

**UPPER BLACK SQUIRREL CREEK GROUND
WATER MANAGEMENT DISTRICT
REGULAR MEETING MINUTES
October 3rd, 2017**

The **October** meeting of the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District was called to order **Tuesday, October 3rd, 2017 at 5:35 P.M.**, at the District Office, 520 Colorado Avenue, C, Calhan, CO by President Donald Booker, and determined a quorum was present.

Board Members in Attendance: President Donald Booker, Vice-President JR Bond, Treasurer Mark Greeley, Secretary Dave Doran, Director Dave Elliott (arrived at 6:45 p.m.)

Board Members Absent:

Others in Attendance: John Hill, Jonathan Smith, Dan Farmer, Jarod Farmer, Tracy Doran, Attorney Lisa Thompson via phone

PUBLIC NOTICE OF THE MEETING WAS POSTED

President Booker opened the meeting and called for approval or amendments to the agenda.

1. Agenda for October 3rd, 2017:

Director Doran motioned to approve the agenda with the following additions: add executive session for Woodmen Hills and pending cases. Under New Business #14 Francis, #15 El Paso County Review for Waterbury Phase 2. Director Bond seconded the motion. Motion carried (4-0)

2. Minutes for September 5th, 2017:

Director Bond motioned to approve the September 5th, 2017 minutes. Director Greeley seconded the motion. Motion carried (4-0)

3. Treasurer Report & Any Bills Needing Board Approval:

Treasurer Greeley reported on the income and expenses and motioned to pay the attorney bill for \$11,039.30, Engineering bill for \$1,032.00 and Board Insurance for \$3,098.00. Director Bond seconded the motion. Motion carried (4-0)

OLD BUSINESS

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

There were no updates on this item.

2. Cherokee Case No. 14CW3061/Denver Basin Augmentation in Water Court:

Attorney Thompson reported that we are waiting for the Water Court Judge to sign.

3. A. Woodmen Hills Case No. 03GW20/Replacement Plan:

Attorney Thompson advised that we will be discussing this in executive session this evening. Ms. Thompson informed the Board that a hearing is set for 5 days in December and of dates for the exhibit lists, and other pre-hearing deadlines before the Hearing.

B. Ground Water Commission No Case No. Assigned: Woodmen Hills Application to Change Type of Use of Guthrie Wells:

There were no updates on this item.

C. El Paso County, Woodmen Hills Metropolitan District's Application to Upgrade Regional Water Reclamation Facility:

There were no updates on this item.

4. Meridian Ranch Case No. 15GW14:

Attorney Thompson reported that this case has been finalized and we have an Order from the Hearing Officer but there are two cases related to this case and this case can come off the agenda and add the other items to Old Business.

A. Application to Include New Recharge Structure:

Attorney Thompson informed the Board that Ground Water Commission Staff had returned it to Meridian and we are waiting for the new publication.

B. Variance Request:

Attorney Thompson stated that she has not heard back from their attorney recently.

C. Ground Water Commission, Case No. 16GW05/Meridian's Petition for Determination of Jurisdiction over Surface Water Within the UBS District:

This will be discussed at the November Ground Water Commission meeting.

5. Blue Springs Ponds:

There were no updates to report on this item.

6. Ground Water Contamination Study:

Director Doran reported that there was an email from Tim Wolken and they are trying to find a County Liaison to take Elaine Kleckner's spot as she has left the County. Director Doran further informed the Board that he had gotten a call from Mark Gebhardt of El Paso County that they are doing a long-term Water Feasibility Study and they would like Upper Black Squirrel to be a part of that. Discussion followed.

7. Legislation:

a. Ground Water Commission Rule 7.4:

Attorney Thompson apprised the Board on the Rule change, which is to prevent a well from increasing depletions of designated ground water beyond the well's historic depletions when changing the description of irrigated acres allowed to be irrigated by the well. Attorney Thompson recommended based on the summary she submitted to the Board for review filing for party status and submit written clarifications, stay involved. Discussion followed on what this proposed change will mean. There was

further discussion about filing for Party Status by October 9th and that the Board needs to decide what their position will be. President Booker will contact the Board members and let Lisa know what their position is.

Attorney Thompson reported that she had gotten a call from Northern High Plains attorney Management District and they are considering wanting to do a legislative change to increase the assessment amount in the Statute. Attorney Thompson thinks currently it is 15¢ per acre-feet, and they want to increase it, maybe double it. She would like the Board to discuss and give it some thought. There is not a draft bill. Ms. Thompson noted that they collect most of their revenue from assessments. Ms. Thompson said that maybe at the next Board meeting the Board can give their thoughts on this.

NEW BUSINESS

1. 2018 Draft Budget/Set Budget Hearing:

The Board reviewed the 2018 draft budget and did not have any changes. Director Bond motioned to set the Budget Hearing for Tuesday, November 7th, 2017 at 5:30 p.m..

Director Greeley seconded the motion. Motion carried (5-0)

2. Appoint Designated Election Official/Location:

Director Bond motioned to appoint Tracy Doran as the Designated Election Official and to set the polling place at the District Office located at 520 Colorado Avenue, C, Calhan, CO.

Director Greeley seconded the motion. Motion carried (5-0)

3. Registering an Existing Well/Kernan:

The Board reviewed the request. Director Bond motioned to approve the Kernan application to register and existing well. Director Greeley seconded the motion. Motion carried (5-0)

4. Water Well Permit Application/Maas:

The Board reviewed the application. Director Doran motioned to approve the Maas application. Director Greeley seconded the motion. Motion carried (5-0)

5. Water Well Permit Application/Culp:

The Board reviewed the application. Director Bond motioned to have the Culp's make the needed changes on their application to comply with their subdivision supply letter which allows them .55 acre-feet in the Dawson, 3200 sq. feet of irrigation and 4 large animals, and one single family dwelling. If those changes are made on their application to be consistent with their subdivision supply letter the Board will approve. The Board would also like a notation made on the well permit that there is limited availability of the Dawson in that area. Director Greeley seconded the motion. Motion carried (5-0)

6. Water Well Permit Application/Maya's:

The Board reviewed the application. Director Bond motioned to approve the Maya's application. Director Doran seconded the motion. Motion carried (5-0)

- 7. Water Well Permit Application/Barnes:**
The Board reviewed the application. Director Bond motioned to approve the Barnes application. Director Doran seconded the motion. Motion carried (5-0)
- 8. Water Well Permit Application/Hoops:**
The Board reviewed the application. Director Bond motioned to approve the Hoops application. Director Greeley seconded the motion. Motion carried (5-0)
- 9. Water Well Permit Application/Pierce's:**
The Board reviewed the application. The Board noted that this is a pre-72 subdivision and that it is a new well permit and falls under the new rules. Director Doran motioned to approve the application if they are only allowed .5 acre-feet in the Arapahoe, and less than 5000 sq. feet of irrigation. Director Bond seconded the motion. Motion carried (5-0)
- 10. Determination of Water Right/Ragan:**
The Board reviewed the application for the Ragan's and did not have any comments.
- 11. Determination of Water Right/Shaffer:**
The Board reviewed the application for the Shaffer's and did not have any comments.
- 12. Determination of Water Right/Hollinger:**
The Board reviewed the application for the Hollinger's and did not have any comments.
- 13. El Paso County Review/Crumpler's Kennel:**
The Board reviewed the Crumpler Kennel review and did not have any objections.
- 14. Water Well Permit Application/Francis:**
The Board reviewed the application. Director Bond motioned to approve the Francis application. Director Greeley seconded the motion. Motion carried (5-0)
- 15. El Paso County Review/Waterbury Phase 2:**
The Board directed Attorney Thompson to look at the Waterbury review and make comments if necessary.

ANY OTHER BUSINESS THE BOARD MAY HAVE

President Booker informed the Board that Sylvan Meadows is doing their first augmentation tomorrow, they are required to dump 1004 gallons and that he will be attending. Discussion followed on where they are going to dump it and what was required in their Replacement Plan.

There was discussion on Hemp grows, and that they are getting applications from the Colorado Department of Agriculture as they can legally grow that outside. Discussion continued on them irrigating with domestic wells.

VISITOR INPUT

NA

The Board took a brief recess at 7:30 P.M.

Director Bond motioned to go into executive session at 7:32 P.M. to discuss Woodmen Hills Case No. 03GW20 and pending cases. Director Doran seconded the motion. Motion carried (5-0)

EXECUTIVE SESSION

Please take notice that Attorney Thompson Pursuant to C.R.S. §24-6-402(4)(b), 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 Tuesday, September 5th, 2017, regarding the following matters:

1. Woodmen Hills Case No. 03GW20
2. Pending Cases

Director Bond motioned to come out of executive session at 8:12 P.M. Director Doran seconded the motion. Motion carried (5-0)

EXECUTIVE SESSION REPORT

No action taken

ADJOURNMENT

President Booker called for the meeting to be adjourned.

Director Greeley made a motion to adjourn the meeting. Director Bond seconded the motion. Motion carried (5-0)

The meeting adjourned at 8:13 P.M.

Respectfully submitted,

Tracy Doran/Office Manager