

Summary of Water Court Application

Applicant seeks a water storage right with a 1905 appropriation date for many uses including augmentation.

Staff Recommendation

Staff recommends that the Board ratify the filing of a Statement of Opposition in this case to protect CWCB's instream flow water rights. A Statement of Opposition was filed on behalf of the Board in February 2017.

The CWCB holds the following instream flow water right in Water Division 2 in the Arkansas Headwaters Watershed that could be injured by this application as follows:

Case Number	Stream	Upper Terminus	Lower Terminus	CFS Rate (Dates)	Approp. Date
79CW0115	Cottonwood Creek	confl M&S Cottonwood Creeks	confl Arkansas River	20 (1/1 - 12/31)	03/14/1979

Potential for Injury

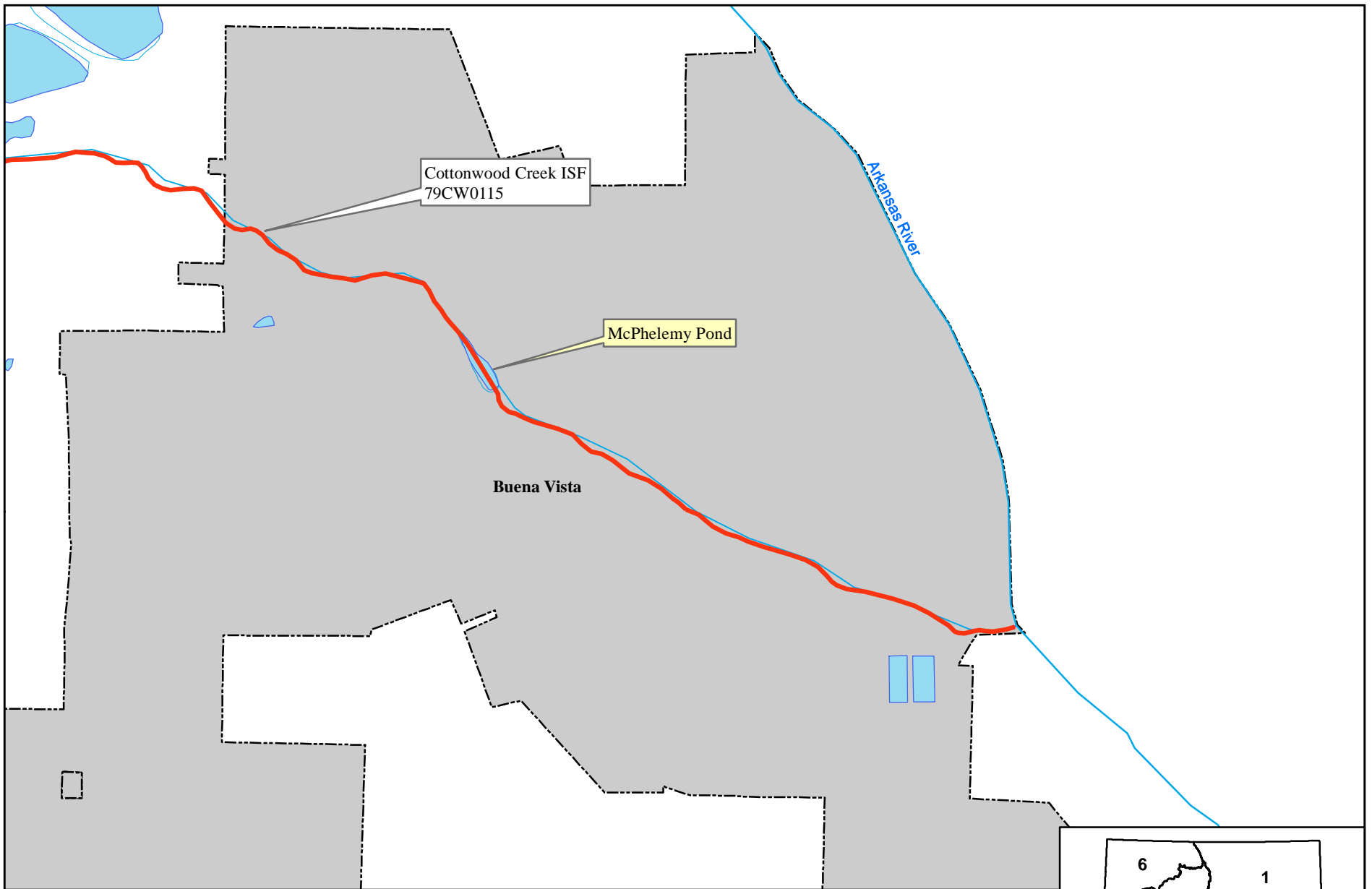
- The water right is claimed with an appropriation date senior to the instream flow. The instream flow water right might be subject to these water rights under C.R.S. 37-92-102(3)(b) if the new water rights are sufficiently documented and verified. Applicant must demonstrate that the claimed appropriation occurred on the appropriation date claimed in the application.

Other Objectors

Statements of Opposition were also filed by Bob Woolmington, Lee Rooks, Kelly Ranch, and the City of Salida.

Attorney

Philip E. Lopez, Assistant Attorney General, is assigned to this case and can be contacted at philip.lopez@coag.gov, or 720-508-6312.



March 22-23 2017 CWCB Board Meeting
Consent Agenda Item 1.e: Statement of Opposition
Case No. 16CW3101 (Water Division 2)
Town of Buena Vista

0 0.1 0.2 0.4 Miles

