

BEFORE THE COLORADO WATER CONSERVATION BOARD

IN THE MATTER OF PROPOSED INSTREAM FLOW APPROPRIATIONS DIVISION 2: CUCHARAS CREEK

NOTICE OF PREHEARING CONFERENCE AND DEADLINES FOR SUBMISSIONS

The Colorado Water Conservation Board ("Board") has designated Deputy Attorney General Casey Shpall to act as Prehearing Officer for the contested proposed instream flow appropriations on Cucharas Creek. The hearing for this matter is set for the Board's November 2010 meeting.

Pursuant to Rule 5n of the Rules Concerning the Colorado Instream Flow and Natural Lake Level Program ("Rules"), the Prehearing Officer hereby establishes the following deadlines.

Written submissions should address only the following limited issues as set forth in Rules 5j(3) and 5i:

- 1) whether there is a natural environment that can be preserved to a reasonable degree with the Board's water right if granted;
- 2) whether the natural environment will be preserved to a reasonable degree by the water available for the appropriation to be made; and
- 3) whether such environment can exist without material injury to water rights.

Prehearing Statements Have Been Submitted

Prehearing Conference: September 23, 2010

A prehearing conference will be held on September 23, 2010, at 2:00 p.m. in Room 310 of the State Services Building, 1525 Sherman Street, Denver, Colorado. Please proceed to the 7th floor to check in and you will be escorted to the meeting room. If you would like to participate by telephone, please contact the Prehearing Officer at least 3 business days in advance of the prehearing conference. The call-in number for the prehearing conference will be: 303-866-3441 extension 7624.

The prehearing conference will afford the Parties the opportunity to address such issues as time allocation for each Party at the hearing, avoiding presentation of duplicative information, consolidation of concerns, etc. The Parties may formulate stipulations respecting the issues to be raised, witnesses and exhibits to be presented, and any other

matters which may be agreed to or admitted by the Parties. At the prehearing conference, the Parties shall make known any objections to the procedures or evidence that they may raise at the hearing unless such objections could not have been reasonably determined at that time.

Rebuttal Statements Due: October 15, 2010

On or before 4:30 p.m. each Party shall file twenty-five hard copies of its rebuttal statement with the Board. By this deadline, each party shall also deliver its rebuttal statement, by hard copy or email, to all other Parties, Contested Hearing Participants, the Hearing Officer and the Department of Law Attorney representing the Staff. The Board will not consider information submitted by the Parties after this deadline except for good cause shown.

Hearing Date: November 16- 17, 2010

The hearing for this matter is set for the CWCB's meeting scheduled for November 16-17, 2010, in Denver, Colorado. The time of the hearing will be determined prior to the meeting and the Parties will be notified.

Parties

Parties to this proceeding are set forth in the attached Certificate of Service.

Dated this 23rd day of June 2010.



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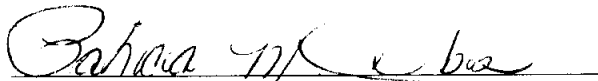
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Patricia M. Dubose

IN THE MATTER OF PROPOSED INSTREAM FLOW APPROPRIATIONS
DIVISION 2: CUCCHARAS CREEK
CERTIFICATE OF SERVICE

This is to certify that I have duly served the within **NOTICE OF PREHEARING CONFERENCE AND DEADLINES FOR SUBMISSIONS** upon all Parties herein by electronic mail or by depositing copies of same in the United States mail, first-class postage prepaid, at Denver, Colorado, this 23rd day of June, 2010 addressed as follows:

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