

Summary

This is an application for water rights, changes of water rights, and plan for augmentation including exchange on West Creek and Gill Creek near the town of Gateway in Mesa County. Applicant is seeking to correct decreed locations for several structures, claiming alternate points of diversion, adding additional year-round uses and seeking approval of a plan for augmentation and exchange as part of an integrated water supply system for properties within the West Creek and Dolores River drainage basins. The properties to be served include the Gateway Canyons Resort and the Experius Community located near the West Creek/Dolores River confluence, and several smaller residential and recreational developments located upstream on West Creek.

CWCB Appropriations

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

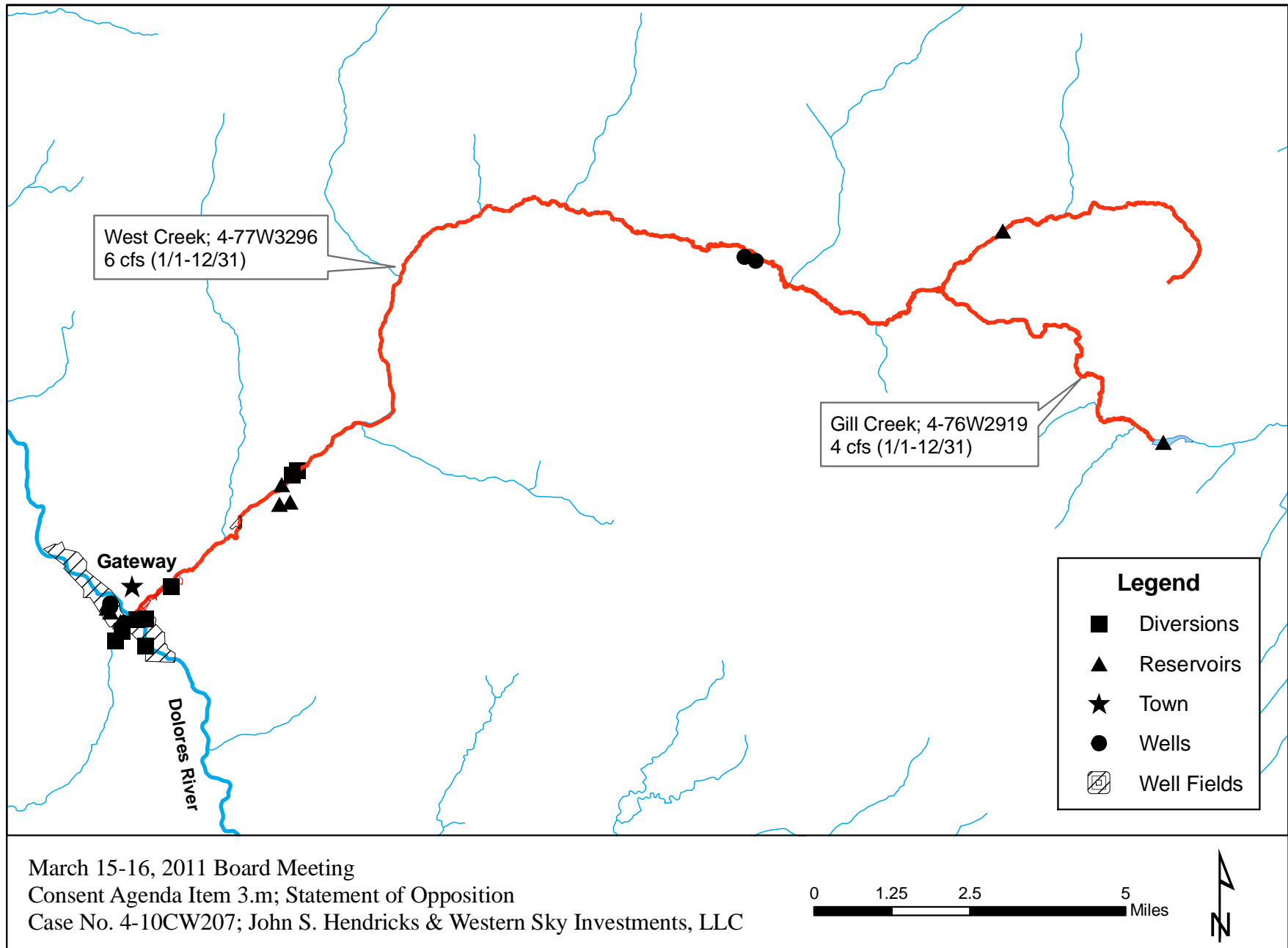
CWCB Case No.	Stream/Lake	Amount (cfs)	Approp. Date	Watershed	County
4-77W3296	West Creek	6	1/19/1977	Lower Dolores	Mesa
4-76W2919	Gill Creek	4	7/30/1976	Lower Dolores	Mesa

Potential for Injury

The proposed changes may result in an expansion of use of the water rights, and may deplete the Board's instream flow rights at locations not historically depleted by the subject water rights. In addition, the proposed plan for augmentation and exchange may not replace out-of-priority depletions in amount, timing or location, which could injure the CWCB's instream flow water rights.

Other Objectors

Other objectors include Donald & Susan Bowes, James Hubbard, Craig, Jean and Leon Moores, Blue Creek Land & Cattle Co., Don McLaughlin & Andrew Massey, and Alta Wadlow & Mary Daugherty.



March 15-16, 2011 Board Meeting
Consent Agenda Item 3.m; Statement of Opposition
Case No. 4-10CW207; John S. Hendricks & Western Sky Investments, LLC