

Consent Agenda Item 1.b

January 29-30, 2024 Board Meeting

Case No. 23CW3152 (Water Division 5); Treasure Mountain Ranch Inc.

Summary of Water Court Application

Application for Geothermal Water Right.

Staff Recommendation

Staff recommends that the Board ratify the filing of a Statement of Opposition filed on behalf of the Board in December 2023 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 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
W-2720 (1975)	Crystal River	Confl Avalanche Creek	Confl Roaring Fork River	60 (10/1 - 4/30) 100 (5/1 - 9/30)	05/01/1975
W-2721 (1975)	Crystal River	Confl Carbonate Creek	Confl Avalanche Creek	40 (10/1 - 4/30) 80 (5/1 - 9/30)	05/01/1975
80CW0119	Crystal River	Confl Yule Creek	Confl Carbonate Creek	45 (1/1 - 12/31)	03/17/1980
80CW0120	Crystal River	Confl NF & SF Crystal River	Confl Yule Creek	35 (1/1 - 12/31)	03/17/1980
80CW0128	North Fork Crystal River	Headwaters	Confl SF Crystal River	20 (1/1 - 12/31)	03/17/1980

Potential for Injury

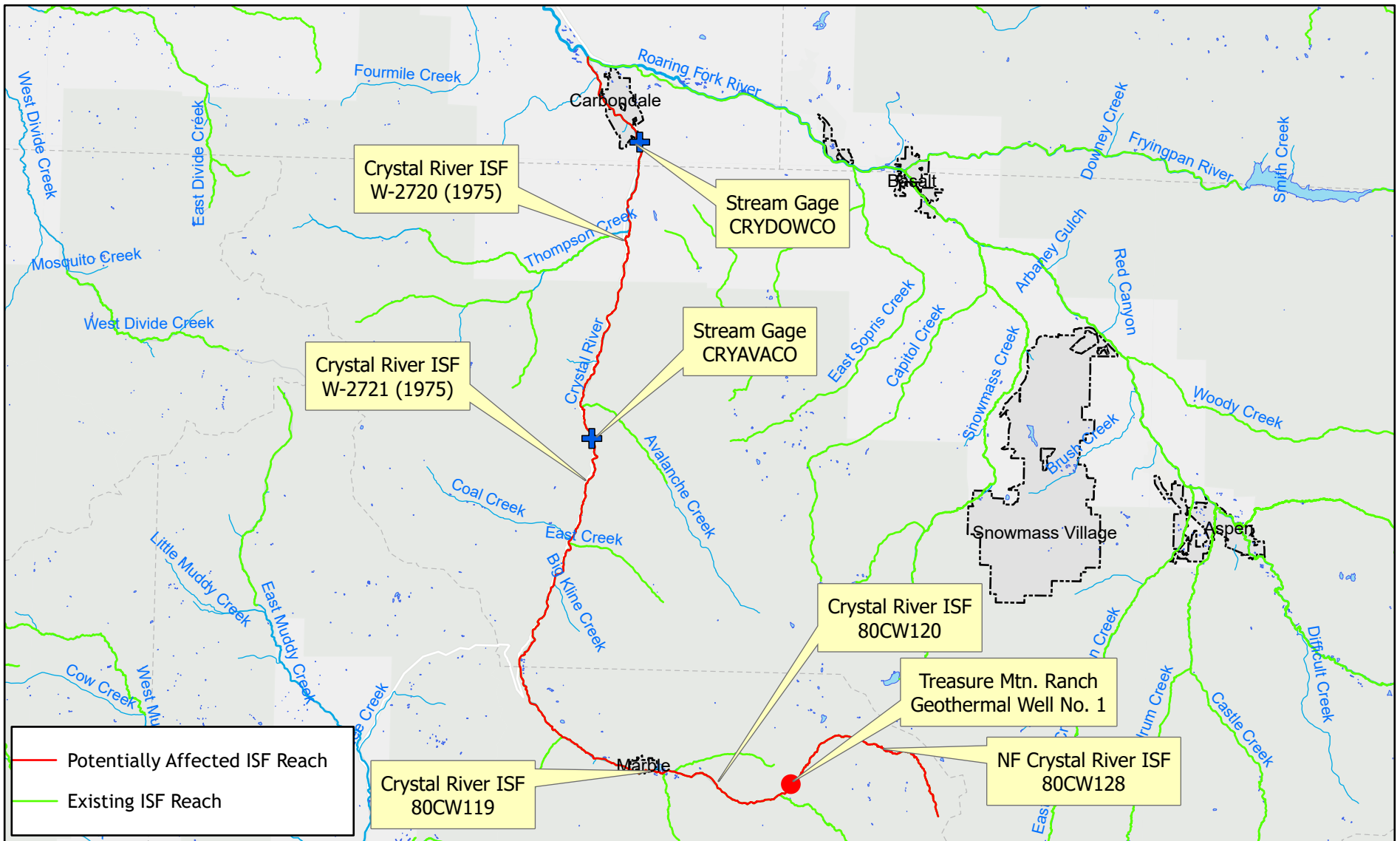
- The Applicant will need a plan for augmentation to replace out-of-priority depletions in the proper time, place, and amount, to prevent injury to the CWCB's instream flow water rights. To date, no such plan for augmentation has been filed.

Other Objectors

No other Statements of Opposition have been filed, although the deadline of January 31, 2024 has not yet occurred.

Attorney Representing CWCB

Christopher J. Davis, Assistant Attorney General, is assigned to this case and can be contacted at christopher.davis@coag.gov, or 720-508-6280.



COLORADO
Colorado Water Conservation Board

Department of Natural Resources

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 Opposition Case No. 23CW3152 (Water Division
 5) Treasure Mountain Ranch, Inc.

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