

Consent Agenda Item 1.e
May 2010 Board Meeting

Case No. 2-10CW002; Pioneer Natural Resources USA, Inc., XTO Energy Inc.,
El Paso E&P Company, L.P. and Red River Ranch Holdings LLC

Summary

This is an application for approval of a plan for augmentation, including exchanges. The plan for augmentation and exchanges are to cover stream depletions from coal bed methane wells. The replacement water will be non-tributary water produced in this process.

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
2-09CW90*	Purgatoire River	21/8.4	1/27/2009	Purgatoire	Las Animas
2-09CW88*	South Purgatoire River	18/3	1/27/2009	Purgatoire	Las Animas
2-77W4632	North Fork Purgatoire River	5.0	1/19/1977	Purgatoire	Las Animas

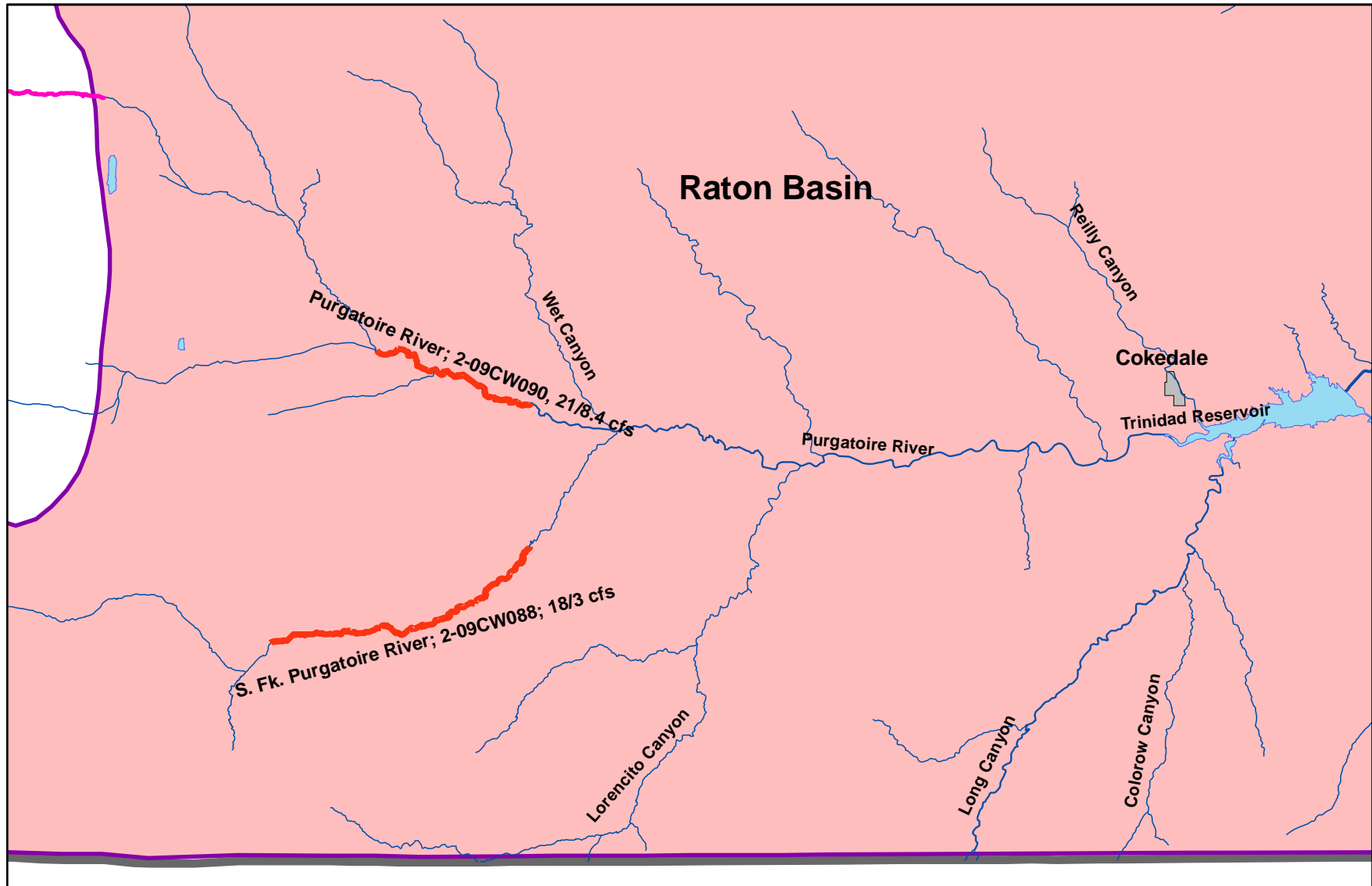
*pending water court case not yet decreed

Potential for Injury

The Applicant's proposed plan for augmentation may not replace out-of-priority depletions in time, place and amount, which could injure the Board's instream flow water rights.

Other Objectors

Other objectors include Bernard Parsons, Purgatoire River Water Conservancy District, Southeastern Colorado Water Conservancy District, Fred Avi, Lillie Avi, Avi Ranch LLC, Town of Aguilar, Colorado Division of Wildlife and Wildlife Commission, State and Division Engineers, City of Trinidad, and Tom and Anne Parise.



May 18-19, 2010 Board Meeting
Consent Agenda Item 1e; Statement of Opposition
Case No. 2-10CW002; Pioneer Natural Resources, XTO Energy Inc.,
El Paso E & P Co., Red River Ranch Holdings LLC

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