

**Consent Agenda Item 1.f**

March 21- 22, 2018 Board Meeting

Case No. 17CW3212 (Water Division 1); City of Lafayette and City of Boulder

**Summary of Water Court Application**

This is an Application for water storage right. The Application includes instream flow use by CWCB under a future agreement.

**Staff Recommendation**

Staff recommends that the Board ratify the filing of a Statement of Opposition filed on behalf of the Board in February 2018 to protect CWCB's instream flow water rights and to protect CWCB's exclusive authority to hold instream flow water rights.

**CWCB Instream Flow Water Rights**

The CWCB holds water rights, including the following instream flow water rights, in Water Division 1 in the St. Vrain River Watershed that could be injured by this application:

Case Number	Stream	Upper Terminus	Lower Terminus	CFS Rate (Dates)	Approp. Date
80CW0379	South Boulder Creek	outlet Gross Res	USGS gage 06729500	15 (5/1 - 9/30) 6 (10/1 - 4/30)	12/02/1980
80CW0379	South Boulder Creek	USGS Gage 06729500	South Boulder Road bridge	2 (10/1 - 4/30) 15 (5/1 - 9/30)	12/02/1980

**Potential for Injury**

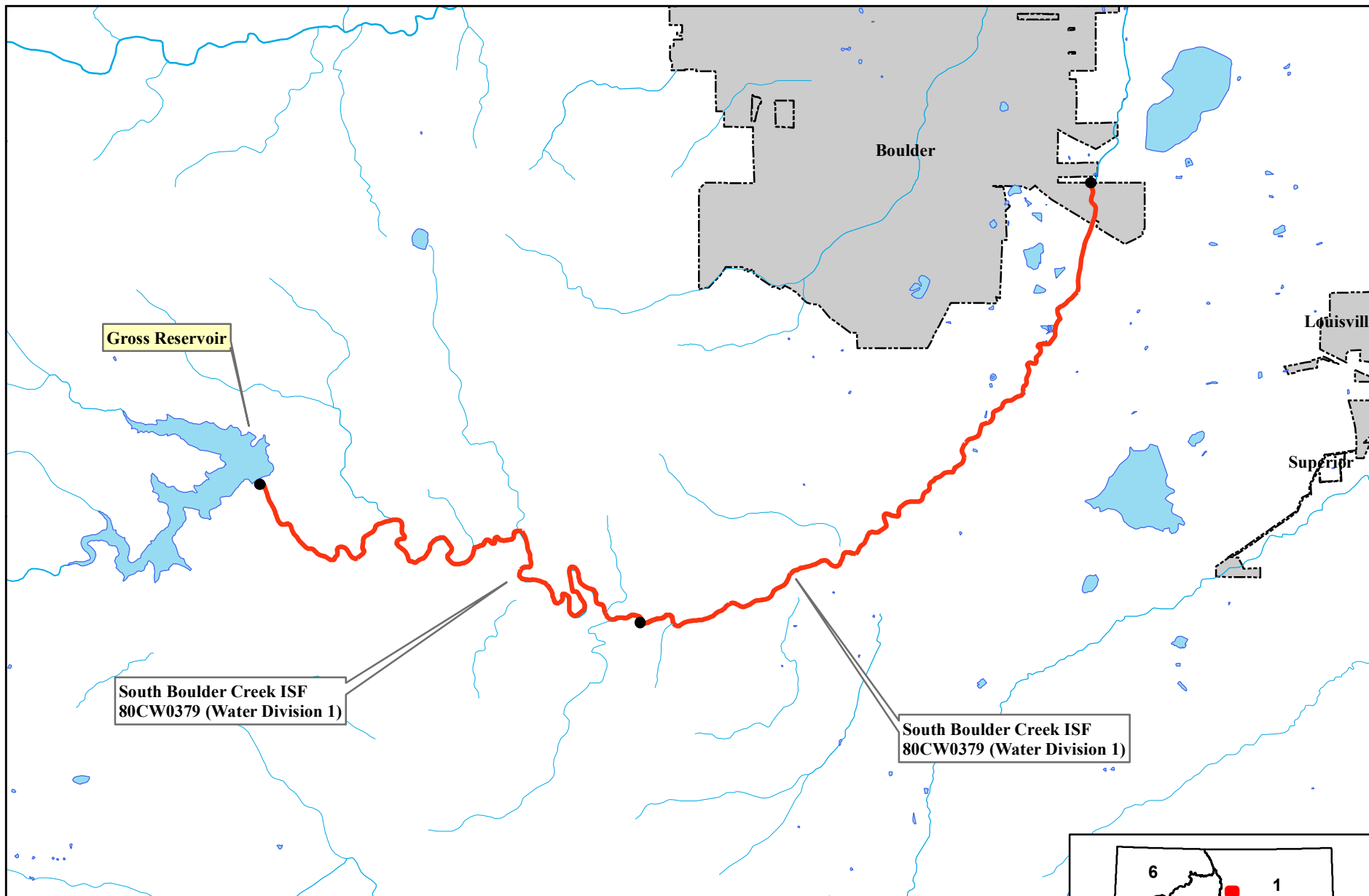
- CWCB has exclusive authority to hold instream flow water rights. The stored water right should not be used for instream flow absent an agreement with CWCB.

**Other Objectors**

Statements of Opposition were also filed by Arapahoe County Water And Wastewater Authority, Central Colorado Water Conservancy District and the Ground Water Management Subdistrict of the Central Colorado Water Conservancy District and the Well Augmentation Subdistrict of the Central Colorado Water Conservancy District, the City and County of Denver Board of County Commissioners, East Cherry Creek Valley Water And Sanitation, Eldora Enterprises LLC, Public Service of Colorado, and Water Users Association of District No. 6.

**Attorney Representing CWCB**

Jennifer L. Mele, First Assistant Attorney General, is assigned to this case and can be contacted at [jennifer.mele@coag.gov](mailto:jennifer.mele@coag.gov), or 720-508-6282.



March 21-22, 2018 CWCB Board Meeting  
Consent Agenda Item 1f: Statement of Opposition  
Case No. 17CW3212 (Water Division 1)  
City of Lafayette and City of Boulder

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