

STATE OF COLORADO

Colorado Water Conservation Board Department of Natural Resources

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NOTICE

To: Instream Flow Subscription Mailing Lists

Subject: Proposed 2010 Instream Flow Appropriations
Water Divisions 1, 2, 4, 5, 6, and 7 Notice

Date: November 12, 2009

Bill Ritter, Jr.

Governor

Harris D. Sherman

DNR Executive Director

Jennifer L. Gimbel

CWCB Director

Dan McAuliffe

CWCB Deputy Director

This notice complements previous notice, made pursuant to ISF Rule 5c, which identified the streams to be considered for instream flow appropriations in 2010. At the January 2010 meeting of the Colorado Water Conservation Board (CWCB), staff may request that the Board form its intent to appropriate instream flow water rights for the streams listed on the attached Instream Flow Appropriation List. The attached list contains a description of the Instream Flow (ISF) Recommendations including water division, stream name, county, recommending entity, and water district.

Copies of the Instream Flow Stakeholder Recommendations and Appendices submitted into the Official CWCB Record are available for review by the public during regular business hours (8:00 a.m. - 5:00 p.m.) at the Colorado Water Conservation Board's Office, located at 1313 Sherman Street, Room 721, Denver, Colorado, 80203. In addition to the CWCB office, copies of the Instream Flow Stakeholder Recommendations are available on the CWCB website at

<http://cwcb.state.co.us/StreamAndLake/NewAppropriations/ISFAppropriationNotices/2010ProposedAppropriations/>

In addition to the above Instream Flow Stakeholder Recommendations and Appendices, staff may rely on any additional data, exhibits, testimony, or other information submitted by any party as part of the Official CWCB Record to support its Instream Flow Recommendations.

It should also be noted that:

(a) The Board may change flow amounts of contested ISF appropriations based on information received during the public notice and comment period.

(b) Staff will maintain, pursuant to Rule 5e.(3), an ISF Subscription Mailing List for each water division composed of the names of all persons who have sent notice to the Board Office that they wish to be included on such list for a particular water division. Any person desiring to be on the ISF Subscription Mailing List(s) must send notice to the Board Office.

(c) Any meetings held between Staff and members of the public will be open to the public. Staff may provide Proper Notice prior to any such meetings and may provide notice to persons on the ISF Subscription Mailing List(s).

(d) Any Notice to Contest must be received at the Board office no later than March 31, 2010, or the first business day thereafter. All Notices of Party status and Contested Hearing Participant status must be received at the Board office no later than April 30, 2010 or the first business day thereafter.

(e) Staff will announce its Final Staff ISF Recommendation concerning contested appropriations at the November 2010 Board meeting and will send notice of the Final Staff Recommendation to all persons on the Contested Hearing Mailing List.

(f) The Board may take final action on any uncontested ISF appropriations at the May 2010 Board meeting.

Should you wish to comment on the proposed Instream Flow Recommendations, you may do so by writing Jeff Baessler of the Board's staff at the address given above or by sending your comments by email to (jeffrey.baessler@state.co.us and owen.williams@state.co.us). It should be noted that while your appearance at any meeting is welcome, such an appearance is not necessary for your concerns to be recognized. Staff will take your comments into account and, if you so request, will present them to the Board in your absence. If you are not currently on the Board's Instream Flow Subscription Mailing List and you would like to be, please contact the Board's Office at the address given above.

2010 Instream Flow Appropriation Flow (ISF) Recommendations (November 3, 2009)

Water Div	Stream	County(ies)	Recommender(s)	Water District (s)
1	Black Hollow Creek	Larimer	TU	3
2	Baldwin Creek	Chaffee	CDOW	11
2	Middle Creek	Custer/ Pueblo	CDOW	15
2	Middle Creek	Custer/ Pueblo	CDOW	15
4	Little Dominguez Creek	Delta, Mesa	BLM	40, 42
4	Big Dominguez Creek	Delta, Mesa	BLM	40, 42
4	Blue Creek (increase)	Gunnison	BLM	62
4	Willow Creek	Gunnison	BLM	62
4	Alpine Gulch	Hinsdale	BLM	62
4	Spring Creek	Hinsdale	BLM	62

4	Cebolla Creek	Hinsdale/ Gunnison	BLM	62
4	Cebolla Creek	Hinsdale/ Gunnison	BLM	62
4	North Fork Tabaguache Creek	Montrose	USFS	60
4	Red Canyon Creek	Montrose	USFS	60
4	San Miguel River	Montrose	CDOW, BLM	60
4	Tabaguache Creek	Montrose	USFS	60
4	Tabaguache Creek	Montrose	BLM	60
4	Tabaguache Creek	Montrose	BLM	60
4	Cochetopa Creek	Saguache	BLM	28
4	Cochetopa Creek (increase)	Saguache	BLM	28
4	East Beaver Creek	Saguache	BLM	62
5	Colorado River	Eagle	Eagle County	52, 53
5	Colorado River	Eagle/Grand	CDOW	52, 53
5	Colorado River	Eagle/Grand	CDOW	52, 53
6	Indian Creek	Jackson	BLM	47
6	Wheeler Creek	Jackson	BLM	47
6	Big Beaver Creek (increase)	Rio Blanco	BLM	43
6	Grizzly Creek	Routt	CDOW, TU	54
6	Morrison Creek	Routt	CDOW	58
6	Morrison Creek	Routt	CDOW, James Larson, Dequine Family LLC, Flying Diamond Resources	58
6	South Fork Slater Creek	Routt	CDOW, TU	54
6	South Fork Slater Creek	Routt	CDOW, TU	54
6	West Prong South Fork Slater Creek	Moffat / Routt	CDOW, TU	54
6	West Prong South Fork Slater Creek	Routt	CDOW, TU	54
7	Animas River	San Juan	BLM	30
7	Animas River	San Juan	BLM	30

BLM (Bureau of Land Management), CDOW (Colorado Division of Wildlife), and TU (Trout Unlimited)