

Colorado State Legislators
Comments on Colorado Water Availability Study

July 13, 2010

Mr. Ray Alvarado
Water Information Section Chief
Colorado Water Conservation Board
1580 Logan St., Ste 200
Denver, CO 80203

RE: Comments on the Draft Phase I Colorado River Water Availability Study Report

Dear Mr. Alvarado,

As Colorado legislators, we are concerned about protecting the State of Colorado's rightful share of water under the Colorado River Compact (Compact). As the Statewide Water Supply Initiative (SWSI) documented, we must address water shortages during the next several decades. Our share of Colorado River water will be a critical element in meeting our supply needs.

Unfortunately, it appears the Department of Natural Resources has authorized a study that is both flawed in its methodology and has negative implications for Colorado's ability to protect its rightful share of Colorado River water.

It appears that the draft Phase I Colorado River Water Availability Study (Study) raises serious concerns about the accuracy of data used, the application of climate models and the conclusion the report offers. We note that the report has not had an independent peer review, and the methodology, data or conclusions reflect sound scientific practices are questionable.

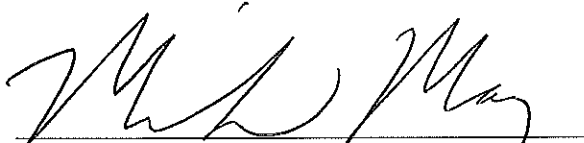
We join with Parker Water and Sanitation District's (PWSD) letter to the Colorado Water Conservation Board in offering formal comments relating to the Study. We have attached a letter from Frank Jaeger, District Manager of PWSD, and a letter from Bruce Lytle of Lytle Water Solutions, LLC (LWS), both commenting on the Study.


In addition to the technical comments raised in the LWS letter, we believe the intention of the State appropriation related to the Study (SB 07-122 and HB 08-1346) has been misspent. Rather, the legislative intent was to support the State of Colorado in its effort to secure its rightful share of Colorado River water within the Compact rules.

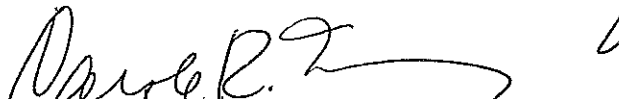
In addition, Colorado, as an Upper Basin State, for the purpose of the Compact should not be taking action related to water availability without communication and coordination with neighboring states. Colorado should be leading the effort to protect Upper Basin states' water rights, not undermining the effort.

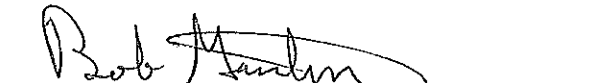
In conclusion, we wish to state as clearly as possible that it should be the policy of the State of Colorado to secure its rightful share of Colorado River water. This Study unfortunately is not only flawed in its methodology, but undermines that goal.

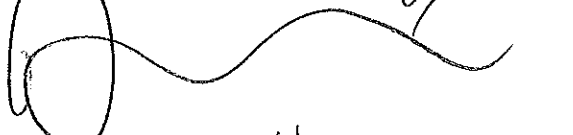
Sincerely,



Mike May HD 44


Frank McNulty - HD 43

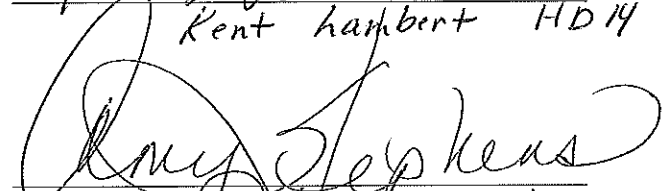

Carole Munnay HD 45


Bob Gardner HD 21



Mark Walter HD 15

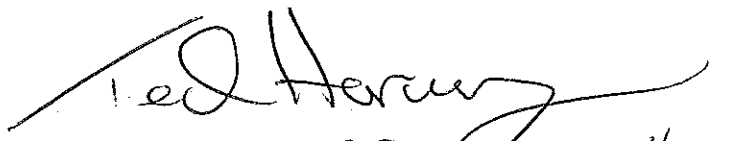

Kent Lambert HD 14



Jim Kerr HD 28


Amy Stephens HD 20


Glenn Vaad HD 48


Marsha Hooper HD 19


SD 30 Ted Harvey


SD 4 Mark Schettel