

Huerfano River Regional Augmentation Project

In 2008 a water crisis hit the upper Huerfano River valley. Well and spring users who were diverting under junior water rights – or under no water rights at all – were facing shutdown by water administration officials. As a result, in January of that year, the Division Engineer met with the board of the Huerfano County Water Conservancy District. Although loath to curtail wells, including for example those serving the Gardner School, he had no choice under Colorado law. He suggested, however, that the District could solve the problem by establishing a regional plan under which augmentation water could be made available to compensate for out-of-priority depletions caused by well pumping and other water uses.

Because the HCWCD owned no water rights with which to operate an augmentation plan, the District initiated a series of annual Substitute Water Supply Plans based on water rights it borrowed or leased. In turn the District entered into annual leases of augmentation water to the imperiled water users. Those leases kept participating wells pumping, including those of the Gardner Water & Sanitation District (which later became the Gardner Public Improvement District), CO61 Water Association, and Paradise Acres Homeowners Association. In addition, the District augmented river withdrawals by Huerfano County for road and bridge purposes and by domestic users of Malachite Spring. Eventually, augmentation water was leased to irrigators, including marijuana cultivators.

Necessity for certainty, *i.e.* economic stability, however, required a permanent augmentation program – something more than annual SWSPs and leases. As a result, the District opted to establish a permanent court-decreed augmentation plan. To do so, HCWCD:

- Borrowed \$2.2 million from the Colorado Water Conservation Board. With the loan proceeds, it purchased the Camp Ranch (aka William Craig Ranch) and its senior water right on the Huerfano River about seven miles upstream from I-25.
- With the leftover loan proceeds and a \$250,000 grant from the CWCB, the District is constructing facilities necessary to operate a regional augmentation plan, including:
 - An augmentation station and a recharge pond on the ranch, which have been completed, allowing limited operation of the augmentation plan, and
 - A small reservoir (48 a.f.) to store and release augmentation water on the Sheep Mountain Ranch, 1.5 miles west of Gardner. This is under construction and expected to be completed in late 2018, thereafter allowing full operation of the augmentation plan.
- With money generated by its mill levy, the District engaged a water lawyer and water engineer to prepare and prosecute an application seeking a permanent augmentation plan decree from the water court. Filed in December, 2013, and assigned case number 2013CW3062, the District's application was carefully scrutinized by the State Engineer and other water users. In November 2016, having been approved by all parties, a final decree was entered.

The District is now transitioning from annual leases of augmentation water to the sale of augmentation certificates, which will assure their holders of a proportion of the augmentation water available to the District each year. The Rules and Regulations governing the augmentation certificates were adopted in September, 2017, and are found on this website.