

Consent Agenda Item 1.b

January 28-29, 2019 Board Meeting

Case No. 18CW3162 (Water Division 5); Connell Development Co.

Summary of Water Court Application

Applicant requests a storage water right and approval of a plan for augmentation.

Staff Recommendation

Staff recommends that the Board ratify the filing of a Statement of Opposition filed on behalf of the Board in December 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 right in Water Division 5 in the Roaring Fork Watershed, that could be injured by this application:

Case Number	Stream	Upper Terminus	Lower Terminus	CFS Rate (Dates)	Approp. Date
73W1955	Fryingpan River	confl NF Fryingpan River	confl Ruedi Reservoir	30-200 (dates vary)	07/12/1973

Potential for Injury

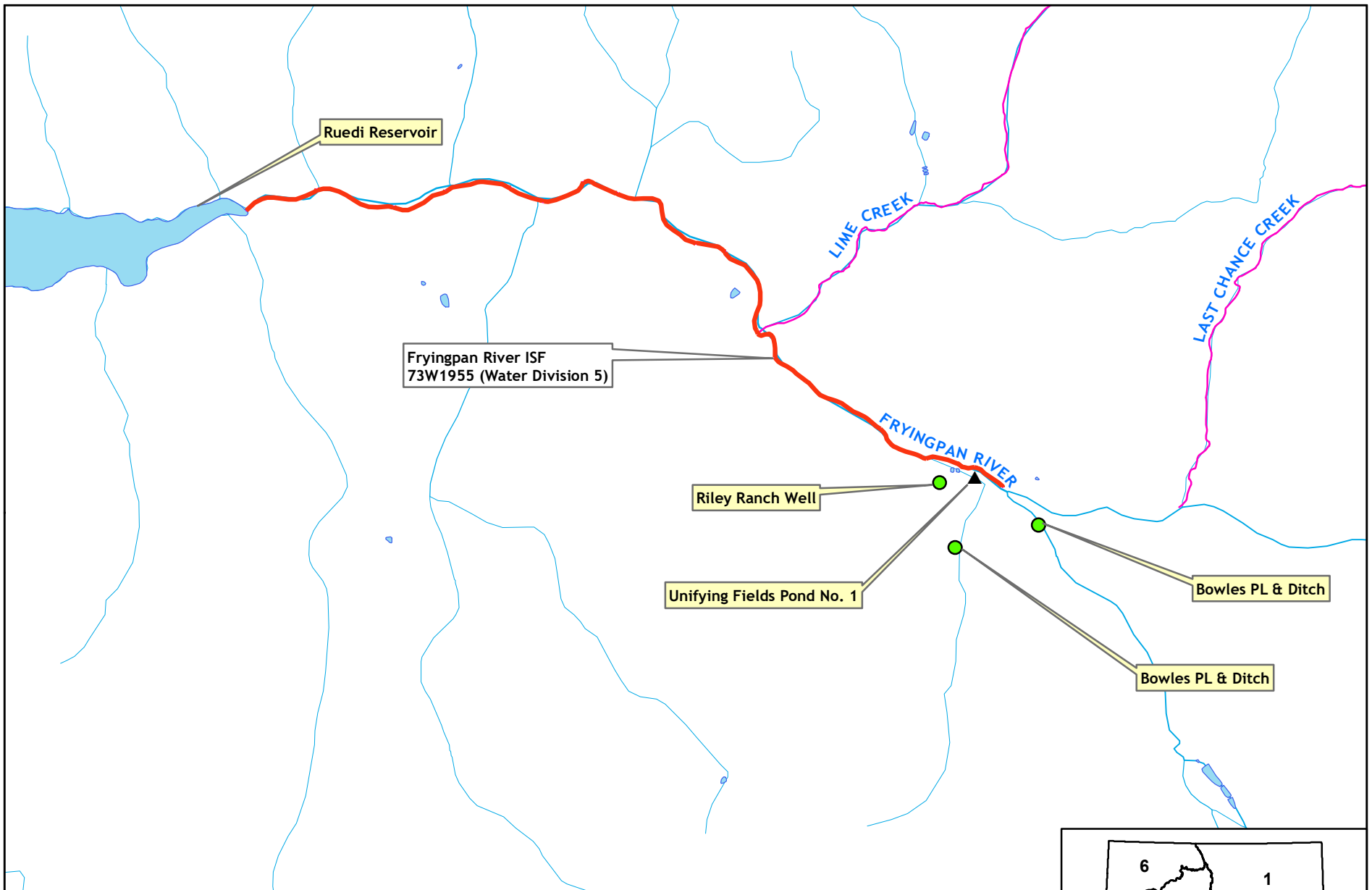
- The proposed plan for augmentation and exchange may not replace depletions in the proper time, place and amount, which could injure the CWCB's instream flow water rights.
- The application does not present sufficient information to fully evaluate the extent to which the Board's instream flow rights may be injured.

Other Objectors

Statements of Opposition were also filed by the Colorado River Water Conservation District and Southeastern Colorado Water Conservancy District.

Attorney Representing CWCB

Marc D. Sarmiento, Assistant Attorney General, is assigned to this case and can be contacted at marc.sarmiento@coag.gov, or 720-508-6429.



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Case No. 18CW3162 (Water Division 5)
Application of Connell Development Co.

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