

UPPER BLACK SQUIRREL CREEK GROUND
WATER MANAGEMENT DISTRICT
REGULAR MEETING MINUTES

June 7th, 2022

The June meeting of the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District was called to order Tuesday, June 7th, 2022, at 6:00 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

Board Members Absent: Mitchell Baldwin

Others in Attendance: John Hill, Lisa Thompson via Zoom, Jeff Munger,
Jared Abraham via Zoom, Jason Kvols, 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 7th, 2022:**
Director Farmer made a motion to have the presentation by Jared Abraham after visitor input. Director Nly seconded the motion. Motion carried (3-0)
- 3. Minutes for May 3rd, 2022:**
Director Farmer motioned to approve the May 3rd, 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 for the month of May. Director Nly motioned to accept the May 2022 treasurer report and pay the attorney bill for \$5,459.50. Director Farmer seconded the motion. Motion carried (3-0)

VISITOR INPUT

NA

Aqua Geo Presentation on Using Airborne Geophysics for Aquifer Delineation by Jared Abraham

Jared Abraham with Aqua Geo Frameworks, LLC gave a brief introduction of his background and credentials and projects he has worked on. Mr. Abraham gave a power point presentation on using airborne geophysics for aquifer delineation using airborne electromagnetic (AEM). After the presentation there was a question-and-answer session with Mr. Abraham and the board. The board went over what was covered by AEM costs, locations, grants, estimating the water tables. The board would like to have Mr. Abraham come down and do a field visit and check sites for potential projects. Mr. Abraham and Lisa discussed dates that they were available. Everyone agreed to a field visit for July 14th, 2022 and hold our meeting later that night. Director Farmer motioned to set the July meeting for July 14th, 2022 instead of July 5th, 2022. Director Nly seconded the motion. Motion carried (3-0)

OLDBUSINESS

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

Attorney Thompson conveyed that we had received a letter from the State outlining a long list of deficiencies for the replacement plan and won't deem it complete and will not publish. The requirements are now based on the rules changes made last year. There will be a status conference on August 9th, 2022.

2. District Violations/Enforcement Actions

President Doran stated that Chris Grimes at the Ground Water Commission meeting said he will follow up on illegal wells with large capacity submersible pumps that should be limited to 15 gpm on small capacity wells but were changed out illegally. President Doran asked attorney Thompson to follow up with Chris.

3. USGS Monitoring Program/Water Quality Study:

President Doran noted he had spoke with Zach with USGS and he said he would be going out to get samples in the north end of the basin. President Doran stated he had no updates on the publication, other than it has been approved. Discussion followed on putting a link of the wells with transducers on our website to see the trends.

4. Proposed Amendments of Designated Rules 428,533,453,9,511,5,511,6B7.5, & 7.11:

Attorney Thompson reported that at the Commission meeting they recognized this rule change wasn't requested by any management districts and wants staff to work with the two objectors on the language. The Commission tabled it until the August meeting in Alamosa, Colorado.

5. Goss Variance Request/Hearing:

Attorney Thompson advised that she has spoken to Mr. Goss's counsel a couple of times and that we haven't seen the publication yet. Ms. Thompson stated after the publication period, there is a 30-day objection period, then the board will set the hearing date, there will be a pre-hearing deadline as well. The district will wait for the publication.

NEWBUSINESS

1.

Water Well Permit Applications

1. Aguilar:

The applicant has applied for a domestic well permit underlying 41.32 acres for 2 homes, 1 acre of lawn and garden irrigation, domestic animal watering, stock watering, and 1 acre-foot in the Denver aquifer.

2. Fuqua:

The applicants have applied for a domestic well under DWR1187-ED in Trails End Ranch Subdivision for lot 3, 35.98 acres. They are asking for 2 homes, 1 acre of lawn and garden irrigation, domestic animal watering, livestock watering, and 1 acre-foot in the Arapahoe aquifer which is consistent with their water supply plan.

3. Rodriguez

The applicant has applied for a domestic well permit under DWR 459-ED underlying 27.11 acres. They are asking for 2 homes, 1 acre of lawn and garden irrigation, domestic animal watering, livestock watering, and 1 acre-foot in the Denver aquifer.

4. Leinweber

The applicants are applying for a domestic well permit in Tiboria Subdivision. They are asking for 1 home, 1 acre of lawn and garden irrigation, domestic animal watering, and 1 acre-foot in the Denver aquifer underlying 5.34 acres. This is consistent with their subdivision water supply letter.

5. Diaz

The applicant is requesting a commercial well permit for 1 acre-foot in the Laramie-Fox Hills aquifer for a mechanics shop, with 5 customers a day. It is on 38 acres, with 1 acre extracted from a church it appears.

Director Farmer motioned to approve well permits 1-5. Discussion followed. Director Nly seconded the motion. Motion carried (3-0)

Determination of Water Rights

1. Green Hill Farm LLC

The applicants are applying for determination of water rights for the Denver, Arapahoe, and Laramie-Fox Hills aquifers underlying 120 acres. The beneficial uses they are asking for are: residential, irrigation, commercial, agriculture, livestock watering, replacement, and firefighting, either directly or after storage.

2. McDonald/Rivera

The applicants have applied for a determination of water right for the Denver aquifer underlying 5.01 acres on lot 7, in Sylvan Meadows Filing No. 2. The beneficial uses they are asking for are: domestic, livestock watering, irrigation, replacement, fish and wildlife and recreation.

President Doran reported that he had gotten a call from a constituent regarding the language in the Green Hill Farm LLC application regarding "either directly or after storage" for all their uses. Discussion followed. Attorney Thompson advised that storage has to have a place identified where it is going to be. The board directed Attorney Thompson to comment on Green Hill Farm LLC, and if the State is not receptive to the district's comments then to object.

El Paso County Reviews

1. 12124 Oregon Wagon Trail ALQ

The applicant is requesting a Special Use/Variance of Use for an auxiliary living quarters. The owners would like to convert a portion of their existing detached garage, to allow an immediate family member to reside in the auxiliary living quarter.

2. Homestead North at Sterling Ranch Filing No. 2

The applicant is requesting approval of a Final Plat for Homestead North at Sterling Ranch Filing No. 2 on 36.3038 acres, including 74 single family lots, 8 tracts and rights of way. This is out of district but we have commented on previous submittals based on potential ability to connect to Cherokee Metropolitan District and Woodmen Hills Metropolitan District storage and delivery facilities.

3. 21050 McDaniels Rd-AL:

The applicants are requesting approval for a detached accessory living quarters for permanent occupancy for their mother. Have an alluvium well on McDaniels Rd. Does not say if they are using the same septic or getting another for accessory dwelling. Submitted septic permit for the original home.

4. 9695 Rockingham Drive-ADR/DeYoung:

The applicant is requesting a variance to the rear setback to allow a new garage/accessory to be set back to 12' vs. 15' to the back of the lot line.

5. Scenic View PEHPond Amendment:

The Paint Brush Hills Metropolitan District is proposing to modify the existing detention pond for the Scenic View at Paint Brush Hills development to bring it up to current El Paso County design standards. They are proposing the installation of a concrete forebay and trickle channel, replacing the existing orifice plate and well-screen trash rack in the existing outlet structure, and site grading which consists of the addition of a one-foot-high berm around the limits of the existing pond.

6. Meadow Lake Commercial Park (CS):

The applicants would like to rezone 31 acres of the Meadow Lake Industrial Park site from PUD to CS commercial services.

7. Meadow Lake Industrial Park (I-3):

The applicants would like to rezone 172.4 acres of the Meadow Lake Industrial Park site from PUD to I-3 heavy industrial.

8. Meadow Lake Industrial Park (I-2):

The applicants would like to rezone 51.3 acres of the Meadow Lake Industrial Park site from PUD to I-2 industrial.

9. DeYoung RV Storage:

The applicant is proposing to build 136,060 SF of mini storage facility on site. Also proposing RV/Boat storage parking (uncovered) on the east side of the property.

10. Sanctuary at Rolling Hills Ranch PUDSP:

The applicants are proposing a 343-unit single family PUD development on 74 acres in the Meridian Ranch community.

11. Mayberry Filing No. 3:

The applicants are requesting approval for a Final Plat for the 106-acre Phase 1, Filing 3 portion of the recently approved Mayberry PUD.

12. Grandview Reserve Geick Basin Channel:

The applicant submitted a memo of what they will be doing to the Geick Basin Channel. I think this will need to be reviewed by Mke Wireman.

13. Bent Grass Dunkin Donuts:

The project consists of a 1,985 square foot single story retail building which will house a Dunkin Donuts store with drive through and parking lot.

14. 9675 Towner Avenue Dish Collocate:

Dish to collocate 3 antennas, 6RRHs, at 80' RAD center on existing 100' stadium light pole. Supporting ground equipment, 2 cabinets to be placed at base of tower on a 5x7 fenced platform I don't see any water uses with this application.

15. Crossroads North Preliminary Plan:

The applicants are proposing ten (10) lot commercial preliminary plan on 44.34 acres on Hwy 24 and Marksheffel Rd. This is out of district but Cherokee will be the water provider. They are requesting authorization of pre-subdivision site grading and findings of water sufficiency.

Director Farmer motioned to have Mke Wreman review 10 & 12, and Attorney Thompson review 2, 5, 10, 11 & 15. Director Nly seconded the motion. Motion carried (3-0)

Any Other Business the Board May Have:

The board discussed Cherokee's legal publication, that they feel should not have been published in the legal section of the Ranchland News, as it was more of an op-ed piece and stated things the district did not say regarding the amended replacement plan and is misleading to constituents. Ms. Thompson stated it had a number of statements that were not correct, and that the timing of the publication was very suspicious. Discussion continued that if they do not redact, the district could print something in the paper. Ms. Thompson has not gotten a response from her letter to Cherokee's counsel she stated. Discussion followed on Rule 408. The board feels strongly that the constituents need to know the truth.

EXECUTIVE SESSION

EXECUTIVE SESSION REPORT

Next meeting will be July 14th, 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 8:26 P.M

Tracy Doran/Office Manager