

**DOLORES WATER CONSERVANCY
DISTRICT WATER ACTIVITY ENTERPRISE**

These written minutes represent the general discussion of the DWCD Board of Directors, DWCD staff, and participants at the DWCD board meeting, and they include a record of any and all board actions taken at the meeting. The written minutes are not intended to provide a word-for-word account of the board meetings. Nor are they a direct quote of any statements offered at board meetings. All DWCD board meetings are recorded on audiotape.

**MINUTES
Enterprise Meeting
March 12, 2026**

CALL TO ORDER

Godwin Oliver, President, called the meeting to order at 3:02 pm

ROLL CALL

1. Godwin Oliver, President
2. Don Schwindt, Director
3. Wes Wilson, Director
4. Jeremy Redshaw, Director
5. Ryan Gray, Director
6. Landan Wilson, Director
7. Ken Curtis, General Manager
8. Eric Sprague, Water Manager
9. Lisa Jordan, Office Administrator
10. Robert Stump, Bureau of Reclamation
11. Adam Reeves, Attorney MBSS

INTRODUCTION OF GUESTS

In-Person

Brandon Johnson, General Manager MVIC; Rusty Crangle CDWR; Ed Millard

Via Telephone/Teleconference

Dillon Oliver, Tony Tanner FSA Irrigators

APPROVAL OF THE MINUTES

MOTION:

TO APPROVE THE MINUTES AS SUBMITTED FOR THE FEBRUARY 12, 2026, ENTERPRISE MEETING.

MOTION: LANDAN WILSON

SECOND: WES WILSON

MOTION CARRIED UNANIMOUSLY. JEREMY REDSHAW ABSTAINED

FINANCIAL STATEMENTS

TO APPROVE THE FEBRUARY '26 FINANCIAL STATEMENT AND APPROVE THE STATEMENT OF PAYABLES AS PRESENTED. O&M: AP/CHECK #44333-44427 & PR/CHECK #127717-127769, \$591,982.03

MOTION: JEREMY REDSHAW

SECOND: LANDAN WILSON

MOTION CARRIED UNANIMOUSLY.

O&M REPORT

Eric reported that **1)** the Electricians have been at McPhee Powerplant preparing for power production to begin Monday, March 16, 2026, using the remainder of the 2025 water year water to produce power. McPhee Powerplant will likely be shut off after April 1st when that water year ends. **2)** DWCD staff is getting ready for startup. a) Operators are setting up for a new liner at Check 304. b) Control Room staff are checking the stilling wells on THC. Water will start to the THC on March 18th so water will be available at UF&RE by April 1st. c) Mechanics are checking accumulators and Electricians are checking batteries. d) Field Techs are reinstalling meters that were taken out for winter maintenance. **3)** There are some projects coming up, including some planning projects. Ken is getting ready for some structural planning at Great Cut Pumping Plant. Sandstone has one VFD wired and staff will get it up and running before installing a second.

WATER MANAGEMENT REPORT

Water Report

Eric provided an Inflow/Outflow spreadsheet for March 2026. **1)** The active capacity shows 30,421 AF but has Narraguinnep water (2,600 AF) and Fishery water (1,000 AF) included, meaning the Project carryover is estimated to be closer to 25,518 AF. **2)** Eric stated that MVIC is starting to fill Narraguinnep. **3)** There was one storm in March producing 1/10th of an inch of moisture. Eric noted that February precip was just below average. **4)** Eric stated that with regard to climate, the melt has begun for most of our basin, and the low snow is running out. The SNOTEL sites are right on the cusp and approaching isothermal. Black Mesa is the only SNOTEL site now NOT showing any signs of melting. Eric stated that temperatures are the most interesting change this year. The Colorado Climate Center in Ft. Collins has reported that February was the warmest February in 126 years of record and every single area in Colorado is within the warmest of 35 years on record. This is the warmest winter recorded, to, not just February. Eric stated that as far as precipitation so far the front range is getting hit the hardest, being the new visual center of the drought index. Eric said the CBRFC forecast, in terms of water supply, forecasted the worst supply in the last 47 years. Eric said as a final note, since 2021 there have been more years in which the temperature was in the top 10 than years that are below average for the state of Colorado. There is a high pressure system that is building but it will be moving over the west and will push the Pacific moisture north of us. Eric does not expect normal levels of precip, and does not consider the 50% forecast viable. The 50% exceedance forecast assumes exactly average precipitation for the remainder of the runoff season. Eric stated that we have already hit peak snow pack and staff are rushing an ASO flight as early as Friday. There might not be two flights this year since the snow is melting out so early. Landan asked if the 25 KAF in the reservoir acts as a minimum for the FSA supply. Eric said that we are counting on some inflow but if it doesn't come, and MVIC's need increases, then everyone else's portion of carryover decreases. Don asked Eric if he was going to hit on MVIC's supply. Eric said it is in the allocation summary table. MVIC gets the river up to 795 cfs for call water or direct diversions. Right now, they are taking Narraguinnep water that will likely not be satisfied by April 1. They will also get Totten exchange/Credit water. Ken explained that there are a lot of moving parts. Don asked if it would be useful to discuss Exhibit A in the March Brainstorm Session. Eric said that there will be a mid-month forecast from CBRFC prior to the Brainstorm. Adam said that this is a year that DWCD may want to consider placing a call. Ken said the Southwest has had a history of having dry springs over the last 25 years. It was stated that CBRFC's 50% exceedance forecast is quite a bit lower than the ESP because CBRFC is aware that things are changing and they are accommodating for the dry weather. This was expected and we also expect it to drop the remainder of March and into April.

Lease DWCD Owned MVIC Class A Shares to UF&RE

Ken stated that Ute Farm & Ranch Enterprise has asked to lease DWCD's 205 shares of MVIC Class A water for WY 2026. MVIC will set an initial allocation soon while the

forecast remains unclear with potential shortage for senior rights and as things sit a definite shortage to DP water supply. Given the historical trends, MVIC share allocation has historically ended up between 3 to 4 AF/share.

The last lease in 2025 was for \$34.00/AF recognizing the increase in 2.5% increase to 2024 FSA rates after staying flat since 2020. The 2026 FSA rates are currently same as last year, no increase. Assuming 3 AF/share and \$34/AF, the total is \$20,910.

Alternatives:

Approve, reject or modify UF&R lease amounts and price.

Staff Recommendation:

At this time, approve the minimum quantity for the lease (205 shares x 3 AF/share = 615 AF) and rate for a 2026 UF&R lease. Staff proposes a lease of all 205 DWCD owned MVIC Class A shares at \$34.00/AF charged on a minimum of 615 AF (3 AF/share) for \$20,910 and increase to that quantity actually diverted for use above the minimum 3.0'/share up to the 820 AF (4 x 205) \$27,880 (4 X 205 X \$34) maximum.

Lease DWCD M&I to UF&RE

Ken stated that DWCD has 4,000 AF of DP M&I allotment that can be leased annually. In past shortage years, the lease has been split between FSA and UF&R proportionate to their respective DP water supplies.

55,282 AF FSA DP supply & 23,300 AF UF&R DP supply

$55,282 / (55,282 + 23,300) = 70\% \times 4,000 \text{ AF} = 2,800 \text{ AF FSA}$
 $23,300 / (55,282 + 23,300) = 30\% \times 4,000 \text{ AF} = 1,200 \text{ AF UF\&R}$

DWCD proposes replacing a portion of UF&R M&I lease with DWCD owned MVIC Class A shares in 2026. Assuming an MVIC allocation of 36-inches per share, the class A shares equate to 615 AF, 48-inches/share would yield 820 AF. DWCD would lease additional M&I to continue the historical sharing practice.

$205 \times 3 (36") = 615; (615 + 4,000) \times 30\% = 1,385 \text{ AF}; \text{UF\&R M\&I Lease} = 770 \text{ AF}$
(M&I to FSA pool = 3,230 AF)

$205 \times 4 (48") = 820; (820 + 4,000) \times 30\% = 1,446 \text{ AF}; \text{UF\&R M\&I Lease} = 626 \text{ AF}$
(M&I to FSA pool = 3,374 AF)

The price has historically been increased commensurate with FSA increases which remain flat for 2026, would then be \$34/AF to UF&R.

Alternatives:

Approve, reject or modify UF&R M&I lease amounts and price. This action should be made no later than the April Board meeting.

Staff Recommendation:

At this time, approve the minimum amount 626 AF and rate for a 2026 UF&R lease. Staff proposes a minimum lease of 626 AF of DWCD M&I up to 770 AF dependent on final MVIC per share allotment.

Discussion on Class A and M&I Leasing:

Jeremy said that in the past DWCD has leased Class A water to people in the MVIC system, and asked if that was a possibility this year. Ken said that it is up to the Board if they want to lease to others. Don said that the Board needs to stay with what they have been doing with UF&RE. Don thinks it is the best path forward for the health of the Project. Godwin said that he is not in favor of leasing any M&I water to UF&RE after their request at the last meeting to send water down the river. Godwin stated that he doesn't hear any FSA irrigators asking to do that and doesn't feel obligated to lease M&I to UF&RE. Landan agrees with Godwin. Godwin asked if there were legal repercussions or political repercussions. Adam said there are no legal repercussions

but there could possibly be political repercussions. Don said that this project needs every bit of the supply in our valley and the FSA irrigators will be better off if we can lease to the Utes. Godwin feels like UF&RE is double dipping. Don disagrees with that. Godwin said that he is still irritated they asked to send water down the river. Adam said that he doesn't think the idea came from the Utes going to the State. He thinks it was the State going to the Utes and the engineer works for both entities. Don said that we have been in wrestling matches with our partners that we need to mend, and the Board need to figure out how to bring everyone back together. Landan asked what Wes and Ryan think. Ryan said that he thinks UF&RE will find the Class A shares to lease anyway, whether it is from us or from some other party(ies), and asked the Board if they really want to damage their relationship with the Utes. It was clarified that Ryan was talking about the Class A shares and Godwin is talking about the M&I lease. Godwin thinks all of the M&I water should be delivered to the north system. Jeremy clarified that he was saying DWCD can use the MVIC water shares to make the Utes more whole and use the M&I to make the FSA more whole.

MOTION:

TO APPROVE LEASING DWCD'S MVIC CLASS A SHARES TO UTE FARM AND RANCH BASED ON STAFF RECOMMENDATION OF LEASING 205 DWCD CLASS A SHARES AT \$34.00/AF CHARGED ON A MINIMUM OF 615 AF FOR \$20,910 AND PER AF ACTUALLY DIVERTED FOR USE ABOVE THE MINIMUM UP TO THE 820 AF OF \$27,880 MAXIMUM.

MOTION: WES WILSON

SECOND: LANDAN WILSON

MOTION CARRIED UNANIMOUSLY.

There was no motion to lease M&I water to UF&RE. Ken said that Simon was out of town this week. Ken will let Simon know the decision of the Board.

Other

Wes said that the Town of Dove Creek has 280 AF of M&I water and that there is a 95% chance that water will be available to lease. Don said that that would be an interesting subject. Godwin asked why Wes thinks that. Wes explained that the Town of Dove Creek signed a contract with Montezuma Water Company for emergency water for 5 years and in theory they won't need their M&I water. Don said that we better be exploring that a little deeper and reading the contracts, we need to explore our responsibilities more thoroughly. Don thinks this should be part of our Brainstorm Session.

FSA Rates

Ken stated that the Board should discuss FSA rate options given shortage projections and prepare for FSA Farmer Advisory Committee discussion. Options include flipping rates and by how much, likely pulling funds from reserves this year. Ken said that we don't need a decision about rates at this meeting. They need to have a FAC meeting. Ken said that in today's handouts there is a summary of the February month end reserves. Ken said you can see we have \$1.256M at COLOTRUST in WSM. There is a total of \$2M that could be used but hasn't been needed in the past. Ken said that this will stay on the agenda. We didn't dip into reserves in 2025 but we did receive less revenue and we are already not going to make that up. Ken will look at the year-end unaudited numbers for the brainstorm. Godwin said that he would like to hear what the FSA irrigators say at the FAC meeting and they can still make a decision by the April Board meeting on the rate discussion. Don said that in this setting, as we focus on the FSA irrigator, everything that we have done has the authority in our hands and not the Bureau's. Don said that the farmers are paying with the ability to pay formula and the municipalities are paying on a full cost formula. Don would like to explore that more thoroughly and privately. Don said that John Justus was quoted as making a comment that if DWCD shuttered their north operation and the only real diversion was MVIC, they (MVIC) wouldn't want to pay that cost. Ken noted that everything is moving, and it comes down to scheduling. They have to hone in on the Brainstorm, FAC, and the April meeting.

ADJOURNMENT

Dolores Water Conservancy District Water Activity Enterprise Board meeting adjourned at 4:07 p.m.

Donald W. Schwindt, Secretary-Treasurer Godwin Oliver, President

DOLORES WATER CONSERVANCY DISTRICT

**MINUTES
Regular Meeting
March 12, 2026**

CALL TO ORDER

Godwin Oliver, President, called the meeting to order at 4:07 p.m.

ROLL CALL

- 1. Godwin Oliver, President
- 2. Don Schwindt, Director
- 3. Wes Wilson, Director
- 4. Jeremy Redshaw, Director
- 5. Ryan Gray, Director
- 6. Landan Wilson, Director
- 7. Ken Curtis, General Manager
- 8. Eric Sprague, Water Manager
- 9. Lisa Jordan, Office Administrator
- 10. Robert Stump, Bureau of Reclamation
- 11. Adam Reeves, Attorney MBSS

INTRODUCTION OF GUESTS

In-Person

Brandon Johnson, General Manager MVIC; Rusty Crangle CDWR; Ed Millard

Via Telephone/Teleconference

Dillon Oliver, Tony Tanner FSA Irrigators

APPROVAL OF THE MINUTES

MOTION:

TO APPROVE THE MINUTES AS SUBMITTED FOR THE FEBRUARY 12, 2026, REGULAR MEETING.

MOTION: WES WILSON

SECOND: LANDAN WILSON

MOTION CARRIED UNANIMOUSLY. JEREMY REDSHAW ABSTAINED.

MOTION:

TO APPROVE THE MINUTES AS SUBMITTED FOR THE FEBRUARY 12, 2026 EXECUTIVE SESSION MEETING.

MOTION: LANDAN WILSON

SECOND: WES WILSON

MOTION CARRIED UNANIMOUSLY. JEREMY REDSHAW ABSTAINED.

FINANCIAL STATEMENTS

TO APPROVE THE JANUARY '26 FINANCIAL STATEMENTS AND APPROVE THE STATEMENT OF PAYABLES AS PRESENTED. ADMIN: AP/CHECK #12853-12868, \$757,991.42

**MOTION: JEREMY REDSHAW
SECOND: WES WILSON
MOTION CARRIED UNANIMOUSLY.**

AGENCY REPORTS

BOR Report

Robert stated that **1)** he has seen some progress on the Project use of power for lateral pumping plants. **2)** Reclamation received the amended solicitation agreement Power Plant O&M Contract. Ken asked for an extension on this since there was a tight deadline on this proposal.

Division of Water Resources

Rusty said that if DWCD was thinking about calling the river, they need to have a discussion with CDWR regarding that.

T/H Committee Report

The Committee tour and meeting on February 19, 2026 were canceled. The Committee approved bills via email vote. The Committee paid DWCD, MVIC and UF&RE's invoices.

Next T/H Meeting

The Committee will meet at the DWCD, Cortez Office March 18, 2026 at 9:00 am for a tour and the meeting will follow at 2:00 p.m.

MVIC Report

Brandon stated that **1)** MVIC is finishing up on last minute maintenance **2)** MVIC's Board has set the starting allocation at 18" per share. **3)** MVIC is planning a stock run on April 6th with irrigation to follow dependent on orders. **4)** There is no restriction on Narraguinnep's filling criteria, it still leaks, but less than before.

GENERAL MANAGER REPORT

Miscellaneous Updates

DWCD Brainstorm 9:00 AM March 25 Work Shop:

Topics include DWCD water rights, FSA Penalty Policy review, financial review (2025 & reserves), BOR Power Plant O&M Contract, FSA 2026 Rates, Infrastructure.

SWCD Seminar Friday March 27, 2026 at Sky Ute Casino:

Gina has signed up Don & Ryan. If other Board members would like to attend, please let Gina know soon.

Legislative Updates:

The effort to restrict Colorado farmers' use of seeds coated with pesticides was rejected in committee. A state Senate committee said the effort to control neonicotinoid pesticides, "neonics" was too far, too fast despite the governor's support. The Beaver Protection Act is coming up and Ken will vote against it if it comes before CWC. The other concerning bill introduced is a worker climate change protection regulatory bill, more unreasonable regulation. The DNR bill for

increased recreation authority continues through the legislature. The dredge and fill regulation from last year has begun implementation and back to the forefront of CDPHE. The Ute Tribes have a House Joint Resolution advocating for the conservation pools in Powell, similar to last month's provisional accounting request to DWCD.

Farmer Advisory Committee Schedule:

Ken stated that the Board needs to set a FAC meeting. Ken was thinking potential as early as March 25 which is the same day as the Brainstorm. The FAC was discussed and scheduled for March 25, 2026 at 5:30 PM.

CR Issues:

The DWCD BOR Draft EIS comment letter was sent to Reclamation and included in the mail out along with SWCD, CRD and CAP Draft EIS comments. The mailed-out articles point to individual state actions to prepare for litigation or prepare for drought shortages, otherwise the news remains quiet as Reclamation starts churning through draft EIS comments to a final 2027 operation plan prior to a flurry of legal filings. The LB, right at the deadline, are still talking about doom and gloom should they take all the cuts. Every state has said that the EIS individual proposed options won't work as presented. The UB talked about durable supply and having to live with the hydrology. Recently, everyone has realized just how warm & dry the winter was this year. Ken said that the NRCS runoff projection numbers are higher than others, but with a caveat that this is a very unusual year. There are people starting to recognize that Powell doesn't have the necessary carry over for the usual releases to the LB. One of the UB draft EIS complaints is that the Reclamation options unrealistically drain the UB CRSP Initial Units. Another article covers Chandler AZ drilling new wells to access all the CR water placed in AZ aquifers. Another article covers forest management for water similar to a potential study by DWCD with CSU. Ed Millard had provided that there is 1-1.5 AF in Powell usable above power pool. Ken hasn't heard if the BOR has tipped their hand on absolutely protecting power, but going below power pool has ramifications. Ken recommends the UCRC letter as short, but hitting the UB highlights. The board may want to cull from some of these documents for future DWCD's policies.

DC L&G Transfer to Town of Dove Creek:

Eric provided a memo with more DC L&G system information for the Board. Dove Creek's Town Manager, called Ken to let him know that currently the Town is not in a financial position to acquire the DCL&G system. Ken said that there are some grey areas around the edges of selling the DCL&G system that would need to be worked out before transfer. Ken noted that DCL&G is a stand-alone project financially and there are likely some legal issues surrounding a sale or transfer. Dove Creek plans to use MWC water when approved by CDPHE, so Ken thinks they will divert water early this year.

Reclamation Power Plant O&M Contract with DWCD:

The main technical specification was included in the mail out along with the extension request, thanks to Ryan's catch. The BOR has aligned the proposal with the current contract practices, cost reimbursement. There will be some additional labor costs around required pay rates and benefits. Staff are putting together some questions for the Contracting Officer and will add any from the Board. Ken reviewed the Performance Work Statement (PWS) Section 4 Allowable Costs including Licensing, Subcontracting, ANS and other similar items. Ken will be spending time on this in the next couple of weeks. In the solicitation there is a new bid schedule to price out for 365 days. The BOR has a "not to exceed" cost portion, DWCD has generally worked with Reclamation on pricing and determining special projects, upgrades or extensive tasks. The BOR will have options on years 2-5. Ken said the other things he is working on are the Special Contract Requirements. We have historically worked with BOR on training, but Site Access and Identification is new and more involved. Personnel must show identification, which is new to us. Ken said that DWCD has to produce the Technical Submission and Price Submission portion for submittal. Ken will put some names to the Contractor Personnel and Ken will be named the Powerplant Manager to meet specifications. Robert said that since it is sole source and DWCD isn't competing with anyone, DWCD only needs the minimum requirement. This contract is good for up to 5 years and will then have to be re-solicited for new DWCD proposal and evaluation. We will have to submit requests through the IPP system and ask for pay requests. Ken hasn't seen any big hurdles but needs to get it submitted. Ken stated that the contract

will also require more benefits, the rest of the pay scale is ok except for the mechanic. Robert said that it is a cost plus for a time and materials contract. This is cost reimbursement and we will be submitting vouchers to justify the costs. Robert said that at Paradox they have an outside company that works on the project and have to get security clearance and have to show PID. This may be something that can be discussed since we have the project already. Ken said that he wants to know from the Board how deep they want to get into the proposal.

Other:

Ken stated that with regard to ANS, there are now social media posts for beer drinkers, wine drinkers, cities, kayakers and fishermen based on the “Oh, Shell No” program.

Ken also included in the packet information labeled *Historical Information for the Roundtable*, this is what the Colorado River group was looking at circa 2019. Ken stated that on about the 3rd page are some of the major, newer projects with decree dates. It has the Southwest Reservoirs with an appropriation date and admin number, below that are some other major trans-basin diversions. Then the documents which explain how to read the admin number. This is Colorado River related, Ken asked that the Board to hang on to this handout. Ken also mentioned that there is also a listing of all of the Southwest reservoirs that came out of that same group.

Ken stated that he included MVIC’s February 10, 2026 meeting minutes as a practice.

RECESS FOR A BREAK: 5:12PM

RECONVENE FROM BREAK 5:21PM

CWC Policy Discussion

Ken stated that Don would like some input to take back to CWC for the CWC Policies 2026 Update. Don said that it is not easy to develop policy for advocacy so he seeks permission from DWCD Board for Adam and Ken to work with him on some of the preferred language choices in the policy which shouldn’t be time consuming. Don said that we don’t want our project water supply to leave our area. There are some policy sections that would be a big change for Colorado like a Powell pool that need sideboards. Don and Eric Whyte, from UMUT, are both on the Family Farm Alliance advisory where they advocate similar goals & polices that fit the Dolores Project as a whole providing an agricultural voice. Don noted that he is not on the advocacy committee but all can join or have input. Adam said that he doesn’t think that it will take much to fix the few sections Don called out. Don stated that CWC has changed considerably over the years and Adam agreed. Adam thinks the CWC Board remains more or less the same, but the membership has changed, they’re not interested in beneficial uses of water. Adam said that at State Affairs meetings they used to give a solid no as an answer if needed, while now they pick around the edges to make something that is crazy more tolerable. Ken asked if Don wanted the Board to support the final recommendations? Don said that it doesn’t have to come back to the Board. There was Board consensus for Adam and Ken to work on the wording for the policy update.

DWCD Policy on Downstream Leases

Ken presented a rough draft policy on leasing downstream. Ken collected historical references and quotes for summarizing the Repayment Contracts and the DWCD/MVIC contract. Ken said that they can expound on these references including legal for water or conservancy law. The front page could turn into “whereas” statements for a policy if the Board approves and then follows with more specific DWCD policy findings. Ken said that he will set this aside right now and work on the Powerplant contract but the Board can put their stamp on this in future meetings. Some of these issues overlap with the CWC Policy that Don just talked about.

House Joint Resolution 26-1017

“Concerning calling on the Federal Government to fulfill their obligation to the Southern Ute Indian Tribe and the Ute Mountain Ute Tribe regarding water rights”. Ken stated that on page 2 there is a list of items including “Authorize the Tribes to sell, exchange, leasing or otherwise temporarily dispose of their water rights”. Page 3 under the Ute

Mountain Ute section it talks about Dolores Project delivery and the failing municipal and industrial transmission line from the Cortez Water Treatment Plant and at the end of page 4 it talks about Colorado River Issues and the last "WHEREAS" says they would benefit if the parameters of a Lake Powell conservation pool program were tailored to include tribal water. In the middle of page 5, they call out providing funds to the Utes for their infrastructure and the last be it resolved has implications for the Dolores Project and Lake Nighthorse. Ken stated that this relates to the request from UMUT from last month to lease water downstream. Ed Millard asked if there were amendments to the House Joint Resolution. Ken said that it is somewhat problematic if the legislature is going to support them using their water in a Powell conservation pool. Don said that the concern is putting undeveloped water in a conservation pool. Representative Suckla may not take a position on developed water. Don would support the Tribe if they want to use water out of Nighthorse for UF&RE use. Don said that he has been having these conversations with Andy Mueller for 10 years and Don doesn't trust sideboards. Ed would like to get a new draft of the document to the DWCD Board for review that covers in more detail such as no developed ag water. Adam said that the Tribes have long sought forbearance payments for not developing their water. Adam said that Colorado telling the Federal Government how it feels about things will likely not go over well. Adam doesn't think that they can come up with proposed changes on the fly. Adam thinks that the Board needs to have a robust discussion regarding this. Adam also noted that he is not sure it is driven by the tribes.

LEGAL REPORT

Main Canal 1 & 2 Due Diligence

Adam said he needs to get a map from Eric.

24 CW__ Beaver Reservoir, Bear Creek Reservoir & Dawson Reservoir Due Diligence

Adam stated that he got a decree out to the opposers.

Water Rights Protection, DCL&G, Water Supply Initiatives and development of positions with respect to CWC Policy and pending House Joint Resolution involving legal advice and/or negotiations subject to Executive Session.

MOTION:

TO MOVE INTO EXECUTIVE SESSION PER CRS 24.6.402(b) TO OBTAIN ADVICE FROM COUNSEL AND CRS 24.6.402(e) MATTERS OF NEGOTIATION FOR WATER RIGHTS PROTECTION DCL&G SYSTEM AND WATER SUPPLY INITIATIVES WITH RESPECT TO CWC POLICY AND PENDING HOUSE JOINT RESOLUTION AND TO DISCUSS COLORADO RIVER ISSUES.

MOTION: JEREMY

SECOND: LANDAN

MOTION CARRIED UNANIMOUSLY.

RECESS: 6:05

RECONVENE 6:36

REPORT OUT OF EXECUTIVE SESSION

In executive session the Board discussed water supply and pending legislation and CWC revisions to their policies. No decisions were made.

Brainstorm Topic Prep

Ken stated that he is doing one last check for topics for the March 25 Brainstorm Session. Ken stated that the Board will need to talk about Powerplant, FSA Rates and FSA Penalty was also a topic. Ken stated that infrastructure is off the table as a discussion item. Ken thinks there is plenty to talk about but asked if the Board wanted to discuss water rights or save for another day. Adam thinks putting a call on the river is

an important issue and also thinks the other important issues are finances, succession and getting all our water. Ryan asked what the problem was if DWCD put a call on the Dolores? Adam stated that regardless of the accounting, CDWR has told us that they won't honor the call. He wants to explore who may get cut off, the upstream users agreement impacts and other unintended consequences. Adam said that many reservoirs in the state are similarly situated with downstream releases. DWR should charge a paper fill. Adam will review the DWR reservoir guidelines.

NEXT DWCD BOARD MEETING

Thursday, April 9, 2026 – 3:00 P.M.

ADJOURNMENT

Meeting adjourned at 6:45 P.M.

Donald W. Schwindt, Secretary-Treasurer

Godwin Oliver, President