

**UPPER ARKANSAS WATER
CONSERVANCY DISTRICT**

**Regular Meeting of the Board of Directors
February 12, 2026
1:00 PM**

A regular meeting of the Board of Directors of the Upper Arkansas Water Conservancy District was held Thursday February 12, 2026, commencing at 1:00 pm at the District offices, 339 East Hwy 50, Salida, Colorado, following the Water Activity Enterprise committee meeting, notice having been given by posting of Notice and Agenda on February 11, 2026, at the offices of the Upper Arkansas Water Conservancy District, 339 East Hwy 50, Salida, Colorado.

DIRECTORS PRESENT (IN PERSON)

Timothy C. Canterbury	Brett A. McMurry	Albert Eggleston
Tom E. French	Robert B. (Bill) Donley	Ben Lenth
Richard Hilderbrand	Mike Shields	Kristie Nackord
Tim Payne	Tony Telck	Tom Murphy

DIRECTORS PRESENT (BY REMOTE VIDEO AND AUDIO CONFERENCING)

None

DIRECTORS ABSENT

Mannie Colon

DISTRICT OFFICIALS/STAFF MEMBERS PRESENT

Gregory W. Felt, General Manager	Ralph L. (Terry) Scanga, District Advisor
Jord Gertson, Hydrologist	Gracy Goodwin, Project's Manager
Jennifer A. Scanga, Office Manager	Chris Manera, Engineer

DISTRICT OFFICIALS/STAFF MEMBERS PRESENT (BY REMOTE VIDEO AND AUDIO CONFERENCING)

Richard Brown, Legislative Consultant	Kendall Burgemeister, Attorney
Britt Searles, Administrative Assistant	

DISTRICT OFFICIALS ABSENT

None

STATE OFFICIALS PRESENT

Robert Canda, Deputy Water Commissioner, District 12

STATE OFFICIALS PRESENT (BY REMOTE VIDEO AND AUDIO CONFERENCING)

None

STATE OFFICIALS ABSENT

Rachel Zancanella, Division Engineer
Allen Keeling, Water Commissioner, District 13
Talon Canterbury, Water Commissioner, District 11
Nate Huffman, Deputy Water Commissioner, District 11
Dan Henrichs, Water Commissioner, District 12
Joe Crabb, Municipal Operations and Litigation Engineer and Augmentation Coordinator

EX-OFFICIO REPRESENTATIVE PRESENT

Bill Canda, Custer County Commissioner
Gina Lucrezi, Chaffee County Commissioner
Travis Payne, Canon City Water Superintendent

RECORD OF PROCEEDING

EX-OFFICIO REPRESENTATIVES PRESENT (BY REMOTE VIDEO AND AUDIO CONFERENCING)

Dave Schneider, Round Mountain Water and Sanitation District Manager
DeWayne McFall, Fremont County Commissioner

EX-OFFICIO REPRESENTATIVES ABSENT

Shawn Williams, Buena Vista Public Works Director
Christy Doon, City of Salida Administrator
Sean Kelly, Town of Poncha Springs
Travis Payne, Canon City Water Superintendent

GUESTS PRESENT

Joe Stone, Heart of the Rockies Radio News
Christopher Olney, Colorado Springs Utilities

GUESTS PRESENT (BY REMOTE VIDEO AND AUDIO CONFERENCING)

Kelli Palko, Hydrologist USGS
Max Hanson Rep Pettersen

PLEDGE OF ALLEGIANCE

Chairman Canterbury led attendees in the Pledge of Allegiance.

NEWLY APPOINTED DIRECTORS - OATH OF OFFICE

Notary Public, Jennifer A. Scanga, swore in the newly appointed director, Tom Murphy (Division 3), Chaffee County.

THE BOARD OF DIRECTOR MEETING RECESSED AT 1:04PM

MEETING RECONVENED AT 1:17pm

INTRODUCTION OF GUESTS

Guests were asked to introduce themselves.

MINUTES OF THE MEETING OF January 8, 2026

The minutes of the meeting on January 8, 2026, were approved upon motion by Director Telck with a second by Director Eggleston.

FINANCIAL REPORTS

Upon motion by Director Lenth with a second by Director Shields the Board approved the monthly financial reports dated January 31, 2026

PROGRAM PRESENTATION

None

EX-OFFICIO REPORTS

None

HYDROLOGY REPORT- Jord Gertson, Hydrologist

None

PROJECT MANAGEMENT REPORT- Gracy Goodwin

Project Manager Goodwin presented the project update for February 2026, reporting no significant changes to current operations. However, the discussion shifted to a potential application for the Water Resources Development Act (WRDA), described as the first step toward authorization. Advisor Scanga suggested drafting a formal resolution for Board approval to pursue this opportunity. While the Board acknowledged that the overhead and administrative expenses for such a grant are significant, it was determined that the substantial grant amount justifies the staff workload. A representative from the U.S.

RECORD OF PROCEEDING

Army Corps of Engineers indicated their readiness to proceed with the project once formal authorization is secured.

ENGINEERING REPORT – Colorado River Engineering, Chris Manera

Engineer Manera provided an update on the Cottonwood Dam upgrade project, focusing on ongoing negotiations with the U.S. Forest Service. The District is currently operating under a temporary permit, but the Forest Service has indicated a willingness to issue a Special Use Permit (SUP) to allow long-term use of the federal lands where the dam is located. The District is pursuing a 40-year term for this permit, with the necessary provisions already integrated into the project contract. To avoid delays during the fall construction phase, Engineer Manera recommended fabricating the aluminum slide gates now rather than waiting for the project to commence.

Following the engineering report, Manager Felt discussed the District's partnership with Buena Vista, noting that the Town of Buena Vista remains a key financial partner due to the benefits they receive from District storage. Felt reported that the accounting for a new commercial well with BV has been prepared and is nearly ready for submission to both the Board and the Division of Water Resources (DWR) for final review.

LEGISLATIVE CONSULTANT REPORT – Richard Brown

Legislative Consultant Brown provided a comprehensive update on the current session, referencing a written report previously distributed to the Board. The update focused on the following key areas:

State Budget and Regulatory Oversight:

- **Supplemental Appropriations:** Mr. Brown explained that these bills represent necessary budget adjustments for the current fiscal year.
- **Sunset and Sunrise Reviews:** The Colorado Department of Regulatory Agencies (DORA) has produced approximately two dozen "Sunset" reports. Mr. Brown noted that the underlying theory of these reviews is that state regulation should only supplant the free market when there is a clear responsibility to protect the public. He clarified that none of the current Sunset reviews immediately impact the water community.
- **Sunrise Reviews:** Unlike Sunset reports, "Sunrise" reports evaluate whether a currently unregulated profession should become regulated in the interest of the public. There are currently no Sunrise reviews scheduled for this season.

Property Tax Concerns:

- Consultant Brown highlighted the impact of recent property tax bills, noting a significant **40% increase** in property taxes over the last year, a point of major concern for local property owners.

Pending Legislation (House Bills & Drafts):

- **Revegetation Bill:** This bill has been recently reopened and released for further consideration.
- **Data Center Siting (HB26-1030):** This bill regarding the siting and operation of data centers is undergoing revisions; however, specific details on these changes have not yet been made public.
- **Beaver Protection:** A draft bill that sought to prohibit the killing of beavers on public lands appears to have stalled and has "disappeared" from the current legislative radar.

A link to a Status of Bills Table was added to the written Legislative Update provided by Consultant Brown.

COMMITTEE REPORTS

None

RECORD OF PROCEEDING

RESUME REVIEW COMMITTEE

Manager Felt reported that issues of concern in the December 2025 Resume will be discussed in the Legal Report below.

MANAGER'S REPORT – Greg Felt

Authorization to engage Hancock Froese & Company LLC for 2022 Audit:

Upon motion by Director Donley, seconded by Director Telck, the Board authorized the engagement of Hancock Froese & Company for 2025 audit.

District Updates:

Upon a motion by Director Shields, seconded by Director Telck, the Board voted to ratify the approval to move forward with Augmentation Certificate forfeiture from the Enterprise meeting.

Following the vote, the Board discussed the transition of representation for the Interbasin Compact Committee (IBCC) and the Roundtable; a seat currently held by Advisor Scanga.

Manager Felt then provided a summary of recent public outreach efforts, noting a highly productive series of engagements. Key highlights included a collaborative meeting with Fremont Conservation District to coordinate outreach for local irrigators, as well as formal presentations delivered to the local Rotary Club, and a specific presentation regarding the Voluntary Flow Program at the Colorado Water Congress (CWC).

DISTRICT ADVISOR REPORT- Terry Scanga

None

LEGAL REPORT – Law of the Rockies, Kendall Burgemeister

Attorney Burgemeister presented the Law of the Rockies report, which included updates on opposition matters, transactional items, and pending water court applications. The full report was distributed to all Board members for review.

24CW3055, Application to Change Union Ditch Shares: Discussion of a potential stipulation with the Colorado Water Conservation Board (CWCB) was tabled until a later meeting.

25CW3069, Application by the Town of Buena Vista to Change Water Rights Deeded to the Bray-Allen Ditch: The Board discussed entering a statement of opposition in this case. Attorney Burgemeister advised that entering this case is a protective measure to safeguard the District's water rights.

It was noted that the specific water rights in question have been relatively "dry" (inactive or unused) for the past eight to nine years, and the application does not specify the historical consumptive use that is being claimed.

Advisor Scanga emphasized the need to calculate the consumptive use associated with the claim to ensure accuracy. Attorney Burgemeister noted that the full extent of the applicant's claims is not yet clearly defined, necessitating the District's involvement to gain clarity.

Upon motion by Director Donley, seconded by Director Eggleston, the Board voted to formally enter the case and file a statement of opposition.

EXECUTIVE SESSION 2:50pm:

A motion for consideration of executive session pursuant to CRS 24-6-402(4)(b) for the purpose of receiving legal advice on specific legal questions from the District's legal counsel regarding applications for fire suppression ponds filed by Custer County.

was made by Director Payne, seconded by Director Telck, The Board approved moving into Executive Session.

OUT OF EXECUTIVE SESSION 4:01pm:

RECORD OF PROCEEDING

Upon motion by Director Payne, seconded by Director Murphy, the Board approved to move out of Executive Session.

Significant discussion was held by the Board regarding District concerns about the Fire Suppression Pond designations put forward by Custer County. There was discussion about whether the two ponds qualified for the exemption under statute and whether the presumption of non-injury that could be upheld by the State Engineer should be challenged. It was noted that there is always a call in the Arkansas Basin so allowing an exemption for out of priority evaporative depletions from ponds would, in fact, cause injury to water rights. Upon motion by Director Telck, seconded by Director Hilderbrand, the Board approved to move forward with opposition to proposal regarding of two Custer County Fire Suppression Ponds.

Upon motion by Director Hilderbrand, seconded by Director Eggleston the Board approved the District to continue to work with Custer, surrounding counties, and land owners on solutions to fire suppression.

CHAIRMAN & DIRECTOR REPORTS

None

NOTICES & MEETINGS

- **February 19, 2026 SECWCD Board Meeting, Pueblo**
- **February 20, 2026 Inter Basin Compact Committee, Denver**
- **March 11, 2026 Arkansas Basin Roundtable, Pueblo Community College**

ADJOURN

There being no further business coming before the Board or Enterprise and upon motion by Director Donley, seconded by Director Shields, the meeting adjourned at 4:17 pm.

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RECORD OF PROCEEDING


Respectfully submitted,




Gregory W. Felt, General Manager



Timothy C. Canterbury



Kristie Nackord



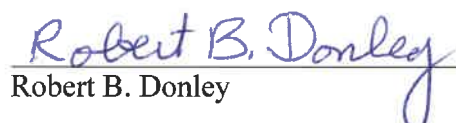
Richard Hilderbrand

Absent - no signature

Mannie Colon

Absent - No signature

Albert Eggleston




Robert B. Donley



Tom Murphy



Ben Lenth



Tim Payne



Tom E. French



Tony Telck



Brett A. McMurry

Absent - No signature

Mike Shields