

Legal Report
Greeley Water and Sewer Board Meeting
April 20, 2022

- I. Statements of Opposition:** Based on a review of the February 2022 Water Court Resume, staff and water counsel recommend that the Board file statements of opposition in the following cases:
- a. Case Number: **22CW3022:** Central Colorado Water Conservancy District and the Ground Water Management Subdistrict application to change 6.5 shares of the Greeley Canal No. 3 and Fossil Creek Reservoir. Central is proposing to change the shares based on the Poudre Prairie decree methodology. However, the allocation of shares to particular use categories is complex. We recommend that Greeley file a statement of opposition to ensure that the change of GIC shares is consistent with other GIC change decrees, that appropriate dry up is ensured and that there is no injury to Greeley's GIC share interests.
 - b. Case Number: **22CW3024:** Application by Central and GMS for diligence and to make partially absolute the Geisert Reservoir water rights located on the Poudre. Central is claiming just over 19 cfs of the 55 cfs decreed fill rate absolute, and they are claiming that 1,957 AF of the 2200 AF initial fill have been made absolute. We recommend filing a statement of opposition to ensure that the amounts claimed by Central as absolute are accurate. Greeley has an ongoing interest in the Geisert Reservoir in that it leases augmentation water to Weld County for Weld County's interest in Geisert.
- II. Proposed Motion Language:** "I move that the Board authorize the filing of statements of opposition in Case Nos. 22CW3022 and 22CW3024, and for staff and legal counsel to seek resolution of issues raised by these cases consistent with Water and Sewer Board Resolution No. 3-15."