

STATE OF COLORADO

Colorado Water Conservation Board

Department of Natural Resources

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TO: Colorado Water Conservation Board

FROM: Linda Bassi
Jeff Baessler

DATE: November 3, 2009

SUBJECT: **Agenda Item 29, November 16-18, 2009 Board Meeting
Water Supply Planning and Finance Section –
Instream Flow Engineering and Technical Support Services**

Bill Ritter, Jr.
Governor

Harris D. Sherman
DNR Executive Director

Jennifer L. Gimbel
CWCB Director

Dan McAuliffe
CWCB Deputy Director

Introduction

This request is for the continued implementation of the CWCB long range engineering and technical support services program. Since 2005, the CWCB Finance Committee and the Board have approved an annual appropriation from the Construction Fund for support services to address specific agency-related needs such as the protection of the Board's existing instream flow water rights, providing justification for new appropriations, and providing technical analysis for the transfer of acquired water rights to instream flow use on an as-needed basis.

This appropriation is consistent with the Stream and Lake Protection Section Strategic Plan. The section of the Strategic Plan entitled "Fundamental Objectives Related to Current Authorities" provides that the CWCB must provide the Section with the necessary resources to both administer the Instream Flow Program in accordance with statutes and to maintain the base programs required to perform the CWCB's statutory duties. The appropriation of funds for engineering and technical support services would help to provide such resources and thus continue to fulfill this objective.

Discussion

The CWCB relies upon sound technical investigations to appropriate, acquire, and protect instream flow water rights throughout the state. Due to a steady increase in water court matters, the workload for the CWCB staff responsible for the protection of the CWCB's existing instream flow water rights continues to grow. For example, resume review activities, including injury analyses that provide justification for filing of Statements of Opposition, requires significant staff resources. In addition, technical investigations are needed to process the acquisition of senior water rights and to provide technical support and expertise to change the decreed uses of the acquired water to instream flow use.

Likewise, engineering and technical support services may be needed to conduct water availability analyses for streams on which the Board is considering appropriating new instream flow water rights. This includes determination of the amount of water that is physically available for the Board's appropriation by analyzing available gage records, diversion records, and call records, using available stream flow models, and developing stream flow models or utilizing appropriate standard methods to develop hydrographs to predict the natural (virgin) streamflows for each stream under consideration.

Staff also relies on technical support services for database maintenance and development, and for the imaging, retrieval, and research of ISF documents. Furthermore, technical support is required on a seasonal basis to augment staff resources in the collection and analysis of field data.

Recommendation

Staff recommends that the Board approve an appropriation of \$50,000 in fiscal year 2010-11 from the Construction Fund to the Colorado Water Conservation Board for the continued implementation of the long-range engineering and technical support services program.

Water Project Construction Program – Project Data

Applicant: Colorado Water Conservation Board

Project Name: ISF Engineering and Technical Support Services

Project Type: Stream and Lake Protection Technical Services

County: Statewide **Drainage Basin:**
Statewide Drainage Basins

Water Source: N/A

Total Study Cost: \$50,000

Funding Sources: CWCB

CWCB Investment: \$50,000 **Interest Rate:** N/A

Term: N/A

This project entails the continued implementation of a statewide engineering, technical, and support services program to help address consulting engineering and other technical service needs of the Colorado Water Conservation Board's Instream Flow and Natural Lake Level Program.

The fund will be used to retain consultants, temporary employees and others on an as-needed basis to perform engineering, technical and data support services for the protection of the Board's decreed instream flow water rights, and for providing (1) technical and scientific bases for new appropriations, and (2) technical analyses related to the acquisition of water rights for instream flow use.

The CWCB relies upon sound technical investigations to appropriate, acquire, and protect instream flow water rights throughout the state. Due to a steady increase in water court matters, the workload for the CWCB staff responsible for the protection of the CWCB's existing instream flow water rights continues to grow. For example, resume review activities, including injury analyses that provide justification for filing of Statements of Opposition, requires significant staff resources. In addition, technical investigations are needed to process the acquisition of senior water rights and to provide technical support and expertise to change the decreed uses of the acquired water to instream flow use.

Likewise, engineering support services may be needed to augment staff water availability analyses for streams on which the Board is considering appropriating new instream flow water rights. This includes determination of the amount of water that is physically available for the Board's appropriation by analyzing available gage records, diversion records and call records, using available stream flow models, and developing stream flow models or utilizing appropriate standard methods to develop hydrographs to predict the natural (virgin) streamflows for each stream under consideration.

The fund will also be used to continue to hire temporary employees to assist with summer field investigations of new ISF recommendations, installation of pressure transducers and other temporary stream gages, maintenance of web based mapping applications to provide the public with information on the location of proposed ISF recommendations, and other technical services that support the appropriation, acquisition, and physical and legal protection of ISF water rights.