

RECORD OF PROCEEDING

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**SOUTHEASTERN COLORADO  
WATER CONSERVANCY  
DISTRICT MINUTES  
June 19, 2025**

A meeting of the Board of Directors of the Southeastern Colorado Water Conservancy District (District) was held on Thursday, January 19, 2025, at 9:31 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:

Abby Ortega	Curtis Mitchell	Matt Heimerich
Alan Hamel	Dallas May	Mike Bartolo
Andy Colosimo	Greg Felt (remote)	Pat Edelmann
Ann Nichols	Justin DiSanti	Seth Clayton (remote)
Bill Long	Kevin Karney	Tom Goodwin

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

Curtis Mitchell, and Justin DiSanti.

**DISTRICT OFFICIALS:**

Executive Director Leann Noga; General Counsel Lee Miller; Staff Attorney Peter Levish; Senior Policy and Issues Manager Chris Woodka; Engineering Manager Gordon Dillon; Administrative Support Specialist's Margie Medina and Patty Rivas; H2O Consultant, Roy Vaughan; Kogovsek & Associates, Christine Arbogast (remote); AECOM, Curtis Thompson; Jewell Jimmerson Natural Resources Law, April Hendricks and Pete Jaacks; and Wilson Water Group, Mitch Frischmeyer(remote).

**VISITORS PRESENT:**

Pueblo West Metro District, Jeffery DeHerrera and Elissa Velasquez.

**VISITORS CONNECTED VIA ZOOM:**

Aurora Water, Rick Kienitz.

**CONSENT ITEMS:**

Mr. Edelmann moved, seconded by Mr. Colosimo, to approve the minutes from the May 15, 2025 District Board Meeting, and the May 2025 Treasurer Reports. Motion carried unanimously.

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**PRESENTATION ITEM:**

**GFOA BUDGET AWARD FOR THE 2025 BUDGET PUBLICATION**

Mr. Chris Woodka presented that The District has now earned the award for the 14th time for the 2025 Budget Publication. The 2025 Distinguished Budget Presentation Award is presented to the Finance Team of the Southeastern Colorado Water Conservancy District. The Finance Team is made up Leann Noga, Chris Woodka, Stephanie Shipley and Meg Scarlett.

The District first applied for the Government Finance Officers Association Distinguished Budget Presentation Award in 2012. The District earned the award for the 2012 through 2024 Budgets.

The Government Finance Officers Association (GFOA) established the Distinguished Budget Presentation Awards Program to encourage and assist state and local governments in preparing budget documents with a very high quality that reflect both the guidelines established by the National Advisory Council on state and local budgeting and the GFOA's best practices on budgeting. In addition, to then recognize these individual governments with the success in achieving this goal.

The guidelines are designed to assess how well an entity's budget serves as a policy document, a financial plan, an operations guide, and a communications device. The GFOA Distinguished Budget Presentation Award is the highest form of recognition in governmental budgeting. More information can be found at <http://www.gfoa.org/budgetaward>.

The Board was provided copies of:

1. GFOA Release Announcement of Budget Award dated May 15, 2025
2. GFOA Certificate of Recognition for Budget Presentation

President Long thanked, on behalf of the Board, all involved in producing the report.

**ACTION ITEMS:**

**EXECUTIVE COMMITTEE APPOINTMENT**

Mrs. Leann Noga presented an action item to approve President Long's recommendation of the Executive Committee. The Executive Committee will consist of eight board members (the officers of the Board and the chairperson of each standing committee). The Executive Director shall be a nonvoting member ex officio.

The President of the Board recommends to the Board members an Executive Committee. Per the bylaws the Board members are required to approve the Executive Committee appointments.

Pursuant to the District's bylaws, "An Executive Committee consisting of eight members of the Board, including the President (in office) may be appointed by the Board of Directors annually at the first meeting of the Board held after the appointment of directors by the court. The Executive Directors of the said Board shall be nonvoting member ex officio (only in sessions

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not dealing with personnel matters relating to the Executive Director). It shall have all the powers of the Board in the interim between Board meetings. The actions of the Executive Committee shall be subject to the approval of the whole Board. Meetings may be held at any time, and at any place within the State of Colorado, upon call by any Committee member. Notice of any meeting shall be given to each member in person, or by telephone, or it may be mailed electronically, mailed or telegraphed to him or her at his or her residence or business address at least 24 hours before the meeting. Public notice shall be provided consistently with applicable statutes.

Three members shall constitute a quorum. The Secretary shall keep record of the minutes of each Executive Committee meeting in a book kept for the purposes and shall report same to the Board of Directors at its next meeting.”

Mr. Edelman moved, seconded by Mr. Hamel to approve President Long’s recommendation and appoint the following to the Executive Committee:

- Bill Long, President
- Curtis Mitchell, Vice President
- Seth Clayton, Secretary
- Ann Nichols, Treasurer
- Alan Hamel
- Kevin Karney
- Tom Goodwin
- Andy Colosimo
- Leann Noga, Executive Director (nonvoting member ex officio)

Motion carried unanimously.

STATEMENT OF OPPOSITION IN THE APPLICATION OF COLORADO SPRINGS UTILITIES, CASE NO. 25CW3015, WATER DIVISION 2

Mrs. Hendricks presented to the Board an action item proposing General Counsel, Special Water Counsel, and Staff recommend that the District Board authorize Special Water Counsel to file a Statement of Opposition to the Application of Colorado Springs Utilities in Case No. 25CW3015 (Water Division 2).

Staff and counsel recommend filing a statement of opposition in Case No. 25CW3015 to (1) ensure that CS-U’s proposed decree contains appropriate Standard Language terms and conditions for the use of Pueblo Reservoir; (2) ensure that CS-U does not change Project Water allocated to the FLCC for agricultural use; (3) ensure that any use of Project Water and Project Return Flows is in accordance with the District’s Policies by including Standard Language terms in the decree; (4) ensure that CS-U’s proposed decree includes appropriate Standard Language terms and conditions to protect the WWSP, consistent with the WWSP Decree in Case No. 84CW179; (5) ensure that CS-U’s engineering appropriately quantifies historical consumptive use and return flows in a manner that protects the District’s interests; (6) ensure that all historical return flows are replaced in a manner that avoids injury to the

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District's rights and Project operations; (7) ensure that the proposed decree includes appropriate Standard Language terms for the revegetation of historically irrigated areas; and (8) ensure that the proposed decree includes terms and conditions consistent with any decree entered in CS-U's Case No. 23CW3052.

Mr. Hamel moved, seconded by Mr. Karney, that the District Board authorize Special Water Counsel to file a Statement of Opposition to the Application of Colorado Springs Utilities in Case No. 25CW3015. Andy Colosimo and Abby Ortega recused themselves from the vote.

Motion carried unanimously.

APPLICATION FOR FINDING OF REASONABLE DILIGENCE, DIVISION 5 CONDITIONAL WATER RIGHTS

Mr. Lee Miller presented to the Board an action item recommending that the Board adopt a resolution authorizing Special Water Counsel to file an application for a finding of reasonable diligence by August 31, 2025, to maintain the District's remaining conditional water rights for the Fryingpan-Arkansas Project's water collection system decreed in Water Division 5.

The Stipulation identifies three alternatives for the District to consider, with respect to developing (or abandoning) its Wilderness Conditional Rights. The District may: (1) take steps to develop these water rights by applying to change the location of their points of diversion, as noted above; (2) abandon any of the Wilderness Conditional Rights that are not necessary to achieve the Project's authorized yield; and/or (3) apply to continue some or all of the Wilderness Conditional Rights through further diligence proceedings, to the extent the preservation of these rights is necessary to achieve the Project's authorized yield. These options are also available for all of the District's conditional water rights, whether or not they are located within the Wilderness Area.

With these alternatives in mind, the District, in its next diligence application, can seek a finding of diligence for 1) all of its remaining conditional water rights, including the water rights for the unbuilt structures in the Wilderness Area; 2) the remaining conditional water rights for the existing structures and the unbuilt structures that are not located within the Wilderness Area; or 3) only the remaining conditional water rights associated with the existing structures. The latter two options would require the abandonment of some or all of the conditional water rights associated with the eleven unbuilt structures.

General and Special Water Counsel and District staff recommend filing a diligence application to continue all of the remaining conditional water rights associated with the Project's West Slope facilities. Proposed Resolution No. 2025-02D, explains the need to seek a finding of reasonable diligence to maintain the District's conditional water rights for the Project's West Slope Collection System and directs Special Water Counsel to file the necessary application. By adopting the proposed resolution, the Board will show the District's intent to maintain and diligently pursue the development and use of the conditional rights.

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Copies of: Proposed Board Resolution 2025-02D and the Draft Application, Division 5 Diligence were provided to the Board.

Mr. Hamel moved, seconded by Mr. Karney, the Board to adopt Resolution No. 2025-02D, which authorizes Special Water Counsel to file an application for diligence with the Water Court by August 31, 2025. Motion carried unanimously.

**MONTHLY/QUARTERLY REPORTS:**

**COLORADO RIVER ISSUES**

Mr. Lee Miller gave an update to the Board.

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. While there are currently a lot of academics talking and news articles being published, especially in Arizona, most of these are noise filling the vacuum of information.

As reported at the last Board meeting, the Colorado Water Conservation Board (CWCB) began the process of considering the River District's request to accept a donation of the Shoshone Power Plant water rights for instream flow purposes. Several Front Range Water Council members have indicated that they will request a formal hearing process be conducted by the CWCB before accepting the donation, including Denver Water, who stated its intent at the initial CWCB meeting on this topic. The District will not make a hearing request or join another entity's hearing request. The District may request party status to stay informed and protect the District's water rights.

**CWCB UPDATE**

Mr. Greg Felt updated the Board:

1. Election of new Chair: Loreli Cloud - **Chair Cloud is the first Indigenous person to lead Colorado's state water board, and it's powerful to see three women at the center of these important conversations."** – Lauren Ris
2. Election of Vice Chair: Barbara Vasquez
3. The May meeting was primarily centered around the Shoshone Water Court case
4. There was a public comment session with speakers from:
  - a. Department Parks and Wildlife
  - b. River District
  - c. CWCB Staff
  - d. Denver Water
  - e. Northern Water
  - f. Aurora Water
  - g. Colorado Springs Utilities

Here are some topics:

5. Concerns not so much as opposition regarding the Water Court Case, centered around the two categories of rights, Senior and Junior water rights
6. What is the role of CWCB in this case

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7. Aurora suggested mediation prior to court
8. Concerns if the case will fall into Interstate Compact Issues
9. July Meeting will be held in Salida at the Steamplant
10. In July a lot of discussion and debate is anticipated
11. In September there will be a Public Hearing held

**INFORMATIONAL ITEMS:**

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

- Water Court Resume
- 2025 Human Resource Support Contract
- Special Counsel Affiliation Change
- Demonstration Garden Update
- State Legislation Update
- Other Business Matters:
  1. NWRA Conference July 2025
  2. Colorado Water Congress – Aug 2025

President Long asked if there were any other matters to come before the District Board,

Mrs. Leann Noga announced:

1. Thanked Stephanie & Meg for their work on the 2024 Audit
2. Asked the Board to review the HR information report
3. Announced: New Water Resource Engineer, as well as the new Project Engineer
4. Asked the Board to review the Demonstration Garden information report

Hearing no other matters, Mr. Long recessed the District meeting at 10:31 a.m.

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**Respectfully submitted,**

**Patty Rivas**  
**Administrative Support Specialist**

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***Seth Clayton – Secretary***

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***Bill Long – President***

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**Greg Felt**

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***Curtis Mitchell – Vice President***

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**Justin DiSanti**

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***Ann Nichols- Treasurer***

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**Kevin Karney**

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**Abby Ortega**

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**Matt Heimerich**

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**Alan Hamel**

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**Mike Bartolo**

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**Andy Colosimo**

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**Pat Edelmann**

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**Dallas May**

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**Tom Goodwin**