



Russellville HPOA, Inc.
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Meeting Notes from Franktown Citizens Coalition II Community Meeting
Thursday, January 23rd, 2020
Franktown Fire station

Notes taken by: Joe Casasanta

IREA Substation Plans

IREA is planning to add a new substation near the intersection of SH 83 and SH 86. This would be located just south of the concrete plant on the west side of SH 83. No overhead lines would be added. All new connections would be routed underground to the existing overhead lines.

This substation does not provide any benefit to the existing Mountain View electric customers, only IREA customers. This substation will be similar to the one located on Bayou Gulch road across the street from Ponderosa HS (on the south side of Bayou Gulch). This will relieve some power burdens for Castle Pines, Castle Oaks, Pinery and parts of Franktown.

Any concerns can be addressed to bkaufman@irea.coop

Preserving Water Rights in Franktown

Full room with approximately 80 people in attendance
Diana Love, President of FCC II spoke along with some of the FCC II Board Members

There is a new planned development called Independence. It is a planned unit development (PUD) of 1,012 acres comprising on 920 homes. This is located near Hilltop Road and Elbert County Road 5. This development has proposed to use water from the Upper Dawson and Lower Dawson aquifers. (Please see attached handout for more information).

Essentially, there is a Water Decree, entitled 2006CW59, that has been in place and provided for water use to the Independence development (further known as ID), which amounted to use in all five- (5) aquifers with a total use of 1,557-acre feet. 75-acre feet from the Upper Dawson with limited uses to in-house and irrigation.

In November 2019, the ID proposed and filed an application for an Amendment to the 2006 water decree. In the application, ID proposed that sic...



“...requests that the decreed uses be amended to include in-house, irrigation, domestic, municipal, industrial, commercial, stock watering, fire protection, and exchange and augmentation purposes, both on and off the Subject property. No other provisions of the original decree will be changed.”

Essentially this means that ID can sell the water that they draw from the Upper Dawson. A 75-acre feet commercial well runs a constant 46 gallons per minute all day. This is dramatically different than a typical residential well that runs maybe 30 to 45 mins a day and only pulls 10 gallons per minute. A 73x times increase in usage over a residential well. It appears that the intention of this new Amendment would provide ID the ability to sell water to other developments, municipalities, etc. and draw down on water resources that will impact the Franktown community.

Water cost is approximately \$ 58,000 per acre foot. 75-acre feet x \$ 58,000 = \$4.35M that the ID could make in selling water.

75-acre feet of the Upper Dawson is almost 25 million gallons a year!

The Statement of Opposition must be submitted by January 31st, 2020. The cost is \$ 192.00 for the submittal of the completed form. Any incorrect form will be eliminated. Mediation follows after the deadline has been met. You can only participate in the mediation if you filed a statement of opposition.

Proposed options presented to the community in this meeting:

Option 1: Obtain a water rights lawyer to assist through the submittal process and the mediation process. There is no water rights lawyer within the Franktown community. It would take approximately \$ 8,000.00 to secure the lawyer and complete the mediation process.

Option 2: Support the Water Warriors of Elbert County and their lawyer. The cost would be approximately \$ 600.00 for the filing only. No other support through the mediation or preparation process.

Option 3: Individually file by community member.

Option 4: Don't fight the ID plan and proposed amendment.

After much discussion, the vote came down between Option 1 and Option 2. Option 1 was voted in and then FCC II asked for donations to be raised immediately. They would need the \$ 8,000.00 before the paperwork was submitted in order to provide the retainer.

This could be a three- (3) year battle between mediation and the courts (regular and appeal) if ID plans are allowed to continue.

Community members may donate to the Franktown Citizens Coalition II by sending money to:

FCC II
PO Box 667
Franktown, CO 80116



Or to the FCC II Treasurer at:

Hyla Jenks
Attention: FCC II Water Rights
288 S. White Tail Dr.
Franktown, CO 80116

Her phone is 303-688-4595

End of Notes.