



COLORADO

**Colorado Water
Conservation Board**

Department of Natural Resources

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TO: Colorado Water Conservation Board Members

FROM: Linda Bassi, Stream and Lake Protection Section
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Section

DATE: July 18-19, 2018 Board Meeting

AGENDA ITEM: 10. Renewal of Ute Water Conservancy District Lease of Ruedi Water
for Instream Flow Use in the 15-Mile Reach (Water Div. 5)

Introduction

On August 27, 2015, the CWCB entered into a renewable short-term lease with the Ute Water Conservancy District (“Ute Water”) to use a portion of the water that Ute Water owns in Ruedi Reservoir (“Ruedi water”) for instream flow (“ISF”) use in the 15-Mile Reach of the Colorado River. See attached Vicinity Map. The purpose of the lease was to supplement existing ISF water rights and preserve/improve the natural environment of the four endangered fish species present in the 15-Mile Reach of the Colorado River. The CWCB used 9,000 acre-feet of leased water in September and October 2015 at a total cost of \$64,800 (\$7.20 per acre-foot). In 2016, the CWCB and Ute Water renewed the lease for one year and the CWCB used 12,000 acre-feet of water from late August through mid-October 2016 at a total cost of \$86,400. The CWCB and Ute Water renewed the lease again in 2017, and the CWCB used 6,000 acre-feet of water at a total cost of \$43,200. Ute Water has offered to renew the lease and make available 6,000 acre-feet of Ruedi Water for ISF use in the 15 Mile Reach this year. In 2015, the General Assembly approved the expenditure of up to \$500,000 from the Species Conservation Trust Fund for this renewable lease of water for ISF use on the Colorado River for endangered fish recovery purposes (HB15-1277). To date, the CWCB has spent \$194,400 on this lease.

Staff recommendation: Staff recommends that the Board approve a one-year renewal of the lease of up to 6,000 acre-feet of Ruedi Water from the Ute Water Conservancy District for \$7.20 per acre-foot, and an expenditure of up to \$43,200 from the Species Conservation Trust Fund, subject to the following conditions:

1. Releases of Ruedi water under the Water Lease Agreement shall not cause the releases out of Ruedi Reservoir to exceed 300 cfs and shall not cause flows in the Fryingspan River below Ruedi Reservoir to exceed 350 cfs. Staff and the U.S. Fish and Wildlife Service shall coordinate with the Bureau of Reclamation to ensure that these conditions are met.
2. CWCB staff shall consult and coordinate weekly with Colorado Parks and Wildlife staff on proposed releases to minimize impacts to the fishery on the Fryingspan River below Ruedi Reservoir.



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3. At the Bureau of Reclamation’s annual Ruedi Reservoir water operations public meeting on August 9, 2018, staff will give a presentation on the lease and discuss lease implementation with local stakeholders.

Discussion

The CWCB holds ISF water rights on the following reaches of the Colorado River on which the leased water would be used:

Case No.	Stream	Segment	Length (miles)	Amount	Approp. Date
5-92CW286	Colorado River (15 mile reach)	Tailrace of Grand Valley Pumping Plant to confl Gunnison River	Approx. 15 miles	581cfs (7/1-9/30)	3/5/1992
5-94CW330	Colorado River (15 mile reach)	27.5 Road Gage to confl Gunnison River	Approx. 2 miles	300 cfs (7/1-9/30)	11/4/1994

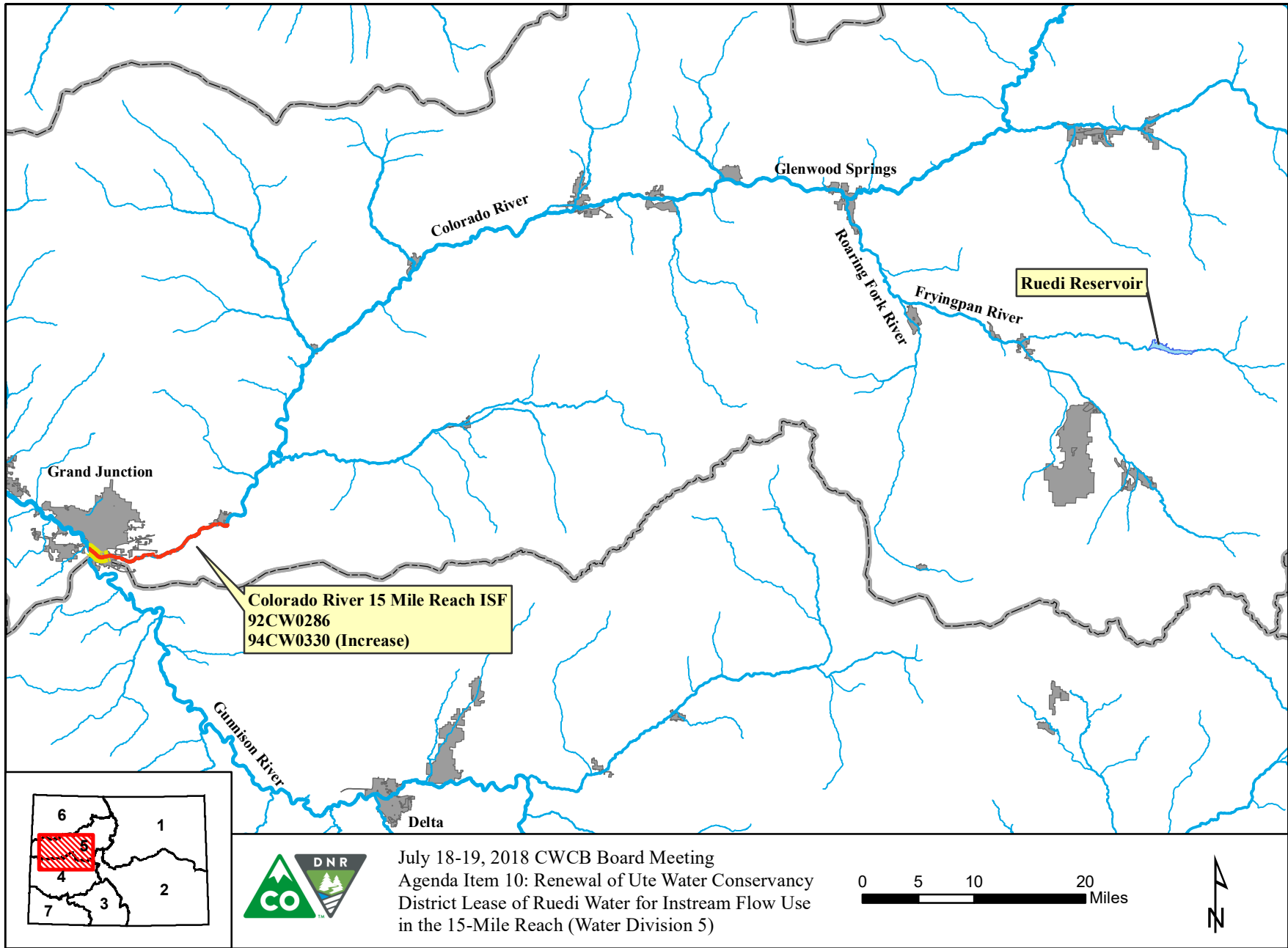
Use of the Leased Water

The leased water will be used to supplement the existing ISF water rights in the 15-Mile Reach to preserve the natural environment, and to provide water to help meet or reduce shortfalls to the U.S. Fish and Wildlife Service’s (“USFWS”) flow recommendations (810 cfs this year) for the four endangered fish species that are present in the reach. The CWCB’s use of the leased water above the decreed ISF rates to meet the USFWS flow recommendations will improve the natural environment to a reasonable degree. The CWCB, USFWS, and U.S. Bureau of Reclamation (USBR) will coordinate on the timing and amount of such uses.

In 2015, 2016, and 2017, releases of leased water from Ruedi Reservoir resulted in higher flows in the 15-Mile Reach and provided some operational flexibility for the USFWS and operators of other reservoirs that release water in late summer to benefit the endangered fish habitat in the 15-Mile Reach. Additionally, the released water was allowed to pass through the Ruedi Reservoir hydropower plant and Orchard Mesa Irrigation District’s power plant on its way to the 15-Mile Reach, providing some additional local benefits. Staff anticipates that the same benefits will result from the lease this year, in addition to helping to alleviate the impacts of this very dry year. The Upper Colorado River Endangered Fish Recovery Program’s Instream Flow Coordinator requested releases of 100 cfs from the Recovery Program’s fish pool in Ruedi Reservoir starting July 2, 2018 - the second earliest date in Recovery Program history that such releases from Ruedi Reservoir have been requested.

Public Outreach

Staff intends to give a presentation on the lease to local stakeholders at the USBR annual Ruedi Reservoir water operations meeting on August 9. In previous years, stakeholders have expressed concerns about increased flow rates in the Fryingpan River limiting opportunities for recreational fishing. Consequently, the CWCB has coordinated with the USFWS and USBR to ensure that releases from Ruedi Reservoir do not exceed 300 cfs (a rate that maximizes hydropower benefits) and do not cause flows in the Fryingpan River below the Reservoir to exceed 350 cfs, and will continue that coordination this year. Staff anticipates that the lease renewal will be finalized and become effective in mid to late August.



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 in the 15-Mile Reach (Water Division 5)