

# *A Better Elbert*

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## for the 21st Century

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### **Kiowa Cabal - The New Cattle Rustlers Water Thieves Working To Rip You Off**

There is a sinister plan being unveiled in Kiowa. A secretive group has designs on the water in Elbert County's deep bedrock aquifers. They are prominent residents, they have connections with well-to-do developers and they want to have a plan in place before the current BOCC leaves office. The scope of their plan will adversely impact thousands of Elbert land owners while benefiting only a very few. The upcoming November general election could certainly be an important safeguard for an unsuspecting public, but it is important to stop this before any real damage is done, and yes, before the current BOCC disbands.

It should come as a surprise to no one that a small group of people comprised of a few county officials, a couple of notable developers and a few well-connected politicians are trying to abolish the Elbert County 300 year water rule. One of the initial attempts to accomplish this task came when this cabal made certain that the 300 year rule abolishment was submitted as a resolution into the Republican caucus packets. To the credit of the rank and file Republicans it gained no traction and was summarily dismissed.

The water rule's next challenge came when it ended up as one of the central campaign issues of a developer who was desirous of becoming an Elbert County commissioner. But when this man's campaign took a turn down a smooth but rarely traveled Elbert County back road, his hopes were dashed and so was his attack on the rule. The rule's demise was also on the hit list of several other potential G.O.P. commissioner candidates, but again, the good folks at the Republican County convention held on March 15th saw through these profit driven schemes and selected candidates unwilling to yield to wishes of the cabal.

There is a plan afoot to form a countywide water district. Simply stated, if you are dependent on a domestic well and you have not adjudicated your water rights then you need to start paying attention to what is happening around you. This district will lay claim to your un-adjudicated water rights,

taking a potentially substantial asset away from you and your heirs. How much of an asset? While it varies on where you live in Elbert County, the average 40 acre parcel's subsurface water rights are likely to be as valuable as the land is at the surface.

The Kiowa cabal is moving with stealth and purpose. They have held formal meetings with Arapahoe County Water and Wastewater Authority (ACWWA) where discussions have been focused on moving Elbert County water to Arapahoe County. Some people might just be thrilled with the prospect of selling their water to anybody willing to pay the asking price. You might be one of them, but unless you move quickly, that right may be gone.

Those people who get in on the ground floor of the future water rush stand to make a tidy profit. El Paso County wants our water. Douglas County wants our water. Arapahoe County wants our water. Developers want our water. The cabal in Kiowa is poised to quietly take away your rights to the water beneath your home and sell Elbert County's most precious resource to the highest bidder. Never lose sight of the fact that Elbert County is situated on a high arid plane. We need to keep some of it for our residents. Look for more details on just who is helping to move this plan forward in upcoming stories here at A Better Elbert.



In order to understand just what the Kiowa Cabal is attempting to do, you need to know something about the statutory controls regarding special districts in Colorado. According to the Department of Local Affairs (DOLA) there are 51



separate local governments currently operating in Elbert County. They are listed by types at end of this article. These local governments are real and they have important powers. Unless you have a county government that wants its residents to know how these districts impact citizens or active local media with the intellectual curiosity to ferret out the details, you will probably not even be aware of their existence. We do not have a transparent BOCC, nor do we have an active press, so if persons in authority want to make decisions that might adversely affect you regarding a special district there would be little you could do to stop them before it was too late.

As I stated in my last installment, I believe that un-adjudicated water rights in Elbert County are in peril. This cabal of people in positions of authority can do this (take control of Elbert County's water rights) without your permission and they are quickly moving toward their goal. The C.R.S. that regulate these districts are at the end of this article.

There have been at least two meetings between the Kiowa Cabal and persons acting on behalf of Arapahoe County Water and Wastewater Authority (ACWWA). ACWWA is a political subdivision that was formed in 1988 by an agreement between Arapahoe County and the Arapahoe Water and Sanitation District (AWSD) for the purpose of developing water resources, systems and facilities, wastewater collection and treatment facilities for the ACWWA service area.

There is no secret about ACWWA being desirous of Elbert County's water. There has been, however, no attempt by members of the Kiowa Cabal to make their intentions or participation in these meetings public. The prominent Elbert County residents who were in attendance at these meetings, are focusing on selling Elbert County ground water, moving it out of the county, and creating a county-wide overlay water district.

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Should we be concerned that a sitting Elbert County Commissioner, John Metli, was in these meetings? Should we be concerned that the current Chairperson of the Elbert County Planning Commission, who nearly became a BOCC candidate and owns over 35,000 acres of land with adjudicated water rights, Grant Thayer, was in these meetings? Should we be concerned that the man who brings the lion's share of successful development applications before the County Planning Commission and who is listed as a Board Member of Bijou Creek Developers (Grant Thayer's company) Tom Maroney, was in these meetings? Should we be concerned that Robert Lembke of the Elkhorn Ranch Metro District and President of the Board of Directors of the United Water & Sanitation District, was invited to attend these meetings? There are more facts. But, hey, don't worry! We have solid leadership in Kiowa. What could go wrong?

By the way, a company called R.S. Wells is in charge of the two Lembke water districts. Recognize that, "Toll Road" name?

**To Be Continued**

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