

January 21, 2010

Board of Directors  
CWCB  
1313 Sherman St  
Room 721  
Denver, Colorado  
80203

Dear Members

I am writing this letter in support of CWCB's staff recommendation to protect the instream flow of Morrison Creek located in Routt County. I strongly urge the Board to follow their recommendation.

My family has owned property on Morrison Creek for approximately 40 years. We have enjoyed use of the stream for trout fishing and recreation. We built a cabin near the creek and use it frequently for family reunions. In fact, we followed my father's wishes and buried him on a site overlooking the Creek in 1982.

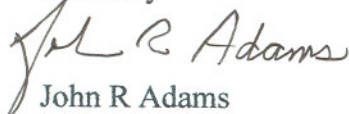
The area is home to an abundant number of wildlife including elk, deer, bear, mountain lion, coyote and occasional moose. Morrison Creek is a vital component of their ecosystem. In addition, the area of the Creek recommended for protection embodies one of the most spectacular river canyons in Routt County if not the entire State.

One important tributary to Morrison Creek is Silver Creek. CWCB has already wisely protected the instream flow of Silver Creek. It makes logical sense to continue this protection down stream until Morrison Creek reaches the Yampa River below Stagecoach Reservoir.

In my opinion, Morrison Creek epitomizes Colorado's wild and scenic beauty which we all hope to enjoy for decades to come. Protecting it is the absolute right thing to do.

Thank You for considering Morrison Creek as part of CWCB's inflow protection program.

Sincerely

A handwritten signature in cursive script that reads "John R. Adams". The signature is written in dark ink and is positioned above the printed name.

John R Adams  
Flying Diamond Resources

## Viehl, Rob

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**From:** Bassi, Linda  
**Sent:** Thursday, September 17, 2009 10:03 AM  
**To:** Viehl, Rob  
**Cc:** Baessler, Jeffrey  
**Subject:** FW: Morrison Creek instream flow discussion

Please keep (and post) this with the other letters regarding the Morrison Creek ISF recommendation. thanks.

-----Original Message-----

**From:** Peter Van De Carr [mailto:[peter@backdoorsports.com](mailto:peter@backdoorsports.com)]  
**Sent:** Wednesday, September 16, 2009 7:29 AM  
**To:** Bassi, Linda  
**Cc:** [peter@backdoorsports.com](mailto:peter@backdoorsports.com)  
**Subject:** Morrison Creek instream flow discussion

Colorado Water Conservation Board  
Department of Natural Resources  
1313 Sherman Street, Room 721  
Denver, CO 80203

Dear Board,

On behalf of the Friends of the Yampa, a river advocacy group based in Steamboat Springs and founded in 1980, we would like to express our support for the proposed instream flow on Morrison Creek.

The Friends of the Yampa are strong supporters of instream flows be it for low flow conditions or allowing for high water peaks; both of which are equally important for recreational and environmental resources and the health of each and every aquatic system in Colorado.

Morrison Creek is important to our Upper Basin as it contributes water and habitat to the Yampa tailwaters below Stagecoach which supports a rainbow trout fishery that is unparalleled in our basin.

Though we understand that there are some in the Upper Yampa Water Conservancy District who oppose this filing and wish to postpone it, we believe that the CWCB should move forward and decree an instream flow on this creek. The reasons for this are not to block or impede any future water development potentials on this creek, but to provide for the base flows in the system, something that we feel strongly should be on any and all creek, stream or river.

We'd like to commend you in advance for allowing us the opportunity for public comment and hope that you do move forward with this filing. Thank you for the past, current and future work you do with instream flows. It is critical for us as a State to protect these flows.

Thanks again.

Peter Van De Carr, Director

Friends of the Yampa  
PO Box 774703  
Steamboat Springs, CO 80477



**COLORADO  
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COALITION**

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**DENVER**  
1536 W. 1st Street, 5C  
Denver, CO 80202  
303.534.7066

**GRAND JUNCTION**  
546 Main Street, #402  
Grand Junction, CO 81501  
970.243.0002

**CRAIG**  
11 W. Victory Way, #208  
Craig, CO 81625  
970.824.5241

September 4, 2009

Colorado Water Conservation Board  
Department of Natural Resources  
1313 Sherman Street, Room 721  
Denver, CO 80203

Dear Board,

The undersigned organizations, which represent xxxx thousand Colorado citizens, would like to extend our support for the proposed Instream Flow Filing on Morrison Creek. We commend CWCB staff in the work that has been completed thus far, in compiling a well thought out detailed recommendation. This filing will help provide critical flows to preserve Morrison Creek, while balancing the needs of other water users in the Yampa River Basin.

We are aware that some stakeholders have requested this filing be delayed for 2 years, we feel this is unnecessary as the CWCB has a detailed and extended process by which to accommodate concerns raised by all stakeholders. The process by which the CWCB appropriates water rights, provides ample time for all stakeholders to engage in the filing and voice concerns, this additional 2 year delay is unneeded.

Additionally it is our understanding that the Morrison Creek Reservoir Application is likely to see a water right decreed before the end of 2009. Because this project is likely to have water rights senior to any appropriated by the Board, we feel it is prudent to move forward with the Staff's recommendation at this time.

We look forward to your consideration of Staff's recommendation and encourage you to support moving forward on the Morrison Creek instream flow appropriation.

Sincerely,

Becky Long  
Colorado Environmental Coalition

**MORRISON CREEK METROPOLITAN WATER & SANITATION DISTRICT**

24490 Uncompahgre Road, Oak Creek, Colorado 80467

Telephone (970) 736-8250 / Fax (970) 736-0177

Email: [info@mcwater.org](mailto:info@mcwater.org)

August 3, 2009

VIA EMAIL

Mr. Jeff Baessler

Stream and Lake Protection Section

Colorado Water Conservation Board

Denver, CO

Re: Proposed Instream Flow Recommendation on Morrison Creek in Water Division 6

Dear Mr. Baessler,

The Morrison Creek Metropolitan Water and Sanitation District (MCMWSD) is the entity which is responsible for providing water and sanitation services to the Stagecoach subdivisions south of Steamboat Springs. The MCMWSD currently serves approximately 400 service connections and has water distribution lines in place which serve another approximately 300 as yet undeveloped lots. In addition there are another approximately 1800 platted lots which currently do not have water distribution lines but which could be serviced in the future. Most of these platted lots lie in the south area of the District which is tributary to Morrison Creek. There is also substantial unplatted land in the District boundaries which is identified for future development in land use plans.

The MCMWSD currently relies on groundwater pumped from the Browns Park aquifer for all of its supply. A water supply master plan has recently been prepared by HRS Water Consultants Inc. for the District. This plan has determined that wells drilled into the Browns Park aquifer could supply the District's needs until close to full buildout. Many of these wells will need to be located in the southern area of the District which is in the Morrison Creek drainage. HRS Water Consultants are currently studying how these wells may affect the surface streamflows.

We are concerned how a premature instream flow designation on Morrison Creek will affect our ability to provide for our service area. We would particularly ask that the designation be delayed until the MCMWSD has completed all masterplanning and investigative studies and has firmed up its future supply. We are also aware of efforts by the Upper Yampa Water Conservancy District to complete projects on Morrison Creek which could provide clear advantage to the MCMWSD for direct supply and/or augmentation purposes.

Thank you for consideration of our concerns and do not hesitate to contact me should you have any questions.

Sincerely,

Steve Colby

**SHARP, STEINKE, SHERMAN & ENGLE LLC**

Attorneys and Counselors at Law  
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P.O. Box 774608  
Steamboat Springs, Colorado 80477  
Telephone: (970) 879-7600 FAX: (970) 879-8162  
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MARK E. STEINKE  
MELINDA H. SHERMAN  
GARY S. ENGLE  
KARINA SERKIN SPITZLEY

THOMAS R. SHARP  
Of Counsel

August 1, 2009

VIA EMAIL

Mr. Jeff Baessler  
Stream and Lake Protection Section  
Colorado Water Conservation Board  
Denver, CO

Re: Proposed Instream Flow for Morrison Creek, Water Division 6

Dear Jeff:

I have been a director for over 30 years of the Upper Yampa Water Conservancy District. I have been general counsel for over 35 years to the Morrison Creek Metropolitan Water and Sanitation District. I am currently the chairman of the Yampa-White River Basin Round Table. I have been involved for more than 30 years in water policy and water development in the Upper Yampa River Basin. I am currently Routt County's representative on the Colorado River Water Conservation District Board of Directors.

I was previously a member for 3 years of the Colorado Water Conservation Board, ending about 2 and ½ years ago. During that period, the BLM proposed a new instream flow appropriation on Morrison Creek. I strongly objected to the new appropriation at that time, and informed the Stream and Lake Protection Section and my fellow board members on the CWCB that the water users, Upper Yampa District, and Morrison Creek Metro District needed to defer any action on Morrison Creek for a new instream flow appropriation for a period of 5 years while we settle out how and where Morrison Creek water can be used and developed to (i) firm up the yield of Stagecoach Reservoir, and (ii) provide supplemental long-term M&I water to the upper basin, including particularly the 11,000-acre Stagecoach area which is an urban growth center in Routt County's master plan and which already has about 700 residents. Indeed, the south end of the Stagecoach area, including more than 1,000 platted lots, lies in the upper reaches of Morrison Creek.

The Board and BLM agreed to defer action on a Morrison Creek instream flow.

Now, only 2 and ½ years later, due to requests other than from BLM, the subject of appropriating instream flows on Morrison Creek has again reached nearly formal stages.

August 1, 2009

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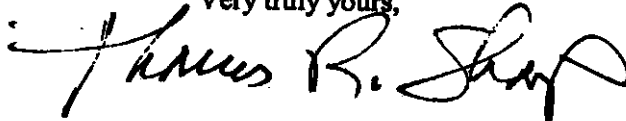
Neither the Upper Yampa District nor the Morrison Creek Metro District have resolved and completed the necessary focus on the location, method, and amounts of Morrison Creek water necessary for M&I development and to firm up Stagecoach Reservoir. The Metro District is still in the middle of its first major water supply master plan by HRS Water Engineers. Unless the proposals to make a new appropriation of instream flow on Morrison Creek are deliberately deferred and delayed for another couple of years at most, at least the Metro District may have to prematurely file for various water rights on upper Morrison Creek before it is even finally determined that such a filing is necessary for the final solution for water supply to the portion of the District on upper Morrison Creek.

I strongly and urgently request that the proposal for an instream flow on Morrison Creek be deferred and delayed for 2 more years, so that the total delay does not exceed the 5 years agreed to by the BLM when I was on the CWCB board.

During that time, the efforts of both the Upper Yampa District and the Metro District may become focused and finalized, so that the future instream flow appropriation will not encumber or impede such efforts.

Thank you for your consideration. Please consider this as my testimony at the August 4 meeting at the Routt County courthouse, which I cannot attend as I will be in the Leadville area.

Very truly yours,

A handwritten signature in black ink, appearing to read "Thomas R. Sharp". The signature is fluid and cursive, with a large, sweeping "S" and "P".

Thomas R. Sharp

:trs

cc: Geoff Blakeslee (via email)  
Kevin McBride (via email)  
Steve Colby (via email)

# Upper Yampa Water Conservancy District



July 31, 2009

Linda Bassi, Esq.  
Stream and Lake Protection Section  
Colorado Water Conservation Board  
1313 Sherman Street, Suite 721  
Denver, CO 80203

**RECEIVED**

**AUG 03 2009**

Colorado Water Conservation Board

Re: Morrison Creek Instream Flow Recommendation

Dear Linda:

The Upper Yampa Water Conservancy District is pursuing several potential projects with the primary objective of providing drought protection to the Upper Yampa Basin. Several of these projects center on Morrison Creek. We have previously discussed these projects with the CWCB, including staff of the Stream and Lake Protection Section. Indeed the District requested and participated in the original field visit with your staff to assess flow needs of Morrison Creek.

This was done to aid in project planning and was prior to the current requests for an ISF on Morrison Creek. Additionally, as part of the District's Stipulations in water court filings, we have committed (and fully expected) to work with the staff of the CWCB on mitigation of the Silver Creek ISF should the Morrison Creek Reservoir project come to fruition. Remember, funds from the CWCB's 1177 funds have partially financed the feasibility study for the Morrison Creek Reservoir option.

Since several projects are currently under study we suggest that an ISF on Morrison Creek is premature. As you are aware any water development project on Morrison Creek will involve consultation with many agencies in order to craft appropriate mitigation. For the reservoir under study that would include at a minimum the CWCB, the Water Quality Control Division, the Colorado Division of Wildlife, the U.S Fish and Wildlife Service, Routt County, the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, The U. S. Forest Service and the Federal Energy Regulatory Commission. Input from these agencies and the public will be necessary to meet both environmental and water supply needs of the Upper Yampa Basin. An ISF on Morrison Creek at this time, prior to this input, is not warranted. We respectfully request that the Morrison Creek ISF proposal be withdrawn until the appropriate project to supply drought protection to the basin is decided upon and appropriate coordinated environmental mitigation decisions can be completed with all parties.

Sincerely,

Kevin McBride, P.E.  
District Manager