



COLORADO

**Colorado Water
Conservation Board**

Department of Natural Resources

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TO: Colorado Water Conservation Board Members

FROM: Linda Bassi, Section Chief and 
Kaylea White, Senior Water Resource Specialist 
Stream and Lake Protection Section

DATE: November 20, 2014

AGENDA ITEM: # 21. Request for Authorization to Proceed to Trial in
Case No. 2-13CW3061 (Application of Town of Palmer Lake)

This case is set for a 4-day trial beginning on February 3, 2015. The parties are discussing settlement options and preparing for trial on a parallel track. Staff and Attorney General's Office intend to discuss litigation strategy and settlement options with the Board in Executive Session.

Background:

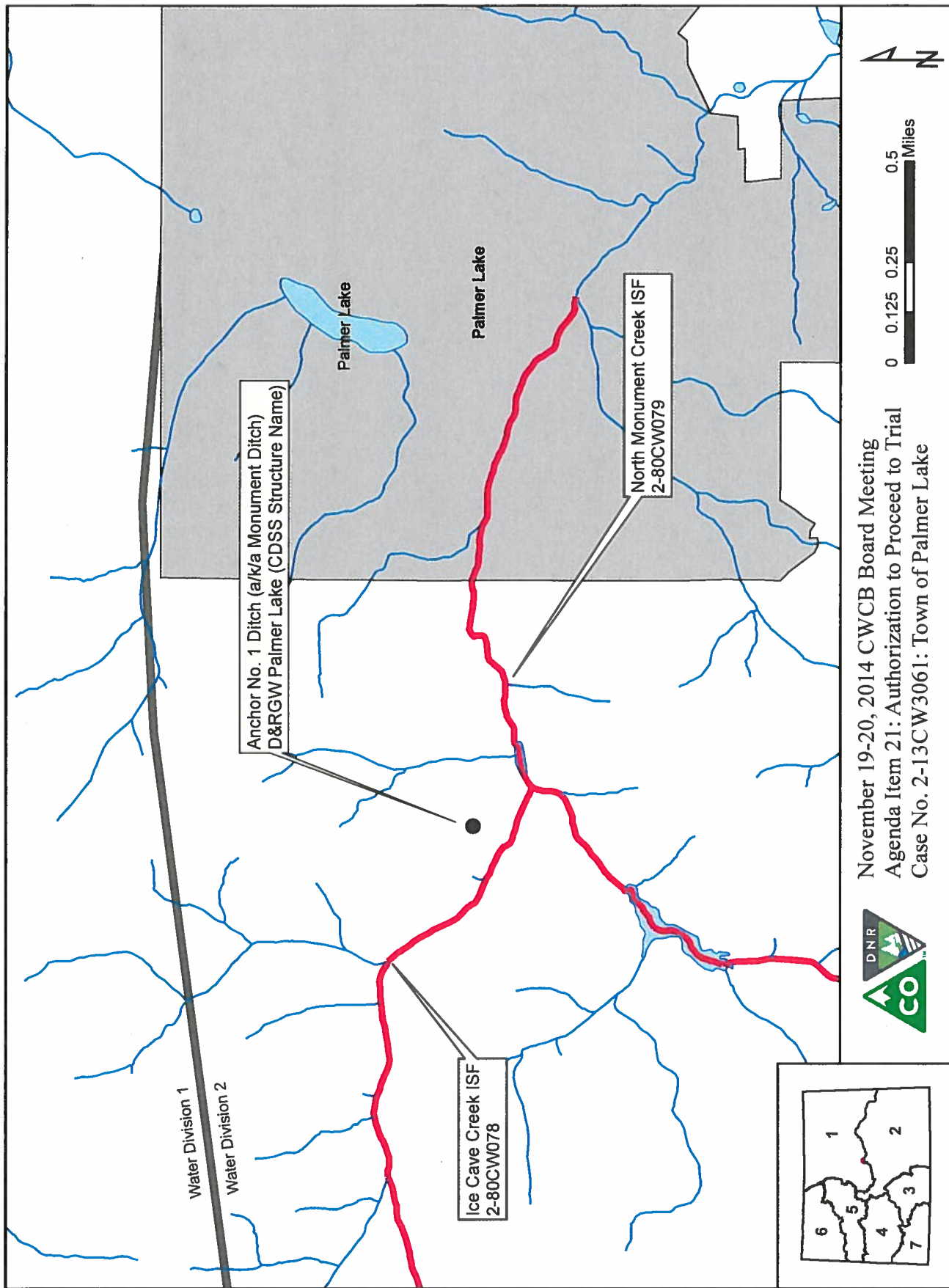
In this case, Applicant seeks a change of water right that could cause an expansion of use and a change in the amount, location and timing of historical irrigation return flows, which could injure the CWCB's instream flow water rights.

The CWCB filed a Statement of Opposition in February 2014 to protect its ISF water rights on North Monument Creek and Ice Cave Creek.

Staff Recommendation:

Pursuant to ISF Rule 8j., Staff recommends that the Board authorize Staff to proceed to trial to protect its instream flow water rights in the event that Staff and the Attorney General's Office are unable to reach a settlement with Applicant before trial.





November 19-20, 2014 CWC Board Meeting
Agenda Item 21: Authorization to Proceed to Trial
Case No. 2-13CW3061: Town of Palmer Lake

