



DIVISION OF WATER RESOURCES

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Governor

Mike King
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Director/State Engineer

WRITTEN INSTRUCTION AND ORDER 2015-01 **Instruction and Order Concerning the** **Administration of Water Rights Decreed for Irrigation** March 25, 2015

Pursuant to section 37-92-501(1), C.R.S. (2014), the State Engineer hereby issues this Instruction and Order concerning the administration of water rights that are decreed for irrigation purposes ("Irrigation Water Rights"). The State Engineer and Division Engineers shall allow Irrigation Water Rights to be used to irrigate any type of plant that may be legally grown under Colorado law, subject to the explanation below.

1.0 INTRODUCTION

The State Engineer may issue written instructions and orders to the Division Engineers regarding the administration of water rights. The State Engineer may also promulgate rules to establish administration practices, but such rules are not required for administration.

This instruction and order directs the Division Engineers concerning the administration of water rights in order to ensure consistent and equitable administration that is also consistent with Colorado water law and applicable court decrees.

2.0 PURPOSE

This instruction and order shall direct the Division Engineers in administering Irrigation Water Rights.

3.0 AUTHORITY

This instruction and order is issued pursuant to section 37-92-501, C.R.S. (2014). This instruction and order ensures that Irrigation Water Rights will be administered such that the subject water may be diverted and applied to its decreed use.

4.0 PROCEDURES

Numerous direct flow and storage water rights in Colorado are subject of a court decree that awards the water right, among other things, the specific beneficial use of "Irrigation." While it is possible that a decree would further limit the irrigation to a particular crop, normally the decree is not that specific. For a water right that identifies a beneficial use of Irrigation, if there is no specific limitation on the type of plant that may be irrigated, and lacking any other

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Written Instruction and Order 2015-01
Application of Water Decreed for Irrigation Use

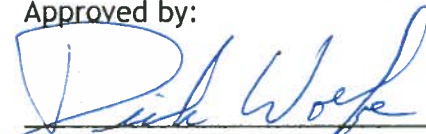
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applicable limitation in the decree, the Division Engineers shall allow the water right to be used for the Irrigation of any plant, subject to the following considerations.

For the purpose of this instruction and order, Irrigation or Irrigate means to apply water to any type of plant that may be legally grown under Colorado law for the purpose of growing such plants. The Division Engineers shall not allow Irrigation in an indoor facility to the extent it would allow the extension of the irrigation season beyond the established irrigation season unless the decree for the water right specifically allows Irrigation to occur inside such a facility at such time of the year. Should the owner of the water right desire to Irrigate inside such a facility with an extended irrigation season, the owner of the water right must apply for a change in time of use in water court. The Division Engineer shall not allow the use of the Irrigation Water Right for any purposes other than application of water to the irrigation of the plants unless clearly allowed by the decree for the Irrigation Water Right.

This instruction and order must be implemented in harmony with existing decrees, statutes, rules and policies. This instruction and order is in effect immediately and shall be revoked only in writing.

Approved by:


Dick Wolfe, Director/State Engineer

Date: March 25, 2015