

**BEFORE THE COLORADO WATER CONSERVATION BOARD
DEPARTMENT OF NATURAL RESOURCES, STATE OF COLORADO**

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

PREHEARING STATEMENT OF TROUT UNLIMITED

Trout Unlimited (“TU”) hereby submits this Prehearing Statement in the Matter of the Rulemaking Hearing to Revise Rules Concerning the Colorado Instream Flow and Natural Lake Level Program, 2 CCR 408-2 (“ISF Rules”).

I. Statement of Position

Colorado Water Conservation Board (“CWCB”) staff have proposed amendments to the ISF Rules. The proposed amendments implement the provisions of House Bill 20-1157 and update references to the CWCB website and to Colorado Parks and Wildlife. TU supports the proposed amendments.

II. Witness List

Drew Peternell, Legal Counsel and Director, Trout Unlimited Colorado Water Program. Mr. Peternell will describe TU’s interest in the proposed rules and may present arguments in favor of the proposed rules or in rebuttal to arguments of other parties.

III. Statement of Open Legal Questions

TU does not identify any open legal questions, but TU reserves the right to respond to arguments or legal questions presented by other parties.

IV. Statement of Relief Requested

TU urges the CWCB to approve the amendments to the ISF Rules proposed by CWCB staff.

V. Time Requested at Hearing

TU requests five minutes of time at the hearing.

VI. Exhibit List

TU does not intend to present exhibits.

Respectively submitted this 10th day of December, 2020.

TROUT UNLIMITED

A handwritten signature in black ink, appearing to read "Drew Peternell", written over a horizontal line.

Drew Peternell
Trout Unlimited
Colorado Water Program Director

P.O. Box 4165
Eagle, Colorado 81631
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CERTIFICATE OF SERVICE

I hereby certify that I have duly served the copies of the foregoing **Prehearing Statement of Trout Unlimited** upon all parties herein by electronic mail, this 10th day of December, 2020, addressed as follows:


Hearing Officer

Amy Beatie
Deputy Attorney General
Natural Resources & Environment Section
Office of the Colorado Attorney General
1300 Broadway, 7th Floor
Denver, Colorado 80203
720-508-6296
Email: Amy.Beatie@coag.gov
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Rulemaking Parties

<p><u>Staff to 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 Email: linda.bassi@state.co.us</p>	<p><u>The Nature Conservancy</u> Aaron Citron 2424 Spruce Street Boulder, CO 80302 520-730-3421 Email: aaron.citron@tnc.org</p>
<p><u>Colorado Water Trust</u> Kate Ryan 3264 Larimer Street, Suite D Denver, CO 80205 720-570-2897 Email: kryan@coloradowatertrust.org</p>	<p><u>City of Aurora</u> <i>Counsel:</i> John M. Dingess 3600 S. Yosemite Street, Suite 500 Denver, CO 80237 303-779-0200 Email: jdingess@hrodllaw.com; mail@hrodllaw.com</p>

	<p><i>Staff Contact:</i></p> <p>Erich Fowler 15151 E. Alameda Parkway, Suite 3600 Aurora, CO 80012 303-739-7467 Email: esfowler@auroragov.org</p>
<p><u>Mesa County, Colorado</u></p> <p>Amber Swasey Mesa County Community Development P.O. Box 20,000-5022 Grand Junction, CO 81502 970-244-1762 Email: amber.swasey@mesacounty.us</p>	<p><u>Trout Unlimited</u></p> <p>Drew Peternell Trout Unlimited P.O. Box 4165 Eagle, CO 81631 303-20-3057 Email: 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 Email: john.cyran@westernresources.org</p>	<p><u>Colorado River Water Conservation District</u></p> <p>Peter C. Fleming Jason V. Turne Lorra Nichols Colorado River Water Conservation District P.O. Box 1120 Glenwood Springs, CO 81602 970-945-8522 Email: pfleming@crwcd.org jturner@crwcd.org lnichols@crwcd.org</p>
<p><u>Colorado Parks and Wildlife</u></p> <p><i>Counsel:</i></p> <p>Elizabeth Joyce 1300 Broadway, 7th Floor Denver, CO 80203 720-508-6761 Email: elizabeth.joyce@coag.gov</p> <p><i>Staff Contacts:</i></p> <p>Katie Birch Rob Harris 6060 Broadway Denver, CO 80216 303-291-7335 303-291-7550 Email: katie.birch@state.co.us robert.harris@state.co.us</p>	

/s/ 

Drew Peternell