

### **Summary**

This is an application for changes of water rights near Steamboat Springs in Routt County. Applicant is requesting a change in use for several reservoirs and ditches located in the Big Creek drainage. The requested change is to add exchange, substitution and augmentation as decreed uses, with priority dates relating back to the date of the original decrees. For several of the structures, Applicant is requesting specific confirmation that the claimed uses were in existence at the time of the Board's appropriations on Big Creek and the Elk River, and that such uses are senior to the Board's decrees.

### **CWCB Appropriations**

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

<b>CWCB Case No.</b>	<b>Stream/Lake</b>	<b>Amount (cfs)</b>	<b>Approp. Date</b>	<b>Watershed</b>	<b>County</b>
6-77W1331	Elk River	65	9/23/1977	Upper Yampa	Routt
6-77W1334	Big Creek	15	9/23/1977	Upper Yampa	Routt

### **Potential for Injury**

The proposed changes in use of the subject water rights may result in an expansion of use which could injure the CWCB's instream flow water rights on Big Creek and the Elk River. In addition, Applicant's claimed appropriation dates for the additional uses pre-date the Board's instream flow rights and could result in the claimed rights being senior to the Board's rights under Section 37-92-102(3)(b) of the statutes. Applicant needs to provide adequate documentation to CWCB of the claimed uses and appropriation dates in order to verify the applicability of Section 37-92-102(3)(b).

### **Other Objectors**

Other objectors include the City of Steamboat Springs, and the State and Division Engineers.

