

UPPER BLACK SQUIRREL CREEK GROUND  
WATER MANAGEMENT DISTRICT  
REGULAR MEETING MINUTES

June 2<sup>nd</sup>, 2020

The **June** meeting of the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District was called to order **Tuesday, June 2<sup>nd</sup>, 2020 at 6:10 P.M.**, Via Zoom Conferencing by President Dave Doran who determined a quorum was present.

**Board Members in Attendance:** President David Doran, Secretary Darrel Nily, Via phone  
Treasurer J.R. Bond

**Board Members Absent:** Vice-President Dan Farmer

**Others in Attendance:** John Hill, Attorney Lisa Thompson, Tracy Doran

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

**1. Call to Order**

President Doran called the meeting to order.

**2. Roll Call**

Manager Doran took roll call. President Doran determined a quorum was present.

**3. Agenda for June 2<sup>nd</sup>, 2020:**

Director Nily motioned to approve the June 2<sup>nd</sup>, 2020 agenda with the addition of #5,6 & 7 under well permits for Colvin, Davis Ranches and Nunamaker and to add #1 Hyatt Variance Request under New Business. Director Bond seconded the motion. Motion carried (3-0)

**4. Minutes for March 3<sup>rd</sup>, 2020:**

Director Nily motioned to approve the March 3<sup>rd</sup>, 2020 minutes. Director Bond seconded the motion. Motion carried (3-0)

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

Manager Doran went over the income and expenses for the months of March, April and May. Treasurer Bond motioned to approve the reports of March, April and May and pay the attorney bill of \$3,399.08. Director Nily seconded the motion. Motion carried (3-0)

**VISITOR INPUT**

NA

## **OLD BUSINESS**

### **1. Cherokee Metro & Meridian Service Metro/Replacement Plan/Case No. 08GW71:**

Attorney Thompson briefed the board and noted that this is still Stayed and that there were no updates and that if she does not hear anything in the next month she will reach out to them to find out what their timing is.

### **2. District Violations:**

Attorney Thompson advised that the Tran case is our most active case and that is the one where the attorney is no longer representing Mr. Tran. Ms. Thompson advised that we had a status conference that was set, and the Hearing Officer had to cancel that as he could not get into his office. Ms. Thompson reported that is supposed to get rescheduled next week and she will keep the board updated.

### **3. District Rulemaking:**

Attorney Thompson reported that we did receive comments from the Water Quality Control Division staff and she conferred with Mike Wireman and made some slight adjustments to the last version. Ms. Thompson noted that we need to have an executive session in July to go through the latest version.

## **Woodmen Hills Letter:**

Mike Wireman did a tech memo to the board on Woodman Hills discharge and evaluated the TDS discharges through 2019 and confirmed that they are at time going over the ground water standards of 400. Discussion followed. Ms. Thompson would like to send the letter. The Board directed attorney Thompson to send the letter.

## **NEW BUSINESS**

### **1. Hyatt Variance Request:**

President Doran advised the board that this is a property on Judge Orr Rd. across from the Red Barn and they have 2 dwellings and want to put a 3<sup>rd</sup> dwelling, which is against the district's rules. They went through the planning department to get an accessory dwelling (3<sup>rd</sup> dwelling) and it was approved pending that they come before Upper Black Squirrel for approval. They are asking for a variance and sent a draft publication for the board to review. Discussion followed on timeline. Director Bond motioned to approve our attorney Lisa Thompson to contact the Hyatt's attorney for publication. Director Nily seconded the motion. Motion carried.

## **Water Well Permit Applications:**

### **1. McAllister:**

Applicant applied for .5 acre-feet in the Arapahoe, with 1 home, 3,500 sq. feet of irrigation, domestic animal watering on 5.08 acres. He is in the Landings of Denmark Subdivision and it has a subdivision water supply plan which allows for .5 acre-feet a year, 3,500 sq. feet of irrigation, 2 large animals. He is required to have a meter. This subdivision

falls under Determination of Water Right 63-BD. Director Nily motioned to approve the McAllister well permit application. Director Bond seconded the motion. Motion carried (3-0)

**2. Hart:**

Applicant has applied for a domestic well in the Denver, for 1 acre-foot, 2 homes, 1 acre of lawn and garden irrigation on 40 acres. He has a livestock well, which is pre-72 and is not going to remove it. Director Nily motioned to approve the Hart well permit application. Director Bond seconded the motion. Motion carried (3-0)

**3. Norman:**

The applicant has applied for a domestic well in the Arapahoe aquifer, for 1 acre-foot, 1 dwelling, 1 acre of lawn and garden irrigation on his 40 acre parcel. The applicant has a Denver stock well as well. Director Nily motioned to approve the Norman domestic well permit. Director Bond seconded the motion. Motion carried (3-0)

**4. Cordero:**

The applicant is applying for two well permits for two lots. The first one is 17.5 acres and he is asking for 1 home, 3,000 sq. foot of irrigation, domestic animal watering and .5 acre-foot in the Arapahoe aquifer. The second permit is for 18 acres, and he is asking for 1 home, 3,000 sq. feet of irrigation, domestic animal watering, and .5 acre-feet in the Arapahoe. These applications fall under determination of water right no. 3344-BD in the Cordero Minor Subdivision. The well locations have to be adjusted on the applications per the State and have been sent back to the applicant for corrections. Director Bond motioned to have Mike Wireman give a quick review on the water quality and make comments. Director Nily seconded the motion. Motion carried (3-0)

**5. Colvin:**

The applicants are applying for a well permit for 2 lots, each 9 acres, under determination of water right no. 3655-BD and replacement plan. The replacement plan allows for domestic use, 1 acre-foot a year for each well in the Dawson aquifer. Their domestic permit no. 310053-A will be cancelled and re-issued pursuant to 3655-BD. This falls under our Rule 18. They are asking for 1 acre-ft so that is in compliance of our Rule 18. They will need a meter. Director Bond motioned to approve the Colvin applications. Director Nily seconded the motion. Motion carried (3-0)

**6. Davis Ranch Subdivision:**

The applicant is applying for 7 well permits for lots in the Davis Ranch Subdivision, filing 1 & 2, which allows for .55 acre-feet, 2 horses, 4,300 sq. feet of irrigation, in the Arapahoe aquifer under determination of water right no. 4-BD. They have a water supply plan through the County. Director Bond motioned to approve the Davis Ranch Subdivision well permits. Director Nily seconded the motion. Motion carried (3-0)

**7. Nunamaker:**

The applicant is applying for a domestic well and livestock well on 40 acres under determination of water right 877-BD. They do not have a replacement plan for this determination but could apply for a domestic well. Director Nily motioned to approve the

Nunamaker's applying for a domestic well permit and not go through the determination, and be allowed 1 acre-foot in the Denver, 1 home, 1 acre of lawn and garden irrigation, with domestic and stock watering. Director Bond seconded the motion. Motion carried (3-0).

**Determination of Water Rights:**

**1. Home Run Restorations, Inc:**

The applicant has applied for a replacement plan for the Denver aquifer. Applicant proposes to pump 1.82 annual acre-feet for in-home use, irrigation of lawn and gardens, domestic animals and replacement. Replacements shall be made through septic flow returns in the amount of 90% of diversions. Director Bond motioned to have Mike Wireman review and make comments. Director Nily seconded the motion. Motion carried (3-0)

**2. Hall:**

The applicants have applied for determination of water right for the Arapahoe aquifer underlying 40 acres. The beneficial uses they are asking for are: industrial, irrigation, commercial, domestic, and livestock. This would fall under our rule 18 & 19. Director Bond motioned to approve the Hall application with comments regarding our rules. Director Nily seconded the motion. Motion carried (3-0)

**3. Cole:**

The applicants are applying for determination of water rights for the Dawson, Denver, Arapahoe, and Laramie-Fox Hills underlying their 39.54 acre parcel. The beneficial uses they are asking for are: domestic, livestock, irrigation commercial, replacement, and fish and wildlife. This would fall under our rule 18 & 19. Director Nily motioned to approve the Cole application with comments regarding our rules. Director Bond seconded the motion. Motion carried (3-0).

**El Paso County Reviews:**

**Consent Calendar:**

**1. Falcon Fire Protection District/Approval of New Fire Station Location/Subdivision**

**Exemption:**

The Fire District has bought 5.423 acres on property that is located in a commercial area and is zoned PUD. They are wanting an exemption from the subdivision.

**2. Corral Ranches Filing No. 5/Final Plat:**

The request is for 60.99 acres in reserve at Corral Bluffs, Filing no. 5. It consists of 8 single family residential lots at a minimum lot size of 5 acres and one 19.50 acre open space tract.

**3. Liberty Tree Academy/Site Development Plan:**

This site plan is for the immediate construction of a new parking lot, street access and subsequent 10 classroom and storage/locker room additions to the existing building.

**4. AT&T Wireless Tower:**

They want to upgrade the existing facility at the 15642 HWY 94 tower.

**5. Meadow Lake Industrial Park/Rezone:**

The applicants want to rezone this portion(94.09 acres) of the overall 254 acres of Meadow Lake Industrial Park site from RR-5 to 1-2 Industrial, CS (Commercial Services) to allow development of the site with mixed commercial and GA-O (general Aviation Overlay).

**6. 4 Site Investment/Grandview Reserve/Sketch Plan:**

This property consists of 768.2 acres. They propose up to 3,261 residential units at varying densities, commercial uses, parks and open space (over 132 acres) and potential schools and church sites. Wastewater will be provided by Woodmen Hills and water will be provided by Grandview Reserve Metropolitan District 1. Woodmen Hills is willing to serve this district. Future wells will be in the Arapahoe and Laramie-Fox Hills aquifers. Off site wells will be likely needed (from neighboring lands owned by 4-Site Investments, LLC) for full build out. They will need about 1,059 acre-feet a year and about 945,411 gallons a day.

**7. Bartlett/Rezone:**

They want to amend conditions 1.b, 1.c, and remove c.

Director Bond motioned to approve 1,2,3,4,5 & 7 of the El Paso County Reviews. Director Nily seconded the motion. Motion carried (3-0)

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

**#6: 4 Site Investment/Grandview Reserve/Sketch Plan:**

Director Bond motioned to have Lisa Thompson and Mike Wireman review the 4 Site Investment/Grandview Reserve Sketch plan and comment to the County. Director Nily seconded the motion. Motion carried (3-0)

**New Business Not Covered Above:**

**Board Reports:**

**1. Ground Water Contamination Study:**

President Doran updated the Board and reported that he had no updates. Director Doran said he was going to have Mike Wireman talk to USGS and see what is going on.

**Any Other Business the Board May Have:**

The Board discussed the water study with USGS and monitoring all the aquifers at different locations in the district. Attorney Thompson will talk to Mike Wireman about the study with USGS.

There was discussion about Homestead Park and water rights, salts in ponds and higher TDS levels in the basin.

Next Meeting Date: July 7<sup>th</sup>, 2020

**EXECUTIVE SESSION**

NA

**EXECUTIVE SESSION REPORT**

NA

**ADJOURNMENT**

President Doran called for the meeting to be adjourned.

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

The meeting adjourned at 7:19 P.M.

Respectfully submitted,

Tracy Doran/Office Manager