

Consent Agenda Item 1.a

November 15-16, 2023 Board Meeting

Case No. 22CW3010 (Water Division 5); Sopris Mountain Ranch Homeowners' Association, Inc.

Summary of Water Court Application

Amended Application For Surface Water Rights.

Staff Recommendation

Staff recommends that the Board ratify the filing of a Statement of Opposition filed on behalf of the Board in September 2023 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 Roaring Fork River watershed, that could be injured by this application:

Case Number	Stream	Upper Terminus	Lower Terminus	CFS Rate (Dates)	Approp. Date
W-2939 (1976)	West Sopris Creek	headwaters	confl East Sopris Creek	3 (1/1 - 12/31)	01/14/1976
W-2951 (1976)	Sopris Creek	confl E&W Sopris Creeks	confl Roaring Fork River	5 (1/1 - 12/31)	01/14/1976
85CW0639 (Div. 5)	Roaring Fork River	confl Fryingpan River	confl Crystal River	75 (10/1 - 3/31) 145 (4/1 - 9/30)	11/08/1985

Potential for Injury

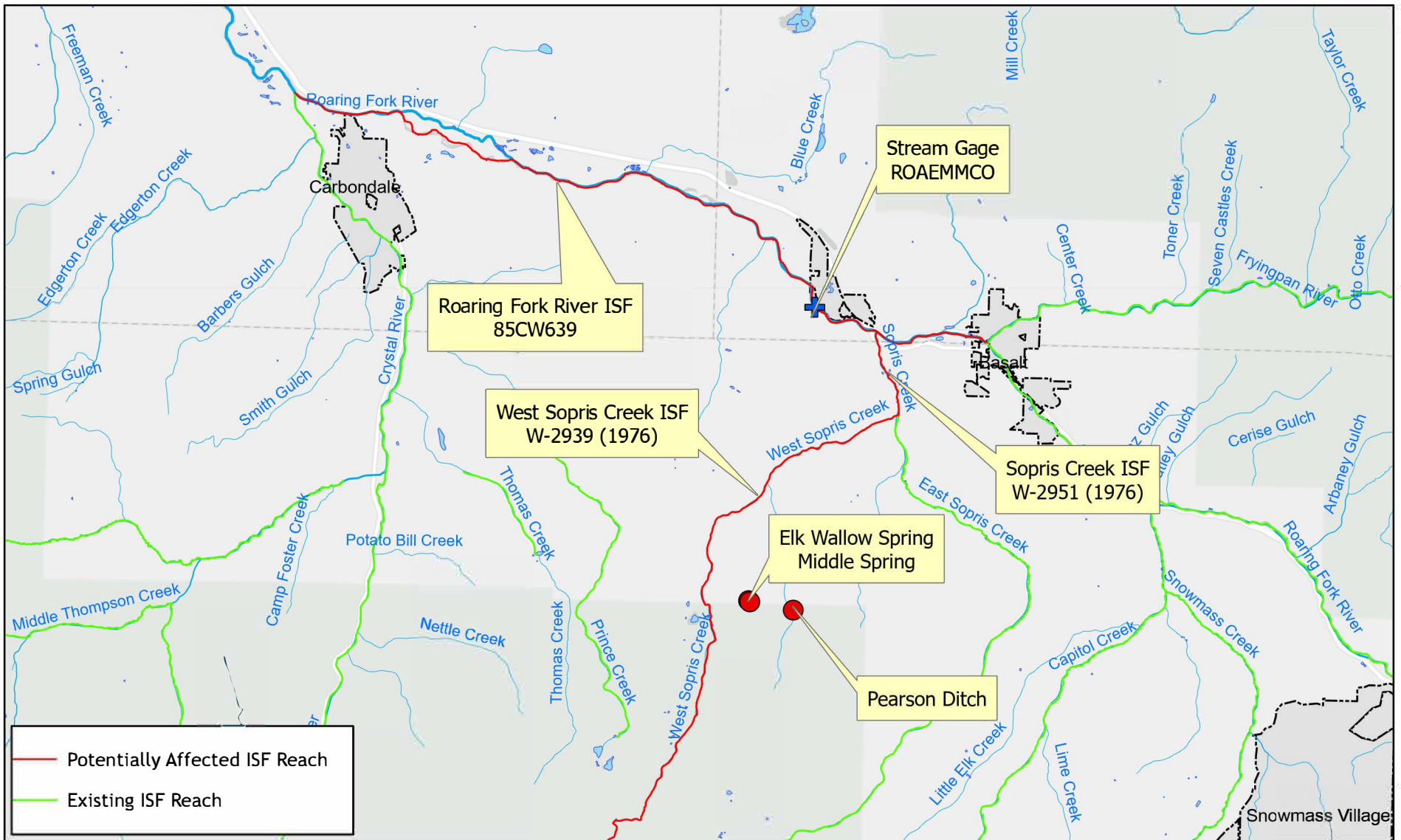
- Applicant claims some water rights with appropriation dates prior to the appropriation of CWCB's instream flow water rights. The CWCB's instream flow water rights may be subject to the beneficial uses in existence on the date of such instream flow appropriation under section 37-92-102(3)(b), C.R.S., so long as the uses are sufficiently demonstrated and documented.
- For any decree entered in this case, terms and conditions should be included 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 Deadwood Ranch I, LLC , and the United States of America-U.S.D.A. Forest Service.

Attorney Representing CWCB

Rebecca L Crotty, Assistant Attorney General, is assigned to this case and can be contacted at rebecca.crotty@coag.gov, or 720-508-6260.



— Potentially Affected ISF Reach
 — Existing ISF Reach



COLORADO
Colorado Water Conservation Board

Department of Natural Resources

November 15-16, 2023 CWCB Board Meeting
 Consent Agenda Item 1a: Statement of Opposition
 Case No. 22CW3010 (Water Division 5)
 Sopris Mountain Ranch HOA, Inc.

