

Consent Agenda Item 1.d

March 19-20, 2025 Board Meeting

Case No. 24CW3056 (Water Division 4); 1700 Trout Lake LLC

Summary of Water Court Application

Application for Groundwater Rights, Storage Right, Surface Right, Approval of Plan for Augmentation, and Appropriative Right of Exchange.

Staff Recommendation

Staff recommends that the Board ratify the filing of a Statement of Opposition filed on behalf of the Board in February 2025 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 4 in the Lower Dolores River and San Miguel River Watersheds, that could be injured by this application:

Case Number	Stream	Upper Terminus	Lower Terminus	CFS Rate (Dates)	Approp. Date
84CW0431	Lake Fork	headwaters in vicinity	confl Trout Lake	2.5 (1/1 - 12/31)	07/13/1984
84CW0432	Lake Fork	outlet Priest Lakes	confl Howard Fk	5 (1/1 - 12/31)	07/13/1984
84CW0430	South Fork San Miguel River	confl Howard Fk & Lake Fk	confl San Miguel River	9 (1/1 - 12/31)	07/13/1984
84CW0429	San Miguel River	confl S Fk San Miguel River	conf Fall Creek	20 (1/1 - 12/31)	07/13/1984
02CW0277	San Miguel River	confl Fall Creek	pt immed u/s of confl Horsefly Cr	93 (5/1 - 10/14) 61 (10/15 - 4/30)	01/23/2002
11CW0129	San Miguel River	confl Calamity Draw	confl Dolores River	325 (4/15 - 6/14) 170 (6/15 - 7/31) 115 (8/1 - 8/31) 80 (9/1 - 2/29) 115 (3/1 - 4/14)	01/25/2011
15CW3111	Dolores River	confl San Miguel River	private road bridge	900 (4/15 - 6/14) 400 (6/15 - 7/15) 200 (7/16 - 8/14) 100 (8/15 - 3/15) 200 (3/16 - 4/14)	01/28/2014

Potential for Injury

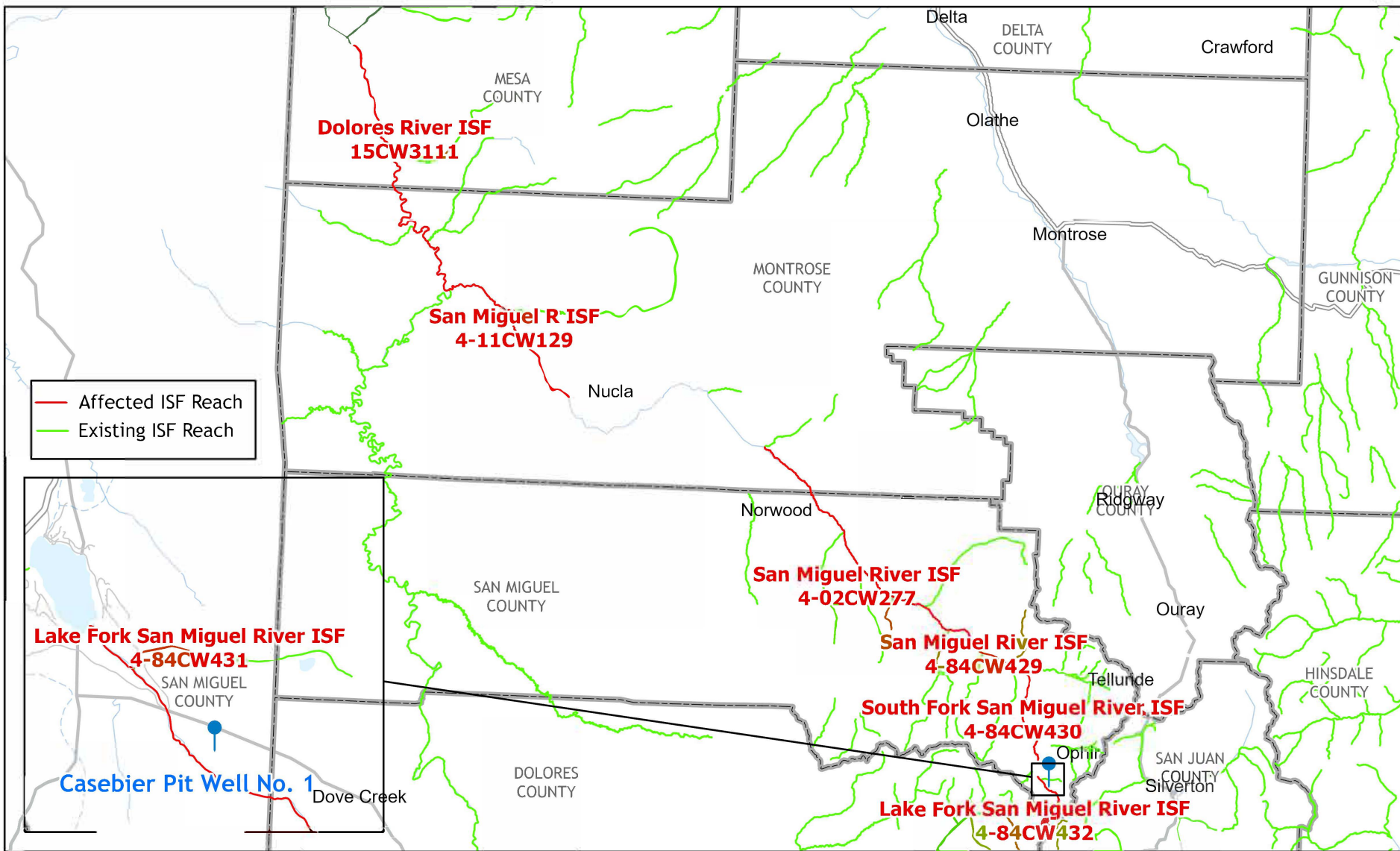
- The proposed plan for augmentation and exchange may not replace depletions in the proper time, place, and amount, which could injure the CWCB's instream flow water rights.
- Terms and conditions should be included in the decree to ensure that the proposed change will not injure the CWCB's instream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

Other Objectors

A Statement of Opposition was also filed by Public Service Company of Colorado.

Attorney Representing CWCB

John R. Newman, Assistant Attorney General, is assigned to this case and can be contacted at john.newman@coag.gov, or 720-508-6860.



COLORADO

**Colorado Water
Conservation Board**

Department of Natural Resources

March 19-20, 2025 CWCB Board Meeting
CA1d. Statement of Opposition
Case No. 24CW3056 (Water Division 4)
1700 Trout Lake LLC

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