

A number of the wells in your area are permitted for "Ordinary Household Purposes" inside one single-family dwelling. A well that is permitted for Ordinary Household Purposes inside one single-family dwelling is limited to use inside one residence and cannot be used to provide water for landscape irrigation, secondary or accessory dwellings, water features, outdoor hot tubs or swimming pools.

If you desire to use your well for uses not allowed under your current permit, please outline your schedule for obtaining a new well permit pursuant to an augmentation plan.

For your convenience, the following entities have obtained court approved augmentation plans that are capable of serving portions of Summit County. These entities have augmentation water available for lease and/or sale and pursuant to the terms of the contract your well can be included in these existing augmentation plans. You may also pursue an individual or group augmentation plan through Water Court.

Summit County Government
P.O. Box 68
Breckenridge, CO 80424
(970) 453-3403

<http://www.co.summit.co.us/index.aspx?NID=224>

Vidler Water Company
3480 GS Richards Blvd, Ste 101
Carson City, NV 89703
877-885-0050 x:106

<http://www.vidlerwater.com/summit-county-co.html>

Your well may be a non-exempt permit, which is usually designated by a number followed by the suffix "-F" or "-F-R", such as 65456-F, or 65456-F-R, or an exempt well, which may have no suffix or a "-A", such as 156235 or 156235-A. If your well is a nonexempt well, it is likely that the permitted uses are currently covered by a plan for augmentation and additional augmentation is required for only un-permitted uses. However, if your well is exempt, augmentation is required for both the permitted and unpermitted uses, since the statutes that allowed for the permitted use of your well no longer apply when the use is expanded. In either case, a new permit is required to allow for the additional uses.

The expanded use of ground water causes injury to other water rights by reducing the amount of water available to the stream system. In order to prevent this injury, you must add water to the stream system. This may be accomplished through a plan for augmentation.

The following basics of Water Administration will help in explaining what a Plan for Augmentation is and what it does. As someone contemplating providing water for additional uses, you are a new water user. Your water right will be "junior" (or have less priority) to certain other water rights, which have priority over your use (see Prior Appropriation System). The priority protects these water rights, which are therefore "senior" (or earlier in time) to your water right. When a shortage occurs, senior water rights may place a call for water, which may result in junior water rights being ordered to stop some or all water use so the seniors can receive their water. Simply put, an augmentation plan is a method to allow you to use your well (the junior water right), when a call has been placed, without reducing water available to senior water rights.

You may be wondering how it is possible for wells to affect other water rights. To answer this question, we need to look at how ground water and surface water interact. Water experts have known for some time that ground water and surface water are usually hydrologically connected. The connection is through small openings between grains of sand, gravel, and even in some

rocks, that allow water to move through the ground to and from streams. This is most evident in springs where water can be seen seeping or flowing from the sides of hills or road cuts. The result of this connection is that pumping a well will eventually cause some reduction in the amount of water in nearby streams. This reduction in streamflow can affect the amount of water available to water rights on that stream and the remainder of the stream system.

For an example of a Plan for Augmentation, let's assume that you want wells in a proposed subdivision where there are senior water rights on a nearby stream. A Plan for Augmentation must be designed to put water in the stream to prevent reductions in streamflow, caused by pumping your well, from affecting senior water rights. This allows the junior water right to keep pumping water if a "call" is placed by a senior water right.

To obtain approval of a Plan for augmentation you must make an application (which is often prepared by an attorney) to the water court. The application must explain exactly where the water will be obtained, where water is to be used, what it will be used for, how much water will be used, what the source of augmentation water is, when and where augmentation water will be required, how much augmentation water is required, and how the Plan for augmentation will be operated. The application should be supported by an engineering analysis, usually prepared by a water resources engineer, which shows how the water needs of the project were determined and how the new water use can occur without affecting senior water rights.

You may contact Summit County or Vidler Water Company to see if you currently qualify to operate under their respective plans for augmentation. If you qualify, you may lease or purchase water as required by the plan operator, and apply for a new well permit as required by the plan. If you do not qualify, you must either cease the expanded uses or file for approval of a plan for augmentation with the water court, and possibly for approval of a substitute water supply plan (SWSP) with the State Engineer's Office. An SWSP is a temporary mechanism to allow for continued operation of the well while awaiting approval of a Plan for Augmentation. The requirements for an SWSP are very similar to those for a Plan for Augmentation.

You may contact the Water Courts in Division 5 at 970-945-8109 or <http://www.courts.state.co.us/supct/supctwaterctindex.htm> to obtain information regarding the filing of applications with the court. Water attorneys may be found in the yellow pages under "Attorneys - Water". Water resource engineers may be found under Engineers' Water Supply. Unfortunately, comprehensive information concerning sources and cost of augmentation water is not available. Water attorneys, engineers and division personnel may be able to provide some suggestions. Due to legal constraints, personnel from this office cannot act as your engineer or attorney. For further information please see Ground Water Well Permitting on our website at www.water.state.co.us