



Mark Harris, right, General Manager of the Grand Valley Water Users Association, and Luke Gingerich of J-U-B Engineers address the Colorado River District Board on the Water Users' Conserved Consumptive Use Pilot Project in the Grand Valley.

Following test project allocated CRD funds

In 2017, the Grand Valley Water Users Association (GVWUA) conducted a temporary agricultural following program to save 3,200 acre feet of conserved consumptive use normally applied to crops. It was an experiment in water banking — to see how a program to send saved water to bolster Lake Powell might work.

GVWUA is extending the program to the 2018 growing season and received a \$50,000 contribution from the Colorado River District Board of Directors toward the program's \$1 million budget.

Mark Harris, GVWUA General Manager, told the Board that a second year is needed to continue learning the lessons of following and to broaden the knowledge of it among water users who are watching how this program might work for them.

Harris said that the Drought Contingency Plans (DCP) being developed by the Upper Division states and the Lower Division states to address low levels at Lakes Powell and Mead have put a "clearer focus" on demand management,

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Mueller starts Dec. 4 as new GM

Andrew (Andy) Mueller starts Dec. 4 as the new General Manager of the Colorado River District. He succeeds Eric Kuhn, who is retiring in early 2018 after more than 36 years of work for the Colorado River District, the last 21 as General Manager.

On Sept. 19, 2017, Mueller was named the sole finalist for the job. After a two-week "stand-down" period mandated by state law, Mueller was formally offered the job and he accepted.

Mueller is an attorney in Glenwood Springs. Previously, while practicing law in his former home county of Ouray, Mueller was that county's representative from 2006-2015 on the River District Board.

In that role, he was elected Vice President and later President.

"The Board was impressed with Mueller's credentials, background and vision for the District," said Tom Alvey, the current Board President from Delta County. "We were fortunate to have an outstanding pool of candidates from which Mr. Mueller rose to the top."



Andy Mueller

"I'm honored and humbled by my selection," Mueller stated. "I've long held the Colorado River District in the highest regard. I look forward to working with the Board and staff of the District to continue the District's history of excellence and protection of western Colorado's vital stake in the Colorado River system," he added.

Mueller emerged as the single finalist after a nationwide search. The General Manager reports to the 15-member Board of Directors and is responsible for the day-to-day operations of the District and management of the 26-member staff.

Mueller is currently a partner with the Glenwood Springs law firm of Karp Neu Hanlon, P.C. He was previously the managing partner at the Ouray-based firm of Hockersmith & Mueller, P.C.



Water Bank planning looks to supply, demand help

While the Grand Valley Water Users Association embarks on a second year of a pilot water-banking program, the Water Bank Workgroup, an ad hoc planning group, is trying to figure out the bigger challenges of water banking.

These challenges include having municipal water providers participating in the supply side, as in sharing in reduced use, and participating on the demand side, as in paying for banked water to protect their junior water rights from curtailment.

The Water Bank Workgroup is a coalition of the Colorado River District, the Southwestern Water Conservation District, The Nature Conservancy, the Colorado Water Conservation Board and until recently, the Front Range Water Council (FRWC) — which has

backed away from water banking planning, according to Dan Birch, Deputy General Manager of the Colorado River District.

The FRWC has “withdrawn from the workgroup, at least on an interim basis,” Birch said.

The FRWC is composed of the Northern Colorado Water Conservancy District, the Southeastern Colorado Water Conservancy District, Colorado Springs Utilities, Aurora Water, the Pueblo Board of Water Works, Denver Water and the Twin Lakes Reservoir and Canal Company. They are all users of Colorado River water supplies with junior water rights to much of those held by West Slope agricultural interests.

Birch said the FRWC informed the

rest of the workgroup that it needs time to figure out its program.

“We told them they need to participate in helping to pay for this because we can’t ask West Slope farmers to do it for nothing as they are not at risk with their pre-Compact senior water rights,” Birch said. “The FRWC also needs to contribute in the event of a looming crisis by reducing their own consumptive uses.”

Birch said these points are necessary for political and equitable reasons, that if there is a crisis on the Colorado River, West Slope agriculture can’t be asked to be the sacrifice zone; the burden needs to be shared.

“They are not on board with that. This is an issue and a problem in our view,” Birch said.

Fallowing test program gains CRD \$ support

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which means reduced use by agricultural and municipal water users.

“The implications for the Colorado River District, its constituents and the GVVUA is that they will be majorly impacted” if demand management becomes necessary, Harris said. “We don’t need to do this for the Lower Basin’s benefit, we need to do this for our own benefit.”

Harris said that if West Slope interests don’t try to come up with a plan for how demand management might work, “others will be making those plans for us.” He said it was important to figure out how irrigators could participate in such a plan “in a way that does not ravage agriculture and does not ravage the West Slope.”

He said the 2018 program will keep the conversations about these issues moving forward and will advance the learning in economics, agronomics and the political implications.

Board funds Grant Program at \$200,000 for 2018

The Board of Directors received an update from staff regarding the District’s ongoing Grant Program and engaged in a discussion about grant funding used for irrigation efficiency improvements.

The Colorado River District’s 2018 budget allocates \$200,000 to the Annual Grant Program, which assists in funding projects that protect, enhance or develop water resources in the District’s 15-county area.

Concerns have been raised in the past regarding funding irrigation efficiency improvements that, in some instances, lead to reduced late-season return flows.

The Board recognizes the benefits of improved irrigation efficiency, however, and has shown reluctance to eliminate irrigation efficiency funding due to the benefits it can provide.

District staff presented to the Board on this subject at the third quarterly meeting, and a panel dis-

ussion at the River District’s Annual Seminar provided additional insight.

The Board recommended addressing this issue qualitatively within the application review process, and directed staff to identify irrigation efficiency proposals on a case-by-case basis and perform base-level analysis on potential return flow issues.

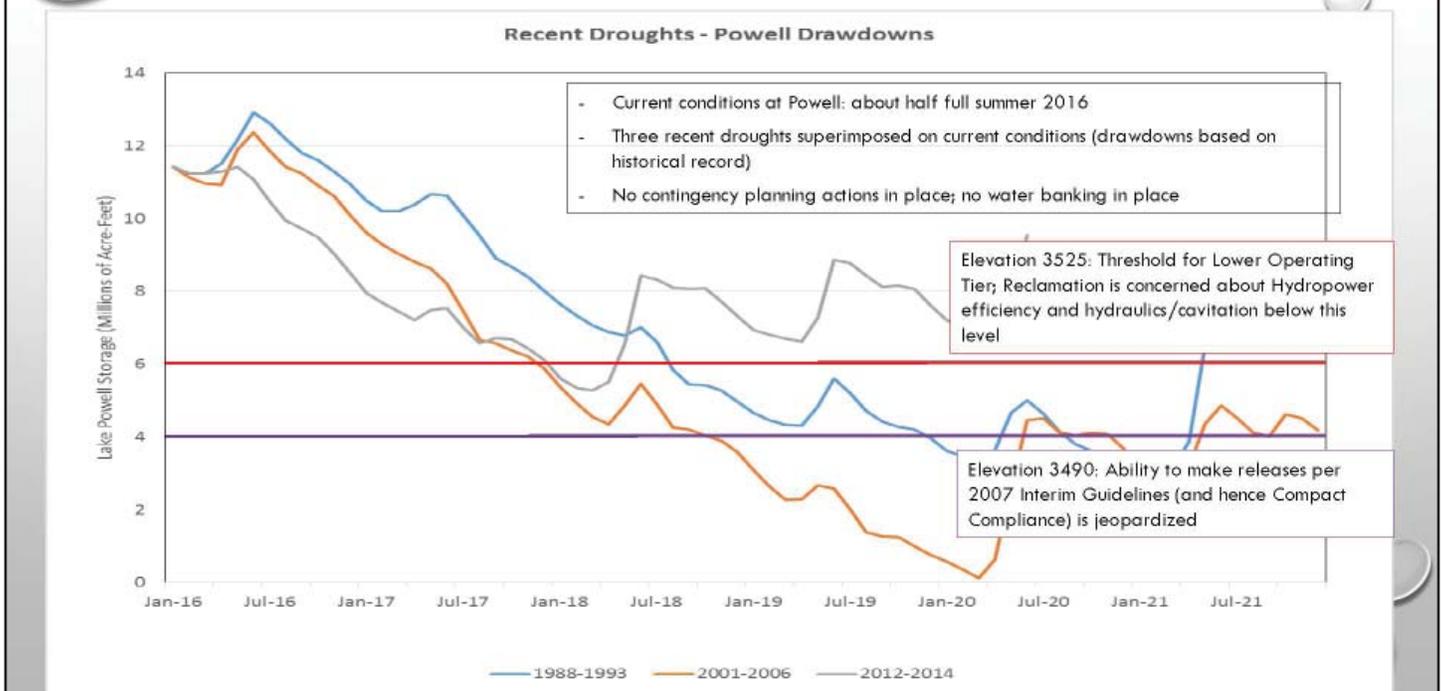
District-funded projects in the past have included the construction of new water storage, the enlargement of existing water storage or diversion facilities, rehabilitation of non-functioning or restricted water resource structures, implementation of water efficiency measures, tamarisk removal and other watershed improvements.

Awards are made on a cost-sharing basis with River District funding typically providing about 25 percent of total project costs.

The application process for the 2018 program opens on Dec. 1. Details will be on the District website.



What if drought periods of past 25 years repeated?



A slide from an update of the Colorado River Risk Study depicts the risks to Lake Powell levels if the record drought recurs, with and without contingency planning in place to manage the situation in advance of the event.

Drought planning showed to lower risks at Powell

The Colorado River Risk Study, commissioned by the Colorado River District and other West Slope parties, forecasts that if another drought like 2002-04 recurs, Lake Powell, now about half full rather than full as it was then, could fall below power generation levels or be drained unless Drought Contingency Plans (DCP) can be put in place.

Should the worst happen, Colorado and its sister Upper Division states (Utah, Wyoming and New Mexico) that are party to the Colorado River Compact of 1922 would be hard pressed to

meet compact obligations to the Lower Division states (California, Nevada and Arizona).

The Risk Study is now in Phase II, which is a technical process to learn if federal and state Colorado River computer models can be used conjunctively to better predict what could happen in the state of Colorado.

Other partners in the study are the four West Slope Basin Roundtables (Colorado Basin, Gunnison, Yampa-White and Southwest) and the Southwestern Water Conservation District – with assistance from the

Colorado Water Conservation Board.

At its quarterly meeting on Oct. 17, the Colorado River District Board received an update on the work. John Carron of Hydros Consulting, the study contractor, said the takeaways from the study so far are:

- Should a drought on the order of 2002-04 recur with Lake Powell at its current half-full level, hydroelectric power generation is jeopardized;
- Hydrology, demands and future development levels matter — the higher the consumptive use in the

Upper Division states, the higher the risk to existing users;

- The most successful Drought Contingency Planning requires joint participation by both Upper and Lower Division states;
 - Drought Contingency Planning is essential; re-operations of reservoirs, such as Flaming Gorge, to move water down to Powell reduces the risk, but in more severe droughts (e.g., 1988-1993 and 2001-2005), demand management (reduced water use) would be necessary in addition to any
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Drought planning, water banking are linked

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reservoir re-operations;

- Some of the volumes of demand management that the model is forecasting are large and may not be feasible, thus the need to consider the trade-offs and alternative strategies;

- Demand management combined with a water bank could limit the impact by spreading conservation over many years and providing greater control over conserved water — a must-have condition.

The four West Slope Basin Roundtables called for the Risk Study at a joint meeting held in December 2014 in order for the West Slope to better understand the risks to current water users of future water development and how development, basin by basin, might look against the risk. As Colorado River water is also used on the Front Range of Colorado, drought risk is important to Front Range Roundtables and their future development, but they opted not to participate in the study.

How we got here

Even though there had been some good snow years in the years 2000-2013, it was clear that dry conditions and overuse of the Colorado River were driving down reservoir levels at Lakes Powell and Mead.

In July 2013, then U.S. Interior Secretary Sally Jewell asked the seven Colorado River basin states if they were prepared to deal with a continuation of these conditions. The answer was no, and the challenge was for the basin states to develop their own DCPs or have the work done for them.

The Upper Division states and the

Lower Division states each started work on DCPs for their regions.

Against this backdrop, the four West Slope Basin Roundtables commissioned the Risk Study. In the meantime, Colorado's Water Plan, released in 2015, calls for actions that will minimize the risk of compact curtailment, embodied in Point 4 of the Seven Point Framework of the plan.

The Upper Basin DCP

The Upper Basin States have a three-pronged DCP, that 1) entails moving water stored in Flaming Gorge, Aspinall and Navajo Reservoirs to Lake Powell as the first line of defense against critical Powell elevations being breached, and modifying releases from Powell to Mead; 2) institutes demand management (reduction of use); and 3) augments river flows through cloud seeding and phreatophyte (primarily tamarisk) reduction.

An agreement between the four Upper Division states and the U.S. Bureau of Reclamation is in the works on how to re-operate the reservoirs. The demand management piece will be controversial among the states and within each state; details are still to be worked out. One policy contention in Colorado is that municipal water users, including those on the Front Range, share the burden of reduced use — and that the reduced uses not all fall on West Slope agriculture.

Demand management in the Upper Basin would be the last action to implement in the "worst of the worst droughts," General Manager Eric Kuhn said. "The goal is to limit it to that."

General Counsel Peter Fleming said

a Colorado River District policy issue would be implementing demand management at the same time as new and increasing water uses are being developed in the River District, the state of Colorado and throughout the Upper Basin.

Kuhn said that for Colorado, the Seven Point Framework in the 2015 Colorado Water Plan addresses that — calling for any new transmountain diversion to not increase the risk of curtailment, because of Compact or Lake Powell low levels, on current water users.

"It is a major milestone that the state has adopted that in its plan," Kuhn said. "This is an issue for the Front Range as well. Existing users do not want to see the risk to their projects increase due to new diversions."

The Lower Basin DCP

The overall goal of DCP in the Lower Division states is to erase the so-called "structural deficit" that over time has showed those three states depleting about 1.2 million acre feet (maf) annually more than their compact entitlement of 7.5 maf, due to use and evaporation. A section of the 2007 Interim Guidelines that pertains to the three states calls for reduction of water use equal to about half of the structural deficit once Lake Meads falls below certain thresholds. Current Drought Contingency Planning specifies further cutbacks would achieve the 1.2 maf goal.

The Lower Division states are nearing finalizing their DCP. As Mother Nature would have it, big rains in California helped to reduce depletions in the Lower Basin to 6.6 maf this past water year.



Water Education Colorado describes its role in the state

Water Education Colorado or WEco. That is the new name going forward for the 15-year-old Colorado non-profit formerly known as the Colorado Foundation for Water Education.

The Colorado River District has supported Water Education Colorado since its creation by the state legislature in 2002. The drought of record that year made it clear that Colorado needed a means to inform its citizens, that in this arid state, water is essential to the state’s future and cannot be taken for granted.

Water Education Colorado Executive Director Jayla Poppleton announced the name change in a presentation to the Colorado River District Board of Directors at its quarterly meeting on Oct. 17, 2017.

“We wanted to take a close look at our name and whether it reflected the work we do,” Poppleton said of the reason for changing the name. She said the old name was limiting and might not have suggested that the work of Water Education Colorado includes publishing Headwaters magazines on Colorado water topics as well as Citizens Guides, or that it offers a number of educational programs such as the Water Fluency, Water Leaders and the Water Education Network.

“We appreciate the work Water Education Colorado does,” said Board President Tom Alvey of Delta County.

Director Al Vanden Brink of Rio Blanco County praised the Water Fluency classes, to which he had been exposed. “It was well attended with good dialogue among attend-



Jayla Poppleton, Executive Director of Water Education Colorado, addresses the Colorado River District Board. Water Education Colorado is the new name for the Colorado Foundation for Water Education. The new logo is below, with explanations of its characteristics.

COLORADO.

Our work is statewide, so our new logo illustrates Colorado’s eight water basins.

KNOWLEDGE.

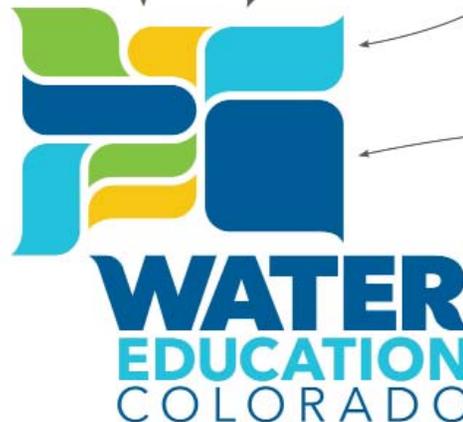
As the state’s most trusted source for reliable and balanced reporting about water, the logo’s shape can be interpreted as an open book.

COLLABORATION.

The various basin colors show how we strive to connect all the people of our state with information, ideas, and each other.

IMPACT.

Logo corners point outward to illustrate that our important work leads to solutions that resonate beyond the borders of our state.



DIALOGUE.

Two dark blue basin “speech bubbles” represent our dedication to advancing the conversation about water.

ees,” he said. “People found it very advantageous.”

To learn more about Water Education Colorado’s full scope of offerings, visit <https://www.yourwatercolorado.org/>.



Top state water officials meet with CRD Board

Two of Colorado's top water policy and water rights positions turned over this summer. Becky Mitchell was named the new Director of the Colorado Water Conservation Board (CWCB), and Kevin Rein was named the new State Engineer, head of the Division of Water Resources (DWR).

Both attended the October quarterly meeting of the Colorado River District Board to discuss their roles and outlooks.

Mitchell emphasized that "collaboration was the only way to get things done" at the CWCB, both internally and externally. Mitchell rose to the top spot after heading up the staff's work on writing the 2015 Colorado Water Plan as the Water Supply Planning Section Chief. She said that in the wake of that effort, she is working on how best to reward staff for good work and that staff is being repositioned to put "the best face forward externally."

Mitchell highlighted Colorado's Water Plan as the Board's top priority, and said a two-year progress report will be issued at the November CWCB meeting.

Consistent, long-term funding is critical to implementation of the plan, she added. She said the CWCB has to do a lot of preparatory work before a funding source can be identified and advocated in the legislature.

She also noted that Brent Newman is the new Interstate and Federal

Section Chief at the CWCB, who will be engaged on basinwide Colorado River issues.

Completion of an updated Statewide Water Supply Initiative (SWSI) is important for creating a consensus, technical platform to underpin water-policy discussions and communicating that work to the public, Mitchell said.

Mitchell also emphasized the need to address how the state can "shepherd" water created by water banking and other conserved-consumptive-use efforts past junior water rights that could otherwise take unprotected water from a stream or river. Currently, state water law does not have that kind of specific protection.

Rein told the Board that the Division of Water Resources "has spent a lot of time the last few years on introspective work on how DWR presents itself to the water community."

One of these areas is why the DWR is involved in water court cases. He said the DWR needs to find balance, and it is working on that, that it needs to participate in a fair way, being consistent in positions and being transparent as it seeks to protect other water rights from injury.

In all of DWR actions, Rein said, "It all comes down to balance for me when I think about how we portray ourselves and how we are engaged in water issues in the state." He said DWR wants water users to get the best



New Division of Water Resources Director Kevin Rein and new Colorado Water Conservation Board Director Becky Mitchell address the CRD Board.

use of water without causing injury to other water rights' holders.

Dan Birch, Deputy General Manager for the River District, encouraged DWR and its Division Engineers to work creatively with stakeholders who are acting to solve water-supply challenges.

Rein said DWR does work creatively and "we need to do more" as the Division emphasizes problem-solving so as not to miss opportunities at finding solutions.

Mitchell said that as Basin Implementation Plans (part of Colorado's Water Plan) move forward around the state — and DWR needs "to be part of the equation" — she will call on her collaborative relationship with Rein to work with water commissioners on the ground "to get to yes."

"It is easier if it happens earlier on in the process," Mitchell added.

*How to contact us: edinfo@crwcd.org,
or call 970-945-8522; website: www.ColoradoRiverDistrict.org
All Board meeting materials can be found here, as well*



Orchard Mesa Irrigation District (OMID) Manager Max Schmidt presents a commemorative photo of a new 75 acre-foot reservoir on Orchard Mesa in Mesa County that helps OMID serve its agricultural and urban customers in a more efficient, water-saving way. The Colorado River District assisted OMID and the Bureau of Reclamation in bringing about the improvement. In the background is Board President Tom Alvey of Delta County.



Administrative Chief Audrey Turner, left, presents Records Administrator/ Information Specialist Denise Hussain with her 10-year service recognition. Employees are honored on their employment milestones.

Board amends policy to reflect Powell levels

Lake Powell is the principal “savings account” of stored water that allows Colorado and the other Upper Division states to meet Colorado River Compact obligations. Equally important, the electric power generated through its dam provides carbon-free, renewable power for nearly six million people.

Additionally, hydropower revenues support important environmental programs as well as repaying the costs of constructing and operating major water storage facilities, including Glen Canyon Dam.

Although the Board readopted (without change) its **Colorado River Water Storage Project Act (CRSPA) Policy** at its 2017 January and April quarterly meetings, staff was directed in July to provide potential amendments addressing issues with the low water-storage levels at Lake Powell.

Generally, the adopted “Colorado River Storage Project Act (CRSPA)” policy reaffirms the Colorado River District’s support for the development of authorized and participating projects under the CRSPA wherever economically, hydrologically and environmentally feasible. Additionally, the River District will advocate for fulfillment of the purposes of the Upper Basin Fund, including its use to support construction and development of CRSPA projects.

Staff provided two alternative drafts of amendments for Board consideration. Draft 1 was the more traditional approach that reiterates Colorado River District support for the projects listed in the CRSP Act.

“Draft 1B better takes into account the current critical water level of Lake Powell,” stated General Manager Eric Kuhn, and is “more robust and proactive.”

The Board favored version 1B as the more thorough and reflective of current realities regarding federal funding for water storage and the need to address aging infrastructure in the West. Board discussion included support for use of the Basin Fund for repairing and maintaining completed projects under the CRSP Act. In addition, by general consensus, the Board agreed that issues associated with either the “Fill Mead First” or “Drain Lake Powell” campaigns should be addressed with a separate policy, if so desired.

The Board will review the draft policy again at its 2018 First Quarterly Board meeting scheduled for January 16 and 17. Link to the draft policies and cover memo: <http://bit.ly/2xoQzQg>. To view all of our board policies visit: www.coloradoriverdistrict.org/policies/. We welcome your comments/questions to: edinfo@crwcd.org.



Treese apprises CRD Board of 2018 state election activity

Although the 2018 general election is still more than 12 months away, the contestants are lining up. External Affairs Manager Chris Treese shared some general election observations and highlights with the Board of Directors at its October quarterly meeting.

There are already 26 state Senate hopefuls or expected-to-runs for the roughly 20 seats up in 2018. Four potential primaries are looming in Senate district races; all currently involve Democrats.

All state House seats are up for election in 2018. To date, 10 primary contests appear likely; eight of them are among Democrat hopefuls. In all, there are currently more than 100 state legislative candidates declared.

In the Governor's race, 13 candidates have declared with more moving from the rumored to confirmed category seemingly daily. Declared candidates are almost evenly split among Democrats and Republicans.

A primary appears likely between two declared Democrat candidates for the opportunity to challenge Colorado's 3rd Congressional District Congressman Scott Tipton. The 3rd District covers almost all of western Colorado and

some of southern Colorado.

In the 2nd District, which includes Summit, Grand and part of Eagle Counties, six candidates in both parties are already vying to replace Jared Polis, who is running for Governor.

Treese also briefly enumerated the 10 draft bills the state Interim Water Committee has under consideration. He highlighted the "Mussel-free Colorado Act," which would create an aquatic nuisance species' stamp required for all motor boats and sail boats using Colorado's lakes and reservoirs (in addition to existing registration fees). Stamps would cost \$25 for Colorado residents and \$50 for non-residents. The current draft does not require stamps for rafts, kayaks or other vessels not currently subject to registration, as a 2017 version of a similar bill did earlier this year. That bill did not pass.

Treese also reminded the Board of the annual budget challenges facing the state; next year will be no exception. Treese noted the enormously helpful representation of western Colorado by Representatives Hamner (D-Frisco) and Rankin (R-Carbondale) on the powerful Joint Budget Committee (JBC). However, Treese also noted that Hamner is term limited in 2018 and all JBC members' appointments are subject to caucus review every two years.

Federal Affairs updated

Chris Treese, External Affairs Manager, moved quickly through his federal affairs report in deference to the Board's time constraints.

He referred Directors to his federal affairs memo http://www.coloradoriverdistrict.org/wp-content/uploads/2015/12/2017_4q_federal-affairs.pdf, contrasting the opening three pages of bulleted Third Quarter updates with the relative lack of Congressional progress or news on legislation the District is monitoring.

"There's far more being tweeted than being passed," Treese quipped.

Treese reported on his recent visit with Colorado delegation offices and key Congressional Committee staffs.

He reported that a draft bill providing legislative authorization for

annual appropriations for the Recovery Programs (for Endangered Species Act-listed fish in the Colorado River system) is being presented to the four affected states' delegations. Treese reported uniform support from Colorado offices. Congressman Bishop (R-UT) and Senator Gardner (R-CO) will be the House and Senate prime sponsors, respectively.

Congressman Tipton (R-CO) reports that he will pursue passage of his Water Rights Protection Act as stand-alone legislation in the House. It had previously been amended onto the GROW Act, which, while passed by the House, appears to have problems in the Senate unrelated to inclusion of Mr. Tipton's legislation.

Notably, Mr. Tipton's bill reflects the consensus language developed by the River District and his office, in con-

trast to a slightly different companion Senate bill.

Senator Gardner continues to pursue a budget bill amendment ensuring federal agencies' full participation in Colorado's state-led water craft inspection/prevention program, which had successfully kept Colorado mussel-free until a month ago when larvae of the quagga mussel were discovered in Green Mountain Reservoir.

Colorado was one of a handful of states that was mussel free. Further testing of Green Mountain Reservoir may return Colorado to that exclusive and enviable club.

In either case, Senator Gardner's amendment will provide desperately needed resources to Colorado's program.