



**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

Rebecca Mitchell, CWCB Director

**TO:** Colorado Water Conservation Board Members

**FROM:** Robert Viehl  
Chief, Stream and Lake Protection Section

**DATE:** July 21, 2021

**AGENDA ITEM:** 7. Update on Contested ISF Appropriation on Rincon la Vaca Creek in Water  
Division 7

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**Staff recommendation:**

This is an informational item only and no Board action is being sought at this time.

**Background:**

CPW recommended a segment on Rincon La Vaca Creek for inclusion into the CWCB's Instream Flow and Natural Lake Level Program at the January 25, 2017 ISF workshop.

On January 25, 2021, the CWCB formed its intent to appropriate ISF water rights on this segment of Rincon La Vaca Creek.

On March 31, 2021, the Southwestern Water Conservation District, filed a notice to contest this ISF appropriation. No other entities filed for Party status or Hearing Participant status and the deadline to do so has passed.

The Hearing Officer established the following deadlines for written submissions, designation of witnesses and exhibits, and the date of the prehearing conference:

July 12, 2021 prehearing statements from Parties are due.

July 19, 2021 the prehearing conference is scheduled to take place.

August 16, 2021 rebuttal statements are due.

The ISF hearing in this matter is scheduled to occur at the September 15-16, 2021 Board meeting.

CWCB staff have been working in conjunction with CPW to resolve the concerns raised by the sole objector in this matter. Staff will provide an update in their presentation of any progress to resolve this contested appropriation and any modifications to the deadlines the Hearing Officer has established.

