

Consent Agenda Item 1.b

January 22-23, 2018 Board Meeting

Case No. 17CW3160 (Water Division 1); Fort Collins - Loveland Water District, The North Weld County Water District, and The East Larimer County Water District

Summary of Water Court Application

Applicant requests a change of water rights for types and places of use, from direct flow to storage, subsequent beneficial uses and alternate points of diversion.

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 rights. A Statement of Opposition was filed on behalf of the Board in December 2017.

CWCB Instream Flow Water Rights

Instream flow water rights that may be injured cannot be specifically identified because the proposed change in place of use is to undefined locations.

The CWCB holds many water rights in the South Platte Basin that could be injured by this application.

Potential for Injury

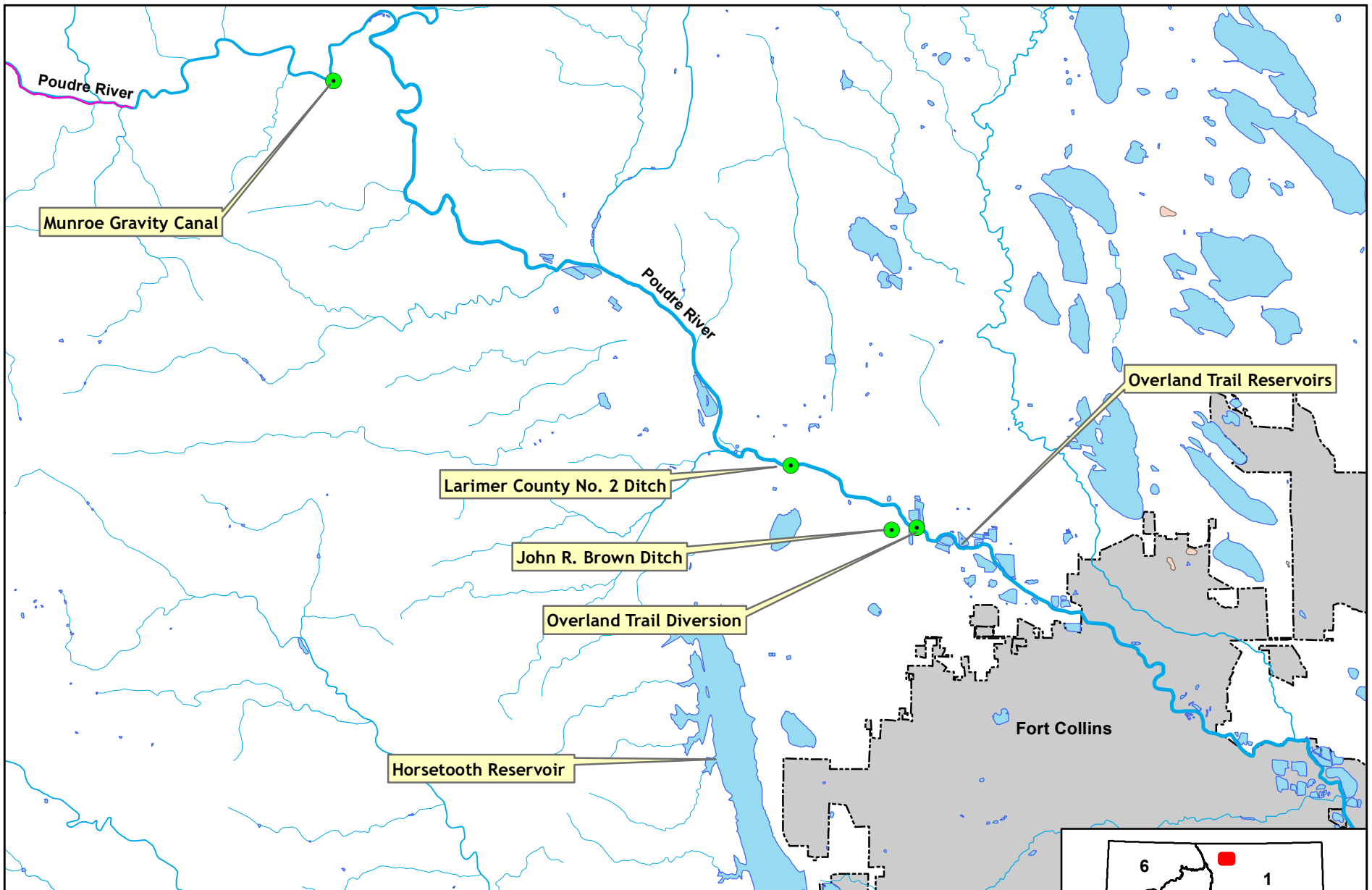
- The potential exchanges necessary for upstream extraterritorial uses under Applicant's proposed augmentation plan should be defined clearly with a reference to intervening instream flow water rights so that the CWCB's instream flow water rights are not injured.
- Extraterritorial uses should be limited to a specific geographic area.

Other Objectors

Statements of Opposition were also filed by Cache la Poudre Water Users Association, City of Fort Collins, City of Greeley, City of Thornton, and Northern Colorado Water Conservancy District.

Attorney Representing CWCB

Patrick E. Kowaleski, Senior Assistant Attorney General, is assigned to this case and can be contacted at patrick.kowaleski@coag.gov, or 720-508-6297.



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 Case No. 17CW3160 (Water Division 1)
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 Weld County Water District, and the East Larimer County Water District

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