

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

**MINUTES OF BOARD OF DIRECTORS MEETING  
February 19, 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, Vice President Dan R. Harrison, Treasurer Tom Jankovsky, Secretary Christopher Treese (left at 11:30 a.m.) and Director Kelly Couey was absent. Also in attendance were Tammy Keenan, Office Manager; Wendy Ryan and Kristina Wynne, BBA Water, Inc. via zoom; Edward B. Olszewski, Counsel; Brendon Langenhuizen Colorado River District via zoom and Brad Mollman.

**PUBLIC COMMENT**

There was no comment from the public.

**MINUTES**

Christopher Treese moved the minutes of the January 16, 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 January 2025, Financial Statements prepared by Barnes, Pearson & Rudow, LLC be accepted; Christopher Treese seconded; motion carried

**Barnes Pearson & Rudow PC:** Tom Jankovsky moved and directed the President to accept and sign the payroll report processing letter; Christopher Treese seconded; motion carried.

**WATER CONTRACTS**

**Assignments**

Christopher Treese moved approval of the following assignments; seconded by Tom Jankovsky; motion carried; assignments approved.

**Ulises Lobato** assignment from **Alexander Elsdén**, 1.00 a.f domestic, General Stored Water.

## **Amdenments**

**Brian Glade;** Christopher Treese moved approval of this amendment, amending from 5.3 a.f to 3.00 a.f domestic, Fourmile Creek, seconded by Tom Jankovsky; motion carried.

**Charles Ramsey;** Christopher Treese moved approval of this amendment, amending 1.00 a.f to 1.4 a.f domestic, General Stored Water, seconded by Tom Jankovsky; motion carried.

**Big R Lot Owners Association;** Christopher Treese moved approval of this amendment, amending from 9.97 a.f to 1.4 a.f commercial, General Stored Water, seconded by Tom Jankovsky; motion carried. After further discussion this amendment was tabled for more information such as current and accurate meter readings, Owner of Association, well sharing agreement, and updated uses.

## **RIVER DISTRICT REPORT**

Brendon Langenhuizen with the Colorado River District discussed ongoing projects with the board.

The most recent snow helped boost snowpack levels across Colorado.

The Shoshone project is still pushing forward and they are preparing to bring an offer to CWCB in May to include the water right in the Instream Flow program. There won't be a vote until September ~~at the 2<sup>nd</sup> meeting~~. If approved by CWCB Board, they will prepare an application for water court. The \$40 million award from the Bureau of Reclamation is currently on hold.

Many communities funding partnership matching federal grant programs are also on hold. The River District is trying to help support the projects while the funds are on hold.

The River District recently met with Pitkin County about the Crystal River Aug Plan and the communication has increased. The first meeting was informative with good steps moving forward. The River District is still working toward a solution and support. Pitkin County will prepare a land and water inventory report on the Crystal River describing the assets they hold that could be utilized as augmentation supplies. BWCD's engineer, Eric Mangeot, has been included in all discussions as well.

The River District met with Colorado Parks and Wildlife about the aquatic nuisance species. There will be four full time positions added to deal with the invasive mussels. California has reported presence of Golden Mussels which is worse than the Quagga and have a faster growth rate. The Grand Valley Project is being proactive and lowering water levels during winter to try and prevent the spread.

The State of the River presentations will start soon, Garfield County will be in Carbondale this year. The meeting is set for April 3, 2025 from 6:00pm to 8:00pm at the Third Street Center.

### ROUNDTABLE REPORT

Christopher Treese gave an oral report from the first meeting of the year. There was a good turnout. Roger Day has filled the Silt position. The at-large position is still open. Russel George was the keynote speaker. Grants are coming up and there is still money available for projects. The next meeting will be in April.

### WATER RESOURCES REPORT

No report this month.

### HYDROLOGISTS' REPORT

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

### **FOURMILE**

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. He has amended down to 3 a.f. updating the maximum Fourmile Depletion rate to 0.45 cfs. Wendy will calculate the plan capacity to verify if waiting list contractees and Gene Hilton contract can now be accommodated.

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 lands 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.

### **THREEMILE**

Wendy, Ed, and Sam met with the Threemile water users' association and they feel our operations at Flannery Reservoir will harm Threemile Creek. The only difference over historical operations is the need to refill a bit more in the spring. They do not want any water to go to Fourmile Creek. It appears that they have their own water rights issues that require augmentation. A meeting needs to be setup with Division 5.

Threemile Creek call history

2012 6/11-10/1

2018 5/29-9/17

Since 2012, years with no call included 2015 & 2023

**ACTIVE CALLS**

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

Fourmile Creek – OFF

Mainstem – Shoshone

**BEAVER DAM ANALOG PROJECT**

The board discussed the Beaver Dam Analog Project and Tom Jankovsky and Wendy Ryan will email the boards concerns to the USFS.

**MARTIN RESERVOIR CHANGE ORDER**

A draft report has identified three cultural resource sites, Cabin/Homestead on Oys property and two sections of old Fourmile Wagon Road with a finding of no adverse effect to historical properties. None of the sites are recommended for National Historic Register.

The original contract with Metcalf Archaeological was for \$6,225, in August an additional \$6,000 was requested due to additional sites being inventoried. They are now requesting an amendment up to \$22,000 total.

Tom Jankovsky moved to settle with Metcalf Archaeological Consultants, Inc. for \$12,225 for the Martin Expansion Cultural Report as final and full payment; Christopher Treese seconded; motion carried.

**ATTORNEY'S REPORT**

Received written and oral report from counsel.

**OPERATOR**

Tom Jankovsky will reach out to the potential operator.

**NEW BUSINESS**

The next meeting will be Thursday, March 20, 2025.

**DIRECTORS' COMMENTS**

Dan R. Harrison has officially resigned.


**EXECUTIVE SESSION**

No need for executive session this month.

ADJOURN

Meeting adjourned at 11:40 a.m.

SIGNED:

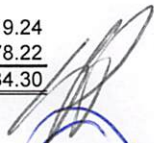
  
Christopher Treese  
~~Brad Mollman~~, Vice President

ATTEST:

  
Samuel B. Potter, President

West Divide Water Conservancy District-General Fund  
 Bills to be Paid  
 February 19, 2025

Num	Name	Memo	Account	Amount
eft	CEBT	TSK Health Ins	5222 · Medical Insurance--Employer	1,105.53
eft	Keenan, Tamara S	Direct Deposit	5221 · Salary	2,720.35
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.	19.99
eft	Capital One, F.S.B.	Water	5100 · Office Supplies	54.55
eft	Capital One, F.S.B.	Hosting Metro	5100 · Office Supplies	120.00
eft	Capital One, F.S.B.	Shredding	5100 · Office Supplies	80.00
5754	Bookcliff Professional Building, LLC		5395 · Rent--Office unit	1,132.18
5754	Bookcliff Professional Building, LLC		5394 · Rent-Prop. Taxes/Ins/Utilities	200.00
5755	Club 20	2025 membership dues	5240 · Dues/Registration	200.00
5756	Olszewski & Massih, P.C.	General	5280 · Legal	819.00
5757	Mountain Valley Technology, Inc	Hosted Exchange mailbox	5390 · Telephone & Internet	102.00
5758	Align Multimedia, LLC	General	5397 · Website	75.00
eft	Electronic Federal Tax Payment System	84-0976632	2205-FICA/MED/FWT Payable	1,068.08
eft	American Funds		2227 · Simple IRA Payable	119.24
eft	American Funds		2227 · Simple IRA Payable	278.22
				8,384.30

  
 TC

GENERAL STORED WATER

Num	Name	Memo	Account	Amount
2773	Silt Mesa Interconnect Enterprise Fund	S2681	2050 · Due to Other Funds	2,413.00
2774	Silt Mesa Interconnect Enterprise Fund	Duane Storey S2756	2050 · Due to Other Funds	435.00
2775	Fourmile Creek Enterprise Fund	Roddy F1278	2050 · Due to Other Funds	435.00
eft	Crystal River Enterprise Fund	Crystal River	Transfer of funds	100,000.00
2776	Silt Mesa Interconnect Enterprise Fund	Winter Pastures S2771	2050 · Due to Other Funds	1,032.55
2777	Garfield County Clerk and Recorder	Memorandums	7070 · Memorandum Recording Fees	41.00
2778	Garfield County Treasurer	2024 Property Taxes	Funding Flannery Debt	607.44
2779	BBA Water Consultants, Inc.	General	7032 · Hydrology--General	4,373.75
2781	Olszewski & Massih, P.C.	General	Flannery	121.50
2781	Olszewski & Massih, P.C.	Directors	7047 · Legal--General	175.50
2781	Olszewski & Massih, P.C.	CRWCD	7047 · Legal--General	273.00
2781	Olszewski & Massih, P.C.	Contracts	7047 · Legal--General	282.75
2781	Olszewski & Massih, P.C.	Area A	7047 · Legal--General	717.00
2781	Olszewski & Massih, P.C.	Martin Diligence	Legal -- Martin Diligence	78.00
				110,985.49

CRYSTAL RIVER

Num	Name	Memo	Account	Amount
1000	BBA Water Consultants, Inc	General	Hydrology	4,916.25
1001	Olszewski & Massih, P.C.	General	Legal	1,413.75
				6,330.00

FOURMILE

Num	Name	Memo	Account	Amount
2072	Olszewski & Massih, P.C.	General	8050 · Legal--General	1,462.50
2072	Olszewski & Massih, P.C.	Zilm Hydro	8050 · Legal--General	555.75
2073	BBA Water Consultants, Inc	General	8036 · Hydrology - Flannery	87.50
2073	BBA Water Consultants, Inc	General	8030 · Hydrology	1,050.00
				3,155.75

GRAND TOTAL 128,855.54



# Barnes Pearson & Rudow PC

*Guiding you beyond tax season*

PLEASE READ, SIGN AND RETURN THIS LETTER TO OUR OFFICE

January 1, 2025

West Divide Water Conservancy District  
PO Box 1478  
Rifle, CO 81650

RE: Payroll report processing

Dear Board of Directors:

We appreciate the opportunity to assist you with your accounting needs. This letter is to confirm our understanding of the terms under which we have agreed to do work with West Divide Water Conservancy District.

Each quarter we will prepare the payroll reports based on the information present in QuickBooks. We will review tax payments. We will initiate any necessary payments for you or request that you make the payments. We will notify you of amounts paid.

It is management's responsibility to substantiate and authorize all payroll records. We will not audit, examine, or review time records. Management is responsible for providing information regarding employees paid sick leave wages which may be eligible for payroll tax credits based on the legislation recently passed by Federal and/or state agencies.

Fees for payroll preparation will be \$250 each quarter. All invoices are due and payable upon presentation.

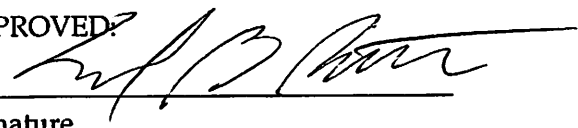
It is our policy to keep work papers related to this engagement for seven years. We do not keep original documentation. It is your responsibility to retain and protect your records for possible future use, including potential examination by any government or regulatory agency.

We will be pleased to discuss this letter with you at any time. If the foregoing is in accordance with your understanding, please sign the copy of this letter in the space provided and return it to our office. Thank you for this opportunity to serve you.


Very truly yours,

*Barnes, Pearson & Rudow, PC*

APPROVED:



Signature



Date

Telephone: (970) 384-0400

1607 Grand Avenue, Suite 32 \* P.O. Box 2298 \* Glenwood Springs, CO 81602





# **Barnes Pearson & Rudow PC**

*Guiding you beyond tax season*

January 1, 2025

West Divide Water Conservancy District  
P.O. Box 1478  
Rifle, CO 81650

You have requested that we prepare the 2025 monthly financial statements of West Divide Water Conservancy District, which comprise the Statement of Assets, Liabilities, and Fund Balances- modified cash Basis, and the related Statement of Revenues and Expenses- cash basis for the period then ended. We are pleased to confirm our acceptance and understanding of this engagement to prepare the financial statements of West Divide Water Conservancy District by means of this letter.

## **Our Responsibilities**

The objective of our engagement is to prepare financial statements in accordance with the modified cash basis of accounting based on information provided by you. We will conduct our engagement in accordance with Statements on Standards for Accounting and Review Services (SSARs) promulgated by the Accounting and Review Services Committee of the AICPA and comply with AICPA's Code of Professional Conduct, including the ethical principles of integrity, objectivity, professional competence, and due care.

We are not required to, and will not, verify the accuracy or completeness of the information you will provide to us for the engagement or otherwise gather evidence for the purpose of expressing an opinion or a conclusion. Accordingly, we will not express an opinion or a conclusion or provide any assurance on the financial statements.

Our engagement cannot be relied upon to identify or disclose any financial statement misstatements, including those caused by fraud or error, or to identify or disclose any wrongdoing within the entity or noncompliance with laws and regulations.

## **Management Responsibilities**

The engagement to be performed is conducted on the basis that management acknowledges and understands that our role is to prepare financial statements in accordance with the modified cash basis of accounting.

Management has the following overall responsibilities that are fundamental to our undertaking the engagement to prepare your financial statements in accordance with SSARs:

Over for Signature

Telephone: (970) 384-0400

1607 Grand Avenue, Suite 32 \* P.O. Box 2298 \* Glenwood Springs, CO 81602

- a. The design, implementation, and maintenance of internal controls relevant to the preparation of financial statements that are free from material misstatement whether due to fraud or errors
- b. The prevention and detection of fraud
- c. To ensure that the entity complies with the laws and regulations applicable to its activities
- d. The accuracy and completeness of the records, documents, explanations, and other information, including significant judgments, you provide to us for the engagement to prepare financial statements
- e. To provide us with:
  - i. Documentation, and other related information that is relevant to the preparation and presentation of the financial statements,
  - ii. Additional information that may be requested for the purpose of the preparation of the financial statements, and
  - iii. Unrestricted access to persons within West Divide Water Conservancy District of whom we determine necessary to communicate.

The financial statements will not be accompanied by a report. You understand and agree that the financial statements will clearly indicate that no assurance is provided on them.

**Other Relevant Information**

Fees for preparation of the financial statements will be \$825 per month. All invoices are due and payable upon presentation.

Please sign and return the attached copy of this letter to indicate your acknowledgement of, and agreement with, the arrangements for our engagement to prepare the financial statements described herein, and our respective responsibilities.

Sincerely yours,

\_\_\_\_\_  
*Barnes Pearson & Rudow PC*

Acknowledged and agreed on behalf of West Divide Water Conservancy District:

  
\_\_\_\_\_  
Signature

*SAMUEL B. POTER, PRES.*  
\_\_\_\_\_  
Printed Name and Title

2/19/2025  
\_\_\_\_\_  
Date