

Augmentation Plan Elements

Historic Use of Water

The historic use of water diverted through the exercise of the water rights decreed to the Crosier Ditch has been for the irrigation of 20.0 acres of land within the water shed of Old House Creek. Net stream depletion to Old House Creek and the Tarryall River Basin resulting from the consumptive use of irrigation water by the Crosier Ditch is 1.0 acre-feet per acre. The 20.0 acre tract of land irrigated thus yields a transferable consumptive use of 20.0 acre-feet per year.

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Because of the nature of the domestic and household-use-only wells for the 500 single-family residential equivalent units, the consumptive use which is expected to occur, with full development of said 500 single-family residential equivalent units, is 16.6 acre-feet per year. Some of such depletion occurs during the period from October 1 to April 30 when water has not been historically diverted through the exercise of the water right decreed to the Crosier Ditch. The augmentation plan eliminates the historic irrigation use of the water right.

Reason for Plan of Augmentation

The augmentation program offsets depletions resulting from the use of water for the 500 single-family residential equivalent units. Without the augmentation program material injury may occur to other water rights in the Tarryall River Basin. The augmentation program eliminates the possible injury to other water rights in the Tarryall River Basin and assures the granting of permits for wells under 1973 C.R.S. 37-92-602 and prevents curtailment of diversions through facilities required to serve the 500 single-family residential equivalent units, except to the degree that there is insufficient water in Old House Creek to provide for replacement.

Brief Description of Plan of Augmentation

The augmentation plan provides water in the amount required and at the time needed to replace depletions by The Stagestop Filings 1 and 2. This requires the release of water either through direct flow out of Old House Creek or through the augmentation storage reservoirs on Old House Creek. During the irrigation season there will be 7.5 acre-feet of water consumptively used by the subdivision, and during the non-irrigation season, there will be 9.1 acre-feet of water consumptively used. Since historically the Crosier Ditch did not take water for irrigation from October 1 through April 30, and since the subdivision uses water during that time, a portion of the original right was changed to a storage right. The stored water is released at the direction of the State Engineer to offset the ongoing winter depletion period. The reservoirs are approximately 2.0 surface acres with an average depth of 6 feet, and having a capacity of 12.5 acre-feet. From an operating standpoint, the winter release water should be in the reservoir for only 6 months; however, evaporation and seepage losses are figured on a year around basis. The 2.0 surface acres of the reservoirs will cause 3.4 acre-feet of evaporation and seepage losses per year. The augmentation plan therefore takes the Crosier Ditch water, changes the point of diversion to The Stagestop reservoirs through a storage right, not to exceed 9.1 acre-feet per year, plus the storage of 3.4 acre-feet per year expected evaporation and seepage losses. The rest of the Crosier Ditch right is abandoned to the river to compensate for the summer depletion in the amount of 7.5 acre-feet.

Property Owners Association

The Stagestop Owners Association, which association is a non-profit Colorado corporation and whose existence is evidenced by a Certificate of Incorporation, will be for the benefit of the owners of each of the lots in the subdivision. The Stagestop Owners Association will have the right to enforce obligations to permanently remove land from irrigation; to supply storage of water as may be needed and otherwise to enforce the decree for and on behalf of The Stagestop Owners Association, said entity to be entirely liable for the regulation and enforcement of the terms and conditions of this decree. The

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Association shall have the further right to acquire necessary additional water to meet unexpected demands during periods of drought when consumption exceeds replacement.

State Water Administration

The State Engineer, the Division Engineer of Water Division No. 1 and other water administrative officials charged with the responsibility of administering the waters of Tarryall River and the South Platte River shall administer the plan of augmentation approved herein in the following manner:

- A. At such times during the period May 1 to September 30 as diversions under the water right decreed to the Crosier Ditch are in priority, the Division Engineer shall allow The Stagesstop Reservoir to be filled to its capacity of 9.1 acre-feet, plus 3.4 acre-feet of water for expected evaporation and seepage losses. The remaining portion of the Crosier Ditch right, not used for storage, will be returned to Old House Creek.
- B. During the period from October 1 to April 30 of each water year, the Division Engineer shall require the applicant, its successors or assigns to release from storage in The Stagesstop Reservoir such amounts of water at such rates of flow as he deems necessary to offset the depletions resulting from the provision of domestic and household-use-only water service to the then existing number of single-family residential equivalent units being served within The Stagesstop Filings 1 and 2. The total, aggregate amount of such releases required during that period shall not exceed 9.1 acre-feet.
- C. The State Engineer, in the discharge of his responsibility with respect to the processing of applications for permits to drill wells and use ground water for the provision of domestic and household-use-only water service to 500 single-family residential equivalent units within The Stagesstop Filings 1 and 2, either through 20 individual domestic on-lot wells sought under the provisions of 1973 C.R.S. 37-92-602 or through 480 individual on-lot household-use-only wells sought under the provisions of 1973 C.R.S. 37-92-602, may issue such permits if the provisions of this plan for augmentation are in operation. Well permits for 20 domestic wells shall limit water use to one single-family residential equivalent unit with outside use limited to not more than 1,000 square feet of lawn and/or garden space. Each permit shall provide for its revocation as to all outside use by the State Engineer if the permit holder is found to be using water in excess of the irrigation of 1,000 square feet.
- D. The applicant and/or The Stagesstop Owners Association, which is comprised of all lot owners in the subdivision described herein, shall be liable for the regulation and enforcement of the conditions of this decree and shall have the right to acquire necessary additional water to meet unexpected demands during periods of drought when consumption exceeds replacement. The Stagesstop Owners Association or the applicant, as the case may be, shall annually designate to the Division Engineer an individual as representative of said parties to be contacted by the Division Engineer for the purpose of complying with the provisions of this decree.
- E. The State Engineer and Division Engineer of Water Division No. I shall not, at the request of senior appropriators, order the curtailment of diversion through wells used to provide domestic and household-use-only water service to the 500 single-family residential equivalent units for which this plan of augmentation has been approved so long as the plan of augmentation is being administered in accordance with the terms of this decree. If the plan of augmentation is not implemented in accordance with this decree, or if water is not available in Old House Creek and replacement is not made, the wells provided for shall not be allowed to divert.