



July 20, 2010

Colorado Water Conservation Board  
1580 Logan Street, Suite 200  
Denver, CO 80203

Attn: Mr. Ray Alvarado  
Water Information Section Chief

Subject: Comments on the Draft Colorado River Water Availability Study  
Phase 1 Report

Dear Mr. Alvarado,

The City and County of Broomfield (the City) has reviewed the draft Colorado River Water Availability Study -- Phase 1 Report dated March 22, 2010 (the Study). It is the City's position that there should be a maximum beneficial use of Colorado's allocation under the Colorado River Compact (the Compact). The City is concerned that this draft of the Study does not achieve the objective of protecting and preserving Colorado's rightful water supply for future use.

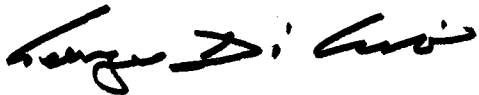
The City's concerns and comments are as follows:

- 1.) The Study's concluding section includes an evaluation of the amount of water available for development within the state based on certain Compact assumptions. The assumptions and methods used are not described in sufficient detail to evaluate the Study results.
- 2.) The Study's summary presents the potential amount of water available for diversion in a critical 10-year dry period. The Report fails to present the estimated amount of water available on average and during wetter periods. Water providers in the state regularly plan for periods of drought. One approach used is to store water available in wetter periods. The availability of water in wetter periods should be included in the analyses.
- 3.) The model used to calculate demands does not take into account historical operating conditions that may have limited diversions to something less than what could be physically and legally diverted. As such, the model systematically overstates irrigation diversions under both the historical hydrology and climate projection scenarios.

- 4.) The U.S. Bureau Reclamation's has begun work on an assessment of Colorado River water availability (the Colorado River Basin Water Supply and Study), which will provide a detailed assessment of Compact issues. Future water availability in Colorado under the Compact will also be studied in more detail in the upcoming CWCB Colorado River Compact Compliance Strategies Study. In light of both the upcoming Reclamation and CWCB studies, the City suggests that the section of the Study that deals with Compact issues be removed, and be addressed as additional information is available from these two upcoming studies
- 5.) The Study analyses should undergo independent peer-review by qualified professionals. Only analyses that can be fully defended for scientific accuracy should be included in the final report.
- 6.) The intent and limitations of the Study should be explained more clearly. The Study results may be used for evaluating variability risk in the long-term but are not appropriate for use in operational planning or decision making. The study results should not be used to set state policy or used by opposition to permits for future water supplies or in water cases.

The City's position is that these concerns and comments should be fully addressed before the Study is finalized. If you have any questions regarding the City's comments, please contact Alan King, Public Works Director at 303-438-6362.

Sincerely,



George Di Ciero  
City and County Manager

Pc: Alan King, Public Works Director  
Charles Ozaki, Deputy City & County Manager  
Kevin Standbridge, Assistant Manager for Community Development  
Bill Tuthill, City and County Attorney