

Water & Sewer Agenda Summary

Date: August 17, 2022

Key Staff Contact: Leah Hubbard, Water Resources Operations Manager

Title: Outside Water Council Legal Report

Summary: The Attached Report has been provided by Ms. Carolyn F. Burr, Esq. with Welborn Sullivan Meck & Tooley, P.C.

Based on a review of the June 2022 Water Court Resume, staff and water counsel recommend that the Board file statements of opposition in the following case:

- a. Case Number: **22CW3084**: Town of Windsor application for diligence and to make a portion of the Kyger Reservoir storage right absolute. Kyger Reservoir is decreed for 1,256.7 AF. 609.8 AF were decreed absolute 2014. Windsor is claiming an additional 513 AF as absolute. We recommend that Greeley file a statement of opposition to ensure that water was legally and physically available in the claimed amount of 513 AF.

Recommended Action:

Staff recommends entry into the water court case **22CW3084**.

Proposed Motion Language:

"I move that the Board authorize the filing of statements of opposition in Case No. 22CW3084, and for staff and legal counsel to seek resolution of issues raised by this case consistent with Water and Sewer Board Resolution No. 3-15."

Attachments:

1. Legal Report for August 2022