

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

July 1st, 2025

The July meeting of the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District was called to order on **Tuesday, July 1st, 2025**, at 6:00 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, Secretary Darrel Nily, Treasurer Mitchell Baldwin Via Zoom

Board Members Absent: Vice-President Dan Farmer

Others in Attendance: In Person: Tracy Doran

On Zoom: Attorney Luke O'Brien, Bradley Kershaw,
Attorney Lisa Thompson

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 determined a quorum was present.

2. Agenda for July 1st, 2025:

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

3. Minutes for June 3rd, 2025 Meeting:

Director Baldwin motioned to approve the minutes with the change to page 2 in the 50-Ft Rule Hearing from Mitchell to Baldwin. Director Nily 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 June. Director Nily motioned to accept the June treasurer report and pay the attorney/s fee of \$5,544.50. Director Baldwin seconded the motion. Motion carried (3-0)

VISITOR INPUT

NA

OLD BUSINESS

1. District Violations/Enforcement Actions:

President Doran advised the board that there is someone hauling water illegally and they have been notified by the State and have 30 days to respond.

President Doran discussed an email from Christina Pruitt on Falcon Marketplace. Discussion followed on their need for a replacement plan and that the State would be in charge of that.

2. USGS Monitoring Program/Water Quality Study:

President Doran reported that Zach sent an email today and reported on the Grandview Wells, the Arapahoe was up a little but the Laramie dropped. Discussion followed.

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

Attorney Luke O'Brien advised the board that Cherokee intends to seek export and will be prepared to start that process within the next month or two. Attorney O'Brien gave a summary of the Change of Use Order from the Hearing Officer that was received on June 5th, 2025. Discussion followed that they are only allowed 72 acre-feet. Discussion followed. There was further discussion on the Conservation forms. Director Baldwin motioned to direct Attorney's Thompson & O'Brien to send a letter to the State to define what a conservation easement is and to ask for limitations on the number of times they can file a form. Director Nily seconded the motion. Motion carried (3-0)

4. Paint Brush Hills Determination of Water Right Objection:

Attorney O'Brien noted that there was a status conference on June 5th, 2025. Paint Brush Hills would like to meet with the board virtually on July 8th, 2025, the meeting is to walk through our remaining concerns. Discussion followed.

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

Attorney O'Brien stated they reviewed the proposed Order and it is consistent with the Stipulation. Discussion followed on accounting and them proving it is used in Meridian. Further discussion followed on having Mike Wireman or Spronk Engineering track the amounts for the first few years.

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

Attorney O'Brien stated that Cherokee filed a revised amended application tonight and corrected the issues they had and are now working on a draft publication. The district does not have to do anything because they were already an objector.

7. Cherokee Overage:

Attorney O'Brien reported that Chris Grimes with the State Engineer's office sent Cherokee a letter requiring Cherokee to submit monthly readings.

NEW BUSINESS:

Water Well Permit Applications:

1. **Gunter:**

The applicants are seeking a well permit in the Laramie-Fox Hills aquifer underlying 35.87 acres, for 2 homes, 1 acre of irrigation, domestic animals and livestock watering.

2. **High Point Home Builders, LLC:**

The applicants are seeking a well permit under DWR No. 3390-BD in the Arapahoe aquifer underlying 35.64 acres for 2 homes, 1 acre of irrigation, domestic animal watering and livestock watering.

3. **Fletes:**

The applicant is seeking a well permit in the Denver aquifer under DWR No. 756-BD for 1 home, 4,200 sq. Feet of irrigation, & domestic animal watering. Per the water supply plan letter the applicants can have 2 horses.

Director Nily motioned to approve well permits 1-3 but note on 2 & 3 they need meters because they are 107 permits. Director Baldwin seconded the motion. Motion carried (3-0)

Large Capacity Well Permit Applications:

1. **Huber:**

The applicant is applying for a large capacity well permit underlying 39.81 acres under DWR 3000-BD & 3000-RP in the Dawson aquifer for max allowed for irrigation, commercial, domestic, animal watering, stock watering, landscape & gardens. Original DWR was for 80 acres. They should get a reduced amount.

Director Baldwin motioned to have Attorney's Thompson & O'Brien review the Huber large capacity well permit application and comment. Director Nily seconded the motion. Motion carried (3-0)

Replacement Well Permit Applications:

Change of Use Well Permit Application:

1. **High Acres Subdivision:**

A parcel owner would like to add another dwelling to their lot under permit no. 170846. It is a pre-72 subdivision and no approval letter on file. The State is wondering if the district would allow for a change of use for 2 single family dwellings with reduced lawn and garden and 1 acre-foot. She had another question which we can also discuss about some other vacant lots in the subdivision and what would be allowed.

Director Baldwin motioned to have attorney's Thompson & O'Brien review & comment on High Acres. Director Nily seconded the motion. Motion carried (3-0)

Determination of Water Rights:

El Paso County Reviews:

1. Falcon Highlands South Filing No. 1:

The applicants are requesting approval of a final plat for 24 detached single-family lots. Falcon Highlands will be the water provider. Woodmen Hills Metro is the wastewater provider.

2. 7378 Log Road Subdivision:

The applicant is requesting approval of a 2-lot subdivision with a finding of water sufficiency. The property is 39.783 acres, and the proposed lot 1 will be 15 acres with lot 2 being 24.793 acres.

3. Mayberry Filing No. 3A:

The applicants are requesting to amend Filing No. 3 to altar the lot lines for lots 7, 8, 9, 10 ,11, 12,13 & 14 to better support lot programming for proposed new homes.

4. Woodmen Hills Metro-Wastewater Storage Facility Site Development Plan:

The applicants are requesting approval for a site development plan to build a 4,784 sq. Foot proposed storage building.

5. Retreat at Prairie Ridge Filing No. 3 Plat/OUT OF DISTRICT:

FAWWA is providing the water. There will be individual septic systems for the 6 lots.

6. Skye Vista Subdivision/OUT OF DISTRICT:

Well & Septic. It is located north of Hodgen Rd. Monument Fire protection district& MVEA.

Director Baldwin motioned to approve 1-6 on consent. Director Nily seconded the motion. Motion carried (3-0)

Any Other Business the Board May Have:

President Doran advised the board that North Kiowa Bijou & Lost Creek Basins are entertaining the idea of hiring a district well inspector, someone who is geotechnically educated and could be shared between districts and co-share the cost and wanted to know if the Upper Black Squirrel would be interested as well. Discussion followed.

Executive Session:

NA

Executive Session Report:

NA

Next Meeting Date: August 5th, 2025, 2025

Adjournment:

President Doran called for the meeting to be adjourned.

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

The meeting adjourned at 7:24 P.M.

Tracy Doran/Office Manager