The Colorado River District: Protecting the River
Why Irrigated Ag Defines Water in the West
The Link Between Lake Powell and Local Water Use
How the ‘Law of the River’ Governs the Colorado
Meet the Colorado River District Board of Directors
Inside this Issue

Welcome to this new style of an annual report from the Colorado River District. It is designed to be a comprehensive overview of Colorado River water issues and the District’s work to address them. As always, details of our programs, financials, etc. can be found at ColoradoRiverDistrict.org.

Tom Alvey discusses the importance of agriculture in the new era of growing population, drought and increased water demands in the West.

Ag & Shoshone Hydro Water Rights
Why they are important for western Colorado.

Big River Issues
How close are we to the impending Drought Contingency Plans?

Looking toward the sky
The Colorado River District runs a cloud-seeding program to improve snowpack.

Eric Kuhn explains how we govern the mighty Colorado in his historical view of the Law of the River.

Our mission: To lead in the protection, conservation, use and development of the water resources of the Colorado River Basin for the welfare of the District, and to safeguard for Colorado all waters of the Colorado River to which the state is entitled.

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Visit our website to learn more about our work and current water issues.

www.ColoradoRiverDistrict.org

The Colorado River District protects western Colorado water resources on behalf of the 500,000 people in northwest and west central Colorado west of the Continental Divide. The Colorado River District was founded in 1937, in part, to be the watchdog of Colorado River diversions across the Rocky Mountains to the east.

Today our role continues with an urgency surpassing the days of our founding. Population growth, drought and climate change promise the coming years will bear many more ideas to move water.

The Colorado River District also watches to the west, to Lake Powell, Lake Mead and how six other states and the Republic of Mexico compete to use Colorado River water.

The Colorado River District holds and develops water rights for the benefit of western Colorado. We own and operate Wolford Mountain Reservoir in Grand County in conjunction with our partner, Denver Water.

In 2006, we completed expansion of Elkhead Reservoir in northwest Colorado. Additionally, the Colorado River District controls water in various other reservoirs to support West Slope people, industry, agriculture, recreation and the environment. We are a public, governmental entity governed by a Board of Directors, one Director from each of our 15 counties.

Property owners within the District pay a small property tax to support our mission. Our District includes all of the lands of Moffat, Rio Blanco, Mesa, Delta, Ouray, Garfield, Gunnison, Pitkin, Saguache, Eagle, Grand and Routt Counties as well as portions of Hinsdale, Montrose and Saguache Counties.
and worked on Rogers Mesa in Delta County.

What do you do? I operate an orchard growing organic apricots, peaches and apples, and manage a packing shed for myself and other growers. We sell fruit to most of the major retailers on the Front Range—King Soopers, Whole Foods, Natural Grocers and Sprouts.

Other affiliations in water? I am President of the North Fork Water Conservancy District (Paonia Reservoir is our main responsibility), Vice President of the Lenox Creek Water Users Association (small reservoirs and irrigation/municipal distribution) and President of Ellington Ditch Company (mutual ditch and irrigation distribution).

How did you get involved with western water? You can’t farm in western Colorado without being involved with water. It is not optional. In small irrigation companies there is always the need for new help (fresh meat!), so the first year we started growing fruit I also became part of “reservoir management 101” for our local water company. I’ve been involved ever since and always intrigued by the interplay between community and company. I’ve been involved ever since and always intrigued by the interplay between community and company. I’ve been involved ever since and always intrigued by the interplay between community and company.

What role does the CRD play in your operations/community? The River District has had a huge influence on our community through the efforts of staff, namely Dave Kanzer and Sonja Chavez, but certainly including Eric Kuhn, Peter Fleming and others. Our largest water supply in the North Fork Valley is the Paonia Project and it is a Bureau of Reclamation project. The River District has been vital in helping us deal with the Bureau—knowing the ins and outs of getting things done on the government level as well as advocating for funding from the Colorado River Storage Project’s hydropower revenues to rehabilitate our aging dam. In addition, the River District has pioneered the use of federal Regional Project’s hydropower revenues to rehabilitate our aging dam. In addition, the River District has pioneered the use of federal Regional Project’s hydropower revenues to rehabilitate our aging dam. In addition, the River District has pioneered the use of federal Regional Project’s hydropower revenues to rehabilitate our aging dam.

Where do you live? For 40 years, I’ve lived and worked on Rogers Mesa in Delta County.

What are the CRD’s top priorities? Maintaining our historic water uses and the community of activities and interests that have grown up around them—irrigated agriculture, towns and communities, recreation and the environment. To this end, I want to mention the River District’s 2017 top priority, which was to do the impossible—replace the irreplaceable Eric Kuhn as General Manager. Eric shaped the River District into the respected authority on Colorado Basin issues that it is and provided a great environment for the development of a top-level staff. We thank him for all he has done. We are now welcoming his replacement, Andy Mueller, who we think is a great addition and a great advocate for West Slope water.

Moving forward, the River District will continue to protect our water rights and streamflows, balancing the need for development against the threat of overuse. The River District must try to develop consensus on methods for sharing any risk from water shortages caused by either climate change or diversions. It is vital that West Slope agriculture not be the target for any plan to ensure municipal water supply or safety from compact curtailment threats. The River District must continue to educate, be a leader in thinking about ag efficiency, advancing the Colorado River Risk Study, evaluating the consequences of drought, exploring demand management and promoting our role in implementing the Colorado Water Plan. It is vitally important that our constituents know about this work on their behalf. And the River District must continue to operate reservoirs, litigate against threats to our water, improve our water infrastructure and provide legislative leadership.

Construction of the Roberts Tજâɫbâd Irrigation diversion

Water Disturbances in the U.S. American April which serves the Tujunga Irrigation District.

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Western Colorado’s agricultural importance in the era of population growth, drought and new demands on our water supplies

Stream Management Plans (SMP) and their focuses on only the environmental and recreational parts of stream management, this is a problem. Human use of streams is part of the environment and irrigators and water rights must be considered in any management plan. There is a tendency to separate the needs of the environment from the needs of the people who live there, a tendency to create an “either-or” confrontation between water users and environmental benefits—to see irrigators as the enemy of healthy streams. SMPs can’t look at only environment and recreation-values they must also consider the ownership of water rights and the value and community that has grown up around these uses. The stream is not separate from the people that live near it; they are part of the ecosystem that must be protected. It does no good to advocate for healthy streams without healthy communities. The environmental and recreational values we seek to enhance have arisen from the mix of uses currently practiced—improved stream flows, wetlands, better fisheries and habitat provided by ranches. This world we live in has been created by the efforts of those who put water to beneficial use. It’s a pretty admirable world.
Before irrigation took hold in the West, stream levels in the late summer and fall returned flows and these return flows bolstered rivers, creeks and streams. These are called half of it is consumed by plant life and the environment and the recreational opportunities we know today.

That's why the Colorado River District pursues so much energy into understanding irrigation agriculture and ways to modernize it that are appropriate. That's why preservation of the Shoshone Hydro Plant flows in Glenwood Canyon is a top priority. These are two of the important ways we work to protect western Colorado water.

Irrigation itself has raised the water table in our own ecosystems of plantlife and wildlife. And return flow ditches have fostered their own ecosystems of plantlife and wildlife. Irrigation itself has raised the water table in many places, bolstering crop yields. Return flows are the new base flows upon which water users, recreationists, wildlife and the environment depend.

When water is applied to the land, about two of the important ways we work to protect western Colorado water. 

The Colorado River District invests a lot of resources focused on protecting irrigated agriculture. These are the reasons why the Colorado River District, with its many western Colorado partners, has made it a policy objective to preserve the flows perpetuated by the Shoshone Hydro Plant water rights in Glenwood Canyon.

It's all because the water rights associated with agriculture and the Shoshone plant, in the case of the Colorado mainstem, are senior, pulling water to the west that might otherwise be pulled to the east through transmountain diversions that provide Colorado River water to the Front Range.

Other basins, such as the Yampa, White, Green and the Gunnison, don't face the east-west tug of war for Colorado River system water — at least not yet. They don't have transmountain diversions, in part because of the Colorado River District's vigilance. But irrigated ag is a common denominator.

When water is applied to the land, about half of it is consumed by plant life and the atmosphere; the other half finds its way back to rivers, creeks and streams. These are called return flows and these return flows bolster stream levels in the late summer and fall. Before irrigation took hold in the West, the natural condition was for water courses to fall off to very low flows, if not trickles after the gushing spring runoff.

What's more, irrigation water conveyances and return flow ditches have fostered their own ecosystems of plantlife and wildlife. Irrigation itself has raised the water table in many places, bolstering crop yields. Return flows are the new base flows upon which water users, recreationists, wildlife and the environment depend.

The Colorado River District's vigilance. But the Lower Basin states have an historic addiction to overuse of the waters of the Colorado River, which must be reduced to their Colorado River Compact allocation. Increasing temperatures have meant — and will mean — increasingly longer growing seasons, smaller snowpack, earlier runoff and less water in the river.

What will western Colorado look like in 50 years? We will more than double in population; it will be warmer; winters will be shorter; we will have less snow and more rain. We will continue to have a vibrant agricultural community, which will be highly valued by our growing municipal population. Our recreation industry will be a major force throughout the West Slope. Our water users will have found many ways to adapt their water use and will be significantly more efficient. We will have figured out many ways to use less water to continue to thrive economically. The West Slope will continue to be an attractive place to live and call home.

I saw it as an opportunity to engage in full-time public service while utilizing my problem-solving and management skills developed in 23 years of practicing law. I was attracted to the possibility of being able to devote my efforts full time to the mission of the CRD and the opportunity to work with and lead the highly qualified, dedicated and intelligent staff. 

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Big River Issues

For more than 80 years, the Colorado River District has served as Colorado’s primary water policy and planning agency for the water resources of the Colorado River and its tributaries in Colorado. And the challenges that led to the creation of the River District in 1937 remain relevant today.

An arid climate and an imbalanced population, where most people in Colorado live on the drier, eastern side of the state, continue to drive the District’s efforts to protect western Colorado water. From the Continental Divide to the Utah border, the District’s 15 counties produce 70 percent of the River’s total water but only contain 10 percent of the state’s population. Thus the Colorado River is eyed as a source for more diversion of water to eastern Colorado.

Certain challenges, however, have worsened in recent decades as a result of booming populations in the West. And longer, more severe droughts associated with a changing climate have increased concerns related to future water supplies.

“Our work is more important now than ever,” said Andy Mueller, the District’s new General Manager, who replaced 22-year GM Eric Kuhn in January 2018 upon his retirement. “The new realities of water management will require an innovative approach to planning and continued cooperation among water users throughout the Basin.”

In his final presentation as General Manager to the River District’s Board of Directors, Kuhn highlighted key issues impacting the Colorado River basin. Kuhn, who retired after 37 years of total service, pointed out that the Upper and Lower Basin Drought Contingency Planning (DCP) efforts, and concerns regarding lower-than-average snowpack in the Upper Basin are the two examples of the complex issues to manage in the months and years to come.

In the Upper Basin states, DCP efforts will likely include special drought operations of the Colorado River Storage Project (CRSP) system reservoirs – Flaming Gorge, Aspinall and Navajo. Efforts could also include a focus on system augmentation, or “cloud seeding,” and further planning for demand management strategies that could reduce consumptive uses if total system reservoir levels reach critically low levels.

Kuhn noted that there is no formal commitment currently by any of the Upper Basin states to actually implement demand management, but that the states are committed to continue studying it.

Demand management would mean reduced water use by agriculture and municipalities with a tool known as water banking.

Planning efforts downstream include a relatively complicated plan in the Lower Basin states, according to Kuhn. “This would require additional cutbacks in water consumption by Arizona, California and Nevada if Lake Mead storage levels approach the low elevation mark of 1,025 feet above sea level.”

Implementing the Lower Basin DCP would likely require federal legislation, but the three states are not in total agreement on this front.

“A legislative approach would be preferable for some,” Kuhn said. “They do not want to wade through a formal amendment to the (2007 Interim Guidelines for Lower Basin Shortages) that could take years to renegotiate.”

Those “Interim Guidelines” were the result of a complex, multi-year analysis following a period of extreme drought (2000-2005) in the Colorado River basin. Lake Powell and Lake Mead dropped from nearly full to approximately 46 percent of capacity in that time, which prompted the U.S. Secretary of the Interior to urge the states in the basin to develop guidelines for operations of Lakes Mead and Powell. The guidelines also call out how the Lower Basin states would take shortages at certain, plunging storage levels. Those guidelines are set to expire in 2026.

The second reason for legislation could relate to Arizona’s desire to modify a provision in a 1964 Arizona v. California Supreme Court decision which gave the U.S. Secretary of the Interior the authority to deliver apportioned water not used by one Lower Basin state to another state.

“Arizona would likely want to change this to require the Secretary first to have permission of the ‘donating’ state,” said Chris Treese, External Affairs Manager for the River District.

The possibility of Lower Basin-driven legislation raises a political question of what the Upper Division states should ask for in any legislative effort.

The four headwaters states have had informal discussions on this topic and a number of suggestions have surfaced, including the concept of legislation that would direct the Secretary of the Interior to operate the upstream Colorado River Storage Project units to protect water levels at Lake Powell.

When it comes to the Colorado River, history repeats itself

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Eric Kuhn Q&A
Water leader Kuhn retired in January 2018 after 37 years on staff, 22 as General Manager

Building efficiencies to prepare for more population and less snowpack

What were the CRD’s top priorities in 1981 and how is that different than today? There are some similarities and some differences. One of the things that seems to never change is the Front Range’s quest for water. When I got to the River District, I was immediately thrown into the Governor’s Metropolitan Water Roundtable. The good outcomes from the process were three-quarters of its yield would come from the Wolford Mountain Reservoir that the River District had no real water but files full of conditional water rights – most all waiting to be built as federal projects. To his great credit my predecessor as General Manager, Rolly Fischer, knew better. That is one of the reasons he hired me (a four years later Dave Merritt as Chief Engineer). As it turned out – Reagan said he loved Reclamation projects, but by the way – let’s jointly finance them and you’re state and local share is 40 percent. No more projects were built except for those already started, or like Animas-La Plata, had an tie to an Indian water rights legal settlement.

What else would you like CRD constituents to know? It has been a great honor working for them. I truly believe I had one of the best and most rewarding jobs in the nation. I feel very lucky having spent 37 years on the West Slope. It (almost) always felt like an adventure, not a job.

What are the CRD’s top priorities today for western Colorado? Most of the water needs of our very diversified constituents to know? to bring the vision to reality. An Environmen- tals that have traditionally been considered unworthy of federal funding. Projects are being designed with major construction ready for the fall of 2018.

When combined with enhanced reservoir operations and enhanced soil health practices, the Lower Gunnison Project will increase local agricultural production, enhance streamflows and increase water quality by reducing salinity and selenium concentrations, thus improving river habitat. To that end, the River District is managing an $8 million grant from the U.S. Department of Agriculture that is leveraging existing Bureau of Reclamation salinity-control funding to create more than $50 million of infrastructure improvement work across target areas in the Gunnison Basin. The work is spread out over four sub-watersheds and two counties and has come to be called the Lower Gunnison Project.

Deputy Chief Engineer Dave Kanzer and Water Resources Specialist Sonja Chavez are working with irrigation entities in four focus areas: Bostwick Park, Uncompahgre Valley, North Fork of the Gunnison and Crawford Country.

Lower Gunnison Project

Modernizing irrigation to sustain agriculture while improving water quality and supplies

For almost 100 million years, as dinosaurs roamed around what turned out to be the western U.S., a large swath of western Colorado was covered by a shallow inland seaway. After the waters advanced and finally receded about 65 million years ago, the ancient sea bed dried and exposed rich, farming-friendly soils.

First with early Native-Americans and then with Anglo-settlement in the late 19th century came irrigation and the resulting explosion of agricultural production in these same locations. But there was a problem. The fertile soils contained high levels of minerals and selenium and, most likely from ancient volcanic eruptions that deposited ash layers into that shallow sea, previously locked into the shale rock and soils, irrigation practices unleashed and mobilized these chemicals into the river system, to the detriment of sensitive aquatic wildlife.

Now, in the 21st Century, the Colorado River District is working with producers to modernize irrigation prac- tices to abate salt and selenium loading to the watershed and to reduce harmful contaminations, including salinity control efforts; water use efficiency to enhance water productivity. This work creates a win-win-win for farmers and water providers throughout the focus areas to upgrade from flood irrigation systems to high-efficiency irrigation systems such as sprinkler, side roll, drip, big gun or micro-irrigation systems, with piped and pressurized irrigation delivery systems;

6. Encourage and directly support good conservation planning through the enrollment of a significant number of irrigated acres in Conservation Activity Plans with a focus on soil health components that improve soil quality (e.g., cover crops, compost mulching, nutrient management, and no till or reduced till management);

7. Increase agricultural productivity and resource efficiency (e.g., labor, fertilizer use, and pesticide and related input costs); and

8. Provide comprehensive environmental compliance and critical habitat improvement (e.g., regulations related to Clean Water Act and Endangered Species Act compliance for selenium).

For more information on these and other initiatives visit the LGP please visit: www.ColoradoRiverDistrict.org.

OBJECTIVES of the Lower Gunnison Project

1. Reduce selenium loading;
2. Reduce salt loading by expanding salinity control efforts;
3. Increase on-farm agricultural water use efficiency to enhance water conservation;
4. Improve, modernize and optimize irrigation water conveyances to farms;
5. Integrate updated on- and off-farm systems to assist agricultural producers and water providers to modernize irrigation systems; and
6. Town management);
Recent acquisitions of West Slope farmland and water rights raise the concern that outside interests are actively acquiring West Slope water rights for possible speculative purposes.

“The future has arrived, the future is now,” said Colorado River District General Counsel Peter Fleming in a report to the River District Board.

While speculation in land and water rights is nothing new in the history of Colorado water rights, the recent purchases appear to be keyed on acquisition of pre-Colorado River Compact of 1922 water rights to hold for the present time but perhaps sell to the highest bidder during compact curtailment.

A New York hedge fund called Water Asset Management (through one of its many subsidiaries) acquired a 330-acre farm north of Fruita in mid-September 2017 for $3.83 million, according to a Grand Junction Daily Sentinel newspaper report. The farm is served by the Government-Highline Canal operated by the Grand Valley Water Users Association.

While not a huge farm, that size is among the larger parcels within the Grand Valley Project, served by the Government-Highline Canal. Depending on numerous factors, the associated historical consumptive use could be about 840 acre-feet.

Water Asset Management was featured in a 2016 article in The Atlantic titled “Liquid Assets.” The article is an interesting read, Fleming said, and can be found at: https://www.propublica.org/article/can-wall-street-solve-the-water-crisis-in-the-west.

In addition, other large West Slope agricultural properties have recently been acquired by investment companies.

“To our knowledge, the properties continue to be operated as they have historically, and there are no current plans to change the associated water rights or move the water off the land,” Fleming reported.

However, it is clear that increasing water demands, reduced supply and the potential risk of compact curtailment have put a more direct focus on West Slope irrigated agriculture. Stated another way, reality has caught up with our historical paranoia about the acquisition and potential dry-up of West Slope agricultural rights for speculative purposes, Fleming said.

The River District is engaged with Water Asset Management and others to learn more about their interest in West Slope agriculture and water rights.
The Colorado River District Board of Directors in 2017 awarded $150,000 in grants to support eight water projects as part of an annual effort to assist constituents in developing water supplies and improving and modernizing their water use. Each year, applications open in December and awards are made in April. More information can be found at ColoradoRiverDistrict.org.

Grants are made on a cost-sharing basis, with the River District funding typically providing about 25 percent of costs. Projects must meet one or more of these objectives:

1. Development of a new water supply,
2. Improvement of an existing water supply system,
3. Measures to improve instream water quality,
4. Water-use efficiency improvements,
5. Sediment reduction measures, and,

The 2017 grant awardees:
- Cedar Mesa Ditch Company in Delta County, $6,380 for headgate repair;
- The Government Highline Canal Lining Project was well underway and noted the rehabilitation was identified at the top of the Colorado Basin Roundtable’s priorities. It also firms up pre-1922 water rights.
- Grand Valley Water Users Association in Mesa County, $50,000 for the Government Highline Canal Lining Project;
- Fish and Cross Ranch in Routt County, $25,629 for Phase 2: Pivot Irrigation Sprinkler Project;
- Roseman Ditch Company in Garfield County, $3,658 for pipe rehabilitation was identified at the top of the Colorado Basin Roundtable’s priorities. It also firms up pre-1922 water rights.
- Thompson Glen Ditch Company in Garfield County, $2,673 for inlet structure repair at Glenwood Ditch; and,
- Town of Fraser in Grand County, $18,750 for construction and installation of measuring and recording equipment at Maryvale Reservoir.
- Eagle River Watershed Council in Eagle County, $9,278 for Cedar Mesa Ditch Company in Garfield County, $6,380 for headgate repair;
- Silt Water Conservancy District in Garfield County, $33,362 for improvements at Harvey Gap Dams.

For Colorado, the “Mother of Rivers,” high mountain snowpack is critical to the annual rebirth of river flows. On the West Slope of Colorado’s Rocky Mountains, in fact, snowpack generates more than 70 percent of the water supply that feeds the annual flow of the Colorado River. However, to have a snowpack, it has to snow. In recent years, lack of sufficient snow has led to diminished water supplies, causing concern among water users in the Colorado River basin.

Cloud seeding is important in the Colorado River basin.

To increase snowfall and thus river flows, scientists and water managers are turning to cloud seeding, or “weather modification,” to increase snowfall in strategic high-mountain watersheds of the Upper Colorado River basin.

For the last two years, the Colorado River District has managed a cooperative, regional cloud-seeding program to help augment snowfall and to increase Colorado River flows. The Central Colorado-Mountain River Basin Program is backed by cost-share partners that include the Colorado River District, members of the Front Range Water Council, several ski areas and the Metropolitan Water District of Southern California and five other members of the Colorado River Board of California.

Cloud seeding and weather modification is accomplished by “generators” located in key, high-elevation locations. These burners vaporize a solution of silver iodide seeding tiny particles into the clouds at precise times, influencing super-cooled moisture to freeze around these “nuclei” particles, inducing snowflakes to fall. Absent naturally occurring particles, such as dust, clouds cannot condense into snow. Cloud seeding essentially makes more surrogate dust particles and the clouds thereby become more efficient in producing snow, under the right conditions.

Cloud seeding is an important element in Drought Contingency Planning that is taking place across both the Upper and Lower Basins of the Colorado River. Along with demand management, conservation and water supply management, cloud seeding is an important component of ensuring that Colorado remains the healthy mother of a well-managed Colorado River.
In 1913, the West Slope learned the hard way that the Colorado General Assembly can be a playground for water mischief. Water leaders need to be vigilant about legislation to appropriate the Colorado River and move water to the Front Range.

The ensuing wrangling gave birth in 1937 to the Colorado-Big Thompson Project, Green Mountain Reservoir and legislation that created the Colorado River District to be the watchdog for western Colorado water. Lesson learned, the Colorado River District continues to this day to monitor closely activities of the legislature and state government and to be the voice of western Colorado at the state Capitol in Denver.

Chris Treese, External Affairs manager, is a registered lobbyist and a regular presence at the Capitol. In late 2017, the River District strengthened this work with the addition of Zane Kessler to the staff. The new Communications Director is sharing the state legislative responsibilities with Treese.

Here’s a look at General Assembly action in 2017 and a look ahead.

The River District followed more than two dozen water-related bills in 2017, roughly comparable to past sessions, though a preponderance of staff time was dedicated to HB17-1190, the sweeping authorization for increased filings and future releases from storage to advance Colorado’s Water Plan. Locations for certain water rights without requiring a return trip to water court (HB17-1291) for a change of water right.

Of special note in the 2017 session was the first for and passage of SB17-267, which restored the hospital provider fee revenues to hospitals statewide and included several other important and broad provisions critical to rural Colorado. Perhaps the greatest, lasting value of SB17-267 will be the precedent set with the multiple and disparate legislative provisions allowed under the bill’s title, “Sustainability of Rural Colorado.”

Also, in 2017 the Interim Water Committee met during the summer and the River District helped shape an agenda to discuss water project and program funding, efficacy of the new Water Project Permit Coordinator position (SB16-200), streamlined methods for calculating historical consumptive use (HB17-1289), progress reports on leasing-fallowing pilots, updates on aquifer storage and recovery and remediation of abandoned mines, among other topics.

The River District spent considerable time last fall working with Northern Water and numerous other water interests on Northern’s planned introduction of their “bottle tax” or other dedicated revenue stream for Colorado Parks and Wildlife (CPW), the water community will seek new fees in a more focused bill to assist CPW with invasive species inspections of boats launching on state reservoirs.

For the following defeat of HB17-1231, a sweeping authorization for increased fees for Colorado Parks and Wildlife (CPW), the water community will seek new fees in a more focused bill to assist CPW in invasive mussel inspection and prevention programs at Colorado lakes and reservoirs.

Longer term, recognizing that water project and program funding will continue to be a perennial challenge within the state budget, several discussions are underway advocating a “bottle tax” or other dedicated revenue stream for water-related projects and programs.

Any such initiative would most likely require voter approval under the Taxpayers Bill of Rights (TABOR) amendment to the state constitution.

The legislature also approved expanding and extending the current agricultural leasing-fallowing program (HB17-1239). Additionally, to provide flexibility for reservoir operations, it created new flexibility in storage severance taxes, the longtime source of this grant funding, have declined dramatically and were further decimated by a Supreme Court ruling to refund funds overcollected from energy companies.

In contrast, in 2017, the legislature approved a record amount of spending for the Colorado Water Conservation Board, including $40 million for various elements of Colorado’s Water Plan in HB17-1244. Special thanks are due to Representatives Millie Hamner and Bob Rankin, both members of the powerful Joint Budget Committee, for leading the charge to secure these spending priorities for the 2018 fiscal year. Without this, there would be no funding for Roundtable work.

The next major bills are expected in the coming weeks. The Colorado River District also encourages passage of H.R. 689 granting the small town of Minturn, Colo. access to the head gate of the historic Bolts Ditch, which is now just within the boundaries of the Holy Cross Wilderness. If signed into law, Bolts Ditch will allow Minturn to develop local water storage.

While seemingly the simplest bill before the U.S. Congress and enjoying broad bi-partisan support, it has been bogged down in the Senate awaiting just a few minutes on the floor calendar.

Among the River District’s highest priorities for 2018 is reauthorization of funding for the two endangered fish programs for the Upper Colorado and San Juan Rivers. These two programs have twin goals of recovering the four fish species listed as endangered under the Endangered Species Act (ESA) while water operations and development proceeds in accordance with state water law, U.S. Bureau of Reclamation water project authorizations and interstate compacts.

The two recovery programs initiate and oversee actions to recover the endangered fish. Those actions provide ESA compliance for about 2,500 water projects in Utah, Colorado, Wyoming and New Mexico. Under the ESA programs, there have been no lawsuits about 2,500 water projects in Utah, Colorado, Wyoming and New Mexico. Under the ESA programs, there have been no lawsuits related to the ESA compliance provided by the recovery programs, which were initiated in 1988. Additionally, these programs have streamlined administration of the ESA for federal agencies, tribes and water users in all four states of the upper Colorado River basin.

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Board member Heather Dutton from the Rio Grande Basin said the Basin Roundtables across the state have done much work to create and implement Colorado’s Water Plan. “Roundtables forced local residents to get together and talk in new ways,” she said. Mitchell and McCloy spoke to the uncertainty of funding to achieve goals outlined by the Roundtables—a decision ultimately that must be made by state legislators. The CWCB wants to “keep the ball rolling” and passing means falling back.

Rivers of Words

Eric Kuhn, General Manager (retired), Colorado River District

Eric Kuhn brings native curiosity and now 37 years of experience with the Colorado River District to a book he is writing about Colorado River hydrology and how political expediency at times trumped reality.

Kuhn’s conclusions are anything but nerdy. As he pointed out, the federal government’s construction of giant dams in the West had much to do with the triumph of both Los Angeles and also Seattle as thriving metropolises of the 21st century.

For those depending on the Colorado River, prosperity that grew out of dam construction was built on a faulty foundation, though. The Colorado River Compact of 1922 is best understood as a social or political contract among groups, each with its own interests, that allowed development of the river, said Kuhn, then General Manager of the Colorado River District.

Today, with scarcity and not abundance as the driver, new contracts are needed. “Like 100 years ago, we need a political or social contract, but it must be between agriculture and municipal, not between basins,” he said. Municipal entities seek certainty, which they are entitled to, because that is their fundamental purpose. They need to do it in a way that fundamentally protects and preserves irrigated agriculture and its associated economic and social values in western Colorado and the Upper Basin states.

Solutions that protect water uses in both the Upper and Lower Basins from the uncertainty of curtailments are needed. “We will have to go to the table, with real discussions and with real facts, and not expectations or mythology that began 100 years ago.”

Salton Sea

Bill Hasencamp, Manager, Colorado River Resources, Metropolitan Water District of Southern California

Manhattan Beach in California is located along the Pacific Ocean, part of metropolitan Los Angeles. But when it comes to water, it depends just as much on the Colorado River as people in Grand Junction, Colo., through which the river actually flows.

That point was made by Bill Hasencamp, who manages Colorado River resources for the Metropolitan Water District (MWD) of Southern California. That dependency also makes the region stakeholders in the future of the Salton Sea, located 140 miles to the east. The sea was created early in the 20th century when a flood in 1906 wrecked irrigation-diversion infrastructure on the river. The river spilled into the basin, which is below sea level, for 18 months, thus forming a body of water now kept alive barely with irrigation return flows.

The shoreline is projected to recede four miles in coming years as MWD and others continue to transfer irrigation water to municipal use, thus diminishing the return flows and causing environmental problems. Solving those issues is key to California and the Lower Basin states agreeing on long-term drought planning on the Colorado River.

Upper Basin is Watching

Eric Kuhn, General Manager (retired), Colorado River District

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Draining Lake Powell?

Dr. Jack Schmidt, professor, Utah State University, and former director of the Glen Canyon Monitoring and Research Center

Decades ago, in his book “Monkey Wrench Gang,” Edward Abbey imagined unplug-
Mother Nature Rules the Colorado River

By Eric Kuhn

The Colorado River is a rather small desert river, as far as rivers go. Most of its water begins as snowpack in the Colorado Rocky Mountains, 70 percent of which lies within the boundaries of the Colorado River District. It is a river of scarcity. Complexity is the key. Here is what you need to know to understand administration of the river and the hydrologic challenges facing it.

The Law of the River

The interstate compacts, federal laws, an international treaty and U.S. Supreme Court decrees that control the use of the Colorado River system are collectively referred to as the “Law of the River.” The major elements are:

1. The 1922 Colorado River Compact divided the basin into the Upper and Lower Basins and apportioned consumptive use between the two basins. The states of the Upper Basin (Wyoming, Utah, New Mexico and Colorado) have an obligation to the Lower Basin.

2. The 1928 Boulder Canyon Project Act authorized construction of the Hoover Dam and the All-American Canal. The U.S. Secretary of the Interior to promulgate long-range operating criteria (LROC) for Lake Powell.

3. The 1944 Water Treaty with the Republic of Mexico. Under the treaty, the United States normally delivers 1.5 million acre-feet to Mexico per year. Since 1906, the average annual flow at Lee Ferry was 14.8 million acre-feet per year. For 2000-2015, the average was 8.23 million acre-feet per year. For 2000-2015, the average was 8.23 million acre-feet per year. Yields were reduced by 60 percent in the 2000-2018 Drought Period.

4. The 1948 Upper Colorado River Basin Compact apportioned the Upper Basin’s share of the river to the four states of the Upper Division. Colorado got 51.75 percent, Utah 23 percent, Wyoming 14 percent and New Mexico 11.25 percent of the water available for use each year. The percentages reflect how to deal with variable snowpack years rather than allocating a set amount of water use. Additionally, because a small part of Arizona is in the Upper Basin, it got a flat 50,000 acre-feet a year of the Upper Basin’s allocation.

5. The 1956 Colorado River Storage Project (CRSP) and Participating Projects Act authorized the construction of Glen Canyon Dam (Lake Powell), the other initial CRSP units (Flaming Gorge, Aspinall and Navajo), and participating projects (irrigation projects such as Colbun, Parnia and Bostwick Park). Under the 1956 Act, one of the primary purposes of Glen Canyon Dam and the other initial units was to store water during wet periods so that it could be used to meet the Upper Basin’s compact obligations to the Lower Basin.

6. The 1964 U.S. Supreme Court decree in Arizona v. California. Unlike the Upper Basin, the Lower Basin could never agree on a compact, thus litigation ensued. In Arizona v. California, the U.S. Supreme Court apportioned the waters of the mainstem of the Colorado River below Lake Powell between Lake漠 (California) (4.4 million acre-feet), Arizona (2.8 million acre-feet), and Nevada (0.3 million acre-feet).

7. The 1968 Colorado River Basin Project Act authorized the Central Arizona Project (CAP) five more participating projects in Colorado such as the Dallas Creek and Dolores Projects and, among other things, directed the U.S. Secretary to promulgate long-range operating criteria (LROC) for Lake Mead, Lake Powell and the CRSP units. Under the initial LROC, Lake Powell is operated to meet a minimum release of 12.3 million acre-feet per year.

8. The 1968 Colorado River Interbasin Compacts, federal laws, an international treaty and U.S. Supreme Court decrees that control the use of the Colorado River system are collectively referred to as the “Law of the River.” The major elements are:

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8. The 2000-2018 Drought Period. Almost all of the major federal projects and non-federal projects that divert water from the Colorado River were in operation by the late 1990s. Due to generally wet conditions in the 1980s and 1990s, the system’s big reservoirs (Lake Mead and Lake Powell) were nearly full. Beginning in 2000 the Colorado River basin entered into an extended period of below-average flows. From 2000-2004, storage in Lake Powell declined from more than 22 million acre-feet to less than 10 million acre-feet annually. Since 2005 conditions have been average to below average.

Lake Powell has recovered a little storage, but storage levels in Lake Mead have continued to decline. Under normal operations when Lake Powell deliveries are 8.23 million acre-feet per year, the demand for Lake Mead water for California, Arizona, Nevada and Mexico, plus system losses exceeds the inflows by about 1.2 million acre-feet per year. This gap or difference is referred to as the “structural deficit.”

The Bureau of Reclamation maintains a Colorado River natural flow data base that begins in 1906. For 1906-2014 the average annual flow at Lee Ferry was 14.8 million acre-feet per year. For 2000-2015, the Lee Ferry average was only 12.35 million acre-feet per year, about 83 percent of the long-term average. Over that same 2000-2015 period, basinwide consumptive uses plus system losses have averaged about 14.5 million acre-feet per year. Thus, for this 16-year period we’ve relied on drawing down storage. Water year 2017 was above average, but it appears that 2018 will be well below average unless things change drastically after publication of this report.

Other factors at work: The 2007 Interim Guidelines to deal with declining reservoir storage levels. The states have been working on these DCPS, since August 2013.

The proposed Lower Basin DCP is intended to supplement the 2007 shortage guidelines. The Lower Division states would implement additional conservation measures to cut back their consumptive uses based on the projected storage elevation of Lake Mead. Savings are pegged to tiers, but at the lowest tier, if Lake Mead is projected to drop below 1,025 feet in elevation, the total savings by the three Lower Division states, Mexico and the Bureau of Reclamation are about 1.4 million acre-feet per year. The Lower Basin DCP has not yet been approved.

The draft Upper Basin DCP has three components. If Lake Powell is projected to drop below 3,525 feet of elevation, then all Upper Basin states and the Bureau of Reclamation would agree to move water in Flaming Gorge, Aspinall and Navajo into Lake Powell.

The second component — augmentation would be accomplished through cloud seeding and phreatophyte (tamarisk and Russian olive) control programs.
Bill Trampe represents Gunnison County. He served as president of the Colorado River District Board in 2006 and 2007. Upon serving out his term limit as an officer, he was designated by the Board in 2008 to continue key negotiating roles he had performed in the Black Canyon of the Gunnison reserved federal water rights case and the Colorado River Cooperative Agreement. Trampe is a lifelong cattle rancher who has coupled his everyday experiences in water with involvement in water organizations. He was a founding member of the Gunnison Ranchland Conservation Legacy who has coupled his everyday experiences in water in the Upper Gunnison River Water Conservancy District. She is active in preserving artific- fact facts from the early days of the West. Her term expires January 2020.

Steve Acquafresca represents Mesa County and was reappointed to the Colorado River District Board in January 2017 having previously served from 2011-2014. Acquafresca has been an advocate for the agricultural community while being actively engaged in farming, conservation, business, community affairs and public policy-making. As a former Colorado state legislator, Acqua- fresca represented six West Slope counties in Colorado’s General Assembly and focused on farming and ranching issues, business and economic development, water law, conser- vation, local government, transportation and public education funding and policies. Acquafresca served as Mesa County Com- missioner from 2007-2015. His term expires January 2020.

Mike Ritschar represents Grand County and was appointed in January 2016. He is a fourth-generation rancher in the Middle Park area of Grand County. He current- ly serves on the Grand Foundation, West Grand Community Educational Foundation, Citizens for a Safe Highway 9 and East Fork Mutual Irrigation Co. His term expires January 2019.

Dave Merritt is a former chief engineer for the River District who is now in the private sector. He has served as Garfield County’s representative since January 2009. His is the Board Vice President. Merritt has been involved in Colorado River issues since conducting his master’s research on Lake Powell in the mid-1970s and with his work for the Corp of Engineers and the Bureau of Reclamation. Affiliations include serving as past president of Colorado Water Congress, past chairman of the Colorado River Basin Roundtable, mayor of Pro Tem of the City of Glenwood Springs and a member of the Colorado Municipal League Executive Board. His term expires in January 2021.

Kathy Chandler-Henry represents Eagle County and was appointed to the Colorado River District Board in January 2017. She is a fourth-generation Coloradan. Chandler-Henry has served as a member of the Colorado County Board of County Com- missioners since 2013 and was appointed to Board Chair in 2017. In addition, she is the county’s representative to the Water Quality Quantity Committee (QQ), Ruedi Reser- voir Water and Power Authority, Northwest Colorado Council of Governments, Economic Development District Board of Directors, Lake Creek Affordable Housing Corp. and FiraNet Governing Board. Her term expires January 2019.

Alden Vanden Brink represents Rio County and was appointed in January 2015. He is the Manager of the Rio Blanco Water Conservancy District, after serving as a Director for four years. Previously he was the Town of Rangely’s Utility Department Manager. Vanden Brink also serves as the Rio Blanco County Municipal representative to the Yampa/White/Green Basin Roundtable where he also serves as Vice-Chair. His CRD Board term expires January 2021.

Karn Stiegelmeier represents Summit County, earning appointment in 2016. He is a fifth-generation Colorado native. Upon graduating from CU Boulder with a degree in Environmental Conservation, Stiegelmeier took a series of assignments with the National Forest Service and National Park Service in- cluding wildland firefighter, wilderness ranger, fire dispatcher, naturalist and park ranger. In addition, she taught environmental education with Yosemite Institute in California. In 2009 Stiegelmeier was elected Summit County Commissioner, a position she contin- ues to hold. She also has served as the director of the Friends of the Lower Blue River, Chair of the Blue River Group of the Sierra Club and board member of the Continental Divide Land Trust. Her term expires January 2019.

Doug Monger represents Routt County and has done so since 2014. He is a fourth-generation Routt County native, oper- ates an accounting practice and is a lifelong rancher. He was president of the Colorado Commissioner Association in 2007 and served on its Board of Directors from 2004 through 2010. He is president of the Colorado Water Resources and Power Development Authority, and has served as president, vice president and treasurer of Associated Govern- ments of Northwest Colorado. Monger has also served as a board member of the Upper Yampa Water Conservancy District and currently serves on the Yampa/ White/Green River Roundtable and Inter-Bas- sin Compact Committee. His term expires January 2019.

Tom Gray represents Moffat County and has done so since 2008. He is a former Moffat County Commissioner and has been a county resident, rancher, water rights holder and active church member for 35 years. Gray serves on the Yampa/White/Green Basin Roundtable, County Land Use Board, Yampa River Basin Partnership as chairman, Wis- comin Ditch Company president, Fair Board and the Natural Resources, Public Lands and Agriculture Steering Committees of Colorado Counties Inc. His term expires January 2020.

Marc Catin represents Montrose County on the Board of Directors, earning appointment in 2015. In January 2017, he was appointed to fill the vacancy in the Colorado House of Representatives and represents House District 58. Most recently, he was the Water Rights Development Coordinator for Montrose County where he worked to identify and protect water rights within the county. From 1996 to 2011, he served as Manager of the Uncompahgre Valley Water Users Association. He was born and raised on a row- crop farm in Montrose and is still actively involved with farming today. His term expires in January 2021.

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Rebbie Hazard represents Saguache County and has done so since 2005. She operates a working ranch on Cochetopa Creek that also accommodates hunting and fishing enthusiasts. Hazard is a Saguache County Planning Commission Board member, on the Advisory Board for the Saguache County Master Plan, and the Saguache County representative on the Uncompahgre Water Users Association and the Northwest Colorado Council of Governments. Hazard serves as a board member of the Saguache County Master Plan, and the Saguache County representative on the Colorado River Basin Roundtable. Her term expires January 2020.

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Public Outreach
An informed public is the best defense of West Slope water

“H2O Outdoors”
Our program brings high school students to the heart of the Rocky Mountains for a three-day education program on water management. Students are assigned “stakeholder roles” to reflect those in real-life water management. A “Town Hall” meeting marks the final event in which students utilize knowledge gained from the program to engage in conversations about managing and balancing important water issues.
www.coloradoriverdistrict.org/h2o-outdoors/

School Water Festivals
One part of our outreach efforts for children is our coordination and participation in water festivals within our District. The festivals educate about the value and fragility of our limited water resources through games and fun, hands-on activities.

State of the River meetings
Annually the River District holds 10 public meetings around the District in the spring. These meetings review the coming water year relative to snowpack runoff and reservoir operations. In addition, each meeting includes presentations and discussions of topical water issues.
For more info visit: www.ColoradoRiverDistrict.org/state-of-the-river-meetings

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Annual Water Seminar
The Colorado River District each September holds its Annual Water Seminar, where water leaders and the public can interact and learn about trends in water use, climate, agreements involving the Colorado River and more. Save the date: the 2018 seminar is set for Sept. 14 in Grand Junction.
http://www.coloradoriverdistrict.org/annual-seminars/

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ColoradoRiverDistrict.org
Learn and engage in Colorado’s water future by exploring our website. Resources include detailed current information on water policy, agreements, research, conservation and planning. Learn also about the history, geographical make-up, financing, governance and staff of the Colorado River District. We have a rich library of videos that delve into all of these topics.

Water Wranglers
This history of the Colorado River District. Author George Sibley’s book “Water Wranglers” is an essential read for citizens of the West who want to learn how water battles — and their solutions — created a water infrastructure that defines the West as we know it today. It is still in print and available to the public. Call us at 970-945-8522.

Explore videos, history, current issues and Colorado’s water future at ColoradoRiverDistrict.org