

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

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**IN THE MATTER OF THE RULEMAKING HEARING FOR CONSIDERATION OF  
AMENDMENTS TO THE COLORADO WATER CONSERVATION BOARD'S RULES  
CONCERNING THE COLORADO INSTREAM FLOW AND NATURAL LAKE LEVEL  
PROGRAM, 2 CCR 408-2**

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**REBUTTAL STATEMENT OF THE COLORADO WATER TRUST**

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The Colorado Water Trust hereby submits this Rebuttal Statement for the public rulemaking hearing to be held January 26, 2021 (“Rulemaking Hearing”) before the Colorado Water Conservation Board for consideration of amendments to the Rules Concerning the Colorado Instream Flow and Natural Lake Level Program, 2 CCR 408-2 (“ISF Rules”).

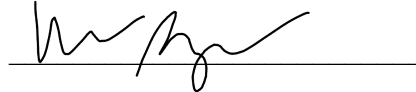
**I. Statement of Position**

**The Colorado Water Trust supports the proposed amendments to the ISF Rules as proposed and the positions of the other Parties to the Rulemaking Hearing.** The Colorado Water Trust disagreed with the arguments raised by the City of Aurora in its Prehearing Statement filed December 10, 2020. However, the City of Aurora withdrew its Party status on December 21, 2020. Accordingly, the arguments made by the City of Aurora are moot and Colorado Water Trust need not address the City of Aurora’s Prehearing Statement. Herein, the Colorado Water Trust wishes only to reiterate its support of the proposed amendments to the ISF Rules and positions of the other Parties to the Rulemaking Hearing.

The Colorado Water Trust reserves the right to address testimony or exhibits of other Parties at the Rulemaking Hearing.

Respectively submitted this 5<sup>th</sup> day of January, 2021.

THE COLORADO WATER TRUST



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SENIOR STAFF ATTORNEY FOR THE  
COLORADO WATER TRUST

**CERTIFICATE OF SERVICE**

I hereby certify that I have duly served true and correct copies of the foregoing **Rebuttal Statement of the Colorado Water Trust** upon the Hearing Officer and all Parties herein by email, this 5th day of January, 2021, 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 720-508-6295 <a href="mailto:amy.beatie@coag.gov">amy.beatie@coag.gov</a>  Copy To: <a href="mailto:john.watson@coag.gov">john.watson@coag.gov</a>
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**Parties**

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<p><u>Trout Unlimited</u></p> <p>Drew Peternell  Trout Unlimited  P.O. Box 4165  Eagle, Colorado 81631  303-204-3057  <a href="mailto:drew.peternell@tu.org">drew.peternell@tu.org</a></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  <a href="mailto:john.cyran@westernresources.org">john.cyran@westernresources.org</a></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  <a href="mailto:pfleming@crwcd.org">pfleming@crwcd.org</a>  <a href="mailto:jturner@crwcd.org">jturner@crwcd.org</a>  <a href="mailto:lnichols@crwcd.org">lnichols@crwcd.org</a></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  <a href="mailto:katie.birch@state.co.us">katie.birch@state.co.us</a>  <a href="mailto:robert.harris@state.co.us">robert.harris@state.co.us</a></p> <p><u>Counsel:</u>  Elizabeth Joyce  1300 Broadway  Denver, CO 80203  720-508-6761  <a href="mailto:elizabeth.joyce@coag.gov">elizabeth.joyce@coag.gov</a></p>

/s/ Kate Ryan  
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Kate Ryan