

Consent Agenda Item 1.a

September 18-19, 2024 Board Meeting

Case No. 24CW3022 (Water Division 4); James G. Oates Trust Dated September 18, 1990

Summary of Water Court Application

Application For Absolute Surface Water Right And Change Of Water Rights.

Staff Recommendation

Staff recommends that the Board ratify the filing of a Statement of Opposition filed on behalf of the Board in July 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 right in Water Division 4 in the Upper Gunnison River Watershed, that could be injured by this application:

Case Number	Stream	Upper Terminus	Lower Terminus	CFS Rate (Dates)	Approp. Date
80CW0112	Ohio Creek	confl Mill Creek	confl Gunnison River	12 (1/1 - 12/31)	03/17/1980

Potential for Injury

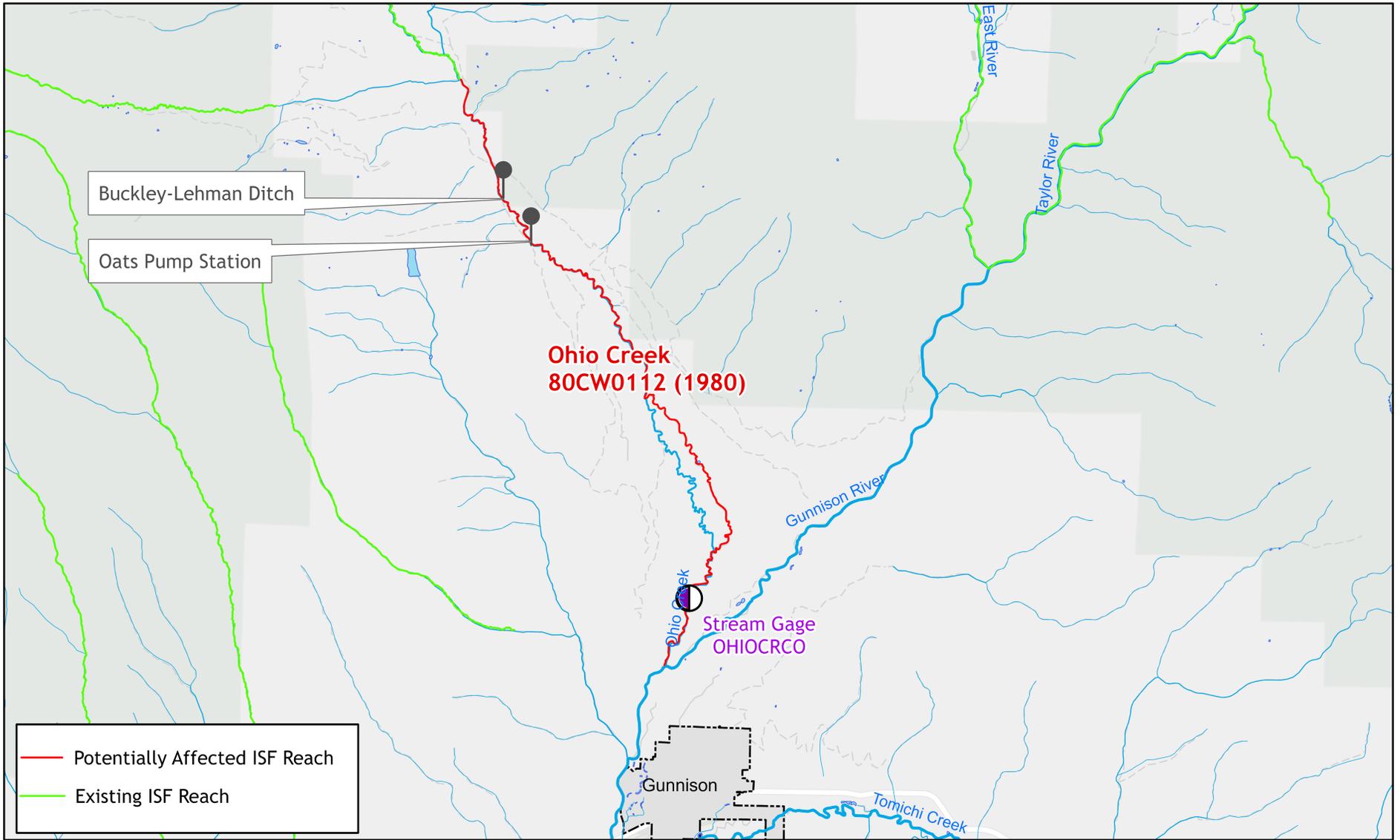
- The proposed change of water rights could cause an expansion of use and could alter the time, place, and amount of historical return flows, which could injure the CWCB’s instream flow water rights.
- Terms and conditions should be included in any decree entered in this case to ensure that the Applicant’s claims will not injure the CWCB’s instream flow water right.

Other Objectors

No other Statements of Opposition were filed.

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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