

STATE OF COLORADO

Colorado Water Conservation Board Department of Natural Resources

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NOTICE

To: Instream Flow Subscription Mailing Lists

Subject: Proposed 2012 Instream Flow Appropriations Water Divisions
1,2,3,4, 5 and 6

Date: November 4, 2011

John W. Hickenlooper
Governor

Mike King
DNR Executive Director

Jennifer L. Gimbel
CWCB Director

This notice complements previous notice, made pursuant to ISF Rule 5c., which identified the streams to be considered for instream flow appropriations in 2012. At the January or March 2012 meeting of the Colorado Water Conservation Board (CWCB), staff may request that the Board form its intent to appropriate Instream Flow (ISF) water rights for the streams listed on the attached Instream Flow Appropriation List. The attached list contains a description of the ISF recommendations including: water division, stream name, county, and recommending entity.

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/environment/instream-flow-program/Pages/2012ProposedInstreamFlowAppropriations.aspx>

In addition to the above ISF 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 pursuant to the [ISF Rules](#):

5d. (3)

(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, 2012, 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, 2012 or the first business day thereafter.

(e) Staff will announce its final staff ISF recommendation concerning contested appropriations at the September 2012 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 2012 Board meeting.

Please note that any ISF recommendations brought to the Board at the March 2012 meeting for appropriation will be processed on a modified schedule as established by the Board.

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 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, will provide copies of all written comments to the Board, 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	Name	County	Recommender(s)
1	North Clear Creek <i>Confl. Chase Gulch to Confl. Clear Creek</i>	Gilpin	CDPHE, CPW
1	Forrester Creek <i>Headwaters to Forrester Creek Ditch Headgate</i>	Larimer	BLM
1	Grace Creek <i>Confl. NF & SF Grace Creek to Grace Creek Ditch Headgate</i>	Larimer	BLM
1	Stuck Creek <i>Headwaters to Warren Ditch Headgate (increase)</i>	Larimer	BLM
1	Pole Creek <i>Headwaters to Confl. Johnson Creek (increase)</i>	Larimer	BLM
1	Fish Creek <i>Confl. Unnamed Tributary to Confl. Johnson Creek (increase)</i>	Larimer	BLM
1	Johnson Creek <i>Confl. Unnamed Tributary to Confl. Fish Creek</i>	Larimer	BLM
1	Johnson Creek <i>Confl. Fish Creek to Confl. Pole Creek</i>	Larimer	BLM
1	Johnson Creek <i>Confl. Pole Creek to Colorado-Wyoming border (increase)</i>	Larimer	BLM
2	Apishapa River <i>Headwaters to confl. Herick Canyon Creek</i>	Las Animas	CPW
2	West Beaver Creek <i>Confl. Douglas Gulch to Confl. East Beaver Creek</i>	Fremont, Teller	CPW
2	Beaver Creek <i>Confl. East & West Beaver Creeks to Confl. Patton Canyon</i>	Fremont	CPW
3	Kerber Creek <i>Confl. Elkhorn Gulch to Confl. Brewery Creek</i>	Saguache	BLM
3	Kerber Creek	Saguache	BLM

	<i>Confl. Brewery Creek to Wells Kerber Ditch Headgate</i>		
3	Brewery Creek <i>USFS Boundary to Confl. Kerber Creek</i>	Saguache	BLM
3	Elkhorn Gulch <i>Headwaters to Confl. Kerber Creek</i>	Saguache	BLM
4	Ute Creek <i>Headwaters to Confl. West Creek</i>	Mesa	BLM
5	Beaver Creek <i>Headwaters to Rifle Town Intake</i>	Garfield	CPW
5	Beaver Dams Creek <i>Headwaters to Confl. East Divide Creek</i>	Mesa	CPW
5	East Divide Creek <i>Confl. Gennings Creek to Confl. Camp Creek</i>	Mesa & Garfield	CPW
5	East Divide Creek <i>Confl. Camp Creek to Confl. June Creek</i>	Garfield	CPW
5	West Divide Creek <i>Confl. Little Beaver Creek to Confl. Mosquito Creek</i>	Mesa	CPW
5	Meadow Creek <i>Outlet Meadow Creek Reservoir to Confl. Main Elk Creek</i>	Garfield	CPW
6	Piceance Creek <i>Confl. Dry Fork to Confl. White River</i>	Rio Blanco	BLM & CPW
6	Yellow Creek <i>Springs in Sec. 12, T1N, R98W 6th PM to Confl. White River</i>	Rio Blanco	BLM & CPW

CPW (Colorado Division of Parks and Wildlife), BLM (Bureau of Land Management), and CDPHE (Colorado Department of Public Health and Environment)