

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

June 3rd, 2025

The June meeting of the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District was called to order on **Tuesday, June 3rd, 2025**, at 6:01 P.M. at 1500 8th Street, Calhan (inside the conference room at Farmers State Bank) and by ZOOM, by President Doran.

Board Members in Attendance: President Dave Doran, Vice-President Dan Farmer, Secretary Darrel Nily, Treasurer Mitchell Baldwin Via Zoom
Director Farmer joined the meeting at 6:09 PM

Board Members Absent: NA

Others in Attendance: In Person: Kevin Brown, Tracy Doran

**On Zoom: Carl Tatum, Bradley Kershaw,
Attorney Luke O'Brien**

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, took roll call and determined a quorum was present.

2. Agenda for June 3rd, 2025:

Director Baldwin motioned to approve the agenda as written. Director Nily seconded the motion. Motion carried (3-0)

3. Minutes for May 6th, 2025 Meeting:

Director Nily motioned to approve the May 6th, 2025 minutes. Director Baldwin seconded the motion. Motion carried (3-0)

4. Treasurer Report & Any Bills Needing Board Approval:

Treasurer Baldwin reported on the income and expenses for the month of May. Director Doran motioned to accept the May treasurer report and pay the attorney/s fee of \$6,376.54. Director Nily seconded the motion. Motion carried (3-0)

DISTRICT 50 FT. RULE CHANGE HEARING:

Director Nily motioned to close the regular meeting and go into the District's 50 ft Rule Hearing at 6:06 PM. Director Baldwin seconded the motion. Motion carried (3-0)

President Doran stated we published the proposed rule change and made this rule to be more consistent with the State's rule, the alluvial wells rule will stay the same he noted. Attorney Luke O'Brien read the rule into the record.

President Doran opened the floor to public comment & seeing none closed the floor to public comments.

President Doran opened the floor up to board comments & seeing none closed the floor to board comments.

Director Mitchell motioned to approve the District's 50 foot rule change. Director Nily seconded the motion. Motion carried (3-0) Director Farmer abstaining

Director Baldwin motioned to come out of the rule hearing and back into regular session at 6:11 pm. Director Nily seconded the motion. Motion carried (4-0)

VISITOR INPUT

NA

OLD BUSINESS

1. District Violations/Enforcement Actions:

President Doran reported on an email from Chris Grimes at the State regarding a neighbor complaint against someone hauling water into town for a business. The State sent a Show Cause letter to the individual. It is an alluvial well he stated and they have been moving water on a daily basis and they have given them 30 days to respond.

President Doran stated he got a call from Jason Kuvals, formerly Mulberry's manager who is now consulting on his own. He wanted President Doran to meet and go over a property a client is considering that was approved back in the 80's & 90's. President Doran stated there are some red flags concerning the property but told Jason he could not answer any legal questions, and the board could not truly go over anything until there was something in front of them from the County. President Doran noted there are well over 100 trailers there and the biggest concern is the waste water. The owner claims that he got a waste water lagoon approved through the health department but there is no proof anywhere of that. The potential client is wanting to add more trailers and want to get on a central waste water system through a Metro District. Discuss followed. President Doran stated he would bring this up to the County in their discussion next month. There was further discussion on camp trailers discharging their waste right into the ground and that we need to start calling CDPHE and the health department

because they are contaminating our alluvial aquifer and there are a lot of them out in the basin.

2. USGS Monitoring Program/Water Quality Study:

President Doran advised that they had installed the monitoring devices in the Gand View wells.

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

Attorney O'Brien advised that we are still waiting on the Hearing Officer and there are no updates on this item.

4. Paint Brush Hills Determination of Water Right Objection:

Attorney O'Brien reported that the State staff agrees with the district that the water has to be on the overlying land in the determination case. Next status conference will be on June 5th, 2025.

5. Meridian Change of Water Right /Case No. 09GW11:

Attorney O'Brien informed the board they had sent comments and were currently reviewing the revised order to see if it is consistent and that there will a status conference on June 6th, 2025. Discussion followed on credits, how long they are available, and recharge and credits.

6. Cherokee Change of Water Rights/Case Nos. 08GW78 & 09GW15:

Attorney O'Brien stated there were no updates on this item.

7. Cherokee Overage:

Attorney O'Brien advised that Cherokee had sent a letter to the board last month and that wells 1-8 had resumed and well 18 will be off throughout the rest of the year into January . Mr. O'Brien stated we are still working with the Commission to see if staff can work with Cherokee and others to ensure there will be no overages in the future. Discussion followed on penalties.

NEW BUSINESS:

Water Well Permit Applications:

1. Watson/Location correction:

The applicant's are just correcting the location of the Re-drill permit no. 86508

2. Truedell/Watson:

The applicants are seeking 1 home, 1 acre-feet of irrigation, domestic animal watering, and .407 acre-feet in the Dawson aquifer underlying 5 acres in the Romens Living Trust Subdivision. They are only allowed 1 home, domestic animals, 1,000 sq. Feet of irrigation, .407 acre-feet in the Dawson aquifer. They have been notified by the State of the reductions.

3. Barbosa/Ramos:

The applicants are seeking 2 homes, 1 acre of lawn and garden irrigation, domestic animal watering, livestock watering, 1 acre-ft in the Denver aquifer underlying 37.66 acres in the Centennial Rldge Phase 3 Sub Plat.

4. Varn:

This is a reapplication of an expired permit. They are asking for 3 homes, 1 acre of lawn and garden irrigation, domestic animal watering, livestock watering, 1 acre-ft in the Dawson aquifer underlying 10.49 acre in Latigo Country Estates. They are allowed 1 acre-foot in the Dawson, 3,000 sq. Feet of irrigation, and a meter is required. There was an old windmill that has been abandoned for years according to the State.

5. Chief Mechanical:

The applicants are seeking a well permit for 2 homes, 1 acre of lawn and garden irrigation, Domestic animal watering, Livestock watering, 1 acre-foot in the Denver aquifer underlying 38.43 acres.

6. Carpenter:

The applicants are seeking 3 homes, 1 acre of lawn and garden irrigation, domestic animal watering, Livestock watering, 1 acre-foot in the Denver aquifer underlying 80 acres. They will be limited to 2 homes per our rules.

7. Home Run Restoration:

The applicants are seeking a well permit for 1 home, .455 sq. Feet of lawn and garden irrigation, domestic animal watering, .5 acre-foot in the Denver aquifer underlying 5.04 acres in The Reserve at Corral Bluffs Filing No. 3. They are allowed .5 acre-feet, 2,700 sq. Feet of irrigation, 4 large animals, and they are required to have a meter.

Director Nily motioned to approve applications 1-7 on consent with noted comments. Director Farmer seconded the motion. Motion carried. (4-0)

Large Capacity Well Permit Applications:

NA

Replacement Well Permit Applications:

1. Vanhorn:

The applicants are applying for a replacement plan to allow withdrawal of not-non tributary groundwater from the Dawson aquifer. I recommend have Luke review.

Director Farmer motioned to have attorney O'Brien review and comment on the Vanhorn replacement plan to the State. Director Nily seconded the motion. Motion carried (4-0)

Change of Use Well Permit Application:

1. Hart:

The applicants are requesting a change of use from livestock to domestic. They are asking for 2 homes, 1 acre of lawn and garden irrigation, domestic animal watering, livestock watering, 1 acre-ft in the Denver aquifer underlying 40 acres.

Director Farmer motioned to approve on consent the Hart application pending the question on whether there is a determination of water right on property and not connected to Meridian. Director Nily seconded the motion. Motion carried (4-0)

Determination of Water Rights:

El Paso County Reviews:

1. Father & Sons Distillery:

The applicants are proposing a 10,000 sq. Feet distillery warehouse for whiskey barrels only, no parking lot, utilities, or public use.

2. Pro Trans Variance of Use:

The applicant is seeking a request for variance of use to allow a “Commercial Vehicle Repair Garage” in the R-4, GA-OZone.

3. 4-Way Commercial Site Development Plan:

The applicants are seeking approval to allow for mini-warehousing, boat and RV storage, and shipping container storage.

4. Antler Creek Metropolitan District:

The applicants are wanting to form a Metropolitan District. The area is located at the NE corner of Meridian Rd and Ayer Rd intersection, it will be for the future Antler Range Subdivision.

5. WHMD Theriot Tank Rebuild Site Dev Plan:

The Woodmen Hills Metropolitan District proposes to replace their existing steel water storage tank with a new one.

6. Retreat at Prairie Ridge North PUDSP:

Out of District

Director Baldwin motioned to approve 1, 3-6 and have Manager Doran comment on #2 for a commercial well and meter. Director Nily seconded the motion. Motion carried (4-0)

Any Other Business the Board May Have:

The board discussed Antler’s Ridge and Luke’s review and that they will forward that on to the homeowners. President Doran advised that they still need to know where to release the recharge but we can work on that later and have the State and Mike Wireman find the best location for that.

Executive Session:

NA

Executive Session Report:

NA

Next Meeting Date: July 1st, 2025, 2025

Adjournment:

President Doran called for the meeting to be adjourned.

Director Nily made a motion to adjourn the meeting. Director Farmer seconded the motion. Motion carried (4-0)

The meeting adjourned at 7:45 P.M.

Tracy Doran/Office Manager