

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

November 5th, 2019

The **November** meeting of the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District was called to order **Tuesday, November 5th, 2019 at 6:00 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, Treasurer Mark Greeley, Secretary JR Bond

Board Members Absent:

Others in Attendance: Bob Longenbaugh, Jared Farmer, Art Sintas, John Hill, George Schubert, Darrell Nily, Patty Woodard, Attorney Lisa Thompson via phone, Engineer Mike Wireman via phone, Greg Peterson (CAWA), Judy Burnside and guest, 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 November 5th, 2019:

Director Greeley motioned to approve the November 5th, 2019 agenda with the addition of two well permits for Carter and Thomas and an El Paso County Review for Falcon Fields CR Map Amendment, and to also move Bob Longenbaugh's presentation to occur before Old Business. Director Farmer seconded the motion. Motion carried (4-0)

2. Minutes for October 1st, 2019:

Director Farmer motioned to approve the October 1st, 2019 minutes. Director Greeley seconded the motion. Motion carried (3-0) with Director Bond abstaining as he was absent from the October meeting.

3. Treasurer Report & Any Bills Needing Board Approval:

Treasurer Greeley went over the income and expenses for the month and motioned to accept the October Treasurer report and pay the attorney bill of \$2,260.11. Director Farmer seconded the motion. Motion carried (4-0)

4. 2020 BUDGET HEARING:

Director Bond motioned to go into the 2020 Budget Hearing at 6:02 p.m. Director Greeley seconded the motion. Motion carried (4-0)

President Doran opened up the budget hearing to public comments, having seen none closed the floor to public comments.

President Doran opened up the budget hearing to board comments, having seen none closed the floor to board comments.

Director Bond motioned that the 2020 budget be accepted with the following change: the budget shall be updated to reflect the final re-certification values published by the County in December and to give authorization to sign the document with the final mill levy certification, and to accept the resolutions to set the mill levy and set the spending limits for 2019, and to authorize those signatures upon the updated figures, and to move money within the budget to make line items balanced. Director Farmer seconded the motion. Motion carried (4-0)

Director Farmer motioned to close the budget hearing and go back into regular session at 6:05 p.m. Director Greeley seconded the motion. Motion carried (4-0)

1. Bob Longenbaugh: Presentation on the interaction between the Denver Basin aquifers and the alluvial aquifer:

Bob Longenbaugh explained how the Denver Basin aquifers were formed and gave a 40-minute presentation (recorded) and explained what is going on between the Denver Basin aquifers and the alluvial aquifer. Mr. Longenbaugh explained that the flow of the water has now reversed and what happens in the other areas of the State that share the Denver Basin aquifers affects what is happening down here and could be a serious problem. Discussion followed. President Doran introduced Mike Wireman, the districts hydro-geologist who had been listening on the phone. Mike stated that he had met with the State Engineer and also Suzanne Pashke from USGS on this very issue, the increasing pumping of the Denver basin aquifers and the effects on the alluvial aquifer. Mike discussed what the impacts are on the alluvial aquifers. Discussion continued on Senate Bill 5, the Upper Big Sandy Study, grants for the Upper Black study, looking at all aquifers for the study not just one. There was further discussion that the Ground Water Commission is not being aggressive enough in protecting the rights of people in designated basins. Mr. Schubert stated he sat on the Ground Water Commission for 3 years and that it was the State Engineer's biggest goal to get rid of the designated basins and get it back to the river system. Bob Longenbaugh told the district to stand up and fight.

2. CAWA/Greg Peterson:

President Doran introduced Greg Peterson and reported that we had gotten an invitation from him to come down and explain what they are all about. There is also a conference that they will be holding in Loveland on December 2nd and 3rd. Mr. Peterson said he is with Colorado Ag Water Alliance or CAWA, and they are an association with 17 agricultural associations. Their goal is to preserve irrigated agriculture throughout the state of Colorado, and they do that through outreach. They travel all around the state. He wanted to talk about 3 things. He said all the basin roundtables are gearing up right now and looking for projects. He also discussed regulation 85, and best management practices. Discussion followed with the Board and Mr. Peterson. The Board thanked Mr. Peterson for coming down and talking with them.

OLD BUSINESS

1. Rules & Legislation Updates:

a. Case No. 19GW04: General Amendments to Designated Basin Rules 4, 5 & 7:

Ms. Thompson that the Ground Water Commission at their November 15th meeting they will be considering the Hearing Officer's initial ruling and the exceptions filed by Ground Water Commission Staff and Schaefer Farms, Inc. Ms. Thompson reported that she plans on attending this meeting and will make some short remarks.

2. Cherokee Metro & Meridian Service Metro/Replacement Plan/Case No. 08GW71/Cherokee Motion for Determination of Question of Law related to Case No. 98CW80:

No updates at this time.

3. District Violations:

Ms. Thompson discussed the Tran case and that there are still a lot of questions that need to be addressed by the applicant. Discussion followed. Ms. Thompson discussed the Shaw Ranch and Livestock Water Tanks (LSWT). Ms. Thompson will send a follow up letter to the Commission Staff seeking clarification on LSWT and Erosion Control Dams. Ms. Thompson reported that Chris Grimes had sent a letter to Mr. Huddleson stating that illegal diversions are not allowed and that if one occurs, they will issue a cease and desist.

4. District Rulemaking:

Ms. Thompson advised that there was a meeting scheduled for tomorrow, November 6th at 10:00 a.m. but that it had been cancelled by Meridian.

5. Election:

President Doran reported that a location has been secured and reserved for the election in the Falcon area if needed. He also noted that the first publication to get nomination petitions will be November 28th, 2019 and the second notice will be in the December 5th, 2019 paper. The deadline for petitions to be turned in will be December 31st, 2019 at 3:00 p.m. and that the districts that are up for election are 3 & 4.

NEW BUSINESS

Water Well Permit Applications:

1. Rock Island Investment:

Director Greeley motioned to have Lisa comment to the State if we get pushback, but that they need to follow Rule 18, and they will only be allowed 2 homes, 1 acre-foot, and 15 g.p.m. Director Farmer seconded the motion. Motion carried (4-0)

2. Smallidge:

Director Greeley motioned to approve the application, but they will need to have a meter. Director Farmer seconded the motion. Motion carried (4-0)

3. Davis Ranch Subdivision:

Director Bond motioned to approve the application. Director Greeley seconded the motion. Motion carried (4-0)

4. Hanson:

Director Farmer motioned to approve the application. Director Greeley seconded the motion. Motion carried (4-0)

5. Oliver:

Director Greeley motioned to approve the application. Director Bond seconded the motion. Motion carried (4-0)

6. Kirby:

Director Bond motioned to approve the application. Director Greeley seconded the motion. Motion carried (4-0)

7. Hartman:

Director Greeley motioned to approve the application. Director Bond seconded the motion. Motion carried (4-0)

8. Terry Jones/Register Existing Livestock Well:

Director Bond motioned to approve the application for 1 acre-foot. Director Greeley seconded the motion. Motion carried (4-0)

9. Kazemi:

Director Bond motioned to have Ms. Thompson comment on the application and have them prove up uses. Director Greeley seconded the motion. Motion carried (4-0)

10. Hi-Point Home Builders:

Director Farmer motioned to have the District issue our standard statement for this property as it is in Santa Fe Springs. Director Bond seconded the motion. Motion carried (4-0).

11. Carter:

Director Farmer motioned to approve the application. Director Greeley seconded the motion. Motion carried (4-0)

12. Thomas:

Director Farmer motioned to approve the application for .5 acre-feet in the Denver, not Dawson as applied for. Director Greeley seconded the motion. Motion carried (4-0)

Determination of Water Rights:

NA

El Paso County Reviews:

Consent Calendar:

1. **Hyatt Extended Family**
2. **The Estates at Rolling Hill Ranch Prelim & Final Plat**
3. **Bar X Regional Water Distribution System ADM**
4. **9622 Emerald Vista/Reunion Homes/Replat/Lot Line Adjustment**
5. **Vollmer Tap 115Kv Transmission & Substation Project**
6. **Falcon Fields CR Map Amendment**

Director Farmer motioned to approve 2-6 on the consent calendar. Director Bond seconded the motion. Motion carried (4-0)

Called Up Consent Calendar/El Paso County Reviews:

1. Hyatt:
The Board directed attorney Thompson to write the County and express that the applicant needs to follow the District's Rule 18, which only allows 2 homes, 1 acre-foot, and 15 gpm, and a meter even if they have gotten a determination of water right.

New Business Not Covered Above:

ANY OTHER BUSINESS THE BOARD MAY HAVE:

Board Reports:

1. **Ground Water Contamination Study:**

President Doran advised that a letter of intent for the Ground Water Quality Study was sent on October 29th, 2019 to Aaron Doussett at El Paso County Health with a pledge of \$10,000.00 and that the check will be sent after the November 5th, 2019 meeting. President Doran stated that the next meeting is tentatively set for November 20th, 2019 at 10:30 a.m. Discussion followed on them sampling wells.

Dan asked that Mrs. Doran send the wier readings again and to put wier readings on the January agenda.

Discussion followed on setting up another meeting with the Metro Districts quickly on the rules and move forward.

Discussion on cancelling the December meeting. Director Farmer motioned to cancel the December meeting and make JR and Tracy the point person on well permits. Director Greeley seconded the motion. Motion carried (4-0)

VISITOR INPUT

Mr. Longenbaugh noted that he drove by Meridian and Stapleton and that it looks like they drilled a large capacity well by the high school.

EXECUTIVE SESSION

NA

EXECUTIVE SESSION REPORT

NA

ADJOURNMENT

President Doran called for the meeting to be adjourned.

Director Greeley made a motion to adjourn the meeting. Director Farmer seconded the motion. Motion carried (4-0)

The meeting adjourned at 8:41 P.M.

Respectfully submitted,

Tracy Doran/Office Manager