

Consent Agenda Item 1.e

March 19-20, 2025 Board Meeting

Case No. 24CW3171 (Water Division 5); Casteel Creek Ranch Property Owners Association

Summary of Water Court Application

Application for Surface Water Right, Underground Water Right, Storage Water Right, Plan for Augmentation, and Approval of Supplemental Plan for Augmentation Including Exchange Project.

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 5 in the Eagle River Watershed, that could be injured by this application:

Case Number	Stream	Upper Terminus	Lower Terminus	CFS Rate (Dates)	Approp. Date
80CW0122	West Lake Creek	headwaters in vicinity	Forest Service boundary	5 (1/1 - 12/31)	03/17/1980
80CW0124	Eagle River	confl Brush Creek	confl Colorado River	50 (10/1 - 4/30) 130 (5/1 - 9/30)	03/17/1980
80CW0126	Eagle River	confl Lake Creek	confl Brush Creek	45 (10/1 - 4/30) 110 (5/1 - 9/30)	03/17/1980

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

Statements of Opposition were also filed by Lake Creek Metropolitan District; Pilgrim Downs Homeowners Association; and Thomas Gart.

Attorney Representing CWCB

Trevor D. Rogan, Assistant Attorney General, is assigned to this case and can be contacted at trevor.rogan@coag.gov, or 720-508-6865.



COLORADO
Colorado Water Conservation Board

Department of Natural Resources

March 19-20, 2025 CWCB Board Meeting
CA1e. Statement of Opposition
Case No. 24CW3171 (Water Division 5)
Casteel Creek Ranch Property Owners Association

0 1.5 3 6
Miles

