

Consent Agenda Item 1.c

July 18-19, 2018 Board Meeting

Case No. 18CW3033 (Water Division 2); Sheep Camp Holdings, LLC

Summary of Water Court Application

Application for change of water right and approval of plan of augmentation.

Staff Recommendation

Staff recommends that the Board ratify the filing of a Statement of Opposition that was filed on behalf of the Board in June 2018 to protect CWCB's instream flow water rights.

CWCB Instream Flow Water Rights

The CWCB holds water rights, including the following instream flow water rights in Water Division 2 in the Purgatoire Watershed, that could be injured by this application:

Case Number	Stream	Upper Terminus	Lower Terminus	CFS Rate (Dates)	Approp. Date
09CW0090	Purgatoire River	confl M/N Fork Purgatoire River	confl Lopez Canyon	21 (5/15 - 8/15) 15 (8/16 - 9/15) 8.4 (9/16 - 11/30) 7 (12/1 - 4/14) 8.4 (4/15 - 5/14)	01/27/2009
09CW0088	South Fork Purgatoire River	confl unnamed tributary	confl Torres Canyon	18 (6/1 - 6/30) 13 (7/1 - 8/15) 5 (8/16 - 10/15) 3 (10/16 - 4/30) 9.6 (5/1 - 5/31)	01/27/2009

Potential for Injury

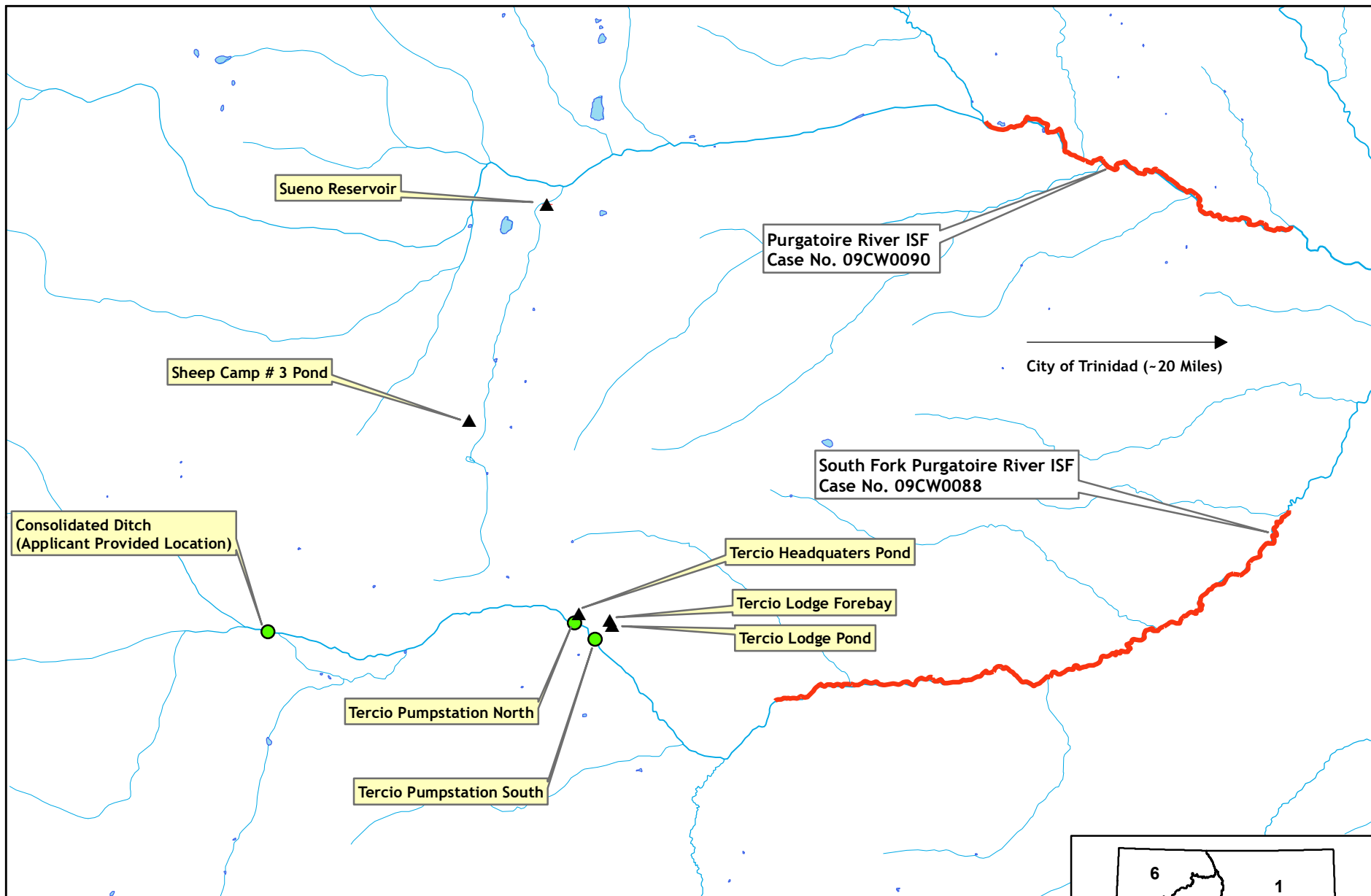
- The proposed plan for augmentation and exchange may not replace depletions in the proper time, place and amount, which could injure the CWCB's instream flow water rights.
- The proposed change of water rights could cause an expansion of use and could alter the time, place and amount of historical return flows, which could injure the CWCB's instream flow water rights.
- The proposed change in places of storage and points of diversion to upstream locations could injure the CWCB's instream flow water rights.

Other Objectors

Statements of Opposition were also filed by Hill Ranch and River Canyon Ranch, Pioneer Natural Resources USA, Inc., Timber Creek Energy LLC., and Stonewall Mountain Ranch, LLC.

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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