

From: Sullivan - DNR, Megan megan.sullivan@state.co.us
Subject: askDWR: well permit availability
Date: April 4, 2022 at 11:17 AM
To: bobhagerty@me.com

Good morning,

Please accept my apologies for the delay in responding to your askDWR inquiry regarding a confirmation that a well permit would be available for several lot consolidations in the Steamboat Lake area in Routt County.

Unfortunately DWR cannot provide a guarantee that a well permit would be issued for any situation. The ability to obtain a well permit would be determined at the time that a complete well permit application and filing fee is submitted to and reviewed by our office. However, while I can't provide you with a confirmation that a well permit would be issued, I can provide information as to the qualifications for the different types of well permits that are issued.

Whether a well permit can be issued depends on the requested use of water (residential, commercial, industrial, stock watering, etc...), location, the pumping rate, and for a specific category, size of the property.

For wells used for residential purposes (such as supplying a single family dwelling), there are two types of residential wells that may be issued in this area.

The **first type** are permits for wells that are exempt from administration (exempt well permits).

The availability of this type of well permit depends on several factors, including the following:

The well must be the only exempt well on the parcel.

The parcel, entirely or part, cannot be included in the description for an adjacent, valid, exempt well permit (this is referred to as an overlap issue).

The parcel cannot be included in a post-2007 county approved subdivision of land*.

The well cannot serve a lot located within a post-2007 subdivision of land*.

If the parcel is located within the service area of a water provider such as a municipality or water and sanitation district or central system, the water provider must waive in writing any objection to the use of a private well within their service area.

If the parcel is **less than 35 acres** then the use of the well must be limited to ordinary household purposes inside one single family dwelling – no outside uses such as large animal watering or lawn and garden irrigation would be allowed.

If the parcel is **35 acre or more**, the use of the well is limited to ordinary household purposes inside up to three single family dwellings, the watering of poultry, domestic animals, and livestock on farms and ranches, and for the irrigation of not over one acre of home gardens and lawns.

The pumping rate cannot exceed 15 gallons per minute.

The disposal system must be of a non-evaporative type such as a septic tank and leach field.

*For the purposes of well permitting, a lot consolidation retains the plat date for the original subdivision.

If any of the above requirements cannot be met, an exempt well permit cannot be issued for the property.

The **other type** of well permit is for a well that would **not be exempt** from administration (non-exempt well).

Non-exempt wells must operate under a plan for augmentation which is a court approved plan to add water to the stream system to replace the amount depleted by the operation of the well. Use of the well is governed by the augmentation plan and not the parcel size. Please see the attached Beginner's Guide to Augmentation for additional information. As indicated in the guide, development of an augmentation plan is a complex process that typically requires the services of a water resources engineer and/or water rights attorney.

Please note that only residential use wells or wells used to supply drinking and sanitary facilities in a commercial business might qualify for an exempt well permit. All other types of wells (commercial with outdoor use, irrigation, industrial...etc) would be considered to be not exempt from administration and must operate under a plan for augmentation.

Again, I'm sorry for the delay in responding.

Regards,

Megan Sullivan

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Megan Sullivan, P.E.

Water Resource Engineer