

March 8, 2021

New Instream Flow Water Rights Proposed

Notice of 49 new instream flow (ISF) recommendations across the State of Colorado has been provided by the Colorado Water Conservation Board (CWCB). Twelve of these recommended ISF water rights are located in the White River drainage. The notice identifies the streams to be considered for ISF appropriations in 2022. Creek names include: Bear Creek, Big Fish Creek, East Marvine Creek, Hill Creek, Hauskins Creek, Lynx Creek, Mirror Creek, Paradise Creek, Piceance Creek, Picket Pin Creek, and South Fork White River.

The ISF information and recommendations are available online at: <https://cwcb.colorado.gov/2022-isf-recommendations>.

Timeline:

March 31, 2022 - Any Notice to contest must be received at the CWCB office by this date.

May 2022 - The CWCB may take final action on any uncontested ISF appropriations.

September 2022 - Staff will provide its Final Staff ISF Recommendation to the CWCB concerning contested appropriations.

Note that section 37-92-102 (3) (b), C.R.S. (2020) 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, CWCB staff, at rob.viehl@state.co.us.

Should you wish to comment on a proposed ISF Recommendation or request more information, you may do so by writing Rob Viehl, at the above email.

If you are not currently on the CWCB Board's ISF Subscription Mailing List and you would like to be, please contact sign up online at: <https://dwr.state.co.us/Portal/Login/>

For more information see: <https://cwcb.colorado.gov/2022-isf-recommendations> or scan the below Zapcode.