



COLORADO

**Colorado Water
Conservation Board**

Department of Natural Resources

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TO: Colorado Water Conservation Board Members

FROM: Linda Bassi, Section Chief and
Kaylea White, Senior Water Resource Specialist
Stream and Lake Protection Section

DATE: January 23-24, 2017 Board Meeting

AGENDA ITEM: Agenda # 9. Request for Authorization to Proceed to Trial in Case No. 14CW3096, Water Division 5. Application of Stillwater Ranch Open Space Association.

This case is set for a 6-day trial beginning on 03/20/2017. The parties are discussing settlement options and preparing for trial on a parallel track. Staff and Attorney General's Office intend to discuss litigation strategy and settlement options with the Board in Executive Session.

Background:

In this case, the proposed change of water rights and plan for augmentation could injure the CWCB's instream flow water rights on the Roaring Fork River. The CWCB filed a Statement of Opposition on 10/28/2014 to protect its ISF water rights on the Roaring Fork River.

Staff Recommendation:

Pursuant to ISF Rule 8j., Staff recommends that the Board authorize Staff to proceed to trial to protect its instream flow water rights in the event that Staff and the Attorney General's Office are unable to reach a settlement with Applicant before trial.



