

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

**February 4<sup>th</sup>, 2020**

The **February** meeting of the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District was called to order **Tuesday, February 4<sup>th</sup>, 2020 at 6:08 P.M.**, in the conference room inside Farmers State Bank, 1500 8<sup>th</sup> 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:** John Hill, Darrel Nily, Jeff Munger, Tracy Doran, Attorney Lisa Thompson via phone,

**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 February 4<sup>th</sup>, 2020:**

President Doran noted that we needed to add to the agenda to nominate officers, do new checking account signers, and conflict of interest forms, and needed to add JS Homes, & Daily to well permits, and Arbuckle to Determination of Water Rights. Director Farmer motioned to accept the agenda with the additions. Director Bond seconded the motion. Motion carried (4-0)

**2. Minutes for January 7<sup>th</sup>, 2020:**

Director Bond motioned to approve the January 7<sup>th</sup>, 2020 minutes. Director Farmer seconded the motion. Motion carried (4-0)

**3. Treasurer Report & Any Bills Needing Board Approval:**

Treasurer Greeley reported on the income and bill for the web site. Treasurer Greeley motioned to accept the treasurer report for January and pay the yearly web site hosting and maintenance fee. Director Farmer seconded the motion. Motion carried (4-0)

**4. Swear in New Board Member:**

The Board thanked Director Greeley for his volunteerism and dedication to the Upper Black Squirrel Creek GWMD and presented him with a Gift Card and card and told him they would miss him and hope that he will come by once in a while.

President Doran introduced Darrel Nily, the new representative for District 4 and he was given the oath of office and sworn in.

**5. Nominate Officers:**

The Board discussed the officer positions. Director Bond nominated Dave Doran as President, Dan Farmer as Vice-President, Darrel Nily as Treasurer, and himself as Secretary. Director Farmer motioned to approve Director Bonds nominations. Discussion followed. Director Nily stated he would like more experience before becoming treasurer. Director Farmer withdrew his motion. Director Farmer motioned to have Dave Doran as President, Dan Farmer as Vice-President, JR Bond as Treasurer, and Darrel Nily as Secretary. Director Bond seconded the motion. Motion carried (4-0)

**6. Checking Account Signers/Conflict of Interest Policies:**

Director Doran motioned to remove Mark Greeley, and Donald Booker from the checking account signers and to add Darrel Nily and Dan Farmer. The signers on the account will be Dave Doran, Dan Farmer, JR Bond, and Darrel Nily. Dave Doran will sign in Calhan, Darrel & Dan will sign at the Ellicott Branch, and JR will sign at the Falcon Branch.

**OLD BUSINESS**

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

Attorney Thompson reported that there had been a status conference. Ms. Thompson advised that Cherokee has gotten an engineer and is preparing a technical memo, and it should be done in a couple months and they will share with Upper Black Squirrel. Jeff Munger with Cherokee noted that the engineer is not under contract yet. Mr. Munger gave a copy of the proposal from Leonard Rice. Mr. Munger stated that they are the most familiar with the Upper Black Squirrel and the District. The Board thanked Mr. Munger.

**2. District Violations:**

Ms. Thompson reported that Chris Grimes has been incredibly responsive and helpful to the District. Ms. Thompson advised that the Gonzalez property is under new ownership and a letter went out to the new owner. Chris also sent updates and pictures of Blue Springs and noted that almost all are now under compliance Ms. Thompson reported. Attorney Thompson updated the Board on the Tran violation and noted that from statements made by his attorney they have investigated and have found that Mr. Tran has not drilled an Arapahoe well to date. Chris followed up with the Mr. Tran the owner, and has a call scheduled for Thursday. Discussion followed on violations in the district.

**3. District Rulemaking:**

Ms. Thompson noted that we got some pretty extensive comments from the Metro Districts right before our meeting last month and she is still going through them. Ms. Thompson stated that she is working on responses and seeing what adjustments can be made.

### **NEW BUSINESS**

1. NA

### **Water Well Permit Applications:**

1. **Stiles:**

The applicant is applying to change the use of an existing well to include commercial uses under a determination of water right. The District's Rule 18 & 19 applies to this applicant.

2. **CMH Homes-Pueblo:**

The applicant is applying for a well in the Dawson aquifer, under a determination of water right, and they have a replacement plan.

3. **Old West Ranch CO Partners, LLC:**

The applicant is applying for a well permit under a determination of water right in the old Santa Fe Springs subdivision. The standard answer regarding this until the final determination of who owns the water rights underlying the land. This would fall under the District's Rule 17 or 18 depending on whether they are considering it a subdivision or not.

4. **Rock Island Investment Properties, By Brent Chaussee:**

The applicants are applying for two wells under a determination of water right. The applicants are asking for 3 homes and 3 acre foot. This would be a violation of the district's rules, they will fall under Rule 18, which limits them to 1 acre foot and 2 homes.

5. **Alband Construction, Inc.:**

The applicant is applying for a well permit under a determination of water right in the old Santa Fe Springs Subdivision. The standard answer regarding this until the final determination of who owns the water rights underlying the land. This will fall under the District's Rules 17 or 18 depending on whether they are considering it a subdivision or not.

6. **Mathew Mobley:**

Applicant is applying for a large capacity well pursuant to a determination of water right. This well will be used for irrigation on the 40 acre parcel he owns. They are asking for 2 acre-feet in the Arapahoe.

7. **14094 East US Highway 24 LLC:**

Applicant is applying for a permit under a determination of water right to include commercial (Kennel), domestic, livestock and agriculture. They have a 12.61 acre parcel and are asking for 4.39 acre-feet. This will fall under the District's Rules 18 & 19.

8. **Marjanovic:**

The applicant is applying to drill a large capacity well in the Arapahoe under a determination of water right. The beneficial uses will be industrial, irrigation, commercial and hemp. The applicant has 39.75 acres and is asking for 6 acre-feet. This will fall under the District's Rules 18 & 19.

**9. Wagers:**

The applicant is applying for a domestic well in the Laramie-Fox Hills. The State says they need to get a transfer deed for a determination of water right under the property.

**10. JS Homes INC:**

The applicant is applying for a well in the Peyton Pines Subdivision Filing 1. They are allowed 1 acre-foot in the Dawson aquifer; 13,000 square foot irrigation and a meter is required per their subdivision water supply letter. They will need to reduce the amount of irrigation from what is asked for on their application.

**11. Daily:**

The applicants are applying for 1 acre-foot in the Denver aquifer on their 5.01 acre parcel in Peyton Place Subdivision. The water supply letter for the subdivision allows for them to get 1 acre-foot, 12,000 square foot of irrigation and a meter is required.

The Board would like to continue to add our comments to the State regarding Rules 17, 18 & 19.

Director Bond motioned to approve well permits 1-11 with comments noted from Manager Doran. Director Nily seconded the motion. Motion carried (4-0)

**Determination of Water Rights:**

**1. Corley:**

Applicant is applying for the Denver and Arapahoe aquifers on his 5.1 acre lot in Sylvan Meadows, lot 23, filing 1. The beneficial uses he is asking for are: domestic, livestock, irrigation, commercial, replacement, fish and wildlife, recreation. This will fall under the District's Rule 17 & 19 of the District Rules when he changes his well permit.

**2. Kovitz:**

The applicants are applying for the Upper Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers on their 42.12 acre parcel. The beneficial uses they are asking for are: domestic, commercial, stock watering, irrigation, replacement, recreation, fire protection, industrial, and wildlife. They did not apply for a replacement plan for the Dawson well. This will fall under the District's Rule 18 & 19.

**3. Arbuckle:**

The Applicant is applying for the Denver aquifer underlying his 5 acre parcel in the Sylvan Meadows Subdivision, lot 2, filing 1. The beneficial uses he is asking for are: domestic, livestock, irrigation, replacement, fish and wildlife (pond) and recreation. This will fall under the District's Rule 17.

Director Bond motioned to approve 1,2 & 3 of the Determination of Water Rights with comments to the State on whether Kovitz needs a replacement plan. Director Farmer seconded the motion. Motion carried (4-0)

**El Paso County Reviews:**

**Consent Calendar:**

1. **Christian Construction Inc./Rural Home Occupation**
2. **Harper/Extended Family Dwelling**
3. **Snyder Subdivision/Lot 7 & 8/Vacation of Interior Lot Lines**

Director Farmer motioned to approve 1,2 & 3 of the El Paso County Reviews, with comments on Christian Construction. Director Nily seconded the motion. Motion carried (4-0)

**Called Up Consent Calendar/El Paso County Reviews:**

1. **Christian Construction Inc./Rural Home Occupation:**

The applicants are applying for a rural home occupation. The applicants will need to add commercial use to their small capacity well to be in compliance with their well permit.

**New Business Not Covered Above:**

NA

**ANY OTHER BUSINESS THE BOARD MAY HAVE:**

**Board Reports:**

1. **Ground Water Contamination Study:**

President Doran reported that they are in fiscal year 2020 and he would like us to continue to be stakeholders in the study. Discussion followed. Director Bond motioned to approve our contribution of \$10,000.00 for fiscal year 2020 to the Ground Water Study when we get an invoice. Director Farmer seconded the motion. Motion carried (4-0)

**VISITOR INPUT**

NA

**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 (4-0)

The meeting adjourned at 7:06 P.M.

Respectfully submitted,

Tracy Doran/Office Manager