

MINUTES OF SPECIAL MEETING

BLUE VALLEY METROPOLITAN DISTRICT

Zoom virtual meeting called to order at 4:03 pm on Thursday, June 4, 2026. Board Secretary Andrea Buller present. Board members present: Buck McNichols, Mark Nelson, Tim Vermeer, Brenda Kellen, and Jeff Powles. Board absent: None. Guests present: Scott Grosscup, Wendy Ryan, Troy Wineland, Alan Russell, Audrey Clinton, Austin Haynes, “Bob bob”, Dave Sandlin, Dan Dubrow, Dave Marony, David Lach, Pam Lach, Denise Sandlin, Dennis Cunningham, Diana Armstrong, Jill Guttman, Joan Gogel, Kathy Walton, Kim Riddle, Kristina Nickens, Matthew Kallman, McKenzie Rains, Nikki Vaughn, Peter Schmidt, River Mentch, Ron Mentch, Ryan Walker, Sara Gaskins, Jack Norton, “Zoom User”, “Zoom User”, “720-544-1384”, “970-485-0480”, and “860-543-9680”.

Water Restrictions

- Scott Grosscup (Balcomb & Green) – Summary as provided by Scott.
 - “The Blue Valley Metro District uses water rights decreed in the 1990s with a 1996 appropriation date. This puts these water rights as relatively junior in the system requiring an augmentation plan to allow them to divert during periods of drought. BVMD’s augmentation plan relies upon releases of water from Green Mountain Reservoir to replace the depletions – the water that is fully consumed by the customers of the District. This year, however, due to the exceptional drought, Green Mountain Reservoir will not have any water to replace those depletions. The Colorado River District has obtained an emergency substitute supply plan to provide limited augmentation water to BVMD from its sources, which is less than what is allowed under BVMD’s augmentation plan. Thus, BVMD will need to impose watering restrictions to stay in compliance with legal limitations on how much water can be used.”
- Wendy Ryan (BBA Water Consultants, Inc.) – Summary as provided by Wendy.
 - There is no contract water available in Green Mountain Reservoir for the first time ever; there are also shortages to the Historic User Pool in Green Mountain for the first time ever. 2026 will go down as one of the hottest and driest years on record in the Colorado river basin in recorded history.
 - The Emergency Substitute Water Supply Plan SWSP put together by the Colorado River District is effective June 1 – August 31, 2026 as it is limited by statute to only operate for 90 days. Uncertainty remains what will happen after Aug 31, but I’m confident that if any additional restrictions are put in place after that date (and the River District can’t do a second emergency SWSP) that it will be for outdoor watering. It is very difficult for DWR to curtail domestic uses.
 - Regardless of the date implemented by BVMD for the water restrictions, the SWSP goes into effect as soon as the River call becomes active again. We are anticipating Shoshone to become active again any day now. They are dealing with siltation issues at the diversion dam because of the lack of high flows that would usually wash that out. This is impacting what they can take into the tunnel.
 - Based upon 127 homes in the District, monthly water usage per home is limited to **5,130 gallons for indoor use and 1,280 gallons per month for outdoor use** (also limited to once per week spot/drip irrigation) for a **total of 6,410 gallons per month per home**. I provided rounded numbers for the ease of communication last night, but these are the actual numbers. If you want to round them down to provide a buffer, I support that!
 - The split between indoor and outdoor uses are done by BBA in the accounting on a monthly basis by using the wintertime usage as an indicator of just indoor uses. Any diversions beyond that are considered irrigation use.
 - Indoor water cannot be used to water outdoors. The decree and accounting assume that the septic systems are 15% consumptive while irrigation is 85% consumptive. If indoor water is used outside, this increases the overall consumptive use of the District. Consumptive use is what is replaced to the river; if consumptive use is increased and not replaced, it results in injury to downstream water rights.
 - One thing that was not talked about last night, but something to keep in mind, is that next year may also see continued restrictions. Because GMR is so low, we are draining other reservoirs to replace what GMR would typically provide. Ruedi, Wolford Mountain, and Green Mountain will all be severely drawn down to meet needs this year. Without an exceptional snowpack next year, we may see similar issues arise.
- Troy Wineland - Water Commissioner, Blue River Basin –

- Emergency Substitute Water Supply Plan possibility of renewal after Aug 31- he can run up pole for feedback but his impression is that these are usually a one and done type deal but due to the severity of this year's conditions, perhaps there could be some flexibility to it but he will need to confirm.
- Green Mountain Reservoir is an absolute critical piece to the water for both West & East slope.
- Called out the impressive degree of collaboration of everyone who participates in the weekly calls since April 1 forecast.
- Total of 86,000 acre feet of water needed for West slope water users, only 24000 acre feet available as of now – underscores severity of situation.
- Green Mountain will drop significantly in next couple weeks once Western slope calls start coming in.
- Dillon Reservoir forecasted to drop by 36 ft by Labor Day and not have more than 55 cfs.
- Buck McNichols
 - Thanked Troy, Wendy, and Scott for their time and efforts in educating and advocating for BVMD.
 - Reminder that Monday, June 8 is the public hearing for implementation of emergency water restrictions. What can be expected to be discussed for implementation:
 - Outdoor Usage - One-day a week handwater or drip watering for trees, shrubs, and bushes – no grass watering. Absolutely no sprinklers.
 - Likely to consider a schedule that would have addresses with an odd number on one day, and an even number on a different day.
 - Reduce total allotted amount of water to 6400 gallons per month per house.
 - Implement a fee/fine structure to correlate.
 - Emergency Restrictions will likely go through the end of the year, however, all of this is subject to change if conditions change.
 - Ron has been keeping an eye on water flows and they have not increased so people have already started to comply which speaks highly of the community.
 - The current fee for overages will likely be reconsidered and adjusted.
- Additional Items Discussed by Board
 - The Emergency Substitute Water Supply Plan SWSP put together by the Colorado River District does come with restrictions but also comes with a gift of water. The Board's responsibility is to put a plan in place to protect this gift. The Community's proactive water conservation is essential and greatly appreciated.
 - The restrictions are coming down from authorities higher than the District and once the Shoshonee and Cameo calls are placed, the restrictions are legally enforced even if prior to BVMD Board action. However, the fines and penalties enforced by the BVMD Board will be effective June 8 following the District meeting.
 - Each resident is responsible for watching their own meter and monitoring their own usage. Everyone has access to their meter so must be diligent in monitoring it.
 - There will be zero grace extended for violations or overages with one potential exception. If there is an emergency situation in a home, such as a plumbing breakage, the resident can present a case to the board for consideration of a waiver of overage fee.
 - The Board intends to implement a steep fee schedule to discourage any intentional violations considered by residents as "a reasonable price to pay for water usage".
 - A violation can be for either over use or inappropriate use. The fee schedule discussed was as follows:
 - 1st Violation = \$350 fine
 - 2nd Violation = \$700 fine
 - 3rd Violation = \$1500 fine and immediate turn-off of water
 - If Water Service turned off – full payment of fines from violation must be made in addition to \$500 turn on fee before water service will be restored.
 - Meters will be read on June 8 and the emergency restrictions will take effect immediately following the board action at the meeting June 8.
 - Monthly usage will be strictly enforced and ANY overage will result in a fine.
 - The monthly usage allotment in the emergency rules to be passed on June 8 is expected to be 6400 gallons.
 - Invoicing for the base fee will still be quarterly. If there is an overage and/or a fine, it will be billed immediately and need to be paid immediately. All will be strictly enforced and any exception requests must be presented to the BVMD Board at a public meeting for Board action.

- Legal Counsel confirmed that violation of the emergency water use restrictions can include the immediate shut off of service without any additional notice.
- Outdoor use will be limited to one day per week and will be only for spot watering of trees and shrubs. No sprinkler watering will be allowed at all. No other outdoor use will be allowed.
- Water collected inside the home CANNOT be used outside. This is due to the fact that the water that goes through your pipes ends up back in the water system where as water used outside is consumed essentially completely and does not return to the water system.
- Enforcement of the emergency restrictions will be up to the residents in the neighborhood. All violations are to be reported to bluevalleyacres@gmail.com with photo evidence if possible.
- Rain barrels are not regulated by the District.
 - Helpful information as provided by Wendy - DWR information on rain barrels: <https://dwr.colorado.gov/services/water-administration/rainwater-storm-water-graywater>
 - If you have 110 gallons or less, there is no permit required.
 - The 110 gallons can be filled and refilled once per year.

- Zoom Chat Discussion

Nikki's Vaughn 4:21 PM

I just want to clarify the monthly usage amount per household that we will be moving to?

bob bob 4:25 PM

owners should sign up to exercise drip system. bvmnd needs a list of who is irrigating.

Troy Wineland - DNR 4:29 PM

Thank you all

Troy Wineland - Water Commissioner, Blue River Basin 970.355.4516 troy.wineland@state.co.us I'll hang out for another 10 minutes, unless request otherwise

bob bob 4:30 PM

if I do not irrigate can I gift my 1200 gallons to a neighbor for irrigation purpose?

Troy Wineland - DNR 4:30 PM

Impromptu water conditions discussion Saturday morning at 9am Dillon Marina

Dave Marony 4:31 PM

Is there a "grace" range before a penalty is assessed? or is it even 1 gallon over?

Kathy Walton 4:33 PM

Will we get a reading ever to see how many gallons we have used?

When does this start?

Jill G 4:35 PM

How do we read our meters?

Does the number on the meter indicate gallons?

McKenzie Rains 4:36 PM

I recently signed up for water scope and it tells me exactly my usage. I had a new electronic meter put in last year.

Dan Dubrow 4:36 PM

Will certain situations be considered for plumbing that bursts?

Jill G 4:38 PM

What is the date this is beginning?

Kathy Walton 4:38 PM

You read the meters last week. So, when does this start so I can check the meter

Tim Vermeer 4:38 PM

A question for the attorneys, if we were to have more restrictive use now help us in any way when this plan expires and we need to figure out what to do next

Dan Dubrow 4:40 PM

Will certain situations be considered for plumbing that bursts?

McKenzie Rains 4:41 PM

I think it was mentioned that the 6400 per month is gallons per day correct?

Jill G 4:41 PM

I'm confused about the ending of this quarter and when exactly we need to look at the meters.

McKenzie Rains 4:42 PM

oops 200 gallons per day

Kathy Walton 4:42 PM

We need to know what the reading is by the 8th in order to start reading now.

bob bob 4:43 PM

jeff is correct,, email everyone now that june 8 - or june 10th is effective date. notification goes a long way

Dave Marony 4:44 PM

Is there a "grace" range before a penalty is assessed? or is it even 1 gallon over?

Kim Riddle 4:45 PM

Can someone summarize the restrictions? We couldn't hop on due to work and the meeting being at 4 PM :)

You 4:46 PM

Meeting was schedule based on legal counsel availability. The final decision will be at the meeting on Monday, June 8

Brenda 4:46 PM

6400 gallons per month = \$19,200
reducing the monitoring to monthly

Dave Marony 4:47 PM

how is indoor vs. outdoor measured? my WaterScope does not appear to break these out.

Brenda 4:47 PM

they will monitor each month and you cannot exceed 6400 gallons

Dan Dubrow 4:48 PM

All of this is absolutely enormous and you all have helped hundreds of people still live normally for the next 90 days. People should know that even .01 of a gallon over the usage allotment is still over and puts other people at risks

Dennis Cunningham 4:48 PM

Can indoor rinse water be taken outside to water plants?

bob bob 4:50 PM

bvmd needs to have definition of "drip system", legal challenges can happen.

bob bob 4:53 PM

hey every one look at it this way free water for the next 4 days.

D Sandlin 4:55 PM

Just to be clear, water I collect while waiting for the shower to heat up cannot be used to water outside. correct?

Diana Armstrong 4:56 PM

We still need a firm start date, with or without meter reading. Can we suggest that everyone document their reading 6/26/26?

Kathy Walton 4:57 PM

So this starts on Monday June 8th?

Dan Dubrow 4:58 PM

Is there anything different regulation wise pertaining to the short term rentals in the neighborhood
Thank you all for what you've accomplished here

Matthew Kallman 5:00 PM

Can rain barrels be used outside the one day drip regulations

bob bob 5:00 PM

rain barrels are not regulated by bvmd

Dan Dubrow 5:01 PM

110 gallons allowed at a time
For barrels

bob bob 5:02 PM

contact Troy on rain barrels regs

Kathy Walton 5:02 PM

Again, when does this start?

Tim Vermeer 5:02 PM

What should we do to prepare for the expiration of this plan?

Dave Marony 5:02 PM

Just to be clear, water I collect while waiting for the shower to heat up cannot be used to water outside. correct?

Can a reason be provided why this isn't allowed?
got it. thanks.

Kathy Walton 5:06 PM

What about folks who have fences?

You 5:07 PM

I'm unclear what you mean?

Dave Marony 5:08 PM

I think she means, how can you report a violation if you can't see into your neighbor's property

Kathy Walton 5:08 PM

Yes, thank you

Brenda 5:10 PM

Thank you Buck for caring a whole lot!

bob bob 5:10 PM

use a drone ,

Kristina Nickens 5:11 PM

Thank you guys for all you're doing. We appreciate it very much

Kristina Nickens 5:11 PM

David Lach - 243 GCR 100 5:12 PM

Very nice job... Andrea and the Board... thank you

Fingers crossed for all the rain and all the snow

- Press Release from Governor's Office provided by Troy is attached.

Executive Session pursuant to C.R.S. 24-6-402(4)(b) for a conference with the District's water counsel to receive legal advice related to drought conditions and water restrictions. – The Board did not enter executive session.

Board Actions in Regard to Executive Session - None

As this is a special meeting, no other business was discussed. Buck moved to adjourn the meeting at 5:14 pm. Brenda seconded. All in favor. Meeting adjourned.

BLUE VALLEY METROPOLITAN DISTRICT



, Secretary