

Colorado

Stream Lines

QUARTERLY NEWSLETTER OF THE OFFICE OF THE STATE ENGINEER
COLORADO DIVISION OF WATER RESOURCES

1313 Sherman St. Room 818, Denver, CO 80203 (303) 866-3581

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Parting of the Waters on the La Plata River

The La Plata River Compact is one of the oldest compacts in the state. It was signed by New Mexico and Colorado in 1922 in Santa Fe, New Mexico. This was the second of two major outcomes of the Santa Fe Meeting, the other being the signing of the Colorado River Compact which apportioned the water of the Colorado River between the Upper and Lower River Basins.

The La Plata River Compact provides simply that water is divided evenly between New Mexico and Colorado up to 100 cfs maximum on a daily basis for beneficial purposes in New Mexico during the irrigation season. In practice, the administration of this requirement is far from simple. The La Plata River runs about 25,000 acre-feet annually and rarely rises above 400 cfs instantaneous flow. The climate changes rapidly from alpine heights at 13,000 feet to a very arid desert steppe at the state line about 30 miles downstream at 6000 feet elevation. Temperatures, climate, and rainfall vary significantly over this short span.

Rocky soils and the geological strata consisting of beds of sandstone, shale and gravel cause the river to seep underground at times during low flows. It has proven very difficult to run water from the upper index station, which includes the river gage and three ditch diversions to the stateline when the flow rate drops to less than 30 cfs. Once the system has gone underground, a large rainstorm is necessary to push water through to the lower gaging station.

Other hydrologic and political/social issues make the daily accounting and delivery requirements very challenging for the water officials. In April 1999, the first meeting in over thirty years was held between the State Engineers of Colorado and New Mexico to discuss issues surrounding the Compact. It is hoped that future problems will be resolved to everyone's satisfaction by continuing the regular and open lines of communication between the states.

- Kenneth A. Beegles, Division VII Engineer -

Visit DWR's Website to View 1998 Annual Report

We are pleased to inform you that our **1998 Annual Report** is now available on the Internet. Our website can be found at <http://water.state.co.us/default.htm>

Controversy Continues on the Costilla Creek Compact

The 53rd annual meeting of the Costilla Creek Meeting was held on May 6th, 1999, in Costilla, New Mexico. Approximately 75 people attended the meeting representing all interests involved in the administration of the Costilla Creek. The Commission consists of the State Engineers of both the states of Colorado and New Mexico. Tom Turney, the State Engineer of New Mexico, and Ken Knox, Assistant State Engineer for Colorado conducted the meeting. Mr. Knox filled in as Acting Commissioner for Colorado in Hal Simpson's stead.

The Costilla Creek Compact allocates the waters of Costilla Creek between the States of Colorado and New Mexico. The stream originates in Colorado in the Sangre de Cristo range and flows into New Mexico where the majority of the water is diverted and then flows back into Colorado where the remaining water is diverted. Costilla Creek then flows back into New Mexico where it joins the Rio Grande just south of the stateline. Water only flows to the Rio Grande occasionally because of the diversions in the two states and the high loss rate in the stream channel.

Controversies have developed of the past three years over the administration of the Costilla Creek Compact. Issues involving the intent of the Compact negotiators and the interpretation of various articles in the Compact have surfaced, which are causing a great deal of turmoil. A grass roots group of water users on the creek have joined Amigos Bravo, an environmental advocacy group, to request instream flows and volumetric limitations on diversions. Neither of these issues are considered in the Compact as written and, therefore, the issues have caused a considerable amount of frustration and controversy among the water users on the creek. These issues were brought forward again in this year's meeting with no acceptable solution being suggested which addressed the issue.

Also addressed at this year's meeting was a disagreement over several provisions in the Compact and how they are to be administered. The issue of how surplus water is to be distributed

between the two states, additional storage facility provisions, and the administration of Eastdale #1 Reservoir were discussed at length. The legal and engineering advisers were directed to continue to look into these issues and try to develop some resolution regarding those concerns.

The U.S.G.S. reported that they were installing Data Collection Platforms on five of the key gages in the Basin which will allow all concerned to observe and react more timely to changes in the Creek. New Mexico also reported that they are implementing a water-metering plan that will require adequate measuring flumes and headgates on New Mexico ditches that will greatly enhance the Watermaster's ability to administer the Creek. New Mexico presented an electronic spreadsheet, developed by a consultant, which will help the Watermaster track the water in the system and calculate the various distributions of water.

The runoff for the Basin was also of considerable concern since the snow pack was quite dismal at the time of the meeting. The late spring snows provided adequate water to fill Costilla Reservoir plus provide direct flow to all users on the Creek well into July, 1999.

The proposed budget for fiscal year 1999-2000 was announced to be \$91,052, an increase of approximately \$7,000 over this past year. This budget was approved with the condition that Commissioner Simpson request the increase in funding from the legislature and could not guarantee that the funds would be forthcoming.

The meeting concluded with the recognition by all that much work remained to be done to address the issues presented at the meeting. Several working meetings are planned to address these issues prior to next year's meeting.

- Steven E. Vandiver, Division III Engineer -

New Storage Record Set at John Martin Reservoir

On April 29, 1999, unusually heavy and widespread rainfall began throughout the Arkansas River watershed above John Martin Reservoir. This produced unseasonably high runoff, which began to reach the reservoir on May 1. By May 3, inflow to the Reservoir from the Arkansas had peaked at about 28,000 cubic feet per second and the Purgatoire River had peaked at about 4,000 cubic feet per second. Another tributary, Rule Creek, was flowing in excess of 1,000 cubic feet per second. These inflows all reached the reservoir, rapidly filling the conservation pool. The flood pool was reached on May 2 and the Corps of Engineers took control of releases. A new elevation of record was reached on May 9. This record elevation of 3,860.45 feet above mean sea level also produced a record storage of 456,072 acre-feet. The previous record had been set on August 25, 1965, at elevation 3,856.16 feet above mean sea level and storage of 429,600 acre-feet.

High flows in the Arkansas River caused flood damage above John Martin in many Arkansas Valley towns and cities. Colorado Springs suffered damage from high flow in Fountain Creek, a tributary to the Arkansas. Pueblo also received some damage, as well as most of the smaller communities down the valley. The unincorporated area known as North La Junta was particularly hard where several residents lost their homes and most of their possessions. No flood water reached the city of Las Animas, which

was protected by a flood dike; however, some damage was caused by high water tables and local run-off. Very little damage occurred below John Martin Reservoir.

Water remained in the flood control portion of John Martin until July 6. Between May 2 and July 6, 1999, a total of 309,608 acre-feet was released from the flood control pool by the Corps of Engineers, who are mandated by Article IV, C(2) of the Arkansas River Compact, to regulate the size and timing of releases from this pool. The State of Colorado called for a special meeting of the Arkansas River Compact Administration in an attempt to obtain permission to use about 1,000 acre-feet of this water to fill the recreation pool in the reservoir to its allowed size of 10,000 acre-feet. Although Colorado and Kansas representatives agreed in principle, no agreement could be reached on the substance of a resolution allowing this use because of conditions imposed by Kansas.

This large storage has assured irrigators served by the reservoir in both Colorado and Kansas an abundant water supply. At the time of this writing, the reservoir is again gaining in storage content, with only about 13,000 acre-feet remaining before the flood control pool is again reached.

- Bill Howland, Division II Office -

Appointments Announced for the Ground Water Commission and Board of Examiners

Governor Bill Owens appointed two new members to the Colorado Ground Water Commission. The Commission is responsible for administration of ground water within the boundaries of the designated ground water basins which are located in eastern Colorado. Mr. Jerry Smith, of Elbert, Colorado, will serve as a representative of the Upper Black Squirrel Creek Designated Ground Water Basin. Mr. Max Smith, of Walsh, Colorado, will represent the Southern High Plains Designated Ground Water

Basin. These two terms will expire on May 1, 2003.

Also appointed by Governor Owens was Mr. Glenn Clement of LaSalle, Colorado, to the Board of Examiners of Water Well Construction and Pump Installation Contractors to serve as a water well construction and pump installation contractor. This term expires on June 30, 2003.

- Marta Ahrens, Public Information Officer -

Platte River Cooperative Agreement Efforts Underway

The whooping crane, piping plover, and interior least tern, which are listed as threatened or endangered under the Federal Endangered Species Act, use the Central Platte River Valley in Nebraska. The pallid sturgeon, which can be found in the Lower Platte River between its confluence with the Elkhorn and its confluence with the Missouri River, is also listed as endangered. Together, these four species are the "target species" for the conservation partnership.

The signatories to the Three States Cooperative Agreement believe that the best approach to addressing the Endangered Species Act (ESA) issues in the Central Platte region is a basin wide, cooperative effort to improve and maintain habitat for the target species. The alternative to a basin wide approach would be for each water project to undergo individual review and lengthy proceedings to develop separate measures to help listed species. The signatories believe that a basin wide, cooperative approach will be more effective, efficient, equitable, and provide greater certainty for water users regarding compliance with the ESA.

The Cooperative Agreement, signed by the states of Colorado, Nebraska and Wyoming, and the Department of Interior, guides the effort to reduce shortages to river flows and describes the proposed Program. A Governance Committee with members from the three states, water users, environmental groups, and two federal agencies continues to meet monthly to implement the Cooperative Agreement.

Proposed Plan

The first phase of the proposed Action Program (10 to 13 years) would reduce shortages to the current target flows by an average of 130,000 to 150,000 acre-feet per year. The proposed first phase of the program would include :

- Restoring the original storage capacity of Pathfinder Reservoir in Wyoming.
- Establishing an environmental water account in Lake McConaughy in Nebraska.

- Developing a groundwater recharge and river re-regulation project near on the Tamarack State Wildlife Area in Colorado and other sites in the lower reaches of the South Platte River in Colorado.

These three actions are expected to reduce shortages by approximately 70,000 acre-feet of water. A basin wide study, being conducted by Boyle Engineering acting as a consultant to the Water Management Committee, is looking for ways to provide an additional 60,000 to 80,000 acre-foot reduction in flow shortages through water conservation and water supply options. Using the information provided by Boyle Engineering the Governance Committee will ultimately select the final elements of an Action Plan which will provide the total 130,000 to 150,000 acre-feet of water when combined with the first three actions mentioned previously. At the same time, the Department of Interior is conducting an EIS evaluation of the original program and alternative water conservation and water supply alternatives, as required under the National Environmental Policy Act (NEPA). The parties intend that a final program will be selected and they will enter into an agreement for its implementation.

The first phase of the proposed plan would also protect or restore (through acquisition, lease, or easement,) 10,000 acres of habitat in the Central Platte River area between Lexington and Chapman, Nebraska. The Nebraska Public Power District's Cottonwood Ranch between Overton and Elm Creek (2,650 acres) will contribute to that goal. In later phases of the proposed Program, the holdings of the Platte River Whooping Crane Maintenance Trust, the Nebraska Game and Parks Commission, the Nature Conservancy, and the Audubon Society, totaling approximately 9,000 acres of habitat, will be included toward the long-term goal of 29,000 acres. All water conservation, habitat management, leases, easements, or acquisition of lands to meet these goals will be undertaken only with willing sellers and participants.

Progress made under this initial phase of the proposed program will be closely monitored. The

Progress made under this initial phase of the proposed program will be closely monitored. The cooperating entities will evaluate the results of the first phase and define any subsequent approaches and actions needed to meet the overall goals.

Current Activities

A Water Management Committee was established by the Governance Committee and meets monthly. Its has the responsibility to oversee the basin wide study that is being done by the consultant Boyle Engineering. The consultant has to date looked at a long list of possible water conservation/ water supply alternatives to determine which ones might be used to provide at least 60,000 to 80,000 acre-feet of additional flows needed to meet flow shortages at the habitat area. In March, Boyle Engineering submitted a short list totaling 36 alternative options that the consultant believes should be looked at in greater detail. Comments have been received concerning the short list and a draft report is scheduled for submittal in early August. Using the short list, an action plan will be selected and then submitted to the Governance Committee for their approval.

The Water Management Committee also has the responsibility to establish a tracking and accounting system that will determine the depletion/ accretion impacts for the original three water projects that were proposed by each cooperating state, the new future growth replacement supplies, and the water conservation/ supply projects. Dick Stenzel, the Division One Engineer and Jon Altenhofen, of Northern Colorado Water Conservancy District, are active members of the Water Management Committee.

Colorado Activities

The Tamarack recharge project was initiated in 1996 with the construction of one well. In 1998, two additional wells were constructed, each capable of

pumping approximately 2000 gpm. and currently provide 2,500 acre-feet. The wells have been permitted and constructed pursuant to a temporary substitute supply plan issued by the Colorado State Engineer.

Additional wells, buried pipelines, and recharge basins/ponds will be constructed in 1999 using grants and in-kind services and funds from Lower South Platte River Group participants. In addition, a live stream section is being constructed between two of the Tamarack basins for raising and studying native South Platte minnow species of concern. The aquatic division of CDOW budgeted \$25,000 each for 1998 and 1999 to continue work on the 1/4 mile of minnow stream. It is also anticipated that Ducks Unlimited, Inc. will be contributing funds and expertise to the development of wetland and waterfowl habitat at Tamarack.

Extensive monitoring activities for groundwater levels, water quality, and river accretions are part of the recharge project at Tamarack. This monitoring shows that managed groundwater recharge activities do indeed work to retine flows. The monitoring also shows the potential to enhance warm water sloughs and wetland complexes. It is envisioned that 2 to 3 additional wells will be added each year. It is envisioned that each group of 3 wells will produce an additional 2,500 acre-feet of recharge water.

Ultimately, Colorado must deliver 10,000 acre-feet of water to the Nebraska stateline during the period from April through September, as its part of the obligation towards reducing shortages under the original plan. It must also replace an additional 1,500 acre-feet associated with future depletions that will occur with projected population growth in the future. The water will come from the recharge projects like the Tamarack project and potentially reservoir storage as part of what is referred to as the Tamarack Plan.

- Richard L. Stenzel, Division I Engineer -

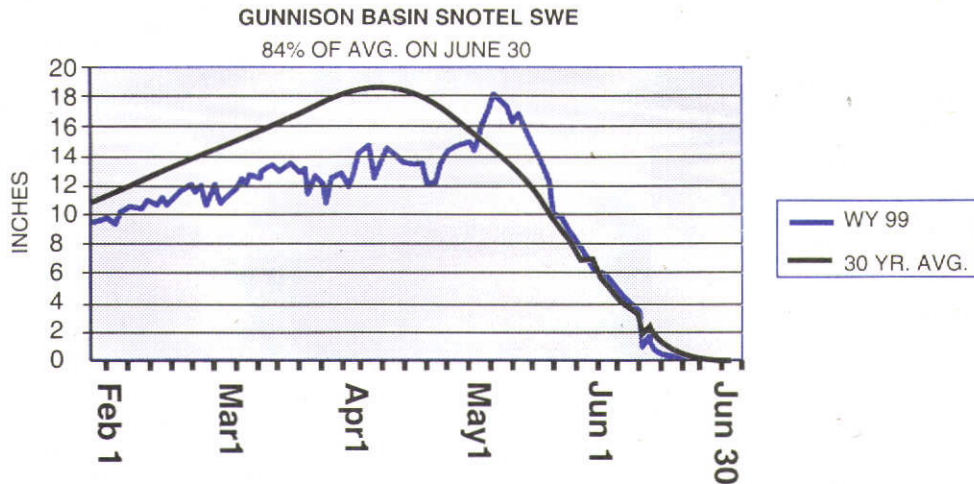
Please note: The Division 1 Office in Greeley has moved. The new address is 810 9th Street, 2nd Floor, Greeley, CO 80631. The fax number has changed to (970) 392-1816. The telephone number remains the same at (970) 352-8712.

Blue Mesa Reservoir Operations Affected by Changing Runoff Conditions

Blue Mesa Reservoir is the largest reservoir in Colorado, with a total storage capacity of 940,800 acre-feet. The Bureau of Reclamation is responsible for operation of the reservoir, with primary water uses being irrigation and power generation. The 1999 runoff season made it particularly challenging for reservoir operations.

Reservoir operators were faced with the prospect of an unusually low snowpack to begin the runoff season. Snowpack readings on April 1 for the Gunnison River Basin were only 67 percent of normal, and the reservoir was at two-thirds live capacity. This resulted in below normal river forecasts, with a "Most Probable" storage forecast of about 90 percent of live capacity, or about ten feet below the spillway level.

Heavy April and early May precipitation increased snowpack readings to a seasonal peak on May 11. The graph below points out that the basin received its normal peak amount of snow water equivalent, but that it occurred about a month later than usual.



The late snowstorms resulted in drastic increases in inflows to Blue Mesa Reservoir. This prompted reservoir releases to increase from the projected rate of 500 cfs to as much as 2890 cfs in late May. Even with the high release rate, Blue Mesa Reservoir was close to full by the end of June.

The Bureau of Reclamation considers the reservoir full when it is within two to four feet of the spillway. This is to avoid potentially damaging spillway flows. As of July 31, 1999, the elevation of Blue Mesa Reservoir was within two inches of the spillway, and should gradually drop throughout the remainder of the irrigation season.

- Wayne I. Schieldt, Division IV Engineer -

Minimum Stream Flow Cases on Yampa River Dismissed

Three and a half years after the Colorado Water Conservation Board (CWCB) filed for minimum stream flows on the main stem of the Yampa River; the Water Court dismissed the cases at the request of the CWCB. The question now being considered is what will the CWCB do next.

In December of 1995, the CWCB filed two cases in the Division 6 Water Court for minimum stream flows on the Yampa River. Case No. 95CW156 was filed for a "base flow water right" which was to be administered in conjunction with the "recovery flow water right" filed for in Case No. 95CW155. Both cases were filed in order to provide some level of flow protection for the endangered species on the lower reaches of the Yampa River.

Under the base flow water right, the minimum flow rates would have varied from a low of 88 cfs in September and October, to a high of 1200 cfs in May. The recovery flows would have consisted of the remaining available flow after accounting for a "carve out" of consumptive use for future development in the basin. As proposed, the carve out was for 52,000 acre-feet and could have been modified up to 124,000 acre-feet per year of consumptive use.

There was immediate and heavy opposition to these two cases. Various groups ranging from water user organizations to towns and counties to individuals filed approximately 25 Statements of Opposition. Some of the major areas of objection dealt with the following:

- Flow rates claimed in the applications greatly exceeded those required to preserve the natural environment to a reasonable degree.
- The recovery flow water right would deprive the citizens of Colorado to the beneficial use of water allocated to them under the Upper

Colorado River Compact.

- The Recovery Flow recommendations were not based on biological need.
- The Recovery Flow water right must be tied to recovery of the endangered species and must terminate with recovery.
- No mechanism exists to administer the "carve out".

Negotiations between the CWCB and the objectors were put on hold while the U.S. Fish and Wildlife Service (USFWS) conducted studies in conjunction with the Yampa River Basin Partnership. These studies are on-going and will be used to develop a recovery plan for the Endangered species in the Yampa River.

In January of 1999, the CWCB decided to dismiss the Recovery Flow case. This decision was based on the USFWS withdrawing support for the minimum stream flow filings and public comments solicited by the Board. In May of 1999, following further public comment and discussion, the CWCB decided to also dismiss the Base Flow filing; however, the staff of CWCB were directed to work with the water users and other interested parties to develop new flow recommendations for the Yampa River. The flow recommendations are to be based on Division of Wildlife Studies.

So what does the future hold for minimum stream flows on the Yampa River? CWCB will be revisiting the need for minimum stream flows on the Yampa River and a new case may be filed in the near future. Without the support of the local water user community, a new filing may find a large amount of opposition.

- Robert M. Plaska, Division VI Engineer -

1999 Coordinated Reservoir Operations Colorado River Basin

1999 marked the third year of coordinated reservoir operations under the Recovery Implementation Program for Endangered Fish Species in the Upper Colorado River. The objective of the program is to coordinate operations of and releases from various reservoirs to enhance habitat in the 15-mile reach of the Colorado River below the Grand Valley Irrigation Canal for the benefit of endangered fish species. A workgroup was formed of several governmental agencies and water user groups in order to oversee the coordinated reservoir operations. Division 5 staff participated in the workgroup along with representatives of the U.S. Fish and Wildlife Service (USFWS), National Weather Service, U.S. Bureau of Reclamation (USBR), Colorado River Water Conservation District, Denver Water, City of Colorado Springs, and the Colorado Water Conservation Board. The Division V Engineer as co-chair of the workgroup was charged with the responsibility to determine in consultation with the USFWS when it was appropriate to begin and end the releases, and to maintain accounting records of the operation.

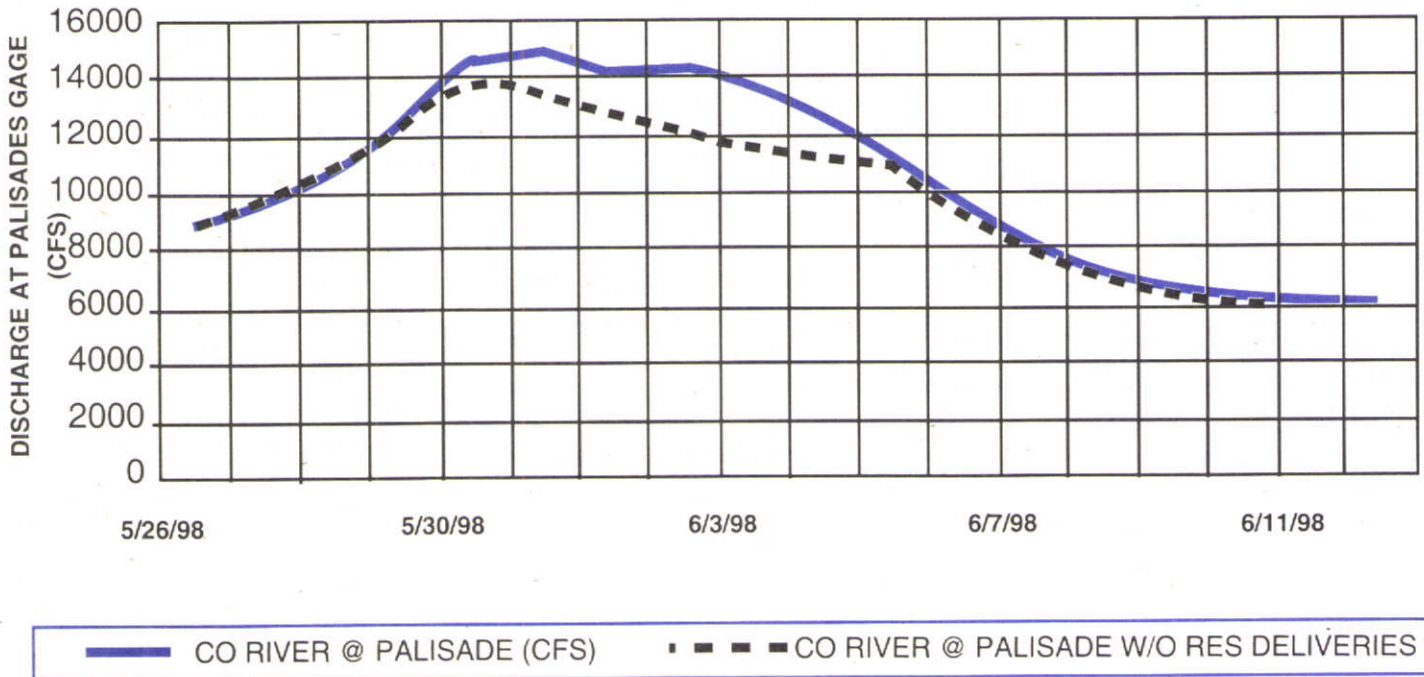
The workgroup held its first meeting on April 25, 1999 to assess spring streamflow, weather, and snowpack conditions and to evaluate the potential for augmenting peak flows. It appeared at that time that the snowpack was too low to operate the program; however, by May 10th snowpack had increased to 117% of normal in the Colorado Basin and conditions appeared to be favorable to enhance the peak flows. All reservoirs to be used to enhance the peak (i.e., Wolford Mountain, Green Mountain, Dillon, Williams Fork, Ruedi, Willow Creek, and Granby) were expected to fill and operators of these reservoirs gave a preliminary approval to participate in the program. This year was the first year that Willow Creek Reservoir and Granby Reservoir were included in the program. Public meetings were scheduled for Granby on May 25th and in Glenwood Springs on June 2nd to inform the public of the program and its effects on river flows. Press releases were also mailed out to the major newspapers in the Colorado River Basin.

Maximum Coordinated Reservoir Contribution (average daily outflow)	
Reservoir	cfs
Green Mountain	1500
Ruedi	470
Wolford Mountain	492
Dillon	1450
Williams Fork	260
Granby	535
Willow Creek	470

At the June 8 meeting, the workgroup decided that flows in the critical reach were at or near their peak and the USBR began ramping down their releases from Ruedi Reservoir and Green Mountain Reservoir on June 9. The Bureau wanted to reduce the bypass of storable inflow in these reservoirs to make certain that they would fill. However, some of the other reservoir owners decided to continue the high releases for a short time longer. The workgroup was able to correctly pinpoint the peak flows in the 15-mile reach and to enhance the peak which occurred on June 10 at the Palisade gage with a daily average flow of 11,900 cfs. Although the final reports from the participants have not been received yet, it is estimated that the peak flow was enhanced by approximately 2000 cfs as a result of the program. The graph on the following page demonstrates the effects of the program during the 1998 water year on flows in the critical 15-mile reach.

- Bob McCabe, Professional Engineer, Division V Office -

Impact of 1998 Coordinated Reservoir Releases to Increase Peak Flows thru 15 Mile Reach of Colorado River (cfs)



Annual Meeting of the Republican River Compact Administration

The Republican River Compact Administration met in Concordia, Kansas, on June 3, 1999, to review Compact related activities for the 1998 Compact year. The litigation brought by Kansas in Kansas v. Nebraska and Colorado No. 126, Original, in 1998 had its impact on the meeting by limiting discussion and the work of the Engineering and Legal Committees. The Compact Administration consists of the Colorado State Engineer, the Chief Engineer for the Kansas Division of Water Resources, and the Director of the Nebraska Department of Water Resources. The new Director of the Nebraska Department of Water Resources, Roger Patterson, attended his first meeting of the Administration.

determine streamflow in the basin; i.e., the Bureau of Reclamation, the Corps of Engineers, and the U.S. Geological Survey. The 1998 water year was the lowest runoff year of record at many gaging stations in the upper part of the basin.

The Administration directed the Engineering Committee to provide recommendations at the next meeting on what additional water resource data and information should be included in the annual published report of the Compact Administration. There were no assignments to the Legal Committee.

- Hal D. Simpson, State Engineer -

The Administration received verbal reports from the three Federal agencies that operate projects or

New Assistant Division Engineer Appointed to Gunnison River Basin

Mr. Frank J. Kugel, former Dam Safety Engineer for the San Juan and Rio Grande Basins, has been appointed as the new Assistant Division Engineer for Water Division 4. The Division Engineer's office, located in Montrose, is responsible for managing water rights, ground water well permitting, hydrography, and dam safety in the Gunnison and San Miguel

River drainage basins. Mr. Kugel assumed his new duties on May 3, 1999. He brings over 15 years of experience in water resource engineering with the Division of Water Resources, which includes the past eleven years in the Durango office. Mr. Kugel replaces Mr. Wayne I. Schieldt, who was promoted to Division Engineer for the Gunnison River Basin.

Human Resources

Retirements....

Bruce DeBrine retired on June 30, 1999, after 28 years of service to the Division of Water Resources. Mr. DeBrine started his career with this office in 1971 evaluating well permit applications in the designated basin areas of the state. In 1975, he became Deputy State Engineer for Ground Water. In the 1980's, he was Hearing Officer for the Ground Water Commission. Most recently and until his retirement, Mr. DeBrine supervised the South Branch of the Water Supply Section.

Ken Timmerman, retired on July 1, 1999, after 15 years of service to the Division. He started in 1984 as an Assistant Water Commissioner in District 2, an area that encompasses the South Platte drainage from the north end of Denver to Greeley. He learned water administration in this heavily farmed area. In the winter of 1992, he became lead Water Commissioner for District 8, an area that encompasses much of the Denver Metro area and quickly developing Douglas County. Ken has educated many new homeowners from out of state in both the benefits and limitations attached to the use of their new well. *Denise Miller*, a former experienced Water Commissioner in District 23 filled the District 2 position on July 19, 1999.

Sue Edling, Program Assistant in the Division 2 Office in Pueblo, retired on July 9, 1999, following nearly seventeen years of service to the state's citizens and the Division of Water Resources. Sue began her career with Water Resources in November 1982 as the secretary of the Division 3 office, in Alamosa. In April 1994, she transferred to the Division 2 office in Pueblo to assume the position of office manager. As recipient of DWR's "Support Staff Employee of the Year" award for 1996, there can be no question that Sue did indeed contribute. Among all who have had the good fortune of her association, she leaves a legacy of public service to which we can aspire.

Albert Mahannah began work as a temporary water commissioner June 18, 1984, and became permanent part-time September 16, 1984. He administered the Kiser, Ward, and Youngs Creek reservoir systems on the south side of Grand Mesa which consists of approximately 42 reservoirs. He took disability retirement May 24, 1999 and plans to build model airplanes, prospect gold, and enjoy the outdoors. He has done an exemplary job for the last 15 years and will be missed.

Josephine Campbell, Administrative Assistant in the Records Section in the Denver Office, retired on July 31, 1999, after 11 years of service to the Division. She has been a valued and knowledgeable records staff member who always had a great interest in Colorado water and helping others understand its history and complexity. She has generously shared her expertise in water rights and civil action cases with customers and staff.

New Employees...

Eric Thoman started employment on May 10, 1999, as an Engineering Technician in the Designated Basins Branch of the Denver office. Prior to this, he was a water commissioner for two years in several districts in the Denver area.

Laura Nelsen became a member of the Records Section on July 1, 1999. Some of her duties will include providing research, information, interpretation and/or copies of historic documents for wells, water rights, etc. to the public and staff. She brings with her 8 months of experience as an Administrative Assistant in the budget office of Health Care Policy and Financing.

Justin Perkins started in May 1999 as a new assistant Water Commissioner in District 7, Clear Creek. This important area encompassing Clear Creek is the most difficult of our districts to administer. Justin has accepted the challenge and will gain experience quickly in tough and demanding interactions with the cities and industries along Clear Creek.

Mark Simpson started in May 1999 as a new assistant Water Commissioner in District 2. Mark will be straddling Districts 2, 8, and 9, in Weld, Douglas and Jefferson Counties and will spend a lot of his time in the Denver metro area and the upper end of District 2 where most water is diverted to agricultural uses.

Gary Hanks started on May 24, 1999 as a Deputy Water Commissioner in District 11. He will be administering water in the Lake County area of Division 2.

Wallace Patcheck started on May 17, 1999 as a Deputy Water Commissioner on the La Plata River in District 33, Division 7. He is a local from the Mancos area.

Steven Barrett started on May 24, 1999 as a Deputy Water Commissioner on the Animas River in District 30, Division 7. He moved to Durango from Crested Butte.

Amended Rules for Small Capacity Wells

The State Engineer, by rulemaking, has amended the rules for the small capacity well permits within the designated ground water basins. The amended rules became effective July 1, 1999.

Section 37-90-105, C.R.S., controls the issuance of these well permits. The changes in this Section by HB98-1151 and the desire to amend the Statement of Beneficial Use requirement under existing rules, necessitated these rule changes. The main changes are:

- 1) An evidence of beneficial use (SBU) is no longer required for any new small capacity well permit. The well must be constructed timely and a well construction and test report must be filed with the State Engineer in accordance with the Water Well Construction Rules.
- 2) An evidence of beneficial use (SBU), if it was required for a previously issued permit, that requirement is now waived. If a SBU is filed, it will be used for information purposes only and shall

not, in any way, alter the terms of the permit. For example, a well permit allowed an annual use of 40 acre-feet. The old rules required a filing of an evidence of beneficial use by the permit expiration date. Assuming that the well was constructed timely, a SBU was filed timely, and the SBU claimed an annual use of only 20 acre-feet; under the new rule, the permit will be considered valid for its permitted 40 acre-feet.

Section 105 now limits the issuance of new small capacity well permits to an annual use of five acre-feet but allows the local ground water management districts to adopt rules to lower or raise (up to 80 acre-feet) this limit.

If you have any questions in this matter, please contact Purushottam Dass or the designated basins team leader, Bill Fronczak. A copy of the rules is available from the Records Section or can be viewed on our web page.

Calendar of Events

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|------------------------|---|
| August 13 | 3rd Quarterly Meeting of the Colorado Ground Water Commission, Pagosa Lodge, Pagosa Springs, CO; for more information, contact: Marta Ahrens at (303) 866-3581 |
| September 27-28 | Colorado Water Conservation Board, Board Meeting, Buena Vista, CO; for more information, contact Susan Maul at (303) 866-3441 |
| October 5 | Board of Examiners of Water Well Construction and Pump Installation Contractors Meeting, 1313 Sherman St., Room 615, Denver, CO; for more information, contact Gina Antonio at (303) 866-3581 |

Betty Dyce, Records Manager at the Division of Water Resources, died on May 19 after a long illness. She was an employee of the Division for 20 years and worked hard through the years to provide a high level of customer service to all who needed water information and records.

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