



COLORADO

Colorado Water Conservation Board

Department of Natural Resources

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www.cwcb.state.co.us

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 2020. At the January or March 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:

<http://cwcb.state.co.us/environment/instream-flow-program/Pages/2020ProposedISFRecommendations.aspx>

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, 2020, 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, 2020 or the first business day thereafter.

(e) Staff will announce its Final Staff ISF Recommendation concerning contested appropriations at the September 2020 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 2020 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 2020.

Note that section 37-92-102 (3) (b), C.R.S. (2019) 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 2020

Water Div.	Stream	Watershed	County	Length (miles)	Upper Terminus	Lower Terminus
1	North Fork Little Thompson River	Big Thompson	Larimer	5.96	confluence unnamed tributary	confluence Little Thompson River
2	East Fork Arkansas River	Arkansas Headwaters	Lake	6.46	headwaters	confluence Chalk Creek
2	Iowa Gulch	Arkansas Headwaters	Lake	3.61	headwaters	Iowa Gulch intake
4	Cement Creek <i>(Increase)</i>	East-Taylor	Gunnison	17.4	headwaters	confluence East River
4	Cottonwood Creek <i>(Increase)</i>	Lower Gunnison	Delta, Montrose	23.3	Hawkins Ditch hdgt.	confluence Roubideau Creek
4	Kelso Creek	Lower Gunnison	Mesa	9.89	headwaters	confluence Bear Gulch
4	Monitor Creek	Lower Gunnison	Montrose	9.44	USFS Property Boundary	confluence Potter Creek
4	Potter Creek <i>(Increase)</i>	Lower Gunnison	Montrose	9.82	USFS Property Boundary	confluence Roubideau Creek
4	Spring Creek <i>(Increase)</i>	East-Taylor	Gunnison	3.18	confluence Rocky Brook Creek	confluence Bear Creek
4	Spring Creek <i>(Increase)</i>	East-Taylor	Gunnison	8.17	confluence Bear Creek	confluence Taylor River

4	Spring Creek	San Miguel	Montrose	12.4	headwaters	confluence Tabeguache Creek
6	Bear Creek	Upper White	Garfield	3.09	headwaters	confluence NF White River
6	Hauskins Creek	Upper White	Garfield	2.11	headwaters	confluence NF White River
6	Lynx Creek	Upper White	Garfield	1.58	headwaters	confluence NF White River
6	Mirror Creek	Upper White	Rio Blanco	2.16	headwaters	confluence NF White River
6	Paradise Creek	Upper White	Garfield, Rio Blanco	2.98	headwaters	Paradise Ponds diversion hdgt.
6	Piceance Creek	Piceance-Yellow	Garfield, Rio Blanco	6.93	headwaters	confluence unnamed tributary
6	Piceance Creek	Piceance-Yellow	Rio Blanco	3.83	confluence unnamed tributary	confluence Cow Creek
6	Picket Pin Creek	Upper White	Garfield	2.66	headwaters	confluence NF White River
6	Unnamed Tributary to Bunker Creek	Upper Yampa	Rio Blanco	2.56	headwaters	Bunker Ditch hdgt.