

**Summary of Water Court Application**

Applicant seeks a plan for augmentation, appropriative rights of exchange as well as new surface water and groundwater rights for a proposed Slate River Industrial Park south of Crested Butte.

**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 in the East-Taylor Watershed, in Water Division 4, that could be injured by this application:

CWCB Case Number	Stream	Upper Terminus	Lower Terminus	Rate/Timing (cfs)	Approp. Date
80CW0092	Slate River	confl Coal Creek	Confl East River	12 (12/1 - 3/31) 23 (4/1 - 11/30)	03/17/1980
83CW0228	East River	confl Alkali Creek	confl Taylor River	27 (10/1 - 4/30) 50 (5/1 - 9/30)	06/03/1982
83CW0230	East River	confl Brush Creek	confl Alkali Creek	10 (1/1 - 12/31)	06/03/1982

**Potential for Injury**

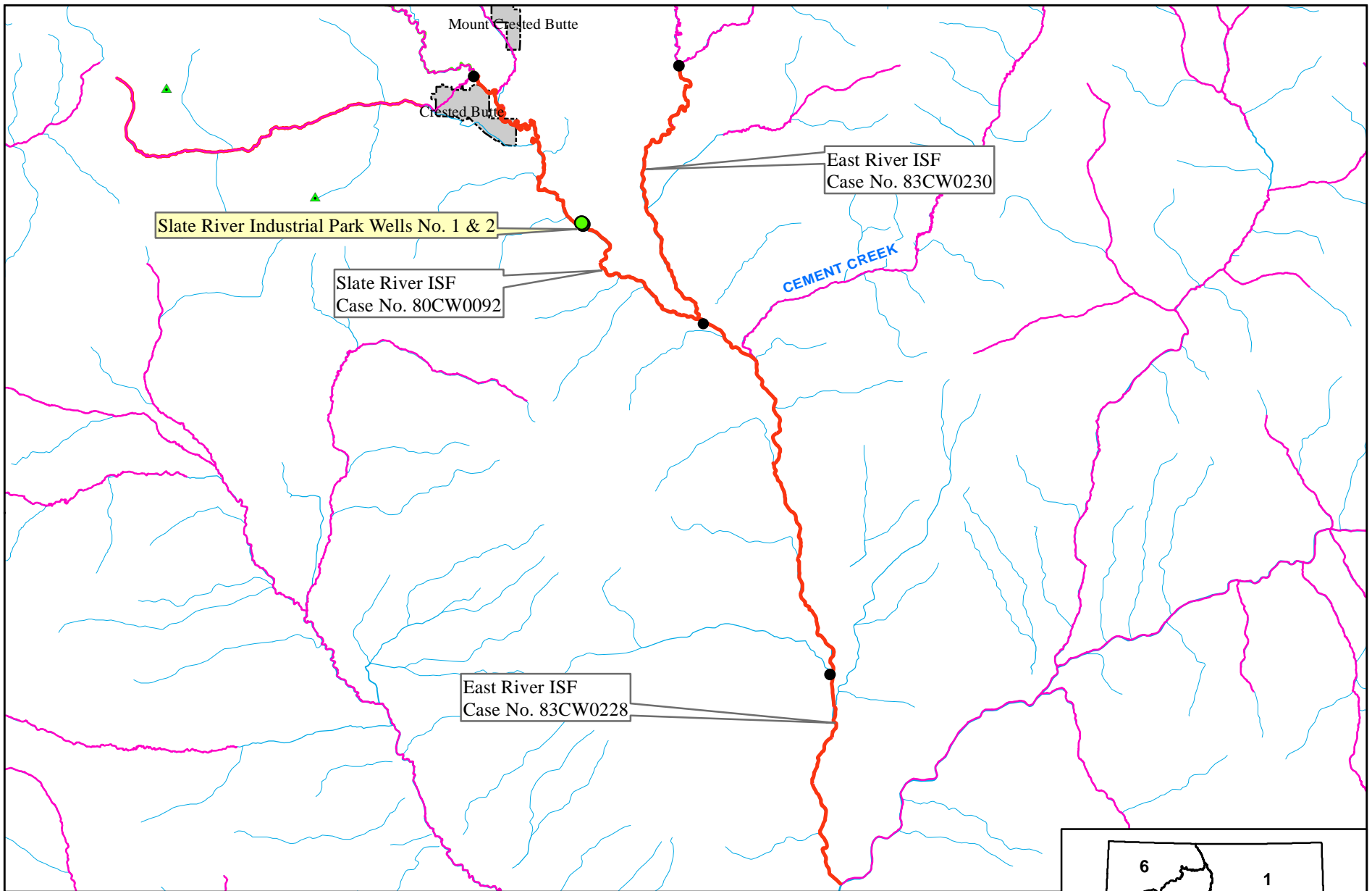
- The proposed appropriative right of exchange should be defined clearly with a reference to intervening instream flow water rights so that the CWCB's instream flow water rights are not injured.
- The proposed plan for augmentation and exchange may not replace depletions in the proper time, place and amount, which could injure the CWCB's instream flow water rights.

**Other Objectors**

No other Statements of Opposition were filed.

**Attorney**

The Attorney assigned to this case is Derek Turner, who can be contacted at derek.turner@coag.gov, or 720-508-6306.



September 21-22, 2016 CWCB Board Meeting  
Consent Agenda Item 1c: Statement of Opposition  
Case No. 16CW3035 (Water Division 4)  
L & D Ranches, LLC

0 0.75 1.5 3 Miles

