

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

June 1st, 2021

The **June** meeting of the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District was called to order **Tuesday, June 1st, 2021**, Via Zoom Conferencing by President Dave Doran who determined a quorum was present. The meeting was open to the public and was properly noticed.

Board Members in Attendance: President David Doran, Vice-President Dan Farmer, Secretary Darrel Nily, Treasurer J.R. Bond

Board Members Absent: NA

Others in Attendance: Zach Kisfalus, Nancy Bauch, Mike Wireman, Jerry Jacobson, Ryan Banta, Jeff Munger, John Hill, Evan Fletcher, Lisa Thompson, Tracy Doran

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

1. Call to Order/Roll Call:

President Doran called the meeting to order and took roll call and determined a quorum was present.

2. Agenda for June 1st, 2021:

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

3. Minutes for May 4th, 2021:

Director Farmer motioned to approve the April 6th, 2021 minutes. Director Nily seconded the motion. Motion carried (3-0) Director Bond abstaining because of absence of April meeting.

4. Treasurer Report & Any Bills Needing Board Approval:

Manager Doran reported on the income and expenses for the month of May. Director Nily motioned to approve the May treasurer report and pay the April 2021 attorney bill of \$2,982.00 and engineering bill for \$1980.00. Motion carried (4-0)

VISITOR INPUT

NA

OLD BUSINESS

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

Attorney Thompson reported that we did receive a summary overview of work that Leonard Rice has done for Cherokee and Mike Wireman has reviewed and made some comments. At the last status conference Cherokee asked for another status conference several months out and they will be updating on December 14th, 2021. Ms. Thompson noted that they hope to be closer to filing the amended application but in the meantime plan on meeting with the district to continue discussions. Ms. Thompson further advised that Spronk Engineering is willing to work for the district on this. Discussion followed with Mike Wireman and the board on water quality and data. There was further discussion on getting on the El Paso County Board of County Commissioner's agenda the week of June 15th, 2021 prior to their June 22nd El Paso County Master Plan approval and to have USGS to inform them of the Water Quality Study and the aquifer monitoring study.

2. District Violations/Enforcement Actions:

Attorney Thompson noted that Chris Grimes updated the district that he will be doing a site visit at the Tran property, Maranjovic property, and that a letter was sent to the Gonzalez property. Ms. Thompson advised that Doug Hollister is investigation a property on Judge Orr Rd that had a dam, that was previously breached but now appears to be built back up. The board would like Ms. Thompson to reach out to Chris Grimes and request meter readings from the Tran, Maranjovic and Gonzalez properties. President Doran reported that he followed up on a violation inquiry from a resident on the old Bennett Ranch that there was a well leaking. Manager Doran reported that she had gotten a call regarding a property that was using a domestic well for commercial uses by holding trees and watering for a commercial business. Manager Doran stated that the State sent the property owner a letter. There was further discussion regarding diversions on Brackett Creek.

3. USGS Monitoring Program/Water Quality Study:

Ryan Banta, Zach Kisfalusi and Nancy Bauch from USGS gave a presentation of the initial findings of the water quality study from 2013-2020 and reported that they will have the final report to the district by the end of they year. The USGS answered questions from the board. A power point of the presentation will be attached to the minutes.

4. Designated Basins rulemaking stakeholder meeting on Rules 7.4.1.3 and 7.10.4(a):

Attorney Thompson noted that Keith Vander Horst is drafting proposed language and that will be sent out the ground water management districts. Discussion followed.

5. Mitchell Variance:

Attorney Thompson advised that a status conference has been set for June 8th, 2021 and that we are the only objectors. Discussion followed.

Discussion followed on getting on the Ground Water Commission agenda to discuss the Upper Pierre aquifer.

NEW BUSINESS

Water Well Permit Applications:

1. **McDiamid/Prue**

The applicants are applying for an existing well permit and change or increase use application on a pending determination of water right application that the board approved last month. They have 13.4 acres in Arrowhead Estates Filing 1. They are asking for irrigation, Commercial, domestic and agricultural, firefighting, fish/wildlife and stock watering for the beneficial uses. They are wanting 5.86 acre-feet in the Denver aquifer. It will be the only well on the property. This falls under Rule 17.

2. **Waugh**

This application is for a domestic well permit in Tiboria Estates on 5.22 acres. The applicant is asking for 1 home, 1 acre of irrigation, 1 acre-foot in the Dawson aquifer. Their water supply letter allows for the uses and amounts the applicant is asking for. They will be required to install a totalizing flow meter.

3. **Colorado By Design**

This application is for a domestic well permit in Tiboria Estates on 5.09 acres. The applicant is asking for 1 home, 1 acre of irrigation, 1 acre-foot in the Dawson aquifer. Their water supply letter allows for the uses and amounts the applicant is asking for. They will be required to install a totalizing flow meter.

4. **Brass**

This application is for a domestic well on a 5.01-acre parcel in The Reserve at Corral Bluffs. They are asking for 1 home, 2,700 square feet of irrigation domestic animal watering, and 0.5 acre-feet in the Arapahoe aquifer under determination of water right no. 63-ED. It falls under Rule 17 and is consistent with the rules.

5. **Bradbury/Replacement**

This is a replacement application for well permit no. 73579. Applicants are asking for 1 home, 1 acre of lawn and garden irrigation, domestic animal watering and stock watering on 40 acres. Original well was not in the Arapahoe aquifer and was for 2 acre-feet, this is consistent with our rules and does not require them to be within 50' because it is in a different aquifer.

6. **Bradbury**

This application is for a domestic well on 40 acres. Applicants are asking for 1 home, 1 acre of lawn and garden irrigation, domestic animal watering and livestock watering, with 1 acre-foot in the Arapahoe aquifer. This is consistent with our rules and regulations.

7. **Home Run Restoration**

This application is for a well under determination of water right no. 3542-ED & Replacement Plan. The applicant is asking for 1 home, .455 square feet of irrigation, domestic animal watering, with .866 acre-feet in the Denver aquifer on 5.08 acres in Wyoming Estates. Per rule 17 if there is a subdivision water supply letter, they will be allowed the .866, if no letter they will be allowed .5 acre-feet.

8. **Hancock**

This application is for a well under determination of water right no. 459-ED. The applicants are asking for 1 home, 1 acre of lawn and garden irrigation, domestic animal watering, with 1 acre-foot in the Denver aquifer on 35.169. This is consistent with our rules and regulations.

9. **Garcia**

This application is a pre-72 subdivision in Equestrian Country. The applicants are asking for 1 home, 1 acre-foot of lawn and garden irrigation, domestic animal watering, and 0.50 acre-feet in the Denver aquifer underlying a 5.34 acre-parcel. They will need reduced lawn and garden irrigation otherwise it meets our rules and regulations.

10. **Sanchez**

This application is a pre-72 parcel. The applicants are asking for max homes, max lawn and garden irrigation, domestic animal watering, max allowed acre-feet in the Denver aquifer underlying a 5 acre-parcel. Per our rules, they will be allowed up to 2 homes, reduced lawn and garden irrigation, and .5 acre-feet in the Denver aquifer because this is a new application.

11. **Sanchez**

This application is a pre-72 parcel. They are asking for max homes, max lawn and garden irrigation, domestic animal watering, max allowed acre-feet in the Denver aquifer underlying a 5 acre-parcel. Per our rules, they will be allowed up to 2 homes, reduced lawn and garden irrigation, and .5 acre-feet in the Denver aquifer because this is a new application.

12. **Rocky Mountain Building & Loan**

This application falls under determination of water right no. 63-ED in Landings of Denmark. The applicants are asking for 1 home, 3,500 square feet of lawn and garden irrigation, domestic animal watering, 0.5 acre-feet in the Arapahoe aquifer on a 5.01 acre-parcel. This is what is allowed for this subdivision. They will be required to have a meter also.

13. **Masterbilt**

This application falls under determination of water right no. 3390-ED for Stagecoach on the Range Subdivision. The applicants are asking for 2 homes, 1 acre of lawn and garden irrigation, domestic animal watering, and 1 acre-foot in the Arapahoe aquifer on a 35.57 acre-parcel. This is consistent with our rules.

14. **Courageous Heart LLC**

This application is associated with determination of water right no. 1971-ED. The applicants are asking for 1-3 homes, 1 acre of lawn and garden irrigation, domestic animal watering, and 1 acre-foot in the Denver aquifer on a 40 acre-parcel. They will be allowed 2 homes per our rules, but otherwise is consistent with our rules and regulations.

15. **Caddel**

This application is for a domestic well on 44.09 acres. The applicants are asking for 2 homes, 1 acre of lawn and garden irrigation, domestic animal watering, and livestock watering, with 1 acre-foot in the Denver aquifer. This is consistent with the district's rules and regulations.

Director Bond motioned to approve well permit no's 2-15, and have Lisa and Mike review #1 and make comments. Director Nily seconded the motion. Motion carried (4-0)

Determination of Water Rights:

1. **Gena & Ryan Camire**

The applicants have applied for determination of water rights for the Denver, Arapahoe, and Laramie-Fox Hills aquifers underlying a 40 acre-parcel. The beneficial uses they are applying for are: domestic including in-house; irrigation of landscape, lawn and gardens; agricultural; commercial; replacement; firefighting; and the watering of domestic animals and stock.

The board discussed determination of water right applications and would like to say “we have no comments on this application” instead of saying “we do not have any objections to this application” from this point forward when sending emails to the State regarding the applications .

El Paso County Reviews:

1. Waterbury PUD Preliminary Plan Amendment:

The applicants are requesting the approval of the following:

- a. Revised PUD zoning and Development Plan for Filings 1 and 2, a portion of Parcel 4200000417 (currently zoned PUD), consisting of 201 single family lots on 61.9 acres of the 159.9 total acres, at a gross density of 3.25 dwelling units/acres
 - b. Preliminary Plan for above
 - c. Deviation for Saybrook Rd. cross section
 - d. Modification of the requirement of 1 tree/20’ along Stapleton Rd, to allow substitution of berms planted with low-water shrubs and large ornamental grasses for some of the trees.
 - e. **Water Sufficiency finding for to be deferred until Final Plat**
 - f. Early grading operations request
 - g. Subsequent final plat for Waterbury Filings 1 and 2
- 4 Way Metro will be the water and wastewater providers

2. Bent Grass/Master Drainage Plan/Falcon Meadows at Bent Grass Filing 1:

NES Inc and Challenger Homes request approval of the Falcon Meadows at Bent Grass Filing 1 Plat for 71 single-family units on 21.28 acres. Woodmen Hills is the water and waste water provider.

3. Meridian Ranch 2021 Sketch Plan Amendment:

The applicant’s proposal is for an amendment for a previously approved Sketch Plan. The proposal will address a revised density cap and higher density for the remaining 196 acres of the development in the northeastern most portion of the site that remains undeveloped. They propose the following:

- a. Amend 152 acres of MR-R2 (2du/ac) area north of Rex Road to MR-R4 (4du/ac)
- b. Amend 45 acre of MR-R3 (3du/ac) south of Rex Road to MR-R9 (9du/ac)
- c. Increase density cap to 5000 units from previously approved cap of 4500
- d. Addition of a 3-acre neighborhood park

Meridian is the water and wastewater provider

4. Bennett Ranch-Judge Orr Eastonville SKP Amendment:

The applicants propose to change the zone from RR-5 to CS (Commercial Services). Woodmen Hills Metro will provide the water and wastewater to this site.

5. Retreat at Timber Ridge Filing No. 2:

This is out of district but Sterling Ranch will provide water and waster water to some sites, which has a connection to Meridian Ranch.

6. Colvin Heritage Farms Minor Sub:

The applicants request a 2-lot minor subdivision. The subdivision will create two rural residential single family lots in the RR5 zone, with each lot exceeding 5 acres. Lot 1 will be approximately 10.1 acres in size and will contain the existing residence, barn and related structures. Lot 2 will be approximately 9.7 acres in size

and is currently vacant, although a building foundation and electric and gas utilities have been installed on the lot to serve a future residence. Water wells and individual septic systems will serve each lot.

The board directed attorney Thompson to resubmit Waterbury comments and to review the Colvin Heritage Minor Farm minor subdivision and if necessary comment.

New Business Not Covered Above:

NA

Any Other Business the Board May Have:

NA

Jeff Munger and Jerry Jacobson would like copies of the slide show USGS had. Jeff Munger noted that Cherokee would be interested in discussion the Brackett Creek Diversion. Discussion followed.

Next meeting will be July 6th, 2021

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 Nily seconded the motion. Motion carried (4-0)

The meeting adjourned at 8:17 P.M.

Tracy Doran/Office Manager