



COLORADO RIVER DISTRICT

PROTECTING WESTERN COLORADO WATER SINCE 1937

October 26, 2021

Rob Viehl
Chief, Stream and Lake Protection Section
Colorado Water Conservation Board
1313 Sherman St., Rm. 721
Denver, CO 80203

Dear Rob:

By this letter the Colorado River Water Conservation District (River District) acting through its Colorado River Water Projects Enterprise (“Enterprise”), expresses its willingness to lease up to 1,750 acre-feet (AF) of Ruedi Reservoir water to the CWCB for Fryingpan River winter instream flow enhancement during the 2022 calendar year.

Background – 2018 and 2020 Lease with the CWCB

In 2018 the CWCB, in collaboration with Roaring Fork Conservancy, entered into a contract with the River District for 3,500 AF of Ruedi Reservoir water for the primary purpose of enhancing the instream flow in the Fryingpan below Ruedi Reservoir between January 1 and March 31, 2019 to prevent anchor ice formation. 3,200 AF was delivered between January 1 and March 7, increasing Fryingpan flows approximately 25 cubic feet per second (cfs) above the 39 cfs decreed instream flow. The 300 AF balance was used later in the 2019 calendar year to enhance flows in the 15-Mile Reach of the Colorado River for endangered fish recovery purposes. In 2021, a similar operation occurred with all 3,500 AF utilized between January 1 and February 28.

The need for this enhanced winter flow is outlined in more detail in the companion letter provided by the Roaring Fork Conservancy.

Colorado River District Applicable Ruedi Contracts

The River District’s Enterprise maintains five perpetual Ruedi contracts with the Bureau of Reclamation. The requested 1,750 AF lease volume will be credited to two River District contracts.



Water delivered to supplement winter instream flows from January 1 – March 31, 2022 will be delivered pursuant to the River District's Ruedi Reservoir Round II Water Sales Contract No. 079D6C0106 with the Bureau of Reclamation. This contract at ¶6. b. explicitly provides that leased water may be used "*...to supplement winter instream flows in the Fryingpan River.*"

In the event only a portion of the 1,750 AF is delivered to supplement winter instream flows the balance may be delivered to the 15-Mile Reach between April 1 and December 31, 2021. The balance will be delivered pursuant to the River District's Ruedi Reservoir Round II Water Sales Contract No. 139D6C0101 with the Bureau of Reclamation

Contract Term and Pricing

The River District proposes to enter into a lease with the CWCB essentially identical to the 2018 and 2020 lease. Key terms include:

1. The contract will be for the 2022 calendar year (January 1 – December 31).
2. The cost for a contract for year 2022 be \$69.75/AF as set forth in the River District's Water Marketing Policy. Note that the price is slightly higher than the \$68.50/AF paid for the 2020 lease. The higher price is consistent with the Water Marketing Policy which provides for annual price increases not to exceed the sum of the Consumer Price Index plus the New Growth Index.

The River District is pleased to have this opportunity to work with the CWCB on a lease that would benefit winter stream flows in Fryingpan River below Ruedi Reservoir. We look forward to working with you to complete this transaction. Please let us know if we can provide any additional information to assist in CWCB's consideration of this proposal.

Respectfully,

A handwritten signature in blue ink, appearing to read "B. Langenhuizen".

Brendon Langenhuizen, P.E.
Director of Technical Advocacy
Colorado River District

Cc: Heather Tattersall Lewin, Roaring Fork Conservancy
April Long, Ruedi Water and Power Authority