

BEFORE THE COLORADO WATER CONSERVATION BOARD

**IN THE MATTER OF PROPOSED INSTREAM FLOW APPROPRIATION
DIVISION 3: CARNERO CREEK**

**ORDER GRANTING CWCB STAFF'S UNOPPOSED MOTION TO
VACATE HEARING ON NOVEMBER 20-21, 2019**

THIS MATTER comes before the Hearing Officer on CWCB Staff's unopposed motion to vacate the hearing in this matter currently scheduled during CWCB's November 20-21, 2019 meeting in the Denver metro area. The Hearing Officer, having reviewed the motion and being otherwise adequately advised, GRANTS the motion.

CWCB Staff and the only party contesting the proposed instream flow appropriation, S&T Farms LLC, entered into a stipulation on September 5, 2019. That stipulation was approved by the CWCB board at its September 18, 2019 meeting. S&T Farms subsequently withdrew its notice to contest the proposed instream flow appropriation. Thus, no parties remain who contest the instream flow appropriation, and therefore no hearing is necessary in this matter.

The hearing in this matter set for November 20-21, 2019 is hereby VACATED. This matter is returned to the Colorado Water Conservation Board for further administrative action.

Dated this 23rd day of September, 2019.

By the Hearing Officer:



Amy W. Beatie
Deputy Attorney General
Colorado Attorney General's Office
1300 Broadway, 7th Floor
Denver, CO 80203
720-508-6295
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Certificate of Service

Contested CWCB ISF Appropriation on Carnero Creek

I hereby certify that on September 23, 2019, a true and correct copy of the foregoing ORDER GRANTING CWCB STAFF'S UNOPPOSED MOTION TO VACATE HEARING ON NOVEMBER 20-21, 2019 was served via email to the parties referenced below:

Hearing Officer

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Party Status

<u>Staff for the Colorado Water Conservation Board</u> Linda Bassi Rob Viehl Colorado Water Conservation Board 1313 Sherman Street, Room 718 Denver, CO 80203 303-866-3441 ext. 3204 linda.bassi@state.co.us rob.viehl@state.co.us	<u>Counsel for Staff of the Colorado Water Conservation Board</u> Jennifer Mele First Assistant Attorney General Natural Resources & Environment Section Office of the Colorado Attorney General 1300 Broadway, 7th Floor Denver, CO 80203 720-508-6282 jennifer.mele@coag.gov
<u>Colorado Parks and Wildlife</u> Katie Birch Instream Flow Program Coordinator Colorado Parks and Wildlife 6060 Broadway Denver, CO 80216 303-291-7335 Katie.Birch@state.co.us	<u>S & T Farms, LLC</u> David S. Hayes Petros & White, LLC 1999 Broadway, Suite 3200 Denver, CO 80202 303-825-1980 dhayes@petros-white.com

/s/ *Laura F. Kelly*