



**Water Rights Committee Report**  
**Karl Davis, Committee Chairman**  
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**Written and submitted by: Karl Davis**

**Date: April 17, 2021**

**Charter:** To protect the water rights that are decreed to Big Elk Meadows.

**Committee Members:** Karl Davis as Chairman, Members as Victoria Darling, Roy McCutcheon, Bill Tolle, Paul Flanagan, Alan Hatfield, Patrick F. Gill, Selina Davis

**Our Water Yield from the Early Runoff**

Our 1971 water rights have been in-priority almost every day since our Board Meeting on March 20th. Our 1995 augmentation rights were also in-priority for about ten days. This was unexpected because our rights were almost never in priority for the last 12 months. The timing was perfect because the snow started melting and we were able to fill our lakes with our decreed maximum of 108.98 acre feet.

On April 13<sup>th</sup>, the Boulder and Larimer Ditch Company placed their administrative call for water on the Little Thompson. This allows them to divert water into the Ish Reservoir. We own 1.2% of the water they store and we will meet one of our rights of exchange by releasing our water from the Ish reservoir back into the Little Thompson for downstream use this summer.

**Water Rights Operation - State Requirements**

The Water Commissioner for Division 1, District 4 has provided BEM with a small set of operating requirements:

1. When our right to store water is Out of Priority then we need to match the water flows of the upper and lower flumes. This prevents us from storing water “out of priority”. If we are storing water out of priority then we slightly increase the flow of water through the lower flume to drain off the excess stored water.

This is a challenge. Water enters through lake 1 (Sunset) and exits through lake 5 (Meadow). We draw water from lake 4 (Mirror). To maintain the quality of the water in lake 4, we do not want water passing through it. As soon as we open the gate on lake 3, its bottom biomass passes into lake 4 and we can fail state water raw water tests for the next three months.

2. The accounting spreadsheet has 5 categories for us to account for our stored water. Our requirement is for the Owed to River Account to be at or near 0 at the end of each month.

This is a challenge because if we over release what we owe then the account will reduce to 0 but not below 0. That additional water is not counted. The state has allowed us to carry forward this water to the next month but that is not easy to account for.

3. The Water Commissioner has to approve our water releases from the Ish Reservoir. It will be approved if the release is for “return flow” and it will benefit a downstream senior water right holder that is calling for water. It could become a problem if any of the release is for “augmentation” and the commissioner forces us to do the release from BEM instead of the Ish Reservoir.

This is a big challenge and it strains our relationship with the state. Last summer, I tried to release my augmentation water from the Ish reservoir to satisfy a call for water from the senior water right holder. The Commissioner had to step in and force us to release the water from BEM to satisfy a Junior Water Right holders call for water from Pinewood Springs.

4. The state has given us a new requirement. Starting on November 1st of the 2020-2021 water year, we have to report whether our household water source was from the pipeline or the well group. We have to take daily



readings of the three wells then subtract their total from the master meter to give us the amount of pipeline water we used that day.

This is a new requirement and will create a new record keeping task that has to be transferred onto our water accounting spreadsheet under a new tab.

**Big Elk Meadows Association**

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