



COLORADO

**Colorado Water
Conservation Board**

Department of Natural Resources

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TO: Colorado Water Conservation Board Members

FROM: Linda Bassi, Chief 
Jeff Baessler, Deputy Section Chief 
Stream and Lake Protection Section

DATE: January 26, 2015

AGENDA ITEM: Consent Agenda Item 2. Dolores River Instream Flow Appropriation

Background

On January 28, 2014, the Board voted unanimously to form its intent to appropriate a new instream flow (ISF) water right on the Dolores River from its confluence with the San Miguel River downstream to the confluence with West Creek. However, due to various stakeholder concerns regarding the Bureau of Land Management's Tres Rios Field Office Land and Resource Management Plan, the Board delayed the deadline for filing a Notice to Contest to January 31, 2015.

Since the finalization and issuance of the Tres Rios Record of Decision and final Plan has been delayed and is not expected to be released until mid to late February 2015, Staff is recommending that the due date for notices to contest this appropriation be delayed to March 31, 2015. This delay will put the Dolores River ISF appropriation on the standard procedural track outlined in Rule 5 of the Board's Rules Concerning the Colorado Instream Flow and Natural Lake Level Program.

Staff recommendation

Staff recommends that the Board delay the deadline for filing Notices to Contest the Dolores River ISF appropriation to March 31, 2015 and adopt the following procedural schedule for this appropriation.

March 31, 2015	Deadline to file notice to contest
April 30, 2015	Notice of Party status or Contested Hearing Participant status
May 2015 Board meeting	Set hearing date and appoint Hearing Officer (or, if uncontested, take final action)
Prior to July 2015 Board meeting	Parties submit prehearing statements and attend prehearing conference
August 15, 2015	Parties submit rebuttal statements
September 2015 Board meeting	Board holds hearing and takes final action

