

# **The Ranch at Roaring Fork Fishing Regulations 2023**

## **Philosophy of Fishing on the Ranch**

Fishing regulations and permit fees at the Ranch have certain objectives:

- ❖ To protect and preserve the fishing amenity for the benefit of the homeowners.
- ❖ To maintain and improve the fish population and fish habitat.
- ❖ To provide an encouraging and satisfying fishing experience for the novice.
- ❖ To provide excellent and challenging fishing for the expert.
- ❖ To provide river, pond and stream stabilization.

The large and numerous fish in Ranch waters are a result of many years of carefully managed fishing. To maintain this quality experience all fishing is to be only with artificial fly, barbless hook, and catch and release restrictions. Mortality rates on fish caught on baits and spinners are high, and it is especially important to protect the larger, mature fish, as they are the most prolific breeders. All anglers at the Ranch have a responsibility to release fish in an appropriate manner.

## **Fishing Permits and Licenses and Requirements**

All persons fishing on Ranch property, including the Roaring Fork River, shall be required to visibly and prominently display at all times a valid current fishing Permit on their person. Permits shall be worn on exterior clothing on the person's back at hip or higher level and shall be plainly visible when in a normal fishing and walking posture.

Permits are valid for the term from April 1 through March 31 of the following year, the fishing year.

Each Permit will be marked with the name and address of the Owner of the residence or lot to whom the Permit was issued.

**NOTE: Each Permit holder has the responsibility to note and report violations of the Fishing Regulations, especially the rule requiring the prominent display of a valid fishing Permit at all times.** We suggest that when someone is observed without a Permit, or when someone is observed violating the Regulations (especially use of an Owner's badge without an accompanying Owner) that you politely ask the angler's name, note the name of the Owner listed on the Permit if different, and remind him or her of the badge display rule or other applicable Regulation, and of your duty (and his or hers) to report violations. Please then report this information to the Ranch Manager.

Each Owner (as defined in the footnote below and referred to collectively here as an "Owner" or "Owners")<sup>1</sup>, shall be entitled to the number and types of permits specified in these Regulations, but only if current in assessments. Tenants in units rented on a short or long-term basis may fish only as

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<sup>1</sup> Under Section 2.32 of the Ranch Declaration "Owner" is defined as "the person, firm, corporation, partnership, association or other legal entity, or any combination thereof who are the record Owner or Owners of fee simple title to a Unit or a Parcel zoned and platted for a certain and specific number of units or own that estate or interest with respect to a Unit or Parcel most nearly equivalent to fee simple title. The term shall not include the Owner of any lesser estate or interest such as a leasehold estate or the like and likewise excludes mortgagees and contract Owners.

set forth in these Regulations and only with a Guest Permit or an Owner Permit or Day Use Permit if accompanied by the Owner.

## **Categories and Cost**

Fishing Permits shall consist of five categories: Owner, Owner Guest, Long Term Tenant Guest, Short Term Renter Guest and Day Use. Guest Permits are the only permits that allow fishing when not accompanied by an Owner. Guest Permits are colored based on the PRIMARY intended use of the Permit. Any color Guest Permit may be used by an owner or Guest. The varied coloring is part of an effort to gather data about use of the Ranch fishery.

## **Owner Permits**

Each Owner, if current in assessments, shall be entitled to two Owner Permits at a fee of \$275 each. Owners and family members of the household may use an Owner Permit. Family members are defined as Owners, spouses, domestic partners and minor children living in the household. In addition, in the case of an entity record owner of a Unit (e.g., an LLC, a partnership, a corporation, a trust or estate), the individuals who have been certified by such entity record owner, to the reasonable satisfaction of the Association, to be members, partners, limited partners, shareholders or beneficiaries or holders of beneficial interests of such entity (an "Interest Holder" or "Interest Holders") and their spouses, domestic partners, and minor children living in the household of such Interest Holder, also may use an Owner Permit issued to the entity Owner of which they are Interest Holders. All other persons, including tenants, are considered guests of the Owners. Guests of an Owner may use an Owner Permit only when fishing with or accompanied by the Owner named on the Owner Permit and/or by a family member of such Owner or, in the case of an entity Owner, by an Interest Holder of such entity or the spouse, domestic partner or minor child of such Interest Owner as stated above.

The replacement cost for lost Owner Permits will be \$100 each. All Owner Permits will be issued only to the registered Owner.

**Tenants and guests may not under any circumstances use an Owner Permit unless accompanied by the Owner or Interest Holder as stated above.**

## **Guest Permits**

Each year, in addition to Owner Permits, each Owner shall be entitled to purchase up to two Guest Permits, but only if current in assessments. The first Guest Permit shall cost \$550 and the second Guest Permit shall cost \$1100. A Guest Permit will allow the guest of an Owner to fish unaccompanied by the Owner. The intended Primary use of the Guest Permit shall be stated by the Owner at the time of purchase of the Permit. The stated Primary use does not limit use of the Permit by other guests or Owners.

The replacement cost for a lost Guest Permit will be \$200.00 each.

## **Guest Fishing Registration**

Owners are required to have all of their Fishing Guests registered at the Ranch Office before the Guest commences fishing. Anyone may submit the Fishing Guest Registration form which is attached as Attachment E and is available at the Ranch Office and on the Ranch web site.

## **Day Use Permits**

An Owner current in assessments may also annually purchase up to six (6) Day Use Permits at a cost of \$55 each, plus a refundable \$55 deposit for each permit. The Day Use Permit will be valid only for the date specified on the permit, which will be entered by the Ranch Office when the permit is issued. At the end of the day, each Day Use Permit must be returned to the Ranch Office. If it is, the \$55 deposit will be refunded; if it is not returned that evening, unless excused for a good reason, the deposit will be forfeited. **Day Use Permits may be used by Owners or Owners' guests, but only if accompanied by the Owner or a family member or Interest Holder of such Owner or family member as stated above.** Day Use Permits will not be replaceable if lost.

## **Limits on Use of Fishing Permits**

No more than four persons may use at any one time permits issued to a particular Owner, whether Owner Permits, Guest Permits, or Day Use Permits.

## **Lost or Damaged Permits**

All lost Permits, regardless of category, and whether or not the Owner replaces them, must be reported to the Office as soon after loss as practicable. Damaged Permits returned to the Office will be replaced free of charge.

## **Unauthorized Use**

Any unauthorized sale, reproduction, transfer, or distribution of fishing Permits shall result in a fine and/or revocation of all Permits issued to the Owner of the Permit(s), as well as strict enforcement of any criminal laws that have been violated. Permits shall not be transferred to any person. This includes "No refunds or transfers" for nonuse or if a residence or lot is sold. Permits shall not be used for commercially-guided fishing on Ranch property, or for any other commercial purpose.

## **Fishing Guides**

Fishing Guides, who are not Owners, are only allowed when guiding Owners with an Owner Permit and/or Accompanied Guests with the required Permit. If the Guide does not have a Ranch Fishing Permit, he/she may not carry a rod and may not fish. Guides may fish as an Owner's Guest if they have the required Ranch Fishing Permit. Guides who are owners have the same privileges as all Owners but may not bring paying clients on to the Ranch to fish.

## **Agreement to Purchase and Authority to Suspend Fishing Privileges**

Each Owner who purchases a Permit, regardless of category, must abide by current Fishing Regulations on the Ranch property and is responsible for the conduct and any damage that may occur by any person authorized or allowed by such Owner to use the Permit.

A signed application is required for all Permits, affirming that the Owner obtaining the Permit(s) has read the Regulations, accepts them and agrees to be bound by them.

In appropriate cases, the Fishing and Waterways Advisory Committee will review violations and make recommendations to the Board. There shall be no refund for any Permit that is revoked.

## **License Requirement**

When fishing on Ranch waters, a current valid Colorado fishing license is required and all state laws apply, except where more restrictive Ranch fishing regulations apply such as manner of fishing and bag limits.

## **Fishing Hours**

Fishing hours will be from one hour before sunrise to one hour after sunset. Night fishing is not allowed.

## **Restricted Areas**

Absolutely no fishing is allowed in Homestead Lake (south of the original Ranch House), also known as “Hunt’s Pond,” or in the inlet channels that run into it, up to the north/south fence line. This closed area is private property and is not part of the Ranch common area.

Ranch lots that abut Ranch waters are private property. On some of those lots (not all – when in doubt ask the Office) there is a 10-foot easement to permit access along the banks. When fishing along these banks, please use good judgment and respect the privacy of the occupants.

Only common land, roads and, where applicable, the easement along the banks of waterways may be used for access to fishing. **DO NOT CROSS PRIVATE PROPERTY.**

## **Method of Fishing and Releasing Fish**

All waters at the Ranch, including the Roaring Fork River, are restricted to fishing with fly rod and fly reel, using artificial flies with a single barbless hook. No spin casting or bait-casting rods are allowed for any kind of use or are allowed to be carried on the Ranch. Artificial flies cannot be used on spin casting or bait-casting rods. See Attachment C for more information on barbless hooks. The only exception to this rule is for children 10 years and under as described in Attachment B.

**All waters of the Ranch are catch and release only**, and are subject to Colorado Parks and Wildlife Regulations, which may supersede certain Ranch at Roaring Fork Regulations. All anglers should be thoroughly familiar with current CPW Regulations.

Return trout promptly to the water with a minimum of handling; try to avoid removing the fish from the water in order to remove the fly. If it is necessary to pick up the fish, wet your hands before doing so. Nets with cotton mesh bags do less damage than those with nylon bags. Do not ever touch a trout’s gills. Treat trout tenderly and do not grab them by the belly, as this can cause severe internal injuries. See Attachment D for more information on how best to land and release fish.

Try to minimize wading in the waterways, especially during spawning season. Minimize disturbance of the aquatic habitat during wading. The San Juan Shuffle (i.e., shuffling your feet to disturb the stream bottom) is not appropriate or acceptable, as well as totally useless on this water.

Spawning areas may or may not be marked, but all anglers are to stay out of any streambed or lake area where spawning is visibly taking place. Walking through spawning beds destroys the eggs and results in fewer fish.

All suckers caught should be killed. Whitefish may be harvested subject to DOW bag and possession limits.

See Attachment B for more information on fishing rules for children 10 years old and younger.

### **Violations**

Any violation of current Fishing Regulations is cause for fines and suspension of fishing privileges.

See Attachment A for more details on violations and penalties.

### **Etiquette**

The following rules of fishing etiquette should be observed by all anglers at all times:

The most important rule of etiquette is to treat others as you would like them to treat you. In that regard, do your best not to crowd other anglers. Let them fish out the hole or run that they are in and leave a few more holes for them to fish into. A minimum separation of at least 100 yards ahead or 50 yards behind is appropriate for the waterways. Even better is to stay out of sight of other anglers when possible. Fish are easily spooked and fishing close to another angler may harm his/her experience.

Each type of water creates different standards for space to avoid overcrowding. The ponds and the Roaring Fork River provide more holes and are bigger bodies of water, so space requirements there are not as critical as on the streams. It pays to check with other anglers you encounter and discuss the parts of the stream that you have already fished and the parts you would like to fish. There is usually enough water so that everyone can arrange to fish some undisturbed runs.

Littering is never acceptable. Please pick up and dispose of any trash encountered on the stream. Leave everything cleaner than you found it.

It is each Owner's responsibility to know and observe the Fishing Regulations and to make sure the Owner's tenants and guests understand and observe them.

## **Attachment A Violations**

The Ranch Board of Directors (Board) has approved consequences and fines for violations of the Fishing Regulations. Except for specific consequences and fines stated below for Permit Violations, the first violation of any matter set forth in Attachment A shall result in a written warning. A second infraction will result in a fine of \$250. A third violation will result in a fine of \$250, a loss of fishing privileges and revocation of ALL PERMITS issued to the Owner responsible for the violation or infraction. Any further infractions will result in additional penalties as determined by the Board. Owners are responsible for the payment of all fines.

### Permit Violations:

1. Fishing by any Owner, guest or tenant when the Owner has not purchased the Permit(s) required for the type of fishing undertaken.
  - a. First violation - \$250 fine and the Owner will be required to purchase the required annual Permit(s) before any further fishing is allowed under any other Permits.
  - b. Second violation – \$500 fine and revocation of all existing permits and loss of fishing privileges for the balance of the fishing year.
2. Fishing by any Owner, Guest or Tenant without displaying a current, valid fishing Permit.
  - a. First violation – Warning Letter
  - b. Second and subsequent violations - \$250 fine.

### Equipment Violations:

1. Carrying or using any rod other than a fly rod, fly reel and line except as permitted for children in Attachment B.
2. Using anything other than barbless hooks.

### Fishing Violations:

1. Killing trout on Ranch premises.
2. Improper handling of fish on Ranch premises.
3. Possession of trout caught on Ranch premises.
4. Using live bait.

### Other Violations:

1. Trespassing on private property.
2. Fishing in unauthorized areas.
3. Unregistered Guest fishing.

**In the event of any conflict between the provisions of this Attachment A and the Ranch's duly-adopted Enforcement Policies, Attachment A controls and supersedes the Enforcement Policies, and the Enforcement Policies shall be deemed amended to that extent, except for those matters required by C.R.S. Sec. 38-33.3-209.5. Enforcement of the Violations under this Attachment A shall follow the Urgent Violation procedure under the Enforcement Policies.**

## **Attachment B**

### **SPECIAL FISHING EXPERIENCE FOR CHILDREN 10 YEARS OLD & UNDER**

The Ranch provides four specially-designated locations on the Ranch to allow children 10 years old and under an opportunity to experience the fun of fishing. Those areas are located as follows;

- A. The south and west sides of Lake Colorow, excluding the pier.
- B. The south side of the Condo pond and the peninsula in the northwest corner of the pond.
- C. The south side of Rainbow Pond nearest the street.
- D. West Trophy Pond.

All areas are well marked and should provide enough room for 2-4 adults and children without interfering with other fisherpersons. Check with the Ranch Office if in doubt as to those locations.

The following rules apply:

1. All persons fishing, including children, must display a valid Permit as specified above, i.e. any child using a rod must be wearing a current Ranch fishing badge.
2. A spinning rod may be used at the four specially-designated areas with one barbless fly and a bubble.
3. Only the child may use the spinning rod.
4. No bait or artificial lures are allowed at any time or place on the Ranch. And except as provided in the immediately-preceding sentence no equipment other than a fly rod with barbless hooks can be used anywhere on the Ranch.
5. Children 10 years old and younger are not required to have a current Colorado State fishing license.
6. Children fishing pursuant to this Attachment B must be supervised by an adult (i.e. children are not allowed to fish in these locations without a supervising adult present).
7. All other fishing rules as outlined in these Fishing Regulations shall apply; in particular, the proper handling and the releasing of fish.

The intent of this exception to the Ranch Fishing Rules is to introduce young children to the "fun of fishing". Many fly shops in the Valley as well as summer programs sponsored by Garfield County can help with fly-fishing lessons once an interest has been discovered. The Ranch Office can help identify those shops.

## **Attachment C Barbless Hooks**

There are only positive reasons for fishing a barbless hook. There are no disadvantages. More fish, especially big fish, are hooked on barbless hooks because trout have a tough, bony mouth, and barbs make it harder for the hook to “penetrate” or “sink in” to the bend of the hook. A barb forms a wedge. Isn't it quicker and easier to drive a nail than a wedge?

Barbless hooks have been tested on all varieties and sizes of freshwater game fish, and findings show twice as many fish are hooked on barbless hooks. Pull a barbed and barbless hook onto a piece of cardboard; you'll see and feel the difference. When a hook sinks to the bend of the hook, instead of only part-way, you have the fish until you back the hook out the way it went in, or until it breaks through the skin.

Remember the last time you hooked your clothing or skin? Avoid the pain and frustration; smash those barbs! The best way to de-barb a hook is to smash it flat, using flat-nose pliers. Be careful not to damage the hook point.

Fish are most often fatally damaged during handling. A barbless hook allows you to release fish more easily and with a minimum amount of handling. Usually you will not even have to touch the fish. Time consumed in handling fish, working out the hook with pliers or forceps, and the time needed to properly revive a fish handled in this manner all drastically reduce the fishing time, and the catch, and also dramatically increase the likelihood of damage to the fish.

To remove the hook, gently grip the fish by the tail or jaw with one hand, removing the hook with the other. If you are wading, both hands can be freed by slipping the rod into the waders. If a fish is hooked really deeply, you often can remove the hook with the aid of long-nosed pliers, or forceps or hemostats. If you cannot remove the hook easily and quickly, it is best to cut the leader, leaving the fly in the fish. Nature supplies a built-in mechanism that dissolves the hook in a matter of days. Often, a friend fishing with you can lend a hand in unhooking and reviving a fish.

Under some conditions, a net, if used properly, can be a tremendous advantage, allowing you to quickly land and release a fish. A net can alleviate the fish flopping and thrashing over rocks in shallow water, and can greatly aid you in landing the fish when you are waist-deep in water. Be careful the fish does not become entangled in the net.

## **Attachment D**

### **Releasing and Reviving Fish**

Do not release a tired fish until it has completely recovered. Firmly hold a played-out fish by the tail with one hand, and gently support the fish from underneath, just behind the head, with your other hand. Face the fish upstream in an upright position in fairly calm water, but where there is enough current to allow the fish to breathe easily. By moving the fish back and forth in this position, the gills will begin pumping life-giving oxygen into its system, while at the same time allowing the fish to rest and regain strength lost during the battle. Fish being revived in this manner will often attempt to escape before they are completely recovered. A good rule of thumb is to not let the fish swim away the first time it attempts to. When fish are released prematurely, they will often swim out of sight, lose their equilibrium, turn onto their side, and die. It does not hurt to revive fish longer than you feel is necessary. This will ensure a complete recovery without complications. This process usually takes a minute or two but fish that are extremely tired can require longer, and larger fish generally require more resuscitation. This is especially true preceding, during and after spawning periods. When you release a fish, do so in clean water, allowing the fish to swim into the current at its leisure.

After releasing a fish, move slowly, for sudden movement may spook them prematurely. Never toss a fish back into the water. If you wish to take a photo, “set up” everything before you remove the fish from the water. Cradle the fish and lift it just above the water, so if it should happen to fall, it will not crash onto land. Do not put undue stress on a fish by lifting them high or in an unnatural position. Do not put your fingers in their gills, for this is like puncturing a lung. Never squeeze a fish, as vital organs are easily damaged. Fish will seldom struggle when handled gently. A quick, harmless way to measure a fish is to tape off measurements on your rod, or buy a “fish tape” which adheres to your rod. Simply slide the rod alongside the fish in the water, and get an accurate measurement. Spring scales are deadly on fish, and should be used only for hoisting a net with fish inside. It is easy to estimate the weight by the length and condition of the fish. The important consideration is to release the fish quickly and unharmed. A fish that is bleeding slightly will probably survive just fine. Even a fish that is bleeding profusely can usually be revived if you are patient enough.

Try to land a fish in a reasonable amount of time. The longer some fish are played, the more lactic acid builds up in the bloodstream, and the more difficult it becomes to revive the fish.

Most fatal damage occurs to fish through improper handling, not during the actual hooking and playing of a fish. It is best not to handle or remove fish from the water. When a fish is removed from the water, it begins to suffocate immediately, and the risk is great that the fish will flop around on the bank, slip from your grasp, or that you may unknowingly squeeze them to death. If you must handle fish, be certain that your hands are wet, for wet hands will not destroy the protective mucous film on fish, especially trout.