



COLORADO

**Colorado Water
Conservation Board**

Department of Natural Resources

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Denver, CO 80203

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John Hickenlooper, Governor

Robert Randall, DNR Executive
Director

Lauren Ris, CWCB Acting Director

TO: Colorado Water Conservation Board Members

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

DATE: May 17-18, 2017 Board Meeting

CONSENT AGENDA: Item 2. Green Ditch Company Withdrawal of Injury with Mitigation
Proposal

This consent agenda item requests the Board to accept the Green Ditch Company's withdrawal of its injury with mitigation proposal. In November 2014, the Company and its major shareholder, the City of Boulder, submitted and the Board approved an instream flow injury with mitigation proposal for a planned upstream move of the Green Ditch headgate on South Boulder Creek. The anticipated headgate move was part of a larger stream restoration plan in response to the September 2013 flooding that re-routed South Boulder Creek away from the ditch headgate. The Company and Boulder have decided to not move the headgate and to instead restore South Boulder Creek to its pre-flood course.

In its approval, the Board directed staff to use its discretion to enter into an agreement with the Green Ditch Company and City of Boulder incorporating the injury with mitigation proposal. Such agreement was not finalized and is no longer necessary.

Staff Recommendation

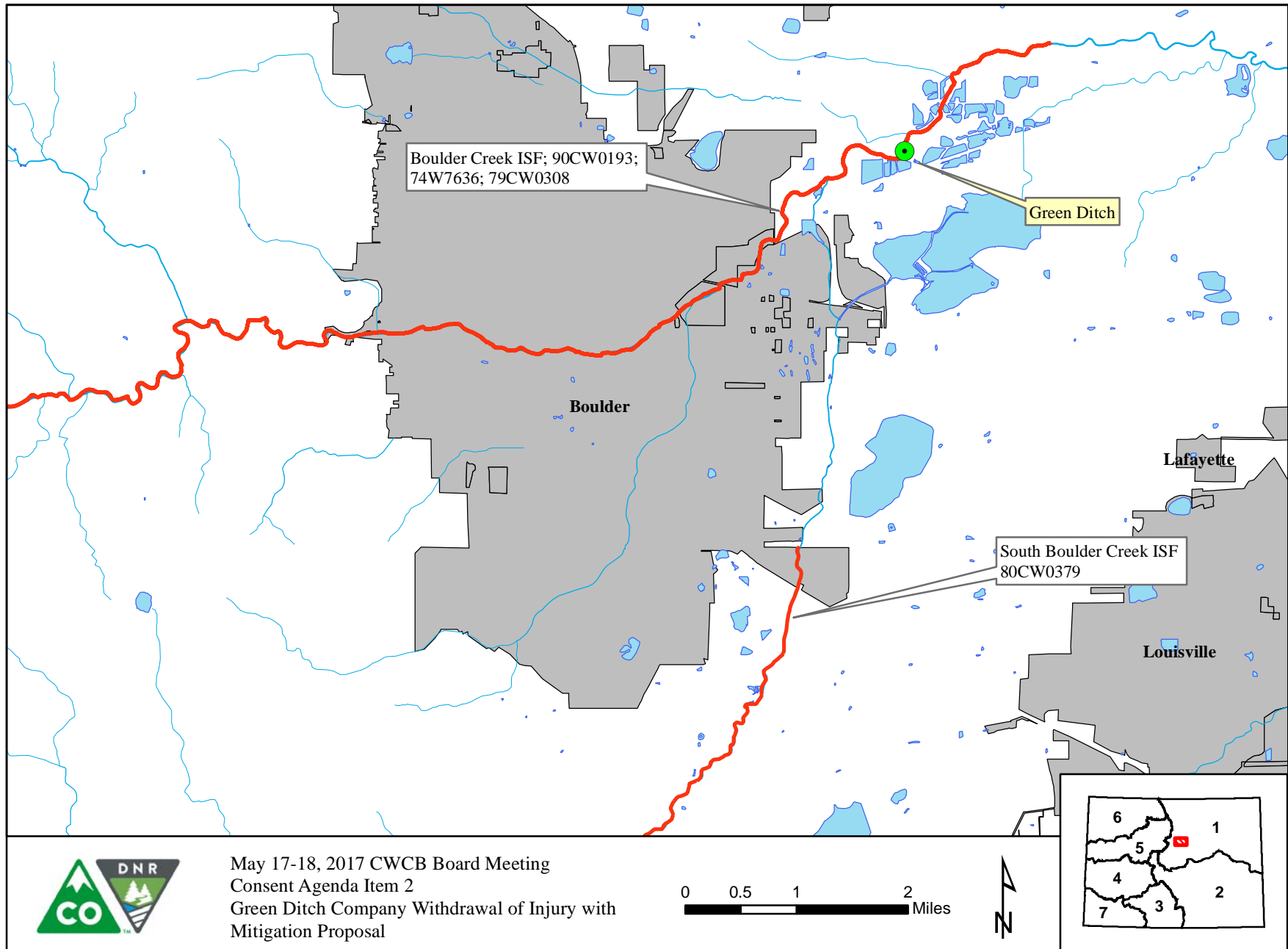
Staff recommends that the Board accept the withdrawal of the injury with mitigation proposal by the Green Ditch Company.

Attachments

Attachment A: Area Map

Attachment B: Green Ditch Company's withdrawal request





Attachment A

GREEN DITCH COMPANY

229 Terry Street
Longmont, CO 80501
720-308-8739

May 3, 2017

Linda Bassi, Section Chief,
Kaylea White, Senior Water Resource Specialist, Stream and Lake Protection Section
Colorado Water Conservation Board
1313 Sherman Street
Denver, CO 80203

RE: Green Ditch Company, Injury With Mitigation Proposal

Dear Ms. Bassi and Ms. White.

The Green Ditch Company and the City of Boulder sought approval from the Colorado Water Conservation Board of an injury with mitigation proposal based upon the proposed relocation of the Green Ditch headgate upstream within a section of Boulder Creek in which the CWCB's instream flow right is located. The injury with mitigation proposal was approved by the CWCB at its meeting in November, 2014. Since that time, the Green Ditch Company has determined that it cannot relocate the headgate and instead plans to construct a new headgate in the original headgate location. The CWCB authorized the Green Ditch Company to enter into an agreement with the City of Boulder and the CWCB incorporating the injury with mitigation proposal. The agreement was not finalized and is no longer necessary. Accordingly the Green Ditch Company hereby withdraws the injury with mitigation proposal and requests that the withdrawal be approved by the CWCB.

Sincerely,



Todd Doherty,
President,
Green Ditch Company