

The Reserve Fishing Rules and Regulations

"Our objective is to protect, conserve and promote the fishing on the Reserve on the East River for the enjoyment of our owners and their families. Through experience and with considerable professional consultation, we feel we have developed a plan that will allow us to fish generously with no damage to the resource. To do this, it is important that we all, fisherman and non-fisherman, become participants in the preservation of these fisheries. If we are to enjoy, we must also conserve."

The Reserve Fishing Committee

The purposes of the fishing rules and regulations at the reserve on the east river are as follows:

- To provide and promote trout fishing for the owners, their families, and guests on the East River, Spring Creek, and Ponds on the Reserve; and the non-exclusive fishing on the east river upstream from the Reserve.
- To create a premier wild trout fishery and a superior fly-fishing experience for the owners, their families, and guests on the east river and the Reserve's Spring Creek.
- To provide exceptional pond trout fishing for the owners, their families, and guests.
- To protect and enhance the East River, the Spring Creek, and the Ponds and their respective riparian areas.
- To protect and enhance the wildlife and plant life associated with the waters and riparian areas.

Article I. The Fishing, River and Ponds Committee (The Committee)

- Sections 1.01 The Committee is responsible for maintaining, preserving, and enhancing the River, Spring Creek, and Ponds and their respective fisheries.
- Sections 1.02 The Committee is responsible for controlling for the owners, the Reserve's nonexclusive fishing water on the East River off of the Reserve.
- Sections 1.03 The Committee is responsible for establishing and amending fishing rules in addition to the "deeded" rules and other rules governing fishing at the Reserve and on the non-exclusive fishing water on the East River off of the Reserve.
- Sections 1.04 The Committee is responsible for enforcing all rules and regulations. In the event of misuse of the fishing resources through violation of the rules and regulations, the committee may suspend the fishing privileges of owners, their families, and guests and issue fines. Any suspension of fishing rates or fines greater than \$250 must be approved by the Board of Directors of the owner's Association (the Board).
- Sections 1.05 The Committee is responsible for all fish stocking in the East River, the Spring Creek, the community ponds, and the private ponds. Only approved trout may be stocked in the private ponds.
- Sections 1.06 The Committee shall be appointed by the Board of Directors of the owner's Association and reports to the Board.
- Sections 1.07 All members of the committee shall be fly fishermen or women.
- Sections 1.08 The Committee shall meet from time to time as deemed necessary by the Board.
- Sections 1.09 The Committee shall have a chairman and at least 2 other members who are owners. The chairman of the Committee shall be reappointed annually.
- Sections 1.10 The Committee is responsible for maintaining the registration book, the river beat markers, the river bridges, pond piers, the angler's room at the Lodge, pond boats, and the riparian areas of the Reserve. The committee may delegate the day-to-day execution of these established systems to the property manager or other designee subject to the oversight of the Committee.

Sections 1.11 The Committee is responsible for working with the various owners of the water right on the East River and in the irrigation ditches located on the Reserve to ensure that the water rights owners receive the proper amount of water while protecting the River, Spring Creek, and ponds and the fish inhabiting the waters. The Committee is responsible for maintaining all irrigation diversion structures in the East River. The day-to-day maintenance may be delegated to the property manager or other responsible designee subject to the oversight of the Committee.

Section 1.12 The Committee and/or Ranch Managers reserve the right to shut down fishing at any time during periods of low water or elevated water temperatures.

Article II. Fishing Rules

Section 2.01 There are two types of rules and regulations that govern fishing on the Reserve.

- (a) Deeded Rules can only be amended by a majority vote of the owners. Deeded rules are indicated by (DR) at the end of the statement of the Rule.
- (b) All other rules which are not Deeded Rules, can be amended upon recommendation by the committee and approved by the Board of Directors.

Section 2.02 Any infraction of any Fishing Rule or Regulation should be reported to the property manager and the Chairman of the Committee.

Section 2.03 Each owner has an assigned locker at the Lodge for storing waders and fishing equipment. owners not using their lockers may loan their lockers to other owners, however, only owners are permitted to have lockers. Owners will be provided a key to their locker and the property manager will retain a key.

Section 2.04 All fishermen must have a current Colorado fishing license. (DR)

Section 2.05 The State of Colorado fish and game laws are a part of the Reserve's fishing regulations and are to be observed at all times. (DR)

Section 2.06 When "trout" is referred to in these rules and regulations, it means any variety of rainbows, browns, cutthroats, or brook trout. The term "fish" is understood to be all fish including trout. The term "salmon" refers to the fall salmon which migrate up the East River from Blue Mesa Reservoir.

- Section 2.07 All owners are responsible for their families, and their guests. Family and guests are assumed by the Committee to understand all fishing rules and regulations. Owners must make a special effort to explain to their families and guests, the fishing rules and regulations thoroughly and in detail. Failure of the family or guests to comply with all fishing rules and regulations will result in a reduction of fishing privileges. (DR)
- Section 2.08 A fishing guest must be accompanied by the owner or a member of the owner's family to the river beat or pond. If the owner or a member of the owner's family does not stay with the guest while the guest is fishing, the owner or a family member must be residing in the Crested Butte area during the time the guest is fishing. (DR)
- Section 2.09 Owners, their families, and guests are prohibited from disturbing any irrigation or pond headgate or irrigation ditches. They are also prohibited from disturbing any natural or man-made river, creek or pond structure. (DR)
- Section 2.10 The breaking of bush and tree limbs, the cutting down of bushes or trees, or otherwise harming the trees, bushes, and plants of the riparian areas by anyone other than the Committee or its agent is prohibited. (DR)
- Section 2.11 Collecting or harvesting plants and wildflowers within 50 yards of any stream or community pond is prohibited. (DR)
- Section 2.12 Owners, their families, and guests are encouraged not to throw stones, sticks, or other items into the river and ponds.
- Section 2.13 Non-fishermen are to respect fishermen. They are not to enter the river anywhere near a fisherman without express permission from the fisherman. (DR)
- Section 2.14 Discarding trash, used leaders, or other fishing material in and around the ponds, Creek, and river is prohibited. (DR)
- Section 2.15 Felt bottom wading shoes may be worn provided that they've been sterilized after use outside of the Reserve. Wading shoes with rubber soles and cleats are suggested.
- Section 2.16 Owners may hire fishing guides. Fishermen must pay for their guides. The committee assumes that each guide knows these fishing rules. Owners are held responsible for the actions and behavior of guides. Guides may not fish unless they are a guest of the owner. Guides are permitted on the River, Spring Creek, and ponds. The Committee may prohibit, at the Committee's sole discretion, any guide from entering the Reserve.
- Section 2.17 Fishing Rules for the East River, Spring Creek, and any other moving water on the Reserve.
(a) These waters are fly fishing only. Fly rods, fly reels, and artificial flies are the only fishing tackle to be used. Members are strongly encouraged to cramp down barbs on standard hooks. (DR)
(b) Trout must be caught in the mouth with a fly. Trout can not be "snagged." (DR)

- (c) No trout may be kept. All trout must immediately be returned to the stream (catch-and-release). Dead or injured trout must be returned to the river. (DR)
- (d) No fishing from bridges is allowed. (DR)
- (e) All fishermen must register via the reservation system before fishing and reserve the fisherman's fishing beat(s) and fishing period. The Committee may provide additional means of registration from time-to-time provided that timely notice is conspicuously and adequately posted at the Lodge for all interested parties.(DR)
- (f) A single owner may reserve no more than two beats per fishing period. Fishing times and beats may be reserved no more than one day in advance.
- (g) There are two fishing periods each day. The morning period starts one hour after sunrise and ends around 1pm. However, during Green Drake season, this could extend to 1:30 pm. The afternoon period starts around 1pm and ends 15 minutes after sunset. In all periods, members are to respect the timing of hatches and coordinate accordingly.
- (h) Only daylight fishing is permitted. (DR)
- (i) The East River is divided into 12 "beats." Beats are continuous sections of the East River, are designated by name and number, and are displayed on the river map at the Lodge. The beginning and the end of each beat are marked on the west bank of the East River with numbered signs. No beat can be fished for more than two consecutive fishing periods. After two consecutive fishing periods, the beat must be rested (no fishing or wading in the beat) for at least one fishing period.
- (j) There can be no more than 10 rods on the East River and Spring Creek at any time.
- (k) A maximum of two fishermen, or one fisherman and one non-fisherman, can fish together in any beat at the same time.
- (l) There is one Spring Creek on the Reserve. Beaver Creek is on the west side of the East River. The Spring Creek is considered to be one beat and can only be fished for one fishing period before being rested for one fishing period. (DR)
- (m) Swimming is prohibited in the river. (DR)
- (n) No individual under 13 years old is allowed in the river or to fish the river without adult supervision. (DR)
- (o) No owner may have more than four rods on the River at any time.
- (p) Fishermen are prohibited from using the "San Juan Shuffle" to dislodge nymphs from the river bottom. (DR)
- (q) Only the Committee may stock trout. Only trout from disease-free hatcheries may be stocked. Only rainbow, brown, cutthroat, and brook trout can be stocked. No other fish or baitfish of any kind can be stocked. (DR)
- (r) Special Rules for catching Salmon:
 - (i) Salmon can be kept.
 - (ii) The limit on the number of Salmon which can be kept is governed by the State of Colorado.
 - (iii) All other rules above apply.

Section 2.18 Fishing Rules and Regulations for the non-exclusive water on the East River.

- (a) The Reserve has non-exclusive fishing rights for two rods on the East River upstream from the Wooden Rail Bridge (the bridge just upstream of the highway bridge near the entrance to the Reserve over the East River) to a point approximately 500 feet south of the Cement Creek Bridge.
- (b) An owner may reserve one or both of the two beats for one fishing period at a time for owner, family, or guest fishing.
- (c) Reserve fishermen should respect the rights of other fishermen who are not owners or family or guests of owners, who have fishing rights on this section of the East River.
- (d) Attached is a map showing in green three non-exclusive access points to the east river. Reserve fishing rules state that no more than two rods per day may fish the west side of the east river upstream from the wooden cattle bridge. However, our legal counsel cautions that the right of the reserve lot owners to fish the east river between the two most downstream access points shown on the map are not clearly established.
- (e) All other rules in Section 2.18 above apply.

Section 2.19 Fishing Rules and Regulations for the Ponds on the Reserve.

- (a) Only the Committee can stock ponds (both private and community ponds). Only trout from disease-free hatcheries may be stocked. Trout over 10 inches may be stocked. Only Rainbow, brown, cutthroat, and brook trout can be stocked. No other fish or baitfish of any kind can be stocked. (DR)
- (b) The Committee may decide to artificially feed fish in the ponds however, only commercial, dried fish food, such as Purina Trout Chow may be used.
- (c) Community Ponds:
 - (i) The community ponds are open to all owners, their families, and guests.
 - (ii) Each owner, including family members and guests, may keep a maximum of two (2) trout per week up to a total of 6 trout per year caught from the ponds. Trout over 16 inches may not be kept. A log of kept trout by the owner is maintained at the lodge. Each fisherman must appropriately record all catch trout in the log upon finishing fishing.
 - (iii) Kept fish must be cleaned away from the river, streams, and ponds. No entrails may be discarded in or within 100 yards of any water body. (DR)
 - (iv) Any type of rod and reel may be used. Only artificial flies and lures may be used, except fisherman eight years old and younger fishing the large pond may use a single hook with live or dead worms or dead salmon eggs only. Live bait and "minnows" are strictly forbidden. Any bait of any kind is prohibited for any fisherman nine years old and older. Multiple lures attached to a single rod or not allowed; however, up to two flies may be attached to a line of a single fly rod.
 - (v) The fishing periods for the ponds are the same as for those for the East River.
 - (vi) owners may not have more than four rods on the ponds at any time. Two fishermen can share one rod and be considered one rod.
 - (vii) Reservations for the ponds can be made no more than 24 hours in advance. No more than four reservations for one period can be made by an owner at any time.

(viii) All fishermen must register online before fishing.

(ix) The Ponds

- 1) All fishermen 10 years and younger must be accompanied by an adult and adults may accompany any fisherman.
- 2) The ponds are limited to 6 rods at any time at each pond.
- 3) Private boats, rafts, canoes, and belly boats are permitted but they cannot be left overnight at the pond. (Toy boats and boat models powered by wind or batteries which are three feet or under in length, are allowed.)
- 4) The Reserve provides two small fishing skiffs which can be reserved by owners during one fishing period at a time. Owners can also use float tubes, canoes, stand-up paddle-boards, or kayaks.

(d) Private Ponds

(i) owners may set their own rules and regulations for their private ponds.

(ii) owners may not stock fish in their pond but can request the Committee to stock it for them. Only rainbow, brown, cutthroat, and brook trout can be stocked. Individual owners must pay the cost of stocking fish in their ponds.

(iii) owners may artificial feed pond fish but can only feed commercial dried fish food such as Purina Trout Chow.

(iv) owners are responsible for the winter aeration of their ponds.

(v) owners may not alter private waterways or ponds or interfere with or in any way alter water flow through private ponds or waterways without the approval of the Committee and Board. (DR)

Article III. Rules For Landing Handling Fish

Section 3. 01 Trout are fragile and should be handled with care.

Section 3. 02 Pliers or forceps should be used to remove hooks from fish.

Section 3. 03 Trout should not be squeezed with the hands.

Section 3. 04 Trout should never be handled by placing a finger through the gills.

Section 3. 05 Trout must only be handled with wet hands. Quickly remove trout from the water for photos.

Section 3. 06 Trout should be unhooked in the net and gently returned to the stream.

- Section 3. 07 Revive tired trout by facing them into the current and moving them back and forth until the fish can swim strongly away.
- Section 3. 08 Trout should not be dropped onto the riverbank, onto stream rocks, or into the river.
- Section 3. 09 It should always be attempted to handle and release the trout with the trout under the surface of the water.
- Section 3. 10 Flies which are deeply embedded in the gills or the throat of a trout and which would cause damage to the fish if removal is attempted and should be cut off and left in the fish.
- Section 3. 11 A trout removed from the water for more than a few seconds may suffer fatal injury even if it appears to be healthy when released. Damage can occur in as little time as five seconds out of the water.
- Section 3. 12 Lifting large trout completely out of the water in the net can injure them. To take a picture of a large fish, reach into the net with the net and fish in water, cradle the fish in both hands, and lift the fish a few inches above the water for the picture.
- Section 3. 13 When fighting a trout, the goal is to land it quickly. An exhausted trout, especially a large one, may not have the energy to survive even if it is apparently healthy when released.



