

# Summary of the Stagestop Water Augmentation Plan

## **The Property Involved**

Stagestop occupies approximately 1460 acres of land which lies in parts of Sections 1, 12, 13, 14, 23 and 24, Township 9 South, Range 75 West, all in Park County, Colorado. Stagestop has 500 single-family residential lots. The water supply for each lot will be obtained from individual wells, and sewage disposal will be by individual septic tanks and leaching fields.

## **Water Rights Owned And Used By Stagestop**

Stagestop originally owned the right to use the entire flow out of Old House Creek for irrigation purposes with date of appropriation of May 1, 1866 as decreed to the Crosier Ditch by the District Court of Park County on October 18, 1889. These water rights are the basis for this augmentation plan.

## **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.

## **Change of Use**

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.

## **Source of Water**

The source of supply for the water service for the 500 single-family residential equivalent units is ground water occurring in the drainage basin of Tarryall River which is hydraulically connected with and supporting the flow of waters in Tarryall River. The means of diversion for the production of water for such service will be through individual, on-lot, domestic wells or household-use-only wells drilled under permits which may be issued by the State Engineer's Office under the provisions of 1973 C.R.S. 37-92-602.

## **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.

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

## **Protective Covenants**

Protective covenants provide the terms and conditions upon which owners may obtain and drill wells for the supply of water to their property. Said covenants shall also provide that the only acceptable sewage disposal system shall be sand filtration systems which preclude evaporation at the surface, or other acceptable absorption disposal systems. Said covenants shall provide that no other type of sewage disposal system shall be allowed.