

Summary

This is an application for an augmentation plan and exchange on the Eagle River near Avon in Eagle County. Applicant is proposing to replace up to 500 acre feet of out-of-priority depletions resulting from municipal diversions at a number of surface and ground water diversion points along the Eagle River and Gore Creek. Augmentation water will be released from Ruedi Reservoir or Wolford Mountain Reservoir. Applicant is requesting a May 25, 2006 priority date for the Wolford Mountain exchange, and a February 10, 2009 priority date for the Ruedi Reservoir exchange. The maximum rate of exchange will be 5 cfs.

This same augmentation plan is pending in Case No. 5-06CW096, but in that earlier case, the applicant is claiming a 2006 priority date for the Ruedi exchange. CWCB is an objector in that case. Applicant has filed this new application in the event the court does not allow the earlier case to be amended.

CWCB Appropriations

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

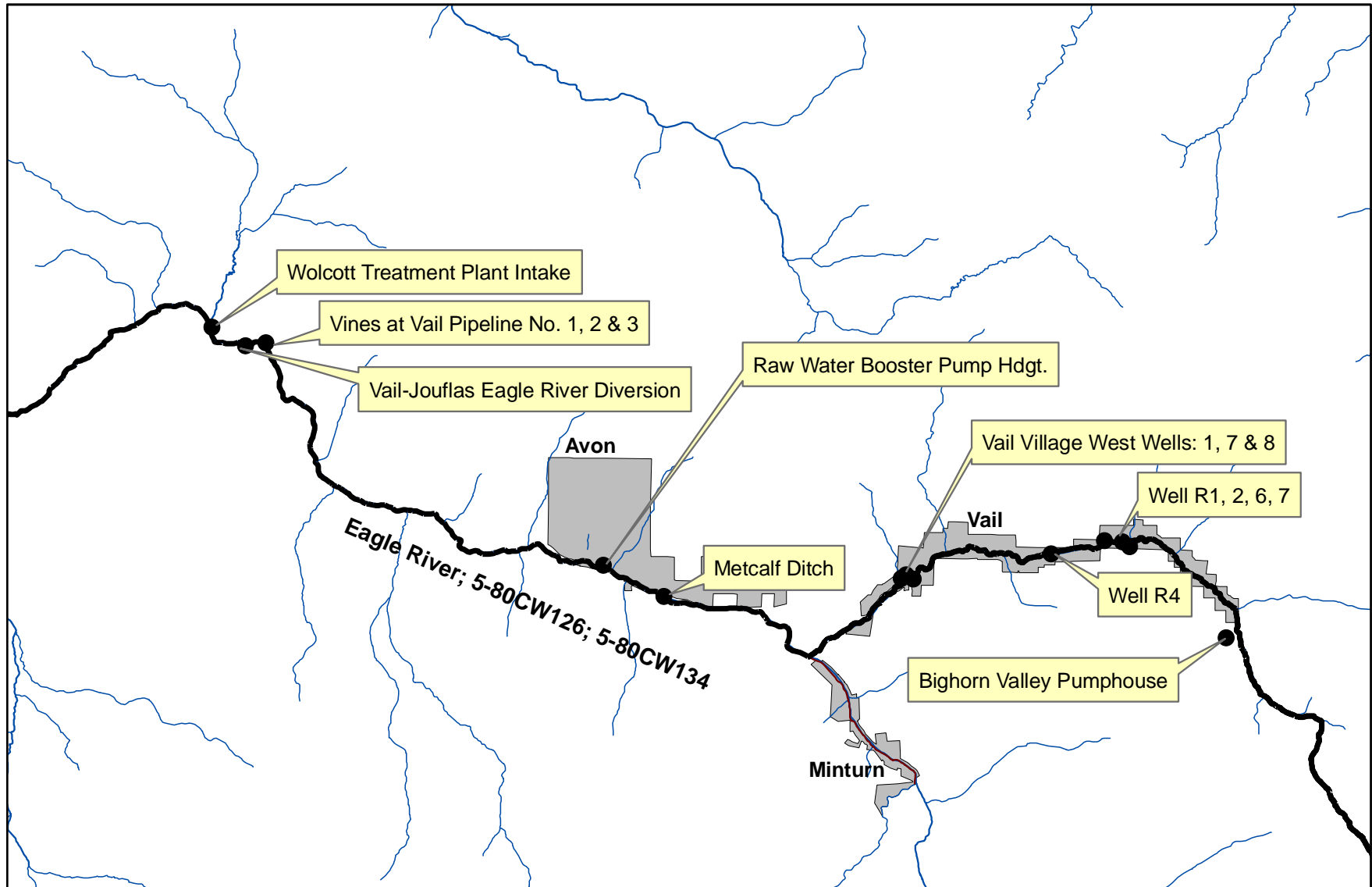
CWCB Case No.	Stream/Lake	Amount (cfs)	Approp. Date	Watershed	County
5-80CW126	Eagle River	45/110	3/17/1980	Eagle River	Eagle
5-80CW134	Eagle River	35/85	3/17/1980	Eagle River	Eagle
5-80CW124	Eagle River	50/130	3/17/1980	Eagle River	Eagle
5-77W3637	Gore Creek	16/6	7/27/1977	Eagle River	Eagle
5-86CW222	Gore Creek	10	5/9/1986	Eagle River	Eagle
5-77W3636	Gore Creek	22/8	7/27/77	Eagle River	Eagle
5-86CW216	Gore Creek	14	5/9/1986	Eagle River	Eagle

Potential for Injury

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

Other Objectors

Other objectors include the Colorado Division of Wildlife, Traer Creek Metro District, Public Service Company, G. Joufflas Ranches LLC, State and Division Engineers, Grand Valley WUA, Orchard Mesa Water District, Ute WCD and the Town of Minturn.



May 18-19, 2010 Board Meeting
Consent Agenda Item 1o; Statement of Opposition
Case No. 5-09CW191; Eagle River Water & Sanitation District

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