

**Summary of Water Court Application**

Applicant requests changes of water rights and a plan for augmentation and exchanges. Changes requested include changes to points of diversion, additional places of use, and types of use.

**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 rights, in Water Division 3, in the Alamosa-Trinchera, Conejos, and Rio Grande Headwaters Watersheds that could be injured by this application as follows:

Case Number	Stream	Upper Terminus	Lower Terminus	CFS Rate (Dates)	Approp. Date
83CW0047	North Clear Creek	1 mile below Continental Res	confl South Clear Creek	1 (10/1 - 4/30) 9 (5/1 - 9/30)	08/16/1982
83CW0051	Clear Creek	confl North & South Clear Creek	confl Rio Grande River	5 (10/1 - 4/30) 10 (5/1 - 9/30)	08/16/1982
83CW0039, 0040, 0042 & 0049	Rio Grande	confl Squaw Creek	confl South Fork Rio Grande River	Varies 20-80 (10/1 - 4/30) 45-160 (5/1 - 9/30)	08/16/1982
82CW0237, 214 & 216	Conejos River	confl Saddle Creek	USGS gage near Mogote	Varies 15-45 (10/1 - 4/30) 45-90 (5/1 - 9/30)	10/07/1982
13CW3013 & 3014^	Alamosa River	outlet Terrace Reservoir	County Road 10	0.5 -2.5	04/15/1870 & 04/10/1870

^ Donated/Acquired Water Right

**Potential for Injury**

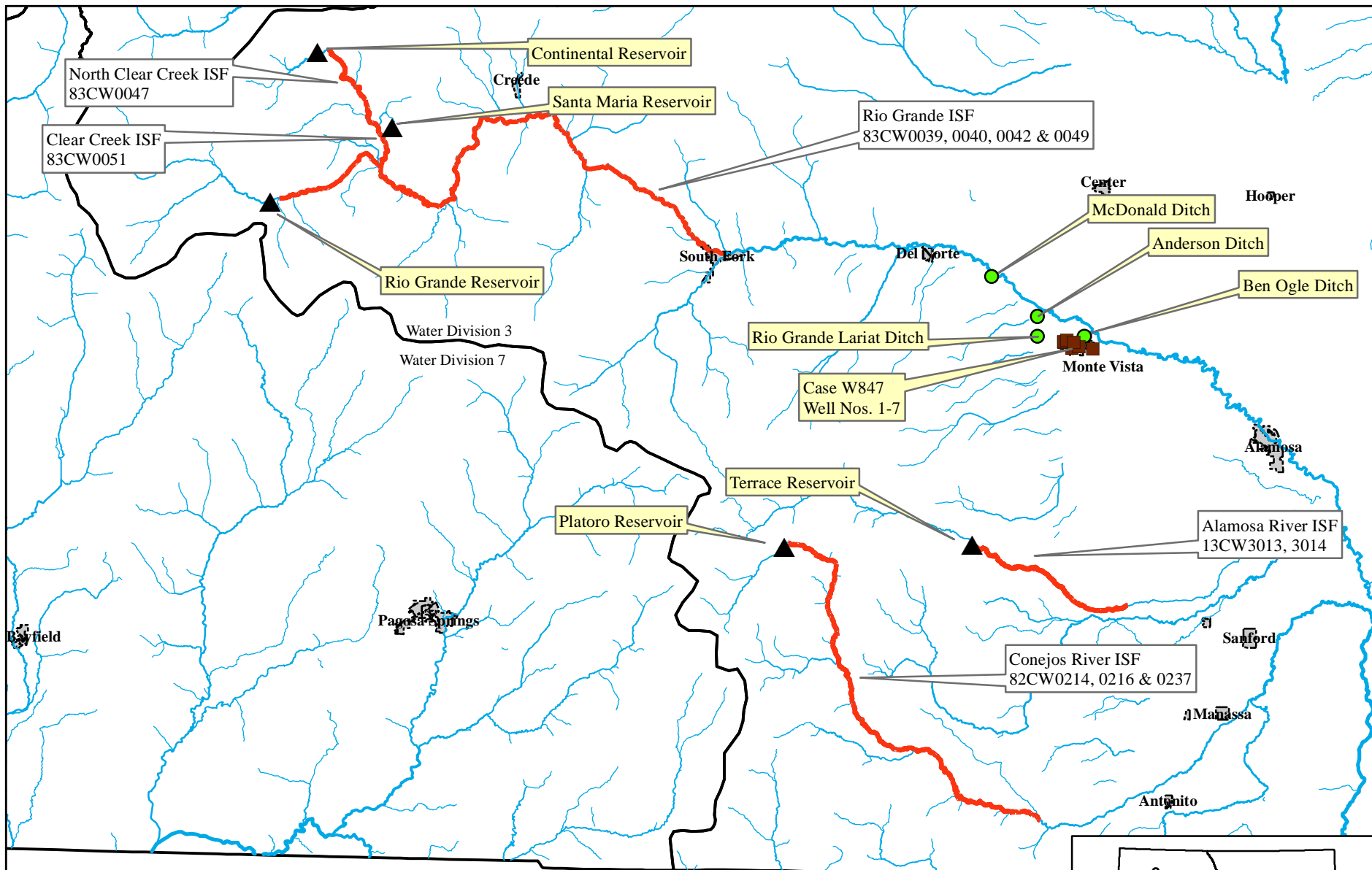
- The proposed appropriate right of exchange should be defined clearly with a reference to intervening instream flow water rights so that the CWCB's instream flow water rights are not injured.

**Other Objectors**

Statements of Opposition were also filed by the City of Alamosa, Conejos Water Conservancy District, Terrace Irrigation Company, Rio Grande Water Conservation District, McDonald Ditch Company, Rio Grande Water Users Association, Rio Grande & Lariat Ditch Company, and San Luis Water Conservancy District.

**Attorney Representing CWCB**

Ema I.G. Schultz, Assistant Attorney General, is assigned to this case and can be contacted at ema.schultz@coag.gov, or 720-508-6307.



March 22-23, 2017 CWCB Board Meeting  
 Consent Agenda Item 1.h: Statement of Opposition  
 Case No. 16CW3024 (Water Division 3)  
 City of Monte Vista

0 4.25 8.5 17 Miles

