



Troy Wineland
Water Commissioner
District 36 - Division 5



COLORADO
Division of Water Resources
Department of Natural Resources

Town of Blue River

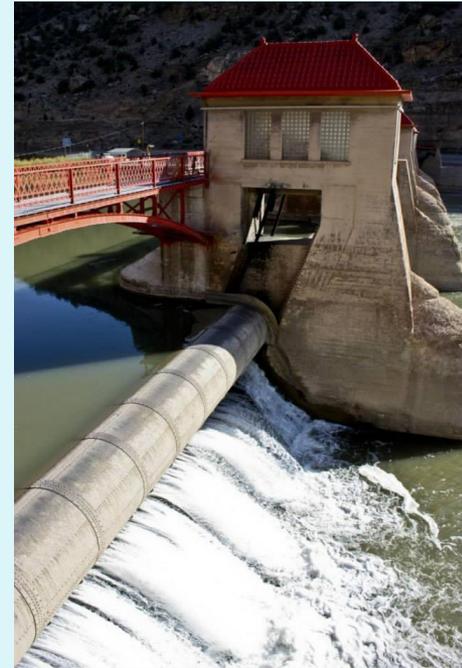
June 21, 2016

Outline

- *Brief* summary of Colorado water law
- Exempt wells and permitting
- Augmentation Plans
- Discussion / Q & A

Prior Appropriation Doctrine

- *“First in time...first in right”*
- **Usufructuary**
- **NO injury to downstream seniors**
- **1957 CO Ground Water Law**
- **1969 Water Rights Determination Act**





Well Permitting in Summit

- Exempt

- Not administered under priority system
- Limited use (in-house; domestic) and volume (<15 gpm)



- Non-exempt

- Administered under prior appropriation system
- Greater in volume & **must** replace out-of-priority depletions



Exempt Wells C.R.S. 37-92-602

- No more than 15 gpm
- Non-evaporative waste water systems
- Not issued if municipal/district water available
- No more than one exempt well per lot

Exempt Wells

- **Household Use Only**
 - Ordinary *household* use within *one* single-family dwelling
 - *No outside water* or livestock watering
 - Senate Bill 15-1005 (Rain Barrels)

Exempt Wells

- **If you elect to expand use...**
 - You forfeit your exempt permit, and
 - You must replace **all** consumptive use
 - Senate Bill 15-1005 (Rain Barrels)

What is an Augmentation Plan?

- **Court-approved plans** allowing diversion of water from a convenient location in exchange for providing an equivalent amount of water to a river or stream at another point that satisfies senior water rights.
- Augmentation plans allow for the use of water *without causing **injury** to other downstream water users.*

Summit County Augmentation Water

- Contract water for...
 - Existing/proposed non-compliance with exempt permit (e.g. expanded use)
 - Proposed non-exempt well
- Summit County Augmentation Plan (Case 95CW122)
 - <http://www.co.summit.co.us/index.aspx?nid=224>
- Vidler Water Company Augmentation Plan (Case 97CW305)
 - <http://www.vidlerwater.com/summit-county-co.html>

EXHIBIT B

SUMMIT COUNTY WATER SUPPLY CONTRACT PRICING*

Revised October 2011

| Description of Use | | 1 | 2 | 3 | 4 | 5 |
|--|--|---|--------------------|----------------------|-----------------|------------|
| | | Consumptive Use (acre feet per year as defined in decree) | Cost per Acre Foot | Cost of Water Rights | Application Fee | Total Cost |
| Single Family Residential Use | | | | | | |
| Each water user must pay the appropriate total cost in section 1 (column 5), plus any additional water uses in sections 2 through 5. | | | | | | |
| 1 | On septic tank / leach field system | 0.031 | 60,000 | \$1,860 | \$300 | \$2,160 |
| | On central sewer in Snake River, Ten Mile & Lower Blue Basins | 0.016 | 60,000 | \$960 | \$300 | \$1,260 |
| | On central sewer in Upper Blue Basin & treated at the South Blue Wastewater Treatment Plant (south of Goose Pasture Tarn) | 0.016 | 60,000 | \$960 | \$300 | \$1,260 |
| | On central sewer in Upper Blue Basin & treated at Iowa Hill or Farmers Korner Wastewater Treatment Plant (north of Goose Pasture Tarn) | 0.016 | 80,000 | \$1,280 | \$300 | \$1,580 |
| Additional Amount for Accessory Unit | | | | | | |
| 2 | On septic tank / leach field system | 0.027 | 60,000 | \$1,620 | | |
| | On central sewer | 0.013 | 60,000 | \$780 | | |
| Additional Amount for Landscaping Irrigation | | | | | | |
| 3 | 500 square feet | 0.017 | 60,000 | \$1,020 | | |
| | 1000 square feet | 0.034 | 65,000 | \$2,210 | | |
| | 1500 square feet | 0.051 | 70,000 | \$3,570 | | |
| | 2000 square feet | 0.068 | 75,000 | \$5,100 | | |
| | 2500 square feet | 0.085 | 80,000 | \$6,800 | | |
| Additional Amount for Domestic Livestock | | | | | | |
| 4 | Each head of livestock | 0.012 | 60,000 | \$720 | | |
| Additional Amount for Ponds / Hot Tubs | | | | | | |
| 5 | Each 100 square feet (multiply the length of the pond or hot tub by the width, in feet). | 0.0044 | 60,000 | \$264 | | |

Either

OR

PLUS...

•All applicable

*This rate schedule is for residential property only. Rates for commercial property are determined on a case-by-case basis.

Example...

- SFU on leach field
- One hot tub

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| 3 | 500 square feet | | | ,000 | \$1,020 | |
| | 1000 square feet | | | ,000 | \$2,210 | |
| | 1500 square feet | | | ,000 | \$3,570 | |
| | 2000 square feet | 0.068 | 75,000 | \$5,100 | | |
| | 2500 square feet | 0.085 | 80,000 | \$6,800 | | |
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| 4 | Each head of livestock | 0.012 | 60,000 | \$720 | | |
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| 5 | Each 100 square feet (multiply the length of the pond or hot tub by the width, in feet). | 0.0044 | 60,000 | \$264 | | |

Total Cost...

- \$2,160 – SFU + app. fee
- + \$264 – one hot tub
- = \$2,424

*This rate schedule is for residential property only. Rates for commercial property are determined on a case-by-case basis.

Example...

- SFU on leach field
- w/ accessory unit
- 1,000 sq ft irrigation
- One hot tub

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| 5 | Each 100 square feet (multiply the length of the pond or hot tub by the width, in feet). | 0.0044 | 60,000 | \$264 | | |

Total Cost...

- \$2,160 – SFU + app. fee
- + \$1,620 – accessory unit
- + \$2,210 – 1,500 sq.ft. irrig
- + \$264 – one hot tub
- = \$6,254

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Time Line

- Submit application and \$300 fee to County
- After ~6-8 weeks...
 - Sign contract and pay balance
- Once augmentation contract in hand...
 - Submit form [GWS-44](#) to CO DWR
- Good to go...in perpetuity...fully transferable

Discussion / Q & A



Resources

- Troy.Wineland@state.co.us / 970.355.4516
- <http://www.water.state.co.us>
- Ground Water Information - 303.866.3587
- Division 5 Office (Glenwood) - 970.945.5665
- Summit County Managers Office
 - Eva Henson 453.3402 / Suzanne Pugsley 453.3403
- Summit County Environmental Health
 - 668.4070 / <http://www.co.summit.co.us/index.aspx?NID=186>

Resources (cont.)

- Guide to CO Well Permits, Water Rights, and Water Administration
<http://water.state.co.us/DWRIPub/Documents/wellpermitguide.pdf>
- Colorado Revised Statutes / Title 37
 - <http://www.lexisnexis.com/hottopics/Colorado/>