

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

April 2nd, 2024

The **April** meeting of the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District was called to order **Tuesday, April 2nd, 2024**, at 6:00 P.M., at 1500 8th Street (inside the conference room at Farmers State Bank, enter through the courtyard) & also Via Zoom. The meeting was open to the public.

Board Members in Attendance: President David Doran, Vice-President Dan Farmer
Via Phone, Secretary Darrel Nily, Treasurer Mitchell Baldwin

Board Members Absent: NA

Others in Attendance: **In Person:**
Dave Elliott, Carl Tatum, John Hill, Tracy Doran
On Zoom:
Luke O'Brien, Lisa Thompson, Pete Johnson,
Jeff Munger, Marlene Hindeman, Joshua Watkins

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 2nd, 2024:**
Director Baldwin motioned to approve the agenda with the addition of #5 under well permits for Longhorn Acres Subdivision, and #8 under El Paso County Reviews for Mary Jane Ranch Minor Subdivision. Director Nily seconded the motion. Motion carried (4-0)
- 3. Minutes for March 5th, 2024:**
Director Farmer motioned to approve the March 5th, 2024 minutes. Director Nily seconded the motion. Motion carried (3-0) Director Baldwin abstaining
- 4. Treasurer Report & Any Bills Needing Board Approval:**
Treasurer Baldwin reported on the income and expenditures for the month. Director Farmer motioned to approve the March 2024 treasurer report and pay the attorney fees for March of \$19,025.49, Spronk engineering bill for \$29,315.00,

Granite Ridge Groundwater bill for \$8,875.00, and accounting firm The Adams Group bill for \$12,000.00 Director Nily seconded the motion. Motion carried (4-0)

5. Amended Budget Hearing:

President Doran read the resolution into the record.

Director Nily motioned to go into the amended budget hearing at 6:09 PM. Director Farmer seconded the motion. Motion carried (4-0)

President Doran asked for public comment and seeing none closed public comments.

President Doran asked for board comments and seeing none closed board comments.

Director Baldwin motioned to accept the resolution for the supplemental budget for the unexpected expenses over and above what was budgeted for 2023 for various line items relating to professional service, contract services & water studies and to increase the budget from \$877,527.02 to \$900,000.00. Director Nily seconded the motion. Motion carried (4-0)

Director Doran motioned to close the supplemental budget hearing and go back into regular session at 6:10 PM. Director Farmer 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 reported that there was a meeting with the experts and that not a lot of progress was made. She further noted that the applicants (Cherokee) filed a Motion to object to the Pro Se Objectors and we have filed an objection to that. Ms. Thompson went over the upcoming deadlines and dates and reaffirmed that the Hearing will be held in Colorado Springs on July 8th to July 26th, 2024.

Ms. Thompson informed the board that Chris Grimes has been appointed as the new Hearing Officer for the State. Discussion followed. The next meeting of the Ground Water Commission will be in Castle Rock on May 17th, 2024.

2. District Violations/Enforcement Actions:

President Doran updated the board on the illegal pond issues and explained that

the State has granted all the pond owners an extension until April 1, 2024. Chris Grimes in a recent letter to the pond owners outlined the dates and expectations on what they should be doing.

Discussion followed.

3. USGS Monitoring Program/Water Quality Study:

President Doran advised that we will be working with USGS to modify which wells to test and which areas of the basin. Discussion followed on having USGS do a presentation to the County, and having USGS start using our AEM map instead of the Topper map they are using.

4. Cherokee Change of Water Right Application-Poleson Well (Export):

Attorney Thompson reported on the status conference and that there will be another status conference in June. The Hearing will be held October 22-2th, 2024 in Denver.

5. Town of Bennett Determination of Water Right Objection:

Attorney Thompson reported that the Town of Bennett had withdrawn their variance and that Lost Creek has authorized their attorney to sign the Stipulation. Discussion continued on what that means for us in our objection.

6. Paint Brush Hills Determination of Water Right Objection:

Attorney Thompson advised that that the applicants have withdrawn their variance request, but it is still unclear what they are planning to do.

NEW BUSINESS:

1. Falcon Marketplace:

We got an email from Kate Varnum from Drexel, Barrell & Co about ground water seepage and they are reaching out to see if we have any problems going at this as a “gravity flow policy” perspective.

The board discussed this and will reach out to Jeff Rice and the State to see what they have decided.

Water Well Permit Applications:

1. Meadowlake Airport Association:

The applicant is wanting to replace the existing well at Judge Orr Rd.

Dave Elliott explained the situation the airport is in with the well and how they came about owning the property and what they plan on doing. Discussion followed with the board.

2. Flores:

This is a pre-72 well. The applicant is applying for 1 home, 1 acre foot of irrigation, domestic animal watering, with 1 acre-ft in the Arapahoe aquifer underlying 5 acres.

3. Emmons:

The applicant is applying for 3 homes, 1 acre of irrigation, domestic animal watering, stock watering with 27.12 acre-ft in the Dawson aquifer underlying 36.6 acres. They have a replacement plan and determination of water right.

4. Elwick:

Registration of existing well

5. Longhorn Acres Subdivision:

The applicant is applying for a well in the Denver aquifer for max allowed, for irrigation, commercial, and RV Park underlying 36.24 acres on Peyton Hwy.

President Doran motioned to have Lisa and Luke review and comment on 2,3 & 5. Director Nily seconded the motion. Motion carried (4-0)

Large Capacity Well Permit Applications:

1. Olas:

The applicants are applying for a large capacity well permit underlying 4.84 acres in the Dawson aquifer for irrigation, domestic, firefighting, replacement and stock watering. They have a replacement plan no. 4127-RP.

President Doran motioned to have Lisa comment on the Olas permit. Director Nily seconded the motion. Motion carried (4-0)

Replacement Well Permit Applications:

NA

Change of Use Well Permit Application:

NA

Determination of Water Rights:

NA

El Paso County Reviews:

1. Grandview Reserve Phase 2 PUDSP:

Melody Homes Inc, is requesting approval of a Grandview Reserve PUD/Preliminary Plan for Phase 2. Early grading and rezoning.

2. 11745 Owl Place Gas Station & Convenience Store:

Site development plan for fuel station and convenience store on 1.1 acres to be platted Lot 1 Owl Marketplace Filing no. 1

3. Silverado Ranch Filing No. 2:

The applicants are requesting a final plat for filing no. 2 and it will add 15 lots to the east and 10 lots in Filing 1. They claim sufficient water supply.

4. Stonebridge Metropolitan District 1-6:

OUT OF DISTRICT

5. 2775 N Meridian Rd-Rezone:

The applicants are wanting to rezone from RR-5 to A-35.

6. Falcon Meadows at Bent Grass Fil 4:

Challenger communities, LLC is requesting approval of a SF/Final Plat for Falcon Meadows at Bent Grass Filing no. 4 This proposal adds 39 lots, 7 tracts of varying use and public right of way.

7. Grandview Reserve Filing No. 1:

Melody Homes, Inc. is requesting approval of SF/Final Plat for Grandview Reserve Filing no. 1 This is the first filing of the approved Grandview Reserve PUD/Preliminary Plan. This filing proposes 119 single family lots, 4 tracts of varying use, and public right of way.

8. Overlook at Homestead Metropolitan District:

The applicants are requesting to form a Title 32 metropolitan district.

9. Mary Jane Ranch Minor Subdivision:

The applicants are requesting to rezone a 40-acre parcel from A-35 to RR-5 to create 4 10-acre parcels.

Director Baldwin motioned to have Lisa review and comment on 3,6,7 & 9.

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

Any Other Business the Board May Have:

Director Farmer suggested that the board look into making a PFAS rule, and that we should consider determining a depth to bedrock with our AEM findings for subdivisions for better discharge of their water and where it's going. Discussion followed on Grandview Reserve, also dewatering, meeting with the County, and that the alluvium is our last hope and we are down to our last 30 feet of water.

The board discussed the Harmony in Hydrology symposium that will be held in Golden on April 19th, 2024 at the AWR Association and that Jared will be giving a presentation on our AEM Study. Director Baldwin is interested in attending. President Doran noted that there is a cost associated with this but it looks very interesting & to let the board know if he would like to attend.

1. Election Term Limits:

The board tabled this until the next meeting and Lisa will give the board a draft memo regarding this.

2. 2024 Winter Groundwater Management District Conference:

The board tabled this item until the next meeting because of time.

3. Underground Water Symposium:

The board tabled this item until the next meeting because of time.

Executive Session:

Executive Session Report:

NA

Next Meeting Date: May 7th, 2024

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 8:06 P.M.

Tracy Doran/Office Manager