

BEFORE THE COLORADO WATER CONSERVATION BOARD

STATE OF COLORADO

**IN THE MATTER OF PROPOSED INSTREAM FLOW APPROPRIATION IN
WATER DIVISION NO. 6: TROUT CREEK**

JOINT STATUS REPORT

Pursuant to the Hearing Officer's June 17, 2020, Order, the Staff of the Colorado Water Conservation Board ("CWCB Staff"), Bureau of Land Management ("BLM"), Knott Land and Livestock Company, Inc., and Twentymile Coal, LLC (collectively, "Parties"), hereby submit the following joint status report:

In October 2019, the Parties agreed to continue the hearing scheduled in this matter so CWCB Staff and the BLM could take additional stream measurements on Trout Creek this summer. Consistent with that plan, the Parties have scheduled the additional stream measurements to take place on July 9-10, and August 24-25, and recently met via videoconference on June 23 to discuss the details for the July stream measurements and the process for selecting the stream measurement sites. The number of individuals who will attend the stream measurements will be limited, and the Parties believe they can maintain appropriate social distancing practices.

Thus, the plan is to move forward consistent with the October 22, 2019, Order Granting Revised Joint Motion Requesting Continuance of Hearing to November 2020, and the deadlines stated therein. At this time, the Parties do not desire a status conference to be scheduled in this matter until the prehearing status conference currently scheduled for October 7, 2020.

Respectfully submitted this 29th day of June, 2020.

**For Staff of the Colorado Water
Conservation Board:**

PHIL WEISER
Attorney General

/s/ Andrew Nicewicz

Jennifer Mele, #30720*
First Assistant Attorney General
Andrew Nicewicz, #44903*
Assistant Attorney General
Natural Resources and Environment
Section
*Counsel of Record

**For the Bureau of Land
Management:**

/s/ Andrew Nicewicz for

Roy E. Smith
Water Rights and Instream Flow
Coordinator

**For Knott Land and Livestock,
Company, Inc.:**

HOLSINGER LAW, LLC

/s/ Andrew Nicewicz for

David Keuter, #26136

For Twentymile Coal, LLC:

HOLLAND & HART, LLP

/s/ Andrew Nicewicz for

William H. Caile, #32227
Mark E. Hamilton, #24585

Certificate of Service

Contested CWCB ISF Appropriation on Trout Creek

I hereby certify that on June 29th, 2020, a true and correct copy of the foregoing JOINT STATUS REPORT was served via email to the parties referenced below:

Hearing Officer

Amy Beatie
Deputy Attorney General
Natural Resources & Environment Section
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Party Status

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<u>Bureau of Land Management</u> Roy Smith DOI, BLM, Colorado State Office 2850 Youngfield Street Lakewood, CO 80215-7093 303-239-3940 r20smith@blm.gov	<u>Knott Land and Livestock Company, Inc.</u> Kent Holsinger David Keuter Holsinger Law, LLC 1800 Glenarm Place, Suite 500 Denver, CO 80202 kholsinger@holsingerlaw.com dkueter@holsingerlaw.com

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/s/Andrew Nicewicz