

Summary

This is an application for new surface water rights, storage rights, change of water rights and plan for augmentation on East Sopris Creek near El Jebel in Pitkin County. Applicants are proposing to change the point of diversion, place of use and manner of use (change from direct flow to storage) for the Eagle Ditch to allow new irrigation adjacent to their residence, and to allow the remaining portion of the right to be stored for subsequent augmentation use. The proposed augmentation plan is intended to replace out-of-priority depletions from irrigation use by the Eagle Ditch and out-of-priority evaporative depletions from the Metcalf Pond.

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 |
|----------------------|--------------------|---------------------|---------------------|------------------|-------------------------|
| 5-76W2951 | Sopris Creek | 5 | 1/14/1976 | Roaring Fork | Eagle |
| 5-76W2940 | East Sopris Creek | 3 | 1/14/1976 | Roaring Fork | Pitkin |
| 5-76W2939 | West Sopris Creek | 3 | 1/14/1976 | Roaring Fork | Pitkin |
| 5-85CW639 | Roaring Fork River | 145/75 | 11/8/1985 | Roaring Fork | Pitkin, Eagle, Garfield |

Potential for Injury

The proposed change of water right could injure the CWCB's instream flow water rights if the changed water right is expanded in use, or if historical return flows are not maintained in time, place, and amount. Additionally, the proposed plan for augmentation could injure the CWCB's instream flow rights if out-of-priority depletions are not replaced at the proper time, location or amount.

Other Objectors

There are no other objectors in this case.

