MINUTES OF MEETING OF BOARD OF DIRECTORS
BASALT WATER CONSERVANCY DISTRICT
March 10, 2026

CALL TO ORDER

The Board of Directors of the Basalt Water Conservancy District met on March 10, 2026 commencing at 7:15 p.m. in the Board Room at the Third Street Center, 520 South Third Street, Carbondale, Colorado. The meeting was also held via Teams online video conference and telephonically.

The District's attorney Andie Hall took the roll call. The following directors were present: Jim Nieslanik, Michael Kennedy, Tim Nieslanik, Charles Bailey, and Charles Spickert. There was a quorum.

The District's attorneys Chris Geiger and Andie Hall of Balcomb & Green, the District's engineer Eric Mangeot of Spheros Environmental Group Parent, Inc. ("Spheros"), and Water Commissioners Bill Blakeslee and Heather Ramsey 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 10, 2026 meeting were considered by the Board. Director Michael Kennedy moved to approve the February minutes, and Director Tim Nieslanik seconded the motion, which carried unanimously.

REPORT OF THE ENGINEER (ERIC MANGEOT, SPHEROS)

a. Snowpack Summary

Eric Mangeot reported that the snowpack is currently 66% of median, which is less than water years 2021, 2017, 2018, and 2025. Snow is not in the forecast for the next 14 days.

b. Gage Flows

Eric Mangeot reported on the following stream gages, noting that several are up because things are melting already. The Roaring Fork River (1) near Aspen is at 20 cubic feet per second ("c.f.s."), which is down by 2.3 c.f.s. from this time last year, (2) near Emma is down 127 c.f.s. at 193 c.f.s., and (3) at Glenwood Springs is down 86

c.f.s. at 339 c.f.s.; the Crystal River (1) above Avalanche Creek near Redstone is up by 4 c.f.s. at 55 c.f.s., and (2) at the DOW Fish Hatchery is up 1 c.f.s. at 73.9 c.f.s.; the Fryingpan River near Thomasville reported up 32.6 c.f.s. at 55.9 c.f.s. Eric reported that Ruedi Reservoir is 62.1% full at 63,527 acre feet ("AF") and that the Ruedi discharge is down by 42.1 c.f.s. compared to last year at 42.1.

Eric reported that the precipitation outlook for March is equal chances of precipitation.

c. Other

Eric Mangeot passed out a list of contract overages and explained that several private plans for augmentation were identified as using more than their allowable diversions. Eric will look into the cause of the overages, which may include hard zeros on their meter or diverting during free river. Eric noted that three contracts that previously had an overage did not report their readings this year. Eric plans to send memos before the next meeting.

WATER ALLOTMENT CONTRACT ASSIGNMENTS, AMENDMENTS, INCLUSIONS AND CONTRACTS

a. Contract No. 873 – Grant Bros. Ranch Ltd. Liability Company

Eric Mangeot presented this contract application for service under the District's Case No. 02CW77 plan for augmentation to cover depletions associated with a single-family dwelling, ADU, a bathroom located in a barn, 4,500 square feet of irrigation, 400 square feet of greenhouse, and fire protection for an existing parcel. The property is in Eagle County at 1105 Two Rivers Road, Basalt. The source of supply is from Grant Bros Ranch Well 1 (Permit No. 18320-F) and Grant Bros Ranch Well 2 (Permit No. 341395). The contract amount is for 0.056 c.f.s. and 0.6 AF. Andie Hall reported that the application was properly published on the website; the Board has jurisdiction to consider operating the contract within Case No. 02CW77. Director Tim Nieslanik made a motion to approve the contract. Director Jim Nieslanik seconded the motion, which passed unanimously.

b. Contract No. 874 – TRC 82, LLC

Eric Mangeot presented this contract application for service under the District's Case No. 02CW77 plan for augmentation to cover depletions associated with a 10,000 square foot warehouse, 2,000 square foot warehouse, and 2,000 square feet of irrigation on two existing parcels. The property is in Garfield County at 6931 and 6951 Highway 82, Glenwood Springs. The source of supply is from TRC Well 1 (Permit No. 52052-A) and TRC Well 2 (Permit No. 234316). The contract amount is for 0.067 c.f.s. and 0.2 AF. Andie Hall reported that the application was properly published on the website; the Board has jurisdiction to consider operating the contract within Case No. 02CW77.

Director Jim Nieslanik made a motion to approve the contract. Director Tim Nieslanik seconded the motion, which passed unanimously.

c. Amendment to Contract No. 805 – Two Creeks Holdings LLC

Eric Mangeot presented this amendment for service to cover depletions associated with a private augmentation plan (Case No. 22CW3050) for pond evaporation. The amendment is seeking to decrease the volume of storage or other augmentation water allotted from 8.3 to 5.2 AF because the ponds were built smaller than originally planned. The property is located in Pitkin County and has an address of 7039 E. Sopris Creek Road, Snowmass. The source of supply is from the Borah and White Ditch. Director Tim Nieslanik made a motion to approve the amendment. Director Michael Kennedy seconded the motion, which passed unanimously.

d. Reinstatement of Contract No. 245d and 499d – Woody Creek Lions Den LLC

Nicole Lowestein and Glenn Lowenstein, as Members of Woody Creek Lions Den LLC executed the Conditional Agreement to Reinstate Contracts No. 245d and 499d on February 25, 2026. Director Tim Nieslanik made a motion to approve the reinstatement of the contracts. Director Jim Nieslanik seconded the motion, which passed unanimously.

e. Cancellation of Contract No. 807 – Whiskey Mountain Estates, LLC

This Contractee requested termination of this contract as Eagle County denied its land use application and therefore it does not need the Contract. Director Jim Nieslanik made a motion to approve the cancellation. Director Tim Nieslanik seconded the motion, which passed unanimously.

f. Assignment of Contract No. 78g – Doug Throm and Amy Throm

Andie Hall reported that the assignment was completed last month.

REPORT OF THE ATTORNEY (CHRIS GEIGER/ANDIE HALL, BALCOMB & GREEN, P.C.)

a. Case No. 25CW3191, West Divide Water Conservancy District

Andie Hall reported that Balcomb & Green filed a statement of opposition as directed by the Board to West Divide's application and that the opposition period ended at the end of February. West Divide received eight statements of opposition in total. The division engineer has not yet issued his summary of consultation report, and an initial status conference is not scheduled.

b. Case No. 25CW3096, City of Aspen

Andie Hall reported that she attended a status conference in the City of Aspen's case that was uneventful. Aspen is meeting with its engineers and will respond to the opposer comments on April 17. Opposers will then provide additional comments by June 19 and a status conference is scheduled for July 9.

c. Case No. 25CW3177, The Colorado Water Conservation Board, et al.

Chris Geiger reported that the River District rereferred this case to the water judge for a trial setting. The Applicants have spent over two years negotiating with other entities, so leaving it in front of the water referee is unlikely to be fruitful. The court held a status conference on February 27 at which the River District advised the judge that it had concerns with her hearing the case because of her former representation of Pitkin County and the County's historical opposition to Shoshone permanency and involvement in the Busk Ivanhoe agreement. The judge did not think that recusal was necessary but would entertain a motion for recusal. The River District may file a motion for recusal and will confer with the District on such a motion. Chris Geiger reported that he understands most parties in support of the application are likely to sign onto the motion and recommends that the District does the same. The District provided direction to counsel. The River District will then prepare a case management schedule and plan to front load some expert witness disclosures to provide technical opinions prior to expected mediation and set a trial date in 2028. Chris and the Board discussed possible outcomes of the case.

d. Director Appointments

Chris Geiger reported that the District is still seeking a director for division 7, which is essentially the town of Basalt, and implored the other directors to brainstorm possibilities.

e. Other

Andie Hall reported that she met with Britt and Melody to discuss how much time they each spend working on reinstatement agreements, pursuant to the Board's request at last month's meeting and idea to explore a reinstatement fee. She reported that between the three of them, a contract that gets reinstated averages about $385. She noted that these contractees have already paid $600 in noncompliance fees. Director Michael Kennedy moved to impose a $250 reinstatement fee on contractees who fail to submit meter readings and have service suspended and then reinstated. Director Jim Nieslanik seconded the motion, which passed unanimously. The Board and Andie Hall discussed that this fee will be incorporated into the District's rules and regulations.

REPORT OF THE DIVISION OF WATER RESOURCES

None.

BILLS, AUDIT REPORTS, FINANCIAL STATEMENTS

The Board reviewed the bills tendered in March for the month of February. Director Jim Nieslanik moved to approve payment, and Director Tim Nieslanik seconded the motion, which carried unanimously.

DIRECTOR REPORTS AND COMMENTS

The Board discussed the Harvest Roaring Fork Development and whether they have a District contract. Eric answered that they do have a contract and discussed the amounts. Chris noted that the water is partially sourced from wells owned by the Roaring Fork Water and Sanitation District and that they are older contracts. Director Jim Niesklanik inquired about the use of the irrigation rights.

The Board discussed Colorado River negotiations.

EXECUTIVE SESSION

None.

CONCLUSION

At 8:01, Director Tim Nieslanik moved to conclude the meeting. Director Michael Kennedy seconded the motion, and it was approved unanimously.