



## TU Celebrates 50 Years of Protecting Cold, Clean, Fishable Water.

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May 14, 2009

Ms. Linda Bassi  
Colorado Water Conservation Board  
1313 Sherman Street, Room 721  
Denver, Colorado 80203

Re: CWCB 2009 In-Stream Flow Appropriations

Dear Ms. Bassi:

I am writing to offer the support of Trout Unlimited's Gunnison Angling Society chapter for the Colorado Water Conservation Board's 2009 in-stream flow appropriations in Gunnison and Hinsdale Counties. The continuing effort of the CWCB's Stream and Lake Protection Section to protect stream flows on Colorado's rivers and creeks is extremely important to the state's environment, economy and quality of life.

The Gunnison Angling Society chapter works to advance Trout Unlimited's mission of protecting and restoring cold water fisheries and their habitats in the Upper Gunnison and North Fork Gunnison watersheds. Our chapter contains 135 members, all of whom value and many of whom recreate on Bent Creek, Clear Fork East Muddy Creek, East Elk Creek, Grizzly Gulch, Henson Creek, Little Spring Creek, and Schafer Gulch proposed for instream flow appropriations in Gunnison and Hinsdale Counties.

Trout Unlimited, its 10,000 Colorado members and its Gunnison Angling Society chapter greatly appreciate the efforts of the CWCB's Stream and Lake Protection Section to preserve and improve Colorado's fisheries and natural environment, and we look forward to continuing to work with you to protect the rivers and creeks that are so valuable to our state.

Sincerely,

John Bocchino  
President, Colorado Trout Unlimited's Gunnison Angling Society Chapter

# STATE OF COLORADO

## Colorado Water Conservation Board

### Department of Natural Resources

1313 Sherman Street, Room 721  
Denver, Colorado 80203  
Phone: (303) 866-3441  
Fax: (303) 866-4474  
[www.cwcb.state.co.us](http://www.cwcb.state.co.us)



### Public Notice

**Subject: Proposed Instream Flow Appropriations Water  
Divisions 2, 4 and 5**

**Date: February 3, 2009**

Bill Ritter, Jr.  
Governor

Harris D. Sherman  
DNR Executive Director

Jennifer L. Gimbel  
CWCB Director

Dan McAuliffe  
CWCB Deputy Director

At its January 27 – 28, 2009 regular meeting, the Colorado Water Conservation Board (CWCB) declared 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 stream name, water division, watershed, county, upper terminus, lower terminus, length, USGS quad sheet name(s) and recommended instream flow amounts. Copies of the Instream Flow Recommendation Summary Reports 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 723, Denver, Colorado, 80203. In addition to the CWCB office, copies of the Instream Flow and Natural Lake Level Recommendation Summary Reports are available on the CWCB website at:

<http://cwcb.state.co.us/StreamAndLake/NewAppropriations/ISFAppropriationNotices/2009ProposedAppropriations/>

In addition to the above Instream Flow Recommendation Summary Reports 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, 2009, 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, 2009, or the first business day thereafter.

(e) Staff will announce its Final Staff ISF Recommendation concerning contested appropriations at the September 2009 Board meeting and, prior to that meeting, 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 2009 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](mailto:jeffrey.baessler@state.co.us) and [owen.williams@state.co.us](mailto: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.

Stream	Water Division	Watershed	County	Upper Terminus	Lower Terminus	Length (miles)	USGS Quad(s)	Flow (cfs)
Cucharas Creek	2	Huerfano	Huerfano	Headwaters	State Highway 12	4.7	Cucharas Reservoir, Trinchera Peak	3 (4/15-5/14), 4.9 (5/15-6/30), 2.5 (7/1-8/14), 1.6 (8/15-9/15), 1.2 (9/16-4/14)
Huerfano River (upper segment)	2	Huerfano	Huerfano	Outlet of Lilly Lake	Confl. Central Branch of Huerfano Creek	8.2	Mosca Pass	2.7 (11/1-4/30), 4.1 (5/1-10/31)
Huerfano River (lower segment)	2	Huerfano	Huerfano	Confl. w/ unnamed Trib.	Confl. w/ Stanley Creek	2.6	Mosca Pass, Red Wing	2.75 (11/1-3/31), 5.75 (4/1-10/31)
Maxwell Creek	2	Arkansas Headwaters	Chaffee	Headwaters	Hdgt., O.W. Friskey Ditch	4.0	Buena Vista West	1 (10/1-10/31), 0.4 (11/1-5/31), 3.3 (6/1-7/31), 1.5 (8/1-9/30)
Purgatoire River	2	Purgatoire	Las Animas	Confl. w/ M/N Fork Purgatoire River	Confl. Lopez Canyon	4.80	Vigil	7 (12/1-4/14), 8.4 (4/15-5/14), 21 (5/15-8/15), 15 (8/16-9/15), 8.4 (9/16-11/30)
Rock Creek	2	Arkansas Headwaters	Lake	Outlet of Native Lake	Confl. w/ Willow Creek	5.0	Mount Massive	1.7 (11/1-5/14), 11 (5/15-8/31), 5 (9/1-10/31)
South Fork Purgatoire River	2	Purgatoire	Las Animas	Confl. w/ Unnamed Trib.	Confl. w/ Torres Canyon	8.20	Terico	3 (10/16-4/30), 9.6 (5/1-5/31), 18 (6/1-6/30), 13 (7/1-8/15), 5 (8/16-10/15)
Bent Creek (ISF Increase) Existing ISF: 4-80CW101	4	Upper Gunnison	Hinsdale	Headwaters	Confl. w/ Lake Fork Gunnison River	3.0	Redcloud Peak	1.55 (4/1-10/31) Note: Existing ISF 2.0 (1/1-12/31)
Clear Fork East Muddy Creek	4	North Fork Gunnison	Gunnison	Headwaters	Forest Service Boundary	8.7	Elk Knob, Quaker Mesa	13 (4/1-8/15), 5 (8/16-3/31)
East Elk Creek (ISF Increase) Existing ISF: 4-84CW378	4	Upper Gunnison	Gunnison	Confl. w/ Bear Wallow Gulch	Confl. w/ Blue Mesa Reservoir	4.50	Carpenter Ridge, West Elk Peak SW	0.7 (4/1-10/31) Note: Existing ISF 1.5 (1/1-12/31)
Grizzly Gulch	4	Upper Gunnison	Hinsdale	Outlet of Grizzly Lake	Confl. w/ Lake Fork Gunnison River	2.10	Redcloud Peak	2.9 (4/15-9/15), 0.6 (9/16-4/14)
Henson Creek (ISF Increase) Existing ISF: 4-82CW386	4	Upper Gunnison	Hinsdale	Confl. w/ North Fork Henson Creek	Confl. w/ Nellie Creek	3.40	Uncompahgre Peak	11 (4/1-10/31) Note: Existing ISF 12 (1/1-12/31)
Little Spring Creek (upper segment)	4	North Fork Gunnison	Gunnison	Crystal Springs	Inlet of Ragged Res. # 1	0.40	Chair Mountain	1.25 (1/1-12/31)
Little Spring Creek (lower segment)	4	North Fork Gunnison	Gunnison	Outlet of Ragged Res. # 1	Crystal Ditch Hdgt.	0.70	Chair Mountain	1.25 (1/1-12/31)
Schafer Gulch (ISF Increase) Existing ISF: 4-84CW383	4	Upper Gunnison	Hinsdale	Headwaters	Confl. w/ Henson Creek	1.70	Handies Peak	1.3 (4/1-10/31) Note: Existing ISF 1 (1/1-12/31)
Buzzard Creek	5	Colorado Headwaters - Plateau	Mesa	Confl. w/ Willow Creek	Confl. w/ Owens Creek	3.40	Porter Mountain, Spruce Mountain	4.25 (4/1-8/31), 1.5 (9/1-3/31)
Corral Creek (ISF Increase) Existing ISF: 5-86CW214	5	Colorado Headwaters	Grand	Confl. w/ Smith Creek	Hdgt. of Home # 1 Ditch	2.7	Parshall	0.9 (11/1-3/31), 2.75 (4/1-10/31) Note: Existing ISF 1.5 (1/1-12/31)
Troublesome Creek (upper segment)	5	Colorado Headwaters	Grand	Confl. w/ Glomerate Creek	Confl. w/ Rabbit Ears Creek	2.2	Hyannis Peak	2.8 (11/1-3/31), 5.1 (4/1-10/31)

Troublesome Creek (lower segment)	5	Colorado Headwaters	Grand	Confl. w/ Rabbit Ears Creek	Hdgt Pickering Ditch	3.0	Hyannis Peak	5.9 (11/1-3/31), 9.3 (4/1-10/31)
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# STATE OF COLORADO

## Colorado Water Conservation Board Department of Natural Resources

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Denver, Colorado 80203  
Phone: (303) 866-3441  
Fax: (303) 866-4474  
www.cwcb.state.co.us



### NOTICE

**To:** Instream Flow Subscription Mailing Lists

**Subject:** Proposed 2009 Instream Flow Appropriations  
Water Divisions 1, 2, 4, 5, and 6

**Date:** March 14, 2008

Bill Ritter, Jr.  
Governor

Harris D. Sherman  
DNR Executive Director

Jennifer L. Gimbel  
CWCB Director

Dan McAuliffe  
CWCB Deputy Director

Pursuant to ISF Rule 5c, this notice identifies the streams to be considered for instream flow appropriations in 2009. At the January 2009 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 stream name, watershed, county, upper terminus, lower terminus, length, and USGS quad sheet name(s).

Copies of the Instream Flow Recommendations and Appendices of data 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 723, Denver, Colorado, 80203. In addition to the CWCB office, copies of the Instream Flow and Natural Lake Level Recommendations are available on the CWCB website by going to the Stream and Lake Protection Tab, followed by New Appropriations, Instream Flow Appropriation Notices, then 2009 Proposed Appropriations.

In addition to the above Instream Flow 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, 2009, 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, 2009 or the first business day thereafter.

(e) Staff will announce its Final Staff ISF Recommendation concerning contested appropriations at the November 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 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](mailto:jeffrey.baessler@state.co.us), [owen.williams@state.co.us](mailto:owen.williams@state.co.us), or [rob.viehl@state.co.us](mailto:rob.viehl@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.

#### 2009 Instream Flow Appropriation Flow (ISF) Recommendations (February 13, 2008)

Div	Stream	Watershed	County	Upper Terminus	Lower Terminus	Length	Quad Sheet(s)
1	Coal Cr. - Upper	St Vrain	Boulder	Boulder County Open Space boundary	Louisville Wastewater Treatment Outfall	6.1 mi	Louisville
1	Coal Cr. - Lower	St Vrain	Boulder	Louisville Wastewater Treatment Outfall	Lafayette Pumping Station #2	1.7 mi	Lafayette
2	Maxwell Cr	Arkansas Headwaters	Chaffee	Headwaters	Upstream of O.W.Friskey Ditch	4.0 mi	Buena Vista West
2	Gibson Cr.	Arkansas Headwaters	Custer	Headwaters	Confluence with Verde Creek	2.5 mi	Beckwith Mountain
2	Cucharas Cr.	Huerfano	Huerfano	Headwaters	Confluence w/ Deadman Creek	5.3 mi	Trinchera Peak, Cucharas Pass
2	Huerfano R - Upper	Huerfano	Huerfano	Lily Lake	Confluence with Central Branch Huerfano R	8.2 mi	Blanca Peak, Mosca Pass
2	Huerfano R - Lower	Huerfano	Huerfano	Unnamed Tributary	Confluence with Stanley Creek	2.6 mi	Red Wing, Mosca Pass
2	Rock Cr	Arkansas Headwaters	Lake	Native Lake	Confluence with Willow Cr	5.0 mi	Fawn Cr, Lost Park
2	Purgatoire R	North Platte Headwaters Purgatoire	Las Animas	Confluence with Middle & North Fks Purgatoire R	Confluence with Lopez Cany	4.8 mi	Vigil
2	S Fk Purgatoire R	North Platte Headwaters Purgatoire	Las Animas	Unnamed Trib	Confluence with Tores Cany	8.2 mi	Tercio
4	Clear Frk E. Muddy Cr.	North Fork Gunnison	Gunnison	Headwaters	0.4 mi upstream of Confluence with Little Muddy Cr	9.1 mi	Elk Knob, Quaker Mesa

4	E. Elk Cr. (ISF Increase) Existing ISF: 4-84CW378	Upper Gunnison	Gunnison	Confluence with Bear Wallow Gul	Confluence with Blue Mesa Reservoir	4.5 mi	Carpenter Ridge, West Elk Peak SW
4	Gunnison R.	Upper Gunnison	Gunnison	At Almont, CO	Curecanti National Recreation Area	18.0 mi	McIntosh Mntn, Gunnison, Signal Peak, Almont
4	Little Spring Cr	N Fk Gunnison	Gunnison	Crystal Springs	Upstream of Crystal Ditch Headgate	0.4 mi	Chair Mountain
4	Bent Cr. (ISF Increase) Existing ISF: 4-80CW101	Upper Gunnison	Hinsdale	Headwaters	Confluence with Lake Fork of the Gunnison R	3.0 mi	Redcloud Peak
4	Grizzly Gulch	Upper Gunnison	Hinsdale	Unnamed Lake	Confluence with Lake Fork Gunnison R	2.1 mi	Redcloud Peak
4	Henson Cr	Upper Gunnison	Hinsdale	Confluence with North Fork Henson Creek	Confluence with Nellie Creek	3.4 mi	Uncompahgre Peak
4	Schafer Gul (ISF Increase) Existing ISF: 4-84CW383	Upper Gunnison	Hinsdale	Headwaters	Confluence with Henson Cr	1.7 mi	Handies Peak
4	San Miguel R	San Miguel	Montrose	Confluence with Calamity Draw	Dolores R	16.5 mi	Davis Mesa, Red Canyon, Uravan, Nucla, Atkinson Cr
4	Tabeguache Cr	San Miguel	Montrose	Confluence with Fortyseven Cr	Confluence with San Miguel R	11.7 mi	Uravan, Nucla
5	Colorado R.	Colorado Headwaters	Eagle	Eagle-Grand County Line	Confluence with Eagle R	40 mi	Dotsero, Sugarloaf Mntn, Burns South, Burns North, Blue Hill, McCoy, State Bridge, Radium
5	Eagle R (ISF Increase) Existing ISF: 5-78W3796	Eagle	Eagle	Confluence with Gore Cr	Confluence with Cross Cr	3.77 mi	Minturn
5	Corral Cr (ISF Increase) Existing ISF: 5-86CW214	Upper Colorado River	Grand	Confluence with Smith Creek	Confluence with Colorado River	2.75 mi	Parshall
5	Troublesome Cr	Colorado Headwaters	Grand	Outlet Matheson Reservoir	Confluence with Rabbit Ears Cr	3.0 mi	Hyannis Peak
5	Troublesome Cr	Colorado Headwaters	Grand	Confluence with Rabbit Ears Cr	Headgate Pickering Ditch	3.0 mi	Hyannis Peak, Gunsight Pass
5	Buzzard Cr.	Colorado Headwaters - Plateau	Mesa	Confluence with Willow Cr	Confluence with Owens Cr	3.4 mi	Porter Mntn, Spruce Mntn
5	Grizzly Cr.	Little Snake	Routt	Conf w/ Unnamed trib	USFS Boundary	2.9 mi	Bears Ears Peaks
6	Indian Cr	North Platte Headwaters	Jackson	Headwaters	Headgate W Arapaho Feeder Ditch 2	7.7 mi	Spicer Peak, Whiteley Peak
6	N Fk North Platte R	North Platte Headwaters	Jackson	Headwaters	Headgate Little Nellie Ditch	7.5 mi	Boettcher Lake, Pearl, Davis Peak
6	S Fk Big Cr	Upper North Platte	Jackson	Confluence with Wheeler Creek	Colorado- Wyoming Border	1.88	Pearl
6	Moeller Cr	Upper White River	Rio Blanco	Headwaters	Confluence with Fawn Cr	3.5 mi	Fawn Creek
6	Piceance Cr	Piceance- Yellow	Rio Blanco	Confluence with Dry Fork	Confluence with White R	7.72 mi	Barcus Cr SE, White River City
6	Yellow Cr	Piceance- Yellow	Rio Blanco	Springs in NWNE S12, T1N R98W, 6PM	Confluence with White R	11.8	Barcus Cr, Barcus Cr SE, Rough Gulch,
6	S Fk Slater Cr	Little Snake	Routt	Headwaters	Confluence with	4.6 mi	Buck Point



					Slater Cr		
6	W Prong S Fk Slater Cr	Little Snake	Routt	Headwaters	Confluence with S Fk Slater Cr	5.5 mi	Buck Point

**Viehl, Rob**

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**From:** owen.williams@state.co.us  
**Sent:** Friday, March 14, 2008 2:19 PM  
**To:** Viehl, Rob  
**Subject:** Proposed 2009 Instream Flow Appropriations Water Divisions 1, 2, 4, 5, and 6

## Colorado Water Conservation Board

Conserve, Develop, Protect  
Manage Colorado's water for present  
future generations

### PROPOSED 2009 INSTREAM FLOW APPROPRIATIONS WATER DIVISIONS 1, 2, 4, 5, AND 6

#### NOTICE

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**To:** Instream Flow Subscription Mailing Lists  
**Subject:** Proposed 2009 Instream Flow Appropriations  
Water Divisions 1, 2, 4, 5, and 6  
**Date:** March 14, 2008

Pursuant to ISF Rule 5c, this notice identifies the streams to be considered for instream flow appropriations in 2009. At the January 2009 meeting of the Colorado Water Conservation Board (CWCB), staff may request that the Board form its intent to appropriate instream flow water rights for 35 streams located in water divisions 1, 2, 4, 5, and 6. A complete list of the proposed 2009 ISF recommendations can be found on the CWCB website.

This list contains a description of each Instream Flow (ISF) Recommendation including stream name, watershed, county, upper terminus, lower terminus, length, and USGS quad sheet name(s).

Copies of the Instream Flow Recommendations and Appendices of data 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 723, Denver, Colorado, 80203. In addition to the CWCB office, copies of the Instream Flow and Natural Lake Level Recommendations are available on the CWCB website.

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*For more information about Colorado Water Conservation Board go to: <http://cwcb.state.co.us>.*