

15CW3111 Dolores Instream Flow

Beth Van Vurst summarized Judge Patrick’s order granting the CWCB’s motion for summary judgment in case number 15CW3111, the Dolores River instream flow appropriation. SWCD and the River District had filed statements of opposition in the case, asserting that CWCB has the authority to insert an additional condition in the appropriation filing to allow for an up to one percent allowance for future depletions by small-scale water users. Beth summarized background about the case. Judge Patrick denied the Conservation Districts’ request for the one percent allowance due to insufficient scientific and factual evidence for the proposed amount. The Dolores instream flow appropriation was granted by the court. Any notice of appeal of the decision would be due on May 29.

Executive Session

Beth Van Vurst recommended that the board go into executive session for the purpose of discussing the Dolores River instream flow appropriation, case number 15CW3111. The statute covering this session is § 24-6-402(4)b, C.R.S., “conferences with an attorney for the district for the purpose of receiving legal advice on specific legal questions.” Monte Naslund moved that the board go into executive session. David Guilliams seconded. The motion passed unanimously.

Beth Van Vurst announced that the board was out of executive session, during which no action was taken. The board discussed the Dolores River instream flow appropriation, case number 15CW3111.

Monte Naslund moved to adjourn the meeting. David Guilliams seconded. The motion passed unanimously.

Next Meetings

Wednesday, May 2	9:00am	Board Teleconference
Tuesday, June 5	9:00am	Regular Board Meeting

Robert Wolff, Board President