

Summary

This is an application for surface water right, change of water right and approval of a plan for augmentation for Starwood Metropolitan District near Aspen in Pitkin County. Applicant is proposing to change the type of use for a portion of the Stapleton Brothers' Ditch from irrigation to domestic, stockwater, fire protection, municipal, irrigation, recreation, augmentation and exchange. Applicant requests alternate points of diversion at structures located downstream on the Roaring Fork River. Out-of-priority depletions by the Starwood Pump Station, Starwood Well No. 5, Starwood Well No. 1 and Starwood Roaring Fork Diversion will be replaced by consumptive use credits associated with the applicant's interest in the Stapleton Brothers' Ditch. Applicant is also seeking to add its interest in consumptive use from the Stapleton Brothers' Ditch water right to its existing augmentation plan decreed in Case No. 5-92CW347.

CWCB Appropriations

The CWCB holds the following instream flow water rights that could be injured by this application:

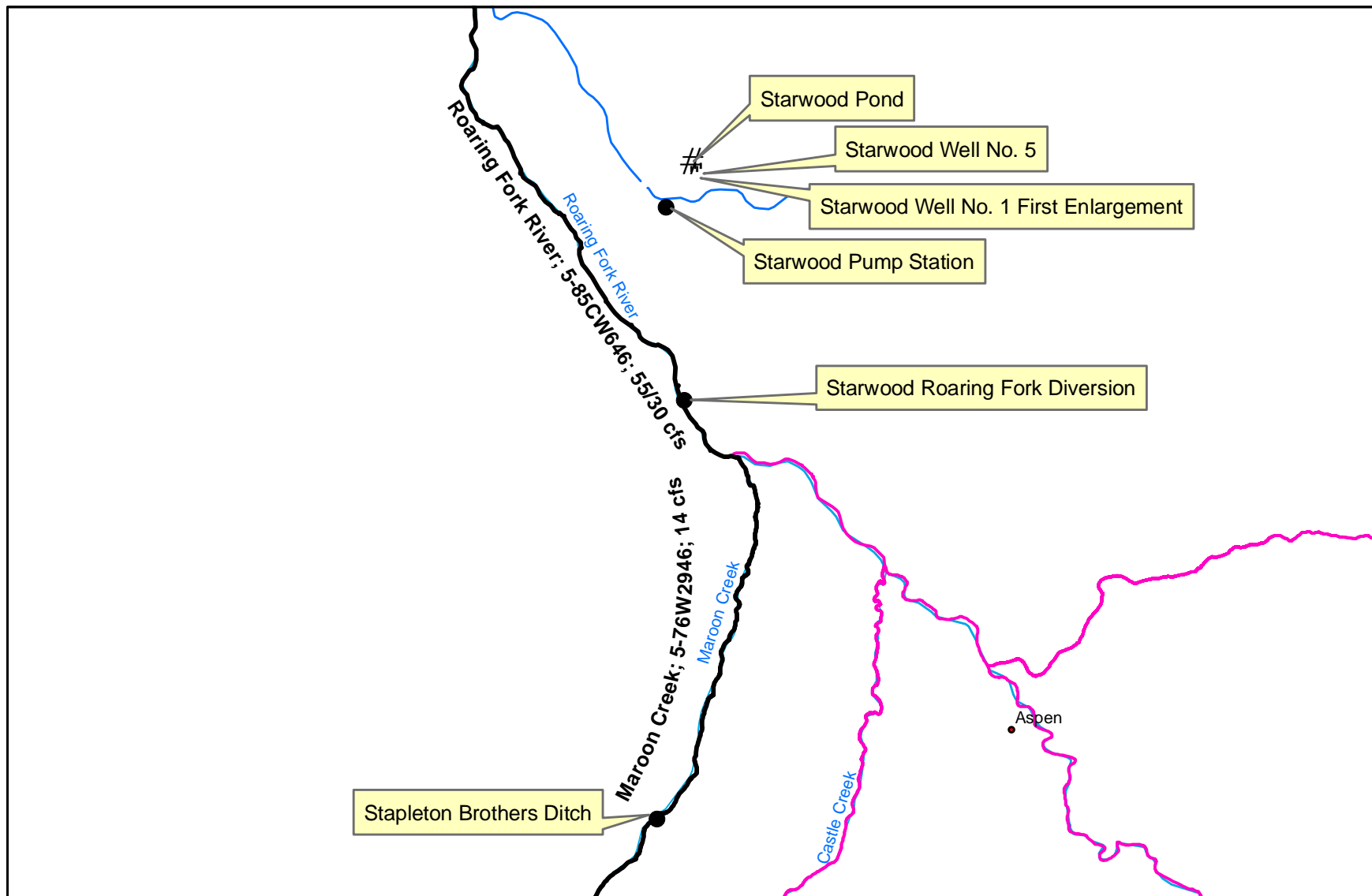
CWCB Case No.	Stream/Lake	Amount (cfs)	Approp. Date	Watershed	County
5-76W2945	Maroon Creek	14	1/14/76	Roaring Fork River	Pitkin
5-85CW646	Roaring Fork River	55/30	11/8/85	Roaring Fork River	Pitkin
5-85CW639	Roaring Fork River	145/75	11/8/85	Roaring Fork River	Pitkin

Potential for Injury

Applicant's plan for augmentation may not be adequate to replace out-of-priority depletions associated with this application in time, location and amount to prevent injury to the Board's instream flow water rights on the Roaring Fork River. The application does not present sufficient information to fully evaluate the extent to which the Board's instream flow water rights may be injured, but Applicant's proposed alternate points of diversion may result in an expansion of the season of use.

Other Objectors

City of Aspen, Pitkin County Board of County Commissioners



March 17-18, 2009 Board Meeting
Consent Agenda Item 1f; Statement of Opposition
Case No. 5-08CW184; Starwood Metropolitan District

0 0.5 1 2 Miles