

**Colorado River Basin
Minutes of Meeting on February 22, 2013**

**Main topics: Bureau of Reclamation Water Availability Study released 12/12/12,
CWCB Color River Water Availability study Phase 2 scoping, CWCB Scenario Planning,
Water Bills before the Colorado Legislature**

- 1. Next Meeting: Monday, April 29, 2012, noon with lunch, Glenwood Springs Community Center.**
- 2. Reporter: These minutes were prepared by Ken Ransford, Esq., CPA, 970-927-1200, kenransford@comcast.net.**
- 3. Upcoming meetings:**
 - a. Thursday February 28:** West Slope Water Caucus; Colorado River district, 10:00-2:00. See notes below regarding the meeting agenda.
- 4. CBRT members present:** Kim Albertson, Paula Belcher, Jacob Bornstein, Art Bowles, Caroline Bradford, Stan Cazier, Tom Clark, Carlyle Currier, Mark Fuller, David Graf, Karl Hanlon, Diane Johnson, Mike McDill, Peter Mueller, Ken Neubecker, Chuck Ogilby, Jim Pokrandt, Ken Ransford, Mel Rettig, Rachel Richards, Karn Stiegelmeier, Mike Wageck, Pat Wells, Lane Wyatt, Bob Zanella.
- 5. Guests:** Ted Kowalski and Ray Alvarado of the CWCB, Dave Kanzer and Chris Treese of the Colorado River district, Steve Child Pitkin County Commissioner.
- 6. The CBRT has \$274,499 in the Colorado Basin Reserve Account has, and \$2,668,000 in the Statewide Reserve Account .** These amounts reflect the Grand County RICD award of \$100,000 and \$400,000 from the Basin and Statewide accounts, respectively, since it was approved by the CWCB at its March meeting.
- 7. Current river flows.**
- 8. Grant Update**
 - a. Grant County RICD.** Caroline Bradford reported that Grand County's \$500,000 RICD application has been received. She commended the CWCB board and staff for working with Grand County to approve the grant, and thanked CBRT members for their letters of support.
 - b. CWCB is promoting projects to improve agricultural water delivery.** The CBRT is actively soliciting grant applications to improve irrigation or head gates, for example. A meeting will be scheduled for Grand Junction to explain the program and solicit grants.
- 9. West Slope Water Caucus.**

- a. **West Slope roundtables are concerned that the IBCC scenario planning is not adequately expressing West Slope views.** IBCC representatives and Roundtable chairs from the 4 West Slope Roundtables including Stan Cazier and Carlyle Currier have been invited to attend, together with John Stulp from the Governor's office and CWCB Executive Director Jennifer Gimbel. The West Slope is concerned that scenario planning is leading toward a large trans-mountain diversion without properly addressing possible reduced future river flows due to climate change (hydrology) and the risk that a Compact Call could occur and how it will be borne by West Slope water users (risk management).

10. Bureau of Reclamation Colorado River Basin Water Supply and Demand Study.

- a. **Ted Kowalski of the CWCB and Dave Kanzer of the Colorado River District** reported on the "Basin Study" that was released 12/12/12. The study was written by the Bureau of Reclamation and representatives of the 7 Colorado River Basin states over 3 years, at a cost of \$4 million. The powerpoint presentation by Ted and Dave is available at the Colorado River District website.
- b. **Demand has now outstripped demand-** current demand is 15.3 million acre feet (MAF), 3% above the estimated current supply of 14.9 maf. When the Colorado River Compact was signed in 1922, supply was estimated at 17.2 maf. If Colorado River flows past Lees Ferry decrease 12%, supply would decline to 13.1 maf. The Bureau of Reclamation suggests this is likely due to increased warming in the Southwest by 2080 in Technical Report B released in February 2012 and discussed in the CBRT minutes on .
- c. **Population is expected to more than double from 35 million to 80 million people by 2060 in the Colorado River Basin.**
- d. **Irrigated agriculture is expected to decrease 15% from 5.5 to 4.7 million acres.**
- e. **Shortages are a matter of when, not if, particularly in the Lower Basin.** The Lower Basin, particularly California, has been using more than its 7.5 maf allotment. This was addressed in the 2007 protocol that addressed how much would be released from Lake Powell based on reservoir fill levels in Lake Powell and Lake Mead.
 - 1. The likelihood that the Lower Basin would have a shortage exceeding 1.5 maf is 30% before 2026, 64% before 2040, and 87% before 2060.
- f. **Upper Basin shortage is less likely.** Ted Kowalski stated that the chance of a Upper Basin call leading to a water curtailment is greater than zero. However, he stated that the study indicates that Colorado and the Upper Basin states were unlikely to face a curtailment until 2060.
 - 1. **Stan Cazier commented that Colorado ranchers haven't been told how a call would be administered.** He also said that certain crops cannot recover from not receiving water and are not good for water banking.
 - 2. An 8-year drought yielding 11.2 maf on average per year past Lees Ferry would lead to a Compact Call according to Ted. So would a 10-year average of 13.8 maf. If 20th

Century history repeats itself, Ted said that we're fine. But, tree ring studies demonstrate that earlier centuries experienced longer droughts, and a repeat of those could lead to Compact Calls.

- g. **The Law of the River enhancements were not addressed in the study.** The study, known formally as [*The Colorado River Basin Water Supply and Demand Study*](#), or the "Basin Study," did not assess proposals calling for legal and policy changes to the Law of the River. Rather, the study included a hotly negotiated disclaimer stating that the conclusions in the study could not be used in a courtroom. For more on this, see <http://www.bna.com/colorado-river-study-n17179872874/>.
 - 1. Karn Stiegelmeier recommended that the Southwest tie land use planning decisions to water supplies, but the Basin Study did not make policy recommendations such as this. Rather, that's up to the individual states to decide.
- h. **Water development is a zero sum game**, since water conservation savings by Upper Basin states will benefit Lower Basin states according to Ted Kowalski.
- i. **Is storage adequate?** The Colorado River Storage Project including Lake Powell, Navajo Reservoir, and the three dams on the Gunnison River known as the Aspinall Unit, provide 60 maf of storage, and reservoirs are half full, leaving 30 maf available for more storage. Thus, there's adequate storage to meet Lower Basin needs. However, Ted said that additional storage is needed in the Upper Basin to hold back water for additional Upper Basin development.
- j. **Are new supplies available from the Colorado River?** It depends on hydrology and mitigation according to Ted, where *hydrology* refers to how much precipitation falls in the Colorado River Basin, and *mitigation* refers to how much water must be left in the river to maintain river ecology.
- k. **We are doing well with climate change research, but less well regarding how to address it**, according to Dave Kanzer. Rachel Richards commented that oil shale development will lead to increased Colorado River demands and increased global warming.
- l. **Dust on snow** research has huge implications according to Dave Kanzer. Rachel Richards said that Club 20 has called for more public comments regarding dust mitigation in the Grand Junction BLM's Resource Management Plan. Curtailing ATV use in the Utah desert is one of many factors that could reduce dust events.

11. Colorado River Water Availability Study – Ray Alvarado works under Ted Kowalski in the Water Supply Protection Division at the CWCB. He discussed scoping for Phase 2 of the Colorado River Water Availability Study, or "CRWAS 2." The CWCB is taking comments on this until March 31, 2013.

a. Three tasks of Phase 2:

- 1. **Summarize existing information from prior studies without duplicating it.**

2. **Add information supplied by Roundtables**, such as where additional Municipal and Industrial development will take place. If supplies are inadequate, identify solutions such as additional storage, drying up agriculture, or water banking.
 3. **Determine how a Compact Call would affect river flows in basins and tributaries.** Lane Wyatt suggested that CRWAS 2 incorporate the Flow Evaluation Tool developed and funded by the Colorado Basin Roundtable. He said that transbasin diversions are the easiest solution, but cause the greatest harm to West Slope communities.
- b. **Until Identified Projects and Processes (IPPs) are developed**, it will be hard to determine the impact they will have on riparian ecology. Rachel Richards recommended that CRWAS 2 permit this type of “what if” scenario planning, and Ray Alvarado said CRWAS 2 is intended to permit this.
 - c. **Will minimum stream flows be a baseline in CRWAS 2?** Rachel Richards recommended this, and that the study permit users to model what river flows would be if conditional water rights were developed.
 - d. **Can CRWAS 2 permit what-if analyses of indoor and outdoor municipal conservation?** Karn Stiegelmeier recommended this. Steve Ryken of Ute Water said that Ute Water would consider this information proprietary and not release it.
- 12. Scenario planning update – Jacob Bornstein.** The IBCC discussed Scenario Planning at its November 15, 2012, meeting, and again on March 5, 2013. They have identified the following “No Regrets” strategies, suggesting that everyone would be happy if they were implemented.
- a. **No Regrets strategies.** A draft No Regrets action plan will be developed to incorporate:
 1. **Ag Dryup** is minimized in every basin. The South Platte could lose up to 40% of its irrigated agriculture.
 2. **New Supply** options to divert more water from rivers are preserved. Identify locations for potential new diversions, and prepare cost estimates for this and agricultural transfers.
 3. **Alternative transfer methods (ATMs)** to temporarily transfer water from agriculture to municipal use are preserved.
 4. **Low or medium conservation targets are achieved.** Recommend land use planning to achieve this.
 5. **Non-consumptive projects are implemented to protect riparian ecology.** Minimize Endangered Species listings and enhance recreational opportunities.
 6. **IPP success rate is high.**
 7. **New reservoir sites are identified.** Identify multi-purpose storage projects.

- b. **These no regrets strategies are contradictory according to Lane Wyatt.** For instance, diverting additional river water and implementing most of the IPPs could hamper non-consumptive projects to develop RICDs or maintain instream flows that keep rivers healthy. Ken Neubecker echoed this, stating that non-consumptive projects engender opposition from the CWCB, yet the West Slope is being asked to support new supply planning.

13. Legislative Update - Chris Treese, who represents the Colorado River District before the Colorado General Assembly, passed out a list of bills introduced this session that affect water rights. He said that the District typically takes positions only on bills that affect the District.

- a. **Irrigation Efficiency.** Gail Schwartz, Democrat Senator – Snowmass, and Rep. Randy Fischer, Dem- Fort Collins, sponsored SB13-019, which would have permitted farmers to develop efficient irrigation systems that require less water to be diverted from streams, without running the risk that water savings left in the stream would be abandoned.
 - 1. The bill was very controversial with Water Divisions 1, 2, and 3 (the South Platte, Arkansas, and Rio Grande Basins), so the bill language that protected farmers from abandoning water left in the stream was deleted. The Colorado Water Congress, a statewide lobbying group whose members include agricultural interests, cities, utilities, water attorneys, and engineers, agreed to study this issue further after the session and to bring a bill before the Water Resources Committee in the Summer of 2013 in advance of the 2014 legislative session. Colorado Basin Roundtable members are encouraged to participate in this process this summer.
 - i. Members of the South Platte Division 1 expressed concern that a West Slope rancher could use this statute to tie up water that would otherwise be available for diversion to the East Slope pursuant to conditional water rights held but not yet exercised.
 - ii. Members of the Arkansas Division 2 expressed concerned that water freed up through conservation would increase water consumed in agriculture and interfere with the Basin's Arkansas River delivery obligations to Kansas.
 - iii. Members of the Rio Grande Division 3 expressed concern that farmers whose allotted acreage has been cut back (because they and other farmers were irrigating too many acres as a result of aggressive groundwater pumping along the Rio Grande in the San Luis Valley) could use this statute to protect water rights for the land they were no longer irrigating. Or, farmers could decline to irrigate land and thereby leave additional water in the Rio Grande that would flow to New Mexico earlier than it normally did in the form of return flows that reached the stream in winter months, thus interfering with the Rio Grande Basin's delivery obligation to New Mexico under the Rio Grande Compact.
 - 2. The remaining bill permits ranchers in Water Divisions 4, 5, and 6 (Gunnison, Colorado, and Yampa-White) to enroll land in land conversation programs or in water conservation programs developed by cities and enacted by ordinance, but not risk abandoning their water rights due to the decreased use.

3. The bill reached Governor Hickenlooper's desk for signature on April 16, 2013.
- b. **Legacy Ditch bill.** This bill, sponsored by Sen. Mary Hodge, D-Brighton, and Rep. Jerry Sonnenberg, R-Sterling, and signed into law by Governor Hickenlooper on April 16, overrides two recent Colorado Supreme Court cases that ratcheted back water rights to the amount set forth in the original Water Court decree, rather than based on the actual acreage being irrigated. The Legacy Ditch bill provides that for all water rights with a decree before 1937, the amount of land served by the decree was the greatest acreage irrigated in the first 50 years after the decree was entered, provided the decree did not specify the acreage, and provided that no court case decreed the actual irrigated acreage. The Colorado River District opposed this because it limited the evidence that the Water Court could consider in a Water Court case, believing this was bad policy.

Study Appendix: Summary of Prior Meetings

December 12, 2005

The Bylaws of the Colorado River Basin Roundtable (CBRT) were approved.

Elect IBCC Round Table representatives Stan Cazier and Carlyle Currier.

January 23, 2006

1. Lyn Kathlene presented results from a survey of stakeholders on water issues in Colorado.
2. Eric Kuhn discussed Colorado Big Thompson project, the Blue River decree, and other water projects.
3. Louis Meyer made a motion that was seconded and approved that the CBRT break into subgroups at future meetings.

February 27, 2006

1. Small groups determined issues to address in future meetings.
2. Lane Wyatt presented the Upper Colorado Study.
3. Richard Proctor discussed the Grand Valley Water User's Association.
4. A motion was made by Mark Fuller, and seconded by Louis Meyer, and unanimously passed that all future projects that affect the Colorado River Basin, including those that have already initiated the permitting and DEIS process such as the Moffatt Tunnel and Windy Gap, be open for review and discussion by the Roundtable.

March 27, 2006

1. Discussion of short term and long term goals of the CBRT.

April 24, 2006

1. Karla Brown, outgoing Executive Director of the Colorado Foundation for Water Education, made a presentation regarding the Director's Notebook.
2. Subgroups presented goals. The four subgroups were:
 - Consumptive use
 - Non-consumptive use
 - Water availability
 - Education
3. Louis Meyer made a motion that was seconded and approved to discuss the topic of determining the baseline data for minimum stream flow needs in the Colorado River basin, for discussion at the May, 2006 meeting.

May 22, 2006

1. The Colorado Basin Roundtable decided that a quarterly meeting with other Roundtables is a good idea.
2. Presentation by Gary Severson, Executive Director of Northwest Colorado Council of Governments, on demographic trends in the Upper Colorado Basin.
3. Colorado Department of Natural Resources Handbook, *Water Supply and Needs Report for Colorado Basin*, was handed out.

June 26, 2006

1. Russell George, Director of Colorado Department of Natural Resources, presented a discussion on the \$10 million/year IBCC grant requests (\$40 million total).
2. Don Carlson of the Northern Colorado Water Conservancy District (Northern), discussed Northern's plan to take over the Bureau of Reclamation's operations and maintenance of the Colorado Big Thompson project, except for operations at the Green Mountain Reservoir.
3. Jim Pearce of the Colorado River Water Conservation District made a presentation on the Green Mountain Reservoir pump back.
4. A motion was made to request the Colorado congressional delegation to ensure that the Grand Junction office of the Bureau of Reclamation maintain oversight of the Green Mountain Reservoir operations and maintenance.

July 24, 2006

1. Bill Bates, Denver Water Board, discussed the 2006 Shoshone power plant agreement between the City of Denver and Public Service Company (Xcel) in which Denver secured a call reduction of up to 550 cfs at the Shoshone power plant between March 20 and May 20 each year in years that Denver Water's projected reservoir storage capacity is less than 80%. The actual water saved will vary from year to year, due to the complex relationship between Xcel's Shoshone call, downstream priorities, water availability at diversion points and actual native flow available in the stream. Dave Merritt estimates that the agreement may generate 6,000 to 10,000 maximum additional acre feet for Denver in any year that Denver Water's projected reservoir storage capacity is less than 80%.
2. Bob Smith, news anchor for KKCT television station in Grand Junction, made a presentation to promote Grand Valley Lake, a proposed 195,000 acre foot reservoir on Orchard Mesa.
3. The roundtable discussed recommendations to the CWCB for how to allocate the SB 179 \$10 million grants.
4. The roundtable unanimously agreed to revise the June 2006 resolution to recommend that the Grand Junction Bureau of Reclamation office manage Green Mountain Reservoir. The revised resolution recommends that the reservoir be managed by an unprejudiced agency in a fair and impartial manner.

August 26, 2006

1. Presentation by Connie Woodhouse, Tree Rings and Past Flows on the Colorado River.
2. IBCC Report: New IBCC subcommittees were created: (1) Needs Assessment Work Group to study

instream flows and water quality; (2) Education and Outreach: How to get public input back to the IBCC, so that special interest groups do not dominate; and (3) Water Supply Reserve Account Guidelines to determine how to allocate SB-179 grant money.

3. Changes to the SB 179 Grant Guidelines were discussed and agreed upon to forward to the IBCC and CWCB.

September 25, 2006

1. CBRT Bylaws were approved, and the officer slate was re-elected, with no change from the prior year to either the bylaws or the officer slate.
2. Subcommittees met to determine potential Water Supply Reserve Account grant applications.
4. Stan Cazier recommended that a representative from XCEL energy come to the November CBRT meeting to discuss Shoshone power plant operations, and that the CBRT discuss drafting the letter and meeting with Denver after that discussion. Ken Neubecker seconded the motion, and it passed unanimously.

October 23, 2006

1. The CBRT report to the legislature for 2005-06 was edited, with changes stressing that the CBRT believes SWSI inadequately addressed consumptive and nonconsumptive needs assessment and, in particular, failed to address energy development's impact on water supply and availability.
2. CDM (Camp Dresser McKee) was introduced as the engineering firm charged with performing the needs assessment.
3. Group broke out into consumptive and nonconsumptive groups to discuss SB 179 and HB 1400 grant requests, and decided to prioritize these at the November 2006 meeting.
4. No motions were voted upon. However, the CBRT members discussed and stated its strong belief that a basin wide needs assessment is needed.

November 27, 2006

1. The CBRT approved unanimously a motion by Lane Wyatt that CDM prepare a non-consumptive needs assessment of the Colorado River basin.
2. The CBRT approved unanimously a motion by Lurline Curran that the CBRT join the Arkansas, Denver Metro, and South Platte roundtables in requesting that SB 179 funds be used for a 10825 Water nonconsumptive needs assessment.
3. Tom Pitts, P.E., water user's representative for the Upper Colorado River Endangered Fish Recovery Program, discussed minimum stream flow requirements to protect endangered fish in the Colorado River through Garfield and Mesa Counties.
4. Tim Sarno, Town Manager of Palisade, and Pete Atkinson of WATER, requested \$100,000 from SB 179 to fund the Palisade whitewater park at the Price Stubbs roller dam just upstream of Palisade on the Colorado River. Decision on the grant request was postponed until the December CBRT meeting.

December 18, 2006

1. The CBRT voted on the following grant requests; 18 votes needed to forward to the CWCB for consideration:

| CBRT Approval to Spend CBRT \$ | CBRT Approval to Spend CWCB \$ | Applicant and Grant Purpose | CBRT Vote to spend CBRT Funds | CBRT Vote to spend CWCB Funds |
|--------------------------------|--------------------------------|---|-------------------------------|-------------------------------|
| \$40,000 | | Ruedi Power Authority – Roaring Fork Watershed Plan | 27 | 7 |
| 30,000 | | Grand County – Stream Management Plan methodology | 27 | 6 |
| | 250,000 | Eagle County – Increase Eagle Park Reservoir by 155 acre feet | | 24 |
| | 1,500,000 | Grand County – Purchase share in Vail Ditch | | 26 |
| | 300,000 | CBRT – Join with Yampa Roundtable for Energy Development Water Needs Assessment | | 25 |
| | 200,000 | CBRT – Join with Metro Denver and South Platte Roundtables for analysis of 10825 Water and Endangered Fish Recovery Program | | 25 |
| | | Bull Creek Reservoir Co. – Enlarge reservoir. \$150,000 request, did not pass | 13 | 16 |
| | | Palisade – Price Stubbs Roller Dam Whitewater Park - \$100,000 did not pass | 5 | 10 |
| | | | | |

2. A non-consumptive needs assessment working group was established to develop the parameters of a grant request for a non-consumptive needs assessment. Ken Neubecker, Rose Ann Sullivan, Louis Meyer, Bruce Hutchins, Phil Overeynder, Ken Ransford, Tom Hilleke, and Lane Wyatt volunteered to join this committee
3. Tom Clark, Greg Trainor, Mark Fuller and Mike Wajack formed an energy- needs assessment committee to study energy extraction impacts on Western Slope water.
4. The CBRT approved changes to Amendment 18 that was being discussed by the CWCB. Amendment 18 would permit the CWCB to set aside 20% of severance tax Revenue allocated to the Department of Natural Resources for new water projects. The CBRT voted to limit the scope that the severance tax revenues could be used for to the following types of water projects: “addressing compact calls, drought mitigation, endangered species, instream flows, river restoration, and recreation.”

January 22, 2007

1. The CBRT voted unanimously to send a letter to Governor Bill Ritter commending Russell George’s leadership in the roundtable process.
2. Ken Neubecker reported that a subcommittee met to discuss the non consumptive needs assessment required by HB 1177, and listed 8 areas the non-consumptive needs assessment should cover.
3. The 2006 Shoshone Reduction Agreement between Denver and Xcel energy was discussed, with presentations by Bill Bates, Randy Rhodes, Bill Sappington, Ken Neubecker, and David Graf.

February 26, 2007

1. Chips Barry, head of Denver Water, held a question and answer session with Eric Kuhn and other parties regarding the current mediation between Denver Water and several Western Slope water entities to address the Moffat firming project, and the Blue River Decree.
2. Kirby Wynn, USGS, and Cathy Kay, Western Colorado Congress, discussed water requirements for oil shale and mineral development on the Western Slope
3. Rick Brown, CWCB, discussed and suggested improvements to recent SB 179 grant applications.

March 26, 2007

1. James Pritchett, CSU agricultural economist, discussed the impact to local tax revenues if irrigated agricultural land is taken out of production when agricultural water uses are redirected for municipal and industrial uses.
2. Eric Kuhn, Colorado River Water Conservation District, discussed the potential impact of global warming on Colorado water resources, and the need for Colorado to determine how it will respond to a call on the river by lower basin states.
3. Ken Neubecker, Trout Unlimited, explained the components of a non-consumptive needs assessment.

April 23, 2007

1. Lynn Kathleen, PhD., conducted a network analysis survey funded by the IBCC Outreach and Education Subcommittee to determine spheres of influence among water stakeholders.
2. Rick Brown, CWCB, led a discussion of the grants requested by Grand County and the Roaring Fork Watershed Group, and whether the results of the studies funded by these grants could interfere with existing water rights.
3. John Sikora discussed the energy subcommittee's progress in determining energy development's water needs, and attempts to discover water rights owned by energy companies on the Colorado and White rivers.

May 21, 2007

1. Art Bowles presented a request for \$25,000 from the Basin Reserve Account for well monitoring equipment and a study in Missouri Heights, in Carbondale.
2. Irvin Johnson presented a request for \$120,000 from the Statewide Reserve Account to maintain and improve Bull Creek Reservoir No. 4.
3. Irvin Johnson presented a request for \$50,000 from the Basin Reserve Account to pay for engineering studies of Bull Creek Reservoir No. 5.
4. David Merritt of the Colorado River Water Conservation District and CBRT chair, discussed salinity and selenium in the Colorado River.

June 25, 2007

1. The Missouri Heights well monitoring grant request for \$25,000 from the Basin Reserve Account was approved with 22 votes in favor and 0 opposed.
2. The grant request to improve Bull Creek Reservoir No. 4 for \$120,000 from the Statewide Funding Account was approved with 22 votes in favor and 0 opposed.
3. The grant request to study the spillway at Bull Creek Reservoir No. 5 for \$50,000 from the Basin Funding Account was approved with 20 votes in favor and 1 opposed. Phil Overeynder opposed the grant request because he did not feel that Bull Creek Reservoir Company adequately explained how it would pay for the spillway improvements once the engineering studies were complete.
4. Jeff Baessler and Linda Basin made a presentation on Colorado's In Stream Flow program administered by the CWCB.
5. Eric Hecox of the CWCB made a presentation regarding progress on the Non Consumptive Needs Analysis (NCNA) study of water in Colorado.

July 23, 2007

1. Dave Merritt presented an overview of the Water Availability Study, designed to determine water available for current and future development in Colorado.
2. A handout described Aaron Million's Green River Pumpback proposal. A memo by Eric Kuhn encouraging the CRWCD Board to oppose the project until the consumptive, non-consumptive, and energy needs assessments are completed, and a response by Million's attorneys to allow the proposal to go forward and be evaluated under the NEPA process were also included.

September 24, 2007

1. Eric Hecox led a discussion of the Water Availability Study scope of work. Tyler Martineau and Ken Spann, Gunnison Roundtable members, attended and commented.

Handouts included the Bylaws for the CBRT, a 15-page Colorado River Water Availability Study Scope, September 12, 2007 draft, and a magazine by the Colorado Water Education Foundation regarding groundwater in the Denver Basin was distributed.

October 22, 2007

1. The CBRT held a joint meeting with the IBCC. Dave Merritt presented the major issues affecting the Colorado River Basin to the IBCC.
2. The minutes summarize water issues that concern counties represented in the Colorado Basin Roundtable. Tables in the minutes describe current transbasin diversions to the East Slope that total nearly 500,000 AF, and a list of Colorado River Basin reservoirs that total over 1,340,000 AF storage.
3. Dan Birch, a Yampa Roundtable member and engineer with the CRWCD, described the Yampa pumpback proposed by the NCWCD.
4. The proposed Green Mountain pumpback to pump water upstream to Dillon was discussed.

Handouts included an updated Colorado River Water Availability Study Scope, October 19, 2007 draft, a press release by the Colorado River District urging the State Engineer to delay adopting rules to administer a Compact Call until the Water Availability Study is completed, Dave Merritt's summary of Colorado Basin issues, and a summary of comments on the Water Availability Study that were sent to the CWCB.

November 26, 2007

1. John Redifer of the CWCB explained CWCB's proposed Policy 18, which would permit the CWCB to set aside 20% of its Severance Tax revenues to invest in water projects in return for water rights that the CWCB could sell or lease. The CWCB presently only holds water rights for Instream Flow (discussed at the June 2007 CBRT meeting).
2. Grant proposals were presented requesting \$327,900 from the CBRT Basin Account. To date, \$115,000 has been allocated from this account, and \$1 million is available over 6 years.

December 17, 2007

1. The CBRT Non-Consumptive Needs Assessment committee held a meeting that discussed the timetable of the Non-Consumptive Needs Assessment data would be collected (18 months), and a discussion of the data collection techniques to quantify minimum flows required to maintain healthy river ecosystems.
2. The CBRT approved grants totaling \$300,000 from the CBRT Basin Account and \$127,900 from the Statewide Account. To date, \$415,000 has been allocated from the CBRT Basin Account out of \$1 million total available over 6 years. The grants approved include:

| Proposal | CBRT \$ | CWCB \$ |
|---|-----------|-----------|
| Grand County Phase 2 Stream Flow Mgmt Plan | 100,000 | |
| Roaring Fork Watershed Study Phase 2 | 40,000 | |
| Old Dillon Reservoir Enlargement | 100,000 | |
| Fraser River Berthoud Pass sand collection facility | 60,000 | 127,900 |
| Total | \$300,000 | \$127,900 |

3. Jim Broderick, Executive Director of the Southeastern Colorado Water Conservancy District, Pitkin County Commissioner Rachel Richards, and Aspen City Engineer Phil Overeynder discussed the PSOP, or Preferred Storage Option Plan, for increased storage alternatives in the Fryngpan-Arkansas basin. The Southeastern Colorado Water Conservancy District recommends increasing dam heights to store 75,000 additional acre feet in Pueblo Reservoir and 14,000 additional acre feet in Turquoise Lake.

January 28, 2008

1. Scott Balcomb, Glenwood Springs attorney, discussed the Upper Colorado River Commission the Shortage Criteria recently adopted by the 7 states that are participants in the Colorado River Compact, and Colorado's need to develop a response to a forthcoming Compact Call.
2. The settlement between Denver and the Eagle Water and Sanitation District was discussed in which Eagle settled its lawsuit against Denver for failure to exercise due diligence in perfecting its conditional water rights. Denver relinquished conditional water rights it held in the Eagle River upstream of Minturn and in

the Eagles Nest Wilderness Area, but retained the right to develop the Wolcott Reservoir and fill it with withdrawals from the Eagle River and Piney River.

3. John Bickerman discussed the Global Settlement negotiations.

February 25, 2008

1. Stan Cazier and Carlyle Currier led a discussion of what the CBRT would like the Colorado River to look like in 50 years with respect to water supplies. Roundtable members recommended that sources of water be addressed in local land planning decisions; that agriculture should not be dried up to permit bluegrass lawns and ornamental shrubs on the Front Range; that agriculture should be preserved in Colorado; the Front Range conserve more water; and that the water availability, consumptive and non-consumptive needs analyses be completed before additional east slope diversions occur.
2. Mark Levorson of URS described the impact that natural gas drilling in Garfield County is having on water supplies. Drilling activities can permit saline water from deep water aquifers to migrate up through vertical fractures into potable water supplies, and permit saline plumes to migrate to the Colorado River.
3. A preliminary report on the energy demand water needs assessment was presented.

March 24, 2008

1. The CBRT discussed the CWCB's denial of the Roaring Fork Watershed and Grand County Stream flow Management Plan grant applications on the grounds that they constitute unacceptable challenges to Colorado water law.
2. Lane Wyatt reported on the Non-Consumptive Needs Assessment committee progress. The NCNA committee selected the Roaring Fork River and the Colorado River between Kremmling and Dotsero in order to do model NCNAs.
3. Rod Sharp discussed educational town meetings, and suggested that each CBRT Roundtable member schedule a town meeting in their area promoting the CBRT process.

April 28, 2008

1. Eric Kuhn discussed his draft "Vision for a West Slope Water Future."
2. The Grand County Stream Flow Management Plan, Phase II, was discussed by consultants Peggy Bailey and Thomas Wesche.

May 19, 2008

1. Carlyle Currier discussed efforts to conserve water consumed in agricultural operations.
2. Harris Sherman asked the Roundtable to address what the State should look like in 50 years and to comment on the IBCC/Roundtable process.
3. Rick Brown discussed SWSI Phase II.

4. Water Reserve Account grant requests were discussed.

| Proposal | CBRT \$ | CWCB \$ |
|--|-----------|-----------|
| West Divide Water Conservancy District proposal for feasibility study of 3 Thompson Creek reservoirs. | \$40,000 | |
| Battlement Reservoir #3 reconstruction to provide habitat for Colorado native Cutthroat Trout | 80,000 | |
| Membrane treatment study to result in zero level discharge and reduce wastewater byproducts to solids that can be stored in landfills. | 200,000 | 600,000 |
| Total | \$320,000 | \$600,000 |

September 22, 2008

1. Jewlya Lynn and Lyn Kathleen discussed how a board without legal authority such as the CBRT can make a difference. The CBRT discussed past issues that have been voted upon, and policies that could be decided upon in the future by the CBRT.
2. Eric Hecox gave an update on the IBCC vision statement.
3. The CBRT unanimously voted to oppose Amendment 52, which is designed to cap severance tax revenues to 1.7% of oil produced (this is the tax currently being levied) and to divert severance tax revenues from the Department of Natural Resources to funding improvements on Interstate 70.

October 20, 2008

1. Sherri Thompson, BLM Program Manager for the Programmatic Environmental Impact Statement (PEIS), discussed the PEIS. It is being forwarded to the governors of Utah, Wyoming and Colorado for their comments.
2. Greg Trainor reported the Phase 1 Final Draft of the Energy Water Needs Assessment commissioned by the Water and Energy Subcommittee. Estimates of water needed for energy development in the Colorado and Yampa-White River basins range from 30,000 to 410,000 acre feet, with oil shale accounting for 380,000 af. The Roundtable unanimously voted to approve the draft and forward it to the IBCC, the CWCB, and the Governor for consideration prior to his approving the PEIS.
3. Jewlya Lynn and Lyn Kathleen presented a model that the CBRT can use to adopt policies and to promote the policies to interested stakeholders. The CBRT used the model in approving the Phase 1 Energy Water Needs Assessment.

November 24, 2008

1. Lane Wyatt reported that the CWCB has declined to fund the Non-Consumptive Needs Assessment as required by House Bill 1177.
2. Eric Kuhn reported on the Colorado River Compact Curtailment Commission, which has been created to develop a statewide plan to respond to a Compact Call.

3. Jim Pokrandt reported on the 4 basin roundtable meeting in Gunnison on November 14, and discussed the CWCB's prediction that meeting the Gap will result in a 35-70% reduction in irrigated acreage in Colorado.

January 26, 2009

1. Eric Hecox and Jacob Bornstein reviewed the Vision Statement that is being presented to the CWCB and the IBCC.
2. The CBRT approved \$315,000 from the Basin Reserve Account to pay for a nonconsumptive needs analysis. The CWCB had earlier agreed to fund this, but failed to do the analysis, so the CBRT agreed to fund it. The goal is to develop a flow monitoring tool and to test it at 3 locations on the Colorado River between Pumphouse and Dotsero. If successful, the flow monitoring tool will be an inexpensive alternative to site specific analyses, which cost up to \$50,000 per site to determine river flows necessary to maintain riparian health. The grant proposal will be discussed by the CWCB at its March board meeting.

February 23, 2009

1. Eric Hecox and Jacob Bornstein discussed agricultural water issues statewide and as they pertain to the Colorado River basin.
2. Blaine Dwyer updated the CBRT on the progress of the Water Availability Study and requested input into the model and the assumptions that are being made in it.

April 27, 2009

1. Eric Hecox discussed Identified Projects and Processes including Aaron Million's Green River Pumpback, the Yampa Pumpback, and the Green Mountain Pumpback, as well as conservation efforts, and requested Colorado Basin Roundtable members to comment on them.
2. Denver Water and Northern discussed environmental mitigation efforts they are offering to preserve stream flows in the Upper Colorado River.
3. Eric Barber of the Arkansas Roundtable visited and requested that the CBRT spend \$15,000 to study whether Fry-Ark water can be stored in underground aquifers in the Arkansas Basin.
4. Ray Tenney, engineer with the CRWCD, described town meetings that have been held regarding Aaron Million's Green River Pumpback from Flaming Gorge Reservoir to Denver.

August 24, 2009

1. Chris Treese commented on progress in the global settlement negotiations, and on the IBCC meetings.
2. Ken Neubecker reported on progress of the water flow evaluation tool (WFET) and Front Range concerns about the use of the tool.
3. Kristen Maharg reported on the member survey results of the survey conducted by the Colorado Foundation for Water Education
4. The Roundtable voted unanimously to hold a workshop to explain the WFET to skeptical Front Range interests.

November 23, 2009

1. Chris Treese commented on progress in reaching an agreement for 10825 water.
2. The CBRT Voted unanimously to continue the non-consumptive needs analysis.
3. Bill Bates of Denver Water described Denver Water's proposed Moffatt Tunnel firming project. The CBRT Voted unanimously to draft a response to the EIS created for the Moffatt Tunnel firming project.
4. Clark Anderson of the Sonoran Institute discussed linking water supplies to future land development proposals.
5. Mark Nieslanik on behalf of the Tybar Ranch owned by Betsy Considine requested \$100,000 from CBRT Basin Reserve Account to construct a spillway and repair broken pipe at the outlet of Dinkle Lake, southeast of Carbondale on the north flank of Mr. Sopris. The CBRT voted this down.
6. Tim Beck on behalf of Spring Valley Holding LLC, which owns and plans to develop 6,000 acres into a residential PUD, requested funds to improve Hopkins Reservoir 6 miles east of Glenwood Springs. The CBRT voted this down.

January 25, 2010

1. A CBRT response prepared by Karn Stieglemeier, Summit County Commissioner, to the Army Corps of Engineers Environmental Impact Statement for Denver Water's 18,000 acre foot proposed diversion from the Upper Fraser River into the Moffatt Tunnel collection system was discussed.
2. Louis Meyer described the threat of emerging contaminants in the river.
3. The CBRT voted unanimously to request the Army Corps of Engineers to extend the comment period for the Environmental Impact Statement beyond March 1, 2010.

February 22, 2010

1. CBRT members discussed the response to the 18,000 AF Moffatt diversion EIS.
2. The CBRT voted unanimously to send a brief comment to the Army Corps regarding the Draft EIS for the Moffatt diversion, and more extensive comments to remaining roundtables.

March 22, 2010

1. Rachel Richards made a motion to send a letter to not permit mercury waste to be stored in Mesa County due to its potential interference with Colorado water supplies, and Karn Stiegelmeier seconded it. It passed unanimously.
2. Eric Kuhn and Lurline Curran updated the CBRT on the settlement negotiations.
3. Jacob Bornstein updated the CBRT on anticipated Western Slope population growth and water needs.

May 24, 2010

1. The meeting of the 4 western slope roundtables on May 10 and the Colorado River Water Availability Study (CRWAS) Phase I report were discussed.

2. Water supply Reserve Account applications were introduced to be voted on at the June meeting.
3. Jacob Bornstein updated the CBRT on the CRWAS.

June 28, 2010

1. Drew Beckwith and Bart Miller of Western Resource Advocates discussed municipal water savings from conservation.
2. Kathleen Curry and Alex Davis led a discussion of potential legislative changes to water law.
3. Water supply Reserve Account applications were introduced to be voted on at the June meeting.
4. Jacob Bornstein updated the CBRT on the CRWAS.

July 26, 2010

1. Ben Harding and Shaden Musleh of AMEC summarized Phase 1 of the Energy Water study, which suggests that up to 150,000 acre feet will be needed for a high production oil shale scenario. Greg Trainor made a motion to accept Phase 1 of the Energy Water Study, Caroline Bradford seconded it, and it passed unanimously.
2. Viva deHaza and Kevin Reidy provided an update on the CWCB's estimate of water available from conservation practices over the next 40 years.
3. The CBRT voted 16 to 2 to spend \$25,000 of the CBRT Basin Reserve Account to produce an issue by the Colorado Foundation for Water Education devoted to the Colorado River Basin issues.

September 27, 2010

1. The CBRT voted unanimously to oppose Amendments 60, 61, and 101.
2. Jacob Bornstein of the CWCB explained the 2010 SWSI update. Caroline Bradford made a motion to grant more time to comment on the 2010 SWSI update, Rachel seconded it, and the CBRT members unanimously agreed.
3. **The Best Practices Water Efficiency Guide** for municipal water providers that Bart Miller and Drew Beckwith of Western Resource Advocates discussed at the June 2010 CBRT meeting is now available; it can be downloaded at <http://coloradowaterwise.onefireplace.org/>.

October 25, 2010

1. The NCNA flow evaluation tool was discussed by John Sanderson of The Nature Conservancy and Nathan Fey of American Whitewater.
2. Chris Landry described the dust on snow studies he is performing, concluding that additional dust on Colorado's snowpack is accelerating the snowmelt by as much as 30 days and causing additional evapotranspiration losses of 5% of the Colorado River flow past Lee Ferry.
3. Eric Kuhn updated the CBRT on the Global Settlement negotiations and on the IBCC Vision Statement.

November 22, 2010

1. The Headwaters Magazine issue devoted to the Colorado Basin was discussed.
2. The IBCC process was discussed, and whether it was intended to be top-down where the IBCC dictates to the roundtables (which the CWCB staff prefers), or bottom up, where Roundtables direct the IBCC. The answer isn't clear, although it appears to be leaning to the former top-down style.
3. Dennis Reich of CSU Extension discussed a WSRA grant request to hire an intern to audit, sample, and test irrigation practices.

January 25, 2011

1. The NCNA flow evaluation tool was discussed by Lane Wyatt.
2. Heather Bergman gave a survey to CBRT members to poll them about their opinion of the Roundtable process.
3. Member comments were summarized from the IBCC Vision Statement at the January 25 CBRT Roundtable meeting, the February 25 public comment meeting, and at the March 3 all-Roundtable meeting in Denver.

March 28, 2011

1. Member comments were summarized from the IBCC Vision Statement at the January 25 CBRT Roundtable meeting, the February 25 public comment meeting, and at the March 3 all-Roundtable meeting in Denver.

April 25, 2011

1. Russ George was introduced as the Western Slope's representative to the CWCB.
2. Eric Kuhn described the Global Settlement to be made public April 28, 2011.
3. Western Resource Advocates and the Colorado Environmental Coalition described Filling the Gap, an alternative approach favored by environmentalists to produce 573,600 af of new supplies to 2050 in order to fill the 600,000 af gap.
4. Jacob Bornstein described the Colorado Vision Statement report to the Governor required of each Roundtable by June 30.

May 23, 2011

1. Lane Wyatt and Nicole Rowan described the Flow Evaluation Tool developed with a CBRT Water Supply Reserve Account grant of \$315,000 awarded in January 2009.
2. Jim Pokrandt and Jason Bornstein led a discussion of the Colorado Basin Roundtable Vision Statement to be submitted to Governor Hickenlooper by June 30, 2011.

June 27, 2011

1. Taryn Hutchins Cabibi of the CWCB reported on CWCB's plans to develop a better drought severity index.
2. Ray Alvarado of the CWCB led a panel discussion of CBRT comments made in July 2010 the Colorado River Water Availability Study (CRWAS).
3. Lane Wyatt updated the CBRT on the non consumptive flow evaluation tool progress.

July 25, 2011

1. Ken Neubecker reported on the Flaming Gorge Task Force that is being created; the Roundtable voted to participate in the task force and to allocate \$5,000 for each of up to two CBRT members to travel to task force meetings. Ken Neubecker agreed to be one member and the other must be selected by October 20.
2. Lane Wyatt reported on the NCNA flow evaluation progress and concerns by Front Range water suppliers that it could be used to grant a water right to the environment.
3. The Roundtable discussed whether to take a position on the Colorado River Cooperative Agreement and voted 9-3 to remain neutral.

September 26, 2011

1. Stan Cazier reported on CWCB deliberations whether to fund phase 2 of the Colorado River Water Availability Study, which would determine how much Colorado River water is available for future development in Colorado if current IPPs are done. Chuck Ogilby motioned and Rachel Richards seconded that the CBRT recommend funding of Phase 2, and the motion passed unanimously.
2. Jim Pokrandt demonstrated the CWCB's new portfolio tool that indicates the tradeoffs that must be made between agricultural dryups, conservation savings, and new supplies in order to fund the Colorado Basin's projected water gap by 2050.
3. Carlyle Currier reported on the Oregon field study funded by the Walton Family Foundation and sponsored by the Water Center at CSU to learn about Oregon's conserved water program, where farmers adopt irrigation efficiency programs and retain 75% of the additional water saved and 25% is devoted to Oregon's instream flow program.

October 24, 2011

1. The CBRT unanimously approved a \$29,700 grant funded solely by the CBRT Water Supply Reserve Account for an education program.
2. Veva Deheza (veva.dehyeza@state.co.us 303-866-3226) CWCB Conservation Program chief discussed the CWCB's water conservation efforts.

3. Nicole Rowan discussed the Flow Evaluation Tool.

November 14, 2011

1. Joint roundtable meeting with the Denver Metro Roundtable.
2. Denver Water unveiled its own portfolio tool, and it indicates that Denver Metro demand by 2050 will increase 75-135% and call for 330,000 to 586,000 additional af.
3. Denver expects to generate 18,000 af through reuse of existing diversions to the Front Range, and 51,000 af out of 85,000 additional future diversions to the Front Range.

January 9, 2012

1. Drew Beckwith of Western Resource Advocates critiqued the Denver Metro conservation plan discussed at the Joint Roundtable meeting in November 2011.
2. Ken Ransford presented a demand portfolio tool to estimate the gap by varying future indoor and outdoor gpcd demand.

February 6, 2012

1. Ted Kowalski described the role the CWCB plays in developing Colorado River supplies and in managing releases from Lakes Powell and Mead. He recommended that CBRT members review the US Bureau of Reclamation's February 2012 water availability study, which concludes that Colorado River runoff past Lees Ferry is likely to decline 9% over the next 70 years due to increasing temperatures.
2. The CBRT unanimously voted to grant \$30,000 from the CBRT Reserve Account to fund part of a design study to restore 2.25 miles of the Swan River above Breckinridge damaged in dredging operations.
3. The CBRT unanimously voted to grant \$36,000 to CSU for a 4-year study of drip vs. underground pipe irrigation for alfalfa in the Grand Valley, to study its use in deficit irrigation, and its effect on salt and selenium migration to the Colorado River.
4. Members discussed the forthcoming portfolio presentation at the March 1 statewide roundtable summit.

July 23, 2012

1. Jacob Bornstein unveiled 10 Scenarios developed by the CBRT to address the Gap.
2. The Watershed Flow Evaluation Tool (WFET) final report was released by CDM.
3. The CBRT Roundtable approved \$256,080 statewide grants from the CBRT Basin Reserve Account and \$1,330,993 from the CWCB Statewide Water Reserve Account to fund Non Consumptive Need projects.

September 24, 2012

1. Becky Long of the Colorado Environmental Coalition discussed the Filling the Gap report prepared by Western Resource Advocates, the Colorado Environmental Coalition, and Colorado Trout Unlimited.
2. Caroline Bradford reported that the CWCB tabled their discussion of Grand County's Recreational In Channel Diversion (RICD) application for Water Reserve Account Grant Funds.

October 22, 2012

1. Jacob Bornstein presented the CWCB's latest water gap Scenario Planning
2. The Colorado River Cooperative Agreement was discussed. The Grand Valley Water Users Association and the Colorado River District have not yet signed the agreement.
3. The minutes include a summary by Ken Ransford of comments made by CWCB officials regarding Colorado River water availability, which were made at a water conference at Colorado Mesa University on November 8-9, 2012.

December 3, 2012

1. Water conservation was the topic of a joint roundtable meeting in Silverthorne. The discussion involved what levels of conservation were reasonable to achieve, and the progress that Front Range cities were making in achieving low, medium, or high levels of conservation.
2. Rick Brinkman of Grand Junction discussed the region's water conservation education campaign.

January 14, 2013

1. Mark Wagge of Denver Water and Metro Roundtable Chair Mark Koleber of the City of Thornton discussed the Denver Metro Roundtable White Paper regarding future water planning for the Front Range.
2. Ken Neubecker discussed the recommendations proposed by the Flaming Gorge Task Force for new supply development in Colorado.

February 22, 2013

1. Ted Kowalski of the CWCB and David Kanzer of the Colorado River District discussed the US Bureau of Reclamation's Colorado River Water Availability Study, released a12/12/12. The study concludes that Colorado River Basin demand now outstrips available supply by 3%, and predicts that this imbalance will grow as the region's population increases from 35 million to 80 million inhabitants.
2. Ray Alvarado of the CWCB discussed scoping for Phase 2 of the Colorado River Water Availability Study ("CRWAS 2"). Phase 2 will consider input from Basin Roundtables and attempt to model what rivers will look like if conditional water rights and IPPs are developed.

3. Jacob Bornstein of the CWCB discussed “no regrets” targets identified by the IBCC for future statewide water supply planning.
4. Chris Treese of the Colorado River District discussed water bills before the legislature. Gail Schwartz’ bill to permit ranchers to leave efficient irrigation savings in the stream was amended to delete this controversial provision. The Legacy Ditch bill was passed, which requires a Water Court to hold that the maximum irrigated acreage in the first 50 years after a water decree was issued shall be deemed to be the actual irrigated acreage for pre-1937 water decrees, provided the decree did not already specify the acreage and provided that a court case did not otherwise decree the irrigated acreage.

Glossary

10825 water. The Bureau of Reclamation designated 10,825 acre feet in Ruedi Reservoir as being available to support the Endangered Fish Recovery Program (EFRP). This was discussed at the November 2006 CBRT meeting. In an agreement scheduled to expire 12/31/09, Denver Water has voluntarily released ½ of that amount, or 5,412.5 cfs, from Williams Reservoir, and the Colorado River Water conservation District has released the remaining 5,412.5 cfs from Wolford Reservoir. If the agreement is not extended beyond 2009, prior water project approvals which permitted water appropriations from the Colorado River may not comply with the Endangered Species Act, and may be called into question. See www.grandriver.us/10825 for a history of the 10825 program

20% Gap. The CBRT created the Statewide Water Supply Initiative (SWSI) to study long term water needs in Colorado. SWSI Phase 1 determined that by 2030, there would be 20% greater demand than supplies existing in 2005; this is known as the 20% Gap.

Aspinall Unit. The Aspinall Unit includes three reservoirs on the Gunnison River: (1) Blue Mesa Reservoir, designed for water storage; (2) Morrow Point Reservoir, a dam with a lot of head in a narrow canyon designed to generate hydroelectric power; and (3) Crystal Reservoir, which collects Morrow Point Reservoir releases and moderates further releases into the Gunnison River at more constant flow levels.

Blue Mesa Pump Back. A proposal to drill a tunnel below the Collegiate Range to transport water from Blue Mesa Reservoir on the Gunnison River to the Eastern Slope.

Blue River Decree. A conditional water right granted to Denver Water to withdraw water from Dillon Reservoir through the Roberts Tunnel into the North Fork of the South Platte River.

CBRT: Colorado Basin Roundtable

CDM: Camp, Dresser, McKee, the engineering firm selected by CWCB to assist the Roundtables in perform the needs assessment called for in Section 35 75-104(2)(c), CRS (as created in HB 1177) .

CDSS: The Colorado Decision Support System, a computer modeling program developed by the CWCB that predicts river flows in Colorado. The CDSS is accessed at:
<http://water.state.co.us/pubs/datasearch.asp>.

CRWCD – The Colorado River Water Conservation District. This State Agency was founded in 1937 in response to plans by Denver Water and the NCWCD to divert Colorado River water to the Eastern Slope through the Adams and Moffatt Tunnels. The CRWCD was chartered to be "the appropriate agency for the conservation, use and development of the water resources of the Colorado River and its principal tributaries in Colorado." The CRWCD's office is in Glenwood Springs.

CWCB - Colorado Water Conservation Board: This is an agency of the State with a board appointed by the governor. It was created in 1937 for the purpose of aiding in the protection and development of the waters of the state. The agency is responsible for water project planning and

finance, stream and lake protection, flood hazard identification and mitigation, weather modification, river restoration, water conservation, drought planning, water information and water supply protection. It is the sole entity which can receive grants of conservation easements of water flows. It also administers grants from the Water Supply Reserve Account called for by SB 179.

Compact call. A call by Lower Basin States (California, Arizona and Nevada) that would require Upper Basin States (Colorado, Utah, Wyoming, and New Mexico) to limit diversions from the Colorado River and its tributaries. No Compact Call has ever been made.

Colorado River Compact - the 1922 agreement among the Colorado Basin States, and ratified by Congress in 1929. It was based upon an assumption that the average annual flow in the Colorado River at Lee Ferry is at least 15 million acre feet (maf), and that the Upper and Lower Basins would each receive 7.5 maf, to be divided among the Basins as they agreed. The 1922 agreement was predicated upon a concern that development in California was outpacing development in every other Western state, and that California would appropriate most Colorado River water unless changes were implemented to recognize the rights of each state to develop a certain amount of water in their own time frame.

Conditional water rights. Water rights that are not yet developed, but represent an intent to develop for a specific purpose in the future. They establish a priority date over later granted water rights.

Endangered Fish Recovery Program. Four fish, the Colorado pikeminnow, Razorback sucker, Humpback chub, and Bonytail, are listed as endangered species; they reside in the Colorado, Yampa-White, and Green Rivers.

Energy Development Water Needs Assessment. A study that estimates the water required for energy development in the Colorado and Yampa-White basins. The study was commissioned by the Colorado and Yampa-White Basin Roundtables and paid for by a \$300,000 Water Supply Reserve Account grant. Phase 1, released in October 2008, estimated that 30,000 af to 410,000 af is needed for energy development, with potential oil shale production accounting for about 380,000 acre feet of this. Phase 2 addresses where the water is likely to come from; it will consider the impact of redirecting the extensive conditional and absolute water rights already owned by energy industry to energy development.

Firming project. The process of transforming a conditional water right to an absolute water right. It includes legal adjudications in water court and also the construction of storage facilities or diversion points to actually put the water to beneficial use. A water right is firm if there is sufficient water to satisfy the right, such as a pool of water in a reservoir designated to satisfy the right.

Green Mountain Pumpback. 300 cfs would be pumped from Green Mountain Reservoir to Dillon Reservoir with a yield of 53,000 AF. This would permit Denver Water to divert more Dillon Reservoir water through the Roberts Tunnel to the North Fork of the South Platte. A new reservoir is sited at Wolcott to hold 25,000 to 85,000 AF to replace releases that will no longer be made from Green Mountain Reservoir down the Blue River. A pumping plant on the Eagle River with 250 cfs pumping capacity would fill the proposed Wolcott Reservoir.

Green River Pumpback. A proposal by Aaron Million to divert water from the Flaming Gorge

Reservoir on the Green River and pump it east along Interstate 80 and then south along Interstate 25 to the Front Range.

House Bill 1177: Passed in 2005 by the Colorado legislature, this sets up nine roundtables around in the following drainages to discuss how to meet the water demands by year 2030:

Western Slope

Colorado
Yampa-White
Gunnison
San Juan

Eastern Slope

Arkansas
Rio Grande
North Platte
South Platte
Denver Metro

HB 05-1177 permits basins to study and implement voluntary transfers between basins in Colorado, while reaffirming existing water rights and the prior appropriation system. It states in relevant part:

37-75-102. Water rights - protections. (1) It is the policy of the General Assembly that the current system of allocating water within Colorado shall not be superseded, abrogated, or otherwise impaired by this article. Nothing in this article shall be interpreted to repeal or in any manner amend the existing water rights adjudication system. The General Assembly affirms the State Constitution's recognition of water rights as a private usufructuary property right, and this article is not intended to restrict the ability of the holder of a water right to use or to dispose of that water right in any manner permitted under Colorado law.

HB 1177 has 5 stated goals:

1. Consumptive needs analysis
2. Non- Consumptive needs analysis
3. Water availability study
4. Solve the 20% gap
5. Public education of water issues facing Colorado

Hydrologic Study: A study of how much water flows down a river or an underground basin.

In-stream flow. A flow rate appropriated by the Colorado Water Conservation Board which represents the amount of water deemed necessary to protect the environment to a reasonable degree. This determination takes into consideration the availability of water under water rights administered. An In-Stream Flow right is administered in priority, along with all other water rights on the stream.

Identified Projects and Processes (IPPs). These are water diversion and storage processes that have been identified by the CWCB in each major river basin in Colorado that provide additional water to meet future municipal and industrial (M&I) water needs. The IPPs are in various stages of development, and are projected to provide about 500,000 additional acre feet. Many are expansions of existing water projects. The CWCB estimates that Colorado will need up to 1.75 maf under a high growth scenario in 2050.

Maybell Pump Back: A proposal by the Northern Water Conservancy District to pump water from the Yampa River to the Eastern Slope.

Mitigation: Efforts required to maintain stream health or to prevent an Endangered Species to become extinct.

NCNA: Non consumptive needs assessment conducted pursuant to HB 1177 to determine the amount of water needed to meet environmental and recreational uses.

Northern or NCWCD: The Northern Colorado Water Conservancy District, the agency that contracts for delivery of water from the Colorado Big Thompson Project that diverts water from the Upper Colorado River at collection facilities in Grand County for distribution to the eastern slope.

PHABSIM: Physical habitat simulation. A technique developed in the 1970s by the US Fish and Wildlife Service to determine optimal and critical river flows necessary to maintain healthy river ecosystems. A river site is first selected that has favorable fish habitat. At each selected site, river volumes are measured at ten transects (a transect is a line across the river that is perpendicular to the river flow), at 3 different times during high, medium and low flows from early spring to late fall. A Habitat Suitability Curve is developed for each site that indicates critical flows below which fish habitat is imperiled.

PBO: A Programmatic Biological Opinion for the Recovery of the Endangered Colorado River fish, which requires a number of measures which function as “reasonable and prudent alternatives” for diversions that would otherwise harm endangered fish in the Upper Colorado River.

Produced Water: This is water that has been produced from human activity, such as water reclaimed through sewage treatment, or water which has been pumped to the surface in the course of coalbed methane drilling activities.

PSOP: The Preferred Storage Option Plan, a series of water storage options to capture additional water from the Fryingpan and Roaring Fork River drainages for delivery to the Eastern Slope, discussed at the November 2007 CBRT meeting. PSOP essentially refers to increasing the height of existing reservoirs in the Arkansas River drainage so that they can capture more water diverted from the Roaring Fork and Fryingpan drainages. Front Range municipalities have long-filed conditional water rights to capture additional water but, without PSOP, they have no means to collect and store the additional diversions.

RICD: Recreation In Channel Diversion. A water right awarded in order to protect recreational boating in the river.

Shoshone Call: Xcel energy has a call on the Colorado River with a priority dating to 1907 permitting it to run 1,250 cfs through the Shoshone power plant turbines. In 2006, Xcel and Denver Water entered into an agreement which permits Denver to reduce the call by 704 cfs at the Shoshone power plant between March 20 and May 20 in years that Denver Water’s projected reservoir storage capacity is less than 80%; discussed at the July 2006 CBRT meeting.

Substitution. The Blue River Decree requires that Denver Water and Colorado Springs Utilities

provide water to Green Mountain Reservoir on the Blue River so that there is sufficient water to meet late summer agricultural calls by ranchers whose water rights are superior to the 1937 decreed Colorado-Big Thompson diversions. In dry years that Green Mountain Reservoir may not fill (about one in seven on average), Colorado Springs is required to release water out of Williams Reservoir and the Blue River to meet its obligation to keep Green Mountain Reservoir full. The Bureau of Reclamation initiated an EIS process in 2008 to determine whether Colorado Springs Utilities may meet its Substitution obligation by releasing water from Wolford Mountain Reservoir north of Kremmling or from Homestake Reservoir west of Vail. For more information about this EIS, see http://www.usbr.gov/gp/ecaofinal_bluervr_newsletter.pdf

SWSI: CWCBC manages the Statewide Water Supply Initiative (SWSI), which was created to study long term water needs in Colorado after the Big Straw Initiative failed in 2003.

Upper Colorado River Commission: A commission created in 1948 pursuant to the Upper Colorado River Compact of the four Upper Basin States: Colorado, Wyoming, Utah and New Mexico. It controls the Colorado River upstream of Lees Ferry, and is charged with monitoring that each the Upper Basin state delivers its quota toward the 75 maf required to be delivered to the Lower Basin states every 10 year period.

Water Availability Study: SB 07-122 appropriated \$500,000 to study the extent of Colorado water available for current and future needs. The Water Availability Study is designed to identify whether Colorado still has water available under the 1922 Colorado River Compact for development, and what risks are associated with developing it. Phase 1 of the Water Availability Study is expected to be completed by July 2009.

Water Supply Reserve Account: Senate Bill 179, passed in 2006 by the Colorado legislature, allocates \$10 million per year for four years to be allocated among the 9 roundtables to pay for water projects or studies.

Wolcott Pumpback: A plan to build a reservoir on a tributary to the Eagle River near Wolcott. This would store water that could be exchanged back to Dillon Reservoir to enhance Denver Water's yield from the Blue River (Dillon Reservoir/Roberts Tunnel).

Yampa Pumpback: A proposal to pump 300,000 acre feet from the Yampa River near Maybell to the Front Range, first discussed in detail at the November 2407 CBRT meeting.

Summary Table of Grant Requests and Funding Decisions

| CBRT Approval to Spend CBRT \$ | CBRT Approval to Spend CWCB \$ | Applicant and Grant Purpose | CBRT Votes for/opp'd to spend CBRT Funds | CBRT Votes for/opp'd to spend CWCB Funds | CBRT Vote Date | Date CWCB Approved or Denied | Amount CWCB Approved |
|---|---|---|---|---|----------------------|---------------------------------------|----------------------------|
| \$40,000 | | Ruedi Power Authority – Prepare Roaring Fork Watershed Plan | 27 | 7 | 12/18/06 | Approved 3/23/07 | 100% |
| | | Grand County – Stream Management Plan methodology. \$30,000 approved, but Grand County turned down due to CWCB constraints. | 27 | 6 | 12/18/06 | Approved 3/23/07 | 100% |
| | 250,000 | Eagle County – Increase Eagle Park Reservoir by 155 acre feet | | 24 | 12/18/06 | Approved 3/23/07 | 100% |
| | 1,500,000 | Grand County – Purchase shares in Vail Ditch | | 26 | 12/18/06 | Approved 3/23/07 | 100% |
| | 300,000 | CBRT – Join with Yampa Roundtable for Energy Development Water Needs Assessment | | 25 | 12/18/06 | Approved 3/23/07 | 100% |
| | 25,000 | CBRT – Join with Arkansas, Metro Denver and South Platte Roundtables for analysis of 10825 Water and Endangered Fish Recovery Program | | 25 | 12/18/06 | Approved 3/23/07 | 100% |
| | | Bull Creek Reservoir Co. – Enlarge reservoir. \$150,000 request, did not pass | 13 | 16 | 12/18/06 | | |
| | | Palisade – Price Stubbs Roller Dam Whitewater Park - \$100,000, did not pass | 5 | 10 | 12/18/06 | | |
| 25,000 | | Missouri Heights well monitoring program | 22 / 0 | | 6/25/07 | Approved 8/15/07 | 100% |
| 50,000 | | Bull Creek Res. #5 spillway analysis | 20 / 1 | | 6/25/07 | Approved 8/15/07 | 100% |
| | 120,000 | Bull Creek Res. #4 reservoir improvements | | 22 / 0 | 6/25/07 | 8/15/07 failed | 0% |
| 100,000 | | Grand County Phase 2 Stream Flow Mgmt Plan | | 19/0 | 12/17/07 | | |
| 40,000 | | Roaring Fork Watershed Study Phase 2 | | 20/0 | 12/17/07 | | |
| 100,000 | | Old Dillon Reservoir Enlargement | | 17/2 | 12/17/07 | | |
| 60,000 | 127,900 | Fraser River Berthoud Pass sand collection facil | 16/3 | 11/2 | 12/17/07 | | |
| \$415,000 | \$2,322,900 | Total this page | | | | | |

| CBRT Approval to Spend CBRT \$ | CBRT Approval to Spend CWCB \$ | Applicant and Grant Purpose | CBRT Votes for/opp'd to spend CBRT Funds | CBRT Votes for/opp'd to spend CWCB Funds | CBRT Vote Date | Date CWCB Approved or Denied | Amount CWCB Approved |
|---|---|---|---|---|----------------------|---------------------------------------|----------------------------|
| 40,000 | | West Divide Water Conservancy District proposal for feasibility study of 3 Thompson Creek reservoirs. | | | 5/19/08 | Approved June 2008 | |
| 80,000 | | Improve Battlement Reservoir #3 to protect Native cutthroat trout habitat | | | 5/19/08 | Approved June 2008 | 100% |
| 315,000 | | Develop flow evaluation tool (FET) and conduct 3 site assessments on the Colorado River between Pumphouse and Dotsero to test the FET. | 18/1 | | 1/26/09 | | \$.315,000 |
| | | Tybar Ranch owned by Betsy Considine requested \$100,000 to construct a spillway and repair the outlet pipe at Dinkle Lake 8 miles southeast of Carbondale. | | | Dec. 2009 | Turned down | |
| | | Tim Beck on behalf of Spring Valley Holding LLC, which owns and plans to develop 6,000 acres into a residential PUD, requested funds to improve Hopkins Reservoir 6 miles east of Glenwood Springs. | | | Dec 2009 | Turned down | |
| 25,000 | 175,000 | \$200,000 grant to pay for improvements to repair the Grand River Ditch above Silt that was blown out in the 2009 runoff, \$25k from CBRT and \$175k from CWCB. | 12/8 | | June 2010 | CWCB rejected \$175,000 July 2010 | \$25,000 |
| 50,000 | 175,000 | Improve Lede Reservoir to provide a water supply for Gypsum's future growth. | 17/3 | | June 2010 | July 2010 | \$225,000 |
| 25,000 | | Colorado Headwaters issue in June 2011 devoted to Colorado Basin issues. | 16/2 | | July 2010 | July 2010 | \$25,000 |
| \$2,000 | 7,143 | Pay \$5,000 for up to 2 CBRT members' travel costs to attend Flaming Gorge Task Force mtgs. | 11/1 | | July 25, 2011 | | 9,143 |
| \$537,000 | \$182,143 | Total this page. | | | | | |

| CBRT Approval to Spend CBRT \$ | CBRT Approval to Spend CWCB \$ | Applicant and Grant Purpose | CBRT Votes for/opp'd to spend CBRT Funds | CBRT Votes for/opp'd to spend CWCB Funds | CBRT Vote Date | Date CWCB Approved or Denied | Amount CWCB Approved |
|---|---|---|---|---|----------------------|---------------------------------------|----------------------------|
| | | | | | | | |
| \$30,000 | | \$30,000 toward a design plan to restore 2.25 miles of Swan River upstream of Breckinridge that was damaged by dredging in 199. | 24/0 | | Feb 6, 2012 | Mar 2012 | 30,000 |
| \$46,894 | | \$36,000 to CSU Extension to study water savings from drip irrig system in Grand Valley. | 24/0 | | Feb 6, 2012 | Mar 2012 | 46,894 |
| \$60,000 | | Robinson Ditch Company - \$120,000 was requested to pay for ditch improvements to line 100 feet of the ditch each year for 4 years (ditch owners are paying \$140,000). The requested grant of \$120,000 was reduced to \$60,000. | 14 | 3 | 7/23/12 | Sep 2012 | 60,000 |
| 100,000 | \$400,000 | Grand County – Study to evaluate a Recreation In Channel Diversion (RICD) at Pumphouse on the Colorado River. | 17 | 0 | 7/23/12 | Jan 2013 | 500,000 |
| 42,726 | 207,274 | Tamarisk Coalition | 19 | 0 | 7/23/12 | Sep 2012 | 250,000 |
| 20,000 | 90,000 | Eagle County Watershed Council – Prepare a study of the Colorado River through Eagle County to determine segments at risk and that could use riparian or recreation improvements. | 18 | 1 | 7/23/12 | Sep 2012 | 110,000 |
| 17,500 | 332,500 | Blue River Watershed Group – Restore stream segment above Breckinridge that was damaged by hydraulic mining 100 years ago. | 18 | 1 | 7/23/12 | Sep 2012 | 350,000 |
| 15,854 | 301,219 | Coal Creek Project – Assess and design watershed restoration on Crystal River. | 18 | 1 | 7/23/12 | Sep 2012 | 317,073 |
| \$40,500 | | Grace-Shehi ditch improvement above Basalt. | | | 1/14/13 | | |
| | | | | | | | |
| \$373,474 | \$1,330,993 | Total this page | | | | | |
| \$1,325,474 | \$3,836,036 | Total approved since inception. | | | | | |