

From: Brown - DNR, Garver <garver.brown@state.co.us>

Sent: Wednesday, March 19, 2025 8:56 AM

To: president.stagestop@gmail.com

Cc: Jara Johnson - DNR jara.johnson@state.co.us

Subject: Re: Short Term Rentals & Hot Tubs

Hello,

Please be aware that the Colorado Division of Water Resources does not differentiate between a short term rental and a single family dwelling.

Q: Do household or domestic well permits issued pursuant to Stagestop's decreed augmentation plan allow for the filling and maintenance of INDOOR hot tubs and/or swimming pools?

A: The conditions of approval listed on the majority of Stagestop's well permits indicate that the return flow from the well use must be through an individual waste water disposal system of the non-evaporative type where the water is returned to the same stream system in which the well is located. This means that any tub or basin located inside the subject property must be drained through the septic tank and leach field, and cannot be discharged outside of the structure in any other way. Additionally, the county may require building permits or approval to install a water fixture within a house that exceeds the dimensions or capacity of a standard size bathtub.

Q: Do household or domestic well permits issued pursuant to Stagestop's decreed augmentation plan allow for the filling and maintenance of OUTDOOR hot tubs and/or swimming pools?

A: Most of the Stagestop well permits have conditions of approval that clearly state that no other outside uses are permitted. The plan allows for 20 well permits having additional limited outdoor irrigation only. **I do not see any provisions within the augmentation plan allowing for the filling and maintenance of outside hot tubs or swimming pools with wells, even if the permit allows for limited irrigation of lawns and gardens.**

Q: What entity is responsible for enforcement of the conditions of the augmentation plan?

A: Paragraph 11 on page 5 of the W8108-75 decree states that "The Stagestop Owners Association and the applicant, said entity to be entirely liable for the regulation and enforcement of the terms and conditions of this decree".

Q: Can the Division of Water Resources issue letters to offending owners if they do not comply?

A: The Stagestop Owners Association is required by law to enforce the conditions of the plan. Notification to offending well owners, if desired, should be provided by the Stagestop Owners Association. If the Colorado Division of Water Resources determines that wells within the Stagestop subdivision are not being operated within the conditions of the decreed augmentation plan, actions can be taken by DWR, which could include cease and desist orders to individual well owners, or the cessation of issuance of any new

well permits until well use within the subdivision is in compliance with the augmentation plan. If the SOA wants to notify DWR about well use violations within the subdivision, letters can be sent to the Denver Office of DWR: Division of Water Resources, 1313 Sherman Street, Suite 821, Denver, CO 80203.

In summary, **I do not see any provisions in Stagestop's plan of augmentation which allow for filling any outside tubs or pools using the property owner's well.** If an owner wants to add additional uses to their well, then it would be necessary to obtain a new court decreed augmentation plan which allows for these uses, or join an already decreed plan which allows them to fill their tub or pool using their well. One potential option for augmentation in the vicinity of Stagestop is water provided by either North Fork Associates (northforkassociates.org) or Headwater Authority of the South Platte (haspwater.com). Additionally, it is permissible to haul in water from a legal source to fill the pool or tub, so long as the property owner can document this upon request.

Please let me know if there are additional questions or concerns.

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