

AGENDA

**UPPER YAMPA WATER CONSERVANCY DISTRICT
BOARD OF DIRECTORS MEETING
WEDNESDAY, MAY 20, 2026 (12:00 PM)
MOUNTAIN VALLEY BANK COMMUNITY ROOM
2220 CURVE PLAZA, STEAMBOAT SPRINGS, CO
ONLINE MEETING:**

[HTTPS://US06WEB.ZOOM.US/J/88509838711?PWD=KYCKHX0AQXPXEIBMYQAZ2DSSOZASVH.1](https://us06web.zoom.us/j/88509838711?pwd=KYCKHX0AQXPXEIBMYQAZ2DSSOZASVH.1)
MEETING ID: 885 0983 8711 - PASSCODE: 721176

INSTRUCTIONS ON HOW TO JOIN A ZOOM MEETING FOLLOW THE AGENDA

A Board of Directors meeting packet is available for public review on our website at <https://www.upperyampawater.gov/board-meetings> by the Friday before the meeting. Amendments to the Agenda and new documents that are generated or submitted after the original posting of the meeting materials will be posted under "Additional Documents" on the website for the relevant meeting.

QUESTIONS ON AGENDA AND/OR BOARD MATERIALS: Members of the public or Board of Directors with questions on the agenda or meeting materials, including the consent agenda, are welcome to contact the General Manager at the District offices prior to the meeting. You may reach the General Manager at: arossi@upperyampawater.com or (970) 871-1035 Ext. 2.

MEETING PROCEDURE: Comments from the Public are welcome at two different times during the course of the meeting: 1) Comments no longer than three (3) minutes on items **not** scheduled on the Agenda will be heard under Public Input and Comment; and 2) Comments no longer than three (3) minutes on all scheduled public hearing items will be heard following the presentation. Please wait until you are recognized by the President. Appropriate written materials or presentations should be submitted to the District no less than 24 hours in advance to be included in the meeting. With the exception of subjects brought up during Public Input and Comment, on which no action will be taken or a decision made, the Board may take action on, and may make a decision regarding, ANY item referred to in this agenda, including, without limitation, any item referenced for "review", "update", "report", or "discussion" whether or not listed as an "Action Item."

- (1) **12:00 PM** Establishment of Quorum and Call to Order
- (2) **12:00 PM** Approval of Agenda for Meeting **Action item**
- (3) **12:05 PM** Public Input and Comment
The Board will make no decision nor take action, except to direct the General Manager. Those addressing the Board are requested to identify themselves by name, organization, if any, and address. Comments shall not exceed three (3) minutes.
- (4) **12:10 PM** Board Member Reports
 - a. Board Member Disbursements
- (5) **12:15 PM** Consent Agenda **Action item**
 - a. Approval of the Minutes of the March 18, 2026 Board of Directors Meeting
 - b. Financials
 - i. Approval of Disbursements
 - ii. Budget Comparison

- c. CPW Water Supply Contract
- (6) **12:30 PM** Report of Finance Manager
 - a. Audit Presentation **Action item**
- (7) **1:15 PM** Report of General Manager
 - a. General Manager's Report
 - b. Augmentation Plan Updates
- (8) **1:30 PM** District Engineer Report
 - a. Update on Reservoir Water Status
 - b. Stagecoach State Park Water Supply Source Update
 - c. Water Quality Monitoring Update
- (9) **2:30 PM** Public Information Updates
 - a. Grant Disbursements
 - b. New Grant Application
 - c. Community Events
- (10) **3:00 PM** Pending Water Cases
 - a. Water Resumes
 - b. Status of Other Water Cases
- (11) **3:20 PM** New Business (Limited to emergency matters that came up **Action item**
During the course of the meeting)
- (12) **3:25 PM** Executive Sessions:
 - a. Executive session under CRS § 24-6-402(4)(b) to discuss legal issues on Water Resumes, Water Cases, Contract Negotiations and _____(insert description) . Mere presence or participation of an attorney at an executive session is not sufficient to satisfy the requirements of CRS § 24-6-402(4)(b). Executive sessions to discuss legal matters are not recorded.
 - b. Executive session under CRS § 24-6-402(4)(e)(I) for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators with respect to _____(insert brief description). This session will be recorded, and a copy of the recording maintained for not less than 90 days.
 - c. At the conclusion of an executive session and the resumption of the public meeting, the Chairman will announce that if any person who participated in an executive session believes that any substantial discussion of any matters not included in the motion to go into executive session, or that any improper action occurred during an executive session in violation of the Open Meetings Law, that such person state their concern for the record.
- (13) **3:30 PM** Board Actions in Regard to Executive Session
- (14) **3:35 PM** Determination of Next Meeting(s) Agenda(s)
- (15) **3:45 PM** Adjournment.



INSTRUCTIONS FOR MEETING ATTENDEES

JOIN A MEETING

Join a Zoom meeting by clicking on the Zoom link provided by the meeting host or on our website. Example:



If this is your first Zoom meeting on your device, well in advance of the meeting click download and run Zoom. The *Zoom.exe* file will download, and you will need to open the file. This only needs to be done once for any device that you use Zoom on for the first time.

Once set up, click Join a Meeting > enter the Meeting ID > then click Join > enter Password if needed > then Join Meeting. Click Join with Computer Audio.

When you join a Zoom meeting hosted by another you will be an Attendee. You will have access to several features by hovering over the bottom of your Zoom meeting screen. The tool bar here will pop up:



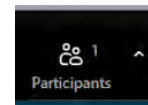
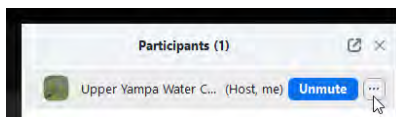
MUTE/UNMUTE AND START/STOP VIDEO

If your device has a microphone you can mute/unmute your microphone by clicking the Audio icon on the tool bar. A red line through the icon means you are muted. If your device has a camera you can turn it on/off by clicking the Video icon. A red line means the Video/camera is off.



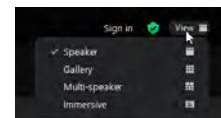
PARTICIPANTS

If you click on Participants you can view who is in the meeting. The participants list also gives you the option to rename yourself. Make sure you are identified properly. Hover over your name and click the three dots to change how your name appears. Example:



CHOOSE LAYOUT

At the upper right of your screen you can switch between Speaker View and Gallery View.



LEAVE MEETING

You can leave the meeting at any time by clicking on Leave Meeting at the lower right corner of the Zoom tool bar.

JOIN MEETING VIA CELL PHONE WITH ONE TAP MOBILE

To join a Zoom meeting via cell phone using one-tap mobile, simply tap the "One Tap Mobile" link in the meeting invitation on your phone. This will automatically dial the meeting number and enter the meeting ID, allowing you to join the audio only portion of the meeting without using the Zoom app.

JOIN MEETING BY PHONE WITH DIAL BY YOUR LOCATION

To join a Zoom meeting via a phone using your location's dial-in number, locate the "Dial by your location" section in the meeting invitation. Select the appropriate number for your country or region and dial it. You will then be prompted to enter the meeting ID, followed by any required participant ID and passcode.

ADDITIONAL RESOURCES (click to open)

[Getting Started](#)

[Zoom Video Tutorials](#)

[Using the Mobile App](#)

[Zoom Help Center](#)

[Zoom Training](#)

PUBLIC INPUT AND COMMENT

The Board will make no decision nor take action, except to direct the General Manager. Those addressing the Board are requested to identify themselves by name, organization, if any, and address. Comments shall not exceed three (3) minutes.

BOARD MEMBER REPORTS

BOARD MEMBER DISBURSEMENTS



2026 Director Meeting Compensation & Expenses

Meeting Compensation - 043 Detail on next sheet	Budget amount	Accrued to date	Budget amount remaining	Paid to date
Jim Haskins	\$ 2,400.00	\$ 600.00	\$ 1,800.00	\$ 600.00
John Redmond	\$ 2,400.00	\$ 600.00	\$ 1,800.00	\$ 600.00
CJ Mucklow	\$ 2,400.00	\$ 400.00	\$ 2,000.00	\$ 400.00
Leah Wolf Martin	\$ 2,400.00	\$ 600.00	\$ 1,800.00	\$ 600.00
Thomas Sharp	\$ 2,400.00	\$ 600.00	\$ 1,800.00	\$ 600.00
Nicole Seltzer	\$ 2,400.00	\$ 400.00	\$ 2,000.00	\$ 400.00
Katie Berning	\$ 2,400.00	\$ 600.00	\$ 1,800.00	\$ 600.00
Kevin McBride	\$ 2,400.00	\$ 600.00	\$ 1,800.00	\$ 600.00
Mynon Woodley	\$ 2,400.00	\$ 600.00	\$ 1,800.00	\$ 600.00
12 mtgs/Director/year = \$2400	\$ 21,600.00		\$ 16,600.00	

Travel/Meals/Lodging - 041	Budget amount	Paid to date	Budget amount remaining
Jim Haskins	\$ 2,000.00	\$ -	\$ 2,000.00
John Redmond	\$ 2,000.00	\$ -	\$ 2,000.00
CJ Mucklow	\$ 2,000.00	\$ -	\$ 2,000.00
Leah Wolf Martin	\$ 2,000.00	\$ -	\$ 2,000.00
Thomas Sharp	\$ 2,000.00	\$ 1,387.93	\$ 612.07
Nicole Seltzer	\$ 2,000.00	\$ -	\$ 2,000.00
Katie Berning	\$ 2,000.00	\$ -	\$ 2,000.00
Kevin McBride	\$ 2,000.00	\$ -	\$ 2,000.00
Mynon Woodley	\$ 2,000.00	\$ -	\$ 2,000.00
\$2,000/Director/year	\$ 18,000.00		\$ 16,612.07

OTHER Meeting Attended & Date	Amount	OTHER Meeting Attended & Date	Amount
	\$ -		\$ -
	\$ -		\$ -
	\$ -		\$ -
	\$ -		\$ -
Jan 2026 CO Water Congress	\$ 1,387.93		\$ -
	\$ -		\$ -
	\$ -		\$ -
	\$ -		\$ -

Meeting Fees (Registrations) - 041	Budget amount	Paid to date	Budget amount remaining
Jim Haskins	\$ 1,500.00	\$ -	\$ 1,500.00
John Redmond	\$ 1,500.00	\$ -	\$ 1,500.00
CJ Mucklow	\$ 1,500.00	\$ -	\$ 1,500.00
Leah Wolf Martin	\$ 1,500.00	\$ -	\$ 1,500.00
Thomas Sharp	\$ 1,500.00	\$ 775.00	\$ 725.00
Nicole Seltzer	\$ 1,500.00	\$ 275.00	\$ 1,225.00
Katie Berning	\$ 1,500.00	\$ -	\$ 1,500.00
Kevin McBride	\$ 1,500.00	\$ -	\$ 1,500.00
Mynon Woodley	\$ 1,500.00	\$ -	\$ 1,500.00
\$1,500/Director/year	\$ 13,500.00		\$ 12,450.00

OTHER Meeting Attended & Date	Amount	OTHER Meeting Attended & Date	Amount
	\$ -		\$ -
	\$ -		\$ -
	\$ -		\$ -
	\$ -		\$ -
Jan 2026 CO Water Congress	\$ 775.00		\$ -
Jan 2026 CO Water Congress	\$ 275.00		\$ -
	\$ -		\$ -
	\$ -		\$ -
	\$ -		\$ -

Meeting Compensation - 043 - DETAIL

1st Quarter 2026

Director/Meeting date	1/21/26 BOD	3/5/26 Ex Comm	3/18/26 BOD	Q1 Total (Jan-Mar)	Amount Paid	Date Paid
Jim Haskins	\$ 200.00	\$ 200.00	\$ 200.00	\$ 600.00	\$ 600.00	3/26/2026
John Redmond	\$ 200.00	\$ 200.00	\$ 200.00	\$ 600.00	\$ 600.00	3/26/2026
CJ Mucklow	\$ 200.00	\$ -	\$ 200.00	\$ 400.00	\$ 400.00	3/26/2026
Leah Wolf Martin	\$ 200.00	\$ 200.00	\$ 200.00	\$ 600.00	\$ 600.00	3/26/2026
Thomas Sharp	\$ 200.00	\$ 200.00	\$ 200.00	\$ 600.00	\$ 600.00	3/26/2026
Nicole Seltzer	\$ 200.00	\$ -	\$ 200.00	\$ 400.00	\$ 400.00	3/26/2026
Katie Berning	\$ 200.00	\$ 200.00	\$ 200.00	\$ 600.00	\$ 600.00	3/26/2026
Kevin McBride	\$ 200.00	\$ 200.00	\$ 200.00	\$ 600.00	\$ 600.00	3/26/2026
Mynon Woodley	\$ 200.00	\$ 200.00	\$ 200.00	\$ 600.00	\$ 600.00	3/26/2026
Total	\$ 1,800.00	\$ 1,400.00	\$ 1,800.00	\$ 5,000.00		
	DS 1/22/26	DS 3/6/26	DS 3/19/26	Attendance updated initials & date		
	DS 1/22/26	DS 3/11/26	DS 3/24/26	Entered in QuickBooks initials & date		



RECORD OF PROCEEDINGS

UPPER YAMPA WATER CONSERVANCY DISTRICT BOARD OF DIRECTORS MEETING WEDNESDAY, MARCH 18, 2026 (12:00 PM) MOUNTAIN VALLEY BANK COMMUNITY ROOM 2220 CURVE PLAZA, STEAMBOAT SPRINGS, CO ONLINE MEETING:

[HTTPS://US06WEB.ZOOM.US/J/88364557950?PWD=N8zDQRZDYOWdDSD3HjEdu0BZFYOWtD.1](https://us06web.zoom.us/j/88364557950?pwd=N8zDQRZDYOWdDSD3HjEdu0BZFYOWtD.1)

MEETING ID: 883 6455 7950 - PASSCODE: 631329

MINUTES

Chairman Jim Haskins called the meeting to order and declared a quorum present.

In addition to Chairman Haskins, Directors present during all or part of the meeting included Katie Berning, Kevin McBride, CJ Mucklow, John Redmond, Nicole Seltzer, Tom Sharp, Leah Wolf Martin, and Mynon Woodley. Present from Upper Yampa Water Conservancy District (UYWCD) for all or part of the meeting included General Manager Andy Rossi, District Engineer Emily Lowell, Public Affairs Manager Holly Kirkpatrick, Business Manager Dianna Schoen, Finance Manager Karina Craig, and Community Programs Specialist Courtney Lynn. General Counsel Bob Weiss and Special Counsel Scott Grosscup were present over Zoom during all or part of the meeting. Others present in person for all or part of the meeting included Peter Fleming, Andy Mueller, Raquel Flinker, Jayla Poppleton, Ellie Miller, Lindsey Marlow, Jerry Gasau, Julie Baxter, Bob Woodmansee and Bill Badaracca. Others present over Zoom for all or part of the meeting included Amy Ostdiek, Becky Mitchell, Brian Romig, David Twedt, Eric Gunderson, Erin Stewart, Frank Alfone, John Spezia, Diane Brower, Julie Baxter, Kevin Wild, Ben Krause, Lexi Firth, Liz Whitney, Marie, Michael, Mike Smith, Nabin Basnet, Rick Ownens, Taylor Adams, Tim Sullivan and William Summers.

This meeting was held in person and by videoconference utilizing Zoom. The meeting agenda included instructions to the public describing the process to participate in the meeting and comment on agenda items.

The following agenda was proposed:

AGENDA

- (1) **12:00 PM** Establishment of Quorum and Call to Order
- (2) **12:00 PM** Approval of Agenda for Meeting **Action item**
- (3) **12:05 PM** Public Input and Comment
The Board will make no decision nor take action, except to direct the General Manager. Those addressing the Board are requested to identify themselves by name, organization, if any, and address. Comments shall not exceed three (3) minutes.
 - a. Update from Colorado River Conservation District and UCRC
- (4) **1:05 PM** Board Member Reports
 - a. Board Member Disbursements
- (5) **1:10 PM** Consent Agenda **Action item**
 - a. Approval of the Minutes of the January 21, 2026 Board of Directors Meeting
 - b. Approval of the Minutes of the March 5, 2026 Executive Committee Meeting
 - c. Financials

RECORD OF PROCEEDINGS

- i. Approval of Disbursements
 - ii. Budget Comparison
- (6) **1:20 PM** Public Information Updates
- a. Grant Disbursements
 - b. New Grant Applications **Action item**
 - c. Community Events
- (7) **1:50 PM** Report of General Manager
- a. General Manager's Report
 - b. Augmentation Plan Updates
 - c. Financial Audit Update
 - d. Board Member Appointment Recognition
- (8) **2:30 PM** District Engineer Report
- a. Update on Reservoir Water Status
 - b. CWT Contract Volume Allocation
 - c. Upper Yampa River Water Quality Update
 - d. CPW Water Storage Contract
 - e. FERC Owner Dam Safety Program
- (9) **4:00 PM** Pending Water Cases
- a. Water Resumes
 - b. Status of Other Water Cases
- (10) **4:15 PM** New Business (Limited to emergency matters that came up During the course of the meeting) **Action item**
- (11) **4:25 PM** Executive Sessions:
- a. Executive session under CRS § 24-6-402(4)(b) to discuss legal issues on Water Resumes, Water Cases, Contract Negotiations and _____ (insert description) . Mere presence or participation of an attorney at an executive session is not sufficient to satisfy the requirements of CRS § 24-6-402(4)(b). Executive sessions to discuss legal matters are not recorded.
 - b. Executive session under CRS § 24-6-402(4)(e)(I) for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators with respect to _____ (insert brief description). This session will be recorded, and a copy of the recording maintained for not less than 90 days.
 - c. At the conclusion of an executive session and the resumption of the public meeting, the Chairman will announce that if any person who participated in an executive session believes that any substantial discussion of any matters not included in the motion to go into executive session, or that any improper action occurred during an executive session in violation of the Open Meetings Law, that such person state their concern for the record.
- (12) **4:35 PM** Board Actions in Regard to Executive Session
- (13) **4:40 PM** Determination of Next Meeting(s) Agenda(s)
- (14) **4:50 PM** Adjournment.

Chairman Haskins established a quorum and called the meeting to order at 12:05 PM.

Meeting Agenda. Chairman Haskins moved to approve the agenda. Director McBride seconded the motion, which was unanimously approved.

Public Input and Comment. Chairman Haskins invited members of the public to comment on items not otherwise scheduled on the agenda. Public comment was heard from Bob Woodmansee, who emphasized the importance of modeling for water quality issues, particularly regarding Stagecoach Mountain Ranch. Comment

RECORD OF PROCEEDINGS

from Liz Whitley expressed concerns about the sustainability of water usage at Stagecoach Mountain Ranch. Mike Smith, the attorney representing Stagecoach Mountain Ranch, presented a new water quality plan that includes operational improvements at Morrison Creek, nature-based solutions, and treatment technology upgrades. According to Mr. Smith, the plan aims to improve water quality beyond current standards.

Update from Colorado River Conservation District and UCRC.

Becky Mitchell with the Upper Colorado River Commission provided an update on Colorado River negotiations, highlighting the challenging hydrology situation and the need for a supply-based operations approach rather than demand-based management. She explained that Colorado has been proposing generous rule curves for releases from Lake Powell, contributions from upstream initial units (Flaming Gorge, Blue Mesa, and Navajo), and a robust contribution program. Commissioner Mitchell noted that while the February 14th deadline for a seven-state agreement was missed, efforts continue to seek consensus among willing parties, and the Bureau has initiated a 6E process that may further decrease Powell releases. Director Seltzer recognized Commissioner Mitchell for her work.

Andy Mueller, Raquel Flinker and Peter Fleming with the Colorado River District presented. Raquel Flinker discussed Lake Powell inflows and reservoir levels and potential impacts on power generation and impacts on releases. She addressed the draft environmental impact statement released by the Bureau of Reclamation, which included alternatives for future operations. Peter Fleming discussed the Conserved Consumptive Use program principles. Mr. Fleming said that the preference is for a voluntary, compensated conserved consumptive use program over mandatory curtailment, as the latter would disproportionately impact West Slope agriculture and have significant secondary effects on local economies. Andy Mueller discussed the potential for shepherding water across state lines and the challenges of implementing curtailment rules. Director Redmond recognized the group for their community funding partnership program, and Director Sharp praised their efforts to keep calls off the river. Mr. Mueller encouraged Board members to provide feedback on policy decisions as the process moves forward.

Consent Agenda. Director Sharp moved to approve the consent agenda with the correction of the March 5, 2026 Executive Committee minutes statement to read “Director Sharp moved that the Executive Committee make its recommendation to the whole Board at the March Board meeting that the District provide notice to the Colorado Water Trust of availability of 100 acre feet of water in the Volume 1, and an additional 3,500 acre feet of water in the Volume 2 category, under our contract with the Water Trust.” Director Wolf Martin seconded the motion which was unanimously approved.

Public Information Updates.

Grant Disbursements. Public Affairs Manager Kirkpatrick updated the Board on the status of grant disbursements, noting \$19,500 remaining in the Diversion Infrastructure Improvement Project.

New Grant Applications. Jayla Poppleton with Western Resilience Center and Lexi Firth with CSU presented a grant funding request for \$74,917 to launch the first year of the Yampa Valley Climate-Resilient Ranching Hub. The Hub will be connected to the Discovery Farms and Ranches framework, developed by the Integrated Rocky Mountain-region Innovation Center for Healthy Soils (IN-RICHES) at Colorado State University. The initiative aims to establish a statewide network of long-term on-farm demonstration sites that embed rigorous, systematized research within the realities of working landscapes. Director Seltzer moved to approve the \$74,917 grant funding request. Director Berning seconded the motion. The motion was approved by a vote of eight in favor and one opposed. The motion carried.

Community Events. Public Affairs Manager Kirkpatrick updated the Board on upcoming community events of the District.

RECORD OF PROCEEDINGS

Board Member Reports. Board Member disbursements were noted.

Report of General Manager.

General Manager's Report. General Manager Rossi recognized Finance Manager Craig for her 15 years of service and District Engineer Lowell for her 5 years of service with the District. General Manager Rossi reviewed his written report on the current and ongoing activities at the District. He noted a vacant seat on the Yampa-White-Green Roundtable and Governor Polis' enactment of the Drought Task Force.

Augmentation Plan Updates. The Board reviewed the current augmentation plans contract summary document.

Financial Audit Update. Finance Manager Craig reviewed the requirements and process of the 2025 financial audit. She noted the Final Draft Audited Financial Statements will be sent to Directors for their review and reference, in early May, prior to the May Board of Directors meeting.

Board Member Appointment Recognition. General Manager Rossi recognized the re-appointment of board members Katie Berning, Tom Sharp and John Redmond for four year terms.

District Engineer Report.

Update on Reservoir Water Status. District Engineer Lowell provided an update on the reservoir water status. She noted that Yamcolo reservoir is at 5,100 acre feet and is not anticipated to fill this year. There is abatement criteria in place to be applied to contracts.

CWT Contract Volume Allocation. District Engineer Lowell reviewed the Executive Committee recommendation to allow 3,600 acre feet of water volume to be allocated for contract to the Colorado Water Trust. Lindsey Marlow with Friends of the Yampa emphasized the importance of allowing the maximum releases to protect the health of the environment and she noted the economic dependence on the river. Julie Baxter, with the City of Steamboat Springs, emphasized the importance of the release program and the need to protect water quality. The Board discussed and raised concerns about the sustainability of releasing large volumes in dry years. General Manager Rossi explained the reservoir's fill history and the need to balance contractual obligations with long-term water management goals. Director Sharp moved that the Board approve and adopt the recommended motion from the Executive Committee and provide notice to the Colorado Water Trust before April 1, 2026 that the District will commit 100 acre feet out of Stagecoach for Volume One and 3,500 acre feet for Volume 2 out of Stagecoach Reservoir General Supply Pool pursuant to the District's contract. Director McBride seconded the motion, which was unanimously approved.

Upper Yampa River Water Quality Update. Erin Stewart from Spheros Environmental presented data on nutrient concentrations, including phosphorus and nitrogen in the watershed noting that most concentrations fell within historical baseline ranges and met interim stream criteria. The Board discussed the potential sources of phosphorus, including legacy sediment from the reservoir's construction. Erin reviewed strategies for managing phosphorus levels, such as hypolimnetic withdrawal and the use of phosphorus-binding products. The Board acknowledged that more modeling work is needed to fully understand the sources and dynamics of nutrients in the reservoir. The Board discussed water quality monitoring and algal blooms, with Erin explaining that limiting both phosphorus and nitrogen can help control toxic cyanobacteria blooms.

CPW Water Storage Contract. District Engineer Lowell presented a new water storage contract with Colorado Parks and Wildlife (CPW) amended and reviewed by General Counsel Bob Weiss for 2 acre feet to support the Finger Rock State Fishery at \$155.72 per acre foot. Ben Krause from CPW provided additional details of the operation and water request. Director Sharp moved to approve the proposed water storage contract with the Colorado Parks and Wildlife for the State Fishery site in accordance with material supplied to the Board

RECORD OF PROCEEDINGS

including the changes requested by the State at the municipal/industrial rate. Director McBride seconded the motion, which was unanimously approved.

FERC Owner Dam Safety Program. District Engineer Lowell reviewed the findings from the external audit performed on the Owner's Dam Safety Program (ODSP), a required FERC Safety Program for every dam that is classified as high hazard. District Engineer Lowell and staff were commended on their work.

Pending Water Cases.

Water Resumes. Special Counsel Grosscup noted that there were no new water resumes of concern to the District in January and February. He noted a new law for how the State reviews substitute water supply plans for the lease, loan, or trade of water rights for Agricultural Water Protection.

Status of Other Water Cases. Special Counsel Grosscup provided an update on the various water court cases in which the District is a party. For case 23CW3025, Moffat County is proceeding with their Umbrella Augmentation Plan. For case 24CW3024, Diligence on Elk River Augmentation Plan, the Water Judge has entered a final decree and this case is complete. On case 24CW3029, Counsel continues to work on the Coal Creek Diversion Pipeline. For case 24CW3031, PSCO, Counsel is recommending the Board authorize that he enter into the proposed stipulation with PSCO provided in the packet. Director Sharp moved that the Board authorize Counsel to enter into the proposed stipulation with PSCO in case 24CW3031 as included in the Board packet. Chairman Haskins seconded the motion, which was unanimously approved. For case 25CW3008, Storm Mountain Ranch, this is an application for water storage rights located on Walton Creek and a plan for augmentation using UYWCD's Stagecoach water. Counsel recommend entering the proposed stipulation as included in the Board packet. Director Sharp moved that the Board authorize Counsel to enter into the stipulation in the matter of case 25WC3008 in accordance with the proposed stipulation that was attached to the Board packet. Director Wolf Martin seconded the motion, which was unanimously approved. For case 25CW3019, Stagecoach Reservoir Diligence, Counsel is still waiting on the Division Engineer's report.

New Business. There was no new business.

Executive Session. There was no Executive Session.

Board Action Regarding Executive Session. There was no Executive Session.

Determination of Next Meeting Agenda. The agenda for the May 20, 2026 Board Meeting was reviewed.

Chairman Haskins moved to adjourn the meeting at 4:57 PM. Director Sharp seconded the motion which was unanimously approved.

I certify that the foregoing constitutes a true and correct summary of the proceeds at the above referenced meeting.

Andy Rossi, District Secretary/Manager

Date: _____

CONSENT AGENDA

**FINANCIALS:
APPROVAL OF DISBURSEMENTS &
BUDGET COMPARISON**





BOARD COMMUNICATION FORM

From: Karina Craig, Finance Manager.

Date: May 20, 2026

Item: Financial Reports: March 31, 2026, Cash Disbursement Report and Budget Comparison Report.

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I. Request/Issue and Background Information:

The ***Cash Disbursement Report*** contains disbursements from the Upper Yampa Water Conservancy District (the District) of reconciled monthly statements. These include disbursements incurred with check, credit card, and electronic payments through March 31, 2026. Disbursements include operating and capital expenditures from the 2026 fiscal year budget, totaling \$553,485.51.

The ***Budget Comparison Report*** includes transactions accrued up to March 31, 2026. Additional transactions for the reported period may be added as further documentation is received and processed.

II. Summary:

Cash disbursements reported include *reconciled* expenditures from the 2026 fiscal year-to-date. The Budget Comparison reports *2024 audited* and *2025 final audit draft* actuals. It also includes current year financials: budget, early year actuals and annual projections.

III. Staff Recommendation: Accept reports.

IV. Legal Issues: None

V. Consistency with Board Goals and Policies: UYWCD By-Laws and SP Goal 3.

Attachments:

Attachment 1: Cash Disbursement Report.

Attachment 2: Budget Comparison Report.

**Upper Yampa Water Conservancy District
Cash Disbursement Report
March 31, 2026**

Date	Name	Memo	Amount
01/30/2026	ACE Hardware	Facilities maintenance	71.05
01/30/2026	Airgas USA, LLC	YYWF, helium tank rental.	58.13
01/30/2026	Balcomb & Green, P.C.	Miscellaneous Matters, Diligence & Protest cases, legal services December 2025.	1,632.50
01/30/2026	CEBT	Insurance	19,157.31
01/30/2026	Colorado Cattlemen's Agricultrl Land Trust	SFWRAP project	8,857.87
01/30/2026	Colorado Water Congress	2026 annual dues	3,856.00
01/30/2026	Colorado Water Congress	2026 State Affairs Committee fees	1,125.00
01/30/2026	Family Support Registry	Monthly remittance	716.00
01/30/2026	La Central Caterinng LLC	Catering, Board meeting.	382.00
01/30/2026	Lou Dequine	Micrometer for Dequine Ditch. 50% passthrough, 50% UYWCD expense.	1,056.76
01/30/2026	Lou Dequine	Micrometer for Dequine Ditch, Alternative Point 1. 50% passthrough, 50% UYWCD expense.	1,050.76
01/30/2026	Lou Dequine	Fahey-Cole alternative point of diversion, flume. 50% passthrough, 50% UYWCD expense.	1,000.24
01/30/2026	LRE Water	Bear River Watershed & Stagecoach Water Quality, services through 12-31-25.	6,350.22
01/30/2026	LRE Water	Stagecoach Reservoir accounting through 12-31-25.	1,616.00
01/30/2026	LRE Water	Watershed Modeling, services through 12-31-25.	968.50
01/30/2026	RR1917 LLC	Boor Head #2, headgate. 50% passthrough, 50% UYWCD expense.	1,061.24
01/30/2026	SB Embroidery, LLC	Embroidery, board vests.	41.00
01/30/2026	Special District Association of CO	Annual membership	1,237.50
01/30/2026	TLECC Timber Line Electric & Control	Stagecoach SMTP email notificaitons, 01-01-26 TO 12-31-26.	85.00
01/30/2026	Weiss and Van Scoyk, LLC	Legal services through December 22 2025. Contracts, price-excl.	7,085.00
01/30/2026	Weiss and Van Scoyk, LLC	Legal services through December 22 2025. Contracts, price-excl.	52.00
01/30/2026	WWE Wright Water Engineers, Inc	Stillwater Ditch Construction Oversight through December 31, 2025.	3,999.00
01/30/2026	WWE Wright Water Engineers, Inc	Professional services, PL-566 Support through December 31, 2025.	89.50
02/01/2026	Google	Software expense	42.00

Subtotal

61,590.58

**Upper Yampa Water Conservancy District
Cash Disbursement Report
March 31, 2026**

Date	Name	Memo	Amount
02/02/2026	Hotel	Lodging for Director, CWC Annual Convention.	900.18
02/02/2026	MVB Mountain Valley Bank	Monthly lease	3,506.26
02/03/2026	Restaurant	Meeting lunch	119.92
02/04/2026	Omni Graphics	Drawings	98.00
02/06/2026	ECS Employers Council Services, Inc.	Employment law conference	460.00
02/06/2026	Track1099 by Avalara	Tax software	1.56
02/08/2026	Garmin	Monthly subscription	34.95
02/09/2026	Colorado Judicial Branch	Board appointment filing fees	24.00
02/09/2026	NYT The New York Times	Monthly subscription	28.00
02/09/2026	USDA Forest Service	USFS 2025 Stockpile Fee, Stillwater Ditch.	712.21
02/09/2026	USDA Forest Service	Special Use Permit Fee, Stillwater Ditch.	304.70
02/10/2026	Amazon	Annual membership	139.00
02/10/2026	Supermarket	Kitchen supplies	20.03
02/11/2026	ACE Hardware	Facilities maintenance	519.59
02/11/2026	ACS Advanced Copier Solutions, Inc.	Monthly copier fees	31.32
02/11/2026	CAA Community Agriculture Alliance Inc	Annual membership, sponsorship.	3,500.00
02/11/2026	DHM Design Corporation	Stagecoach Wetlands, professional services through 12-26-25.	1,017.50
02/11/2026	Eddie Rogers	Refund of training expenses	197.66
02/11/2026	Fleet Service Conoco Universal WEX	Monthly gasoline charges	723.21
02/11/2026	John Nelson	Reimbursement of vehicle maintenance expense	39.99
02/11/2026	LRE Water	Watershed Modeling, services through 12-11-25.	22,966.63
02/11/2026	Lynx Property Mntnc (DBA); Erickson Jeff	Snow removal at Stagecoach Reservoir, through 01-31-26.	875.00
02/11/2026	RC RCDEH Routt Cty Dept of Envntl Health	Ongoing regional USGS water quality monitoring	16,802.00
02/11/2026	Stand Creative Studio	Monthly digital marketing services	700.00

Subtotal

53,721.71

**Upper Yampa Water Conservancy District
Cash Disbursement Report
March 31, 2026**

Date	Name	Memo	Amount
02/11/2026	Yampa Valley Property Service LLC	Office cleaning services	300.00
02/13/2026	Cook Chevrolet	Vehicle maintenance	1,905.39
02/17/2026	Edge Communications	Monthly telephone services	139.55
02/18/2026	NDS Northwest Data Services	Monthly MSP fee, monthly IT services.	3,043.00
02/19/2026	Walmart	Office supplies	23.52
02/19/2026	YVEA	Electrical service at SC Powerhouse & Shed	1,344.95
02/22/2026	Adobe	Monthly subscription	319.67
02/24/2026	CenturyLink Lumen	Telephone, Stagecoach.	214.09
02/25/2026	Family Support Registry	Monthly remittance	716.00
02/25/2026	Internal Revenue Service	Monthly federal liability payment	23,573.46
02/25/2026	MissionSQ 401a	Monthly retirement contributions	5,738.72
02/25/2026	MissionSQ 457	Monthly retirement contributions	3,021.28
02/26/2026	ACE Hardware	Vehicle supplies	20.68
02/26/2026	CEBT	Insurance	19,201.44
02/26/2026	GE Vernova Electrification Software LLC	GE support renewal	3,010.82
02/26/2026	JW Associates, Inc	Professional Services, Wildfire Ready Action Plan, through Jan 2026. UYWCD Wildfire Mitigation Grant.	11,895.00
02/26/2026	LRE Water	USBR Grant GoldSim Model, services through 12-31-25.	4,660.00
02/26/2026	Intuit	Monthly payroll	66,004.00
02/26/2026	Intuit	Mileage reimbursements	81.93
02/26/2026	Intuit	Phone expenses	675.00
02/26/2026	Spheros Environmental Group Parent Inc.	Bear River Watershed Modeling	19,474.61
02/26/2026	Spheros Environmental Group Parent Inc.	USBF Grant GoldSim Model	13,587.00
02/26/2026	Spheros Environmental Group Parent Inc.	Operations Dashboard support	1,947.50
02/26/2026	Spheros Environmental Group Parent Inc.	Operations Dashboard support	1,362.25

Subtotal

182,259.86

**Upper Yampa Water Conservancy District
Cash Disbursement Report
March 31, 2026**

Date	Name	Memo	Amount
02/26/2026	Spheros Environmental Group Parent Inc.	Stagecoach accounting	954.00
02/26/2026	Tom Sharp	Colorado Water Congress, expense reimbursement.	487.75
02/26/2026	WWE Wright Water Engineers, Inc	Stillwater Ditch Enhancement project, services through 01-31-26.	784.25
02/28/2026	Blue Mountain	Office supplies	39.01
02/28/2026	CenturyLink Lumen	Internet services	249.78
03/01/2026	Google	Software expense	42.00
03/01/2026	Labels Value	Electrical label tape, Stagecoach.	77.67
03/01/2026	Labels Value	Electrical labels, Stagecoach.	28.08
03/02/2026	Colorado Judicial Branch	Board appointment filing fees	84.00
03/02/2026	MVB Mountain Valley Bank	Monthly lease	3,506.26
03/04/2026	BAP Inc.	Employee recognition	166.75
03/04/2026	City Market	Executive committee meeting, food.	7.20
03/06/2026	Bakery	Executive committee meeting, food.	39.00
03/08/2026	Garmin	Monthly subscription	34.95
03/09/2026	NYT The New York Times	Monthly subscription	28.00
03/11/2026	Restaurant	Meeting lunch	81.82
03/12/2026	ACE Hardware	Facilities and vehicle maintenance	117.47
03/12/2026	ACS Advanced Copier Solutions, Inc.	Monthly copier fees	17.72
03/12/2026	CAA Community Agriculture Alliance Inc	Employee recognition	90.50
03/12/2026	CEBT	Insurance	19,201.44
03/12/2026	Cross Canyon Engineering	DC system verification, Stagecoach.	6,440.33
03/12/2026	DLT Solutions, Tech Data Corp. TD Synnex	AutoCAD license renewal	4,955.70
03/12/2026	Fleet Service Conoco Universal WEX	Monthly gasoline charges	399.61
03/12/2026	GEI Consultants	FERC ODSP Audit	6,900.00

Subtotal

44,733.29

Upper Yampa Water Conservancy District
Cash Disbursement Report
March 31, 2026

Date	Name	Memo	Amount
03/12/2026	GMS Gray Matter Systems, LLC TMMI	ZTC Edge support	2,030.00
03/12/2026	HydroLogik	Solar panel pole mounts, Yamcolo.	323.99
03/12/2026	LRE Water	Bear River Watershed & Stagecoach Water Quality, services through 09-27-25.	8,562.94
03/12/2026	Lynx Property Mntnc (DBA); Erickson Jeff	Snow removal at Stagecoach Reservoir, through 02-20-26.	350.00
03/12/2026	Mailchimp	Monthly digital marketing platform	20.90
03/12/2026	Spheros Environmental Group Parent Inc.	Bear River Watershed & Stagecoach Monitoring.	9,867.00
03/12/2026	Spheros Environmental Group Parent Inc.	Stagecoach groundwater desktop study	8,766.25
03/12/2026	The Homesteader	Employee Recognition	25.98
03/12/2026	Yampa Valley Property Service LLC	Office cleaning services	300.00
03/12/2026	YV Tire Pros & Express Lube	Vehicle maintenance	119.90
03/13/2026	Gas Station	Board meeting supplies	3.65
03/13/2026	Mailchimp	Monthly digital marketing platform	20.90
03/13/2026	Natural Grocers	Kitchen supplies	9.92
03/13/2026	Restaurant	Board meeting lunch	421.85
03/13/2026	Restaurant	Staff meeting lunch	181.12
03/13/2026	USPS	Postal box renewal	376.00
03/16/2026	Ohana	Employee recognition	61.40
03/17/2026	Amazon	Office supplies	17.95
03/17/2026	City Market	Board meeting lunch	26.45
03/17/2026	Edge Communications	Monthly telephone services	139.55
03/17/2026	Ski Haus	Employee recognition	50.00
03/18/2026	NDS Northwest Data Services	Monthly MSP fee, monthly IT services.	3,043.00
03/20/2026	Etsy	Nametags	162.11
03/20/2026	YVEA	Electrical service at SC Powerhouse & Shed	1,067.46

Subtotal

35,948.32

**Upper Yampa Water Conservancy District
Cash Disbursement Report
March 31, 2026**

Date	Name	Memo	Amount
03/22/2026	Adobe	Monthly subscription	319.67
03/24/2026	Aurum Food & Wine	BOD spring run off dinner, deposit.	1,725.94
03/24/2026	CenturyLink Lumen	Telephone, Stagecoach.	216.14
03/24/2026	CMC	Training	1,680.00
03/24/2026	Routt County Clerk and Recorder	Recording fees	300.00
03/24/2026	Target	Board meeting supplies, kitchen supplies.	88.13
03/25/2026	Steamboat Powersports	Maintenance of snowmobile	1,084.39
03/26/2026	Balcomb & Green, P.C.	Legal services, January.	2,873.50
03/26/2026	Balcomb & Green, P.C.	Legal services, February.	2,855.00
03/26/2026	CJ Mucklow	Director Fees	400.00
03/26/2026	Colorado Water Congress	CWC Winter Conference Registrations	1,100.00
03/26/2026	FotY Friends of the Yampa	Community grant, Dragonfly Mercury and Riverwatch Projects, progress payment.	1,974.36
03/26/2026	GEI Consultants	FERC ODSP Audit	15,000.00
03/26/2026	Holly Kirkpatrick	Mileage reimbursement, community meetings.	97.15
03/26/2026	Jim Haskins	Director fees	600.00
03/26/2026	Katie Berning	Director fees	600.00
03/26/2026	Kevin McBride	Director fees	600.00
03/26/2026	Leah Wolf Martin	Director fees	600.00
03/26/2026	Mynon Woodley	Director fees	600.00
03/26/2026	Spheros Environmental Group Parent Inc.	Stagecoach Reservoir GW Support	6,760.25
03/26/2026	Spheros Environmental Group Parent Inc.	Bear River Watershed Modeling	434.00
03/26/2026	Stand Creative Studio	Monthly digital marketing services	700.00
03/26/2026	Tom Sharp	Director fees	600.00
03/26/2026	UC San Diego	USBR Grant GoldSim Model, services through 01-31-26. 100% passthrough expense.	8,156.57

Subtotal

49,365.10

Upper Yampa Water Conservancy District
Cash Disbursement Report
March 31, 2026

Date	Name	Memo	Amount
03/26/2026	UC San Diego	USBR Grant GoldSim Model, services through 12-31-25.	5,959.29
03/26/2026	Williams Weese Pepple & Ferguson PC	Legal services, February.	1,330.00
03/26/2026	Yampatika Outdoor Awareness Association	2026 Water Education Grant funds	20,000.00
03/27/2026	MVB Mountain Valley Bank	Bank fees & supplies	131.43
03/27/2026	Internal Revenue Service	Monthly federal liability payment	23,599.08
03/27/2026	MissionSQ 401a	Monthly retirement contributions	5,748.79
03/27/2026	MissionSQ 457	Monthly retirement contribution	3,026.31
03/27/2026	Intuit	Monthly payroll	65,146.97
03/27/2026	Intuit	Phone expenses	675.00
03/30/2026	CenturyLink Lumen	Internet services	249.78
Subtotal			125,866.65
Total			553,485.51

UPPER YAMPA WATER CONSERVANCY DISTRICT - 2026 BUDGET COMPARISON REPORT, AS OF MARCH 31, 2026

modified accrual basis

	2024 ACTUALS	2025 ACTUALS	2026 BUDGET	2026 ACTUALS	2026 PROJECTIONS
	Audited	Final Audit Draft	November 19, 2025	March 31, 2025	March 31, 2025
Fund Opening Balance including Encumbered Funds	22,104,864	25,121,867	26,832,928	25,121,867	26,832,928
Restricted Funds	549,165	589,327	570,139	570,139	570,139
Stagecoach Wetlands Mitigation Reserve	419,734	419,734	419,734	419,734	419,734
Tabor Reserve	129,431	169,593	150,405	150,405	150,405
Committed Funds	21,555,699	24,532,540	26,262,789	24,551,728	26,262,789
Emergency Facilities Reserve	5,462,334	5,609,816	5,743,890	5,743,890	5,743,890
Capital Maintenance Reserve	916,235	940,973	963,462	963,462	963,462
Capital Projects Development Fund	15,177,130	17,981,751	19,555,437	17,844,376	19,555,437
Revenues					
Facilities					
Stagecoach Reservoir					
Power Sales	88,462	73,368	127,000	13,129	127,000
Water Sales	509,362	524,957	247,362		247,362
Stagecoach Firming					
Yamcolo Reservoir					
Water Sales	202,446	205,851	202,004		202,004
Stillwater Ditch & Reservoir Company	14,435	14,056	10,288		10,288
Elk River Augmentation Water Sales	3,481	3,133	2,594		2,594
Property taxes	4,347,105	4,216,651	4,370,042	1,845,112	4,370,042
Interest earned	1,239,104	1,139,064	908,400	224,685	908,400
Other income	2,714	2,764	2,830		2,830
Pass through income	268,492	187,885		14,792	14,792
Subtotal Operating	820,900	824,129	592,078	13,129	592,078
revenues	6,675,602	6,367,728	5,870,520	2,097,718	5,885,312
Expenditures					
Operating					
Facilities					
Stagecoach Reservoir	713,964	653,621	875,598	190,463	874,473
Stagecoach Firming			100,000		100,000
Yamcolo Reservoir	164,601	171,064	214,982	46,509	214,775
Stillwater Ditch & Reservoir Company	71,517	77,915	105,971	19,089	105,914
Elk River Augmentation Plan	2,528	2,483	3,722	710	3,719
Administration	371,343	350,445	406,029	98,062	399,936
Board of Directors	75,951	84,236	139,904	26,112	140,003
External Affairs	141,871	152,625	251,560	41,771	251,447
Finance	138,101	150,056	179,903	46,924	179,676
Legal	256,054	158,590	215,269	15,669	215,212
Planning	276,151	702,423	644,997	128,202	644,941
Grants, Scholarships & Public Information	342,185	420,808	704,302	72,648	704,265
Treasurer fees	128,247	123,995	131,101	61,625	131,101
Pass through expenses	278,492	187,885		14,792	14,792
Yampa River Fund	150,000				
Wildfire Mitigation	59,911	150,000	100,000		100,000
Subtotal Operating	3,170,916	3,386,145	4,073,339	762,576	4,080,255
Capital					
Stagecoach Reservoir	312,972	353,927	740,150	36,001	740,150
Stagecoach Firming					
Yamcolo Reservoir	24,886	83,559	100,000		100,000
Stillwater Ditch & Reservoir Company	149,825	833,036	100,000	784	100,000
Subtotal Capital	487,683	1,270,522	940,150	36,785	940,150
expenditures	3,658,599	4,656,667	5,013,489	799,361	5,020,405
net income (loss)	3,017,003	1,711,062	857,032	1,298,356	864,908
Ending Fund Balance	25,121,867	26,832,928	27,689,960	26,420,223	27,697,836



BOARD COMMUNICATION FORM

May 20, 2026 Meeting

From: Bob Weiss, General Counsel

Date: May 13, 2026

Item: Ratify CPW Changes to Fish Hatchery Aug Contract

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I. Request/Issue and Background Information: The Board approved Stagecoach augmentation contract for 2 AF for the CPW at the fish hatchery earlier this year. CPW has requested insubstantial changes after legal review as shown on the attached redline in section 1.3 (change to comply with State statute regarding payment of interest on unpaid balances) and section 5.2.3 (changes to make use of defined terms consistent and other minor grammatical corrections).

II. Summary and Alternatives: Motion to ratify requested changes or to deny them.

III. Staff Recommendation: Staff recommends approval of requested changes.

IV. Legal Issues: Bylaws require Board approval of term water agreements.

V. Consistency with Board Goals and Policies: N/A

VI. Fiscal Impact: In theory, change could limit interest recovery if non-payment by CPW.

WATER SUPPLY CONTRACT
(Municipal/Augmentation)

THIS WATER SUPPLY CONTRACT (“Contract”) is entered into by and between Colorado Parks and Wildlife, STATE OF COLORADO, acting by and through the Department of Natural Resources for the use and benefit of the Division of Parks and Wildlife and the Parks and Wildlife Commission (“Contractor”), and UPPER YAMPA WATER CONSERVANCY DISTRICT, a Colorado water conservancy district (“Upper Yampa”), individually each a “Party” and collectively referred to herein as the “Parties,” effective as of the Effective Date set forth below.

RECITALS

A. Upper Yampa is a Colorado water conservancy district formed under the Water Conservancy Act, C.R.S. §§37-45-101 through 153 and is the owner and operator of Stagecoach Reservoir (hereinafter referred to as the “Reservoir” or “Stagecoach Reservoir”) in Routt County, Colorado.

B. Upper Yampa has stored and expects annually to store water in the Reservoir on the Yampa River under the absolute storage water rights it owns (“Water Rights”).

C. Contractor operates a state fishery which operates as a flow through system to achieve optimal growing conditions and owns three single family dwellings at the hatchery where staff reside full time. (the “Water System”)

D. Upper Yampa has designated certain pools of water within the Reservoir for the purpose of administration of the storage and release of water from the Reservoir (the below-described “Contract Pools,” or individually, a “Contract Pool”). Upper Yampa has adopted a filling priority for the various Contract Pools under Upper Yampa Fill Policy as follows:

(i) 9,000 acre-feet “Municipal/Industrial Pool” – The Municipal/Industrial Pool consists of water formerly allocated to Tri-State Generation and Transmission Association, Inc. (“TriState”) under Upper Yampa’s expired contract with Tri-State or the municipal or industrial allottees of water from Stagecoach Reservoir who contract for all or part of the 7,000 acre-feet formerly allotted to TriState; and 2,000 acre-feet allocated for municipal use pursuant to existing contracts between Upper Yampa and such contracting entities or the municipal or industrial allottees of water from Stagecoach Reservoir who contract for all or part of the 2,000 acre-feet allotted to such contracting municipal users if Upper Yampa's current or former contracts with any such municipal user for water from Stagecoach is terminated or released or amended in whole or in part;

(ii) 2,000 acre-feet “Augmentation Pool” – The Augmentation Pool consists of water allocated for augmentation use pursuant to the decree of the Water Court entered in Case No. 06CW49, Water Division 6;

(iii) 4,000 acre-feet “General Supply Pool” – The General Supply Pool consists of water formerly under contract to Tri-State and deliverable out of Yamcolo Reservoir pursuant to an exchange agreement which expired and was not renewed; the General Supply Pool water is not subject to any exchange obligation or right or limitations on storage and use other than Upper Yampa Fill Priority;

(iv) 3,164 acre-feet “Raise Pool” – The Raise Pool consists of water that represents the increase in capacity of the Reservoir resulting from the raise in the level of the spillway completed in 2011; the Raise Pool water is not subject to any right or limitations on storage and use other than Upper Yampa Fill Priority, but is called the “Raise Pool” only for definitional purposes;

(v) 3,125 acre-feet “Preferred Remainder Pool” – The Preferred Remainder Pool consists of water not currently under contract, which represents a defined quantity of water in the Reservoir not allocated to the Contract Pools described in paragraphs D (i) through D(iv) above; the Preferred Remainder Pool water is not subject to any right or limitations on storage and use other than Upper Yampa Fill Priority, but is called the “Preferred Remainder Pool” only for definitional purposes; and

(vi) 15,000 acre-feet, approximately, is the “Emergency Remainder Pool” – The Emergency Remainder Pool consists of water that represents the remaining capacity of the Reservoir not allocated to the Contract Pools described in paragraphs D(i) through D(v) above.

E. Upper Yampa and the Contractor desire to enter into this Contract for Upper Yampa to store and release unto Contractor 2 acre-feet of water stored in Stagecoach Reservoir to augment out-of-priority diversions from the Municipal/Industrial Pool for beneficial uses by the Contractor on an annual basis during the Term of this Contract (the “Contracted Water”).

F. Subject to the terms of this Contract, Contractor will pay Upper Yampa for the use of Contracted Water.

NOW THEREFORE, in consideration of the mutual agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Contractor and Upper Yampa agree as follows:

USE OF WATER RIGHTS

1. Contract Price and Payment Procedure.

1.1 The purchase price for the Contracted Water from the Reservoir storage water allocated to the Contractor for Water Year 2026 under this Contract (the “First Water Year”) shall be \$ 155.72 (the “Base Price”) for each acre-foot of such Contracted Water stored in the Reservoir and available for release to the Contractor in such First Water Year.

1.2 The annual price per acre-foot for the Contracted Water stored in the Reservoir and allocated and available for release to the Contractor in the next Water Year after the First Water Year, and in each Water Year thereafter during the Term of this Contract, shall be an amount equal to the greater of (i) the price per acre-foot charged to the Contractor for the Contracted Water the prior Water Year, or (ii) the product obtained by multiplying the Base Price by a fraction, the denominator of which is the Consumer Price Index for All Urban Consumers, Denver-Boulder-Greeley Metropolitan Area, "All Items" (1982 – 84 = 100), published by the Bureau of Labor Statistics of the United States Department of Labor (the "CPI") for the semi-annual period ending December 31 in the Water Year prior to the First Water Year and the numerator of which is the CPI for the semi-annual period ending December 31 of the prior Water Year. In the event the Bureau of Labor Statistics discontinues publication of the CPI in the format existing as of the Effective Date, then Upper Yampa shall select a reasonably comparable price index, which index shall be substituted for the CPI in this paragraph. If the base year used in computing the CPI is changed, the adjustment to the purchase price shall be changed accordingly, so that all applicable increases in the CPI are considered, notwithstanding any such change in the base year. For purposes of this Contract, a "Water Year" shall be the 12-month period from March 1 in a year through February 28 of the subsequent year, unless the beginning and end of such Water Year is changed by the Division Engineer for Water Division 6.

1.3 The annual payments for the Contracted Water shall be made by Contractor to Upper Yampa on or before ~~August-July 31~~^{1st} of each year during the term of this Contract, beginning ~~August-July 31~~, 2026. Any annual payment not made within ~~thirty-fourty-five (3045)~~ days after the due date shall bear interest on the unpaid balance beginning on the 45th day at the rate of 1% per month, as required by §24-30-202(24)(a), C.R.S., until paid in full, provided, however, that interest shall not accrue on unpaid amounts that Contractor disputes in writing at the rate of twelve percent (12%) per annum until paid. Payments due are based on the amount of Contracted Water and shall be made regardless of the amount of water delivered to Contractor and there shall be no abatement or setoff against any such payment, nor shall Contractor be permitted to withhold any payment required for any reason whatsoever, except only in the event the full Contracted Water has not been stored in the Reservoir by July 15 as described in Section 2.5 below.

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1.4 If the duration of this Contract exceeds 20 years, Upper Yampa reserves the right and authority to increase, at its sole discretion, the annual base contract pricing per acre foot of water, in the 2042 Water Year of such Contract, up to a price then competitive with the market for similar municipal water supplies in similar quantities in the Yampa River Basin, such competitive pricing to include reference to contracts from Upper Yampa to others for municipal water supplies which have been executed after this Contract, and thereafter during each year of such Contract beyond the 2042 Contract Year such annual price shall continue to be adjusted by the CPI as provided in Subsection 1.2 above.

2. Storage and Delivery of Contracted Water.

2.1 Upper Yampa agrees, subject to physical water supply conditions, terms of the license issued by the Federal Energy Regulatory Commission, the administration of water

rights by State of Colorado water officials, and the terms of this Contract, to store the Contracted Water in Stagecoach Reservoir prior to July 15th of each calendar year for release for Contractor's beneficial use, upon request between July 15th and March 1st of the then current Water Year. Contractor shall be entitled to one use of the water delivered hereunder to extinction but shall not be entitled to the reuse or successive uses of such water. Contracted Water may only be used during the then current Water Year and no unreleased Contracted Water will be booked over to the succeeding Water Year. Unreleased Contracted Water does not carry-over from one Water Year to the next.

2.2 The Contracted Water shall be stored as part of the _____ Municipal/Industrial _____ Pool of Upper Yampa, to be stored in the priority of such Contract Pool under the Stagecoach Fill Policy.

2.3 Except in times of emergency, Contractor shall give at least forty-eight (48) hours' advance written notice to Upper Yampa specifying the time and quantity of the Contracted Water requested to be released out of the Reservoir. The point of delivery of the Contracted Water shall be the discharge of the outlet works of the Reservoir. Responsibility for transportation and delivery of such Contracted Water after the point of delivery, and for all transit and transportation and carriage losses sustained in such delivery, shall be borne solely by Contractor. Upper Yampa shall maintain records of all releases of water from storage in the Reservoir and shall maintain records of water levels in the Reservoir measured not less frequently than once per week. Contractor shall be entitled to inspect such records and copies shall be furnished to Contractor upon written request.

2.4 Upper Yampa shall allocate and charge any evaporation losses from water stored in the Reservoir against the Emergency Remainder Pool, and if there is insufficient water stored in the Emergency Remainder Pool, against the next most senior of the Contract Pools in ascending order of priority until all evaporation is accounted for and charged. If evaporation is charged against the Contract Pool in which the Contracted Water is stored (*i.e.* either the General Supply Pool or the Municipal/Industrial Pool), then Upper Yampa shall first charge the evaporation against the unallocated water in that Contract Pool, and only if there is evaporation that still needs to be accounted for, then against the Contractor's storage account on a pro rata basis with other water that is stored and allocated to other water users in that Contract Pool.

2.5 In any calendar year when insufficient water is stored in the Reservoir to supply the full Contract Pools as measured at time of peak annual storage as reasonably determined by Upper Yampa, then the amount of water captured by Upper Yampa to fill the Reservoir shall be allocated for filling purposes to the Contract Pools in descending order of priority so that each Contract Pool is filled before allocation of any storage water to the next lower Contract Pool. Parties holding water from a Contract Pool that does not completely fill due to insufficient water available to that Contract Pool shall abate and share proportionately in any shortfall of stored water in that Contract Pool. If any part of the water allocated to Contractor by this Contract is reduced by such abatement, Upper Yampa shall notify Contractor in writing of such fact, and of the amount of the reduction in such water, by July 25th of that year, and in the absence of such notice the full amount of water for Contractor shall be deemed to have been in storage on or prior to July 15th of that year. The Contractor will be credited against that

Water Year's contract purchase price for the amount of such abatement shortage in acre-feet allocated to the Contractor, multiplied by that year's purchase price per acre-foot.

2.6 The Contracted Water shall only be beneficially used by Contractor to augment out-of-priority diversions utilized by Contractor to supply water to the Water System.

2.7 The Parties acknowledge that the turbine capacity to release stored water through the outlet works of Stagecoach Reservoir is 105 cfs, and that Upper Yampa may diminish the instantaneous rate of release of the Contracted Water after a request from Contractor, proportionally with diminishment of rates of releases of stored water to other contractees without discrimination, to the extent that, in conjunction with other adjusted required release rates by Upper Yampa for such other contractees, the maximum safe release rate of stored water and required bypasses through the outlet works is not exceeded.

3. Contractor's Water Use Obligations of the Contracted Water.

3.1 **Carriage and Transit Losses.** Contractor shall bear carriage and transit losses in the Contracted Water released by Upper Yampa, in such amounts as are determined by the Division Engineer for Water Division 6, from the point of delivery of Contracted Water to Contractor's point(s) of use and/or exchange or augmentation.

3.2 **Use per Contract and Law.** Contractor's use of Contracted Water shall in all instances be in accordance with the terms of this Contract, the permits and decrees of Upper Yampa's Water Rights, Upper Yampa's adopted Policies and Procedures, as they may change from time to time, and in accordance with applicable law and all decrees related to the Contracted Water. Upper Yampa warrants and represents to Contractor that the Contracted Water may be used by Contractor for the augmentation purposes herein described, subject to (a) transit losses after release from Stagecoach Dam, (b) the terms of Section 3.3 below and any plan of exchange or augmentation obtained by Contractor to which Upper Yampa has consented, and (c) administration of the Yampa River at and above Contractor's point(s) of use and/or exchange or augmentation. Upper Yampa does not, however, warrant or represent that any augmentation plan of Contractor is sufficient, adequate, effective, or lawful to accomplish its objectives or to protect the continued diversion of the Contracted Water during administration of the Yampa River. Contractor is not authorized to apply for or secure any change in the Water Rights of Upper Yampa for or associated with any of the sources of supply of the Contracted Water.

3.3 **Legal Approvals.** If Contractor requires a plan of augmentation or SWSP to utilize the Contracted Water, Contractor shall at its sole expense adjudicate such plan of augmentation, or obtain approval of such SWSP, needed for Contractor to use its Contracted Water. Upper Yampa may in its discretion become a co-applicant or opposer in the prosecution of any such applications, or submit comments regarding any SWSP, for the purpose of protecting its Water Rights and related policies and the operation of the Reservoir by Upper Yampa. If a Water Court decree is required for Contractor to use the Contracted Water, Contractor shall cause to be included in any final decree of the Water Court a provision conditioning Contractor's use of the Contracted Water on the existence of an Upper Yampa contract.

3.4 **Limitation on Disposition.** Contractor shall not sublet, sell, donate, loan, or otherwise dispose of any of its rights to Contracted Water without prior written notice to, and the written approval of, Upper Yampa, and the payment of a transfer fee at the prevailing rate set forth by Upper Yampa, which approval may be given, withheld or conditioned by Upper Yampa in its sole discretion.

3.5 **Assignment.** This Contract shall not be assigned or otherwise transferred by Contractor without the prior written consent of Upper Yampa, such consent to be given, withheld, or conditioned by Upper Yampa in its sole discretion.

3.6 **Nondiscrimination.** Contractor and its employees shall not discriminate in the availability of or charges for any water service or water supply made available pursuant to or based upon the Contracted Water on account of race, color, religion, sex, disability, national origin, or any other criteria prohibited under state or federal law.

3.7 **Accounting of Use.** Contractor shall maintain an accounting of its use of all water used or supplied by Contractor on form(s) acceptable to Upper Yampa specifically to enable Upper Yampa to prove the use of the Water Rights and to administer and operate the Reservoir and water right decrees and/or administrative approvals related to Contractor's use of Contracted Water. Contractor shall submit its accounting forms and records to Upper Yampa promptly upon request and shall assist Upper Yampa as it may reasonably request in presenting and/or verifying such evidence of use in court or before administrative agencies by testimony of Contractor or its authorized and informed officers or agents.

3.8 Section 404 of the Clean Water Act (33 U.S.C. 1344) regulates the discharge of dredged or fill material into the waters of the United States. Contractor shall consult with the Army Corps of Engineers if construction of facilities necessary to use the Contracted Water requires Section 404 compliance, which may include obtaining a permit. Further consultation and approval by the United States Fish and Wildlife Service may be required to ensure compliance with the Endangered Species Act (16 U.S.C. 1531, et seq.) if Contractor proposes physical alterations to the designated critical habitat of the Colorado River endangered fish species.

4. **Term.**

4.1 **Term.** Except in the event of an early termination as provided in Section 5 below, the term of this Contract shall commence effective March 18 _____, 2026 (the "Effective Date") and shall end on February 28 _____, 2042 (the "Term").

4.2 **Contract Renewal.** If Contractor has not defaulted during the Term, and provided Contractor is in compliance with the requirements of Section 2.6 above, Contractor may request in writing to Upper Yampa during the last year of the Term that the Contract be renewed for a renewal Term (a) ending at the end of forty (40) years from the date of execution, if the Term is less than (40) years, or (b) in the event that the Term is for forty (40) years, then up to 35 years, in either case for an annual supply up to but not exceeding the maximum amount of

the Contracted Water amount upon such terms and conditions as the Upper Yampa is offering at that time. If such request is made during the final year of the Term and if Contractor otherwise agrees with the pricing, limitations, principles, and form for such new municipal water supply contract under the policies of Upper Yampa in effect at that time (other than any duration limitation), then the Board during such final year of the Term shall enter into such new municipal water supply contract with such Contractor on the then-approved form of Contract and then-prevailing municipal supply pricing, for the term requested by such municipal user but not exceeding 35 years, for the amount of annual supply requested by such municipal user not exceeding the amount contracted for under the expiring Contract. It is expected that this policy and the pricing, limitations, principles and forms for new water supply contracts of Upper Yampa will be changed from time to time in the future by the Board of Directors to adapt to changing conditions, including (but not limited to) changes in law and regulation, hydrologic changes, the financial condition of Upper Yampa, availability of water sources, interstate conditions of the Colorado River system, environmental requirements or policies, water quality changes, or changes in the master planning of Upper Yampa Board of Directors.

5. Contract Termination.

5.1 Termination by Upper Yampa.

5.1.1 Upper Yampa may terminate this Contract for a material breach of the terms of this Contract by Contractor, including Contractor's failure to pay timely any amount due under this Contract, provided that Upper Yampa has first given at least 60 days' prior written notice specifying in detail such material breach and giving Contractor the right within such 60-day period to cure and remedy such material breach.

5.1.2 Upper Yampa may also terminate this Contract if it reasonably believes that any judicial or administrative proceedings initiated by Contractor as contemplated in Section 3 above materially threaten or interfere with Upper Yampa's authority to contract for delivery of Contracted Water or in any other way may injure Upper Yampa's Water Rights, permits, or other interests associated with Upper Yampa's Water Rights or the Reservoir or Reservoir operations.

5.1.3 Upper Yampa may terminate this Contract if its legal ability to deliver Contracted Water is materially impaired or is eliminated because of the termination or adverse modification of permits, decrees or other authorizations which are needed to deliver the Contracted Water.

5.1.4 Upper Yampa may terminate this Contract, in its sole discretion, upon written notice to Contractor prior to its stated termination date without liability of any kind to the Contractor if Contractor physically uses the stored water to replace water lawfully available to Contractor from direct flow water rights or other storage supplies and Contractor or its affiliates obtains economic benefits from the absence of use of lawfully available direct flow water rights or other storage supplies in an amount exceeding the pricing paid or payable by Contractor hereunder.

5.2 Termination by Contractor.

5.2.1 Contractor may terminate this Contract ~~only~~ in whole and not in part, for any material breach of the terms of this Contract by Upper Yampa, including Upper Yampa's failure or inability to deliver Contracted Water for an extended period of time, provided that Contractor has first given at least 60 days' prior written notice from Contractor to Upper Yampa specifying in detail such material breach and giving Upper Yampa the right within such 60-day period to cure and remedy such material breach.

5.2.2 Early Termination in the Public Interest: Contractor is entering into this Contract to serve the public interest of the State of Colorado as determined by its Governor, General Assembly, or Courts. If this Contract ceases to further the public interest of the state, the Contractor, in its discretion, may terminate this Contract in whole or in part. A determination that this Contract should be terminated in the public interest shall not be equivalent to a Contractor right to terminate for convenience. This subsection shall not apply to a termination of this Contract by the Contractor for breach by Contractor, which shall be governed by §5.2.1.

5.2.2.1 Method and Content: Contractor shall notify Upper Yampa of such termination in accordance with §8.6. The notice shall specify the effective date of the termination and whether it affects all or a portion of this Contract, and shall include, to the extent practicable, the public interest justification for the termination.

5.2.2.2 Obligations and Rights: Upon receipt of a termination notice for termination in the public interest, Upper Yampa shall be subject to the rights and obligations set forth in §10.

5.2.2.3 Payments: If Contractor terminates this Contract in the public interest, Contractor shall not be entitled to recover any payments made to Upper Yampa for the then current water year and Upper Yampa shall fulfill any delivery obligations for which Contractor has already paid. Contractor shall not be obligated to make any additional payments and Upper Yampa shall not be obligated to deliver any water not paid for.

5.2.3 Available Funds-Contingency-Termination: ~~The state~~ Contractor is prohibited by law from making commitments beyond the term of the current State Fiscal Year. Payment to Upper Yampa beyond the current State Fiscal Year is contingent on the appropriation and continuing availability of contract funds in any subsequent year (as provided in the Colorado Special Provisions). If federal funds or funds from any other non-~~S~~state funds constitute all or some of the ~~c~~Contract ~~F~~funds ~~the state~~ Contractor's obligation to pay ~~Contractor~~ Upper Yampa shall be contingent upon such non-state funding continuing to be made available for payment. Payments to be made pursuant to this Contract shall be made only from contract funds, and ~~the State's~~ Contractor's liability for such payments shall be limited to the amount remaining of such contract funds. If state, federal or other funds are not appropriated, or otherwise become unavailable to fund this Contract, ~~the state~~ Contractor may, upon written notice, terminate this Contract, in whole or in part, without incurring further liability. ~~The state~~ Contractor shall, however, remain obligated to pay for water that ~~are~~ ~~is~~ delivered and accepted prior to the effective date of notice of termination, and this termination shall otherwise be treated as if this Contract were terminated in the public interest as described in §5.2.2.

5.2.4 Except as provided in these preceding sections, Contractor has no right to terminate or unilaterally reform or rescind this Contract.

5.3 **Notice of Termination to Affected Officials.** Either Party may notify the Division Engineer and any other appropriate governmental officials of any termination of this Contract.

6. **Force Majeure.** Upper Yampa shall not be responsible for any losses or damages incurred as a result of Upper Yampa's inability to perform pursuant to this Contract due to the following causes if beyond Upper Yampa's control and when occurring through no direct or indirect fault of Upper Yampa, including without limitation: acts of God; natural disasters; actions or failure to act by governmental authorities; unavailability of supplies or equipment critical to Upper Yampa's ability to perform; major equipment or facility breakdown; and changes in Colorado or federal law, including, without limitation, changes in any permit requirements.

7. **Inspections.** Upper Yampa grants to the managerial staff of Contractor and any of its professional consultants, access to Stagecoach Reservoir and Stagecoach Dam subject to this Contract at reasonable times and under reasonable protective terms and conditions.

8. **Miscellaneous Provisions.**

8.1 Upper Yampa may assign this Contract without necessity of Contractor's consent or approval to any entity which succeeds Upper Yampa in the ownership of Stagecoach Reservoir, and Upper Yampa or such successor may collaterally assign the proceeds of this Contract to any entity providing financing to Upper Yampa or its successor.

8.2 This Contract does not and is not intended to confer any rights or remedies upon any person or entity other than the Parties.

8.3 The Parties agree to communicate, coordinate and cooperate, if needed, on any required or desired water use accounting.

8.4 It is expressly acknowledged that Upper Yampa shall be solely responsible for operating, repairing, maintaining, enlarging, permitting, changing, renovating, or modifying the Reservoir, and that Upper Yampa shall be the sole owner of the Water Rights and the dam and all facilities and all lands used in connection with the construction, operation, repair, maintenance, enlarging, permitting, changing, renovating, or modifying the Reservoir and all facilities in which Upper Yampa has ownership or rights which providing supplies of water for storage in the Reservoir.

8.5 No amendment, modification, or novation of this contract or its provisions and implementation shall be effective unless documented in writing which is approved and executed by both parties with the same formality as they have approved and executed this Contract.

8.6 Any notice required or permitted to be given by a party under or in connection with this Contract shall be in writing and shall be deemed duly given when personally delivered or sent by (i) registered or certified mail, return receipt requested, postage prepaid, (ii) expedited courier service, or (iii) email with confirmation of receipt, to the following addresses:

If to Contractor: Colorado Division of Parks and Wildlife
Attention: Ben Krause, Regional Water Specialist
~~[Ben: Fill in]711 Independent Ave~~
~~Grand Junction, CO 81505~~
~~Benjamin.krause@state.co.us~~
~~Email:~~

With a copy to: Colorado Division of Parks and Wildlife
Attention: Pete Conovitz, Water Rights Program Administrator
6060 Broadway
Denver, Colorado 80216
Email: pete.conovitz@state.co.us

If to Upper Yampa: Upper Yampa Water Conservancy District
Attention: General Manager
PO Box 775529
Steamboat Springs, Colorado 80477-5529
Email: UYWCD@upperyampawater.com

Each party may change its address or contact information for notices under this Contract upon written notice to the other party in accordance with this paragraph.

9. Limited Representations by the Parties. Upper Yampa represents and warrants that it has full power and authority to execute this Contract, allocate and deliver the Contracted Water, and perform its obligations hereunder during the Term. Contractor represents and warrants that it has full power and authority to execute this Contract, receive Contracted Water at the delivery point and cause it to be delivered to Contractor's point and locations of use, and pay for and perform its obligations hereunder during the Term.

10. Enforcement of this Contract; Remedies on Default.

10.1 Before commencing any action for enforcement of this Contract, the Party alleging a material breach of this Contract shall first give at least 60 days' prior written notice to the other Party specifying in detail such material breach and giving the other Party the right within such 60-day period to cure and remedy such material breach.

10.2 Specific performance and/or restraining orders and/or injunctive relief shall be the exclusive remedies for the violation or default by a Party in any provision of this Contract.

11. Colorado Special Provisions (Colorado Fiscal Rule 3-3)

These Special Provisions apply to all contracts except where noted in italics. Statutory approval. §24-30-202(1), C.R.S.

11.1 This Contract shall not be valid until it has been approved by the Colorado State Controller or designee. If this Contract is for a Major Information Technology Project, as defined in §24-37.5-102(2.6), C.R.S.; then this Contract shall not be valid until it has been approved by the State's Chief Information Officer or designee.

11.2 Fund availability. §24-30-202(5.5), C.R.S.
Financial obligations of the State payable after the current State Fiscal Year are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available.

11.3 Governmental Immunity.
Liability for claims for injuries to persons or property arising from the negligence of the Parties, its departments, boards, commissions committees, bureaus, offices, employees and officials shall be controlled and limited by the provisions of the Colorado Governmental Immunity Act, §24-10-101, et seq., C.R.S.; the Federal Tort Claims Act, 28 U.S.C. Pt. VI, Ch. 171 and 28 U.S.C. 1346(b), and the state's risk management statutes, §§24-30-1501, et seq. C.R.S. No term or condition of this Contract shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions, contained in these statutes.

11.4 Independent Contractor.
Upper Yampa shall perform its duties hereunder as an independent contractor and not as an employee. Neither Upper Yampa nor any agent or employee of Upper Yampa shall be deemed to be an agent or employee of the state. Upper Yampa shall not have authorization, express or implied, to bind the state to any agreement, liability or understanding, except as expressly set forth herein. Upper Yampa and its employees and agents are not entitled to unemployment insurance or workers compensation benefits through the state and the state shall not pay for or otherwise provide such coverage for Upper Yampa or any of its agents or employees. Upper Yampa shall pay when due all applicable employment taxes and income taxes and local head taxes incurred pursuant to this Contract. Upper Yampa shall (i) provide and keep in force workers' compensation and unemployment compensation insurance in the amounts required by law, (ii) provide proof thereof when requested by the state, and (iii) be solely responsible for its acts and those of its employees and agents.

11.5 Compliance With Law.

Upper Yampa shall comply with all applicable federal and State laws, rules, and regulations in effect or hereafter established, including, without limitation, laws applicable to discrimination and unfair employment practices.

11.6 Choice of Law, Jurisdiction, and Venue.

Colorado law, and rules and regulations issued pursuant thereto, shall be applied in the interpretation, execution, and enforcement of this Contract. Any provision included or incorporated herein by reference which conflicts with said laws, rules, and regulations shall be null and void. All suits or actions related to this Contract shall be filed and proceedings held in the State of Colorado and exclusive venue shall be in the City and County of Denver.

11.7 Prohibited Terms.

Any term included in this Contract that requires the state to indemnify or hold Upper Yampa harmless; requires the state to agree to binding arbitration; limits Upper Yampa's liability for damages resulting from death, bodily injury, or damage to tangible property; or that conflicts with this provision in any way shall be void ab initio. Nothing in this Contract shall be construed as a waiver of any provision of §24-106-109 C.R.S.

11.6 Software Piracy Prohibition.

State or other public funds payable under this Contract shall not be used for the acquisition, operation, or maintenance of computer software in violation of federal copyright laws or applicable licensing restrictions. Upper Yampa hereby certifies and warrants that, during the term of this Contract and any extensions, Upper Yampa has and shall maintain in place appropriate systems and controls to prevent such improper use of public funds. If the state determines that Upper Yampa is in violation of this provision, the state may exercise any remedy available at law or in equity or under this Contract, including, without limitation, immediate termination of this Contract and any remedy consistent with federal copyright laws or applicable licensing restrictions.

11.7 Employee Financial Interest/Conflict of Interest. §§24-18-201 and 24-50-507, C.R.S.

The signatories aver that to their knowledge, no employee of the state has any personal or beneficial interest whatsoever in the service or property described in this Contract. Upper Yampa has no interest and shall not acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of Upper Yampa's services and Upper Yampa shall not employ any person having such known interests.

12. **Effective Date.** The effective date of this Contract shall be the last date below it is executed by all Parties.

IN WITNESS WHEREOF, Contractor and Upper Yampa have executed this Contract on the dates set forth below.

CONTRACTOR:

Signature

Name

Title

State Controller

Robert Jaros, CPA, MBA, JD

By: [Name of Agency or IHE Delegate]

Effective Date: _____

In accordance with §24-30-202, C.R.S., this Contract is not valid until signed and dated above by the State Controller or an authorized delegate.

**UPPER YAMPA WATER
CONSERVANCY DISTRICT:**

BY: _____

_____, President

DATE: _____

ATTEST: _____

_____, General Manager and Secretary





BOARD COMMUNICATION FORM

From: Karina Craig, Finance Manager.

Date: May 20, 2026

Item: 2025 Fiscal Year (FY) Financial Audit Presentation

<input type="checkbox"/>	DIRECTION
<input checked="" type="checkbox"/>	INFORMATION
<input checked="" type="checkbox"/>	MOTION
<input type="checkbox"/>	RESOLUTION

I. Request/Issue and Background Information:

Throughout the fiscal year, Upper Yampa Water Conservancy District (UYWCD) staff carries out the accounting of the UYWCD's financial activities adhering to Generally Accepted Accounting Principles in the United States of America (U.S. GAAP) as promulgated by the Governmental Accounting Standards Board (GASB). As a local government administering public funds the UYWCD is subject to Colorado Auditing Standards and is required to undergo an annual audit of its financial books.

The auditing of the UYWCD 2025 fiscal year financials is nearing completion, with services provided by Watson Coon Ryan, Certified Public Accountants.

The approved 2025 FY Audit Schedule is being adhered to, as follows:

- February 4, 2026, kick-off meeting with Auditor.
- February 20 to March 27 2026, release of financial statements and field work.
- April 1, 2026, initial audit draft released for Finance Manager's review.
- April 22 to April 29, 2026, specific date TBD, review of *preliminary draft* with auditor and directors, if needed.
- May 7th, 2026, *final draft* released for Directors' review.
- May 20, 2026, *final draft* presented by Auditor

The *preliminary audit draft* was released by the Auditor and reviewed by the UYWCD Finance Manager and the General Manager. No adjustments to the financial records were requested by the Auditor.

Through the Colorado Department of Local Affairs, Colorado Revised Statutes state that the auditor shall submit an audit report to the UYWCD governing body by June 30 every year [C.R.S.



29-1-606(a)(1)]. In turn, the UYWCD must submit a copy of the annual audit report to the Office of the State Auditor within thirty days after receipt of said audit [C.R.S. 29-1-606(4)].

II. Summary and Alternatives: The audit field work and the preparation of the *final draft* of the UYWCD 2024 fiscal year audit report are now complete. The Audit Report is being presented by the auditor to the Board for consideration and approval.

III. Staff Recommendation: Review and accept Audit.

IV. Legal Issues: None.

V. Consistency with Board Goals and Policies: Goal 3.

Attachments:

Attachment 1: Letter from the auditor: Internal control matters, Governance type matters.

Attachment 2: Upper Yampa Water Conservancy District, Financial Statements and Supplemental Information with Independent Audit Report, December 31, 2025.

To the Board of Directors
Upper Yampa Water Conservancy District

We appreciate the opportunity to conduct your audit for the year ended December 31, 2025. As we have discussed with you previously, we are writing to you as we complete the audit to communicate any control deficiencies we identified during the audit. We are also communicating certain other governance type matters.

Our comments concerning internal control matters are presented as follows:

- I. Internal control matters
- II. Governance type matters

This communication is intended solely for the information and use of management, the Board of Directors and others within the Company, and is not intended to be and should not be used by anyone other than these specified parties.

We will be pleased to further discuss these matters with you.

Watson Coon Ryan, LLC

May 22, 2026

I. INTERNAL CONTROL MATTERS

In planning and performing our audit of the basic financial statements of Upper Yampa Water Conservancy District of and for the year ended December 31, 2025 in accordance with auditing standards generally accepted in the United States of America, we considered Upper Yampa Water Conservancy District's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we do not express an opinion on the effectiveness of Upper Yampa Water Conservancy District's internal control over financial reporting.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control over financial reporting, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A reasonable possibility exists when the likelihood of an event occurring is either reasonably possible or probable as defined as follows:

- *Reasonably possible.* The chance of the future event or events occurring is more than remote but less than likely.
- *Probable.* The future event or events are likely to occur.

Our consideration of internal control was for the limited purpose described in the first paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses. Given these limitations, during our audit we did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this communication, which is an integral part of our audit, is to describe, for management and those charged with governance, the scope of our testing of internal control and the results of that testing. Accordingly, this communication is not intended to be and should not be used for any other purpose.

II. GOVERNANCE TYPE MATTERS

We have audited the financial statements of Upper Yampa Water Conservancy District as of and for the year ended December 31, 2025, and have issued our report thereon dated May 22, 2026. Professional standards require that we advise you of the following matters relating to our audit.

Our Responsibility in Relation to the Financial Statement Audit

As communicated in our engagement letter dated November 19, 2025, our responsibility, as described by professional standards, is to form and express an opinion(s) about whether the financial statements that have been prepared by management with your oversight are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America.

Our audit of the financial statements does not relieve you or management of your respective responsibilities.

Our responsibility, as prescribed by professional standards, is to plan and perform our audit to obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement. An audit of financial statements includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control over financial reporting. Accordingly, as part of our audit, we considered the internal control of Upper Yampa Water Conservancy District solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

We are also responsible for communicating significant matters related to the audit that are, in our professional judgment, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures for the purpose of identifying other matters to communicate to you.

Planned Scope and Timing of the Audit

We conducted our audit consistent with the planned scope and timing we previously communicated to you.

Compliance with All Ethics Requirements Regarding Independence

The engagement team, others in our firm, as appropriate, and our firm have complied with all relevant ethical requirements regarding independence.

Significant Risks Identified

Financial statement auditors are required to obtain an understanding of an organization and its environment. The understanding includes the economic, technological and regulatory aspects the organization operates within. In addition, the understanding includes the organizations activities, programs, use of technology and accounting policies. As auditors gain the understanding they identify areas of the organizations financial reporting that have a higher degree of potential for misstatement. The factors contributing to a higher degree of potential misstatement include: the magnitude in dollars relevant to other financial statement elements, complexity, subjectivity, susceptibility to theft or fraud. The areas with a higher degree of potential misstatement based on these factors are called "significant risks". These represent risks that we view as deserving special audit consideration, and as such we design our audit procedures to address them. We identified the following significant risks and ensured that specific audit procedures were designed and performed to address the risks.

The risks we have identified are as follows:

- Risk that property taxes are not properly presented in line with the mill levy and financial statement presentation requirements.
- Risk of management override of controls.

We would like to clarify that these risks are for the purposes of planning our audit and do not necessarily represent areas where corrective action is needed. As noted above, we did not identify any internal control deficiencies during our audit procedures.

Qualitative Aspects of the Entity's Significant Accounting Practices

Significant Accounting Policies

Management has the responsibility to select and use appropriate accounting policies. A summary of the significant accounting policies adopted by Upper Yampa Water Conservancy District is included in Note 1 to the financial statements. There have been no initial selection of accounting policies and no changes in significant accounting policies or their application during 2025. No matters have come to our attention that would require us, under professional standards, to inform you about (1) the methods used to account for significant unusual transactions and (2) the effect of significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus.

Significant Accounting Estimates

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's current judgments. Those judgments are normally based on knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ markedly from management's current judgments. There are no significant accounting estimates.

Financial Statement Disclosures

Certain financial statement disclosures involve significant judgment and are particularly sensitive because of their significance to financial statement users.

Significant Unusual Transactions

For purposes of this communication, professional standards require us to communicate to you significant unusual transactions identified during our audit. There were no significant unusual transactions identified as a result of our audit procedures.

Identified or Suspected Fraud

We have not identified or have obtained information that indicates that fraud may have occurred.

Significant Difficulties Encountered during the Audit

We encountered no significant difficulties in dealing with management relating to the performance of the audit.

Uncorrected and Corrected Misstatements

For purposes of this communication, professional standards also require us to accumulate all known and likely misstatements identified during the audit, other than those that we believe are trivial, and communicate them to the appropriate level of management. Further, professional standards require us to also communicate the effect of uncorrected misstatements related to prior periods on the relevant classes of transactions, account balances or disclosures, and the financial statements as a whole and each applicable opinion unit. The attached schedule summarizes uncorrected financial statement misstatements whose effects in the current and prior periods, as determined by management, are immaterial, both individually and in the aggregate, to the financial statements taken as a whole. Uncorrected misstatements or matters underlying those uncorrected misstatements could potentially cause future-period financial statements to be materially misstated, even though the uncorrected misstatements are immaterial to the financial statements currently under audit.

Passed Journal Entry

Passed Journal Entries			
Passed Journal Entries JE # 1			
Passed adjustment for recording a right of use asset for the office lease.			
3900	Retained Earnings	117,732.44	
WCR1000	Right of use asset	680,506.78	
WCR2000	Lease liability	31,196.20	
WCR6000	Amortization expense	39,260.01	
WCR6500	Interest expense	6,631.40	
1056	OTH OPERATING EXPENSES:107 -+ Office Rent		37,780.02
WCR1500	Accumulated amortization		157,040.03
WCR2000	Lease liability		680,506.78
Total		875,326.83	875,326.83

In addition, professional standards require us to communicate to you all material, corrected misstatements that were brought to the attention of management as a result of our audit procedures. There were no material corrected misstatements.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, reporting, or auditing matter, which could be significant to Upper Yampa Water Conservancy District's financial statements or the auditor's report. No such disagreements arose during the course of the audit.

Circumstances that Affect the Form and Content of the Auditor's Report

For purposes of this letter, professional standards require that we communicate any circumstances that affect the form and content of our auditor's report. There are no circumstances that affect the form and content of our auditor's report.

Representations Requested from Management

We have requested certain written representations from management, which are included in the attached letter dated as of the date of the audit report.

Management's Consultations with Other Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters. Management informed us that, and to our knowledge, there were no consultations with other accountants regarding auditing and accounting matters.

Other Significant Matters, Findings, or Issues

In the normal course of our professional association with Upper Yampa Water Conservancy District, we generally discuss a variety of matters, including the application of accounting principles and auditing standards, operating and regulatory conditions affecting the entity, and operational plans and strategies that may affect the risks of material misstatement. None of the matters discussed resulted in a condition to our retention as Upper Yampa Water Conservancy District's auditors.

This report is intended solely for the information and use of the Board of Directors, and management of Upper Yampa Water Conservancy District and is not intended to be and should not be used by anyone other than these specified parties.

Very Truly Yours,

Watson Coon Ryan, LLC

Watson Coon Ryan, LLC
Centennial, Colorado



May 7, 2026

To the Board of Directors and
Management of Upper Yampa Conservancy District

In accordance with your request, we are transmitting a preliminary financial statement draft.

In order for us to provide a final version of the financial statements we need:

- Your approval and the Board of Directors approval of the financial statements as documented by your signature below.
- Obtain a representation letter. We will provide a template for you to use after the board approves the financial statements.

This preliminary draft is for review and discussion purposes only and, therefore, subject to change. We would like to remind you that these are your financial statements and we are available to discuss any questions or comments that you may have.

This preliminary draft is intended solely for the information and use of the Board of Directors and management and is not intended to be and should not be used by anyone other than these specified parties. We ask you destroy any copies when you have finished with them.

Very truly yours,

Watson Coon Ryan, LLC

WATSON COON RYAN, LLC

We have reviewed the attached and approve of the statements:

Signature & Date

**UPPER YAMPA WATER
CONSERVANCY DISTRICT**

Financial Statements
And
Supplemental Information
With
Independent Auditor's Report

December 31, 2025

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UPPER YAMPA WATER CONSERVANCY DISTRICT

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INDEPENDENT AUDITOR'S REPORT

Board of Directors
Upper Yampa Water Conservancy District
Steamboat Springs, Colorado

Opinion

We have audited the financial statements of the business-type activities of Upper Yampa Water Conservancy District, as of and for the year ended December 31, 2025, and the related notes to the financial statements, which collectively comprise Upper Yampa Water Conservancy District's basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the business-type activities of Upper Yampa Water Conservancy District as of December 31, 2025, and the respective changes in financial position and cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of Upper Yampa Water Conservancy District and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about Upper Yampa Water Conservancy District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Upper Yampa Water Conservancy District's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about Upper Yampa Water Conservancy District's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on

the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise Upper Yampa Water Conservancy District’s basic financial statements. The Statement of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual is presented for purposes of additional analysis and are not a required part of the basic financial statements.

The Schedule of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the Statement of Revenues, Expenditures and Changes in Fund Balance – Budget and Actual is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Watson Coon Ryan, LLC

WATSON COON RYAN, LLC
CENTENNIAL, COLORADO

MAY 20, 2026

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UPPER YAMPA WATER CONSERVANCY DISTRICT
Management's Discussion and Analysis
2025

The intent of the Management's Discussion and Analysis is to provide an overview and highlights of the financial and other activities of the Upper Yampa Water Conservancy District (UYWCD) for the year ended on December 31, 2025. UYWCD Board members and readers are encouraged to read this discussion and analysis in conjunction with the accompanying audited financial statements. In addition to the accompanying audit, it provides a report by the General Manager of the activities of the UYWCD in 2025.

UYWCD History and Background

The UYWCD was organized in March of 1966 for the purpose of conserving, developing, and stabilizing water supplies within its boundaries. The UYWCD encompasses Routt County and a portion of Moffatt County and is divided into three divisions: Division 1 (Hayden area), Division 2 (Steamboat Springs area), and Division 3 (Oak Creek/Yampa area). The nine members of the Board of Directors, three representing each Division, are appointed by the District Judge to serve staggered four-year terms. The UYWCD was formed on the basis that properties within the UYWCD would benefit through conservation, development, and stabilization of water supplies for agricultural, industrial, municipal, and other beneficial uses. This led to the construction of Yamcolo Reservoir (9,621 AF), located in the Flattops near the headwaters of the Yampa River, in 1980 and Stagecoach Reservoir (36,439 AF), located southeast of Steamboat Springs, in 1989. The UYWCD also owns and operates the Stillwater Ditch in partnership with the agricultural water users supplied by this ditch system. In addition to these UYWCD owned facilities, the UYWCD contracts for 360 AF of water supply out of Steamboat Lake for the purpose of operating an Umbrella Water Augmentation Plan for the Elk River.

The UYWCD's current combined infrastructure assets represent the largest source of stored water available for water users in the Yampa River Basin managed by a single entity. The Yampa River Basin is largely recognized as the river with the least amount of stored water, by percentage of natural flow, of all major river basins in the Colorado River system.

Overview of the 2025 UYWCD Operations and Economic Factors

In the Yampa River Basin, the 2024/25 water year was characterized by below average snowpack and very low summer precipitation. The combined effect of these hydrologic conditions resulted in below average hydro-power generation at Stagecoach Dam. Water storage deliveries from the UYWCD Reservoirs were, again, extensive. Continued demand for water storage deliveries from the UYWCD Reservoirs continues to drive stable water storage contract revenues.

UYWCD is committed to serving our constituents through responsible water resource management that conserves, protects, and enhances the water resources of the Yampa River Basin to ensure a

sustainable future for our communities. In 2025, UYWCD continued funding projects that assist water users and managers in their decision-making process and to educate community members, including future generations, on the water matters that impact our most valuable natural resource, the Yampa River.

Capital investment to UYWCD facilities included upgrades to the concrete courtyard at Stagecoach Powerhouse, improved buoy and anchor system at Stagecoach Reservoir, automation of gates at Yamcolo bifurcation structure, general improvements to equipment at Yamcolo and Stagecoach Dams, and construction of the structural repair project at Stillwater Ditch.

Financial activities for the 2025 year included an increase in augmentation contracts for both Yampa and Elk River Umbrella Augmentation Plans, continued funding support of community water education and water diversion infrastructure projects, and the UYWCD Yampa River Youth Festival.

Revenues

Property tax revenues from a 1.82 mill levy on the taxable property of the UYWCD generated \$4,092,656, net of \$123,995 of Treasurer Collection Fees.

Overall water sales were \$733,941, \$294,520 above the \$439,421 budgeted. This revenue variance stemmed from additional water purchases from Colorado Water Trust through an Environmental, Instream and Recreational Water storage agreement and new augmentation contracts.

Hydro-power generation produced a total revenue of \$73,368 for the year, \$96,632 below the \$170,000 budgeted. Hydro-power generation is directly influenced by the magnitude and timing of Yampa River flows into Stagecoach Reservoir. The 2024/25 water year was characterized by average snowpack and very low summer precipitation. The combined effect of these hydrologic conditions resulted in full recovery of the UYWCD Reservoirs, but below average hydro-power generation at Stagecoach Dam. Stagecoach Dam Powerhouse maintenance needs also influenced hydro-power generation.

Other revenues include those generated by the Stillwater Ditch and Reservoirs Company of \$14,056, Direct Flow Water Right lease revenues of \$2,764 and investment yields and investment earnings of \$1,139,064.

Pass through revenues and expenses were received and disbursed in 2025 for the *Evaluating the Observation Network and Enhancing Soil Moisture Observations to Support Decision Making in the Upper Yampa Basin Project*, the *Bear River Wildfire Mitigation Project* and *Infrastructure Improvement Projects*.

Expenditures

Operation and Maintenance expenditures, and capital improvements for Stagecoach Dam and Reservoir, Yamcolo Dam and Reservoir, and the Stillwater Ditch continue to improve the condition of UYWCD facilities consistent with current operational standards. Total Operating and Capital Expenditures for all UYWCD facilities and operations (net of depreciation) were \$4,344,788, \$1,315,005 below the \$5,659,793 budget.

Overview of the Financial Statements

The UYWCD's financial statements comprise of two components:

1. Stand-alone Enterprise fund financial statements,
2. Notes to the financial statements.

This report also contains other supplementary information consisting of a comparison of budget to actual non-US GAAP (U.S. Generally Accepted Accounting Principles) Budgetary basis.

Stand-alone Enterprise fund financial statements:

These financial statements are designed to provide readers with a broad overview of the UYWCD in a manner similar to a private-sector business.

- The statement of net position presents information on all the UYWCD's assets and liabilities with the difference reported as net position. Over time, changes in net position may serve as a useful indicator of whether the financial position of the UYWCD is improving or deteriorating.
- The statement of revenues, expenses and changes in net position presents information showing how the UYWCD's net position changed during the year. All changes in net position are reported when the underlying event giving rise to the change occurs, regardless of the timing of related cash flows.
- The statement of cash flows represents the information on the change in the UYWCD's cash balances during the year segregated into operating, investing, and financing categories.

The assets of the UYWCD exceeded its liabilities on December 31, 2025, by \$55,449,346. Of this amount, \$27,831,365 is invested in capital assets (net of related debt) and \$522,734 is restricted. While there are no legal restrictions on the unrestricted net position of \$27,095,247, in 2025 the District encumbered a net position balance equal to \$940,973 in the Capital Maintenance Reserve, \$5,609,816 in the Emergency Facilities Reserve, and \$19,759,405 to ensure adequate net position is available to address future debt payments and the development of capital projects.

Statement of Net Position

	2025	2024
<u>Assets:</u>		
Current and Other Assets	\$32,186,630	\$29,263,401
Net Capital Assets	28,616,418	27,517,129
Total Assets	60,803,048	56,780,530
<u>Liabilities:</u>		
Current liabilities	983,660	198,262
Deferred Inflows	4,370,042	3,943,272
Total liabilities	5,353,702	4,141,534
<u>Net position:</u>		
Invested in capital,		
Net Investment in Capital Assets	27,831,365*	27,448,999
Restricted Net Position	522,734	526,034
Unrestricted♦	27,095,247	24,663,963
Total net position	\$55,449,346	\$52,638,996

♦ Encumbered funds, including Emergency Facilities Reserve, Capital Maintenance Reserve and Capital Projects Development Fund.

* Gross capital assets of \$28,616,418, presented net of capital assets payable of \$785,053.

**Amount includes restricted net position of \$522,734, plus unrestricted net position of \$27,095,247, less capital assets payable of \$785,053.

2025 Fund Closing Balance including Encumbered Funds	\$26,832,928**
Encumbered Funds	\$7,073,523
Emergency Facilities Reserve	5,609,816
Capital Maintenance Reserve	940,973
Stagecoach Wetlands Mitigation Reserve	419,734
Tabor Reserve	103,000
Capital Projects Development Fund	\$19,759,405

Statement of Revenues, Expenses, and Changes in Fund Net Position

	2025	2024
Revenues		
Operating Revenues	\$824,129	\$820,900
Other Income (Expense)	5,231,720	5,447,962
Total Revenues	6,055,849	6,268,862
Expenses		
Operating Expenses	3,245,499	2,917,971
Change in Net Position	2,810,350	3,350,891
Net Position - Beginning	52,638,996	49,288,105
Net Position - Ending	\$55,449,346	\$52,638,996

Capital Assets

	Balance 12/31/25	Additions	Deletions	Balance 12/31/25
Capital assets not being depreciated:				
Stagecoach				
Land and water rights	\$ 5,259,775	\$ -	\$ -	\$ 5,259,775
Dam Structure	9,080,877	-	-	9,080,877
Amenities	4,081,748	36,015	-	4,117,763
Yamcolo				
Dam Structure	5,998,642	-	-	5,998,642
Stillwater Ditch:	530,653	-	-	530,653
Elk River Augmentation	10,000	-	-	10,000
Total capital assets not being depreciated	24,961,695	36,015	-	24,997,710
Capital assets being depreciated:				
Stagecoach				
Dam structure and equipment	3,702,308	317,912	-	4,020,220
Amenities	1,711,319	-	-	1,711,319
Yamcolo				
Dam structure and equipment	1,350,473	70,632	-	1,421,105
Stillwater Ditch	355,627	833,035	-	1,188,662
Equipment, vehicles and other	198,402	12,928	-	211,330
Total capital assets being depreciated	32,279,824	1,270,522	-	33,550,346
Less: Accumulated depreciation	(4,762,695)	(171,233)	-	(4,933,928)
Net Capital Assets	\$ 27,517,129	\$1,099,289	\$ -	\$ 28,616,418

Budgetary Comparison

The UYWCD budgets for expenses on a non-GAAP basis whereby expenses include debt principal payments and capital outlay and exclude non-cash expenses of depreciation and amortization. In 2025 there were two revenue budgetary differences. Water sales revenues were higher than budgeted due to new water storage contracts and additional water purchased through existing agreements based on availability and current water-year conditions. Power sales were below budget and interest revenues were above budget, resulting from current year hydrologic and economic conditions, respectively.

Capital project expenditures were all within budgeted amounts.
Budgetary changes have not adversely affected the financial stability of the UYWCD.

The variations between the budgeted income and expenses enumerated above will have no deleterious effect on the liquidity of the UYWCD or its future obligations and services.

Andy Rossi
UYWCD General Manager
arossi@upperyampawater.com
P.O. Box 775529
Steamboat Springs, CO 80477

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UPPER YAMPA WATER CONSERVANCY DISTRICT
Statement of Net Position
December 31, 2025

Assets:

Current assets:

Cash and investments	\$ 26,916,830
Accounts receivable	36,660
Property taxes receivable	4,370,042
Certificates of deposit	777,886
Prepaid expenses	81,551
Other current assets	3,661

Total current assets	<u>32,186,630</u>
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Noncurrent assets:

Capital assets, net of accumulated depreciation	<u>28,616,418</u>
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Total assets	<u>\$ 60,803,048</u>
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Liabilities:

Current liabilities:

Accounts payable	958,591
Accrued expenses payable	25,069

Total current liabilities	<u>983,660</u>
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Deferred inflows of resources:

Deferred property tax revenues	<u>4,370,042</u>
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Net position:

Net investment in capital assets	27,831,365
Restricted for:	
Wetlands mitigation	419,734
Emergencies	103,000
Unrestricted	<u>27,095,247</u>

Total net position	<u>\$ 55,449,346</u>
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The accompanying notes are an integral part of this financial statement.

UPPER YAMPA WATER CONSERVANCY DISTRICT
Statement of Revenues, Expenses, and Change in Net Position
For the year ended December 31, 2025

Operating Revenues:	
Water sales	\$ 733,941
Power revenues	73,368
Other income	16,820
	<hr/>
Total operating revenues	<u>824,129</u>
Operating Expenses:	
Facilities:	
Stagecoach reservoir	755,671
Yamcolo reservoir	224,669
Stillwater ditch and reservoir	89,866
Elk River augmentation plan	2,483
Administration	354,072
Board of directors	84,236
External affairs	152,625
Finance	150,056
Legal	158,590
Planning	702,423
Grants, scholarships and public information	420,808
Yampa river fund	150,000
	<hr/>
Total operating expenses	<u>3,245,499</u>
Operating loss	<u>(2,421,370)</u>
Non-Operating Revenues and (Expenses):	
Property taxes, net of collection fees	4,092,656
Pass-through income	187,885
Pass-through expense	(187,885)
Interest income	1,139,064
	<hr/>
Net non-operating revenues	<u>5,231,720</u>
Change in net position	2,810,350
Net position, beginning of year	<u>52,638,996</u>
Net position, end of year	<u><u>\$ 55,449,346</u></u>

The accompanying notes are an integral part of this financial statement.

UPPER YAMPA WATER CONSERVANCY DISTRICT
Statement of Cash Flows
For the year ended December 31, 2025

Cash Flows From Operating Activities:	
Cash received from customers	\$ 1,155,861
Cash payments to suppliers of goods or services	<u>(2,299,894)</u>
Net cash used by operating activities	<u>(1,144,033)</u>
Cash Flows From Non-Capital Financing Activities:	
Property taxes, net of collection fees	4,092,656
Cash received from pass-through grantor	187,885
Cash payments to pass-through suppliers of goods or services	<u>(187,885)</u>
Net cash provided by non-capital financing activities	<u>4,092,656</u>
Cash Flows From Capital Financing Activities:	
Purchase of capital assets	<u>(1,270,522)</u>
Net cash used by capital financing activities	<u>(1,270,522)</u>
Cash Flows From Investing Activities:	
Redemption of certificates of deposit	1,557,369
Purchase of certificates of deposit	(1,568,882)
Interest received	<u>1,139,064</u>
Net cash provided by investing activities	<u>1,127,551</u>
Net change in cash and cash equivalents	2,805,652
Cash and cash equivalents, beginning of year	<u>24,111,178</u>
Cash and cash equivalents, end of year	<u><u>\$ 26,916,830</u></u>
Reconciliation of Operating Loss to Net Cash	
Provided by Activities:	
Operating loss	\$ (2,421,370)
Adjustments to reconcile operating loss to net cash used by operating activities:	
Depreciation	171,233
Decrease (increase) in:	
Accounts receivable	331,732
Prepaid expenses	(8,690)
Other current assets	(2,336)
Increase in:	
Accounts payable	776,721
Accrued expenses payable	<u>8,677</u>
Net cash used by operating activities	<u><u>\$ (1,144,033)</u></u>

The accompanying notes are an integral part of this financial statement.

**UPPER YAMPA WATER CONSERVANCY DISTRICT
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2025**

Note 1: Summary of Significant Accounting Policies

The Upper Yampa Water Conservancy District (UYWCD) was formed to provide legal authority to plan and construct water conservation projects in the Yampa Valley of northwest Colorado.

UYWCD's financial statements were prepared in accordance with U.S. generally accepted accounting principles for governmental entities (US GAAP). The Governmental Accounting Standards Board (GASB) is the standard-setting body for the establishment of US GAAP in governmental entities. The following summary of the more significant accounting policies of UYWCD is presented to assist the reader in interpreting these financial statements and should be viewed as an integral part of this report.

Reporting Entity

UYWCD applies the criteria set forth in GASB Codification Section 2100: Defining the Financial Reporting Entity, to determine which governmental organizations should be included in the reporting entity. The inclusion or exclusion of component units is based on the elected officials' accountability to their constituents, and the financial reporting entity follows the same accountability. Further, the financial statements of the reporting entity should enable the reader to distinguish between the primary government (including its blended component units, which are, in substance, part of the primary government) and discretely presented component units.

The criteria used for determining whether an entity should be included, either blended or discretely presented, includes but is not limited to: fiscal dependency, imposition of will, legal standing, and the primary recipient of services. Based on these criteria, UYWCD has no includable component units. UYWCD is also not included in the financial statements of any other entity.

Basic Financial Statements

As a special purpose government, basic financial statements are presented at the activity level. Activity level financial statements focus on the sustainability of UYWCD as an entity and the change in aggregate financial position resulting from the activities of the year. These aggregated statements consist of the Statement of Net Position, the Statement of Change in Fund Net Position, and the Statement of Cash Flows.

As a special purpose government, UYWCD has only one fund, an enterprise/proprietary fund which is also considered its business type activity. UYWCD does not present any other fund or activity information.

Measurement Focus and Basis of Accounting

UYWCD operates as an enterprise and the accompanying proprietary fund financial statements use a flow of economic resources measurement focus to determine net income and financial position. The accounting principles used are similar to those applicable to businesses in the private sector and, thus, this fund is maintained on the accrual basis of accounting. Revenues are recorded when earned and expenses are recognized when incurred.

**UPPER YAMPA WATER CONSERVANCY DISTRICT
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2025**

Assets, Liabilities, Deferred Inflows of Resources and Net Position

Cash and Cash Equivalents

For purposes of the statement of cash flows, UYWCD considers all highly liquid investments with a maturity of three months or less when purchased to be cash equivalents. UYWCD's investment in the Colorado Local Government Liquid Asset Trust (COLOTRUST) PLUS+ fund is measured at net asset value, equal to \$1.00 per share.

Certificates of Deposit

UYWCD holds money in nonnegotiable certificates of deposit that are valued at amortized cost. Maturities range from January to August 2026. Interest rates range from 3% - 3.95%.

Accounts Receivable

Amounts due to UYWCD from water storage and power sales are reported as accounts receivable. UYWCD's management reviews accounts receivable periodically to consider the collectability of the balances. District management believes all accounts receivable to be fully collectible as of December 31, 2025. Therefore, no allowance for uncollectible accounts has been established.

Prepaid Expenses

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid expenses.

Capital Assets

Capital assets include land, reservoir and dam structures, hydro-electric plant, buildings and improvements, furniture and fixtures and equipment. Capital assets are defined by UYWCD as assets with an initial cost of \$1,000 or more and an estimated useful life in excess of one year. Such assets are recorded at historical cost. The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend asset useful lives are not capitalized.

Capital assets are depreciated using the straight-line method over the following estimated useful lives:

	<u>Years</u>
Buildings and improvements	30 - 40
Furniture, fixtures and equipment	5 - 20

Non-depreciable capital assets of UYWCD include its land, land improvements, reservoirs, and dams.

Leases and Subscription-Based IT Arrangements

Under GASB 87 and 96, UYWCD recognizes short-term lease payments as outflows of resources based on the payment provisions of the lease contract.

Deferred Inflows of Resources

In addition to liabilities, the statement of net position includes a separate section for deferred inflows of resources. Deferred inflows of resources represent an acquisition of net position that applies to future periods and will not be recognized as an inflow of resources (revenue) until that time. UYWCD's deferred inflows of resources consist solely of unavailable revenues from property taxes.

**UPPER YAMPA WATER CONSERVANCY DISTRICT
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2025**

Net Position

Net position is classified as net position and may be displayed in three components:

- Net investment in capital assets - consists of capital assets including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.
- Restricted net position - consists of net position with constraints placed on the use either by (1) external groups, such as creditors, grantors, or laws or regulations of other governments; or (2) law through constitutional provisions or enabling legislation.
- Unrestricted net position - all other net position that do not meet the definition of "restricted" or "net investment in capital assets." This net position is available for future operations or distributions.

For presentation purposes when both restricted and unrestricted resources are available for use, it is UYWCD's practice to use restricted resources first, then unrestricted resources as they are needed.

While the unrestricted net position does not have any legal constraints on its use, the accumulation of these amounts may be necessary to offset significant unforeseen capital repairs and for the development of capital projects that may be necessary in future years. These amounts do not meet the accounting definition to be considered restricted, but UYWCD believes this balance is necessary to ensure adequate reserves are available when the need does arise.

Operating and Non-Operating Revenues and Expenses

The proprietary fund financial statements distinguish operating revenues and expenses from non-operating items. Operating revenues and expenses are those that result from providing services associated with the principal activities of UYWCD. Operating expenses include the cost of ongoing operations, related administrative expenses, and depreciation expense. Non-operating revenues and expenses are all those that do not meet the criteria described previously.

Property Taxes

Property taxes are levied on December 15 of each year and attach as an enforceable lien on property on January 1. Taxes are payable in full on April 30 or in two installments on February 28 and June 15. The Routt County Treasurer and Moffat County Treasurer collect property taxes and remit collections to UYWCD on a monthly basis.

Use of Estimates

The preparation of financial statements in conformity with US GAAP requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities as of the financial statement date and the reported amount of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Recently issued accounting pronouncements

In December 2023, GASB issued Statement No. 102, Certain Risk Disclosures. Statement 102 requires note disclosure when (a) a concentration or constraint is known prior to issuance of the financial statements, (b) it makes the reporting unit vulnerable to the risk of a substantial impact, and (c) an event

**UPPER YAMPA WATER CONSERVANCY DISTRICT
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2025**

associated with the concentration or constraint has occurred, begun to occur, or is more likely than not to begin to occur within 12 months of issuance.

The District adopted the requirements of the guidance effective January 1, 2025, and has elected to apply the provisions of this standard to the beginning of the period of adoption. Management performed the analysis required under Statement 102 did not identify any concentrations or constraints that require disclosure.

Note 2: Stewardship, Compliance and Accountability

Budgetary Information

Budgets are adopted on a non-US GAAP basis wherein depreciation is not budgeted; capital expenditures and principal payments on capital debt are budgeted and recorded as expenditures.

UYWCD conforms to the following procedures, in compliance with CRS, Title 29, Article 1, in establishing the budgetary data reflected in the financial statements:

- Prior to October 15, UYWCD's Treasurer submits to the Board of Directors a proposed operating budget for the fiscal year commencing the following January 1. The budget includes proposed expenditures and the means of financing them.
- Public notice is offered by the Board of Directors to obtain taxpayer comments.
- Prior to December 31, the budget is adopted by formal resolution.
- Expenditures may not legally exceed appropriations at the fund level. Revisions that alter the total expenditures must be approved by the Board of Directors.
- All appropriations lapse at the end of each fiscal year.

During the year the Board may authorize supplemental appropriations, if necessary. For the year ended December 31, 2025, a budget amendment was adopted on May 21, 2025, for additional grant funding in the amount of \$125,000.

Budget Law Compliance

UYWCD did not have expenditures in excess of appropriations for the year ended December 31, 2025.

TABOR Amendment

In November 1992, Colorado voters amended Article X of the Colorado Constitution by adding Section 20, commonly known as the Taxpayer's Bill of Rights (TABOR). TABOR contains tax spending, revenue and debt limitations which apply to the State of Colorado and all local governments, excluding enterprises. TABOR requires, with certain exceptions, advance voter approval for any new tax, tax rate increase, mill levy above that for the prior year, extension of any expiring tax, or tax policy change directly causing a net tax revenue gain to any local government.

**UPPER YAMPA WATER CONSERVANCY DISTRICT
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2025**

Future spending and revenue limits are determined based on the prior year's fiscal year spending adjusted for allowable increases based upon inflation and local growth. Fiscal year spending is generally defined as expenditures plus reserve increases with certain exceptions. Revenue in excess of the fiscal year spending limit must be refunded unless the voters approve retention of such revenue.

Except for refinancing bonded debt at a lower interest rate or adding new employees to existing pension plans, TABOR requires advance voter approval for the creation of any multiple-fiscal year debt or other financial obligation unless adequate present cash reserves are pledged irrevocably and held for payments in all future fiscal years.

TABOR requires local governments to establish emergency reserves. These reserves must be at least 3% of fiscal year spending (excluding bonded debt service). Local governments are not allowed to use the emergency reserves to compensate for economic conditions, revenue shortfalls, or salary or benefit increases. UYWCD has reserved \$103,000 of the December 31, 2025 fund net position for this purpose.

Management believes that UYWCD qualifies as an enterprise as defined by TABOR. Therefore, the provisions of TABOR are not applicable to UYWCD.

In November 1999, voters passed a referendum that permanently lifted TABOR restrictions on the amount of revenue UYWCD can collect and expend.

UYWCD's management believes it is in compliance with the financial provisions of TABOR. However, TABOR is complex and subject to interpretation. Many of its provisions may require judicial interpretation.

Note 3: Detailed Notes on the Fund

Cash and cash equivalents

Colorado statutes require protection of public moneys in banks beyond that provided by the federal insurance corporations. The Public Deposit Protection Act (PDPA) in Colorado Revised Statutes 11-10.5-107(5) requires all eligible depositories holding public deposits, including those of the State's component units, to pledge designated eligible collateral having market value equal to at least 102 percent of the deposits exceeding the amounts insured by federal insurance. Upon liquidation of a defaulting eligible depository, the statute requires the banking board to seize the eligible collateral, liquidate the collateral, repay the public deposits to the depositing government. Amounts on deposit in excess of federal insurance levels must be collateralized. The eligible collateral is determined by the PDPA. PDPA allows the institution to create a single collateral pool for all public funds. The pool is to be maintained by another institution, or held in trust for all the uninsured public deposits as a group. The market value of the collateral must be equal to 102% of the aggregate uninsured deposits. The State Commissioners for banks and financial services are required by Colorado Revised Statutes to monitor the naming of eligible depositories and reporting of the uninsured deposits and assets maintained in the collateral pools.

COLOTRUST (Colorado Local Government Liquid Asset Trust) is a local government investment vehicles that qualifies as 2a7-like investment pools, where the value of each share is maintained at \$1.00.

**UPPER YAMPA WATER CONSERVANCY DISTRICT
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2025**

As of December 31, 2025, all of UYWCD's deposits were either held in deposit accounts insured by the Federal Deposit Insurance Corporation or in eligible depositories as required by PDPA.

Cash and investments as of December 31, 2025, consist of the following:

Deposits with financial institutions	\$ 646,709
Investments	26,270,121
Total cash and investments	<u>\$ 26,916,830</u>

Bank balances as of December 31, 2025 totaled \$26,899,878.

Investments

Credit risk

UYWCD follows Colorado Revised Statutes regarding its investments. Colorado Revised Statutes specify investment instruments meeting defined rating and risk criteria in which UYWCD may invest which include local government investment pools.

Investment Valuation

UYWCD categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure the fair value of the asset. Level 1 inputs are quoted prices in active markets for identical assets; Level 2 inputs are significant other observable inputs; Level 3 inputs are significant unobservable inputs.

<u>Investments:</u>	<u>Fair Value</u>
COLOTRUST (at NAV)	\$ 26,270,121

Custodial and concentration of credit risk

At December 31, 2025, UYWCD had \$26,270,121 invested in the Colorado Local Government Liquid Asset Trust (COLOTRUST), an investment vehicle established for local government entities in Colorado to pool surplus funds. COLOTRUST operates similarly to a money market fund and each share is equal in value to \$1.00. Investments of COLOTRUST consist of U.S. Treasury bills, notes and note strips, and repurchase agreements collateralized by U.S. Treasury Securities. A designated custodial bank provides safekeeping and depository services to COLOTRUST in connection with the direct investment and withdrawal functions of COLOTRUST. Substantially all securities owned by COLOTRUST are held by the Federal Reserve Bank in the account maintained for the custodial bank. The custodian's internal records identify the investments owned by COLOTRUST.

Colorado Revised Statutes specify investment instruments meeting defined rating and risk criteria in which local government entities may invest. The allowed investments include local state sponsored investment pools. UYWCD invests in one such pool, the Colorado Local Government Liquid Asset Trust

**UPPER YAMPA WATER CONSERVANCY DISTRICT
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2025**

(COLOTRUST) which is rated AAA by Standards and Poor's. This investment is not categorized because the investment is not evidenced by securities that exist in physical or book entry form. UYWCD also invests excess undesignated cash reserves into certificates of deposit.

Interest rate risk

UYWCD has a formal investment policy that limits investment maturities to five years from the purchase date as a means of managing its exposure to fair value losses arising from increasing interest rates.

Capital Assets

Capital asset activity for the year ended December 31, 2025 is summarized below:

	January 1, 2025 Balance	Additions	Deletions	December 31, 2025 Balance
Capital assets not being depreciated:				
Stagecoach				
Land and water rights	\$ 5,259,775	\$ -	\$ -	\$ 5,259,775
Dam Structure	9,080,877	-	-	9,080,877
Amenities	4,081,748	36,015	-	4,117,763
Yamcolo				
Dam Structure	5,998,642	-	-	5,998,642
Stillwater Ditch	530,653	-	-	530,653
Elk River Augmentation	10,000	-	-	10,000
Total capital assets not being depreciated:	24,961,695	36,015	-	24,997,710
Capital assets being depreciated:				
Stagecoach				
Dam structure and equipment	3,702,308	317,912	-	4,020,220
Amenities	1,711,319	-	-	1,711,319
Yamcolo				
Dam structure and equipment	1,350,473	70,632	-	1,421,105
Stillwater equipment	355,627	833,035	-	1,188,662
Equipment, vehicles and other	198,402	12,928	-	211,330
Total capital assets	32,279,824	1,270,522	-	33,550,346
Less: accumulated depreciation	(4,762,695)	(171,233)	-	(4,933,928)
Net capital assets	\$27,517,129	\$ 1,099,289	\$ -	\$28,616,418

Stillwater Ditch Agreement

UYWCD has entered into an Assignment of Stock and Water Delivery Agreement with the shareholders of the Stillwater Ditch and Reservoirs Company (the Company) whereby the shareholders assigned and transferred all shares in the Company to UYWCD in exchange for UYWCD's continued maintenance and repair of the Stillwater Ditch and delivery of water to the shareholders under certain absolute water rights retained by the shareholders.

**UPPER YAMPA WATER CONSERVANCY DISTRICT
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2025**

Restricted Net Position

The United States Army Corps of Engineers (ACOE) issued a permit to UYWCD to raise the height of Stagecoach Reservoir Dam four feet inundating approximately 23.15 acres of jurisdictional wetlands. The permit requires UYWCD to post financial assurances to ensure a high level of confidence that UYWCD will complete the compensatory mitigation required by the permit. UYWCD has appropriated \$419,734 for this purpose as of December 31, 2025. The legislative appropriation will terminate when the compensatory mitigation is completed and accepted by the ACOE.

Note 4: Other Information

Defined Contribution Plan

Certain full-time employees are covered under a 401(a) defined contribution pension plan. Under the terms of the plan, UYWCD contributes at a rate of double the employee's retirement contribution not to exceed 6% of gross pay. Participants become fully vested within 3 years of participation in the plan. The plan can only be amended by UYWCD's board of directors. District contributions to the plan were \$62,252 for the year ended December 31, 2025.

Commitments and Contingencies

State of Colorado

UYWCD has entered into an agreement with the State of Colorado Department of Natural Resources, Division of Parks and Outdoor Recreation for the operation of the recreational facilities at Stagecoach Reservoir. Under the terms of the agreement UYWCD has agreed to make an annual payment to the State each December 31st through May 1, 2044. In exchange for the State managing the recreation areas and completing improvements and replacement of existing recreation facilities pursuant to the Master Plan, UYWCD will annually provide \$15,000 or actual costs of the Capital Improvements made by the State that calendar year, in the form of an operating subsidy to the State. The State is allowed to carryover excess improvement costs annually to meet subsequent years' obligations. The maximum amount that UYWCD is liable for in operating subsidies is \$300,000 over the twenty-year period.

Power Purchase Agreement

UYWCD entered into an agreement on September 30, 2025 to sell exclusively the hydroelectric energy generated by its Stagecoach facility to YVEA. The initial term was through May 31, 2028, with an option for either party to extend the contract with renewal terms to be established through a mutual agreement amendment. The sales price is \$0.0521 per KWh. The sales price during the year ended December 31, 2025 was \$0.06 per kWh.

**UPPER YAMPA WATER CONSERVANCY DISTRICT
NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED DECEMBER 31, 2025**

Reservoir Agreements

Numerous governments, organizations and individuals have reservoir agreements with UYWCD to purchase water in storage annually from UYWCD. The agreement terms range from 1 to 40 years with the majority of contracts expiring between the years 2026 and 2062.

Risk Management

UYWCD is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets; errors and omissions; injuries to employees, and natural disasters. UYWCD maintains commercial insurance for these risks by participation in an insurance pool.

UYWCD is a member in the Colorado Special Districts Property and Liability Pool (the Pool). The Pool creates an opportunity for members to control their own insurance costs through the joint pooling of resources, making it possible to self-insure property, liability and workers' compensation insurance. The Pool is member-owned, and all surplus revenues support the stabilization of rates, coverage enhancements, innovation, and technology to bring the most value to its members. The Pool provides property, liability, workers' compensation and associated coverage, and claims and risk management services to its members. UYWCD has not had losses of a material amount in any of the preceding three years.

The Pool has contracted with a third party to operate, administer and manage the Pool. In the event aggregated losses incurred by the Pool exceeds amounts recoverable from the reinsurance contracts and capital and surplus accumulated by the Pool, the Pool may require additional contributions from its members.

Contingencies

UYWCD is involved in several items of pending litigation primarily involving defense of its water rights and opposition of applications for water rights that conflict with those of UYWCD. While it is not feasible to predict the outcome of all such proceedings and exposures with certainty, management believes that their ultimate disposition should not have a material adverse effect on UYWCD's financial position, cash flows, or results of operations.

Related Party

During the year ended December 31, 2025, the Organization paid stipends totaling \$17,000 to members of its Board of Directors. These payments represent compensation for board services and are considered related party transactions. The stipends were approved in accordance with the Organization's governance policies. Transactions with related parties cannot be presumed to have been conducted at arm's-length, and no representation is made that the terms were equivalent to those prevailing in arm's-length transactions unless otherwise substantiated

Subsequent Events

UYWCD has evaluated subsequent events through the report date, which is the date these financial statements were available to be issued.

UPPER YAMPA WATER CONSERVANCY DISTRICT
Schedule of Revenues, Expenditures, and Changes in Net Position - Budget and Actual
For the year ended December 31, 2025

	Original Budget	Final Budget	Actual	Variance with Final Budget
Operating Revenues:				
Water sales	\$ 437,258	\$ 439,421	\$ 733,941	\$ 294,520
Power revenues	170,000	170,000	73,368	(96,632)
Other income	12,965	12,831	16,820	3,989
Total revenues	<u>620,223</u>	<u>622,252</u>	<u>824,129</u>	<u>201,877</u>
Operating Expenditures:				
Facilities:				
Stagecoach reservoir	822,270	822,270	653,621	168,649
Yamcolo reservoir	204,115	204,115	171,064	33,051
Stillwater ditch and reservoir	101,555	101,555	77,915	23,640
Elk River augmentation plan	3,553	3,553	2,483	1,070
Administration	384,106	384,106	350,445	33,661
Board of directors	136,182	136,182	84,236	51,946
External affairs	181,331	181,331	152,625	28,706
Finance	167,861	167,861	150,056	17,805
Legal	243,444	243,444	158,590	84,854
Planning	645,102	645,102	702,423	(57,321)
Grants, scholarships and public information	730,214	855,214	420,808	434,406
Yampa river fund	150,000	150,000	150,000	-
Capital outlay	1,765,061	1,765,061	1,270,522	494,539
Total expenditures	<u>5,534,794</u>	<u>5,659,794</u>	<u>4,344,788</u>	<u>1,315,006</u>
Operating Income (Loss)	(4,914,571)	(5,037,542)	(3,520,659)	1,516,883
Other Income (Expense)				
Tax revenue, net of treasurer fee	3,824,974	3,824,974	4,092,656	267,682
Pass-through income	--	--	187,885	187,885
Pass-through expense	--	--	(187,885)	(187,885)
Investment earnings	1,023,400	1,023,400	1,139,064	115,664
Change in net position - non-US GAAP basis	<u>(66,197)</u>	<u>(189,168)</u>	<u>1,711,061</u>	<u>1,900,229</u>
Adjustments to US GAAP basis:				
Capital outlay			1,270,522	
Depreciation expense			(171,233)	
Change in net position - US GAAP basis			<u>2,810,350</u>	
Net position, beginning of year	<u>52,638,996</u>	<u>52,638,996</u>	<u>52,638,996</u>	
Net position, end of year	<u>\$ 52,572,799</u>	<u>\$ 52,449,828</u>	<u>\$ 55,449,346</u>	

The accompanying notes are an integral part of this financial statement.





BOARD COMMUNICATION FORM

From: Andy Rossi, General Manager

Date: 05/20/2026

**Item: General Manager's Report on UYWCD Water Resources Management Activities:
May 2026 Edition**

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I. Request/Issue and Background Information:

General Manager's report summarizing current and ongoing Upper Yampa Water Conservancy District (UYWCD) activities.

II. Summary:

Presented below are brief summaries of the water resources special projects, beyond facilities operations and maintenance, the UYWCD is executing in 2026 (and beyond). Many of the items included in this communication are extensions of the UYWCD Strategic Plan Objectives. This information is intended to serve as an update on the continuation of these important projects.

Outside Organization Updates:

- Yampa-White-Green Basin Roundtable

The March meeting of the YWG Roundtable included the following relevant presentations:

- News grant and letter of support requests approved.
- Update on State of Colorado Drought Task Force Activities from DNF Staff

- Colorado Mesa University Ruth Powell Hutchins Water Center



- I have accepted an invitation to join the Executive Board of the Ruth Powell Hutchins Water Center at Colorado Mesa University. Shannon Wadas was hired as the Executive Director of the Center in January 2026 and instigated a new strategic planning effort soon thereafter. My engagement with the Center begins in May. Updates on activities in this new role will be provided as efforts progress. I will be joined on the Executive Board with the following educators and west-slope water managers:
 - John Marshall - President of Colorado Mesa University
 - Andy Mueller - General Manager for the Colorado River District
 - Janie VanWinkle - Owner of VanWinkle Ranch
 - Kathy Chandler-Henry - Board Member for the Colorado River District
 - Russ George - Retired
 - Tim Casey - Professor of Political Science at Colorado Mesa University
 - Wendell Koontz - Delta County Commissioner

Strategic Plan Initiatives:

- Water Supply
 - Stagecoach State Park Domestic Water Well:
An update on the Stagecoach State Park Water Well Project is presented as Agenda item 8 b.
 - Yamcolo Firming Project (Coal Creek Diversion):
The UYWCD and Special Counsel are engaged in dialog with the USFS on possible project authorization evaluation pathways.
- Agricultural Partnerships and Infrastructure
 - UYWCD Grant Program Support for Yampa Valley Agricultural Water Users:
The UYWCD diversion infrastructure and community grant programs continue with approved 2026 Budget authorization.

Watershed Health

- Upper Yampa River Water Quality (WQ)/Algae Study
 - The 2025 Water Quality Modeling and Monitoring Report data is presented as Agenda item 8 c.
- Soil Moisture Network
 - UYWCD is coordinating with CW3E and local network partners for the next round of grant funding requests.



- Wildfire Vulnerability Study and Mitigation Activities
 - Bear River Wildfire Ready Action Plan (WRAP) analysis is complete. The Bear River WRAP analysis results were used to direct UYWCD wildfire fuels mitigation efforts in the Bear River watershed. The USFS authorization for these activities under a Categorical Exclusion was issued on March 6, 2026. A forestry contractor was selected for project implementation and is under contract. A USFS-UYWCD Good Neighbor Agreement for project activities is complete. Project implementation is planned for July 2026.

Majority funding for these activities is provided by a COSWAP program grant (\$991,000).

If you have any further questions about any of the items included in this communication please contact Andy Rossi, UYWCD General Manager, for additional details.





BOARD COMMUNICATION FORM

From: Andy Rossi, General Manager

Date: 05/20/2026

Item: Yampa and Elk River Augmentation Plans Service Contracts Update

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I. Request/Issue and Background Information:

The Upper Yampa Water Conservancy District's (UYWCD) purpose is to conserve, develop, and stabilize supplies of water for domestic, irrigation, manufacturing, and other beneficial uses and by the construction of works for such purposes. The UYWCD also plans for and assists with the development of water resources of the UYWCD for municipal, domestic, industrial, recreational, and other beneficial uses of water resources within the District among other purposes. The UYWCD's water rights include rights to Stagecoach and Yamcolo reservoir water among others.

The UYWCD is authorized to appropriate water rights and initiate and implement plans for augmentation for the benefit of water users within the UYWCD's boundaries. Water is available to provide contracts to UYWCD constituents to augment their out-of-priority depletions pursuant to the Augmentation Decrees of the District Court for Water Division No. 6, Case No. 06CW049 (Yampa River Supply) and 15CW3058 (Elk River Supply). The UYWCD's Board of Directors (BOD) has approved the marketing of such water and other UYWCD water supplies as may be used to complement the use of such Reservoirs' water supplies through a contracting program.

Information about the authorities approved by the UYWCD BOD, definitions of terms used for the UYWCD Augmentation Plans, and summary contract data are included with this communication for reference.

II. Summary:

1. Authorities: The authorities approved by the UYWCD BOD under the Water Marketing Policies for the District's Augmentation Service Plans for the Yampa and Elk Rivers are as follows:



- a. The General Manager is delegated the authority of the Board to implement and administer this Policy and the issuance of the augmentation contracts made pursuant to this Policy for Small Applications and Small Commercial Applications as defined in this Policy not exceeding 10 acre feet per year, and authority to approve assignments of all contracts issued for both Small and Large Applications. The General Counsel shall assist in the negotiation and drafting of the contracts.
- b. The Board retains authority to approve Large Applications and Large Commercial Applications along with all other powers not specifically delegated.

2. UYWCD Augmentation Plan Definitions:

- a. “Large Applications”: A contract application to the UYWCD to augment uses, other than commercial or industrial uses, with a planned average daily diversion rate in excess of 112 gallons per minute (0.25 c.f.s.) or that identifies planned total annual diversions exceeding thirty (30) acre feet per year.
- b. “Large Commercial Applications”: A contract application to the UYWCD to augment commercial or industrial uses that either exceeds a planned average daily diversion rate of 15 gallons per minute or for which the following commercial (Equivalent Residential Unit) EQR ratings do not apply, or both:
 - Office = 0.6 EQR/1,000 square feet.
 - Warehouse – 0.30 EQR/1,000 square feet.
 - Retail Sales = 0.60 EQR/1,000 square feet.
- c. “Small Applications”: A contract application to the District to augment commercial or industrial uses with planned diversions not to exceed an average daily diversion rate of 15 gallons per minute and for which the diversion and depletion criteria detailed in paragraphs 9.A through 9.E of the Augmentation Decree apply, or to augment any other uses with planned diversions not to exceed 112 gallons per minute (0.25 c.f.s.) or that identifies planned total annual diversions not exceeding thirty (30) acre feet per year and for which the diversion and depletion criteria detailed in paragraphs 9.A through 9.E of the Augmentation Decree apply.
- d. “Small Commercial Applications”: A contract application to the UYWCD to augment commercial or industrial uses that does not exceed a planned average daily diversion rate of 15 gallons per minute and for which the following commercial EQR ratings apply:
 - Office = 0.6 EQR/1,000 square feet.
 - Warehouse – 0.30 EQR/1,000 square feet.
 - Retail Sales = 0.60 EQR/1,000 square feet.



e. Uses:

- i. “Commercial Use”: Water for motels, hotels, restaurants, office buildings, shops stores and other commercial facilities, military and nonmilitary institutions, and water for off-stream fish hatcheries.
- ii. “Domestic Use”: The use of water by individuals, cities, towns, public or quasi-public districts, private corporations, homeowners’ associations, or other entities used for all such indoor household purposes as drinking, food preparation, bathing, washing clothes and dishes, flushing toilets, and such outdoor purposes as watering lawns and gardens, excepting only the commercial, industrial and irrigation uses of water defined.
- iii. “Industrial Use”: Water used for fabrication, processing, washing, and cooling, and includes such industries as chemical and allied products, food, mining, paper and allied products, petroleum refining, and steel, including cooling system, cooling-system type, mining water use, public-supply deliveries, public-supply water use, self-supplied water use, and thermoelectric-power water use.
- iv. “Irrigation Use”: Water that is applied by an irrigation system to assist in the growing of crops and pastures or to maintain vegetative growth in recreational lands such as parks and golf courses including water that is applied for pre-irrigation, frost protection, chemical application, weed control, field preparation, crop cooling, harvesting, dust suppression, the leaching of salts from the root zone, and water lost in conveyance.
- v. “Livestock Use”: Water used to water domesticated livestock such as cattle or horses, such use shall require 11 gallons of water per day per head and is considered 100% consumptive.
- vi. “Recreation Use”: The use of water to replace the evaporative loss from ponds, reservoirs, stream channels, spas, pools and similar water feature

III. Staff Recommendation:

NA

IV. Legal Issues:

NA

V. Consistency with Board Goals and Policies:

UYWCD SP Goal 4.2

Attachments:

Attachment 1: Yampa and Elk River Augmentation Plans Contract Summary

Yampa River Augmentation Plan							
Contract ID	Contractor	Reservoir Source	Yampa River Service Area	Contract Volume (AF)	Application Type	Second Dwelling?	Augmented Use
A1-001	Blue Sky Ling LLC	Stagecoach	A-1	1.20	Small	Y	Domestic, irrigation
A1-002	Steve & Monica Alm	Stagecoach	A-1	1.00	Small	Y	Domestic, irrigation
A1-003	Susan & Bradley Smith	Stagecoach	A-1	1.00	Small	Y	Domestic, irrigation
A1-004	Youngs Creek Lot 5 LLC	Stagecoach	A-1	1.00	Small	Y	Domestic, irrigation
A1-005	David Kulberg	Stagecoach	A-1	1.00	Small	Y	Domestic, irrigation
A1-006	Carrie Easton	Stagecoach	A-1	1.00	Small	Y	Domestic, irrigation
A1-007	John & Susan Knill	Stagecoach	A-1	1.00	Small	Y	Domestic, irrigation
A1-008	Mark & Lindsay Stepp	Stagecoach	A-1	1.00	Small	Y	Domestic, Irrigation, Recreation (pond)
A1-009	Tad & Jennifer Hayashi & Janice Rigmaiden	Stagecoach	A-1	1.00	Small	Y	Domestic, Irrigation, Recreation (hot tub)
A1-010	Routt County, Colorado by and through its Board of County Commissioners	Stagecoach	A-1	8.00	Small	N	Domestic, Irrigation
A1-011	Matthew Ingram & Karen O'Rourke	Stagecoach	A-1	1.00	Small	Y	Domestic, Irrigation
A1-012	Thomas & Theresa Lichtenfels	Stagecoach	A-1	1.00	Small	Y	Domestic, Irrigation
A1-014	Magdalena Popesco & Chris Gross	Stagecoach	A-1	1.00	Small	Y	Domestic & Irrigation
			A-1				
A2-001	Gayle Dudley	Stagecoach	A-2	2.16	Small		Recreation (pond)
A2-002	Walton Creek, LLC	Stagecoach	A-2	1.20	Small	N	Domestic, Irrigation, Recreation (pond)
A2-003	Amethyst Ranch, LLC No. 1	Stagecoach	A-2	0.40	Small Commercial		Commercial
A2-004	Elizabeth Rostermundt	Stagecoach	A-2	0.60	Small		Domestic, Irrigation, Livestock
A2-005	Amethyst Ranch, LLC No. 2	Stagecoach	A-2	0.80	Small Commercial		Commercial, Domestic, Irrigation
A2-006	Yampa Realty Holdings, LLC	Stagecoach	A-2	17.30	Small		Domestic, Irrigation, Recreation (pond)
A2-007	NRT Property Holdings, LLC	Stagecoach	A-2	1.70	Small Commercial		Commercial, Irrigation, Livestock, Fire Suppression
A2-008	STARS	Stagecoach	A-2	1.20	Small Commercial		Irrigation, Livestock, Commercial, Recreation (well pond)
A2-011	Robert Broadnax	Stagecoach	A-2	3.00	Small		Domestic, Recreation(pond), Livestock
A2-012	Paul & Susan Hubbell	Stagecoach	A-2	0.10	Small	Y	Domestic, Irrigation
A2-013	Douglas Snyder Trust	Stagecoach	A-2	3.60	Small		Recreation(pond), Livestock
A2-014	City of Steamboat Springs (Lufkin Well)	Stagecoach	A-2	0.20	Small Commercial		Commercial
A2-015	Cory & Lauren Gerken	Stagecoach	A-2	2.20	Small		Domestic, irrigation, Recreation(pool)
A2-016	Michael Dealy	Stagecoach	A-2	1.60	Small Commercial	Y	Commercial, Domestic, Irrigation, Livestock
A2-017	CG 17 LLC	Stagecoach	A-2	0.20	Small		Domestic, Irrigation, Livestock
A2-018	William (Bill) Gay	Stagecoach	A-2	2.80	Small		Recreation (3 ponds) & Livestock
A2-019	Perry Lynn LLC	Stagecoach	A-2	0.90	Small Commercial	Y	Commercial, Domestic, Irrigation, Recreation
A2-020	Page Family Ranch LLC	Stagecoach	A-2	0.70	Small	N	Domestic, Irrigation, Livestock, Recreation (pond)
A2-021 Pending	Mark Hermacinski and Cari Hermacinski	Stagecoach	A-2	2.10	Small	N	Irrigation
A3-001	Stone Yard LLC	Stagecoach	A-3	2.60	Small		Irrigation, Recreation (pond)
A3-009	KTH Enterprises (Sleepy Bear MHP)	Stagecoach	A-3	3.03	Small		Domestic
A3-010	YVHA Whitehaven Enterprise, LLC	Stagecoach	A-3	0.50	Small		Domestic
A3-012	Jenny Schmidt & Aaron Solomon	Stagecoach	A-3	0.10	Small	Y	Domestic, Irrigation

A3-013	Robert & Sandra Helt	Stagecoach	A-3	0.10	Small	N	Recreational, Livestock
A3-014	Kyle Gamba	Stagecoach	A-3	0.80	Small	N	Domestic
A4-001	Flanders Ranch, LLC	Stagecoach	A-4	2.00	Small	Y	Domestic, Irrigation, Livestock
A4-002	James D Parscal	Stagecoach	A-4	4.0	Small	Y	Domestic, Irrigation, Recreation, Livestock

Total Volume Stagecoach = 76.090 AF

Total Volume Yamcolo = 0.000 AF

TERMINATED

A3-011	Amy & John Asta	Stagecoach	A-3		Small	Y	Domestic, Irrigation
A1-013	Laurie Bonucci	Stagecoach	A-1	0.92	Small	N	Additional (limited irrigation), Livestock

Elk River Augmentation Plan							
Contract ID	Contractor	Reservoir Source	Elk River Service Area	Contract Volume (AF)	Application Type	Second Dwelling?	Augmented Use
E-A1-001	CCJG Ranch LLC	Steamboat Lake	A-1	2.2	Small	N	Recreation (pond)
E-A1-002	John Klein	Steamboat Lake	A-1	0.1	Small	N	Domestic, Irrigation
E-A1-003	Home Ranch LLC	Steamboat Lake	A-1	9.9	Small	Y	Domestic, Irrigation, Recreation(pond & pool), Livestock, Other
E-A1-004	Michael & Nikki Rusconi	Steamboat Lake	A-1	1.6	Small	Y	Domestic, Irrigation, Recreation(pond), Livestock
E-A1-005	3C Ranch, LLC - Initial Pond Fill	Steamboat Lake	A-1	0.5	Small	Y	Other - initial pond fill
E-A1-006	3C Ranch, LLC	Steamboat Lake	A-1	1.4	Small	Y	Irrigation, Recreation(pond), livestock
E-A1-007	Paul Hoffmann	Steamboat Lake	A-1	0.7	Small	N	Additional (evaporation)
E-A1-008	Entelco Corporation	Steamboat Lake	A-1	1.4	Small	Y	Additional (irrigation, domestic, commercial)
E-A1-009	Giant Sky Ranch Owners Association	Steamboat Lake	A-1	4.8	Small	N	Domestic, Irrigation
E-A1-010 Pending	STB 2012 GST Exempt Trust & XTY GST Exempt T	Steamboat Lake	A-1	9.6	Small	NA	Recreation (ponds)

Total Volume STMBT Lake = 32.200 AF

Yampa River Augmentation Plan - Summary Table					
Service Area	Total Amount Contracted (af)	Total Available per Decree (af)		Total Available per Decree (af)	Total Diversions per Decree (cfs)
A-1	20.2	920	2.2%	920	12.8
A-2	42.76	800	5.3%	800	11.1
A-3	7.13	120	5.9%	120	1.7
A-4	2.00	160	1.3%	160	2.4

Elk River Augmentation Plan - Summary Table					
Service Area	Total Amount Contracted (af)	Total Available per Decree (af)		Total Available per Decree (af)	Total Diversions per Decree (cfs)
A-1	32.2	360	8.9%	360	1.4
A-2	0	50	0.0%	50	





BOARD COMMUNICATION FORM

From: Emily Lowell, District Engineer

Date: 5/20/2026

Item: Reservoir Water Status

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I. Request/Issue and Background Information:

Water storage data for Yamcolo Reservoir and Stagecoach Reservoir are included as reference materials for a summary discussion of the 2026 water year to date.

II. Summary:

Yamcolo Reservoir Status as of 5/11/2026

Current Storage Volume: 6,080 AF

Volume Stored in last 30 days: 392 AF

Volume Stored in last 60 days: 1,050 AF

Current Outflow: 24 cfs

Stagecoach Reservoir Status as of 5/11/2026

Current Storage Volume: 28,679 AF

Volume Stored in last 30 days: 312 AF

Volume Stored in last 60 days: 444 AF

Current Inflow: 14 cfs

Current Outflow: 16 cfs



III. Staff Recommendation:

N/A

IV. Legal Issues:

N/A

V. Consistency with Board Goals and Policies:

Policy Statement: 2

Attachments:

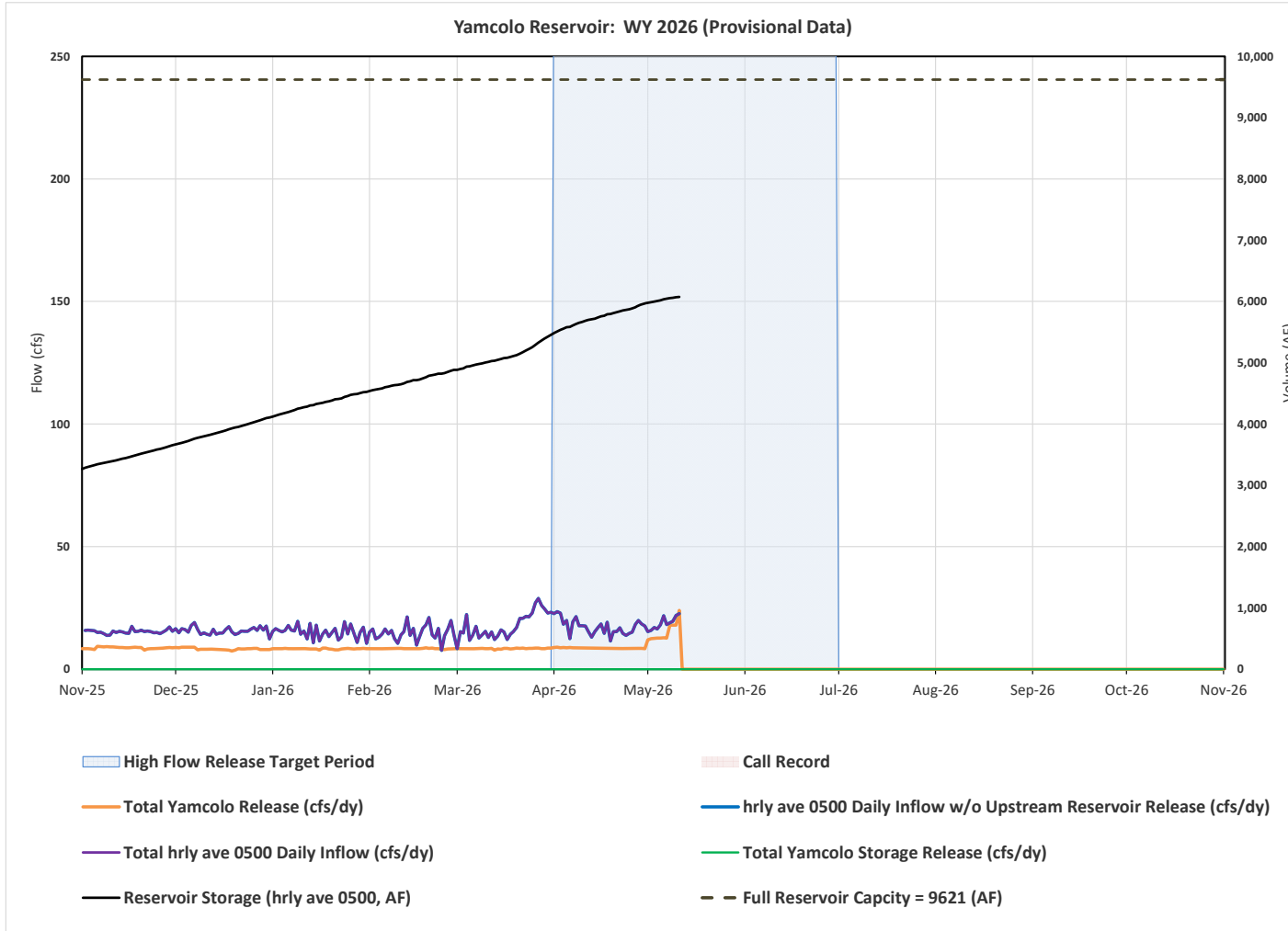
1. Yamcolo Water Storage Data (WY 2026)
2. Stagecoach Water Storage Data (WY 2026)
3. WY 2026 Stagecoach Projection
4. DNR Drought Update
5. 3 Month Temperature Outlook
6. 3 Month Precipitation Outlook
7. NRCS Water Supply Outlook

Yamcolo Reservoir Operations
Total Monthly Volume (AF)

Water Year 2026

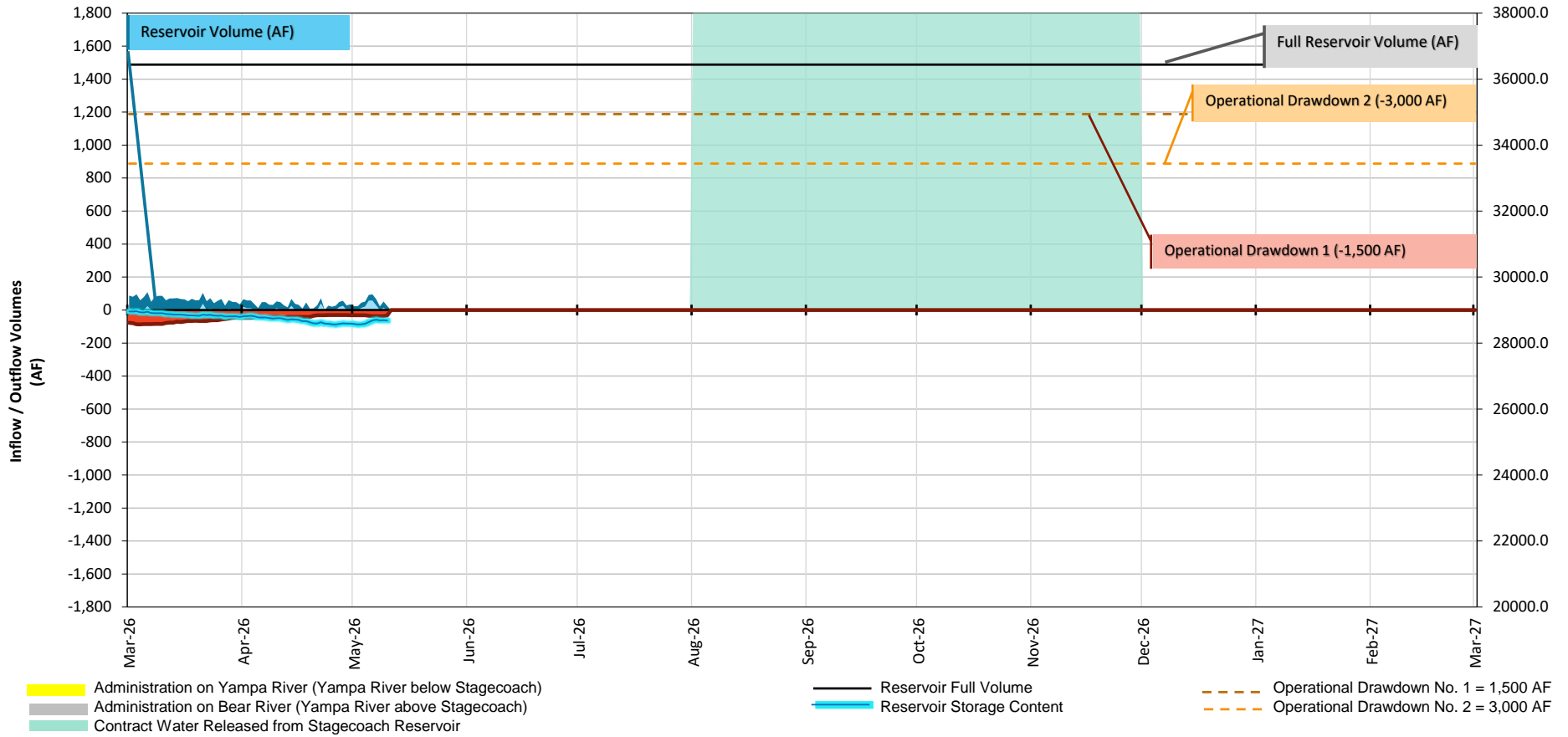
INFLOW	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Total
Physical	880	963	376	822	289	1,025	408	0	0	0	0	0	2,219
Storable	404	471	186	378	0	549	146	0	0	0	0	0	1,061
Stored	382	439	162	344	123	486	96	0	0	0	0	0	983

OUTFLOW	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Total
Operator	-516	-507	-511	-465	-517	-510	-329	0	0	0	0	0	-3,355
Spill	0	0	0	0	0	0	0	0	0	0	0	0	0
Gage	-516	-507	-511	-465	-517	-510	-329	0	0	0	0	0	-3,355



Stagecoach Reservoir Operations

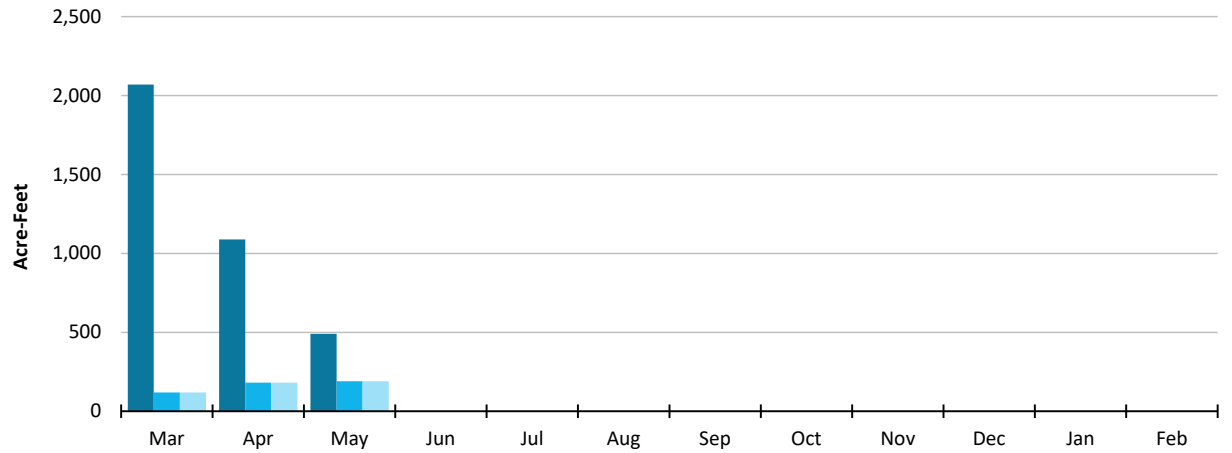
Accounting Year 2026



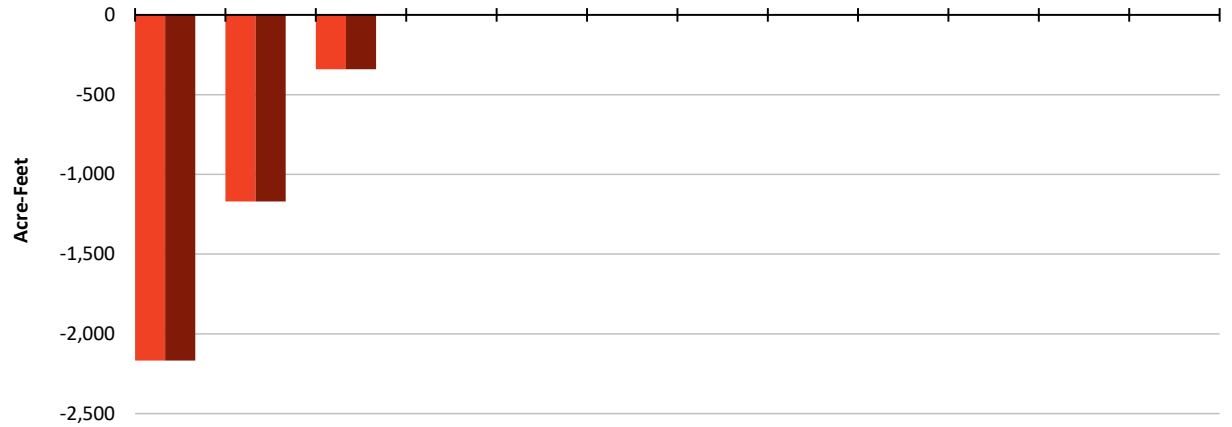
Stagecoach Reservoir Operations: Inflow & Outflow Comparison (AF)

Accounting Year 2026

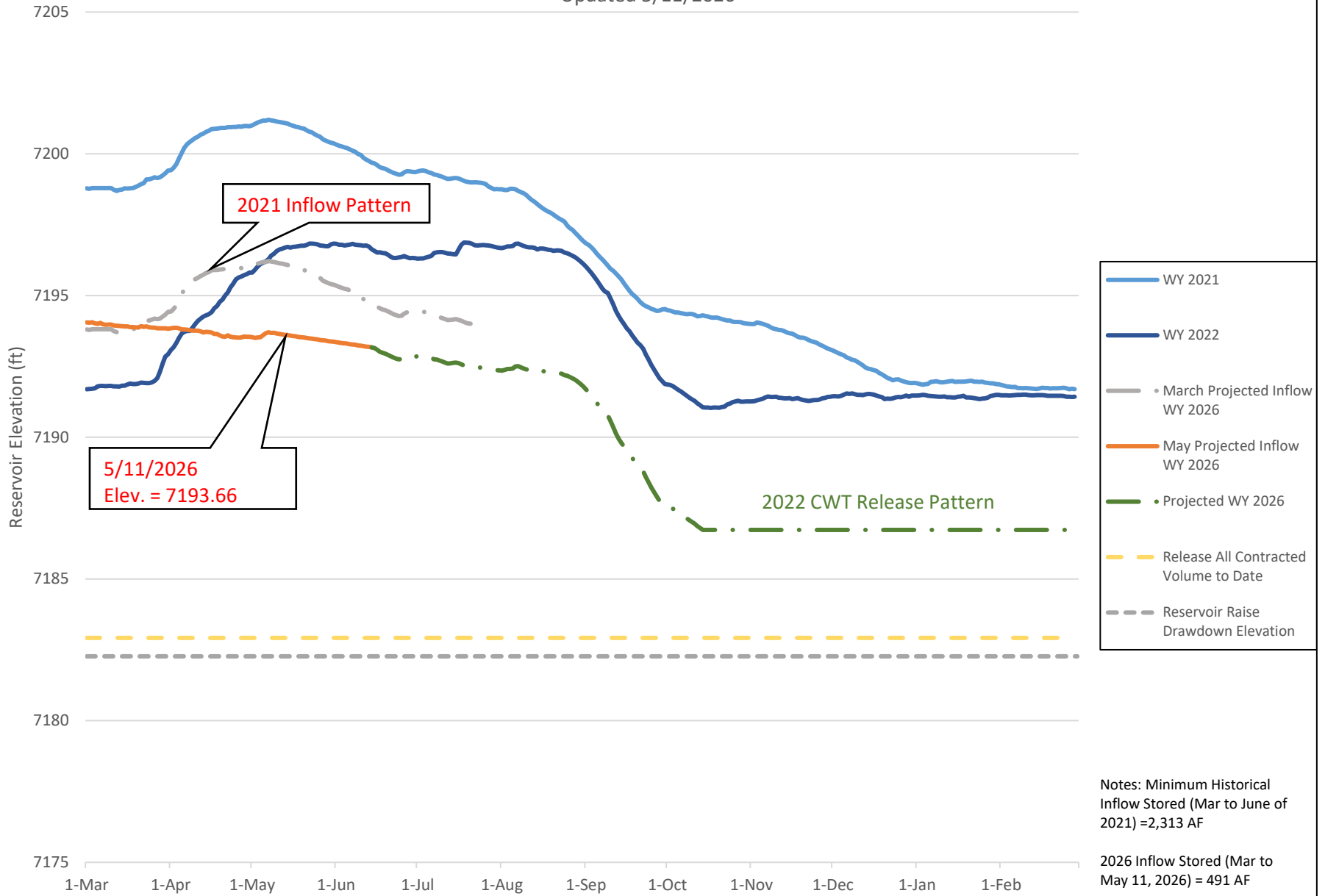
Monthly Inflow	Physical	Potential	Storable
3 Mar	2,069	119	119
4 Apr	1,088	182	182
5 May	491	190	190
6 Jun			
7 Jul			
8 Aug			
9 Sep			
10 Oct			
11 Nov			
12 Dec			
1 Jan			
2 Feb			
Total	3,648	491	491



Monthly Outflow	Release	Spill	Gage
3 Mar	-2,168	0	-2,168
4 Apr	-1,170	0	-1,170
5 May	-341	0	-341
6 Jun			
7 Jul			
8 Aug			
9 Sep			
10 Oct			
11 Nov			
12 Dec			
1 Jan			
2 Feb			
Total	-3,679	0	-3,679



WY 2026 Projections - Stagecoach Reservoir
Updated 5/11/2026



2021 Inflow Pattern

5/11/2026
Elev. = 7193.66

2022 CWT Release Pattern

- WY 2021
- WY 2022
- March Projected Inflow WY 2026
- May Projected Inflow WY 2026
- Projected WY 2026
- Release All Contracted Volume to Date
- Reservoir Raise Drawdown Elevation

Notes: Minimum Historical Inflow Stored (Mar to June of 2021) = 2,313 AF

2026 Inflow Stored (Mar to May 11, 2026) = 491 AF

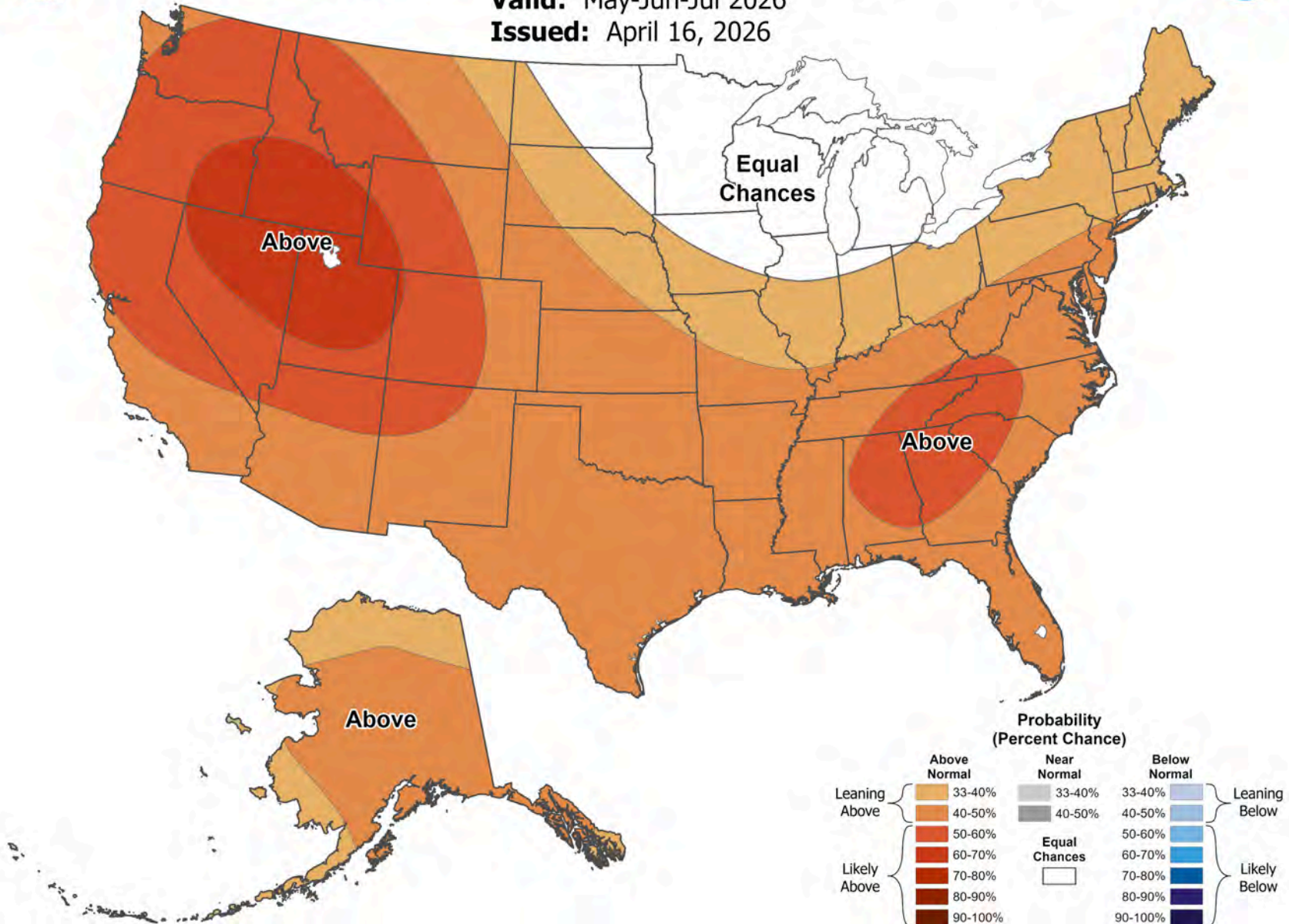


Seasonal Temperature Outlook



Valid: May-Jun-Jul 2026

Issued: April 16, 2026



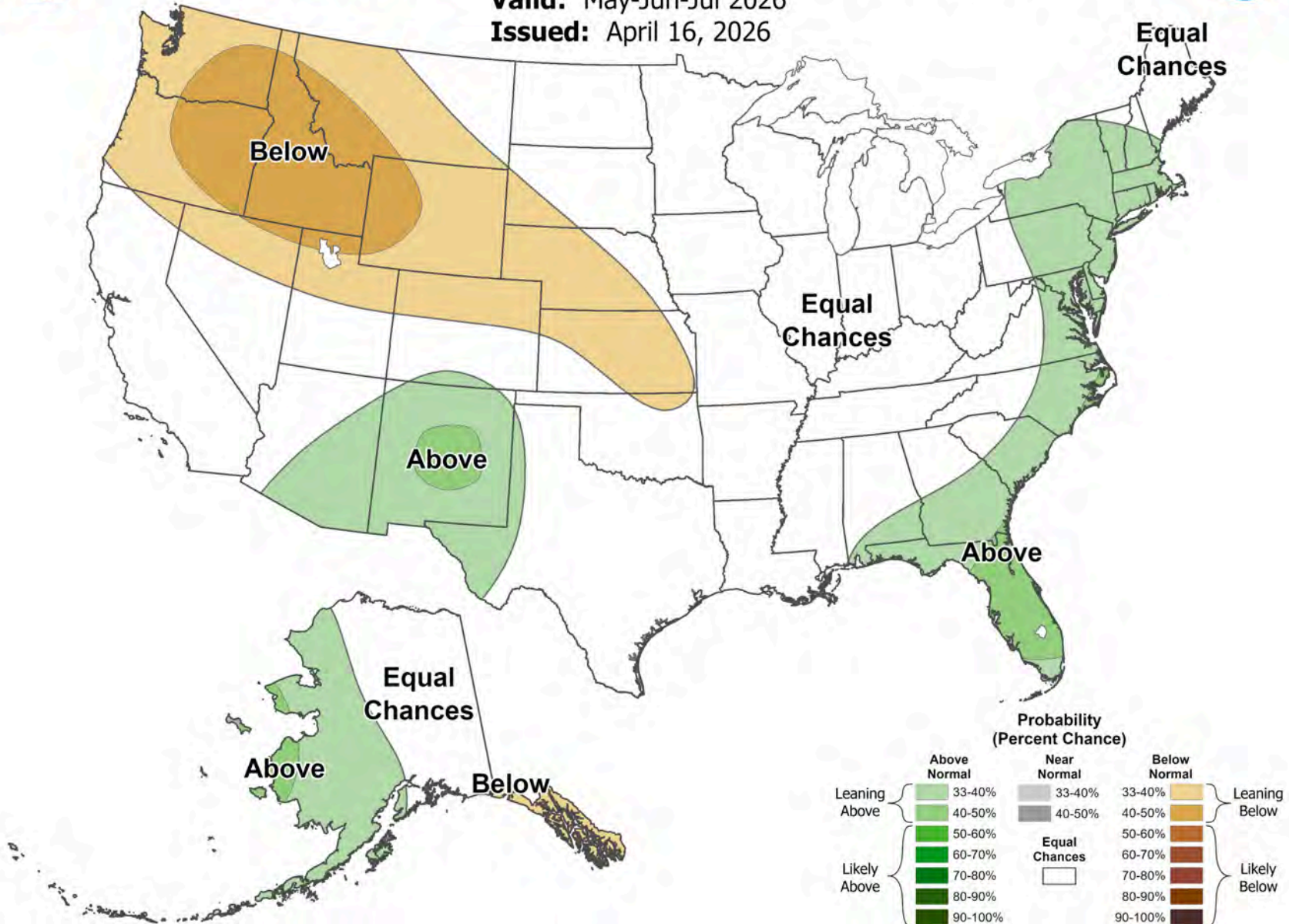


Seasonal Precipitation Outlook



Valid: May-Jun-Jul 2026

Issued: April 16, 2026



Colorado

Water Supply Outlook Report

May 1, 2026



Cameron Pass snow course in the South Platte Basin measured 4 inches of snow water equivalent (SWE) during the May 1 survey. May storms have brought 1.7 inches of SWE to the Front Range surpassing the basin median total of 1.2 inches.

Photo by: Kaylee Smith

REMINDER: We are soliciting photos of fieldwork again this year. Each month we will pick some to grace the cover of this report! Please include information on where, when and of who/what the photo was taken.

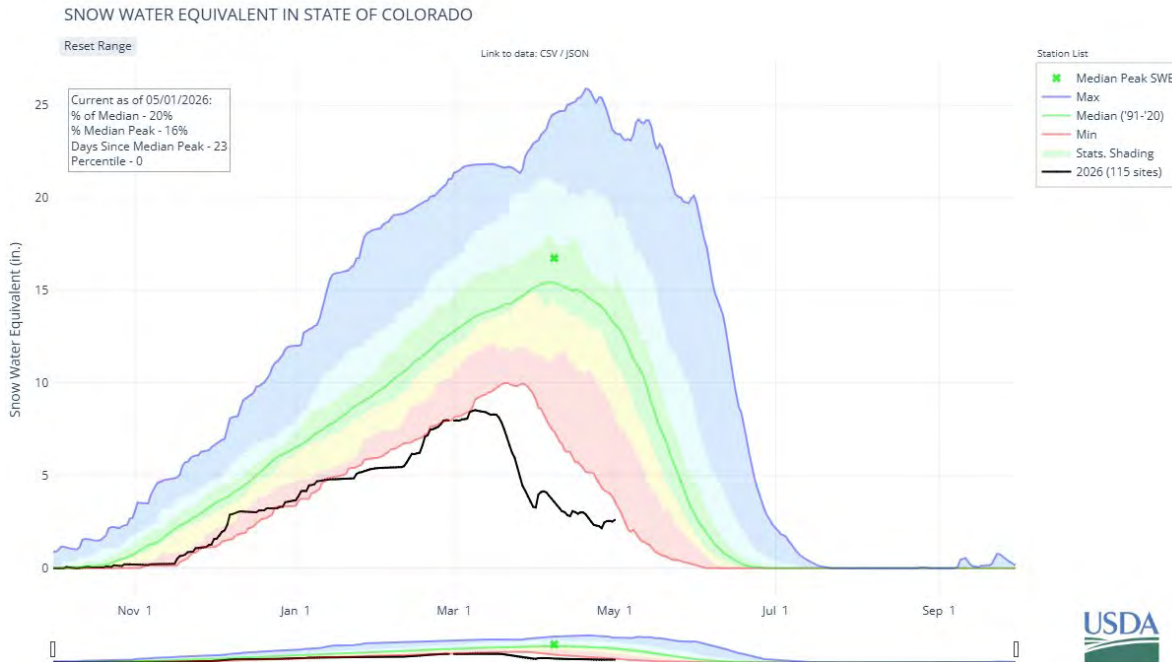
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Colorado Statewide Water Supply Conditions for May 1, 2026

Summary



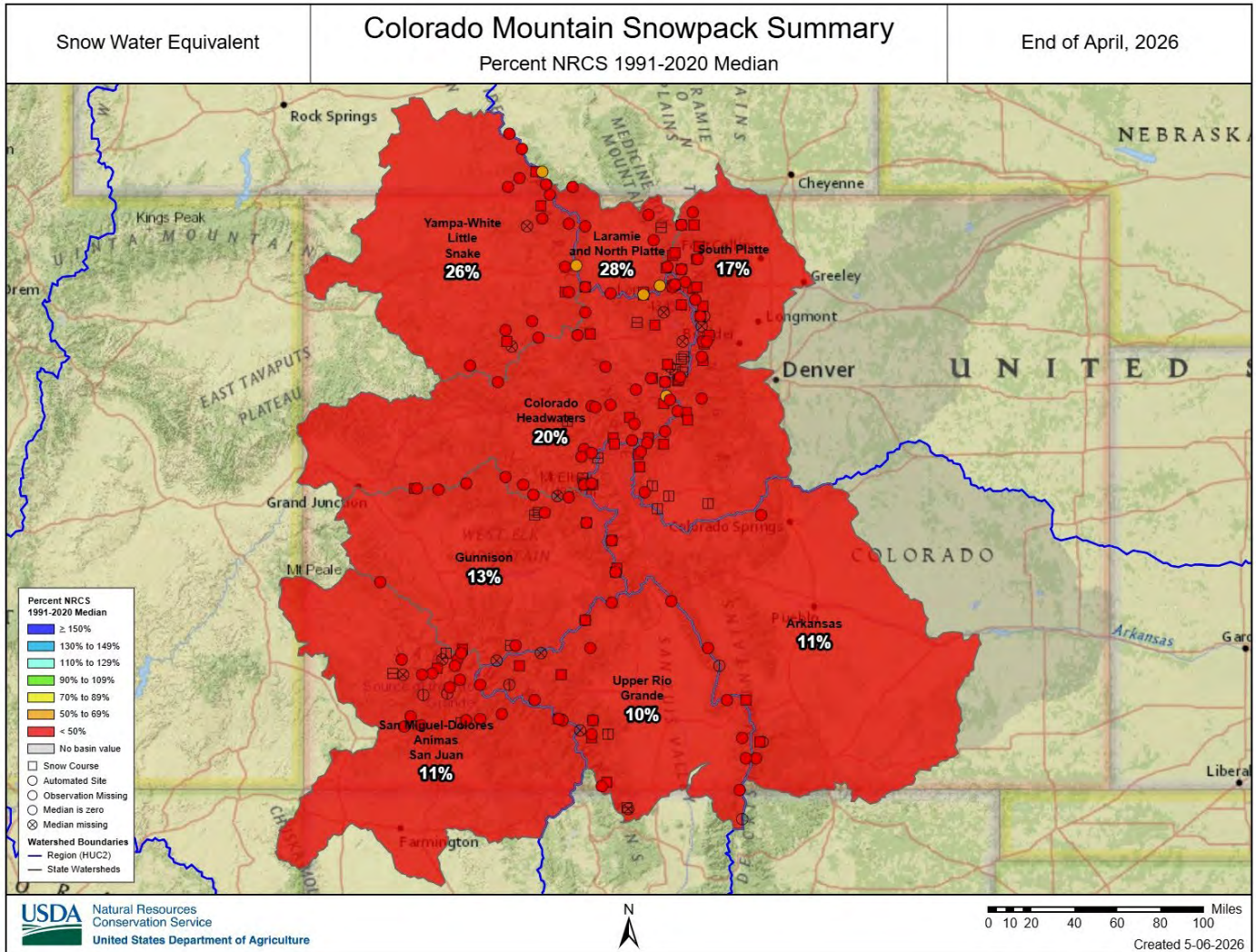
*For the above graph, snow water equivalent (SWE) values are calculated using daily SNOTEL data only. SWE numbers presented in the text are values from the first of the month and include manual Snow Course measurements along with SNOTEL data.

Statewide snowpack is 20 percent of median as of May 1, effectively unchanged from April 1 despite near-normal April precipitation. April precipitation is 90 percent of median statewide and ranks as the third wettest month of water year 2026 relative to median behind October and December. Unlike October precipitation, which primarily fell as rainfall early in the water year, April precipitation occurred during the primary snow accumulation and melt period but did not meaningfully increase seasonal snow storage. Statewide water year-to-date precipitation is 76 percent of median.

May through July runoff forecasts remain low across Colorado as much of the snowpack has already been released, and runoff recession is underway unusually early across basins. Western slope forecasts at the 50 percent outlook range from 22 to 24 percent of median while eastern basins remain somewhat higher, though still well below median at 37 percent in the South Platte basin and 33 percent in the Arkansas basin. Statewide, the 50 percent runoff outlook is 24 percent of median, and 48 of 86 points rank as either the lowest or second lowest in their period of record. Runoff is occurring well ahead of normal across the state following record March temperatures that accelerated melt onset. Snowpack peak dates in the San Juan, Sangre de Cristo and West Elk mountains occurred in early March and closer to mid-March in northern mountain ranges, generally three to five weeks ahead of historical median peak timing. Record and near-record early peak dates were observed through much of the state, along with record and near-record early melt out dates. Current melt out dates range from 19 to 63 days ahead of median statewide with a median departure of 43 days. Observed hydrographs are largely lower, earlier and compressed this year as peak flows occur earlier and recede more rapidly throughout most river systems. The [Animas River at Durango gage](#), seasonal peak flow occurred on March 27 and ranks as the earliest peak date and second lowest peak in the 128-year period of record.

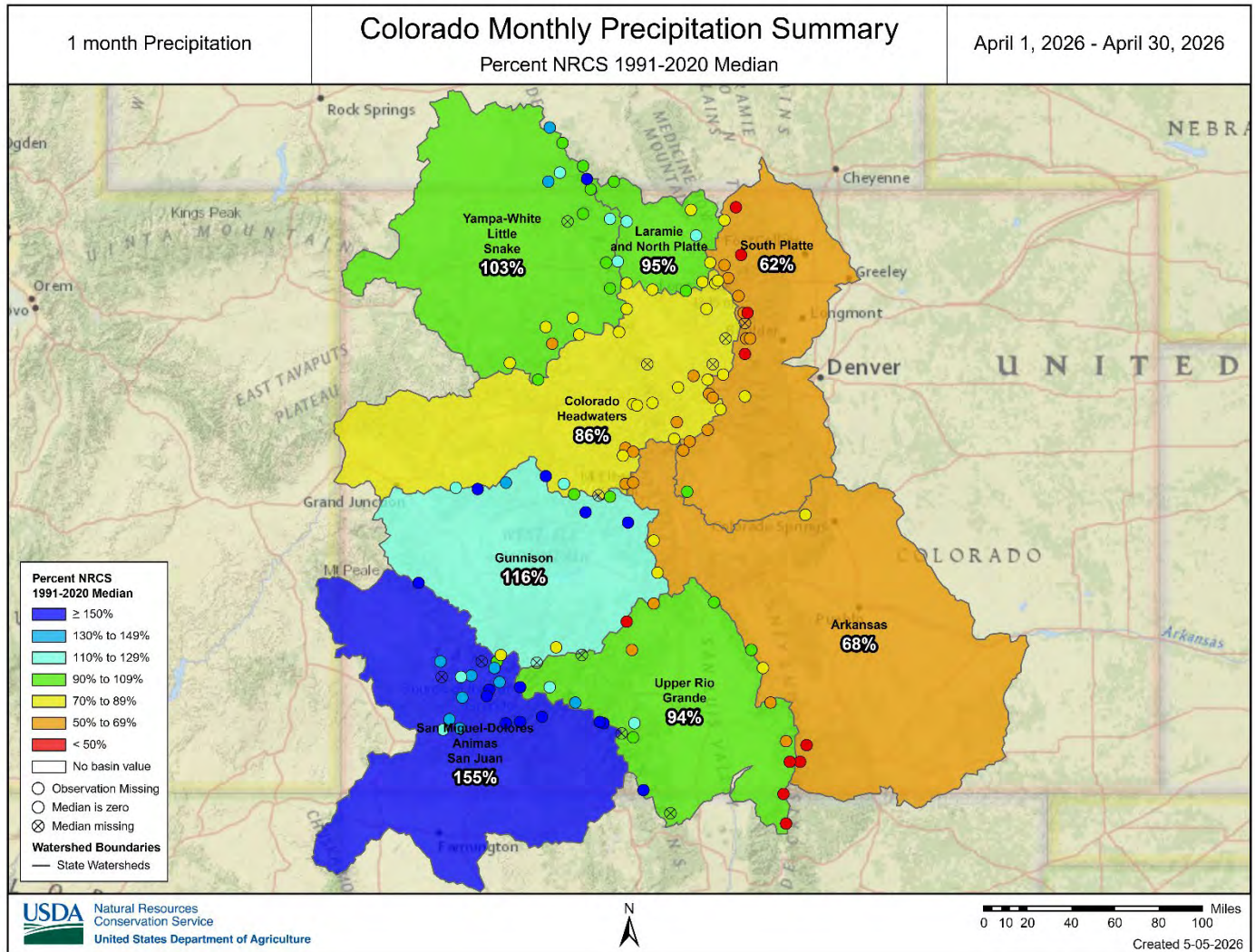
Statewide reservoir storage is 85 percent of median as of May 1, while forecast inflows into Colorado's largest reservoirs are well below median. May through July 50 percent exceedance range from 17 percent of median at McPhee Reservoir and 18 percent Blue Mesa to 36 percent at Lake Granby and Pueblo Reservoir.

Snowpack



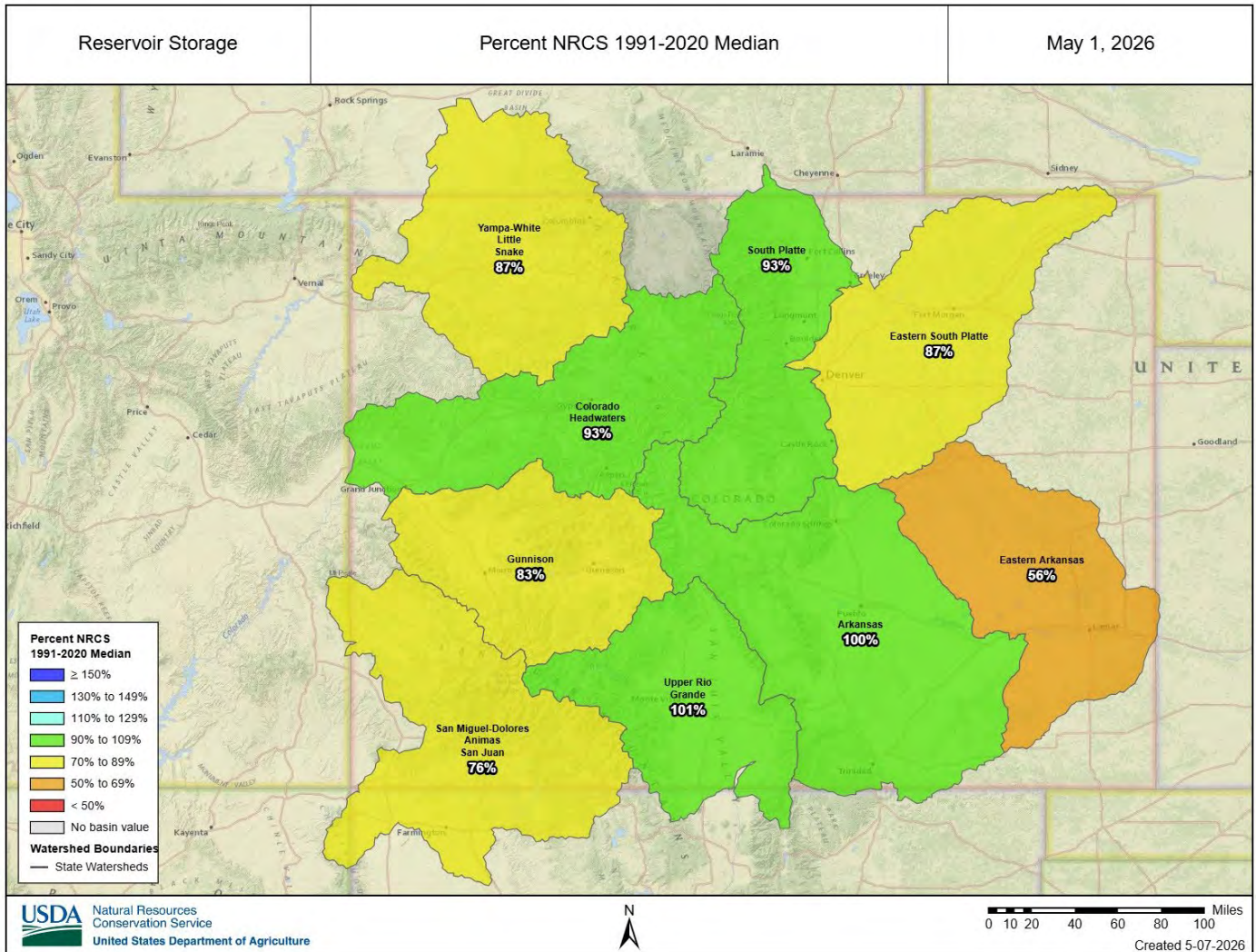
On May 1, statewide snowpack was 20 percent of median, which is still the lowest on record for that time of year. The statewide snowpack has been the lowest on record now since the end of January, due to the record high temperatures and prolific snow drought that much of the western U.S. experienced this winter. On a normal year, snowpack across the state peaks on April 8 with 16.7 inches of snow water equivalent (SWE) but this year we peaked on March 12 with 8.5 inches of SWE, almost one month earlier than normal and around half the typical amount. At the end of March, snowpack was melting incredibly fast due to prolonged record high temperatures through the second half of March. By April 1 much of the lower to mid-elevation mountain snowpack (below 10500 feet) had already melted out and higher elevation snowpack was quickly disappearing. Fortunately, there was a transition to cooler temperatures at the beginning of April, which delivered snowfall to all major river basins across the state and slowed down snowmelt at higher elevations. This trend continued for much of April, with snowfall and cooler temperatures prevalent across the state. Although the return to more normal conditions in April was a welcome change compared to March, this was not enough for snowpack conditions to improve significantly. All major river basins have well-below normal snowpack on May 1 and the northern half of the state has slightly better conditions than the southern half.

Precipitation



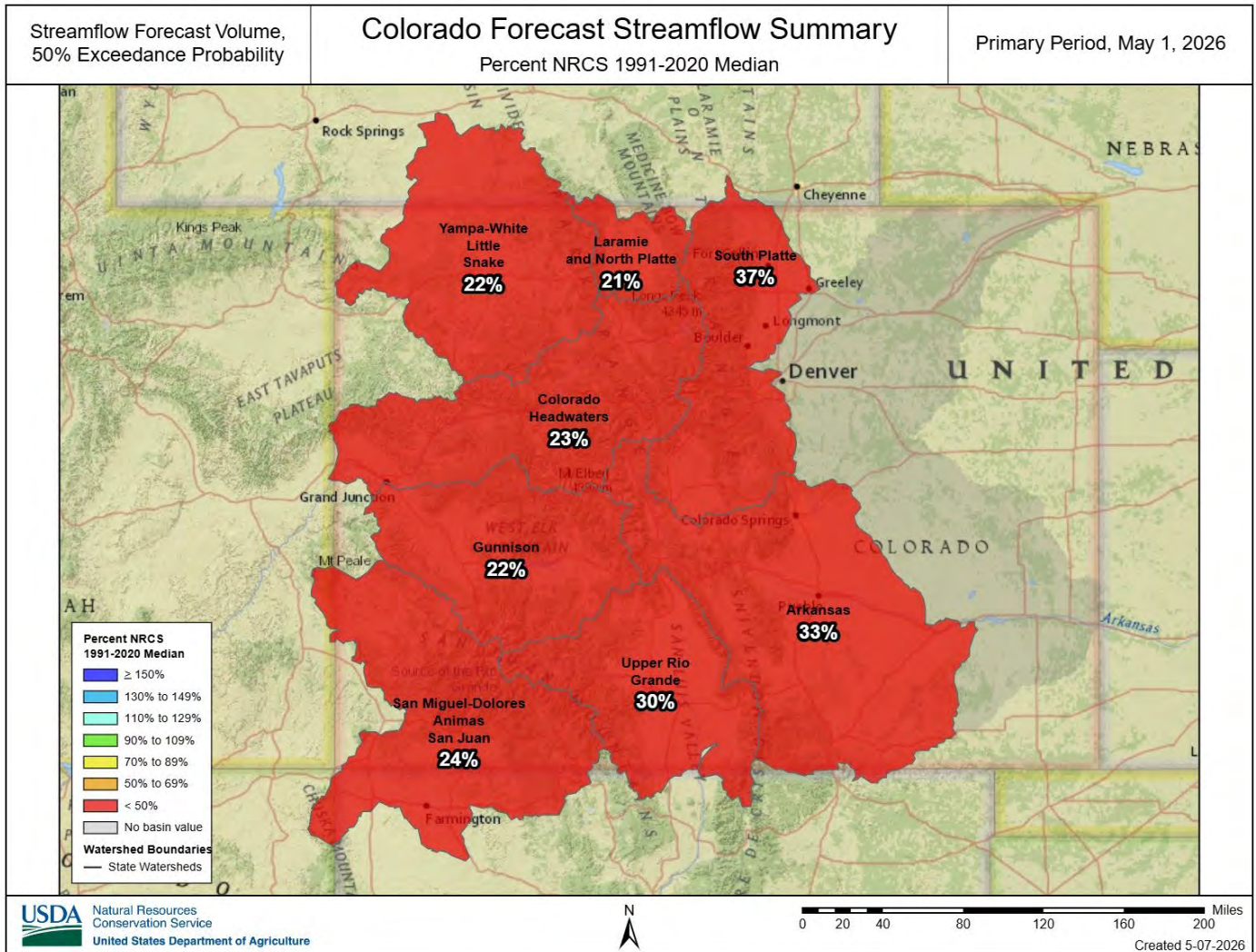
After an abnormally warm and dry March, cooler temperatures and active storm cycles returned to most portions of the state during April. Statewide precipitation received in April was 90 percent of median, bringing the statewide water year-to-date precipitation to 76 percent of median on May 1. The April storm track largely favored western Colorado, bringing near normal to above normal precipitation for most basins on the west slope, especially the San Juan and West Elk mountains. The combined San Miguel-Dolores-Animas-San Juan River basin and Gunnison River basin received the most precipitation in April at 155 percent and 116 percent of median, respectively. The Front Range mountains and portions along the continental divide, received the lowest amounts of precipitation during April, with the South Platte, Arkansas, and Colorado Headwaters River basins receiving April precipitation amounts at 62, 68, and 86 percent of median, respectively. The remaining portions of the state received near normal precipitation in April, with the Yampa-White-Little Snake, Laramie-North Platte, and Upper Rio Grande River basins receiving 103, 95, and 94 percent of median, respectively. The current [U.S. Drought Monitor Map](#) shows drought conditions are still prevalent across the state, with slight improvements in some western regions and slight degradations along the front range since last month. Spring has arrived in the Colorado Rockies and has brought some much-needed precipitation after a well-below normal winter. The active storm cycle continued through the first week of May, and the [14 day precipitation outlook](#) from NOAA's Climate Prediction Center looks promising for continuing this trend.

Reservoir Storage



Reservoir storage is currently 85 percent of the 1991-2020 median on a state-wide scale, down from 89 percent last month. Mean storage volume remains close to median in the Arkansas, Colorado Headwaters, and South Platte, reporting 100, 93, and 93 percent of median storage, respectively. Four of the nine Colorado basins are reporting reservoir storage levels somewhat below the 30-year median, with the Yampa-White-Little Snake, Eastern South Platte, Gunnison, and San Miguel-Dolores-Animas-San Juan reporting 87, 87, 83, and 76 percent, respectively. The Upper Rio Grande exhibited the largest change, going from 118 percent of median storage on April 1 down to 101 percent as of May 1. The Eastern Arkansas remains the basin with the lowest overall percent of median storage, decreasing from 65 percent of median down to 56 percent of median storage this month. Overall, Colorado is currently utilizing 56 percent of total reservoir capacity state-wide compared to 59 percent storage this time last year (see [May 1 2026 Reservoir Storage Capacity chart](#)).

Streamflow



Observed streamflow as of May 1 has dropped dramatically from a month ago. On April 1, many of the state’s streams were well above their average flows for the date. Warm March temperatures initiated the Spring runoff weeks earlier than normal. By April there was precious little snow remaining to melt in most parts of the state. In April, the Upper Rio Grande Basin had the highest observed percentage of normal streamflow at 86 percent of the median compared to the 1990-2020 reference period. In other areas streamflow ranged from 67 percent in the South Platte basin to 21 percent in the Laramie and North Platte basin. Other basins are around half of their normal comparison period streamflow.

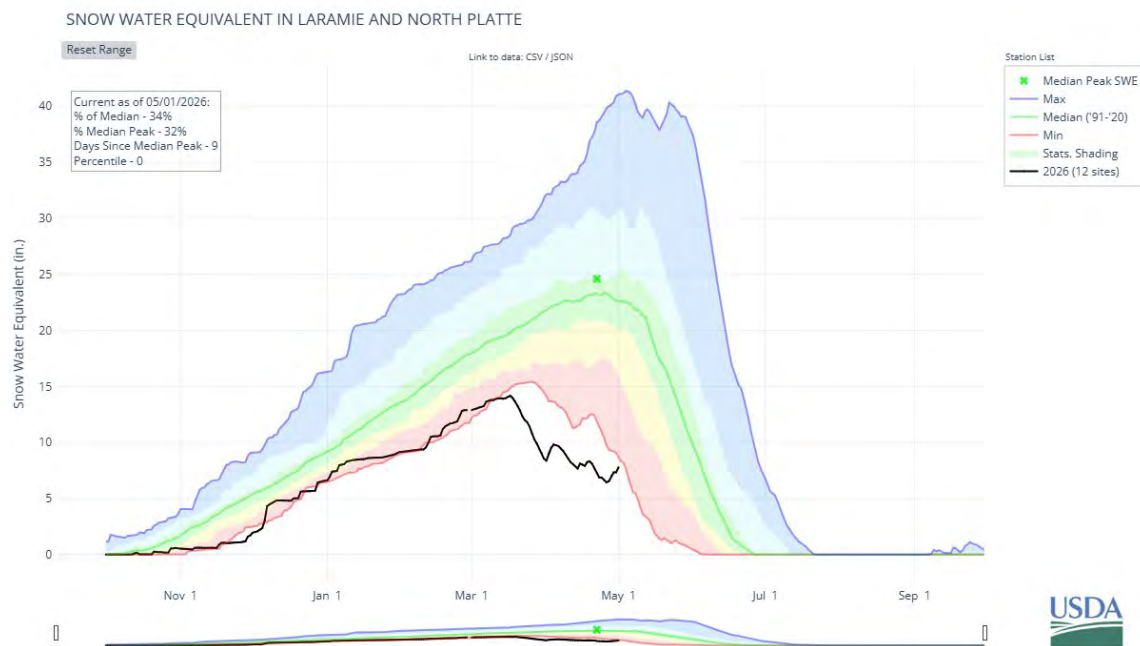
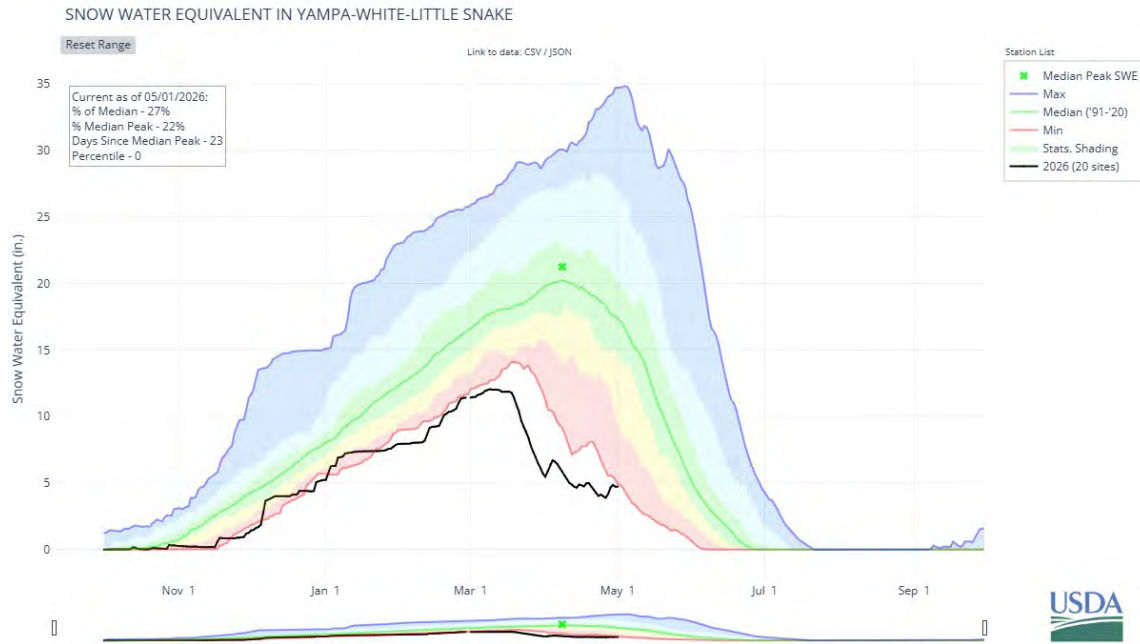
Forecast streamflow is near historical lows for all major river basins in Colorado. From the Yampa-White-Little Snake River Basin at 22 percent of the median value of the 30-year comparison period to the South Platte River Basin at 37 percent of the median value, all the states river basins are far below normal. Prior to this year the lowest observed flow of the Colorado River at Lake Granby for the May-July forecast period was 76 thousand acre-feet of water in 2002. This year’s forecast for the same period is 65 thousand acre-feet, a 15 percent decrease from the previous low record. More than half of the 80 Colorado streamflow sites monitored by the NRCS are forecast to be near record lows. Out of that group, 20 sites are expected to set new records for the lowest streamflow ever observed.

Just over the Colorado border, above Cisco UT, the Gunnison and Dolores Rivers merge into the Colorado River. This year the streamflow at Cisco is forecast to be 23 percent of a median year’s streamflow. That expected volume shortfall is 2.5 million acre-feet of water. Enough water to supply Los Angeles for five years. Colorado’s other major rivers are expected to have similar volume reductions.

YAMPA-WHITE-LITTLE SNAKE AND LARAMIE-NORTH PLATTE RIVER BASINS

May 1, 2026

Snowpack in the Yampa-White-Little Snake and the Laramie-North Platte River basins are below normal at 27 percent and 34 percent of median. Precipitation for April was 103 percent and 95 percent of median, and water year-to-date precipitation is 77 percent and 76 percent of median, respectively. Reservoir storage at the end of April for the Yampa-White-Little Snake was 87 percent of median compared to 97 percent last year. Current streamflow forecasts range from 12 percent of median at Yampa River above Stagecoach Reservoir to 31 percent of median at Elk River near Milner.



*Snow water equivalent (SWE) values are calculated using daily SNOTEL data only for the above graph. In the paragraph SWE is calculated for the first of the month using both SNOTEL and Snow Course data.

PRECIPITATION ACCUMULATION IN YAMPA-WHITE-LITTLE SNAKE

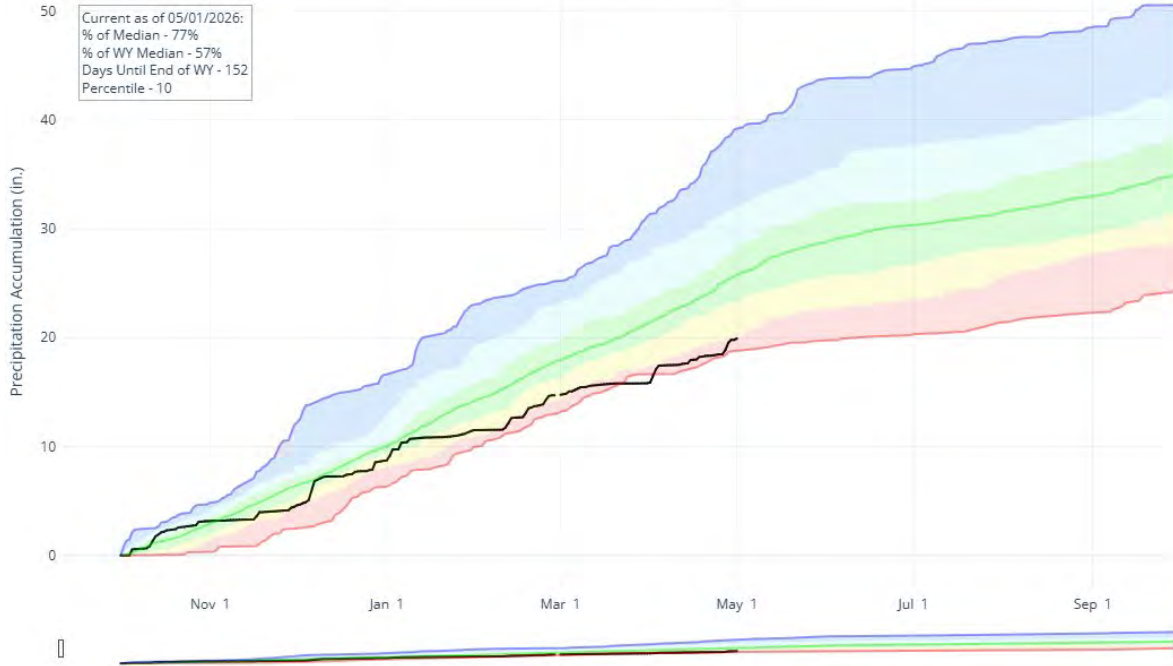
Reset Range

Link to data: CSV / JSON

Station List

- Max
- Median ('91-'20)
- Min
- Stats. Shading
- 2026 (21 sites)

Current as of 05/01/2026:
 % of Median - 77%
 % of WY Median - 57%
 Days Until End of WY - 152
 Percentile - 10



PRECIPITATION ACCUMULATION IN LARAMIE AND NORTH PLATTE

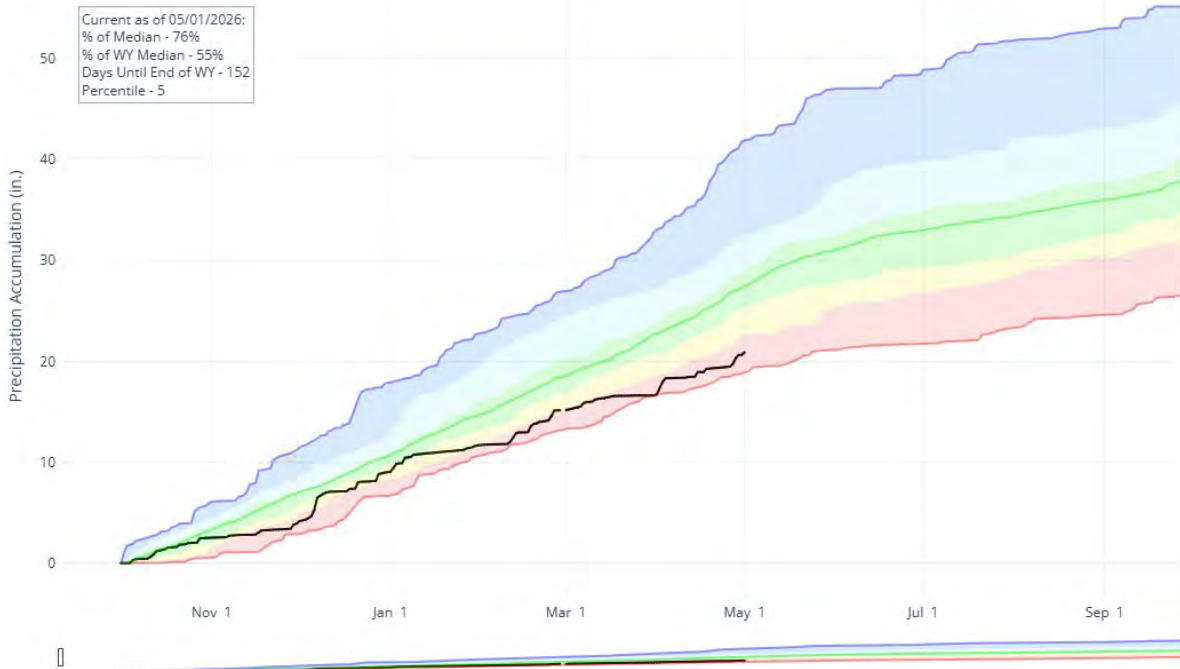
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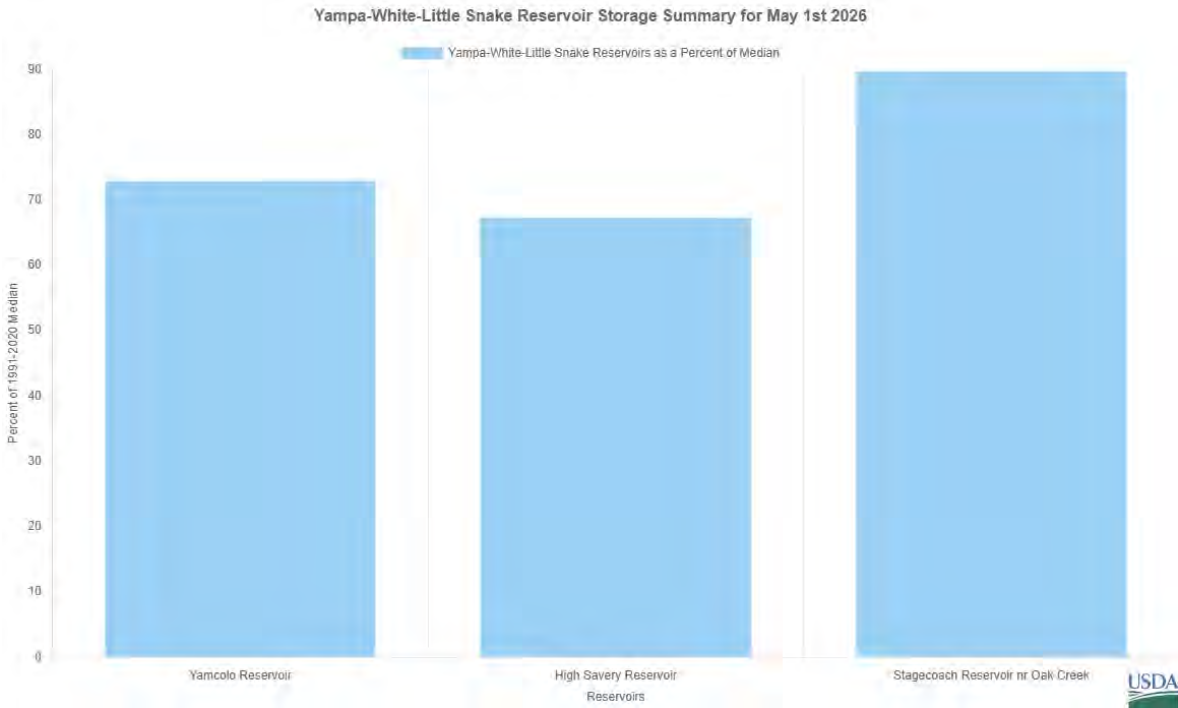
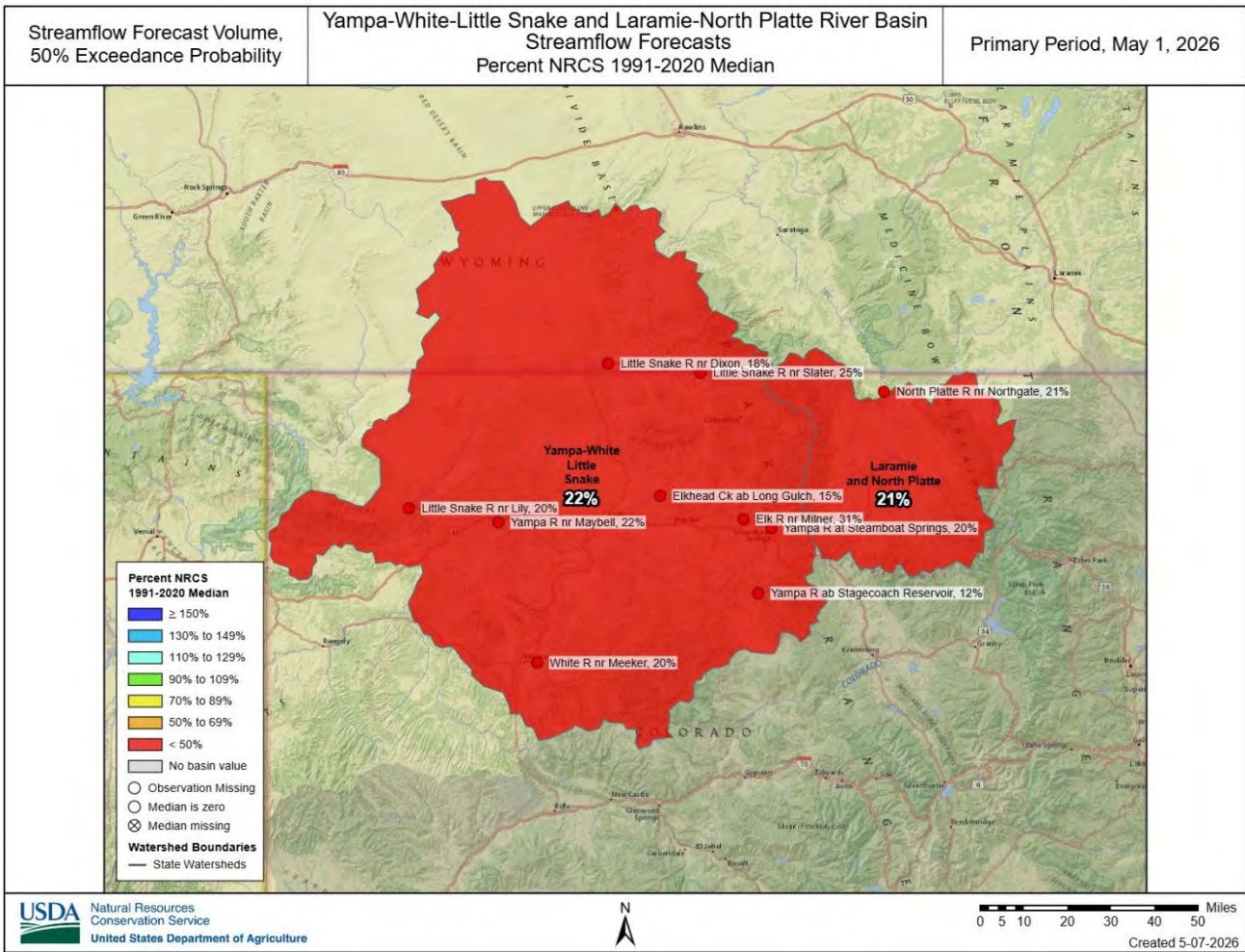
Link to data: CSV / JSON

Station List

- Max
- Median ('91-'20)
- Min
- Stats. Shading
- 2026 (12 sites)

Current as of 05/01/2026:
 % of Median - 76%
 % of WY Median - 55%
 Days Until End of WY - 152
 Percentile - 5





*No reservoirs are currently monitored in the Laramie-North Platte combined basin.

Watershed Snowpack Analysis May 1, 2026

Yampa-White-Little Snake Sub-Basin Snow Data

	# of Sites	% Median	Last Year % Median
Yampa	10.0	18.8	66.5
Elk	2.0	8.1	56.5
Williams Fork of the Yampa	1.0	39.7	76.9
Little Snake	10.0	34.1	68.3
White	4.0	30.2	60.1

Laramie and North Platte Sub-Basin Snow Data

	# of Sites	% Median	Last Year % Median
North Platte Headwaters	14.0	30.3	80.9
Laramie	5.0	11.9	66.8

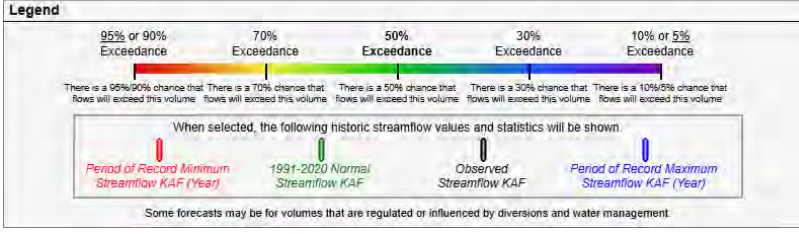
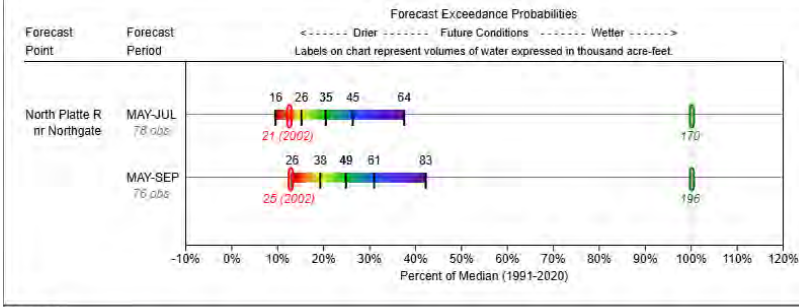
Reservoir Storage End of April 2026

Yampa-White-Little Snake Reservoir Data

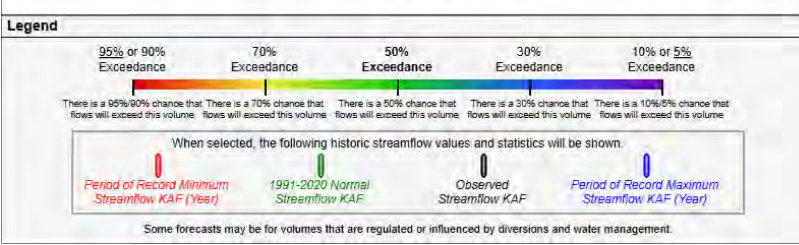
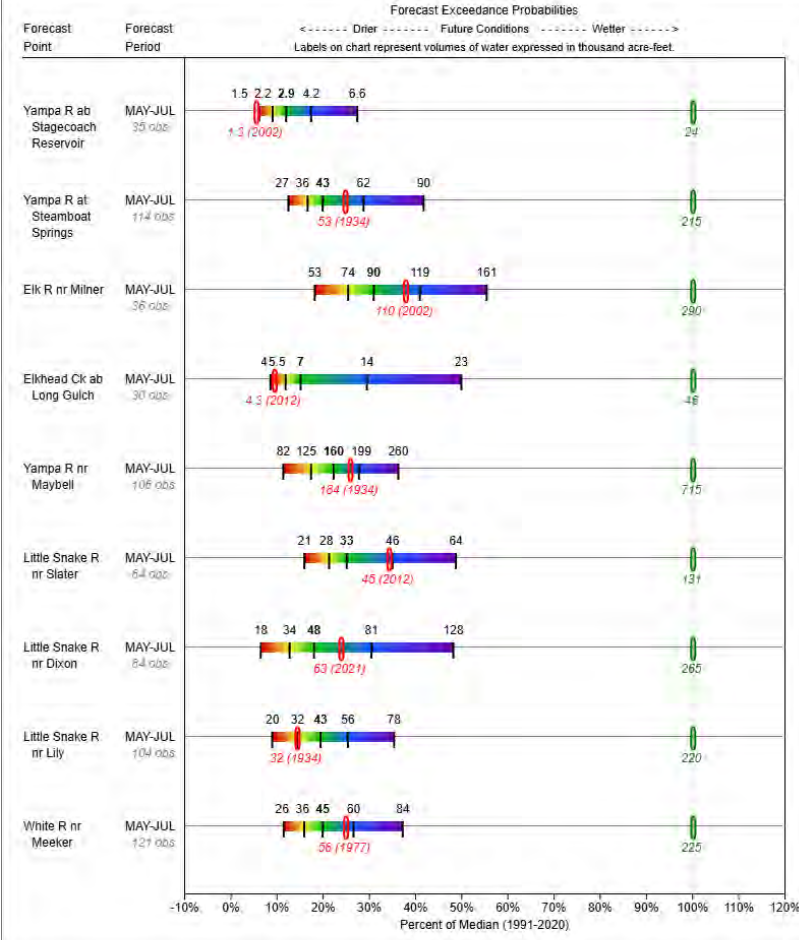
	Current Storage (KAF)	LY Storage (KAF)	Median (KAF)	Percent of Median
Yamcolo Reservoir	5.98	8.47	8.2	72.9
Elkhead Reservoir	24.84	19.05	24.5	101.4
Stagecoach Reservoir nr Oak Creek	28.6	34.87	31.9	89.7
High Savery Reservoir	10.09	15.08	15.0	67.3

*No reservoirs are currently monitored in our database for the Laramie-North Platte combined basin.

LARAMIE AND NORTH PLATTE
Water Supply Forecasts
May 1, 2026



YAMPA-WHITE-LITTLE SNAKE
Water Supply Forecasts
May 1, 2026

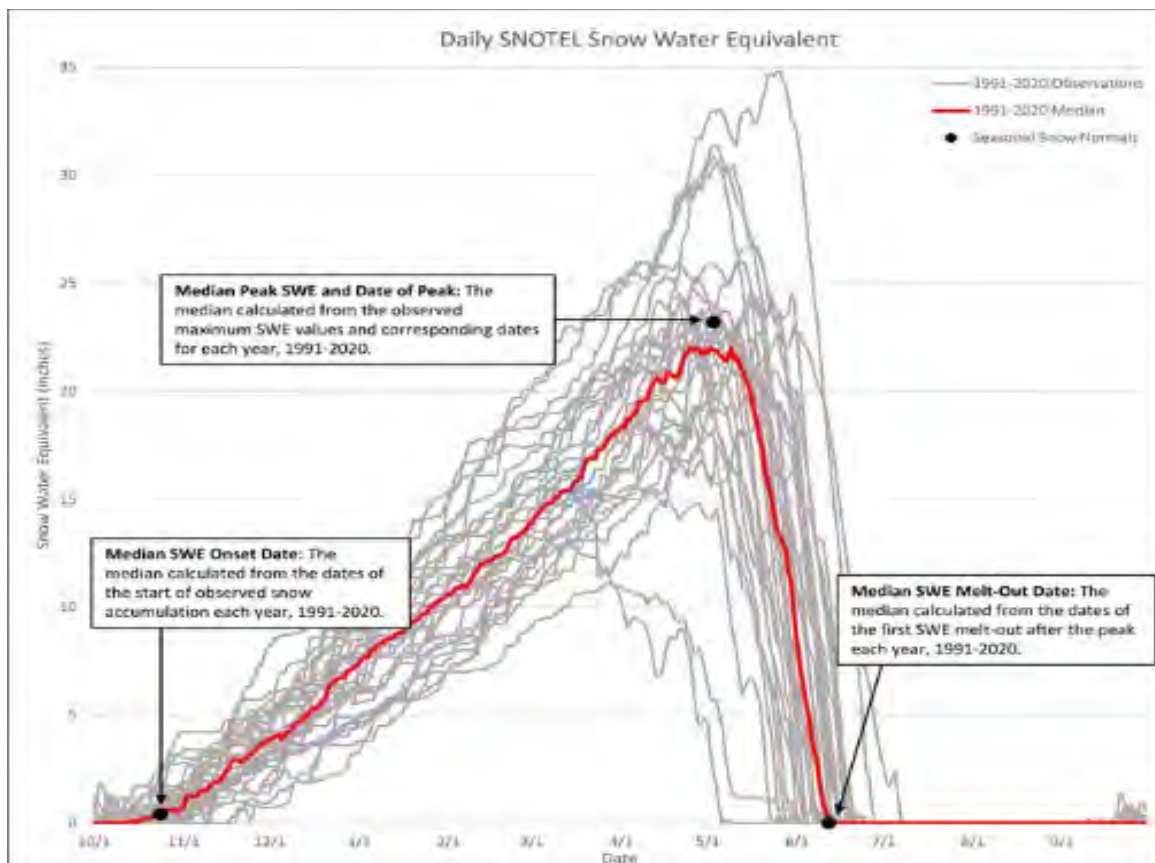


New 1991-2020 Statistical Normals

The NRCS Snow Survey and Water Supply Forecasting (SSWSF) Program recently published new statistical normals (medians or averages) to describe the central tendency of a data record over a 30-year period. Data normals are key in helping water users compare current conditions to past conditions using the metric “% of normal.” Every 10 years, the SSWSF Program updates the 30-year normals reference period to stay consistent with World Meteorological Organization standards that account for changing climatic conditions over time. As such, this year the SSWSF Program transitioned from using 1981-2010 data normals to using 1991-2020 data normals.

For the 1991-2020 reference period, the median is the official NRCS normal when conveying information about current snowpack, precipitation, and water supply conditions. The median was previously used as the official 1981-2010 normal for SWE and some streamflow forecast points, but the average was used for other data types. Setting the official normal to the median provides consistency across data types and stations. Viewing the 30-year average may be preferable over the median in some instances, therefore, both the average and the median are available in most NRCS reports and products. See for more information about the median.

A new suite of statistics for automated snow monitoring stations are available to provide information about normal seasonal snowpack characteristics. These new seasonal statistics include medians and averages for the SWE onset date and melt-out date, as well as the median and average maximum seasonal SWE value (Peak SWE) and date of Peak SWE. More detailed information on the updated normals can be found on the Water and Climate Center’s [30-year normals page](#).



How to Read Snowpack Graphs

The graphs show snow water equivalent (SWE) (in inches), using daily SNOTEL data. for the October 1 through September 30 water year. Basin “observed” SWE values are computed using SNOTEL sites which are characteristic of the snowpack of the particular basin.

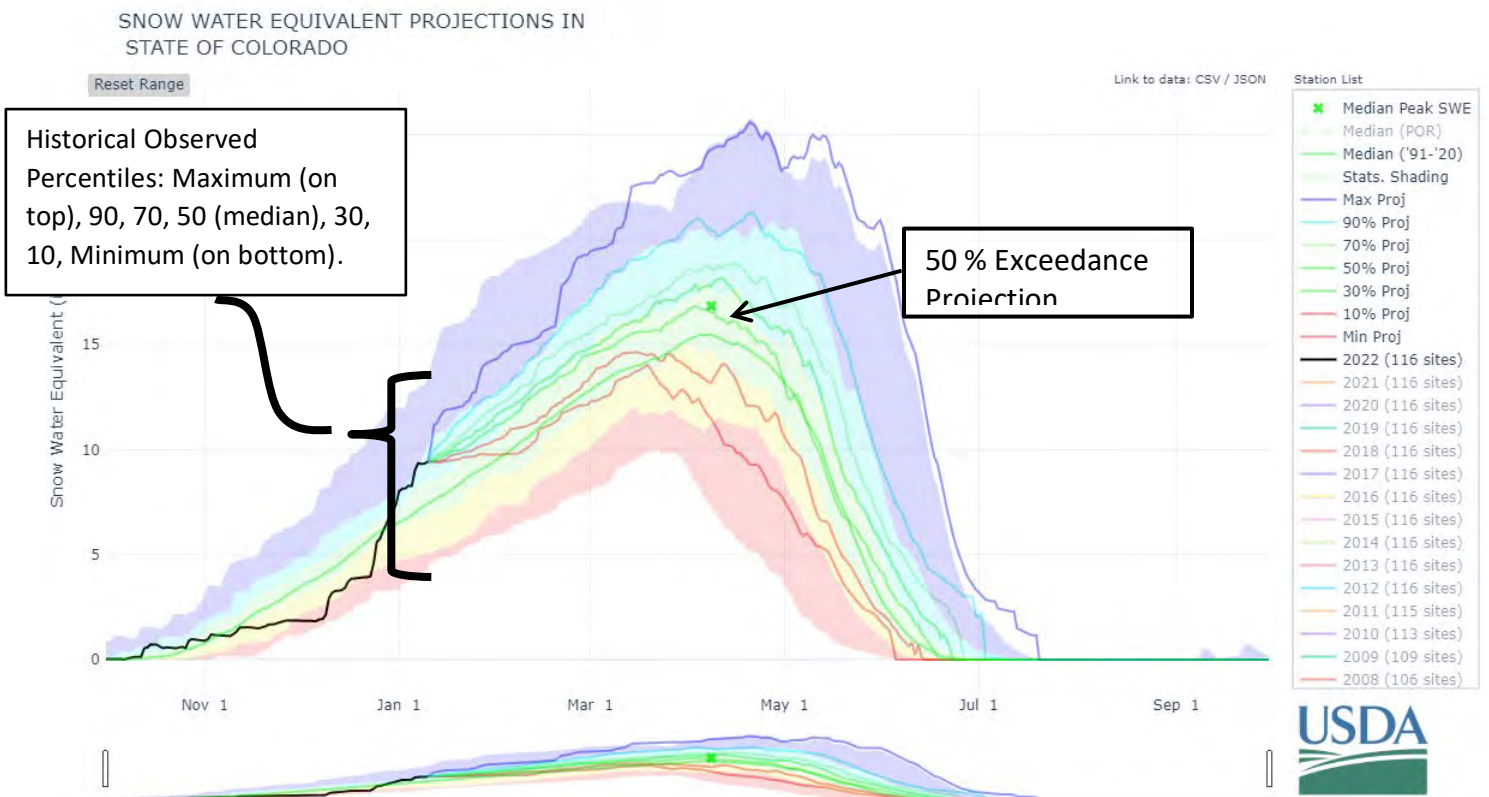
Current water year is represented by the heavy red line terminating on the last day the graphic was updated.

Historical observed percentile range is shown as a gray background area on the graph. Shades of gray indicate maximum, 90 percentile, 70 percentile, 50 percentile (solid black line), 30 percentile, 10 percentile, and minimum for the period of record.

50 % Exceedance Projection: The most probabilistic snowpack projection, based on the median snowpack is projected forward from the end of the current period to the end of the current water year.

For more detailed information on these graphs visit:

http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs144p2_062291.pdf



How Forecasts Are Made

For more water supply and resource management information, contact:

Brian Domonkos

Snow Survey Supervisor

USDA, Natural Resources Conservation Service

Denver Federal Center, Bldg 56, Rm 2604

PO Box 25426

Denver, CO 80225-0426

Phone (720) 544-2852

Website: <http://www.nrcs.usda.gov/wps/portal/nrcs/main/co/snow/>

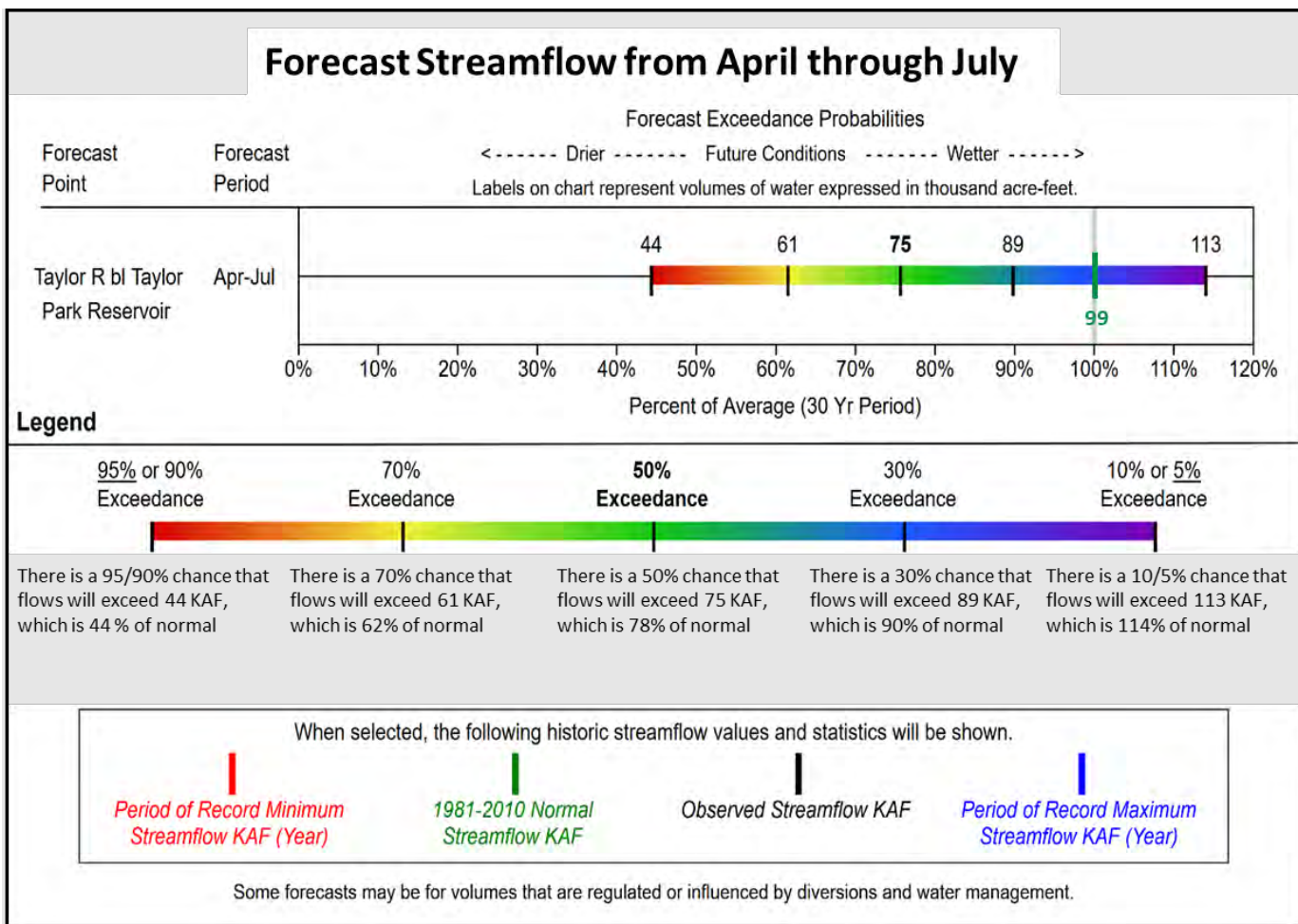
Most of the annual streamflow in the western United States originates as snowfall that has accumulated in the mountains during the winter and early spring. As the snowpack accumulates, hydrologists estimate the runoff that will occur when it melts. Measurements of snow water equivalent at selected manual snow courses and automated SNOTEL sites, along with precipitation, antecedent streamflow, and indices of the El Niño / Southern Oscillation are used in computerized statistical and simulation models to prepare runoff forecasts. Unless otherwise specified, all forecasts are for flows that would occur naturally without any upstream influences.

Forecasts of any kind, of course, are not perfect. Streamflow forecast uncertainty arises from three primary sources: (1) uncertain knowledge of future weather conditions, (2) uncertainty in the forecasting procedure, and (3) errors in the data. The forecast, therefore, must be interpreted not as a single value but rather as a range of values with specific probabilities of occurrence. The middle of the range is expressed by the 50% exceedance probability forecast, for which there is a 50% chance that the actual flow will be above, and a 50% chance that the actual flow will be below, this value. To describe the expected range around this 50% value, four other forecasts are provided, two smaller values (90% and 70% exceedance probability) and two larger values (30%, and 10% exceedance probability). For example, there is a 90% chance that the actual flow will be more than the 90% exceedance probability forecast. The others can be interpreted similarly.

The wider the spread among these values, the more uncertain the forecast. As the season progresses, forecasts become more accurate, primarily because a greater portion of the future weather conditions become known; this is reflected by a narrowing of the range around the 50% exceedance probability forecast. Users should take this uncertainty into consideration when making operational decisions by selecting forecasts corresponding to the level of risk they are willing to assume about the amount of water to be expected. If users anticipate receiving a lesser supply of water, or if they wish to increase their chances of having an adequate supply of water for their operations, they may want to base their decisions on the 90% or 70% exceedance probability forecasts, or something in between. On the other hand, if users are concerned about receiving too much water (for example, threat of flooding), they may want to base their decisions on the 30% or 10% exceedance probability forecasts, or something in between. Regardless of the forecast value users choose for operations, they should be prepared to deal with either more or less water. (Users should remember that even if the 90% exceedance probability forecast is used, there is still a 10% chance of receiving less than this amount.) By using the exceedance probability information, users can easily determine the chances of receiving more or less water.

Interpreting the Forecast Graphics

These graphics provide a new way to visualize the range of streamflows represented by the forecast exceedance probabilities for each forecast period. The colors in the bar for each forecast point indicate the exceedance probability of the forecasts and the vertical lines on the bar signify the five published forecast exceedance probabilities. The numbers displayed above the color scale represent the actual forecasted streamflow volume (in KAF) for the given exceedance probability. The horizontal axis provides the percent of median represented by each forecast and the gray line centered above 100% represents the 1981-2010 historical median streamflow. The position of the gray line relative to the color scale provides a benchmark for considering future streamflows. If the majority of the forecast range is to the right of the gray line, there is a higher likelihood of above median streamflow volumes during the provided forecast period. Conversely, if the majority of the color bar is to the left of the median mark, below median volumes are more likely. The horizontal span of the forecasts offers an indication of the uncertainty in a given forecast: when the bar spans a large horizontal range, the forecast skill is low and uncertainty is high; when the bar is narrow in width, the forecast skill is higher and uncertainty lower.



Denver Federal Center, Bldg 56, Rm 2604
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Denver, CO 80225-0426

In addition to the water supply outlook reports, water supply forecast information for the Western United States is available from the Natural Resources Conservation Service and the National Weather Service monthly, February through June. The information may be obtained from the Natural Resources Conservation Service web page at <http://www.wcc.nrcs.usda.gov/wsf/westwide.html>

Issued by

Aubrey J.D. Bettencourt
Chief, Natural Resources Conservation Service
Farm Production and Conservation Mission Area
U.S. Department of Agriculture

Released by

Clint Evans
State Conservationist
Natural Resources Conservation Service
Lakewood, Colorado

<p style="text-align: center;">Colorado Water Supply Outlook Report Natural Resources Conservation Service Lakewood, CO</p>





BOARD COMMUNICATION FORM

From: Emily Lowell, District Engineer

Date: 5/20/2026

Item: Stagecoach Water Supply Source Update

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I. Request/Issue and Background Information:

UYWCD is working with Spheros Environmental (previously LRE Water) on a desktop study of existing water wells in the Stagecoach Reservoir area to determine the best locations and elevations for drilling test wells for a supplemental water supply source for Stagecoach State Park.

II. Summary of Work to Date:

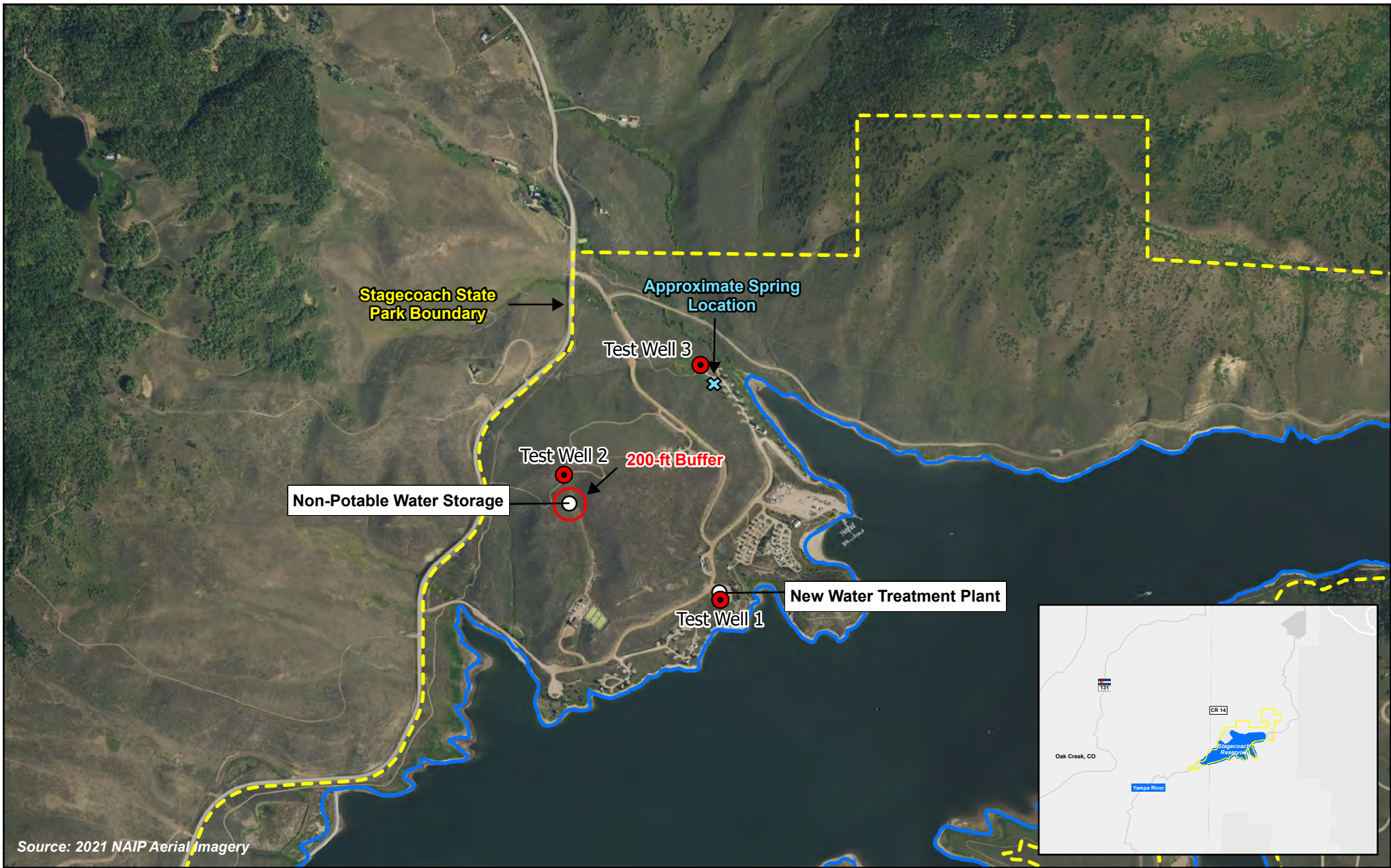
Staff have been working with Spheros Environmental to compile data and perform an analysis of the existing water supply wells in the Stagecoach area. The desktop study is complete and UYWCD has contracted with Aztec Drilling Company to complete the exploratory drilling program which entails drilling up to three test wells. If it is determined that one of the test wells has suitable production and water quality for State Park needs, the well will be transitioned to a production well and ultimately tied into the State Parks water supply system. The exploratory drilling program will begin soon.

V. Consistency with Board Goals and Policies:

Strategic Plan Initiative - Water Supply

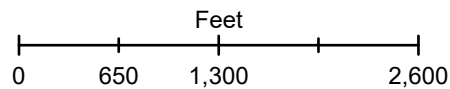
Attachments:

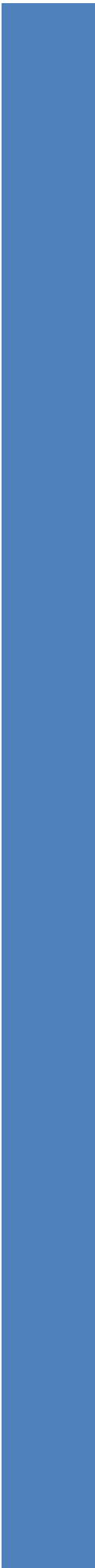
1. Project Map



Source: 2021 NAIP Aerial Imagery

UYWCD Stagecoach Reservoir Groundwater Supply Development Test Well Locations







BOARD COMMUNICATION FORM

From: Emily Lowell, District Engineer

Date: 5/20/2026

Item: Water Quality Monitoring and Modeling Update

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I. Request/Issue and Background Information:

The Upper Yampa Water Conservancy District (UYWCD) hired Spheros Environmental (previously LRE Water) and Plummer Associates Inc (Plummer) to begin the first phase of a Coupled Modeling system for the Bear River Sub-Watershed and Stagecoach Reservoir with the development of the HSPF Watershed Model. This effort will set the foundation for understanding hydrologic and nutrient dynamics within the Bear River sub-basin.

To achieve project goals, the project team initially developed a watershed model for the Bear River sub-basin to simulate runoff, nutrient loadings, and headwater flows into Stagecoach Reservoir. This watershed model will provide inputs for the second phase of the modeling system development; the development of a multidimensional, hydrodynamic water quality model of Stagecoach Reservoir using CE-QUAL-W2 to simulate temperature stratification, dissolved oxygen levels, algae dynamics, and nutrient transformations. Phase 1 of the project will also anticipate that the two comprehensive models will be integrated into a coupled modeling system, providing a robust tool for understanding Upper Yampa Watershed dynamics and the water quality impacts on Stagecoach Reservoir in the final phase of the project. Future water quality scenario analysis will be made possible by the coupled modeling system.

Spheros Environmental is currently collecting watershed and reservoir water quality data based on the monitoring requirements for the modeling inputs, calibration, and validation for the Watershed and Reservoir Models. This data will also provide additional insight and information on overall watershed and reservoir dynamics relating to algal blooms in Stagecoach Reservoir. Water quality data collected for this sampling and analysis plan began in 2024. Spheros Environmental will present the 2025 water quality data and discuss the observations of water quality dynamics in Stagecoach Reservoir from 2025.



II. Consistency with Board Goals and Policies:

UYWCD SP 2.2

Attachments:

Presentation Slides



UPPER YAMPA CONSERVANCY DISTRICT

HSPF Watershed Model Development and Documentation Report and 2025 Water Quality Report Update

May 20th 2026

WATER QUALITY and WATERSHED MODEL UPDATE

1. Watershed Quality Update

- a. Watershed
- b. Reservoir

2. HSPF Watershed Model

- a. Model Development
- b. Model Outputs
 - i. Nitrogen and Phosphorus Loading Calculations

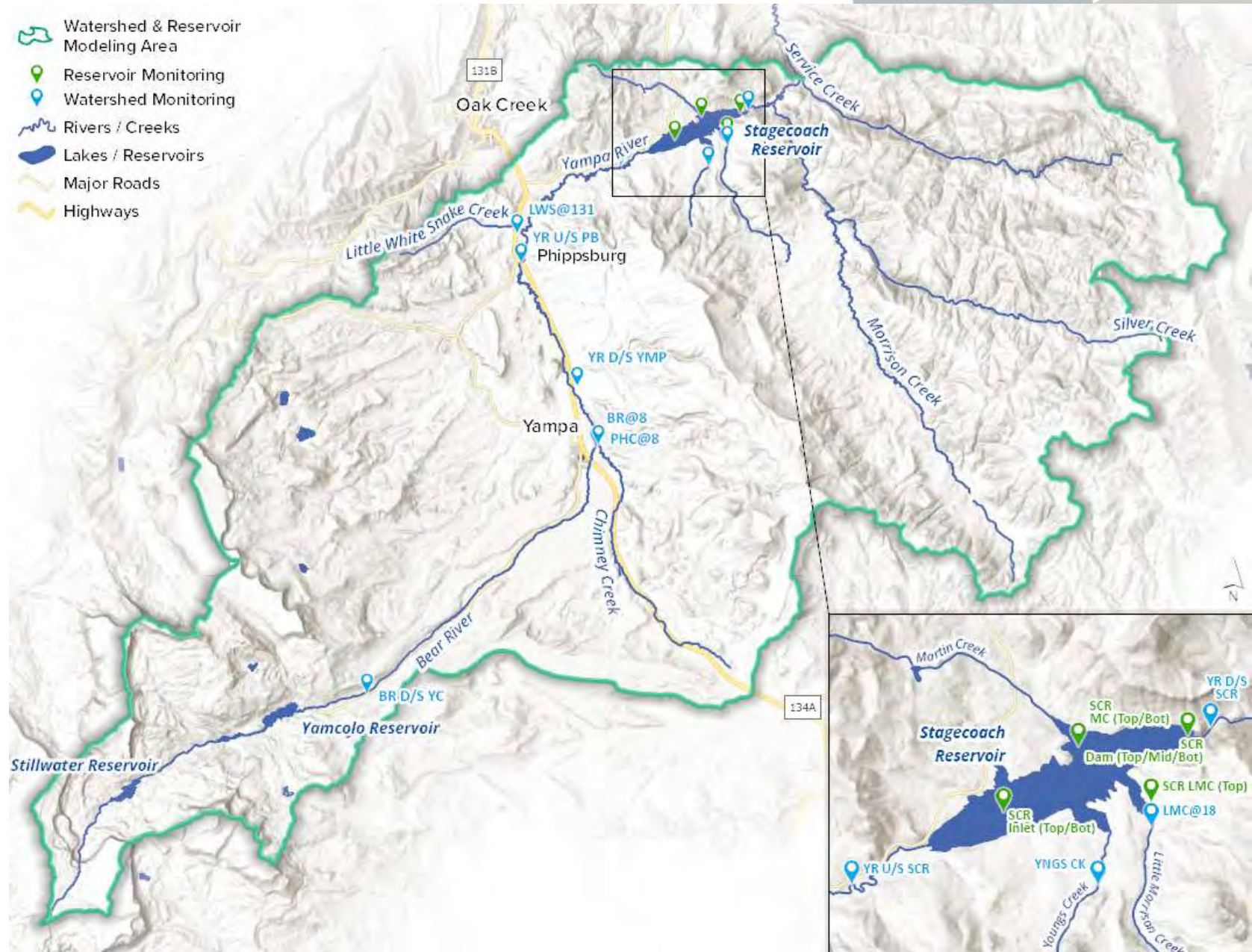


MONITORING PROGRAM

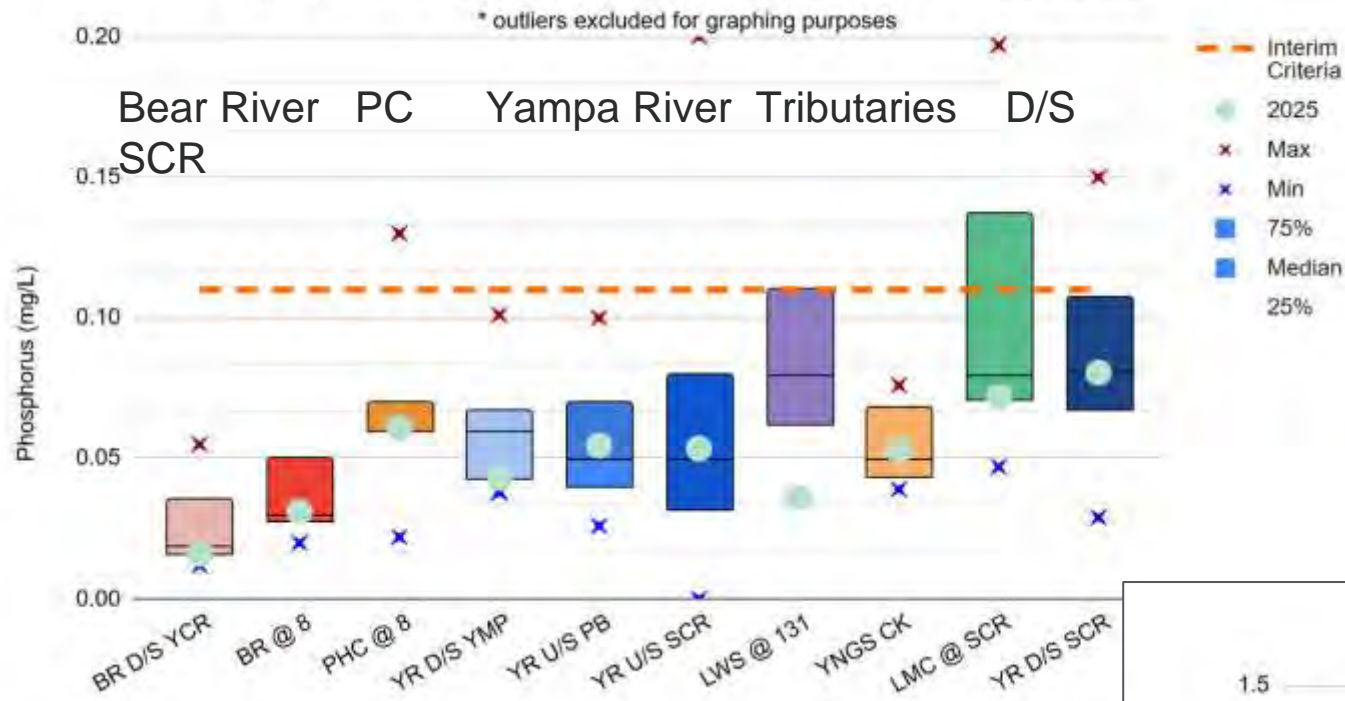
**Upper Yampa River -
Bear River Watershed
Huc 10 1405000101**

**Watershed Monitoring -
Quarterly/ 4x year**

**Reservoir Monitoring -
Monthly (Spring-Fall)**



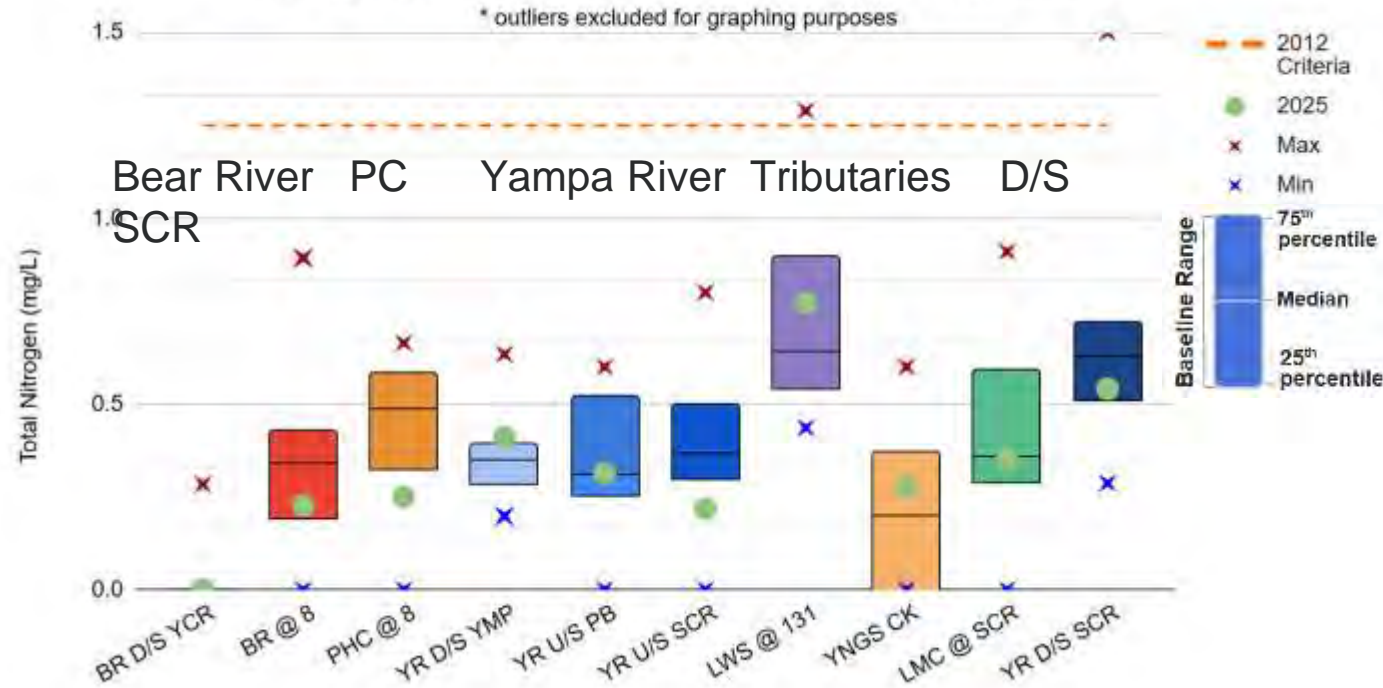
Phosphorus Concentrations in the Bear River Watershed



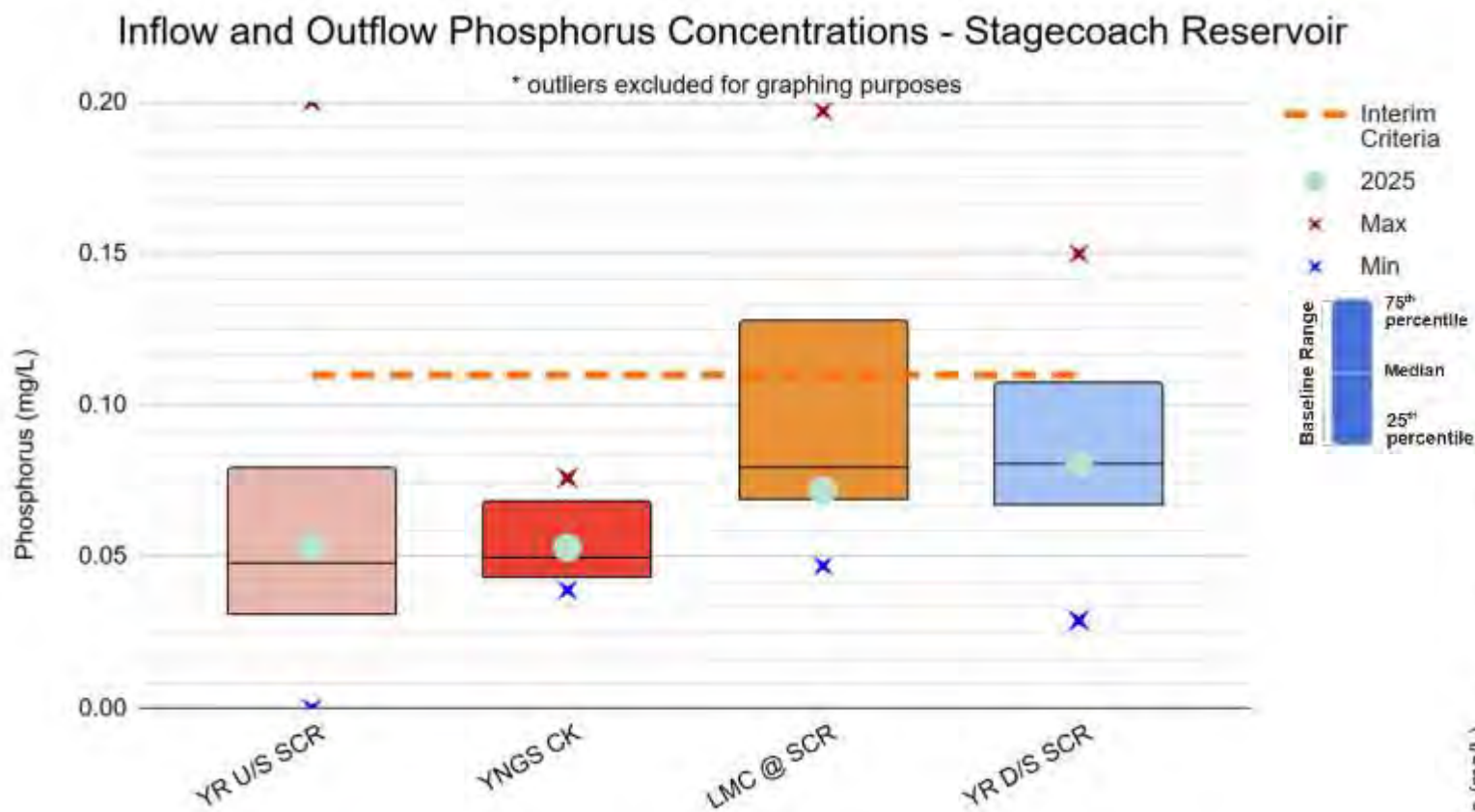
Phosphorus -
All watershed stream
sites below interim
WQ standard of 110
ug/L

Nitrogen -
All watershed stream
sites below interim
WQ standard of
1.25mg/L

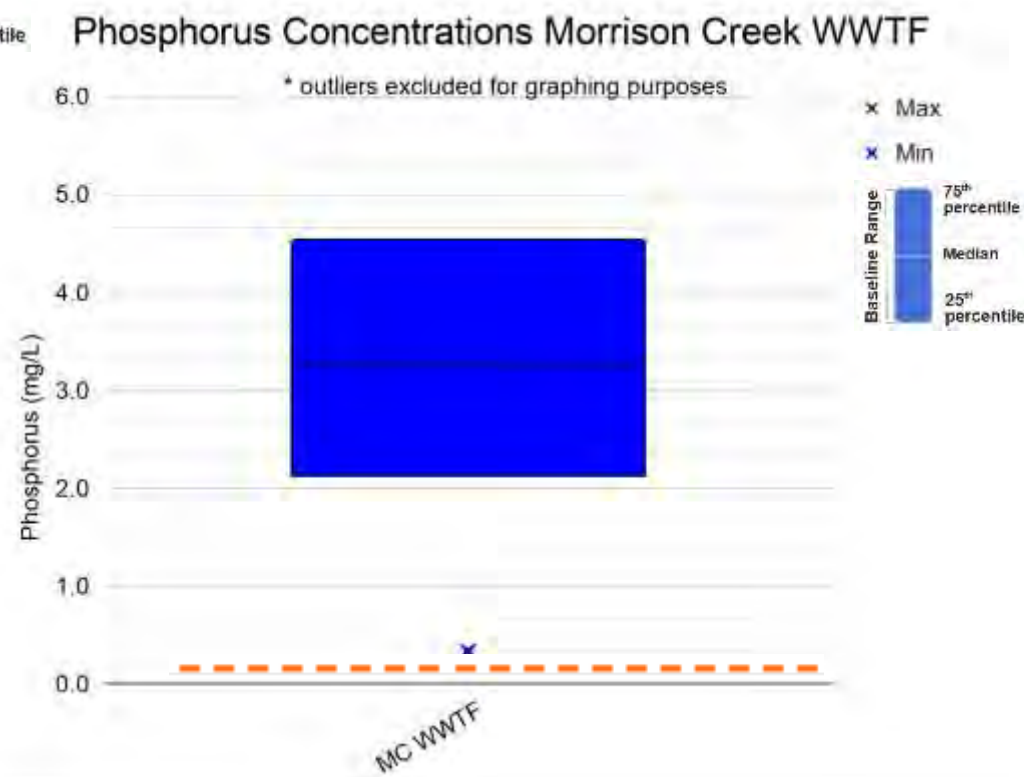
Nitrogen Concentrations in the Bear River Watershed



PHOSPHORUS STAGECOACH INFLOWS

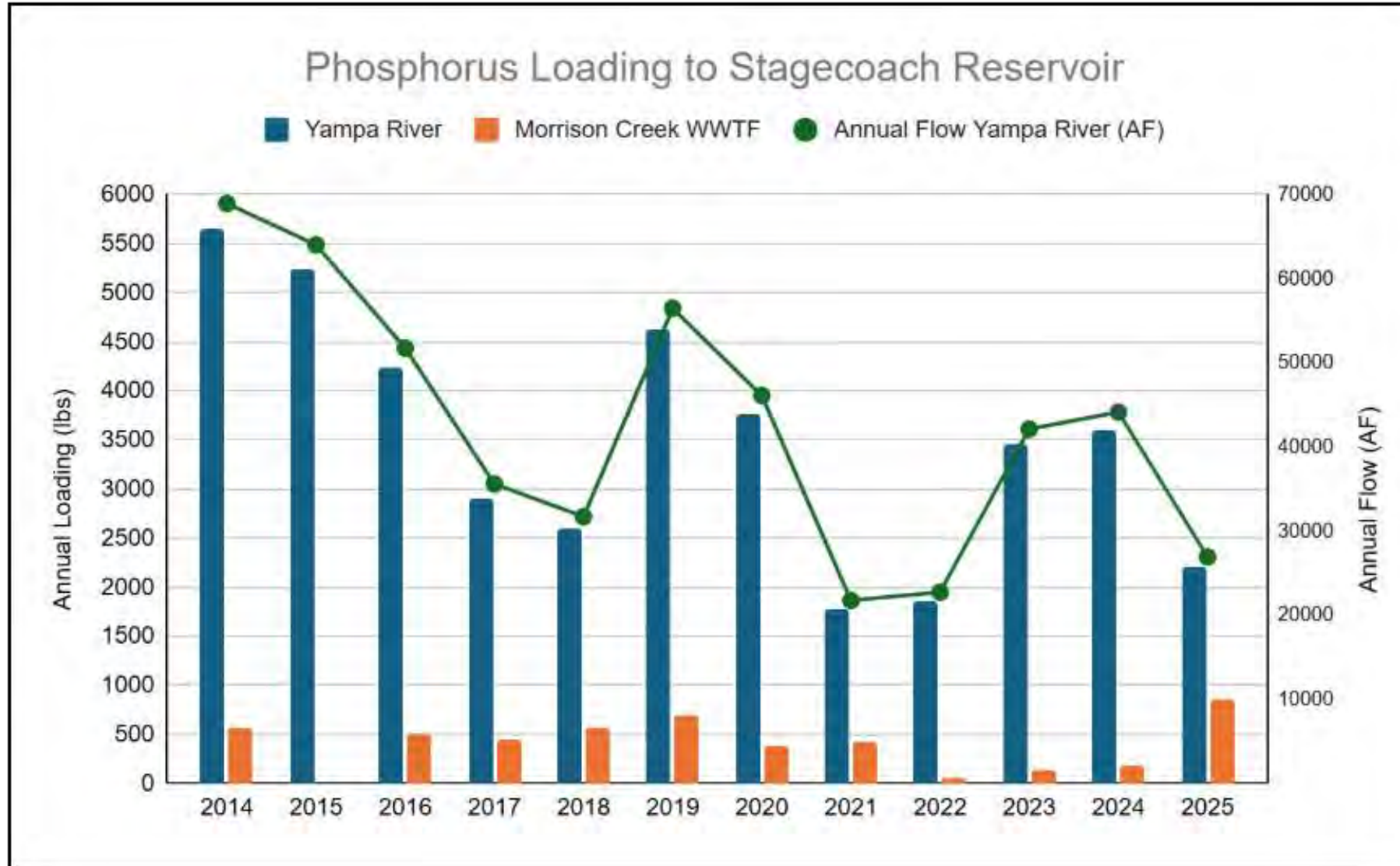


**WWTF inflows
Morrison Creek
WWTF median TP
3.3mg/L**

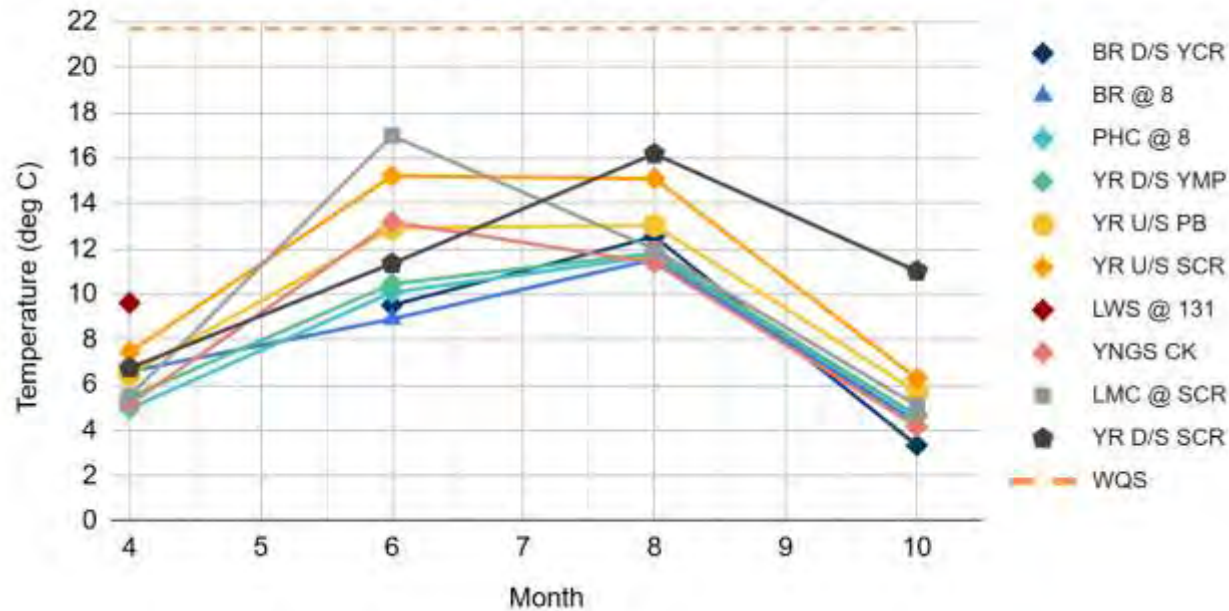


**Stream inflows and outflow to SCR
All below interim TP WQ standard
for cold water streams of 110ug/L**

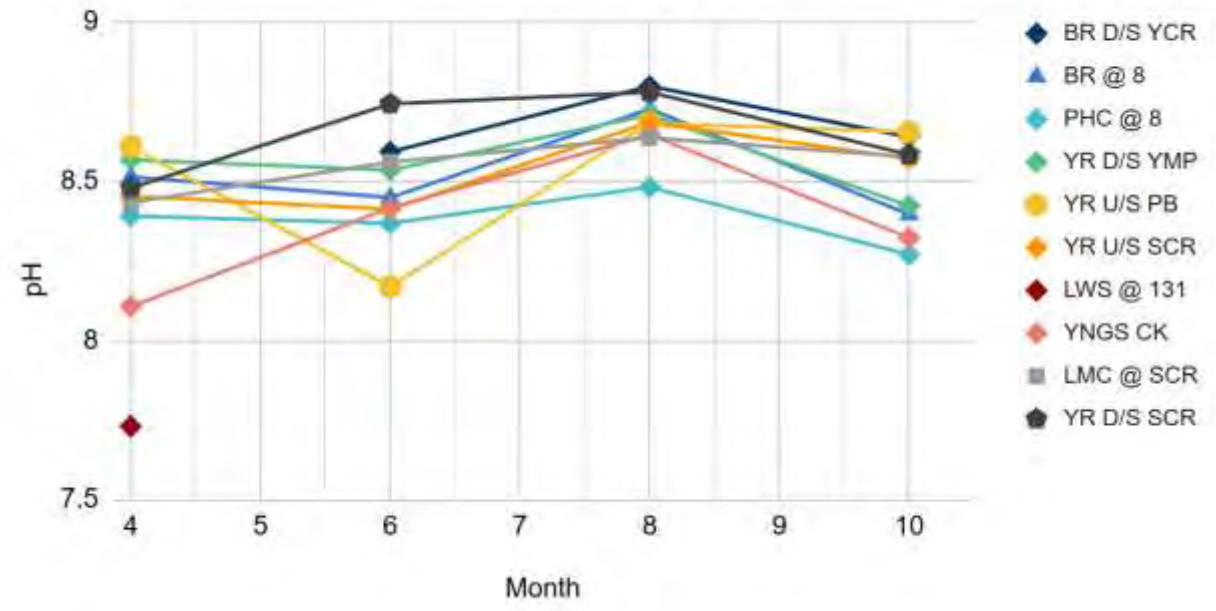
STAGECOACH LOADING - YAMPA RIVER and MORRISON CREEK WWTP



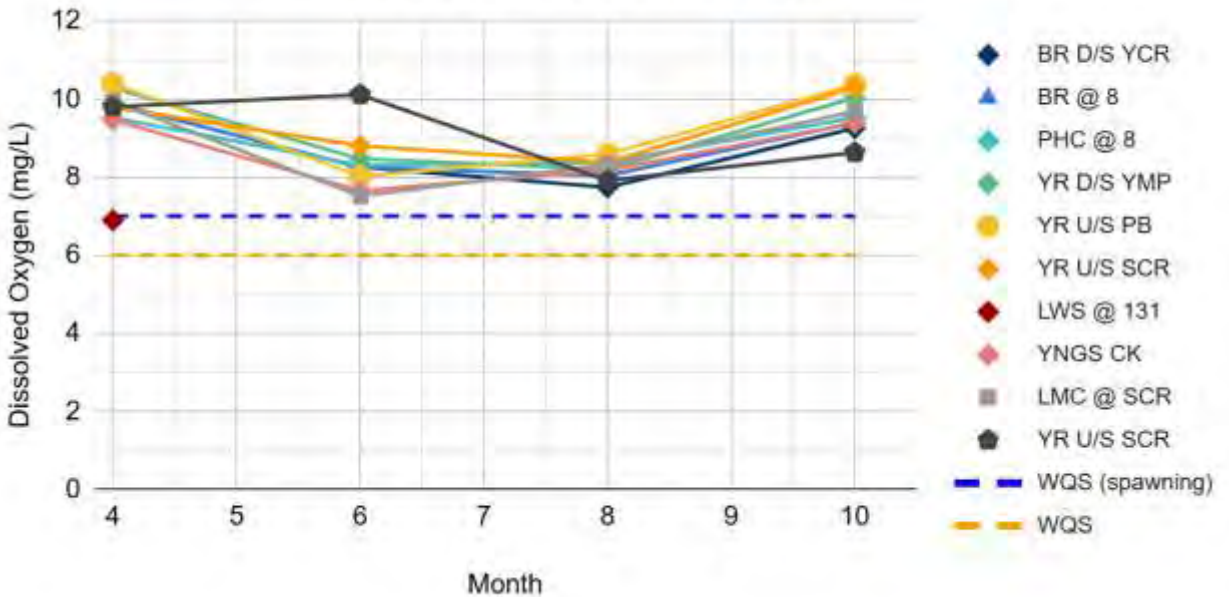
Watershed Stream Temperature



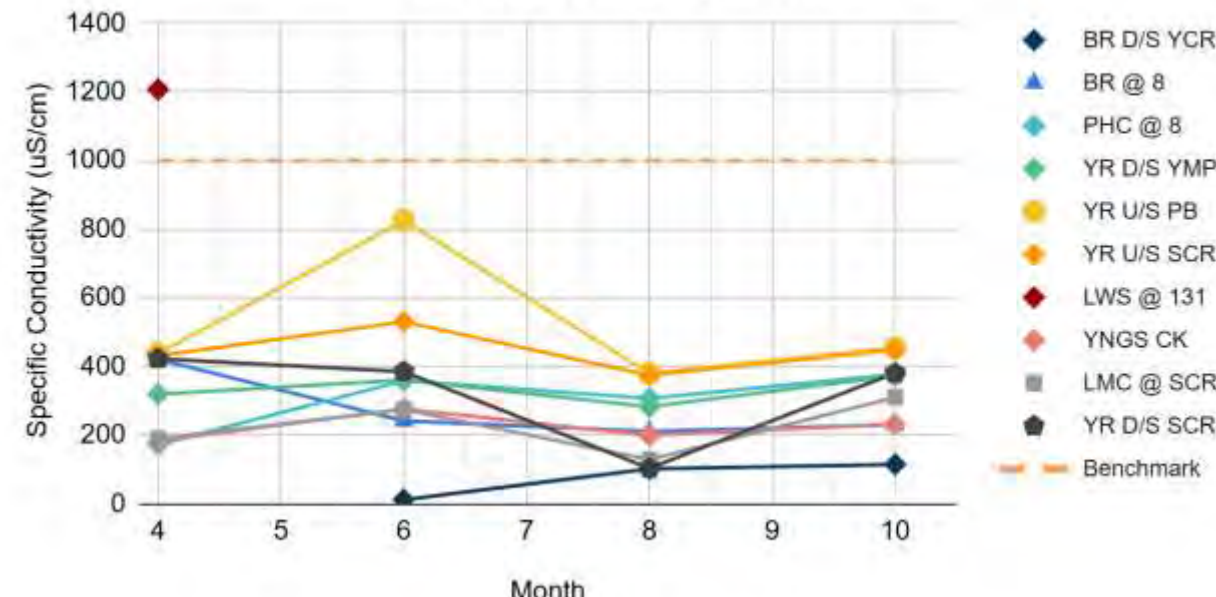
Watershed pH



Watershed Dissolved Oxygen



Watershed Specific Conductivity



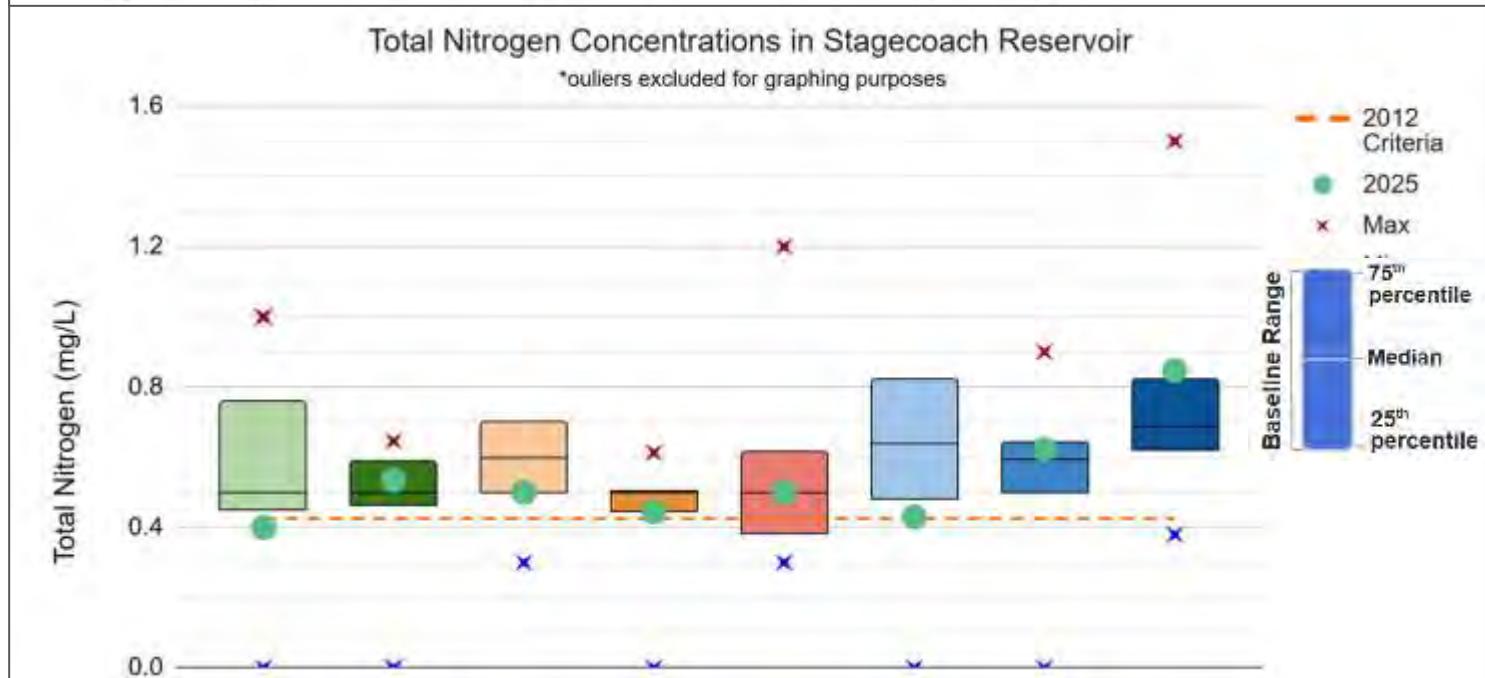
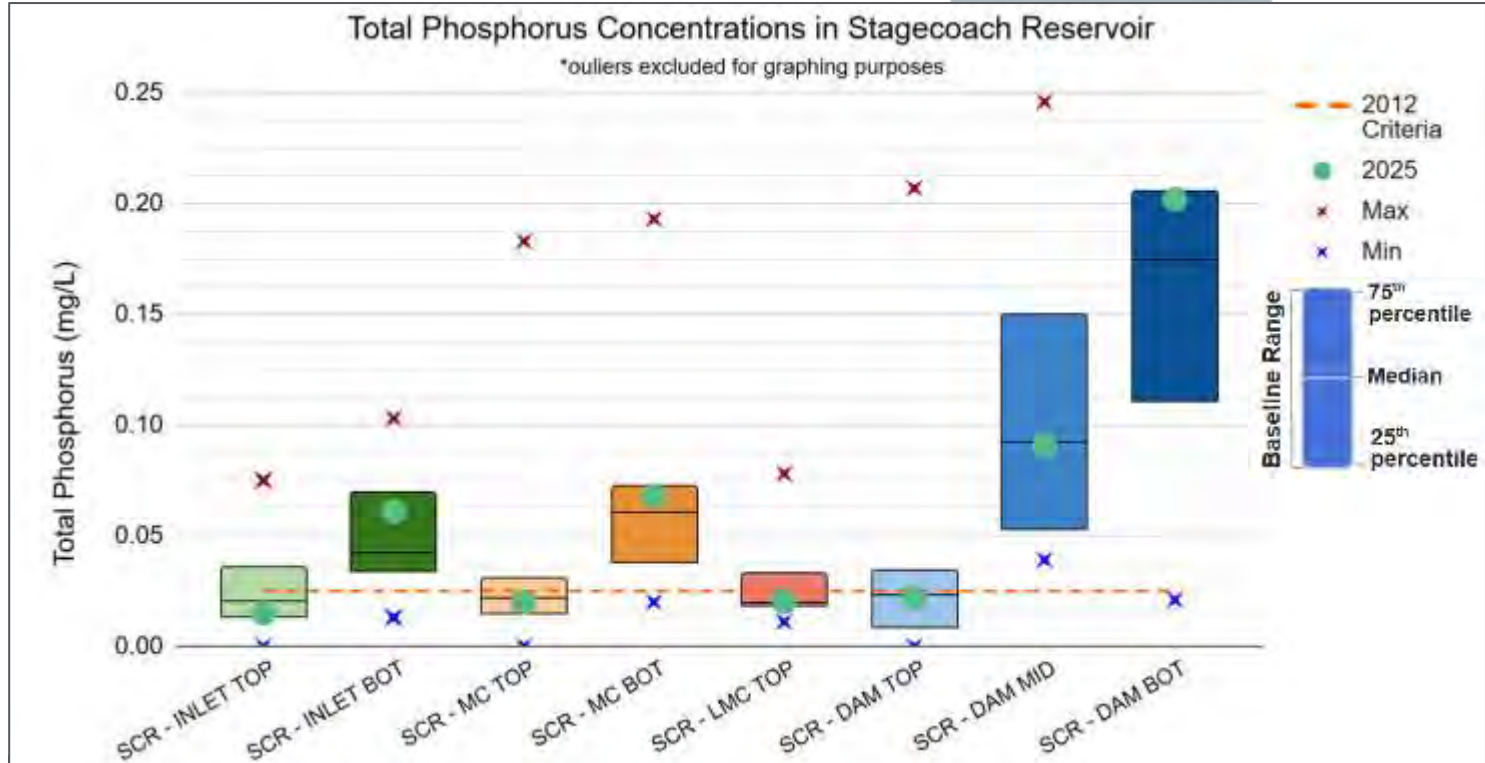
STAGECOACH NUTRIENTS

Total Phosphorus

- Near interim WQ standard (25ug/L)
- Increases with depth at all sites indicating internal loading from the sediments

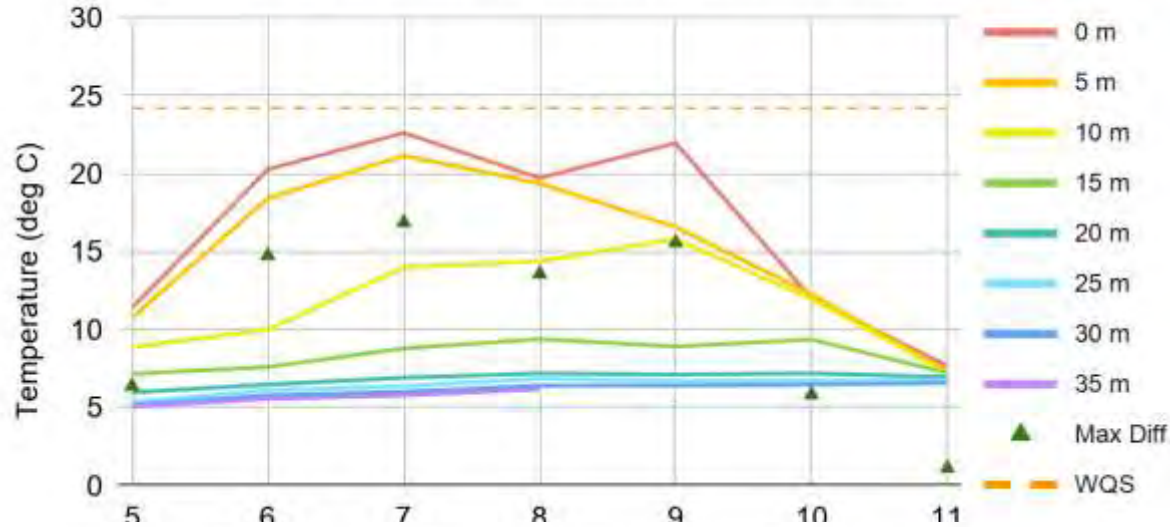
Total Nitrogen

- Near or above interim WQ standard (426 ug/L)
- Higher at the deepest site near the dam



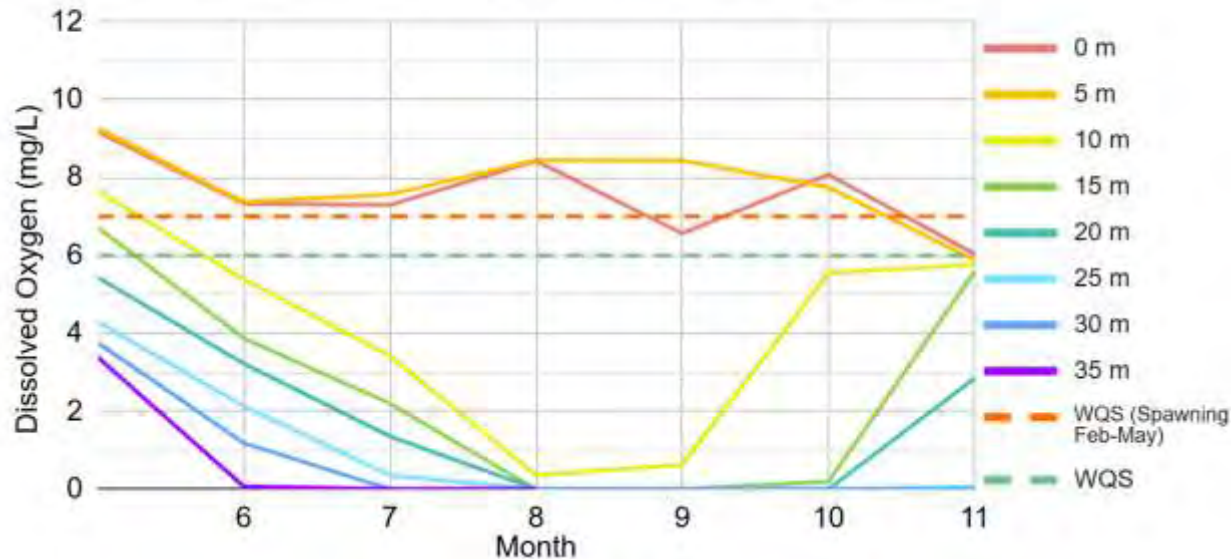
STAGECOACH RESERVOIR - PHYSICAL

Stagecoach Reservoir Temperature Profile

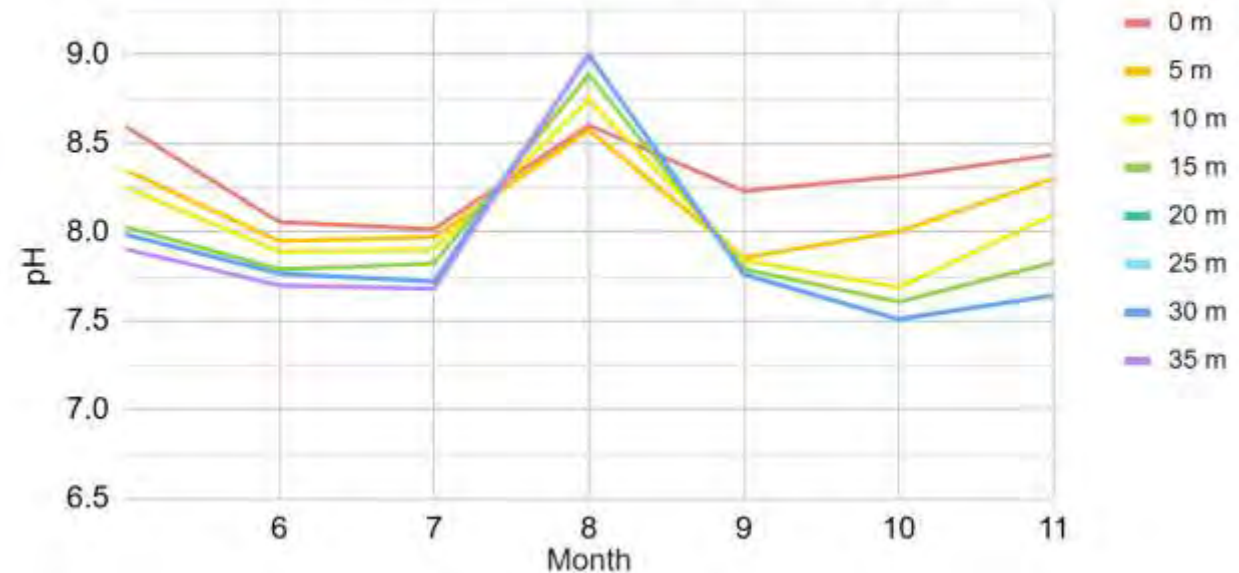


- Attained WQ standards for Temperature and Dissolved Oxygen
 - (slight decrease in Nov. 85th%tile)
- Increase in pH with depth in August - internal loading (reduction of iron bound P)

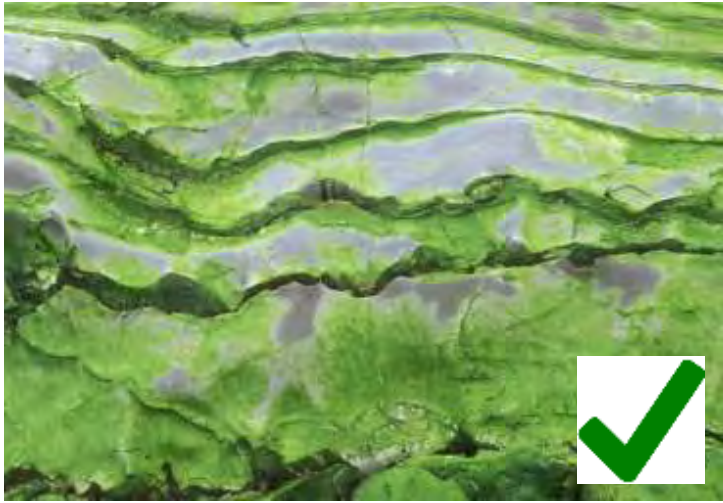
Stagecoach Reservoir Dissolved Oxygen Profile



Stagecoach Reservoir pH Profile



RESERVOIR - PHYTOPLANKTON



Chlorophyta

Green Algae

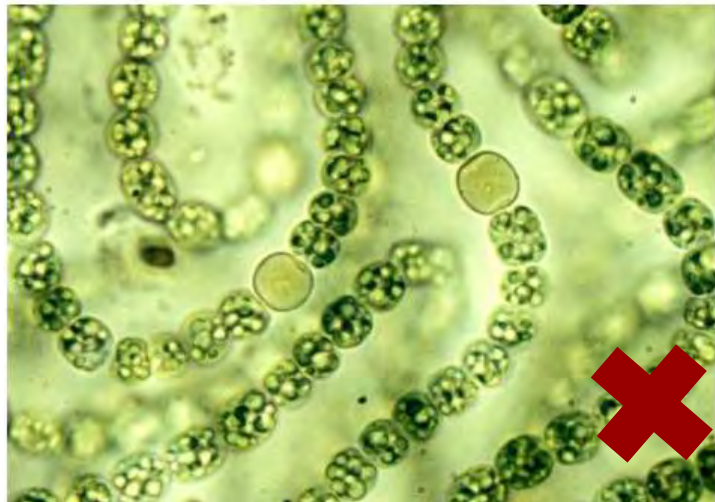
- Require more balanced conditions
- Good food for zooplankton
- Limited contribution to food web or water quality problems



Bacillariophyta

Diatoms

- Silica shell
- Often first algae to bloom in early spring
- Indicate eutrophic conditions
- Important contribution to food chain



Cyanophyta

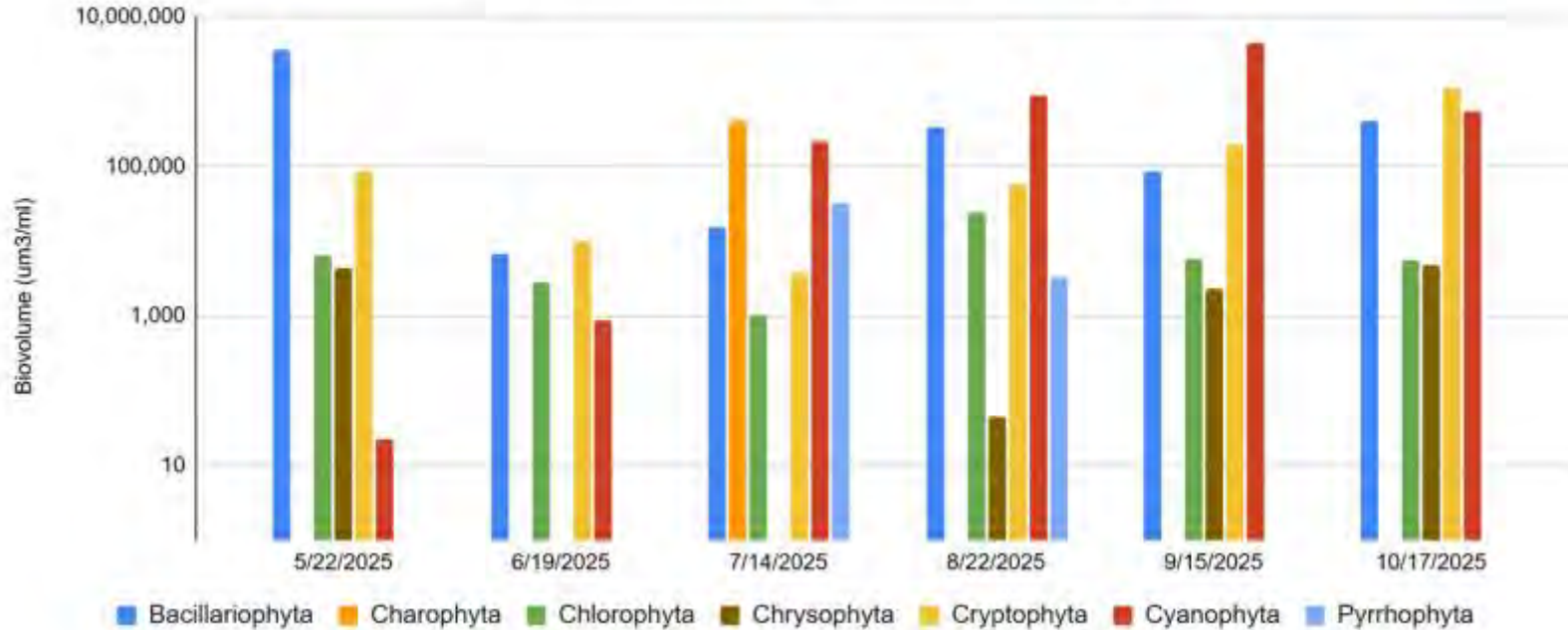
Cyanobacteria/ Blue-Green Algae

- Bloom in nutrient abundant conditions
- Can produce toxins
- Some can fix N from atmosphere - outcompete other algae in N limitation
- Limited contribution to food web

Stagecoach Reservoir has experienced some toxic cyanobacteria blooms which impact beneficial uses and recreation. Determining the nutrient imbalance is key to understanding management strategies.

STAGECOACH RESERVOIR - PLANKTON

Stagecoach Reservoir Phytoplankton Biovolume

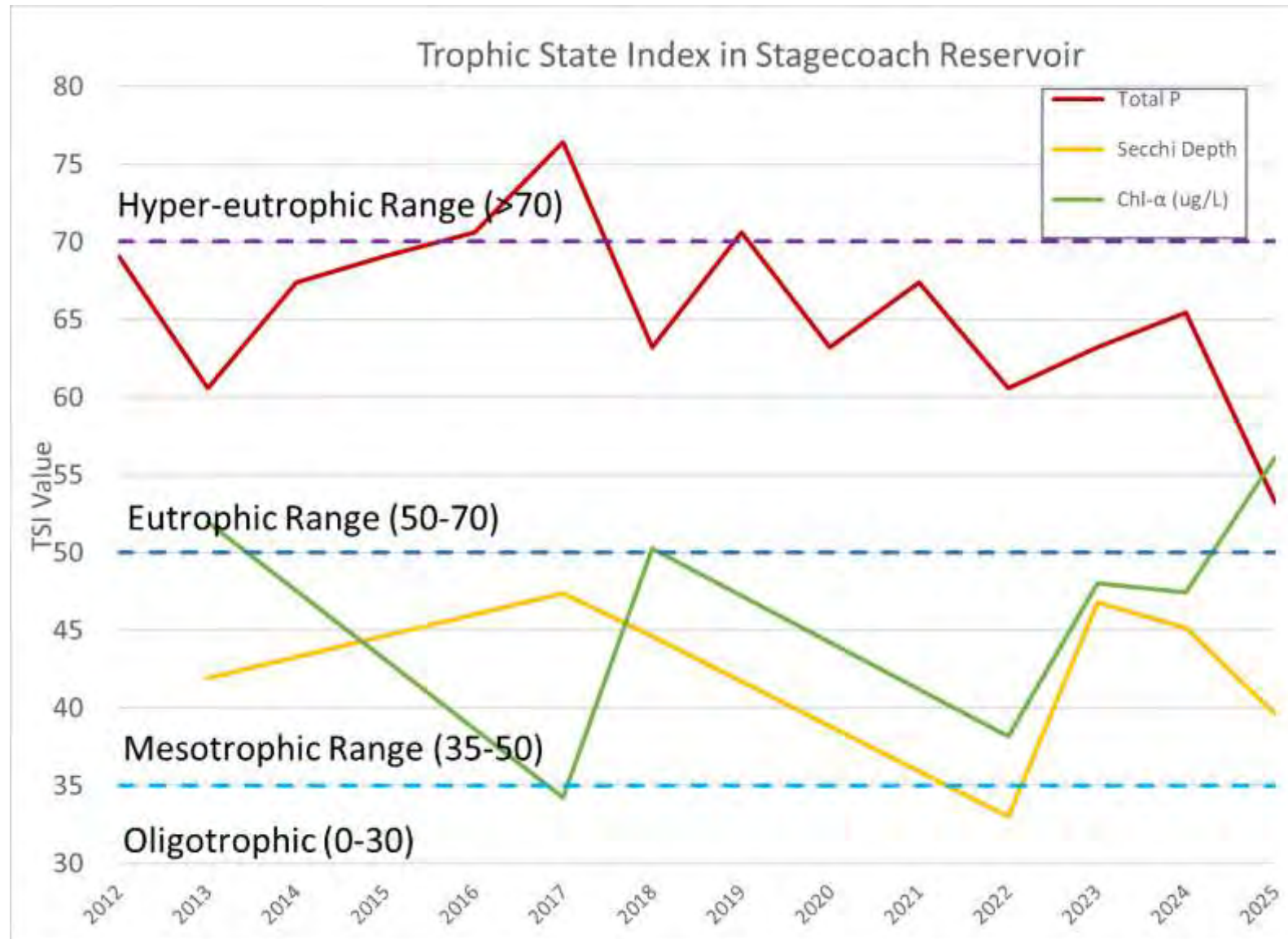


Diatoms and green algae early in the season, then cyanobacteria populations dominated from July through the rest of the season.

- **Cyanobacteria**/ blue green algae dominant most of the year
- Aphanizomenon most common species

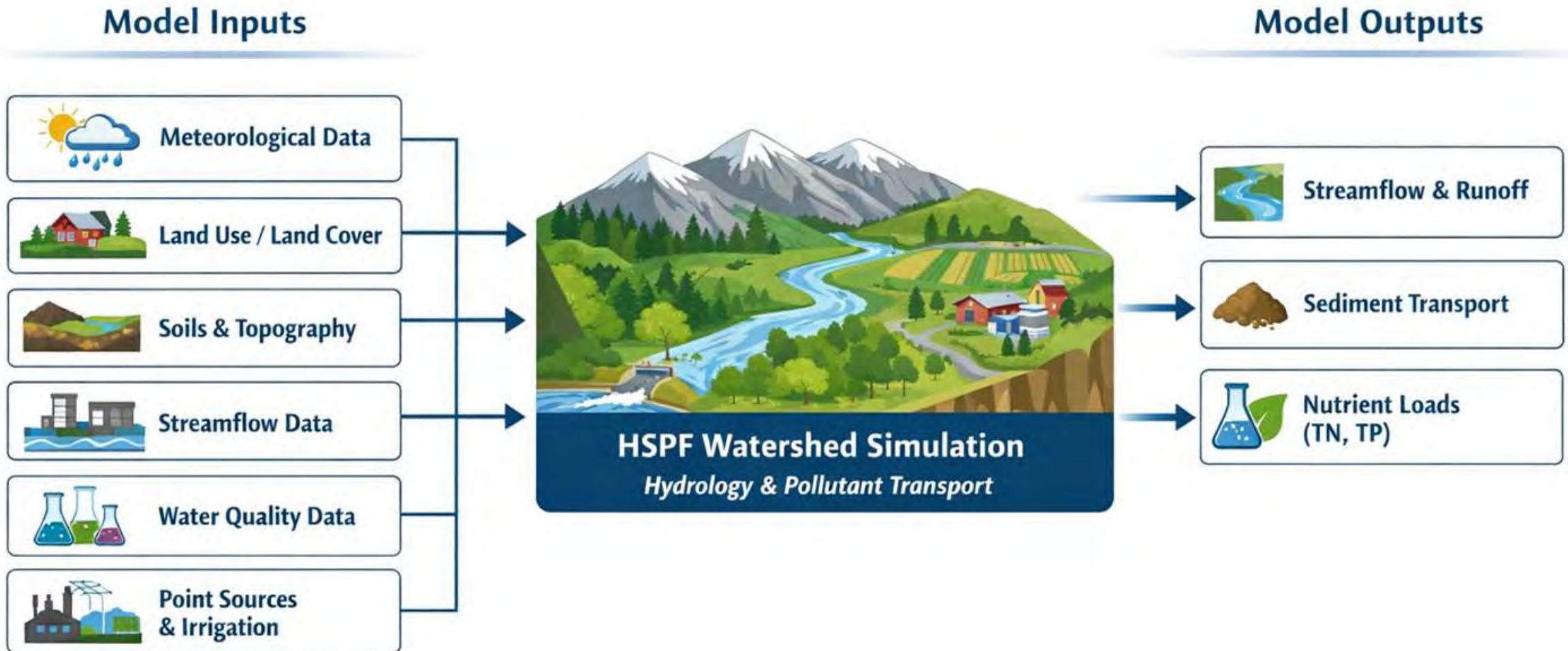


STAGECOACH RESERVOIR - TROPHIC STATE

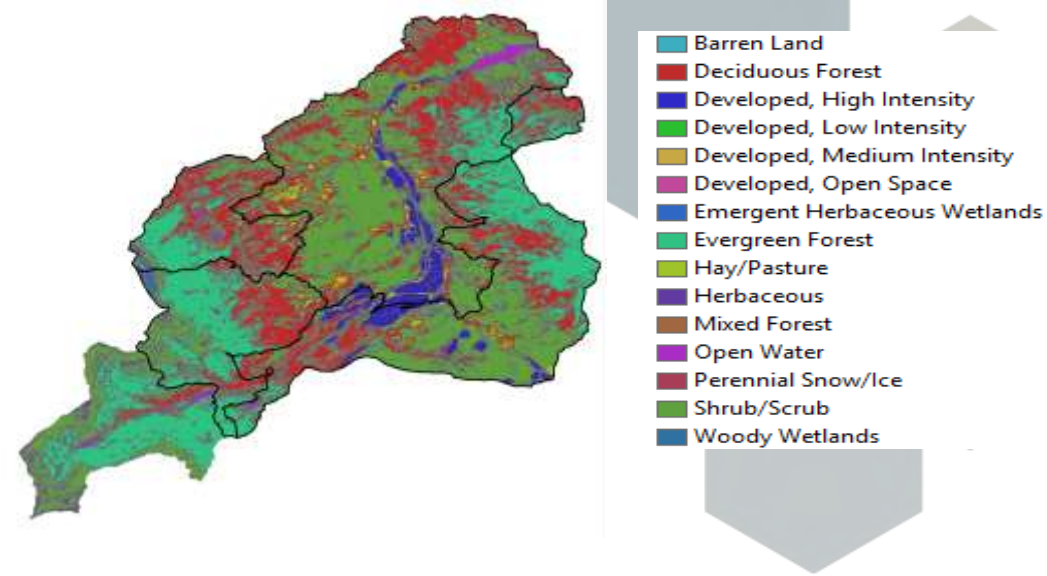


HSPF MODEL DEVELOPMENT

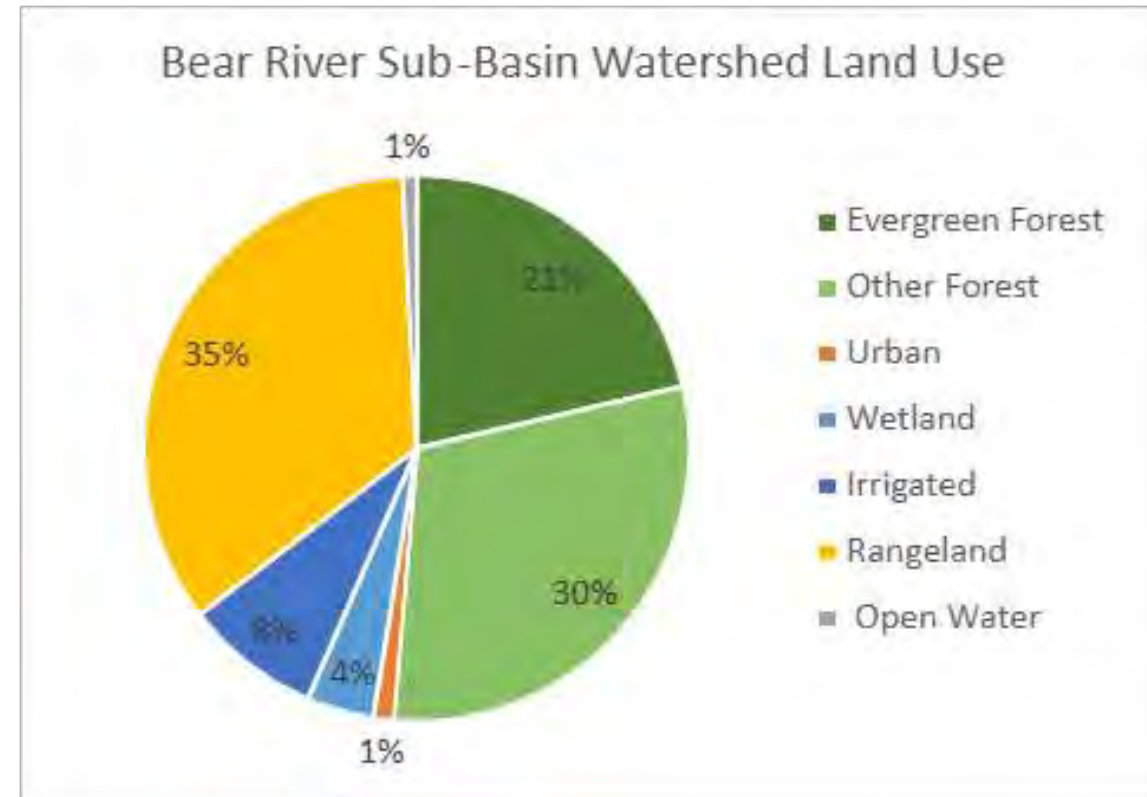
Integrates climate, landscape, and monitoring data to simulate watershed hydrology and water quality from headwaters to downstream receiving waters.



BEAR RIVER SUB-BASIN WATERSHED LAND USE



Land Use/ Source	Area (Acres)
Evergreen Forest	27,190
Other Forest <i>(Deciduous, Mixed)</i>	38,201
Urban <i>(Developed, Pervious and Impervious)</i>	1,518
Wetland <i>(Emergent Herbaceous, Woody Wetlands)</i>	5,092
Irrigated - Mainstem	5,528
Irrigated- Tributaries	4,749
Rangeland <i>(Open Pasture, Herbaceous, Shrub/Scrub, Barren Land)</i>	44,012
Open Water <i>(Open Water, Perennial Snow/Ice)</i>	1,041



WATERSHED ZONES

Zone 3 – Headwaters (High Elevation)

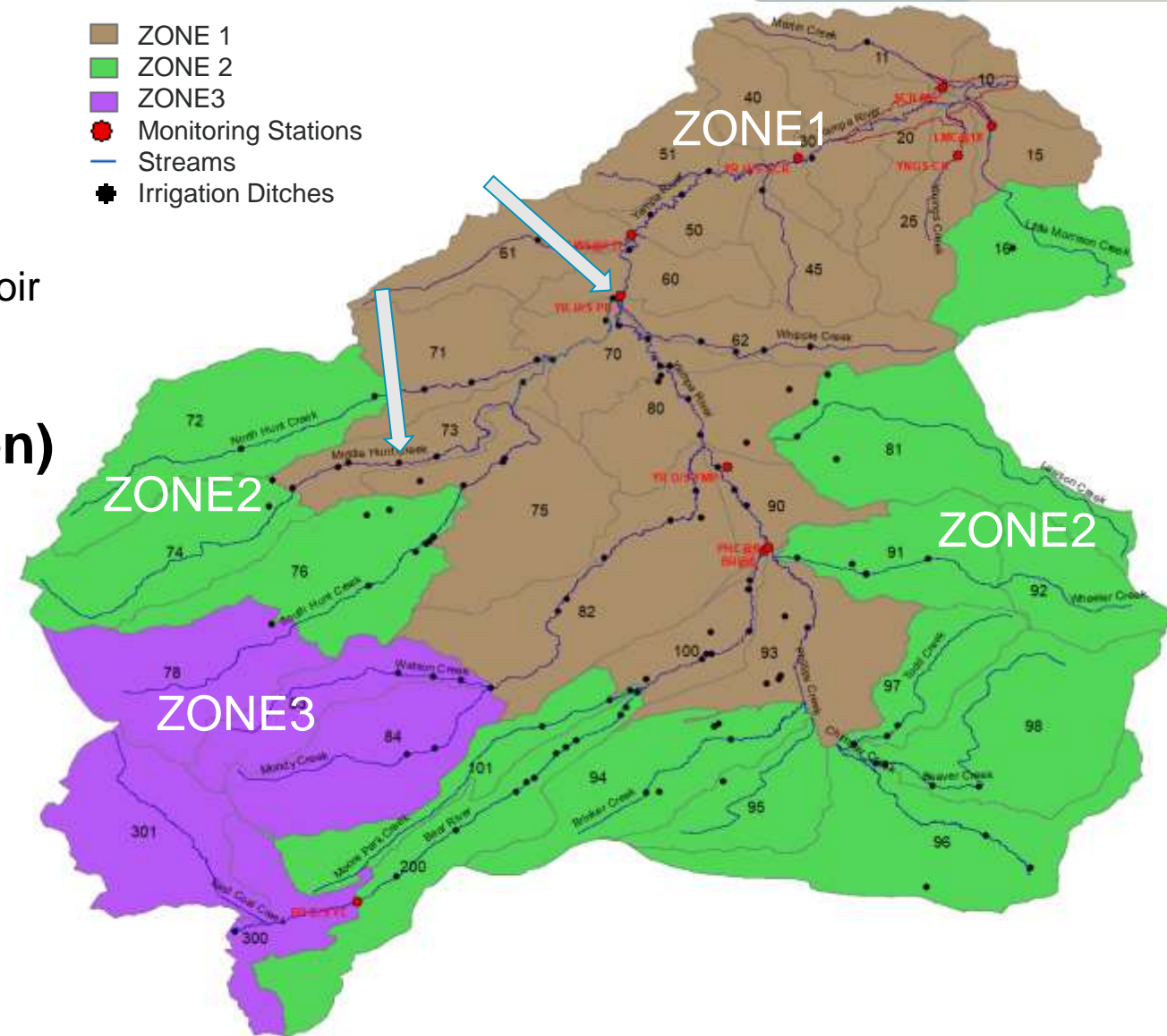
- Forested, steep terrain, snowmelt-dominated
- Shallow, well-drained soils → limited baseflow runoff
- Controls timing of flow (snowpack storage and reservoir release)

Zone 2 – Transitional Zone (Mid Elevation)

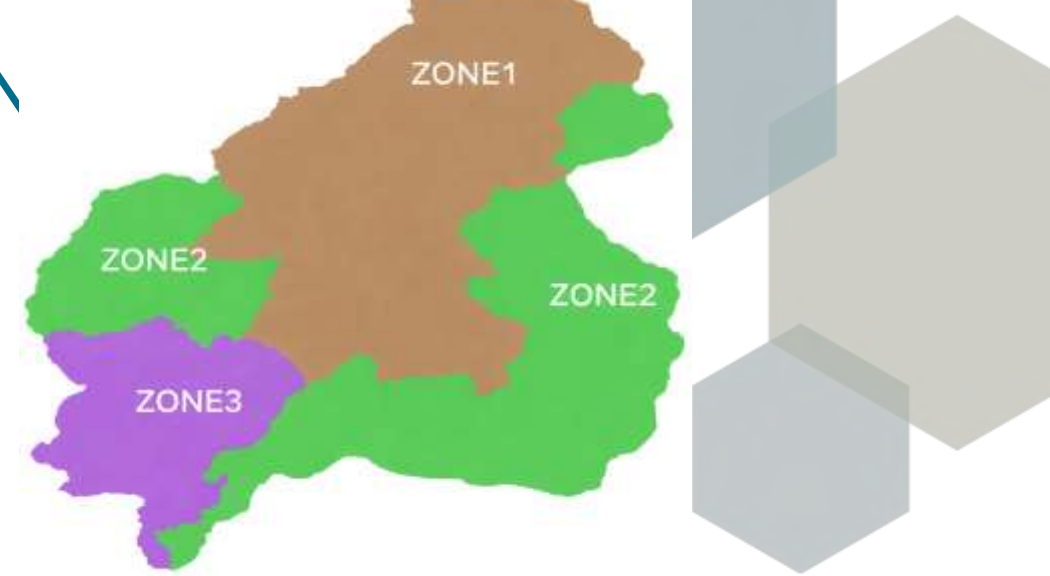
- Mixed forest, shrubland, and rangeland
- Variable soils and moderate slopes
- Combination of snowmelt + rainfall runoff

Zone 1 – Valley Bottoms (Lower Elevation)

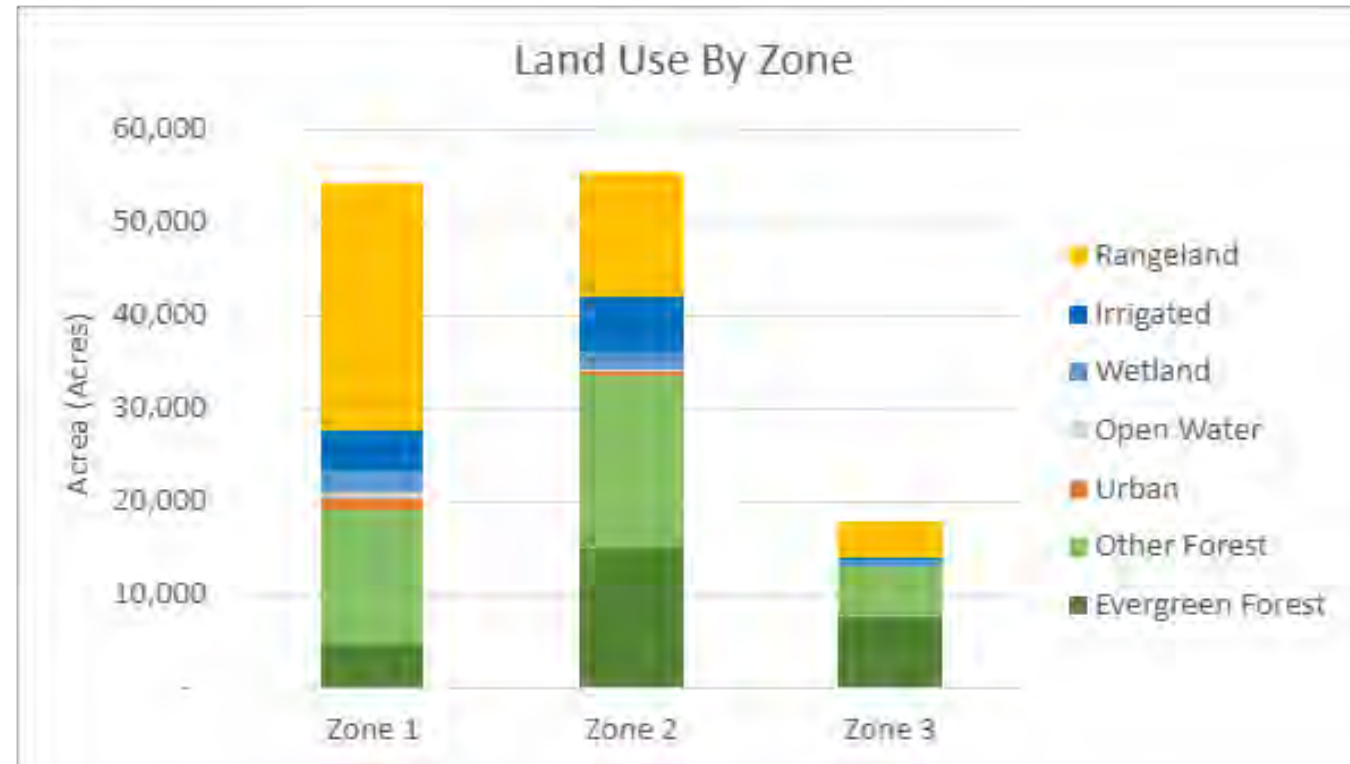
- Irrigated agriculture, pasture, and development
- Deeper, finer soils → higher runoff and connectivity
- Influenced by irrigation return flows + groundwater



LAND USE BY WATERSHED ZON



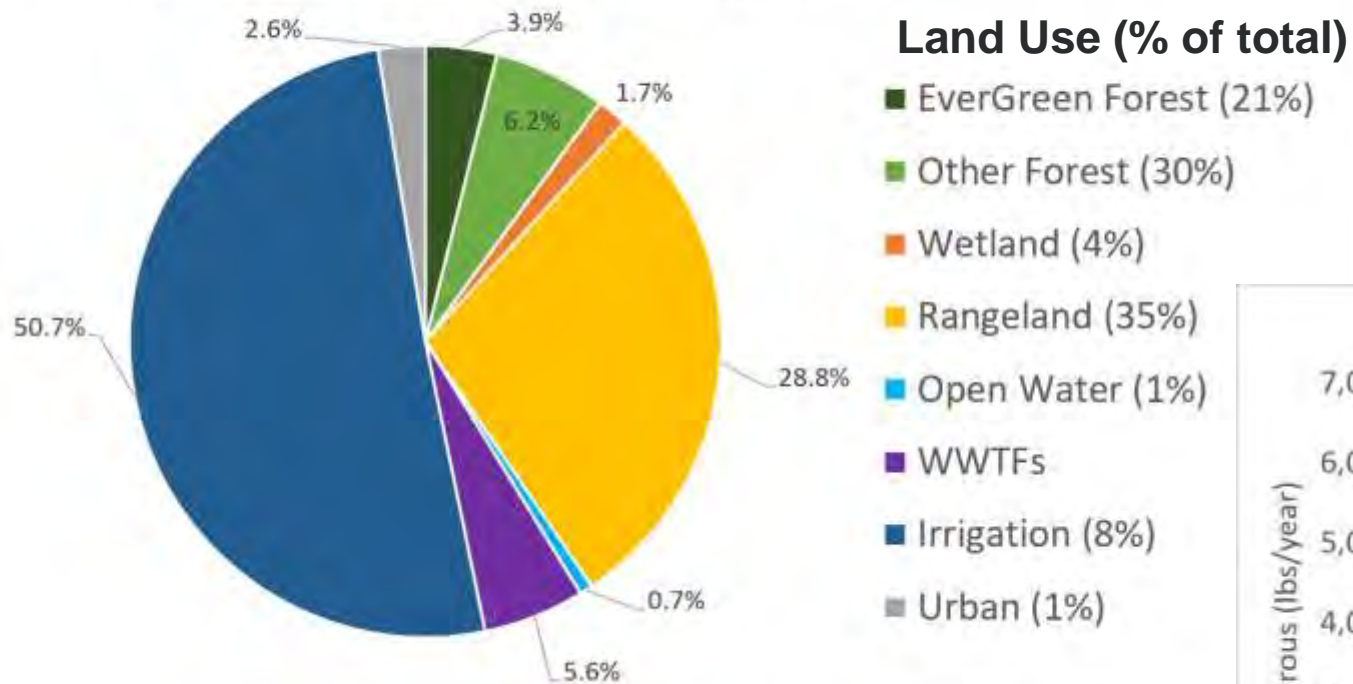
Land Use/ Source	Zone1	Zone 2	Zone 3
Evergreen Forest	10.2%	56.7%	43.1%
Other Forest <i>(Deciduous, Mixed)</i>	26.5%	16.4%	29.4%
Urban <i>(Developed -High Int., Low Int., Medium Int., Open Space)</i>	1.8%	0.4%	0.0%
Wetland <i>(Emergent Herbaceous, Woody Wetlands)</i>	4.3%	2.1%	3.8%
Irrigated	12.4%	3%	1%
Rangeland <i>(Open Pasture, Herbaceous, Shrub/Scrub, Barren Land)</i>	43.3%	21.3%	22.7%
Open Water <i>(Open Water, Perennial Snow/Ice)</i>	1.6%	0.2%	0.4%



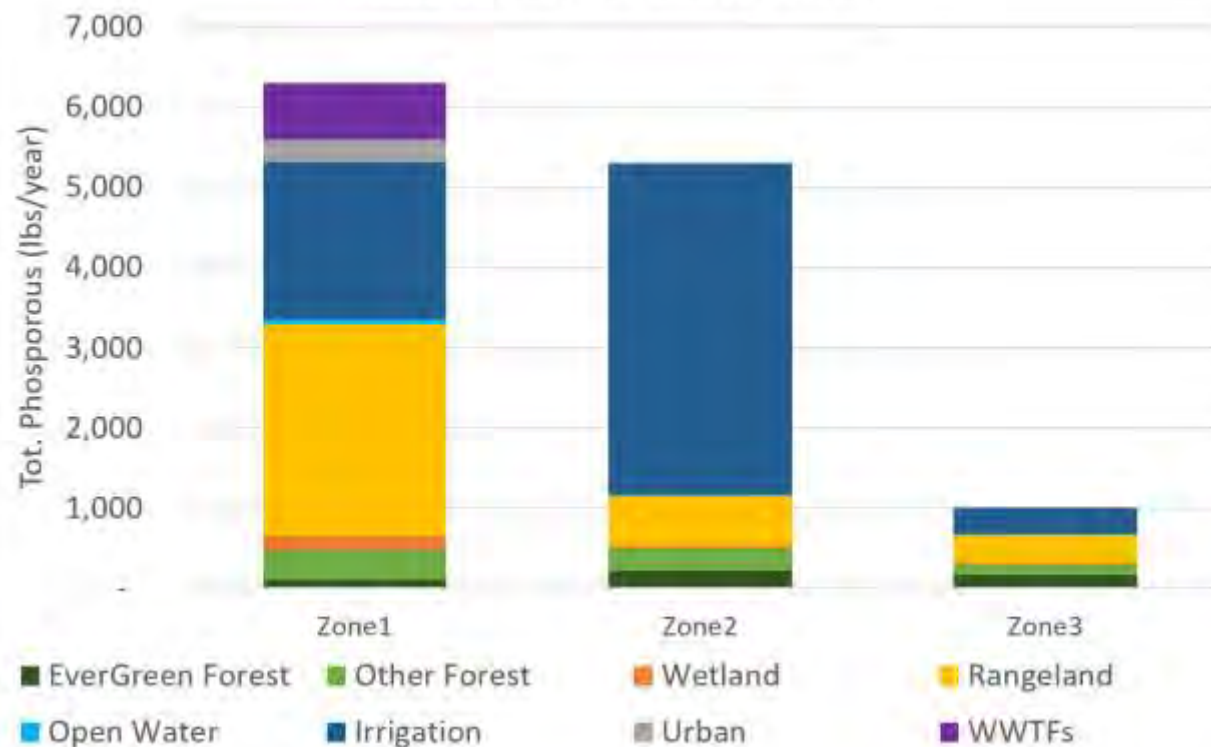
PHOSPHORUS LOADING



TOTAL PHOSPHOROUS WATERSHED LOADING

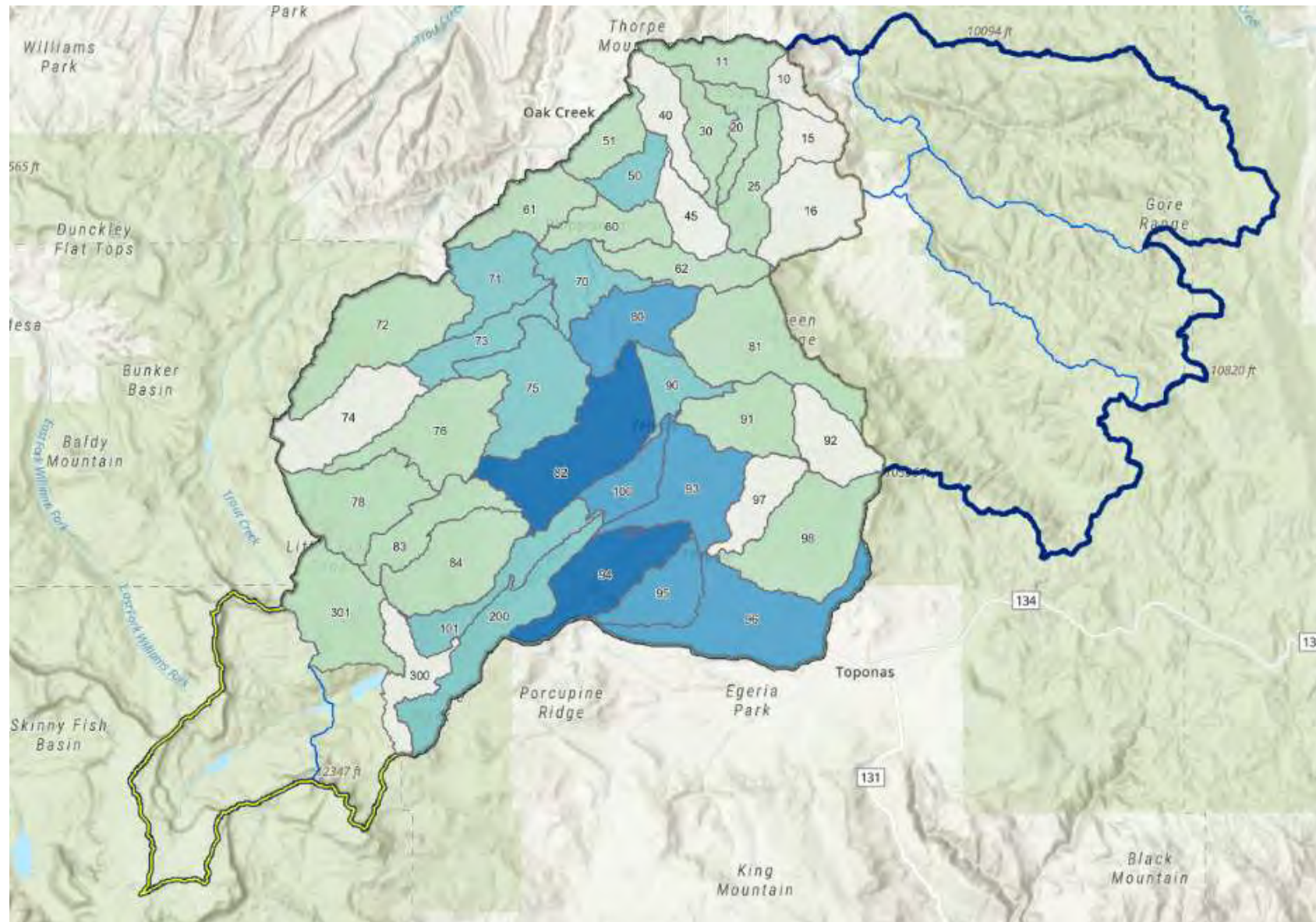


PHOSPHORUS LOADING BY ZONE



Irrigated areas are 8% of land use but is responsible for ~ half of the total P loading

PHOSPHORUS LOADING



Total Phosphorus Loading

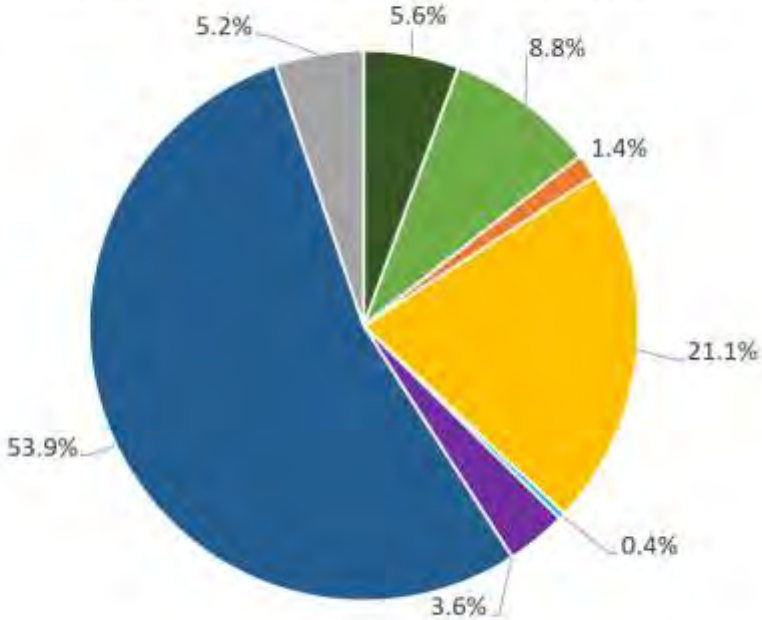
Phosphorus lb/yr



NITROGEN LOADING



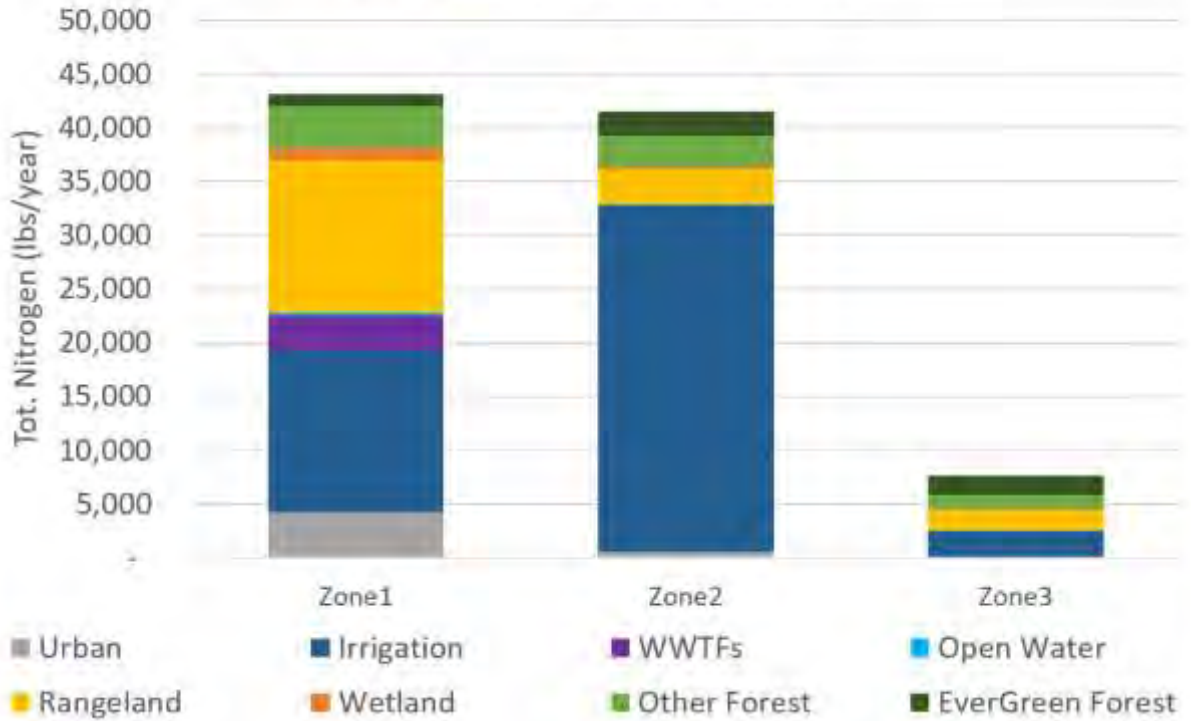
TOTAL NITROGEN WATERSHED LOADING



Land Use (% of total)

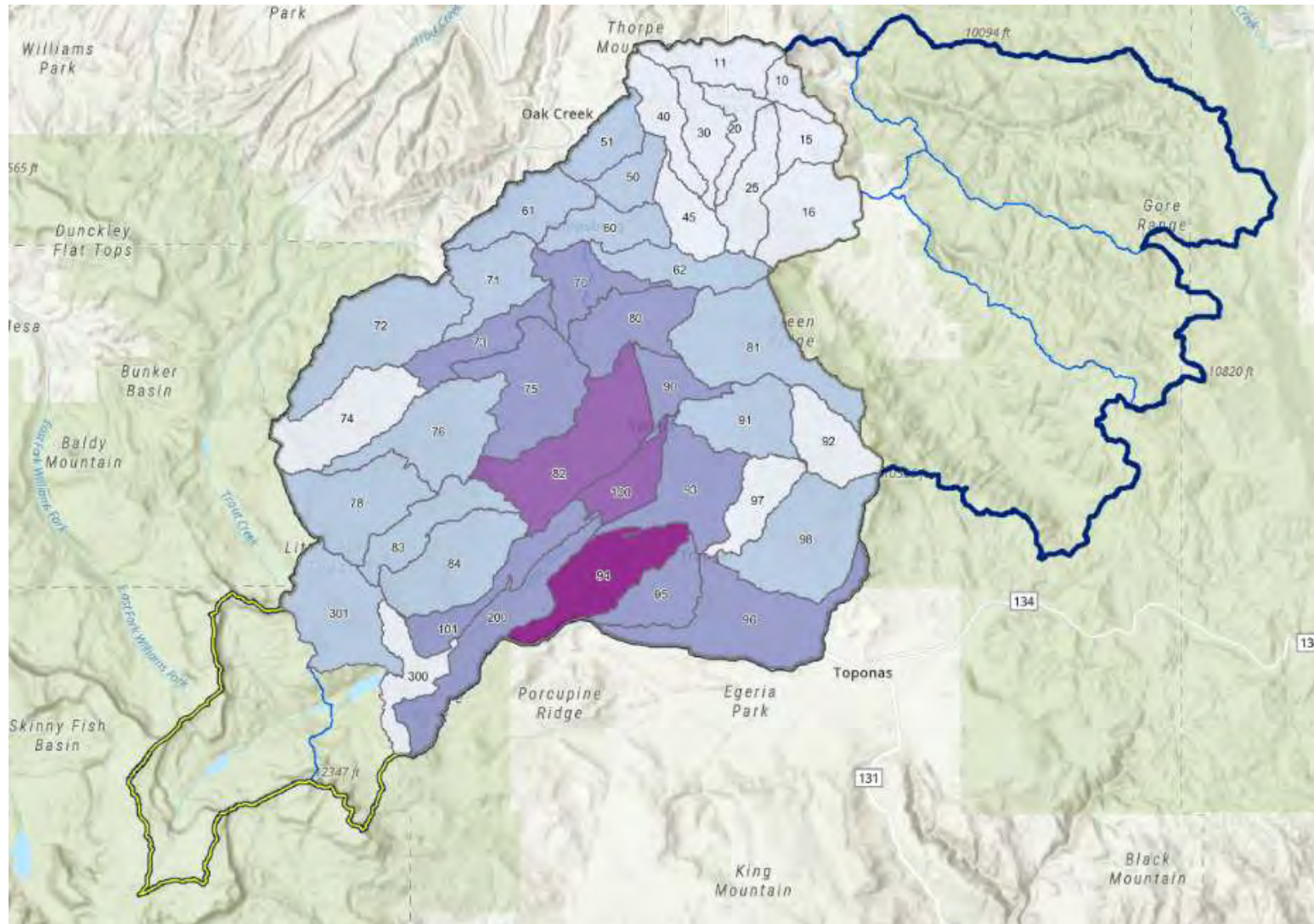
- EverGreen Forest (21%)
- Other Forest (30%)
- Wetland (4%)
- Rangeland (35%)
- Open Water (1%)
- WWTfs
- Irrigation (8%)
- Urban (1%)

NITROGEN LOADING BY ZONE



Irrigated areas are 5% of land use but is responsible for more half of the total N loading

NITROGEN LOADING



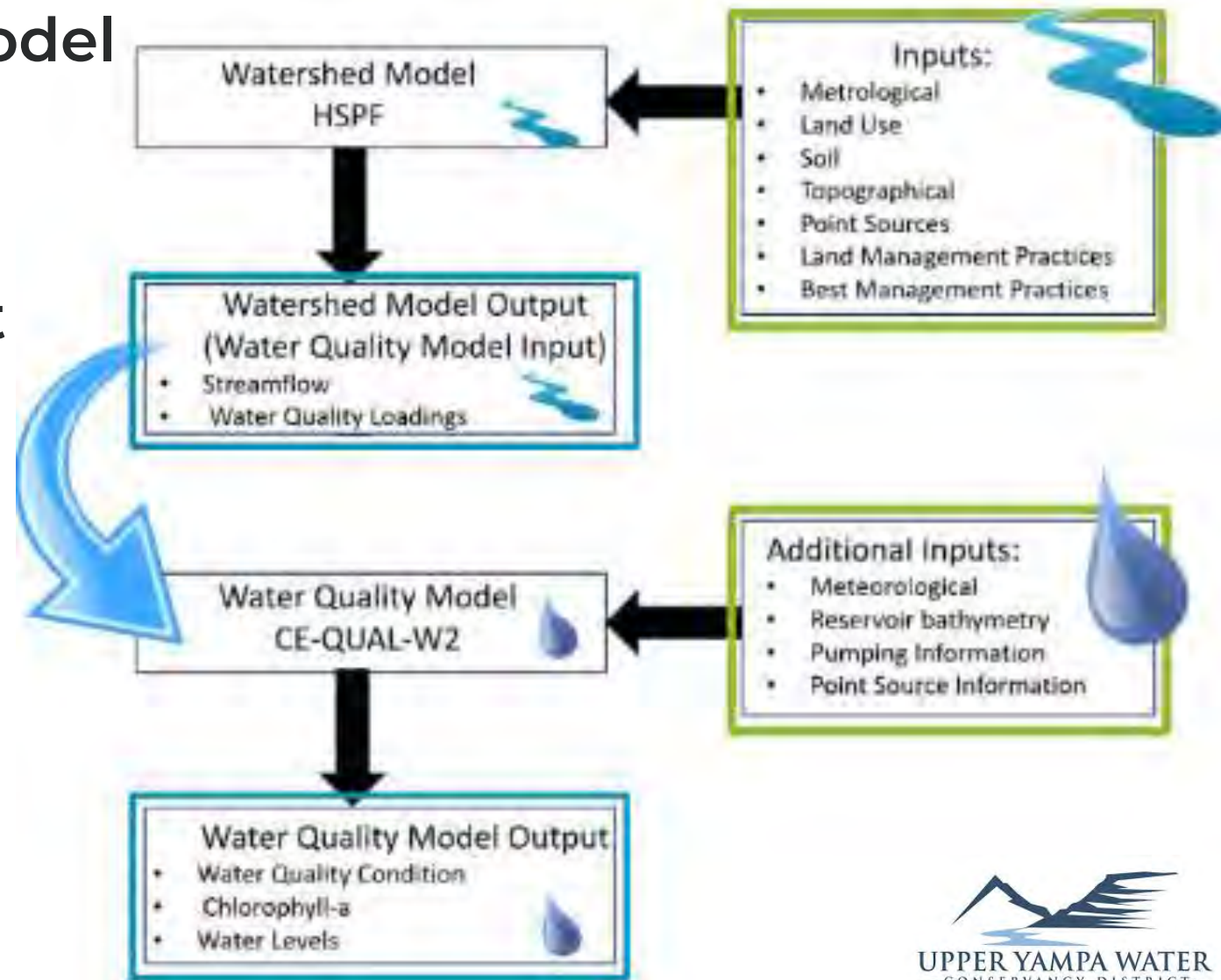
Total Nitrogen Loading

Nitrogen lb/year

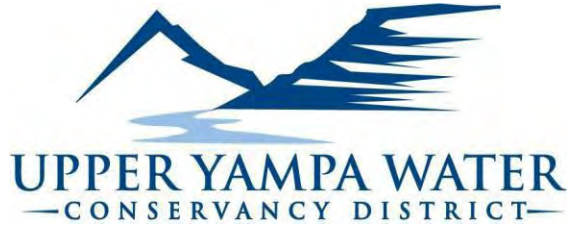


NEXT STEPS

- Water Quality/ Reservoir Model Development
 - CE-QUAL W2
- Model scenarios runs
 - Watershed Management
 - Reservoir Response







BOARD COMMUNICATION FORM

From: Holly Kirkpatrick

Date: 5/20/26

Item: UYWCD Grant Disbursements

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I. Request/Issue and Background Information:

The attached Diversion Infrastructure Improvement Project Grant Report and Community Grant Funding Report will be included in each board packet to provide a full background of all grant disbursements. The Diversion Infrastructure Improvement Project Report tracks all disbursements throughout the life of the project. The Community Grant Program Report tracks disbursements on an annual basis.

II. Summary and Alternatives:

To date, there is \$10,452.18 remaining of the original \$200,000 allocated for the Diversion Infrastructure Improvement Project (DIIP). UYWCD provided \$100,000 of the original funding, of which, \$1,853.12 remains. The additional \$100,000 provided through Water Supply Reserve Funds (WSRF) from the Yampa/White/Green Basin Roundtable has \$8,599.06 remaining. Two pending applications dated prior to the May 1, 2026 deadline are set to use up the remaining funds.

The UYWCD board of directors approved \$50,000 in the 2026 budget to continue the Diversion Infrastructure Improvement Project beyond the May 1st expiration of the initial funding. Applications will be accepted through the end of the year or until funding is fully utilized.

The Community Grant Fund has awarded \$100,000. There is \$100,000 remaining in the Community Grant Fund for 2026. A special grant award of \$100,000 was approved for the Whitehaven Mobile Home Park piping that will connect the park to the City of Steamboat Springs water main.

Staff Recommendation: N/A

III. Legal Matters: N/A

IV. Consistency with Board Goals and Policies:

Strategic Initiative: Agricultural Partnerships and Infrastructure, District's Perpetual Work

Attachments:

Attachment 1: Diversion Infrastructure Improvement Project Grant Report

Attachment 2: Community Grant Funding Report

Diversion Infrastructure Improvement Project Grant Funding

Structure Name	Applicant	Disbursement Date	UYWCD Funding	WSRF Funding	Total Project Cost
Boor #3	John Redmond	9/15/2020	\$ 968.86	\$ -	1,937.72
Boor #4	John Redmond	9/15/2020	\$ 968.86	\$ -	1,937.72
Beaver Creek Parshall Flume	John Redmond	9/15/2020	\$ 446.86	\$ -	893.72
Creek Ranch Headquarters Pond	Creek Ranch Owners Association	11/4/2020	\$ 459.20	\$ 459.19	1,836.77
Dry Creek Ditch	Kathleen Barnes	11/4/2020	\$ 2,288.49	\$ 2,288.49	9,153.97
Kemmer Ditch	Riverbank Ranches LLC	11/4/2020	\$ 1,233.00	\$ 1,233.00	4,932.00
Lucas Ditch #1	Rick Milway	11/23/2020	\$ 724.40	\$ -	1,448.80
Lucas Ditch #2	Rick Milway	11/23/2020	\$ 550.75	\$ -	1,101.50
Welch & Monson Ditch	Catamount Metropolitan District	3/8/2021	\$ 803.01	\$ 803.00	3,212.03
Martin Springs Diversion	Deborah Martin	3/8/2021	\$ 1,086.77	\$ 1,086.77	4,347.07
Duquette Ditch	Duckels Construction, Inc	3/8/2021	\$ 2,131.26	\$ 2,131.25	8,525.02
Brinker Creek Ditch	Finger Rock Preserve, LLC	3/8/2021	\$ 1,079.75	\$ 1,079.75	2,504.50
Hamill Ditch	Jake Hamill	3/8/2021	\$ 932.70	\$ -	1,865.40
Utley Ditch	Jake Hamill	3/8/2021	\$ 584.75	\$ 584.75	2,339.00
Grouse Creek Ditch	Joe Roberts	3/8/2021	\$ 1,431.61	\$ 1,431.61	5,726.43
Morrison Creek Ditch #2	Margaret E. Hagenbuch Trust	3/8/2021	\$ 1,128.61	\$ 1,128.61	4,514.44
Larsen Ditch	Mark Foster	3/8/2021	\$ 1,442.78	\$ 1,442.78	5,771.12
Sage Creek Diversion	The Nature Conservancy	3/8/2021	\$ 1,498.44	\$ 1,498.44	5,993.75
Baxter Ditch	Baxter Ditch Association	6/29/2021	\$ 2,500.00	\$ 2,500.00	11,527.67
Dequine Ditch	Lou Dequine	9/8/2021	\$ 895.32	\$ 895.32	3,581.28
Dequine Ditch Alternate Point #1	Lou Dequine	9/8/2021	\$ 416.44	\$ 416.43	1,665.73
Yampa Pump#2	Julie Green	9/8/2021	\$ 246.96	\$ 246.96	987.83
Middle Creek Ditch	Middle Creek Ranch, LLLP	9/8/2021	\$ 1,652.38	-	3,304.76
Steamboat Lake Golf Course Pond/Feeder Ditch	The Preserves at Pearl Lake Homeowners Association	9/8/2021	\$ 2,500.00	\$ 2,500.00	18,338.08
Elgin Creek Ditch	Hy Cattle Corporation	10/28/2021	\$ 951.68	\$ 951.67	3,806.70
Little Mountain Ditch	Bobby George	5/5/2022	\$ 1,500.00	\$ 1,500.00	6,000.00
Pennsylvania Ditch	Bobby George	10/1/2022	\$ 500.00	\$ -	3,000.00
Gibraltar Ditch	Lynn Powell & Bruchez Ranch, LLC	4/21/2023	\$ 25,000.00	\$ 25,000.00	394,230.30
CA Leighton Ditch	Clyncke Bros Hay Company LLC	8/31/2023	\$ 1,210.98	\$ 1,210.98	4,843.92
Lindsey Ditch	Clyncke Bros Hay Company LLC	8/31/2023	\$ 1,461.78	\$ 1,461.78	5,847.13
Donham Pump #2	Rita Donham	12/8/2023	\$ 2,458.83	\$ 2,458.82	9,835.31
Cottonwood Park Ditch	Ted Myers	12/8/2023	\$ 1,331.25	\$ 1,331.25	5,325.50
Gil West Pasture	Ted Myers	12/8/2023	\$ 1,250.00	\$ 1,250.00	5,000.00
Welsh #3	Frank Welsh	12/8/2023	\$ 457.73	\$ 457.73	1,830.92
Lafon Culvert	Kathryn Schlatter	6/18/2024	\$ 967.27	\$ 967.27	3,869.08
Windler Bomgardner Flume	Kathryn Schlatter	6/18/2024	\$ 1,562.50	\$ 1,562.50	6,250.00
Shelton Ditch	Shelton Mutual Ditch Company	7/2/2024	\$ 14,494.50	\$ 14,494.50	115,956.00
Miller Ditch	Judy Green	11/4/2024	\$ 2,939.57	\$ 2,939.56	23,516.53
North Hunt Creek Ditch	Laurie Bonucci	11/4/2024	\$ 861.37	\$ 861.37	3,445.48
Nelson Ditch	Brent and Joan Romick	12/5/2024	\$ 599.17	\$ 599.16	2,396.64
Whitley Nelson Ditch	Brent and Joan Romick	12/5/2024	\$ 599.17	\$ 599.16	2,396.64
Whitley Nelson Ditch Lateral A	Brent and Joan Romick	12/5/2024	\$ 599.17	\$ 599.16	2,396.64
West Side Ditch Headgate	Dunkley Flat Tops Livestock LLC/Steve Raftopoulos	2/19/2025	\$ 742.50	\$ 742.50	2,970.00
Upper Pleasant Valley Ditch	Trout 123, LLC	7/9/2025	\$ 891.00	\$ 891.00	3,564.00
Andy Morrison Ditch Headgate	Alpine Mountain Ranch Metropolitan District	10/29/2025	\$ 1,704.00	\$ 1,703.00	6,814.00
FD Hutchinson Ditch Flume	Clyncke Bros Hay Co. LLC	10/29/2025	\$ 666.00	\$ 666.00	2,664.00
Ekhart Flume Replacement	Hassle Haven Ranch	12/12/2025	\$ 795.26	\$ 795.26	3,181.06
Boor #2 Headgate Install	RR1917 LLC (John Redmond)	1/30/2026	\$ 530.62	\$ 530.62	2,122.47
Dequine Ditch Alt Point 1 Measuring Device	Flying Horse Ranch (Lou Dequine)	1/30/2026	\$ 525.38	\$ 525.38	2,101.51
Dequine Ditch Measuring Device	Flying Horse Ranch (Lou Dequine)	1/30/2026	\$ 528.38	\$ 528.38	2,113.52
Fahey-Cole Alt Point Diversion Measuring Device	Flying Horse Ranch (Lou Dequine)	1/30/2026	\$ 500.12	\$ 500.12	2,000.59
May Reservoir (5803524) 2025 Improvement	David and Barbara May	3/26/2026	\$ 2,500.00	\$ 2,500.00	10,963.06
Rossi Highline Ditch	Dean Rossi	3/26/2026	\$ 285.81	\$ 285.80	1,143.23
Egeria Ditch Headgate	Dean Rossi	3/26/2026	\$ 389.86	\$ 389.85	1,559.43
Henderson Feeder Ditch (5802249) Measurement Install	James and Julie Daehn	3/26/2026	\$ 576.78	\$ 576.77	2,307.00
Borland Vail 2025 Flume Replacement	Trenia Serrotan Sanford	3/26/2026	\$ 795.00	\$ 795.00	3,180
Total Work Completed:					726,586.16
TOTAL DISBURSED:			\$ 98,146.88	\$ 91,400.94	189,547.82
DIIP FUNDS REMAINING:			\$ 1,853.12	\$ 8,599.06	10,452.18

2026 Community Grant Funding

Project	Applicant	Date Approved	Amount Approved
JC Temple Reservoir Infrastructure Upgrades	B\ Land and Cattle	1/21/2026	25,000.00
Climate Resilient Ranching Hub	Western Resilience Center	3/18/2026	75,000.00
TOTAL APPROVED:			100,000.00
TOTAL FUNDS REMAINING:			100,000.00





BOARD COMMUNICATION FORM

From: Holly Kirkpatrick

Date: 5/20/2026

Item: New Grant Applications and Proposals

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I. Request/Issue and Background Information: N/A

II. Summary and Alternatives:

After reviewing the Yampa Valley Stream Improvement Charitable Trust application for the Hardrock Stream Improvement Project, staff was unable to provide a recommendation for approval. The applicant may revise the application and re-submit for board consideration.

Friends of the Yampa will present a new project proposal that has not yet been considered for a UYWCD grant program.

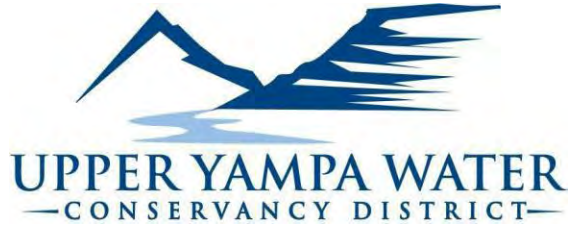
III. Staff Recommendation: N/A

IV. Legal Issues: N/A

V. Consistency with Board Goals and Policies:

Perpetual work: Public Outreach and Partnerships





BOARD COMMUNICATION FORM

From: Holly Kirkpatrick

Date: 5/20/26

Item: Upcoming Community Events

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

UYWCD has several important dates in the near and distant future for events that serve to continue the Perpetual Work and Strategic Initiatives of the Strategic Plan.

I. Stagecoach Field Trips

- May 8th - Strawberry Park Elementary
- May 22nd - Soda Creek Elementary
- May 29th - Sleeping Giant Elementary
- June 5th - Colorado Parks and Wildlife
- June 11th - GOCO Board and Staff
- June 26th - Tentative Date for Public Tour
- July 10th - Tentative Date for Public Tour

II. Yampa Basin Rendezvous

The 9th Annual Yampa Basin Rendezvous is scheduled for May 27th and 28th, 2026, and will be held at Albright Auditorium at Colorado Mountain College in Steamboat Springs. UYWCD is a presenting sponsor and will host a field trip highlighting the Bear River WRAP and water quality monitoring and modeling.

III. Yampa River Festival

UYWCD proudly sponsors the Freshwater Family Zone at the Yampa River Festival, which will be located at Little Toots Park on Saturday, May 30th. We would love to have volunteers to help with education and outreach in the Freshwater Family Zone where we offer water education games and activities for kids of all ages. Please let Holly know if you are interested.

IV. Colorado Water Congress Summer Conference

Colorado Water Congress will hold the summer conference at the Steamboat Grand on August 18-20th. Board members are also invited to attend a happy hour with the CWC board on the evening of August 17th. Registration is not yet open for the event. You will receive an email with additional information when registration opens.

V. Yampa Youth Water Festival

The 5th Annual Yampa Youth Water Festival is scheduled for September 30th, 2026, and will be held at the Routt County Fairgrounds in Hayden.



BOARD COMMUNICATION FORM

From: Scott Grosscup, legal counsel

Date: May 13, 2026

Item: Water Resumes for March/April

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

I have reviewed the water resumes of water applications filed in Water Divisions 5 and 6 for the months of March and April. I did not see any water court applications that would impact Upper Yampa's Water Rights.

PENDING WATER CASES

STATUS OF OTHER WATER CASES



BOARD COMMUNICATION FORM

From: Scott Grosscup, legal counsel

Date: May 13, 2026

Item: Water Court Cases Update

DIRECTION
 INFORMATION
 MOTION
 RESOLUTION

Following is an update of the status of water court cases in which the Upper Yampa Water Conservancy District is an Applicant or Opposer.

Case No. 23CW3025 – Moffat County Umbrella Augmentation Plan – The District is monitoring case to ensure no terms and conditions are imposed on the Moffat County plan that would impact Upper Yampa’s umbrella augmentation plan. Seven other statements of opposition were filed to the application by: State and Division Engineer, Bruchez Ranch and Flanders Ranch, State Board of Land Commissioners, City of Craig, Tri State Generation and Transmission, Colowyo Coal Company LP, and Sage Creek Holdings LLC. The Applicant has circulated a revised proposed Ruling of Referee incorporating many of the changes negotiated with the Division Engineer’s Office. These included technical changes about calculations of depletions and incorporating a similar notice process used by Upper Yampa in its augmentation plans.

RECCOMENDATION – I recommend approval of the attached stipulation with Moffat County consenting to the proposed Ruling of Referee. The Ruling is consistent with Upper Yampa’s plan and would not result in any injury to Upper Yampa’s water rights.

Case No. 24CW3029 – Coal Creek Diversion Pipeline – UYWCD filed its application for finding of reasonable diligence for the Coal Creek Diversion Pipeline in October of 2024. This water right is for 100 cfs and will be used to fill Yamcolo Reservoir and assist in water flows on the Bear River. The United States Forest Service filed a statement of opposition, in part because the water structure would be located on Forest Service lands. We have circulated a revised proposed Ruling and are waiting responses, which are due May 22. The opposition parties suggested they may be close to settlement at the last status conference.

24CW3031 – PSCO – Application for finding of reasonable diligence for 5,000 acre feet decreed to Juniper Reservoir, with appropriation date of July 9, 1954, to be stored in Steamboat Lake. The District and the State Engineer and Division Engineer, Water Division 6, filed

statements of opposition. Upper Yampa has stipulated to the form of Ruling of Referee and we are monitoring the case.

25CW3008 – Storm Mountain Ranch – Application for water storage rights located on Walton creek and plan for augmentation using Upper Yampa’s Stagecoach Reservoir supply filed in March 2025. Catamount Metropolitan District, Catamount Development, LLC and the Colorado Water Conservation Board filed statements of opposition. The Division Engineer intervened in November. Upper Yampa has stipulated to the form of Ruling of Referee and we are monitoring the case.

25CW3019 – Stagecoach Reservoir Diligence – UYWCD filed this application for finding of reasonable diligence and to make absolute in part on its portfolio of conditional water rights that may be stored in Stagecoach Reservoir. The application also cancels several alternate points of diversion and places of storage for some of the conditional water rights. Catamount Development, LLC, and the Steamboat Ski & Resort Corporation filed statements of opposition. There are no case deadlines in place as we await the Division Engineer’s consultation report.

DISTRICT COURT, WATER DIVISION 6 STATE OF COLORADO 1955 Shield Drive, Unit 200 Steamboat Springs, CO 80487	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
CONCERNING THE APPLICATION FOR APPROVAL OF PLAN FOR AUGMENTATION AND EXCHANGE OF: BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MOFFAT IN MOFFAT AND ROUTT COUNTIES	
<i>Attorneys for Applicant, Board of County Commissioners of Moffat County:</i> April D. Hendricks (#45546) Peter D. Jaacks (#56585) JEWELL JIMMERSON NATURAL RESOURCES LAW, LLC 333 Perry Street, Suite 310 Castle Rock, Colorado 80104 Emails: ahendricks@jjnrlaw.com pjaacks@jjnrlaw.com	Case No. 23CW3025
STIPULATION BETWEEN APPLICANT AND UPPER YAMPA WATER CONSERVANCY DISTRICT	

Applicant Moffat County Board of County Commissioners (“Applicant”) and Opposer Upper Yampa Water Conservancy District (“Opposer”) (collectively, the “Parties”), hereby stipulate and agree as follows:

1. Opposer stipulates and agrees that it will not oppose entry of a decree in this case containing terms and conditions no less restrictive on Applicant and no less protective of Opposer’s water rights and interests than the terms and conditions contained in the proposed decree, including exhibits, dated April 29, 2026, and attached to this Stipulation as Exhibit 1.
2. Opposer shall limit its participation herein to ensuring that the decree ultimately entered by the Court in this case is in conformity with the provisions of this Stipulation.
3. Opposer shall remain a party to these proceedings for all purposes and will be served with copies of all proposed decrees, stipulations, and any other documents filed with the Court. Opposer shall be notified by Applicant of any changes to the draft proposed decree and shall be provided with a copy of the final draft decree prior to its entry by the Water Referee or Court.

4. This Stipulation is entered into by way of compromise and settlement of this litigation and the agreement of the undersigned parties for entry of said proposed draft ruling and decree shall not be construed as concurrence by these parties beyond the decree to be adjudicated herein with any findings of fact or conclusions of law contained therein or with the engineering methodologies used by either party in arriving at this Stipulation.

5. The Parties hereto shall each bear their own costs and attorney fees.

6. Opposer consents to Applicant's motion for an order approving this Stipulation.

7. Applicant and Opposer agree this stipulation shall bind and benefit the Parties hereto and their assigns and successors-in-interest.

8. Once approved by the court, this Stipulation may be enforced as an agreement, or as an order of the court.

DATED: _____

JEWELL JIMMERSON
NATURAL RESOURCES LAW, LLC

BALCOMB & GREEN, P.C.

By: _____
April D. Hendricks, #45546
Peter D. Jaacks #56585

By: _____
Scott Grosscup, #35871
Blake C. Peterson, # 56200

*Attorneys for Applicant Board of County
Commissioners of Moffat County*

*Attorney for Opposer
Upper Yampa Water Conservancy District*

DISTRICT COURT, WATER DIVISION 6 STATE OF COLORADO 1955 Shield Drive, Unit 200 Steamboat Springs, CO 80487	Applicant's Revised Proposed Decree
CONCERNING THE APPLICATION FOR APPROVAL OF PLAN FOR AUGMENTATION AND EXCHANGE OF: BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF MOFFAT IN MOFFAT AND ROUTT COUNTIES	April 29,2026 Rule 408 Settlement Communication ▲ COURT USE ONLY ▲ Case No. 23CW3025
FINDINGS OF FACT, CONCLUSIONS OF LAW, RULING OF THE REFEREE, JUDGMENT AND DECREE	

This matter came before the Water Referee upon the Application of the Board of County Commissioners of the County of Moffat (“County”) for Approval of Plan for Augmentation and Conditional Water Exchange Project, filed on October 25, 2023. The Referee, having considered the Application and other evidence submitted and being fully advised in the matter, makes the following findings of fact, conclusions of law, and ruling in accordance with § 37-92-303(1).

FINDINGS OF FACT

1. **Application.** The Application was filed on October 25, 2023, with the Water Court, Water Division No. 6. The Applicant is the Moffat County Board of County Commissioners (“County”), 1198 W. Victory Way, Ste. 104 Craig, CO 81625.
2. **Publication, Notice, and Jurisdiction.** The County has given timely and adequate notice of the application in the manner required by law. The Application was published in the October 2023 Resume for Water Division No. 6 and in newspapers of general circulation in Moffat and Routt Counties. None of the lands or water rights involved in this case is within the boundaries of any designated groundwater basin. The County has complied with C.R.S. § 37-92- 302(2)(b) by providing evidence that it has notified affected landowners within the period required by law. The Water Referee and Water Court have jurisdiction over the Application and the subject matter of these proceedings, and over all who have standing to appear as parties, whether or not they have appeared.
3. **Statements of Opposition:** Statements of Opposition were filed by the Upper Yampa Water Conservancy District, Bruchez Ranch and Flanders Ranch, the State and Division

Engineers, the State Board of Land Commissioners, the City of Craig, Tri-State Generation and Transmission, and the Colowyo Coal Company LP. Sage Creek Holdings, LLC filed an unopposed motion to intervene as an opposer, which motion was granted by the Court on January 12, 2024. The time for filing statements of opposition has expired.

4. **Stipulations**: The County entered into stipulations with the following parties:

- 4.1. Upper Yampa Water Conservancy District, dated _____.
- 4.2. Bruchez Ranch, dated January 6, 2025.
- 4.3. Flanders Ranch, dated January 6, 2025.
- 4.4. The State and Division Engineers, dated _____.
- 4.5. The State Board of Land Commissioners, dated April 17, 2026.
- 4.6. The City of Craig, dated _____.
- 4.7. Tri-State Generation and Transmission, dated _____.
- 4.8. The Colowyo Coal Company LP, dated _____.
- 4.9. Sage Creek Holdings, LLC, dated _____.

5. **Purpose of Application**: The purpose of the County’s area-wide plan for augmentation (“Plan for Augmentation”) is to replace the out-of-priority depletions attributable to the use of both surface water and groundwater by County contractees (“Contractees”) within the Yampa River basin. The County has entered into a contract with the Colorado River Water Conservation District for water to be released from Elkhead Creek Reservoir to augment out-of-priority depletions within the Yampa River basin. The County may also acquire additional water in Elkhead Creek Reservoir to augment out-of-priority depletions within the Yampa River basin. Implementation of the County’s area-wide Plan for Augmentation will involve the augmentation of out-of-priority depletions on the Yampa River mainstem and in specified tributaries of the Yampa River by the Water Exchange Project decreed herein. The County’s plan provides legally dependable water supplies for County constituents through a contract program that allows those users who subscribe to and participate in the plan for augmentation to have their out-of-priority depletions replaced so as to prevent injury to downstream water users in accordance with the terms and conditions set forth herein.

This coordinated, area-wide plan will avoid the costs and administrative difficulties associated with numerous adjudications of individual augmentation plans. However, this Plan for

Augmentation is not intended to preclude the adjudication of individual augmentation plans by other parties within the Yampa River basin.

APPROVAL OF PLAN FOR AUGMENTATION

6. **Structures to be Augmented**: The structures to be augmented under the County's plan are existing and future diversion and storage structures that are owned and/or used by the County's Contractees. The County will replace out-of-priority depletions caused by the use of water from surface water and ground water diversion structures that have been accepted into this Plan for Augmentation, including tributary wells, on-stream reservoirs or ponds, off-stream reservoirs or ponds, direct flow surface diversions, and tributary springs or seeps (each, an "Augmented Structure"), subject to the terms and conditions set forth herein.

7. **Description of Augmentation Area**: The Plan for Augmentation decreed herein will augment out-of-priority depletions associated with the Augmented Structures of the County's Contractees. The Augmented Structures and the land where water diverted by an Augmented Structure may be used must be located within the boundaries of the service area covered by this Plan for Augmentation ("Augmentation Area"). The Augmentation Area is a region within the Yampa River basin, where use of the County's augmentation supplies can fully augment the out-of-priority depletions associated with the Augmented Structures operated by County Contractees. Generally, the Augmentation Area encompasses a portion of the Yampa River basin in Moffat and Routt Counties, extending from the confluence of the Yampa River with Little Snake River upstream to the confluence with Elkhead Creek, including the Elkhead Creek watershed extending upstream to locations above Elkhead Creek Reservoir. The Augmentation Area is described below and is depicted on the map attached hereto as **Exhibit 1**. The Augmentation Area shall not include lands within the municipal boundaries of the City of Craig, as those boundaries may be amended over time. The Augmentation Area contains designated tributaries in which the County will provide service under this Plan for Augmentation via the Water Exchange Project and related exchange project rights described in paragraph 11 of the Decree. Tributaries to the Yampa River within the Augmentation Area include:

7.1. **Elkhead Creek**: from its confluence with the Yampa River located in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 36, Township 7 North, Range 90 West of the 6th P.M. a distance of 2,251 feet from the East section line and 2,252 feet from the North section line, upstream to the downstream terminus of the Lower Elkhead Creek Instream Flow Reach (WDID 4402557) as decreed in Case No. 17CW3031, located in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 1, Township 7 North, Range 89 West of the 6th P.M., including all area tributary to Elkhead Creek and the Yampa River within this reach.

7.2. **Boone Gulch**: from its confluence with the Yampa River located in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 35, Township 7 North, Range 90 West of the 6th P.M. at a distance of 1,725 feet from the East section line and 1,815 feet from the North section line, upstream to Leftwich Reservoir (WDID 4403695) located at the South $\frac{1}{4}$ Corner, Section 26, Township 7 North, Range 90 West of the 6th P.M. bears South 8° West 1333.7 feet, including all areas tributary to Boone Gulch and the Yampa River.

7.3. Basin Gulch: from its confluence with the Yampa River located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 35, Township 7 North, Range 90 West of the 6th P.M. a distance of 372 feet from the West section line and 636 feet from the South section line, upstream to the headgate of the Drescher Ditch (WDID 4400875) located in the West bank of Basin Gulch, whence the West quarter corner, Section 12, Township 6 North, Range 90 bears North 74° West 2,590 feet, including all areas tributary to Basin Gulch and the Yampa River within this reach.

7.4. Deacon Gulch: from its confluence with the Yampa River located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 8, Township 6 North, Range 90 West of the 6th P.M. a distance of 832 feet from the East section line and 1,078 feet from the North section line, upstream to the headgate of the Bill Ditch 1 (WDID 4402116) located at a point which is 3,950 feet south of the North line and 30 feet west of the East line of Section 8, Township 6 North, Range 90 West of the 6th P.M., including all area tributary to Deacon Gulch and the Yampa River within this reach.

7.5. Fortification Creek: from its confluence with the Yampa River located in Section 7, Township 6 North, Range 90 West of the 6th P.M. a distance of 1,001 feet from the West section line and 511 feet from the North section line, upstream to the headgate of the Wisconsin Ditch located SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 34, Township 8 North, Range 90 West of the 6th P.M., including all area tributary to Fortification Creek and the Yampa River within this reach.

7.6. Flume Gulch: from its confluence with the Yampa River located in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 1, Township 6 North, Range 91 West of the 6th P.M. a distance of 985 feet from the East section line and 275 feet from the South section line, upstream to B & B Reservoir (WDID 4403723) located in Lot 1 at a point whence the SE corner, Section 12, Township 6 North, Range 91 West of the 6th P.M. a distance of 112 feet from the East section line and 1,715 feet from the South section line, including all area tributary to Flume Gulch and the Yampa River within this reach.

7.7. Pine Ridge Gulch: from its confluence with the Yampa River located in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 11, Township 6 North, Range 91 West of the 6th P.M. a distance of 2,379 feet from the East section line and 67 feet from the North section line, upstream to its headwaters located in the vicinity of Lot 8, Section 19, Township 7 North, Range 91 West of the 6th P.M., a distance of 1,944 feet from the West section line and 445 feet from the North section line, including all area tributary to Pine Ridge Gulch and Yampa River within this reach, with the following exception:

7.7.1. Cedar Mountain Gulch: from its confluence with Pine Ridge Gulch located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 2, Township 6 North, Range 91 West of the 6th P.M. a distance of 441 feet from the West section line and 1,617 feet from the North section line upstream to the headgate of Buffham Diversion No. 1 (WDID 4402003) located at a point which is North 9° 54' 30" West 1497 feet

from the S $\frac{1}{4}$ Corner, Section 21, Township 7 North, Range 91 West of the 6th P.M., including all area tributary to Cedar Mountain Gulch and Pine Ridge Gulch within this reach.

7.8. Johnson Gulch: from its confluence with the Yampa River located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 16, Township 6 North, Range 91 West of the 6th P.M. a distance of 861 feet from the West section line and 1,611 feet from the North section line, upstream to its headwaters located in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 34, Township 6 North, Range 91 West of the 6th P.M., a distance of 1,408 ft from the East section line and 1007 ft from the North section line, including all area tributary to Johnson Gulch and the Yampa River within this reach, with the following exception:

7.8.1. Pyeatt Gulch: from its confluence with Johnson Gulch located in Section 15, Township 6 North, Range 91 West of the 6th P.M., a distance of 474 feet from the East section line and 1,056 feet from the South section line, upstream to the headgate of McNamara Ditch No. 1 (WDID 4400823) located at the east bank of Pyeatt Gulch at a point which is South 4,003.3 feet and East 629.1 feet from the NW corner, Section 24, Township 6 North, Range 91 West of the 6th P.M., including all area tributary to Pyeatt Gulch and Johnson Gulch within this reach.

7.9. Bogenschutz Creek: from its confluence with the Yampa River located in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 17, Township 6 North, Range 91 West of the 6th P.M., a distance of 1,265 feet from the East section line and 1,823 feet from the South section line, upstream to its headwaters located in the vicinity of NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 36, Township 7 North, Range 92 West of the 6th P.M., a distance of 1,744 ft from the West section line and 860 feet from the North section line, including all areas tributary to Bogenschutz Creek and the Yampa River within this reach, with the following exception:

7.9.1. Unnamed Tributary: from its confluence with Bogenschutz Creek located in Section 17, Township 6 North, Range 91 West of the 6th P.M., a distance of 2,200 ft from the East section line and 1,200 ft from the North section line, upstream to Ruths Pond (WDID 4404209) located at a point 1,400 feet from the south section line and 700 feet from the west section line of Section 7, Township 6 North, Range 91 West of the 6th P.M.

7.10. Unnamed Drainage: from its confluence with the Yampa River located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 19, Township 6 North, Range 91 West of the 6th P.M., a distance of 265 ft from the East section line and 117 ft from the North section line, upstream to the Loudy Reservoir (WDID 4404453) located in the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 21, Township 6 North, Range 91 West of the 6th P.M., a distance of the 2,750 ft from the West section line and 1,850 ft from the South section line, including all area tributary to the Unnamed Drainage and Yampa River within this reach.

7.11. Williams Fork River: from its confluence with the Yampa River located in Section

31, Township 6 North, Range 91 West of the 6th P.M., a distance of 1,500 feet from the West section line and 27 feet from the North section line, upstream to the Williams Fork River Instream Flow Reach (WDID 4401448) whose downstream terminus is located at the confluence of Morapos Creek in the SW ¼ of the NE ¼, Section 21, Township 5 North, Range 91 West of the 6th P.M., including all area tributary to Williams Fork River and the Yampa River within this reach, with the following exception :

7.11.1. Morapos Creek: from its confluence with the Williams Fork River located in Section 21, Township 5 North, Range 91 West of the 6th P.M., a distance of 2,609 feet from the West section line and 2,719 feet from the South section line, upstream to the Osborn Pumpsite 3 (WDID 4402320) located at SE ¼ of the NE ¼, Section 32, Township 5 North, Range 91 West of the 6th P.M., whence the SW corner of said Section 32 bears South 44° 55' West a distance of 4005 feet, including all area tributary to Morapos Creek and Williams Fork River within this reach.

7.12. Bell Rock Gulch: from its confluence with the Yampa River located in Section 34, Township 6 North, Range 92 West of the 6th P.M. a distance of 2,549 feet from the East section line and 1,318 feet from the South section line, upstream to Ellgen Reservoir (WDID 4403721) located at a point where the S.E. Corner of Section 27, Township 6 North, Range 92 West, 6th P.M. bears South 60° 03'00" West a distance of 162 feet, including all area tributary to Bell Rock Gulch and Yampa River within this reach, with the following exceptions :

7.12.1. McLernon Draw: from its confluence with Bell Rock Gulch located in the SE ¼ of the NE ¼, Section 34, Township 6 North, Range 92 West of the 6th P.M. a distance of 521 feet from the East section line and 1,678 feet from the North section line, upstream to Ellgen Reservoir No 2 (WDID 4403722) located at a point from which the S.E. Corner of Section 27, Township 6 North, Range 92 West, 6th P.M. bears South 83° 31' 25" East a distance of 2,410 feet, including all area tributary to McLernon Draw and the Bell Rock Gulch within this reach.

7.13. Milk Creek: from its confluence with the Yampa River located in Section 7, Township 5 North, Range 92 West of the 6th P.M. a distance of 1,328 feet from the East section line and 1,481 feet from the South section line, upstream to the headgate of Milk Creek Ditch (WDID 4400706) located at a point which is located on the West bank of Milk Creek from whence the Corner No.1, C.E. No. 67, Section 19, Township 4 North, Range 92 West of the 6th P.M. bears North 7° 25' East a distance of 408.1 feet, including all area tributary to Milk Creek and the Yampa River within this reach, with the following exceptions:

7.13.1. Good Spring Creek: from its confluence with Milk Creek located in Section 18, Township 4 North, Range 92 West of the 6th P.M. a distance of 1,084 feet from the West section line and 1,104 feet from the South section line,

upstream to the headgate of Colowyo Pumping Plant and Pipeline No 1 (WDID 4402067) located on the Northwestern bank of Wilson Reservoir (WDID 4403674), which is formed by an earthen dam across Good Spring Creek, at a point from which the Southeast corner of Section 13, Township 4 North, Range 93 West of the 6th P.M. bears South 26° 57' 24'' East a distance of 1897.12 feet, including all area tributary to Good Spring Creek and Milk Creek within this reach.

7.13.2. Wilson Creek: from its confluence with Milk Creek located in Section 30, Township 5 North, Range 92 West of the 6th P.M. a distance of 2,407 feet from the East section line and 2,333 feet from the South section line, upstream to the headgate of Mountain Meadows Ditch (WDID 4400715) located approximately at the right and East bank of said Wilson Creek in the East ½ of Section 11, Township 4 North, Range 93 West of the 6th P.M. a distance of 861 feet from the East Line and 1,411 feet from the North Line, including all area tributary to Wilson Creek and Milk Creek within this reach.

7.13.3. Stinking Gulch: from its confluence with Milk Creek located in Section 31, Township 5 North, Range 92 West of the 6th P.M. a distance of 181 feet from the East Line and 2,016 feet from the North Line, upstream to the McCleery Ditch No. 1 (WDID 4401362) located in the NE ¼ of the SE ¼, Section 26, Township 4 North, Range 92 West of the 6th P.M. a distance of 1,350 feet from the South Line and 1,150 feet from the East Line of said section, including all area tributary to Stinking Gulch and Milk Creek within this reach.

7.14. Sand Spring Gulch: from its confluence with the Yampa River located in the NE ¼ of the NW ¼, Section 35, Township 6 North, Range 93 West of the 6th P.M. a distance of 1,431 feet from the West section line and 357 feet from the North section line, upstream to Gerber Reservoir (WDID 4403928) located in the NE ¼ of the SW ¼, Section 33, Township 7 North, Range 92 West of the 6th P.M., including all areas tributary to Sand Spring Gulch and the Yampa River within this reach.

7.15. Horse Gulch: from its confluence with the Yampa River located in the SW ¼ of the SE ¼, Section 21, Township 6 North, Range 93 West of the 6th P.M. a distance of 2,455 feet from the East section line and 770 feet from the South section line, upstream to its headwaters located in the vicinity of the NW ¼ of the NW ¼, Section 14, Township 6 North, Range 93 West of the 6th P.M. a distance of 904 feet from the West section line and 152 feet from the North section line, including all areas tributary to Horse Gulch and the Yampa River.

7.16. Morgan Creek: from its confluence with the Yampa River located in Section 31, Township 6 North, Range 93 West of the 6th P.M. a distance of 157 feet from the East section line and 184 feet from the South section line, upstream to the headgate of Morgan Ditch (WDID 4400713) located approximately in the SW ¼ of the SE ¼, Section 14,

Township 4 North, Range 94 West of the 6th P.M. a distance of 1,958 feet from the West Line and 830 feet from the South Line, including all area tributary to Morgan Creek and the Yampa River within this reach, with the following exceptions:

7.16.1. Boxelder Gulch: from its confluence with Morgan Creek located in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 5, Township 5 North, Range 93 West of the 6th P.M. a distance of 2,249 feet from the East section line and 1,860 feet from the South section line, upstream to the headgate of Kersey Ditch (WDID 4400678) located at a point whence the South corner of Section 9, Township 4 North, Range 94 West of the 6th P.M. bears North 50° East 1021 feet, including all area tributary to Boxelder Gulch and Morgan Creek within this reach.

7.16.2. Collum Gulch: from its confluence with Morgan Creek located in Lot 4, Section 21, Township 5 North, Range 93 West of the 6th P.M. a distance of 2,259 feet from the East section line and 1,389 feet from the South section line, upstream to the headgate of Kourlis Ditch AB-1 (WDID 4402309) located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32, Township 5 North, Range 93 West of the 6th P.M. a distance of 400 feet North of the South line and 1800 feet East of the West line, including all area tributary to Collum Gulch and Morgan Creek within this reach.

7.17. Maudlin Gulch: from its confluence with the Yampa River located in Section 26, Township 6 North, Range 94 West of the 6th P.M. a distance of 1,500 feet from the West section line and 1,320 feet from the South section line, upstream to the headgate of Maudlin Gulch Ditch (WDID 44001288) located in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 14, Township 4 North, Range 95 West of the 6th P.M. bears 1000 feet west of the east section line and 1500 feet north of the south section line, including all area tributary to Maudlin Gulch and the Yampa River within this reach, with the following exception:

7.17.1. Ben Morgan Canyon: from its confluence with Maudlin Gulch located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 21, Township 5 North, Range 94 West of the 6th P.M. a distance of 848 feet from the North section line and 891 feet from the West section line, upstream to the headgate of Butts Ditch (WDID 4400798) at a point whence the W $\frac{1}{4}$ corner, Section 30, Township 5 North, Range 94 West of the 6th P.M. bears N. 1° 12' West a distance of 1124 feet, including all area tributary to Ben Morgan Canyon and Maudlin Gulch with this reach.

7.18. Jesse Gulch: from its confluence with the Yampa River located in Section 27, Township 6 North, Range 94 West of the 6th P.M. a distance of 339 feet from the East section line and 1,010 feet from the South section line, upstream to its headwaters located in the vicinity of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 10, Township 4 North, Range 95 West of the 6th P.M. a distance of 2,356 feet from the East section line and 1,087 feet from the South section line, including all areas tributary to Jesse Gulch and the Yampa River.

7.19. Temple Gulch: from its confluence with the Yampa River located in Section 17,

Township 6 North, Range 94 West of the 6th P.M. a distance of 672 feet from the West section line and 2,431 feet from the North section line, upstream to its headwaters located in the vicinity of the NW ¼ of the SW ¼, Section 21, Township 4 North, Range 95 West of the 6th P.M. a distance of 631 feet from the West section line and 1,606 feet from the South section line, including all areas tributary to Temple Gulch and the Yampa River.

7.20. Lay Creek: from its confluence with the Yampa River located in Section 1, Township 6 North, Range 95 West of the 6th P.M. a distance of 1,264 feet from the West section line and 1,102 feet from the South section line, upstream to its headwaters located in the vicinity of the SE ¼ of the NE ¼, Section 1, Township 9 North, Range 93 West of the 6th P.M. a distance of 829 feet from the East section line and 2,214 feet from the North section line, including all area tributary to Lay Creek and the Yampa River within this reach, with the following exception:

7.20.1. Big Gulch: from its confluence with Lay Creek located in Section 30, Township 7 North, Range 93 West of the 6th P.M. a distance of 1,689 feet from the East section line and 1,454 feet from the North section line, upstream to the headgate of Big Gulch Pump Diversion (WDID 4401272) located in the SW ¼ of the SE ¼, Section 23, Township 7 North, Range 93 West of the 6th P.M. at a point which bears 1250 feet North and 1980 feet West of the Southeastern Corner of said Section, including all area tributary to Big Gulch and Lay Creek within this reach.

7.21. Deception Creek: from its confluence with the Yampa River located in Lot 3, Section 33, Township 7 North, Range 95 West of the 6th P.M. a distance of 1,209 feet from the East section line and 2,255 feet from the North section line, upstream to Urie Reservoir #8 (WDID 4403920) located 700 ft south of North boundary and 1,500 ft west of East boundary of Section 29, Township 6 North, Range 95 West of the 6th P.M., including all area tributary to Deception Creek and the Yampa River within this reach.

7.22. Spring Creek: from its confluence with the Yampa River located in Section 28, Township 7 North, Range 95 West of the 6th P.M. a distance of 1,016 feet from the East section line and 994 feet from the North section line, upstream to its headwaters located in the vicinity of the SW ¼ of the NW ¼, Section 15, Township 9 North, Range 93 West of the 6th P.M. a distance of 581 feet from the West section line and 1,548 feet from the North section line, including all areas tributary to Spring Creek and the Yampa River.

7.23. Sand Creek: from its confluence with the Yampa River located in Section 15, Township 7 North, Range 96 West of the 6th P.M. a distance of 1,954 feet from the West section line and 1,798 feet from the North section line, upstream to its headwaters located in the vicinity of the Section 5, Township 8 North, Range 95 West of the 6th P.M. a distance of 510 feet from the North section line and 1,662 feet from the East section line, including all areas tributary to Sand Creek and the Yampa River.

7.24. Cedar Springs Draw: from its confluence with the Yampa River located in Section 34, Township 7 North, Range 97 West of the 6th P.M. a distance of 1,824 feet from the East section line and 585 feet from the North section line, upstream to its headwaters located in the vicinity of the SW ¼ of the SE ¼, Section 15, Township 5 North, Range 97 West of the 6th P.M., a distance of 1,478 feet from the West section line and 0 feet from the South section line, including all areas tributary to Cedar Springs Draw and the Yampa River.

7.25. Twelvemile Gulch: from its confluence with the Yampa River located in the NE ¼ of the SE ¼, Section 22, Township 6 North, Range 98 West of the 6th P.M. a distance of 115 feet from the East section line and 1,645 feet from the South section line, upstream to its headwaters located in the vicinity of the SE ¼ of the NE ¼, Section 18, Township 5 North, Range 97 West of the 6th P.M. a distance of 1,281 feet from the East section line and 2,156 feet from the North section line, including all areas tributary to Twelvemile Gulch and the Yampa River.

8. **Water Right to be Used for Augmentation**: The County will use water it leases or owns (“Augmentation Water”) that is stored in Elkhead Creek Reservoir (“Elkhead Reservoir”) pursuant to the decree in Case No. 02CW106. Water stored under this water right in Elkhead Reservoir and which the County leases or owns will be used to augment junior uses within the Yampa River drainage. The County currently has contracts with the Colorado River Water Conservation District (“River District”) that provide the County with up to 231 acre-feet per year from the River District’s water rights stored in Elkhead Reservoir. The River District’s water storage right for Elkhead Reservoir was decreed in Case No. 02CW106 in the amount of 13,000 acre feet for Municipal, Commercial, Industrial, Domestic, Irrigation, Livestock, Hydro-power Production, Evaporation, Augmentation, Exchange, Replacement, Power Generation, and Cooling, Wastewater Treatment, Piscatorial, and Recreational (including in-reservoir and in-river fish habitat and river flow maintenance and enhancement uses, and uses in furtherance of the Upper Colorado River Basin Fishes Recovery Program) and with the right to reuse and successively use the water to extinction, with an appropriation date of October 16, 2002. The decreed location for Elkhead Reservoir dam is approximately where the South quarter of Section 16, Township 7 North, Range 89 West of the 6th P.M. bears South 34°47'13" East, 869.37 feet.

8.1. **Additional or Alternative Augmentation Water Sources**: Pursuant to C.R.S. § 37-92-305(8)(c), the Court authorizes the County to use additional or alternative sources of Augmentation Water for replacement in this Plan for Augmentation if such sources are decreed for such uses, are part of a substitute water supply plan approved pursuant to C.R.S. § 37-92-308, or are part of an interruptible water supply agreement approved pursuant to C.R.S. § 37-92-309. This paragraph sets forth the procedures under which these sources may be added to this Plan for Augmentation. These procedures are adequate to prevent injury to other water rights that might otherwise result from the addition of these sources to this Plan for Augmentation.

8.1.1. As set forth in Paragraph 8, above, the County’s decreed source of augmentation supply is water stored in Elkhead Reservoir pursuant to the decree

in Case No. 02CW106. As of the date of this Decree, the County leases its augmentation supply from the River District; however, should the County acquire augmentation supplies in an amount consistent with Section 8.1 that were also awarded in the 02CW106 decree, the County need not provide the written notice provided for in Section 8.1.2.

8.1.2. Additional Water Rights Separately Decreed for Augmentation Use: Where a water right is decreed for augmentation use, the County shall give written Notice of Use of Water Right for Augmentation ("Source Notice"), to the Court, the Division Engineer, and all the Opposers herein which shall describe: (1) the water right by name and decree; (2) the annual and monthly amount of water available to the County from the water right; (3) the location or locations at which the water will be delivered to the stream; (4) evidence that the claimed amount of water is and will not be used by any other person; and (5) the manner in which the County will account for use of the water. If any person or party wishes to object to the addition of the noticed water rights to this Plan for Augmentation, a written objection shall be filed with the Court within sixty-three (63) days after the date the Source Notice was served by the County. If no objection is filed within sixty-three (63) days from the date the Source Notice was filed, the noticed water right still must be approved by the Division Engineer and may not be used until the Division Engineer approves of its use, with a copy of such approval served on Objectors. The Division Engineer shall not approve use of such water rights retroactively to the date of the Source Notice and shall not approve use of such water rights during any time prior to the expiration of the sixty-three (63) day objection period or any time prior to the date that a copy of such approval is served on Objectors. Upon approval by the Division Engineer and notice thereof to Objectors, the County may use the noticed water rights in the Plan for Augmentation in the manner stated in the Source Notice, without further action by the Court.

8.1.3. Objections. If an objection is filed, then the County may not use the noticed water rights until the Court determines whether the water rights may be used in the Plan for Augmentation, and if so, the Court may impose such terms and conditions as necessary to prevent injury to vested water rights and decreed conditional water rights. This paragraph shall apply to all separately decreed sources, whether they are permanent or temporary additions to this Plan for Augmentation.

8.1.4. Substitute Water Supply Plans: As to any other additional water right the County seeks to add as an augmentation source for this Plan for Augmentation, the County shall provide written notice to the Opposers herein of its request for approval of the State Engineer pursuant to C.R.S. § 37- 92- 308. The County shall not use the noticed water rights in this Plan for Augmentation for augmentation until the County' s request for substitute water supply plan

("SWSP") has been approved by the State Engineer, including any appeal. If any person wishes to appeal the decision of the State Engineer, a written objection shall be filed with the Court within thirty (30) days after the date the written decision of the State Engineer is mailed to the parties. If no appeal is filed, then the County may use the noticed water rights in this Plan for Augmentation in the manner stated in the State Engineer's approval, without further action by the Court. If an appeal from an SWSP approval is filed, then the Court shall grant an expedited hearing and promptly decide the disputed issues in accordance with the appropriate statute. Neither the approval nor the denial by the State Engineer shall create any presumptions, shift the burden of proof, or serve as a defense in any appeal of this case. In no event shall the County be allowed to use the same portion of a water right or shares for undecreed augmentation use under this Plan for Augmentation pursuant to an SWSP approval for more than the period allowed by C.R.S. § 37- 92- 308.

8.1.5. Agreements: The County may not use additional augmentation supplies discussed in this paragraph 8 unless the County has a written agreement with the owners of the additional augmentation supplies allowing the County to do so. A copy of any such agreement shall be provided with the written Notice to the Opposers and the Division Engineer and State Engineer.

8.1.6. Updated Accounting: When any additional or alternative source of replacement water is added to this Plan for Augmentation, the County shall update its accounting forms to incorporate the new source as approved or required by the Division Engineer.

9. Operation of Plan for Augmentation.

9.1. Depletions. The depletions associated with diversions at the Augmented Structures will be determined based on the assumptions, methods and calculations set forth herein. Stream depletions will be calculated individually and cumulatively and on a monthly basis, or on a more frequent basis as may be required by the Division Engineer. All contracted uses will be summed together to determine cumulative depletions. For any use not addressed herein, depletions will be considered to be 100% consumptive unless the County demonstrates to the Division Engineer, and the Division Engineer approves, a lower consumption rate for such a use. During periods when an administrative call is placed and enforced regarding the out-of-priority diversions of the County's Contractees, calculated depletions associated with the out-of-priority diversions will be replaced using the County's Augmentation Water identified in Paragraph 8 above. A summary of the engineering assumptions used to determine the location, amount, and timing of depletions to be replaced by Augmentation Water is outlined below.

9.1.1. Location of Replacement: The County has classified the streams and rivers within the Augmentation Area as either intermittent or perennial using the

“National Hydrography Dataset” (United States Geology Survey, October 1, 2023). For streams classified as intermittent, the County shall replace out-of-priority depletions from its Contractees’ Augmented Structures in time and amount to the nearest downstream perennial stream. For perennial streams, the County will replace out-of-priority depletions from its Contractees’ Augmented Structures in time and amount using the Exchange Project Rights pursuant to Paragraph 11 of this Decree.

9.1.2. Domestic In-House Use Diversions and Depletions: Diversions associated with domestic in-house use will be calculated according to the following:

9.1.2.1. Single family home, apartment unit, multi-family home unit, and mobile home in-house use: 2.5 persons using 118 GPCD (gallons/capita/day), or 295 gallons per day (0.33 acre-feet per year).

9.1.2.2. A substantial portion of in-house diversions will return to the stream system following wastewater treatment. The consumptive use, as a percent of diversions, is assumed to be as follows:

9.1.2.2.1. Central wastewater treatment system: 5.0%

9.1.2.2.2. Septic tank/leachfield system: 10%

9.1.2.2.3. Evaporative system: 100%

9.1.3. Commercial Use: The diversion rate, estimated depletions, and volume of water necessary to support commercial uses will be based on the following calculations for estimating the diversions and consumptive uses for commercial applications:

9.1.3.1. Office: Diversions will be calculated as 210 gallons per day per 1,000 square feet.

9.1.3.2. Warehouse: Diversions will be calculated as 105 gallons per day per 1,000 square feet.

9.1.3.3. Retail Sales: Diversions will be calculated as 210 gallons per day per 1,000 square feet.

9.1.3.4. Food Service Establishments (with toilet and kitchen wastes): Diversions will be calculated as 10 gallons per customer per day.

9.1.3.5. Overnight Lodging: Diversions will be

calculated as 50 gallons per customer per day. If there is an on-site proprietor (i.e. on-site owner of a Bed & Breakfast), diversions for the proprietors will be calculated as 80 gallons per person per day and added to the diversions for customers.

9.1.3.6. Other Uses: Diversions for other types of commercial uses will be determined on a case-by-case basis.

9.1.3.7. A substantial portion of commercial diversions will return to the stream system following wastewater treatment. The consumptive use, as a percent of diversions, is assumed to be as follows:

9.1.3.7.1. Central treatment system: 5%

9.1.3.7.2. Septic tank/leachfield system: 10%

9.1.3.7.3. Evaporative system: 100%

9.1.4. Industrial Use: Diversions and consumptive use for industrial applications will be determined on a case-by-case basis in consultation with the Division Engineer, and shall be part of the application review process as provided in Paragraph 10.

9.1.5. Irrigation Water Use

9.1.5.1. Evapotranspiration Calculation
Methodology:

This Plan for Augmentation will replace out-of-priority depletions associated with lawn and crop irrigation. Irrigation consumptive use will be based on analysis using the elevation band of the proposed contractee's property and the Modified Blaney Criddle Method as outlined by the Soil Conservation Service in Technical Release No. 21 with an elevation adjustment. Elevation bands will be split into 5 categories: (1) 5500 to 5999 feet; (2) 6000 to 6499 feet; (3) 6500 to 6999 feet; (4) 7000 to 7499 feet; and (5) 7500 feet and higher, as shown in the map in Exhibit 2. Bluegrass, pasture grass, and alfalfa are the most common types of crops in the Augmentation Area. Tables 1 through 3 below provide the monthly net irrigation requirement by elevation band that will be used for blue grass, pasture grass and alfalfa crops. For lawn irrigation, bluegrass consumptive use will be assumed. If a non-traditional crop type other than bluegrass, pasture grass, or alfalfa, is proposed, consumptive use will be calculated based on crop coefficients published in ASCE Manual and Report No. 70 (1996) or as it may be amended in the future. Average monthly precipitation and mean daily

temperature will be calculated based on climate stations within the Augmentation Area. Additional details on the consumptive use calculations can be found in Exhibit 3.

Table 1: Monthly Net Irrigation Requirement (foot) for Bluegrass					
	Elevation Bands (in feet above sea level)				
Month	5500 - 5999	6000 -6499	6500 - 6999	7000 - 7499	7500+
April	0.05	0.08	0.01	0.00	0.00
May	0.29	0.23	0.17	0.13	0.09
June	0.49	0.47	0.45	0.43	0.39
July	0.55	0.53	0.51	0.49	0.48
August	0.44	0.42	0.41	0.39	0.38
September	0.27	0.26	0.25	0.24	0.23
October	0.04	0.04	0.04	0.03	0.03
Total	2.13	2.03	1.84	1.71	1.60

Table 2: Monthly Net Irrigation Requirement (foot) for Pasture Grass					
	Elevation Bands (in feet above sea level)				
Month	5500 - 5999	6000 -6499	6500 - 6999	7000 - 7499	7500+
April	0.06	0.04	0.03	0.00	0.00
May	0.22	0.20	0.17	0.14	0.10
June	0.40	0.38	0.34	0.32	0.29
July	0.54	0.50	0.47	0.44	0.41
August	0.44	0.40	0.38	0.35	0.32
September	0.23	0.20	0.19	0.17	0.15
October	0.06	0.04	0.03	0.02	0.01
Total	1.95	1.76	1.61	1.44	1.28

Table 3: Monthly Net Irrigation Requirement (foot) for Alfalfa					
	Elevation Bands (in feet above sea level)				
Month	5500 - 5999	6000 -6499	6500 - 6999	7000 - 7499	7500+
April	0.04	0.00	0.00	0.00	0.00
May	0.25	0.19	0.14	0.10	0.07
June	0.50	0.47	0.43	0.39	0.35
July	0.66	0.62	0.58	0.54	0.50
August	0.52	0.49	0.45	0.42	0.39
September	0.26	0.21	0.17	0.12	0.09
October	0.02	0.00	0.00	0.00	0.00
Total	2.25	1.98	1.77	1.57	1.40

Diversion Amounts: Total diversion amounts will be calculated based upon

expected application rates for the different irrigation methods. The application rate for lawn sprinklers will be assumed to be 85% efficient. The application rate for agricultural sprinkler irrigation will be assumed to be 80% efficient, the application rate for agricultural flood irrigation will be assumed to be 50% efficient. The application rate for agricultural drip irrigation will be assumed to be 100% efficient.

Return Flows: Return flows will not be tracked for lawn sprinkler irrigation and agricultural drip irrigation, so depletions from these methods of irrigation will be calculated as equal to diversions and 100% consumptive. Return flows will be calculated for agricultural sprinkler irrigation as 20% of total diversions and for agricultural flood irrigation as 50% of total diversions. For agricultural sprinkler irrigation, 100% of the return flows are assumed to be deep percolation. For agricultural flood irrigation, 50% of the return flows (or 25% of the total diversions) are assumed to be via surface water and return to the river immediately. The remaining 50% of the return flows (or 25% of the total diversions) are assumed to be deep percolation. The return flows associated with deep percolation either from agricultural sprinkler irrigation or flood irrigation will be lagged using the alluvial delayed depletion factors provided in paragraph 9.1.8.2. The lagging band will be assigned based on distance from the centroid of the irrigated field to the nearest perennial stream.

Surface Evaporation. Open water evaporation for ponds, channels, or aesthetic water features included in the Plan for Augmentation will be calculated based on the monthly gross evaporation rates with ice cover using two elevation bands (below and above 6,500 feet), as presented in Table 4 below. Table 4 is based on engineering analysis using the method recommended in the General Administration Guidelines for Reservoirs from the Colorado Division of Water Resources, amended February 2016. The average annual gross evaporation shown in Table 4 was determined based on the evaporation rates in the evaporation atlases in NOAA Technical Report NWS 33 for shallow lakes. The Colorado Division of Water Resources' guidelines provide monthly distribution for gross pond evaporation above and below an elevation of 6,500 feet. The average number of days in each month with a daily average temperature above 32 degrees Fahrenheit was used to determine the percentage of the month in which ice covered the ponds. When the ponds are completely ice covered there are no evaporation losses that need to be augmented. Ice-on (completely covered with ice) dates and ice-off (any portion of pond does not have ice) dates shall be determined by the Water Commissioner and tracked in the County's accounting form. Additional details on the evaporation rate calculations can be found in Exhibit 4. If updated evaporation rates become available from NOAA or another widely accepted source, the Applicant shall provide an updated Exhibit 4 to the Division Engineer and the Court.

Table 4: Monthly Gross Evaporation Rates with Ice Cover (feet)		
	Elevation Band	
Month	Below 6,500 feet	6,500 feet and above
January	0.01	0.00
February	0.03	0.02
March	0.13	0.12
April	0.29	0.25
May	0.43	0.42
June	0.52	0.53
July	0.54	0.55
August	0.48	0.44
September	0.36	0.37
October	0.23	0.23
November	0.08	0.07
December	0.02	0.01
Annual	3.12	3.01

9.1.6. Livestock Water Use: Diversions for livestock watering are considered 100 percent consumptive. Consumptive use for horses, cows, and other types of livestock will be 12 gallons per day per animal.

9.1.7. Delayed Depletions: The County will account for delayed depletions with respect to any wells, including ponds that intercept groundwater (a.k.a. pond wells) authorized under this Plan for Augmentation. Stream depletions resulting from well pumping are both lagged and attenuated. The lag time and magnitude of attenuation is a function of a well's distance from the stream and the aquifer characteristics. The stream depletions from some wells are expected to be delayed significantly but may be reasonably expected to reach a steady state. Other wells will be completed in alluvial formations and will have little or no delayed impact. In order to replace out-of-priority depletions in time, location, and amount, delayed depletion factors have been developed using the Glover well pumping depletion model. The depletion factors have been developed for alluvial and bedrock aquifers and for four geographic bands, based on distance from the stream. The bands are described in the subparagraphs below. Due to the lack of information on aquifer characteristics in the Lower Yampa River Basin, the County will use the lagging patterns established by the Upper Yampa Water Conservancy District ("UYWCD") in its augmentation plan in Case No. 15CW3058 (Water Division 6). The characteristics of the Upper Yampa River Basin and the Lower Yampa River Basin are substantially similar. The selection of appropriate lagging patterns for calculation of depletions and return flows shall be part of the application review process as provided in Paragraph 10.

9.1.7.1. These patterns have been developed based on distance from a perennial stream. Perennial streams in the Lower Yampa Augmentation Boundary were identified using the “National Hydrography Dataset” (United States Geology Survey, October 1, 2023). The bands are mapped in Exhibit 5 and described below:

9.1.7.1.1. Band #1: Less than 100 feet from the stream

9.1.7.1.2. Band #2: 100 to 750 feet from the stream

9.1.7.1.3. Band #3: 751 to 1,750 feet from the stream

9.1.7.1.4. Band #4: More than 1,750 feet from the stream

9.1.7.2. UYWCD performed a series of Glover analyses to determine appropriate stream depletion factors for each of the four bands, so the County will employ the same analysis for the County’s Plan for Augmentation. The bedrock aquifer has a specific yield of 0.01 and a transmissivity of 500 gpd/ft. The alluvial aquifer has a specific yield of 0.1 and a transmissivity of 10,000 gpd/ft. Wells in both bedrock aquifers and alluvial aquifers were evaluated for locations 50, 500, 1,000 and 2,500 feet from a perennial stream. The monthly lagged stream depletion factors for alluvial and bedrock wells are shown in Table 5 below:

Month	Bedrock Wells				Alluvial Wells			
	<100'	100' – 750'	750' – 1750'	>1750'	<100'	100' – 750'	750' – 1750'	>1750'
1	40.8%	26.6%	7.5%	7.1%	94.9%	39.9%	14.8%	5.7%
2	29.1%	30.3%	20.3%	7.0%	5.1%	28.6%	27.7%	8.0%
3	9.1%	12.0%	16.1%	8.0%	0.0%	9.1%	14.8%	11.3%
4	5.2%	7.2%	11.5%	9.0%	0.0%	5.3%	9.5%	11.5%
5	3.6%	5.2%	8.9%	9.5%	0.0%	3.7%	7.0%	10.6%
6	2.7%	4.0%	7.3%	9.5%	0.0%	2.9%	5.5%	9.6%
7	2.2%	3.3%	6.2%	9.2%	0.0%	2.4%	4.6%	8.7%
8	1.9%	2.8%	5.4%	8.9%	0.0%	2.0%	4.0%	8.0%
9	1.6%	2.5%	4.8%	8.5%	0.0%	1.8%	3.5%	7.4%
10	1.4%	2.2%	4.3%	8.1%	0.0%	1.6%	3.1%	6.8%
11	1.3%	2.0%	4.0%	7.8%	0.0%	1.4%	2.9%	6.4%

12	1.1%	1.9%	3.7%	7.4%	0.0%	1.3%	2.6%	6.0%
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

9.1.7.3. The Monthly Lagging Factors in Table 5 are only appropriate for unconfined aquifers.

9.1.7.4. The location of the alluvial aquifer will be determined using the *2020 Statewide Mapping of Quaternary Alluvium* (produced by Lesley Sebol at the Colorado Geological Survey for CWCB). The appropriate aquifer type and distance band will be assigned to each well based on its location. As part of the well permitting process for Contractee’s augmented wells, the Division of Water Resources may provide guidance to the County regarding the appropriate aquifer classification for that well’s location.

9.1.7.5. For agricultural use, irrigation return flows through deep percolation will be assigned the alluvial aquifer factors. The distance band will be determined based on the centroid of the irrigated acreage. When a well and the groundwater return flows, including from deep percolation, are located in different aquifers and/or lagging bands, the timing and amount of out-of-priority depletions will be calculated by applying the appropriate lagging factors to the well-pumping and the groundwater return flows separately. Net lagged depletions will be calculated as the lagged well-pumping minus the lagged groundwater return flows, including from deep percolation. The calculated lagged stream depletion factors outlined in Table 5 above will be applied as described above to all surface and groundwater diversions that do not exceed 0.25 c.f.s. (Small Applications). For diversions exceeding a planned average diversion rate of 0.25 c.f.s. (Large Applications), a site-specific lagged depletion analysis will be conducted.

9.2. Replacements. Out-of-priority depletions, as calculated above, will be replaced by releases from the County's Augmentation Water identified in Paragraph 8 above in time, location, and amount to prevent injury to senior rights. Augmentation Water will be of a quality and quantity so as to satisfy requirements for which the water diverted by senior appropriators has normally been used, in accordance with C.R.S § 37-92-305(5). Releases of Augmentation Water from Elkhead Reservoir will be made at the direction of the Division Engineer based on calls by senior water rights located downstream on the Yampa River.

9.3. Division 6 Rules and Regulations and County Requirements. The District Court for

Water Division 6 entered a final judgment in Case No. 22CW3102 and thereby the Rules and Regulations Governing the Measurement of Surface Water and Groundwater Diversions and Storage, Release, and Delivery of Water Located in Water Division 6 (“Division 6 Measurement Rules”) became effective on April 1, 2023. The County shall ensure that any diversion and storage data compiled as part of its accounting records be based on a “Measurement Method” as defined in such Rules and Regulations at Paragraph 4.1.9, or as subsequently amended. To the extent that the Division 6 Measurement Rules do not apply to an Augmented Structure, the County shall require each Contractee (under its Augmentation Contract) to install and maintain a totalizing flow meter or other device to measure diversions.

9.4. Accounting. Using measurements taken by Contractees in compliance with the Division 6 Measurement Rules, or as may otherwise be required by the County, for each Augmented Structure, the County will prepare annual accounting based on the actual diversions measured by contract allottees and then calculate depletions for all Augmented Structures, which accounting shall be submitted to the Division of Water Resources in a form acceptable to the Division Engineer in order to administer the County’s Plan for Augmentation. The County will also calculate return flows using the consumptive use and efficiency factors described in Paragraph 9.1, based on the type of use. In the case that an Augmented Structure provides water to more than one type of use, the accounting form will assign portions of the actual diversions to the various use types in order to calculate the corresponding return flows. The County will apply the appropriate monthly lagging factors from Table 5 to actual well-pumping and groundwater return flows, including from deep percolation, separately. The actual net lagged depletions will be calculated as the lagged well-pumping minus the lagged groundwater return flows. The location, amount, and timing of the net lagged depletions will be reported to the Division of Water Resources as required by the Division Engineer to administer the County's Plan for Augmentation. The County will ensure that the total annual out-of-priority depletions under this Plan for Augmentation plus transit losses will not exceed the replacement water available to the County. As part of its accounting submitted on November 15 of each year, the County will also identify the amount of Augmentation Water released each month to operate its Plan for Augmentation based on actual diversions and calculated depletions.

The County will also separately prepare projections, including projected return flows and projected net lagged depletions using the calculations and methodology described in Paragraph 9. The County’s projections shall be prepared and provided to the Division Engineer as described in Paragraph 24.

9.5. Transit Losses. Deliveries of Augmentation Water are subject to a transit loss rate as determined by the Division Engineer, in the Division Engineer’s reasonable discretion. This rate shall be based upon appropriate stream-specific data and shall represent a reasonable deduction based upon the State Engineer's duty to collect and study data. *See* C.R.S. § 37-80-102(7) and § 37-83-104.

10. Procedure for County Contractees to Enter or Exit Plan for Augmentation

10.1. Application: Those water users who wish to participate in this Plan for Augmentation or County Contractees who desire to make changes, including but not limited to, changes to their uses that result in changes to depletions, and changes to the locations of diversions or return flows, must submit to the County an application for coverage under the Plan for Augmentation decreed herein ("Augmentation Application").

10.2. Notice of Applications: The County shall provide copies of all Augmentation Applications to the State and Division Engineers via email, and copies of certain defined applications, as provided in paragraph 10.4.2, to all other Opposers in this case via the Colorado Courts E-Filing system ("Application Notice").

10.3. Types of Augmentation Applications:

10.3.1. Large Applications. A "Large Application" is defined as an Augmentation Application that exceeds a direct flow or storage diversion demand for groundwater or surface water of greater than 0.25 cfs or 30 acre-feet annually.

10.3.2. Small Applications. A "Small Application" is defined as an Augmentation Application that does not exceed a direct flow or storage diversion demand for groundwater or surface water of greater than 0.25 cfs or 30 acre- feet annually.

10.3.3. Industrial Applications. An "Industrial Application" is defined as any Augmentation Application for industrial use.

10.4. Contents of Augmentation Application: All Augmentation Applications shall include a table that shows anticipated monthly estimates of water diversions and consumptive use for each use; total anticipated annual diversions and consumptive use for each use; total amount of replacement water estimated to be required; and the proposed source of Augmentation Water. Each Augmentation Application for groundwater shall state whether the well will be located in the alluvium or in bedrock, and the basis for this determination. The applicant shall include as part of the Augmentation Application map(s) of the proposed points of diversion and return flows; the lagging band in which the well, well pond, or point of diversion will be located; and the area and crop type(s) which may be irrigated.

10.4.1. Large Application and Industrial Application Contents. In addition to the information set forth in Paragraph 10.4, applications for Large or Industrial contracts, as defined in Paragraphs 10.3.1 and 10.3.3, shall also include the following information:

10.4.1.1. For a proposed contract to augment

agricultural irrigation water use, a map will be provided that shows the location(s) of the point(s) of diversion of the use of water to be augmented, the location of the irrigated areas and the location by stream reach(es) into which the return flow of the water used for irrigation is expected to accrue.

10.4.1.2. For a proposed contract to augment evaporation from pond(s), a map will be provided that shows the location and surface area of the pond(s) to be augmented and that identifies the source of water for filling the pond(s) and location of return flows.

10.4.1.3. For a proposed contract to augment groundwater depletions, a map will be provided that shows the location of the point(s) of diversion of the structure to be augmented, and location of expected return flows to the stream system from a private or central sanitary sewer system, the type and location of such system, and for a regulated wastewater treatment plant, the location(s) of the plant's return flow to the stream system.

10.4.1.4. If the structure to be augmented diverts water for livestock use, the applicant must provide the Animal Units per Month (AUMs) and type of livestock to be supplied with water, which information shall be updated by the owner of the water right to the County on a yearly basis.

10.4.1.5. If the structure to be augmented diverts water for industrial water use, the County shall develop an approach to estimate diversions and consumptive use, on a case by case basis, in consultation with the Division Engineer and such estimates must be consistent with any representations by the water user in its application to the Water Court and consistent with the findings made by the Water Court for Division 6 regarding such water right. Each application for industrial use shall specify the industry to be served by the structure and the specific uses to which water will be applied.

10.4.1.6. For Large Applications and Industrial Applications, a site-specific lagged depletion analysis will be conducted. This engineering analysis will determine the appropriate Glover parameters for the site. Monthly lagging factors for stream depletions and groundwater return flows will be developed, as applicable.

10.4.2. Application Review Process.

10.4.2.1. Large and Industrial Applications. The County shall provide the parties of record in this case a copy of each Large or Industrial Augmentation Application, the information required by paragraphs 10.4 and 10.4.1, and any additional information reasonably requested by the Division Engineer, which shall also be provided to the parties of record. Any Opposer claiming that a Large or Industrial Application has the potential to injure the Opposer's vested absolute or decreed conditional water rights , or – in the case of the State Land Board – water rights appurtenant to State Land Board property, may file written comments with County and the Division Engineer within forty-two (42) days of the date the Application Notice was provided to the Opposers. Together with their comments, Opposers may also propose terms and conditions that should be imposed in any approval of the Augmentation Contract to prevent injury to those water rights identified in this 10.4.2.1. The Division Engineer will review and consider the written comments submitted by any Opposer in its evaluation of the application.

10.4.2.1.1. The Division Engineer shall review Large and Industrial Applications to determine whether, in the Division Engineer's reasonable opinion, a contract issued by the County pursuant to such Large or Industrial Application will injure existing vested absolute or decreed conditional water rights, or whether the calculated amount of depletions is reasonable. With respect to the submittal to the Opposers, such submittal shall be for informational purposes only, and any Opposer's specific concerns regarding potential injury to water rights must be communicated to the Division Engineer and the County, consistent with Paragraph 10.4.2.1.

10.4.2.2. Small Applications: For Small Applications, the County shall provide the Division Engineer and the State Land Board with the contract application information outlined in Paragraph 10.4 and need not provide the additional information required for Large or Industrial applications under Paragraph 10.4.1. The County shall promptly provide additional information about any Small Application that the State Land Board may reasonably request to support its review. Any comments on Small Applications by the State

Land Board shall be made consistent with the procedures set forth in Paragraph 10.4.2.1, for Large and Industrial Applications and shall be considered by the Division Engineer in the same manner as set forth in Paragraph 10.4.2.1.

10.4.2.3. Contract Approvals and Denials: The Division Engineer shall have sixty-three (63) days from receipt of a copy of any Augmentation Application sent by the County within which to review its content and provide written comments and/or specific objections to the County. If the County does not receive written comments or objections from the Division Engineer within said 63 days, the County may issue a contract to the applicant in conformance with the application. If the Division Engineer delivers to the County specific written objections or comments to the approval of any such Augmentation Application, by email or Colorado Courts E-Filing, within such 63-day period, then the County shall deny the Augmentation Application pursuant to such objection or shall consult with the Division Engineer and any Opposer that provided comments to develop agreeable terms and conditions by which the Augmentation Application may be approved. If such terms and conditions cannot be developed through this consultation, then the procedures set forth in Paragraph 39.5 may be invoked to resolve the dispute. Nothing shall prohibit the applicant of a denied Augmentation Application from filing a subsequent revised or amended application, which will then be treated by the County as a new Augmentation Application subject to the provisions of this Paragraph 10.

10.4.2.4. For applications involving the replacement of depletions caused by well pumping, the County will review the application and make an initial assessment of the aquifer type (unconfined alluvial, unconfined bedrock, or confined bedrock). This assessment will be submitted to the Division Engineer's Office pursuant to Paragraph 10.4 for all types of applications involving the replacement of depletions outlined in Paragraphs 10.4.2.1 and 10.4.2.2. As part of the Division Engineer's Augmentation Application review process, the Division Engineer's Office may provide guidance to the County to identify whether any proposed Augmented Structure will be drilled in a confined aquifer. In making that determination, they may consider any appropriate location-specific engineering and data available at the time an Augmentation Application is submitted. The alluvial aquifers and the shallow bedrock aquifers are generally considered to be unconfined. For all Augmentation Applications seeking to replace depletions caused by

well pumping in a confined aquifer, the County will deny such Augmentation Applications. The County shall not issue contracts to augment out-of-priority depletions caused by the operation of a well to be located in a confined aquifer without obtaining a decreed amendment to this Plan for Augmentation that establishes aquifer parameters for those aquifers.

10.4.2.5. In consultation with the Division Engineer regarding comments submitted by the State Land Board pursuant to Paragraph 10.4.2 and to the extent necessary to prevent injury, the County shall not approve any Augmentation Application on tributaries where the State Land Board holds vested water rights, decreed conditional water rights, or water rights in which the State Land Board holds a legally cognizable interest or which are appurtenant to lands owned by the State Land Board unless and until the County has added replacement sources upstream on the tributary where the State Land Board's rights are located and the Contractee's diversions and depletions will occur.

10.4.2.6. Disputes with Division Engineer's Written Comments and/or Objections: Any disagreements between the County, the Division Engineer, or other Opposers who have provided comments to the Division Engineer may be resolved by a hearing on the issues in this Court. Any such dispute shall be initiated by the filing of a motion for review in the Court within thirty-five (35) days after the Division Engineer's written comments and/ or objections are issued, which motion shall identify the specific reasons for the dispute, and other parties shall respond to that motion in accordance with the applicable Rules of Civil Procedure or such other procedure as the Court may apply by appropriate procedural order.

10.5. After approval of an Augmentation Application, based on the process delineated above, the County shall enter into a written augmentation contract with the applicant. In each contract issued pursuant to this Plan for Augmentation by the County, the County shall require that the Contractee:

10.5.1. Provide and maintain, at the Contractee's expense, a measuring device to continuously and accurately measure at all times all water diverted pursuant to the terms of Contractee's water right or well permit.

10.5.2. Provide accurate readings from such measuring device to the County on an annual basis, showing monthly water use.

10.5.3. Notify the County in writing of the date that the Augmented Structure ceases operation or is no longer covered under this Plan for Augmentation.

10.6. Procedure to remove Contractee's Augmented Structure(s) from Plan for Augmentation: If a Contractee opts out of the Plan for Augmentation, fails to comply with the terms of its augmentation contract, or otherwise chooses not to renew its augmentation contract, the County will remove a Contractee's Augmented Structure from this Plan for Augmentation and provide notice of removal to the State and Division Engineers, who may then order the Contractee to cease any diversions. Once a Contractee's Augmented Structure is removed from this Plan for Augmentation pursuant to this paragraph, the County's accounting shall reflect the addition of the commensurate available replacement water for contract, provided, however, that the calculation of such available replacement water shall include accounting for the County's obligation to replace, in accordance with this Decree, all lagged depletions from the Augmentation Structure that is removed from this Plan for Augmentation.

10.7. Notice to Contractees Regarding Augmentation Sources:

10.7.1. In the event the County no longer is able to provide a permanent source of Augmentation Water, due to circumstances outside of its control, to cover depletions under the Plan for Augmentation subject of this Decree, the County will provide adequate notice to Contractees to ensure the Contractees have sufficient time to cease its diversions from augmented structures and prevent out-of-priority depletions that are no longer covered under the County's Plan for Augmentation . The County shall identify in its notice to the Contractee, with a copy to the Division Engineer, the date at which the Contractee's diversions must cease to allow the County to make all required replacements of out-of-priority depletions required under the County's Plan for Augmentation . The County remains fully responsible to replace all out-of-priority depletions in time, location, and amount resulting from any and all diversions made under an Augmentation Contract entered into with its Contractees. Nothing in this Paragraph 10.7 and its subparts shall be construed to prevent the County from continuing to operate its Plan for Augmentation upon the acquisition and addition of additional Augmentation Water pursuant to the procedures set forth in Paragraph 8.1.

10.7.2. In the notification referenced in the preceding paragraph, the County shall further notify all Contractees that have a valid well permit that the Contractees (i) will be required to contact the State Engineer's Office with respect to the availability of Augmentation Water and (2) will be required to either (i) obtain an amended or new well permit with a valid plan for operation or (ii) plug, seal, or abandon their well in accordance with 2 CCR 402-2, Rule 16.

10.7.3. The County will remain responsible for and is required to replace all out-of-priority depletions and return flows under this Plan for Augmentation. The State and Division Engineers do not administer third party agreements and thereby, in the event that any Contractee is in default under the terms of its Augmentation Contract with the County, the County will ensure that any out-of-priority depletions and/or return flows under such contract are fully replaced in time, location, and amount.

APPROVAL OF WATER EXCHANGE PROJECT

11. The County has appropriated a conditional water exchange project to be used as part of the Plan for Augmentation decreed herein because some Augmentation Water under its Plan for Augmentation will be introduced to the river system downstream from the out-of-priority depletions to be augmented. The exchange project rights will allow County Contractees to continue diversions at their respective locations during times when there is a downstream call by a senior water right. The County will augment its Contractees' out-of-priority depletions with the water supply described in Paragraph 8 above. The Water Exchange Project decreed herein is to facilitate the replacement of out-of-priority depletions associated with diversions by County Contractees within the Augmentation Area.

11.1. Name of Water Exchange Project:

11.1.1. Moffat County Yampa River Basin Water Exchange Project

11.2. Water Exchange Project Reaches:

11.2.1. Exchange From Points:

11.2.1.1. The outlet of Elkhead Reservoir located in the south quarter of Section 16, Township 7 North, Range 89 West of the 6th P.M. (UTM X= 298217.0 Y= 4492426.0).

11.2.1.2. All of the downstream termini described as the confluences of the perennial tributaries with the Yampa River listed in Paragraph 11.3 below (see legal descriptions in paragraph 7 above).

11.2.2. Exchange To Points: All of the upstream termini of the perennial tributaries as described in Paragraph 11.3 (see legal descriptions in Paragraph 7 above) and as shown in Exhibit 1.

11.3. Exchange Project Rights: The following table shows the conditional exchange project rights which comprise the Moffat County Yampa River Basin Water Exchange

Project (the “Exchange Project Rights”):

Lower Terminus	Upper Terminus	Rate (cfs)
Elkhead Reservoir	Downstream terminus of the Elkhead Creek (Lower) Instream Flow Reach (WDID 4402557)	3
Yampa River confluence with Fortification Creek	Louie Pipeline and Ditch headgate (4400689)	3
Louie Pipeline and Ditch Headgate (4400689)_	Wisconsin Ditch headgate (WDID 4400511)	1
Yampa River confluence with Williams Fork River	Downstream terminus of the Williams Fork Instream Flow Reach (WDID 4401448)	3
Williams Fork River confluence with Morapos Creek	Osborn Pumpsite 3 headgate (WDID 4402320)	1.5
Yampa River confluence with Milk Creek	Milk Creek Ditch headgate (WDID 4400706)	3
Milk Creek confluence with Good Spring Creek	Colowyo Pumping Pl No. 1 headgate (WDID 4402067)	1.5
Milk Creek confluence with Wilson Creek	Mountain Meadows Ditch headgate (WDID 4400715)	1.5
Milk Creek confluence with Stinking Gulch	McCleery Ditch No. 1 (WDID 4401362)	1.5

11.4. Sources of Exchange (Substitute) Supply: The supply is described in paragraph 8 above.

11.5. Amount Claimed: The rate of exchange for each Exchange Project Right is listed in Paragraph 11.3 and each amount listed therein is conditional.

11.5.1. In the Williams Fork Watershed, the cumulative rate of exchange for Williams Fork and Morapos Creek shall not exceed 3 cfs.

11.5.2. In the Milk Creek watershed, the cumulative rate of exchange for Milk Creek, Good Spring Creek, Wilson Creek, and Stinking Gulch shall not exceed 3 cfs.

11.5.3. In the Fortification Creek watershed, the rate of exchange from the confluence of the Yampa River and Fortification Creek to the Louie Pipeline and Ditch headgate shall not exceed 3 cfs, and the rate of exchange from the Louie Pipeline and Ditch headgate to the Wisconsin Ditch headgate shall not exceed 1 cfs. In the event that a valid senior call is placed on Fortification Creek at a point of diversion downstream of the Wisconsin Ditch, the County shall not enter into new augmentation contracts on Fortification Creek, but shall not amend augmentation contracts approved prior to the date of the senior call, to require the replacement of depletions upstream of the calling structure.

11.6. Date of Appropriation: October 24, 2023.

11.7. How Appropriation was Initiated: Approval of Application by Moffat County Board of County Commissioners and subsequent filing of the Application in this case.

11.8. Date Water Applied to Beneficial Use: Not Applicable, as conditional water right is sought.

11.9. Proposed Uses:

11.9.1. Types: Domestic, irrigation, stock watering, commercial, evaporation, and industrial.

11.9.2. Place of Use: Within the Augmentation Area described in Paragraph 7 above.

TERMS AND CONDITIONS

12. The Plan for Augmentation and Water Exchange Project approved pursuant to this Decree will be operated consistent with the above Findings of Fact and the following terms and conditions, which the Court finds adequate to prevent injury to any owner or lawful user of water under a vested water right or decreed conditional water right.

13. Instream Flows. The Plan for Augmentation and Water Exchange Project area does not include any of the Colorado Water Conservation Board's instream flow water rights decreed at the time this water court application was filed.

14. Curtailement: In conformance with C.R.S. § 37-92-305(8) the State Engineer shall curtail all out-of-priority diversions, the depletions from which are not so replaced as to prevent injury to vested water rights.

15. Water Availability: Replacement of depletions using the decreed conditional Water Exchange Project shall require that said Exchange Project Rights be in priority and have water physically and legally available in the exchange reaches from the exchanged -from points to the

exchanged to points in the amounts to be exchanged.

16. Senior Calls: The Exchange Project Rights decreed herein shall not be operated when there is a call placed by an intervening water right within the exchange reach, including an appropriative right of exchange, that is senior to October 24, 2023, as determined by the Division Engineer.

17. Operation of Water Exchange Project: Each Exchange Project Right decreed herein may be operated only when all water rights located within the exchange reach at or between the respective upper terminus and lower terminus that are senior to the Exchange Project Right, including other appropriative rights of exchange, are satisfied. For each Exchange Project Right, only the amount of water actually exchanged within the exchange reach of the Exchange Project Right to replace out-of-priority depletions shall be made absolute.

18. Verification: All Contractees will be required, per the terms of their Augmentation Contract, to submit an accounting form to the County each year. This form will show actual monthly water use under the contract based on measurement methods required per their contract and/or in accordance with Division 6 Measurement Rules, and shall not be based upon engineering calculations. At the end of each year, the County will compare the accounting submittals with engineered calculations of water demand. If, in the course of verifying a contractee's water use, the County discovers that actual use exceeds the use estimated by the engineering calculations, the County shall amend the contract and allocate additional Augmentation Water to the Augmented Structure to ensure that all out-of-priority depletions will be replaced in time, location, and amount. If the County determines that the Contractee is using water for purposes not identified in their contract, the County may amend or terminate the contract and notify the Division Engineer of said termination. If amended, the County shall allocate additional Augmentation Water, if needed, to the Augmented Structure to ensure that all out-of-priority depletions will be replaced in time, location, and amount.

19. No Water Rights Conferred: This decree does not confer any water rights to the County or to any Contractee regarding the Augmented Structures covered by this Plan for Augmentation.

20. Permits: Prior to the construction and/or operation of a well for which a contract has been issued by the County pursuant to this Plan for Augmentation, the well owner shall obtain a well permit issued pursuant to C.R.S. § 37-90-137(2) and this Plan for Augmentation. Such well permit(s) shall be subject to and conditioned upon the rulings and findings made herein.

21. Measuring Devices. Before a Contractee is allowed to divert any water through an Augmented Structure under the County's Plan for Augmentation, the County Contractee shall install and maintain, at their own expense, such meters, gauges, or other measuring devices as are required by the terms of their Augmentation Contract and/or the Division 6 Measurement Rules referenced in paragraph 9.3 herein and agree to report all readings of such meters, gauges or other measuring devices to the County. The County will prepare accounting as required in paragraph 9.4 herein based on such measurements provided by the Contractees.

22. Live Stream Requirement. Each of the County's Exchange Project Rights will be operated

only when there is a continuous live stream between the exchange-from point and exchange-to point regarding the specific Exchange Project Right. If a live stream ceases to exist at any point between the exchange-to point and exchange-from point, the Exchange Project Right within that reach cannot operate, and all out of priority depletions will be replaced through the Plan for Augmentation.

23. Post-Pumping Depletions. As required by C.R.S. § 37-92-305(8)(c), the County is required to replace out-of-priority depletions that occur after any groundwater diversions cease. The County shall remain responsible for replacing any and all lagged depletions even if the County is notified that the well has permanently ceased pumping or is otherwise no longer covered by this Plan for Augmentation (a “Closed Well”). For any Closed Well, the County will replace out-of-priority depletions until the end of the period for which it is estimated that ninety-five percent (95%) of the post-pumping depletions from such Closed Well would affect the stream system with the remaining five percent (5%) of post-pumping depletions replaced by prorated distribution within the last twelve months of the replacement period based on the estimated depletions for these twelve months such that one hundred percent (100%) of the post pumping depletions attributable to the Closed Well are replaced. The intent of this requirement is that one hundred percent (100%) of post-pumping depletions are to be replaced within the period beginning with the cessation of diversions from the well and ending with estimated date in which ninety-five percent (95%) of the post-pumping depletions affect the stream system.

24. Depletion and Augmentation Water Supply Projections. On or before April 1 of each year, the County shall provide to the Division Engineer the annual and monthly projected depletions from the Augmented Structures and the projected supply of Augmentation Water for replacing out-of-priority depletions. Exhibit 6 contains the template for such projection report. Such projection report will be a planning tool only, with the County required to replace all out-of-priority depletions in time, location, and amount as set forth in the Plan for Augmentation. When the County approves each new Augmentation Contract for Augmentation Water under this Plan for Augmentation, the County shall provide an updated projection to the Division Engineer. The projection form is not decreed herein and may be changed from time to time as required or approved by the Division Engineer.

CONCLUSIONS OF LAW

25. Incorporation. The foregoing Findings of Fact are incorporated herein to the extent they include conclusions of law.

26. Notice and Jurisdiction. Timely and adequate notice of this Application was given as required by law. No additional notice is required. The Court has exclusive jurisdiction over the subject matter of this action pursuant to C.R.S. § 37-92-203 and over all persons who may be affected by it, whether or not they have appeared.

27. Authority for Approval. The Decree is contemplated by law pursuant to C.R.S. § 37-92-302(1)(a), and the Court and the Referee have authority to make determinations and approve the

Plan for Augmentation, as requested in the Application. C.R.S. § 37-92-301(2).

28. Applicant's Claims. The County's claims made herein are consistent with its reasonably anticipated requirements for augmentation and exchange within the Augmentation Area to support the County's anticipated needs based on its reasonably anticipated population growth. *Pagosa Area Water Sanitation Dist. v Trout Unlimited*, 170 P.3d 307 (Colo. 2007).

29. Application Complete. The Application is complete, covering all applicable matters required pursuant to the Water Right Determination and Administration Act of 1969, C.R.S. §§ 37-92-101 through -602.

30. Requirements for Decree Fulfilled. The County has fulfilled all legal requirements for a decree for the requested Plan for Augmentation and claimed conditional Exchange Project Rights including C.R.S. §§ 37-92-103(9), -302 and 305.

31. Plan for Augmentation. Pursuant to C.R.S. § 37-92-305(8), the Plan for Augmentation is sufficient to permit the continuation of diversions when curtailment would otherwise be required to meet a valid senior call for water, to the extent that the County shall provide replacement water necessary to meet the lawful requirements of a senior diverter at the time, location, and amount and to the extent that the senior diverter would be deprived of his or her lawful entitlement by the Contractee's diversion.

32. Administrability. The Plan for Augmentation and Water Exchange Project decreed herein are administrable by the State and Division Engineers of Colorado.

RULING OF THE REFEREE

33. Findings and Conclusions Incorporated. The foregoing Findings of Fact and Conclusions of Law are incorporated herein.

34. Plan for Augmentation Approved: The Plan for Augmentation described above is hereby approved subject to the terms and conditions contained herein.

35. Adequacy of Augmentation Supplies. The Augmentation Water which the County will use for operation of the Plan for Augmentation is of a quality, quantity, and continuity satisfactory to meet, in time, location and amount, the requirements for which the water of senior appropriators has normally been used.

36. No Material Injury. The terms and conditions provided for in this Decree are adequate to assure that no material injury to any water users will result from the County's Exchange Project Rights or operation of the Plan for Augmentation.

37. Water Exchange Project Approved; Future Diligence Filings: The Court hereby confirms and decrees the conditional Exchange Project Rights described in paragraph 11 above, pursuant to

the other terms and conditions contained herein. The Exchange Project Rights decreed herein will be administered with an October 24, 2023 priority date. The County, if it desires to maintain each of the conditional Exchange Project Rights decreed herein, shall file an Application for Finding of Reasonable Diligence with the Water Clerk of this Court by _____ and six (6) years following entry of any decree determining reasonable diligence, until the rights are decreed absolute, such application to be filed pursuant to C.R.S. §§ 37-92-301(4) and -601. To make a portion of the conditional exchange right absolute, the Exchange Project Right must be operating to replace out-of-priority depletions.

38. Accounting. The County has demonstrated an appropriate method of accounting for diversions and stream depletions associated with the operation of the Plan for Augmentation. A sample accounting form is attached hereto as Exhibit 6. Such forms are not decreed herein and may be changed from time to time as required or approved by the Division Engineer or Water Commissioner, as part of their statutory duties to administer waters of the state. The accounting terms and conditions stated in paragraph 9.4 are hereby decreed to be part of the Plan for Augmentation. The sample accounting form attached hereto pertains to depletions associated with the operation of wells. Prior to approving any Augmentation Application involving depletions caused by surface diversions or the exposure of groundwater from ponds, the County shall submit proposed accounting forms for such structures to the Division Engineer, and shall receive the Division Engineer's approval of such forms prior to entering into an augmentation contract with the water user.

39. Retained Jurisdiction.

39.1. The County shall file notice with the Division Engineer, Water Division 6, and with the District Court, Water Division 6, and provide a copy of such notice to the all Opposers as soon as practical after the County has contracted for a cumulative annual allotment amount of Augmentation Water under the Plan for Augmentation exceeding one-half of the available Augmentation Water as identified in this Decree.

39.2. In consideration of the specific findings and conclusions made herein and in conformance with C.R.S. § 37- 92-304(6), the Plan for Augmentation approved herein shall be subject to reconsideration by the Water Judge on the question of injury to the vested water rights of others from the date of entry of this decree until seven (7) years after the date on which the County has filed notice with the Court in this case pursuant to paragraph 39.1 above. If no petition for reconsideration is filed within said seven (7) years, retained jurisdiction of this Plan for Augmentation shall automatically expire. However, limited retained jurisdiction is hereby reserved pursuant to paragraph 39.3 for new contracts, and pursuant to paragraph 39.4, for the addition of augmentation supplies.

39.3 Each new contract issued by the County under this Plan for Augmentation shall be subject to reconsideration by the Water Court on the question of injury to the vested absolute or decreed conditional water rights of others by reason of implementation of such individual contract for a period of (3) years after the Contractee's diversion and beneficial use of at least fifty percent (50%) of the water to be covered by the contract. Provided, however, that

the limited retained jurisdiction for new contracts under the preceding sentence shall not apply to new contracts that do not exceed 0.25 c.f.s. or 30 acre-feet annually.

39.4 If the County adds augmentation water sources pursuant to paragraph 8.1, the approved additional augmentation water sources shall be subject to reconsideration by the Water Judge on the question of injury to the vested water rights of others from (i) the date of entry of this decree until five (5) years after the date on which the County has filed Source Notice with the Court in this case pursuant to paragraph 8.1.2 above and released more than 50% of the amount of water dedicated to the plan from this additional source or (ii) pursuant to paragraph 39.1 above, whichever date occurs later. If no petition for reconsideration is filed within said five (5) years, retention of jurisdiction by this Court shall automatically expire regarding the approved additional augmentation water sources.

39.5 Any disagreements among the County, Division Engineer, or Opposers regarding the County's decision to approve or deny an Augmentation Application under paragraph 10.4.2.3 may be resolved by the County filing a petition with the Court within 35 days of receiving the written comments/objections from the Division Engineer. The County shall have the burden of proof to show that the Augmentation Application conforms to the terms of this Decree and does not cause injury to the vested water rights of others..

39.6 Any Opposer (including the State and Division Engineers) in this case who wants the Court to reconsider the question of injury must file a verified petition with the Court in this case during the applicable period of retained jurisdiction setting forth the facts that cause such injury and explaining the claimed injury. The party filing the petition shall have the burden of going forward to establish the prima facie facts alleged in the petition. If the Court finds those facts to be established, the County shall thereupon bear the burden of proof to show (a) that any modification sought by the County will avoid injury to vested water rights of others, or (b) that any modification sought by the petitioner is not required to avoid injury to vested water rights of others, or (c) that any term or condition proposed by the County in response to the petition avoids injury to vested water rights of others.

40. No Precedent. This Decree is the result of negotiations and settlement discussions between all of the parties, and no trial was held. The terms herein are based on the specific facts and circumstances of this case and compromises made by the Parties. By stipulation to entry of this Decree, no party in this case intends that this Decree become precedent to resolve issues in any other case, and all Parties reserve the right to challenge the engineering analysis conducted and terms and conditions to be applied regarding any other application for a plan for augmentation, or appropriate right of exchange, or water exchange project.

41. Pursuant to Rule 9 of the Uniform Local Rules for All State Water Court Divisions, upon the sale or other transfer of the conditional Exchange Project Rights decreed herein, the transferee shall file with the Division 6 Water Court a notice of transfer which shall state: the title and case number of this Case No. 23CW3025; the description of the conditional water right transferred; the name of the transferor; the name and mailing address of the transferee; and a copy of the recorded

deed. The owner of said conditional water rights shall also notify the Clerk of the Division 6 Water Court of any change in mailing address. The Clerk shall place any notice of transfer or change of address in the case file of this Case No. 23CW3025 and in the case file (if any) in which the Court first made a finding of reasonable diligence.

It is accordingly ORDERED that this Ruling shall be filed with the Water Clerk, subject to judicial review.

It is further ORDERED A copy of the Ruling shall be filed with the Division Engineer for Water Division 6 and with the State Engineer.

DATED this _____ day of _____, 20_____.

BY THE REFEREE:

Daniel Birch
Water Referee, Water Division 6
State of Colorado

DECREE OF THE WATER COURT

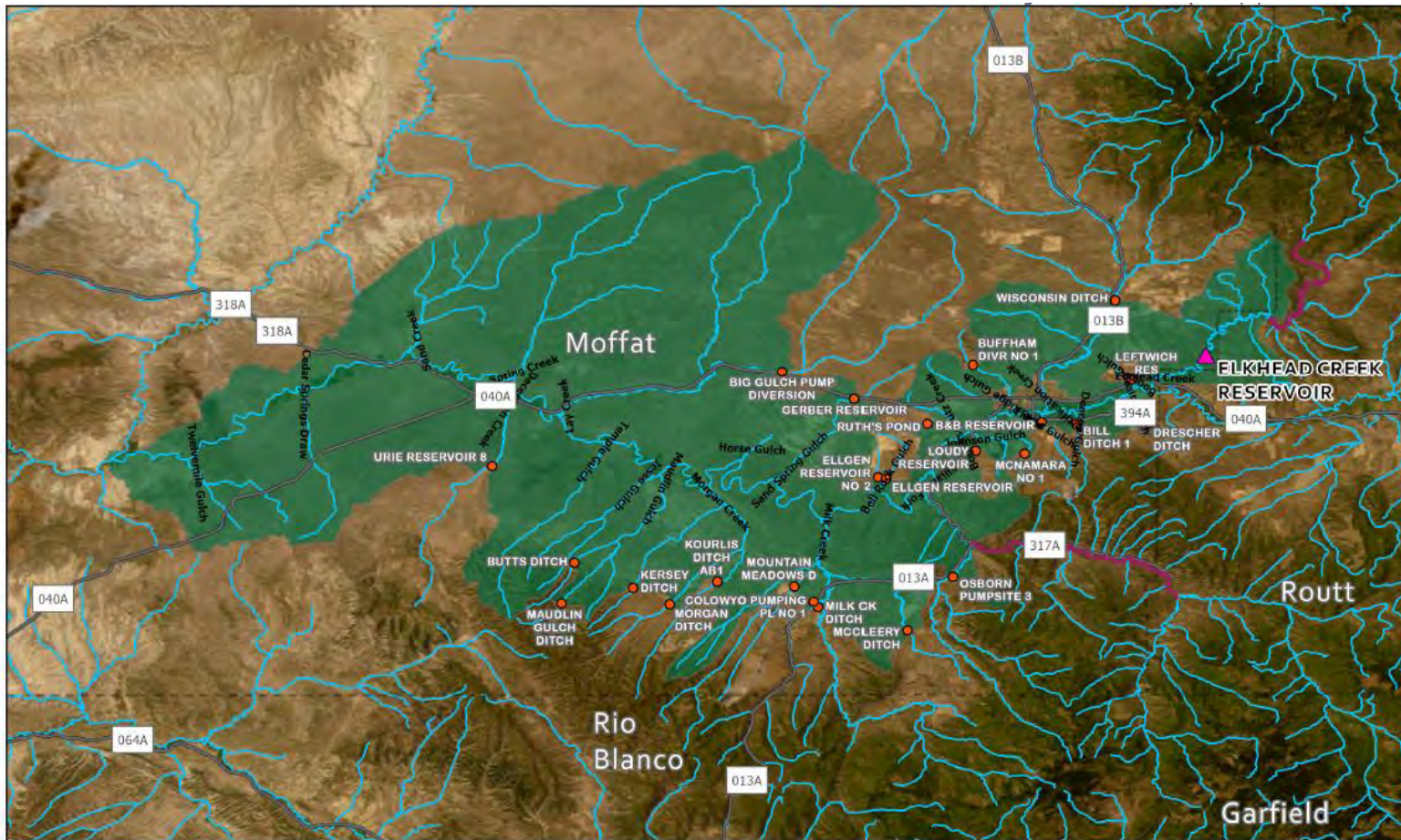
No protest was filed in this matter, and accordingly, the foregoing Ruling of the Referee is confirmed and approved, and is made the Decree of the Water Court.

SO ORDERED this _____ day of _____, 20_____.

BY THE COURT:

Billy- George Hertzke
Water Judge, Water Division 6
State of Colorado

Exhibit 1: Augmentation Area Map - Overview



- | | | | |
|---|----------------------------|---|-------------------------|
|  | County Boundaries |  | Instream Flow Reach |
|  | Streams |  | Exchange Terminus Legal |
|  | Proposed Augmentation Area |  | Highways |
| | |  | Elkhead Creek Reservoir |

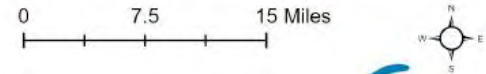
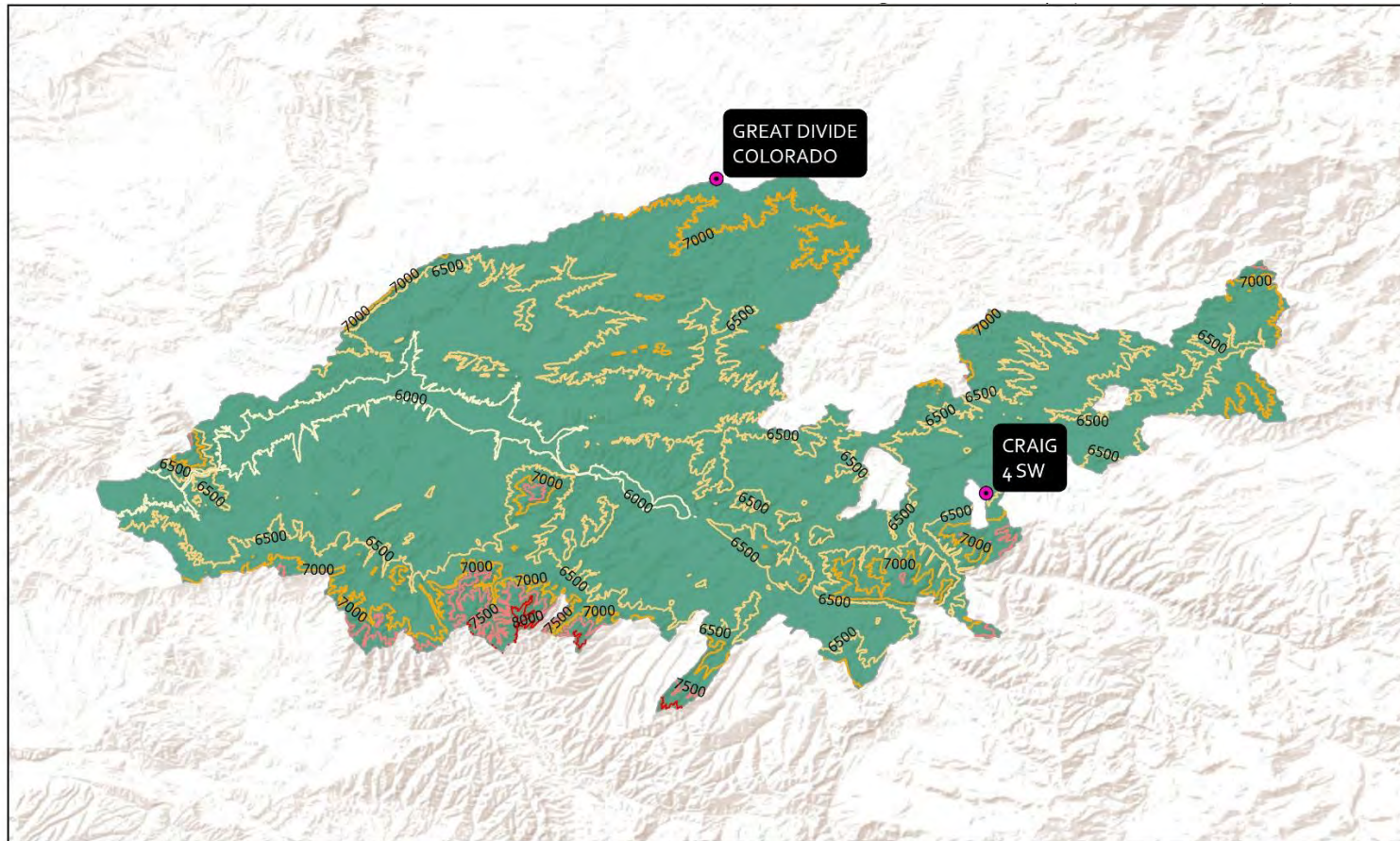
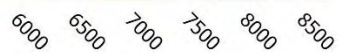


Exhibit 2: Elevation Bands Map



Contours

Elevation (ft)



Proposed Augmentation Area



Climate Stations

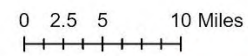


Exhibit 3: Crop Irrigation Requirement Calculation Details

This exhibit presents the details of the crop irrigation requirement data and calculations.

Table 1: Average Monthly Precipitation from 1992 - 2021

Average Precipitation (inches)														
Station	Elev. (ft)	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Craig	6496.06	0.87	0.85	0.92	1.36	1.14	0.76	0.7	0.89	1.27	1.21	0.84	0.93	11.74
Maybell	5943.89	0.91	0.91	1.08	1.41	1.27	0.63	0.61	0.91	1.14	1.28	1.03	1.07	12.25

Table 2: Mean Monthly Temperature from 1992 - 2021

Mean Monthly Temperature														
Station	Elev. (ft)	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Ave.
Craig	6496.06	19.53	23.64	34.21	42.16	51.53	61.22	68.43	66.45	57.72	45.36	32.68	21.48	43.70
Maybell	5943.89	17.22	22.84	34.02	41.59	50.97	60.21	67.55	65.26	56.14	43.09	30.67	19.19	42.40

The tables below present the modified Blaney-Criddle consumptive use calculations. The columns present the following information:

Table 3: Description of the data presented in the Blaney-Criddle consumptive use calculation tables

Column No.	Description
1	Percent of the Month Growing Season
2	Mean Monthly Temperature (F)
3	Percentage of the daylight hours of the year occurring during a given month
4	monthly consumptive use factor
5	A climatic coefficient related to the mean air temperature
6	monthly crop growth stage coefficient
7	Estimated Potential Evapotranspiration
8	SCS Technical Release # 21, Sept. 1970
9	Consumptive Use minus Effective Ppt., cols (8)-(9)

Table 4: Blaney-Criddle consumptive use calculations for bluegrass in elevation band 5500 - 5999 feet

Bluegrass: Elevation Band = 5500 to 5999 Feet Blaney - Criddle Consumptive Use Calculations 1992 to 2021 Average									
	1	2	3	4	5	6	7	8	9
Month	Percent of the Month	Mean Monthly Temperature (F)	% of Annual Daylight Hours	Monthly Consumptive Use Factor f	Climatic Coefficient Kt	Monthly Crop Growth Stage Kc	Potential Consumptive Use (in)	Effective Precip. (ft)	Net Irrigation Requirement (ft)
April	16.66	50.52	1.56	0.79	0.82	1.00	0.06	0.01	0.05
May	81.28	54.04	8.17	4.43	0.83	1.02	0.33	0.04	0.29
June	100.00	62.41	10.13	6.32	0.86	1.10	0.52	0.03	0.49
July	100.00	69.68	10.26	7.15	0.88	1.06	0.58	0.03	0.55
August	100.00	67.55	9.57	6.46	0.87	0.98	0.48	0.04	0.44
September	89.11	59.04	7.52	4.44	0.83	0.97	0.31	0.04	0.27
October	16.93	52.28	1.35	0.71	0.83	0.89	0.05	0.01	0.04
Total							2.32	0.19	2.12

Table 5: Blaney-Criddle consumptive use calculations for bluegrass in elevation band 6000 - 6499 feet

Bluegrass: Elevation Band = 6000 to 6499 Feet Blaney - Criddle Consumptive Use Calculations 1992 to 2021 Average									
	1	2	3	4	5	6	7	8	9
Month	Percent of the Month	Mean Monthly Temperature (F)	% of Annual Daylight Hours	Monthly Consumptive Use Factor f	Climatic Coefficient Kt	Monthly Crop Growth Stage Kc	Potential Consumptive Use (in)	Effective Precip. (ft)	Net Irrigation Requirement (ft)
April	26.70	51.02	2.50	1.27	0.82	0.99	0.09	0.01	0.08
May	65.48	53.07	6.58	3.51	0.82	1.04	0.26	0.03	0.23
June	100.00	60.61	10.13	6.14	0.85	1.10	0.50	0.03	0.47
July	100.00	67.88	10.25	6.96	0.87	1.06	0.56	0.03	0.53
August	100.00	65.75	9.57	6.29	0.87	0.98	0.46	0.04	0.42
September	89.11	57.24	7.52	4.31	0.83	0.97	0.30	0.04	0.26
October	16.93	50.48	1.35	0.68	0.82	0.89	0.04	0.01	0.04
Total							2.22	0.19	2.03

Table 6: Blaney-Criddle consumptive use calculations for bluegrass in elevation band 6500 - 6999 feet

Bluegrass: Elevation Band = 6500 to 6999 Feet Blaney - Criddle Consumptive Use Calculations 1992 to 2021 Average									
	1	2	3	4	5	6	7	8	9
Month	Percent of the Month	Mean Monthly Temperature (F)	% of Annual Daylight Hours	Monthly Consumptive Use Factor f	Climatic Coefficient Kt	Monthly Crop Growth Stage Kc	Potential Consumptive Use (ft)	Effective Precip. (ft)	Net Irrigation Requirement (ft)
April	3.30	50.02	0.32	0.16	0.81	1.00	0.01	0.00	0.01
May	49.13	52.03	4.95	2.59	0.82	1.05	0.20	0.02	0.17
June	100.00	58.81	10.13	5.96	0.84	1.10	0.48	0.03	0.45
July	100.00	66.08	10.25	6.77	0.87	1.06	0.54	0.03	0.51
August	100.00	63.95	9.57	6.12	0.86	0.98	0.45	0.04	0.41
September	89.11	55.44	7.52	4.17	0.82	0.97	0.29	0.04	0.25
October	16.93	48.68	1.35	0.66	0.82	0.89	0.04	0.01	0.04
Total							2.01	0.17	1.84

Table 7: Blaney-Criddle consumptive use calculations for bluegrass in elevation band 7000 - 7499 feet

Bluegrass: Elevation Band = 7000 to 7499 Feet Blaney - Criddle Consumptive Use Calculations 1992 to 2021 Average									
	1	2	3	4	5	6	7	8	9
Month	Percent of the Month	Mean Monthly Temperature (F)	% of Annual Daylight Hours	Monthly Consumptive Use Factor f	Climatic Coefficient Kt	Monthly Crop Growth Stage Kc	Potential Consumptive Use (in)	Effective Precip. (ft)	Net Irrigation Requirement (ft)
April	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
May	37.16	51.40	3.74	1.94	0.82	1.06	0.15	0.02	0.13
June	99.11	57.10	10.04	5.73	0.84	1.10	0.46	0.03	0.43
July	100.00	64.28	10.25	6.59	0.86	1.06	0.52	0.03	0.49
August	100.00	62.15	9.57	5.95	0.85	0.98	0.43	0.04	0.39
September	89.11	53.64	7.52	4.03	0.82	0.97	0.28	0.04	0.24
October	16.93	46.88	1.35	0.63	0.83	0.89	0.04	0.01	0.03
Total							1.88	0.16	1.72

Table 8: Blaney-Criddle consumptive use calculations for bluegrass in elevation band 7500 feet and above

Bluegrass Elevation Band = 7500 Feet and Above Blaney - Criddle Consumptive Use Calculations 1992 to 2021 Average									
	1	2	3	4	5	6	7	8	9
Month	Percent of the Month	Mean Monthly Temperature (F)	% of Annual Daylight Hours	Monthly Consumptive Use Factor f	Climatic Coefficient Kt	Monthly Crop Growth Stage Kc	Potential Consumptive Use (in)	Effective Precip. (ft)	Net Irrigation Requirement (ft)
April	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
May	25.62	50.92	2.58	1.32	0.82	1.08	0.10	0.01	0.09
June	93.00	55.65	9.42	5.26	0.83	1.10	0.42	0.02	0.39
July	100.00	62.48	10.25	6.41	0.85	1.06	0.50	0.03	0.48
August	100.00	60.35	9.57	5.77	0.85	0.98	0.42	0.04	0.38
September	89.11	51.84	7.52	3.90	0.82	0.97	0.27	0.04	0.23
October	16.93	45.08	1.35	0.61	0.82	0.89	0.04	0.01	0.03
Total							1.75	0.15	1.60

Table 9: Blaney-Criddle consumptive use calculations for grass pasture in elevation band 5500 - 5999 feet

Grass Pasture: Elevation Band = 5500 to 5999 Feet Blaney - Criddle Consumptive Use Calculations 1992 to 2021 Average									
	1	2	3	4	5	6	7	8	9
Month	Percent of the Month	Mean Monthly Temperature (F)	% of Annual Daylight Hours	Monthly Consumptive Use Factor f	Climatic Coefficient Kt	Monthly Crop Growth Stage Kc	Potential Consumptive Use (in)	Effective Precip. (ft)	Net Irrigation Requirement (ft)
April	45.80	46.97	4.21	2.00	0.50	1.03	0.09	0.03	0.06
May	99.14	53.00	9.95	5.28	0.60	1.07	0.29	0.07	0.22
June	100.00	62.41	10.13	6.32	0.77	1.09	0.44	0.04	0.40
July	100.00	69.68	10.26	7.15	0.89	1.10	0.59	0.04	0.54
August	100.00	67.55	9.57	6.46	0.85	1.08	0.50	0.06	0.44
September	100.00	58.62	8.39	4.92	0.70	1.03	0.30	0.07	0.23
October	56.12	49.01	4.42	2.18	0.53	0.97	0.09	0.04	0.06
Total							2.29	0.35	1.94

Table 10: Blaney-Criddle consumptive use calculations for grass pasture in elevation band 6000 - 6499 feet

Grass Pasture: Elevation Band = 6000 to 6499 Feet Blaney - Criddle Consumptive Use Calculations 1992 to 2021 Average									
	1	2	3	4	5	6	7	8	9
Month	Percent of the Month	Mean Monthly Temperature (F)	% of Annual Daylight Hours	Monthly Consumptive Use Factor f	Climatic Coefficient Kt	Monthly Crop Growth Stage Kc	Potential Consumptive Use (in)	Effective Precip. (ft)	Net Irrigation Requirement (ft)
April	33.79	46.32	3.16	1.48	0.49	1.04	0.06	0.02	0.04
May	97.42	51.62	9.79	5.06	0.58	1.07	0.26	0.06	0.20
June	100.00	60.94	10.13	6.18	0.74	1.09	0.42	0.04	0.38
July	100.00	67.81	10.23	6.94	0.86	1.10	0.55	0.05	0.50
August	100.00	65.40	9.53	6.24	0.82	1.08	0.46	0.06	0.40
September	98.06	56.57	8.22	4.67	0.67	1.03	0.27	0.07	0.20
October	42.81	47.92	3.39	1.64	0.52	0.98	0.07	0.03	0.04
Total							2.09	0.32	1.77

Table 11: Blaney-Criddle consumptive use calculations for grass pasture in elevation band 6500 - 6999 feet

Grass Pasture: Elevation Band = 6500 to 6999 Feet Blaney - Criddle Consumptive Use Calculations 1992 to 2021 Average									
	1	2	3	4	5	6	7	8	9
Month	Percent of the Month	Mean Monthly Temperature (F)	% of Annual Daylight Hours	Monthly Consumptive Use Factor f	Climatic Coefficient Kt	Monthly Crop Growth Stage Kc	Potential Consumptive Use (ft)	Effective Precip. (ft)	Net Irrigation Requirement (ft)
April	27.27	46.00	2.54	1.18	0.48	1.04	0.05	0.02	0.03
May	89.57	49.99	9.00	4.51	0.55	1.07	0.22	0.06	0.17
June	100.00	58.81	10.13	5.96	0.70	1.09	0.38	0.04	0.34
July	100.00	66.08	10.25	6.77	0.83	1.10	0.52	0.04	0.47
August	100.00	63.95	9.57	6.12	0.79	1.08	0.44	0.06	0.38
September	100.00	55.02	8.39	4.62	0.64	1.03	0.25	0.07	0.19
October	31.41	47.00	2.50	1.19	0.50	0.99	0.05	0.02	0.03
Total							1.91	0.30	1.61

Table 12: Blaney-Criddle consumptive use calculations for grass pasture in elevation band 7000 - 7499 feet

Grass Pasture: Elevation Band = 7000 to 7499 Feet Blaney - Criddle Consumptive Use Calculations 1992 to 2021 Average									
	1	2	3	4	5	6	7	8	9
Month	Percent of the Month	Mean Monthly Temperature (F)	% of Annual Daylight Hours	Monthly Consumptive Use Factor f	Climatic Coefficient Kt	Monthly Crop Growth Stage Kc	Potential Consumptive Use (in)	Effective Precip. (ft)	Net Irrigation Requirement (ft)
April	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
May	77.85	48.82	7.82	3.84	0.53	1.07	0.18	0.05	0.14
June	100.00	57.01	10.13	5.77	0.67	1.09	0.36	0.04	0.32
July	100.00	64.28	10.25	6.59	0.80	1.10	0.48	0.04	0.44
August	100.00	62.15	9.57	5.95	0.76	1.08	0.41	0.06	0.35
September	98.89	53.26	8.32	4.43	0.61	1.03	0.23	0.07	0.17
October	22.08	46.28	1.76	0.82	0.49	0.99	0.03	0.01	0.02
Total							1.70	0.27	1.43

Table 13: Blaney-Criddle consumptive use calculations for grass pasture in elevation band 7500 feet and above

Grass Pasture: Elevation Band = 7500 Feet and Above Blaney - Criddle Consumptive Use Calculations 1992 to 2021 Average									
	1	2	3	4	5	6	7	8	9
Month	Percent of the Month	Mean Monthly Temperature (F)	% of Annual Daylight Hours	Monthly Consumptive Use Factor f	Climatic Coefficient Kt	Monthly Crop Growth Stage Kc	Potential Consumptive Use (in)	Effective Precip. (ft)	Net Irrigation Requirement (ft)
April	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
May	61.40	47.85	6.17	2.98	0.51	1.08	0.14	0.04	0.10
June	100.00	55.21	10.13	5.59	0.64	1.09	0.33	0.04	0.29
July	100.00	62.48	10.25	6.41	0.77	1.10	0.45	0.04	0.41
August	100.00	60.35	9.57	5.77	0.73	1.08	0.38	0.06	0.32
September	94.89	51.65	8.00	4.14	0.58	1.03	0.21	0.06	0.15
October	12.53	45.70	1.00	0.46	0.48	1.00	0.02	0.01	0.01
Total							1.52	0.24	1.28

Table 14: Blaney-Criddle consumptive use calculations for alfalfa in elevation band 5500 - 5999 feet

Alfalfa: Elevation Band = 5500 to 5999 Feet Blaney - Criddle Consumptive Use Calculations 1992 to 2021 Average									
	1	2	3	4	5	6	7	8	9
Month	Percent of the Month	Mean Monthly Temperature (F)	% of Annual Daylight Hours	Monthly Consumptive Use Factor f	Climatic Coefficient Kt	Monthly Crop Growth Stage Kc	Potential Consumptive Use (in)	Effective Precip. (ft)	Net Irrigation Requirement (ft)
April	16.66	50.52	1.56	0.79	0.56	1.23	0.05	0.01	0.04
May	81.28	54.05	8.17	4.43	0.62	1.31	0.30	0.06	0.25
June	100.00	62.41	10.13	6.32	0.77	1.35	0.55	0.04	0.50
July	100.00	69.68	10.26	7.15	0.89	1.33	0.71	0.05	0.66
August	100.00	67.55	9.57	6.46	0.85	1.27	0.58	0.06	0.52
September	91.67	59.00	7.77	4.59	0.71	1.18	0.32	0.07	0.26
October	11.95	53.57	0.96	0.52	0.61	1.13	0.03	0.01	0.02
Total							2.53	0.30	2.24

Table 15: Blaney-Criddle consumptive use calculations for alfalfa in elevation band 6000 - 6499 feet

Alfalfa: Elevation Band = 6000 to 6499 Feet Blaney - Criddle Consumptive Use Calculations 1992 to 2021 Average									
	1	2	3	4	5	6	7	8	9
Month	Percent of the Month	Mean Monthly Temperature (F)	% of Annual Daylight Hours	Monthly Consumptive Use Factor f	Climatic Coefficient Kt	Monthly Crop Growth Stage Kc	Potential Consumptive Use (in)	Effective Precip. (ft)	Net Irrigation Requirement (ft)
April	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
May	65.48	53.07	6.58	3.51	0.61	1.31	0.23	0.04	0.19
June	100.00	60.61	10.13	6.14	0.73	1.35	0.51	0.04	0.47
July	100.00	67.88	10.25	6.96	0.86	1.33	0.66	0.05	0.62
August	100.00	65.75	9.57	6.29	0.82	1.27	0.55	0.06	0.49
September	79.44	57.81	6.76	3.92	0.69	1.19	0.27	0.06	0.21
October	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total							2.22	0.25	1.97

Table 16: Blaney-Criddle consumptive use calculations for alfalfa in elevation band 6500 - 6999 feet

Alfalfa: Elevation Band = 6500 to 6999 Feet Blaney - Criddle Consumptive Use Calculations 1992 to 2021 Average									
	1	2	3	4	5	6	7	8	9
Month	Percent of the Month	Mean Monthly Temperature (F)	% of Annual Daylight Hours	Monthly Consumptive Use Factor f	Climatic Coefficient Kt	Monthly Crop Growth Stage Kc	Potential Consumptive Use (ft)	Effective Precip. (ft)	Net Irrigation Requirement (ft)
April	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
May	49.13	52.03	4.95	2.59	0.59	1.32	0.17	0.03	0.14
June	100.00	58.81	10.13	5.96	0.70	1.35	0.47	0.04	0.43
July	100.00	66.08	10.25	6.77	0.83	1.33	0.62	0.05	0.58
August	100.00	63.95	9.57	6.12	0.79	1.27	0.51	0.06	0.45
September	65.33	56.64	5.61	3.19	0.67	1.19	0.21	0.05	0.17
October	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total							1.99	0.23	1.76

Table 17: Blaney-Criddle consumptive use calculations for alfalfa in elevation band 7000 - 7499 feet

Alfalfa: Elevation Band = 7000 to 7499 Feet Blaney - Criddle Consumptive Use Calculations 1992 to 2021 Average									
	1	2	3	4	5	6	7	8	9
Month	Percent of the Month	Mean Monthly Temperature (F)	% of Annual Daylight Hours	Monthly Consumptive Use Factor f	Climatic Coefficient Kt	Monthly Crop Growth Stage Kc	Potential Consumptive Use (in)	Effective Precip. (ft)	Net Irrigation Requirement (ft)
April	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
May	37.16	51.40	3.74	1.94	0.58	1.32	0.12	0.02	0.10
June	99.11	57.10	10.04	5.73	0.67	1.35	0.44	0.04	0.39
July	100.00	64.28	10.25	6.59	0.80	1.33	0.58	0.04	0.54
August	100.00	62.15	9.57	5.95	0.76	1.27	0.48	0.06	0.42
September	50.11	55.53	4.33	2.42	0.65	1.20	0.16	0.03	0.12
October	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total							1.78	0.20	1.58

Table 18: Blaney-Criddle consumptive use calculations for alfalfa in elevation band 7500 feet and above

Alfalfa: Elevation Band = 7500 Feet and Above Blaney - Criddle Consumptive Use Calculations 1992 to 2021 Average									
	1	2	3	4	5	6	7	8	9
Month	Percent of the Month	Mean Monthly Temperature (F)	% of Annual Daylight Hours	Monthly Consumptive Use Factor f	Climatic Coefficient Kt	Monthly Crop Growth Stage Kc	Potential Consumptive Use (in)	Effective Precip. (ft)	Net Irrigation Requirement (ft)
April	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
May	25.62	50.92	2.58	1.32	0.57	1.32	0.08	0.01	0.07
June	93.00	55.65	9.42	5.26	0.65	1.35	0.39	0.04	0.35
July	100.00	62.48	10.25	6.41	0.77	1.33	0.54	0.04	0.50
August	99.89	60.36	9.56	5.77	0.73	1.27	0.45	0.06	0.39
September	35.63	54.48	3.11	1.70	0.63	1.21	0.11	0.02	0.09
October	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Total							1.57	0.17	1.39

Exhibit 4: Evaporation Rate Calculation Details

Evaporation rates are calculated for two elevation bands: below 6,500 feet and 6,500 feet and above.

For elevations below 6,500 feet, a gross evaporation rate of 43 inches/year (or 3.58 feet/year) is used. This value was extracted from the NOAA Technical Report NWS 33¹ isohyetal map of gross evaporation rates. The annual evaporation volume is distributed to monthly using the “Monthly Gross Evaporation Distribution for Elevations Below 6,500 ft.” approach, as described on page 21 of DWR’s 2016 *General Administration Guidelines for Reservoir*². Next, the percent of each month impacted by ice is calculated using the mean daily temperature from the Craig, CO NOAA climate station (USC00051932) from 1992 to 2023. Consistent with the Reservoir Guidelines, the ice cover period was estimated as the period during with which the mean air temperature is below 32 degrees Fahrenheit. Evaporation was assumed to occur on days with mean daily temperature above 32 degrees Fahrenheit. This results in a total Gross Evaporation with Ice Cover of 3.13 feet per year, as shown in Table 19.

¹ Farnsworth, Richard ., Edwin S. Thompson, and Eugene L Peck. 1982. *Evaporation Atlas for the Contiguous 48 United States*. NOAA Technical Release NWS 33 U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Weather Service.

² Colorado Division of Water Resources. February 2016. *General Administration Guidelines for Reservoirs*.

Table 19: Monthly open water evaporation rates for elevations below 6,500 feet

Elevation Zone = 5000 to 6499 feet					
Monthly Open Water Evaporation Rates					
	1	2	3	4	5
	Monthly Gross Evap Distribution Below 6500'	Gross Evaporation (inches)	% of Month w/ no Ice Cover	Gross Evaporation w/ Ice Cover (inches)	Gross Evaporation w/ Ice Cover (feet)
Jan	3.00%	1.29	13%	0.17	0.01
Feb	3.50%	1.51	25%	0.37	0.03
Mar	5.50%	2.37	64%	1.51	0.13
Apr	9.00%	3.87	91%	3.52	0.29
May	12.00%	5.16	100%	5.14	0.43
Jun	14.50%	6.24	100%	6.24	0.52
Jul	15.00%	6.45	100%	6.45	0.54
Aug	13.50%	5.81	100%	5.81	0.48
Sep	10.00%	4.30	100%	4.30	0.36
Oct	7.00%	3.01	93%	2.80	0.23
Nov	4.00%	1.72	58%	1.00	0.08
Dec	3.00%	1.29	20%	0.26	0.02
Annual	100%	43.00		37.56	3.13
1	Monthly distribution for elevations below 6500 feet from DWR's 2016 General Administration Guidelines for Reservoir, pg 21.				
2	Total Annual Gross Evaporation from NWS 33 (43 inches or 3.58 feet) multiplied by Monthly Distribution from Column 1.				
3	The Percent of Month with no Ice Cover is calculated based on the days in each month with Mean Daily Temperature above 32 degrees using the Craig NOAA Weather Station. The percent represents the average day count per month from 1992 to 2023.				
4	Column 2 times Column 3.				
5	Column 3 divided by 12 to convert to feet.				

For elevations 6,500 feet and above, a gross evaporation rate of 41 inches/year (or 3.42 feet/year) is used. This value was extracted from the NOAA Technical Report NWS 33³ isohyetal map of gross evaporation rates. The annual evaporation volume is distributed to monthly using the “Monthly Gross Evaporation Distribution for Elevations above 6,500 ft.” approach, as described on page 21 of DWR’s 2016 *General Administration Guidelines for Reservoir*⁴. Next, the

³ Farnsworth, Richard K., Edwin S. Thompson, and Eugene L Peck. 1982. *Evaporation Atlas for the Contiguous 48 United States*. NOAA Technical Release NWS 33 U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Weather Service.

⁴ Colorado Division of Water Resources. February 2016. *General Administration Guidelines for Reservoirs*.

percent of each month impacted by ice is calculated using the meandaily temperature from the Great Divide, CO NOAA climate station (USR0000CGRE) from 1992 to 2023. Consistent with the Reservoir Guidelines, the ice cover period was estimated as the period during with which the mean air temperature is below 32 degrees Fahrenheit. Evaporation was assumed to occur on days with mean daily temperature above 32 degrees Fahrenheit. This results in a total Gross Evaporation with Ice Cover of 3.02 feet per year, as shown in Table 20.

Table 20: Monthly open water evaporation rates for elevations 6,500 feet and above

Elevation Zone = 6500 feet and above Monthly Open Water Evaporation Rates					
	1	2	3	4	5
	Monthly Gross Evap Distribution Above 6500'	Gross Evaporation (inches)	% of Month w/ no Ice Cover	Gross Evaporation w/ Ice Cover (inches)	Gross Evaporation w/ Ice Cover (feet)
Jan	1.00%	0.41	11%	0.04	0.00
Feb	3.00%	1.23	20%	0.24	0.02
Mar	6.00%	2.46	58%	1.42	0.12
Apr	9.00%	3.69	83%	3.06	0.25
May	12.50%	5.13	99%	5.06	0.42
Jun	15.50%	6.36	100%	6.36	0.53
Jul	16.00%	6.56	100%	6.56	0.55
Aug	13.00%	5.33	100%	5.33	0.44
Sep	11.00%	4.51	99%	4.49	0.37
Oct	7.50%	3.08	90%	2.76	0.23
Nov	4.00%	1.64	51%	0.84	0.07
Dec	1.50%	0.62	16%	0.10	0.01
Annual	100%	41		36.26	3.02
1	Monthly distribution for elevations above 6,500 feet from DWR's 2016 General Administration Guidelines for Reservoir, pg 21.				
2	Total Annual Gross Evaporation from NWS 33 (41 inches or 3.42 feet) multiplied by Monthly Distribution from Column 1.				
3	The Percent of Month with no Ice Cover is calculated based on the days in each month with Mean Daily Temperature above 32 degrees using the Great Divide NOAA Weather Station. The percent represents the average day count per month from 1992 to 2023.				
4	Column 2 times Column 3.				
5	Column 3 divided by 12 to convert to feet.				

Exhibit 5: Map of distance bands from a perennial stream

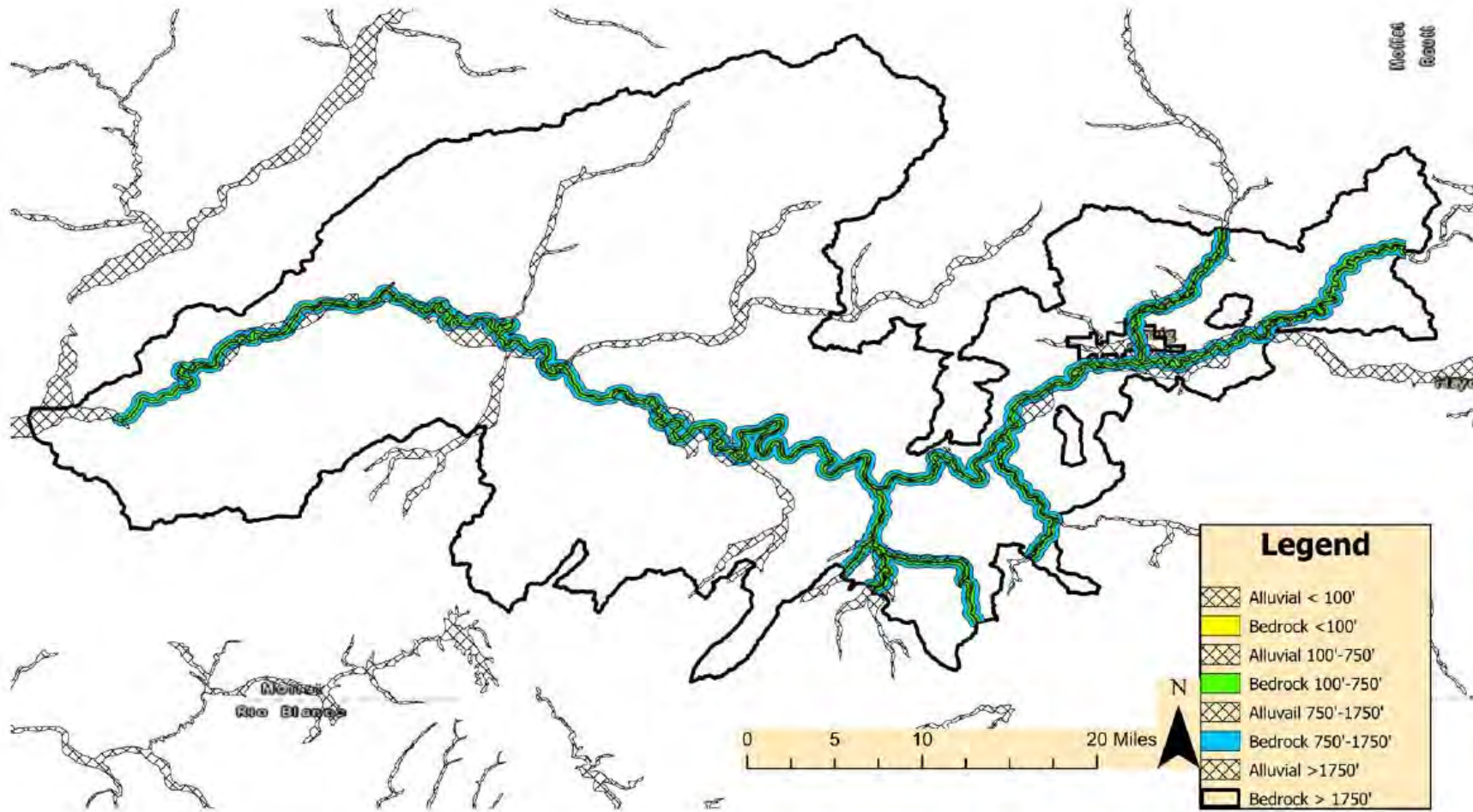


Exhibit 6: Example Projection Report and Accounting Form

See attached Excel spreadsheet titled "23CW3025_LowYAug_Accounting_Projection.xlsx"

NEW BUSINESS



EXECUTIVE SESSIONS

Executive session under CRS § 24-6-402(4)(b) to discuss legal issues on Water Resumes, Water Cases, Contract Negotiations and _____. Mere presence or participation of an attorney at an executive session is not sufficient to satisfy the requirements of CRS § 24-6-402(4)(b). Executive sessions to discuss legal matters are not recorded.

Executive session under CRS § 24-6-402(4)(e)(I) for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators with respect to _____. This session will be recorded, and a copy of the recording maintained for not less than 90 days.

BOARD ACTIONS IN REGARD TO EXECUTIVE SESSION



DETERMINATION OF NEXT MEETING(s) AGENDA(s)



AGENDA

UPPER YAMPA WATER CONSERVANCY DISTRICT

SPECIAL BOARD OF DIRECTORS MEETING

WEDNESDAY, JULY 15, 2026 (9:30 AM)

LOCATION TBD

ADDRESS OF LOCATION

ONLINE MEETING:

[HTTPS://US06WEB.ZOOM.US/J/84121702496?PWD=Rx2WZKUaTOPlJGkAVJRA9Y9PPGRxN9.1](https://us06web.zoom.us/j/84121702496?pwd=Rx2WZKUaTOPlJGkAVJRA9Y9PPGRxN9.1)

MEETING ID: 841 2170 2496 - PASSCODE: 056158

MATERIALS FOR BOARD PACKET DUE: JULY 6, 2026 BY 5:00 PM

INSTRUCTIONS ON HOW TO JOIN A ZOOM MEETING FOLLOW THE AGENDA

A Board of Directors meeting packet is available for public review on our website at <https://www.upperyampawater.gov/board-meetings> by the Friday before the meeting. Amendments to the Agenda and new documents that are generated or submitted after the original posting of the meeting materials will be posted under "Additional Documents" on the website for the relevant meeting.

QUESTIONS ON AGENDA AND/OR BOARD MATERIALS: Members of the public or Board of Directors with questions on the agenda or meeting materials, including the consent agenda, are welcome to contact the General Manager at the District offices prior to the meeting. You may reach the General Manager at: arossi@upperyampawater.com or (970) 871-1035 Ext. 2.

MEETING PROCEDURE: Comments from the Public are welcome at two different times during the course of the meeting: 1) Comments no longer than three (3) minutes on items **not** scheduled on the Agenda will be heard under Public Input and Comment; and 2) Comments no longer than three (3) minutes on all scheduled public hearing items will be heard following the presentation. Please wait until you are recognized by the President. Appropriate written materials or presentations should be submitted to the District no less than 24 hours in advance to be included in the meeting. With the exception of subjects brought up during Public Input and Comment, on which no action will be taken or a decision made, the Board may take action on, and may make a decision regarding, ANY item referred to in this agenda, including, without limitation, any item referenced for "review", "update", "report", or "discussion" whether or not listed as an "Action Item."

- (1) **9:30 AM** Establishment of Quorum and Call to Order
- (2) **9:30 AM** Approval of Agenda for Meeting **Action item**
- (3) **9:35 AM** Public Input and Comment
The Board will make no decision nor take action, except to direct the General Manager. Those addressing the Board are requested to identify themselves by name, organization, if any, and address. Comments shall not exceed three (3) minutes.
- (4) **9:40 AM** Update on Strategic Initiatives
- (5) **11:00 AM** New Business (Limited to emergency matters that came up **Action item**
During the course of the meeting)
- (6) **11:10 AM** Executive Sessions:

- a. Executive session under CRS § 24-6-402(4)(b) to discuss legal issues on Water Resumes, Water Cases, Contract Negotiations and _____ (insert description) . Mere presence or participation of an attorney at an executive session is not sufficient to satisfy the requirements of CRS § 24-6-402(4)(b). Executive sessions to discuss legal matters are not recorded.
 - b. Executive session under CRS § 24-6-402(4)(e)(I) for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators with respect to _____ (insert brief description). This session will be recorded, and a copy of the recording maintained for not less than 90 days.
 - c. At the conclusion of an executive session and the resumption of the public meeting, the Chairman will announce that if any person who participated in an executive session believes that any substantial discussion of any matters not included in the motion to go into executive session, or that any improper action occurred during an executive session in violation of the Open Meetings Law, that such person state their concern for the record.
- (7) **11:20 PM** Board Actions in Regard to Executive Session

11:30 AM Lunch Break

- (8) **12:30 PM** Discussion of UYWCD Grant Program Policies
- (9) **2:00 PM** Adjournment.