

Consent Agenda Item 1.a

November 16-17, 2016 Board Meeting

Case No. 16CW3056 (Water Division 2); Colorado Springs, Acting Through Colorado Springs Utilities

Summary of Water Court Application

Applicant seeks a plan for augmentation, additional replacement sources and change in location of replacements, and conditional appropriative rights of substitution and exchange.

Staff Recommendation

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

CWCB Instream Flow Water Rights

Instream flow water rights that may be injured cannot be specifically identified because some of the proposed sources of augmentation, substitution and exchange, and replacement water supplies are not specified. Rather, some sources are described as "temporary use agreements" and "any sewered and non-sewered return flows."

Potential for Injury

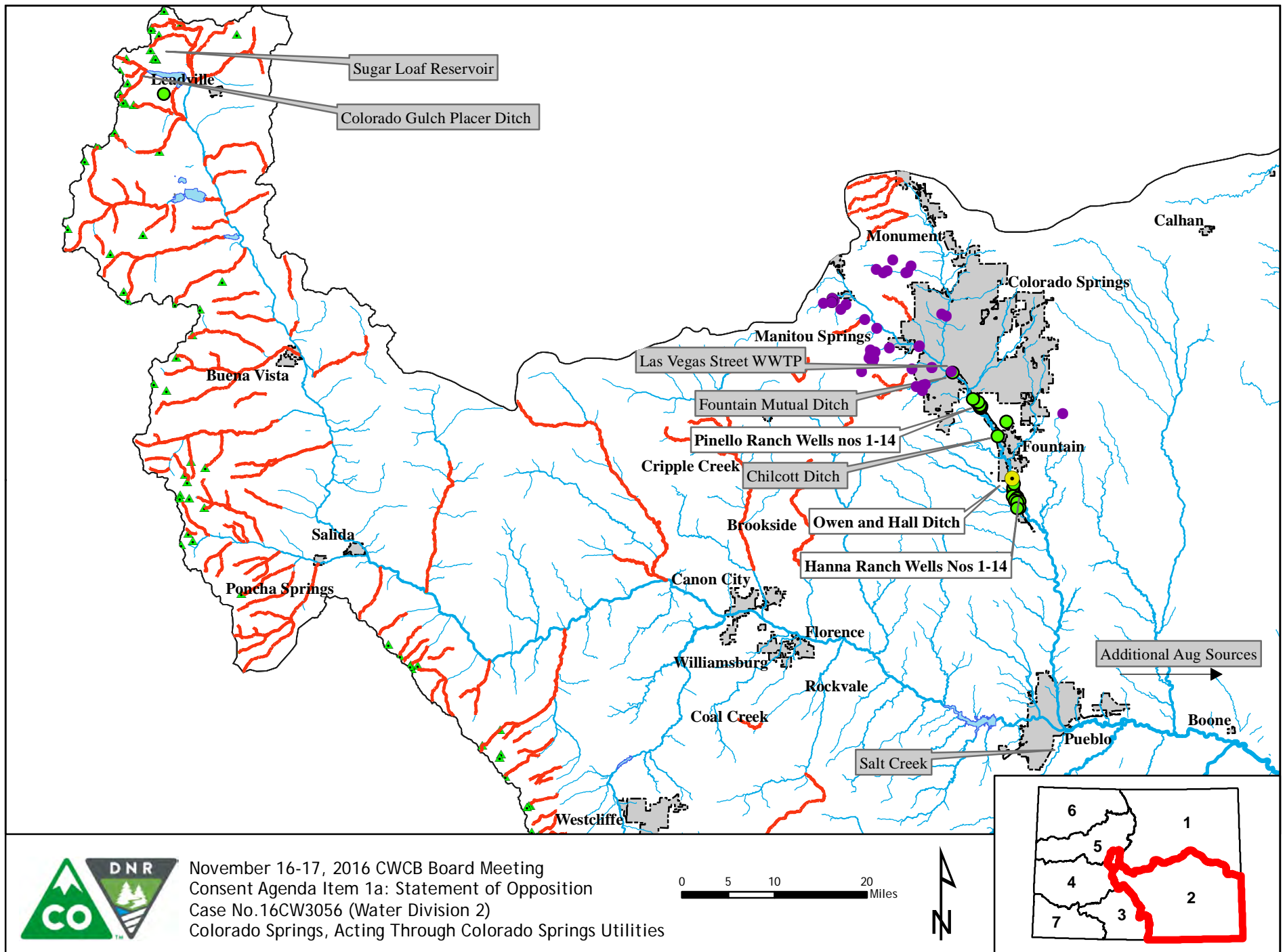
- The sources of augmentation, substitution and exchange, and replacement water supplies, including "temporary use agreements" and "any sewered and non-sewered return flows" should be clearly defined so that interested parties can assess potential impacts to water rights and so CWCB can prevent injury to its instream flow water rights.

Other Objectors

Statement of Opposition were filed by Chilcott Ditch Company, Colorado Centre Metropolitan District, District 67 Irrigation Canals Association, Individually, and for its members (The Amity Mutual Irrigation Company, The Fort Bent Canal and Irrigation Company, The Lamar Canal Company, Keesee Ditch, Buffalo Mutual Irrigation, Company, XY and Graham Canals, Manval Canal and Irrigation Company, The Hyde Mutual Ditch Company, Fountain Mutual Irrigation Company), The Amity Mutual Irrigation Company, Individually, Holbrook Mutual Irrigating Company, Security Water District, Town of Monument, Upper Arkansas Water Conservancy District, The Fort Lyon Canal Company, Tri- State Generation and Transmission Inc., Widefield Water and Sanitation District, Woodmoor Water and Sanitation, City of Fountain, Southeastern Colorado Water Conservancy District, Colorado Division of Parks and Wildlife and Parks and Wildlife Commission.

Attorney

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



November 16-17, 2016 CWCB Board Meeting
 Consent Agenda Item 1a: Statement of Opposition
 Case No.16CW3056 (Water Division 2)
 Colorado Springs, Acting Through Colorado Springs Utilities