



COLORADO
Division of Water Resources
Department of Natural Resources

Water Division 5 - Main Office
P.O. Box 396
Glenwood Springs, CO 81602

November 20, 2018

Marble Water Company
C/O: John Williams

Sent via email to: thetusconwilliamsfamily@gmail.com

RE: Notice of Out of Priority Diversion, Marble Water Company – Marble Water Company Well and Marble Water Company Well No. 2 (25893-F and 49103-F)

To Whom It May Concern,

The Division of Water Resources has identified your water rights decreed in 79CW0361 & 94CW0117, as being out of priority in 2018 due to administration of a senior irrigation call on the Crystal River and its tributaries. The call period was 8/8/2018-8/23/2018 and 9/12/2018-9/28/2018. The call was administered with the bypass priority at the Sweet Jessup Canal, administrative number 20239.19006.

While flows this year were exceptionally low, it is still reasonable to assume that this administration scenario could happen more frequently in the future. The Marble Water Company should consider a plan of augmentation which provides replacement water when its rights are out of priority. In times of a call, without a plan of augmentation, you are subject to curtailment of all diversions with our office forced to act pursuant to Colorado Revised Statutes, Section 37-90-110(1)(d) and issue a cease and desist order for the subject well.

If you would like copies of the aforementioned water court decrees and/or well permits, please visit our website at www.state.co.us and download them off of Laserfiche Weblink.

Please indicate in writing by January 1st, 2019 of your intentions to address the abovementioned issue for Marble Water Company Wells. If you have any questions, please feel free to contact me at jake.dewolfe@state.co.us or 970-355-4787.

Sincerely,

Jake DeWolfe
Water Commissioner District 38
Division of Water Resources – Division 5

Cc: Ron Leach Via email leach@townofmarble.com
Eddie Rubin via email edward.rubin@state.co.us
Vicki Devine via email vicki.devine@state.co.us

