

**HEALTHY RIVERS AND STREAMS
CITIZENS ADVISORY BOARD
Avalanche Ranch
12863 St. Hwy. 133
Redstone, CO 81623
June 20 2013 – 3:30 p.m.**

<i>All times are subject to variation without notice.</i>		
4:00 pm	Board Comment	
	Public Comment	
	Additions/Deletions to Agenda	
	Roaring Fork Conservancy funding request Crystal River Assessment and Design Project	RFC – Sharon Clarke
	Roaring Fork Gorge Management Plan Background	Dale Will - Director Pitkin County Open Space and Trails
	Report of the Financial Committee	Dave Nixa Ruthie Brown Rick Neiley
	Stapleton Brothers Change Case West Divide Conditional Water Rights Diligence Application Opposition	John Ely

HEALTHY RIVERS AND STREAMS CITIZENS ADVISORY BOARD

Meeting Minutes

April 25, 2013

530 E. Main St Plaza 1

Aspen, CO 81611

Board members present: Lisa Tasker, Bill Jochems, Andre Wille
Rick Neiley, Ruthie Brown, Dave Nixa

Board members absent: Greg Poschman

Others present: Lisa MacDonald and John Ely

Board Comment - . Mr. Wille thanked the Board for re-scheduling the meeting date. He did a whole unit on western water issues with his class and then did a kayaking/raft trip on the San Juan River. They looked at issues here and on the lower parts of the watershed and then spent a week floating the river. The trip was eye opening for the students and an excellent water related educational experience for them.

Bill Jochems noted Peter Martin of Redstone was attending the meeting and Ms. Brown noted Will Dolan from the City of Aspen was attending the meeting.

Public Comment – None

Additions/Deletions to Agenda - None

Approval of the Minutes

Ms. Brown moved to approve minutes from the February 21 and March 12, 2013 meetings. Mr. Wille seconded the motion the motion passed 5/0.

Mr. Neiley joined the meeting at approximately 4:15 pm

Use of Ag Water for Drought Relief

John Ely briefed the Board on the issue of the use of agriculture water for drought relief.

What we have been pursuing, is trying to establish a methodology in law whereby you don't have to actively dry up land. The premise is if you improve your irrigation system that you can maintain agricultural land while not having to divert as much water. The savings could then be attributed to any number of purposes, instream flows being one. We have taken several runs with the help of Gail Schwartz to modify the statutory scheme with legislation that would allow this type of use. That hasn't come about yet.

Another effort being put forward by the Colorado Water Trust. They are trying to work with agricultural water rights holders to take advantage of the existing statue whereby the agricultural water rights user would agree to fallow their property or to otherwise curtail their agricultural productivity, that water would then be attributed to instream flow purposes and they focus on times of drought which anymore is hard to identify.

The County has been on the other side of that proposition for a number of years. First in the land use regulations and with the advent of the open space and trails program in 1990 in the preservation of agricultural properties though the purchase of conservation easements and outright fee interests in historic ranch properties and acquiring or protecting with those actual ranch lands the water associated with them. Then the environmental ethic to preserve riparian habitat and with it streamflow which was most recently manifested when the healthy river fund was established by the voters.

There are conflicting demands now. The dilemma is do we embrace, do we cautiously hold abeyance or do we reject outright the idea of sacrificing ag land for preservation of instream flows, riparian habitat, stream environments? This is the question the Board needs to think about and weigh in on.

We have stress on the streamflows, habitat and river ecology and we have the law as it is. What do we want to do? We have pressure to relax agricultural use in favor of enhancing streamflow and protection of all that goes along with it. The importance of this is to consider it and articulate a position.

The Board will have this discussion with the Open Space and Trails Board at the joint meeting next week.

Projects/Priorities

Ms. Brown created a bulleted list of previous actions, actions needed to complete, additional funds needed to complete and prioritized them. Ms. Brown will share the list with the Board.

Chairman Jochems noted the next three items are closely related and asked they be discussed together.

1. Discussion of Board's protocol and guidelines for monetary grant award
2. Financial discussion, formation of finance committee, reserves, income, division or categorizing of funds, expected grant applications and expenditures for 2013
3. Staffing

There is room to be more methodical and business like in our decisions on the amounts to grant. Grant requests will be reviewed by staff before they are heard by the Board. Criteria will be amended to include accountability. Current staff will review applications and monitor funded projects.

Formation of a finance committee was discussed so the Board does not have deal with complex issues during its meetings. The committee could study aspects of finances and come back to the Board with recommendations. It would only be a recommending body.

Ms. Tasker moved to approve the formation of a finance committee. Chairman Jochems seconded the motion. The motion passed 6/o.

Chairman Jochems moved to nominate members the Dave Nixa, Ruthie Brown and Rick Neiley to the finance committee. Ms. Brown requested the membership be rotating. Mr. Wille seconded the motion. Motion passed 6/o.

Executive Session

Ms. Brown moved to enter into executive session pursuant to C.R.S. 24-6-402(4)(b) to discuss West Divide, Busk Ivanhoe, RICD and Stapleton litigation. Mr. Ely added Snowmass Creek to the discussion items. Chairman Jochems seconded the motion. The motion passed 6/o.

Ms. Brown moved to adjourn the meeting. Ms. Tasker seconded the motion. The motion passed 6/o.

Adjourn

The meeting adjourned at approximately at 7:00 p.m.

Approved:

Attest:

Bill Jochems – Chairman
Healthy Rivers and Streams Board

Lisa MacDonald

**HEALTHY RIVERS AND STREAMS CITIZENS ADVISORY BOARD
JOINT MEETING WITH PITKIN COUNTY OPEN SPACE AND TRAILS BOARD**

**Meeting Minutes
May 2 2013 – 4:00 p.m.
Carbondale Town Hall
Carbondale, CO 81623**

River Board members present: Lisa Tasker, Bill Jochems, Andre Wille, Greg Poschman
Rick Neiley, Ruthie Brown
Open Space Members present: Tim McFlynn, Tai Jacober, Anne Rickenbaugh, Howie Mallory, Hawk
Greenway

River Board members absent: Dave Nixa

Others present: Lisa MacDonald, John Ely, Steve Childs, Michael Owsley

Public Comment – Dorothea Farris thanked the River Board for their funds to the Cow Stomp project. Dorothea will provide updates and the outcome of the project when it is completed.

Chuck Downey of Redstone commented that these were the two best boards in Pitkin County. The two Boards have changed the character of the Crystal River Valley. From conservation easements, assistance with Coal Basin restoration, dams and water diversions. The Boards have made a substantive difference in the Crystal River and are loved.

Amy Beatie with the Colorado Water Trust (CWT”) wanted to take the opportunity to mention a couple of things. She understands their Request for Water Program has generated some conversation around water use in the valley and particularly agricultural water use and she wanted to be clear in saying to the extent that the boards are deciding on how to move forward with its own assets and how the river board funds projects, the trust was hoping there would be dialogue, especially because the CWT has been described by others and the boards have not heard the trust describe it. Their projects are creative, innovative, they are anything goes. It’s working as creatively as possible. She hopes the Boards will get more input into the conversation before decisions are made about adopting policies and strongly opposing programs like this.

Peter Mueller, Board Member of the San Miguel County Open Space Board

Mr. Mueller did not show up for the meeting.

Roaring Fork Conservancy request matching funding Crystal River Assessment and Design Project – Sharon Clarke – Roaring Fork Conservancy

Ms. Clarke updated the Boards on the Crystal River Assessment and Design of Restoration Projects initiative (the Crystal River Project) and requested additional grant funding for the project in the amount of \$50,000. \$25,000 from each Board. The River Board is working on long term financial planning and is not ready to vote at the current time. The item will be continued to our June meeting agenda.

Roaring Fork Gorge Trail and Management Plan – Lindsey Utter and Gary Tennenbaum - OST Dept.
Continued to a future River Board meeting.

Colorado Water Trust-Request for Water Program –

Colorado Water Trust-Request for Water Program – Discussions ensued more about coordination between the two boards and the two dedicated funds. John Ely briefed the boards about coordination effort opportunities.

There are a number of areas that overlap and where coordinating efforts with the two funds is possible. The areas of overlapping relates to potential on the ground projects, such as the proposed RICD on the lower stretch of the Roaring Fork, the continued management effort of North Star in relation to the study work the River Board procured and coordinating that with efforts that Open Space is doing on the various properties and the issue of agricultural land preservation. We need to make sure that we are all pulling in the same direction.

Mr. McFlynn noted that agricultural land is something open space has not talked about. But they have purchased and are steward lots of irrigated ranch land. Most are in production and have flood irrigation.

Is there willingness of both boards to make it more collaborative and interactive to get more educated about the various tools that are out there, including the water trust tools, and are there ways in which with our lands and the water associated with it, participate with those tools?

Mr. Ely stated it is a pretty involved discussion and is certainly something more than the boards can deal with in 15 minutes.

Just to set the stage a little bit and make the most of the little bit of time remaining, Mr. Ely commented to both boards that we long had a practice of trying to preserve agricultural properties and to continue agricultural activities. That area of concern has changed over time and the change has been to basically deepen its concern to preserve agricultural. Keeping in perspective of course, Pitkin County is not a center of agricultural activity for the State of Colorado by any means, simply because of our elevations, however the agricultural activity that still exists is fairly well described as cherished and that the effort is to do what we can to preserve that agricultural heritage and those agricultural lands. Not only preserving them from development but also in trying to what we can to maintain the agricultural activity on the land.

The issue is to take a look at what we are preserving in the agricultural frame of reference and what we are endeavoring to preserve and to improve from a stream ecology point of reference and to try to assess whether those two goals are necessarily conflicting, if we can harmonize them. To do so, both boards have to have a more in-depth policy discussion depending on where this issue takes us. It will have to be weighed in more by a variety of different staff and people who are working different perspectives of that issue and the BOCC to do an ultimate coordination of county goals and policies.

Mr. Neiley noted there is a need to get back to what this group meeting is about because there are a lot of things that we ought to be doing together and occasionally getting together for a meeting like this has the characteristics of productivity that he would like to see.

Mr. Flynn suggested that without any delay staff figure out how to get some of things we just talked about on Open Space agenda that River Board can attend and vice versa. Start having a couple of hours on the subjects together. That it be driven by what the staff keys out as ready and having the water trust and other visiting consultants or experts on some of these subjects would be very helpful. I think all of us share common goals.

Mr. Will noted that what he is hearing is that there is a desire to reconvene at a joint meeting sometime this summer. Staff will look for the best time to do that and there are ideas and materials that we can use to focus the discussion more quickly.

Mr. Poschman suggested a retreat with both boards as 2 hour meetings aren't long enough to get through everything.

North Star Preserve Signage Funding Request – Chairman Jochems moved to approve a \$500 contribution for the production of informational outreach signage at North Star Preserve. Mr. Neiley seconded the motion. Motion passed 6/o.

North Star Preserve Restoration Project – continued to a future joint meeting.

Ms. Tasker moved to adjourn the meeting, Ms. Brown seconded the motion. Motion passed 6 to 0.

Adjourn

The meeting adjourned at approximately at 5:30 p.m.

Approved:

Attest:

Bill Jochems – Chairman
Healthy Rivers and Streams Board

Lisa MacDonald

DRAFT

ROARING FORK



CONSERVANCY

*Bringing People Together
to Protect Our Rivers*

April 23, 2013

Pitkin County Healthy Rivers and Streams -River Board
Pitkin County Open Space and Trails Board of Trustees
Courthouse Plaza
530 E. Main Street, 3rd Floor
Aspen, CO 81611

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Re: Request for Match Funding for the Crystal River Assessment and Design of Restoration Projects Initiative

Ladies & Gentlemen:

Roaring Fork Conservancy (RFC) has requested time on the agenda for your Joint Meeting on May 2nd to update you on the Crystal River Assessment and Design of Restoration Projects initiative (the Crystal River Project), and to request additional grant funding for the project in the amount of \$50,000.

The total budgeted cost for the Crystal River Project is \$584,463. During 2011, and over the first several months of 2012, we secured a total of \$279,999 in project funds. This includes \$80,542 in cash from a Colorado Watershed Restoration Grant, a Pitkin County Healthy Rivers and Streams Fund award, a small West Divide Water Conservancy District grant, RFC funding, and a Carbondale Rotary grant, plus \$199,457 of in-kind contributions from the U.S. Forest Service (USFS) -White River National Forest, USFS - Rocky Mountain Research Station, and RFC (including time being provided by a Wyss Scholar).

PROGRAM STAFF

Rick Lofaro
Executive Director
Claire Britt
Office Manager
Sharon Clarke
Watershed Action
Director
Sarah Johnson
Education Outreach
Coordinator
Tim O'Keefe
Education Director
Chad Rudow
Water Quality
Coordinator
Heather Tattersall
Land, Water & Policy
Coordinator
Sarah Woods
Director of Philanthropy

In October of 2012, with \$279,999 in matching funds in hand, RFC was successful in securing an additional \$317,000 grant for the Crystal River Project from the Colorado Water Conservation Board (CWCB) and the Water Supply Reserve Account (WSRA). However, the grant was awarded with the caveat that RFC make a good faith effort to obtain an additional \$100,000 in cash for the project from local funding sources. We are still seeking an additional \$87,000 in funding to satisfy the CWCB condition. In addition to the current Pitkin County request, we have submitted several other proposals for grants and solicited donations from private parties.

RFC and its partners are committed to meeting the \$100,000 CWCB target. We feel it is important to demonstrate to CWCB RFC's commitment, as well as the commitment of local entities to the Crystal River Project. We also believe that our ability to secure additional matching funds will help ensure that CWCB funding from the WSRA continues to be available for non-consumptive project needs.

This was the first time money from the WSRA was used for this purpose. To our minds, that was a significant accomplishment.

Attached are copies of: (i) our WSRA grant proposal previously submitted to the CWCB, and (ii) the Crystal River Project update we provided in February of 2013 to the Pitkin County Healthy Rivers and Streams -River Board and Pitkin County Board of County Commissioners (related to the initial funding we received for the project). Additionally, Pitkin County has established a *Protocol and Guidelines for Monetary Grant Awards from the Pitkin County Healthy Rivers and Streams Fund* which establishes criteria to be used by the River Board in evaluating grant requests. We have also included a discussion of how this project clearly meets those criteria to aid you in your decision making.

Sincerely,



Sharon Clarke
Watershed Action Director

Attachments

The Crystal River Assessment and Design of Restoration Projects Initiative Meets All of the Pitkin County Healthy Rivers and Stream Fund Criteria

Viability of Project: *The likelihood of completion of the project with the grant or award, or recognition that other steps and further funding would be needed to fully complete the project.*

The project has been carefully budgeted by Roaring Fork Conservancy (RFC) with detailed input from each of its partners, and is built on a strong scientific and well-vetted foundation, as discussed below.

- It is the first major initiative developed under the 2012 [Roaring Fork Watershed Plan](#) umbrella. The Watershed Plan took over four years of effort by more than 100 people, representing dozens of agencies, governments, and interests throughout the Roaring Fork Valley and beyond, as well as countless public meetings, conversations, and debates to create. One of the “Urgent Actions” identified in the Watershed Plan is the need to “[work] with landowners, resource experts, and other interested parties, [to] plan and implement riparian/ instream protection and restoration projects.” Coal Basin, in the Crystal River Watershed, is at the top of the restoration project list.
- A two-day [Coal Basin & Crystal River Area Restoration Workshop](#) was held in May of 2012 to develop strategies for continuing the critical restoration work previously conducted by the State of Colorado in Coal Basin, and to discuss opportunities for improving the Coal Creek/Crystal River confluence area. The workshop brought nearly 50 hydrologists, soils scientists, geomorphologists, fish biologists, water quality analysts, plant ecologists and other technical experts together with highway engineers, mining reclamation experts, recreational planners, and other key stakeholders from multiple federal, state and local government entities, as well as local nonprofits and private interests. The tasks included in the *Crystal River Watershed - Assessment and Design of Restoration Projects* initiative directly relate to five of the near-term projects recommended by workshop participants, as summarized in the [Coal Basin & Crystal River Area Restoration Workshop report](#). They build upon the “lessons learned” in the prior restoration efforts and utilize all available information on the area’s land use history, natural resources, and geomorphology (as summarized in the workshop report).

It is important to underscore the fact that this is primarily a *planning* project (with the exception of the biochar road reclamation work). The assessments and detailed design work that will be completed during this project will build the necessary foundation for the on-the-ground restoration projects to follow. RFC and its partners have already identified, and are in contact with several potential funding sources for individual project implementation, such as the U.S. Army Corps of Engineers, National Forest Foundation, Colorado Department of Transportation, and the Colorado River District. Large federal funding sources, such as the Coordinated Forest Landscape Restoration Grant program, are also being tracked and evaluated.

Public Accessibility: *The degree the project will be seen and appreciated by the public or actively used by the public.*

The site restoration which will result from the assessments and detailed design work that will be completed during this project will, without question, be seen and appreciated by the public. Much of

the work will occur on public lands regularly used by the public (and visible work has already commenced in Coal Basin as a result of the biochar road reclamation pilot project):

- Much of the Crystal River Watershed, including Coal Basin, is on the White River National Forest and is easily accessible to the public. The area supports a myriad of recreational uses.
- The West Elks Scenic and Historic By-way parallels the Crystal River from Marble to Carbondale. Redstone is a popular tourist destination.
- Several important Pitkin County Open Space and Trails properties are located along the Crystal River, including: the Powerhouse, Elk Park, Redstone Park and the Boulders Property in Redstone, Filoha Meadows and Grange Loadout, Red Wind Point, Thompson Creek Ranch, Cold Mountain River Access Park, and Avalanche Boat Launch.

Project impacts will also be evident to the public in and along area waterways – where reduced sedimentation and improvements to stream channels are expected to improve water quality and instream and riparian habitat in the watershed.

Goals of River Board: *Degree with which the proposed project coincides with the stated goals of the River Board or other ongoing projects of the River Board.*

According to its Bylaws, the policy of the River Board is to further the goals of the Healthy Rivers and Streams Fund. This project satisfies the first objective for use of the Healthy Rivers and Streams Fund: *Maintaining and improving water quality and quantity within the Roaring Fork watershed.*

The *Crystal River Watershed – Assessment and Design of Restoration Projects* effort will provide the information needed to design and prioritize a series of site- and process-specific mitigation projects in the Roaring Fork Watershed to: (a) attenuate the Crystal River hydrograph, (b) contribute to the restoration of floodplain function at the Coal Creek/Crystal River confluence area, (c) improve overall riparian and instream habitat in Coal Basin and the Crystal River, and (d) reduce sediment and total iron delivery to the Crystal River from Coal Creek. Once implemented, improvements in water quality and quantity will result. Additionally, the project's road reclamation work (already underway in Coal Basin) will yield important information on the efficacy and utility of biochar as a soil amendment. If this prototype project is highly-successful in reducing erosion and enhancing water retention, as expected, it will have implications for restoration work being conducted elsewhere in the Roaring Fork Watershed.

Prospect of Repetition of Project: *Degree to which the grant or project represents a strategy or proposal that could be repeated in other locations so that the benefits of the award may not be limited to one single event.*

Several components of this project are directly transferable to other areas of the Roaring Fork Watershed, Colorado, and other parts of the country:

- The strategy used for reclamation of some of the highest sediment-producing portions of the decommissioned road network in the former mining areas of Coal Basin, and results of the assessment of the cost-effectiveness and utility of using biochar in this type of reclamation effort will be of interest to others engaged in reclamation of mining and other highly-disturbed, erosive sites.

- The methodology (NetMap) used to complete the land use and geomorphic assessments necessary to identify the primary natural and anthropogenic sources of sediment-loading in the Crystal River Watershed has wide applicability as a tool for restoration of other places where sedimentation is a major issue. NetMap has been used extensively by the U.S. Forest Service in Oregon, Washington, Montana and Idaho, and has been employed by other entities, such as the Bureau of Land Management, U.S. Geological Survey, U.S. Fish & Wildlife Service, the U.S. EPA, Trout Unlimited, and The Nature Conservancy.
- How the basic hydrologic/meteorologic and sediment information we collect as a result of this project is used to support the design of site- and process-specific mitigation measures, and to determine the effectiveness of restoration efforts in the watershed, will be of interest to other entities engaged in similar restoration projects and programs.

History of the Requesting Party: *The degree to which the individual or entity has been successful in other projects or endeavors or is known in the community.*

RFC is widely-known as the premier watershed conservation organization in the Roaring Fork Valley. It has also become one of the most respected watershed conservation organizations in Colorado. It has a 17-year history of successfully spearheading a diverse portfolio of watershed projects and programs in the Roaring Fork Watershed. Its accomplishments include:

- **Watershed Conservation and Education** – RFC conducts ongoing classroom and outdoor educational programs (students and adults), with 75,552 educational program contacts since RFC's inception. It publishes a bi-annual newsletter (5,000 copies), monthly email (*River Notes*), Facebook page, and maintains a web site on watershed issues (www.roaringfork.org).
- **Land Conservation** – As one of the only watershed conservation organizations in Colorado that acts as a land trust, RFC conserves critical riparian habitat through conservation easements, while maintaining responsible public access. To date, it has protected approximately 280 acres of property on 15 conservation easements.
- **Water Quality Monitoring** – Through its network of volunteers, staff and local schools, RFC collects and reports scientific water quality data at 30 sample stations throughout the watershed to Colorado River Watch.
- **Water Resources Management** – RFC proactively identifies, researches and coordinates project/program responses to water resources issues as they arise within the watershed. RFC has also been a leader in the Roaring Fork Watershed Collaborative.
- **Watershed Planning** - RFC was the lead consultant on the Roaring Fork Watershed planning effort, which generated 8 comprehensive planning documents, including the [State of the Roaring Fork Watershed Report 2008](#) and the [Roaring Fork Watershed Plan](#). It is currently coordinating projects and programs to implement the Watershed Plan's recommended actions, including collaboration on a regional water conservation planning initiative, and a related project to identify opportunities to enhance stream flows in the lower Crystal River.

RFC has previously received funding from the Healthy Rivers and Streams Fund: to complete the *Roaring Fork Watershed Plan* (as its lead consultant); for planning, grant writing, assessing existing water quality data, and designing baseline and water quality monitoring plans for the Coal Basin and Crystal River area confluence project restoration work; to enable RFC to work with the U.S. Forest Service to initiate the Coal Basin biochar pilot project in 2012; and to complete the *2012 Snapshot Assessment of the Roaring Fork Watershed* with Public Counsel of the Rockies. RFC has successfully completed all of these projects, within budget, and kept Pitkin County fully-informed of its accomplishments using this public funding.

Participation by Other Parties: *Is the grant applicant conducting the project or work on its own or have partnerships been established with other agencies or entities that reflect that the goal of the project is shared by more than one party?*

All of the proposed project work was identified by drawing upon the collective expertise of the nearly 50 resources experts and other stakeholders who participated in the [Coal Basin & Crystal River Area Restoration Workshop](#) last May. Active participants in the current phase of the project include: U.S. Forest Service - White River National Forest, U.S. Forest Service - Rocky Mountain Research Station, Earth Systems Institute, Kootenay Resources, LLC, and S.K. Mason Environmental, LLC. RFC is also working with Aspen Global Change Institute on the soil monitoring component of the project to ensure compatibility with other soil monitoring projects in the watershed. We are also actively working with the major private landowner in Coal Basin to ensure that the work he has planned for this summer contributes to the goals of this project.

Proposed Project Budget: *Is the requested grant the sole source of funding for the proposed project or are there other funding sources available to the applicant?*

As discussed in the cover letter accompanying this document, RFC is asking for \$50,000 in grant funding. This is < 10% of the total budgeted project cost (\$584,463). RFC has already secured \$279,999 in funding for this project (\$80,542 cash and \$199,457 in-kind), and is seeking to preserve its additional \$317,000 project grant from the Colorado Water Conservation Board /Water Supply Reserve Account, which was awarded with the caveat that RFC make a good faith effort to obtain an additional \$100,000 in cash for the project from local funding sources.

AGENDA ITEM SUMMARY

REGULAR MEETING DATE: June 20, 2013

AGENDA ITEM TITLE: *Roaring Fork Gorge Management Plan*

STAFF RESPONSIBLE: Dale Will – Open Space and Trails Director

OST staff would like to discuss the proposed *Roaring Fork Gorge Management Plan* process with the Healthy Rivers and Streams Board.

The *Roaring Fork Gorge Management Plan* will encompass the detailed inventory, analysis and planning for six different properties: Red Butte Ranch Open Space, Airport Ranch, the Denver/Rio Grande Railroad corridor, Mills, Stein Park and Stein Riverside Park. Gold Butte and Wilton Jaffee Sr. Park are both located in the planning area and each have their own management plans with which we will be sure to coordinate with.

Pitkin County's ownership of lands in the Roaring Fork Gorge planning area began when rail service into Aspen ended. In 1968 the Rio Grande right of way above Woody Creek was cleared of track and donated to the County. Decades before "rails to trails" was formalized into federal law, this section of the old grade became our first significant County trail asset. In 1993 this acquisition was complemented by our purchase of the Peapke Ranch, which provided both additional runway space as well as County ownership of the lower river gorge. Several years later, CDOT conveyed the "Mills" property jointly to the County and City in compensation for its roundabout takings of Marolt and Moore Open Spaces. And finally, pieces of the Stein Ranch comprising the upper gorge were conveyed to the County as part of three consecutive land use approvals culminating this year with the Gold Butte climbing area. As seen in our maps, the County Open Space Department now administers nearly the entire scenic 4 mile canyon between Stein and Jaffee Parks.

Staff has begun the process, working with City of Aspen staff, to conduct a thorough inventory of the six properties, mapping all the existing conditions. We plan to meet with all the different user groups and communities that currently utilize the properties in the Gorge, (Boating, Angling, Climbing/Ice Climbing, Road biking, Mountain biking, Equestrians, Bike Rental Shops, Hiking/Running/Walking, Commuters, Nordic users, etc.), as well as the adjacent property owners and residents. Our goal of these meeting is to learn and map how these groups currently use the Gorge area and to understand any requests they have for the future planning and management of this area.

Advertising and email outreach has started for the User Charrettes in June. The following Open Houses will be/have been held from 4pm to 6pm in the Rio Grande Meeting Room:

Walk/Hike/Run/NordicSki - June 6

Commuters - June 12

Road Biker - June 13

Mountain Bike/Cross Bike - June 20

Equestrians - June 24

Anglers - June 25

Boaters -June 27

A meeting for Adjacent Residents is scheduled from 4pm to 6pm in the Aspen CMC Art Gallery Room on June 19th.

We have a project website located at: www.pitkinostprojects.com It includes updates from the Open Houses, an online survey, a short video and the ability to sign up for email updates.

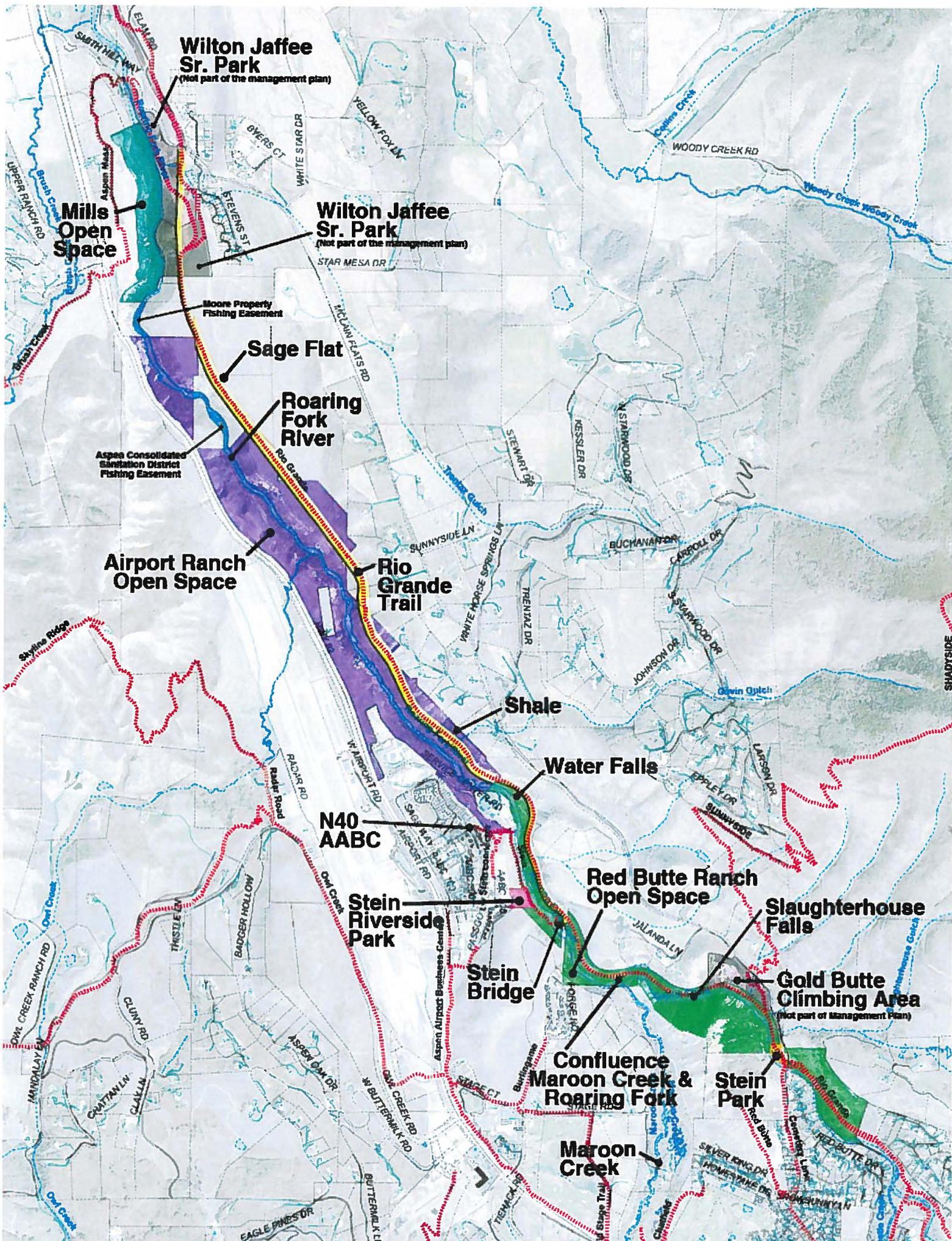
RECOMMENDED RIVER BOARD ACTION: Provide feedback.

ATTACHMENTS: Project Calendar, Project Area Map, Meeting Schedule

Roaring Fork Gorge Management Plan

Task Name	Q2			Q3			Q4		
	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Project Kickoff									
Update Website		<input checked="" type="checkbox"/> Update Website							
Press Release/Public Outreach		<input checked="" type="checkbox"/> Press Release/Public Outreach							
Meet with City of Aspen Staff		<input type="checkbox"/> Meet with City of Aspen Staff							
Update to COA Open Space Board		<input checked="" type="checkbox"/> Update to COA Open Space Board							
Update to City Council									
Update to Healthy Rivers and Stream Board		<input checked="" type="checkbox"/> Update to Healthy Rivers and Stream Board							
Inventory/Public Outreach									
Gather all existing inventory data		<input checked="" type="checkbox"/> Gather all existing inventory data							
Historical Data Research		<input checked="" type="checkbox"/> Historical Data Research							
User Group Charrettes		<input checked="" type="checkbox"/> User Group Charrettes							
Meetings with Adjacent Landowners		<input checked="" type="checkbox"/> Meetings with Adjacent Landowners							
Use observation data gathering		<input checked="" type="checkbox"/> Use observation data gathering							
Pitco OST Board Updates									
BOCC Site Visit									
BOCC Updates									
Draft Report Development									
Mapping		<input checked="" type="checkbox"/> Mapping							
Alternative development		<input checked="" type="checkbox"/> Alternative development							
Draft Report Synthesizing		<input checked="" type="checkbox"/> Draft Report Synthesizing							
Draft Report Team Review		<input type="checkbox"/> Draft Report Team Review							
Draft Report									
Overview of Draft Report to Pitco OST		<input checked="" type="checkbox"/> Overview of Draft Report to Pitco OST							
Overview of Draft Report to BOCC									
Overview of Draft Report to COA Open Space Board									
Overview of Draft Report to City Council									
Staff meets with interested individual Board memers									
Update Draft report with Board comments									
Public Outreach on Draft Report									
8 Weeks of Gathering Public Comment (website, ads in local papers, press releases, three open houses, three public site tours, meet with Snowmass Trails Committee, meet with Basalt POST Committee, meet with community and user groups, radio spots, updated video, open comment forms online and in hard copy, reach out to all previous contact lists and adjacent property owners)					<input checked="" type="checkbox"/> 8 Weeks of Gatheri				
Present summary of Public outreach to OSTB							<input checked="" type="checkbox"/> Present summary		
Present summary of Public outreach to BOCC									
Update of outreach to COA Open Space Board									

Task Name	Q2			Q3			Q4		
	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Update of outreach to City Council									
Update of outreach to Healthy Rivers & Streams									
<input checked="" type="checkbox"/> Final Report									
Final report generation								<input type="checkbox"/> Final rep	
Final adoption by BOCC and OSTB at Joint Meeting									<input type="checkbox"/> Final



Wilton Jaffee Sr. Park
(Not part of the management plan)

Mills Open Space

Wilton Jaffee Sr. Park
(Not part of the management plan)

Moore Property Fishing Easement

Sage Flat

Roaring Fork River

Aspen Consolidated Sanitation District Fishing Easement

Airport Ranch Open Space

Rio Grande Trail

Shale

Water Falls

N40 AABC

Stein Riverside Park

Red Butte Ranch Open Space

Slaughterhouse Falls

Stein Bridge

Gold Butte Climbing Area
(not part of Management Plan)

Confluence Maroon Creek & Roaring Fork

Stein Park

Maroon Creek

ROARING FORK GORGE *master plan* USER GROUP MEETINGS

Do you paddle Slaughterhouse Falls; fish the Roaring Fork River in the scenic gorge below Aspen; bike, walk or ski the upper Rio Grande Trail or look forward to the opening of Gold Butte to climbing? Anyone who commutes on the trail or enjoys recreational pursuits in the Roaring Fork/Rio Grande corridor between Stein Park and Wilton Jaffee Park — the Roaring Fork Gorge — is invited to take part in upcoming user-group meetings to share their thoughts on management of the area. Tell us how you use the properties, where you park, how you'd like to use the properties in the future and how your use would change if the area was managed differently.

RECREATIONAL USER MEETINGS

(4-6pm • Rio Grande Meeting Room • 455 Rio Grande Place)

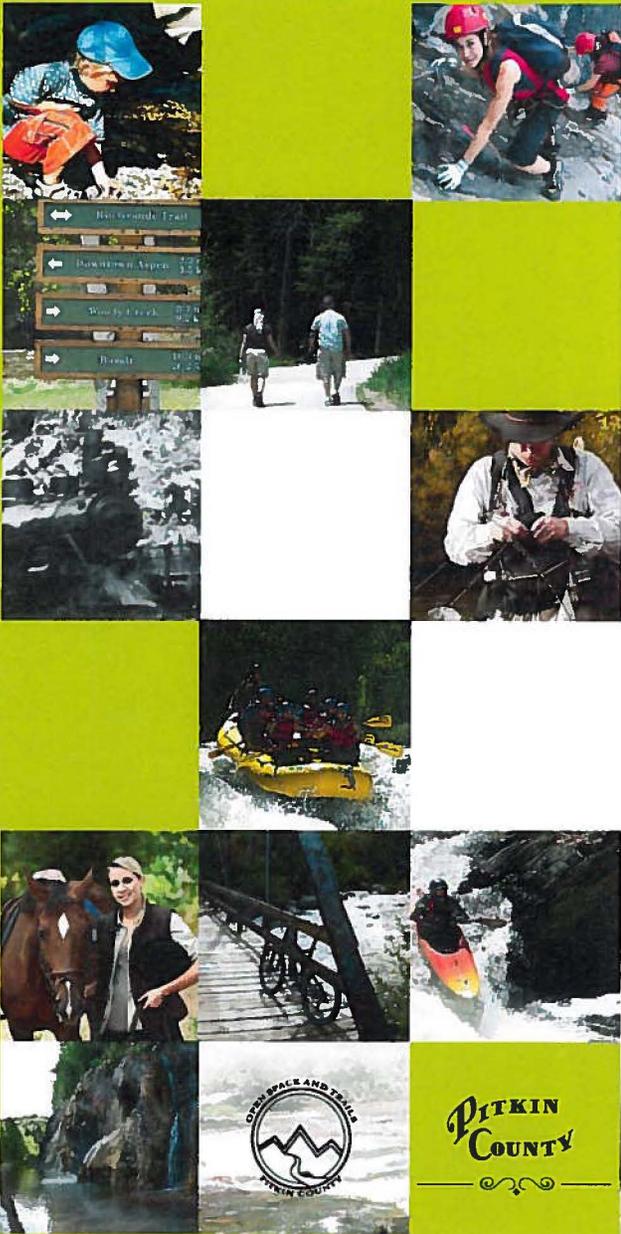
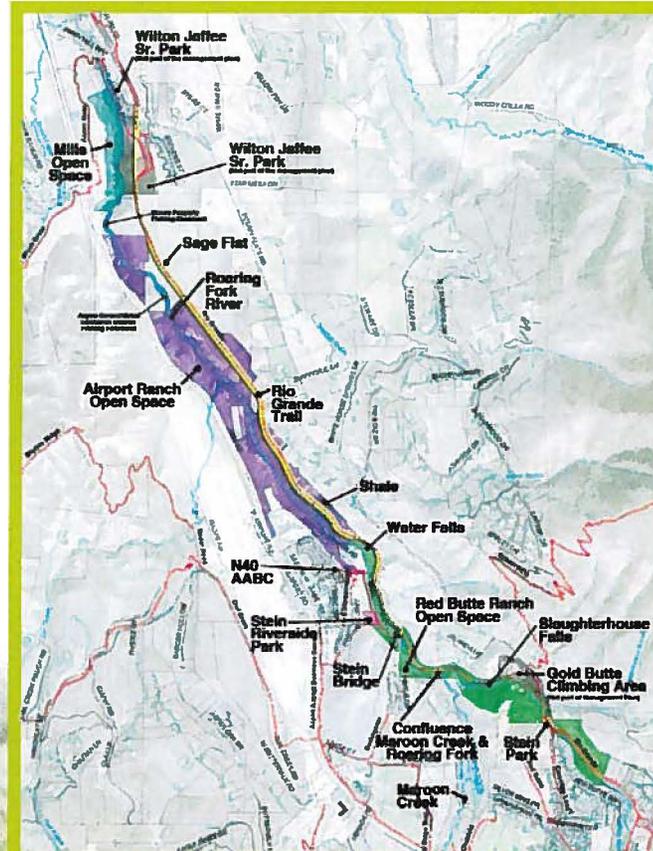
Walk/Hike/Run/Nordic Ski	June 6
Commuters	June 12
Road Biker	June 13
Mountain Bike/Cross Bike	June 20
Equestrians	June 24
Anglers	June 25
Boaters	June 27

ADJACENT RESIDENT MEETINGS

(4-6pm • Art Gallery Room • Aspen CMC • 0255 Sage Way)

North 40/ABC/Burlingame	June 19
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For more information, please visit
www.pitkinostprojects.com



AGENDA ITEM SUMMARY

June 20, 2013

TO: Healthy Rivers and Streams Board

FROM: John Ely, County Attorney

SUBJECT: Acceptance of Final Decree in Stapleton Brothers Change of Use Water Application-Augmentation of Streamflow within Maroon Creek and Roaring Fork River

Pitkin County is the holder of an 8 cfs direct flow diversion right from Maroon Creek through the Stapleton Brothers Ditch. The right was adjudicated in 1933 with an appropriation date of 1904. The decreed use for the water right is for agricultural irrigation and the water had been historically applied to the northern half of what is now the Pitkin County Airport ("Airport"). Exhibit A attached, illustrates in green hash marks, the area of historical irrigation at the north end of the Pitkin County Airport. The Stapleton Brothers Ditch has a diversion point on Maroon Creek approximately even with Iselin Field. The ditch runs down through the Maroon Creek Club and along Highway 82 to reach the Airport.

In 1999, as a result of previous Airport expansion, particularly runway and taxiway construction, the County no longer needed to apply the full amount of its water right for surface irrigation of the Airport property. As a result, the County sought to confirm its historic consumptive use in this water right. The amount of land no longer needed to be irrigated at the airport is approximately 136 acres. Using a calculus of 1.62 acre-feet per acre for irrigation season running from May 1 to October 31, the County obtained a decree adjudicating an historic consumptive use associated with the Stapleton Brothers Ditch irrigation at the Airport of 220 acre-feet per year. The quantification of historic consumptive use of the Stapleton Brothers Ditch right does not affect other water rights the County has in relation to the Airport, such as its position in the Stapleton Ditch, Owl Creek and Willow and Herrick Ditch.

In January 2009, Pitkin County sought the ability to contribute its water rights to preserve and improve instream flow within the Maroon Creek and Roaring Fork Rivers without actually divesting itself of ownership of these water rights. After a year-long process of negotiations and hearings, the Colorado Water Conservation Board accepted a trust agreement with Pitkin County in November of 2009. The trust agreement running between Pitkin County and the CWCB maintains Pitkin County's ownership of water rights associated with the Stapleton Brothers Ditch. The water right itself is dedicated to the trust for which the CWCB is the trustee. The CWCB, consistent with its statutory authority, will manage the water right to preserve and improve streamflow

from the point of diversion at the Stapleton Brother Ditch headgate on Maroon Creek to the confluence of the Roaring Fork with Frying Pan River. If at some time in the future Pitkin County is not satisfied with the performance of the CWCB as trustee or circumstances change such that Pitkin County needs to consumptively use these water rights, the trust document can be revoked totally or partially to restore Pitkin County to the same legal position with regard to these water rights that it enjoyed prior to the establishment of the water trust.

In 2010 Pitkin County, together with the CWCB, filed a change of use application with the Division 5 Water Court to dedicate a portion of the County's water rights in the Stapleton Brothers Ditch to the water trust and its use in the CWCB's instream flow program to preserve and improve instream flow. Of the 220 acre-feet of historic consumptive use adjudicated to Pitkin County, 18 acre-feet were reserved for future Airport needs, 12 acre-feet were reserved for potential other County needs, 70.5 acre-feet were sold to recover the costs associated with maintaining and preserving this water right and the balance, 119.25 acre-feet, slightly more than half of the total water right, was subject to this change of use application. By straight proportion, relating the measurement of historic consumptive use and acre-feet to direct flow, Pitkin County had sought to dedicate 4.3 cfs to preserve and improve the instream flow of Maroon Creek and the Roaring Fork River.

The application was met with opposition from twelve different entities: the Aspen Skiing Company, LLC, the City of Aspen, Basalt Water Conservancy District, Celestial Land Company, Ltd., Colorado Water Trust, Maroon Creek, LLC, Roaring Fork Land and Cattle Company, Stage Road Homeowners Association, Starwood Metropolitan District, T-Lazy Seven Corporation, Twin Lakes Reservoir and Canal Company, and Willow Creek Ditch and Herrick Ditch Company.

To satisfy the opposition of several of these parties, the amount claimed for instream flow use was reduced from 4.3 cfs by 11% to account for the period of non-use between the time when the Airport runway and taxiways were constructed and the date of the change application. The amount dedicated to streamflow was further reduced to placate opposition that resisted the application based on the assertion that the maximum diversion rate was not consistently diverted at the ditch headgate. An average amount for diversion was therefore attributed to the ditch and apportioned out for the several months of the irrigation season. A stipulation was reached with the parties such that the maximum amount may be diverted and the average historic diversion increased with 15-days' notice to the opposers. Finally it was agreed among the parties that the amount dedicated to instream flow would be in addition to the adjudicated minimum streamflow right already held by the CWCB. This stipulation allows the two different water rights, the County's senior Stapleton Brothers Ditch water right and the relatively junior CWCB minimum streamflow right, to be "stacked" to further preserve and improve streamflow. This ability to so administer the County's Stapleton Brothers Ditch right also recognized that the Stapleton Brothers Ditch irrigation was previously protected through HUP (Historic Users Pool) releases from Green Mountain Reservoir. Although this HUP protection is not recognized for

instream flow use protection, it is particularly recognized that the water right may be called whether or not there are releases being made from Green Mountain to satisfy consumptive water rights users on the lower Colorado River. This particular stipulation protects the water right against being called out at times when the Cameo call is in effect on the Colorado River. These principle stipulations have allowed for the drafting of the attached proposed Findings of Fact, Conclusions of Law and Decree (Exhibit B) concerning the change of use water right filed by Pitkin County and the CWCB.

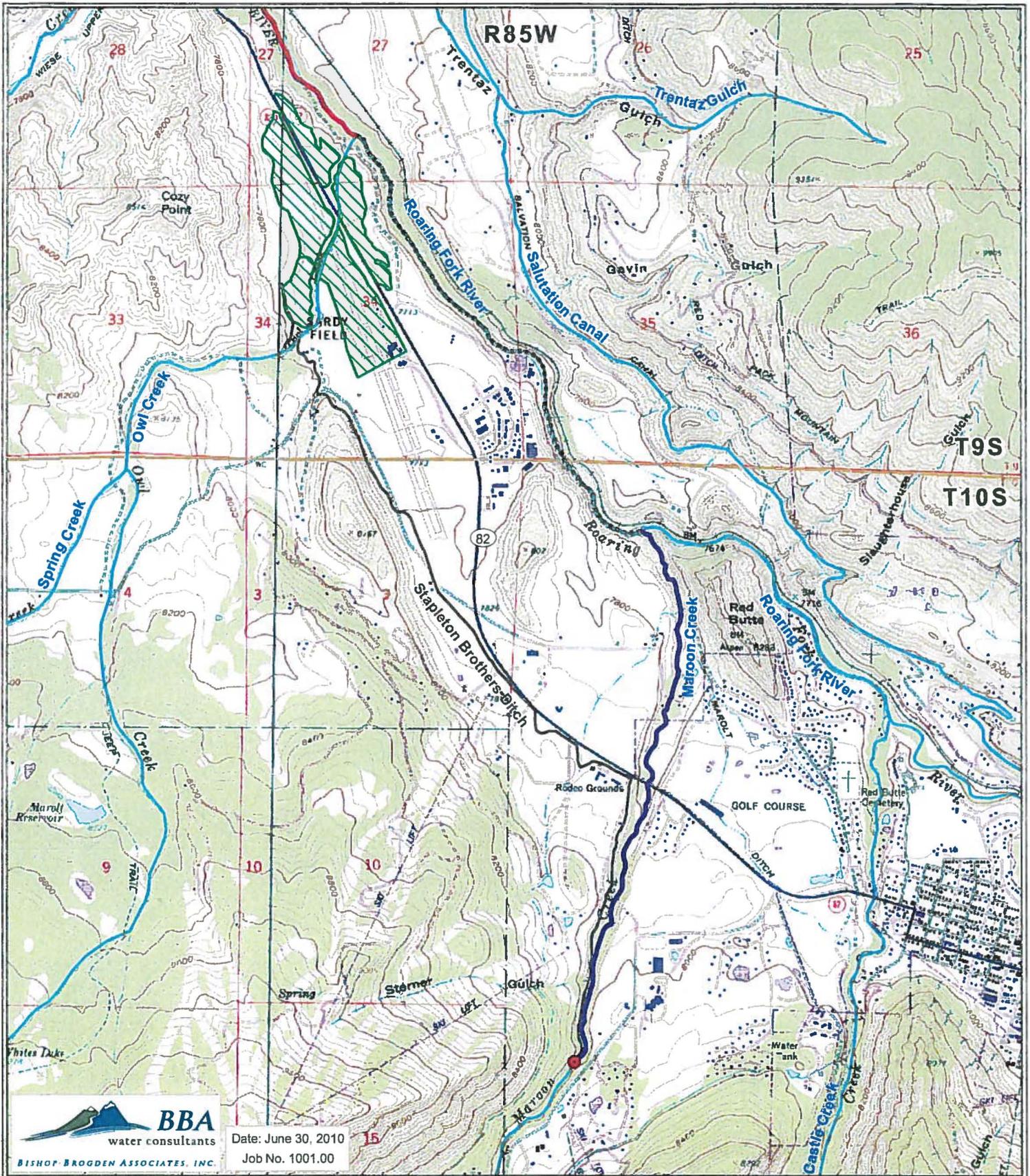
This final proposed decree will increase the amount of water that can be called by the CWCB for instream flow use. The County's water right greatly enhances the instream flow program by the use of this senior water right. The County will be protected into the future and not lose ultimate ownership of the water right and be able to sell or lease the use of this water right below the confluence of the Frying Pan and Roaring Fork Rivers.

This dedicated water right will be called in three different reaches of the river. Exhibit C illustrates these three reaches. Reach one runs from the point of diversion of the Stapleton Brothers Ditch on Maroon Creek to confluence of Maroon Creek with the Roaring Fork River. This reach reflects the full dedication of the County's water right. The second reach is from the confluence of Maroon Creek and the Roaring Fork to the confluence of Owl Creek and the Roaring Fork River. This reach calls for the full extent of the County's right, less 5% which reflects the historic loss of water through the ditch itself. Reach three runs from the confluence of Owl Creek and the Roaring Fork River to the confluence of the Frying Pan River and the Roaring Fork River. This reach is the smallest physical amount of the call as a consequence of being below Owl Creek or the historic point of return for water not consumed through the diversion. This reduced amount reflects that much of the water historically diverted on Maroon Creek would flow back to the Roaring Fork River as a consequence of normal return flow either on the surface or as groundwater at a point below the confluence with Owl Creek.

This proposed decree has been accepted in principal by all the opposers and is currently being circulated for execution.

Recommended Board Action: The County Attorney's Office recommends that the Pitkin County Healthy Rivers and Streams Board endorse the settlement stipulation and final decree and forward that recommendation to the Board of County Commissioners.

Attachments: Exhibit A, B and C



Date: June 30, 2010
 Job No. 1001.00

Legend

- Diversion Point
- Ditch
- Stream Reaches**
- Reach 1
- Reach 2
- Reach 3
- Area Historically Irrigated

Exhibit A Stapleton Brothers Ditch General Location Map Pitkin County

N
 W E
 S

1 inch = 2,586 feet

0 1,300 2,600
 Feet

Overview Map

Colorado

DISTRICT COURT, WATER DIVISION NO. 5, COLORADO 109 – 8 th Street, Suite 104 Glenwood Springs, Colorado 81601-3361	4/10/13 DRAFT (TLRCC)
CONCERNING THE APPLICATION FOR WATER RIGHTS OF THE COLORADO WATER CONSERVATION BOARD AND THE BOARD OF COUNTY COMMISSIONERS OF PITKIN COUNTY, COLORADO	▲ COURT USE ONLY ▲
IN PITKIN AND EAGLE COUNTIES	Case Number: 10CW184
FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECREE	

This matter has come before the Court on the application of the Colorado Water Conservation Board (“CWCB”) and Board of County Commissioners of Pitkin County (“Pitkin County” or the “County”) (collectively, “Applicants”) for change of water rights. The Court, having considered the pleadings, the evidence presented and the stipulations of the parties, hereby enters the following Findings of Fact, Conclusions of Law, and Decree:

FINDINGS OF FACT

1. Applicants: The applicants are:

Colorado Water Conservation Board
 1313 Sherman Street, Room 721
 Denver, CO 80203
 303-866-3441

Board of County Commissioners of Pitkin County, Colorado
 c/o John M. Ely, County Attorney
 530 East Main Street
 Aspen, Colorado 81611
 970-920-5190

2. Application, notice and jurisdiction: The application in this case was filed with the District Court, Water Division No. 5, on June 30, 2010. A motion to amend the caption



was filed on August 31, 2010. Timely and adequate notice of the application was given in the manner prescribed by law, and the Court has jurisdiction over the subject matter of this proceeding and over all persons and property affected hereby, whether those persons or owners of property have appeared or not. The lands and water involved in this case are not within the boundaries of a designated groundwater basin. The application was referred to the Water Referee on July 1, 2010. The application was re-referred to the Water Judge on July 24, 2012.

3. Statements of Opposition: Timely statements of opposition were filed by Aspen Skiing Company, LLC, City of Aspen, Basalt Water Conservancy District, Celestial Land Company, Ltd, Colorado Water Trust, Maroon Creek, LLC, Roaring Fork Land and Cattle Company, Stage Road Homeowners Association, Starwood Metropolitan District, T Lazy 7 Corporation, Twin Lakes Reservoir and Canal Company, and Willow Creek Ditch and Herrick Creek Ditch Company. No other statements of opposition were filed, and the time for filing such statements of opposition has expired. No persons or entities have moved to intervene in this case and the time for filing such motion to intervene has passed.
4. Stipulations: Applicants entered into a stipulation with _____.
5. Summary of Consultation: The Division Engineer for Water Division No. 5 filed and served his summary of consultation on October 20, 2010 and amended summary of consultation on December 3, 2010. Applicants responded to the summary of consultation on September 12, 2011. The Court has considered the summary of consultation and Applicants' response.
6. Summary of application: Applicant CWCB acquired an interest in 54.2% of the Stapleton Brothers' Ditch water right from Applicant Pitkin County pursuant to a Declaration of a Revocable Trust Agreement, dated December 30, 2009 ("Trust Agreement"). At its board meeting held November 16, 2009, the CWCB found that the Stapleton Brothers' Ditch water right would preserve and improve the natural environment of Maroon Creek and the Roaring Fork River to a reasonable degree. Based on such finding, the CWCB approved the Trust Agreement. Applicants filed this application in Case No. 10CW184 to change the use of a portion of the Stapleton Brothers' Ditch water right ("Stapleton Brothers' Ditch"), as described more fully below, to allow that portion of the water right to be used for instream flow purposes pursuant to C.R.S. § 37-92-102(3) to preserve and improve the natural environment to a reasonable degree on Maroon Creek and the Roaring Fork River between the headgate of the Stapleton Brothers' Ditch on Maroon Creek to the confluence of the Roaring Fork and Frypan Rivers. Use for instream flow purposes shall be exclusively by the CWCB.

The Stapleton Brothers' Ditch water right will be operated in priority when water is physically and legally available at its historical point of diversion and will be used in combination with or in addition to the CWCB's existing decreed instream flow water rights outlined below in paragraph 9.

7. Description of Subject Water Right:

- A. Name of structure: Stapleton Brothers' Ditch.
- B. Date of original and all subsequent decrees: The Stapleton Brothers' Ditch water right was originally decreed on October 16, 1933, in Pitkin County District Court, Civil Action No. 3000, and subsequently changed in Case No. W-3672, entered November 8, 1989, and in Case No. 99CW306, entered January 3, 2005, by the Water Court, Water Division No. 5.
- C. Legal description of structure: The point of diversion is located on the west bank of Maroon Creek in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 14, Township 10 South, Range 85 West of the 6th P.M. at a point approximately 1,375 ft from the West section line and approximately 1,100 ft from the North section line. The point of diversion is shown on **Figure 1**. The decree in Case No. W-3672, Water Court, Water Division No. 5, allowed 8.0 cfs of the Stapleton Brothers' Ditch water right to be delivered from Maroon Creek to Owl Creek and rediverted at four alternate points of diversion on Owl Creek.
- D. Decreed source of water: Maroon Creek, tributary to the Roaring Fork River, tributary to the Colorado River.
- E. Appropriation date: June 30, 1904.
- F. Total amount decreed to structure: 8.0 cfs.
- G. Decreed use or uses: Irrigation and augmentation.
- H. Amount of water to be changed: 54.2% of the Stapleton Brothers' Ditch (represented by 119.25 acre-feet of consumptive use and the *pro rata* diversion amount of 4.34 cfs).

8. Historical use: The historical use of the Stapleton Brothers' Ditch water right was quantified in the decree in Case No. 99CW306, entered January 3, 2005 by the Water Court, Water Division No. 5 ("99CW306 Decree"). In the 99CW306 Decree, the Court

found that the average historical consumptive use (“HCU”) was 220 acre-feet per year from 1904 up to and through the date of the decree. The 99CW306 Decree found that the historical impact to the stream specifically occurred as a monthly depletion in the amounts shown in the table below. The pro-rata monthly historical depletions to the stream associated with this application are also shown below.

	May	June	July	Aug.	Sept.	Oct.	Total
Total HCU (acre-feet)	29.0	52.0	59.0	44.0	30.0	6.0	220.0
Pro-rata amount of HCU (acre-feet)	15.72	28.19	31.98	23.85	16.26	3.25	119.25

The HCU was associated with the dry-up of 136 historically-irrigated acres on property owned by Pitkin County surrounding the Pitkin County Airport, which is shown on **Figure 1**. The Court finds that requantification of the HCU credits associated with the Stapleton Brothers’ Ditch is not necessary at this time. The 99CW306 Decree shall be considered *res judicata* as to the historical consumptive use of the Stapleton Brothers’ Ditch from 1904 through 2004. Circumstances have not changed sufficiently to justify requantification of the Stapleton Brothers’ Ditch HCU credits at this time. *See Williams v. Midway Ranches Property Owners’ Assoc.*, 938 P.2d 515, 524-26 (Colo. 1997).

9. Change of water right: Applicants’ 54.2% interest in the Stapleton Brothers’ Ditch, represented by 119.25 acre-feet of annual HCU credits and 4.34 cfs, is changed to add instream flow use exclusively by the CWCB pursuant to the terms of the Trust Agreement and pursuant to C.R.S. § 37-92-102(3) for preservation and improvement of the natural environment to a reasonable degree. Water used under this change of use will be in addition to any water to which the CWCB would otherwise be entitled pursuant to its existing decreed instream flow water rights on Maroon Creek and the Roaring Fork River, which are described below; subject, however, to the restriction on stacking set forth in paragraph 11 below.
 - A. Existing decreed instream flow water rights: The CWCB currently holds decreed instream flow water rights on Maroon Creek and the Roaring Fork River, which are identified in the table below:

Case No.	Stream	Reach	Amount	Appropriation Date
W-2945(76)	Maroon Creek	Confluence East and West Maroon Creek to confluence Roaring Fork River	14 cfs (Jan 1–Dec 31)	Jan. 14, 1976
85CW646	Roaring Fork River	Confluence Maroon Creek to confluence Fryngpan River	55 cfs (Apr 1–Sept 30) 30 cfs (Oct 1– Mar 31)	Nov. 8, 1985

The CWCB intends to use the Stapleton Brothers’ Ditch in priority for instream flow uses in combination with or in addition to the decreed instream flow water rights listed above in the three reaches identified below in paragraph 9.C.; subject, however, to the restriction on stacking set forth in paragraph 11 below. Such use will be for preservation of the natural environment at times when the existing instream flow water rights are not in priority or are not fully met and/or for improvement of the natural environment in amounts above those decreed to the existing instream flow water rights when the existing instream flow water rights are fully met.

- B. Location of point of diversion: The CWCB will either bypass diversions or divert, measure and return the Stapleton Brothers’ Ditch, and use the water to preserve or improve the natural environment to a reasonable degree within segments of Maroon Creek and the Roaring Fork River located downstream of the Stapleton Brothers’ Ditch headgate, as more fully described below. As such, the amount of Stapleton Brothers’ Ditch water available for instream flow use by the CWCB will be determined by the physical and legal availability of 4.34 cfs at the historical point of diversion.

- C. Location: The instream flow use will occur in three reaches on Maroon Creek and the Roaring Fork River at the location identified below and shown on **Figure 2** (“Instream Flow Reaches”):
 - i. Reach One:
 - a. Upper terminus: The headgate of the Stapleton Brothers’ Ditch located on the west bank of Maroon Creek in the NE¼ of the NW¼ of Section 14, Township 10 South, Range 85 West of the 6th P.M. at a point approximately 1,375 ft from the West section line and approximately 1,100 ft from the North section line.

- b. Lower terminus: The confluence of Maroon Creek and the Roaring Fork River.
 - ii. Reach Two:
 - a. Upper terminus: The confluence of Maroon Creek and the Roaring Fork River.
 - b. Lower terminus: The confluence of Owl Creek and the Roaring Fork River. Historically, return flows from the Stapleton Brothers' Ditch water right returned to Owl Creek or the Roaring Fork River in the vicinity of the confluence of Owl Creek and the Roaring Fork River.
 - iii. Reach Three:
 - a. Upper terminus: The confluence of Owl Creek and the Roaring Fork River.
 - b. Lower terminus: The confluence of the Roaring Fork River and the Fryingpan River.
- D. Rate: The instream flow use may occur in the Instream Flow Reaches at the rates identified below. The average daily instantaneous rates of flow for each reach were developed by converting the average volumetric amount for that time period to a daily flow rate in cfs. For each Instream Flow Reach, the amount of water protected for instream flow purposes may not exceed the specified volumetric limit for each time period. Within each time period, the daily instantaneous flow rate protected for instream flow purposes may not exceed the maximum rates shown below, subject to the limitations of paragraph 10.I. below. During each period, the CWCB must claim at least the minimum daily instantaneous flow rate shown below for instream flow purposes.
 - i. Reach One: The flow rates and volumetric limits identified for Reach One in the table below are based upon the historical diversions of the Stapleton Brothers' Ditch.

	May 1 – 15	May 16 - 31	June	July	Aug.	Sept.	Oct. 1– 15	Oct. 16 - 31
Maximum (cfs)	3.83	3.83	3.83	3.83	3.83	3.83	3.83	3.83
Average (cfs)	0.53	1.63	3.07	3.11	2.96	2.59	1.53	1.22
Minimum (cfs)	0.35	1.12	2.58	2.64	2.55	2.05	0.59	0.45
Volumetric Limit (AF)	15.78	51.58	182.92	191.35	182.15	154.11	45.49	38.86

- ii. Reach Two: The flow rates and volumetric limits identified for Reach Two in the table below are equal to the value for Reach One in the same time period less 7.5% to reflect the historical ditch losses that returned to the stream above the Maroon Creek Gage, shown in **Figure 2**, taking account of the location of the current administration point for Reach Two set forth in paragraph 10.E. below.

	May 1– 15	May 16 - 31	June	July	Aug.	Sept.	Oct. 1– 15	Oct. 16 - 31
Maximum (cfs)	3.54	3.54	3.54	3.54	3.54	3.54	3.54	3.54
Average (cfs)	0.49	1.50	2.84	2.88	2.74	2.40	1.41	1.13
Minimum (cfs)	0.33	1.03	2.39	2.44	2.36	1.90	0.55	0.42
Volumetric Limit (AF)	14.60	47.71	169.20	177.00	168.48	142.55	42.07	35.95

- iii. Reach Three: The average flow rates and volumetric limits identified for Reach Three in the table below are based upon the pro-rata HCU credits quantified in the 99CW306 Decree. The maximum and minimum flow rates for Reach Three are varied in proportion to the diversion rate variations identified for Reach One in paragraph 9.D.i. above.

	May 1 – 15	May 16 - 31	June	July	Aug.	Sept.	Oct. 1 – 15	Oct. 16 - 31
Maximum (cfs)	0.89	0.89	0.59	0.64	0.50	0.40	0.15	0.15
Average (cfs)	0.12	0.38	0.47	0.52	0.39	0.27	0.06	0.05
Minimum (cfs)	0.08	0.26	0.40	0.44	0.33	0.22	0.023	0.017
Volumetric Limit (AF)	3.68	12.04	28.19	31.98	23.85	16.26	1.75	1.50

The water associated with the Stapleton Brothers’ Ditch as set forth above shall be shepherded through the Instream Flow Reaches by the Division Engineer, who shall not allow the diversion of or exchange on said rates of flow while they are flowing through the Instream Flow Reaches.

- E. Season of Use: The Stapleton Brothers’ Ditch may be used for instream flow purposes from May 1 through October 31 of any given year. These dates represent the historical first and last days of diversions under the Stapleton Brothers’ Ditch.
- F. Ditch Loss: A ditch loss of 10% has been linearly applied to the amount of Stapleton Brothers’ Ditch water available for use in Reaches One and Two, based on soils in the area. Because 50% of the Stapleton Brothers’ Ditch lies in the Maroon Creek basin, 5% ditch loss (half of the 10% ditch loss) has been applied to Reach One. The remaining 5% ditch loss has been applied to Reach Two, for a cumulative ditch loss of 10% in those two reaches. That ditch loss is reflected in the tables above in paragraph 9.D, based on the administration points described in paragraph 10.E below, as follows: (1) because paragraph 10.E. requires administration in Reach One at or near the Stapleton Brothers’ Ditch headgate, measurement in this reach will occur above any historical ditch loss. Therefore, no ditch loss was included in calculating the flow rates and volumetric limits for Reach One; (2) because the point of administration for Reach Two is at the Roaring Fork Below Maroon Creek Gage (ROABMCO), which is located

approximately half way through Reach Two, the ditch loss assigned for Reach Two at the proposed point of administration is equal to 7.5%. If the points of administration for these reaches change in the future, the 10% ditch loss will be re-distributed on a linear basis, and applied to recalculate the flow rates in 9.D. for the new points of administration.

- G. Location of Historical Return Flows: As determined in the 99CW306 Decree, the Stapleton Brothers' Ditch water right was historically diverted for use to irrigate 136 acres as described above in paragraph 8. The irrigation return flows accrued to the Roaring Fork River, with the water diverted through the Stapleton Brothers' Ditch being entirely depletive to Maroon Creek and to a portion of the Roaring Fork River. Accordingly, the CWCB may use the full amount of its interest in the Stapleton Brothers' Ditch for instream flow purposes in Reach One and Reach Two, less ditch losses, and the historical consumptive use portion of its interest in the Stapleton Brothers' Ditch in Reach Three.
10. Terms and conditions: The Court finds that the requested change of water rights can be granted without injury to existing absolute water rights or decreed conditional water rights if the following terms and conditions are imposed:
- A. Location of call: The original headgate of the Stapleton Brothers Ditch is located on Maroon Creek, a tributary to the Roaring Fork River. As a result, the Stapleton Brothers Ditch could not historically "call" upon water rights diverting from the Roaring Fork or its tributaries other than Maroon Creek. As changed herein, the Stapleton Brothers Ditch may only exercise a call at the location of its historical Maroon Creek headgate, and may not exercise a call upon any water rights diverting water from the Roaring Fork River or its tributaries other than Maroon Creek. However, the CWCB may require that the amounts of water used for instream flow purposes pursuant to this decree be protected and shepherded from the headgate downstream through the Instream Flow Reaches on Maroon Creek and the Roaring Fork River. Further, nothing in this paragraph 10.A shall affect the CWCB's ability to call for the existing instream flow water rights described in paragraph 9.A at any location along the Instream Flow Reaches, as otherwise allowed by law.
- B. Diversions: Upon approval by the Division Engineer, Applicants shall bypass and forego diversions of the Stapleton Brothers' Ditch, unless diversion for measurement purposes is required by the Division Engineer.

- C. Accounting, Measurement, and Reporting: Applicants shall account for use of the Stapleton Brothers' Ditch for instream flow purposes on a daily basis and provide such accounting reports to the Division Engineer as required by the Division Engineer. Applicants may not call for or take credit for use of the Stapleton Brothers' Ditch for instream flow purposes absent such accounting. Applicants shall install such measuring devices and keep such records as required by the Division Engineer to administer the Stapleton Brothers' Ditch.
- D. Limitations on flows: For each respective Instream Flow Reach, the rates of flow for the Stapleton Brothers' Ditch shall be limited to the rates of flow and volumetric amounts listed in paragraph 9.D., above, based on the points of administration described in paragraph 10.E., and the CWCB's notice of use described in paragraph 10.I.
- E. Administration: For purposes of administration of the Stapleton Brothers' Ditch for instream flow purposes, the following points of measurement and administration will be used:
- i. Reach One: If bypass of diversions is permitted by the Division Engineer, a gage on Maroon Creek at or below the Stapleton Brothers' Ditch headgate, or, if diversion and return is required, an augmentation station on Stapleton Brothers' Ditch below the headgate.
 - ii. Reach Two: The Roaring Fork Below Maroon Creek Gage (ROABMCO), which is shown on **Figure 2**.
 - iii. Reach Three: The Roaring Fork River Above the Fryingpan River Near Basalt Gage (ROAFRYCO), which is shown on **Figure 2**.
- These points of measurement and administration may change in the future after notice to and consultation with the Division Engineer and opposers. If such a change occurs, ditch losses shall be redistributed to the extent necessary as described in paragraph 9.F.
- F. Downstream use of HCU credits: Pursuant to C.R.S. § 37-92-102(3), nothing in this decree shall prevent Pitkin County or its assignee from using the Stapleton Brothers' Ditch HCU credits for consumptive beneficial use or augmentation of such uses at locations downstream of the Instream Flow Reaches pursuant to a subsequent decree of this Court or Substitute Water Supply Plan approved by the Office of the State Engineer.

- G. Method by which the consumptive use shall be quantified and credited during the term of the agreement between CWCB and Pitkin County for future change of use cases: On a monthly basis during the term of the Trust Agreement, the Applicants shall determine the amount of water physically and legally available under the Stapleton Brothers' Ditch at the original point of diversion on Maroon Creek. The consumptive use associated with the Stapleton Brothers' Ditch available for change in any future change case taking place during the term of or after the termination of the Trust Agreement, as may be amended from time to time, shall be reduced only to the extent that water was not physically and legally available at the headgate in the amounts set forth above. As provided by C.R.S. § 37-92-102(3), the method of determining the consumptive use associated with the Stapleton Brothers' Ditch physically and legally available in any future change case shall recognize the actual amount of consumptive use physically and legally available under the water right and shall not result in a reduction of the consumptive use of the water right during the term of the Trust Agreement, except to the extent such reduction is based upon the actual amount of water physically and legally available at the Stapleton Brothers' Ditch headgate.
- H. Green Mountain Reservoir Historic Users Pool: The Stapleton Brothers' Ditch has historically received protection under Senate Document 80 as a beneficiary of the Green Mountain Reservoir Historic Users Pool ("HUP"). Because use of the Stapleton Brothers' Ditch for instream flow use is non-consumptive, it does not require releases from the HUP. As a result, the Stapleton Brothers' Ditch may be used for instream flow purposes as decreed herein regardless of the existence of a call on the mainstem Colorado River that results in releases from the HUP (i.e., a "Cameo call"), unless otherwise determined by the Division Engineer.
- I. 15-Day Notice of Intended Use: In the event that the CWCB intends to use the Stapleton Brothers' Ditch at flow rates other than the average rates identified in paragraph 9.D. above, the CWCB shall provide written notice to Pitkin County, opposers, and the Division Engineer of the specific flow rates, within the limits of paragraph 9.D. above, to be protected for instream flow purposes with the Stapleton Brothers' Ditch 15 days in advance of such use. Any such notice shall document how such use will maintain the volumetric limits required by paragraph 9.D., above. In cases of emergency circumstances that cannot be foreseen (excluding drought), such as a chemical or hazardous substance spill affecting the Instream Flow Reaches that threatens fish and aquatic life, the CWCB may provide Pitkin County, opposers, and the Division Engineer notice of such use 3

days in advance. No notice shall be required for use of the Stapleton Brothers' Ditch at the average flow rates identified in paragraph 9.D. above.

11. Stacking: Subject to the provisions of paragraph 10 above, CWCB shall be entitled to call for and/or exercise its interest in the Stapleton Brothers' Ditch alone or in combination with the existing instream flow water rights described in paragraph 9.A. above under each water right's respective priority. The Stapleton Brothers' Ditch water right use for instream flow purposes will occur first using any water legally and physically available to its 1904 water right. To the extent additional water is legally and physically available for use under the CWCB's water rights decreed in Case Nos. W-2945(76) and 85CW646, the CWCB may call for and/or use those water rights second under their respective independent priorities, in addition to the Stapleton Brothers' Ditch water used for instream flow purposes pursuant to this decree. CWCB's exercise of its interest in the Stapleton Brothers' Ditch for instream flow purposes shall not reduce the amount of water that can be called for and used under its existing instream flow water rights.

CONCLUSIONS OF LAW

12. Timely and adequate notice of this application was given in the manner required by C.R.S. § 37-92-302(3), and this Court has jurisdiction over all persons and entities affected hereby, whether or not they have participated in this proceeding. The Court concludes that the published notice of this application put interested parties, to the extent reasonably possible, on inquiry notice of the nature, scope and impact of the claims granted herein.
13. This application is one contemplated by law, and this Court has exclusive jurisdiction over the subject matter of this proceeding. C.R.S. §§ 37-92-203 and 37-92-302.
14. The time for filing statements of opposition and motions to intervene has expired by operation of law. C.R.S. §§ 37-92-302(1)(c) and 37-92-304(3).
15. Applicants have complied with and satisfied all legal standards and burdens of proof applicable to their application herein, including but not limited to C.R.S. §§ 37-92-102(3) and 37-92-301 through 37-92-305, inclusive, and is entitled to entry of this decree as a matter of law.
16. The Court concludes that Applicants have demonstrated that the approval of their claim for a change of water right will not injuriously affect the owners of or persons entitled to use water under vested water rights or decreed conditional water rights.

C.R.S. § 37-92-305(3). Therefore, Applicants' claim for approval of a change of water right should be granted as a matter of law, subject to the terms and conditions of this decree.

JUDGMENT AND DECREE

17. Each of the foregoing Findings of Fact and Conclusions of Law set forth above is incorporated herein by this reference as if fully set forth and is hereby modified as necessary to constitute the Judgment and Decree of this Court.
18. Applicants' claim for a change of the Stapleton Brothers' Ditch is hereby approved and adjudicated, subject to the terms and conditions set forth herein.
19. Transit Losses: Any transit losses noted in a final decree will be modified to match actual transit losses as determined and assessed at the time bypasses or returns at the Stapleton Brothers' Ditch are made and may be modified per C.R.S. § 37-80-102(7) and C.R.S. § 37-83-104 as determined by the Division Engineer.
20. No Precedent: No trial was held in this matter and no issues were litigated. The findings of fact, conclusions of law, judgment and decree were completed as the result of substantial discussions, negotiations and compromises by, between and among the Applicants and the several objectors pertaining to all parts of the findings, conclusions, judgment and decree. It is specifically understood and agreed by the parties hereto, and found and concluded by the Court, that the acquiescence of the parties to a stipulated decree under the specific factual and legal circumstances of this contested matter and upon the numerous and interrelated compromises reached by the parties shall never give rise to any argument, claim, defense or theory of acquiescence, waiver, bar, merger, *stare decisis*, *res judicata*, estoppel, laches, or otherwise, nor to any administrative or judicial practice or precedent, by or against any of the parties hereto in any other matter, case or dispute, nor shall testimony concerning such acquiescence of any party to a stipulated decree herein be allowed in any other matter, case or dispute. All parties stipulate and agree that they do not intend the findings, conclusions, judgment and decree to have the effect of precedent or preclusion on any factual or legal issue in any other matter.
21. Retained Jurisdiction: Pursuant to C.R.S. § 37-92-304(6), the Court shall retain general jurisdiction over issues of potential injury due to the change of water right approved herein for a period of five years from the date Applicants provide notice to the parties and the Division Engineer that the Stapleton Brothers' Ditch has been used for instream flow purposes as decreed herein. Within such time limitation, the Court's retained jurisdiction may be invoked by the Division Engineer or any party to this case upon the filing of a

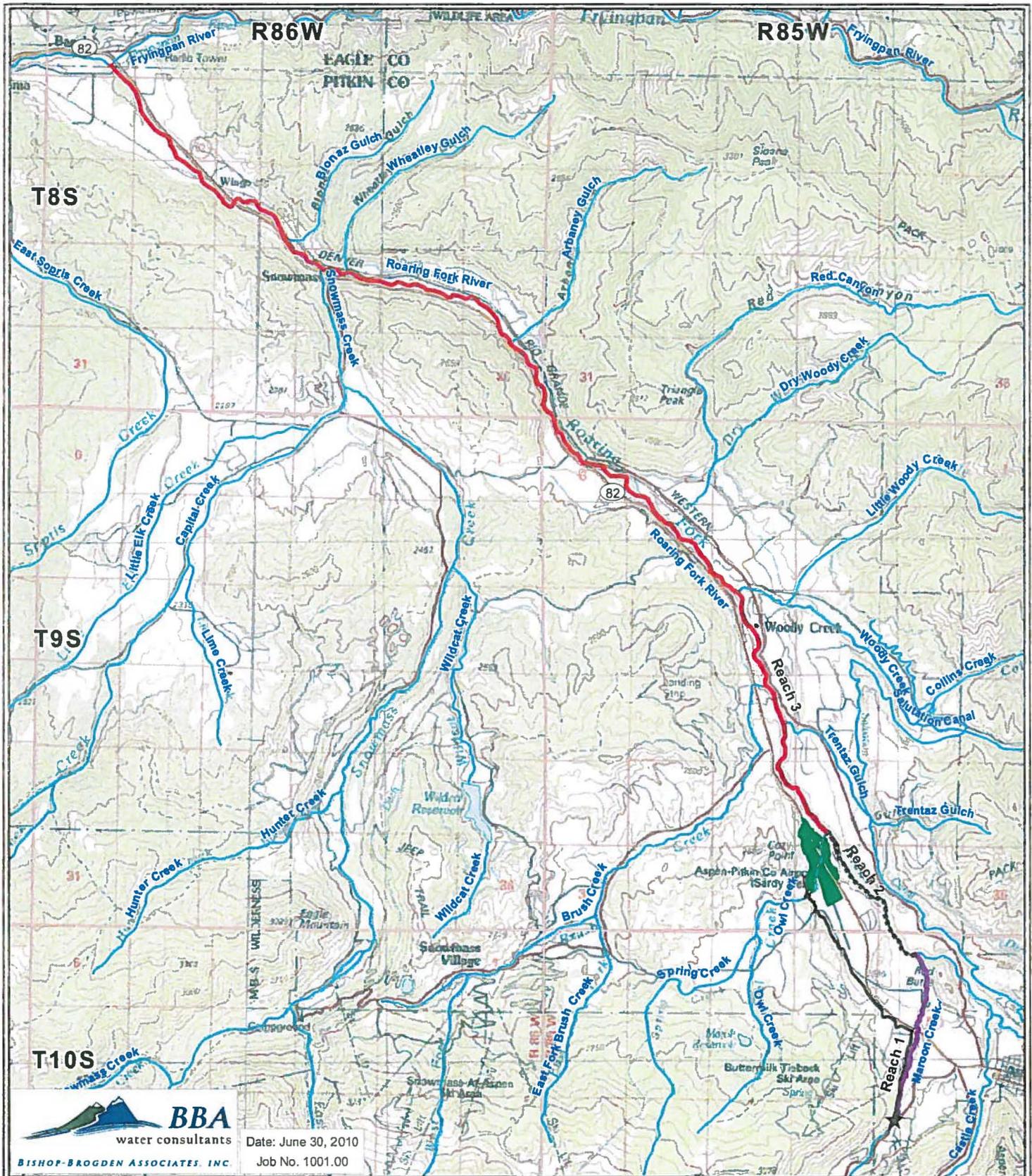
verified petition with this Court under the above caption and case number and with appropriate notice to all other parties hereto. If a party other than Applicants seeks to invoke the Court's retained jurisdiction, then that party shall have the burden of establishing the *prima facie* facts alleged in the petition, including the existence of any alleged material injury to that party's water rights. If the Court finds those facts to be established, then Applicants shall thereupon bear the burden of showing: (a) that any modifications sought by Applicants will avoid injury to other vested water rights; or (b) that any modifications sought by the petitioner is not required to avoid injury to other vested water rights; or (c) that any term or condition proposed by Applicants in response to the petition will avoid injury to other vested water rights.

22. Except to the extent that the Court has specifically retained jurisdiction herein, this judgment and decree shall be final for purposes of appeal.

DATED this _____ day of _____, 201_____.

BY THE COURT:

James B. Boyd
Water Judge, Water Division No. 5
State of Colorado



BBA
water consultants
BISHOP-BROGDEN ASSOCIATES, INC.

Date: June 30, 2010
Job No. 1001.00

Legend

- ★ Diversion Point
- Ditch
- Stream Reaches
- Reach 1
- Reach 2
- Reach 3
- Area Historically Irrigated

Exhibit C Instream Flow Reaches General Location Map Pitkin County

N
W — E
S

1 inch = 8,479 feet

0 4,000 8,000 Feet

Overview Map

Main Map
Colorado

AGENDA ITEM SUMMARY

June 20, 2013

TO: Healthy Rivers and Streams Board

FROM: John Ely, County Attorney

SUBJECT: Colorado River Water Conservation District and West Divide Water Conservancy District diligence filing for conditional water rights on the Crystal River

The Colorado River Water Conservation District and the West Divide Water Conservancy District (the “Districts”) currently hold a large assemblage of conditional water rights in the Crystal River drainage that have been in existence since the 1950s.

The conditional water rights relate to what is generally referred to as the West Divide Project (the “Project”). The purpose of the Project was to export water from the Crystal River to the Divide and Mamm Creek drainages in Garfield County. There, the water would be used to irrigate agricultural lands and be available for municipal and industrial purposes primarily associated with the development of oil shale and supplying water to the communities that would grow around that activity.

In 1956 the Project was included in the Colorado River Storage Project Act as a potential part of the overall management of water within the Colorado basin by the federal government. The water rights associated with the Project were filed on by the Colorado River District and adjudicated in 1958. The West Divide Water Conservancy District was established in 1964 to assist in the administration of the potential water resources. Every six years since 1958 the Colorado River District and the West Divide Water Conservancy District have filed diligence applications with the Colorado water court to maintain the conditional rights of the Project.

The federal government withdrew its support for the Project in 1982 determining that the potential cost and benefit of the Project did not justify its completion as part of the Colorado River Storage Project Act. However, the Districts have persisted in maintaining the Project and associated water rights in the hope that the water rights may be utilized in some useful manner. Most recently, the Districts requested that Wilderness Workshop amend its Hidden Gems proposal to accommodate the construction of one of the proposed reservoirs.

The scope of the conditional rights in the Crystal River Valley was significant. The Redstone Reservoir is approximately 129,000 acre feet, the Placita Reservoir is approximately 62,000 acre feet and the Yank Creek Reservoir is approximately 14,000

acre feet. The Avalanche Canal is decreed for 1000 cfs (cubic feet per second of flow), and the Four-Mile Canal which travels out of the drainage into Divide Creek is decreed for 818 cfs. By comparison, Ruedi Reservoir is 100,000 acre feet, Paonia Reservoir is 15,000 acre feet and the flow in the Crystal River at the time of this meeting at Avalanche Creek is approximately 500 cfs.

The inherent absurdity of a reservoir 30% larger than Ruedi being located on Redstone Boulevard has led many in the past to simply dismiss the likelihood of such a structure or project ever being built. However, it is possible in some cases, for dams and reservoirs to be relocated within the same drainage. Also, since the drought of 2002 has accentuated the vulnerability of current statewide water planning to climate change, the value of viable storage sites has increased. Although the Districts neither appear to have the ability or inclination to develop the Project, the right could be transferred to an entity that might actually construct the facilities.

Perhaps as a result of opposition to the existing water rights or in recognition that obtaining a continued diligence decree for these rights would be difficult or impossible, the Districts have dramatically downsized the Project. In fact, the project as currently proposed looks nothing like the previously proposed project.

Briefly, the Redstone Reservoir is to be eliminated and the Placita Reservoir is to be reduced to 4000 acre feet. The Yank Creek Reservoir is to be reduced to 5000 acre feet and the Avalanche Canal reduced to a flow of 250 cfs. Diversion of water to Divide Creek and Mamm Creek is to be eliminated. Additionally, two potential hydroelectric power plants are retained for Placita and Avalanche.

Although this is significant progress in addressing the health of the Crystal River and concerns of local residents, the correct litmus for evaluating the new proposed project is not how much smaller it is than the original but whether, as proposed, it is appropriate in size, location, scope, practicability, need and likelihood of actual completion.

Pitkin County, along with American Rivers, Trout Unlimited, Crystal Valley Environmental Protection Association and the Crystal River Caucus, has maintained opposition to the proposed and amended project and the matter is currently set for trial beginning in August 2013. Our continued opposition is premised upon the inappropriate location of the Project's components, the potential for environmental degradation, the lack of need for the Project and the financial infeasibility of the Project that might theoretically be appropriately sized and located.

Pitkin County has assembled a suite of experts to analyze the hydrologic need for the Project, the potential construction costs and the economic feasibility of the proposed development. The strength of these conclusions has left the Project legally vulnerable.

As a consequence, the Colorado River District and the West Divide Water Conservancy District now propose to abandon the West Divide Project as contemplated

for the Crystal River Valley in exchange for the withdrawal of opposition of the Project components proposed for the Mamm and Divide Creek drainages located in Garfield County.

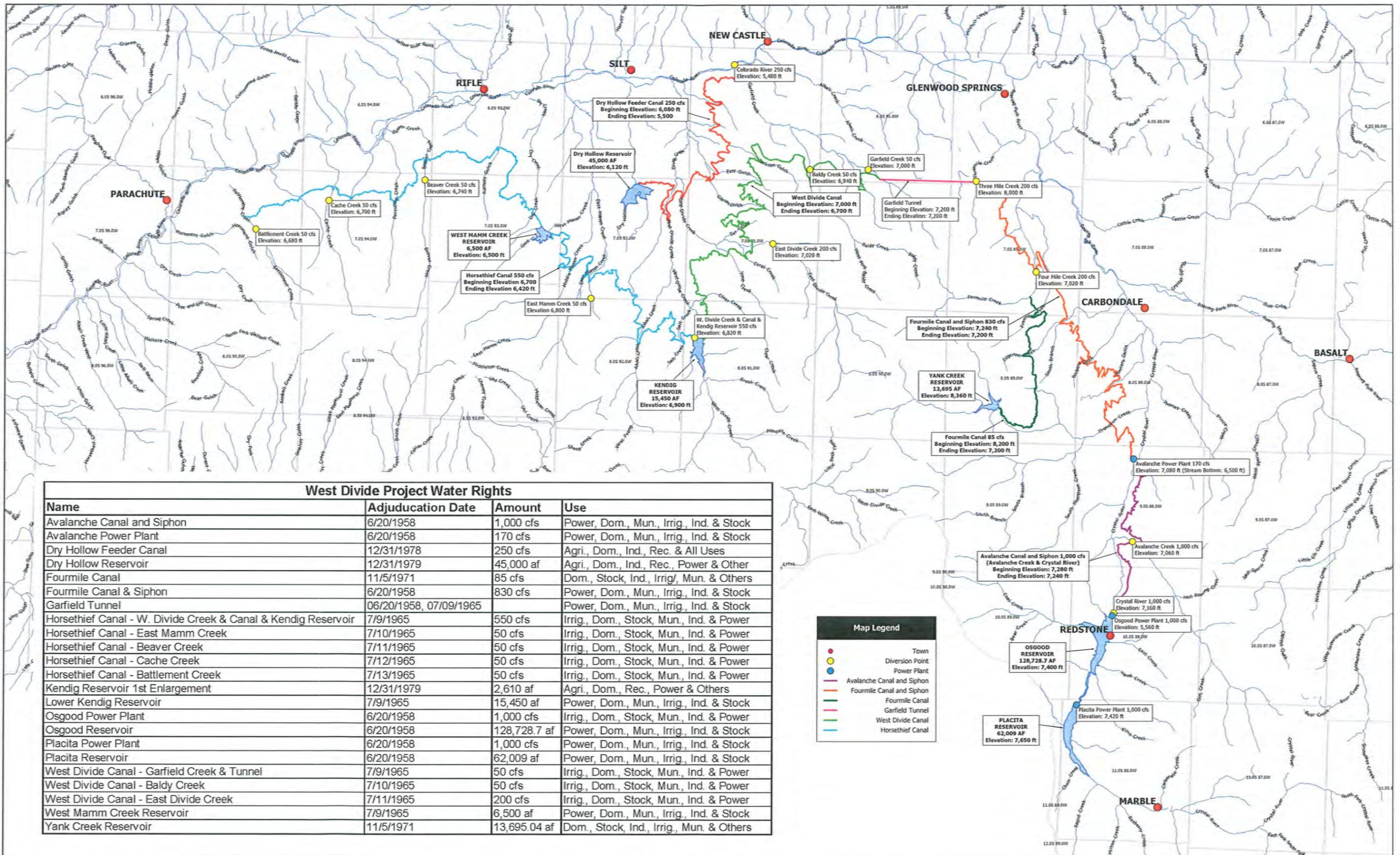
Particularly, the River District and the West Divide Water Conservancy District will abandon all conditional water rights in the Crystal River Valley with two exceptions, 1) 9.16 cfs of the Avalanche Canal and Siphon, which will be made absolute as part of an application for alternate source augmentation plans; and 2) a fixed amount of the Avalanche Canal and Siphon to be used downstream of the confluence with the Roaring Fork River for augmentation needs along the lower Roaring Fork and Colorado Rivers. These two exceptions for use of limited water rights associated with the Avalanche Canal and Siphon are not injurious of stream flows within the Crystal River as the contemplated use is strictly for augmentation demand downstream of the confluence of the Roaring Fork. Additionally, if such augmentation needs are fulfilled, the result will be that this amount of water will simply flow through the Crystal River drainage downstream toward the Colorado River.

In exchange for this abandonment, Pitkin County will agree not to oppose the current diligence application or future diligence applications or applications to make absolute those water rights and those portions of the West Divide Project that are located within the Mamm and Divide Creek Drainages in Garfield County. As this part of the West Divide Project was never a concern for the County, this forbearance will not affect our desire to protect the Crystal River. Should either the Colorado River District or the West Divide Water Conservancy District file applications with the water court in the future, Pitkin County may vigorously oppose those applications if it is in our interest and the interest of the river to do so.

This proposal will remove the necessity of a trial on this water court application and will achieve for the County all of its objectives in opposing the West Divide Project.

Recommended Board Action: The County Attorney's Office recommends that the Pitkin County Healthy Rivers and Streams Board endorse this proposed resolution of the County's opposition to the West Divide Project and forward that recommendation to the Board of County Commissioners.

Attachment: West Divide Project Vicinity Map



West Divide Project Water Rights

Name	Adjudication Date	Amount	Use
Avalanche Canal and Siphon	6/20/1958	1,000 cfs	Power, Dom., Mun., Irrig., Ind. & Stock
Avalanche Power Plant	6/20/1958	170 cfs	Power, Dom., Mun., Irrig., Ind. & Stock
Dry Hollow Feeder Canal	12/31/1978	250 cfs	Agri., Dom., Ind., Rec. & All Uses
Dry Hollow Reservoir	12/31/1979	45,000 af	Agri., Dom., Ind., Rec., Power & Other
Fourmile Canal	11/5/1971	85 cfs	Dom., Stock, Ind., Irrig., Mun. & Others
Fourmile Canal & Siphon	6/20/1958	830 cfs	Power, Dom., Mun., Irrig., Ind. & Stock
Garfield Tunnel	06/20/1958, 07/09/1965		Power, Dom., Mun., Irrig., Ind. & Stock
Horsethief Canal - W. Divide Creek & Canal & Kendig Reservoir	7/9/1965	550 cfs	Irrig., Dom., Stock, Mun., Ind. & Power
Horsethief Canal - East Mamm Creek	7/10/1965	50 cfs	Irrig., Dom., Stock, Mun., Ind. & Power
Horsethief Canal - Beaver Creek	7/11/1965	50 cfs	Irrig., Dom., Stock, Mun., Ind. & Power
Horsethief Canal - Cache Creek	7/12/1965	50 cfs	Irrig., Dom., Stock, Mun., Ind. & Power
Horsethief Canal - Battlement Creek	7/13/1965	50 cfs	Irrig., Dom., Stock, Mun., Ind. & Power
Kendig Reservoir 1st Enlargement	12/31/1979	2,610 af	Agri., Dom., Rec., Power & Others
Lower Kendig Reservoir	7/9/1965	15,450 af	Power, Dom., Mun., Irrig., Ind. & Stock
Osgood Power Plant	6/20/1958	1,000 cfs	Irrig., Dom., Stock, Mun., Ind. & Power
Osgood Reservoir	6/20/1958	128,728.7 af	Power, Dom., Mun., Irrig., Ind. & Stock
Placita Power Plant	6/20/1958	1,000 cfs	Power, Dom., Mun., Irrig., Ind. & Stock
Placita Reservoir	6/20/1958	62,009 af	Power, Dom., Mun., Irrig., Ind. & Stock
West Divide Canal - Garfield Creek & Tunnel	7/9/1965	50 cfs	Irrig., Dom., Stock, Mun., Ind. & Power
West Divide Canal - Baldy Creek	7/10/1965	50 cfs	Irrig., Dom., Stock, Mun., Ind. & Power
West Divide Canal - East Divide Creek	7/11/1965	200 cfs	Irrig., Dom., Stock, Mun., Ind. & Power
West Mamm Creek Reservoir	7/9/1965	6,500 af	Power, Dom., Mun., Irrig., Ind. & Stock
Yank Creek Reservoir	11/5/1971	13,695.04 af	Dom., Stock, Ind., Irrig., Mun. & Others



**WEST DIVIDE PROJECT
VICINITY MAP**

Date: March 8, 2011

Map By: T.B.
File Name: WestDivideRights2010.map

