

**MINUTES OF A MEETING OF
THE BOARD OF THE
NORTH WELD COUNTY WATER DISTRICT**

HELD OCTOBER 13, 2025 AT 8:30 A.M. AT

32825 COUNTY ROAD 39, LUCERNE, COLORADO AND VIA TELECONFERENCE

The regular meeting of the Board of Directors of North Weld County Water District was called and held in accordance with the applicable laws of the State of Colorado. The following Directors, have confirmed their qualifications to serve, were in attendance:

Attendance

Tad Stout, President
Anne Hennen, Assistant Secretary
Matt Pettinger, Assistant Secretary
Nels Nelson, Treasurer

Director Milne was absent. All absences are deemed excused unless otherwise noted in these minutes.

Also present were Zachary P. White, Esq., WBA, PC, Attorneys at Law, District General Counsel; and Eric Reckentine, District General Manager; Jamie Dickinson, Esq., Spencer Fane, District Special Counsel; Alyson Gorsevski, Esq., Lyons Gaddis, District Water Counsel; Jill Burrell and Dan Egger, Ditesco; Richard Reins and Jan Sitterson, Water Resources; Keri Allison, Western States; Jade Gernant, TriHydro Corp.

1. Call to Order/Declaration of Quorum

It was noted that a quorum of the Board was present, and Mr. Stout called the meeting to order.

2. Conflict of Interest Disclosures

Mr. White advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. White reported that disclosures for those directors that provided WBA, PC, with notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Mr. White inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. Mr. Nelson reminded the Board of his affiliation with Cactus Hill and indicated his intent to recuse himself from discussions regarding the same. No additional disclosures were noted.

3. Approval of Agenda

The Board reviewed the proposed agenda. Following discussion, upon a motion by Mr. Nelson and seconded by Ms. Hennen, the Board unanimously approved the agenda as amended to include discussion regarding ditch board director vacancies.

4. Public Comments

None.

5. Consent Agenda

Mr. Reckentine reviewed the items on the consent agenda with the Board. Mr. Reckentine advised the Board that any item may be removed from the consent agenda to the regular agenda upon the request of any director. No items were requested to be removed from the consent agenda. Upon a motion by Mr. Nelson and seconded by Ms. Hennen, the following items on the consent agenda were unanimously approved, ratified, and adopted:

- a. Minutes from September 22, 2025, Special Meeting
- b. Invoices through October 13, 2025
- c. Unaudited Financial Statements September 2025
- d. Tank Inspection Contract – 5 Year CDPHE
- e. Eaton Electric In Pump Station 6 VFD (Ratify)
- f. Eaton Pipeline Phase 3 Bid Selection, NTP and Contract for Services
- g. Approval of Distribution Line Acquisitions
 - i. Cty Rd 84 Distribution Line
 - i. Brough Easement

6. Consider Approval of Stipulation in Case 21CW 3056 – CWCW River Augmentation Environmental Flow Seed Water

Mr. Reckentine presented the Stipulation and noted that all objections by the District over the past several years have been addressed and the District cannot prove injury. Following discussion, upon a motion by Mr. Nelson, seconded by Mr. Pettinger, the Board unanimously approved the stipulation.

7. Consider North Weld County Water District Preliminary 2026 Budget

Mr. Reckentine presented the following related to the 2026 Budget to the Board, and the Board engaged discussion regarding the preliminary budget. No action was taken.

- a. NWCWD Budget and Budget Memo
- b. SCWTA Budget and Budget Memo
- c. Revised Surcharge Reports from Honey Creek
- d. District 2026 Position, SWOT Analysis and Guidance Memo

The Board discussed the District 2026 Position, SWOT Analysis and Guidance Memo in executive session.

Following executive session, no action was taken.

8. Consider Approval of Water Rights Acquisition

Mr. Reckentine reported to the Board regarding two potential water acquisitions in 2026. The Board discussed in executive session.

Following executive session, upon a motion by Mr. Pettinger, seconded by Ms. Hennen, the Board approved the acquisition of 1 Share Water Supply and Storage, with Mr. Nelson abstaining.

Following executive session, upon a motion by Mr. Pettinger, seconded by Ms. Hennen, the Board approved the acquisition of 120 Units of C-BT.

9. Larimer & Weld #8 Ditch Newt III Crossing and Woods Lake Eaton Pipeline Crossing Repairs

Mr. Reckentine reported to the Board regarding repairs needed at the Larimer & Weld Ditch No. 8, and Woods Lake Eaton Pipeline Crossing. Both issues include design issues which are being investigated.

The Board discussed whether any potential claims may be made in executive session.

Following executive session, no action was taken, but the Board indicated further consideration may be needed.

10. Executive Session: The Board reserves the right to enter into Executive Session for the following purposes: Receiving legal advice and discussing matters subject to negotiation and strategy pursuant to § 24-6-402(4) (b)&(e), C.R.S. related to District 2026 Guidance Document Strategy Memo, Water Rights Acquisition and Ditch Repairs

Upon a motion duly made and seconded, followed by an affirmative vote of at least two-thirds of the quorum present, the Board enter into executive session at 9:19 a.m. for the purpose of receiving legal advice and discussing matters subject to negotiation and strategy pursuant to §24-6-402(4)(b)&(e), C.R.S. related to 2026 Guidance Document Strategy Memo, Water Rights Acquisition and Ditch Repairs.

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., no record will be kept of the portion of this executive session that, in the opinion of legal counsel to the District, constitutes privileged attorney-client communication pursuant to Section 24-6-402(4)(b), C.R.S.

Mr. Nelson recused himself and left the executive session for discussion regarding the District's acquisition of 1 share of WSSC.

The Board reconvened in regular session at 11:11 a.m.

11. District Manager's Report

a. Town of Pierce – NW Presentation to Town October 13, 2025

Mr. Reckentine reported that he will be presenting the Amended and Restated Water Services Agreement to the Town of Pierce to help explain the agreement and respond to questions.

b. North Poudre Irrigation Co., South Side Ditch Water, Park Creek Reservoir Allocation Issues

Mr. Reckentine reported that the Tri-Districts sent letters to NPIC. He noted that others also sent letters, including Wellington and members of the agricultural sector. Letters were discussed in executive session at the last NPIC meeting.

c. Weld County Comprehensive Plan

Mr. Reckentine reported that Weld County will be working on updating its comprehensive plan and the District has been asked to participate in that effort.

d. SCWTP Fluoride Outage

Mr. Reckentine reported that there is a shortage of fluoride from suppliers and we will now need to stockpile for use when there are shortages.

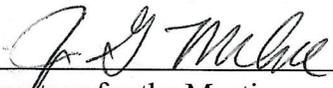
e. Ditch Boards of Directors

Mr. Reckentine reported that the Divide and North Poudre Irrigation Company board are seeking nominations and asked the Board if they would like him to submit his name for consideration. Following discussion, upon a motion by Ms. Hennen, seconded by Mr. Pettinger, the Board directed Mr. Reckentine to submit his name for consideration to both boards.

Adjourn

There being no further business to come before the Board, following discussion and upon a motion duly made, seconded, and unanimously carried, the Board determined to adjourn the meeting.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.



Secretary for the Meeting

The foregoing minutes were approved on the 10th day of November, 2025

ATTORNEY STATEMENT
REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as the attorney representing North Weld County Water District, I attended the executive session at the regular meeting of North Weld County Water District convened at 9:19 a.m. on October 13, 2025 for the sole purpose of receiving legal advice and discussing matters subject to negotiation and strategy pursuant to § 24-6-402(4)(b)&(e), C.R.S. related to 2026 Guidance Document Strategy Memo, Water Rights Acquisition and Ditch Repairs as authorized by Section 24-6-402(4)(b), C.R.S. I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication as provided by Section 24-6-402(4)(b), C.R.S. and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(2)(b), C.R.S. or Section 24-6-402(2)(d.5)(II)(B), C.R.S.



Zachary P. White, Esq.