

UPPER BLACK SQUIRREL CREEK GROUND
WATER MANAGEMENT DISTRICT
REGULAR MEETING MINUTES

February 1st, 2022

The February meeting of the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District was called to order Tuesday, February 1st, 2022, at 6:03 P.M, in the conference room at Farmers State Bank, 1500 8th Street, Calhan, Co. 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 Nly, Treasurer J.R Bond
Treasurer Bond arrived at 7:00 P.M

Board Members Absent: NA

Others in Attendance: Mitchell Baldwin, Jason Kvols, John Hill, Tracy Doran,
Attorney Thompson via Zoom

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 February 1st, 2022:**
Director Farmer motioned to approve the agenda with the addition of well permit applications Eiel, Beaudin, Voyager, Searle, and Mayberry to Old Business #5. Director Nly seconded the motion. Motion carried (3-0)
3. **Minutes for January 4th, 2022:**
Director Farmer motioned to approve the January 4th, 2022 minutes. Director Nly seconded the motion. Motion carried (3-0)
4. **Treasurer Report & Any Bills Needing Board Approval:**
Manager Doran reported on the income and expenses. Director Nly motioned to accept the January 2022 treasurer report and pay the following bills: attorney \$6,332.00, Granite Ridge Groundwater \$3,100.00, Tennessee Valley Tech \$600.00. Director Farmer seconded the motion. Motion carried (3-0)
5. **Oath of Office for New Board Members:**
Mitchell Baldwin, Dave Doran and Dan Farmer were given the oath of office and sworn in.
6. **Nomination and election of Officer's/Conflict of Interest Forms:**
Director Farmer motioned to nominate Dave Doran as President, Dan Farmer as Vice-President, Darrel Nly as Secretary, and Mitchell Baldwin as treasurer. Director Nly seconded the motion. Motion carried (4-0)
7. **Bank Signature Card:**

Director Baldwin motioned to remove J.R. Bond from the Farmers State Bank checking account & CD, and the COLO Trust Account, and to keep Darrel Nly, Daniel Farmer, and Dave Doran as signers with the addition of Mitchell Baldwin as a signer on the checking account and CD at Farmers State Bank, and the COLO Trust account. Director Nly seconded the motion. Motion carried (4-0)

8. Audit Exemption Resolution/Sign Forms

President Doran read the Resolution for exemption from audit into the record. Director Baldwin motioned to approve the audit resolution and exemption from audit upon review of the report from the accountant. Director Farmer seconded the motion. Motion carried (4-0)

VISITOR INPUT

NA

OLD BUSINESS

1. Cherokee Metro & Meridian Service Metro/Replacement Plan/Case No. 08GW1:

Attorney Thompson advised that Cherokee is still working on their amended application and that the next status conference will be April 29th, 2022. Ms. Thompson noted they will have to publish. Discussion followed.

2. District Violations/Enforcement Actions

There were no updates on this item

3. USGS Monitoring Program/Water Quality Study:

The board went over the amended USGS joint funding agreement. Discussion followed. Director Baldwin motioned to accept the amended USGS Joint Funding agreement for the water quality study. Director Farmer seconded the motion. Motion carried (4-0)

4. Proposed Amendments of Designated Rules 4.2.8, 5.3.3, 4.5.3, 9.5.11, 5.5.11, 6B, 7.5, & 7.11:

Attorney Thompson reported that there was a meeting to discuss the proposed amended rules. Ms. Thompson advised that the district had submitted comments. Discussion followed and the board advised Ms. Thompson on their continued concerns. Discussion continued on letter, publication and hearing.

5. Mayberry:

Ms. Thompson reported that Mayberry has resubmitted their wastewater and water supply report. Discussion followed on the Sunset Waste Water Treatment Plant, Benton Well, and Tipton well and Cherokee's commitments on the Tipton well. Mr. Kvols stated that he had incorrectly spoken and said that they had a letter of water sufficiency from the State at the last board meeting, and found out that they did not have a letter of sufficiency, but did not know that at the time he spoke. Discussion continued with Mr. Kvols and the board. Director Doran motioned for attorney Thompson to review the Cherokee information and confer with Commission Staff, if the Commission Staff approves, then we will have no additional comments. Director Baldwin seconded the motion. Motion carried (4-0)

NEW BUSINESS

The board recognized J.R. Bond for his 8 years of volunteer service to the district and thanked him for his dedication to trying to conserve and preserve the resources of the basin.

Water Well Permit Applications

1. **Gesbrecht:**

The applicant is applying for a well permit on 35 acres in the Laramie-Fox Hills aquifer. They are asking for 1 acre-foot, 2 homes, 1 acre of lawn and garden irrigation, domestic animal watering and livestock watering. Has water right no. 3522-ED. It meets the districts rules and regulation no. 18, rule 18 requires that the applicant install a totalizing flow meter.

2. **Moreno:**

The applicant is applying for a well permit in The Reserve at Corral Bluffs under DAR no. 517-ED. They are asking for 1 dwelling, 2,700 sq. feet of irrigation, domestic animal watering, with .50 acre-feet in the Arapahoe aquifer underlying 5.08 acres. They are required to have a meter, and only allowed 4 large animals. It is consistent with their water supply plan letter.

3. **Huerta:**

The applicant is applying for a well permit in Sagecrest. They are asking for 1 home, 16,000 sq. feet of irrigation, domestic animal watering, 1 acre-foot in the Arapahoe aquifer underlying 4.76 acres. They are allowed the uses they are asking for under their water supply plan, they are also required to install a meter.

4. **Brewer:**

The applicant is applying for a well permit in Tiboria Estates underlying 6.34 acres and is asking for 1 home, 10,000 sq. feet of irrigation, domestic animal watering and livestock watering, with .6 acre-feet in the Dawson aquifer. Tiboria Estates water supply letter allows for the amounts applied for. They are required to install a meter.

5. **Fields**

The applicant is applying for a well permit underlying 5 acres in Meadow Lake Estates, which is a pre-72 subdivision. They are asking for 1 home, 1/3 acre of irrigation, domestic animal watering, with 1 acre of water from the Denver aquifer. They will be allowed .5 acre-feet in the Denver aquifer per Rule 17, as this is a new well permit.

6. **2 Brothers Properties LLC**

The applicant is applying for a well permit underlying 38.77 acres and is asking for 2 homes, 1 acre of lawn and garden irrigation, domestic animal watering and 1 acre-foot in the Denver aquifer. This is consistent with our rules and regulations.

7. **Ortega, Joseph**

The applicant is applying for a well permit application underlying 39.98 acres and is asking for 3 homes, 1 acre of lawn and garden irrigation, domestic animal watering and 3 acre-feet in the Denver aquifer. The applicant will be allowed 2 homes and 1 acre-foot per our rules and regulations.

8. **Ortega, John & Jennie**

The applicants are applying for a well permit underlying 40 acres and are asking for 3 homes, 1 acre of lawn and garden irrigation, domestic animal watering with 3 acre-feet in the Denver aquifer. The applicants will be allowed 2 homes and 1 acre-foot per our rules and regulations.

9. **Bynes**

The applicants are applying for a well permit underlying 39.93 acres and are asking for 3 homes, 1 acre of lawn and garden irrigation, domestic animal watering, and 3 acre-feet in the Denver aquifer. The applicants will be allowed 2 homes and 1 acre-foot in the Denver aquifer per our rules and regulations.

10. **Eiel:**

The applicant is applying for a well permit application underlying 40 acres and is asking for 1 home, 1 acre of lawn and garden irrigation, domestic animal watering and livestock watering, and 1 acre-foot in the Denver aquifer. This application is consistent with the district's rules and regulations.

11. **Beaudin**

The applicant is applying for a change or increase of use for a 5-acre parcel in Eastwood Subdivision. They are asking for 2 homes, 1 acre of lawn and garden irrigation, domestic animal watering and 3 acre-feet in the Dawson aquifer. The Eastwood subdivision water supply letter allows for 1 acre-foot in the Dawson aquifer, 1 acre of lawn and garden irrigation and they are required to have a meter. They will not be allowed 3 acre-feet in the Dawson aquifer per our rules and regulations and their subdivision water supply plan.

12. **Voyager 20098, LLC**

The applicant is applying for a well permit under 259-ED that applied for and was deeded 2 acre-feet. The applicants are asking for 2 homes, 1 acre of lawn and garden irrigation, domestic animal watering and livestock watering underlying 43 acres. Per our rule 18 they are only allowed 1 acre-foot.

13. **Searle, Silverado Ranch**

The applicant is applying for a well permit application under 325-ED for 1 home, 1,200 sq. feet of irrigation, domestic animal watering and 0.4 acre-feet in the Laramie-Fox Hills aquifer underlying 3.4 acres in Silverado Ranch Subdivision. They are allowed per their subdivision water supply plan 0.4 acre-feet in the Laramie-Fox Hills, 1,200 sq. feet of irrigation, 2 large animals. They are required to have a meter.

Director Baldwin motioned to approve 1-13 with noted comments. Director Farmer seconded the motion. Motion carried (4-0)

Determination of Water Rights

1. **Meadow Lake Sporthorses, LLC**

The applicants are applying for determination of water rights for the Laramie-Fox Hills, Arapahoe, and Denver aquifer underlying 7.15 acres. The beneficial uses they are asking for are: domestic, including in-house use; irrigation; commercial; industrial; fire protection; livestock watering; replacement and recreational. They plan on rolling their small capacity well permit, no. 157233 into the determination. The well permit application indicates they want to use 1.4 acre-feet.

2. **Zimmerman**

The applicant is applying for determination of water rights for the Laramie-Fox Hills, Arapahoe, and Denver aquifers underlying 5.03 acres in the Oasis subdivision. The beneficial uses they are asking for are: domestic, commercial, irrigation (indoor & outdoor), stock watering, firefighting, structure and equipment washing. The applicant will be rolling their small capacity well permit with no. 198231 into the determination and are asking for full determined volume acre-feet.

Director Doran motioned to have attorney Thompson review and or comment on Meadow Lake Sporthorses, LLC and Zimmerman Determination of water right applications. Director Baldwin seconded the motion. Motion carried (4-0)

El Paso County Reviews

1. Falcon Acres Final Plat (reconsideration):

The Thousand Hills Land & Cattle Co LLC plans to subdivide an un-platted lot into 8 rural residential lots. The minimum lot size will be 5 acres. The plan was previously approved by the Board of County Commissioner's in 2008 when it was known as Falcon Acres Final Plat. It was not recorded and has to go back to the board for reconsideration. There are two wells on the property and they intend to re-use them. They also plan to add new wells and septic systems to the additional new lots.

2. 6550 Chief Road

The applicants are requesting a variance for the addition of a destination brewery operation on their existing A-5 zoned property. They do not currently have an on-site waste water system, but upon approval of the variance they will install a commercial grade OMS that will accommodate wastewater demands. They have an existing well permit with no. 85704 and is currently permitted for domestic, irrigation of lawn and garden, green house, agricultural, commercial, replacement, firefighting and watering of domestic and livestock, and fish and wildlife through a determination of water right.

3. Cornerstone Estates Final Plat:

The applicants are requesting final approval of a final plat for the development of 16 rural residential single family residential lots on approximately 58.67 acres. No lot should be less than 2.5 acres and 5.98 acres will be detention/open space, 3.82 acres are rights of way, and .44 acres are designated for future right of ways.

4. Freddy's Frozen Oustard & Steakburgers

This project is slated to go into Falcon Marketplace at Meridian and Woodmen Rds. Woodmen Hills will provide the water and wastewater.

5. Falcon Marketplace Filing No. 1A

The applicants are asking for a lot line adjustment as an amendment to the Falcon Marketplace plat.

6. Grandview Reserve 1041 new water and wastewater systems

The district submitted a letter to the County with their concerns which are consistent with the Colorado Division of Water concerns.

Director Baldwin motioned to have attorney Thompson and Mike Wreman review 1,2,3 & 6 and comment if necessary and approve 4 and 5. Director Nly seconded the motion. Motion carried (4-0)

The board discussed talking to CDPHE and the County about water quality and septic systems. Discussion followed on the RV park on Judge Orr Rd and it being on a septic system, and how Woodmen Hills is not that far away and why weren't they required by the County to go with a central wastewater system.

Any Other Business the Board May Have:

The board will discuss the San Antonio water conference at the next meeting.

EXECUTIVE SESSION

EXECUTIVE SESSION REPORT

Next meeting will be March 1st, 2022

ADJOURNMENT

President Doran called for the meeting to be adjourned.

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

The meeting adjourned at 7:42 P.M

Tracy Doran/Office Manager