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UPPER BLACK SQUIRREL CREEK GROUND  
WATER MANAGEMENT DISTRICT  
REGULAR MEETING MINUTES

April 5<sup>th</sup>, 2022

The April meeting of the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District was called to order Tuesday, April 5<sup>th</sup>, 2022, at 6:00 P.M, in the conference room at Farmers State Bank, 1500 8<sup>th</sup> 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

**Board Members Absent:** Mitchell Baldwin (excused)

**Others in Attendance:** John Hill, Lisa Thompson via Zoom, 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 April 5<sup>th</sup>, 2022:**

Director Farmer motioned to approve the April 5<sup>th</sup>, 2022 agenda with the addition of 2 JID, LLC well permits and McFeron Determination of Water Right Application. Director Nly seconded the motion. Motion carried (3-0)

**3. Minutes for March 1<sup>st</sup>, 2022:**

The minutes could not be approved without Director Baldwin present as Director Nly was absent from the March meeting, and was tabled until the May meeting.

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

Manager Doran reported on the income and expenses for the month of March. Director Farmer motioned to approve the March treasurer report and pay the attorney bill in the amount of \$3,257.29. Director Nly 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 advised the board that we did receive the amendment to Cherokee's replacement plan application. Discussion followed on the application and that it was similar to the one previously submitted but has grown. Discussion on timeline for publication and hearing. Ms. Thompson reported that Cherokee's counsel asked if the board or technical consults would like to meet to go over what they know. Discussion continued. Ms. Thompson stated that she would contact Cherokee's counsel and advise that the board would like time to review and will take it up again at the next meeting. Ms. Thompson asked for direction from the board on Spronk Engineering and getting an estimate on the costs of reviewing so the board is not surprised, and the board directed her to contact them

2. **District Violations/Enforcement Actions**

The board discussed abandoned grow sites and that some had put in large pumps and bigger electric services and that Chris Grimes should be made aware so that when new owners purchase these properties they know they have to put in smaller submersible pumps in their domestic wells to be in compliance with our rules. Discussion followed.

3. **USGS Monitoring Program/Water Quality Study:**

President Doran reported that Zach with USGS has been collecting samples and is looking for one more above the west fork, that is native before it runs through Black Squirrel. He has received notice that the latest phase of the study has gone to publication and will be made available to the public once that is complete, but no specific date to report on. President Doran also noted that the designated basin water levels that are being monitored can be viewed online now and is live. Mike Wreman has been reviewing what he is seeing. Some readings are done monthly in person.

4. **Proposed Amendments of Designated Rules 428,533,453,9511,5511,6B7.5, & 7.11:**

Ms. Thompson reported on the Hearing held yesterday with Commission Staff and the Hearing Officer and reported that it went very well. We'll wait to see what happens.

## **NEW BUSINESS**

### **Water Well Permit Applications**

1. **H Point Home Builders**

The applicant is asking for 2 homes, 1 acre of irrigation, domestic animal watering, stock watering, and 1 acre-foot in the Denver aquifer underlying 35 acres under DAR 459-BD.

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3. **H Point Home Builders**

The applicant is asking for 2 homes, 1 acre of irrigation, domestic animal watering, stock watering, and 1 acre-foot in the Denver aquifer underlying 35.64 acres under DAR 459-BD.

4. **Ledezma**

The applicants are asking for 2 homes, 1 acre of irrigation, domestic animal watering, livestock watering, 1 acre-foot in the Denver aquifer underlying 40 acres.

5. **Intermill**

The applicant is asking for 2 homes, 1 acre of irrigation, domestic animal watering, stock watering, and 1 acre-foot in the Denver aquifer underlying 35.25 acres under DAR 459-BD

**6. Sandoval:**

The applicant is asking for 1 home, 1 acre of irrigation, domestic animal watering, and 0.5 acre-foot in the Denver aquifer underlying 5 acres in Sunny Slope Estates. This is a pre-72 subdivision. No well drilled under well permit no. 308405.

**7. Baumgart/Registration of Existing Well:**

This application is for a registration of existing well. It is located on Front Street in Peyton and has been historically used for inside use 1 single family dwelling, watering of small domestic animals, irrigation of 2,000 sq. feet of landscaping. The well pumps 10 GPM and average amount of water used is .75 acre-feet. Water was first put to beneficial use in 1895.

**8. Goss/Replacement/Re-Drill:**

The applicant desires to replace an irrigation well and an exempt domestic well. The applicant seeks to use the hole vacated by the irrigation well as the new location for the exempt domestic well. The applicant requests to re-drill the irrigation well permitted under 6100-FP-R at a new location, and to relocate the exempt domestic well permitted pursuant to Permit no. 196678 into the existing hole vacated by the irrigation well.

**9. Wojtyczka:**

The applicant is asking for 1 single family dwelling, irrigation (not specified), domestic animal watering, an unspecified amount in the Arapahoe aquifer underlying 5.42 acres in Sagecrest subdivision. The subdivision water supply plan letter for this subdivision allows for 1 acre-foot in the Arapahoe aquifer, 16,000 sq. feet of irrigation, and is required to have a meter.

**10. H Point Home Builders**

The applicant is asking for 2 single family homes, 1 acre of irrigation, domestic animal watering, and 1 acre-foot in the Denver aquifer underlying 35.1 acres in the Trails End Ranch Subdivision under DAR No. 1188-BD (now 4065-BD), and they are allowed the uses requested per subdivision water supply plan letter.

**11. JDLCC**

Applicants are asking for max dwellings, max irrigation, domestic animal watering, 1 acre-foot in the Denver aquifer underlying 39.06 acres. They can have 2 homes, and 1 acre of irrigation, but meets the rules and regulations of the district.

**12. JDLCC**

Applicants are asking for max dwellings, max irrigation, domestic animal watering, 1 acre-foot in the Denver aquifer underlying 39.11 acres. They can have 2 homes, and 1 acre of irrigation, but meets the rules and regulations of the district.

Director Farmer motioned to approve well permits 1-12, except no. 8, which we are waiting on further clarification. Director Nly seconded the motion. Motion carried (3-0)

Ms. Thompson reported to the board that the State has been doing a lot of work on their map viewer and is very user friendly and can find a lot of information on there now. She gave a brief lesson to the board.

## Determination of Water Rights

### 1. MC3 Investments LLC

The applicants are asking for DWR in the Denver, Arapahoe, and Laramie-Fox Hills aquifers underlying 40 acres. The beneficial uses they are requesting are: domestic, indoor and outdoor irrigation, agricultural, commercial, industrial, stock watering, fire suppression, and replacement.

### 2. Coronado Ranch Partners, LLC

The applicants are asking for DWR in the Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers 80 acres. The beneficial uses they are requesting are: domestic, irrigation, commercial, stock watering, fire protection, piscatorial, recreation, industrial, fish and wildlife, and replacement, either directly or after storage.

### 3. McFeron

The applicants are asking for DWR in the Dawson, Denver, Arapahoe & Laramie-Fox Hills aquifers underlying 72.87 acres. The beneficial uses they are requesting are: domestic, irrigation (indoor & outdoor), agriculture, livestock, replacement, commercial, industrial, fire protection, and fish and wildlife. There is a reduction in the Dawson aquifer due to the existence of small capacity wells, permit no. 129440 and 206576, withdrawing water from beneath the described property. They will need a replacement plan.

Director Farmer motioned to approve 1-3 of the determinations of water right applications. Director Nly seconded the motion. Motion carried (3-0)

## El Paso County Reviews

### 1. Grandview Reserve/Preliminary Plan/PUD Filing 1:

4 Sites Investments LLC is submitting Grandview Reserves requesting approval of a PUD/Preliminary Plan for Filing 1. The total property consists of 189.5 acres. The plan proposes up to 568 residential units at varying densities, parks and open space and a potential church site. In this application they are seeking approval for:

- a) A Site-specific PUD/Preliminary Plan for the 568 single family lots, 11.23 acres gross institutional use (2 lots for church and recreational use), with residential at a gross density of 3.0 dwelling units per acre.
- b) Water sufficiency with the PUD Development Preliminary Plan.
- c) Pre-Development Site Grading and installation of Wet Utilities.
- d) Subsequent Final Plats to be approved administratively.

The projected water demand for filing 1 is 203.79 annual acre-feet, they state that 140,000 acre-feet of Arapahoe water owned by GRMD will provide an annual supply of 466.67 acre-feet based on the 300-year rule. None of the water has been committed to any other development they advise. Please see page 22 of letter of intent for more water information. A Waste water infrastructure collection system will be installed and owned by Grandview Reserve Metro District. They will tie into an existing wastewater treatment system that connects to the Cherokee Metropolitan District plant where it is treated and discharged. See page 7 of letter of intent for further information regarding the utilities.

### 2. Waterbury PUD Preliminary Plan-Amendment to Filings 1 & 2

The applicant is requesting approval for the following:

- a) A PUD/Preliminary Plan for Filings Nbs 1 & 2 of the Waterbury subdivision, requesting 198 single-family lots on 61.9 acres. The Type D Application form (1-2C) is submitted.

- b) Deviation for Saybrook Rd. cross section, as shown on the PUD/Preliminary Plan cover page, detailed in the filed Deviation Request, and as approved by the fire authority.
- c) Water sufficiency finding.
- d) Early grading operations request (grading only, no utilities).
- e) Subsequent administrative approval of final plats for Waterbury Filings No. 1 & 2

They have received a sufficient water supply letter from the State. Public sewage disposal will be provided by Grandview Reserve Metro District in agreement with the Cherokee Metro District.

**3. Copper Chase at Sterling Ranch**

Challenger Community is requesting approval of a PUD Preliminary Plan for a single family detached residential development in Sterling Ranch for 138 lots. They are asking for a Finding of Water Sufficiency with the preliminary plan and subsequent Final Plat to be approved administratively.

Director Nly motioned to have attorney Thompson review 1-3. Director Farmer seconded the motion. Motion carried (3-0).

**Any Other Business the Board May Have**

NA

The board took a brief recess at 7:24 P.M

Director Nly motioned to go into executive session at 7:26 P.M on April 5<sup>th</sup>, 2022 for 24-6-402 (4) (b) for legal advice on specific issues. Director Doran seconded the motion. Motion carried (3-0)

**EXECUTIVE SESSION**

Please take notice that Vice-President Dan Farmer Pursuant to C.R.S. §24-6-402(4)(b) is requesting an Executive Session with the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District during its regular meeting scheduled on Tuesday, April 5<sup>th</sup>, 2022, regarding the following matters:

- 1. Conflict of Interest

Director Nly motioned to come out of executive session and back into regular session at 7:44 P.M Director Doran seconded the motion. Motion carried (3-0)

**EXECUTIVE SESSION REPORT**

There was no action taken

The board discussed Fresh Water News and that they had some incredible water articles. Attorney Thompson noted she thought it might be part of Water Education Colorado.

**Next meeting will be May 3<sup>rd</sup>, 2022**

## **ADJOURNMENT**

President Doran called for the meeting to be adjourned.

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

The meeting adjourned at 7:44 P.M

Tracy Doran/Office Manager