

**Summary**

The Applicant seeks enlargements for both Wild Rose and Fields Ditches for year-round stock watering purposes and for hydroelectric power generation. The Applicant requests to decree stock watering rights absolute and to obtain new conditional hydropower water rights.

**CWCB Appropriations**

The CWCB holds the following instream flow water right 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>
4-77W3296	West Creek	6.0	1/19/1977	Lower Dolores	Mesa

**Potential for Injury**

The proposed application could cause injury to CWCB's instream flow water rights if proper terms and conditions are not included for uses that may be deemed non-consumptive hydropower use diverting within an instream flow water right. Some of the water rights are claimed with senior appropriation dates. It is unclear whether these have been previously decreed. The instream flow water right might be subject to these water rights under 37-92-102(3)(b) if the use of those water rights at the time of the instream flow appropriation are sufficiently documented.

**Other Objectors**

Other objectors include John S. Hendricks and Western Sky Investments.

