

UPPER BLACK SQUIRREL CREEK GROUND
WATER MANAGEMENT DISTRICT
REGULAR MEETING MINUTES

March 1st, 2022

The **March** meeting of the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District was called to order **Tuesday, March 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,
Treasurer Mitchell Baldwin

Board Members Absent: Darrel Nly

Others in Attendance: Jason Kvols, John Hill, 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 March 1st, 2022:

Director Farmer motioned to approve the March 1st, 2022 agenda with the addition of Ware determination of water right application, and Meridian Service Metropolitan District Water Treatment Plant Expansion/Site Development Plan and King Soopers at Falcon Market Place Site Development Plan Amendment. Director Baldwin seconded the motion. Motion carried (3-0)

3. Minutes for February 1st, 2022:

Director Baldwin motioned to approve the February 1st, 2022 minutes. Director Baldwin seconded the motion. Motion carried (3-0)

4. Treasurer Report & Any Bills Needing Board Approval:

Manager Doran reported on the income and expenses for the month of February. Treasurer Baldwin motioned to approve the February 2022 treasurer report and pay the attorney bill for \$8,277.63 and accounting bill from The Adams Group for the audit exemption for \$1,600.00. Director Farmer seconded the motion. Motion carried (3-0)

VISITOR INPUT

Jason Kvols advised that they were given water sufficiency from El Paso County today and appreciated the district's help and that it will be heard on March 17th and April 5th. Attorney Thompson reported the State went through the additional report, and Cherokee Metropolitan held a special meeting and they amended their prior commitments to the Tipton well. Discussion followed on the acre-foot allowed from the Tipton well. Ms. Thompson noted that this is just for Phase 1 and that it doesn't look like they have enough water for future phases. Discussion continued on the Benton well.

OLDBUSINESS

1. **Cherokee Metro & Meridian Service Metro/Replacement Plan/Case No. 08GW1:**
Attorney Thompson noted that there is no new activity and the next status conference is on April 29th, 2022 and that Cherokee has stated that we will see an amended plan.
2. **District Violations/Enforcement Actions**
There were no updates on this item
3. **USGS Monitoring Program/Water Quality Study:**
President Doran stated he went on a field visit with USGS today to take samples. Discussion followed.
4. **Proposed Amendments of Designated Rules 4.2.8, 5.3.3, 4.5.3, 9.5.11, 5.11.6, 7.5, & 7.11:**
Attorney Thompson reported on the final version of the rule amendments that Keith Vander Horst sent out. Ms. Thompson advised that we will file for party status. The hearing will be April 4th & 5th, 2022.

Ms. Thompson reported that the district had filed objections to the GTL Determinations in January or February, because the applications were extremely confusing and also had sent out letters to El Paso County on numerous submittals regarding septic issues, including Mke Wireman's memo in the letters. Ms. Thompson also noted that letters were sent to the State on determination of water rights applications alerting them of our rule limits on small capacity wells rolling into large capacity wells after determination. Discussion followed.

NEWBUSINESS

Water Well Permit Applications

1. **Freeland**
The applicant is applying for a well permit on 35.04 acres under DAR no. 459-BD. They are asking for 2 single family dwellings, domestic animal watering, livestock watering, 1 acre-foot in the Denver aquifer. They did not specify irrigation amount on application but they will be allowed 1 acre of irrigation per our rules and regulations.
2. **Rocky Mountain Building & Loan**
The applicant is applying for a well permit on 5 acres in Landings of Denmark, lot 40, under DAR no. 63-BD. They are asking for 1 single family dwelling, 3,500 sq. feet of irrigation, domestic animal watering, and 0.5 acre-feet in the Arapahoe aquifer. They are allowed per their water supply plan all of the uses asked for; they are only allowed 2 large animals per the plan.
3. **Rocky Mountain Building & Loan**

The applicant is applying for a well permit on 5 acres in Landings of Denmark, lot 105, under DWR no. 63-ED. They are asking for 1 single family dwelling, 3,500 sq. feet of irrigation, domestic animal watering, and 0.5 acre-feet in the Arapahoe aquifer. They are allowed per their water supply plan all of the uses asked for, they are only allowed 2 large animals per the plan.

4. **RRB Group LLC/19 Permits**

The applicant is applying for 19 well permits in Tiboria Estates Subdivision. Each of the applications is asking for 1 single family dwelling, and 0.4 acre-feet in the Dawson aquifer. Each of the lots is 5 acres. They did not specify irrigation amount or animal watering on the applications. Per their water supply letter for the subdivision, they are allowed up to 1 acre-foot in the Dawson aquifer, 1 acre of irrigation, and are required to install a meter.

5. **Liverman**

The applicants are applying for a well on 35 acres in Wrangler Ranch View, under DWR no. 459-ED. They are asking for 2 single family dwellings, 1 acre of lawn and garden irrigation, domestic animal watering, livestock watering, and 1 acre-foot in the Denver aquifer.

6. **JDLLC**

The applicants are applying for a well on 39.12 acres, with max dwellings, max irrigation, domestic animal watering, livestock watering, and 1 acre-foot in the Arapahoe aquifer. They will be allowed 2 homes, 1 acre of lawn and garden irrigation, domestic and livestock watering and 1 acre-foot in the Arapahoe aquifer per our rules and regulations.

7. **JDLLC**

The applicants are applying for a well on 39.12 acres, with max dwellings, max irrigation, domestic animal watering, livestock watering, and 1 acre-foot in the Arapahoe aquifer. They will be allowed 2 homes, 1 acre of lawn and garden irrigation, domestic and livestock watering and 1 acre-foot in the Arapahoe aquifer per our rules and regulations.

8. **Mazerall**

The applicants are applying for a well on 39 acres and are asking for 1 single family dwelling, 1 acre of lawn and garden irrigation, domestic animal watering, livestock watering and 1 acre-foot in the Denver aquifer. They are consistent with the district's rules and regulations.

9. **Rocky Mountain Building & Loan**

The applicant is applying for a well permit on 5.01 acres in Landings of Denmark, lot 38, under DWR no. 63-ED. They are asking for 1 single family dwelling, 3,500 sq. feet of irrigation, domestic animal watering, and 0.5 acre-feet in the Arapahoe aquifer. They are allowed per their water supply plan all of the uses asked for, they are only allowed 2 large animals per the plan.

10. **Ballew**

The applicants are applying for a well permit on 5 acres in Emerald Acres Subdivision, with 1 single family dwelling, 18,000 sq. feet of lawn and garden irrigation, domestic animal watering, and 1 acre-foot in the Denver aquifer. Per their water supply plan, they are allowed those uses, but are required to install a meter.

11. **ED Paddock Trust**

The applicants are applying for a well permit underlying 40 acres (of a 231.79-acre parcel) and are asking for 1 single family dwelling, 1 acre of lawn and garden irrigation, domestic animal watering and 1 acre-foot in the Upper Arapahoe aquifer. They are consistent with our rules and regulations.

Director Baldwin motioned to approve the well permits and write to Shannon on item #4 that we have heard of well issues in the Dawson aquifer in those areas, and approve it for 4 acre-feet and one dwelling, with a meter. Director Farmer seconded the motion. Motion carried (3-0)

Determination of Water Rights

1. Fitzgerald

The applicants are applying for determinations of water rights for the Denver, Arapahoe, and Laramie-Fox Hills aquifers underlying 162.07 acres. The beneficial uses they are asking for are: domestic, stock watering, and irrigation of lawn and garden. The amount in the Denver aquifer represents a reduction in the volume of water available for allocation due to the existence of a small capacity well, permit no. 67070-A

2. Rockwood Homes, LLC

The applicants are applying for determinations of water rights for the Arapahoe and Laramie-Fox Hills aquifers underlying 137.92 acres. The beneficial uses they are asking for are: domestic, irrigation (indoor and outdoor), agricultural, commercial, livestock, industrial, and replacement.

3. Z Investments

The applicants are applying for determination of water rights for the Denver, Arapahoe, and Laramie-Fox Hills aquifers underlying 40 acres. The beneficial uses they are asking for are: Domestic, irrigation (indoor and outdoor), agricultural, livestock, replacement, commercial, industrial, and fish and wildlife. There is a reduction in the Denver basin aquifer allocation due to small capacity well no. 106324. They will have 4% replacement for the non-tributary Arapahoe, and actual impact replacement for the Denver aquifer.

4. Ware/Amendment to Existing Replacement Plan

The applicants wish to amend the prior replacement plan by removing the well permitted under the Division of Water Resources Permit no. 77690 as a well included in the replacement plan. The well falls outside of the land area subject to determination and replacement plan and was incorrectly included in the application.

Director Baldwin motioned to have attorney Thompson take a brief look and comment on the Ware amendment to an existing replacement plan. Director Farmer seconded the motion. Motion carried (3-0)

El Paso County Reviews

1. Falcon Highland Sketch Plan Amendment

The applicants are requesting approval of a major sketch plan amendment to the Falcon Highlands Sketch Plan originally approved in 2004. The area that is part of this amendment request within the Falcon Highlands development is currently known as Filing 3 and encompasses 125.56 acres. The 125 acres was originally part of a larger 240-acre parcel permitting single family residential at 1.58 DU/Acre. Most of the 240 acres has been developed and constructed as part of Falcon Highlands Filing No. 1 and No. 2, with existing lots of 10,000 sq. feet up to an acre or larger in size. The amended area is proposing to include 17.0 acres of single family residential at a density of 1.0-3.0 DU/Acre with a minimum sized 20,000 SF lots to align with the existing neighborhood and 89.1 acres at a density of 3.0-6.0 DU/Acre consisting of standard lot sizes ranging from 3,500 to 6,600 SF. This area is currently planned for a density of 1.5 DU/Acre. The proposed higher density land

use area will be buffered by Antelope Meadow Circle. There will be approximately 16.6 acres of detention both proposed and existing along the southern boundary, another 2.8 acre of open space, to the north, and a park. The zoning will remain PUD with a future submittal to include a comprehensive PUDSP outlining the development in detail.

2. Judge Orr RVP Roadway Extension CDR

The applicant is proposing an addition to the roadway that will encompass approximately 1.5 acres however it is located within the existing overlot grading area included within the existing erosion control measures and no additional disturbance will occur as a result of this roadway construction. Flows from this roadway were included within the approved drainage report and are accounted for within the detention basin calculations

3. Retreat at Timber Ridge Filing No. 2

This application is out of basin. This request is for a final plat for 78.829 acres and 90 single family lots. Twelve lots are proposed to be 2.5 acre and the remaining 78 are proposed to be 12,000 Square feet. Water sufficiency is being requested with this final plat. We got previous plans because of the Cherokee and Meridian potential involvement. There are no mentions of either Metro district in this plan.

4. Mayberry Phase 1 PUD/SP

The applicant is requesting approval for the following applications

1. APUD/Preliminary Plan Amendment for the 71.39 ac Phase 1 portion of the past approved Ellicott Town Center PUD
2. Early Metro District grading improvements
3. PUD Modifications for the Mayberry drainage easements, urban knuckle SDT Length, Mid-block crossings

5. Meridian Service Metropolitan District Water Treatment Plant Expansion/Site Development Plan

This is a site development plan for a new 3.325-acre tract that will contain the existing treatment facility (30' x 40' building) as well as a proposed 40' x 55' expansion. The parcel will be bounded by: existing and future right-of-way for Sunrise Ridge Drive to the north and west. Future residential lots to the east, and future tract C of the Estates at Rolling Hills Ranch Filing no. 2 to the south. They plan on two new wells, two mobile office trailers (to be removed), and various underground utility appurtenances. The existing water treatment facility has been in operation since 2001 and needs to expand to serve future (approved) development. Purpose: the purpose of this project is to provide better, more reliable, and additional water service for the district and its constituents by expanding the existing water treatment plant. Improvements will consist of: 2,064 square-foot water treatment facility expansion, two (2) underground water processing tanks (approximately 20,000 gallons each), interior process piping and equipment, underground piping.

6. King Soopers at Falcon Market Place Site Development Plan Amendment

The applicant requests an amendment to the approved site plan for the following revisions to lot 3: a trash enclosure is being added, a larger kiosk is being proposed, totaling 247 sq. feet. Woodmen Hills is the water and waste water provider for this development. It appears to be an enlargement of a fuel station.

Director Doran motioned to approve the 1, 4 & 6 and have attorney Thompson review and comment on 2 & 5 of the El Paso County Reviews. Director Farmer seconded the motion. Motion carried (3-0)

Any Other Business the Board May Have:

The board discussed term limits and directed Ms. Thompson to look into what that would require.

EXECUTIVE SESSION

EXECUTIVE SESSION REPORT

Next meeting will be April 5th, 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 (3-0)

The meeting adjourned at 7:08 P.M

Tracy Doran/Office Manager