

BEFORE THE COLORADO WATER CONSERVATION BOARD

IN THE MATTER OF THE RULEMAKING HEARING TO REVISE RULES CONCERNING THE COLORADO INSTREAM FLOW AND NATURAL LAKE LEVEL PROGRAM, 2 CCR 408-2

ORDER RE: WITHDRAWAL OF CITY OF AURORA’S PARTY STATUS, REQUEST FOR REVISED DESIRED TESTIMONY TIMES, AND DEADLINE FOR SUBMISSION OF DEMONSTRATIVE EXHIBITS

I. Withdrawal of City of Aurora’s Party Status

On December 21, 2020, the City of Aurora filed a Withdrawal of Party Status and is no longer a Party to this rulemaking.

II. Request for Revised Desired Testimony Times

In light of the fact that the remaining Parties have all stated support for the draft rules in their Prehearing Statements, the Hearing Officer requests that all remaining Parties submit a revised request for the amount of time desired for the Party’s presentations and closing statements, if needed, at the upcoming hearing. This request must be submitted by January 6, 2021 at 5:00 p.m. by email to John Watson at John.Watson@coag.gov. The Parties need not copy each other on these emails as long as the email’s contents pertain solely to the amount of time requested. An order regarding what to expect the day of the hearing and each Party’s allotted time will be issued following the submission of these requests for time.

III. Deadline for Submission of Demonstrative Exhibits

At the Prehearing Conference, the Parties and Hearing Officer discussed disclosure, prior to the hearing in this matter, of demonstrative exhibits. All agreed that prior disclosure was desirable. Thus, if a Party intends to use a demonstrative exhibit such as a PowerPoint, it must be filed by January 21, 2021 at 5:00 p.m.

The following is a summary of the remaining schedule as set forth in this order and prior orders:

Deadline for Parties’ Submission of Rebuttal Statements	January 5, 2021, 5:00 p.m.
Deadline for Parties’ Submittal of Revised Desired Testimony Times	January 6, 2021, 5:00 p.m.

Deadline for Parties' Submission of Pre-filed Written Testimony	January 12, 2021, 5:00 p.m.
Deadline for Submission of Demonstrative Exhibits	January 21, 2021, 5:00 p.m.
Rulemaking Hearing	January 26, 2021, 9:00 a.m.

IT IS SO ORDERED.

Dated this 4th day of January, 2021.

By the Hearing Officer:

/s/ Amy W. Beatie
Amy W. Beatie
Deputy Attorney General
Colorado Attorney General's Office
1300 Broadway, 7th Floor
Denver, CO 80203
720-508-6295
amy.beatie@coag.gov

Certificate of Service

IN THE MATTER OF THE RULEMAKING HEARING TO REVISE RULES CONCERNING THE COLORADO INSTREAM FLOW AND NATURAL LAKE LEVEL PROGRAM, 2 CCR 408-2

I hereby certify that on January 4th, 2021, a true and correct copy of the foregoing **ORDER RE: WITHDRAWAL OF CITY OF AURORA’S PARTY STATUS, REQUEST FOR REVISED DESIRED TESTIMONY TIMES, AND DEADLINE FOR SUBMISSION OF DEMONSTRATIVE EXHIBITS** was served via email to the Hearing Officer and the Parties referenced 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 720-508-6295 amy.beatie@coag.gov Copy To: john.watson@coag.gov

Parties

<u>Staff of the Colorado Water Conservation Board</u> Linda Bassi Colorado Water Conservation Board 1313 Sherman Street, Room 718 Denver, CO 80203 303-866-3441 ext. 3204 linda.bassi@state.co.us	<u>Counsel for Staff of the Colorado Water Conservation Board</u> Jen Mele Marc Sarmiento Allison Robinette Natural Resources & Environment Section Office of the Colorado Attorney General 1300 Broadway, 7th Floor Denver, CO 80203 720-508-6259 jennifer.mele@coag.gov marc.sarmiento@coag.gov allison.robinette@coag.gov
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<p><u>The Nature Conservancy</u></p> <p>Aaron Citron 2424 Spruce Street Boulder, CO 80302 520-730-3421 aaron.citron@tnc.org</p>	<p><u>Colorado Water Trust</u></p> <p>Kate Ryan 3264 Larimer Street, Suite D Denver, CO 80205 720-570-2897 kryan@coloradowatertrust.org</p>
<p><u>City of Aurora</u></p> <p><u>Counsel:</u> John M. Dingess 3600 S. Yosemite Street, Suite 500 Denver, Colorado 80237-1829 303-779-0200 mail@hrodlaw.com jdingess@hrodlaw.com</p> <p><u>Staff Contact:</u> Erich Fowler 15151 E. Alameda Parkway, Suite 3600 Aurora, Colorado 80012-1555 303-739-7467 esfowler@auroragov.org</p>	<p><u>Trout Unlimited</u></p> <p>Drew Peternell Trout Unlimited P.O. Box 4165 Eagle, Colorado 81631 303-204-3057 drew.peternell@tu.org</p>
<p><u>Western Resource Advocates, Conservation Colorado, and the National Audubon Society</u></p> <p>John Cyran 2260 Baseline Road Boulder, CO 80302 303-746-3802 john.cyran@westernresources.org</p>	<p><u>Colorado River Water Conservation District</u></p> <p>Peter C. Fleming Jason V. Turner Lorra Nichols Colorado River Water Conservation District P.O. Box 1120 Glenwood Springs, Colorado 81602 970-945-8522 pfleming@crwcd.org jturner@crwcd.org lnichols@crwcd.org</p>

<p><u>Colorado Parks and Wildlife</u></p> <p><u>Staff Contacts:</u> Katie Birch Rob Harris 6060 Broadway Denver, CO 80216 303-291-7335 303-291-7550 katie.birch@state.co.us robert.harris@state.co.us</p> <p><u>Counsel:</u> Elizabeth Joyce 1300 Broadway Denver, CO 80203 720-508-6761 elizabeth.joyce@coag.gov</p>	
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/s/ John Watson
John Watson