

Summary

This is an application to obtain junior underground water rights, surface rights, and storage rights related to coal production. Applicant also seeks a plan for augmentation, including exchange, so that the water rights can be operated out of priority.

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
2-09CW88*	South Fork Purgatoire River	3-18	1/27/2009	Purgatoire	Las Animas
2-09CW90*	Purgatoire River	7-21	1/27/2009	Purgatoire	Las Animas

* Pending final decree

Potential for Injury

The proposed plan for augmentation could cause injury to CWCB's instream flow water rights if it does not provide replacement water at the proper time, place, and amount.

Other Objectors

Other Objectors in this case include XTO Energy, Inc., Pioneer Natural Resources USA, Inc., Purgatoire River Water Conservancy District, City of Trinidad, Hill Ranch, Division of Parks and Wildlife, and the State and Division Engineers.

