

**Upper Gunnison River Water Conservancy District
Board of Directors Regular Meeting Minutes
Monday, February 23, 2026 at 5:30 p.m.**

The Board of Directors of the Upper Gunnison River Water Conservancy District (UGRWCD) conducted a regular Board Meeting on Monday, February 23, 2026 at 5:30 p.m. at the Upper Gunnison River Water Conservancy District, 210 West Spencer, Suite A, Gunnison, Colorado and via Zoom video/teleconference.

Board members present: Stuart Asay, Rosemary Carroll, Joellen Fonken, Rebie Hazard, John Perusek, Camille Richard, Don Sabrowski, Andy Spann, Jeff Writer, and Brooke Zanetell.

Board members absent: Brian Stevens

Others present:

Amanda Aulenbach, UGRWCD Wet Meadows Program Director
Ashley Bembenek, Coal Creek Watershed Coalition
Tonya Carr, Gunnison Conservation District (via Zoom)
Sonja Chavez, UGRWCD General Manager
Peter Fleming, CRWCD General Counsel
Raquel Flinker, CRWCD Director of Interstate and Regional Water Resources
Bailey Friedman, UGRWCD Water Resources Project Manager
Burt and Sandra Guerrieri, Guerrieri Ranch
Julia Iovino, UGRWCD Water Resources Fellow
Leon Katona, Colorado Department of Public Health and Environment
John McCloy, UGRWCD General Counsel
Luke Mecklenburg, Colorado Attorney General's Office (via Zoom)
Amy Moyer, CRWCD Chief of Strategy
Greg Peterson, Peterson Ranch
Beverly Richards, UGRWCD Office / Senior Program Manager
Tom Rozman, Colorado Division of Water Resources
Sue Uerling, UGRWCD Administrative Asst. / Communications Specialist
Ari Yamaguchi, UGRWCD Water Resources Specialist

1. CALL TO ORDER

President Don Sabrowski called the meeting to order at 5:30 p.m.

2. AGENDA APPROVAL

Director Stu Asay moved and Director Rosemary Carroll seconded approval of the agenda. The motion carried.

3. APPROVAL OF JANUARY 26, 2026 BOARD MEETING MINUTES:

Director John Perusek moved and Director Brooke Zanetell seconded approval of the January 26, 2026 Board Meeting Minutes. The motion carried.

4. TREASURER'S REPORT

Treasurer John Perusek referred to his Memorandum in the packet. Director Stu Asay asked about the increase in the accountant's invoice. It was explained that this was due to increased activity to prepare for tax season.

5. FINANCE COMMITTEE

The Finance Committee met on February 4, 2026, to review year-end financial information. Also discussed at this meeting was the selection of a new auditor and the draft Cash Reserve Policy.

Director Camille Richard moved and Director Rebie Hazard seconded approval of the General Manager entering into a contract for auditing services from McMahan & Associates. The motion carried.

Treasurer and Chair of the Finance Committee, John Perusek, moved to approve the recommendation of the Finance Committee to adopt the UGRWCD General Fund Reserve Policy. The motion carried.

Treasurer and Chair of the Finance Committee, John Perusek, moved to approve the recommendation of the Finance Committee to adopt the updated financial policies as included in the meeting packet. The motion carried.

6. GENERAL COUNSEL UPDATE

Legislative Update:

Counselor McClow reported that the Outdoor Opportunities Act is still being revised so there are no additional updates. In addition, there are now two bills in the works that deal with the development of data centers in the state. The first bill introduced would create tax incentives for companies to develop data centers in the state. More recently, a second bill is in development that deals more with the requirements of data center infrastructure and impacts on power and water resources and infrastructure. Both bills are currently being revised, and Mr. McClow thinks it might be possible that the two bills will be combined in some format.

Aspinall Record of Decision: Counselor McClow explained that Record of Decision modifies Aspinall Unit reservoir operations in an attempt to provide higher and more natural downstream spring flows and moderate base flows, while continuing to meet the Aspinall Unit’s authorized purposes, which include supporting the Upper Basin states’ development of their Compact apportionment, storage of water for future beneficial uses, flood control, and generating hydropower. Action Alternative B was selected to avoid jeopardizing the continued existence of fish listed under the Endangered Species Act, while also not resulting in any adverse effects on critical habitat in the Gunnison and Colorado Rivers. Releases under this alternative are based on peak flow and base flow targets at the gage at Whitewater, Colorado, and determined by the forecasted April through July inflows into Blue Mesa Reservoir

UGRWCD’s Public Comment on EIS Alternatives for Post-2026 Operating Guidelines for Lake Powell & Mead: General Manager Sonja Chavez said the District will be providing public comments on the EIS by the deadline of March 2nd. Several areas of concern have been identified for the District, including the geographic scope of the alternatives which include federal actions above Lake Powell; limitations on the Secretary of Interior’s authority related to operations of the Upper Initial Units; critical data that is missing in the EIS; problems within the Alternatives Analysis, such as the exclusion of the Upper Division’s proposal as a viable option; legal issues related to the Law of the River and a lack of other preferred alternatives. In addition, the District plans to comment on impacts of additional withdrawals of water from Blue Mesa Reservoir, which were not in the DEIS, including economic, social, cultural, public health and safety impacts, and water-quality – eutrophication of the reservoir and impacts to the fishery. The District’s comments will be shared with the Board when they are submitted to the USBR.

7. BASIN WATER SUPPLY UPDATE

In addition to the monthly water supply report, Senior Program Manager Beverly Richards provided some summary information from the recent Intermountain West Snow Drought webinar. The region is currently experiencing severe snow drought conditions, even with the recent snowfall. Persistent above-average temperatures during the recent storms and during long dry spells have greatly increased the severity of low snowpack conditions. It will be difficult for the region to recover at this point in the season and SWE will likely be much below normal. There is also increased chances of fire danger due to the dry conditions and lack of snowpack.

8. PARTNERSHIP UPDATES

Coal Creek Watershed Coalition (CCWC): Executive Director Ashley Bembenek reported that, thanks in part to the District’s support, CCWC collected approximately 35 water quality samples in 2025, which are analyzed for several metals, selected anions, and dissolved organic

carbon. CCWC's long-term water quality monitoring program is used to establish site-specific standards for lower Coal Creek and the renewal discharge permit for the Keystone Mine Water Treatment Plant to better protect existing water uses in lower Coal Creek and downstream waters. Copies of the CCWC report will be distributed to all Board members.

Gunnison Conservation District (GCD): GCD Manager Tonya Carr reported that since October 2025, the GCD has been working with partners and a consultant to plan and develop a Wildfire Mitigation workshop scheduled for April 25, 2026, at the Fred Field Center. In addition, the GCD is planning the combined Annual Meeting and NRCS Local Work Group Meeting scheduled for March 25, 2026. Following the March 25, 2026, combined meeting, GCD will collaborate with Trout Unlimited and UGRWCD to develop a targeted proposal addressing the top priorities identified by landowners. Potential focus areas include drought resilience, stream and riparian restoration, and wet meadow enhancement or protection. This work will leverage landowner input and partner expertise to prepare a competitive, implementable proposal for future funding opportunities. As part of the GCD's annual grant-writing component, GCD continues to research water resource grant opportunities and support agricultural infrastructure project grant application development for landowners. This week, GCD submitted a packaged grant application on behalf of a landowner for the Cochetopa Creek Aquatic Organism Passage and Irrigation Diversion Restoration and Improvement project.

9. A CONVERSATION WITH THE COLORADO RIVER DISTRICT (CRWCD)

Peter Fleming, CRWCD General Counsel, Raquel Flinker, CRWCD Director of Interstate and Regional Water Resources and Amy Moyer, CRWCD Chief of Strategy, provided a presentation to the Board regarding a brief history of the CRWCD and the draft west slope principles they have developed related to any potential future Conserved Consumptive Use program in the State of Colorado. Ms. Moyer explained that CRWCD was formed in 1937 to protect and serve water users across the 15 West Slope Colorado counties that form the headwaters of the Yampa, White, Gunnison, and Colorado Rivers. Through legal and legislative advocacy, technical and engineering support, community outreach and education, and multi-benefit water project grant funding, the CRWCD exists to protect water interests within its borders. It also supports the State of Colorado in ensuring water interests within the greater Colorado River Basin are protected when federal and interstate negotiations around Colorado River Basin water and water management occur.

Ms. Moyer reported that within the Upper Gunnison River Basin, the CRWCD specifically has addressed water issues and rights related to the Aspinall Units and Black Canyon Water Rights, and together with the UGRWCD, successfully defeated the Union Park Transmountain Diversion project that proposed to move water from the Western Slope to the Front Range.

Ms. Flinker explained that the Law of the River was dictated by the Colorado River Compact, which was adopted in 1922 between the Upper and Lower Division states, and the United States, to “equitably allocate and distribute the flows of the Colorado River.” Since then, various legislative agreements, guidelines, treaties, and decrees were developed to deal with ever-changing water supply needs and hydrology, until Interim Guidelines were established in 2007 to try to address challenges related to ongoing drought. The Interim Guidelines are set to expire in October 2026, and currently, the Upper and Lower Basin states have been unable to reach a consensus on a post-2026 operating agreement for the Colorado River. Ms. Flinker explained that it is a system out of balance with a shrinking water supply that is not sufficient to meet all of the demands for water from a growing population. She showed a graph illustrating the storage at Lake Powell and explained that based on current snowpack and predicted runoff, Lake Powell will likely soon fall beneath the critical elevation of 3,490 feet necessary to provide hydropower.

Ms. Flinker also addressed the difference between “Conservation versus Curtailment” and noted that an alternative water management strategy being proposed would support conservation through a government-sponsored program that is voluntary, temporary and provides compensation to water users who agree to participate in the program. Curtailment would mean uncompensated water rights administration as directed by the government.

The state engineer, Jason Ullmann, is conducting listening sessions to gather input on potential Compact curtailment rules. The Board discussed the challenges of shepherding conserved water downstream and the need to ensure system benefits, particularly for Lake Powell. They also explored the complexities of multi-year impacts and the importance of providing adequate notice for funding programs to encourage participation from irrigators (e.g., having a 5-year timeframe in which to agree to participate). The CRWCD and UGRWCD highlighted the need for local involvement. Discussion ensued about what proper stewardship of conserved water might entail, and how compensation might or might not offset agricultural impacts to water users. The Board discussed the challenges of implementing such programs, including the need to properly ensure that conserved water makes it to Lake Powell

Potential long-term impacts on agriculture and the economy in the Upper Gunnison Basin were addressed. The conversation also emphasized the need for the Lower Basin states to contribute more significantly to solve the overall water imbalance in the Colorado River system by reducing their consumption. There was a consensus among the ag producers present that any conservation program must include shepherding the water to Lake Powell, and that it not just be available for the next water user in line to use.

10. GENERAL MANAGER UPDATE

General Manager Chavez asked if the Board had any questions regarding her manager's report in the packet. None were raised.

District Grant Program: Senior Program Manager Beverly Richards gave a brief summary of the grant applications she received for the 2026 District Grant cycle. She said over \$350,000 has been requested, so it will be a very competitive grant cycle. Staff will be reviewing the applications this week to make recommendations to the Grants Committee. The committee will then meet on Monday, March 9th at 3 p.m. to review the applications.

Ms. Richards also reported that a grant that was awarded in 2024 to Western Colorado University for the completion of a HAB Study has not yet met the deliverable requirements for the grant. Ms. Richards said this is primarily due to a lack of communication between the student performing the research, her advisor and thesis advisory committee, and partners responsible for in-kind contributions of data. General Manager Sonja Chavez said she would like to give Western an opportunity to complete the deliverables as the study, as originally proposed, is important for the District. This would be a second extension on the grant and would not provide any additional funding only a timeline extension. Grant Committee Chairwoman, Joellen Fonken, noted that this is not the first application where the District has granted a second timeline extension.

Director Stuart Asay motioned and Director Camille Richard seconded approval for the District to grant a second no-cost timeline extension to Western Colorado University to complete the HAB study by the end of December 2026. The motion carried.

Education and Outreach Committee: It was announced that the District will be a sponsor of the 34th Annual Rotary Fishing Tournament on May 2 and 3rd at Blue Mesa Reservoir. As part of the sponsorship benefits, the District may have a two-person team compete in the tournament for free. If anyone is interested, please let Sue Uerling know.

11. MISCELLANEOUS MATTERS

2026 Colorado Water Congress Annual Conference: Board members who attended reported that they learned a lot and that the details shared about water supply and negotiations around Post 2026 Operating Guidelines development were "sobering."

Slate River Streamgage at Baxter Gulch: General Manager Chavez said that she has had conversations with the USGS and Gunnison County Assistant Manager for Operations and Sustainability, John Cattles, regarding impacts to the stream gage at Baxter Gulch. An alternative location for a temporary gage has been selected and will be installed most likely in April. John Cattles will now be in direct communication with the USGS to assist in project communication around the temporary gage installation and reclamation of the riverbed and banks. Ms. Chavez reported that the water infrastructure for Whetstone Village now requires the contractor to bore

beneath the Slate River.

12. CITIZEN COMMENTS

Citizens Greg Peterson and Burt and Sandra Guerrieri all thanked the District for the opportunity to attend the meeting and for supporting them in the challenging river negotiations moving forward. Leon Katona, new Gunnison Valley resident and CDPHE employee, introduced himself and thanked the board for a very educational evening, and he looks forward to engaging with us in the future.

13. FUTURE MEETINGS

Board members were reminded that the first 2026 Taylor Local User’s Group Meeting will be held March 9, 2026 at 10 a.m.

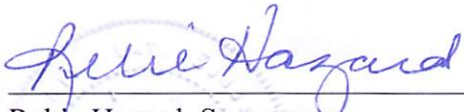
14. SUMMARY OF MEETING ACTION ITEMS

- Senior staff will bookmark the request to have additional conversations around the Reserve as part of the Strategic Planning Process.
- Counselor McClow will share the new proposed legislation on data centers.
- The District will follow up with the Colorado River District regarding DEIS comments to be submitted by the March 2nd deadline.
- Staff will forward the Coal Creek Watershed Coalition end-of-year report to the Board via email.
- Senior staff will provide Board members with a copy of the District’s comments on the Draft EIS when finished.


14. ADJOURNMENT

Board President Don Sabrowski adjourned the February 23, 2026 Board Meeting at 8:38 p.m.

Respectfully submitted,



Rebie Hazard, Secretary



Don Sabrowski, President