

# STATE OF COLORADO

## Colorado Water Conservation Board

### Department of Natural Resources

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### NOTICE

To: Instream Flow Subscription Mailing Lists

Subject: Proposed 2014 Instream Flow Appropriations in Water Divisions  
1, 4 and 5

Date: February 4, 2014

John W. Hickenlooper  
Governor

Mike King  
DNR Executive Director

James Eklund  
CWCB Director

At its January 27-28, 2014 regular meeting, the Colorado Water Conservation Board (CWCB) declared its intent to appropriate instream flow water rights for the 18 streams listed on the attached instream flow appropriation list. The attached list contains a description of the instream flow recommendations, including: stream name, water division, watershed, county(s), 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 during regular business hours (8:00 a.m. - 5:00 p.m.) at the CWCB's office, located at 1313 Sherman Street, Room 721, Denver, Colorado, 80203. This information is also available on the CWCB website at:

<http://cwcb.state.co.us/environment/instream-flow-program/Pages/2014ProposedInstreamFlowAppropriations.aspx>

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. Rule 5d.(3) of the CWCB's [Rules Concerning the Colorado Instream Flow and Natural Lake Level Program](#), as shown below, governs the Board's standard procedures for ISF appropriations. Please note that the dates shown below in sub-paragraphs (d), (e), and (f) were modified for the Dolores River appropriation. The modified Rule 5d.(3) dates for the Dolores River appropriation are set forth in the last paragraph of this notice. Rule 5d.(3) provides 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, 2014. All Notices of Party status and Contested Hearing Participant status must be received at the Board office no later than April 30, 2014.

(e) Staff will announce its Final Staff Instream Flow Recommendation concerning contested appropriations at the September 2014 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 2014 Board meeting.

A notice to contest an ISF appropriation must be made in writing and contain the following information: (a) Identification of the Person(s) requesting the hearing;(b) Identification of the ISF appropriation(s) at issue; and, (c) The contested facts and a general description of the data upon which the Person will rely to the extent known at that time.

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). 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.

Please note that on January 28, 2014, the CWCB formed its intent to appropriate an instream flow water right on the Dolores River but established a modified schedule. Notices to Contest for this appropriation must be received at the CWCB office no later than February 2, 2015. All Notices of Party status and Contested Hearing Participant status must be received at the Board office no later than March 4, 2015. The Board may take final action if this appropriation is uncontested at its March 2015 Board meeting.

Div	Stream	Watershed	County	Length (miles)	Upper Terminus	Lower Terminus	Quad Sheet(s)	Flow (CFS)
1	Shell Creek	Upper Laramie	Larimer	6.25	Headwaters	BLM Boundary	Crazy Mountain, Sand Creek Pass	1.0 (11/1-3/31) 1.1 (4/1-10/31)
4	Hot Springs Creek (increase)	Tomichi Creek	Gunnison	3.46	Outlet Hot Springs Creek Reservoir	LL Bush No. 4 hdgt.	Pitkin, Doyleville	2.4 (5/1-7/21)
4	Oh Be Joyful Creek (increase)	East-Taylor	Gunnison	1.66	confl. unnamed tributary	confl. Slate River	Oh Be Joyful Creek	3.0 (4/1-4/30) 14.0 (5/1-7/15) 3.0 (7/16-8/15)
4	Slate River (increase)	East-Taylor	Gunnison	3.69	confl. Poverty Gulch	confl. Oh Be Joyful Creek	Oh Be Joyful Creek	30.0 (5/1-7/15)
4	Slate River (increase)	East-Taylor	Gunnison	5.63	confl. Oh-Be-Joyful Creek	confl. Coal Creek	Oh Be Joyful, Gothic	45.0 (5/1-7/15)
4	East Creek	Lower Gunnison	Mesa	4.94	confl. North East Creek	East Creek Ditch hdgt.	Whitewater	1.6 (3/15-6/30) 0.25 (7/1-3/14)
4	East Creek	Lower Gunnison	Mesa	0.37	East Creek Ditch hdgt.	confl. Gunnison River	Whitewater	1.6 (3/15-5/31)
4	Granite Creek	Lower Dolores	Mesa	5.79	confl. two unnamed tributaries	Colorado-Utah border	Steamboat Mesa, Two V Basin	2.7 (4/1-6/30) 0.5 (7/1-3/31)

4	Ute Creek	Lower Dolores	Mesa	7.87	Headwaters	confl. West Creek	Pine Mtn, Gateway	2.0 (4/1-6/15) 0.3 (6/16-3/31)
4	Dolores River	Lower Dolores	Montrose, Mesa	34.21	confl. San Miguel River	confl. West Creek	Red Canyon, Roc Creek, Juanita Arch, Gateway	200 (3/16-4/14) 900 (4/15-6/14) 400 (6/15-7/15) 200 (7/16-8/14) 100 (8/15-3/15)
5	Beaver Creek	Colorado Headwaters-Plateau	Garfield	8.11	Headwaters	Dame Ditch hdgt.	North Mamm Peak	0.7 (12/1-4/30) 4.75 (5/1-6/30) 2.85 (7/1-7/31) 1.0 (8/1-11/30)
5	East Divide Creek	Colorado Headwaters-Plateau	Mesa, Garfield	3.49	confl. Gennings Creek	confl. Camp Creek	Quaker Mesa, Center Mtn	1.4 (4/1-4/15) 4.8 (4/16-6/30) 1.5 (7/1-7/15) 1.2 (7/16-7/30) 0.3 (8/1-3/31)
5	East Divide Creek	Colorado Headwaters-Plateau	Garfield	9.45	confl. Camp Creek	confl. June Creek	Center Mtn, Gibson Gulch	3.0 (4/1-4/15) 7.2 (4/16-6/30) 3.0 (7/1-7/31) 1.1 (8/1-3/31)
5	East Fork Parachute Creek	Parachute-Roan	Garfield	1.28	confl. Bull Gulch	BLM boundary	Forked Gulch	5.0 (4/15-6/30) 0.65 (7/1-4/14)
5	Left Fork Carr Creek	Parachute-Roan	Garfield	6.43	Headwaters	Franklin No. 2 Ditch hdgt.	Henderson Ridge	0.75 (11/1-3/31) 2.0 (4/1-8/31) 1.0 (9/1-10/31)
5	Meadow Creek	Colorado Headwaters-Plateau	Garfield	8.21	Outlet Meadow Creek Reservoir	confl. Main Elk Creek	Meadow Creek Lake, Deer Creek Point	1.3 (10/1-3/31) 2.1 (4/1-9/30)
5	Beaver Dam Creek	Colorado Headwaters-Plateau	Mesa	1.60	Headwaters	confl. East Divide Creek	Quaker Mesa	0.14 (11/1-4/30) 0.9 (5/1-8/31) 0.35 (9/1-10/31)
5	West Divide Creek	Colorado Headwaters-Plateau	Mesa	8.11	confl. Little Beaver Creek	confl. Mosquito Creek	Quaker Mesa, Flatiron Mtn	4.2 (3/15-4/15) 14.1 (4/16-7/15) 4.2 (7/16-7/31) 1.14 (8/1-3/14)