

UPPER BLACK SQUIRREL CREEK GROUND

WATER MANAGEMENT DISTRICT

REGULAR MEETING MINUTES

October 10th, 2016

The October meeting of the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District was called to order Monday, October 10th, 2016 at 5:36 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 Dave Doran, Treasurer Mark Greeley

Others in Attendance: George Schubert, Dave Elliott, Lisa Thompson, John Hill, Tracy Doran

PUBLIC NOTICE OF THE MEETING WAS POSTED

1. Agenda for October 10th, 2016:

Director Bond motioned to approve the agenda with the additions for New Business, #7 Mattson well permit application, and #8 Farlin well permit application, and an executive session for Meridian and Woodmen. Director Greeley seconded the motion. Motion carried (4-0)

2. Minutes for September 6th, 2016 Meeting:

Director Doran motioned to approve the minutes for September 6th, 2016. Director Bond seconded the motion. Motion carried (4-0)

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

Treasurer Greeley went over the income and expenses. Discussion followed on the expenses. Treasurer Greeley motioned to approve the September treasurer report and pay the attorney bill of \$19, 255.82, Accountant bill for \$1500.00, Martin & Wood Engineering bill for \$4,665.10, and HRS engineering bill for \$30,965.37. Director Bond seconded the motion. Motion carried (4-0)

OLD BUSINESS:

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

Attorney Thompson reported that there are no updates on this.

2. Cherokee Water Court Case No. 14CW3061:

Attorney Thompson updated the Board and reported that it is scheduled for Hearing late October 2017. Discussion followed on deadlines.

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

Attorney Thompson advised that the Hearing is scheduled in March 2017. Director Doran began a discussion with the Board on bypassing the Commission on Hearings and going straight to District Court on cases to avoid one step in the process and as a cost saving measure, how that process would work, and what would have to happen.

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

Attorney Thompson advised that the Hearing Officer granted Woodmen Hills Motion to republish, and the Hearing has been postponed to December 4th, 2017, and there are new deadlines.

5. Meridian Ground Water Commission Case No. 15GW14/ Replacement Plan :

Attorney Thompson reported that the Hearing is scheduled for February 6th, 2017 for 5 days. Ms. Thompson advised that the District, Booker Trust, and the Farmer Family filed a Motion to postpone because Meridian also has additional items and it should be rescheduled. Ms. Thompson advised that we should get a ruling from the Hearing Officer in a few weeks on this.

6. Goss:

Attorney Thompson reported that she checked in with Keith and the State only requires records in January, and the District can check the well and ask for readings. Discussion followed.

7. Cherokee-Albrecht 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 we settled with Cherokee on the Change Case. Ms. Thompson reported that she drafted a letter to Cherokee laying out the process step by step, and will send it out to Cherokee's counsel with the Board's consent. The Board agreed to send the letter to Cherokee. The Board discussed the process and Hearing with Ms. Thompson.

8. Blue Springs Ponds:

Attorney Thompson reported that a number of the ponds have been breached, and that there has been some resistance to others. Ms. Thompson reported that there will be a site visit in November. The Board asked Mrs. Doran to send Mr. Grimes a letter informing him that a couple of the Board members would like to attend this site visit as well.

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

Attorney Thompson reported that she will be attending the WQCC tomorrow as the draft version goes before the Commission and is supposed to be approved.

10. Ground Water Contamination Study:

Director Doran reported that we are waiting on the County Commissioner's to see if they want to continue this study, but thinks we should put some money aside for this. Discussion followed.

NEW BUSINESS:

1. Proposed 2017 Budget:

The Board reviewed the draft budget and will leave the figures as they are. The Board will schedule the Hearing for November 1st, 2016.

2. Schubert Ranches Inc Application for underground Water Right in the Denver Basin/Water Court:

The Board discussed the application, it is out of the district but adjacent to the district. The Board took no action.

3. Water Well Permit Application/Christian:

The Board reviewed the application. Director Doran motioned to approve the Christian application. Director Bond seconded the motion. Motion carried (4-0)

4. Water Well Permit Application/Redabaughs:

Director Doran motioned to approve the Redabaughs application for .5 acre feet. Director Bond seconded the motion. Motion carried (4-0)

5. Water Well Permit Application/Harris:

The Board reviewed the Harris application. Director Doran motioned to approve the Harris application upon clarification on the acre feet amount. Discussion followed on subdivision rules. Director Doran's motioned died. Director Bond motioned to deny the Harris's application pending clarification of the filing and the correct appropriate aquifer. Director Greeley seconded the motion. Motion carried (4-0)

6. El Paso County Review/Barnett Kennel:

The Board took no action on the Barnett Kennel. Discussion followed.

7. Water Well Permit Application/Mattson:

The Board discussed the application. The board advised Mrs. Doran to write the State and clarify that they can only have 2 homes and they will need to be metered and turn in monthly meter readings as they are a 107 permit.

8. Water Well Permit Application/Farlin:

The Board reviewed the application and discussed determination of water rights, he would be allowed the Denver Basin aquifer, but Mitch Albrecht owns the water rights for the Arapahoe and Laramie Fox Hills aquifers, so if the well goes dry and they need to drill deeper into one of those aquifers they would have to get it from Mr. Albrecht. Discussion followed. Director Doran motioned to deny approval until they can prove property ownership, and that the State makes a note that they cannot get water in the Arapahoe and the Laramie Fox Hills as those aquifers are owned by another. Director Bond seconded the motion. Motion carried (4-0)

ANY OTHER BUSINESS THE BOARD MAY HAVE:

The Board continued their discussion with Dave Elliott and asked about conflicts of interests. Director Greeley motioned to approve Dave Elliott for District 4. Director Bond seconded the motion. Motion carried (4-0)

Mr. Elliott will need to be sworn in at the November meeting.

VISITOR INPUT:

George Schubert started a discussion on the grow houses in the valley and what is being done about them.

EXECUTIVE SESSION:

Please take notice that Attorney Thompson pursuant to C.R.S. §24-6-402(4) (b) (e), is requesting an executive session with the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District during its regular meeting scheduled on Monday, October 10th, 2016, regarding the following matters:

1. Meridian Ranch & Woodmen Hills

Director Bond motion to go into executive session to discuss Meridian Ranch & Woodmen Hills at 7:48 PM. Director Greeley seconded the motion. Motion carried (4-0)

Director Bond motioned to come out of executive session at 8:17 PM and back into regular session. Director Greeley seconded the motion. Motion carried (4-0)

EXECUTIVE SESSION REPORT:

No action taken

ADJOURNMENT:

President Booker called for the meeting to be adjourned.

There being no further business before the Board at this time Director Doran made a motion to adjourn the meeting. Director Greeley seconded the motion. Motion carried (4-0)

The meeting adjourned at 8:19 P.M.

Respectfully submitted,
Tracy Doran/Office Manager