

**MINUTES OF MEETING OF BOARD OF DIRECTORS  
BASALT WATER CONSERVANCY DISTRICT  
March 14, 2023**

**CALL TO ORDER**

The Board of Directors of the Basalt Water Conservancy District met on March 14, 2023 commencing at 7:00 p.m. in the Board Room at the Third Street Center, 520 South Third Street, Carbondale, Colorado. The meeting was also held via online and telephonically (Elevate).

The District's attorney Chris Geiger took the roll call. The following directors were present: Tim Nieslanik, Jim Nieslanik, Charles Bailey, Dean Seader and Charles Spickert. There was a quorum.

The District's attorney Chris Geiger of Balcomb & Green, the District's engineer Eric Mangeot of LRE Water ("LRE") and Water Commissioner Bill Blakeslee also attended.

**INITIAL BUSINESS**

Director Jim Nieslanik moved to appoint Michael Kennedy as Secretary for the meeting. Director Tim Nieslanik seconded the motion, and it carried unanimously.

The minutes from the February 14, 2023 meeting were considered by the Board. Director Michael Kennedy moved to approve the February minutes, and Director Dean Seader seconded the motion, which carried unanimously.

**REPORT OF THE ENGINEER (ERIC MANGEOT, LRE WATER)**

a. Snowpack Summary

Eric Mangeot discussed the snowpack summary report with the Board. He noted that the snowpack typically peaks around April 1 at 16.2 inches of snowwater equivalent. As of today, snowpack is at 140 percent of median at 20.5 inches of snowwater equivalent.

b. Gage Flows

Eric Mangeot discussed information contained in the Board packet regarding March temperature and precipitation forecasts, and flow and storage levels in rivers and reservoirs of interest.

c. Meter Overages – Water Year 2022

Eric Mangeot reported that LRE has prepared draft notices to ten contractees who diverted water in excess of their contracted supply last year. LRE is also sending letters to contractees that are submitting incomplete meter reports.

d. Third Failure to Report Progress

Eric Mangeot reported that LRE and B&G completed a letter that will be sent to contractees at risk of suspension of service for a third failure to submit meter records.

e. BWCD Area A-5 Storage Exchange to Ivanhoe Reservoir Accounting

Eric Mangeot has spoken with representatives from Aurora regarding fill of District's pool in Ivanhoe Reservoir. LRE believes the District should be able, at least hydrologically, to fill some or all of its storage pool this year if discussions with Aurora are concluded quickly.

f. Other

Eric Mangeot confirmed that the District has increased its water service rates for 2024. The annual charges are \$234 per AF for Domestic, \$306 per AF for Commercial, \$387 per AF for Industrial, and \$82 per AF for Agricultural.

**WATER ALLOTMENT CONTRACT ASSIGNMENTS, AMENDMENTS, INCLUSIONS AND CONTRACTS**

a. Contract No. 810 / Inclusion No. 248 – Tower 14 Letey Lane LLC

Eric Mangeot presented this contract application for service under the District's Case No. 02CW77 to cover depletions associated with single-family dwelling, one ADU, an accessory bar and bathroom, 1.89 acres of outdoor irrigation, evaporation from a 1,020 sq. ft. pool and 240 sq. ft. cold plunge pool, irrigation within a 1,000 sq. ft. greenhouse, and a 17,600 sq. foot equestrian facility. The Applicant is also requesting inclusion into the District's boundaries. The property address is 176 Letey Lane, located in Pitkin County. The source of supply is from two wells. The contract amount is for 0.100 cfs and 2.6 AF. The applicant is only asking for outdoor irrigation supply during August through October, as that supply will be sourced from the Walthen Ditch in other months of the summer. Chris Geiger reported that the petition for inclusion was properly published and publication fees have been reimbursed; the Board has jurisdiction to consider the inclusion. Water Commissioner Bill Blakeslee expressed no concern with approval of the contract. Director Tim Nieslanik made a motion to approve the contract and inclusion. Director Dean Seader seconded the motion, which passed unanimously.

b. Contract No. 811 / Inclusion No. 249 – Anne U. Perry

Eric Mangeot presented this contract application for service under the District's Case No. 02CW77 to cover depletions associated with a proposed two parcel subdivision that will contain two single-family dwellings, two ADU's and 4,000 sq. ft of irrigation on the lot to be owned by Ms. Perry. The Applicant is also requesting inclusion into the District's boundaries. The property address is 55 South Cedar Street, Carbondale, in Garfield County. The source of supply is from the Perry Well. The contract amount is for 0.033 cfs and 0.5 AF. Chris Geiger reported that the petition for inclusion was properly published and publication fees have been reimbursed; the Board has jurisdiction to consider the inclusion. Director Jim Nieslanik made a motion to approve the contract and inclusion. Director Charles Bailey seconded the motion, which passed unanimously.

c. Contract No. 812 / Inclusion No. 250 – NamuRanch LLC

Eric Mangeot presented this contract application associated with a pending private augmentation plan (Case No. 22CW3082) to cover depletions for one residence, one ADU, evaporation associated with 0.23 surface acre Mesa Augmentation Pond, and 1.0 acre of irrigation. The Applicant is also requesting inclusion into the District's boundaries. The property is known as the Mesa Lot of the Highlands Bavarian Subdivision, located in Pitkin County. The source of supply is from Mesa Well and Mesa Pump & Pipeline. The contract amount is for 2.6 AF. Chris Geiger reported that the petition for inclusion was properly published and publication fees have been reimbursed; the Board has jurisdiction to consider the inclusion. Director Tim Nieslanik made a motion to approve the contract and inclusion. Director Dean Seader seconded the motion, which passed unanimously.

d. Contract No. 813 / Inclusion No. 251 – NamuRanch LLC

Eric Mangeot presented this contract application associated with a pending private augmentation plan (Case No. 22CW3053) to cover depletions associated with the 0.191 surface acre Highland Hope Pond and 0.142 surface acre Highland Hope Augmentation Pond. The Applicant is also requesting inclusion into the District's boundaries. The property address is 5387 Castle Creek Road, also known as the Ranch Lot of the Highlands Bavarian Subdivision, located in Pitkin County. The source of supply is from the Highland Hope Spring and Ditch. The contract amount is for 1.1 AF. Chris Geiger reported that the petition for inclusion was properly published and publication fees have been reimbursed; the Board has jurisdiction to consider the inclusion. Director Jim Nieslanik made a motion to approve the contract and inclusion. Director Tim Nieslanik seconded the motion, which passed unanimously.

## **REPORT OF THE ATTORNEY (CHRIS GEIGER, BALCOMB & GREEN, P.C.)**

### a. Other

Chris Geiger reported that Mr. Mitchell had resigned from Balcomb & Green in order to move to Colorado's Front Range. Mr. Geiger advised that another Balcomb & Green associate will assist him in future District representation.

Mr. Geiger reported that the District's accountants, Barnes Rudow, request that the District execute an engagement agreement for services for 2023. The Board consensus is to continue working with Barnes Rudow. Director Jim Nieslanik made a motion to execute the engagement agreement, which was seconded by Director Dean Seader and approved unanimously.

Mr. Geiger reported that his office neglected in January, through misunderstanding, to provide the Board with a resolution designating the place for posting notices and agendas. The Board has continued to post notices of its meetings at the locations designated in its 2022 resolution on this subject, as well as on its website. Mr. Geiger presented the Board with Resolution 2023-01 to formally designate the places of posting for this year. Director Tim Nieslanik made a motion to approve Resolution 2023-01 as presented. The motion was seconded by Director Jim Nieslanik and carried unanimously.

## **REPORT OF THE DIVISION OF WATER RESOURCES**

Water Commissioner Bill Blakeslee reported that Division Engineer's Office is migrating into a new records keeping system. He noted that the upcoming water season is promising so far, and that the snowpack is better in the lower elevations than in higher regions of the Fryingpan River basin. Mr. Blakeslee still expects there will be a Cameo call this year, probably in August.

## **BILLS, AUDIT REPORTS, FINANCIAL STATEMENTS**

The Board reviewed the bills tendered in March for the month of February. Director Jim Nieslanik made a motion to approve and pay the bills presented. Director Dean Seader seconded the motion, and it carried unanimously.

## **CONCLUSION**

At 8:06 Director Dean Seader moved to conclude the meeting. Director Jim Nieslanik seconded the motion, and it was approved unanimously.