

**Cherry Creek Project Water Authority**

Years Ended December 31, 2024 and 2023  
with  
Independent Auditor's Report

# Cherry Creek Project Water Authority

Years Ended December 31, 2024 and 2023  
(See Independent Auditor's Report)

## TABLE OF CONTENTS

	Page
Independent Auditor's Report	1-3
Basic Financial Statements:	
Statements of Net Position – Proprietary Fund	4
Statements of Revenues, Expenses, and Change in Net Position – Proprietary Fund	5
Statements of Cash Flows – Proprietary Fund	6-7
Notes to Financial Statements	8-18
Supplemental Information:	
Schedule of Revenues, Expenses, and Change in Fund Balance – Budget and Actual (Budgetary Basis) – Water Project Enterprise Fund for the year ended December 31, 2024	20
Reconciliation of Revenues and Expenses (Budgetary Basis) To Statement of Revenues, Expenses, and Change in Net Position for the year ended December 31, 2024	21

Board of Directors  
Cherry Creek Project Water Authority  
Englewood, Colorado

## Independent Auditor's Report

### Opinion

We have audited the accompanying financial statements of the business-type activities of Cherry Creek Project Water Authority (the "Authority"), as of and for the years ended December 31, 2024 and 2023, and the related notes to the financial statements, which collectively comprise the Authority's basic financial statements, as listed in the table of contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the business-type activities of Cherry Creek Project Water Authority as of December 31, 2024 and 2023, and the changes in its financial position and its cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

### Basis for Opinion

We conducted our audits 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 the Authority and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audits. 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 ("GAAP"), 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 the Authority'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 the Authority'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 the Authority'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.

## Other Matters

### Supplemental Information

Our audit was conducted for the purpose of forming an opinion on the financial statements that collectively comprise the Authority's financial statements as a whole. The supplemental information as listed in the table of contents is presented for the purposes of legal compliance and additional analysis and is not a required part of the financial statements. The supplemental information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, such information is fairly stated in all material respects in relation to the financial statements as a whole.

A handwritten signature in black ink that reads "Wipfli LLP". The signature is written in a cursive, flowing style.

Wipfli LLP  
Denver, Colorado

September 16, 2025

## Cherry Creek Project Water Authority

### Statements of Net Position – Proprietary Fund

December 31, 2024 and 2023

(See Independent Auditor's Report)

Assets		
	2024	2023
Current assets:		
Cash and investments	\$ 1,490,513	\$ 4,909,764
Prepaid insurance	79,867	62,135
Accounts receivable	39,167	997,139
Total current assets	1,609,547	5,969,038
Capital assets:		
Capital assets not being depreciated:		
Water rights	14,748,748	14,748,748
Real estate	921,076	921,076
Construction in progress	365,249	14,910,266
Capital assets being depreciated:		
Water wells	5,011,347	1,109,040
Pipelines	1,379,449	149,681
Walker Reservoir	14,036,097	-
Modeling	204,017	140,380
Master Plan	279,333	279,333
	36,945,316	32,258,524
Less accumulated depreciation	787,852	723,454
Net capital assets	36,157,464	31,535,070
Total assets	\$ 37,767,011	\$ 37,504,108
Liabilities and Net Position		
Current liabilities:		
Accounts payable	\$ 271,950	\$ 2,076,190
Retainage payable	615,720	569,699
Current and total liabilities	887,670	2,645,889
Net position:		
Net investment in capital assets	36,157,464	31,535,070
Unrestricted	721,877	3,323,149
Total net position	36,879,341	34,858,219
Total liabilities and net position	\$ 37,767,011	\$ 37,504,108

(See Notes to Financial Statements)

## Cherry Creek Project Water Authority

### Statements of Revenues, Expenses, and Change in Net Position – Proprietary Fund Years Ended December 31, 2024 and 2023 (See Independent Auditor's Report)

	2024	2023
Operating revenues:		
General assessments	\$ -	\$ 30,000
Capital assessments	2,050,000	3,712,803
Water sales	329,790	86,850
Walker grant funding	32,921	-
Farming income	-	22,090
Miscellaneous income	8,055	-
	2,420,766	3,851,743
 Total operating revenues	 2,420,766	 3,851,743
Operating expenses:		
Accounting	20,000	20,127
Audit	6,750	6,250
Bank fees	1,300	1,036
Engineering	2,125	7,875
Depreciation	64,398	65,241
Insurance	58,715	60,498
Legal	20,804	62,114
Legal - water	29,600	42,229
Management services	47,136	59,047
Membership dues	1,241	557
General and administrative	2,433	1,877
Operations	70,916	24,843
Repairs and maintenance	1,589,258	418,474
Augmentation plan accounting	14,708	8,866
Utilities	168,803	44,469
	2,098,187	823,503
 Total operating expenses	 2,098,187	 823,503
 Income from operations	 322,579	 3,028,240
Non-operating revenues:		
Insurance proceeds	1,564,921	399,266
Interest income	133,622	286,457
Total non-operating revenues	1,698,543	685,723
 Change in net position	 2,021,122	 3,713,963
 Net position - beginning of year	 34,858,219	 31,144,256
 Net position - end of year	 \$ 36,879,341	 \$ 34,858,219

(See Notes to Financial Statements)

**Cherry Creek Project Water Authority**

Statements of Cash Flows – Proprietary Fund  
 Years Ended December 31, 2024 and 2023  
 (See Independent Auditor's Report)

	2024	2023
Cash flows from operating activities:		
Cash receipts	\$ 4,943,659	\$ 3,450,576
Cash paid to suppliers	(4,017,072)	(1,510,542)
Net cash provided by operating activities	926,587	1,940,034
Cash flows used by capital and related financing activities:		
Capital acquisitions	(4,479,460)	(4,691,337)
Disposition of Construction in progress	-	3,524
Net cash used by capital and related financing activities	(4,479,460)	(4,687,813)
Cash flows from investing activities:		
Interest and miscellaneous income and net cash provided by investing activities	133,622	286,457
Net decrease in cash and investments	(3,419,251)	(2,461,322)
Cash and investments, beginning	4,909,764	7,371,086
Cash and investments, ending	\$ 1,490,513	\$ 4,909,764

(continued)  
 (See Notes to Financial Statements)

**Cherry Creek Project Water Authority**

Statements of Cash Flows – Proprietary Fund (continued)  
 Years Ended December 31, 2024 and 2023  
 (See Independent Auditor’s Report)

	2024	2023
Reconciliation of operating income to net cash provided by operating activities:		
Operating income	\$ 322,579	\$ 3,028,240
Adjustments to reconcile operating income to net cash provided by operating activities:		
Depreciation	64,398	65,241
Insurance proceeds	1,564,921	399,266
Change in operating assets and liabilities:		
Accounts receivable	957,972	(800,433)
Accounts payable and retainage payable	(1,965,551)	(690,145)
Prepaid insurance	(17,732)	(62,135)
Net cash provided by operating activities	\$ 926,587	\$ 1,940,034
Non-cash capital and related financing activities:		
Capital acquisitions in accounts payable	\$ 207,332	\$ 1,183,233
Construction in progress transferred to capital assets	\$ 19,231,809	\$ 429,063

(See Notes to Financial Statements)

## Cherry Creek Project Water Authority

Notes to Financial Statements  
Years Ended December 31, 2024 and 2023  
(See Independent Auditor's Report)

### 1. Nature of Operations and Summary of Significant Accounting Policies

#### Nature of operations

The Cherry Creek Project Water Authority (the "Authority") is a quasi-municipal corporation and political subdivision of the State of Colorado established under the State of Colorado Special District Act. The Authority was established in October 2005 to participate in the purchase of water rights and associated assets, and the development of additional capital infrastructure including water storage, wells, and other components necessary to develop and deliver the water.

The members of the Authority include Inverness Water and Sanitation District, the Town of Castle Rock, Denver Southeast Suburban Water and Sanitation District and Cottonwood Water and Sanitation District (collectively, the "Members"), all political subdivisions of the State of Colorado. The Authority is managed by a Board of Directors appointed by the Members of the Authority. Voting on Authority matters shall be based upon each Members' percentage of ownership of the water usage, which is initially based upon their contributions and subject to periodic changes based upon the formation agreement of the Authority.

The Authority has no employees and all operation and administrative functions are provided under contract with an outside party.

#### Definition of reporting entity

The Authority follows the Governmental Accounting Standards Board ("GASB") accounting pronouncements which provide guidance for determining which governmental activities, organizations and functions should be included within the financial reporting entity. GASB pronouncements set forth the financial accountability of a governmental organization's elected governing body as the basic criterion for including a possible component governmental organization in a primary government's legal entity. Financial accountability includes, but is not limited to, appointment of a voting majority of the Authority's governing body, ability to impose its will on the organization, a potential for the Authority to provide specific financial benefits or burdens and fiscal dependency.

As required by accounting principles generally accepted in the United States of America, ("GAAP"), these financial statements present the activities of the Authority, which is legally separate and financially independent of other state and local governments. The Authority has no component units as defined by GASB Statement No. 14, *The Financial Reporting Entity* and GASB Statement No. 39, *Determining Whether Certain Organizations are Component Units*.

The Authority is not financially accountable for any other organization.

## Cherry Creek Project Water Authority

Notes to Financial Statements  
Years Ended December 31, 2024 and 2023  
(See Independent Auditor's Report)

### 1. Nature of Operations and Summary of Significant Accounting Policies (continued)

The accounting policies of the Authority conform to GAAP as applicable to governmental units accounted for as a proprietary enterprise fund. The following is a summary of the more significant policies consistently applied in the preparation of financial statements.

#### Basis of Presentation

The government-wide financial statements (i.e. the Statements of Net Position and the Statements of Revenues, Expenses and Change in Net Position) report information on all of the non-fiduciary activities of the Authority. Governmental activities, which normally are supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which rely, to a significant extent, on fees and charges for support.

The Statements of Net Position report all financial and capital resources of the Authority. The difference between the assets and liabilities of the Authority is reported as net position.

#### Measurement Focus, Basis of Accounting and Financial Statement Presentation

The Authority's records are maintained on the accrual basis of accounting. Revenue is recognized when earned and expenses are recognized when the liability is incurred. Depreciation is computed and recorded as an operating expense. Expenditures for property and equipment are shown as increases in assets.

The Authority reports the following major proprietary fund:

Water Project Enterprise Fund: The Water Project Enterprise Fund accounts for operations related to the acquisition and development of water rights. The intent is that the costs of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges.

Proprietary funds distinguish operating revenues and expenses from non-operating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with the proprietary fund's ongoing operations. The principal operating revenues are assessments to other authorities and special authorities to cover related expenses. Operating expenses for proprietary funds include the cost of services, administrative expenses and depreciation of capital assets. All revenues and expenses not meeting this definition are reported as non-operating revenues and expenses or capital contributions.

## Cherry Creek Project Water Authority

Notes to Financial Statements  
Years Ended December 31, 2023 and 2022  
(See Independent Auditor's Report)

### 1. Nature of Operations and Summary of Significant Accounting Policies (continued)

#### Budgets

In accordance with the State Budget Law, the Authority's Board of Directors holds public hearings in the fall each year to approve the budget and appropriate the funds for the ensuing year. The appropriation is at the total fund expenditures level and lapses at year-end. The Authority's Board of Directors can modify the budget by line item within the total appropriation without notification. The appropriation can only be modified upon completion of notification, publication, and public hearing requirements.

#### Cash Equivalents

For purposes of the statement of cash flows, the Authority considers cash deposits, certificates of deposit, and highly liquid investments (including restricted and designated investments) with a maturity of three months or less when purchased, to be cash equivalents.

#### Accounts Receivable

Accounts receivable are shown net of allowance for uncollectibles. Accounts receivable are expensed as bad debts at the time they are determined to be uncollectible.

#### Fair Value of Financial Instruments

The Authority's financial instruments include cash and investments, accounts receivable and accounts payable. The Authority estimates that the fair value of all financial instruments at December 31, 2024 and 2023 does not differ materially from the aggregate carrying values of its financial instruments recorded in the accompanying statements of net position. The carrying amount of these financial instruments approximates fair value because of the short maturity of these instruments.

#### Deposits and Investments

The Authority's cash and investments are considered to be cash on hand and short-term investments with maturities of three months or less from the date of acquisition. Investments for the Authority are reported at fair value.

When both restricted and unrestricted resources are available for use, it is the Authority's policy to use restricted resources first, then unrestricted resources as needed.

## Cherry Creek Project Water Authority

Notes to Financial Statements  
Years Ended December 31, 2024 and 2023  
(See Independent Auditor's Report)

### 1. Nature of Operations and Summary of Significant Accounting Policies (continued)

#### Estimates

The preparation of financial statements in conformity with GAAP requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

#### Debt Authorization

As of December 31, 2024 and 2023, the Authority had no authorized but unissued indebtedness.

#### Capital Assets

Capital assets, which include water rights, wells, and other related items are reported in the Water Project Enterprise Fund in the government-wide financial statements. Capital assets are defined by the Authority as assets with an initial, individual cost of more than \$5,000 and an estimated useful life in excess of two years. Such assets are recorded at historical or estimated historical cost if purchased or constructed. Donated capital assets are recorded at acquisition value at the date of the donation.

The costs of normal maintenance and repairs that do not add to the value of the assets or materially extend the life of the assets are not capitalized. Improvements are capitalized and depreciated over the remaining useful lives of the related capital assets, as applicable using the straight-line method. Improvements that will be conveyed to other governmental entities are classified as construction in progress and are not depreciated.

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

Water wells	50 years
Pipelines	30 years
Modeling	20 years
Master plan	10 years

The Authority has initiated and is under construction of expanding the Walker Reservoir. These costs are currently classified as construction in progress as seen in Note 3. The project was completed in December 2024, with total costs of approximately \$19,200,000 moved from CIP to Capital Assets as of December 31, 2024.

## Cherry Creek Project Water Authority

Notes to Financial Statements  
Years Ended December 31, 2024 and 2023  
(See Independent Auditor's Report)

### 2. Cash and Investments

Cash and investments as of December 31, 2024 and 2023 are classified in the accompanying financial statements as follows:

	<u>2024</u>	<u>2023</u>
Statement of Net Position:		
Cash and investments	\$ 1,490,513	\$ 4,909,764
	<u>\$ 1,490,513</u>	<u>\$ 4,909,764</u>

Cash and investments as of December 31, 2024 and 2023 consist of the following:

	<u>2024</u>	<u>2023</u>
Deposits with financial institutions	\$ (12,347)	\$ 147,573
Investments - COLOTRUST	1,502,860	4,762,191
	<u>\$ 1,490,513</u>	<u>\$ 4,909,764</u>

#### Deposits with Financial Institutions

The Colorado Public Deposit Protection Act (PDPA) requires that all units of local government deposit cash in eligible public depositories. Eligibility is determined by state regulators. 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 for all the uninsured public deposits as a group is to be maintained by another institution or held in trust. The market value of the collateral must be at least 102% of the aggregate uninsured deposits.

The State Commissioners for banks and financial services are required by statute to monitor the naming of eligible depositories and reporting of the uninsured deposits and assets maintained in the collateral pools.

As of December 31, 2024, the Authority's cash deposits had a bank balance of \$99,148 and a carrying balance of \$(12,347). As of December 31, 2023, the Authority's cash deposits had a bank balance and carrying balance of both \$147,573.

#### Investments

The Authority has not adopted a formal investment policy; however, the Authority follows state statutes regarding investments. Colorado statutes specify the types of investments meeting defined rating and risk criteria in which local governments may invest. These investments include obligations of the United States and certain U.S. Government agency entities, certain money market funds, guaranteed investment contracts, and local government investment pools.

## Cherry Creek Project Water Authority

Notes to Financial Statements  
Years Ended December 31, 2024 and 2023  
(See Independent Auditor's Report)

### 2. Cash and Investments (continued)

#### Investment Valuation

Certain investments are measured at fair value 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. The Authority's investment is not required to be categorized within the fair value hierarchy. This investment's value is calculated using the net asset value method (NAV) per share.

#### Interest Rate Risk

Colorado revised statutes limit investment maturities to five years or less unless formally approved by the Board of Directors.

As of December 31, 2024 and 2023, the Authority had the following investment:

#### COLOTRUST

The Authority invested in the Colorado Local Government Liquid Asset Trust ("COLOTRUST" or the "Trust"), an investment vehicle established for local government entities in Colorado to pool surplus funds. The State Securities Commissioner administers and enforces all State statutes governing the Trust. The Trust operates similarly to a money market fund and each share is equal in value to \$1.00. The Trust offers shares in two portfolios, COLOTRUST PRIME and COLOTRUST PLUS+. Both portfolios may invest in U.S. Treasury securities and repurchase agreements collateralized by U.S Treasury securities. COLOTRUST PLUS+ may also invest in certain obligations of U.S government agencies, highest rated commercial paper and any security allowed under CRS 24-75-601. A designated custodial bank serves as custodian for the Trust's portfolios pursuant to a custodian agreement. The custodian acts as a safekeeping agent for the Trust's investment portfolios and provides services as the depository in connection with direct investments and withdrawals. The custodian's internal records segregate investments owned by the Trust. COLOTRUST is rated AAAM by Standard & Poor's. COLOTRUST records its investments at fair value and the District records its investment in COLOTRUST at net asset value as determined by fair value. There are no unfunded commitments, the redemption frequency is daily, and there is no redemption notice period. As of December 31, 2024 and 2023, the Authority had \$1,502,860 and \$4,762,191 invested in COLOTRUST, respectively.

#### Custodial and Concentration of Credit Risk

None of the Authority's investments are subject to custodial or concentration of credit risk.

## Cherry Creek Project Water Authority

### Notes to Financial Statements Years Ended December 31, 2024 and 2023 (See Independent Auditor's Report)

### 3. Capital Assets

An analysis of changes in capital assets for the years ended December 31, 2024 and 2023 is as follows:

Business Type Activities	Balance December 31, 2023	Additions	Deletions	Balance December 31, 2024
Capital assets not being depreciated:				
Water rights	\$ 14,748,748	\$ -	\$ -	\$ 14,748,748
Real estate	921,076	-	-	921,076
Construction in progress	14,910,266	4,686,792	19,231,809	365,249
Total capital assets not being depreciated	<u>30,580,090</u>	<u>4,686,792</u>	<u>19,231,809</u>	<u>16,035,073</u>
Capital assets being depreciated:				
Water wells	1,109,040	3,902,307	-	5,011,347
Pipelines	149,681	1,229,768	-	1,379,449
Walker Reservoir	-	14,036,097	-	14,036,097
Modeling	140,380	63,637	-	204,017
Master plan	279,333	-	-	279,333
Total capital assets being depreciated	<u>1,678,434</u>	<u>19,231,809</u>	<u>-</u>	<u>20,910,243</u>
Less:				
Accumulated depreciation	<u>723,454</u>	<u>64,398</u>	<u>-</u>	<u>787,852</u>
Net capital assets being depreciated	<u>954,980</u>	<u>19,167,411</u>	<u>-</u>	<u>20,122,391</u>
Business type assets, net	<u>\$ 31,535,070</u>	<u>\$ 23,854,203</u>	<u>\$ 19,231,809</u>	<u>\$ 36,157,464</u>

## Cherry Creek Project Water Authority

### Notes to Financial Statements Years Ended December 31, 2024 and 2023 (See Independent Auditor's Report)

#### 3. Capital Assets (continued)

<u>Business Type Activities</u>	Balance December 31, 2022	Additions	Deletions	Balance December 31, 2023
Capital assets not being depreciated:				
Water rights	\$ 14,443,987	\$ 304,761	\$ -	\$ 14,748,748
Real estate	921,076	-	-	921,076
Construction in progress	9,468,285	5,874,570	432,589	14,910,266
Total capital assets not being depreciated	<u>24,833,348</u>	<u>6,179,331</u>	<u>432,589</u>	<u>30,580,090</u>
Capital assets being depreciated:				
Water wells	1,047,958	61,082	-	1,109,040
Pipelines	149,681	-	-	149,681
Modeling	140,380	-	-	140,380
Master plan	216,111	63,222	-	279,333
Total capital assets being depreciated	<u>1,554,130</u>	<u>124,304</u>	<u>-</u>	<u>1,678,434</u>
Less:				
Accumulated depreciation	<u>658,213</u>	<u>65,241</u>	<u>-</u>	<u>723,454</u>
Net capital assets being depreciated	<u>895,917</u>	<u>59,063</u>	<u>-</u>	<u>954,980</u>
Business type assets, net	<u>\$ 25,729,265</u>	<u>\$ 6,238,394</u>	<u>\$ 432,589</u>	<u>\$ 31,535,070</u>

Depreciation expense was approximately \$64,400 and \$65,200, respectively for the years ended December 31, 2024 and 2023.

## Cherry Creek Project Water Authority

Notes to Financial Statements  
Years Ended December 31, 2024 and 2023  
(See Independent Auditor's Report)

### 4. Net Position

The Authority has net position consisting of three components – net investment in capital assets, restricted, and unrestricted.

Net investment in capital assets consists of capital assets, net of accumulated depreciation and reduced by any outstanding balance of debt that is attributable to the acquisition, construction, or improvement of those assets. The Authority's net investment in capital assets as of December 31, 2024 and 2023 totaled \$36,157,464 and \$31,535,070, respectively.

Restricted net position consists of assets that are restricted for use either externally imposed by creditors, grantors, contributors, or laws and regulations of other governments or imposed by law through constitutional provisions or enabling legislation. The Authority did not have a restricted net position as of December 31, 2024 and 2023.

The Authority's unrestricted net position as of December 31, 2024 and 2023 was \$721,877 and \$3,323,149, respectively.

### 5. Authority Agreements

#### Water Project Agreement

The Members entered into a Water Project Agreement and Authority formation agreement on October 14, 2005. This agreement outlines the purpose of the Authority and details the phases of the project in order to complete the development of the 2,000 acre-feet water yield. The agreement also includes the process to complete the purchase of the Cherry Creek Project capital assets from the Western Water Company. The Members agreed to make contributions in order to complete this purchase with initial contributions of \$14,000,000 made by the Members. The agreement states that voting rights and annual cost sharing will be based upon the percentage ownership in the water usage, which is initially determined based upon the initial contributions. This formation agreement was amended in 2008 to update member ownership percentages and to clarify other terms.

During 2024 and 2023, the Members were assessed \$0 and \$30,000, respectively, to cover the Authority's operating expenditures and were assessed \$2,050,000 and \$3,712,803, respectively, for capital improvements.

## **Cherry Creek Project Water Authority**

Notes to Financial Statements  
Years Ended December 31, 2024 and 2023  
(See Independent Auditor's Report)

### **5. Authority Agreements (continued)**

#### Asset Purchase Agreement

The Authority entered into an asset purchase agreement with Western Water Company ("Seller") on October 14, 2005. This agreement resulted from the successful bid placed by the Authority at a bankruptcy auction for the Seller's "Cherry Creek Project" assets. The purchased assets include water rights, land, water wells, storage rights and other related assets. The Authority also assumed some related lease liabilities. The Authority paid \$14,000,000 for these assets and closed the purchase on November 17, 2005.

#### Land Purchase and Sale Agreement

On March 30, 2015, the Authority entered into a Purchase and Sale agreement with Meritage Homes of Colorado, subsequently amended on June 29, 2016 and September 1, 2016. The Authority agreed to sell a fee simple interest in approximately 90 acres of real estate for the purchase price of \$7,250,000. The sale closed in June 2018 with the receipt of approximately \$7,249,100, net of fees, by the Authority. A gain of approximately \$5,926,500 was recognized on the sale. In December 2019, the Authority approved a distribution of approximately \$5,948,700 to the Members for their respective allotment of the sale proceeds and related interest earned. In August 2022, the Authority approved a distribution of approximately \$1,545,466 to the remaining Member for their respective allotment of the sale proceeds and related interest earned.

### **6. Insurance Proceeds**

During the year ended December 31, 2023, the Authority was awarded insurance proceeds totaling \$399,266 related to damages incurred from a flood event. During the year ended December 31, 2024, the Authority was awarded additional insurance proceeds totaling \$1,564,921 related to damages incurred from the same flood event. The proceeds were recognized as income in the financial statements. The repair costs incurred were expensed as they do not extend the useful life or enhance the value of the property.

### **7. Tax, Spending, and Debt Limitations**

Article X, Section 20 of the Colorado Constitution, commonly known as the Taxpayer's Bill of Rights (TABOR), contains tax, spending, revenue, and debt limitations which apply to the State of Colorado and all local governments.

Enterprises, defined as government-owned businesses authorized to issue revenue bonds and receiving less than 10% of annual revenue in grants from all state and local governments combined, are excluded from the provisions of TABOR.

## **Cherry Creek Project Water Authority**

Notes to Financial Statements  
Years Ended December 31, 2024 and 2023  
(See Independent Auditor's Report)

### **7. Tax, Spending, and Debt Limitations (continued)**

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.

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.

The Authority's management believes it is in compliance with the provisions of TABOR. However, TABOR is complex and subject to interpretation. Many of the provisions, including the interpretation of how to calculate Fiscal Year Spending limits and qualification as an Enterprise will require judicial interpretation.

### **8. Risk Management**

The Authority is exposed to various risks of loss related to thefts of, damage to, or destruction of assets, errors or omissions, injuries to employees, or acts of God.

The Authority is a member of the Colorado Special Districts Property and Liability Pool (the "Pool"). The Pool is an organization created by intergovernmental agreement to provide property, liability, public officials liability, boiler and machinery and workers compensation coverage to its members. Settled claims have not exceeded this coverage in any of the past three fiscal years.

The Authority pays annual premiums to the Pool for liability, property and public officials liability coverage. In the event aggregated losses incurred by the Pool exceed amounts recoverable from reinsurance contracts and funds accumulated by the Pool, the Pool may require additional contributions from the Pool members. Any excess funds which the Pool determines are not needed for purposes of the Pool may be returned to the members pursuant to a distribution formula.

Supplemental Information  
(See Independent Auditor's Report)

## Cherry Creek Project Water Authority

### Schedule of Revenues, Expenses and Change in Fund Balance – Budget and Actual (Budgetary Basis) – Water Project Enterprise Fund Year Ended December 31, 2024 (See Independent Auditor’s Report)

	Original and Final Budget	Actual	Variance Positive (Negative)
<b>Revenues:</b>			
General assessments	\$ -	\$ -	\$ -
Capital assessments	4,850,000	2,050,000	(2,800,000)
Water sales	580,000	329,790	(250,210)
Farming income	5,000	0	(5,000)
Insurance proceeds	-	1,564,921	1,564,921
Interest and miscellaneous income	40,000	141,677	101,677
Walker grant funding	80,000	32,921	(47,079)
Total revenues	5,555,000	4,119,309	(1,435,691)
<b>Expenses:</b>			
Accounting	26,000	20,000	6,000
Audit	7,500	6,750	750
Augmentation plan accounting	30,000	14,708	15,292
Bank fees	1,500	1,300	200
Capital expenditures	9,040,000	4,686,792	4,353,208
Engineering	25,000	2,125	22,875
General and administrative	1,750	2,433	(683)
Insurance	65,000	58,715	6,285
Legal	55,000	20,804	34,196
Legal - water	60,000	29,600	30,400
Management	50,000	47,136	2,864
Membership dues	1,500	1,241	259
Operations	30,000	70,916	(40,916)
Repairs and maintenance	20,000	1,589,258	(1,569,258)
Utilities	550,000	168,803	381,197
Total expenses	\$ 9,963,250	6,720,581	\$3,242,669
Excess of expenses over revenues		(2,601,272)	
Beginning funds available		3,323,149	
Ending funds available		\$ 721,877	
<b>Funds available are defined as follows:</b>			
Current assets		\$ 1,609,547	
Less current liabilities		(887,670)	
		\$ 721,877	

## Cherry Creek Project Water Authority

Reconciliation of Revenues and Expenses (Budgetary Basis)  
To Statement of Revenues, Expenses, and Change in Net Position  
Year Ended December 31, 2024  
(See Independent Auditor's Report)

Revenue (Budgetary Basis)	<u>\$ 4,119,309</u>
Total Revenue per Statements of Revenues, Expenses and Change in Net Position	\$ 4,119,309
Expenses (Budgetary Basis)	\$ 6,720,581
Capital expenditures	(4,686,792)
Depreciation	<u>64,398</u>
Total Expenses per Statement of Revenues, Expenses and Change in Net Position	<u>2,098,187</u>
Change in Net Position per Statement of Revenues, Expenses, and Change in Net Position	<u>\$ 2,021,122</u>