



## COLORADO

### Colorado Water Conservation Board

Department of Natural Resources

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<https://cwcb.colorado.gov/>

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November 19, 2024

Pursuant to ISF Rule 5c. of the Rules Concerning the Colorado Instream Flow and Natural Lake Level Program, this notice identifies the streams that may be considered for instream flow (ISF) appropriations in 2025. At the January or March meeting of the Colorado Water Conservation Board (CWCB), staff may request that the Board form its intent to appropriate ISF water rights for the streams listed in Table 1 below.

Information submitted to the CWCB is available online at:

<https://cwcb.colorado.gov/2025-ISF-Recommendations>

In addition to the ISF Recommendations and Appendices, staff may rely on any additional data, exhibits, testimony, or other information submitted by any party as part of the Official CWCB Record to support the ISF Recommendations.

It should also be noted that, pursuant to rule 5d.(3) of the [ISF Rules](#):

(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, 2025, 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, 2025, or the first business day thereafter.

(e) Staff will announce its Final Staff ISF Recommendation concerning contested appropriations at the September 2025 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 2025 Board meeting.

The schedule set forth in (d), (e), and (f) above will apply to streams on which the CWCB declares its intent to appropriate water rights in January 2025. If the CWCB declares its

intent to appropriate water rights at its March 2025 meeting a modified schedule will be used.

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 set forth above or via email to [rob.viehl@state.co.us](mailto:rob.viehl@state.co.us).

Should you wish to comment on the proposed ISF Recommendations, 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 submit your written comments to the Board. If you are not currently on the Board's Instream Flow Subscription Mailing List and you would like to be, please sign up here:

<https://dwr.state.co.us/Portal/cwcb/NotificationLists>

Table 1. Instream Flow Recommendations

Div	Stream	Watershed	County	Length (miles)	Upper Terminus	Lower Terminus
4	Beaver Dams Creek	Uncompahgre	Ouray	3.29	headwaters	confluence East Fork Dry Creek
4	Cabin Creek	Tomichi	Gunnison	7.92	headwaters	Van Tuyl State Wildlife Boundary
4	Canyon Creek	Tomichi	Gunnison	8.64	headwaters	confluence Tomichi Creek
4	East Fork Dry Creek	Uncompahgre	Montrose, Ouray	3.11	headwaters	confluence Beaver Dams Creek
4	East Muddy Creek	North Fork Gunnison	Gunnison	6.32	confluence Lee Creek	confluence Muddy Creek
4	Goat Creek	San Miguel	San Miguel	2.01	confluence Galloway Creek	confluence Beaver Creek
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	Red Creek (Increase)	Upper Gunnison	Gunnison	6.73	confluence East and West Red Creek	confluence Blue Mesa Reservoir

4	Unnamed Tributary to East Fork Dry Creek	Uncompahgre	Montrose, Ouray	2.75	headwaters	confluence East Fork Dry Creek
4	West Hubbard Creek	North Fork Gunnison	Delta	2.32	headwaters	Overland Ditch
4	West Muddy Creek	North Fork Gunnison	Gunnison	8.78	confluence Sheep Creek	confluence Muddy Creek
5	Coon Creek	Colorado Headwaters-Plateau	Mesa	3.18	confluence West Branch Coon Creek	100' upstream of the South Side Canal headgate
5	Deep Creek (Increase)	Colorado Headwaters	Eagle, Garfield	15.3	outlet of Deep Lake	BLM Property Boundary
5	Derby Creek (Increase)	Colorado Headwaters	Eagle	8.40	confluence South Derby Creek	confluence Colorado River
6	Clear Creek	Lower Yampa	Rio Blanco	8.32	headwaters	confluence Milk Creek
6	Milk Creek	Lower Yampa	Moffat	4.11	confluence Wilson Creek	confluence Yampa River
6	Vermillion Creek	Vermilion	Moffat	18.6	confluence Talamantes Creek	confluence Ink Springs
6	Vermillion Creek	Vermilion	Moffat	10.1	confluence Ink Springs	Vermillion Ditch headgate
6	Vermillion Creek	Vermilion	Moffat	7.33	Vermillion Ditch headgate	confluence Green River
7	Burrows Creek	Animas	San Juan	1.33	headwaters	confluence Animas River