

RECORD OF PROCEEDING

---

---

**SOUTHEASTERN COLORADO  
WATER CONSERVANCY  
DISTRICT MINUTES  
March 20, 2025**

A meeting of the Board of Directors of the Southeastern Colorado Water Conservancy District (District) was held on Thursday, April 17, 2025 at 9:10 a.m., at the District office, 31717 United Avenue, Pueblo, Colorado. The ZOOM platform was also made available for Board members and visitors.

**Attendance:**

Board Members Present:

Alan Hamel	Greg Felt	Pat Edelmann
Andy Colosimo	Howard "Bub" Miller	Seth Clayton
Ann Nichols	Justin DiSanti	Tom Goodwin
Bill Long	Kevin Karney	
Dallas May(arrived 10:29)	Matt Heimerich	

**DIRECTOR(S) ABSENT AND EXCUSED:**

Curtis Mitchell

**NEW DIRECTORS SWORN IN:**

Abby Ortega, and Mike Bartolo

**DISTRICT OFFICIALS:**

Executive Director Leann Noga; Legal Counsel, Lee Miller' Staff Attorney Peter Levish; Senior Policy and Issues Manager Chris Woodka; Engineering Manager Gordon Dillon; Administrative Support Specialist Margie Medina and Patty Rivas; Finance Manager Stephanie Shipley; H2O Consultant, Roy Vaughan; Burns, Figa & Will, April Hendricks and Pete Jaacks.

**PRESENT VISITORS:**

Aurora Water, Abba Ahmed; USBR, Mike Holmberg arrived @ 9:25; USGS, Andrew Klakulak and Krystal Brown; Division of Water Resources, arrived @ 9:25 Jason Ullmann and Rachel Zancanella; Hydro Source Inc, Gary Barber and Sean Flannigan; and Summitt Economics, Tom Binnings.

**VISITORS CONNECTED VIA ZOOM:**

Wilson Water Group, Mitch Frischmeyer.

RECORD OF PROCEEDING

---

**ACTION ITEMS:**

**SWEARING IN OF APPOINTED BOARD MEMBERS**

Mr. Lee Miller asked Gregory Felt, Matt Heimerich, Andrew Colosimo, Seth Clayton, to stand. say their name and repeat the oath. Mr. Lee Miller thanked the Members that have re-applied and welcomed New Members Michael Bartolo and Abby Ortega to the District. President Long as well thanked the reappointed members and welcomed Mr. Michael Bartolo and Abby Ortega to the Board.

President Long called to the podium Mr. Howard “Bub” Miller. Mr. Miller has served on the District Board for 20 years. He will be retiring from being a Board Member and was thanked for all his service to the District.

**CONSENT ITEMS: MINUTES**

Mr. DiSanti moved, seconded by Mr. Colosimo, to approve minutes from the March 20<sup>th</sup> District Board Meeting. Motion unanimously carried.

**PRESENTATION ITEM:**

**BOARD CONDUCT POLICY**

Mrs. April Hendricks from Burns, Figa & Will’s presentation to the Board was titled “Board Conduct Policy”.

The Colorado Constitution (Article 29), the State Code of Ethics (C.R.S. §§ 24-18-101 through -110), and the Standards of Conduct applicable to local government officials (C.R.S. § 24-18-201 *et seq.*), have codified certain standards promoting an atmosphere of transparency among members of local government boards. Among other aspects, these standards encourage open and ongoing disclosure of potential conflicts of interest.

The codified Standards of Conduct do not impose specific obligations on board members of a water conservancy district to avoid or disclose conflicts of interest. Rather, the applicable statutes apply to “local governments,” or “special districts,” which are not terms that are broad enough to include water conservancy districts. Even so, the intent behind these statutes is to address the high ethical standards to which government officials, at all levels, are expected to adhere. Under these statutes, local government officials must disclose potential conflicts of interest which may affect their ability to perform their official duties faithfully and objectively.

Conflicts of interest that are subject to disclosure may include both apparent and actual conflicts. An apparent conflict of interest may be present if a reasonable person would believe that the Board member’s objective professional judgment in serving the District may be compromised by a competing interest. Apparent conflicts may arise, for example, if a Board member is impacted by a Board decision in a manner shared by other, similarly situated individuals (*i.e.*, receiving water from a ditch company which has received an allocation of Project water from the District).

RECORD OF PROCEEDING

---

The proposed Board Conduct Policy, was included in the Board Members packets, provides the standards by which Board members must govern themselves with respect to conflicts of interest. Prior to taking official action on behalf of the District, including voting on matters that are before the Board for consideration, each board member must make a written disclosure to the Board of all interests which may impact the Board's official decisions. The Board Conduct Policy outlines how that disclosure should be made, and what actions the director may take after making that disclosure.

There is some risk to the District and to the Board member, should a Board member decide to take official action on behalf of the District when a conflict of interest is present. It is important to note that taking official action on behalf of the Board, where an undisclosed conflict of interest is present, may result in criminal liability under the Colorado Criminal Code, C.R.S. §§ 18-8-308. Moreover, if a Board member does take official action on behalf of the District, even when a conflict has been disclosed, the Board's action may be called into question or even overturned at a later date. Ultimately, under the Board Conduct Policy, each Board member is responsible for determining whether he or she should participate in a Board decision, in light of any actual or apparent conflicts they may have disclosed.

Questions were asked of Mrs. Hendricks.

#### DIVISION OF WATER RESOURCES

Mr. Jason Ullmann introduced himself as the Colorado State & Division of Water Resources Director, appointed July 16, 2024.

Jason brings over 20 years of experience in water resources engineering, 14 years of which have been at DWR, most recently as the Deputy State Engineer. Before his time with DWR, he gained valuable experience in water resources management as a City Engineer for the City of Montrose and as a consulting engineer for various ditch and reservoir companies throughout Colorado.

Together Mr. Ullmann, along with Rachel Zancanella reviewed the Pueblo Winter Water Program, specifically the closing report with data from November 15, 2024 through March 15, 2025.

#### **Pueblo Winter Water Storage Program Background:**

Pursuant to Water Court Case [84CW179](#), The Pueblo Winter Water Storage Program (PWWSP) is designed to store river flows in excess of the amount necessary to supply senior priorities not participating in the program, to promote efficient use of irrigation water. Storage can occur in Pueblo Reservoir, John Martin Reservoir, and off-channel storage facilities of the applicants, specifically from November 15 to March 15. A Board of Trustees, with one member from each applicant (except that Colorado Canal, Lake Henry and Lake Meredith together have one vote), directs the program. The General Manager of the Southeastern Colorado Water Conservancy District chairs the Board, and the Division Engineer of Division 2 is consulted for engineering advice. The Board meets annually to make decisions for the

RECORD OF PROCEEDING

---

equitable distribution of water in the Program, based on specific guidelines, terms, and conditions outlined in the decree. The river call placed on the river by Applicants, whether for storage or direct diversions, during the period November 15 through March 15 will be March 1, 1910. The Division Engineer keeps a record of all water stored or diverted, and this water will be apportioned to all applicants according to specified tables or another basis approved by a unanimous vote of the Board with court approval. There are specific provisions for how the first 100,000 acre-feet of winter-stored water and amounts above 103,106 acre-feet may be stored, with percentages allocated to applicants with off-channel storage rights and those with direct flow rights. The decree, associated cases, and stipulations also detail how transportation losses, transit time, and evaporation charges will be handled, as well as addressing the delivery of water to specific entities and the operation of John Martin Reservoir (JMR).

During the course of the season, periodic system total reports are provided to the participants to show how the system totals are developing and the approximate quantity of water stored in each reservoir. In the most recent report, ([February 28, 2025](#)) a significant amount of Amity water was allocated as stored in Adobe Reservoir, in excess of the 5,483 acre-feet owed there. The report showed 12,319.28 acre-feet in Adobe Reservoir, 5,438.71 in JMR, and 300 in the Colorado Canal system. This prompted a call from Fort Lyon Canal Superintendent Curtis Sniff to the Division Engineer. The result of quantifying Amity's PWWSP allocation in Adobe Reservoir would ultimately push Fort Lyon's water into other reservoirs, putting an unexpected financial burden on the Fort Lyon Canal Company. This would also require Fort Lyon to charge Amity a storage fee to store in Adobe Reservoir to be consistent with other contracts.

To address these issues DWR staff built a new balancing [spreadsheet tab](#) into the Winter Water Report spreadsheet called "2024-25 Redistribution" that can be used to redistribute the physical water available to the program among the plan participants while iteratively reducing the system total storage through targeted releases considering estimated transit loss, physical system constraints and retroactively applying the Winter Water Split at ARKLASCO to the proposed releases. Many factors impact the decisions regarding how to allocate water to each entity in this non-typical situation. DWR staff has contemplated multiple scenarios to accomplish this redistribution and propose the following operation to remedy the PWWSP's imbalance.

DWR believes the system will balance by releasing water for delivery to JMR in the near future from Pueblo Reservoir, Lake Meredith and Adobe Reservoir. This water would be charged a transit loss to JMR and have the average weighted Winter Water Split retroactively applied.

It was proposed that a meeting with the Board of Trustees to allow for discussion of the situation, the proposed solution and any other considerations, per paragraph 8 of 84CW179, "The Board shall meet annually to make all decisions necessary for the equitable distribution of water in the Program".

Finally, pending the outcome of the meeting, I would propose that process improvements be made to the balancing sheet to incorporate a projection and other applicable limitations to prevent future occurrence of this issue and would welcome participation by the Board of

RECORD OF PROCEEDING

---

Trustees in this effort. Discussion was had with the DWR Representatives, allowing the Board to ask questions.

**MONTHLY/QUARTERLY REPORTS:**

UNITED STATES BUREAU OF RECLAMATION

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

- As of April 10, 2025:
  - 248,365 acre-feet stored in Pueblo Reservoir
  - 135,406 acre-feet of Project Water
  - 44,705 acre-feet of Excess Capacity Water
  - 49,158 acre-feet of Winter Water/Carryover
  - 109,967 acre-feet of Project Water Space Available in Pueblo
  - 41,508 acre-feet of Project Space in Twin & Turquoise Lake
- Graphs 2023-2025:
  - Turquoise Lake
  - Twin Lakes
  - Pueblo Reservoir
- March 31, 2025:
  - Total M&I PW in system = 127,794 AF
  - 1. EAST = 23,428
  - 2. WEST = 11,235
  - 3. PUEBLO = 19,936
  - 4. OTHER = 3,990
  - 5. FVA = 71,599
    - A. CSU – 51,346
    - B. FOUNTAIN = 6,649
    - C. SECURITY = 5,738
    - D. STRATMOOR = 1,850
    - E. WIDFIELD = 5,468
- Snowpack
- Current Operations
- Spill Coordination
- 2025 Import Forecast
  - April 1
    - 0% - 42,600 AF
    - 30% - 51,800 AF
    - 50% - 58,100 AF
    - 70% - 64,400 AF
    - 90% - 73,600 AF
  - February 1: 57,500 AF
  - March 1: 55,800 AF

Questions were asked of Mr. Holmberg.

RECORD OF PROCEEDING

---

**STATE LEGISLATION UPDATE**

Mr. Peter Levish reported the first regular session of the 75th General Assembly convened on January 8, 2025.

A copy of the deadline schedule for the 2025 session was provided to the Board, as well as The Colorado Water Congress Bill Status sheet.

During the session the District participates in the Colorado Water Congress State Affairs Committee, which meets most Mondays during the session. Peter Levish serves as the primary staff contact for the State Affairs committee.

**COLORADO RIVER ISSUES**

Mr. Lee Miller reported The Basin States representatives have met regularly since the beginning of the year; however, no significant progress to reaching a consensus proposal to address post-2026 Colorado River Operations has been reported.

The Basin States representatives were invited to meet with Interior Department officials during the week of April 7, 2025. There may also have been a meeting with U.S. Senators from the Basin States. A report on these will be forthcoming as more is learned.

A Congressional Research Service report on Colorado River issues was provided to the Board.

This provides an excellent primer on Colorado River issues, particularly from the Federal point of view.

**INFORMATIONAL ITEMS:**

The Board was provided written material on the following topics, which were posted to OnBoard and the Board website:

- Water Court Resume
- Other Business Matters:
  1. NWRA Policy Conference – April 28, Washington D.C.
  2. NWRA Western water Seminar – August 6-8, Park City, UT
  3. CWC Summer Conference – August 19-21, Steamboat (these dates conflict with the August Board Meeting, August 21<sup>st</sup>. As the date gets closer more information will be provided).

President Long recessed the District Board Meeting at 10:37 a.m.

RECORD OF PROCEEDING

---

**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 Edelmann**

\_\_\_\_\_  
**Dallas May**

\_\_\_\_\_  
**Tom Goodwin**