

MEETING MINUTES  
REGULAR MEETING  
BOARD OF DIRECTORS  
MIDDLE PARK WATER CONSERVANCY DISTRICT  
**Virtual Meeting via Microsoft Teams**

<https://tinyurl.com/jkmj2kj7>

Meeting ID: 292 756 622 283 89 Passcode: kx6kQ3zF

To Join By Phone: 872-256-3960 Phone Conference ID: 653 608 238#

January 14, 2026, 1:00 p.m.

Directors:

Jack Buchheister – President  
Jim Lenzotti – Secretary  
Mike Eytel – Treasurer  
Gary Bumgarner  
Tom Long

Others Present:

MPWCD Water Resources Consultant & Hydrologist Kristina Wynne  
MPWCD Attorney Kent Whitmer  
MPWCD Attorney Katie Randall  
Neal Misbach, Division 5 Water Commissioner  
Donald Hackstaff, Division 5 Water Commissioner  
Troy Wineland, Division 5 Water Commissioner  
Sara Ott, Interim Town Manager, Town of Winter Park  
Daniela Gosselova, Member of the Public  
Alan Curtis, Curtis, Justus & Zahedi, LLC

**1. CALL TO ORDER**

**2. CONSENT AGENDA**

- a. October 8, 2025 Meeting Minutes\*
- b. Financial/Banking Reports\*

- **A motion was made by Tom Long and seconded by Mike Eytel to approve the consent agenda as presented. Motion carries unanimously.**

**3. TOWN OF WINTER PARK URBAN RENEWAL AUTHORITY**

- a. Presentation by Sara Ott, Interim Town Manager
- Sara Ott introduced herself and provided an explanation of the history and current efforts of the Winter Park Urban Renewal Authority, along with the concept of tax increment financing. Sara explained the financial impact to MPWCD during the duration of the tax increment financing period for the 60 lots that are impacted. Board discussion followed, and Sara fielded questions. Kent Whitmer noted that a draft agreement has been received and is currently under legal review. A special meeting may need to be held to consider approval of the agreement. The Board thanked Sara for her time; Sara left the meeting.

#### 4. BOARD ADMINISTRATION

##### a. Update on Board Vacancies & Applications

- Kent Whitmer noted that there are still two vacant seats on the Board. The Water Commissioners have been a great help in spreading the word to potentially interested candidates, and several applications have been received. A request has been filed with the District Judges sitting *en banc* to make appointments for the two vacant seats, and to appoint Jim and Gary to new terms. Updates will be provided to the Board when they are available.

##### b. Resolution Designating Location for Posting Notice of Meetings\*

- Katie Randall gave a summary of the Resolution that was included in the meeting materials, designating the locations for posting notice of meetings for the coming year. **A motion was made by Tom Long and seconded by Gary Bumgarner to approve the Resolution. Motion carries unanimously.**

#### 5. REPORTS

##### a. Attorney (Attorney Report/Action Items Status List)

- Kent Whitmer noted that the Attorney Report and Action Items Status List were included in the meeting materials and invited questions from the Board. Kent provided a summary of the Colorado River Water Users Association conference in Las Vegas and provided an update of Colorado River negotiations among the Basin States. Discussion followed.

##### b. Hydrologist (BBA Report)

- Kristina Wynne noted that her report was included in the meeting materials and invited questions from the Board. In her hydrology report Kristina noted a new historic low for median snowpack. Charts and seasonal outlooks were reviewed and discussed. Kent and Kristina will be meeting with the Division Engineer and staff on Friday to discuss MPWCD operations and accounting. Windy Gap Firming Project status is still unclear following discovery of uranium in Chimney Hollow Reservoir. Kristina is continuing to review proposed accounting and monitoring the situation.

#### 6. SHOSHONE CHANGE OF WATER RIGHTS, CASE NO. 25CW3177\*

- Included in the meeting materials is a copy of the Water Court application filed by the River District, the CWCB, and Public Service Company of Colorado. Katie Randall provided a summary of the application, and noted that the deadline for interested parties to file statements of opposition is at the end of January. The Board discussed the merits of filing a statement of opposition in support of the Application, a draft of which was included in the meeting materials. **A motion was made by Gary Bumgarner and seconded by Mike Eytel to approve the statement of opposition and authorizing MPWCD's attorneys to file with the Water Court. Motion carried unanimously.** Gary Bumgarner made a note of the CRCA and Denver's agreement not to contest Shoshone permanency. Discussion followed.

## 7. WATER CONTRACTS

### a. Contract Extension Request – Fraser’s Ridge LLC\*

- Kent Whitmer provided a summary of the extension request that was included in the meeting materials. A decree has been issued by the Water Court, and the applicant is now working through the land use approval process with Grand County and working to form an HOA. Applicant has requested additional time to complete these processes. **A motion was made by Jim Lenzotti and seconded by Mike Eytel to approve the extension request. Motion carries unanimously.**

## 8. WATER RIGHTS

### a. Troublesome Project: Deed of Water Rights to East Fork Mutual Irrigation Company\*

- Kent Whitmer disclosed that he is a shareholder in the East Fork Mutual Irrigation Company, as is Gary Bumgarner. Recently, the company approached MPWCD with a request to transfer title to the portion of the Troublesome Project water rights that East Fork put into use and developed in the 1970s. Due to Kent’s conflict of interest, he has recommended that MPWCD engage independent counsel for this proposed transfer. Included in the meeting materials is an engagement agreement from the law firm of Curtis, Justus & Zahedi, in keeping with the Board’s direction from the last meeting. Alan Curtis is here to answer any questions about the engagement agreement and scope of work. Board discussion followed. **A motion was made by Jim Lenzotti and seconded by Tom Long to approve the engagement agreement for the limited scope of representation related to MPWCD and the potential transfer of rights to the East Fork Mutual Irrigation Company. Gary Bumgarner abstained. Motion carried.** Discussion followed about next steps; the Board thanked Alan for his time. Alan left the meeting.

## 9. OTHER BUSINESS

### a. Ron Jones: Agreement for Funding, Construction & Operation of the Jones Ponds

- Kent Whitmer provided an update about the status of agreement negotiations with Mr. Jones. Further revisions have been provided to Mr. Jones for review, and Kent is waiting to hear back. Kent noted that the agreement might require approval at a special meeting to keep things moving forward.

### b. 2025 Audit Engagement Agreement – Fiscal Focus Partners\*

- Kent Whitmer noted that an engagement agreement was included in the meeting materials from Fiscal Focus Partners. The increase in cost has been accounted for in the 2026 budget. Board discussion followed. **A motion was made by Tom Long and seconded by Jim Lenzotti to approve the engagement of Fiscal Focus Partners to complete the audit of MPWCD’s 2025 financials. Motion carries unanimously.**

### c. Colorado Water Congress Annual Conference

- Katie Randall noted that the CWC Annual Convention is scheduled for the end of the month. As in past years, Katie plans to attend the meeting and bill a discounted rate; the Board provided approval of this plan. Mike Eytel plans to attend the convention as well. A summary will be provided following the convention.

**d. Discussion about District Administration & Bookkeeping**

- Kent Whitmer explained that his wife Tina has historically managed the administration and bookkeeping for MPWCD. Now that the Whitmer Law Firm has merged into JVAM, Tina is looking to exit that role and to train a replacement. Kent discussed the need for oversight and control of this role, as well as the expense of hiring an outside entity to manage the work needed. Kent wants to see if the Board is okay with keeping this role within JVAM. At some point the District may be big enough to merit hiring a manager to handle the day-to-day operations and JVAM will operate in a more traditional role as counsel, but Kent does not think that time has come yet. Kent invited feedback from the Board, and discussion followed. The Board approves the plan of keeping this role within JVAM for the time being.

**e. Discussion about Recognition of Service: Sean Flanigan**

- The Board discussed with great sadness the passing of Board Member Sean Flanigan, and discussed ways in which the Board can meaningfully recognize his service to the District over the years. Following discussion, the Board requested MPWCD Staff to present for Board consideration at the next meeting a letter to the Flanigan family and a resolution in recognition of Sean's service.

**f. Open Discussion and Direction to Staff**

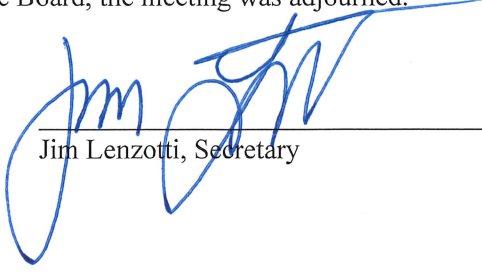
- Jack Buchheister asked about the status of the public outreach and education campaign. Kent Whitmer noted that this has been tabled pending appointment of new members to the Board. This project will pick back up in earnest after new Board members are in place. Discussion followed.
- Gary Bumgarner asked about the status of the annual meeting to provide updates to the public about the Troublesome Project. Kent noted that discussions are underway to coordinate this meeting in the coming months.

## **10. OPEN FORUM**

- Daniela Gosselova introduced herself and expressed an interest in learning more about MPWCD. She is potentially interested in entering into a contract with MPWCD for water to serve her property in Grand County. The Board thanked Ms. Gosselova for attending and recommended that she follow up with MPWCD staff for further discussion about her specific contract request. Katie Randall took Ms. Gosselova's contact information and will follow up after the meeting.

## **11. ADJOURNMENT**

- There being no further business before the Board, the meeting was adjourned.



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Jim Lenzotti, Secretary

\*Denotes an action item.