

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

AMENDED ORDER RE: PREHEARING STATEMENTS, MESA COUNTY'S PARTY STATUS, AND FILING REQUIREMENTS

Prehearing statements in this matter were received from the following Parties on December 10, 2020:

- a) Staff of the Colorado Water Conservation Board;
- b) The Nature Conservancy;
- c) Colorado Water Trust;
- d) City of Aurora;
- e) Trout Unlimited;
- f) Western Resource Advocates, Conservation Colorado, and the National Audubon Society;
- g) The Colorado River Water Conservation District; and
- h) Colorado Parks & Wildlife.

Mesa County elected not to submit a prehearing statement and, as a result, will no longer be participating as a Party to this rulemaking.

Some Parties failed to transmit their prehearing statements to all email addresses on the service list attached to the Hearing Officer's November 20, 2020 Order re: Procedures and Deadlines for Prehearing Submissions (the "November 20 Order") and others sent them to email addresses containing typographical errors. Please ensure that all Parties have received all prehearing statements filed in this matter.

The Colorado River Water Conservation District's prehearing statement failed to include all information required by the November 20 Order. The Colorado River Water Conservation District may file an amended prehearing statement to provide the following information required pursuant to the November 20 Order:

- a) A statement of any open legal questions.
- b) A statement of the relief requested.
- c) The amount of time desired for the Party's presentation at the hearing.

This amended prehearing statement must be received by all Parties no later than 5:00 pm on Monday, December 14, 2020. Failure to file the amended prehearing statement

by this deadline will result in the loss of the Colorado River Water Conservation District's Party status.

The Parties are reminded that, pursuant to the November 17, 2020 Order re: Applications for Party Status, all filings concerning this rulemaking must have "ISF RULEMAKING" in the subject line of the email.

IT IS SO ORDERED.

Dated this 11th day of December, 2020.

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
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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 December 11th, 2020, a true and correct copy of the foregoing **ORDER RE: PREHEARING STATEMENTS, MESA COUNTY'S PARTY STATUS, AND FILING REQUIREMENTS** 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 <u>Copy To:</u> john.watson@coag.gov
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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@hrodclaw.com jdingess@hrodclaw.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>Mesa County, Colorado</u></p> <p>Amber Swasey Mesa County Community Development PO Box 20,000-5022 Grand Junction, CO 81502 970-244-1762 amber.swasey@mesacounty.us</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 pffleming@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