

Consent Agenda Item 1.c

July 19-July 20, 2017 Board Meeting

Case No. 17CW3022 (Water Division 2); Town of Buena Vista

Summary of Water Court Application

Applicant requests a plan for augmentation, including appropriative right of substitution and exchange, for McPhelemy Pond in the Town of Buena Vista. This case is related to Applicant's Case No. 16CW3101, in which CWCB is a party.

Staff Recommendation

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

CWCB Instream Flow Water Right

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

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

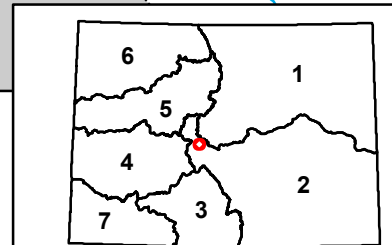
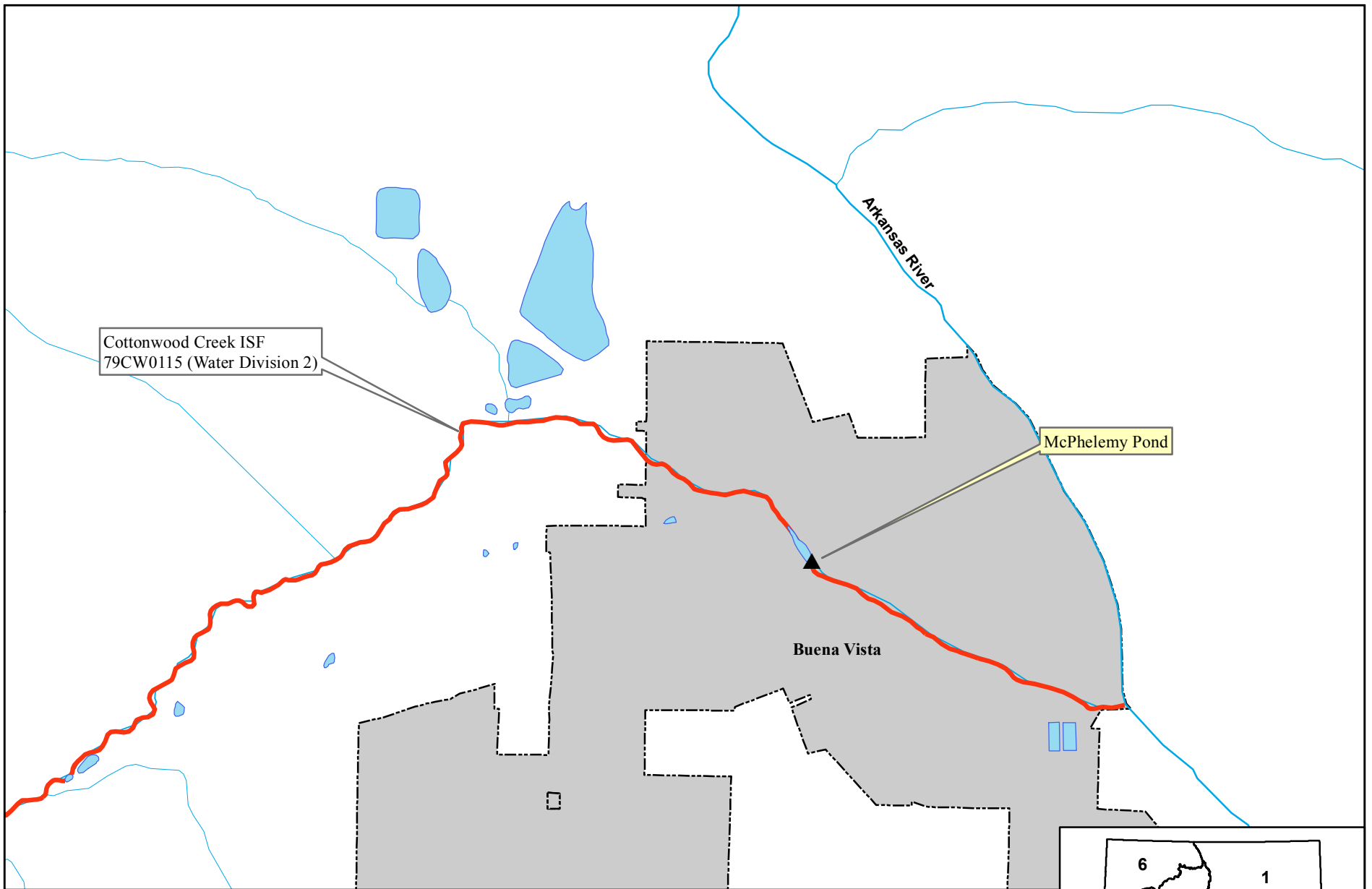
- The proposed plan for augmentation and exchange may not replace depletions in the proper time, place and amount, which could injure the CWCB's instream flow water right.

Other Objectors

Statements of Opposition were also filed by Bob Woolmington, Lee Rooks, and Kelly Ranch, Upper Arkansas Water Conservancy District.

Attorney Representing CWCB

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



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0 0.15 0.3 0.6 Miles

