



COLORADO RIVER DISTRICT

PROTECTING WESTERN COLORADO WATER SINCE 1937

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CONTACT: Lindsay DeFrates

970.456.8973 – ldefrates@crwcd.org

State Water Board Approves Historic Agreement to Safeguard Colorado River Water Rights

The acceptance of the Shoshone water rights marks a landmark partnership between the State of Colorado and the western slope.

GOLDEN, Colorado — Today, Wednesday, November 19, the Colorado Water Conservation Board (CWCB) voted unanimously to accept the joint offer by the Colorado River District and Public Service Company of Colorado (PSCo) of a perpetual interest in the use of the Shoshone Water Rights for instream flow purposes.

Once confirmed by water court, this acquisition will create the largest environmental water right in the state's history and permanently protect the historic flow of the Colorado River.

"The importance of today's vote cannot be overstated as a legacy decision for Colorado water and the western slope. It secures an essential foundation for the health of the Colorado River and the communities it sustains," said **Andy Mueller, General Manager of the Colorado River District**. "We continue to be impressed by, and thankful for, the broad coalition of voices that have come together in support of protecting the Shoshone Water Rights. Without them, we would not have been able to meet this historic milestone."

"Today, the CWCB demonstrated its deep commitment to Colorado's water security by taking bold, permanent action to protect our namesake river. We are proud to stand with the State and with our many partners across the West Slope in securing these flows for the benefit of all Coloradans," said **Sen. Marc Catlin, president of the Colorado River District Board of Directors**. "This agreement strengthens water security for hundreds of communities within our state and represents a proactive, durable solution for the 40 million people who rely on the Colorado River downstream. The Shoshone Water Rights Preservation Project keeps the river as whole as possible, keeping water in its natural basin and safeguarding this lifeline for generations to come."

The board's decision today was the final step in the instream flow acquisition process that began with the formal offer in May 2025. Following a contested hearing in September – requested by four Front Range water entities – the Colorado River District and PSCo granted the CWCB additional time to continue deliberations and fully consider the historic proposal and partnership at their November meeting.

35 entities filed for party status in support of the Shoshone Water Rights ISF proposal. These include West Slope towns and counties, water districts, as well as local and regional non-profits. Over 400 positive public comments were also submitted over the summer.

“Today's decision by the CWCB is a tremendous step forward for the health of the Colorado River and the communities that rely on it,” said **Senator Dylan Roberts**. “The Shoshone Permanency effort reflects years of collaboration and a shared commitment to protecting our headwaters, and I'm grateful to all the partners who brought us to this point. There is still important work ahead, but this vote positions Colorado to take advantage of the years of effort and protects these flows for generations to come.”

“The Shoshone water rights are a lifeline for western Colorado,” said **Mesa County Commissioner Bobbie Daniel**. “Our farmers, ranchers, recreation enthusiasts, and energy producers depend on this water, and we are proud to see the CWCB support this project. These flows are the future of our families and communities, and now, more than ever, it is critical that we are doing everything we can to protect them.”

Xcel Energy provided the following statement: “Xcel Energy recognizes the significant collaboration and effort that brought us to today's decision by the Colorado Water Conservation Board. We appreciate the engagement from all parties throughout this process and look forward to continuing the work ahead. This agreement represents an important step in ensuring reliable, clean energy for the communities we serve while supporting responsible stewardship of Colorado's water resources.”

The **CWCB** also issued their own press release, which is available on their website here: <https://cwcb.colorado.gov/category/news-articles>

In December 2023, the Colorado River District and Public Service Company of Colorado (PSCo), a subsidiary of Xcel Energy, entered into a \$99 million Purchase and Sale Agreement (PSA) to acquire the historic Shoshone Water Rights, senior (1902) and junior (1929) non-consumptive rights that stabilize flows on the upper Colorado River. The PSA is the product of decades of work by the statewide Shoshone Water Right Preservation Coalition.

To close the transaction, the PSA requires four conditions: execution of an Instream Flow Agreement with the CWCB (approved today), receipt of a water court decree approving the change of water rights, securing commitment of full project funding (\$99 million), and approval from the Colorado Public Utilities Commission. So far, the Shoshone Water Rights Coalition has secured commitments of over \$57 million from West Slope entities, the State of Colorado, and the Colorado River District's Community Funding Partnership. The Bureau of Reclamation awarded

the project \$40 million through the Inflation Reduction Act Funds in January 2025 – those funds remain under review by the current administration.

Today's CWCB decision fulfills that critical Instream Flow Agreement requirement, moving the project significantly closer to final completion and the permanent protection of the Shoshone flows. The River District, PSCo, and the CWCB will be initiating the water court process to add instream flow use to the Shoshone water rights. The River District and its full coalition of supporters will also be turning their focus on fully securing the previously awarded federal funds.

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