

**Joint Meeting of the
Center of Colorado Water Conservancy District
Upper South Platte Water Conservancy District
Headwater Authority of the South Platte
August 13, 2025**

The quarterly joint meeting of the Upper South Platte Water Conservancy District, the Center of Colorado Water Conservancy District, and the Headwater Authority of the South Platte was held on Wednesday, August 13, 2025 at the water district offices at 548 Front Street, Fairplay, CO. Dave Wissel called the meeting to order at 10:40 am

The members present at the office from CCWCD were Lisa McVicker, Lynne Buchanan, and Chris Fuller. Wallie Weld joined by teleconference. The member from the Upper South Platte Water Conservancy District at the office was Dave Wissel, Glenn Grothe, Bob Slagle and Jon Rice. Upper South Platte member present by teleconference was Lynda James. Representing HASP at the office was Jon Rice, Lisa McVicker, Dave Wissel and Lynne Buchanan. HASP Operations Manager John Matteson was present. Legal counsel Alison Gorsevski was present by teleconference and David Shohet was present in the office. Also attending was Nola Knudsen, CCWCD Administrator and CCWCD Operations Manager Lisa Barden Brown.

Attending by teleconference was Matt Loose and Christine Mugele with W.W. Wheeler. Attending at the office was Garver Brown, Water Commissioner and Dawn Jewell from Aurora Water.

APPROVAL OF THE AGENDA

Wallie Weld moved to approve the agenda as presented. Bob Slagle seconded and the motion carried unanimously.

APPROVAL OF THE MINUTES

Lynne Buchanan moved to adopt the May and June minutes as presented. Lisa McVicker seconded and the motion carried unanimously.

ADMINISTRATIVE MATTERS

1. Treasurer's Report; John Matteson summarized his Treasurer's report previously sent to board members. The reconciled statements were mailed out on August 7th for the balances through July 31, 2025. The amended balance for the checking account as of August 7th was \$50,976.40.
2. Invoices and Warrants: Invoices and warrants are being approved as they come in. Board members can expect a billing from W.W.Wheeler in their email; it was approved by the attorneys.
3. Financial Statements: Financial statements through the end of June were received and sent to board members.

OPERATIONS MANAGERS REPORT

2. Customers: John Matteson said the water remaining in the 02CW389 plan is 13.048 af. John added back the water into the plan that had been ear marked for Hartsel Ventures. We now have the additional 1.370af. In the 12CW50 plan, we have 59.873af.

John Matteson reviewed the customer list items with changes since the last quarterly meeting.

- Chamberlain: He acquired the Yang property and decided he doesn't need the water. We filed a notice to remove.
- Hartsel/Miller: John said we have had a lien on this one. We have had contact with the title company who thought the property was getting sold and we could collect on the lien. Information from the realtor is the deal fell through; HASP still has a lien on it.
- Barre/Jones: There was some confusion on getting this one paid. An investor purchased this who has a property manager locally. They drove to John's house and hand delivered the check for the amount due.
- LaBarre/Four Thirteen Ranch: The board had approved a payment plan for this customer and they paid in full on June 17th.
- Gold Tamers: They had indicated they will have to give up operations all together and didn't even get started this year. John filed a notice to remove them.
- Doro-on: John said in September 2024, we had updated their application for some additional water. After discussion during the last board meeting, the decision was they would need to bring current all of their application costs and if they wanted us to continue to hold water for them, they would need to close on it or pay for a 10% will serve commitment. They chose the 10% option. They have paid \$6,000 in prior application costs that were due and \$5,022.00 which is 10% for retainage or will serve letter; we will hold that water for them. It is earmarked for them for the next twelve months.
- S. Pine Mountain: This is the 5 lot sub-division near Pine. They closed and submitted their money on July 22nd.
- Cuellar: This is for two residences on Kennedy Gulch. They closed on 6/6/2025.
- Elk Park Mountain: Their comment period just expired and John will be sending them a closing email shortly.
- Osborne: This is for two residences near Pine that closed August 5th.
- Smoker: An application has been received for a single-family residence near Fairplay (Valley of the Sun).
- Sportsmen's Paradise: John said we have provided them spot water in the past and they called wanting 2af to top off some ponds.

OLD BUSINESS

1. Long-Range Planning: David Shohet said we did finalize the Phase 1 mapping. Wheeler put the mapping on poster board for exhibits in the office. We are currently working on Phase 2, and will have something in winter or early 2026. Matt Loose said we are in the middle of Phase 2 and he thinks it is going well. He said the focus is on exchange potential, what the hot spots are and what the limitation are. We are in the process of looking at exchange potential where we have updated a lot of prior work we had done. We have also identified things in addition to the standard exchange potential that influences how HASP can move water to the areas it needs. A lot of this has been based upon operations experience and we have compiled this information. Matt said we also have done some work going back through the decrees and compiling the various terms and conditions and restrictions on getting water to the various parts of the service areas. Dave Wissel said he has been gathering tax role data just to have because he understands it. We can get down to the nitty gritty of some of the types of properties we have. If it is vacant land, that is potential customers, and we have a gaggle of properties in our district.

We are so huge in different counties and trying to get the mapping to go with it is challenging.

2. Girl Scouts Pond Analysis: David Shohet said there was nothing for executive session and discussion of the Girl Scouts is appropriate for general session. Jon Rice thinks the prefeasibility study is complete. Matt Loose did the pre-pre-feasibility study and wants to go over it with the board. Matt said the main finding was that we believe this project could be accomplished. It is limited in size and would require a lot of work. Matt didn't see any fatal flaws that would make it impossible. Lisa McVicker said she thought it would be valuable to receive a review of Matt's report.

Christine Mugele said she went to the site with Todd Street. We looked at the site and originally, we thought it would be breached, but it was not. There is a dam with a spillway. We walked around the dam and was able to locate some survey sites just based off the data we brought. We didn't find an inlet but did find the outlet culvert so we think there obviously is one but it may have filled up with sediment. One of the mangers of the Girl Scouts said it fills up during heavy rains but only holds the flow for a couple months. The material we saw was gravelly and it probably leaks quite a bit; that could be a concern. The dam would need some work and removal of some vegetation. We think it holds about 6af at the spillway. If you were to go up to the dam, it holds about 14.5af. She thinks it is at a site where there is room that we could enlarge the dam to get extra acre footage if needed. We walked the site that is far upstream from Trout Creek. It would probably need a 6,000 ft culvert plus a pump station there and some type of diversion structure. They have an easement and potentially there could be a pipe there but there are a lot of unknowns. It hasn't been used for a long time and they currently have an alluvial well down there connected to some old pumps that haven't worked in years. We would definitely need some type of diversion system with pipe and pump to get water up to the site and also to release water from the site. It would have to be a dual approach.

Dave Wissel said the site was originally a campground but nothing is used there. Alison Gorsevski said the back story is she has had conversations with Girl Scouts about the potential for them to join one of HASP's augmentation plans. There is an upper reservoir that is in use and a lower reservoir. The upper reservoir can be filled by a well. They need augmentation water and they have filed a water court application. Alison's understanding is they don't have enough augmentation water to be able to augment their upper pond. The concept of a possible partnership came up and led us down this road of a technical analysis.

Matt Loose said the concept of how the pond would be used is that water in the HASP portfolio would be exchanged up Trout Creek to this future point of diversion to a pipeline that would go uphill to the Girl Scouts pond. It would be a diversion by exchange. Back in 2015, Matt said we had done an exchange potential analysis for the Trout Creek Basin. That report showed that generally there is exchange potential some of the time but not all of the time. We would exchange it and then pipe it up to the Girl Scouts pond where it would be stored. When there was a need to release it for augmentation, we would release it back down the pipeline to Trout Creek. The diversion from Trout Creek and the location of the pond are all upstream of the CWCB instream

flow water right on Trout Creek. This would provide a way to provide water to the instream flow water right if there ever was a call on that water right. There is a lot of development and existing customers further upstream but this instream water right is not up that way. We think this would be a good tool to provide more local augmentation to that instream flow reach. The depletions currently for Trout Creek are in the 5-10af per year range. We identified it as a hot spot because of that demand. It's not as big as the North Fork or Middle Fork, or Tarryall but right behind these basins. The size of reservoir right now is only 6af but if enlarged a little, we could get 20-25af to provide a robust storage location. It provides opportunity for more storage. Lisa McVicker said she was looking at the map location that appears to be in Upper Teller.

Alison believes we are at a junction where it would be helpful to have the board's direction on whether they are interested enough to proceed to the feasibility study or not. At some point we may need to bring the Girl Scouts in this. There may be an opportunity to get some funding to conduct the feasibility study. Alison has had a preliminary conversation with a member of the roundtable who is interested in a possible public/private partnership. That is another thing she suggests the board have them look into as part of this process, assuming we are in the position to explore next steps. Jon Rice said, if we did a full-blown feasibility study, did Matt have any ideas on costs? Lisa McVicker thinks HASP needs storage. And we need to keep the conversation going. This a useful public/private partnership with a fabulous organization and is a place that would benefit the state of Colorado and CWCB for instream flows. She thinks we need to go forward and should ask Wheeler to give us a dollar figure for what a full-blown study would cost. We can discuss the plan at our Friday meeting and we should encourage counsel to continue discussions and go forward.

Matt Loose said Christine and Todd could prepare a scope of work for the board. Lisa McVicker said our next board meeting date will be Sept. 12th. Alison Gorsevski will let the Girl Scouts know that the board continues to be interested and are leaning to moving ahead subject to some additional legwork on our part. Alison asked if the board was interested in her reaching out to the CWCB. Lynda James said there are only two dates that they do grants. She thinks it is in October. If they approve it, it is passed on to the CWCD.

Update from Water Resource Engineering: Matt Loose said May, June and July have been active months in the past in terms of operating the HASP water rights portfolio. In Spinney Reservoir, we've been continuing to release 4-5af per month that's addressing the 02 plan, the exciting thing is in early June we were able to exchange about 13af of Sessions Ditch credits to storage in Spinney. In early October, we will get the 37af of contract water from Aurora and once we get that delivery, the Spinney accounts will be full. Moving to the Michigan Creek/Tarryall Creek system, the Randall and Sessions Ditch water rights, and James Tingle Reservoir, we were able to do the exchange of Session Ditch credits. On the Sessions Ditch, we did a little replacement in June and stored a little in late May in the James Tingle Reservoir which got us back to the level we wanted for Sessions Ditch credits. In the earlier part of May, we did a small release of the JTR to address a call placed on Tarryall Creek. With the Randall, we accomplished everything we wanted and stored 30-31af to put in storage for the remainder of the year and were

also able to use Randall Ditch credits for direct replacement of depletions in the 12-augmentation plan. Deer Creek water has been performing well. We turned it off for part of May and June. There are ten-year volumetric credits and we have to be strategic when we use them. We did operate an exchange in July of the Deer Creek water up to refill Centers lease capacity in Lininger Lake. The SPR has the headgate replacement project going on and we held off storage projections there. Chatfield Reservoir is at about 124af storage. We are right where we're supposed to be this time of year.

UPDATE FROM WATER COMMISSIONER AND WATER RESOURCE ENGINEERING UPDATE

Garver Brown: We're on a pretty senior call right now; August 1871. It is not unexpected, but absent any precipitation, he is not hearing good things. Down stream, he is questioning whether senior water sources like Giraud 3T, 1867, may get called out here in the not-too-distant future. In the district, my main concern right now is we are not meeting minimum stream flows in some of our major tributaries. He has to check, but Michigan Creek and Upper Tarryall right now are not meeting minimum stream flow. He doesn't know if CWCB has the leverage to make a call up here. We have another minimum flow on Four Mile Creek of 8cfs from the headwaters 17 miles down to that confluence of the South Fork. He thinks we are flowing somewhere in the neighborhood of 2-3cfs right now. The minimum flow is 8cfs. He is worried about the Middle Fork and the South Platte as it comes through Fairplay. He believes the flow right is 16 and at the Santa Maria is 17.3. In early August, we have 17 % of normal stream flow into Spinney whereas it should be 140cfs out there and it is 20csf. On Trout Creek, the senior water rights Aurora is claiming, is .55cfs on Trout Creek. It will be interesting without future precipitation. Garver provided additional information about Venture 72 that was discussed earlier. He said those are exempt well permits in that area.

3. IMMD WSP, Draft IGA: Alison said we have put together an initial draft of the IGA. We did talk about what those proposed terms for an IGA might look like. John Matteson just sent those to Indian Mountain and we are waiting for a response. Wallie Weld said Bar Star is on the market for sale for eight million dollars. Jon Rice heard they are willing to sell a portion for 4 million.

4. Wild Horse Reservoir update: There will be a public meeting on the 21st.

Dawn Jewell will be present at the Water Law Class. David Shohet, Garver Brown, and Dawn Jewell will present. David Shohet said the plan was Lisa Brown will provide an introduction and David will present on water law 101, diversion, beneficial use, water court etc. Garver will talk about administration, well permitting etc. Dawn, as a water user, will provide her perspective and lastly, a panel discussion at the end. We are planning about an hour and a half session with questions at the end. There was a discussion whether it was feasible to video tape or record the water class.

NEW BUSINESS

1. Discussion of Potential Water Broker Engagement: Alison Gorsevski has previously had conversations with Jon Rice about how HASP and Upper South Platte might learn about opportunities for acquiring additional water source information within the South Platte Water

Basin. We discussed finding out more information about how to obtain a broker, what would it cost, what would the terms of engagement be and how would they help us. She had a conversation with two guys from hydro source; one has experience in the Upper South Platte River basin. The terms are similar to a real estate broker and they would get 5% on any deals HASP my close on. They could also help us pursue storage rights in the basin. Is this something to continue to talk about and make water storage and acquisitions a priority?

Alison said this might be a smaller project than they might want to engage in. Alison said they gave her some alternative ideas they had. She will get feedback at the end of the week.

Legal issues:

David Shohet quickly summarized the written report that was distributed.

- Rosalee did obtain a final decree in July. That case is wrapped up and completed.
- There is one other diligence case for the North Fork water. We have run into some problems with the state land board asserting there are some issues with some easements under Spinney. We have asked Aurora to work on that.
- There is a Park County diligence case that we opposed that has a similar issue with the state land board and easements with Spinney.
- Aurora's Johns Ranch change case on Tarryall; the case is on hold but we are anticipating some information soon.
- Alison provided information on the Girl Scouts augmentation plan, that case is progressing and we have comments due the end of August.
- Central has a large change case in Chatfield; they are trying to move some water around. We jumped in to monitor this case.
- Will O Wisp has two little ponds and had some excess augmentation water associated with their augmentation plan for their development. That case was wrapped up. Terms and Conditions are protective of HASP.
- The Schattinger case is for diligence to make absolute some junior rights on Michigan Creek. This is another case wrapped up.
- The Park County case David mentioned that has overlapping issues the state Land Board, we are in and we are monitoring that case.
- Resume cases. We didn't identify any of interest to bring before the board.
- The Water buyback is on hold at this point as no one seems interested
- Montgomery: there is no update
- Aurora storage potential will probably be discussed with some of the Johns Ranch studies going on. We will probably have more information in the next 6-8 months.

Dawn Jewel said had a meeting with the State Land Board on July 24th, with Park County in attendance. They did have an in-depth conversation about how to work with the State Land Board. The meeting was set up by Mark Detsky. We had a conversation about trying to reach out to some individuals to see what the catalyst is on the State Land Board right-of-way. Those documents she grabbed from Jon Rice she sent over to the State Land Board. She said you can

see there is no one that operates Spinney Mountain. There is no reason for anyone to have a right-of-way or have to pay for one. They still need more time to research.

Jewell said the weird thing is they got into Park's diligence, into HASP's diligence but not Aurora's. She believes Justin, at the State Land Board, doesn't understand what the right-of-way is on Spinney Mountain. They don't have a right-of-way over Spinney Mountain. She doesn't know why they are doing this.

Lisa McVicker asked what Central is trying to do with the exchange with Chatfield. David Shohet said they have a junior conditional water right in Chatfield and they want to move it to other locations downstream. It's a big case with approximately 40 opposers in it. We're in it so Matt Loose can take a look at it and monitor it.

DIRECTORS ISSUES

Dave Wissel is working with the cemetery board to find final resting places for residents. They are short of places for people especially in Guffey who won't allow any further internments on their privately owned land. We own the Soda Springs lot on the river and wondered if the two boards would be interested in conveying property and dedicate the 37 acres to Guffey for a cemetery. We have the ability to reserve what we need on Currant Creek. He thought the upper portion of the lot and the rock face would be ideal for internment of ashes. Dave said it would be run as an ad hoc cemetery committee. David Shohet said giving public land to a private organization doesn't make as much sense as creating a district.

Jon Rice moved to adjourn. The motion was seconded by Lisa McVicker and the board adjourned at 12:09pm.