

### **Summary**

This is an application for a change of water rights and a plan for augmentation. Applicant seeks to change its conditional water rights by changing the place of use and adding augmentation to previously decreed uses. The new places of use would allow Applicant to export water from the Colorado River basin in Division 5 to lands in the Piceance Creek and Yellow Creek Basins in Division 6. Exported water would be 100% consumptive to the Colorado River Basin and used and reused to extinction.

### **CWCB Appropriations**

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

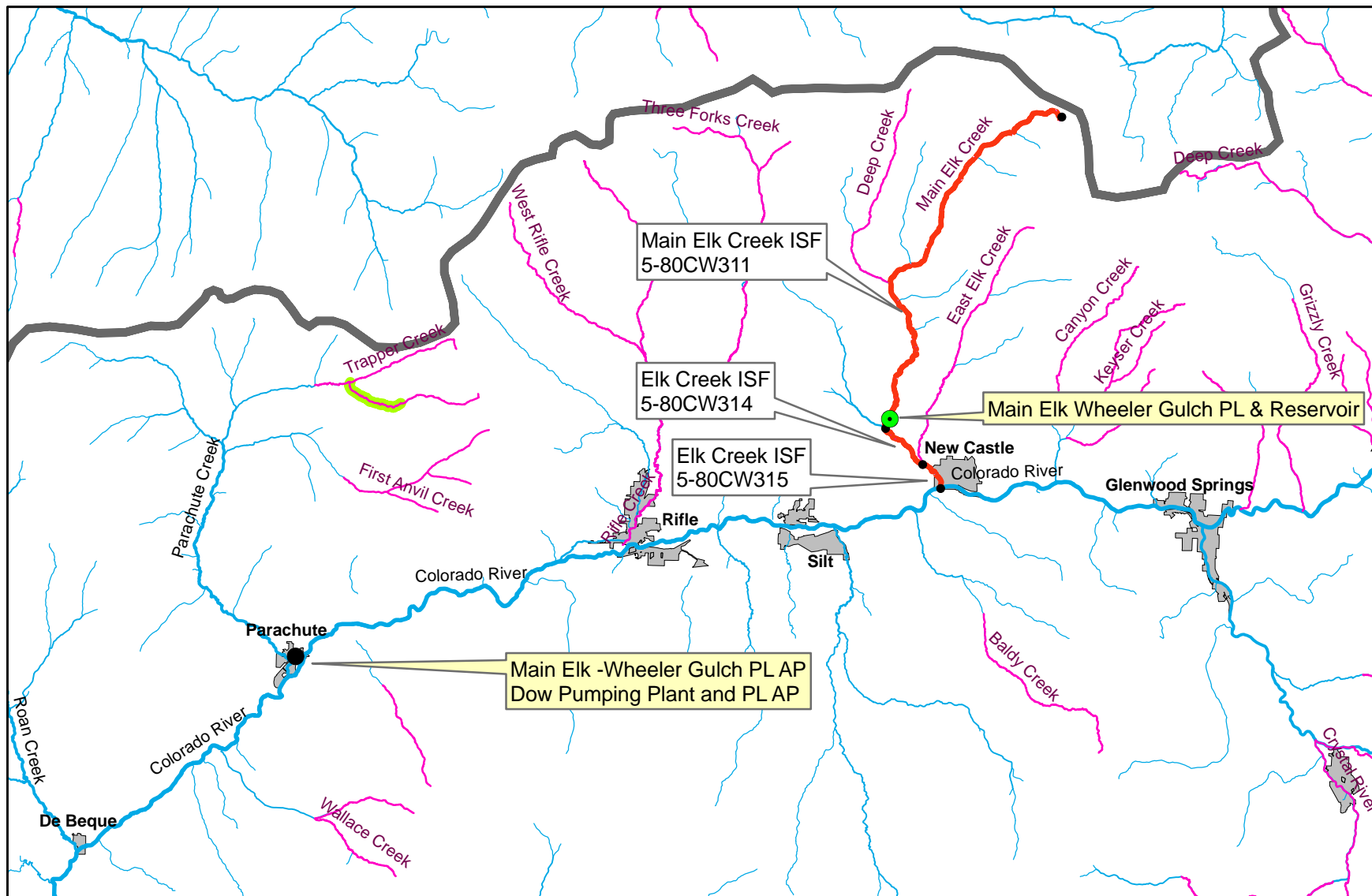
<b>CWCB Case No.</b>	<b>Stream/Lake</b>	<b>Amount (cfs)</b>	<b>Approp. Date</b>	<b>Watershed</b>	<b>County</b>
5-80CW311	Main Elk Creek	6/10	5/7/1980	Colorado	Garfield
5-80CW314	Elk Creek	6/10	5/7/1980	Colorado	Garfield
5-80CW315	Elk Creek	8/15	5/7/1980	Colorado	Garfield

### **Potential for Injury**

The proposed change of water right could cause an expansion of use, and the proposed plan for augmentation and exchange may not replace depletions in the amount, timing or location at which they occur, which could injure the CWCB's instream flow water rights.

### **Other Objectors**

Other objectors include Natural Soda, Inc., Encana Oil & Gas Inc., Shell Frontier Oil & Gas Inc., the State and Division Engineers, Colorado River Water Conservation District, and Chevron U.S.A. Inc..



March 19-20, 2013 Board Meeting  
 Consent Agenda Item 3i; Statement of Opposition  
 Case No. 5-12CW177; Exxon Mobil Corporation

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