



COLORADO

**Colorado Water
Conservation Board**

Department of Natural Resources

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<https://cwcb.colorado.gov>

March 10, 2023

CWCB Public Notice of 2024 Instream Flow & Natural Lake Level Recommendations

Pursuant to ISF Rule 5c. of the Rules Concerning the Colorado Instream Flow (ISF) and Natural Lake Level (NLL) Program, this notice identifies the streams and lakes that may be considered for ISF and NLL appropriations in 2024. At the January 2024 meeting of the Colorado Water Conservation Board (CWCB), staff may request that the Board form its intent to appropriate ISF and NLL water rights for the streams and lake listed in the recommendation tables below.

The ISF and NLL Recommendations are available online at:

<https://cwcb.colorado.gov/2024-isf-recommendations>. Information can also be reviewed by appointment at the CWCB's office, located at 1313 Sherman Street, Room 718, Denver, Colorado, 80203. In addition to the ISF and NLL recommendations, staff may rely on any additional data, exhibits, testimony, or other information submitted by any party as part of the Official CWCB Record.

It should also be noted that, pursuant to the [ISF Rules](#):

5d. (3)

(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, 2024, or the first business day thereafter. All Notices of Party status and Contested Hearing Participant status must be received at the Board office no later than April 30, 2024 or the first business day thereafter.

(e) Staff will announce its Final Staff ISF Recommendation concerning contested appropriations at the September 2024 Board meeting and 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 2024 Board meeting.

Note that section 37-92-102 (3) (b), C.R.S. provides: “Any such appropriation shall be subject to the present uses or exchanges of water being made by other water users pursuant to appropriation or practices in existence on the date of such appropriation, whether or not previously confirmed by court order or decree.” For more information on whether this provision applies to specific undecreed uses of water in or above the proposed instream flow segments, and potential recognition of such uses in the CWCB’s water court decree, contact Rob Viehl at the address above or via email to rob.viehl@state.co.us.

The schedule set forth in (d), (e), and (f) above will apply to streams and lakes on which the CWCB declares its intent to appropriate water rights in January 2024. Should you wish to comment on the proposed ISF and NLL Recommendations or request more information you may do so by writing Rob Viehl of the Board's staff at the address or email given above. Your appearance at any meeting is welcome, but not necessary. If you request, Staff will present your written comments to the Board. If you are not currently on the Board's ISF Subscription Mailing List and you would like to be, sign up online at: <https://dwr.state.co.us/Portal/Login/>

ISF Recommendations

Div.	Stream Name	Watershed	County	Length (miles)	Upper Terminus	Lower Terminus
1	East Roaring Fork Creek*	Cache la Poudre	Larimer	3.49	headwaters	confl Roaring Creek
1	Garber Creek	Upper South Platte	Douglas	4.75	confl North and South Garber Creeks	confl West Plum Creek
1	Platte Gulch	South Platte Headwaters	Park	1.54	headwaters	confl MF South Platte River
1	Square Top Creek	Upper South Platte	Clear Creek	1.08	outlet of Lower Square Top Lake	inlet of Duck Lake
1	Sulzer Gulch	Big Thompson	Larimer	3.73	headwaters	confl Big Thompson River
1	West Plum Creek	Upper South Platte	Douglas	22.6	headwaters	confl East Plum Creek
1	Williams Gulch*	Cache la Poudre	Larimer	4.47	headwaters	confl Cache la Poudre River
2	Cottonwood Creek	Arkansas Headwaters	Custer	6.00	headwaters	F. Keuhn Ditch No. 2 hdgt
2	Cottonwood Creek	Arkansas Headwaters	Fremont	9.42	confl Salt Creek	Giem Ditch hdgt
2	East Gulch	Arkansas Headwaters	Fremont	8.81	confl Antelope Gulch	confl Arkansas River
4	Beaver Dams Creek	Uncompahgre	Ouray	3.29	headwaters	confl East Fork Dry Creek
4	East Fork Dry Creek	Uncompahgre	Montrose Ouray	3.11	headwaters	confl Beaver Dams Creek
4	Deer Creek*	East-Taylor	Gunnison	3.38	headwaters	Beitler No. 2 Diversion Structure

Div.	Stream Name	Watershed	County	Length (miles)	Upper Terminus	Lower Terminus
4	East Muddy Creek	North Fork Gunnison	Gunnison	6.32	confl Lee Creek	confl West Muddy Creek
4	Goat Creek	San Miguel	San Miguel	6.25	headwaters	confl Beaver Creek
4	Little Cimarron River <i>(Increase)</i>	Upper Gunnison	Gunnison	2.49	confl Van Boxel Creek	Butte Ditch hdgt
4	Little Cimarron River	Upper Gunnison	Gunnison Montrose	6.56	Butte Ditch hdgt	confl Cimarron River
4	Main Hubbard Creek	North Fork Gunnison	Delta	2.50	headwaters	Overland Ditch
4	Middle Hubbard Creek	North Fork Gunnison	Delta	2.37	headwaters	Overland Ditch
4	North Lobe Creek*	Lower Dolores	Mesa	7.25	headwaters	Highline Ditch hdgt
4	Pine Creek	Upper Gunnison	Gunnison	16.7	headwaters	confl Morrow Point Reservoir
4	Splains Gulch*	East-Taylor	Gunnison	2.48	headwaters	confl Coal Creek
4	Unnamed Tributary to EF Dry Creek	Uncompahgre	Montrose Ouray	2.75	headwaters	confl EF Dry Creek
4	West Hubbard Creek	North Fork Gunnison	Delta	2.32	headwaters	Overland Ditch
4	West Muddy Creek	North Fork Gunnison	Gunnison	5.52	confl Ault Creek	confl East Muddy Creek
5	Coon Creek	Colorado Headwaters-Plateau	Mesa	4.71	Coon Creek Reservoir No. 4	South Side Canal
5	Derby Creek	Colorado headwaters	Eagle	2.8	confl South Derby Creek	confl Colorado River
5	Little Elk Creek	Roaring Fork	Pitkin	1.98	headwaters	Elk Creek No. 1 Ditch hdgt
6	Bear Creek	Upper White	Garfield	3.09	headwaters	confl NF White River
6	Big Fish Creek	Upper White	Garfield	4.30	headwaters	confl NF White River
6	Clear Creek*	Lower Yampa	Rio Blanco	8.32	headwaters	confl Milk Creek
6	East Marvine Creek	Upper White	Rio Blanco	7.31	headwaters	confl Marvine Creek
6	Hill Creek	Upper White	Rio Blanco	3.84	headwaters	Hill Creek Ditch #2 & #3 hdgt
6	Hauskins Creek	Upper White	Garfield	2.11	headwaters	confl NF White River
6	Lynx Creek	Upper White	Garfield	1.58	headwaters	confl NF White River
6	Milk Creek	Lower Yampa	Moffat	4.11	confl Wilson Creek	confl Yampa River
6	Mirror Creek	Upper White	Rio Blanco	2.16	headwaters	confl NF White River
6	Pagoda Creek*	Upper Yampa	Rio Blanco	10.32	headwaters	confl South Fork Williams Fork

Div.	Stream Name	Watershed	County	Length (miles)	Upper Terminus	Lower Terminus
6	Paradise Creek	Upper White	Garfield Rio Blanco	2.98	headwaters	Paradise Ponds Diversion Hdgt
6	Picket Pin Creek	Upper White	Garfield	2.66	headwaters	confl NF White River
6	South Fork White River	Upper White	Rio Blanco	8.07	Flat Tops Wilderness Area Boundary	confl Swede Creek
6	Vermillion Creek	Vermilion	Moffat	18.55	confl Talamantes Creek	confl Ink Springs
6	Vermillion Creek	Vermilion	Moffat	10.12	confl Ink Springs	Vermillion Ditch hdgt
6	Vermillion Creek	Vermilion	Moffat	7.33	Vermillion Ditch hdgt	confl Green River
6	Ways Gulch	Upper Yampa	Routt	4.45	headwaters	confl Willow Creek
6	Wheeler Creek	Upper North Platte	Jackson	3.22	headwaters	Ackers Ditch hdgt

NLL Recommendations

Div.	Lake Name	Watershed	County	Location (NAD 1983 Zone 13 North)
2	Titan Lake*	Arkansas Headwaters	Lake	UTM_N: 4356622.28 UTM_E: 377505.25

*Recommendation received at January 2023 ISF Workshop