

South Platte Task Force Comments 070628

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1. Understand the Watershed : fund a study

- a. System wide analysis
- b. Assemble, summarize existing studies, data.
- c. Compare GW levels before wells and after wells
- d. Compare surface water diversions before wells and after wells
- e. Study recharge from large storm events
- f. Study amount of well usage offset by reductions in GW level and phreatophytes
- g. TWO QUESTIONS
 - i. What is the *real, physical impact* of well pumping on surface flows? (as opposed to the legal impact, where injury is *assumed*).
 - ii. What is the *sustainable yield* of the South Platte aquifer and its various subparts?

2. Encourage Conjunctive Use

- a. Alluvial aquifer is 8-10 million acre foot reservoir
 - i. Current system forbids drawdown, use of the reservoir - requires all users to keep reservoir perpetually full to overflowing
 - ii. Aquifer should be managed, used to maximize use - drawn on in times of shortage, and replenished in times of excess
- b. Augmentation plans
 - i. Past pumping: clean slate - remove post pumping depletion burden
- c. Groundwater diversions for surface rights
 - i. Subsidize
 - ii. Allow abbreviated application process- allow w/d of historical diversions without need of water court application
- d. Recharge/retiming
 - i. Funding for additional recharge sites, retiming wells, pipelines, reservoirs
- e. Sustainable yield of watershed: allow *all* parties (including seniors) to achieve via wells

3. Increase State Engineer Discretion

- a. SE Discretion: river cannot run on autopilot
- b. Winter administration:
 - i. No replacement of well depletions

- ii. Allow aggregation of well replacements
- iii. Allow wells to call for water when depletions are in priority
- c. Application: Authorize rulemaking for South Platte

4. Encourage Watershed Management

- a. Phreatophytes
 - i. Eliminate Non- Native Phreatophytes
 - ii. Cottonwoods
 - iii. Practical implementation: land owner subsidies, management programs to allow/encourage removal of phreatophytes, credit for water so created.

5. Remove Remote Wells

- a. Box Elder, Badger, Beaver Creeks - depletions decades- hundreds of years from South Platte
- b. Ground Water Management Act: broaden definition of designated groundwater -technical advice
 - i. Consider partial replacement? Not all or nothing
 - ii. Replacement in 50 years or time period when depletions hit river?
- c. Non-tributary definition: broaden to include a larger number of wells.

6. Don't neglect recreational and environmental interests

- a. Projects funded - include mitigation/enhancement measures
- b. Projects specifically to enhance flows, riparian habitat - cooperative, retiming wells, wetlands at recharge sites
- c. Encourage public use of the resource - increase accessibility

7. Water Court Reform

- a. Standardized engineering- via rulemaking
- b. Increase authority of referee
- c. Require demonstration of actual injury- not theoretical: fees and costs

Conclusion: Reform/Relief Package

1. Immediate relief for wells: clean slate, increased SE discretion, watershed management, remove remote wells, GW diversions for surface rights, water court reform
2. Study: Goal - ID impact of wells, ID process for determining sustainable yield, develop system to allow *all* rights, *including surface rights*, to divert water from aquifer *in priority*
3. Fund additional infrastructure. Include mitigation/enhancement measures for recreational/ environmental interests.

Additional Reading:

Ground Water Atlas of Colorado, Topper, Ralf, et al, Special Publication 53, Colorado Geological Survey, Denver, Colorado, 2003.

Common Waters, Diverging Streams: Linking Institutions in Water Management in Arizona, California, and Colorado, William Blomquist, Edella Schlager and Tanya Heikkila, Resources for the Future (RFF Press), Washington DC, USA 2004. For recommendations for Colorado, *see* pp. 163-165.

Ground Water Resources of the South Platte River Basin in Western Adams and Southwestern Weld Counties Colorado, Geological Water-Supply Paper 1658, Department of Interior, 1964. For a summary, *see* pp. 123-129.

Report on Engineering Water Code Studies for the South Platte River, Under Authorization of Senate Bill 407, Morton W. Bittinger and Assoc. and Wright Water Engineers, August 1968. For a summary of findings, conclusions and recommendations, *see* pp. 3-5.