



Colorado River District

Protecting Western Colorado Water Since 1937



The Colorado River District Board of Directors for 2016 are, from left, sitting: Bill Trampe of Gunnison County, Rebie Hazard of Saguache County, Marti Whitmore of Ouray County and John Justman of Mesa County; standing: John Ely of Pitkin County, Al Vanden Brink of Rio Blanco County, Tom Alvey of Delta County (vice president), Mike Ritschard of Grand County, Gary Martinez of Summit County, Stan Whinnery of Hinsdale County, Dave Merritt of Garfield County, Tom Gray of Moffat County, Marc Catlin of Montrose County, Jon Stavney of Eagle County (president) and Doug Monger of Routt County.

River District Directors elect officers for 2016

The Colorado River District Board of Directors welcomed a new director and four returning board members as it conducted annual organizational activities at its January 19, 2016 quarterly meeting. It also re-elected its officers for 2016.

The new director is Mike Ritschard, a rancher from the Kremmling area of Grand County. Reappointed members were Tom Alvey, an orchardist from Delta County; Gary Martinez, the county manager of Summit County;

and Stan Whinnery, a county commissioner from Hinsdale County.

Jon Stavney of Eagle County and Tom Alvey were re-elected president and vice president, respectively, to fulfill a second and final one-year term before being term-limited at two terms under River District bylaws.

Ritschard replaces James Newberry, a longtime board member from Grand County. Newberry was recognized with a resolution of appreciation for his 12 years of service on the Board,

which also included stints as president and vice president.

The Colorado River District Board is composed of 15 members, each representing one of the 15 constituent counties that form the District. Each year, five members are up for reappointment to a three-year term. The respective county commissions hold the power of appointment.

The Colorado River District was created by the Colorado General

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River District to funnel \$8M to irrigation projects

The Colorado River District Board of Directors has agreed to act as a funding conduit for up to \$8 million in federal Natural Resources Conservation Service (NRCS) funding to help finance a series of water use efficiency projects in four federal irrigation projects in the Lower Gunnison Basin.

Last year, the River District was awarded \$8 million of grant funding from the U.S. Department of Agriculture's 2014 Farm Bill that will leverage up to \$50 million worth of work in cooperation with, and other funding from, the Bureau of Reclamation and the Colorado River Basin Salinity Program.

The Board approved a new type of financial cooperative agreement called an "Alternative Funding Arrangement" that enables the River District to act as an agent of the NRCS.

The Board directed staff to manage all of the NRCS funding for the benefit of the irrigation districts in the four focus areas..

The four beneficiary irrigation project areas include the Uncompahgre Valley, Bostwick Park, the North Fork Valley and the Crawford Country. Deputy Chief Engineer Dave Kanzer and

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Agriculture in the Lower Gunnison Basin will benefit from irrigation modernization.

Lower Gunnison Project Approaches

- ▶ "Off-farm" – modernization of aging water delivery systems, conversion of open supply delivery canals and ditches to pipe, adding monitoring and control systems (i.e., SCADA);
- ▶ "Near-farm" – conversion of unlined laterals to enclosed pipe, adding "smart" monitoring and control systems driven by on-farm water demand;
- ▶ "On-farm" – conversion to locally-adapted, high efficiency irrigation systems (e.g., sprinkler, drip, state-of-art soil moisture monitoring and control, and precision agricultural practices); combined with pressurized conveyance systems and enhanced soil health practices; and
- ▶ Integration – systemwide optimization techniques for irrigation water conveyance and application using re-regulation and improved technology.



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Water Resources Specialist Sonja Chavez have been the quarterbacks in the collaborative effort to perform modernization and system optimization activities that will increase agricultural water use efficiency within the Lower Gunnison Basin.

Kanzer noted that the irrigation districts can lose more than 30 percent of their water to seepage and deep percolation.

The Regional Conservation Partnership Program (RCPP) funding from the NRCS will help minimize those losses by modernizing river diversions and water conveyance and deliveries for farm use. This work, combined with enhanced management of reservoir releases, is projected to provide beneficial results related to increased agricultural production, improved stream flows, better water quality, and improved river habitat that, among other benefits, will help threatened and endangered fish species.

“In my view, this has to be done for the future of our agricultural producers in the basin,” said Eric Kuhn, General Manager of the River District.

Marc Catlin, River District Director from Montrose County, said: “The future is here, and we have got to start doing these things if we are going to maintain agriculture on the Western Slope.”

He called for the program to work with younger producers to help them learn how to farm with new technology.

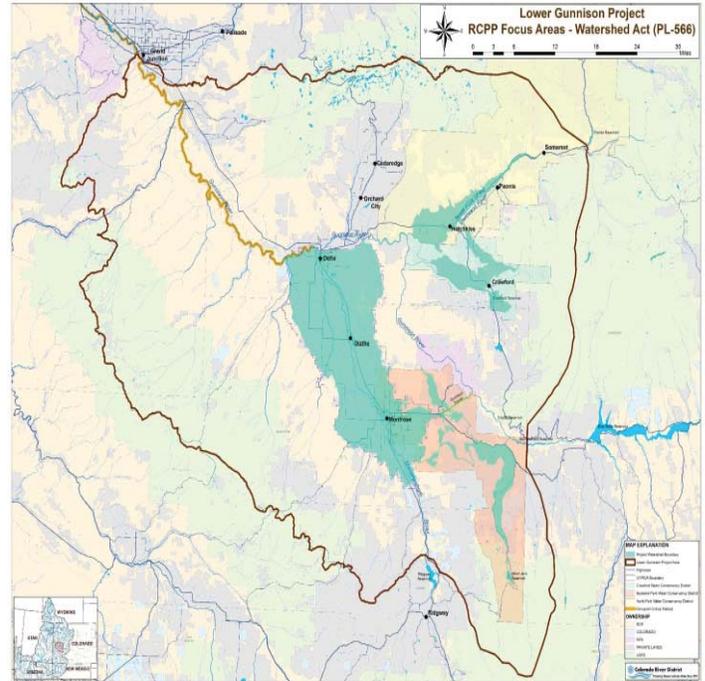
“This is a big deal,” said Dave Merritt, Director from Garfield County. “This is the product of 20 years of work in the Gunnison Basin. It is a great way to go ahead and put good stuff on the ground.”

Board adds new Grand County member for 2016

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Assembly in 1937 to be a watchdog and policy leader in matters of protecting and developing the Colorado River system for western Colorado. The member counties are Moffat, Rio Blanco, Mesa, Routt, Delta, Montrose, Ouray, Hinsdale, Saguache, Gunnison, Pitkin, Eagle, Summit, Grand and Garfield.

Other incumbent directors are Tom Gray, a rancher from Moffat County ; Al Vanden Brink, manager of the Rio Blanco Water Conservancy District; John Justman, a Mesa County Commissioner; Doug Monger, a Routt County Commissioner; Marc Catlin, a water resources adviser to



Gunnison County Director Bill Trampe urged that the program provide an economic analysis of projects to help educate others to the pluses and minuses of the modernizations.

Tom Kay, an organic agricultural producer from Hotchkiss, who has already implemented irrigation improvements, said his growing season has been lengthened due to better water management that effectively has stretched his water supplies. “Without Dave Kanzer and Sonja Chavez, this would be nowhere,” Kay said of the River District staff working on the project.

Montrose County; Marti Whitmore, the Ouray County Attorney; Rebie Hazard, a Saguache County rancher; Bill Trampe, a Gunnison County rancher; John Ely, the Pitkin County Attorney; and Dave Merritt, a water engineer from Garfield County.

The appointment of Mike Ritschard brings a familiar name to the River District. His late father, Gene, was a Board member in the 1980s. Tragically, Gene Ritschard and his wife Mimi lost their lives in a 1985 motor vehicle accident on Highway 9. To honor Gene Ritschard, the River District named Ritschard Dam at Wolford Mountain Reservoir in Grand County for him. Construction on the dam and



Water Resource Specialist joins River District staff

Sonja Chavez joined the Colorado River District staff in December 2015 as a Water Resource Specialist. She is a native Coloradan, raised in southern Colorado on a family ranch situated alongside the Purgatoire River where her passion for water and agriculture is deeply rooted.

After more than 15 years in the field as a water resources professional, Chavez brings extensive experience in environmental science with an emphasis on water quality and fresh water ecology. Chavez has a Bachelor's degree in Environmental, Population and Organismic Biology and a Master's in Limnology – the science and study of fresh water ecosystems – both from Colorado University, Boulder.

Prior to joining the River District, Chavez worked in both the public sector (Water Quality Control Division, Department of Transportation, and County Government) and the private sector before she established her own company, SC Environmental LLC in Gunnison in 2002. As a sole proprietor, Chavez provided professional consulting services related to Clean Water, Endangered Species and National Environmental Policy Act compliance, watershed and environmental planning, water quality (selenium and salinity) and water conservation, green energy, project funding development and project management to several clients.

One of her first consulting opportunities came about when she saw an



Sonja Chavez

advertisement in the local Gunnison newspaper for a Selenium Task Force coordinator/facilitator. She laughs as she recalls her interview with her now, River District boss, Deputy Chief Engineer Dave Kanzer. He kept asking her about the fact that her resume showed that she'd "moved between jobs quite a bit." In retrospect, it apparently just took a little time to find the right job, as Chavez was hired and subsequently was the longest serving coordinator/facilitator in the 20-year history of the Task Force, and she became the recognized face and leader of the organization for more than 12 years.

"I am honored and excited to be a part of the River District team where I will be able to continue to work on salinity, selenium and water conservation issues in the larger Colorado River basin, as well as new challenges including building capacity at the local level within all 15 counties served," Chavez said.

Among her first tasks, she will be helping to lead the management and implementation of the high profile Lower Gunnison Project Regional Conservation Partnership Program (RCPP). Chavez and Kanzer were the main funding architects of the RCPP, which won an \$8 million grant from the Natural Resources Conservation Service to modernize irrigated agriculture.

Chavez will remain in the Gunnison Valley for the time being, where she maintains a River District office and where she is raising two "awesome" sons, Alexander and Aaron, 13 and 8 years old, respectively.

In their free time, they can be found carving up the ski slopes, camping and hiking in the mountains, riding bikes, cooking together, or seeking that next travel adventure.

However, Chavez quickly notes with a smile, "I definitely look forward to being in a warmer climate (Glenwood) and getting to know all parts of the River District. I am ready for new challenges and I look forward to working with the great staff and Directors of the River District."

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Board reviews water bills

The Colorado River District actively participates in Colorado's legislative activities at the State Capitol during the General Assembly's 120-day session.

The Legislature convened January 13, 2016. Chris Treese, the District's lobbyist, presented three early pieces of water legislation for Board direction.

The Board again endorsed legislation allowing rain barrel collection of roof top runoff. House Bill 1005 is identical to a bill that passed the House last year but failed in the Senate.

It allows residential rain collection in up to two barrels with a combined capacity of no greater than 110 gallons. Precipitation captured in barrels can be used for outside watering only.

Treese advised the Board of a second bill that may be introduced that also concerns rain barrels. This bill would recognize that rain barrel capture is essentially water storage without a water right, albeit in small amounts.

As such, this second bill would require the State Engineer to review and promulgate rules for replacement of captured rain water that would otherwise have been available to downstream water rights.

Treese suggested that the Board could endorse both bills recognizing the *de minimus* amount of water in question, even in the aggregate. The Board formally endorsed HB 1005 as the only introduced legislation, to date, addressing rain barrels; however, it indicated its interest in the anticipated bill and its general approach as more in line with Colorado's Prior Appropriation Doctrine.

The Board also supported two resolutions. The first, House Joint Resolution 1002, urges federal agencies, especially the Forest Service and Bureau of Land Management, to respond

promptly to requests for access to dams on federal lands.

The second is Senate Joint Memorial 001 requesting Congress pass legislation exempting from liability "Good Samaritans" who work on cleanup of abandoned mines and associated tailings or the waters that flow from or through them.

The Board established bi-weekly telephone meetings during the legislative session starting Thursday, February 4, to provide direction and receive updates on water-related legislation of interest.

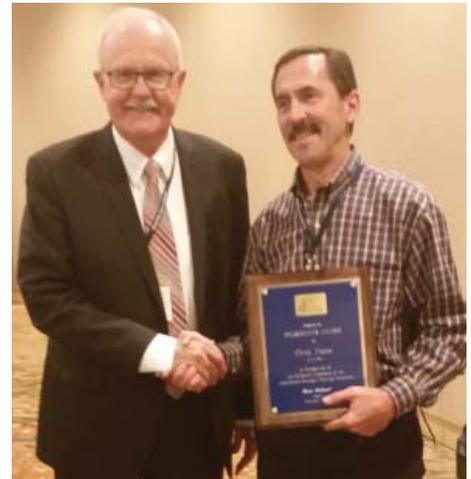
Staff will also use these meetings to keep the Board apprised of other developments and request action or direction on other matters.

While the Board had only a few pieces of introduced legislation to consider, Directors requested staff draft two pieces of legislation for the Board's review and consideration at its first special meeting in February.

Recognizing the need for alternative funding mechanisms for water projects arising from the Colorado Water Plan and individual Basin Implementation Plans, the Board requested draft legislation facilitating creation of sub-districts within the Colorado River District that would allow for local support for specific projects and programs whose benefits may be more closely allied to areas smaller than the 15-county River District.

Under the legislative concepts, creation of a sub-district and any new taxes for the sub-district would require a majority vote of the residents of the proposed sub-district.

The Board also requested legislation for future consideration that would address the recent Supreme Court ruling in the St. Jude's vs. Roaring Fork Club case.



The National Water Resources Association (NWRA) recently recognized the River District's external affairs manager, Chris Treese, with the organization's prestigious President's Award for his "dedicated leadership" to the National Association. NWRA President Dave Koland from North Dakota, presented Treese with the award at the organization's annual board meeting in November. Koland credited Treese with leading NWRA's two-year strategic planning effort that was adopted unanimously at the same board meeting. In presenting the award, Koland also noted Treese's dedication to western water issues and his protection of western water users.

Of particular concern is language in the ruling tying non-consumptive water rights to only those uses that have an "active, objectively quantifiable" means of justification and quantification.

The River District is concerned that this particular aspect of the ruling adversely affects the West Slope in particular. This ruling could affect water rights associated with private ponds or the rights supporting specific recreational activities or fisheries.

As noted in the Court's dissenting opinion, the ruling "abolishes a well established practice of the water courts in granting applications for (aesthetic, recreational, and piscatorial flow-through water rights)."



Board backs law to allow Minturn access to headgate

The Colorado River District's External Affairs Manager, Chris Treese, reviewed for the Board of Directors the District's general approach to federal legislative and regulatory activities.

He explained that the District contracts with Water Strategies LLC in Washington, D.C. to assist with issue monitoring and communications with federal representatives.

District staff maintains direct communications with Colorado's full delegation and other key staff but generally dedicates fewer resources to federal affairs than Colorado legislative and administrative activities.

The Board will, however, receive regular updates on federal activities of interest, a quarterly federal affairs briefing, and from time to time staff will request formal action on federal legislative and agency actions.

The Board unanimously endorsed proposed legislation granting the Town of Minturn limited access and special use permission to rehabilitate the historic Bolt's Ditch headgate that is located less than 500 feet inside the Holy Cross Wilderness. Both Colorado Senators and Congressmen Polis are expected to introduce legislation soon.

The Board noted that the Bolt's Ditch headgate and ditch predated the Wilderness Area but had deteriorated from disuse. The U.S. Forest Service had previously granted a special use permit for rehabilitation but more recently withdrew the permit advising Minturn that Congressional authorization and direction is required.

Treese also noted that the U.S. Forest Service issued a revised directive regarding consideration of water

rights in ski area permitting.

Encouragingly, the Forest Service issued separate directives for eastern and western ski areas recognizing the differences between eastern and western water availability and water administration.

Notably the new directive no longer requires any assignment of water rights by ski areas to the federal agency.

The directive, however, requires a federal determination of sufficient water to operate the ski area. It is not clear exactly how water rights included in the determination of sufficiency may be limited in other uses.

The Board directed staff to continue working with affected ski areas to support the more positive aspects of the new directive and better determine concerns.

River District leads study to assist Roundtables with talks about risk

The Colorado River District is joining with the Southwestern Water Conservation District to fund and manage a technical study that joins the four West Slope Basin Roundtables in looking at the tradeoffs between additional development of the Colorado River and the certainty of supply for existing uses.

Roundtables from the Colorado, Yampa-White, Southwest and Gunnison Basins will contribute funds to the \$52,000 Colorado River Development and Curtailment Risk Study.

At a December 2014 meeting of the four Roundtables, attendees called for technical information to be developed to inform conversations and negotiations among the four West Slope Roundtables, and for that matter, Front Range Roundtables.

"Conducting this study in a trans-

parent manner will be important to its acceptance," General Manager Eric Kuhn said. Each Roundtable will appoint delegates to a technical advisory committee.



Martha Moore, the Colorado River District's public affairs specialist in the External Affairs Department, was honored by the Board of Directors and staff for her 15 years of service. It is a River District practice to honor employees when their years of service reach multiples of five. Presenting the honor is External Affairs Manager Chris Treese.

How to contact us:
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website:

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Website updated

“Fresh look, more opportunity for engagement and a robust search feature” are just a few of the new, outstanding attributes that were identified by Martha Moore, the Colorado River District’s public affairs specialist, when she presented to the Board the details of the “new and improved” website.

The navigational tour of the website included the Google-powered search feature, which now is capable of searching the content of all of the files hosted on the website. This feature enables the user to produce a comprehensive list of results that are presented in an organized and visually-appealing fashion. Moore also provided an overview of two of the District’s multi-faceted social media programs: YouTube and Twitter.

The River District’s video library, which contains 59 videos, can be accessed via the YouTube icon, located on the bottom of every page on our website (www.ColoradoRiverDistrict.org) or directly from the District’s YouTube channel: <http://www.youtube.com/user/WandaRivers1937>

As reported by Moore, the District’s Twitter page, @ColoradoWater, continues to rapidly gain more “followers.” Below is a snapshot from the River District’s Twitter page:



To access the River District’s website please visit: www.ColoradoRiverDistrict.org. To access our social media endeavors click the hyperlinked icons at the bottom of any web page.

Policies reviewed

The Colorado River District Board addressed three policies, starting its annual process of reviewing roughly one-third of its policies. Policies must be on agendas for at least two quarterly meetings before final action may be taken.

Water Quality policy: Recognizing that there is a causative link between water quality and quantity, the District’s primary objective with respect to water quality is to protect the District’s residents beneficial use of water now and in the future.

Among other elements, the policy encourages voluntary implementation of reasonable best management practices and programs for farming and ranching activities. The District will also generally advocate for incentives for nonpoint pollution prevention and clean-up efforts.

Endangered Species Act policy: Supporting the Recovery Program and its dual purposes of recovering endangered fish while allowing historical water use and future water development to continue is of primary importance to the District.

The District has been active in the Upper Colorado River Recovery Program since its inception and will continue to advocate for elements of the program, such as ensuring that the burden of the Recovery Program’s implementation, operation and compliance is equitably distributed across all power and water users, including transmountain diverters.

Recreational Water Use policy: Recreational water use and enjoyment of the state’s waters are integral to western Colorado’s lifestyle and economy.

The District supports recreational water uses and the water rights confirming those recreational water uses that balance recreational needs with historical and future consumptive water uses. However, a “recreational in-channel diversion” water right should not be granted if it would materially impair the ability to fully develop for beneficial use Colorado’s entitlements under the Compacts of 1922 and 1948 within the District’s boundaries.

For full-text of these revised and previously approved policies please visit: www.coloradoriverdistrict.org/policies-2/. To comment on the three policies currently under review, please submit to edinfo@crwcd.org.



Board confers with Southwestern District on instream flows concerns

Representatives from the Southwestern Water Conservation District, based in Durango, Colo., visited with the Colorado River District Board to review progress to date and future direction regarding shared concerns about the impacts of large instream flow filings, particularly on small-scale water users.

Southwestern Board President John Porter, Board Vice President Steve Fearn and Executive Director Bruce Whitehead traveled to Glenwood to discuss the common interests of the two water conservation districts.

The Southwestern District is the sister district to the River District, covering the San Juan and Dolores basins. Together the two districts cover the full Colorado River basin – and the West Slope – in Colorado. The two districts have been working more closely since Southwestern's hiring of Bruce Whitehead as their first fulltime manager.

Whitehead explained that large instream flow appropriations by the Colorado Water Conservation Board

(CWCB) could adversely impact future beneficial uses by precluding a reliable water supply to junior water rights.

He said that Southwestern and the Colorado River District have been coordinating their objections to the state's recent instream flow filing on the Dolores River from Naturita to Gateway.

Whitehead pointed out the CWCB's practice of noticing its intent to file for instream flows one year in advance of actual court filing. This gives state water users with current development plans time to file for water rights that will be senior to the instream flow.

However, as Whitehead pointed out, both boards have statutory responsibilities to protect "present and future appropriators" of water in our districts.

Both districts are concerned with the preemptive impact on future unforeseeable water users of large instream flow filings at the lower end of basins.

Both districts shared their concerns last year in testimony before the

CWCB. Encouragingly, several CWCB directors indicated an understanding of the issue and an interest in future policy discussions to address these concerns.

Peter Fleming, River District General Counsel, noted that the River District, at the Board's direction, will file a statement of opposition with the Water Court in the Dolores River instream flow case. However, Fleming cautioned that, under current law, the CWCB's presumptive findings are very difficult to overcome before the Water Court. Accordingly, additional exploration with parties-of-interest on policy recommendations to the CWCB will continue. Additionally, future legislation providing the CWCB with additional flexibility may be considered.

The two Boards are scheduled to meet again in September immediately preceding the River District's annual budget workshop. In the meantime, staff of both districts have direction from their respective Boards to continue working together on this and other issues of common interest.

Workshop to examine options at Woford Mountain Reservoir

Chief Engineer John Currier reported to the Colorado River District Board of Directors that the latest development into investigations of settlement at the Ritschard Dam at Woford Mountain Reservoir is that a Consultant Review Board believes the dam continues to be safe and the District has time to further investigate what kind of repairs might be in order for the dam.

The next step for the District and its consultants is to hold a workshop in the next month to allow a comprehensive examination of the options and to establish a recommended path forward for Board consideration.

For the past several years, the River District has been studying settlement at the rock-fill, clay-core dam that is proceeding at a rate faster than designers expected.

The District has spent more than \$1.5 million to install sophisticated instrumentation into the dam to create a data bank of how the settlement is acting. Meanwhile, the Dam Safety Branch of the State Engineer's Office is also judging the dam to be safe and is working with River District officials on the investigation.

The workshop will include the River District, the Consultant Review Board, AECOM consulting engineers, the Dam Safety Branch and Denver Water, a partner in the reservoir that holds a leasehold interest in 40 percent of the water storage.

"A key conclusion of the Consultant Review Board is that the dam is safe, there is no need for immediate action and that the River District can and should be very deliberate in its determination of a recommended path forward," Currier reported. "The Consultant Review Board has emphasized that time is on our side."



Dealing with the water future and trying to educate people about it

A near-term question for the Colorado River District and water users across Colorado and the four Upper Basin States is how to prevent Lake Powell from reaching levels where the Glen Canyon Dam cannot generate hydroelectric power. If those low reservoir levels are reached, the loss of hydroelectric revenues would be cataclysmic to electric utility consumers and the funding of reservoir operations across the West.

Another circumstance to be avoided at those low levels is the ability of the Upper Basin to meet Colorado River Compact obligations to the Lower Basin, another big threat to certainty for current water users. Lake Powell is the Upper Basin's savings account that allows it to meet the compact when Mother Nature provides low snow-pack years. The years since 2000 have been the driest in the modern era and Powell hovers around half full.

A River District's goal is to act collaboratively with partners to prevent the reservoir from falling into this crisis. The River District is working regionally with the Bureau of Reclamation and the Upper Division States of the Colorado River Compact (Colorado, Wyoming, Utah and New Mexico) on "Contingency Planning," and locally with investigations of a water bank. Additionally, four major water utilities in the Southwest and the Bureau of Reclamation are funding pilot studies to understand how much water fallowing and other conservation measures can produce to bolster Powell.

Contingency Planning is examining operation of upper basin reservoirs during drought periods and potentially demand management by water



Lake Powell, the Upper Division States' savings account reservoir, hovers at around half full after 15 years of drought. Concerns are for low levels that affect power generation.

users to avoid unacceptable storage levels.

In Colorado, studies are underway to understand how agricultural and municipal forbearance of water use could work to raise river flows to Lake Powell and how that water could be put in a water bank to be called upon if Powell issues fall to the crisis level.

In the Lower Basin, the three states are working on how to cut their "structural deficit" – their use of more water than Powell and Lower Basin tributaries deliver annually to Lake Mead.

Peter Fleming, General Counsel to the Colorado River District, said that a critical eye should be cast to these efforts by the Upper Division States to make sure the burdens do not fall all onto agricultural producers.

"Those of us connected with these issues understand what is coming,"

said Board Director Bill Trampe of Gunnison County, a recognized water and ranching leader in Colorado. "But most of our constituents, many whom have been in Colorado for less than 20 years, have no idea, and they are very comfortable with their place. They have water for lawns and crops. Their world is perfect right now."

He added: "If we are ever to get support for these actions and what the future really holds, we have to get it across to people. So many people are new to the communities, and it is difficult to talk to them about what could be coming. They are happy right now because Colorado is so much better than from where they came."

"I think about that a lot," Trampe said. "It is something I deal with on an almost daily basis."