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# COUNTY OF PARK

## Board of County Commissioners



January 26, 2015

Colorado Water Conservation Board  
1313 Sherman St.  
Denver, Co 80203

Ladies and Gentlemen:

During the past few months the Park County Commissioners have met with several interested parties and groups regarding the subject of minimum stream flow in Park County. These groups include the agricultural community, environmental groups and advisory boards, landowners, Colorado Parks and Wildlife and the United States Forest Service. All have provided important information and insight regarding the important and complicated issues of in stream flows and natural surface water levels in Park County.

Based on the information received, the Board of County Commissioners supports the request that the Colorado Water Conservation Board, pursuant to the authority granted by C.R.S. § 37-92-102, apply for water rights necessary to establish minimum stream flows or natural surface water levels for the following seven streams and two natural lakes:

Duck Creek, from the outlet of Upper Square Top Lake to Duck Lake (Clear Creek County) that flows into Park County.

Rock Creek, from headwaters to confluence with natural falls located in an area of North Boundary of S16-T8S-R74W (Site for future introduction of native Greenback Cutthroat Trout). Headwaters tributary of Rough and Tumbling Creek to confluence with Rough and Tumbling Creek (a legal description has been provided to CWCB staff).

Platte Gulch tributary of the Middle Fork of the South Platte River to confluence with the Middle Fork of the South Platte River.

West Fork tributary of Crooked Creek to confluence with Crooked Creek (a legal description has been provided to CWCB staff).

Indian Creek and McCurdy Creek tributaries to Lost Creek to confluence with Lost Creek in the Lost Creek Wilderness Area. Indian Creek and McCurdy Creek are separate systems.

Upper and Lower Square Top Lakes (Clear Creek County, flows into Park County).

While the Board of County Commissioners supports these particular stream flows and surface water levels we wish to clearly state that each such flow or level is different and implicates different interests. Accordingly, any future recommendations regarding applications pursuant to C.R.S. § 37-92-102 for in stream flows or natural surface water levels will require additional study and consideration by the Board. Support of these particular applications should not be construed as support for future applications. The Commissioners will oppose any applications for in stream flows that adversely affect agricultural water rights in Park County. Additionally, the Park County Commissioners oppose the use of tax dollars to purchase water rights currently devoted to agricultural use with a view toward changing such water rights to commercial purposes or private interests.

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We appreciate the opportunity to offer this recommendation. Should you have any questions please feel free to contact use.

Very truly yours,

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Mark Dowaliby, BOCC Chairman for Park County

Cc. Dianne Hoppe, Vice Chair CWCB  
James Eklund, Director  
Linda Bassi, Section Chief  
Jeff Baessler, Deputy Section Chief