

Pikes Peak Regional Water Authority

P.O. Box 572
Monument, Colorado 80132

July 21, 2010

Colorado Water Conservation Board
Attn: Ray Alvarado
1580 Logan Street, Suite 200
Denver, Colorado 80203

Re: Comments on Draft Colorado River Water Availability Study, Phase 1 Report

Dear Mr. Alvarado:

The Pikes Peak Regional Water Authority is made up of water providers in El Paso County. PPRWA plans to be a member of the Colorado Water Resources Project Cooperative Development Authority, which is currently studying the feasibility of a pipeline from Flaming Gorge Reservoir to the Front Range of Colorado. PPRWA offers the following comments on the draft report of the Colorado River Water Availability Study.

We start with the common ground: Colorado has the right under the Colorado River Compact and the Upper Colorado River Compact to the beneficial consumptive use of 3.88 million acre feet per year from the Colorado River; Colorado's compact entitlement is for the benefit of the entire state, not just the natural drainage basin of the Colorado River; Colorado is today using less than 3.88 million acre feet per year of its compact entitlement; the state as a whole has a strong interest in maximizing the beneficial consumptive use of water from the Colorado River.

We are not qualified to comment on the technical and scientific merits of the study. However, we understand there are serious questions about the scientific merits of using global-scale climate change models to predict runoff in the river's sub-basins in Colorado. The wide range of results strongly suggests the science is difficult, if not entirely inappropriate, to apply to this task. Thorough peer review and vetting of techniques is required at a minimum before the State of Colorado can endorse the study.

Even with the most rigorous review, the best outcome is a prediction of a range of possibilities. No one should mistake such a prediction for fact. The present range of results provides something for everyone in the argument over who gets to develop Colorado's remaining compact entitlement. For that reason, the study is not helpful. It was intended to answer the question of how much remains to be developed, to assist the state in developing a

position on projects such as the Flaming Gorge pipeline proposal. Since it does not answer that question, there may be no good purpose served by continuing the study.

The Executive Director of the Department of Natural Resources, in his letters to the Bureau of Reclamation, stated Colorado supports study of the Flaming Gorge pipeline project, subject to the outcome of this study. The wide range of outcomes argues strongly for the state to abandon the idea that the study will dictate policy. There simply is no answer in this draft study that is useful in evaluating this or any other project. Yet, policy decisions must still be made. Colorado should unambiguously stand up for Colorado's use of its allocated share of the river for beneficial consumptive use.

No matter how the study is improved, the State of Colorado should not endorse in any way a conclusion that there might be no remaining entitlement in the Colorado River. A debate where the State of Colorado has endorsed that possibility cannot be helpful in dealing with the Lower Basin states. That result (no remaining undeveloped water for the State of Colorado) appears to be an outlier that, while it must be acknowledged, should not be treated as equally likely based on this study, and certainly should not be given the credibility added by the State of Colorado's imprimatur.

At a minimum, the CWCB should engage a panel of experts to conduct rigorous peer review before the State of Colorado gives its approval to a study that may or may not be cited to undercut Colorado's right to additional beneficial consumptive use of the Colorado River. The State of Colorado should not adopt this study as a basis for policy-making. It is too inconclusive to be relied upon for that purpose.

Thank you for the opportunity to express our views.

Yours truly,
PIKES PEAK REGIONAL WATER AUTHORITY



Richard Landreth, Vice President

cc: Board of Directors
Gary Barber
Rick Fendel
Richard Brown
Bruce McCormick
Colorado Water Resources Project Cooperative Development Authority