

BEFORE THE COLORADO WATER CONSERVATION BOARD

IN THE MATTER OF PROPOSED INSTREAM FLOW APPROPRIATION DIVISION NO. 7: RINCON LA VACA CREEK

ORDER GRANTING JOINT MOTION REQUESTING EXTENSION OF PREHEARING DEADLINE

THIS MATTER comes before the Hearing Officer on the joint motion of the Staff of the Colorado Water Conservation Board (“CWCB Staff”), Colorado Parks and Wildlife (“CPW”), and the Southwestern Water Conservation District (“SWCD”) (collectively, “Parties”, to extend the deadline for the Parties to provide prehearing statements. The Hearing Officer, having reviewed the motion and being otherwise adequately advised, enters the following order:

Rule 5c of the Rules Concerning the Colorado Instream Flow and Natural Lake Level Program, 2 CCR 408-2 (“ISF Rules”), states that “[w]hen necessary, the Board may modify or delay this schedule [for contested instream flow appropriations] or any part thereof as it deems appropriate.” Moreover, Rule 5n states that the Hearing Officer shall assist the Parties in “adjusting deadlines and schedules to further the Parties’ settlement efforts or for good cause shown.” Rules 5n(2) and 5n(5) also allow additional information to be submitted by the parties past the deadline of five working days before the prehearing conference, “for good cause shown or as agreed upon by the Parties.” Moreover, Rule 5n states that the Hearing Officer shall assist the Parties in “adjusting deadlines and schedules to further the Parties’ settlement efforts or for good cause shown.”

The Hearing Officer finds that good cause exists, and the case will be best served if the deadline for prehearing statements is continued. The motion is GRANTED, and the following deadline in this matter is revised as follows:

Monday, July 19, 2021 at 12:00 noon: Prehearing Statements Due

The date of the prehearing conference and the deadline for rebuttal prehearing statements remain the same, so that the relevant dates are as follows:

- a. Deadline for Prehearing Statements: July 19, 2021 at 12:00 noon
- b. Prehearing Conference: July 19, 2021 at 4:00 pm
- c. Deadline for Rebuttal Prehearing Statement: August 16, 2021

d. Hearing Date: September 15-16, 2021

Dated this 12th day of July, 2021.

By the Hearing Officer:

/s/ Amy W. Beatie

Amy W. Beatie
Deputy Attorney General
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Certificate of Service

Contested CWCB ISF Appropriation on Rincon La Vaca Creek

I hereby certify that on July 12th, 2021, a true and correct copy of the foregoing **ORDER GRANTING JOINT MOTION REQUESTING EXTENSION OF PREHEARING DEADLINE** was served via email to the parties referenced in the Party Status below:

Hearing Officer

Amy Beatie Deputy Attorney General Natural Resources & Environment Section Office of the Colorado Attorney General 1300 Broadway, 7th Floor Denver, Colorado 80203 720-508-6296 amy.beatie@coag.gov cc: john.watson@coag.gov

Party Status

<u>Colorado Water Conservation Board</u> Rob Viehl Colorado Water Conservation Board 1313 Sherman Street, Room 718 Denver, CO 80203 303-866-3441 ext. 3237 rob.viehl@state.co.us	<u>Colorado Water Conservation Board</u> Jennifer Mele First Assistant Attorney General Natural Resources & Environment Section Office of the Colorado Attorney General 1300 Broadway, 7th Floor Denver, CO 80203 720-508-6282 jen.mele@coag.gov
<u>Colorado Parks and Wildlife</u> Katie Birch DOI, BLM, Colorado State Office 2300 S. Townsend Ave. Montrose, CO 81401 970-819-1037 katie.birch@state.co.us	<u>Southwestern Water Conservation District</u> Beth Van Vurst Van Vurst Law, LLC 822 S. Race Street Denver, Colorado 80209 720-664-6442 beth@vanvurst-law.com

/s/ John Watson
John Watson