



COLORADO

Colorado Water Conservation Board

Department of Natural Resources

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Pursuant to ISF Rule 5c. of the Rules Concerning the Colorado Instream Flow and Natural Lake Level Program, this notice identifies the streams to be considered for instream flow (ISF) appropriations in 2021. At the January meeting of the Colorado Water Conservation Board (CWCB), staff may request that the Board form its intent to appropriate ISF water rights for the streams listed on the Instream Flow Recommendation List below.

Information submitted to the CWCB is 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 718, Denver, Colorado, 80203. This information is also available online at:

<https://cwcb.colorado.gov/2021-isf-recommendations>

In addition to the ISF 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 the ISF 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, 2021, 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, 2021 or the first business day thereafter.

(e) Staff will announce its Final Staff ISF Recommendation concerning contested appropriations at the September 2021 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 2021 Board meeting.

The schedule set forth in (d), (e), and (f) above will apply to streams on which the CWCB declares its intent to appropriate water rights in January 2021.

Note that section 37-92-102 (3) (b), C.R.S. (2020) provides: “Any such appropriation shall be subject to the present uses or exchanges of water being made by other water users pursuant to appropriation or practices in existence on the date of such appropriation, whether or not previously confirmed by court order or decree.” For more information on whether this provision applies to specific undecreed uses of water in or above the proposed instream flow segments, and potential recognition of such uses in the CWCB’s water court decree, contact Rob Viehl at the address set forth above or via email to rob.viehl@state.co.us.

Should you wish to comment on the proposed ISF Recommendations, you may do so by writing Rob Viehl of the Board's staff at the address or email given above. Your appearance at any meeting is welcome, but not necessary. If you request, staff will submit your written comments to the Board. 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.

Instream Flow Recommendations 2021

Water Div.	Stream Name (Segment Upper/Lower Termini)	Recommending Entity	County	Length (miles)
1	Dry Gulch (headwaters to the confluence with Clear Creek)	CPW	Clear Creek	2.83
1	North Fork Little Thompson River (confluence Beartrap Gulch to the confluence Little Thompson River)	CPW, Larimer County	Larimer	4.51
1	Redstone Creek (headwaters to the confluence with Buckhorn Creek)	CPW, Larimer County	Larimer	16.33
2	East Fork Arkansas River (headwaters to confluence Chalk Creek)	BLM	Lake	6.46
4	Cottonwood Creek (Increase) (Hawkins Ditch headgate to confluence Roubideau Creek)	BLM	Delta, Montrose	23.3
4	Cow Creek (confluence with Nate Creek to the confluence with the Uncompahgre River)	CPW	Ouray	8.54
4	Elk Creek (headwaters to the confluence with Coal Creek)	HCCA	Gunnison	2.66
4	Gold Creek (Tarkington Ditch headgate to the confluence with Quartz Creek)	HCCA	Gunnison	0.45
4	Monitor Creek (U.S. Forest Service Property Boundary to confluence with Potter Creek)	BLM	Montrose	9.44

Water Div.	Stream Name (Segment Upper/Lower Termini)	Recommending Entity	County	Length (miles)
4	Potter Creek (Increase) (U.S. Forest Service Property Boundary to confluence Monitor Creek)	BLM	Montrose	8.1
4	Potter Creek (Increase) (confluence with Monitor Creek to confluence with Roubideau Creek)	BLM	Montrose	1.72
4	Spring Creek (headwaters to Crabtree Ditch headgate)	BLM	Montrose	7.47
4	Wildcat Creek (outlet of Green Lake to the confluence with Coal Creek)	HCCA	Gunnison	2.48
6	Watson Creek (confluence with Moody Creek to the Hardscrabble Ditch headgate)	BLM	Routt`	5.86
7	Rincon La Vaca (headwaters to the confluence with the Los Pinos River)	CPW	Hinsdale	4.47

BLM = Bureau of Land Management; CPW = Colorado Parks and Wildlife; HCCA = High Country Conservation Advocates