

Summary of Water Court Application

Co-Applicants seek new groundwater and storage rights using existing structures, and augmentation plan using the storage structures and consumptive use credits decreed in Case No 03CW336.

Staff Recommendation

Staff requests ratification of the Statement of Opposition filed to protect CWCB's instream flow water rights.

CWCB Instream Flow Water Rights

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

CWCB Case No.	Stream	Upper Terminus	Lower Terminus	Rate cfs	Timing	Approp. Date	Watershed
5-90CW300	Colorado River	outlet Granby Reservoir	confl. Fraser River	40, 20	5/1-8/31, 9/1-4/30	11/27/1990	Colorado headwaters
5-90CW308	Fraser River	confl. Crooked Creek	confl. Colorado River	30,19	5/15-9/15, 9/16-5/14	11/27/1990	Colorado headwaters

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.
- 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.

Other Objectors

A Statement of Opposition was also filed by the Grand County Board of County Commissioners.

Attorney

The Attorney assigned to this case is Jennifer L. Mele, who can be contacted at jennifer.mele@state.co.us, or 720-508-6282.

