

**UPPER BLACK SQUIRREL CREEK GROUND
WATER MANAGEMENT DISTRICT
REGULAR MEETING MINUTES**

July 2nd, 2019

The **July** meeting of the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District was called to order **Tuesday, July 2nd, 2019 at 6:07 P.M.**, in the conference room inside Farmers State Bank, 1500 8th Street, Calhan, CO. by President Dave Doran who determined a quorum was present.

Board Members in Attendance: President David Doran, Vice-President Dan Farmer,
Secretary JR Bond

Board Members Absent: Mark Greeley

Others in Attendance: John Hill, Tracy Doran

PUBLIC NOTICE OF THE MEETING WAS POSTED AND OPEN TO THE PUBLIC

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

1. Agenda for July 2nd, 2019:

Director Farmer motioned to approve the agenda with the addition of #7 under well permits for Lujan. Director Bond seconded the motion. Motion carried (3-0)

2. Minutes for June 4th, 2019:

Director Farmer motioned to approve the minutes of June 4th, 2019 as written. Director Bond seconded the motion. Motion carried (3-0)

3. Treasurer Report & Any Bills Needing Board Approval:

Director Bond motioned to approve the June treasurer report and pay the attorney bill of \$9,789.70 and engineering bill for \$512.15. Director Farmer seconded the motion. Motion carried (3-0)

OLD BUSINESS

1. Rules & Legislation Updates:

a. GWC General Amendments to Designated Basin Rules 4, 5 & 7:

1. **5.3 & 5.4:**
The District submitted a Responsive Position Statement on June 7th, 2019. A Conference call has been scheduled for July 9th, 2019 to discuss proposed revisions by the staff. Discussion followed on Mr. Longenbaugh's comments submitted to Staff. The District agrees with Mr. Longenbaugh's suggestions.
2. **Meridian Service Metropolitan District/Application for a Well Permit and an Amendment to a Replacement Plan/Case No. 19-GW :**
No updates on this item.
3. **Cherokee Metro & Meridian Service Metro/Replacement Plan/Case No. 08GW71/Cherokee Motion for Determination of Question of Law related to Case No. 98CW80:**
A settlement meeting took place on June 24th, 2019 with Cherokee and Meridian. Cherokee will prepare a draft tech memo that summarizes the revised replacement plan.
4. **District Violations:**
The Board discussed a possible violation that was just turned into the District in Division 5. Director Farmer noted that he would go and investigate. Discussion followed on non-tributary lines.
5. **Gonzalez/Determination of Water Rights Case No. 19GW09 & 19GW10/Division 2 Water Court Case No. 19CW3011/JM Enterprises Augmentation Plan:**
President Doran advised that the applicants have withdrawn their export application and Laramie-Fox Hills application but are still going forward with the Arapahoe aquifer application. He further noted that it had been turned into the State for illegal use of their domestic well by a constituent of the district. The applicant provided a receipt for hauled water. The District has been informed that the applicant has told them that they intend to continue to irrigate with their domestic well. Discussion followed.
6. **District Rulemaking:**
There were no updates to report on this item.
7. **Election:**
There were no updates to report on this item.

NEW BUSINESS

Water Well Permit Applications:

1. **Masterbilt Homes Inc:**
Director Bond motioned to approve the Masterbilt application. Director Farmer seconded the motion. Motion carried (3-0)
2. **Thompson:**
Director Farmer motioned to approve the Thompson application. Director Bond seconded the motion. Motion carried (3-0)

3. Kasa:

Director Farmer motioned to approve the Kasa application. Director Bond seconded the motion. Motion carried (3-0)

4. Booker/Replacement Well:

Director Bond motioned to approve the replacement well pending the findings of the State's and District's inspection. Director Farmer seconded the motion. Motion carried (3-0)

5. Leanos:

Director Farmer motioned to approve the Leanos application. Director Bond seconded the motion. Motion carried (3-0)

6. Mlady:

Director Bond motioned to approve the Mlady application. Director Farmer seconded the motion. Motion carried (3-0)

7. Lujan:

Director Bond motioned to approve the Lujan application. Director Farmer seconded the motion. Motion carried (3-0)

Determination of Water Rights:

1. Vorenberg Farm, LLC:

Director Bond motioned to object to the Vorenberg Farm determination based on speculative uses and rules 17, 18, and 19. Director Farmer seconded the motion. Motion carried (3-0)

2. Hobbs:

Director Farmer motioned to have Lisa investigate and object if necessary. Director Bond seconded the motion. Motion carried (3-0)

3. Heritage 1917, LLC:

Director Bond motioned to comment that they do not allow Dawson aquifers and they need full replacement. Director Farmer seconded the motion. Discussion continued. Director Bond motioned to withdraw his motion. Director Farmer seconded the motion. Motion carried (3-0) Director Bond motioned to have Lisa review this Dawson and to give us better legal guidance. Director Farmer seconded the motion. Motion carried (3-0)

El Paso County Reviews:

The Board discussed having Mike Wireman do cursory reviews and have Tracy look them over to see if they might need to go to Mike as the Board does not have time to review all of these applications.

1. Hadden Heights Filing No. 2/Vacation & Replat of Lot 18/Final Plat Amendment:

The Board did not have any comments

2. Davis Ranch Subdivision/Final Plat Amendment/Shared Well Request for Filings 1 & 2/Michael O'Neil:

The Board did not have any comments

3. Minor Subdivision/Home Run Restorations, Inc./Schaffer/4 lots with access road:

The Board did not have any comments

4. Vacation of Interior Lot Lines/Carlson Subdivision lots 3 & 4/Wilwerding:

The Board did not have any comments

5. Ducey Horse Training/Site Development Plan/Special Use/Horse Riding Academy/Wilwerding:

Director Bond motioned to comment and object based on the water supply not being sufficient for the needs that they are applying for. Director Farmer seconded the motion. Motion carried (3-0)

New Business Not Covered Above:

ANY OTHER BUSINESS THE BOARD MAY HAVE:

Director Bond noted that Bill Pickle had asked a question on the ponds at Homestead Park and how deep it is and was wanting to know about a hydrologist that could do a study on it.

Board Reports:

1. Ground Water Contamination Study:

President Doran reported that the next meeting will be July 24th, 2019 at 3:00 p.m. at El Paso County Public Health Department on Garden of the Gods Road.

VISITOR INPUT

John Hill reported that there was a Master Plan meeting at Ellicott Middle School this evening until 8 p.m.

EXECUTIVE SESSION

NA

EXECUTIVE SESSION REPORT

NA

ADJOURNMENT

President Doran called for the meeting to be adjourned.

Director Farmer made a motion to adjourn the meeting. Director Bond seconded the motion.
Motion carried (3-0)

The meeting adjourned at 7:23 P.M.

Respectfully submitted,

Tracy Doran/Office Manager