

Summary of Water Court Application

Applicant seeks groundwater rights, surface water rights, storage rights and a plan for augmentation with substitution and exchange. The place of use includes the Aspen service area or "extraterritorially by contract with Aspen."

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 instream flow water right(s) that could be injured by this application, including the following:

| CWCB Case No. | Stream | Rate cfs | Timing | Appropriation Date | Watershed |
|---------------|--------------------|-----------|---------------------------|--------------------|--------------|
| 5-76W2948 | Roaring Fork River | 32 | 1/1-12/31 | 1/14/1976 | Roaring Fork |
| 5-85CW646 | Roaring Fork River | 30 55 | (10/1-3/31) (4/1-9/30) | 11/8/1985 | Roaring Fork |
| 5-85CW639 | Roaring Fork River | 75 145 | (10/1-3/31) (4/1-9/30) | 11/8/1985 | Roaring Fork |
| 5-76W2947 | Castle Creek | 12 | 1/1-12/31 | 1/14/1976 | Roaring Fork |

Potential for Injury

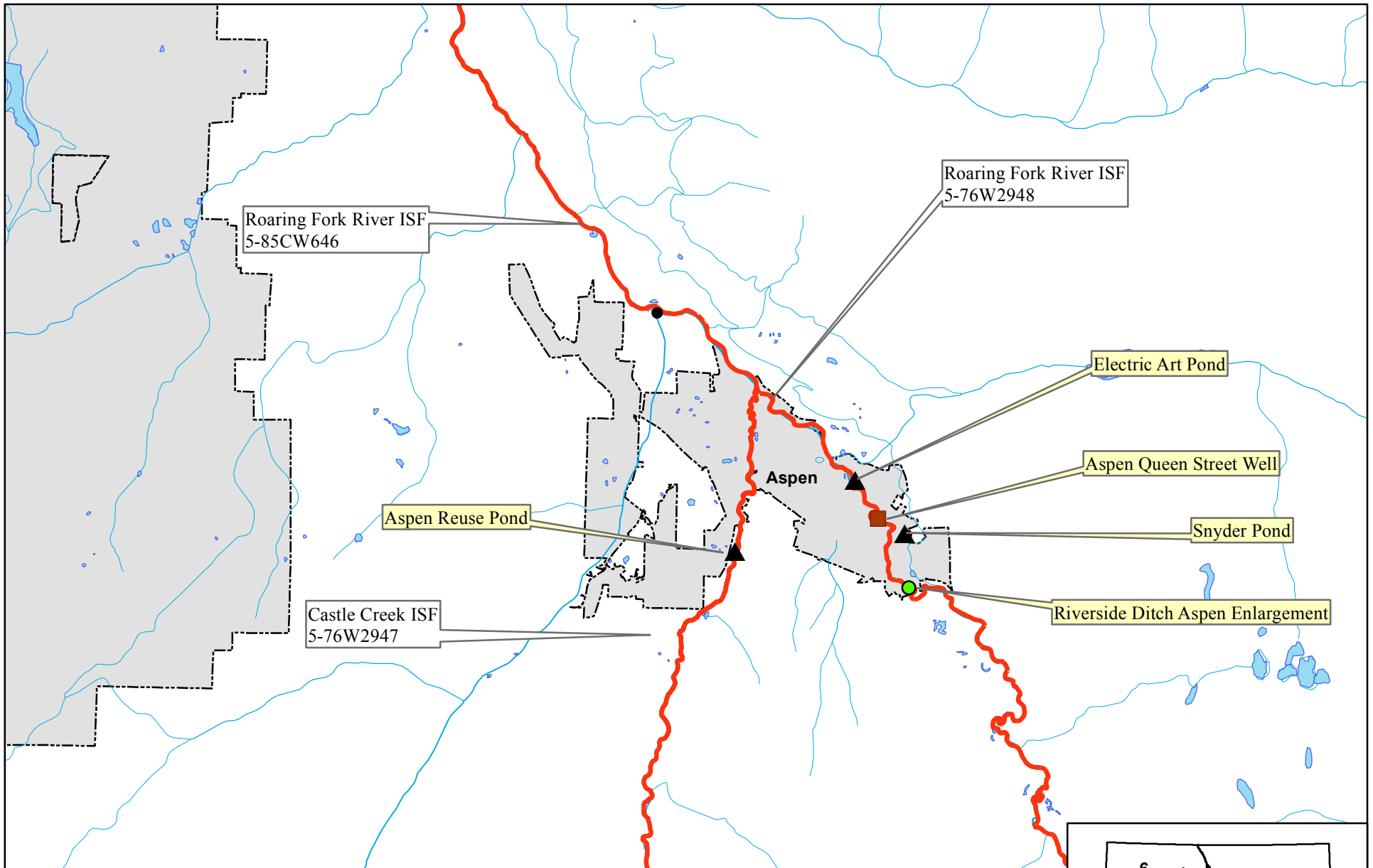
- The proposed plan for augmentation and exchange may not replace depletions in the proper time, place and amount, which could injure the CWCB's instream flow water rights.
- Administrative exchanges may be required for Applicant's plan. Protective terms and conditions should be included in any final decree to prevent injury to the CWCB's instream flow water rights.

Other Objectors

No other Statements of Opposition were filed.

CWCB Attorney

The Attorney assigned to this case is Susan J. Schneider, who can be contacted at susan.schneider@coag.gov, or 720-508-6311.



March 16-17, 2016 CWCB Board Meeting
Consent Agenda Item 1f: Statement of Opposition
Case No. 5-15CW3119: City of Aspen

0 0.25 0.5 1 1.5 2 Miles

