



COLORADO
**Colorado Water
Conservation Board**
Department of Natural Resources

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TO: Colorado Water Conservation Board Members

FROM: Colin Watson, Water Resources Engineer
Stream and Lake Protection Section

DATE: March 19, 2025

AGENDA ITEM: 7.a - Request for Authorization to Proceed to Trial in Active Opposition
Case No. 20CW3208 (Water Division 1): Application of Montava Partners
LLC (fka HF2M, Inc.)

Staff Recommendation:

Pursuant to ISF Rule 8.j., Staff recommends that the Board authorize Staff to proceed to trial in the case identified in Table 1 to protect CWCB's instream flow water rights in the event that Staff and the Attorney General's office are unable to reach a settlement with Applicants before trial, or if CWCB settles before trial, to defend its stipulation at trial if necessary.

Table 1:

Item	Case No.	Applicant	Trial Date (No. of Days)	CWCB Statement of Opposition Date
7.a	20CW3208 (Division 1)	Montava Partners LLC (fka HF2M, Inc.)	April 21, 2025 (15 days)	February 19, 2021

Background:

Staff does not anticipate participating in trial but CWCB has not yet finalized a stipulation in this case. Trial has been set to begin on April 21, 2025, which would occur prior to the next CWCB board meeting. Staff may need to participate at this trial to protect CWCB's instream flow water rights, or for the limited purpose of defending CWCB's stipulation.

Case Summary:

Applicant seeks approval for water rights, a change of water rights, a plan for augmentation and appropriative rights of exchange which could injure CWCB's instream flow water rights in the Cache la Poudre River Watershed. Other opposers have not yet settled and the case remains open before the water court.

