

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

**October 7<sup>th</sup>, 2025**

The **October** meeting of the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District was called to order on **Tuesday, October 7<sup>th</sup>, 2025**, at 6:00 P.M. at 1500 8<sup>th</sup> 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, Treasurer Mitchell Baldwin

**Board Members Absent:** NA

**Others in Attendance: In Person:** Tracy Doran, John Hill, Dave Christianson, Marilee Dennis, B. Dennis

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

**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 October 7<sup>th</sup>, 2025:**

Director Baldwin motioned to approve the agenda for October 7<sup>th</sup>, 2025. Director Nily seconded the motion. Motion carried (4-0)

**3. Minutes for September 2<sup>nd</sup>, 2025 Meetings:**

Director Baldwin motioned to approve the September 2, 2025 minutes. Director Nily seconded the motion. Motion carried (4-0)

**4. Treasurer Report & Any Bills Needing Board Approval:**

Treasurer Baldwin went over the income and expenses for the month of September. Director Nily motioned to accept the September treasurer report and pay the attorney fees of \$6,882.42 and USGS quarterly water study payment of \$34,460.41. Director Farmer seconded the motion. Motion carried (4-0)

**5. 2026 Preliminary Budget:**

The board looked over the numbers and asked the attorney's what ongoing cases the district had for 2026 that would impact the budget and what the figures for

attorney fees and contract services should be estimated at. Discussion followed. The board and attorneys will go through those again before the hearing in November.

### **VISITOR INPUT**

Marilee Dennis from Antler's Creek subdivision was here to discuss their Replacement Plan and has questions regarding where they are supposed to be placing the water, which well they were supposed to be using and if they should be keeping records or if the district keeps the records. Manager Doran advised that they should be keeping their own records as well as submitting them to the district. Discussion continued on the above items and Attorney Thompson stated that she would take a look at all of this and get back to the board before the next meeting.

### **OLD BUSINESS**

1. **District Violations/Enforcement Actions:**

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

2. **USGS Monitoring Program/Water Quality Study:**

President Doran reported that he has not talked to Zach at USGS since the Government shutdown started and will call him.

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

Attorney O'Brien advised that Cherokee has filed their export application to the district and stated they will need to publish it two times in the Ranchland, which are set to begin this week or next. The objection period is the end of December, and a hearing could be held potentially in early 2026. Discussion followed.

4. **Paint Brush Hills Determination of Water Right Objection:**

Attorney O'Brien reported that Paint Brush Hills had sent us a proposed stipulation in August, and that we sent some red lines back and we have received the revised stipulation. Attorney O'Brien stated they are still reviewing it. Mr. O'Brien also noted that Paint Brush will be sharing a technical memo with the district. The next status conference will be December 5<sup>th</sup>, 2025. Discussion continued regarding cones of influence and drilling a Dawson well and the 4% replacement for the Denver aquifer.

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

Attorney O'Brien stated that Javier from the State had forwarded along the publication notices and we have 35 to provide comments. Attorney O'Brien will be providing a memo for the board. Attorney O'Brien explained the breakdown of wells 9-13, and 15-21 and what they are seeking in this case. Discussion continued.

Director Doran motioned to have Lisa and Luke object to Cherokee's variance request to historic depletions to wells 13, 15, 16, 17 & 21. Director Baldwin seconded the motion. Motion carried (4-0)

### **NEW BUSINESS:**

## **Water Well Permit Applications:**

### **1. Hernandez:**

The applicant is applying for a well permit in the Denver aquifer for 1 acre-foot underlying 5.1 acres in Meadow Lake Estates Filing No. 1 They are asking for 1 home, 1/3 acre of lawn and garden irrigation & domestic animal watering. Shannon said that all 8 filings have historically been granted 1 acre-foot, 1/3 acre of lawn and garden, Denver aquifer and have been required to meter.

### **2. Rodriguez:**

The applicant is applying for 1 home, 3000 sq. feet of lawn and garden irrigation, with .5 acre-feet in the Arapahoe aquifer underlying 4.55 acres. Shannon stated the applicant was deeded 1.2 acre-feet under DWR No. 327-BD and has decided they are applying for the 1.2 acre-feet not the .5 acre-feet.

### **3. Roca:**

The applicants are applying to use an existing well, with 1 home, 1 acre of lawn and garden irrigation, domestic animal watering, with 1 acre-foot in the Dawson aquifer in the Black Squirrel Creek Park subdivision. Shannon stated the applicant is applying to use a well under permit no. 94571 for which the State never received a construction report for. She says the post-construction well inspection report will need to be approved in order to issue a new well permit. She further noted that a subdivision letter suggests it limit lawn and garden to ½ acre-ft unless the well fully penetrates the Dawson aquifer (1000 feet). Most in area she said have been issued for 1 home, 1 acre-foot in the Dawson and 1 acre of lawn and garden irrigation.

### **4. OGC Management:**

The applicants are applying for a well permit for 3 homes, 1 acre of lawn and garden irrigation, domestic animal watering and livestock watering with 1 acre-ft in the Denver aquifer underlying 5.48 acres in the Mountains Edge subdivision. They are allowed per subdivision letter .5 acre-feet in the Denver aquifer, 3000 sq. feet of lawn and garden irrigation, 1 home, and 2 large animals.

Director Doran motioned to approve #2 with .5 acre-feet in the Denver aquifer, not 1.2 acre-feet, that the original application was correct. Director Nily seconded the motion. Motion carried (4-0)

Director Doran motioned that the district will not approve the application for #3 until the State can provide proof that it was a legally drilled well. Director Baldwin seconded the motion. Motion carried (4-0)

Director Doran motioned to approve #1, & #4 that they can have 2 homes, with .5 acre-feet. Director Nily seconded the motion. Motion carried (4-0)

## **Large Capacity Well Permit Applications:**

NA

**Replacement Well Permit Applications:**

NA

**Change of Use Well Permit Application:**

NA

**Determination of Water Rights:**

1. Dunlop

The applicants are applying for a determination of water right for the Arapahoe aquifer underlying 40 acres. The beneficial uses they are applying for are: residential, household, domestic, irrigation, stock watering, and fire protection.

The board did not have any comments on the determination of water right.

**El Paso County Reviews:**

**1. 17224 Copper Valley Court Vacation of Drainage Easement:**

The applicant is seeking to get an amendment to revise the drainage easement. The revision is necessary the applicant states because the existing drainage easement divides the lot east and west, crowding space needed to eventually place a home and driveway.

2. Foursquare at Sterling Ranch AKA (Sterling Ranch East Fil 8)/Out of district

**3. Cordero Filing No 2 vacation and replat:**

The applicant would like to divide his current 16.6 parcel into two 5 acre-parcels and one 6.6-acre parcel. This request will result in the need to rezone the property to A-5.

4. Foursquare at Sterling Ranch PUDSP Amendment (Sterling Ranch East Fil)/Out of district

**5. K9 Cuts and Care-Special Use Amendment:**

The previous special unit request which the County approved for the Major Kennel for K9 Cuts and Care for 18 kennels, it has changed name to Black Forest Dog Resort and the owner is now requesting an additional 5 kennels with dog runs.

**6. Antler Range Preliminary Plan:**

The applicants are requesting to rezone to RR-2.5 zone district and also a preliminary plan for 84 homes, with a minimum lot size of 2.5 acres. They plan on using individual wells and septic. It is located on the east side of Meridian Rd and north of Ayer Rd.

**7. Mayberry Phase 2 PUDSP:**

Final Plat & Site development Plan for Tract K, which proposes 98 dwelling units consisting of a mixture of duplex, and single-family homes and a three-story clubhouse.

Director Doran motioned to have Lisa & Luke review on the water stand point within our rules on not going into the Dawson aquifer and replacement plans and have Mike

Wireman review it and send comments on the water quality and septic systems and replacement plan. Director Baldwin seconded the motion. Motion carried (4-0)  
Director Doran motioned to have attorney O'Brien review Mayberry to see if they have sufficient water for this phase. Director Nily seconded the motion. Motion carried (4-0)

**Any Other Business the Board May Have:**

President Doran discussed the drone that Dan had found and that it was supposed to have technical assistance from someone but that it came with no instructions and is a little dated, and would require each board member and staff to download an app on their phone. The board decided to pass on this one. President Doran stated he found another one, same company that made the one Dan had, which is a great company but a little more current with a screen on the controller so you can see what is going on without have to individually download an app. The board discussed certification, compliance, insurance and what would be admissible in court. The attorney's will ask around other entities what is the certification process and liabilities are.

Director Farmer wanted to discuss K-9 Cuts from the El Paso County reviews and thinks the board needs more information, and what would be the increase in water usage, is it a commercial well, and if it is not then they need to change their permit to reflect that. Director Farmer motioned to have manager Doran write a letter to the County stating the above concerns. Director Nily seconded the motion. Motion carried (4-0)

Dan discussed a necklace which has a fob and records the data and transfers it to print. Attorney Thompson discussed AI notes and that it is not completely accurate. Discussion followed.

Dan brought up the 1.3 billion dollar pipeline going through the basin. Discussion followed.

**Executive Session:**

NA

**Executive Session Report:**

NA

**Next Meeting Date: November 4<sup>th</sup>, 2025, 2025**

**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 7:51 P.M.

Tracy Doran/Office Manager