

**Consent Agenda Item 1.g**

March 13-14, 2024 Board Meeting

Case No. 23CW3218 (Water Division 5); Sun River Run Ranch RV, LLC and Town of Granby

**Summary of Water Court Application**

Application for Conditional Water Storage Rights, Conditional Surface Water Rights, Appropriative Rights of Exchange, Approval of Points of Rediversion, and 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 February 2024 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 Colorado River headwaters watershed, that could be injured by this application:

Case Number	Stream	Upper Terminus	Lower Terminus	CFS Rate (Dates)	Approp. Date
80CW0446	Colorado River	confl Williams Fork River	confl Troublesome Creek	135 (1/1 - 12/31)	07/08/1980
80CW0447	Colorado River	hdgt Windy Gap Project div	confl Williams Fork River	90 (1/1 - 12/31)	07/08/1980
80CW0448	Colorado River	confl Troublesome Creek	confl Blue River	150 (1/1 - 12/31)	07/08/1980
90CW0300	Colorado River	outlet Granby Res	confl Fraser River	40 (5/1 - 8/31) 20 (9/1 - 4/30)	11/27/1990
90CW0308	Fraser River	confl Crooked Creek	confl Colorado River	30 (5/15 - 9/15) 19 (9/16 - 5/14)	11/27/1990

**Potential for Injury**

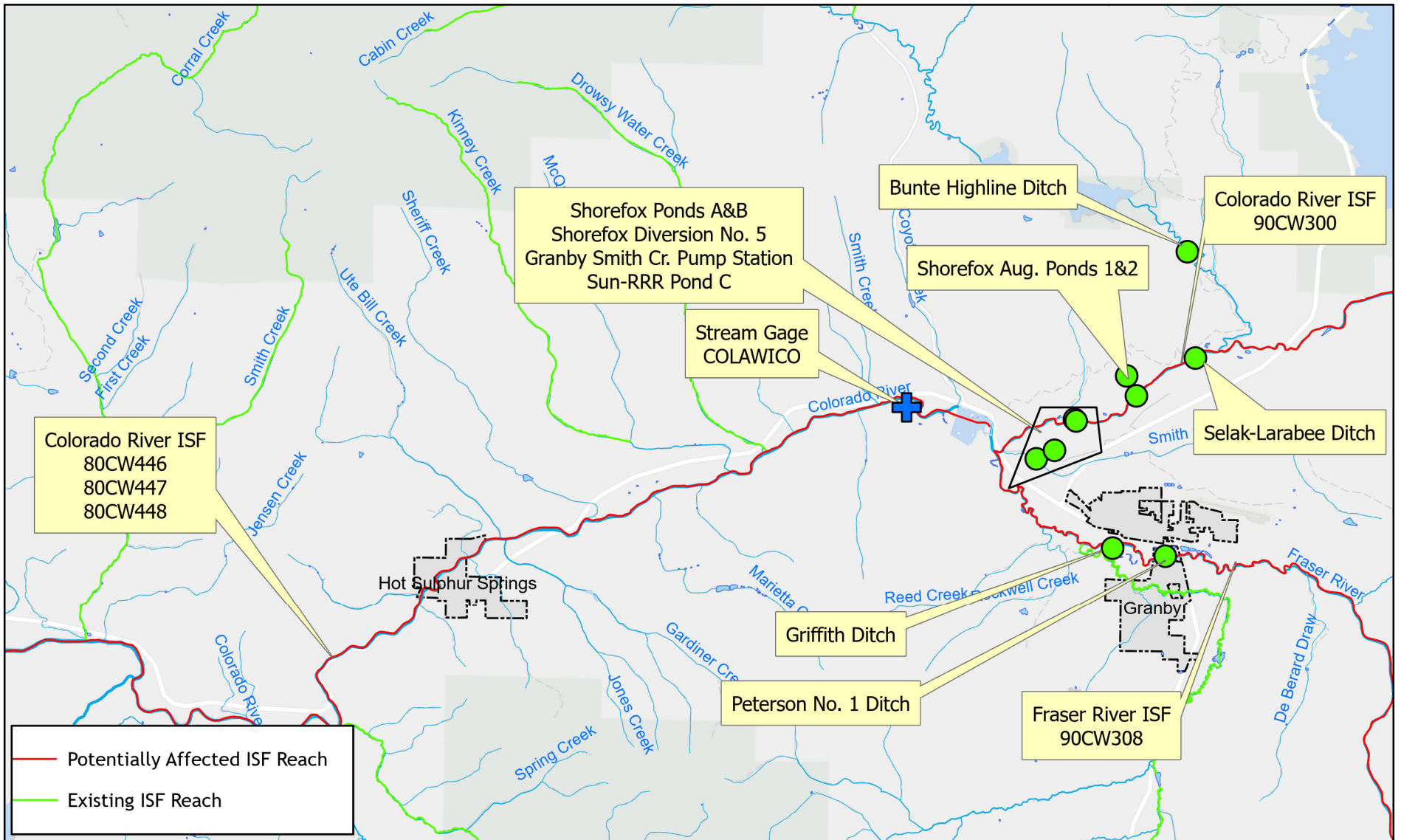
- The proposed plan for augmentation and exchange may not replace depletions in the proper time, place, and amount, which could injure the CWCB's instream flow water rights.
- Terms and conditions should be included in the decree to ensure that the proposed decree will not injure the CWCB's instream flow water rights.

**Other Objectors**

Statements of Opposition were also filed by: Gary Nordloh, and Alice Marie Nordloh Family Protection Trust, Gary Lee Nordloh, Trustee; Three Lakes Water and Sanitation District; Northern Colorado Water Conservancy District (“Northern Water”); Municipal Subdistrict, Northern Colorado Water Conservancy District (“Subdistrict”); Grand County Water and Sanitation District #1; Winter Park Water and Sanitation District; Grand Valley Water Users Association, Orchard Mesa Irrigation District; Ute Water Conservancy District, acting by and through the Ute Water Activity Enterprise; GRCO LLC, Colorado River Water Conservation District, acting by and through its Colorado River Water Projects Enterprise (“River District”); C Lazy U Ranch Holdings, LLC, C Lazy U Ranch Development, LLC; and Aspen Shorefox, LLC.

**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.



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Department of Natural Resources

