



COLORADO

**Colorado Water
Conservation Board**

Department of Natural Resources

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TO: Colorado Water Conservation Board Members

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

DATE: March 21, 2018

AGENDA ITEM: # 19a. Request for Authorization to Proceed to Trial (to defend CWCB stipulation if necessary) in Case No. 15CW3005, Water Division 2, for the Application of Park Center Water District

This case is set for a 5-day trial beginning on May 21, 2018. The CWCB and the Applicant signed a stipulation on March 6, 2018. However, if unforeseen circumstances arise such that the case proceeds to trial despite CWCB's stipulated agreement, CWCB Staff may need to appear at trial to address issues raised in the stipulation.

Background:

In this case, the Applicant seeks to change water rights, which could injure the CWCB's several instream flow water rights on Fourmile Creek. The CWCB filed a Statement of Opposition on May 29, 2015 to protect its instream flow water rights.

Staff Recommendation:

Although not required by ISF Rule 8j., Staff nonetheless recommends that the Board recognize the potential for trial participation and authorize Staff to proceed to trial to defend its stipulation, if necessary, or to negotiate a revised stipulation as appropriate.



