

Summary

Applicant seeks a plan for augmentation to replace irrigation and evaporation depletions associated with the Davis Ditch, Midland Enlargement, and Midland Pond System diversions identified in Case No. 5-11CW56. Replacement water will be provided by on-site storage and by a contract with Basalt Water Conservancy District (BWCD). Use of the BWCD contract water will require exchanges on the Roaring Fork River and Sopris 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
5-85CW639	Roaring Fork River	145 (04/1- 9/30) 75 (10/1- 3/31)	11/8/1985	Roaring Fork	Pitkin Garfield Eagle
5-76W2951	Sopris Creek	5 (01/1- 12/31)	1/14/1976	Roaring Fork	Pitkin

Potential for Injury

The proposed plan for augmentation may not replace out-of-priority depletions in amount timing or location, which could injure the CWCB's instream flow water rights. In addition, the application for approval of exchange could injure the CWCB's instream flow water right. Domestic uses are junior water rights, but are not included in the proposed augmentation plan. These uses should be augmented rather than curtailed when the junior rights are out-of-priority.

Other Objectors

Other objectors include Ute Water Conservancy District, acting by and through the Ute Water Activity Enterprise, Grand Valley Water Users Association and Orchard Mesa Irrigation District.

