

**BEFORE THE COLORADO WATER CONSERVATION BOARD
STATE OF COLORADO**

**IN THE MATTER OF STAFF'S RECOMMENDATIONS FOR AN INSTREAM
FLOW APPROPRIATION ON EAST MUDDY CREEK BETWEEN THE
CONFLUENCE WITH LEE CREEK AND THE CONFLUENCE WITH
MUDDY CREEK, WATER DIVISION 4**

**ORDER GRANTING STAFF FOR COLORADO WATER CONSERVATION
BOARD'S UNOPPOSED MOTION TO VACATE HEARING ON NOVEMBER
19-20, 2025**

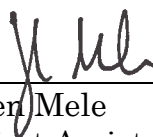
THIS MATTER comes before the Hearing Officer on Staff for Colorado Water Conservation Board's Unopposed Motion to vacate the hearing in this matter currently scheduled in conjunction with the Board's November 19-20, 2025 regularly scheduled meeting. The Hearing Officer, having reviewed the motion and being otherwise adequately advised, GRANTS the motion.

Because Hummingbird Ranch was the only party contesting the Board's instream flow appropriation, and because Hummingbird Ranch now withdraws its opposition, a hearing is no longer necessary in this matter.

The hearing in this matter set for November 19-20, 2025, is hereby VACATED. This matter is returned to staff of the Colorado Water Conservation Board for further administrative action.

DATED: October 3, 2025

BY THE HEARING OFFICER:



Jen Mele
First Assistant Attorney General
Colorado Attorney General's Office
1300 Broadway, 10th Floor
Denver, CO 80203
(720) 508-6282
jen.mele@coag.gov

CERTIFICATE OF SERVICE

I hereby certify that I have emailed copies of the foregoing **ORDER GRANTING STAFF FOR COLORADO WATER CONSERVATION BOARD'S UNOPPOSED MOTION TO VACATE HEARING ON NOVEMBER 19-20, 2025** upon all parties herein, on October 3, 2025, addressed as follows:

Hearing Officer

Jennifer Mele
First Assistant Attorney General
Water Conservation Unit
Colorado Attorney General's Office
1300 Broadway, 10th Floor
Denver, CO 80203
(720) 508-6282
jen.mele@coag.gov

Party Status

<u>Colorado Water Conservation Board:</u> Robert Viehl Colorado Water Conservation Board 1313 Sherman Street, Room 718 Denver, CO 80203 (720) 854-3237 rob.viehl@state.co.us Christopher Davis Assistant Attorney General Water Resources Unit Colorado Attorney General's Office 1300 Broadway, 10th Floor Denver, CO 80203 (720) 508-6280 christopher.Davis@coag.gov	<u>Bureau of Land Management:</u> Roy Smith Bureau of Land Management Denver Federal Center, Building 40 Lakewood, CO 80215 (303) 239-3940 r20smith@blm.gov
<u>Hummingbird Ranch:</u> Jim Auster and Merrilee Bliss Hummingbird Ranch 26140 Hwy 133 Somerset CO 81434 (970) 618-7692 jimauster@hotmail.com	

A duly signed original is on file with the Office of the Attorney General for the State of Colorado.

