

South Platte Basin Roundtable Meeting
Tuesday, March 12, 2013
Southwest Weld County Building
Longmont, Colorado
4 pm – 8 pm.

Members and Patrons Present: Gene Manuello (Ag Rep); Julio Iturreria (Arapahoe Cty); Mike Shimmin (At Large); Jim Yahn (At Large/IBCC rep); Stephen Larson (Broomfield Muni); Frank Eckhardt (Central CO WCD); Lisa McVicker (Center CO WCD); Bert Weaver (Clear Creek Cty); Kevin Lusk (El Paso Cty); James Ford (Gilpin Muni); Rich Belt (Industrial Rep); Larry Howard (Larimer Muni); John Stencil (Legislative Appt.); Jim Hall (Local Domestic Water Provider—Greeley); Kent Swedlund (Logan Cty); Joe Frank (Lower South Platte WCD); Allyn Wind (Morgan Cty); Brent Nation (Morgan Muni); Mike Applegate (Northern WCD); Mike Brazell (Park Cty); Greg Kernohan (Recreational Rep); Gene Bauerle (Republican River WCD); Bruce Gerk (Sedgwick Muni); Sean Cronin (St. Vrain & Left Hand WCD); Sean Conway (Weld Cty.); Harold Evans (Weld Muni); Dianne Hoppe (CWCB); Joel Schneekloth (CSU Extension Service liaison); Eric Wilkinson (IBCC Rep.); Todd Doherty (CWCB); Erin Messner (Aurora Water); Deb Gardner (Boulder Cty); Colin Lee (NRCS Partner Biologist); Susan Smolmik (City of Ft. Collins); James Vanshaar (USBR Loveland); Eric Brown (Greeley Tribune); Craig Godbout (CWCB); Amy Volckens (Riverside); Ray Alvarado (CWCB); Blaine Dwyer (HDR)

Please contact Lisa McVicker at mcvicker1@q.com with any changes or corrections.

Sean Cronin calls the meeting to order at 4:00 pm

Welcome and Introduction of new members: Mike Brazell, County Commissioner of Park County; Steve Larson, Broomfield; and Deb Gardner, Boulder County.

Note that there is a quorum: 25 of 59=42%

1. Routine Items
Amendments or Additions to the Agenda--none
2. Action Items
Approval of Minutes: Bert Weaver moves to approve; Julio Iturreria seconds; motion carries.
3. Discussion items
 - a) Presentation on the Bureau of Reclamation Basin Study—Ted Kowolski, CWCB;
Study is available on the CWCB website at:
<http://www.usbr.gov/lc/region/programs/cbrstudy.html>
ColoradoRiverBasinStudy.usbr.gov
Study looks to 2060; study is more than 1400 pages; 40 mm + people will be relying on the River; largest challenges are on the lower basin states; study looked at both the AK basin and the South Platte River basin; overall demands increasing; CO looking at a demand of about 600,000 ac ft; AZ, in contrast, looking at 1 mm acft of demand; note parts of study that focus on “Lee Ferry” deficit—driving point of reference for all water managers to gage actions; how to address risks of the Lee Ferry deficit; again, development of portfolios, as with SWASI; important to look at costs, likelihood of permitting, etc. Climate change scenarios are key drivers for how these various portfolios may materialize.

Note Key Points in presentation: concept of “sign post”: concept of water bank performed best in all scenarios; under the assumptions presented, water bank had the best potential for dealing with deficit. “Sign Post” of observable conditions can be used to identify the increased risks of a Lee Ferry deficit. Can see compact curtailment coming; 10 year rolling average that will lend itself to action.

Questions:

Harold Evans: Please expound on idea of water bank.

Ted: Concepts of pre-compact water rights that cannot be curtailed; existing water right to 1922, which right cannot be curtailed by the compact. The water bank would look at those pre-compact rights, inure to water right user, but this is still a state right, could we use these pre-compact rights to meet critical water demands. Another concept—could you take consumptive uses—pre-or post compact water rights—and store these—to use these consumptive uses to avoid or delay a compact curtailment situation. These are being explored with the states.

Harold: How is additional storage involved? Where is the bank account?

Ted: Do not have to have storage to make a water bank work. Would help with flexibility. Makes analogy to money bank—storage—place to put it.

Todd D.: Mentions Aspinall study; grant between Gunnison and AK to look at operational scenarios; Todd would be glad to arrange presentation on Aspinall study or more detailed water bank study.

Julio I: Is there a white paper on water banks that we can study?

Ted: Yes, we have the proposal as well as how it has been implemented within this study. This study includes the federal government and 7 states, thus, the water bank described within the basin study is identified in a ground water bank near Lake Powell; however, this is a good place to start for envisioning this.

The Aspinall study has some good works for everyone to consider.

Bert: Is the term “water bank” within CO statutes?

Ted: Yes, but has not been implemented. Problems exist; AK was pilot water bank. There are water bank statutes but not applicable.

Diane Hoppe: Sheds light on history of water bank in CO law; it is permissible, and possible that this could work at some point.

Mike Brazell: (Park County): At the end of this study, are there any must-do recommendations?

Ted Z.: Yes: M&I conservation; Ag conservation (gross assumptions included in both of these—numbers being refined); there are augmentation options (desalination plant in New Mexico for example) could help shore up demands in lower states; of course, desal plants—permitting long and difficult—but these are 20-30 years out; but now is the time to start. Lower Basin entities are commencing.

Janet Belle: Understand that Utah is currently completing a reservoir on the state line; is that facility included in this study?

Ted: The Lake Powell pipeline?

Janet: No, reservoir? Has this been factored in the study?

Ted: No, not within the water banking study. The concept about demands on the system is valid for all states; so the idea to use a specific reservoir is up to each state.

b. Suggestions for 2013 Action: Sean Cronin

What are we doing? Looking at implementation plans for 2013. Sean gives background for executive committee’s ideas; suggests that we should have just waited for John Stulp’s 2013 Roadmap. John Stulp’s Roadmap dated February 2013 is attached for reminder.

- 1) South Platte Basin Implementation Plan: Joe Frank reviews key elements of issue and response; asks membership in general to focus on implementation of these possible action items; should we look at doing this simultaneously with new water supply activities (West Slope Water Supply) to be part of our basin plan; what can we do within our own basin but also what can we do to improve our relationships with the Metro in looking at solutions and moving forward. Metro Rddtable White Paper is a good point to start. Questions?
- Julio Iturreria: Another parallel course with the implementation plan: The impression that I have is that the Governor wants a water plan for the State of Colorado by 2015. I wonder if we should be focusing on the entire state; don't disagree with the joint action plan with the Metro Rddtable, however, believes that in order to meet the state's requirement, to make this comprehensive and meaningful, we need to embrace the entire state. Acknowledges the articulation of the issue as clear and on point; however, important also that we see how this fits into the big picture.
- Sean Cronin: I asked the same question; asks Todd or Becky to comment.
- Todd: Intent is to look at detailed plan on hydrologies, major projects (super ditch project) etc to try to help basin plans move forward. We would like to see comprehensive plan, as John made reference to in his roadmap memo. We will be updating SWSI in 2016; for this to work efficiently, important that all the basins interrelate to each other; policies, basin plans, and SWSI to be worked out. All of these are separate.
- Joe Frank: Why would these not be the same?
- John Stulp: We see SWSI as being the technical platform; SWSI 2010 all were involved; SWSI 2016 will be an enhancement of this—this will be the data from roundtables, providers and users that help formulate the plan; some basins, have used SWSI as their plan. But these will build off of each other. Thus, some roundtables will build upon SWSI 2016.
- Joe: Who develops and guides the state plan?
- John: CWCB, CDM Smith, combination of interviews with providers and Becky 's group. Data collection is ongoing; we are refining and moving forward – so much of the data will be collected, however, questions on timing not completely sure.
- John: 2016 will enhance 2010 – look at energy, ag gap, climate variability, flood / drought risk management. These will be bigger sections in the SWSI 2016, but much will be an enhancement on SWSI 2010. Demographics, ag use, etc.—updated and more robust.
- Joe: So if we were to do a basin implementation plan, would this not parallel the state-wide water plan and be rolled into that?
- Julio: Would like to take a few steps beyond that. See “train wreck” if we are not mindful. Seems that these suggestions are facets of one push. Refers to Metro's white paper; principal concern: 1) ag dryup and 2) transfer of basin water. This is a good basis to work from on state water because it acknowledges the issues and puts them on the table. From the SPBRT papers all makes it clear that we are not “crazy about low hanging fruit”—ag dryup. Therefore, we are in favor of trans-basin water because we do not want to lose our ag economy. But we should have this in the state water plan. East slope/West slope—all should know that ag in CO should be part of the picture; so therefore, seems that we can create a junction between implementation and state water plan. Does not seem like we need to make this more difficult; we have already talked about everything and not any one of these is a silver bullet; we must work together to make this all happen. Time to move forward with a water plan. Should start with an idea that we can all agree upon.
- Sean: Other discussion? Julio has volunteered to form a committee.
- Harold Evans: would like to provide some perspective; notes that he has been a contractor and puts “implementation” in such a perspective. Going all the way back to enabling

legislation. What do we mean by “implementation”? The IPP categories, ag transfer, regional in-basin projects, trans basin projects, new projects, firming water rights. If we are going to do a new implementation plan, what do we look at other than these? New basin and trans-basin make up 60% of IPPs. We know our needs; in our assessment, we broke our assessment into 4 regions: high mountain, northern, central, high plains. 80% of our gap is in Northern counties. Our options for the Northern Area are understood after in-depth studies. Struggles to understand what there is out there that might be new that we can struggle with and are currently trying to implement. Other aspect: practical on-the-ground political issues that we have to deal with. Ft Collins is adamantly opposed to NISP. Greeley cannot get Ft Collins to even give us an easement; this is an example of the challenges we have. Perhaps we move back to a sub-basin implementation plan—I have no idea what might work in those areas. Go back to July 2012 technical assistance memo—talks about things that the Rdtables can do: categorize projects—have done this in SWSI 2010. Does not seem that we need to reinvent this; Sean and I have talked about this. We need to be meaningful in our actions—if we do a basin plan, we are back to IBCC with scenario planning-adaptive management—how do you do a basin plan without a focus on adaptive management plan. How can we help CWCB and staff move towards a water plan for 2016—what is our role? Sounds like the CWCB staff and consultants are working on a state wide plan and our role would be to assist.

Eric Wilkinson: One thing this Roundtable needs to look as is to take a firm position for where we want to go. If this Roundtable, in a united way (Harold I agree with much of what you have said)—what we are seeing in the state of Colorado is a reliance on the roundtables and the IBCC to give guidance for the water plan by 2015. This roundtable in regards to implementation needs to be more assertive in terms of actual needs for IPPs for need for conservation and a clear statement of limits of conservations. Metro roundtable did this; elements of the AK did this; so realistic expectation for what we think we can achieve with conservation and what we know we need to achieve with IPPs and assert this affirmatively. We need to push back for new water supply projects and push against moving these away—compact call administration, risk management, these are stall tactics for having actual discussions about new water supply projects. Colorado is in basin discussions right now about how to manage compact calls; therefore an affirmative statement by this roundtable that we are pushing development of new supply—other basins are pushing the other way. We are faced in the future with ag transfer—we know that; the question is how much; lots of good work on alternatives for ag transfer. As a state, we need to decide if this is a panacea or is it possible. Will purveyors be satisfied with this, however you coat ATMs, they are dryups—just how to do it to keep the economic engines in place. Buy and dry—economic engines will move to place of beneficial use. Is the South Platte CO-Op a possibility? How about deficit irrigation? Is this a viable alternative? Do we push the state to do this—initiatives that we, as a roundtable, could articulate as what we want CWCB to include in SWSI 2016. Our affirmative stance in supporting these might not end up in water projects but could forward discussion to share what is left in Colorado compact curtailment. We may not end up with any projects; we may not end up with, for example, an insurance storage reserve somewhere to help with affects on seniors. We have an opportunity to be more assertive than we have been and to help us ask CWCB to think through common technical platform to move forward. Not ready to throw in the towel yet.

Joe Frank: I echo that as well. Coming from the lower basin with multiple people who have purchased land with the intent to move water to the front range,—lots of land has been purchased with this intent—this is a huge impact and we know that and are thus 100%

behind developing new water supply from west slope; whether we do implementation plan for the basin, still need to move forward. The state plan has stalled; if we do basin implementation plan, focus on this; note the multiple areas that we could find storage and for multiple purposes.

Harold Evans: Is the pressure coming from the Metro area? Who are the municipalities that will be buying and drying in your area? Not Northern CO?

Joe Frank: We are all still one basin; we have a basin problem; we were carved out as a separate roundtable, but we are one basin. No transbasin issue when you move water from Sterling to Parker. Therefore, I think we need to look at this from a high altitude. Anything we can look at all together. Joe comments on the good that has come from this roundtable but that there has also been disconnect with us not being included with the Metro; important to look at this as entire basin.

Eric W.: There is a big demand coming from the Metro; we need to talk to metro; that is where the money is; with these discussions, perhaps we can free up some possibilities—we must have some dialogues. Perhaps through dialogue we can maximize new supplies and minimize issues.

Have to say that if there is water going to the Metro, it is beneficial for us. What if they build flaming gorge and it all goes there, at least they are not drying up ag. To my knowledge in the last seven years we have had one joint meeting in Castle Rock—AK, Metro and South Platte. We are getting whipped by the west slope roundtables because west slope roundtables are united in working together.

Harold: One other memo talked about how frequently we should meet and should we meet with the AK and Metro. Are we not in the evolution of roundtable meetings—time to combine our basin and meet together; to meet statutory requirements need to meet together.

Sean Cronin: Would like to note that we were going to spend one hour on all of these, but have spent one hour to date on just one of the memos included.

Mike Shimmin: Part of what is imbedded in this discussion—we are not distinguishing between planning and implementation—first you plan and then you implement; the problem with this is that we have not really agreed on a plan. West Slope goal is to prevent implementation of anything. If we cannot keep planning and implementing, problem. Asks John Stulp-- seems like Gov Hick is a “get it done guy”; is this where he might be with plan by 2015, then implementation; maybe this is a fundamental problem.

John Stulp: Correct with characterization of Governor. Governor notes that it will be 8 years come September for the roundtable process; much of this has been done.

Mike Shimmin: One of key items in first memo from Joe Frank is that we need to move forward on all items simultaneously; we need to start with new supply now—30 years—all other points need to start now to cue up new supply. This is the part, per plan, if it does not include all of these elements, you don’t have a plan that solves the problem (4 legs of stool). Therefore, point of Memo #1 is to move us forward on all plans simultaneously.

Sean: Recommendation was to form a committee and this group therefore needs to decide if this is what we want to do is to roll up our sleeves and figure out how this fits into SWSI 2016.

Janet Bell: Tomorrow at Metro Rdtable—discussion of executive committee and other issues, with your permission, would like to suggest that you have cross-representation between Metro and South Platte; the South Platte paper on conservation, wants NO ag dryup—no dust bowl 2060; therefore, need to push ag water in ag, not on market to be

used in other way; therefore, seems like there are options where the state and multiple roundtables have to come together for public-private relationships.

Motion: McVicker: Moves that April meeting is joint meeting and invite AK.

Julio: Seconds

Discussion: For planning point of view, need a core group.

Julio: may never be just one, everyone has topographical interests. Move to cooperative and proactive.

Jim Ford: subcommittee needed.

Mike Shimmin: Maybe we need to work on a plan for a cooperative effort for roundtables; maybe three times a year, we could have full three basin roundtables, then we could still have an individual roundtable every month or every other month; we still have our own meetings, committee meetings between these to refine; if we are having a joint meeting; seems like we should propose; one reaction—let's form a committee tonight—but the purpose is to work with Metro Rdtable; so maybe first meeting should be meeting with Metro to go forward .

Sean: Mark Korpel, chair of Metro, is open to this; and we are on their agenda tomorrow night to give a presentation tomorrow from our January meeting; focus, refine, and coordinate our efforts on East slope—no more meetings than we are already doing, however.

Joe: Maybe that is the purpose of the committees that are formed; subcommittees can get direction from roundtable so that these meetings can be pro

McVicker amends motion to reflect Mikes' comments.

Vote: All in favor; motion passes.

Howard: seems that we are struggling with a lack of focus; time is of the essence; Eric brings up very good points; would suggest that a conversation should happen with the three roundtable chairs; we have a joint meeting or executive meeting to come to consensus of new supply, conservation and limits, alternative to AG, IPPs—if we could address one or two of these at a meeting—all we do would be useful. Metro has Denver and Aurora with high-powered competent staffs—these white papers were all written by planning staffs of Denver or Aurora—then refined by roundtable; if the three roundtables could go back to the IBCC and say we think it is crucial to address this new water supply, and pick up a few of these and that be the focus of the discussion.

Bruce Gerk: I would like to reiterate what Harold says; if we try to delve into detail, we cannot do justice to all of these issues. 7 years later—it is time to decide as a roundtable what we support in order to accomplish the task of getting water to the people who need it and not decimating it; let us please minimize what is on our agenda to do justice to other issues.

Sean: I agree.

Julio: Two statements: I have been a member of Metro longer than South Platte—Metro is very comfortable with having a meeting with South Platte for a long time; also, we talk about the “big dogs”—WISE Partnership—Denver, Aurora, South Metro (Northern part of Douglas county)—they have tried for 6 years to come together to sign on renewable water for this water—this is helpful for Denver, Aurora and Douglas County—not a panacea—but they have worked on this for 6 years—ag dryup is not the first thing they are thinking about—so important that we all realize that the Metro is not in direct conflict with us.

Sean: Notes that it is already 6 pm; to Bruce's point—full agenda; under 3 b—lots of interweaving of these issues—this goes to Harold's point of needing focus; many have

shared with me thoughts about what is our role as a roundtable; and what is the state's role; we need to clarify this and tee this up for the roundtable.

John Stencil: Would like to clarify something; several of you talked about a committee—are we going to put together a committee tonight? I think we should.

Sean agrees.

Dinner break

6:40: Sean calls the meeting back to order.

John Stencil: Move to create a committee that will focus on developing the South Platte Basin Roundtable Plan, utilizing items III b: i-vii, that will fold into a state wide water plan

Bert Weaver: 2nd

No discussion.

Vote: Motion carries

Committee sign-up sheet circulated : Committee announced after dinner (Larry Howard, Julio Iturreria, Sean Conway, Frank Eckhard Jr., Rich Bet, Mike Applegate, Greg Kernohan, John Stencil, Joe Frank, Sean Cronin.)

Standard Reports

--**IBCC Report:** Jim Yahn: March 5 meeting; discussed adaptive management and the metrics associated with that. Some of the items that Ted K brought up in terms of trigger points or sign posts and what these might be—depending on supply and demand—and we can adaptively manage our plan on the way. Ted Z. gave the same presentation at the meeting, only more in-depth, on Colorado River Supply Demand Study. Eric Kuhn, from Western Slope, the Western Slope “caucus,” presented a statement on new water supply projects. (Eric W. circulates). Jim notes that they at least talked about new supply. Next topic focused on Flaming Gorge Exploration committee—Eric, Jim, Bob Streeter, Janet Bell. T. Right Davidson from Western Slope also presented. Jim emphasizes that the Flaming Gorge method is a good method because it is very focused; this harkens back to our discussion about focusing and getting something different. Flaming Gorge pipeline was the focus, but what came out of it was that any new supply must address these issues. This report is on CWCB website. This was 3rd time as a member at the IBCC. Noticed that with the Flaming Gorge we met every month; we had a deadline and we had to get something done. This was a big difference between IBCC and Flaming Gorge; people put their guards up in general at IBCC but with Flaming Gorge we focused on new supply; therefore, I was suggesting to the IBCC, if we want a new water supply plan by 2015, quarterly meetings won't work. Jim expresses hope that this will carry over from the Flaming Gorge committee.

Next part was a panel that discussed the no-regrets (low-regrets) option; best plan that we can come to as a state with the lowest regrets.

Afternoon, summary discussion: “Colorado café” on agriculture and implementation of alternative ag projects; interesting because we broke into smaller groups and each group could discuss topics: 1) establish basin-goals for implementation of ATM; 2) implementation of ATM program;

Eric Wilkinson: Colorado Café on new supply; four groups; four questions: 1) environmental and rec needs; 2) risk management strategies; 3) project identification and options—no regrets—these were brain storming session; discussions built. Energetic discussions.

Following that: discussion of next steps. New supply options for development; this product evolved largely because of the Flaming Gorge task force. “West Slope Caucus”—reps from each of 4 roundtables on west slope came up with this “New Water Supply Development”; step forward. Want to use flaming gorge task force to retool; in essence, same strategy.

T Wright—good perspective from ag sector on West Slope; group can be a sub-group of the IBCC to see how the IBCC can move forward; some wanted to identify the four legs of the stool; look at how to develop water and to move forward with grass roots; input from AK basin; move forward more often but with shorter meetings; or we won't move forward. Energy on IBCC to try to move forward and actually have the necessary discussions. Level of energy that will manifest in moving forward.

--CWCB report: Dianne Hoppe: Met in January 28 & 29, workshops on 30th around the Colorado River Water Availability Supply study; approved language for CWCB projects bill and construction fund bill, SB 121; controversy over language that was inserted regarding acquisition of instream flows; to add language that in addition to conserving natural environment we would improve—8-1 – passed; we are unanimously supporting the construction fund bill; passed out of Senate ag committee and Senate appropriations committee; going to senate floor this week. One other item, water supply reserve account grant applications: white water park in Grove Canyon; was approved. Again, one dissenting vote. We have discussed how when we are looking at grants we look at multiple benefits, this only had one benefit for construction of the white water park. The intent of WSRA is to reduce the gap and this project did not do this. We on the South Platte need to utilize this and hope that this will be part of our applications for approving grants. CWCB will meet on March 19-20 at Ralph Carr Judicial Center; public is welcome and you can listen in on the internet.

--Legislative Report: Dianne Hoppe: One of the bills that had controversy, but has passed SB74, Legacy Ditch Bill—has already passed, all issues have been resolved. There is an oil and gas bill SB 191 has to do with pipe line right-of-way for oil and gas. Petroleum and water guys all stuck in their positions. Not sure if it will survive. Big issues in NE CO. another HB 1248, similar to HB1130, regarding interruptible supplies, and would allow CSCB establish pilot projects.

Bert Weaver: Wants to acknowledge that Dianne Hoppe was the recipient of the Wayne Aspinall award at the Colorado Water Congress in January.

Committee members per above vote: Larry Howard, Julio Iturreria, Sean Conway, Frank Eckhard Jr., Rich Bet, Mike Applegate, Greg Kernohan, John Stencel, Joe Frank, Sean Cronin.

Republican River Water Conservancy District Presentation:

Deb Daniel, General Manager, Republican River Water Conservancy District and Denis Correale, President of Board.

Deb acknowledges Gene Bauerle as South Platte Basin rep from Republican River basin.

“Maintaining Conservation While Aiding in Compact Compliance”

--Denis makes observation that one flood caused the Republican Basin to enter into the compact.

RRWCD formed in 2004 by state legislature for the purpose of dealing with the State's situation of being out of compliance with Republican River Compact: KS and NE.

Map depicts ground water management districts (7) within the basin that encompass parts of 7 counties. Overlies the northern high plains designated basin; designated groundwater unique.

Ag drives 99% of the economy; corn is primary crop. Yuma Cty is in top of 2-3 counties in top production in nation; wheat and livestock industry as well.

Historical review going back to the 1930s. Dust bowls and then 1935 flood; dropped 15 inches in 18 hours in Republican basin and flooded from Flaglar, CO to KS. Bridges washed out, RR washed out; economic impacts summarized from flood.

The flood motivated the residents to decide to build reservoirs for flood protection; Bureau of Rec and Army Corps involved; therefore, need for compact. At that time, only surface water usage. When the compact was negotiated, CO got 11% of the waters that were attributed to the Republican River Basin; this seemed fair because that was all that was under development at that time.

What became the problem in the late 1990s, had little to do with CO, it was a squabble between KS and NE and NE's development in the Ogallala formation with deep well—500 large capacity deep wells each year; NE was seeing significant declines in stream flow; KS sues NE; NE says CO should share in the fund, so everyone sued everyone; thus the states had to get together to decide how to deal with ground water depletions—ground water wells were depleting the aquifers to the extent that KS was being affected downstream.

Republican River derives no stream flow from the mountains; only recharge on a local basis or from thunder streams. The Republican River is fed from the outcropping from the Ogallala Basin. The state legislature created the district to assist them to comply with compliance. The state had learned a lot from the litigation from the dispute with KS and therefore state chose to authorize local entities to solve problem. No money, however.

What actions can the RRWCD do to assist state to reach compliance with the federal law imposed by the Republican River Compact?

Decrease consumptive use to point that you do not hinder another state's right to water downstream or artificially introduce waters to the stream—augment—the stream flow to be able to meet your compact obligations.

No funding—therefore, water use fees collected from each county; fee assessments. Water activity enterprise—assess these fees without having to go to voters.

2008--\$14.50 per irrigated acre—collected through county treasure and assessor—M&I and surface water as well. (post compact surface water rights).

Least amount of water that you can consume from stream flow is beneficial investment; therefore, attempted to purchase surface water rights. Purchased Yuma Cty rights on North Fork for \$20 million, Rep district leases those water rights for compact purposes—these were for early water rights on North Fork; have been purchasing water on the South Fork as well and have implemented several programs: First ones dealt with conservation: first Conservation Reserve Enhancement Program; utilized programs through CREP—permanent retirement—govt subsidized buy and dry program; AWEPP/EQUIP programs—these were permanent retirements of water rights; advantages for AWEPP and EQUIP is that dry land farming could be continued; under CREP—have to go to drylands.

Under both these programs—mandatory that this large capacity irrigation permit must be surrendered, or given back to the state.

The district has committed, by time payment for conservation and purchase water and leases—has contributed just for conservation \$72 million worth of conservation within the basin. Much of this goes to conversion of irrigated farmland or after 15 years will convert to dry land.

Number of acres 47,000 acres have been retired (started with 600,000 irrigated acres); through corrections in assessors' records, this number has been narrowed to about 480,000 irrigated acres within the basin that are still irrigated.

Two tests of Compact that must be met: 1) state – wide test (we have never been in compliance with our compact from the beginning); 2) each tributary (the north fork and the Arikaree and the South Form) must be in compliance. (compliance—each tributary cannot deprive an adjoining state to the water they are entitled to—nothing new when dealing with larger compacts.

Bonny Reservoir became a focus point; KS was not willing to negotiate any of the charges to the compact that were accrued to the compact from the reservoir—seepage or evaporation. To pass the sub-basin test, Bonny Reservoir had to be drained in 2011. Everyone, including the Bureau of Rec, how

long would it take for stream flows to channel through a dry lakebed; this spring, water has begun to flow as a result of channeling throughout the dry lakebed in normal amounts below reservoir.

The Arikaree has a limited amount of water and does not affect the compact because of high shale underlying the river; little depletion from this reach of the Arikaree.

Deb Daniel: The North Fork—the RRWCD has built a compact compliance pipeline on the North fork of the Republican River; the water source for the pipeline comes from 58 irrigation wells; pumping is limited to historic consumptive use.

Board had looked at pipeline since 2008, in 2011, voted to move forward with building pipeline; are held to historic consumptive use; irrigation wells (purchased water rights that will be points of diversion to the pipeline); board—diverse group—some irrigators, BCC, non-irrigators.

Deb explains pipeline. 12 miles through sand hills of Yuma County with one excavator.

Pipeline completed in 2012. Pristine ground water that will flow to the state line where it is measured.

CO has received approval for delivery of groundwater from NE; negotiations with KS

Sandhills Groundwater must approve 500 acft from 2013-2015; not sure when approval from KS; until then, Sandhills will not allow export.

Through the State of CO—draining Bonny Reservoir, negotiate compact, programs—finally in compliance.

Next Steps: Water conservation: 1200 surveys asking for public opinion, going to those who have paid for these efforts—what kind of conservation efforts on volunteer basis.

Questions:

John Stencil: Are the fees annual fees per acre? Yes.

Jim Ford: Economic impact on community? Did feasibility study funded by CWCB in 2005 and 2006 and looked at the economic impacts; CSU—James Prichard—limited impacts. If we had to conserve our way into compliance, impossible. Thus, drove us to the pipeline; makes no sense to take high quality groundwater and put it in the river;

Bruce Gerk: Mention the impact of CWCB; in 2008, Erick Wilkinson on the CWCB at that time; we started talking about \$20 million loan; our project was pegged at \$70m but we came in under budget (economy)—come in at \$64 million to build the project; loan is at 2%; we will pay for this—with current fee structure—over course of next 17 years and then we will lower the fee assessment schedule.

Joe Frank: You will be in compliance. How soon will that be? Unknown; KS continues to vote no on any augmentation programs. NE has a completed pipeline project. Nonbinding arbitration twice; therefore, feel that we are in a good position to go forward even to Supreme Ct.

With pipeline, we can supply any water in current years that we are out of compliance with.

In the end we suspect, KS will want both money and water.

Mike Brazell: What is the impact on the aquifer?

Long range—the water we have acquired should satisfy compact obligations for 25-30 years and then will have to acquire new water rights.

Colorado River Water Availability Study-Phase 2 Scoping-Ray Alvarado, CWCB

Membership has been sent study and asked to review and be prepared with questions.

Phase 2: Looks at future water demands using Roundtables Needs Assessments—consumptive and nonconsumptive. See handout.

Phase 1: Gleaning what we can from assessment.

Phase 2: Objectives: Minimize unnecessary technical overlap between complementary efforts; coordinate efforts between CWCB etc

Makes reference to Ted K's presentation.

Phase 3—down the road.

(Becky's group—water supply group—then looking at local level)

CWCB has asked to talk to the

Scope of Work is on CWCB website and workshop info on Phase 2; that presentation is on webpage. See ray's email address for comments: ray.alvarado@state.cous or send comments back to Dianne Hoppe.

Questions?

How soon do you need comments? By end of April, please.

Will be speaking with AK and Metro tomorrow then down to South West and Yampa/White. Colorado River enthusiastic about the local level involvement.

Steve: Planning, implementation, seems like it would be beneficial to overlap these kinds of things that could be working together—seems like this is all happening concomitantly and seems that this should be coordinated.

Todd: Yes, we had a roundtable chair call a few weeks ago and the issue was brought up that there are multiple studies and it is important that we all know what is coming down the pipeline. So yes, SWASIs, state water plan and this study will all be coordinated.

Steve: How will this put out? CWCB website?

Todd: Will be a public document and will be on the website so as to be available for everyone.

Dianne: Do you anticipate the scope of work that was dated in September 2012 to be changed?

Ray: After comments received in April. Thinks that perhaps late summer for procurement and selection process might happen.

Sean: If you have other comments, please email Ray by end of April.

Sub-committee updates:

1 New face: Education subcommittee chair: Joel Scheekloth: PEPO regional water resources specialist at CSU with South Platte and Republican Basin.

2 Groundwater sub-committee: HB ____ studies; overview of study and analysis.

3 Alternative Ag Transfer: Joe overview: Sean Conway: Asks about time frame; John Stulp: No date set yet. Sean encourages a report from Reagan so that we have an opportunity to know time frame on report. Yes, Joe, agrees.

Bob is in Africa.

Final Item: Meeting Schedule.

Joint meeting in April possible, but first meeting will be with new Committee; therefore, probably in May. Let us not meet for sake of meeting; committee will put a focus on our plan. When should we meet next?

Joe: Perhaps meeting bimonthly as a roundtable and subcommittees and committee would meet in the interim.

McVicker: Joint meetings need to happen soon but keep in mind that many take vacations in the summer so May meeting might be best to aim for.

Dianne Hoppe: These meetings of SP, Metro and AK generally meet within two days of each other, so coordination of a joint meeting should not be too difficult.

Sean will discuss with other Chairs of other roundtables about next meeting and will inform roundtable.

Sean Cronin: Adjourns meeting at 8 pm.

STATE OF COLORADO **Colorado Water**

Conservation Board Department of Natural Resources 1313 Sherman Street, Room 721

Denver, Colorado 80203 Phone: (303) 866-3441 Fax: (303) 866-4474 www.cwcb.state.co.us

TO: CWCB, Roundtable, and IBCC members

FROM: John Stulp, IBCC Director

Jennifer Gimbel, CWCB Director

DATE: 2/26/2013

SUBJECT: **2013 Roadmap**

Dear Basin Roundtable, IBCC, and CWCB Members,

First and foremost, thank you for all the time, resources and brain power you have donated to planning for Colorado's water supply future. Although we have accomplished much, we still have more to do. This letter lays out some of those accomplishments and provides a roadmap for our work this year and beyond.

Accomplishments

During the past seven years the CWCB, IBCC and Basin Roundtables have participated in numerous discussions based on studies, meetings and workshops throughout the state focused on addressing our water supply future. These efforts have resulted in the following accomplishments:

☐ **CWCB's completion of the Statewide Water Supply Initiative (SWSI) 2010 and Implementation of the Water Supply Reserve Account Grant Program.**

- SWSI 2010 summarized the Basin Roundtables consumptive and nonconsumptive needs assessments, water availability, municipal and industrial gaps, and projects and methods to address future water needs. The SWSI 2010 recommendations resulted in a work plan that was adopted by the CWCB and is referenced in the CWCB's Strategic Plan.

- CWCB granted nearly \$40M for over 220 projects and studies across the state, leveraging over \$72M in matching funds. These funds have preserved or enhanced more than 107,000 acre-feet of storage, restored or protected 30 miles of stream, restored more than 40,000 acres of habitat, built or improved over 22 miles of pipe or canal, and produced efficiency savings of over 64,000 acre-feet.

- ☐ **IBCC Letter to Governor Ritter and Governor-Elect Hickenlooper.** In 2010, the IBCC also developed a report to Governor Ritter and then Governor-Elect Hickenlooper that focused on a future mix of solutions to meet the water supply gap in Colorado including: conservation, identified projects and processes (IPPs), agricultural transfers, and new supply development, while also protecting Colorado's significant water-dependent ecological and recreational resources.

DRAFT Updated Roadmap Memo

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□ **Scenario Planning and Adaptive Management.** The Basin Roundtables' portfolio development and the IBCC's scenario planning efforts have resulted in the following conclusions:

- Colorado must plan for a variety of possible futures, and thus should continue with scenario planning and adaptive management.
- There are no easy solutions or silver bullets, and we need to pursue all types of projects and methods concurrently in order to balance the tradeoffs.
- An initial set of activities, called as "no regrets actions" should be pursued. These actions are beneficial regardless of whatever water supply future, or scenario, may arise.

□ **Other Activities.** In addition to SWSI 2010 and recent IBCC activities, the following items have been successfully completed:

- Coordinated by the Colorado Foundation for Water Education and many of the PEPO members, Water 2012 reached over 500,000 Coloradans with the help of the Roundtables, local efforts, and a large coalition of water organizations throughout the State.
- Water providers have joined together to move forward several collaborative and multi-purpose projects, such as Grand Junction, Ute Water, Clifton, and Palisade's DRIP (drought response information project) program; the Colorado River Cooperative Agreement; Denver Water, Aurora, and South Metro Water Supply Authority's WISE (Water, Infrastructure and Supply Efficiency) partnership, several alternative transfer method pilots funded through CWCB's ATM Grant Program, and many other projects and methods.

These accomplishments and the relationships built through these efforts lay the foundation for future work.

Planned Future Work

The process of identifying consumptive and nonconsumptive needs and moving forward with the implementation of identified projects and processes has been a significant accomplishment, and roundtables will continue to work with project proponents to support their implementation. The legislative charge of the Water for the 21st Century Act is to also identify projects and methods beyond those already planned by project proponents to meet Colorado's gaps for municipal, industrial, agricultural, environmental, and recreational water needs.

Through your efforts, this work has begun to take shape. The IBCC and Basin Roundtables have concluded that the status quo will result in the transfer of too much agricultural water, which will negatively impact the state's agricultural economy and the environment for many of our river basins. We have identified water supply options to meet our water supply future. The Basin Roundtables developed several portfolios that allowed us to understand the trade-offs and evaluate options. Using that work, the IBCC through a scenario planning process has begun to create an Adaptive Management Framework. The first element of this framework is a "No Regrets/Low Regrets Action Plan". "No regrets/low regrets" actions could be taken in the near-term regardless of longer term future conditions (i.e. any future scenario that may arise).

Our planning efforts must focus on a variety of methods, some of which are outlined below and include risk management strategies.

1. No Regrets/Low Regrets Action Plan – The IBCC has started to identify and refine what actions are needed in the immediate future, no matter what that future may be, and how those actions will be implemented.

2. Adaptive Management Plan – Beyond the no regrets, the IBCC and Basin Roundtables have identified several possible futures. Depending on the future, different portfolios will need to be

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implemented to better balance the needs of the state. Adaptive management provides a framework to understand which future we are entering and which portfolios should begin to be developed.

3. New Supply Development – Colorado must balance the risks associated both with overdevelopment and underdevelopment of Colorado’s compact entitlements. Various activities are underway to help us assess risk, such as the Water Banking Study, Aspinall Water Bank Study, Colorado River Water Availability Study Phase 2, and Colorado’s discussions with the other Upper Basin States. These actions explore how to prevent or manage compact curtailment through demand management options.

4. Protection of Nonconsumptive Values – Several processes have been developed that allow for the protection of environmental and recreational needs. A nonconsumptive toolbox is being prepared for public review to help roundtables develop projects and methods to meet their identified needs. In addition, several methods exist to benefit environmental and recreational values, such as the alternative to wild and scenic designation process, programmatic biological opinions, instream flows and recreational in-channel diversions.

5. Basin Implementation Plans – Basin Roundtables will begin to identify what local actions may be necessary, within each basin, above and beyond consumptive and nonconsumptive IPPs previously identified, and how these actions will be complimentary to regional and statewide needs alike. Opportunities for cooperative infrastructure and multi-purpose projects should be explored.

6. Update of SWSI– The CWCB will continue to refine methodologies to determine present and future consumptive and nonconsumptive needs, water availability, and resulting water supply gaps. Potential changes for the next update may include incorporation of climate change into demand and supply analyses, hydrologic variability, agricultural gap, environmental gap, and inclusion of basin implementation plans.

7. Implementation of SWSI 2010 Recommendations – The CWCB Board will continue to implement SWSI 2010 Recommendations.

Future Water Planning

The success of our efforts rests not only on the great work by water leaders and stakeholders across the state, but also on the planning steps and technical elements described above. SWSI (2010 and future updates) will be the key building block in forming the common technical platform for those discussions. These discussions will include the individual Basin Roundtables, the CWCB, and the IBCC, as well as other entities looking at creative ways to meet Colorado’s water needs. We continue to encourage the interaction among the Basin Roundtables, as we have seen in the past. In that light, we will have another Statewide Roundtable Summit this year. An Adaptive Management Implementation Plan will assist in plotting a course for guiding future actions. It will also identify short-term implementation actions through the development of the No Regrets/Low Regrets Action Plan.

We know that Colorado continues to face a significant water supply challenge. This year's lack of precipitation is an increasingly urgent reminder of the importance of our task. Building collaborative solutions is hard work and takes time. It will take a concerted effort by all parties to accomplish the important work before us over the coming months and years.

Thank you once again for your continued commitment to Colorado's water supply planning process, and for all you are doing to build a secure water future for all Coloradoans. Together we can help to secure Colorado's water supply future.