

### **Summary of Water Court Application**

Applicant seeks a change of water rights for all of Brighton's existing decreed water rights. Applicant seeks to add a type of use to their existing water rights for fulfilling contractual obligations to other municipalities, water districts and other water users by way of water trade agreements and contracts. The requested place of use is changed to include other undefined locations without limitation.

### **Staff Recommendation**

Staff requests ratification of the Statement of Opposition filed to protect ISF water rights. The Attorney assigned to this case is Jeffrey Candrian, who can be contacted at [Jeffrey.candrian@state.co.us](mailto:Jeffrey.candrian@state.co.us), or (720)508-6288.

### **CWCB Instream Flow Water Rights**

Instream flow water rights that may be injured cannot be specifically identified because the proposed change in place of use is to undefined locations noted as any "extra-territorial area" in which the Applicant contracts without limitation.

### **Potential for Injury**

The proposed application could cause injury to instream flow water rights by an expansion of use in the changes of water rights, consumptive use credits taken at improper locations, and inadequate maintenance of return flow obligations. Protective terms and conditions should be included for potential exchanges that may operate through instream flow water rights.

### **Other Objectors**

Statements of Opposition were filed by City of Aurora, Centennial Water and Sanitation District, City of Thornton, City of Englewood, Platte Valley Irrigation Company, Burlington Ditch Reservoir and Land Company, Town of Lochbuie, State and Division Engineers Water Division 1.

