

STATE OF COLORADO

Colorado Water Conservation Board Department of Natural Resources

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NOTICE

To: Instream Flow Subscription Mailing Lists

Subject: Notice of Proposed 2013 Instream Flow Appropriations in Water
Divisions 1, 2, and 6

Date: November 9, 2012

John W. Hickenlooper
Governor

Mike King
DNR Executive Director

Jennifer L. Gimbel
CWCB Director

This notice complements previous notice, made pursuant to ISF Rule 5c., which identified the streams to be considered for instream flow appropriations in 2013. At the January or March 2013 meeting of the Colorado Water Conservation Board (CWCB), staff may request that the Board form its intent to appropriate Instream Flow (ISF) water rights for the streams listed on the attached Instream Flow Appropriation List. The attached list contains a description of the ISF recommendations including: water division, stream name, county, and recommending entity.

Copies of the Instream Flow Stakeholder Recommendations and Appendices submitted into the Official CWCB Record are available for review by the public during regular business hours (8:00 a.m. - 5:00 p.m.) at the Colorado Water Conservation Board's Office, located at 1313 Sherman Street, Room 721, Denver, Colorado, 80203. In addition to the CWCB office, copies of the Instream Flow Stakeholder Recommendations are available on the CWCB website at

<http://cwcb.state.co.us/environment/instream-flow-program/Pages/2013ProposedInstreamFlowAppropriations.aspx>

In addition to the above ISF Stakeholder 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 its instream flow recommendations.

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, 2013, 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, 2013 or the first business day thereafter.

(e) Staff will announce its final staff ISF recommendation concerning contested appropriations at the September 2013 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 2013 Board meeting.

Please note that any ISF recommendations brought to the Board at the March 2013 meeting for appropriation will be processed on a modified schedule as established by the Board.

Should you wish to comment on the proposed instream flow recommendations, you may do so by writing Jeff Baessler of the Board's staff at the address given above or by sending your comments by email to (jeffrey.baessler@state.co.us or rob.viehl@state.co.us). It should be noted that while your appearance at any meeting is welcome, such an appearance is not necessary for your concerns to be recognized. Staff will take your comments into account, will provide copies of all written comments to the Board, and, if you so request, will present them to the Board in your absence. If you are not currently on the Board's Instream Flow Subscription Mailing List and you would like to be, please contact the Board's Office at the address given above.

Division	Stream Name	County(ies)	Recommender(s)*
1	North Clear Creek <i>Confl. Chase Gulch to Confl. Wastewater Treatment Plant</i>	Gilpin	CDPHE, CPW
1	North Clear Creek <i>Confl. Wastewater Treatment Plant to Confl. Clear Creek</i>	Gilpin	CDPHE, CPW
2	Apishapa River <i>Headwaters to Confl. Herlick Canyon Creek</i>	Las Animas	CPW
2	Baker Creek <i>Headwaters to USFS Boundary</i>	Huerfano	CPW
2	Bonnett Creek <i>Headwaters to USFS Boundary</i>	Huerfano	CPW
6	Government Creek <i>Headwaters to the Government Ditch No. 2</i>	Jackson	BLM
6	Willow Creek (Increase) <i>Outlet Steamboat Lake to Confl. Beaver Creek</i>	Routt	BLM
6	Willow Creek (Increase) <i>Confl. Beaver Creek to Confl. Lester Creek</i>	Routt	BLM
6	Red Creek <i>USFS Boundary to Confl. Willow Creek</i>	Routt	BLM
6	Yellow Creek <i>Lambert Springs to Confl. Barcus Creek</i>	Rio Blanco	BLM, CPW
6	Yellow Creek <i>Confl. Barcus Creek to Confl. White River</i>	Rio Blanco	BLM, CPW

CPW (Colorado Division of Parks and Wildlife), BLM (Bureau of Land Management), and CDPHE (Colorado Department of Public Health and Environment)