



Closed Basin Project

Gayatri Devi

to:

david.beaujon

09/18/2013 10:38 AM

Hide Details

From: Gayatri Devi <gayatri@earthart.org>

To: david.beaujon@state.co.us,

Dear David Beaujon,

I wish to express my concern for the diminishing aquifer and stream flows which arise in our community at the foot of the Sange de Cristos, east of the Baca Wildlife Refuge.

The Closed Basin Project, which has been pumping groundwater year round for over 20 years, takes most of its annual production from the Refuge lands between Road T and Hooper.

This project has exceeded its legislative limitations of a 2-foot drop. This man-made underground drought has exacerbated the effects of the past ten years of well-below-average snowpack and precipitation.

It needs to be shut down, and I am writing to you to see that it is!

Thank you for your attention to this serious matter!

Sincerely,

Stacey A. McCulloch

Crestone Resident



Well regulation in the San Luis Valley

Ed Nielsen

to:

WaterResources@state.co.us

09/19/2013 07:55 PM

Hide Details

From: Ed Nielsen <ednielsen@yahoo.com>

To: "WaterResources@state.co.us" <WaterResources@state.co.us>,

Please respond to Ed Nielsen <ednielsen@yahoo.com>

3 Attachments



2013WaterGovHick.docx



Change\_in\_Unconfined\_Aquifer\_Graph\_1(1).pdf



Change\_in\_Unconfined\_Aquifer\_Graph\_2.pdf

Dear Mr. Beaujon,

I would like to speak to the Water Resources Review Committee when they meet with the concerned citizens from the San Luis Valley on September 26. Also I would appreciate if you would provide the committee with the attached letter to Governor Hickenlooper as well as the graphs.

Thank you,  
Ed Nielsen

**FLYING X CATTLE COMPANY, INC.**

30755 Highway 114

Saguache, Colorado 81149

719-655-2255 FAX 719-655-2228

edcnielsen@yahoo.com

September 16, 2013

Governor John Hickenlooper  
State Capitol Building Room 136  
200 East Colfax Street  
Denver, CO 80203

Dear Governor Hickenlooper,

I would like to bring to your attention the imminent environmental disaster occurring in the San Luis Valley caused by the unregulated over pumping of the aquifers. The water levels in our aquifers continue to plunge. The attached graphs illustrate the decline in the aquifer. In 2003, the General Assembly enacted Senate Bill 222, which applied a different set of laws to the San Luis Valley regarding regulation and management of well pumping. Pursuant to Senate Bill 222, the Rio Grande Water Conservation District created Sub-district #1, which was purportedly for the purpose of managing and protecting the aquifers. Despite the stated goal of Sub-district #1 and its Plan of Water Management to restore the aquifers to a sustainable level, the Plan of Water Management and Senate Bill 222 has been a complete failure.

Although the State Engineer is compelled by Colorado law to shut down wells that are not in a Plan of Water Management or operating with an approved augmentation plan, the State Engineer has refused to take any action to regulate thousands of other wells that do not meet either of these two requirements. These wells are not regulated and are pumping at will. This is having an adverse effect on senior surface water rights, surface streams and the riparian areas that are so dependent on those flows. Surface water users have been anxiously awaiting Rules and Regulations (R&R's) governing the withdrawal of ground water since 2009, when a committee was convened by State Engineer Dick Wolfe to help draft these Rules. Water Division 3 does not have R&R's four years later. I ask that you appoint a Special Master to finalize and implement these R&R's for the San Luis Valley, and ensure compliance with Colorado law.

This problem was first addressed after the 2002 drought. Local and state officials finally admitted the problem and passed SB-222 in an attempt to deal with the problem. This created the Sub district concept, which allowed groundwater users 20 years to bring the aquifers back to a sustainable level. The sustainable level was defined as maintaining a 200,000 - 400,000 acre-foot (A/F) deficit in the aquifer. Since the implementation of the Plan of Water Management for Sub-district #1 in 2011, in accordance with SB-222, the deficit has actually increased by 30%, from 1,000,000 AF to 1,300,000 AF. As this deficit increases, the amount of available surface irrigation water decreases because that surface water goes to recharge the aquifers drained by pump wells that are not replacing their depletions. This summer, more of the pump wells are sucking air for the first time. I believe this demonstrates the unreliability of the water model and the failure of the current Plan of Water Management.

The R&R's committee met regularly for the first year and a half, but meetings have been very sporadic since then, and meetings have been non-existent for the last two years. We were promised Rules and Regulations by 2010 and assured they would be through water court and implemented by 2011. When the Rules and Regulations Committee stopped meeting regularly, it was claimed because the State Engineer needed more time to work on the groundwater sustainability part of the R&R's. The state has spent millions of dollars and nearly four years' time creating a very suspect Water Model that theoretically addresses all of the concerns that the effects of over pumping groundwater has on surface streams and surface water rights. This Model has been approved for use in Sub-district #1 in the central San Luis Valley by the Sub-district Board of managers, the Rio Grande Water Conservation District, the local Water Judge, and the Supreme Court of Colorado. Since this Water Model was implemented in Sub-district #1, the aquifer has plunged from a 1,000,000 acre-foot deficit to more than 1,300,000-acre foot deficit. To illustrate the magnitude of this deficit, Blue Mesa Reservoir, near Gunnison, holds 829,500 acre-feet of water when it is full. It will take the equivalent of one and one-half fills of Blue Mesa to bring the San Luis Valley aquifers into balance. This is why most surface water users in the San Luis Valley know that the Rio Grande Decision Support System Water Model is very unreliable. Compared to a Plan of Augmentation, the Water Model, as it currently exists, is not the best available technology. It is obviously geared toward allowing groundwater depletions to continue rather than recover the aquifers. We already have a sustainability model for groundwater withdrawals; it is called an augmentation plan. It already works in the other Water Divisions throughout the State that aren't allowed to hide behind SB-222 as Division 3 does.

The San Luis Valley has not had sustainable aquifers since 2001. When the drought of 2002 arrived, pumps still had access to ground water and pumped as they normally did while surface water users did without water. That year, the pumps depleted the aquifers by 439,000 acre-feet (A/F), 250,000 A/F in '03, and 100,000 A/F in '04. The aquifer stood at 750,000 A/F deficits in September of 2006. The aquifers were recharged from 2006 through May 2009, to stand at a 250,000 A/f deficit. Since then, the deficit has been in a downward free-fall. We will probably see in excess of 1,300,000 A/F deficits this fall when pumping ends for the season. While the rest of the state has suffered at the hands of Mother Nature, the surface water users in the San Luis Valley have suffered the additional burden of a man-made drought. 1,300,000 A/F deficits in our aquifer greatly alter all water, and consequently, life cycles in the San Luis Valley.

I believe the ever-declining aquifers in the San Luis Valley illustrate that people can deceive the legislature, people can deceive the courts, people can deceive their community and governmental representatives can deceive everyone, but you cannot lie to Mother Nature. She will see through phony water models, accounting subterfuges, and fabricated excuses. The response of the aquifers in the San Luis Valley to the current water model and unregulated pumping was both foreseeable and inevitable. The deficit in our aquifers is wreaking havoc on riparian areas and the plant and animal communities that depend on them, as well as the rangelands that are within ten to fifteen miles of the depleted areas. If something isn't done soon, non-native weeds and more blowing dirt will replace the remaining native vegetation.

State Engineer Dick Wolfe is too busy trying to uphold a very different water law system in Division 3 that is unlike water law everywhere else in Colorado, thanks to SB-222. That legislation allows the sub-districts 20 years to replenish the aquifers in the Valley. It is imperative that we recover the aquifers sooner rather than later. This is why I ask that a Special Master be appointed to finalize and implement Rules and Regulations in the San Luis Valley.

Thank you for your consideration,

Ed Nielsen

cc: Larry Crowder, Colorado State Senator

Edward Vigil, Colorado State Representative

John Suthers, Colorado State Attorney General

Mike King, Department of Natural Resources

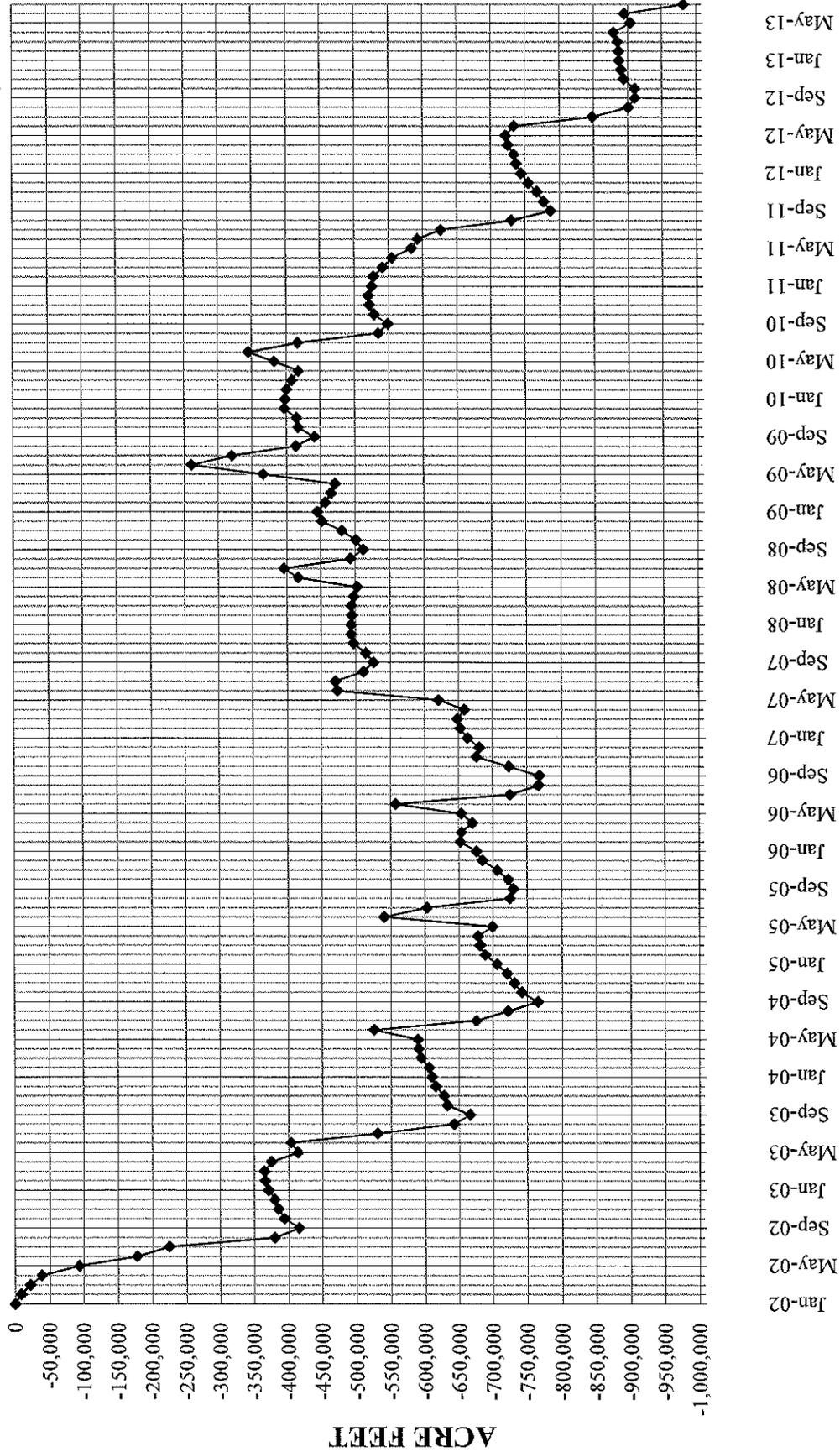
John Salazar, Commissioner of Agriculture

Dick Wolfe, State Engineer

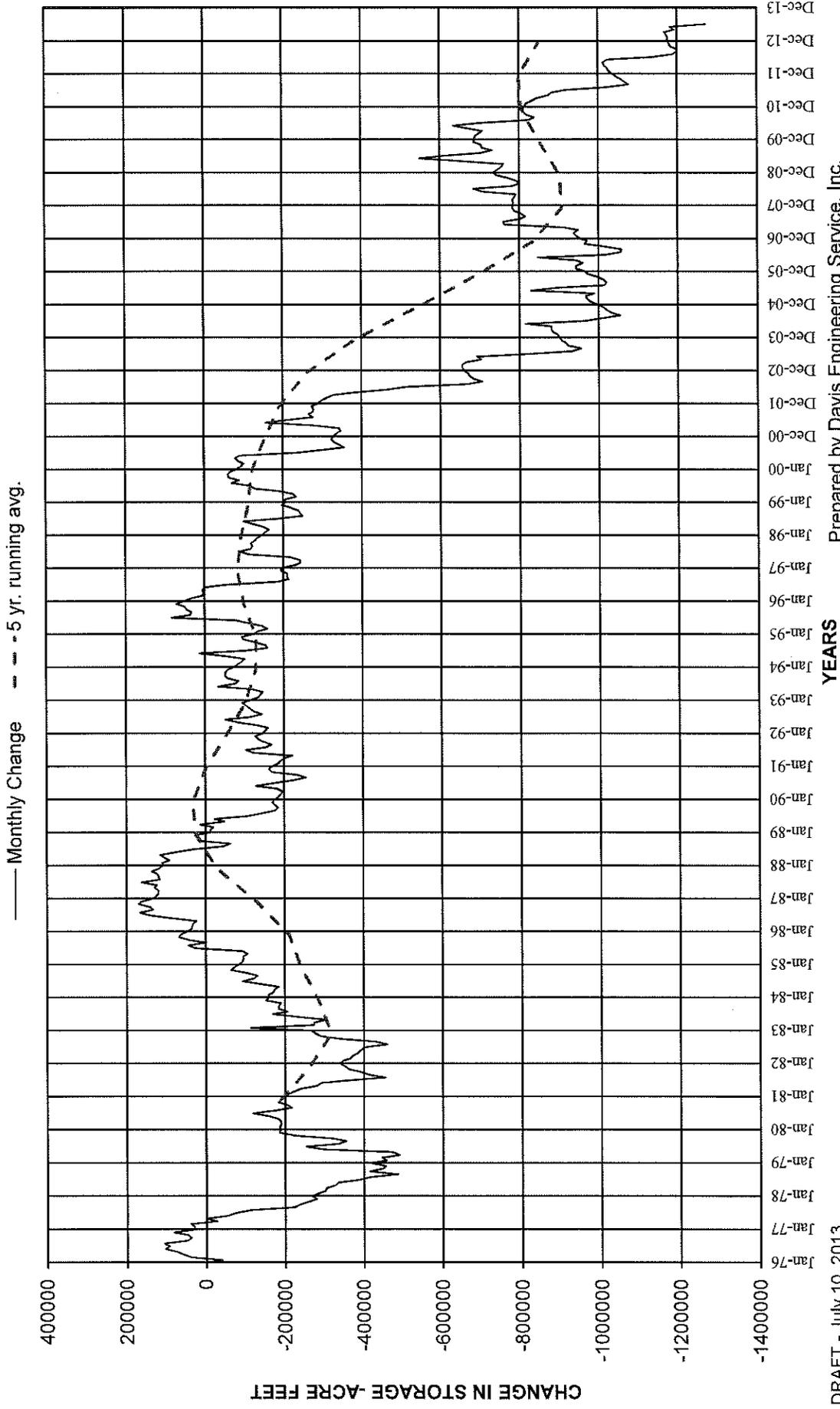
Changes: Comparing  
 September of each year  
 Year 2002 = -439,816 a.f.  
 Year 2003 = -250,214 a.f.  
 Year 2004 = -99,285 a.f.  
 Year 2005 = +35,612 a.f.  
 Year 2006 = -38,228 a.f.

Changes: Comparing  
 September of each year  
 Year 2008 = +14,057 a.f.  
 Year 2009 = +69,864 a.f.  
 Year 2010 = -106,745 a.f.  
 Year 2011 = -238,480 a.f.  
 Year 2012 = -123,126 a.f.

# CHANGE IN UNCONFINED AQUIFER STORAGE YEAR 2002 - 2013



**CHANGE IN UNCONFINED AQUIFER STORAGE  
WEST CENTRAL SAN LUIS VALLEY**



Prepared by Davis Engineering Service, Inc,  
For Rio Grande Water Conservation Dist.

DRAFT - July 10, 2013  
Data through July 8, 2013