

### **Summary**

This is an application for a new underground water right near Steamboat Springs in Routt County. Applicant is seeking to adjudicate the Sandelin Reservoir No. 3 Well for exchange, substitution and augmentation as conditional uses, and stockwater, replacement of evaporation losses, fish propagation and recreation as absolute uses. Applicant is claiming that all absolute uses were in existence at the time of the Board's appropriations on Big Creek and the Elk River, and is seeking specific confirmation that the claimed 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**

Applicant's claimed appropriation date for the absolute uses pre-dates 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.

