

Consent Agenda Item 1.a
Sept 2010 Board Meeting

Case No. 2-10CW031; Cripple Creek and Victor Gold Mining Company

Summary

This is an application for approval of a plan for augmentation to make replacements for precipitation captured out-of-priority by 123.75 acres of impermeable liners and 2.59 acres of detention ponds. Instead of computing the depletion based upon the volume of captured precipitation, the Applicant has computed a runoff value based upon historical stream measurements that were calculated for Case No. 02CW122. The CWCB is an opposing party in that case.

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
2-00CW103	Fourmile Creek	9.4/4.5	1/26/2000	Upper Arkansas	Teller/Fremont
2-00CW104	Fourmile Creek	9.1/4.75	1/26/2000	Upper Arkansas	Fremont
2-00CW105	Fourmile Creek	9.5/5	1/26/2000	Upper Arkansas	Fremont
2-00CW106	Fourmile Creek	3.5/9.5	1/26/2000	Upper Arkansas	Fremont

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 Beaver Park Water, Inc; City of Colorado Springs/Colorado Springs Utilities; City of Cripple Creek; Canon Heights Irrigation and Reservoir Company; Pisgah Reservoir and Ditch Company; Catlin Canal Company; and the Division and State Engineers.

