

Consent Agenda Item 1.c

January 22-23, 2018 Board Meeting

Case No. 17CW3168 (Water Division 1); Mountain Water and Sanitation District

Summary of Water Court Application

Applicant requests an amendment of decrees approving water rights, change of water rights, a plan for augmentation, including exchange and plan of substitution.

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

The CWCB holds water rights, including the following instream flow water rights, in Water Division 1 in the Upper South Platte Watershed that could be injured by this application:

Case Number	Stream	Upper Terminus	Lower Terminus	CFS Rate (Dates)	Approp. Date
84CW0646	Elk Creek	headwaters in vicinity	confl NF South Platte River	5 (1/1 - 12/31)	01/06/1984

Potential for Injury

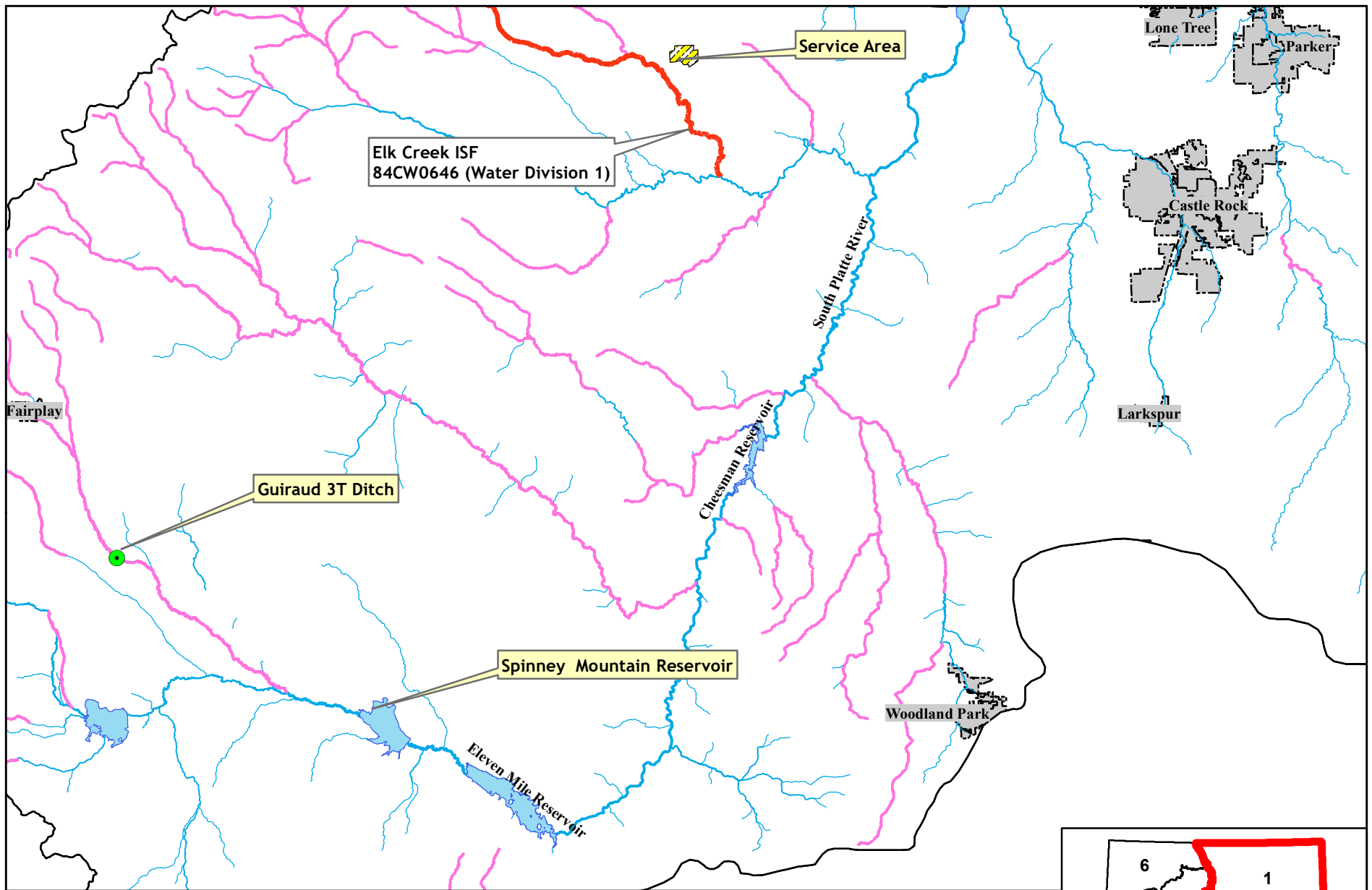
- The proposed plan for augmentation and exchange may not replace depletions in the proper time, place and amount, which could injure the CWCB's instream flow water rights.

Other Objectors

Statements of Opposition were also filed by City of Aurora, and Headwater Authority of the South Platte.

Attorney Representing CWCB

Michael Toll, Assistant Attorney General, is assigned to this case and can be contacted at michael.toll@coag.gov, or 720-508-6304.



January 22-23, 2018 CWCB Board Meeting
Consent Agenda Item 1c: Statement of Opposition
Case No. 17CW3168 (Water Division 1)
Mountain Water and Sanitation District

0 3 6 12 Miles

