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

August 5th, 2025

The August meeting of the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District was called to order on **Tuesday, August 5th, 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, Vice-President Dan Farmer

Board Members Absent: Treasurer Mitchell Baldwin

Others in Attendance: In Person: Tracy Doran, John Hill, Steve & Marcie Gabara, Dave Christensen, Eric Spain

On Zoom: Attorney Luke O'Brien, Bradley Kershaw, Raymond Wagner

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 August 5th, 2025:

Director Nily motioned to approve the agenda with the addition of two well permits for Jaussi, & Day. Director Farmer seconded the motion. Motion carried (3-0)

3. Minutes for July 1st, 2025 Meeting:

The board tabled the minutes of July 1st, 2025 to the next meeting because Director Baldwin was absent and Director Farmer wasn't at the July meeting.

4. Treasurer Report & Any Bills Needing Board Approval:

Manager Doran reported on the income & expenses and what bills needed paying. Director Nily motioned to accept the July 2025 treasurer report and pay the attorney bill for \$4,131.65 and the engineering bill for \$2,800.00. Director Farmer seconded the motion. Motion carried (3-0)

VISITOR INPUT

Mr. & Mrs. Gabara stated they came to the meeting because they live in Paint Brush Hills and had heard some things about the Metropolitan District getting determination of water rights underneath the properties in their area. Discussion followed with attorney O'Brien, President Doran and the Gabara's. Attorney O'Brien advised that not all properties fell under this determination, only certain lots. He stated initially it was for all lots. The Gabara's said they were unaware of any meeting that Paint Brush Hills Metropolitan District had to discuss this and have gotten no notifications. President Doran told the Gabara's that we would look into their property to see if they are on the list and get back to them. Discussion continued on declining water levels and private property rights and that the district will look out for its constituents.

OLD BUSINESS

1. District Violations/Enforcement Actions:

President Doran reported that there were no updates on this item.

2. USGS Monitoring Program/Water Quality Study:

President Doran noted that Zach from USGS sent the Denver Basin water level is available on their site and they will come up with the report soon. He further advised that water quality testing will ramp up after the irrigation season is over. USGS has asked us to look for some new alluvial wells down gradient of Prairie Estates and the board will start looking for some wells for them.

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

Attorney O'Brien noted that Cherokee has stated they plan on filing the application within the next month.

4. Paint Brush Hills Determination of Water Right Objection:

Discussed during visitor input

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

Attorney O'Brien went over the stipulation and the proposed Order. Director Doran motioned to agree to the stipulated agreement between Meridian and Upper Black Squirrel Creek GWMD. Director Farmer seconded the motion. Motion carried (3-0)

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

Attorney O'Brien reported that Cherokee filed the revised application in July and they are working on publications and that we remain an objector and there was nothing we needed to do at this time.

NEW BUSINESS:

1. Falcon Marketplace Field Visit:

President Doran updated the board on the upcoming field visit to the Falcon Highlands detention pond with the State, our engineer, our attorney and the consultants for the marketplace. President Doran reported that the County will not sign off and will not pay the contractor because there is an issue with it intercepting ground water and the side walls are bringing water in. President Doran stated we

got thrown in as a regulatory agency. They have been told that they will need a replacement plan by the State.

Water Well Permit Applications:

1. Howser Enterprises, LLC:

The applicants are re-permitting well permit no. 316614 under DWR No. 459-BD. They are wanting .35 acre-feet, 1 home, 1000 sq. feet lawn & garden irrigation in the Denver aquifer (in advance of a future subdivision-in process). They will need to be metered as it is a 107 permit.

2. Madigan:

The applicants are applying for a well permit in the Reata subdivision underlying 5.05 acres. They are seeking 1 home, ½ acre of lawn & garden irrigation, domestic animal watering with 1 acre-ft in the Dawson aquifer. These uses are allowed per the water supply plan. They will be required to meter.

3. Westover Homes LLC/2 applications:

The applicants are applying for two well permits for lots 2 & 3, both lots being 35 acres. They are seeking 1 home, 1 acre of lawn & garden irrigation, domestic animal watering, with 1 acre in the Arapahoe aquifer.

4. Buffalo Valley Estates, LLC:

The applicant is applying for a well permit under DWR No. 4602-BD. They are seeking 2 homes, 1 acre of lawn & garden irrigation, domestic animal watering & livestock watering, with 1 acre-foot in the Laramie-Fox Hills aquifer underlying 36.98 acres. They are only allowed 3,000 sq. feet of lawn & garden irrigation.

5. Kassab:

The applicants are applying for a well permit for 2 homes, 1 acre of lawn and garden irrigation, domestic animal watering with 1 acre foot in the Denver aquifer underlying 5 acres in Tiboria Estates. They are only allowed 13,000 sq. feet of irrigation and this will cancel permit no. 325812 that was never constructed. They are required to be metered.

6. Day:

The applicants are applying for a well permit for 1 home, 1 acre of lawn and garden irrigation in Tiboria Estates underlying 5.07 acres. They are only allowed 13,000 sq. feet of irrigation, with 1 acre-foot in the Dawson aquifer. They are required to be metered.

7. Jaussi:

The applicant is applying for a well permit in the Denver aquifer for 4-acre feet in the Denver aquifer under DWR No. 1496-BD underlying 36.42 acres. They are seeking 2 homes, 1 acre of lawn & garden irrigation, domestic animal watering & livestock watering.

Director Doran motioned to have counsel review #1 & #7 and pass 2-6 on consent with comments. Director Nily seconded the motion. Motion carried (3-0)

Large Capacity Well Permit Applications:

Replacement Well Permit Applications:

Change of Use Well Permit Application:

Determination of Water Rights:

1. Palmer:

The applicants are applying for determination of water rights for the Denver, Arapahoe, & Laramie Fox Hills aquifers underlying 40 acres. The beneficial uses they are seeking are: domestic, irrigation, and livestock. There is a reduction in the Denver aquifer due to an existing well with permit no. 197890.

Director Doran directed attorney O'Brien to comment that it will be required to be metered now that the well will become a 107 permit.

El Paso County Reviews:

1. Kristen Estates Final Plat:

The applicants are applying for a minor subdivision for their 60.004-acre parcel, and want to subdivide it into (8) 5 acre lots, (1) 7.5-acre lot, and (1) 9-acre lot for a total of ten lots. It is located near Log Road & Hwy 94. They will be on well & septic.

2. 1220 Buffalo Run Road-Greenhouse Special Use:

The applicants are requesting a Special Use approval to legalize existing personal greenhouses that exceed 1,000 square feet per the Counties size limit.

3. 7911 Delta Wing Pt:

The applicants are seeking to construct a 4,900 sq. feet airplane hangar in Meadow Lake Airport.

4. Trinity Ranch Commercial Rezone:

The applicants are wanting to change the zoning from RR-5 to Commercial Services. Water will be provided by individual wells, with one well planned per commercial parcel. They will also have individual septic systems.

5. Retreat at Prairie Ridge Filing 4/Out of District:

This is out of district but FAWWA has access to 1.006 MGD of wastewater treatment capacity in the Cherokee Wastewater Treatment Plant via Meridian Service Metro District and has a perpetual contract with th4e MSMD for the provision of wastewater treatment.

Director Doran motioned to have legal counsel and Mike Wireman review and comment to the County on the septic systems for #1 & #4, and pass 2, 3 & 5 on consent. Director Nily seconded the motion. Motion carried (3-0)

Any Other Business the Board May Have:

Executive Session:

NA

Executive Session Report:

NA

Next Meeting Date: September 2nd, 2025, 2025

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 7:03 P.M.

Tracy Doran/Office Manager