Summary

In Case No. 5-14CW3097, the Applicant seeks underground water rights for three well fields and two exchanges that could impact several instream flow water rights. The water will be used to supply a residential and commercial area with up to 1,233 single family units and an outdoor adventure park and recreation area.

In Case No. 5-14CW3098, the Applicant seeks a plan for augmentation for three well fields and one surface right. Replacement water will be provided from various sources.

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
5-11CW159-160	Colorado River	Varies from 525-900	7/12/2011	Colorado	Eagle, Grand
5-80CW448	Colorado River	150	7/8/1980	Colorado	Grand
5-80CW446	Colorado River	135	7/8/1980	Colorado	Grand
5-80CW447	Colorado River	90	7/8/1980	Colorado	Grand
5-90CW308	Fraser River	11-30	11/27/1990	Colorado	Grand
5-90CW315	Fraser River	11-17	11/27/1990	Colorado	Grand
5-90CW307	Fraser River	5-11	11/27/1990	Colorado	Grand
5-90CW316	St. Louis Creek	3.5 – 6	11/27/1990	Colorado	Grand

Potential for Injury

The proposed plan for augmentation may not replace depletions in the amount, timing or location at which they occur.

The proposed appropriative right of exchange should be defined clearly with a reference to intervening instream flow water rights so that the CWCB's instream flow water rights are not injured.

Adequate terms and conditions should be included to protect CWCB's instream flow water rights from injury due to Applicant's claimed well field.

Other Objectors

Statements of Opposition were also filed by Winter Park Recreational Association, the Town of Fraser, Grandby Realty Holdings LLC, Gold Medal Ranch LLC, Colorado River Water Conservation District, Grand County Board of Commissioners, and the City and County of Denver Board of Water Commissioners.

RC Pump & PL Hg 2

RC Pump & PL Hg 1

Fraser River ISF
5-90CW315

St. Louis Creek ISF
5-90CW316

Well Field #3

Fraser River ISF
5-90CW307

Fraser

Well Field # 1

APOD # 1 Beaver Dam Ditch

Approximate UT of
Pumpback Exchange

Gaskill Ditch Byers Peak Enlargement

Well Field # 2

Winter Park

January 26-27, 2015 CWCB Board Meeting
Consent Agenda Item 1a: Statement of Opposition
Case No. 5-14CW3097 & 3098: Byers Peak Properties, LLC
& Byers Peak Downhill Properties, LLC

0   0.25   0.5   1
                         Miles

CO DNR

6   1
5
4   2
7   3

N