

STATE OF COLORADO

Colorado Water Conservation Board Department of Natural Resources

1313 Sherman Street, Room 721

Denver, Colorado 80203

Phone: (303) 866-3441

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www.cwcb.state.co.us



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)

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NOTICE

To: Instream Flow Subscription Mailing Lists
Subject: Proposed 2010 Instream Flow Appropriations
Date: March 17, 2009

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 of the Rules Concerning the Colorado Instream Flow and Natural Lake Level Program, this notice identifies 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 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](http://www.cwcb.state.co.us).

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 pursuant to the ISF Rules:

(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 September 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, owen.williams@state.co.us, or 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.

Div	Stream	Watershed	County	Length (miles)	Upper Terminus	Lower Terminus	Quad Sheet(s)
1	Coal Creek	St. Vrain	Boulder	6.1	Boulder County Open Space Boundary	Louisville Wastewater Treatment outfall	Louisville, Lafayette
1	Coal Creek	St. Vrain	Boulder	1.7	Louisville Wastewater Treatment outfall	pumping station #2	Louisville, Lafayette
1	Black Hollow Creek	Cache la Poudre	Larimer	4.5	headwaters	confl Poudre River	Kiniklinik
2	Baldwin Creek	Arkansas Headwaters	Chaffee	4.6	headwaters	confl Chalk Cr	St Elmo
2	Gibson Creek	Arkansas Headwaters	Custer	2.5	headwaters	confl Verde Creek	Beckwith Mt, Electric Pk
2	Middle Creek	Upper Arkansas	Custer/ Pueblo	4.7	headwaters	confl Ophir Creek	Deer Pk, St Charles Pk
2	Middle Creek	Upper Arkansas	Custer/ Pueblo	6	confl Ophir Creek	Beulah Water Works	Deer Pk, St Charles Pk
2	West Beaver Creek	Upper Arkansas	Freemont	7.5	confl Douglas Gulch	confl East Beaver Creek	Big Bull Mtn, Phantom Canyon
2	Beaver Creek	Upper Arkansas	Freemont	8.9	confl East Beaver Creek	confl Unnamed Tributary	Big Bull Mtn, Phantom Canyon
2	East Beaver Creek	Upper Arkansas	Freemont	8.8	confl Gould Creek	confl Beaver Creek	Mt Big Chief, Big Bull Mtn, Phantom Canyon
2	Baker Creek	Huerfano	Huerfano	1.8	headwaters	USFS Boundary	Trinchera Pk, Cucharas Pass

2	Bonnett Creek	Huerfano	Huerfano	3	headwaters	USFS Boundary	McParty Park, Cuchara
2	Chaparral Creek	Huerfano	Huerfano	2.9	headwaters	USFS Boundary	Cucharas Pass
2	Dodgeton Creek	Huerfano	Huerfano	2.8	headwaters	USFS Boundary	McParty Park, Cuchara
3	Mill Creek	Saguache	Saguache	0.7	USFS Boundary	hdgt Harence Ditch	Laughlin Gulch
4	Big Dominguez Creek		Delta/ Mesa		reaches pending Federal legislation	reaches pending Federal legislation	
4	Little Dominguez Creek		Delta/ Mesa		reaches pending Federal legislation	reaches pending Federal legislation	
4	Blue Creek (increase)	Upper Gunnison	Gunnison	3.5	confl Little Blue Creek	confl Morrow Point Reservoir	Curecanti Needle
4	Willow Creek	Upper Gunnison	Gunnison	3.6	confl Sugar Creek	confl Blue Mesa Reservoir	Big Mesa
4	Alpine Gulch	Upper Gunnison	Hinsdale	5.7	headwaters	confl Henson Creek	Redcloud Peak, Lake City
4	Spring Creek	Upper Gunnison	Hinsdale	3.3	hdgt Creede Trail Ditch	confl with Cebolla Creek	Mineral Mtn.
4	Cebolla Creek	Upper Gunnison	Hinsdale/ Gunnison	10.1	confl Brush Creek	confl Spring Creek	Cannibal Plateau, Mineral Mtn.
4	Cebolla Creek	Upper Gunnison	Hinsdale/ Gunnison	10.8	confl Spring Creek	USGS gage	Mineral Mtn., Rudolph Hill
4	North Fork Tabeguache Creek	San Miguel	Montrose	9	headwaters	confl Tabeguache Creek	Starvation Point, Wind Point
4	Red Canyon Creek	San Miguel	Montrose	6	headwaters	confl Horsefly Creek	Antone Spring, Sanborn Park
4	San Miguel River	San Miguel	Montrose	16.5	confl Calamity Draw	confl Dolores River	Uravan, Red Canyon, Davis Mesa
4	Tabeguache Creek	San Miguel	Montrose	11	unnamed trib	Forest Service Boundary	Ute, Starvation Point, Big Bucktail Cr, Nucla
4	Tabeguache Creek	San Miguel	Montrose	5.4	confl Fortyseven Creek	hdgt Templeton Ditch	Nucla
4	Tabeguache Creek	San Miguel	Montrose	9.7	hdgt Templeton Ditch	confl San Miguel River	Nucla, Uravan
4	Cochetopa Creek	Tomichi	Saguache	9	confl Nutras Creek	confl Pauline Creek	Elk Park, Cold Spring Park
4	Cochetopa Creek (increase)	Tomichi	Saguache	10	confl Alkali Creek	hdgt South Krueger Ditch	Sawtooth Mtn., Signal Peak
4	East Beaver Creek	Upper Gunnison	Saguache	6.3	headwaters	confl South Beaver Creek	Sawtooth Mtn., Spring Hill Creek
5	Colorado River	Colorado Headwaters	Eagle	40	Eagle/Grand Co. Line	confl Eagle River	Dotsero, Sugarloaf Mtn., Burns South, Burns North, Blue Hill, McCoy, State Bridge
5	Colorado River	Colorado Headwaters	Eagle / Grand	23.7	confl Blue River	confl Piney River	Kremmling, Radium, McCoy, State Bridge
5	Colorado River	Colorado Headwaters	Eagle	45.8	confl Piney River	confl Eagle River	State Bridge, Wolcott
5	Eagle River (increase)	Eagle	Eagle	3.8	confl Cross Creek	confl Gore Creek	Minturn
6	Indian Creek	North Platte	Jackson	7.7	headwaters	hdgt West	Spicer Peak,

		Headwaters				Arapahoe Feeder Ditch 2	Whiteley Peak
6	North Fork North Platte River	North Platte Headwaters	Jackson	7.5	headwaters	headgate Little Nellie Ditch	Boettcher Lake, Davis Peak, Pearl
6	South Fork Big Creek	Upper North Platte	Jackson	1.9	confl Wheeler Creek	Colorado-Wyoming stateline	Pearl
6	Wheeler Creek	Upper North Platte	Jackson	4.8	headwaters	confl South Fork Big Creek	Independence Mtn., Pearl
6	Big Beaver Creek (increase)	Upper White	Rio Blanco	3.9	confl Allen Creek	confl East Beaver Creek	Fawn Cr., Sawmill Mtn.
6	Moeller Creek	Upper White	Rio Blanco	3.5	headwaters	confl Fawn Creek	Fawn Creek
6	Piceance Creek	Piceance-Yellow	Rio Blanco	7.7	confl with Dry Fork	confl White River	Barcus Creek SE, White River City
6	Yellow Creek	Piceance-Yellow	Rio Blanco	11.8	Springs in NWNE S12, T1N R98W, 6PM	confl White R	Barcus Cr., Barcus Cr SE, Rough Gulch,
6	Grizzly Creek	Little Snake	Routt	2.9	confl Unnamed tributary	USFS Boundary	Bears Ears Peak
6	Morrison Creek	Upper Yampa	Routt	5	confl Muddy Creek	confl Silver Creek	Green Ridge
6	Morrison Creek	Upper Yampa	Routt	4.5	confl Silver Creek	confl Yampa River	Green Ridge, Blacktail Mtn
6	Morrison Creek	Upper Yampa	Routt	4.5	hdgt Dequine Ditch Alt Pt 1	confl Yampa River	Green Ridge, Blacktail Mtn
6	South Fork Slater Creek	Little Snake	Moffat / Routt	3.8	headwaters	confl WP South Fork Slater Creek	Buck Point
6	South Fork Slater Creek	Little Snake	Routt	1.9	confl WP South Fork Slater Creek	confl Slater Creek	Buck Point
6	West Prong South Fork Slater Creek	Little Snake	Moffat / Routt	4.6	headwaters	Decker Ditch	Buck Point
6	West Prong South Fork Slater Creek	Little Snake	Routt	1	hdgt Decker Ditch	confl South Fork Slater Creek	Buck Point
7	Animas River	Animas River	San Juan	2.6	confl Minnie Gulch	confl Cunningham Creek	Howardsville
7	Animas River	Animas River	San Juan	2	confl Cunningham Creek	confl Arrastra Creek	Howardsville, Ironton