

Consent Agenda Item 1.a

September 21-22, 2016 Board Meeting

Case No. 15CW3001 (Water Division 2); City of Colorado Springs

Summary of Water Court Application - (Amended Application)

Applicant seeks a change in type, manner, and place of use for irrigation water rights to add all municipal uses to extinction. The place of use requested includes Colorado Springs' service area as it exists now, as it may exist in the future, and to "any location within the Arkansas River Basin for which water may be delivered for augmentation, sale, or lease for such other uses as may be allowed by law."

Staff Recommendation

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

The CWCB holds the following instream flow water rights, including the following in the Fountain and Upper Arkansas Watersheds in Division 2, that could be injured by this application:

CWCB Case Number	Stream	Upper Terminus	Lower Terminus	Rate/Timing (cfs)	Approp. Date
08CW0055	North Cheyenne Creek	Outlet Stratton Reservoir	above N Cheyenne Creek Pipeline	3.5 (5/1 - 10/15) 1 (10/16 - 3/31) 2.5 (4/1 - 4/30)	01/23/2008
08CW0056	Severy Creek	Headwaters in the Vicinity	just above confl Cascade Creek	1.54 (4/1 - 8/14) 0.79 (8/15 - 3/31)	01/23/2008
08CW0058	Bear Creek	Headwaters in the Vicinity	above Bear Creek Pipeline	1.85 (4/15 - 8/15) 1.3 (8/16 - 10/31) 0.75 (11/1 - 4/14)	01/23/2008
80CW0080	Camp Creek	Palmer Res Outlet	Forest Service boundary	3 (1/1 - 12/31)	05/07/1980

Potential for Injury

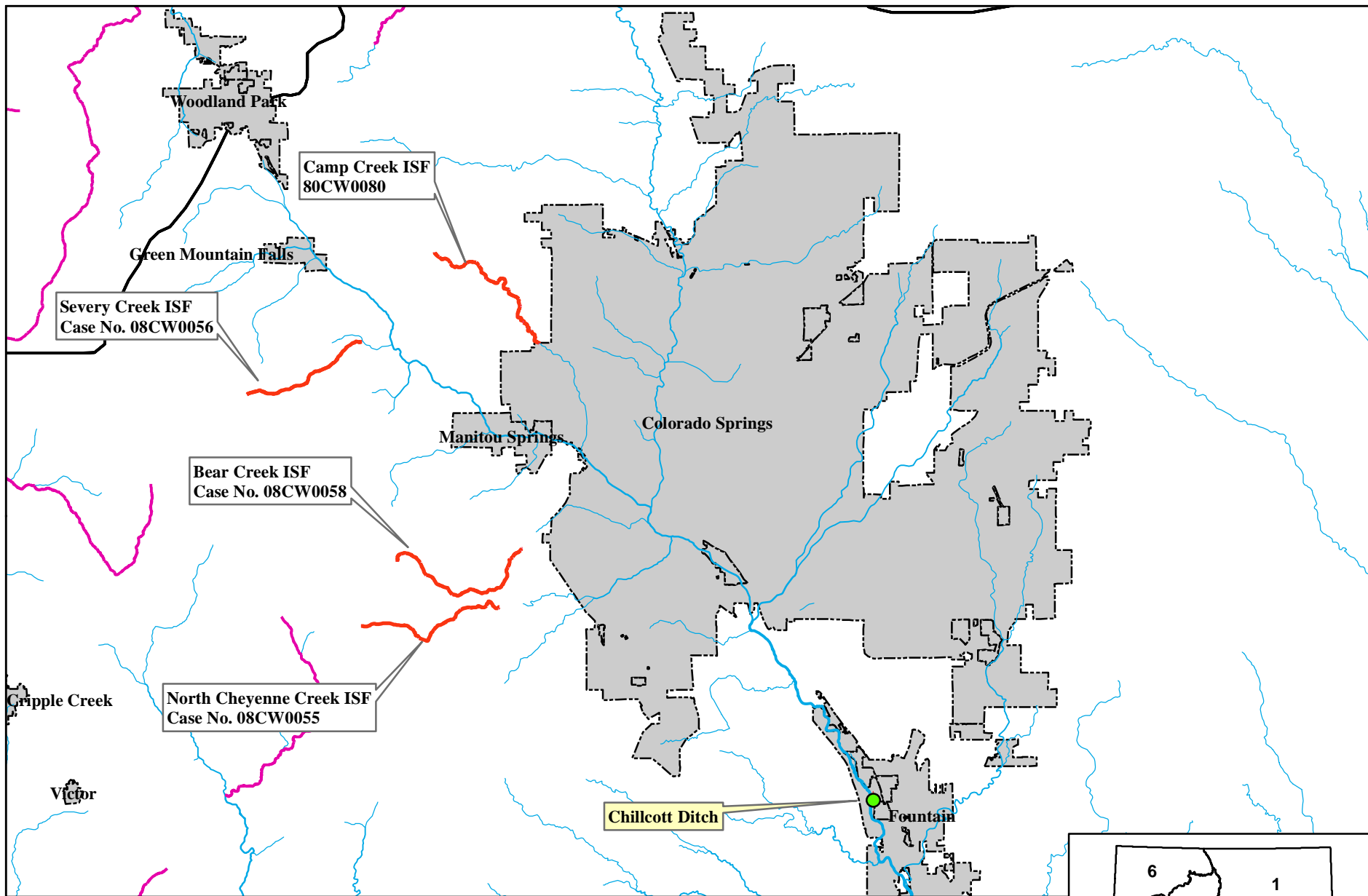
- The proposed change of water rights could cause an expansion of use and could alter the time, place and amount of historical return flows, which could injure the CWCB's instream flow water rights.
- The extraterritorial use for the changed water rights cannot be evaluated because the type of use and the place of use is undefined. These uses could injure the CWCB's instream flow water rights.

Other Objectors

Statements of Opposition (for Original Application) were filed by Chilcott Ditch Company, City of Fountain, Colorado, Fountain Mutual Irrigation Company, Lower Arkansas Valley Water Conservancy District, Security Water District, Widefield Water and Sanitation District, Woodmoor Water and Sanitation District No. 1

Attorney

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



September 21-22, 2016 CWCB Board Meeting
Consent Agenda Item 1a: Statement of Opposition
Case No. 15CW3001 (Water Division 2)
City of Colorado Springs

0 1.5 3 6 Miles

