

Case No. 16CW3164 (Water Division 5): Redstone Water and Sanitation District

Summary of Water Court Application

The Applicant requests two alternate points of diversion, including one upstream point for its 6.5 cfs water right for the East Creek Reservoir and Pipeline.

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 5 in the Roaring Fork Watershed that could be injured by this application as follows:

Case Number	Stream	Upper Terminus	Lower Terminus	CFS Rate (Dates)	Approp. Date
87CW0275	East Creek	headwaters in vicinity	confl Crystal River	1.5 (1/1 - 12/31)	10/02/1987
75W2721	Crystal River	confl Carbonate Creek	confl Avalanche Creek	40 (10/1 - 4/30) 80 (5/1 - 9/30)	05/01/1975
75W2720	Crystal River	confl Avalanche Creek	confl Roaring Fork River	60 (10/1 - 4/30) 100 (5/1 - 9/30)	05/01/1975

Potential for Injury

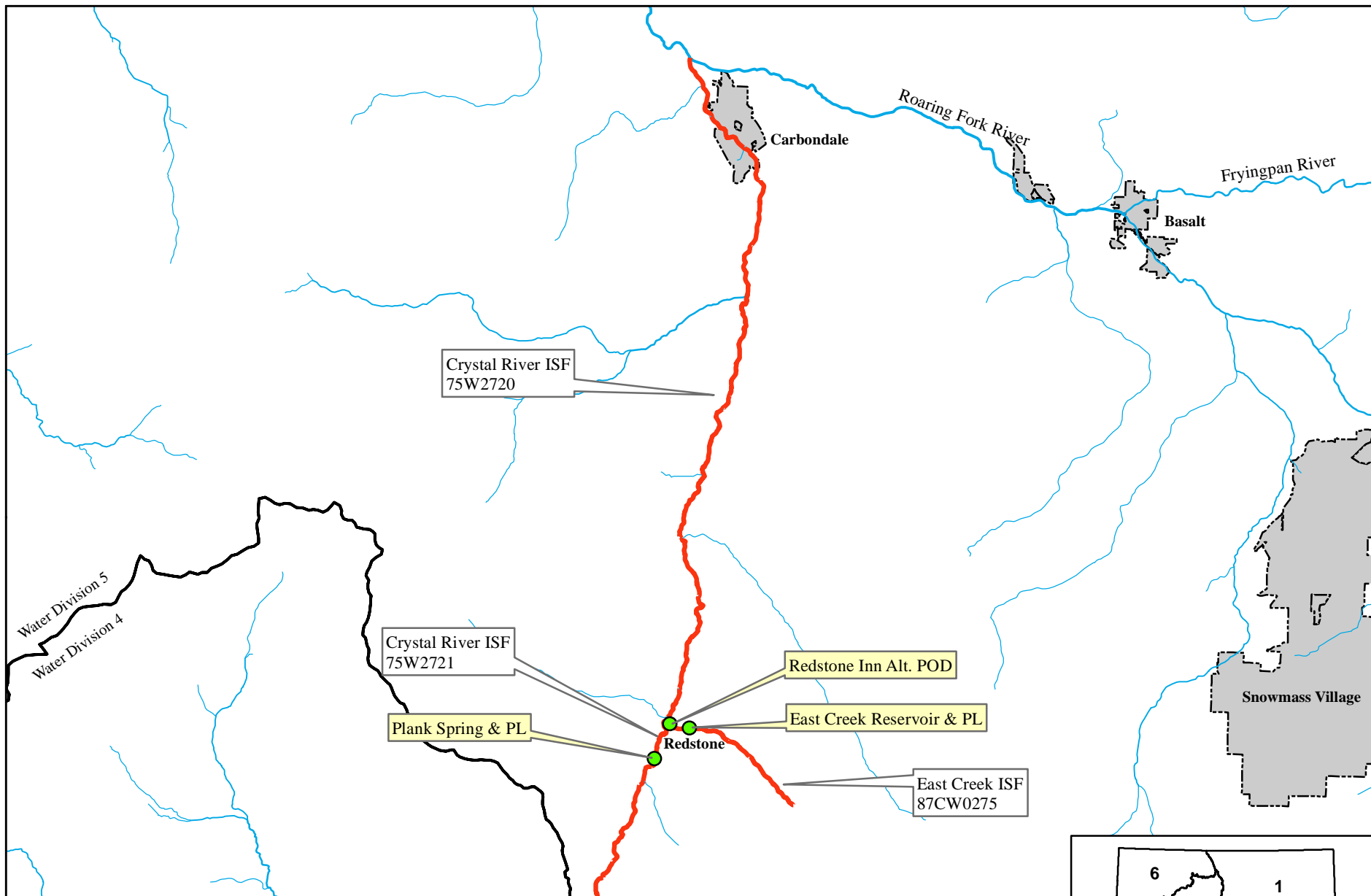
- The requested upstream alternate points of diversion for Applicant's senior water right could injure the CWCB's instream flow water rights.
- Terms and conditions should be included in the decree to ensure that the proposed decree will not injure the CWCB's instream flow water rights by expansion of use of water rights that are senior to instream flow water rights.

Other Objectors

Statements of Opposition were filed by Bane and Thomas Ditch Company, Board of County Commissioners of Pitkin County, CRP1718 LLC, East Mesa Water Company, Iron Rose Ranch LLC, Ranch Lake IV LLC, and Sweet Jessup Canal Company.

Attorney Representing CWCB

Andrew Nicewicz, Assistant Attorney General, is assigned to this case and can be contacted at andy.nicewicz@coag.gov, or 720-508-6259.



March 22-23, 2017 CWC Board Meeting
 Consent Agenda Item 1.m: Statement of Opposition
 Case No. 16CW3164 (Water Division 5)
 Redstone Water & Sanitation District

0 1.25 2.5 5 Miles

