

www.upperblacksquirrelcreekwater.com
**UPPER BLACK SQUIRREL CREEK GROUND
WATER MANAGEMENT DISTRICT
REGULAR MEETING MINUTES**

June 4th, 2024

The **June** meeting of the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District was called to order **Tuesday, June 4th, 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, Secretary Darrel Nily

Board Members Absent: Mitchell Baldwin

Others in Attendance: **In Person:** Maria Jindra, John Hill, Tracy Doran

On Zoom: Luke O'Brien, Pete Johnson, Brandon Zembles

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 4th, 2024:

Director Nily motioned to accept the June 4th, 2024 agenda. Director Farmer seconded the motion. Motion carried (3-0)

3. Minutes for May 7th, 2024:

Director Nily motioned to approve the May 7th, 2024 minutes. Director Farmer 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 Farmer motioned to approve the May treasurer report and pay the attorney bill for \$43,50.15, Spronk Engineering bill of \$22,465.00, Wright Water Engineering bill for \$13,922.75, and Granite Ridge Water bill for \$5,050.00. Director Nily seconded the motion. Motion carried (3-0)

VISITOR INPUT

NA

OLD BUSINESS

1. Cherokee Metro & Meridian Service Metro/Replacement Plan/Case No. 08GW71:

Attorney O'Brien updated the board on pending deadline dates for submittals and responses, went over who will be getting deposed, status conference date and that they will be meeting the new hearing officer Brian Garrett and that the 1st day of the hearing will be July 8th, 2024. Discussion followed. Director Doran discussed the Pro Se Objectors motion and how they will be limited in their participation in the hearing and only able to discuss evidence that has been disclosed and bring no new evidence or objections forward.

2. District Violations/Enforcement Actions:

President Doran gave updates on the ponds in Old West Ranch and the process they need to breach the ponds. Discussion followed.

3. USGS Monitoring Program/Water Quality Study:

There were no updates on this item.

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

Attorney O'Brien advised that the hearing will be held on October 22-25th, 2024. Mr. O'Brien noted that there is a status conference on June 17th, 2024.

5. Paint Brush Hills Determination of Water Right Objection:

Attorney O'Brien reported that there are no updates on this item and that they are supposed to submit responses to Upper Black Squirrel and the State staff on June 28th, 2024.

NEW BUSINESS:

Water Well Permit Applications:

1. Hollingsworth:

The applicants are applying for a domestic well in the Dawson aquifer for 1 acre-foot, with 1 dwelling, 1 acre of lawn and garden irrigation, domestic animal watering underlying 5.07 acres in Tiboria Subdivision. They are allowed these uses per the water supply letter.

2. Smith:

The applicants have cancelled the permit that was requesting the Dawson aquifer and are now applying for 1 acre-foot in the Denver aquifer in Tiboria Subdivision. They are also seeking 1 home, 13,000 sq. feet of lawn and garden irrigation, domestic animal watering underlying 10 acres.

3. Rockwater Development Company LLC:

The applicants are applying for a domestic well underlying 5 acres in The Landings of Denmark subdivision. They are asking for 1 dwelling, 3,500 sq. feet of lawn and garden irrigation, with .5 acre-feet in the Arapahoe aquifer. These

are allowed amounts under the water supply plan. They are also allowed 2 large animals, and they are required to install a meter.

4. Beedle:

The applicants are applying for a domestic well in Paint Brush Hills subdivision. They are asking for 1 dwelling, 12,000 sq. feet of lawn and garden irrigation, domestic animal watering, with 1 acre-foot in the Dawson aquifer underlying 3.16 acres. They are allowed these uses per the water supply letter. They are also required to install a meter.

5. Thousand Hills Land & Cattle LLC:

This is an application to change the use to an existing well pending subdivision approval.

Director Nily motioned to approve 1-4 on consent with comments and have Lisa & Luke review and comment on #5. Director Farmer seconded the motion. Motion carried (3-0)

Large Capacity Well Permit Applications:

NA

Replacement Well Permit Applications:

1. Meridian Service District application to amend existing replacement Plan:

The applicants are applying to amend an existing replacement plan that was approved in 2017.

Director Doran motioned to have Lisa and Luke review the application to make sure it is in compliance. Director Farmer seconded the motion. Motion carried (3-0)

Change of Use Well Permit Application:

NA

Determination of Water Rights:

1. Davis:

The applicants are applying for a determination of water rights for the Denver, Arapahoe, and Laramie-Fox Hills aquifers underlying 40 acres. The beneficial uses they are seeking are: domestic, commercial, irrigation (indoor & outdoor), structure and equipment washing, fire suppression, and replacement for such uses, either directly or after storage. There will be a small deduction in the Denver aquifer due to the existence of a small capacity well.

Director Nily motioned to have Lisa and Luke review and comment on the storage language on the application. Director Farmer seconded the motion. Motion carried (3-0)

El Paso County Reviews:

1. Grandview Reserve Phase 3:

Melody Homes is requesting approval of a Grandview Reserve PUD/Preliminary Plan for Phase 3. The total property consists of 102.82 acres. The plan proposes up to 322 single family residential dwellings, along with parks and open space.

Director Doran motioned to send Grandview Reserve Phase 3 for review and background and part of the replacement water accounting. Director Nily seconded the motion. Motion carried (3-0)

Any Other Business the Board May Have:

1. Director Farmer discussed implementing a new PFAS rule. Discussion followed on the proposed rule. Further discussion followed on water quality and septic systems. The board directed Manager Doran to put on the agenda under New Business.

The board took a brief recess at 6:48 P.M.

Director Nily motioned to leave the regular session and enter into executive session at 7:03 P.M. Director Farmer seconded the motion. Motion carried (3-0)

Attorney O'Brien advised not to record.

Executive Session:

Please take notice that Attorney Lisa Thompson Pursuant to C.R.S. §24-6-402(4)(b) & C.R.S. §24-6-402(e), 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 Tuesday, June 4th, 2024, regarding the following matters:

1. Cherokee Metro & Meridian Service Metro/Replacement Plan Application-Case No. 08GW71

Director Farmer motioned to come out of executive session and back into regular session at 7:50 P.M. Director Nily seconded the motion. Motion carried (3-0)

Executive Session Report:

NA

Next Meeting Date: August 6th, 2024

Adjournment:

President Doran called for the meeting to be adjourned.

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

The meeting adjourned at 7:51 P.M.

Tracy Doran/Office Manager