

UPPER BLACK SQUIRREL CREEK GROUND

WATER MANAGEMENT DISTRICT

REGULAR MEETING MINUTES

January 5th, 2016

The January meeting of the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District was called to order Tuesday, January 5th, 2016 at 6:01 P.M., at the District Office, 520 Colorado Avenue, C., Calhan, CO by President Booker, and determined that a quorum was present.

Board Members in Attendance: President Donald Booker, Vice-President J.R. Bond,
Secretary Mark Greeley

Absent: Treasurer Mick Stine

Others in Attendance: John Hill, Dan Farmer, Art Sintas, Jeremy Baker, Dave Doran,
Lisa Thompson (via Phone conference), Tracy Doran,
Joseph Camire

PUBLIC NOTICE OF THE MEETING WAS POSTED

1. Agenda for January 5th, 2016:

Director Greeley motioned to approve the agenda with the addition of #8 in New Business for Water Well Permit Application for Clyde Trees. Director Bond seconded the motion. Motion carried (3-0)

2. Minutes for December 1st, 2015 Meeting:

Director Greeley motioned to approve the December 1st, 2015 minutes as written. Director Bond seconded the motion. Motion carried (3-0)

3. Treasurer's Report & Any Bills Needing Board Approval:

Tracy Doran reported on the income and expenses for the month of December. Director Bond motioned to accept the December treasurer report and pay the November attorney bill of \$7,861.52 and account bill for \$500.00 to finish the 2016 budget. Director Greeley seconded the motion. Motion passed (3-0)

4. Sunshine Law

A. Meetings to be held the first Tuesday of every month at 7:00 PM or at a time designated by the Board at 520 Colorado Avenue, C, Calhan, CO or at a location designated by the Board of Directors.

B. Agendas to be posted on the front door of the District Office located at

520 Colorado Avenue, Suite C, Calhan, Co and on the District's web site
www.upperblacksquirrelcreekwater.com

- C. **The minutes and records of the meetings to be retained at the District Office located at 520 Colorado Avenue, Suite C, Calhan, Co and will be made available on the District's web site after approval.**

OLD BUSINESS:

1. Cherokee Metro & Meridian Service Metro/Replacement Plan:

No updates to report on this item.

2. Cherokee Case No. 14CW3061:

Ms. Thompson reported that this is the Cherokee Denver Basin application for water outside the district that we are monitoring mostly, we had requested certain water sources for augmentation be removed and we have just been supplied the latest proposed decree and will be reviewing that and will be commenting back to Cherokee.

3. Cherokee Wells 1-8/Case No. 15GW15:

Attorney Thompson reported that Cherokee has filed a complaint for Declaratory Judgment before the Colorado Ground Water Commission seeking a determination for the use of their wells 1-8, we have filed an answer to that complaint, as did the Commission staff. Ms. Thompson believes there were other opposer's that filed oppositions. Ms. Thompson further advised that this case will be set for Hearing.

4. Woodmen Hills Replacement Plan/Case No. 03GW20:

Attorney Thompson reported that Woodmen Hills has submitted an underdrain and Replacement Plan application. Ms. Thompson reported that it will be set for Hearing and the Status Conference is January 26, 2016 with the Hearing Officer. Discussion followed.

5. Ground Water Contamination Study:

President Booker reported that there are no updates on this and that we are still waiting for the final version from USGS.

6. Meridian Surface Water Application/Case Nos.

**12GW10/10CW95/13CV31263/14SA302/Meridian Underdrains/Case No. 14GW02:
Meridian Surface Water Application Case No 14SA302:**

Attorney Thompson reported this has been completed.

Case No. 14GW02/15GW14 Underdrains:

Attorney Thompson reported that they had a setting conference this morning and the Hearing is set for the Underdrain and Replacement Plan for February 6th through the 10th, 2017. Discussion followed on dates for Case Management. Ms. Thompson reported that Meridian has a new attorney named Bill Paddock, and Wayne Schroder is no longer the attorney on this case. Discussion followed that because he is new to the case he needed more time to look over the case, and has 60 days to decide if they will amend the application.

7. Goss:

Attorney Thompson reported that there were no updates on this item.

8. Case No. 15GW08/Application for Change in type and Place of Use (Export) for Well Permit Nos. 27571-FP & 27572-FP:

Attorney Thompson reported that there is a 3 day Hearing set for July 11th, 2016 and expert reports are due January 19th, 2016.

9. Blue Springs Ponds:

Ms. Thompson reported that we are still waiting for Chris Grimes report. Ms. Thompson reported that she has put in a call to Chris but has not heard back from him yet.

10. De Novo Legislation:

Attorney Thompson reported that at first there was no opposition, but similar to last year there may be some opposition to this now. Ms. Thompson reported that Lost Creek has hired a lobbyist. Ms. Thompson reported that she would like to be able to attend some of the Water Congress meetings, as she has heard there are some additional Ground Water Bills that are being drafted. The Board stated that they did not have a problem with her attending and she will update the Board on those meetings.

11. Water Quality Control Commission/Regulation 42/TDS:

President Booker reported that there are three stakeholder meetings planned. The first will be February 11th, 2016 in Monument at the Town of Monument Board Room, 645 Beacon Lite Road, from 9 to noon. President Booker reported that Cherokee would like to lower the TDS standards for their Waste Water Treatment Facility. Attorney Thompson reported that what Cherokee is asking for at the Hearing in August 2016 is a Site Specific change in the TDS, and the site is basically the Upper Black Squirrel Basin. They are going to ask to change it from 400ml/g to 500 or 600 ml/g, we are not sure of that number yet. The Water Quality Control Commission has required Cherokee to hold stakeholder meetings in January, February and March, and at the end of March submit their official proposal of what they are asking for. Then the Hearing will be in August 2016. Ms. Thompson reported that the stakeholder meetings are a great way to get information. Ms. Thompson reported that this could potentially set a precedent for all Management Districts, and is a critical issue. Attorney Thompson requested the approval of using Bob Longenbaugh to help us prepare for and possibly provide some testimony at the August Hearing. Discussion followed with Mr. Farmer on sharing Mr. Longenbaugh. Director Greeley motioned to allow Bob Longenbaugh to officially represent both the Farmers and the Upper Black Squirrel Creek GWMD in preparation for and at the August 2016 Water Quality Control Commission Hearing. Director Bond seconded the motion. Motion carried (3-0) President Booker asked Tracy to call Julia to fill her in. Discussion continued on the stakeholder meetings. President Booker reported that the meetings are open to the public. Dan Farmer asked if the meetings could be some place in the district or some place in the Springs. Discussion followed on neutral locations.

NEW BUSINESS:

1. Election 2016:

President Booker reported that we will not be having an election. Mrs. Doran reported that we only had one qualifying petition for each district turned in; there were not more candidates for directors than offices to be filled, including candidates filing affidavits so the election was cancelled. President Booker reported that Mr. Hunker resigned his post in

District 4, and he talked to Mick Stine from District 2 and he will not be able to continue. President Booker reported that he was supposed to turn in his resignation but has not done that. President Booker recommends that the Board approve Tracy write him a letter thanking him for what he did do and that we need to fill his post, and we need to publish in the Ranchland that we have two districts that need to be filled for District 2 & 4 and to send in their resumes for the Board to review. President Booker would like to have those appointments sworn in at the February meeting. Director Bond motioned to approve Tracy to publish in the Ranchland for the vacancies in District 2 & 4 and to write Mick Stine a letter of thank you and that we will be filling his post. Director Greeley seconded the motion. Motion carried (3-0) President Booker stated that if anyone is interested in these districts to let us know. Attorney Thompson reported that Mr. Hunker sent in a letter withdrawing his petition.

2. **Water Well Permit Application/Kim A & Kim R Welsh:**

The Board reviewed and discussed the Welsh application. Director Greeley motioned to approve the application for 1 acre foot, not the 3 acre foot they asked for. Director Bond seconded the motion. Motion carried (3-0)

3. **Water Well Permit Application/Clint & Jennifer Dillie:**

The Board reviewed and discussed the Dillie application. Director Bond motioned to approve the application if the applicant fills in the acre foot amount, which is 1 acre foot, if that change is made the Board will have no problem with it. Director Greeley seconded the motion. Motion carried (3-0) Director Bond will call the Dillie's and ask them about their irrigation well.

4. **Monitoring/Observation Water Well Permit Application/Woodmen Hills Metropolitan District:**

The Board discussed and reviewed the Monitoring/Observation water well for Woodmen Hills. Attorney Thompson noted that we have asked for a statement to be put on the monitoring well permits applications of other Metropolitan Districts and we should do the same for these. Director Greeley motion to approve the application for Woodmen Hills Monitoring/Observation well and to ask the State to put the following statement on the permit "Records of any water level measurements and water quality analyses shall be maintained by the well owner and submitted to the Upper Black Squirrel Creek Ground Water Management District and the Division of Water Resources upon request". Director Bond seconded the motion. Motion carried (3-0)

5. **Water Well Permit Application?Rober Hosmer:**

The Board reviewed the application for Robert Hosmer. Director Greeley motioned to approve the Hosmer application. Director Bond seconded the motion. Motion carried (3-0)

6. **El Paso County Review/Riddle Rezone:**

The Board discussed the Riddle rezone and took no action.

7. **State Engineer Office/Application of Mid-Colorado Investment, to Increase the Land Area Served by the Well with Permit Nos. 27745-FP, 27746-FP and 49185-F:**

The Board discussed the application of Mid-Colorado Investment to increase the land area served by the wells with permit nos. 27745-FP, 27746-FP, and 49185-F. The Board needs more information, and needs to know what area they want to increase; none of that

information was included in the application sent to the district. The Board directed Attorney Thompson to take a look at the application and if it is in compliance with the well permits and rules. Tracy Doran will forward the information that is in the files to Attorney Thompson for her review.

8. Water Well Permit Application/Clyde Trees:

The Board reviewed the Clyde Trees application. Director Greeley motion to approve the application if the applicant changes the aquifer from alluvium to Denver, as alluvium would not be allowed. Director Bond seconded the motion. Motion carried (3-0)

ANY OTHER BUSINESS THE BOARD MAY HAVE:

NA

VISITOR INPUT:

Dan Farmer asked if there was any response on the interaction with the other Management Districts on meeting before or after the Commission meeting. President Booker said we had and that they liked the idea. Mrs. Doran reported that the ones that responded would like to do it after the Commission meeting. President Booker reported we could send out a reminder letter and to ask them what they would like to discuss. Discussion followed that the next Commission meeting will be in Denver, so we would have to look for a different location to meet.

EXECUTIVE SESSION:

NA

EXECUTIVE SESSION REPORT:

NA

ADJOURNMENT:

President Booker called for the meeting to be adjourned.

There being no further business before the Board at this time Director Greeley made a motion to adjourn the meeting. Director Bond seconded the motion. Motion carried (3-0)

The meeting adjourned at 7:05 P.M.

Respectfully submitted,
Tracy Doran/Office Manager