

Summary

This is an application for conditional surface and underground water rights, approval of plan for augmentation and exchange for a residential development in the Red Feather Lakes area northwest of Fort Collins in Larimer County. Applicant is seeking to construct 50 homes and various amenities on the property, including recreational ponds, horse stables, community hall, irrigation and dry land farming operations. Fifteen new wells will serve as the primary water source for the development. Applicant is claiming additional groundwater and surface water rights in the South Lone Pine drainage for which applicant claims the right to “use, reuse, and successively use the water diverted”. An appropriation date of November 2008 is claimed. Applicant proposes to replace out-of-priority depletions associated with the wells and ponds with a variety of augmentation sources including surface and groundwater diverted in priority, water diverted by exchange, and water stored in the “South 60” Reservoirs (storage was decreed in Case No. 81CW309). Additionally, applicant is claiming Appropriative Rights of Exchange from the Cache la Poudre River upstream to points of diversion on Elkhorn Creek, North Fork Lone Pine Creek, and exchanges between various other structures on the property.

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
1-85CW424	SF Lone Pine Creek	2	11/8/85	Cache la Poudre River	Larimer
1-85CW421	NF Lone Pine Creek	1.5	11/8/85	Cache la Poudre River	Larimer
1-85CW433	Lone Pine Creek	3.5	11/8/85	Cache la Poudre River	Larimer
1-78W9262	Elkhorn Creek	2	1/19/78	Cache la Poudre River	Larimer
1-85CW425	Cache la Poudre River	55	11/8/85	Cache la Poudre River	Larimer

Potential for Injury

The Board’s instream flow water rights could be injured by the proposed plan for augmentation and exchange if depletions are not replaced in time, location and amount, especially with regard to South Fork Lone Pine and Lone Pine Creeks.

Other Objectors

Statements of Opposition were also filed by Red Feather Storage and Irrigation Company, Pine Creek Water Development Co., Crystal Lakes Water and Sewer Assn., Girl Scouts of Colorado, Shambhala International and Shambhala Mountain Center, Division of Wildlife, City of Thornton and Fox Acres Community Services.

