

**SOUTHEASTERN
COLORADO WATER
CONSERVANCY DISTRICT
MINUTES
January 15, 2026**

A meeting of the Board of Directors of the Southeastern Colorado Water Conservancy District (District) was held on Thursday, January 15, 2026, at 9:33 a.m., at the District office, 31717 United Ave, Pueblo, Colorado. The ZOOM platform was also made available for Board Members and Visitors.

Attendance:

Board Members Present:

Abby Ortega	Curtis Mitchell	Pat Edelmann
Alan Hamel	Greg Felt	Seth Clayton
Andy Colosimo	Kevin Karney	Tom Goodwin
Ann Nichols	Matt Heimerich	
Bill Long	Mike Bartolo	

DIRECTOR(S) ABSENT AND EXCUSED:

Dallas May, and Justin DiSanti.

DISTRICT OFFICIALS:

Executive Director Leann Noga; Staff Attorney Peter Levish; Senior Policy and Issues Manager Chris Woodka; Engineering Manager, Gordon Dillon; Project Engineer, Trevor Singleton; Water Resources Engineer, Robert Banham; Administrative Manager, Misty Bellino; Administrative Support Specialist Patty Rivas; Accountants, Meg Scarlett and Karen Muniz ; H2O Consultant, Roy Vaughan; Jewell, Jimmerson Natural Resources Law, April Hendricks, and Pete Jaacks; Wilson Water Group, Mitch Frischmeyer (remote); and Kogovsek & Associates, Christine Arbogast.

PRESENT VISITORS:

Aurora Water, Abba Ahmed and Rick Kienitz; Pueblo West Metro District, Jeffery DeHerrera and Elissa Velasquez; USGS, Krystal Brown; USBR, Mike Holmberg; and Colorado Springs Utilities, Dan Tucker and Scott Lorenz; and Senator Hickenlooper's Office, Jesse Cruz.

VISITORS CONNECTED THRU ZOOM:

Otero County Commissioner, Tim Knabenshue; Otero County Clerk, Kaysie Schmidt.

CONSENT ITEMS:

Mr. Goodwin moved, seconded by Mr. Karney, to approve:

- The minutes of the December 4, 2025, District Board meeting
- Treasurer report for November 2025 and DRAFT December 2025

Motion carried unanimously.

PRESENTATION ITEM:

2026 ADOPTED BUDGET PUBLICATION

Mr. Chris Woodka presented to the board the 2026 Adopted Budget Publication.

The Board receives an annual Adopted Budget publication. In recent years, this publication was available by March at the soonest because of preparation time.

Beginning in 2026, the Adopted Budget publication will be available to the Board in January. The budget is streamlined to reflect only the financial aspects of the budget, rather than a complete review of District and Enterprise accomplishments, goals and strategies.

The format chosen for the 2026 Adopted Budget satisfies all state requirements for the budget presentation and will give an accurate assessment of District and Enterprise financial information.

Questions were asked of Mr. Woodka and Mrs. Noga.

ACTION ITEMS:

OPEN MEETING RESOLUTION NO. 2026-01D

Mrs. Noga presented an action recommending the Board adopt Resolution No. 2026-01D.

The Board approves the resolution relating to the compliance by the Southeastern Colorado Water Conservancy District with the Colorado Open Meeting Law at the first Board meeting of the year.

A resolution relating to the compliance by the Southeastern Colorado Water Conservancy District with the Colorado Open Meeting Law is required under Colorado Revised Statute §37-45-101 *et seq.* This resolution defines where the public notice of each meeting will be posted at least 24 hours prior to a meeting. After the approval of the resolution, notice will be sent to the County Clerk and Recorder of each of the nine counties within the District boundaries.

The Board was provided a copy of:

1. Resolution No. 2026-01D
2. Memorandum to County Clerk and Recorder

Mr. Clayton moved, seconded by Mr. Hamel, to adopt Resolution No. 2026-01D, a resolution relating to the compliance by the Southeastern Colorado Water Conservancy District with the Colorado Open Meeting Law. Motion carried unanimously.

STATEMENT OF OPPOSITION TO THE APPLICATION OF COLORADO WATER CONSERVATION BOARD, PUBLIC SERVICE COMPANY OF COLORADO, AND THE COLORADO RIVER WATER CONSERVATION DISTRICT CASE No. 25CW3177, WATER DIVISION 5

Mrs. April Hendricks presented to the Board an action item recommending the Board of Directors authorize Special Water Counsel file a Statement of Opposition to the Application of the Colorado Water Conservation Board, Public Service Company of Colorado, and the Colorado River Water

Conservation District (Shoshone Applicants) in Case No. 25CW3177 (Water Division 5). In Case No. 25CW3177, the Shoshone Applicants seek a change of the Shoshone Water Rights on the mainstem of the Colorado River to add instream flow use by the Colorado Water Conservation Board (CWCB) while preserving continued hydropower operations. Public Service Company of Colorado (PSCo) has historically used the Shoshone Water rights for hydropower operations at the Shoshone Power Plant. CWCB, acting under section 37-92-102(3), C.R.S., has determined that acquiring the exclusive right to use the Shoshone Water Rights for instream flow purposes within a 2.4-mile reach of the Colorado River in Glenwood Canyon (the Shoshone Reach) is appropriate to preserve and improve the natural environment. The Colorado River Water Conservation District (River District), which is the contract purchaser of the Shoshone Water Rights under a January 1, 2024 Purchase and Sale Agreement with PSCo, joins as a co-applicant.

Under a Water Rights Dedication and Instream Flow Agreement executed on November 19, 2025, the River District has dedicated to the CWCB the exclusive right to use the Shoshone Water Rights for instream flows, subject to PSCo's retained leasehold interest allowing continued use of the rights for hydropower generation at the Shoshone Power Plant so long as the plant operates. The Shoshone Applicants seek a decree adding instream flow as an additional use of the Shoshone Water Rights and to confirm that water historically diverted for hydropower generation will remain in the river, up to the full decreed rate of 1,408 c.f.s. of available natural flow, to preserve and improve the natural environment in the Shoshone Reach.

Staff and counsel recommend filing a statement of opposition in Case No. 25CW3177 to ensure that the decree includes terms and conditions to ensure no injury to the District's water rights and Fryingpan-Arkansas Project operations.

Mr. Edelmann moved, seconded by Mr. Colosimo, that the District Board authorize Special Water Counsel to file a Statement of Opposition to the Application of the Shoshone Applicants in Case No. 25CW3177. Mr. Greg Felt recused himself from the Vote. Motion carried unanimously.

AUTHORIZATION OF STIPULATION IN THE APPLICATION OF DONALA WATER AND SANITATION DISTRICT, CASE NO. 24CW3019, WATER DIVISION 2.

Mr. Peter Levish presented to the Board and action item recommending that the Board of Directors authorize Special Water Counsel to execute a stipulation with Donala Water and Sanitation District's ("Donala") in Case No. 24CW3019, Water Division 2, consenting to entry of a decree that is no less restrictive on Donala and no less protective of the District's water rights and interests than the proposed decree dated April 29, 2025.

Donala seeks a finding of reasonable diligence for its conditional appropriative rights of exchange that were originally decreed in Case No. 09CW73, and to make a portion of these exchanges absolute. Case No. 09CW73 involved Donala's changes to several irrigation water rights from the Willow Creek Ranch in Lake County, south of Turquoise Reservoir, including for storage in Turquoise Reservoir, Twin Lakes Reservoir, and Pueblo Reservoir. That decree also adjudicated several conditional rights of exchange involving releases of water from those reservoirs. As part of these exchanges, Donala may also transfer water among storage accounts in Pueblo Reservoir. These exchanges are intended to facilitate delivery and use of the changed water rights to Donala's service area, which is outside of the District's

boundaries and, in part, outside of the Arkansas River basin. The 09CW73 Decree recognized that Donala may contract with Colorado Springs Utilities (CS-U) for the delivery of water to Donala's service area. Donala's application in Case No. 24CW3019 indicates that Donala cooperated with CS-U, the City of Aurora, and the Board of Water Works of Pueblo to operate a contract exchange from Turquoise and Twin Lakes Reservoirs to Pueblo Reservoir. On this basis, Donala amended its application in August 2024 to make all or an additional portion of its Turquoise Reservoir exchange absolute.

Special Water Counsel, General Counsel, and District staff believe that the April 29, 2025 Proposed Decree and draft stipulation satisfy the District's objectives, as follows:

Paragraph 3.1 of Donala's draft stipulation includes appropriate terms addressing Donala's Reclamation Contract to store water in Pueblo Reservoir, including terms consistent with the District's stipulation in Case No. 09CW73 limiting Donala's use to its service area located within the Arkansas Basin. **Paragraph 3.2** of Donala's draft stipulation describes its contract with CS-U. Paragraph 3.3 confirms Donala is bound by the terms of its Reclamation Contract and its contract with CS-U. Donala provided sufficient evidence for its absolute claims with a memorandum from LRE Water provided to Special Water Counsel confirming its exchange claims. Paragraph 6 of the Proposed Decree describes the exchanged water and the basis for the absolute claim.

The Board was provided:

1. Proposed Decree, Case No. 24CW3019 (April 29, 2025).
2. Draft Stipulation, Case No. 24CW3019

Mr. Clayton moved, seconded by Mr. Hamel, to authorize Special Water Counsel to enter a stipulation with Donala consenting to entry of a decree in Case No. 24CW3019 that is no less restrictive on Donala and no less protective of the District's water rights than the proposed decree dated April 29, 2025. Motion carried unanimously.

MONTHLY/QUARTERLY REPORTS:

UNITED STATES BUREAU OF RECLAMATION

Mr. Mike Holmberg presented a PowerPoint to the Board that reviewed the following topics.

As of January 11, 2026:

- 206,421 acre-feet stored in Pueblo
- 133,467 acre-feet of Project Water
- 46,409 acre-feet of Excess Capacity Water
- 16,908 acre-feet of Winter Water
- 5,454 acre-feet of Winter Water Carryover
- 11,906 acre-feet of Project Space Available in Pueblo
- 35,716 acre-feet of Project Space in Twin & Turquoise

Graphs 2024-2026 projections:

- Turquoise Lake
- Twin Lakes
- Pueblo Reservoir

December 31, 2025:

Total M&I PW in system = 130,717 AF

1. EAST = 25,424
2. WEST = 11,546
3. PUEBLO = 17,834
4. OTHER = 4,132
5. FVA = 71,781
 - A. CSU – 52,205
 - B. FOUNTAIN = 6,352
 - C. SECURITY = 5,904
 - D. STRATMOOR = 1,856
 - E. WIDEFIELD = 5,465

Snowpack updates

Questions were asked of Mr. Holmberg.

INFORMATIONAL ITEMS:

The Board was provided written material on the following topics, which were posted to the Board website, and OnBoard. Mrs. Leann Noga highlighted “Director Appointment – Committee Meeting Schedule items” to ensure the Board reviews them.

- Water Court Resume
- Director Appointment
- 2026 Annual Conference Calendar
- 2026 Board Meeting Schedule
- 2026 Committee Meeting Schedule
- Special Water Counsel Legal Report
- CWC January 28-30 Conference

President Long asked if there were any other matters to come before the District Board. Hearing no other matters, Mr. Long recessed the District meeting at 9:59 a.m.

Respectfully submitted,

Patty Rivas
Administrative Support Specialist

Seth Clayton – Secretary

Bill Long – President

Greg Felt

Curtis Mitchell – Vice President

Justin DiSanti

Ann Nichols – Treasurer

Kevin Karney

Abby Ortega

Matt Heimerich

Alan Hamel

Mike Bartolo

Andy Colosimo

Pat Edelman

Dallas May

Tom Goodwin