing issues and will most likely come back on once diversions can be made.

Brian Glade reached out about his contract FM950207BG#1(b) covering 1 home, 2.5 acres of irrigation – 5.3 a.f. contract. Actual irrigation appears to be about .75 acres. It was suggested that he amend his contract freeing up 3.6 a.f in the Fourmile plan.

Maximum depletion rates:

Pumping schedule A: 0.428 cfs

Pumping schedule B: 0.447 cfs

W.W. Wheeler will finalize the hydrology analysis that was started by John Blair. They feel like they can reduce the hazard rating and spillway sizing. They will likely not do the routing of the unnamed tributary around the reservoir as it may be too risky with the beaver activity.

Gene Hilton is selling property with a well on Fourmile Creek. He is interested in dedicating HCU from Garfield Creek Aug plan to West Divide in exchange for augmentation on Fourmile Creek. The land is largely owned by CPW, 875 acres are irrigated by Gene Hilton. The water rights were quantified to have a dry year yield = 1.12 AF/ac=980AF, and an average year yield = 1.38 AF/ac =1207.5 AF. The board needs to better understand what lands would be dried up with the exchange.

Gene Hilton is immediately seeking a Four Mile contract for 3 dwellings and 15,000 sq ft of irrigation but could get by with 1.0 a.f. minimum. Mr. Hilton would pay the West Divide fees for a contract or trade Garfield Creek Aug plan HCU credits. West Divide decides which way to go and will propose how much HCU in Garfield Creek District would require as trade. Mr. Hilton owns all water rights and dry up on CPW lands that are included in the old Aug Plan Decree.

His second request is to sell excess HCU credits not needed for trade (if a trade were to be worked out) and not needed for use on other lands. He is open to any suggested offers.

ACTIVE CALLS

Rifle Creek 11/1/24 call at Rifle Creek Canon Ditch

Fourmile Creek – OFF

Mainstem – Shoshone

ATTORNEY'S REPORT

Received written and oral report from counsel.

Christopher Treese moved to sign a stipulation with CPW on the Beaver Lake enlargement case 23CW3222; seconded by Kelly Couey; motion carried.

NEW BUSINESS

The next meeting will be on Wednesday February 19, 2025 at 9:00 am.

DIRECTORS' COMMENTS

The board brainstormed potential replacements for Dan R. Harrison's position.

EXECUTIVE SESSION

There was no need for executive session this month.

ADJOURN

Meeting adjourned at 11:50 a.m.

SIGNED:



~~Dan R. Harrison, Vice President~~

Tom Jankovsky

Treasurer

ATTEST:



Samuel B. Potter, President

GENERAL FUND					
Num	Name	Memo	Account	Amount	
DD1159	Keenan, Tamara S	Direct Deposit	5221 · Salary	2,722.19	
eft	CEBT	TSK Health Ins	5222 · Medical Insurance--Employer	1,105.53	
5748	Couey, W. Kelly		5020 · Director Fees	313.23	
5749	Harrison, Dan R.		5020 · Director Fees	343.38	
DD1160	Jankovsky, Tom	Direct Deposit	5020 · Director Fees	490.00	
5750	Potter, Samuel		5020 · Director Fees	614.51	
DD1161	Treese, Christopher J	Direct Deposit	5020 · Director Fees	468.50	
5742	Barnes, Pearson & Rudow, PC	Oct, Nov & Dec Financials	5150 · Accounting	2,250.00	
5742	Barnes, Pearson & Rudow, PC		5200 · Budget Preparation	5,185.00	
5742	Barnes, Pearson & Rudow, PC	3rd Qtr Reports	5150 · Accounting	240.00	
5743	Align Multimedia, LLC	ADA Compliance and hosting	5397 · Website	225.00	
eft	Pinnacol Assurance	2025 Premium	5080 · Worker Comp. Ins.	255.00	
5744	Olszewski & Massih, P.C.	General	5280 · Legal	643.50	
5745	Bookcliff Professional Building, LLC		5395 · Rent--Office unit	1,132.18	
5745	Bookcliff Professional Building, LLC		5394 · Rent-Prop.Taxes/Ins/Utilities	200.00	
eft	Capital One, F.S.B.	Comcast	5390 · Telephone & Internet	272.87	
eft	Capital One, F.S.B.	Zoom	5390 · Telephone & Internet	17.29	
eft	Capital One, F.S.B.	Postage	5300 · Postage/Box Rent/Etc.	119.99	
eft	Capital One, F.S.B.	Water	5100 · Office Supplies	41.30	
eft	Capital One, F.S.B.	Quill, paper, toner	5100 · Office Supplies	91.02	
eft	Capital One, F.S.B.	Shredding	5100 · Office Supplies	80.00	
eft	Capital One, F.S.B.	Domain Hosting	5100 · Office Supplies	124.95	
eft	Capital One, F.S.B.	Debt Services checks and stamp	5100 · Office Supplies	125.18	
eft	Capital One, F.S.B.	Quickbooks payroll updates	5100 · Office Supplies	1,146.75	
5746	General Stored Water Enterprise Fund	Auto 2025	5580 · Insurance-Autos	197.00	
5746	General Stored Water Enterprise Fund	E & O 2025	5610 · Insurance-E&O	499.00	
5746	General Stored Water Enterprise Fund	Prop & Liab 2025	5590 · Insurance-Prop. & Liability	1,973.00	
5747	Garfield County Clerk & Recorder <i>Treasurer</i>	Repayment of tax distribution	4100 · Garfield Current Taxes	215.89	
eft	American Funds		2227 · Simple IRA Payable	113.33	
eft	American Funds		2227 · Simple IRA Payable	113.33	
eft	Electronic Federal Tax Payment System	84-0976632	2205-FICA/MED/FWT Payable	1,659.26	
				<u>22,978.18</u>	

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GENERAL STORED WATER

Num	Name	Memo	Account	Amount
2770	Fourmile Credit Cards	William Flood	4025 · In/Domestic	435.00
2767	GSW Debt Services		Funding Flannery Debt	127,215.00
eft	Colo Special Districts Property & Liab.		7041 · Insurance--Gen Liability	6,190.00
eft	Colo Special Districts Property & Liab.		Due from General Fund	2,669.00
2768	Olszewski & Massih, P.C.	WD Project Diligenec	Legal -- WD Project Diligence	487.50
2768	Olszewski & Massih, P.C.	Rifle Creek Diligence	7046 · Legal-- Diligence	87.75
2768	Olszewski & Massih, P.C.	CRWCD	7047 · Legal--General	195.00
2768	Olszewski & Massih, P.C.	Contracts	7047 · Legal--General	117.00
2768	Olszewski & Massih, P.C.	Area A	7047 · Legal--General	955.50
2768	Olszewski & Massih, P.C.	Martin Diligence	Legal -- Martin Diligence	19.50
2070	Olszewski & Massih, P.C.	CR Aug Source Investigation	1550 · Due from Other Funds	624.00
2769	BBA Water Consultants, Inc.	Mtgs, Accting, general	7032 · Hydrology--General	6,833.25
2071	BBA Water Consultants, Inc	CR - General	1550 · Due from Other Funds	378.00
				<u>146,206.50</u>

FOURMILE CREEK

Num	Name	Memo	Account	Amount
2066	Olszewski & Massih, P.C.	General	8050 · Legal--General	2,184.00
2066	Olszewski & Massih, P.C.	Zilm Hydro	8050 · Legal--General	126.75
2067	BBA Water Consultants, Inc	General	8030 · Hydrology	878.50
2068	Elevations 6100, LLC		8090 · Water Lease-Ebbs,Elev, Zilm	8,697.62
2069	Ebbs and FLOWers, LLC	2025 Lease	8090 · Water Lease-Ebbs,Elev, Zilm	1,185.78
				<u>13,072.65</u>

SILT INTERCONNECT

Num	Name	Memo	Account	Amount
574	Garfield County Clerk & Recorder	Memorandum	8000 · Memorandum Recording Fees	23.00
575	Open Heart LLP	2025 Annual Payment	7300 · Roberts Pipeline	1,460.52
576	Silt Water Conservancy District	10% of fees & admin - 2024	7100 · SWCD Operating Expenses	5,556.57
				<u>7,040.09</u>

GRAND TOTAL

189,297.42

[Handwritten signatures and initials]
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**WEST DIVIDE WATER CONSERVANCY DISTRICT
RESOLUTION 01-25
CREATION OF CRYSTAL RIVER ENTERPRISE FUND**

WHEREAS, the Board of Directors of the West Divide Water Conservancy District (“District”) wishes to create an enterprise fund to specifically track revenue and expenses of the Crystal River project; and

WHEREAS, the Board of Directors of the District wishes to be in compliance with the state mandated Tabor limits;

THEREFORE, the creation of an enterprise fund to specifically track the business of the Crystal River project is this day created to be effective January 16, 2025

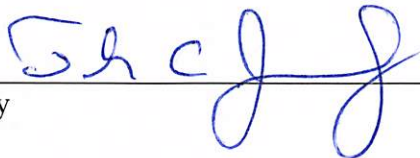
APPROVED AND ADOPTED THE 16th^{day} of January, 2025

WEST DIVIDE WATER CONSERVANCY DISTRICT



President

ATTEST:



Secretary