

Consent Agenda Item 11  
March 20-21, 2012 Board Meeting  
Case No. 5-11CW198; Music Associates of Aspen, Inc.

**Summary**

This is an application for surface and ground water rights, plan for augmentation, and exchange. The application includes a plan for augmentation with exchange to provide replacements for pond evaporation and landscape irrigation. Applicant has claimed that the CWCB's instream flow water right is subject to some of the water rights claimed herein pursuant to CRS 37-92-102(3)(b).

**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>
5-76W2947	Castle Creek	12	1/14/1976	Roaring Fork	Pitkin
98/5/ACQ01A	Castle Creek	12	11/16/1885	Roaring Fork	Pitkin
98/5/ACQ01B	Castle Creek	12	8/27/1950	Roaring Fork	Pitkin
98/5/ACQ01C	Castle Creek	12	3/1/1902	Roaring Fork	Pitkin
98/5/ACQ01D	Castle Creek	12	1/10/1926	Roaring Fork	Pitkin
5-76W2948	Roaring Fork River	32	1/14/1976	Roaring Fork	Pitkin
5-85CW646	Roaring Fork River	55/30	11/8/1985	Roaring Fork	Pitkin
5-85CW639	Roaring Fork River	145/75	11/8/1985	Roaring Fork	Pitkin

**Potential for Injury**

The proposed plan for augmentation and exchange may not replace depletions in the appropriate time, place and amount. The claims pursuant to CRS 37-92-102(3)(b) should be verified.

**Other Objectors**

Other objectors include the City of Aspen, and Elk Mountain Lodge, LLC; American Lake, LLC; Ashcroft, LLC; and Crystal, LLC.

