

Summary of Water Court Application

Applicant claims changes under 37-92-305(3.6), C.R.S. for correction of established but erroneously described point of diversion, for three irrigation ditch rights. Some of the diversion points have changed since the original decrees pursuant to subsequent decrees for alternate points.

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 the following instream flow water rights in the Lower White Watershed that could be injured by this application:

Case Number	Stream	Upper Terminus	Lower Terminus	CFS Rate (Dates)	Approp. Date
85CW0257 (Div. 5)	Cathedral Creek	confl Soldier Creek	confl East Douglas Creek	1.5 (1/1 - 12/31)	05/03/1985
04CW0191^ (Div. 6)	Cathedral Creek	confl Willow Creek	confl East Douglas Creek	0.15 (5/1 - 7/31)	03/20/1918
85CW0258 (Div. 5)	East Douglas Creek	confl Brush Creek	confl Cathedral Creek	1.5 (1/1 - 12/31)	05/03/1985
15CW3049* (Div. 6)	East Douglas Creek	confl Brush Creek	confl Cathedral Creek	0.5 (5/1 - 10/15)	01/26/2015
85CW0256 (Div. 5)	Soldier Creek	confl RF & MF Soldier Creek	confl Cathedral Creek	1.5 (1/1 - 12/31)	05/03/1985
15CW3051* (Div. 6)	Soldier Creek	confl RF & MF Solider Creeks	confl Cathedral Creek	0.4 (4/1 - 9/30)	01/26/2015

^ Donated/Acquired Water Right

* Increase; Pending in Water Court

Potential for Injury

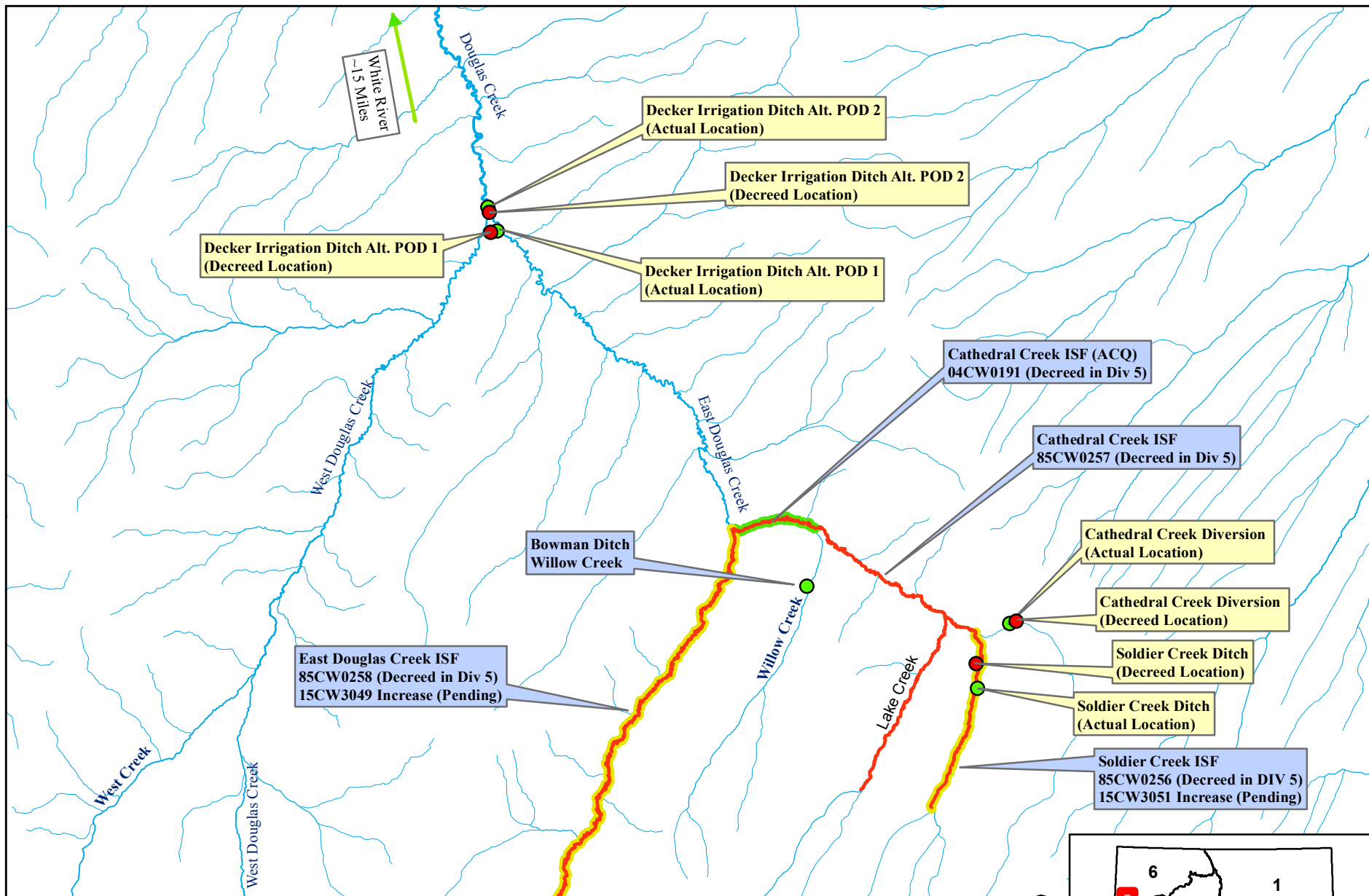
- Some of the water rights are claimed with senior appropriation dates. The instream flow water right might be subject to these water rights under C.R.S. 37-92-102(3)(b) if the new water rights are sufficiently documented.

Other Objectors

No other Statements of Opposition were filed.

Attorney

The Attorney assigned to this case is Patrick Kowaleski, who can be contacted at patrick.kowaleski@coag.gov, or 720-508-6297.



January 23-24, 2017 CWC Board Meeting
 Consent Agenda Item 1.b: Statement of Opposition
 Case No. 16CW3036 (Water Division 6)
 Nona Powell

0 0.75 1.5 3 Miles

