



COLORADO

**Colorado Water
Conservation Board**

Department of Natural Resources

1313 Sherman Street, Room 718
Denver, CO 80203

P (303) 866-3441
F (303) 866-4474

Jared Polis, Governor

Dan Gibbs, DNR Executive Director

Lauren Ris, CWCB Director

To: Colorado Water Conservation Board Members

From: Lisa Bright-Unger, Water Resources Specialist
Stream and Lake Protection Section

Date: March 19-20, 2025

Agenda Item: Agenda 6a. Request for Approval of a Water Conservation Program
for Larimer County on Boxelder Creek - Water Division 1

Introduction:

The Colorado Water Trust (“CWT”) has been working with Larimer County (“Larimer”), Colorado, a water rights owner on Boxelder Creek, to explore water rights’ options that align with Larimer County’s conservation goal of restoring stream connectivity and native vegetation in and along Boxelder Creek. Together, Larimer and CWT have submitted a proposal to the Colorado Water Conservation Board (“CWCB”) requesting approval of a Water Conservation Program (“WCP”) for the Sturdevant Ditch water rights, which are used to irrigate the property known as the “Boxelder Hay Meadow”, located in Larimer County’s Red Mountain Open Space. No funding is requested from the Board for this WCP approval.

See the Map of the Area included as Exhibit A, and the WCP application included as Exhibit B. A letter of support from Larimer County Department of Natural Resources was provided to CWCB and is included as Exhibit C.

Staff Recommendation:

Action is required for this item.



Staff recommends that the Board approve the CWT and Larimer proposal as a Water Conservation Program, subject to sections 37-92-305(3)(c)(II)(A) C.R.S. and 37-92-103(2)(b)(I) C.R.S.

Background:

While Water Conservation Programs are not necessarily part of the CWCB's instream flow program, the CWCB is a qualified state agency with authorization to approve a WCP. Furthermore, CWCB staff has been discussing a future scenario wherein these water rights could become eligible for instream flow use.

A WCP provides a water user the ability to stop diverting and instead, leave the water in a stream for water conservation purposes, while the water right is protected from abandonment and diminishment of its historical consumptive use. Water left in the stream under a WCP is not administratively protected against diversions or exchanges as it would be for an instream flow acquired water right. Pursuant to Section 37-92-305(3)(c)(II) (A) C.R.S., a WCP may be authorized by a state agency with explicit statutory jurisdiction over water conservation or water rights; it provides protection from a diminishment in historical consumptive use; and the WCP may be implemented in five years of a 10-year period. Section 37-92-103(2)(b)(I) C.R.S. provides protection from a presumption of abandonment when the water right is operated within an approved WCP.

In 2019, the CWCB approved a WCP in Division 4 on the San Miguel River.

Proposed Water Conservation Program:

Larimer has been leasing their Sturdevant Ditch water rights to a rancher who irrigates approximately 81 acres to grow hay in Larimer's Red Mountain Open Space. Sturdevant Ditch No. 1 and 2 are both decreed in Case No. CA-320 in the amount of 10.67 cfs each. Currently the rancher diverts Larimer's direct flow water rights from the two diversion structures on Boxelder Creek.



For this year, in 2025, Larimer is proposing a split-season irrigation/fallow schedule where ranch operations will continue historical irrigation use during the early season while streamflow is generally ample, but will cease diverting Larimer's decreed water rights beginning in August through the end of the 2025 irrigation season. From August 2nd through the end of the irrigation season, Larimer will allow the water to flow past the headgates on Boxelder Creek. For future years, after the 2025 irrigation season, Larimer plans to no longer lease the water rights to the rancher during implementation years, allowing the water rights to be fully utilized as flow restoration for the remaining four years of the WCP 10-year approval. The estimated amount of water conserved under this water conservation program is approximately 196 acre-feet of diversions per year (when there is no split-season schedule for irrigation).

This WCP will provide environmental flow benefits in Boxelder Creek, tributary to the Cache La Poudre River, tributary to the South Platte River. Boxelder Creek, within Larimer's Red Mountain Open Space, is a Colorado Natural Heritage Program ("CNHP") B2 biodiversity ranked riparian system. The CNHP biodiversity significance designation is due to rare plant communities throughout the property. This project should also benefit CWCB's instream flow water rights on the lower section of the 4.7 miles on Boxelder Creek decreed in Case No. 16CW3174.

Exhibits:

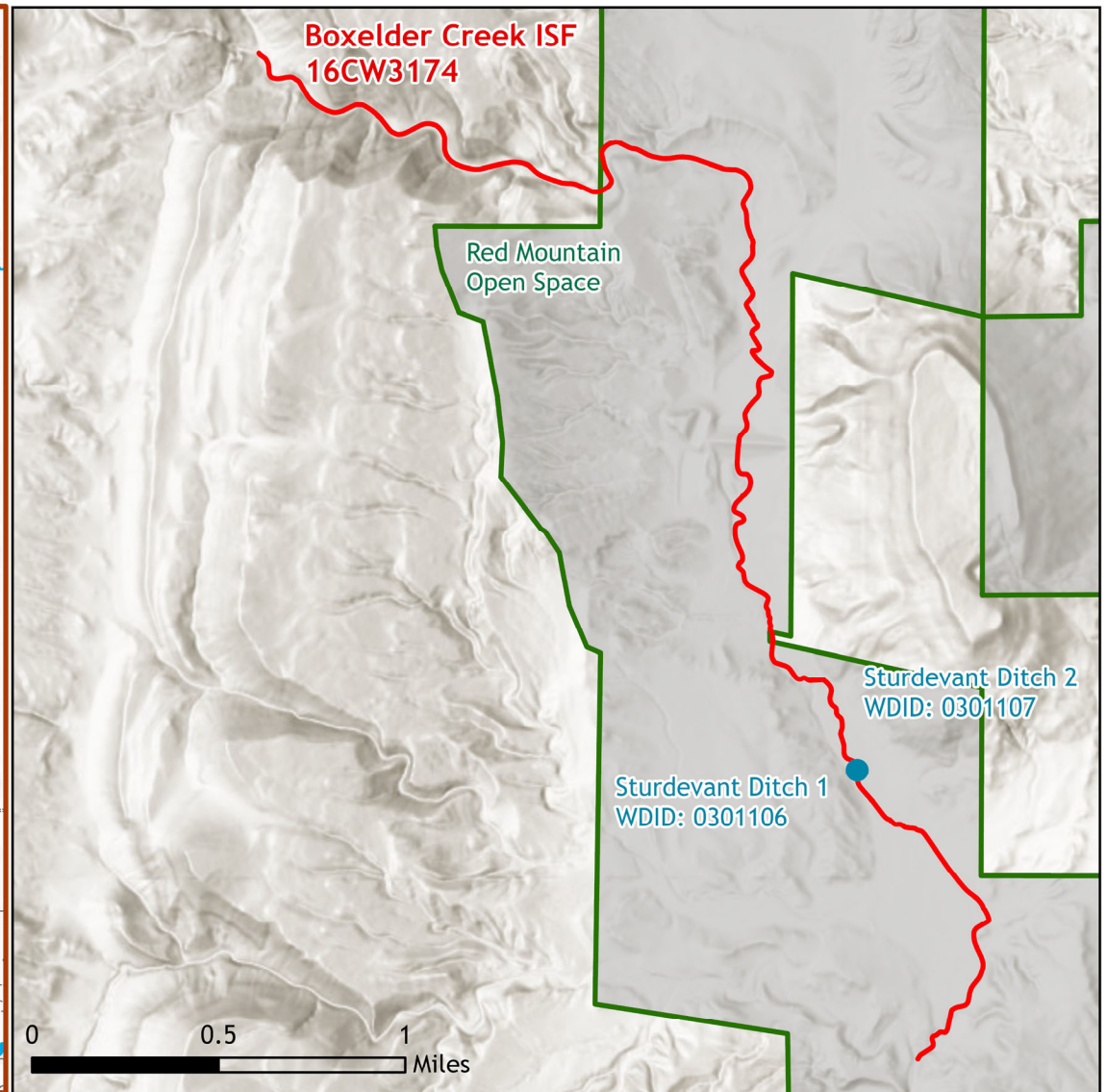
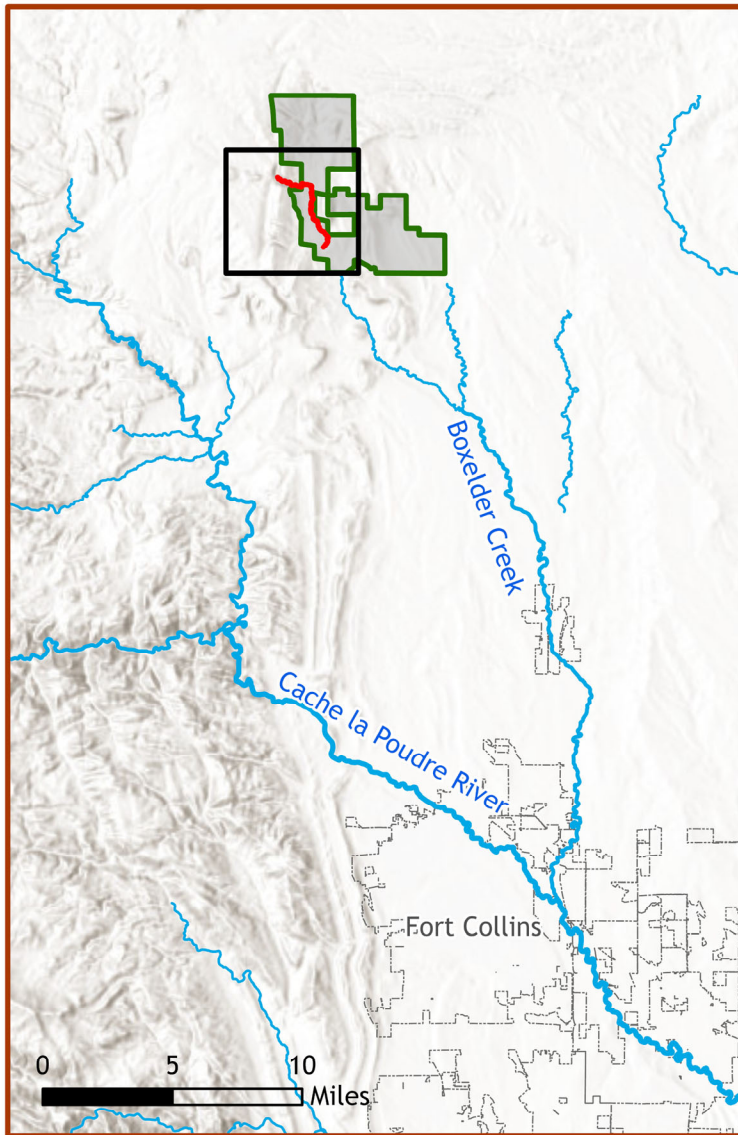
Exhibit A - Map of the Area

Exhibit B - Water Conservation Program Application

Exhibit C - Larimer County Letter



Exhibit A



COLORADO
Colorado Water Conservation Board

Department of Natural Resources

March 19-20, 2025 CWC Board Meeting
Agenda Item 6a. Request for Approval of
Water Conservation Program for Larimer
County on Boxelder Creek
Water Division 1

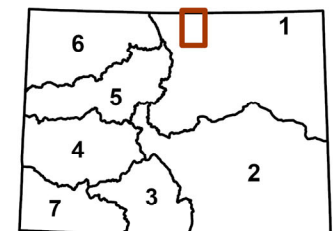


Exhibit B



COLORADO
WATER TRUST

MEMORANDUM

TO: CWCB Staff

FROM: Josh Boissevain & Danielle Snyder

DATE: February 11, 2025

RE: Request for Approval of Water Conservation Program – Larimer County Red Mountain Open Space (Sturdevant Ditch water rights)

I. Introduction

Please accept this Proposal for Approval of Water Conservation Program under C.R.S. §§ 37-92-103(2), 37-92-305(3)(c) for the Sturdevant Ditch water rights, which are used to irrigate the property known as the “Boxelder Hay Meadow”, located in Larimer County’s Red Mountain Open Space. In partnership with the Colorado Water Trust (“CWT”), Larimer County is requesting that the Colorado Water Conservation Board (“CWCB”) approve the County’s enrollment in a water conservation program to provide protection from abandonment and reduction in historic consumptive use for the County’s water rights for five years out of a ten-year period. This enrollment is part of an overall plan to transfer ownership of the water rights associated from the County to CWCB for an acquisition into the CWCB’s instream flow program. Enrollment of these water rights in a WCP will allow water to be used for flow restoration purposes while Larimer County, in partnership with CWT, works to convey these water rights to the CWCB. CWCB and CWT will then obtain approval from the Division 1 water court adding instream flow as a beneficial use.

II. Landowner Information

Meegan Flenniken
Land Conservation, Planning & Resource Division Manager
Larimer County Department of Natural Resources 1800 S. County Road 31,
Loveland, CO 80537
(970) 619-4562
mflenniken@larimer.org

III. Proposed Water Conservation Program Project Description

This Water Conservation Program proposes to benefit streamflow in Boxelder Creek, tributary to the South Platte River, by ceasing delivery of water to Sturdevant Ditch Nos. 1 and 2 attributable to the Sturdevant Ditch water rights. These water rights and the irrigated lands are owned by Larimer County. In recent years, Larimer County has leased the Sturdevant water rights to an irrigator who irrigates 81 acres. The lessee uses flood irrigation for hay to feed livestock, producing approximately 180 tons of grass hay harvested annually.

IV. Water Rights, Project Location, and Place of Use

Currently, water attributable to the Sturdevant Ditch water rights and used to irrigate the Boxelder Hay Meadow is diverted from Boxelder Creek at Sturdevant Ditch No. 1 (WDID 301106) and Sturdevant Ditch No. 2 (WDID 301107). The water rights were decreed absolute for irrigation use in 1882 in Civil Action 320 ("Water Rights"). Sturdevant Ditch #1 has the Number 61 priority on the creek, and Sturdevant Ditch #2 has the Number 62 priority. Together, the two water rights are decreed to divert at a rate of up to 10.67 cfs each. The Water Rights are described in more detail in Table 1 below and decree attached hereto as **Exhibit A**.

Table 1

Name	WDID	Admin No.	Case No.	Amount (cfs)	App Date	Adj Date	Source	River Mile
Sturdevant Ditch No. 1	301106	8628.00000	CA320	10.67	8/15/1873	4/11/1882	Boxelder Creek	39.35
Sturdevant Ditch No. 2	301107	8633.00000	CA320	10.67	8/20/1873	4/11/1882	Boxelder Creek	39.35
Total				21.34				

The Water Rights have been consistently used to irrigate between 72 and 100 acres within the heart of Red Mountain Open Space. Sodbusted in the late 1980s, the agricultural field breaks connectivity for over 1-mile of Boxelder Creek. A map showing the historically irrigated parcel and the location of the points of diversion is included as **Attachment B**. Boxelder Creek within the open space is a Colorado Natural Heritage Program ("CNHP") B2 biodiversity ranked riparian system, has the full assemblage of native aquatic insect species intact, includes a statewide significant archaeological site, and is prominent in the journals of the explorer Fremont. The entirety of Red Mountain Open Space is included in CNHP biodiversity significance designations due to rare plant communities throughout the property. Larimer County is working on a related project to restore the stream connectivity of Boxelder Creek and restore the riparian and uplands back to native plant communities.

The Water Rights are proposed to be enrolled in a WCP to provide environmental flow benefits along Boxelder Creek along and downstream of the Boxelder Hay Meadow. While a WCP cannot specifically allow protected instream flow use, the project will benefit the instream flow water rights on Boxelder Creek decreed in Case No. 16CW3174 ("Boxelder Creek ISF"). The decreed instream flow is described in more detail in Table 2 below and decree attached hereto as **Attachment C**. A map showing the Boxelder Creek ISF is included as **Attachment D**.

Table 2

Case No.	WDID	Stream	App Date	Reach Length	Flow Rate
16CW3174	302132	Boxelder Creek	01/26/2016	4.73 mi	1.3 cfs (7/1-5/15) 5 cfs (5/16-6/30)

V. Estimated Amount of Conservation

This Water Conservation Program would result in approximately 196 acre-feet (AF) of diversions per year. This amount was estimated based on a crop demand analysis for the irrigation of 72 acres of grass hay..¹

VI. Verification Method

CWT will visually inspect and collect photographic records that the diversion structures for Sturdevant Ditch Nos. 1 and 2 are closed and that no water is being diverted and used to irrigate the historically irrigated acreage. CWT and Larimer County will meet periodically to verify and document non-diversion at these structures. Accounting records will also be collected and submitted to Colorado's Division of Water Resources.

VII. Timeframe/Schedule

Larimer County and CWT propose to begin project operations beginning August 2025. The project may operate 5 years within the 10-year window allowed by statute and conclude before December 2034.

During the first year of operation, the WCP will utilize a split-season operation design. Project operations will continue historic irrigation uses for the Water Rights during the early season when streamflow is ample and close headgates to boost flows beginning in August when Boxelder Creek is most impacted by low flows. During project operations in the first year, diversions of the Water Rights will cease, and the water will be left instream from August 2nd through the end of the irrigation season.

In future years of operations, the WCP use a full-season operation design. There will be no diversions for irrigation, and the water will be left instream for the duration of the irrigation season.

¹ The 72-acre figure is a conservative estimate of irrigated acreage for the purposes of this water conservation application. However, a detailed analysis of historical records might show that a larger average number of acres have been consistently irrigated.

VIII. Funding Requested

Project proponents are not requesting funding from the Colorado Water Conservation Board for this project (and no public funding is being used in this project).

thereto; it is hereby adjudged and decreed that there be allowed to flow into said Ditch No. 33 from said river, for the use aforesaid and benefit aforesaid, under and by virtue of said appropriation by construction thereof—Priority No. 56—so much water as will flow therein to the amount of ten thousand five hundred cubic feet of water per minute of time; the appropriation of which water took effect on, and the Priority thereof—No. 56—dates from the first day of April, A. D., 1873; the said amount being that specified by claimant in its amendatory supplemental statement filed with Referee on the 29th day of November, A. D., 1881, waiving all greater claim.

NUMBER THIRTY-FOUR.

THIRTY-FOURTH—THAT DITCH NUMBERED THIRTY-FOUR, KNOWN AS THE DITCH OF AQUILLA MORGAN,

Who is claimant in this matter, having been found in manner aforesaid to be a ditch used for irrigation of lands and for domestic purposes, and taking its supply of water from North Fork of the Cache la Poudre river, a tributary of the Cache la Poudre river, with headgate on east side of said North Fork and situated one-fourth of a mile from, and north-west of the north-west corner of Section No. Twenty-nine, in Township No. Ten, North, of Range No. Seventy, West, course south-easterly, length 99 chains, and entitled by appropriation to use of water from said North Fork to Priority numbered 59 (fifty-nine) by construction thereof; and thereby to the quantity of water with the number and date of appropriation thereof, hereinafter in this paragraph mentioned, for the use aforesaid and for the benefit of the party or parties lawfully entitled thereto: it is hereby adjudged and decreed that there be allowed to flow into said Ditch No. 34 from said river, the said North Fork, for the use aforesaid and for the benefit aforesaid, under

and by virtue of said appropriation by construction—Priority No. 59—so much water as will flow therein on a grade of four feet to the mile, with width on bottom of four feet and five inches, slopes of banks one to one, with depth of water flow of one foot and four inches—computed at 1059 (ten hundred and fifty-nine) cubic feet per minute of time; the appropriation of which water took effect on, and the Priority thereof—No. 59—dates from the first day of July, A. D., 1873.

NUMBER THIRTY-FIVE—NUMBER THIRTY-SIX.

THIRTY-FIFTH—THIRTY-SIXTH—THAT THE TWO DITCHES NUMBERED RESPECTIVELY THIRTY-FIVE AND THIRTY-SIX, KNOWN AS THE STURDIVANT DITCHES.

Harvey F. Sturdivant, claimant in this matter, having been found in manner aforesaid to be ditches used for irrigation of lands and for domestic purposes, and taking their supply of water from the Box Elder creek, and both connected with the same dam on said creek, the same being a tributary of the Cache la Poudre river, with headgates situated opposite each other on the north and south banks of said creek, and used to irrigate the farm or ranch of said claimant, lying on both sides of said creek and about four miles above the Martin Calloway ranch, now occupied by Mrs. Mary E. Calloway, and each entitled by appropriation to use of water from said creek to a priority as follows: the said ditch on the south side of said creek to Priority numbered 61 (sixty-one), and the said ditch on the north side of said creek to Priority numbered 62 (sixty-two), each by construction thereof; and thereby each to the several quantity (quantities) of water with the number and date of appropriation thereof hereinafter in this paragraph mentioned for the uses aforesaid and for the benefit of the party or parties entitled thereto; it is hereby adjudged and decreed that

there be allowed to flow into each of said ditches from said creek for the uses aforesaid and for the benefit aforesaid so much water as will flow therein on a grade of six feet and eight inches to the mile, with width of ditch on bottom of two feet, and width at surface of water of four and one-half feet, with depth of water flow of fifteen inches, computed in respect to each of said ditches at (640) six hundred and forty cubic feet per minute of time; the appropriation of which water by means of said Ditch No. 35—being the said ditch on south side of said creek—took effect on, and the said Priority thereof—No. 61—dates from the fifteenth day of August, A. D., 1873; and the appropriation aforesaid by means of said Ditch No. 36—being the said ditch on south side of said creek—took effect on, and the Priority thereof—No. 62—dates from the twentieth day of August, A. D., 1873.

NUMBER THIRTY-SEVEN.

THIRTY-SEVENTH—THAT DITCH NUMBERED THIRTY-SEVEN, NAMED "THE VANDEWARK DITCH,"

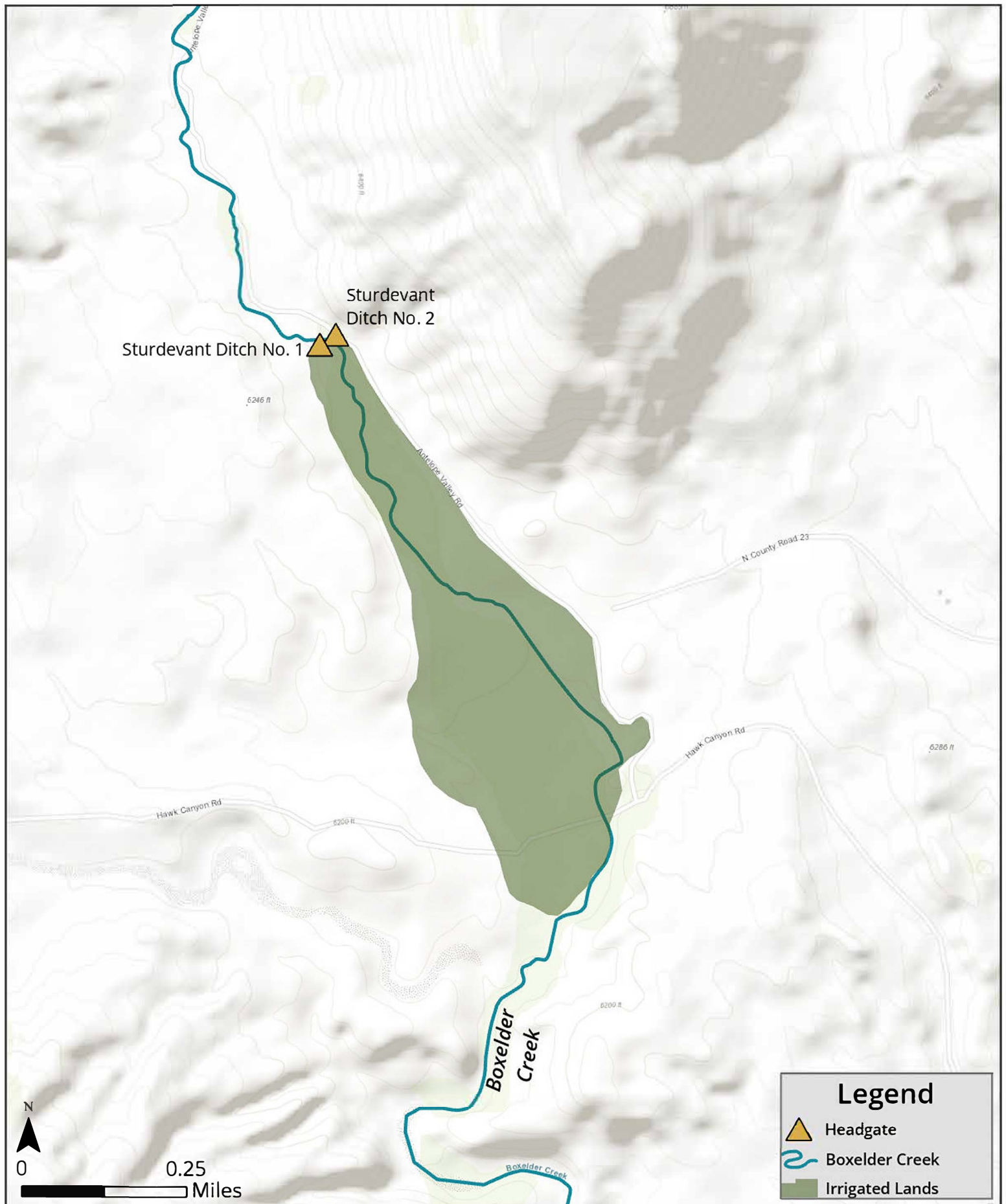
William Gilbertson, claimant in this matter—Oliver Vandewark former claimant herein—having been found in manner aforesaid to be a ditch used for irrigation of lands and for domestic purposes, and taking its supply of water from the Cache la Poudre river, with headgate on north bank thereof, on the East half of the North-west quarter of Section No. Two, Township No. Seven, North, Range No. 69, West, the center of Section No. 2 bearing S. 82½°, E. 11 chains, course south-easterly, length three-fourths of a mile, and entitled by appropriation to use of water from said river to Priority numbered 65 (sixty-five) by construction; and thereby to the quantity of water with the number and date of appropriation thereof hereinafter in this paragraph mentioned; for the uses aforesaid and for the benefit of the party or parties lawfully entitled thereto; it is hereby adjudged and decreed that

there be allowed to flow into said Ditch No. 37 from the said river, for the uses aforesaid and for the benefit aforesaid, under and by virtue of said appropriation by construction thereof—Priority No. 65—so much water as will flow therein on grade of five (5) feet to the mile, with width on bottom of two and one-half feet, width on surface of water of three feet, with depth of water flow of twenty inches, computed at 610 (six hundred and ten) cubic feet per minute of time; the appropriation of which water took effect on, and said Priority thereof—No. 65—dates from the first day of May, A. D., 1874.

NUMBER THIRTY-EIGHT.

THIRTY-EIGHTH—THAT DITCH NUMBERED THIRTY-EIGHT, NAMED THE MITCHELL AND WEYMOUTH DITCH, NUMBER ONE,

Jacob Mitchell and A. A. Weymouth, claimants in this matter, having been found in manner aforesaid to be a ditch used for irrigation of lands and domestic purposes, and taking its supply of water from the Lone Pine creek, a tributary of the North Fork of the Cache la Poudre river, which is a tributary of said river, with headgate on south side of said creek on North-west quarter of Section No. Thirty-six, Township No. Ten, North, Range Seventy-one, West, course east by south-east, length one mile, and entitled by appropriation to use of water from said creek to Priority numbered 66 (sixty-six) by construction thereof; and thereby to the quantity of water with the number and date of the appropriation thereof hereinafter in this paragraph mentioned, for the uses aforesaid and for the benefit of the party or parties lawfully entitled thereto; it is hereby adjudged and decreed that there be allowed to flow into said Ditch No. 38 from said river, so much water as will flow therein on a grade of six feet and eight inches to the mile, with width on



Attachment C

DISTRICT COURT, WATER DIVISION 1 WELD COUNTY COURT HOUSE 901 9TH AVENUE P.O. BOX 2038 GREELEY, CO 80632	DATE FILED: January 12, 2018 8:51 AM CASE NUMBER: 2016CW3174
CONCERNING THE APPLICATION FOR WATER RIGHTS OF: COLORADO WATER CONSERVATION BOARD, IN BOXELDER CREEK, A NATURAL STREAM; IN THE CACHE LA POUDRE WATERSHED, IN LARIMER COUNTY, COLORADO.	^ COURT USE ONLY ^ Case No.: 2016CW3174
FINDINGS OF FACT, CONCLUSIONS OF LAW, RULING OF THE REFEREE, AND JUDGMENT AND DECREE OF THE WATER COURT	

This matter comes before the Water Referee by application of the Colorado Water Conservation Board ("CWCB") for a water right to preserve the natural environment to a reasonable degree. The application was filed on December 8, 2016. The Water Court for Water Division 1 referred the application to the Water Referee for Water Division 1, in accordance with section 37-92-203(7), C.R.S. (2016).

The Referee, having made such investigations as are necessary to determine whether or not the statements in the application are true, having consulted with the Division Engineer for Water Division 1, and being fully advised in the premises, does hereby make the following Findings of Fact, Conclusions of Law, and Ruling of the Referee in this matter:

FINDINGS OF FACT

- Name & Address of Applicant:
Colorado Water Conservation Board ("CWCB")
1313 Sherman Street, Suite 718
Denver, CO 80203
- Notice and Jurisdiction: All notices of this matter required by law have been fulfilled, and the Court has jurisdiction over the Application and all parties affected thereby, whether or not they have chosen to appear.

3. Opposers: A statement of opposition was filed by the City of Fort Collins on February 23, 2017. A Statement of opposition was filed by the Cache La Poudre Water Users Association on February 28, 2017. No other statements of opposition were filed. The time for filing statements of opposition has expired.

4. Summary of Consultation: The Division Engineer filed a Summary of Consultation pursuant to section 37-92-302(4), C.R.S. (2016), on March 31, 2017. No response to the Summary of Consultation was required. The Referee has given the Summary of Consultation due consideration.

5. Name of water right: Boxelder Creek Instream Flow Water Right.

6. Legal Description: The Boxelder Creek Instream Flow Water Right is located in the natural stream channel of Boxelder Creek from the confluence of the South & North Branches of Boxelder Creek to the confluence with an unnamed tributary, a distance of approximately 4.72 miles. A map depicting the approximate location of the Boxelder Creek Instream Flow Water Right reach is attached as **Exhibit 1**.

A. Upstream Terminus: Confluence of South & North Branches of Boxelder Creek at:

1. UTM: Northing: 4533562.13; Easting: 482402.33 (NAD 1983 Zone 13 North)
2. Lat/Long: latitude 40° 57' 10.85"N and longitude 105° 12' 32.74"W

B. Downstream Terminus: Confluence with an unnamed tributary at:

1. UTM: Northing: 4529230.45; Easting: 485243.56 (NAD 1983 Zone 13 North)
2. Lat/Long: latitude 40° 54' 50.57"N and longitude 105° 10' 30.84"W

C. The Universal Transverse Mercator (UTM) of the upstream and downstream termini will be used as the legal description for the decree in this matter. The Lat/Long coordinates are provided as cross-reference locations only. The UTM and Lat/Long locations for the upstream and downstream termini were derived from CWCB GIS using the National Hydrography Dataset (NHD).

7. Source: Boxelder Creek, tributary to the Cache la Poudre River, tributary to the South Platte River.
8. A. Date of initiation of appropriation: January 26, 2016.
- B. How appropriation was initiated: Appropriation and beneficial use occurred on January 26, 2016, by the action of the CWCB pursuant to sections 37-92-102(3) and (4) and 37-92-103(3), (4) and (10), C.R.S. (2016).
- C. Date applied to beneficial use: January 26, 2016.
9. Amount of water claimed: Instream flow of 1.3 cfs (7/1 - 5/15), and 5.0 cfs (5/16 - 6/30), absolute.
10. Use of the Water: Instream flow to preserve the natural environment to a reasonable degree.

CONCLUSIONS OF LAW

11. The foregoing Findings of Fact are incorporated herein to the extent they constitute conclusions of law.
12. Notice and Jurisdiction: The Water Court for Division 1 has jurisdiction over the subject matter of these proceedings and over all persons and owners of property and water rights that may be affected hereby, whether or not they have chosen to appear. The application in this matter and the resume publication of the application placed such persons on notice of the relief requested by the application and granted by this decree. §§ 37-92-203 and 302, C.R.S. (2016).
13. The CWCB has fulfilled all legal requirements for a decree for water rights including sections 37-92-302, 304, and 305, C.R.S. (2016).
14. Burden of Proof: The CWCB has complied with all requirements and has met its burden of proof to adjudicate the water right requested in the application and is therefore entitled to a decree approving the requested water right.

RULING OF THE REFEREE

15. The foregoing Findings of Fact and Conclusions of Law are hereby approved and incorporated as the Ruling of the Referee by this reference.

16. The application is granted, and a decree in the amount of 1.3 cfs (7/1 - 5/15), and 5.0 cfs (5/16 - 6/30), absolute, is hereby entered to preserve the natural environment to a reasonable degree in the reach of Boxelder Creek, between the upstream and downstream termini described in paragraph 6 above. The appropriation date for this water right is January 26, 2016.

17. The priority herein confirmed was filed in the water court in the year of 2016 and shall be junior to all priorities filed in previous years. As between all rights filed in the same calendar year, priorities shall be determined by historical date of appropriation and not affected by the date of entry of this decree.

18. The CWCB shall install and maintain such measuring devices and keep such records as the Division Engineer may require for administration of this right.

It is accordingly **ORDERED** that this Ruling shall be filed with the water clerk subject to judicial review.

It is further **ORDERED** that a copy of this Ruling shall be filed with the Division Engineer and the State Engineer.

Dated this 21st day of December, 2017.

BY THE REFEREE:

A handwritten signature in black ink, appearing to read "John S. Cowan". The signature is fluid and cursive, with the first name "John" being the most prominent part.

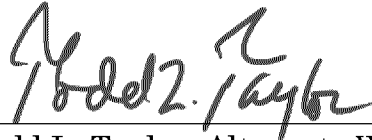
John Cowan, Water Referee
Water Division 1

JUDGMENT AND DECREE OF THE WATER COURT

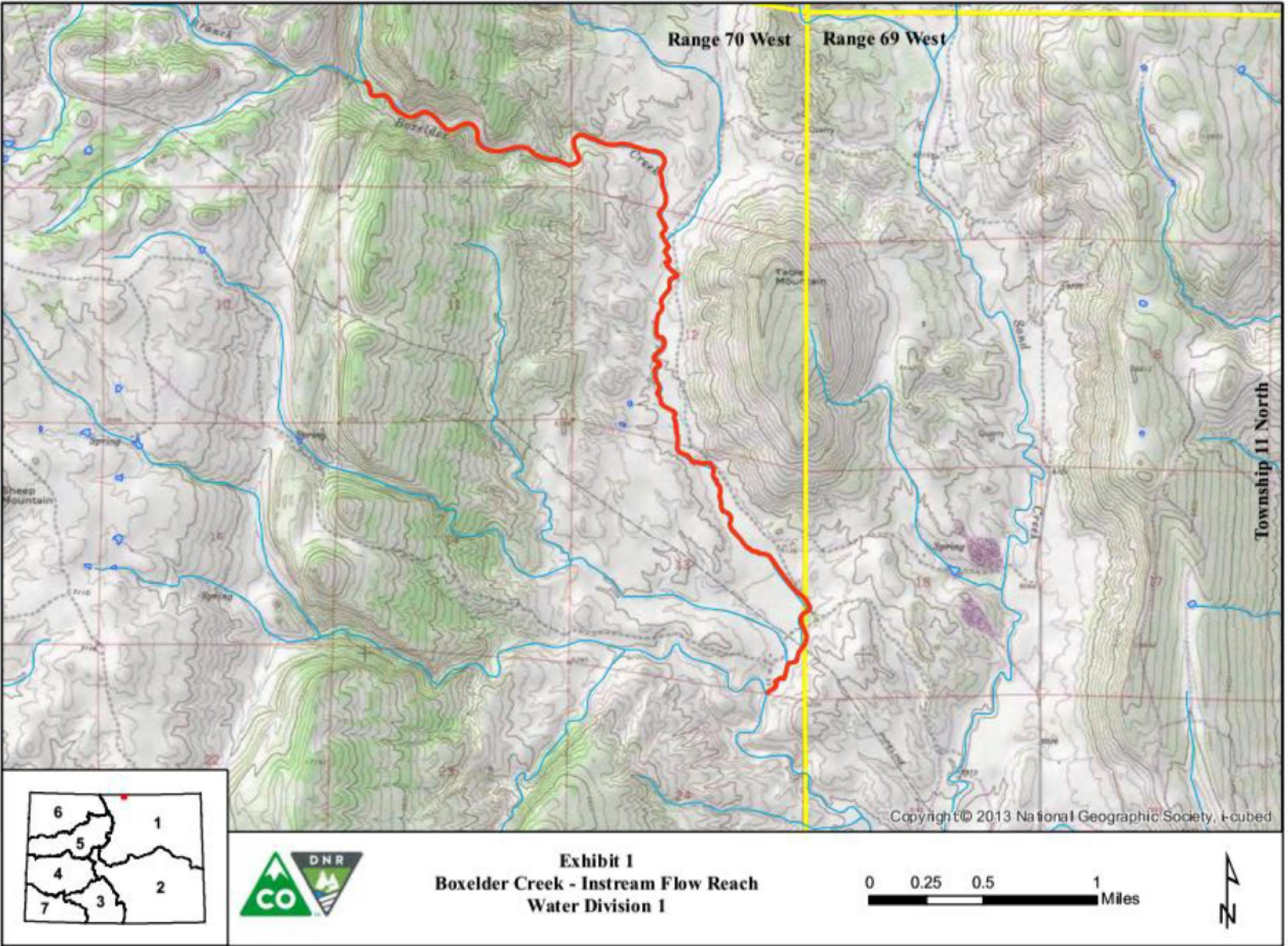
No protest was filed in this matter. The foregoing Ruling is confirmed and approved and is made the judgment and decree of this Court.

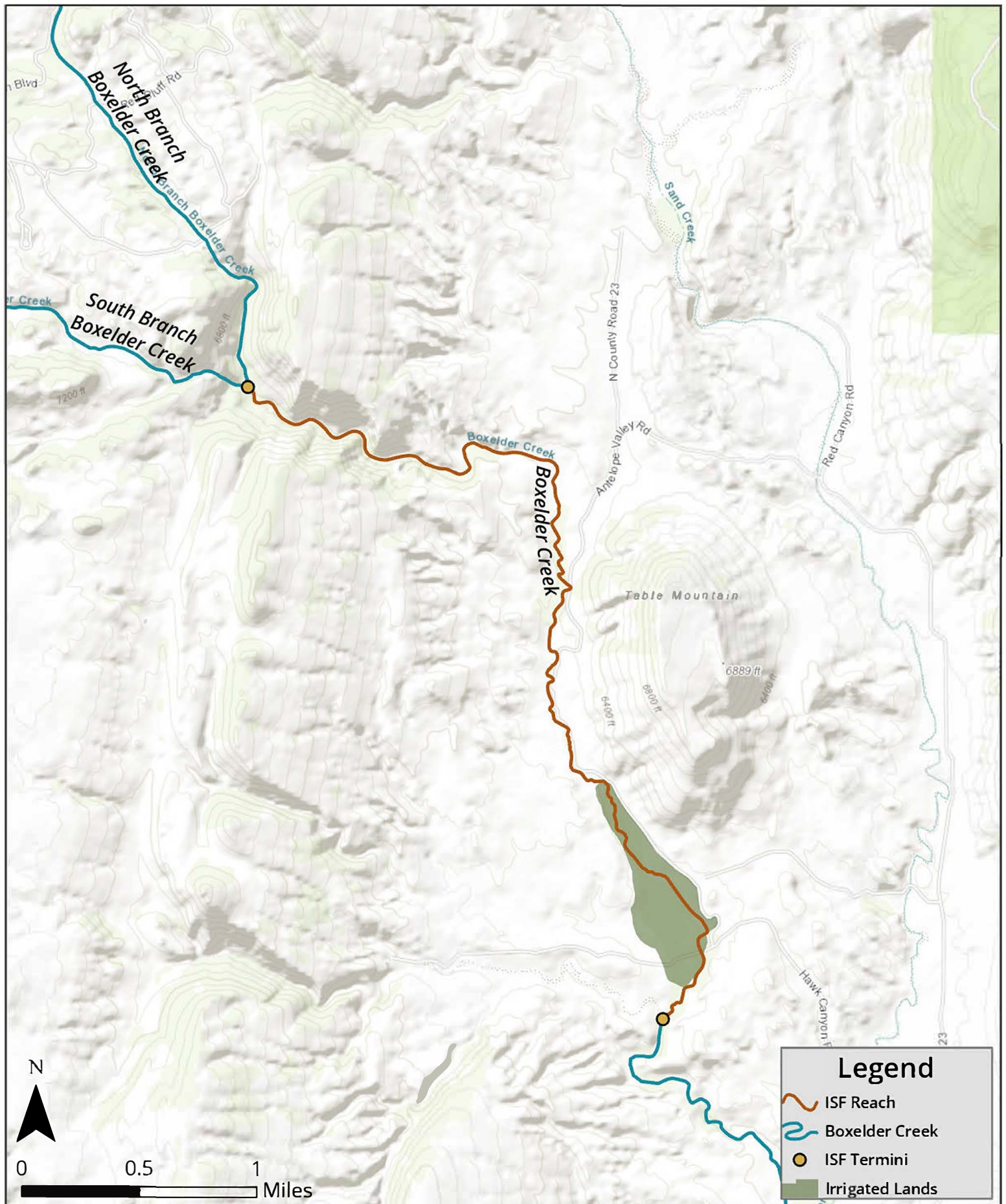
Dated this 12th day of January, 2018.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Todd L. Taylor", written over a horizontal line.

Todd L. Taylor, Alternate Water Judge
Water Division 1





LARIMER COUNTY | NATURAL RESOURCES

1800 S. County Road 31, Loveland, CO 80537 | (970) 619-4570 | larimer.org/naturalresources

March 5, 2025

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

Larimer County contacted the Colorado Water Trust (“CWT”) in 2024 to request assistance to explore on our behalf, opportunities to use the county’s existing water portfolio at Red Mountain Open Space, to restore Boxelder Creek.

Larimer County owns the Sturdevant Ditch Nos. 1 and 2 water rights and currently leases the water to irrigate an 81-acre agricultural field within Red Mountain Open Space. Sodbusted in the late 1980s, the agricultural field breaks connectivity for over 1-mile of Boxelder Creek. Boxelder Creek within the open space is a Colorado Natural Heritage Program (“CNHP”) B2 biodiversity ranked riparian system, has the full assemblage of native aquatic insect species intact, includes a statewide significant archaeological site, and is prominent in the journals of the explorer Fremont. We are currently developing restoration plans for this 1-mile reach of Boxelder Creek and the associated uplands to improve ecological function and connectivity within the heart of this conserved landscape, and the current lease for these water rights expires August 1, 2025.

It is Larimer County’s desire to see these existing water rights be placed into the Water Conservation Program with the intent to ultimately dedicate the water rights to the Colorado Water Conservation Board (“Board”) for purposes of instream flows to benefit streamflow in Boxelder Creek. As such Larimer County staff have reviewed the memo prepared by CWT dated February 11, 2025 requesting approval of a Water Conservation Program by the Board, and Larimer County supports this request.

Please feel free to reach out to me directly with any questions and thank you for your consideration.



Daylan Figgs, Director
Larimer County Department of Natural Resources

