

Summary

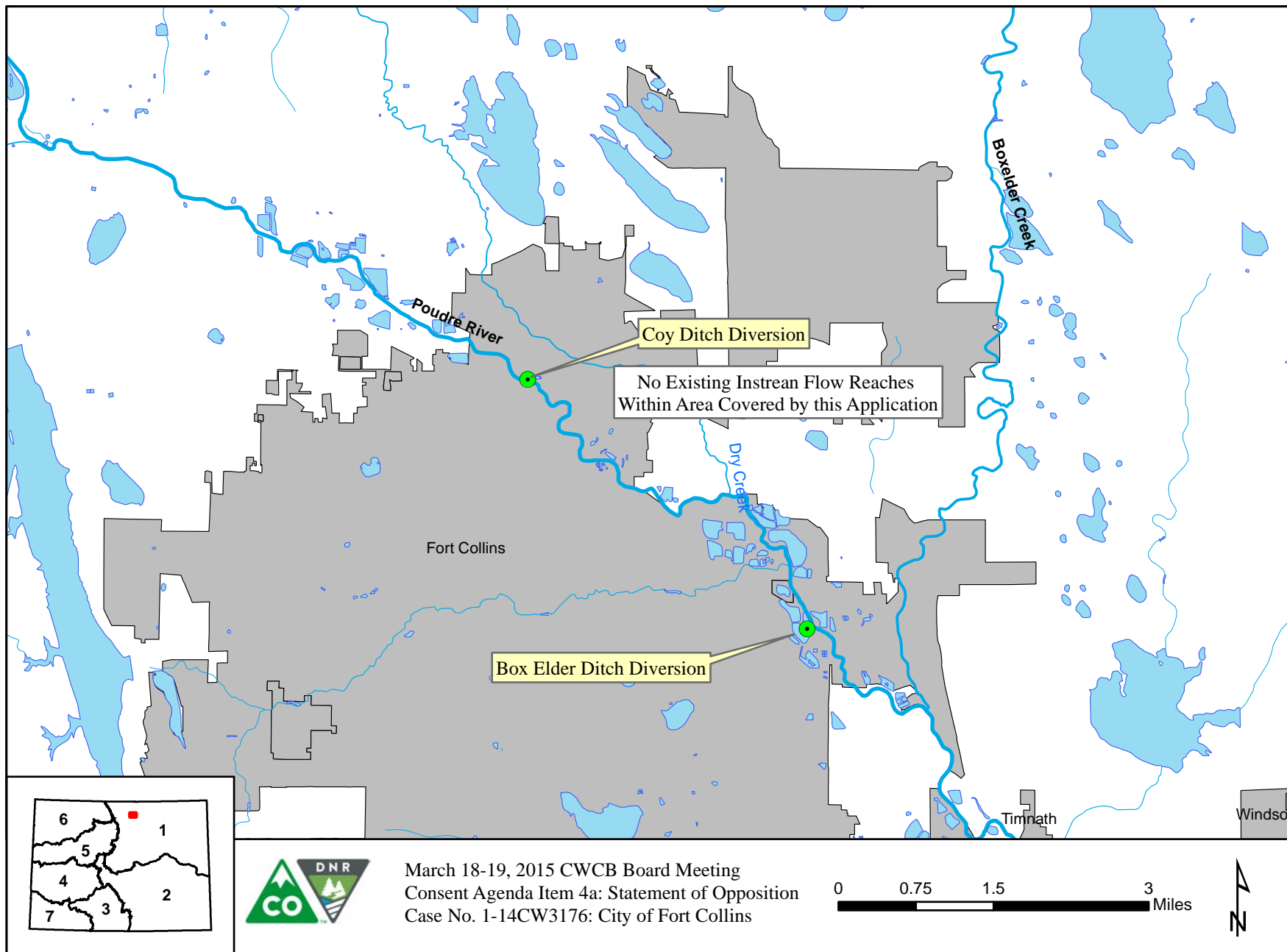
The Applicant seeks new absolute water rights, a plan for augmentation, and to change an irrigation right to storage and alternate points of diversion for all municipal uses and to instream flow water use, pursuant to an agreement with the CWCB. The historical and proposed alternate points of diversion are downstream of CWCB's existing instream flow water rights.

Potential for Injury

The proposed application will require coordination and agreements with the CWCB for the instream flow use of the water right, as proposed by applicant.

Other Objectors

Statements of Opposition were also filed by United Water and Sanitation District, East Cherry Creek Valley Water and Sanitation, Arapahoe County Water and Wastewater, Colorado Water Trust, New Cache La Poudre Irrigating Company, Cache La Poudre Reservoir Company, Cache La Poudre Water Users Association, City of Thornton, State and Division Engineer, Greeley Irrigation Company, Harmony McMurray LLC, First Tier Bank Nebraska, Post Modern Development LLC., North Poudre Irrigation Company, Colorado Youth Outdoors, City of Greeley Acting by and through it, The Box Elder Ditch Company, Northern Colorado Water Conservancy District, East Larimer County Water District.



Summary

The Applicant seeks four new underground water rights associated with a potato packing and storage facility and a plan for augmentation to replace the out of priority depletions. The augmentation water is to be provided by historical consumptive use credits from the Gabino Gallegos Ditch.

CWCB Instream Flow Water Rights

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
3-13CW3013*	Alamosa River	2.5	4/15/1870	Alamosa River	Conejos
3-13CW3014*	Alamosa River	0.5	4/10/1870	Alamosa River	Conejos

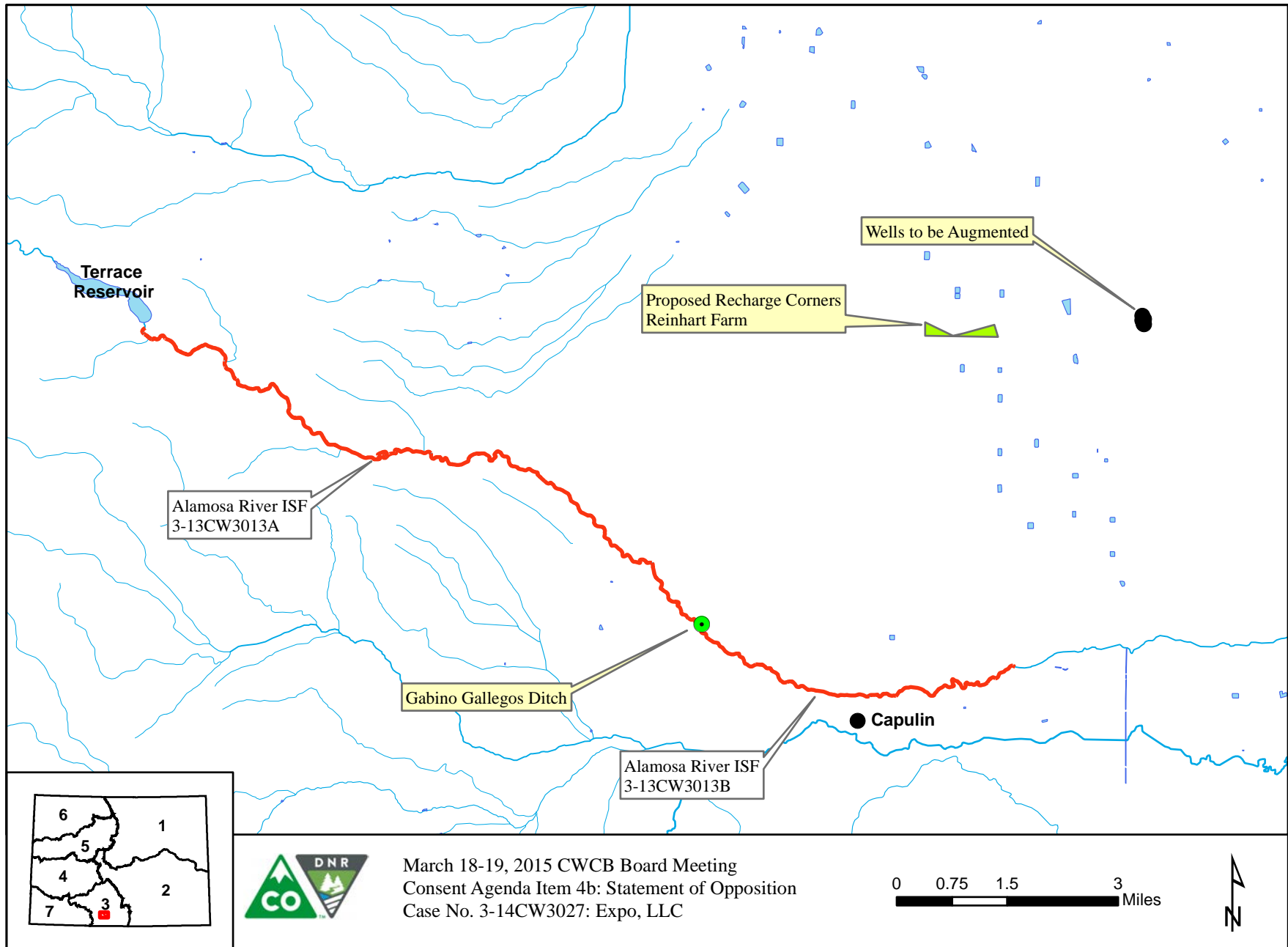
* Decree pending.

Potential for Injury

The proposed use of Gabino Gallegos ditch water right may injure the CWCB water rights in the same ditch. The proposed plan for augmentation may not replace depletions in the proper time, place and amount, which could injure the CWCB's instream flow water rights.

Other Objectors

Statements of Opposition were also filed by Rio Grande Water Users Association, Conejos Water Conservation District, Terrace Irrigation Company.



Summary

The Applicant seeks a change of a groundwater water right to add a new point of diversion and to add new uses of commercial, industrial, washing, humidification, and fluming potatoes and other produce.

CWCB Instream Flow Water Right

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

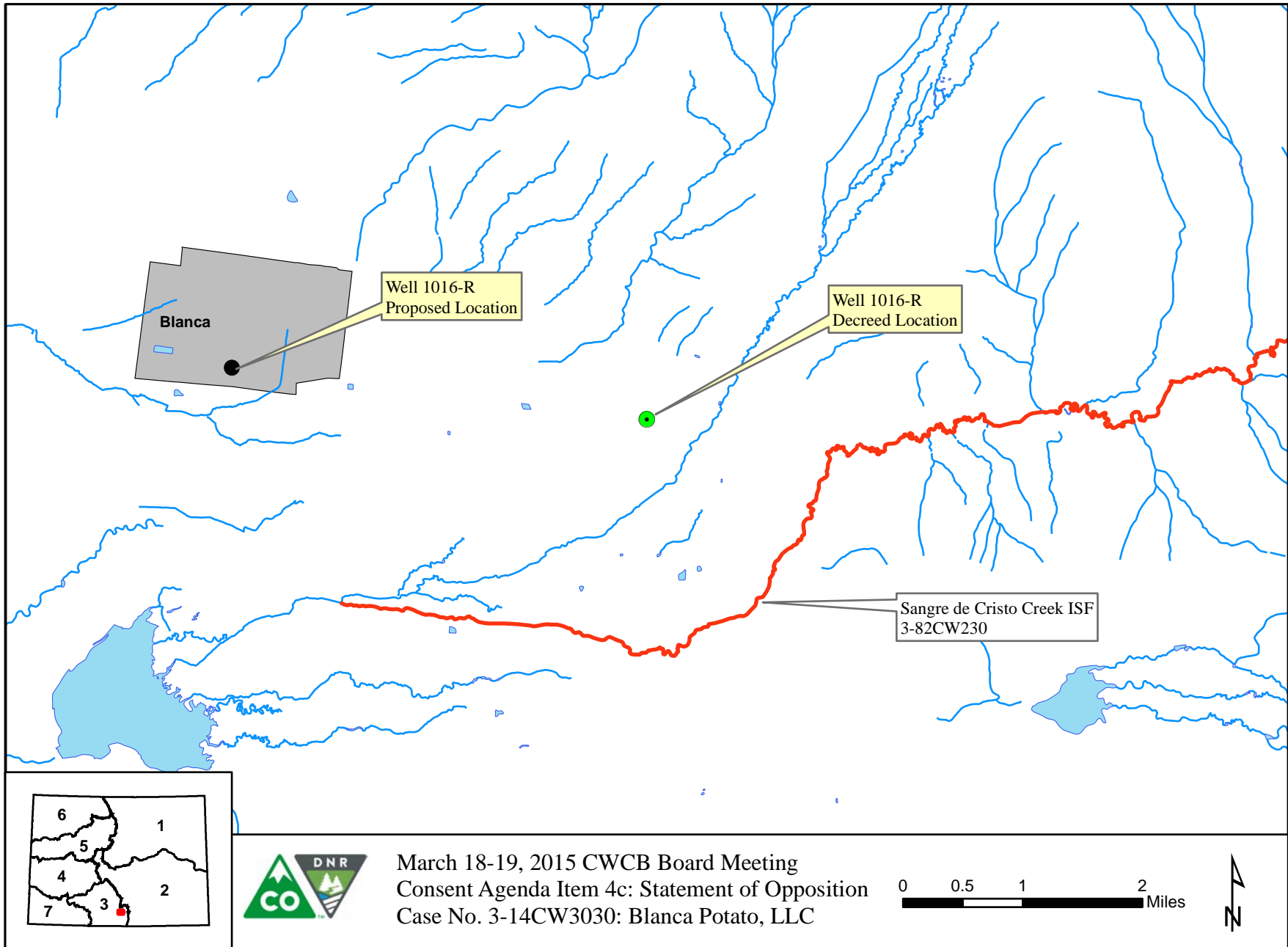
CWCB Case No.	Stream/Lake	Amount (cfs)	Approp. Date	Watershed	County
3-82CW230	Sangre de Cristo Creek	2.0	10/7/1982	Alamosa-Trinchera	Costilla

Potential for Injury

The proposed change of water rights could cause an expansion of use and could alter the time, place and amount of historical return flows, which could injure the CWCB's instream flow water rights.

Other Objectors

No other Statements of Opposition were filed.



Summary

The Applicant seeks a change of use and approval of plan for augmentation as well as new conditional storage rights and an absolute storage right.

CWCB Instream Flow Water Rights

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

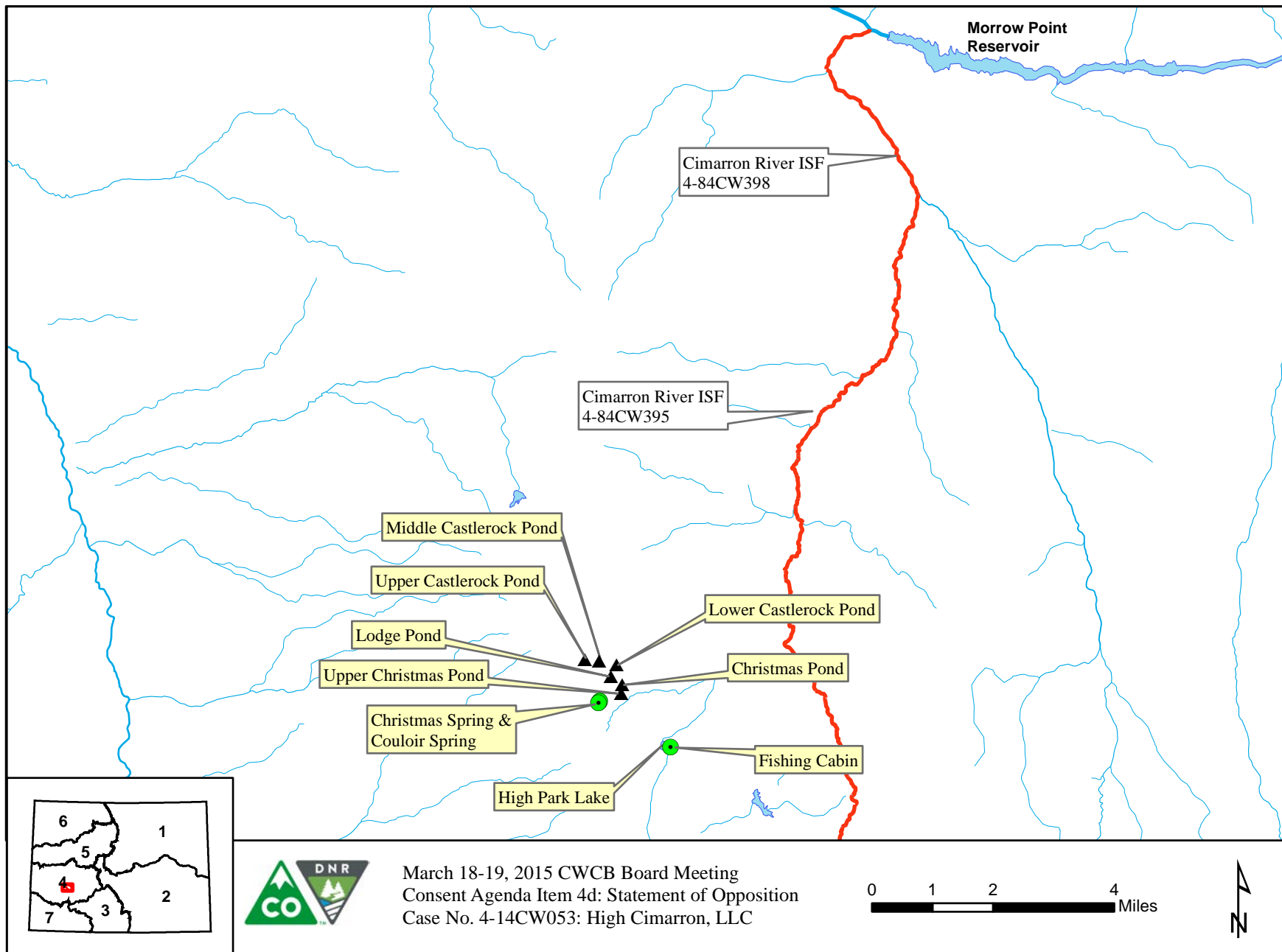
CWCB Case No.	Stream/Lake	Amount (cfs)	Approp. Date	Watershed	County
4-84CW395	Cimarron River	15/25	5/4/1984	Upper Gunnison	Montrose, Gunnison
4-84CW398	Cimarron River	16	5/4/1984	Upper Gunnison	Montrose

Potential for Injury

The proposed change of water rights could cause an expansion of use and could alter the time, place and amount of historical irrigation return flows, which could injure the CWCB's instream flow water rights.

Other Objectors

No other Statements of Opposition were filed.



Summary

The Applicant seeks a plan for augmentation to augment new well fields.

CWCB Instream Flow Water Rights

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

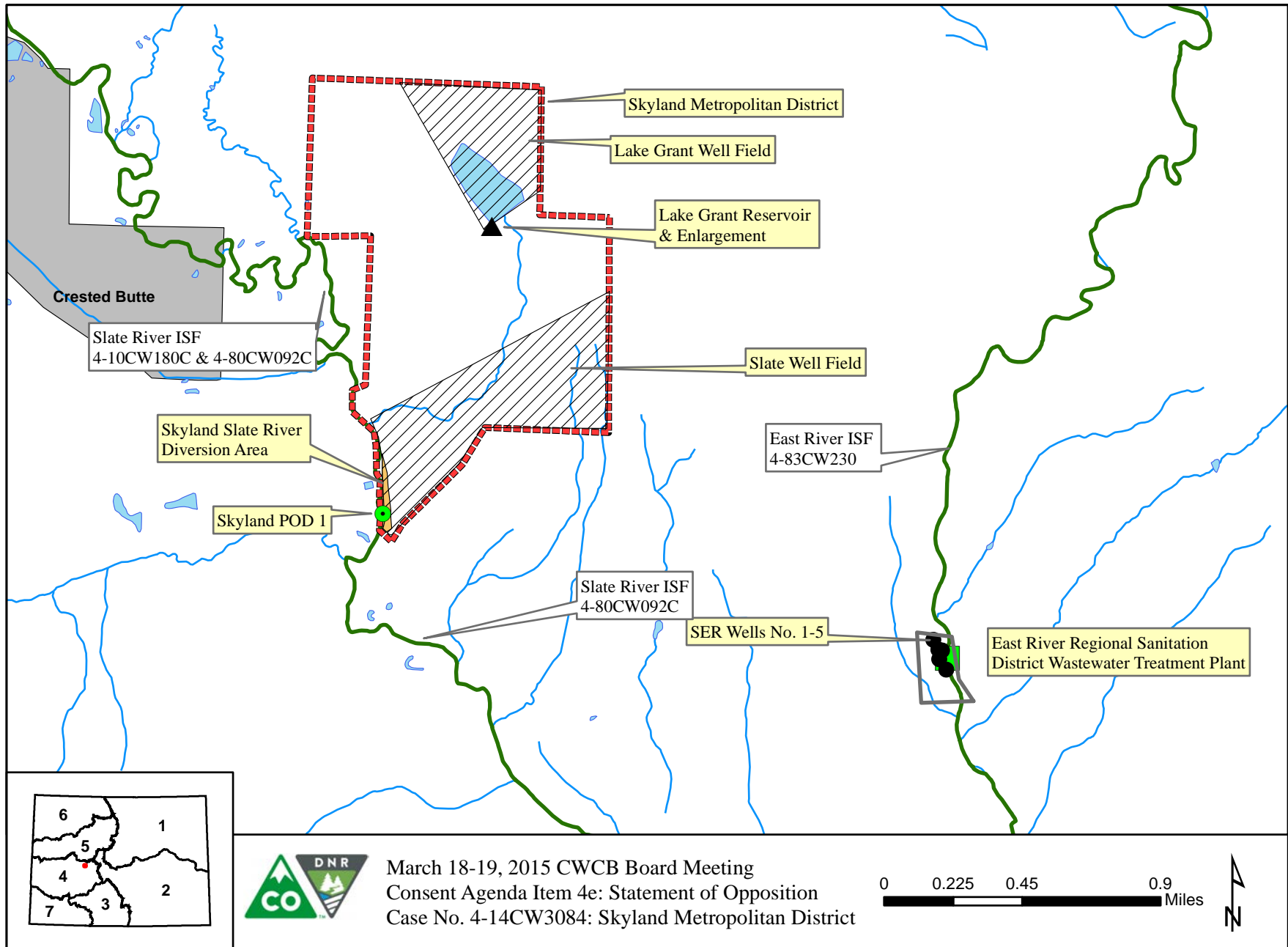
CWCB Case No.	Stream/Lake	Amount (cfs)	Approp. Date	Watershed	County
4-80CW92C	Slate River	12/23	3/17/1980	East-Taylor	Gunnison
4-10CW180C	Slate River	0.22 - 0.77	5/12/1900	East-Taylor	Gunnison
4-83CW230	East River	10	6/3/1982	East-Taylor	Gunnison
4-83CW228	East River	27/50	6/3/1982	East-Taylor	Gunnison

Potential for Injury

The proposed plan for augmentation may not replace depletions in the time, place or amount at which they occur, which could injure the CWCB's instream flow water rights. The administrative exchange under Applicant's proposed augmentation plan 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.

Other Objectors

No other Statements of Opposition were filed.



Summary

The Applicant seeks an alternate point of diversion and a plan for augmentation.

CWCB Instream Flow Water Right

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

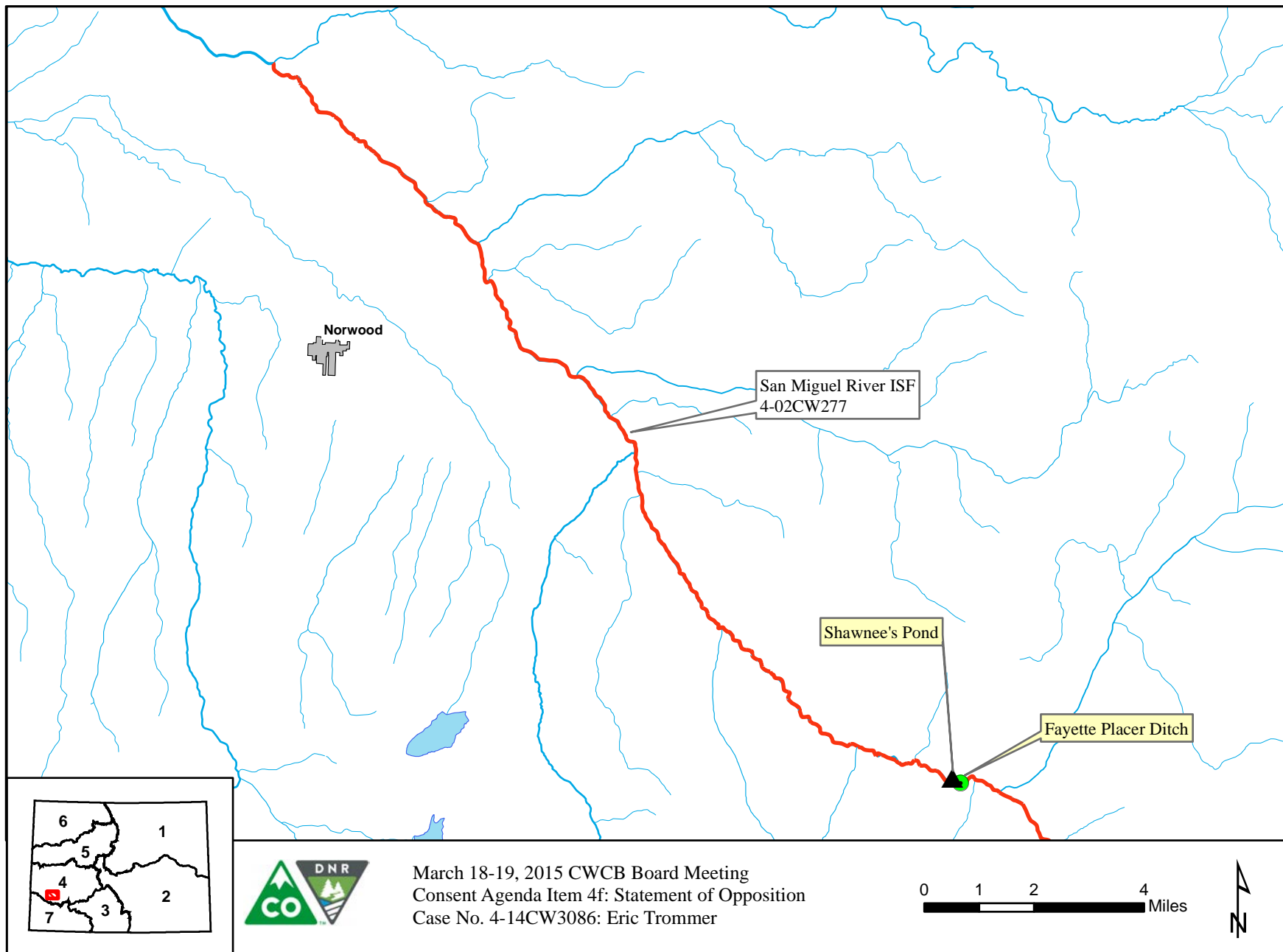
CWCB Case No.	Stream/Lake	Amount (cfs)	Approp. Date	Watershed	County
4-02CW277	San Miguel River	61/93	1/23/2002	San Miguel	San Miguel, Montrose

Potential for Injury

The proposed change of water rights could cause an expansion of use that could alter the time, place and amount of historical irrigation return flows. The proposed plan for augmentation may not replace depletions in the time, place or amount, which could injure the CWCB's instream flow water right.

Other Objectors

A Statement of Opposition was also filed by Public Service Company of Colorado.



Summary

The Applicant seeks a change of water right for a new place and type of use, and a plan for augmentation.

CWCB Instream Flow Water Rights

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

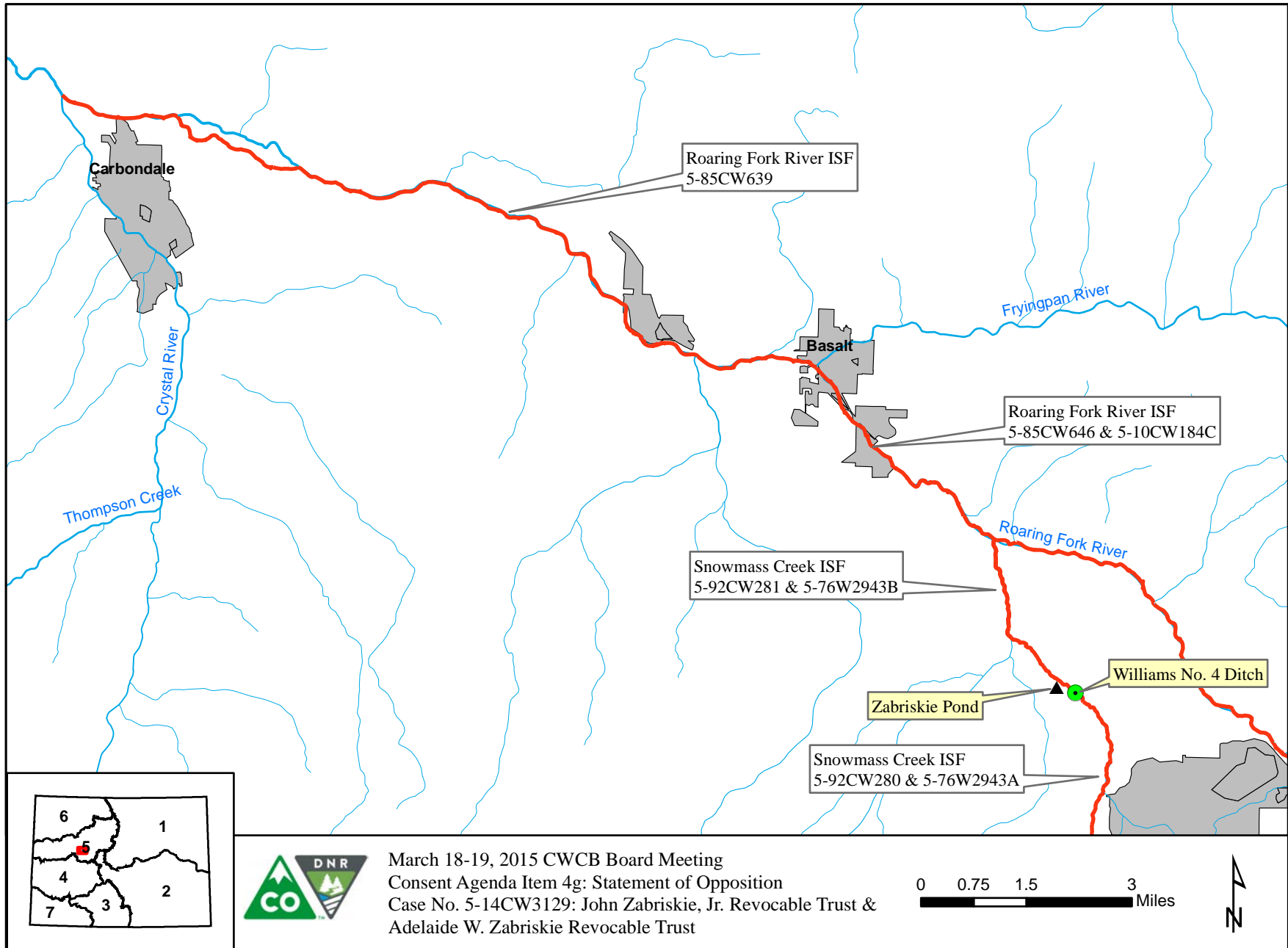
CWCB Case No.	Stream/Lake	Amount (cfs)	Approp. Date	Watershed	County
5-85CW639	Roaring Fork River	754/145	11/8/1985	Roaring Fork	Pitkin, Garfield, Eagle
5-10CW184C	Roaring Fork River	0.05-0.52	6/30/1904	Roaring Fork	Pitkin
5-85CW646	Roaring Fork River	30/55	11/8/1985	Roaring Fork	Pitkin, Eagle
5-76W2943B	Snowmass Creek	11/12	1/14/1976	Roaring Fork	Pitkin
5-92CW281	Snowmass Creek	10.5	9/15/1992	Roaring Fork	Pitkin
5-92CW280	Snowmass Creek	3.0	9/15/1992	Roaring Fork	Pitkin
5-76W2943A	Snowmass Creek	12.0	1/14/1976	Roaring Fork	Pitkin

Potential for Injury

The proposed change of water rights could cause an expansion of use, which could injure the CWCB's instream flow water rights. The proposed plan for augmentation may not replace depletions in the time, place and amount at which they occur, which could injure the CWCB's instream flow water rights. The administrative exchange under Applicant's proposed augmentation plan 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.

Other Objectors

No other Statements of Opposition were filed.



Summary

The Applicant seeks a change of water rights to several alternate points of diversion and for different types of use. Applicant also seeks a plan for augmentation and three new exchanges.

CWCB Instream Flow Water Rights

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

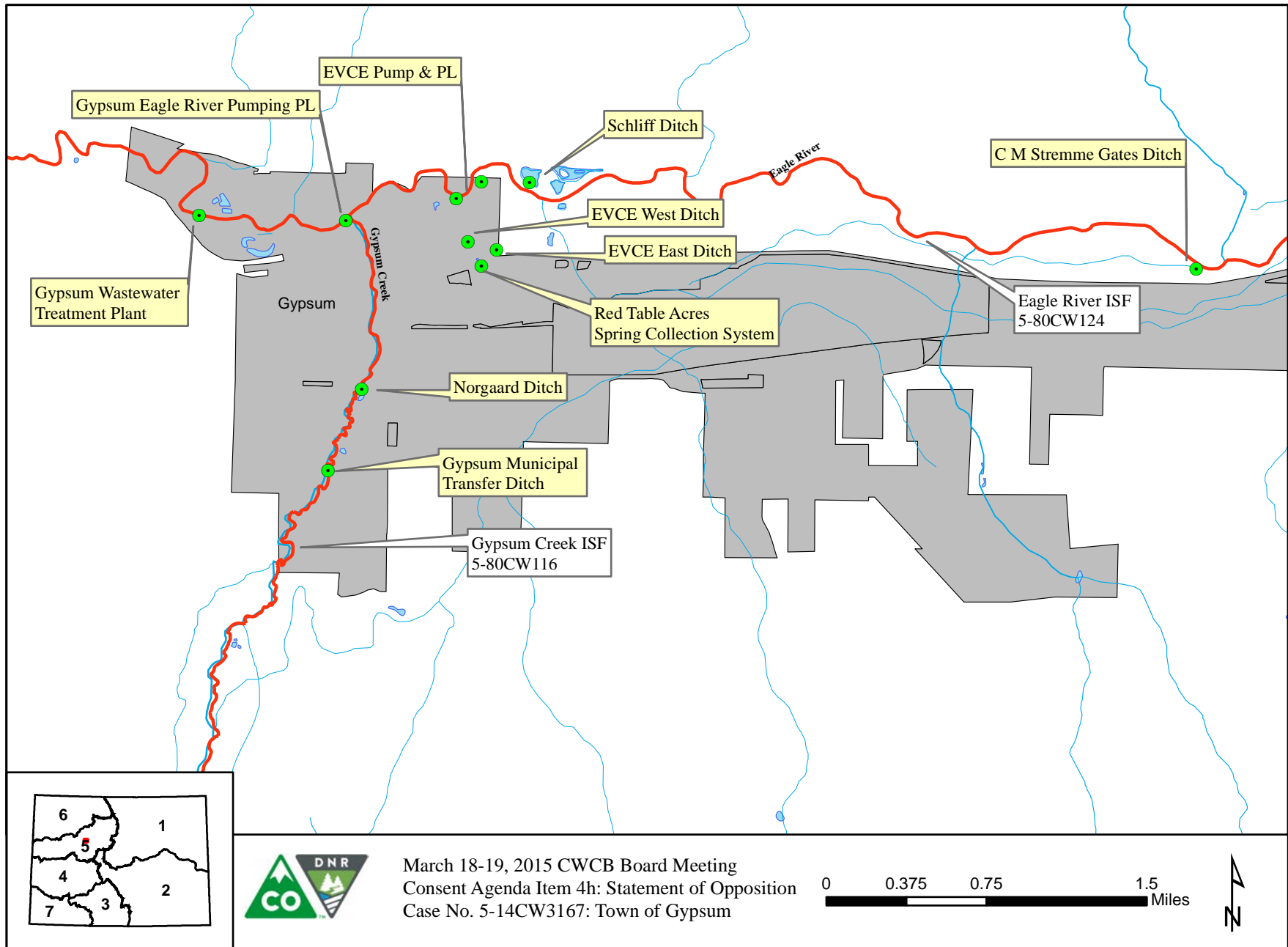
CWCB Case No.	Stream/Lake	Amount (cfs)	Approp. Date	Watershed	County
5-80CW124	Eagle River	50/130	3/17/1980	Eagle	Eagle
5-80CW116	Gypsum Creek	6	3/17/1980	Eagle	Eagle

Potential for Injury

The proposed change of water rights could cause an expansion of use and could alter the time, place and amount of historical return flows, which could injure the CWCB's instream flow water rights. The proposed plan for augmentation may not replace depletions in the time, place and amount, which could injure the CWCB's instream flow water rights. The proposed appropriative rights 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.

Other Objectors

Statements of Opposition were also filed by Geves LLC., Gerard Family Ranch LLLP., Wilson Ranch LLC., Agvest Limited Liability Company, Ute Water Conservation District, Grand Valley Water Users Association, Orchard Mesa Irrigation District, Eagle Valley Clean Energy LLC., Clearwater Ventures LLC., Upper Eagle Regional Water Authority, American Gypsum Company, LLC, Eagle County Board of County Commissioners



Summary

The Applicant seeks a plan for augmentation and exchange.

CWCB Instream Flow Water Rights

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

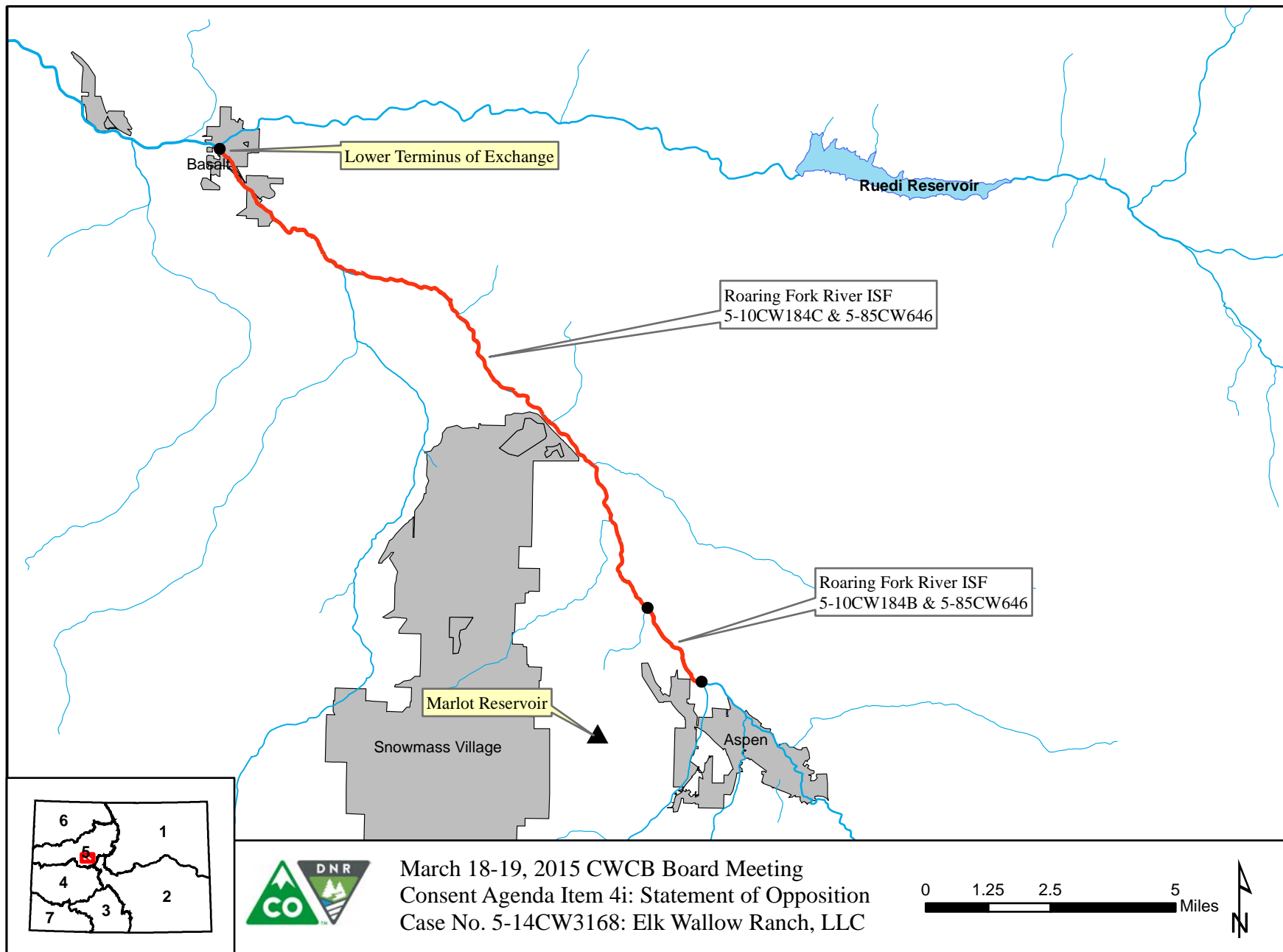
CWCB Case No.	Stream/Lake	Amount (cfs)	Approp. Date	Watershed	County
5-85CW639	Roaring Fork River	75/145	11/8/1985	Roaring Fork	Pitkin, Garfield, Eagle
5-85CW646	Roaring Fork River	30/55	11/8/1985	Roaring Fork	Pitkin, Eagle
5-10CW184C	Roaring Fork River	0.05-0.52	6/30/1904	Roaring Fork	Pitkin

Potential for Injury

The proposed plan for augmentation and exchange may not replace depletions in the time, place or amount, which could injure the CWCB's instream flow water rights.

Other Objectors

No other Statements of Opposition were filed.



Summary

The Applicant seeks a change of water rights and a plan for augmentation and exchange.

CWCB Instream Flow Water Rights

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

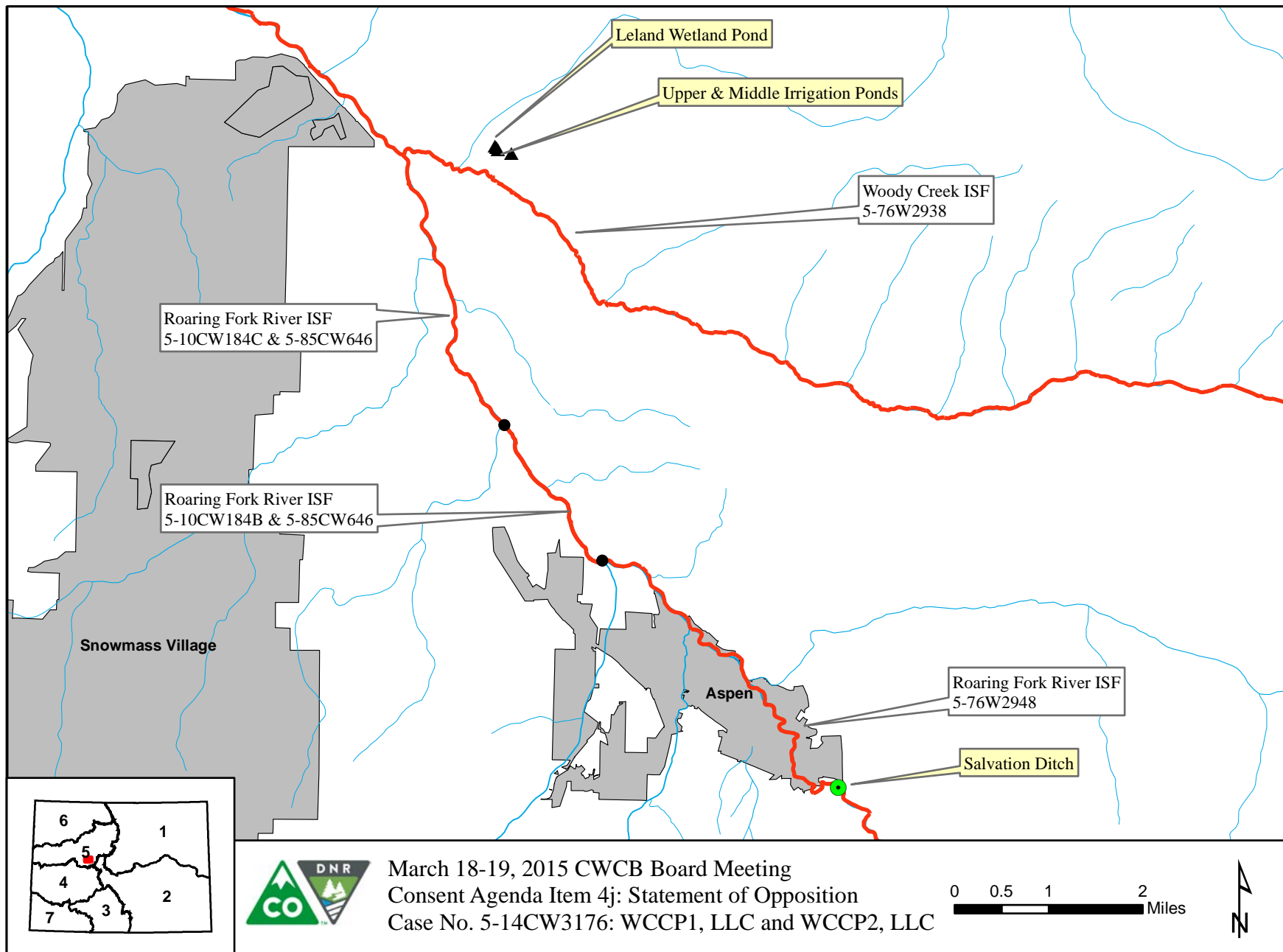
CWCB Case No.	Stream/Lake	Amount (cfs)	Approp. Date	Watershed	County
5-76W2948	Roaring Fork River	32	1/14/1976	Roaring Fork	Pitkin
5-10CW184B	Roaring Fork River	4.3	6/30/1904	Roaring Fork	Pitkin
5-85CW639	Roaring Fork River	75/145	11/8/1985	Roaring Fork	Pitkin, Garfield, Eagle
5-85CW646	Roaring Fork River	30/55	11/8/1985	Roaring Fork	Pitkin, Eagle
5-10CW184C	Roaring Fork River	0.05-0.52	6/30/1904	Roaring Fork	Pitkin
5-76W2938	Woody Creek	6	1/14/1976	Roaring Fork	Pitkin

Potential for Injury

The proposed change of water rights could cause an expansion of use and could alter the time, place and amount of historical return flows, which could injure the CWCB's instream flow water rights. The proposed plan for augmentation and exchange may not replace depletions in the proper time, place and amount, which could injure the CWCB's instream flow water rights.

Other Objectors

Statements of Opposition were also filed by City of Aspen, and the Salvation Ditch Company.



Summary

The Applicant seeks a plan for augmentation including exchange to augment the depletions from four reservoirs.

CWCB Instream Flow Water Rights

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

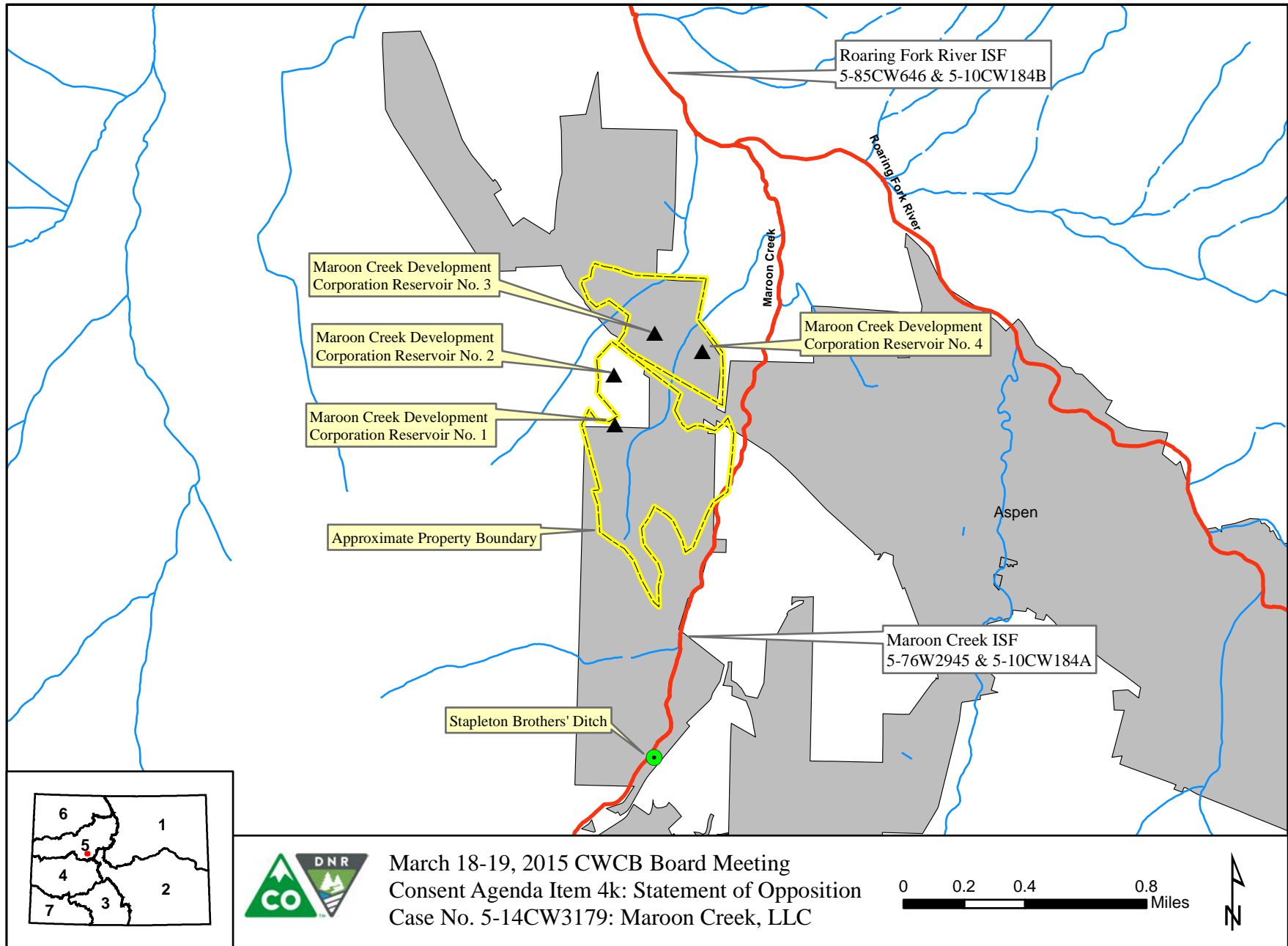
CWCB Case No.	Stream/Lake	Amount (cfs)	Approp. Date	Watershed	County
5-10CW184B	Roaring Fork River	4.3	6/30/1904	Roaring Fork	Pitkin
5-85CW639	Roaring Fork River	75/145	11/8/1985	Roaring Fork	Pitkin, Garfield, Eagle
5-85CW646	Roaring Fork River	30/55	11/8/1985	Roaring Fork	Pitkin, Eagle
5-10CW184C	Roaring Fork River	0.05-0.52	6/30/1904	Roaring Fork	Pitkin
5-76W2945	Maroon Creek	14	1/14/1976	Roaring Fork	Pitkin
5-10CW184A	Maroon Creek	4.3	6/30/1904	Roaring Fork	Pitkin

Potential for Injury

The proposed plan for augmentation and exchange may not replace depletions in the proper time, place and amount, which could injure the CWCB's instream flow water rights.

Other Objectors

Statements of Opposition were also filed by City of Aspen, and the Board of County Commissioners Pitkin County.



Summary

The Applicant seeks approval of an amendment to the 09CW72 plan for augmentation, conditional right of exchange, conditional storage right, and groundwater right.

CWCB Instream Flow Water Rights

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

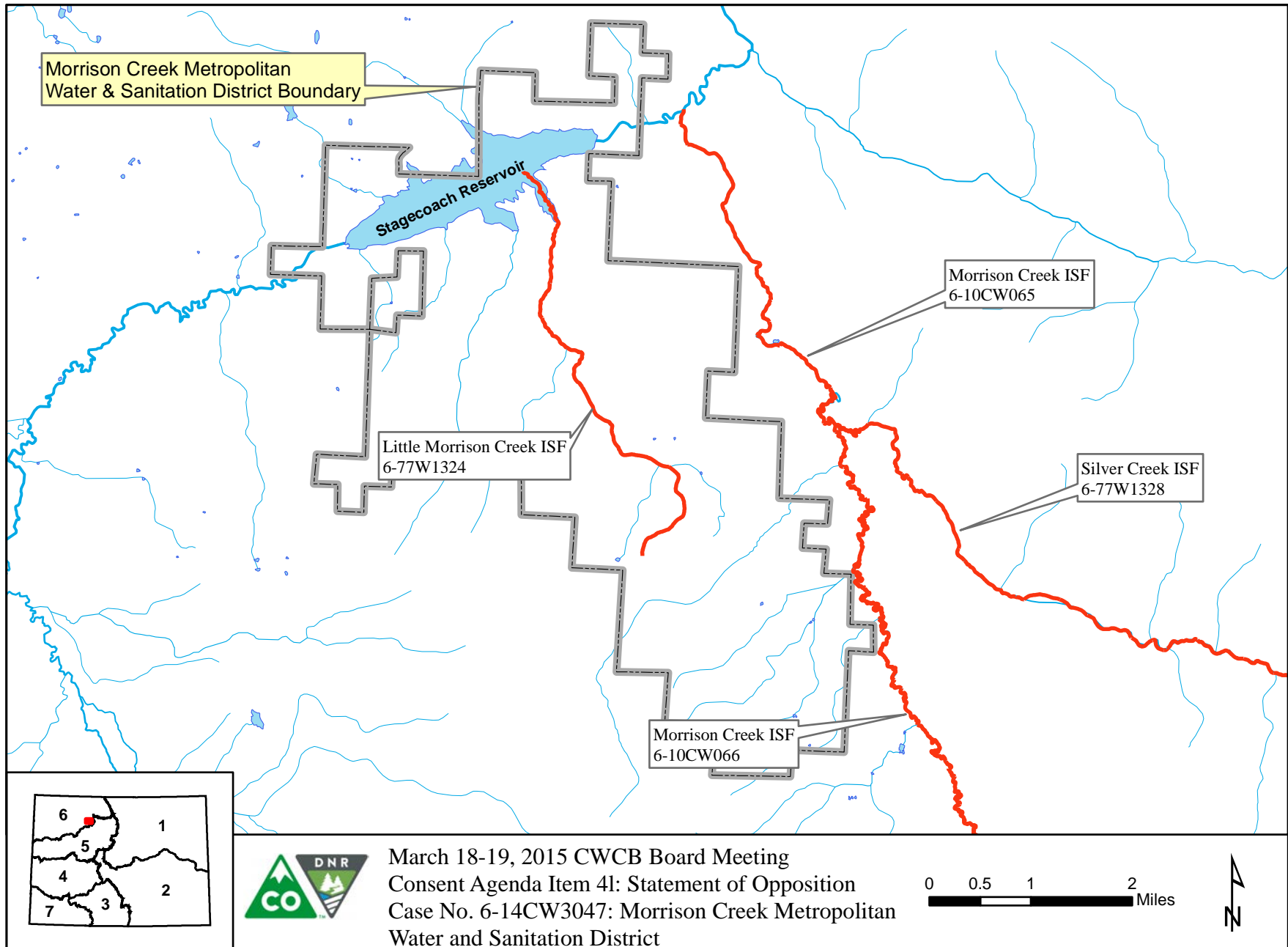
CWCB Case No.	Stream/Lake	Amount (cfs)	Approp. Date	Watershed	County
6-77W1324	Little Morrison Creek	1	9/23/1977	Upper Yampa	Routt
6-10CW65	Morrison Creek	13.2/8.1	1/26/2010	Upper Yampa	Routt
6-10CW66	Morrison Creek	1.4/3.1	1/26/2010	Upper Yampa	Routt
6-77W1328	Silver Creek	5	9/23/1977	Upper Yampa	Routt

Potential for Injury

The proposed plan for augmentation and exchange may not replace depletions in the time, place or amount at which they occur, which could injure the CWCB's instream flow water rights.

Other Objectors

Statements of Opposition were also filed by the State and Division Engineers, and Flying Diamond Resources Ltd.



Summary

The Applicant seeks a plan for augmentation, as well as new conditional and absolute direct flow surface and storage rights. The system includes a pond flow-through system that diverts within the Florida River instream flow water right.

CWCB Instream Flow Water Rights

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
7-77W1763	Florida River	14/7	1/19/1977	Animas	La Platta
7-77W1764	Florida River	20/12	1/19/1977	Animas	La Platta

Potential for Injury

The proposed plan for augmentation may not replace depletions in the time, place or amount, which could injure the CWCB's instream flow water rights. The proposed flow through water right could injure the CWCB's instream flow water right because the flow through system appears to be fully depletive to a segment of the intervening instream flow water right.

Other Objectors

No other Statements of Opposition were filed.

