

Summary

This is an application for change of water right for the Columbine Ditch in Eagle and Lake Counties. The Columbine Ditch is a transbasin diversion historically operated by the Pueblo Board of Water Works to bring water from the Eagle River headwaters in Water Division 5 to the Arkansas basin in Water Division 2. Applicant is proposing to change the place and type of use to include municipal, domestic, industrial, irrigation, augmentation, etc. and includes “allowable instream uses”, for use, re-use, successive uses, disposition following initial use, and re-use to extinction. Additional places of storage for the Columbine Ditch water right are claimed in both Water Division 1 and 2. This same application was also filed in Water Division 1 (Case No. 1-09CW278) and Water Division 2 (Case No. 2-09CW143).

CWCB Appropriations

The CWCB holds decrees for instream flow water rights on numerous streams in Water Divisions 1, 2 and 5 that could be injured by this application.

Potential for Injury

The change of water right proposed in this case may result in an expansion of use, which could injure the Board’s instream flow water rights. The claim to use the water right for instream uses should be evaluated because CWCB has exclusive authority over instream flows for certain purposes.

Other Objectors

Other objectors include Eagle County, Ginn Battle Development Co., et al., F.R.I.C.O., Sand Creek Ranch, Starfall Ranch, First Creek Ranch, Cottonwood Creek Investors, Carl Eiberger, State Board of Land Commissioners, Eagle Park Reservoir Company, Centennial Water & San. District, Denver Water Board, Denver Metro Ministries of United Methodist Church, Furniture Row, LLC, Faith Presbyterian Church, World Vision, Inc., United Water & San District, Colorado River WCD, Peter L. Baurer, L.G. Everist, Inc., Aggregate Industries – WCR, Inc., Front Range Aggregates, State and Division Engineers, Upper Arkansas WCD, Grand Valley WUA, Orchard Mesa Water District, Ute WCD, Arkansas Valley Ditch Assn., Town of Minturn, and Trout Unlimited.

