

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

**MINUTES OF BOARD OF DIRECTORS MEETING
March 26, 2026**

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 Brad Mollman, Treasurer Tom Jankovsky, Secretary Christopher Treese via Zoom. Director Kelly Couey was absent. Also in attendance were Tammy Keenan, Office Manager; Wendy Ryan, BBA Water, Inc. via Zoom; Edward B. Olszewski, Counsel; Brendon Langenhuizen with the Colorado River District via Zoom. Marvin Fender and Karen Latham, public.

PUBLIC COMMENT

"Michael" appeared in the waiting room of the zoom call. The board requested that he state his last name and organization he was with. There was no response and he eventually left the waiting room with no response.

MINUTES

Tom Jankovsky moved the minutes of the February 19, 2026 meeting be approved with corrections; Brad Mollman seconded; motion carried.

VIRTUAL ATTENDANCE RESOLUTION

Tom Jankovsky moved to adopt Resolution 2026-01, Virtual Attendance Resolution; seconded by Brad Mollman; motion carried.

Roll Call: Samuel B. Potter- yes; Brad Mollman – yes; Tom Jankovsky – yes; Christopher Treese – yes

RIVER DISTRICT REPORT

Brendon Langenhuizen with the Colorado River District provided a short update to the board with slides on snow water equivalent and the unfortunate minimum snowpack records being set.

The Shoshone call reduction agreement went into effect March 18, 2025, allowing Denver Water to divert more water from the headwaters of the Colorado River which can operate through May 20th so long as the reduction criteria remain below the defined thresholds. The agreement reduces the call at the Shoshone hydroelectric plant by half, from 1,408 cfs to 704 cfs. The call reduction is only implemented when: 1.) the April – July streamflow forecast for the Colorado River at Kremmling gage is less than or equal to 85% of average, and 2.) Denver Water Board predicts that reservoir storage in its system on July 1 will be at or below 80% full.

Green Mountain Reservoir is not expected to fill this year. Lots of unique exchanges will happen this year, Brendon will let the board know if this will affect any existing contracts.

State of the River meetings are coming up. April 9 – Glenwood Springs, April 23 – Aspen. There is also a virtual State of the River due to high demand for attendance. All info can be found on the Colorado River District website.

The River District is losing confidence that the 40 million dollars for Shoshone permanency from USBR will be granted. Shoshone water court application was filed; there are 64 opposers of which approximately half are supportive of the Application.

BLUESTONE WATER RIGHTS

Marvin Fender and Karen Latham are both shareholders with the Bluestone Ditch Association. Both have very senior, pre-compact water rights that they would like to lease to the board. They discussed the amount of water that each would like to lease. The Bluestone Ditch Association has very strict bylaws that require an extensive engineering study to be conducted before they could dry up their land and transfer the water out of the ditch and to the district. In the past the association has not been interested in this type of transfer.

FINANCE REPORT

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

Financial Statements: Tom Jankovsky moved the February 2026, Financial Statements prepared by Barnes, Pearson & Rudow, LLC be accepted; Brad Mollman seconded; motion carried.

Accounts Receivable: The board discussed the accounts receivable.

WATER CONTRACTS

Assignments

Brad Mollman moved approval of the following assignments; seconded by Christopher Treese; motion carried; assignments approved.

Pedro Velasco Lopez and Virginia Hernandez assignment from **Carmen and Linda Crone**, 1.00 a.f domestic, Silt Interconnect.

Conestoga Storage Partners, LLC assignment from **Alpine Storage Company, LLC**, 1.00 a.f Commercial, General Stored Water.

Contracts

Brad Rosenberg; Christopher Treese moved approval of this water allotment contract, 1.00 a.f., domestic, Silt Interconnect; seconded by Brad Mollman; motion carried.

ROUNDTABLE REPORT

Christopher Treese attended the Roundtable meeting on March 23, 2026. There was a large attendance including several ~~congressmen~~. *Congressional representative Staff.*

The WSRF grant was fully funded – good job Wendy Ryan!!

The states are looking at protecting Lake Powell releases to protect the power pool elevation. The current band aid is releases from the Upper Basin Colorado River Storage Projects such as Blue Mesa, Navajo, and Flaming Gorge Reservoirs.

The CWCB is working on an internet-based platform to review grants and the funds available. It would also show if matching funds were ~~available~~. *required*

WATER RESOURCES REPORT

The board met with Division 5 on February 20, 2026. It was a good meeting to bring everyone up to speed with all the different West Divide projects.

Crystal – the need for a plan and SWSP was discussed and everyone was on board.

Fourmile – Accounting and diversion vs. depletions for direct pumpers were discussed and may be changed in the future.

Flannery Reservoir- The Hughs refill right was discussed 88 or 254 acre feet. The board asked for Division 5's assistance in interpreting the refill right.

Alsby – The need for an operator was discussed and Bill West is willing to help as he can this year.

Accounting – The board is working through structure coding issues internally with Division 5. The board will be more aggressive with meter readings fines. First notice will be sent August 15. If meter readings are not returned by September 15 a fine of \$150 plus the cost of a certified letter will be assessed. The second notice will be mailed certified with all fees

included on September 15. Failure to report two years in a row will result in a cancelled contract.

HYDROLOGISTS' REPORT

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

CRYSTAL

The WSRF grant fully funded. It will need to be approved by the CWCB board at the July meeting. Upon approval WW Wheeler will complete design work and meet with CPW/DWR on additional work.

The SWSP request was submitted March 13, 2026 and is currently in the 35 day comment period. Once it is formally approved contracts can be issued.

FOURMILE

NFF/USFS meeting was held March 25, 2026 and a follow up site visit will be held May 26, 2026. They are still maintaining that the project will have minimal impact. There will be 1 year of stream gaging and NO groundwater level monitoring. The monitoring goal is to measure the water leaving the forest. The goal of the project is to create an alluvial sponge that releases water throughout the year. This would take water away from surface water rights and let it seep into groundwater. This project will be phased; if injury concerns are identified they will cease installation. CWCB is actively collecting data on these projects.

ACTIVE CALLS

Rifle Creek -11/1/25 – current @ Rifle Creek Canon Ditch
Fourmile Creek – off;
Threemile Creek – off
East Divide – 3/17
Divide Creek –3/25
Mainstem-off
Elk Creek – off

ATTORNEY'S REPORT

Received written and oral report from counsel.

NEW BUSINESS

Samuel B. Potter discussed the insurance ^{grants} credit for safety that is available with a 50/50 split. Security equipment could be purchased and used on the Flannery property.

DIRECTORS' COMMENTS

Tom Jankovksy requested that Wendy Ryan meet with the Sunlight Mountain members about the Martin Reservoir expansion.

EXECUTIVE SESSION

There was no need for executive session this month.

ADJOURN

Meeting adjourned at 12:32 p.m.

SIGNED:



Brad Mollman, Vice President

ATTEST:



Samuel B. Potter, President

RESOLUTION NO. 2026-01

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WEST DIVIDE WATER CONSERVANCY DISTRICT REQUIRING IDENTIFICATION OF VIRTUAL ATTENDEES AT BOARD MEETINGS

WHEREAS, the West Divide Water Conservancy District (the “District”) is a water conservancy district organized and existing pursuant to the laws of the State of Colorado;

WHEREAS, meetings of the Board of Directors of the District are conducted in accordance with the Colorado Open Meetings Law, which requires that meetings of public bodies be open to the public;

WHEREAS, the Board of Directors allows members of the public to observe or participate in meetings through electronic or virtual means in addition to in-person attendance;

WHEREAS, the use of electronic meeting platforms may allow participants to join meetings anonymously or under screen names that do not clearly identify the participant; and

WHEREAS, the Board of Directors finds that requiring individuals attending meetings through electronic or virtual means to identify themselves promotes transparency, orderly meeting conduct, and accurate public participation records while maintaining the public nature of the meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE WEST DIVIDE WATER CONSERVANCY DISTRICT:

Section 1. Identification Requirement for Virtual Attendees

Any individual attending or appearing at a meeting of the Board of Directors of the District through electronic or virtual means shall identify themselves upon entry into the meeting platform. Such identification shall include, at a minimum, the individual’s name.

Section 2. Display of Name

To the extent permitted by the electronic meeting platform, virtual attendees shall display their name in the participant identification field. Participants who join without identification may be requested by the Board President or meeting host to provide their name before remaining in the meeting.

Section 3. Failure to Identify

If a virtual attendee fails or declines to identify themselves after being requested to do so, the presiding officer or meeting host may remove that participant from the electronic meeting platform.

Section 4. Public Participation

Nothing in this Resolution shall be construed to limit the public's right to attend meetings of the Board as required by the Colorado Open Meetings Law. This Resolution is intended solely to establish reasonable procedures for the orderly conduct of meetings conducted with virtual attendance.

Section 5. Administration


The District's staff or designated meeting host is authorized to implement reasonable procedures on the electronic meeting platform to enforce the requirements of this Resolution.

Section 6. Effective Date

This Resolution shall take effect immediately upon adoption.

ADOPTED AND APPROVED this 26th day of March, 2026, by the Board of Directors of the West Divide Water Conservancy District.

WEST DIVIDE WATER CONSERVANCY DISTRICT

By: 

Sam Potter, President

ATTEST:

By: 

Brad Mollman, Secretary Vice President

GENERAL FUND

Num	Name	Memo	Account	Amount
DD11	Keenan, Tamara S	Direct Deposit	1055 · Alpine Checking-General Fund	3,030.60
5832	Align Multimedia, LLC	14655	5397 · Website	75.00
5833	Barnes, Pearson & Rudow, PC	Financials - Feb	5150 · Accounting	865.00
5835	Barnes, Pearson & Rudow, PC	Budget Prep	5200 · Budget Preparation	5,600.00
5834	Bookcliff Professional Building, LLC		5395 · Rent--Office unit	1,162.75
5836	Bookcliff Professional Building, LLC		5394 · Rent-Prop.Taxes/Ins/Utilities	65.13
eft	Capital One, F.S.B.	Comcast	5390 · Telephone & Internet	293.14
eft	Capital One, F.S.B.	Zoom	5390 · Telephone & Internet	18.41
eft	Capital One, F.S.B.	Postage	5300 · Postage/Box Rent/Etc.	69.48
eft	Capital One, F.S.B.	Water	5100 · Office Supplies	131.10
eft	Capital One, F.S.B.	Shredding	5100 · Office Supplies	80.00
eft	CEBT	TSK Health Ins	5220 · Office Manager:5222 · Medical Insur	1,206.95
eft	Edward Jones	TSK Simple IRA	Simple IRA Annuity	440.00
eft	Electronic Federal Tax Paymen	84-0976632	2205-FICA/MED/FWT Payable	1,168.20
				<u>14,205.76</u>

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GENERAL STORED WATER

Num	Name	Memo	Account	Amount
2844	General Fund	1st Qtr Reimbursement	7062 · Personnel Service Proration	11,079.75
2844	General Fund	1st Qtr Reimbursement	7063 · Office Rent Proration	3,021.00
2844	General Fund	1st Qtr Reimbursement	7064 · Directors Fees Proration	2,190.75
2844	General Fund	1st Qtr Reimbursement	7061 · Accounting Fees Proration	4,104.00
2845	BBA Water Consultants, Inc.	General	7032 · Hydrology--General	3,118.50
2846	Olszewski & Massih, P.C.	General	7047 · Legal--General	440.75
2846	Olszewski & Massih, P.C.	2020CW3182 Flannery Reservoir	Flannery (Tooth, Flan Ap 3182)	408.50
2846	Olszewski & Massih, P.C.	25CW3177opposition to CRWCD	7047 · Legal--General	526.75
2846	Olszewski & Massih, P.C.	CWRCD	7047 · Legal--General	204.25
2846	Olszewski & Massih, P.C.	Area A	7047 · Legal--General	1,161.00
2846	Olszewski & Massih, P.C.	Crystal River	Crystal River	3,852.75
2846	Olszewski & Massih, P.C.	Contracts	7047 · Legal--General	354.75
2847	Colorado River Water Conserva	Option 900 AF	CRWCD - Option	23,868.00
2848	Colorado River Water Conserva	Wolford 10AF	7076 · CRWCD--Wolford	412.50
2849	Colorado River Water Conserva	Ruedi 200 A.F	7074 · CRWCD--Ruedi II	53,030.00
2850	Garfield County Clerk and Recc	Memorandums	7070 · Memorandum Recording Fees	258.00
				<u>108,031.25</u>

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CRYSTAL RIVER

Num	Name	Memo	Account	Amount
1027	Olszewski & Massih, P.C.		Legal- CR Aug Plan	173.50
1028	BBA Water Consultants, Inc	General	Hydrology	2,740.50
1029	General Fund	1st Qtr Reimbursement	Personnel Service Expense	275.00
				<u>3,189.00</u>

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FOURMILE CREEK

Num	Name	Memo	Account	Amount
2110	General Fund #1414008103	1st Qtr Reimbursement	8056 · Rent--office Space Proration	517.50
2110	General Fund #1414008103	1st Qtr Reimbursement	8058 · Accounting Fees Proration	703.00
2110	General Fund #1414008103	1st Qtr Reimbursement	8057 · Directors fees Proration	375.25
2110	General Fund #1414008103	1st Qtr Reimbursement	8059 · Personnel Service Proration	2,998.25
2111	BBA Water Consultants, Inc	4mile aug plan	8036 · Hydrology - 4mile aug plan	4,016.25
2111	BBA Water Consultants, Inc	General	8030 · Hydrology - 4mile creek general	3,186.00
2112	Olszewski & Massih, P.C.	4Mile Water General	8050 · Legal--General(include Zilm)	1,741.50
2112	Olszewski & Massih, P.C.	Zilm	8050 · Legal--General(include Zilm)	204.25
				<u>13,742.00</u>

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SILT INTERCONNECT

Num	Name	Memo	Account	Amount
eft	Bureau of Reclamation	Carriage of non-project water in Sil	7010 · Warren Act/Non-Project Water	1,881.14
599	Farmers Irrigation Company	26 Shares	7015 · Farmers Irrigation Water	793.00
600	BBA Water Consultants, Inc.	general	7802 · Hydrology	94.50
601	Garfield County Clerk & Record	Memorandum	8000 · Memorandum Recording Fees	172.00
602	General Fund 1414008103	1st Qtr Reimbursement	8100 · Rent--Office Space Proration	339.75
602	General Fund 1414008103	1st Qtr Reimbursement	8200 · Personnel Service Proration	1,246.50
602	General Fund 1414008103	1st Qtr Reimbursement	8400 · Directors Fees Proration	246.50
602	General Fund 1414008103	1st Qtr Reimbursement	8300 · Accounting Fees Proration	461.75
				<u>5,235.14</u>

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GRAND TOTAL

144,403.2