



**COLORADO**

**Colorado Water  
Conservation Board**

Department of Natural Resources

1313 Sherman Street, Room 718  
Denver, CO 80203

P (303) 866-3441  
F (303) 866-4474

Jared Polis, Governor

Dan Gibbs, DNR Executive Director

Lauren Ris, CWCB Director

TO: Colorado Water Conservation Board Members

FROM: Robert Viehl & Pete Conovitz  
Stream and Lake Protection Section

DATE: January 29, 2024

AGENDA ITEM: 10 c. Shoshone Water Right Permanency - NRI Funding Request

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Staff Recommendation: Staff will provide the Colorado Water Conservation Board (CWCB) with its recommendation during the January 29, 2024 meeting after incorporating input from the Shoshone workshop scheduled to take place on January 25, 2024.

Background:

The Colorado River Water Conservation District (District) submitted an application to the CWCB in September 2023 for a Non-Reimbursable Investment Project which sought funding to purchase the water rights associated with the Shoshone Power Plant. CWCB staff withheld recommending funding of this project at that time because the Purchase and Sale Agreement between Public Service Company of Colorado (PSCO) and the District had not been completed.

At the November 2023 CWCB meeting the Board was provided high-level summaries comprised by staff of the four major agreements that influence the operation of the Shoshone Water Rights during situations when the power plant is offline. These are: the Agreement Concerning Reduction of Shoshone Call (2007 Relaxation Agreement), Colorado River Cooperative Agreement (CRCA), Shoshone Outage Protocol (ShOP), and the Orchard Mesa Check Case 91CW0247.

On December 19, 2023, the Purchase and Sale Agreement between PSCO and the District for the water rights associated with the Shoshone Power plant was executed.

The Board scheduled a special workshop on January 25, 2024. Agenda items include: Update on status of Shoshone Project - Signed Purchase and Sale Agreement, Projects Bill language - conditions on release of appropriated funds, ISF Agreement, and ISF Acquisition Process and Timeline.

Attachments:

A) Public Comment Letters





January 18, 2024

Dear Director Ris, Chief Viehl, and Colorado Water Conservation Board Members,

The Water for Colorado Coalition supports the Non-Reimbursable Project Investment request submitted by the Colorado River Water Conservation District to secure permanence for the Shoshone Water Right, and in doing so, advance water security for Colorado's water users and the environment.

The Water for Colorado Coalition is a group of nine organizations that works to ensure the Colorado River and its tributaries maintain a healthy river system, sustain diverse populations of fish and wildlife, and provide for outstanding recreational opportunities, while providing water to support resilient communities, business, and agriculture throughout the State of Colorado. In Colorado, Shoshone flows are the backbone to advancing water reliability in the Colorado River Basin. Over the past 20+ years, the Colorado River has been compromised by drought and noticeable changes in temperature and precipitation. Flows to operate the Shoshone Power Plant have helped to buffer the uncertainty of water supply variability within the State. In addition to providing water stability for all who depend on the Colorado River, Shoshone flows also benefit the State's critical agricultural and recreational based economies on the Western Slope and provide essential protections for the State's natural environment. Granting \$20 million to help obtain Shoshone permanence, therefore, is an essential step toward achieving Colorado's water security in the face of increasing water supply challenges, and we collectively support taking appropriate actions to ensure the permanency of the Shoshone flows in perpetuity.

Shoshone permanence means:

- Guaranteed flows for habitat that is home to four fish species listed in the Endangered Species Act, meeting goals outlined in the Upper Colorado Endangered Fish Recovery Program, and in so doing ensuring access to Colorado River water for all water users who rely on it;
- Security for the Historic User Pool (HUP) on the West Slope, supporting the State's \$11.9 billion agricultural economy and the family farmers and ranchers whose livelihood relies on healthy, flowing rivers;
- Support for the State's \$19 billion recreation economy, \$4 billion of which comes directly from the Colorado River Basin and the West Slope, where permanent flows mean economic security for the communities that rely on this critical source of income;
- Improved water quality throughout the West Slope, where Shoshone flows help mitigate pollutants and other threats to safe, reliable drinking water for Western Coloradans.

Given these fundamental benefits, the Water for Colorado Coalition views a CWCB approval of \$20 million in furtherance of the Shoshone permanence effort as an important first step for the State to take in advancing water reliability for Colorado's economies, communities, agriculture, recreation, and the environment. Additional, equally important, steps will follow, including a CWCB science-based in-stream flow evaluation process and the water court processes for securing the appropriate in-stream flow protections for the Shoshone flows going forward. Given the potential flow benefits for or impacts on the environment, we look forward to following these processes as they unfold, engaging in the relevant issues, and serving as a useful resource along the way. The need for these and other steps, however, should not prevent the pursuit of the unprecedented



opportunity that exists now for securing critical funding that will help advance Shoshone permanence for Colorado’s benefit.

The State of Colorado and the wider Colorado River Basin currently benefit from significant state and federal investments to address near-term water supply challenges. Since the federal Bipartisan Infrastructure Law and Inflation Reduction Act funds were authorized in 2021 and 2022 respectively, approximately \$2 billion has been invested in projects across the Western United States to help adapt to the impacts of drought, improve aging infrastructure, and stretch water supplies further<sup>1</sup>. Both of these federal funding authorizations, however, are time limited. A sustained focus on utilizing the remaining resources available is required now, while the much needed funds exist, to drive greater investments in projects that build long-term resilience like permanence of the Shoshone flows to address growing water supply uncertainties in Colorado. A \$20 million funding commitment from the State of Colorado does just that. It ensures that we make the most of this moment in time, and will present a unified front that will only help secure additional, larger commitments from federal sources. Moreover, any perceived risk of the CWCB setting aside funding before other essential elements for Shoshone permanence are secured can be mitigated by making spending of such funding contingent upon meeting the express conditions of the Purchase and Sale Agreement, which include actions that help preserve the integrity of the CWCB’s instream flow program (e.g., a successful State in-stream flow evaluation and a change of water right process to add instream flow as a beneficial use for the Shoshone flows going forward).

As Colorado grapples with severe drought and river flows that are set to reduce dramatically over the next several years, we often find ourselves asking: “What can we do to protect our rivers?” When an opportunity to take meaningful action presents itself — to do something that will not only stabilize river flows now but create resilience for future generations — it’s imperative for us to seize that opportunity. Ensuring Shoshone’s permanence through an in-stream flow is an important and essential next-step in advancing drought security for Colorado, and providing the Colorado River and its communities with the stability and resilience necessary to protect Colorado’s natural resources and economies for both current and future generations.

Sincerely,  
The Water For Colorado Coalition



Cc: Andy Mueller, General Manager, Colorado River Water Conservation District  
Peter Fleming, General Counsel, Colorado River Water Conservation District

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<sup>1</sup>American Rivers, et al. (2023) ACCELERATING INVESTMENT IN RESILIENCE FOR THE COLORADO RIVER BASIN. <https://resilientcoriver.org/resources/>

January 17, 2024

***Via electronic mail***

Lauren Ris, Director  
Colorado Water Conservation Board  
1313 Sherman Street, Room 721  
Denver, CO 80203

RE: Non-Reimbursable Project Investment: Shoshone Hydro Plant – Water Right Permanency

Dear Director Ris:

The Nature Conservancy is pleased to support the Colorado River Water Conservation District's (Colorado River District's) Non-Reimbursable Project Investment application to be considered as part of the 2024 Water Projects Bill. The Nature Conservancy has been working to conserve land and water in Colorado for over 55 years and the health of the Colorado River is a priority for our organization. Colorado River water users and the natural environment benefit greatly from Shoshone's flows, and we firmly support protecting those benefits in perpetuity. Shoshone's flows support critical habitat for native fish listed under the Endangered Species Act in the 15-Mile Reach of the Colorado River. For most of the year, the river would not come close to meeting the flow targets set by the Upper Colorado Endangered Fish Recovery Program, to which The Nature Conservancy is a partner. All Colorado River water users – on both sides of the Continental Divide – rely upon the benefits of the Upper Colorado River Endangered Fish Recovery Program and the critical role the Shoshone flows provide to that program and continued compliance with the Endangered Species Act. In addition, Shoshone permanency preserves Historic User Pool (HUP) water supplies and allows Colorado's \$11.9 billion agricultural economy to continue alongside critical habitat protections under the Recovery Program.<sup>1</sup> In the face of severe and pervasive drought, this project represents a once in a lifetime opportunity to protect our rivers and provide stability for water users.

Further, commercial river outfitters and recreationalists using the river benefit from these flows to keep local economies afloat and recreation a central economic driver for the state. Those economic drivers rely on the recreational flows provided by Shoshone's call to support a river recreation industry that contributes \$18.8 billion in economic output and over \$10 billion annually to the state's GDP, with nearly \$4 billion coming directly from the Colorado River basin on the Western Slope<sup>2</sup>. In addition, communities large and small along the Colorado River mainstem also benefit from the enhanced water quality Shoshone flows provide, diluting pollutants in the source drinking water for towns like New Castle, Rifle, Palisade, Clifton, and the greater Grand Junction area served by Ute Water Conservancy. Higher pollutant concentrations lead to higher costs for municipal drinking and wastewater treatment.

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<sup>1</sup> Colorado Office of Economic Development & International Trade, 2019.

<sup>2</sup> 2019 Business for Water Stewardship Report (<https://businessforwater.org/co-rivers-key-to-economy>); Total economic output calculated with the multiplier effect.

Non-Reimbursable Project Investment  
Shoshone Water Right Permanency  
January 2024  
Page 2

During the last 23 years of severe drought, the benefit of the Shoshone call to the flow of the river has become even more evident and important. If the power plant were to cease operation without permanent protection of the water right through an instream flow, the negative economic and environmental impacts to Western Colorado and to the State of Colorado would be immediate and profound. Protecting the Shoshone flows is an investment in the long-term resilience of Colorado in the 21<sup>st</sup> century.

The Nature Conservancy is proud to support this critical project which advances our goals in Colorado. It relies on Colorado's critical instream program which will be tasked with evaluating the project and ensuring it is implemented to benefit the natural environment and all Coloradans. This project demonstrates the kind of creative opportunities and partnerships Colorado must explore for the Colorado River – and all the water users and species that depend on its flows – to remain resilient in the face of a changing climate.

The 2013 Colorado River Cooperative Agreement between Denver Water and 17 West Slope governments/water user organizations expressly recognizes the importance of – and memorialized the need to provide permanent protection of – the historical flow regime created by the Shoshone Plant. The Shoshone Permanency project extends that collaboration and partnership, and we look forward to supporting its implementation and the protection of the water rights through the Colorado instream flow program.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carlos Fernandez', with a horizontal line underneath.

Carlos Fernandez  
Colorado Stare Director  
The Nature Conservancy

Cc: Rob Viehl, Greg Felt, Paul Bruchez, Jessica Brody, Steven Anderson, Barbara Vasquez, Nathan Coombs, Lorelei Cloud, Robert Sakata, Jackie Brown, Dan Gibbs, Kate Greenberg, Phil Weiser, Jeff Davis



December 12, 2023

*Via electronic mail*

Lauren Ris, Director  
Colorado Water Conservation Board  
1313 Sherman Street, Room 721  
Denver, CO 80203

RE: Non-Reimbursable Project Investment: Shoshone Hydro Plant – Water Right Permanency

Dear Acting Director Ris:

West Divide Water Conservancy District is pleased to support the Colorado River Water Conservation District's (Colorado River District's) Non-Reimbursable Project Investment application to be considered as part of the 2024 Water Projects Bill. For more than 20 years, the Colorado River District and 17 other western Colorado governments and water entities, including Summit, Grand, Eagle, Garfield and Mesa Counties and many of the municipalities therein, have been working together to find a way to permanently preserve the Shoshone flows. The 2013 Colorado River Cooperative Agreement between Denver Water and 17 West Slope governments/water user organizations expressly recognizes the importance of – and memorialized the need to provide permanent protection of – the historical flow regime created by the Shoshone Plant.

Colorado River water users benefit greatly from Shoshone's flows, and we are motivated to protect those benefits in perpetuity. Shoshone's flows provide critical habitat to four fish listed under the Endangered Species Act in the 15-Mile Reach of the Colorado River. For most of the year, the river would not come close to meeting the flow targets set by the Upper Colorado Endangered Fish Recovery Program. All Colorado River water users – both east and west slope users – rely upon the benefits of the Shoshone flows as a bedrock for the success of the Upper Colorado River Endangered Fish Recovery Program and to provide continued compliance with the Endangered Species Act. In addition, Shoshone flows are one of the four identified long-term protection measures for the Upper Colorado River Wild and Scenic River Alternative Management Plan.

Further, commercial river outfitters and recreationalists using the river need these flows as temperatures increase and flows decrease to keep local economies afloat and recreation a central economic driver for the state. Those economic drivers rely on the recreational flows provided by

Shoshone's call to support a river recreation industry that contributes \$18.8 billion in economic output and over \$10 billion annually to the state's GDP, with nearly \$4 billion coming directly from the Colorado River basin on the Western Slope<sup>1</sup>. In addition, communities large and small along the Colorado River mainstem also benefit from the enhanced water quality Shoshone flows provide, diluting pollutants in the source drinking water for towns like New Castle, Rifle, Palisade, Clifton, and the greater Grand Junction area served by Ute Water Conservancy. Without the higher flows provided by the Shoshone call, higher pollutant concentrations create higher costs for municipal drinking and wastewater treatment.

During the last 23 years of severe drought, the benefit of the Shoshone call to the flow of the river has become even more evident and important. If the power plant were to cease operation without permanent protection of the water right through an instream flow, the negative economic and environmental impacts to Western Colorado and to the State of Colorado would be immediate and profound.

Thank you for your consideration.

Sincerely,

*Samuel B. Potter*

Samuel B. Potter, President



BOARD OF COUNTY COMMISSIONERS

970 453 3414 ph | 970 453 3535 f  
summitcountyco.gov

208 East Lincoln Ave. | PO Box 68  
Breckenridge, Colorado 80424

November 8, 2023

***Via electronic mail: Lauren.Ris@state.co.us***

Lauren Ris, Director  
Colorado Water Conservation Board  
1313 Sherman Street, Room 721  
Denver, CO 80203

RE: Non-Reimbursable Project Investment: Shoshone Hydro Plant – Water Right Permanency

Dear Acting Director Ris:

The Board of County Commissioners of the County of Summit is pleased to support the Colorado River Water Conservation District's (Colorado River District's) Non-Reimbursable Project Investment application to be considered as part of the 2024 Water Projects Bill. For more than 20 years, the Colorado River District and 17 other western Colorado governments and water entities, including Summit, Grand, Eagle, Garfield and Mesa Counties and many of the municipalities therein, have been working together to find a way to permanently preserve the Shoshone flows. The 2013 Colorado River Cooperative Agreement between Denver Water and 17 West Slope governments/water user organizations expressly recognizes the importance of – and memorialized the need to provide permanent protection of – the historical flow regime created by the Shoshone Plant.

Colorado River water users benefit greatly from Shoshone's flows, and we are motivated to protect those benefits in perpetuity. Shoshone's flows provide critical habitat to four fish listed under the Endangered Species Act in the 15-Mile Reach of the Colorado River. For most of the year, the river would not come close to meeting the flow targets set by the Upper Colorado Endangered Fish Recovery Program. All Colorado River water users – both east and west slope users – rely upon the benefits of the Shoshone flows as a bedrock for the success of the Upper Colorado River Endangered Fish Recovery Program and to provide continued compliance with the Endangered Species Act. In addition, Shoshone permanency preserves Historic User Pool (HUP) water supplies and allows Colorado's \$11.9 billion agricultural economy to continue alongside critical habitat protections under the Recovery Program.<sup>1</sup> In addition, Shoshone flows are one of the four identified long-term protection measures for the Upper Colorado River Wild and Scenic River Alternative Management Plan.

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<sup>1</sup> Colorado Office of Economic Development & International Trade, 2019.

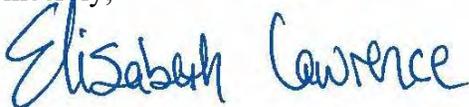
Non-Reimbursable Project Investment  
Shoshone Water Right Permanency  
November 8, 2023  
Page 2

Further, commercial river outfitters and recreationalists using the river need these flows as temperatures increase and flows decrease to keep local economies afloat and recreation a central economic driver for the state. Those economic drivers rely on the recreational flows provided by Shoshone's call to support a river recreation industry that contributes \$18.8 billion in economic output and over \$10 billion annually to the state's GDP, with nearly \$4 billion coming directly from the Colorado River basin on the Western Slope.<sup>2</sup> In addition, communities large and small along the Colorado River mainstem also benefit from the enhanced water quality Shoshone flows provide, diluting pollutants in the source drinking water for towns like New Castle, Rifle, Palisade, Clifton, and the greater Grand Junction area served by Ute Water Conservancy. Without the higher flows provided by the Shoshone call, higher pollutant concentrations create higher costs for municipal drinking and wastewater treatment.

During the last 23 years of severe drought, the benefit of the Shoshone call to the flow of the river has become even more evident and important. If the power plant were to cease operation without permanent protection of the water right through an instream flow, the negative economic and environmental impacts to Western Colorado and to the State of Colorado would be immediate and profound.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Elisabeth Lawrence". The signature is written in a cursive, flowing style.

Elisabeth Lawrence, Chair

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<sup>2</sup> 2019 Business for Water Stewardship Report (<https://businessforwater.org/co-rivers-key-to-economy>); Total economic output calculated with the multiplier effect.



**Board of County Commissioners**

970-328-8605

970-328-8629(f)

[eagleadmin@eaglecounty.us](mailto:eagleadmin@eaglecounty.us)

[www.eaglecounty.us](http://www.eaglecounty.us)

September 28, 2023

Lauren Ris, Director  
Colorado Water Conservation Board  
1313 Sherman Street, Room 721  
Denver, CO 80203

RE: Non-Reimbursable Project Investment: Shoshone Hydro Plant – Water Right Permanency

Dear Director Ris:

As Chair of the Board of Commissioners of Eagle County, Colorado (Eagle County), I am pleased to support the Colorado River Water Conservation District's (Colorado River District) Non-Reimbursable Project Investment application to be considered as part of the 2024 Water Projects Bill. For more than 20 years, the Colorado River District and more than 17 other western Colorado governments and water entities, including Eagle, Summit, Grand, Garfield and Mesa counties and many of the municipalities therein, have been working together to find a way to permanently preserve the Shoshone flows. The 2013 Colorado River Cooperative Agreement between Denver Water and 17 West Slope governments/water user organizations including Eagle County expressly recognizes the importance of – and memorialized the need to provide permanent protection of – the historical flow regime created by the Shoshone Plant. Colorado River water users benefit greatly from Shoshone's flows, and I am motivated to protect those benefits in perpetuity.

The historical flow regime created by the Shoshone Plant supports dependable legal water supplies relied on by Eagle County constituents and citizens in other West Slope counties. Residential and commercial users depend on water supplies developed in reliance on the historical flow regime created by operation of the Shoshone Plant, and public water supplies will be impaired if these historical flows diminish.

Further, commercial river outfitters and recreationalists using the river need these flows as temperatures increase and flows decrease to keep local economies afloat and recreation a central economic driver for the state. Those economic drivers rely on the recreational flows provided by Shoshone's call to support a river recreation industry that contributes \$18.8 billion in economic output and over \$10 billion annually to the state's GDP, with nearly \$4 billion coming directly from the Colorado River basin on the Western Slope<sup>1</sup>.

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<sup>1</sup> 2019 Business for Water Stewardship Report (<https://businessforwater.org/co-rivers-key-to-economy>); Total economic output calculated with the multiplier effect.



**Board of County Commissioners**

970-328-8605

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In addition, communities large and small along the Eagle River and Colorado River mainstem also benefit from the enhanced water quality Shoshone flows provide. Water delivered through the Eagle River and Colorado River to the Shoshone Plant dilutes pollutants in the source drinking water for communities like Eagle, Edwards, Gypsum and downstream communities in Garfield and Mesa counties. Without the higher flows provided by the Shoshone call, Eagle County municipal suppliers experience higher pollutant concentrations in their supply sources, which increase costs to the public to achieve regulatory compliance for municipal drinking and wastewater treatment. Western Slope communities also depend on Eagle River and Colorado River flows for agriculture uses that include not only farms and ranches but irrigation for subdivisions, parks, and other public environments.

Shoshone's flows also provide critical habitat to four fish listed under the Endangered Species Act in the 15-Mile Reach of the Colorado River. For most of the year, the river would not come close to meeting the flow targets set by the Upper Colorado Endangered Fish Recovery Program. All Colorado River water users – both east and west slope users – rely upon the benefits of the Shoshone flows as a bedrock for the success of the Upper Colorado River Endangered Fish Recovery Program and to provide continued compliance with the Endangered Species Act. In addition, Shoshone permanency preserves Historic User Pool (HUP) water supplies and allows Colorado's \$11.9 billion agricultural economy to continue alongside critical habitat protections under the Recovery Program.<sup>2</sup> In addition, Shoshone flows are one of the four identified long-term protection measures for the Upper Colorado River Wild and Scenic River Alternative Management Plan.

During the last 23 years of severe drought, the benefit of the Shoshone call to the flow of the river has become even more evident and important. If the power plant were to cease operation without permanent protection of the water right through an instream flow, the negative economic and environmental impacts to Western Colorado and to the State of Colorado would be immediate and profound.

Sincerely,



Kathy Chandler-Henry

Chair

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<sup>2</sup> Colorado Office of Economic Development & International Trade, 2019.

September 20, 2023

***Via electronic mail: [lauren.ris@state.co.us](mailto:lauren.ris@state.co.us)***

Lauren Ris, Director  
Colorado Water Conservation Board  
1313 Sherman Street, Room 721  
Denver, CO 80203

RE: Non-Reimbursable Project Investment: Shoshone Hydro Plant – Water Right Permanency

Dear Director Ris:

Eagle Park Reservoir Company is pleased to support the Colorado River Water Conservation District's ("Colorado River District's") Non-Reimbursable Project Investment application to be considered as part of the 2024 Water Projects Bill. For your reference, Eagle Park Reservoir Company operates a 3,300 acre foot reservoir at the headwaters of the Eagle River. Shareholders of Eagle Park Reservoir include Vail Resorts, the Colorado River District, the Eagle River Water & Sanitation District and the Upper Eagle Regional Water Authority. For more than 20 years, the Colorado River District and 17 other western Colorado governments and water entities, including Summit, Grand, Eagle, Garfield, and Mesa Counties and many of the municipalities and water suppliers therein, have been working together to find a way to permanently preserve the Shoshone flows. The 2013 Colorado River Cooperative Agreement between Denver Water and 17 West Slope governments/water user organizations expressly recognizes the importance of – and memorialized the need to provide permanent protection of – the historical flow regime created by the Shoshone Plant.

Colorado River water users benefit greatly from Shoshone's flows, and we are motivated to protect those benefits in perpetuity. Shoshone's flows provide critical habitat to four fish species listed under the Endangered Species Act in the 15-Mile Reach of the Colorado River. For most of the year, the river would not come close to meeting the flow targets set by the Upper Colorado Endangered Fish Recovery Program. All Colorado River water users – both east and west slope users – rely upon the benefits of the Shoshone flows as a bedrock for the success of the Upper Colorado River Endangered Fish Recovery Program and to provide continued compliance with the Endangered Species Act. In addition, Shoshone permanency preserves Historic User Pool (HUP) water supplies and allows Colorado's \$11.9 billion agricultural economy to continue alongside critical habitat protections under the Recovery Program.<sup>1</sup> In addition, Shoshone flows are one of the four identified long-term protection measures for the Upper Colorado River Wild and Scenic River Alternative Management Plan.

Further, commercial river outfitters and recreationalists using the river need these flows as temperatures increase and flows decrease to keep local economies afloat and recreation a central economic driver for the state. Those economic drivers rely on the recreational flows provided by Shoshone's call to support a river recreation industry that contributes \$18.8 billion in economic output and over \$10 billion annually to the state's GDP, with nearly \$4 billion coming directly from the Colorado River basin on the Western Slope.<sup>2</sup> In addition, communities large

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<sup>1</sup> Colorado Office of Economic Development & International Trade, 2019.

<sup>2</sup> 2019 Business for Water Stewardship Report (<https://businessforwater.org/co-rivers-key-to-economy>); Total economic output calculated with the multiplier effect.

and small along the Colorado River mainstem also benefit from the enhanced water quality Shoshone flows provide. Without the higher flows provided by the Shoshone call, higher pollutant concentrations create higher costs for municipal drinking and wastewater treatment.

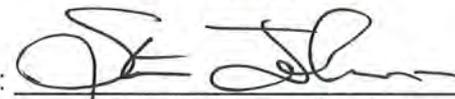
During the last 23 years of severe drought, the benefit of the Shoshone call to the flow of the river has become even more evident and important. If the power plant were to cease operation without permanent protection of the water right through an instream flow, the negative economic and environmental impacts to Western Colorado and to the State of Colorado would be immediate and profound.

Thank you for your consideration.

Sincerely,

EAGLE PARK RESERVOIR COMPANY

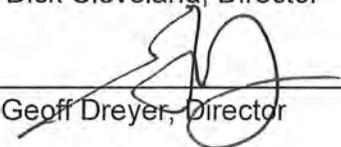
By:   
Beth Howard, Chair

By:   
Steve Johnson, President

By:   
Dan Ramker, Vice President

By:   
Kate Schifani, Director

By:   
Dick Cleveland, Director

By:   
Geoff Dreyer, Director

*Via electronic mail*

September 19, 2023

Lauren Ris, Director  
Colorado Water Conservation Board  
1313 Sherman Street, Room 721  
Denver, CO 80203  
[Lauren.Ris@state.co.us](mailto:Lauren.Ris@state.co.us)

RE: Non-Reimbursable Project Investment: Shoshone Hydro Plant – Water Right  
Permanency

Dear Director Ris:

Western Resource Advocates (WRA) is pleased to support the Colorado River Water Conservation District's (Colorado River District's) Non-Reimbursable Project Investment application to be considered as part of the 2024 Water Projects Bill. For more than 20 years, the Colorado River District and 17 other western Colorado governments and water entities, including Summit, Grand, Eagle, Garfield and Mesa Counties and many of the municipalities therein, have been working together to find a way to permanently preserve the Shoshone flows.

Colorado River stream flows benefit greatly from the Shoshone water right, providing significant benefits to the natural environment and water users, and we are very supportive of protecting those benefits in perpetuity. Shoshone's flows provide critical habitat to four fish listed under the Endangered Species Act in the 15-Mile Reach of the Colorado River. The 15 Mile Reach is designated as critical habitat for federally listed endangered fish and is a cornerstone of flow-related efforts by the Upper Colorado River Endangered Fish Recovery Program, of which Western Resource Advocates has been an active partner for 20 years. For most of the year, the river would not come close to meeting the flow targets set by the Upper Colorado Endangered Fish Recovery Program. All Colorado River water users – both east and west slope users – rely upon the benefits of the Shoshone flows as a bedrock for the success of the Upper Colorado River Endangered Fish Recovery Program and to provide continued compliance with the Endangered Species Act.

In addition, Shoshone permanency preserves Historic User Pool (HUP) water supplies and allows Colorado's \$11.9 billion agricultural economy to continue alongside critical habitat protections under the Recovery Program.<sup>1</sup> In addition, Shoshone flows are one of the four identified long-term protection measures for the Upper Colorado River Wild and Scenic River Alternative Management Plan.

Further, commercial river outfitters and recreationalists using the river need these flows as temperatures increase and flows decrease to keep local economies afloat and recreation a

#### **REGIONAL OFFICES**

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Suite 100  
Phoenix • AZ 85004

2260 Baseline Road  
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Boulder • CO 80302

1536 Wynkoop Street  
Suite 500  
Denver • CO 80202

343 East Alameda  
Santa Fe • NM 87501

550 W. Musser  
Suite G  
Carson City • NV 89703

307 West 200 South  
Suite 2000  
Salt Lake City • UT 84101

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<sup>1</sup> Colorado Office of Economic Development & International Trade, 2019.

central economic driver for the state. Those economic drivers rely on the recreational flows provided by Shoshone's call to support a river recreation industry that contributes \$18.8 billion in economic output and over \$10 billion annually to the state's GDP, with nearly \$4 billion coming directly from the Colorado River basin on the Western Slope<sup>2</sup>. In addition, communities large and small along the Colorado River mainstem also benefit from the enhanced water quality Shoshone flows provide, diluting pollutants in the source drinking water for towns like New Castle, Rifle, Palisade, Clifton, and the greater Grand Junction area served by Ute Water Conservancy. Without the higher flows provided by the Shoshone call, higher pollutant concentrations create higher costs for municipal drinking and wastewater treatment.

During the last 23 years of severe drought, the benefit of the Shoshone call to the flow of the river has become even more evident and important. If the power plant were to cease operation without permanent protection of the water right through an instream flow, the negative economic and environmental impacts to Western Colorado and to the State of Colorado would be immediate and profound.

Thank you for your consideration.

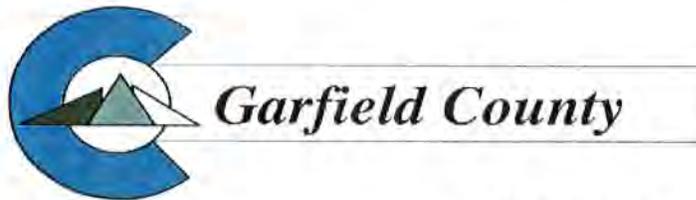
Sincerely,

A handwritten signature in black ink, appearing to read 'O Bannan', with a long horizontal flourish extending to the right.

Orla Bannan  
Strategic Engagement Manager  
Western Resource Advocates

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<sup>2</sup> 2019 Business for Water Stewardship Report (<https://businessforwater.org/co-rivers-key-to-economy>); Total economic output calculated with the multiplier effect.



**COUNTY ATTORNEY'S OFFICE**

108 8<sup>th</sup> Street, Suite 219  
Glenwood Springs, CO 81601  
(970) 945-9150

September 18, 2023

***Via electronic mail***

Lauren Ris, Director  
Colorado Water Conservation Board  
1313 Sherman Street, Room 721  
Denver, CO 80203

RE: Non-Reimbursable Project Investment: Shoshone Hydro Plant – Water Right Permanency

Dear Director Ris:

Garfield County is writing to express our support for the Colorado River Water Conservation District's ("River District's") Non-Reimbursable Project Investment application to be considered as part of the 2024 Water Projects Bill. For more than 20 years, the River District and 17 other Western Colorado governments and water entities, including Garfield, Summit, Grand, Eagle, and Mesa Counties and many of the municipalities therein, have been working together to find a way to permanently preserve the Shoshone flows. The 2013 Colorado River Cooperative Agreement between Denver Water and 17 Western Slope governments/water user organizations expressly recognizes the importance of – and memorialized the need to provide permanent protection of – the historical flow regime created by the Shoshone Plant.

Colorado River ("River") water users benefit greatly from Shoshone's flows, and we need to protect those benefits in perpetuity. Shoshone's flows provide critical habitat to four fish listed under the Endangered Species Act in the 15-Mile Reach of the River. Garfield County has supported your, Colorado Water Conservation Board ("CWCB"), protective efforts in the 15-Mile Reach by leasing Garfield County owned water rights in Ruedi Reservoir to the CWCB for in stream flow. As you are aware, for most of the year, the River would not meet the flow targets set by the Upper Colorado Endangered Fish Recovery Program. Garfield County believes it is important to protect this critical habitat and that the leasing of water rights to the CWCB provides economic and environmental benefits to Garfield County residents.

All River users – both east and west slope users – rely upon the benefits of the Shoshone flows as a bedrock for the success of the Upper Colorado River Endangered Fish Recovery Program and to provide continued compliance with the Endangered Species Act. In addition, Shoshone permanency preserves Historic User Pool (HUP) water supplies and allows Garfield County's \$35.9 million agricultural economy to continue alongside critical habitat protections under the Recovery Program.<sup>a</sup> In addition, Shoshone flows are one of the four identified long-term

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<sup>a</sup> United States Department of Agriculture, *2017 Census of Agriculture, Garfield County, Colorado*, [https://www.nass.usda.gov/Publications/AgCensus/2017/Online\\_Resources/County\\_Profiles/Colorado/cp08045.pdf](https://www.nass.usda.gov/Publications/AgCensus/2017/Online_Resources/County_Profiles/Colorado/cp08045.pdf)

protection measures for the Upper Colorado River Wild and Scenic River Alternative Management Plan.

Further, in Garfield County commercial river outfitters and recreationalists using the river need these flows as temperatures increase and flows decrease to keep local economies afloat and recreation a central economic driver. A study by Earth Economics estimates that recreation within Garfield County (from No Name to DeBeque) supports 950 jobs and \$140 million spent on recreation.<sup>b</sup> Those economic drivers rely on the recreational flows provided by Shoshone's call to support a river recreation industry that contributes \$18.8 billion in economic output and over \$10 billion annually to the Colorado's GDP, with nearly \$4 billion coming directly from the Colorado River Basin on the Western Slope<sup>c</sup>. The Colorado River Basin holds the second largest number of river recreation jobs at 26,800 and supports \$555 million in tax revenues.<sup>d</sup>

In addition, communities along the Colorado River in Garfield County also benefit from the enhanced water quality Shoshone flows provide, diluting pollutants in the source drinking water for towns like New Castle, Silt, Rifle, and Parachute. Without the higher flows provided by the Shoshone call, higher pollutant concentrations and higher turbidity create higher costs for municipal drinking and wastewater treatment and are ultimately passed on to the residents of those municipalities.

There is no doubt that the benefit of the Shoshone call to the flow of the Colorado River has is critical to the habitat in and along the river and to the economy of Garfield County. If the Shoshone Plant were to cease operation without permanent protection of the water right through an instream flow, the negative economic and environmental impacts to Garfield County, the Western Slope, and to the State of Colorado would be irreversible.

Thank you for your consideration.

Sincerely,



Heather K. Beattie  
Garfield County Attorney

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<sup>b</sup> 2018 Middle Colorado Watershed Council, *The Economic Contribution of Recreation in the Middle Colorado Watershed*, <https://midcowatershed.org/resources/> (report located under Partner Resources).

<sup>c</sup> 2019 Business for Water Stewardship, *Economic Contributions of Water-related Outdoor Recreation in Colorado*, <https://businessforwater.org/co-rivers-key-to-economy> (total economic output calculated with the multiplier effect).

<sup>d</sup> *Id.*



September 18, 2023

*Via electronic mail*

Lauren Ris, Director

Colorado Water Conservation Board

1313 Sherman Street, Room 721

Denver, CO 80203

RE: Non-Reimbursable Project Investment: Shoshone Hydro Plant – Water Right Permanency

Dear Director Ris:

American Rivers enthusiastically supports the Colorado River Water Conservation District's (Colorado River District's) Non-Reimbursable Project Investment application to be considered as part of the 2024 Water Projects Bill. For more than 20 years, the Colorado River District and 17 other western Colorado governments and water entities, including Summit, Grand, Eagle, Garfield and Mesa Counties and many of the municipalities therein, have been working together to find a way to permanently preserve the Shoshone flows. The 2013 Colorado River Cooperative Agreement between Denver Water and 17 West Slope governments/water user organizations expressly recognizes the importance of – and memorialized the need to provide permanent protection of – the historical flow regime created by the Shoshone Plant.

Colorado River water users and the natural environment benefit greatly from Shoshone's flows, and we are motivated to protect those benefits in perpetuity. Shoshone's flows provide critical habitat to four fish listed under the Endangered Species Act in the 15-Mile Reach of the Colorado River. For most of the year, the river would not come close to meeting the flow targets set by the Upper Colorado Endangered Fish Recovery Program. All Colorado River water users – both east and west slope users – rely upon the benefits of the Shoshone flows as a bedrock for the success of the Upper Colorado River Endangered Fish Recovery Program and to provide continued compliance with the Endangered Species Act. In addition, Shoshone permanency preserves Historic User Pool (HUP) water supplies and allows Colorado's \$11.9 billion agricultural economy to continue alongside critical habitat protections under the Recovery Program.<sup>1</sup> In addition, Shoshone flows are one of the four identified long-term protection measures for the Upper Colorado River Wild and Scenic River Alternative Management Plan.

Further, commercial river outfitters and recreationalists using the river need these flows as temperatures increase and flows decrease to keep local economies afloat and recreation a central economic driver for the state. Those economic drivers rely on the recreational flows provided by

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<sup>1</sup> Colorado Office of Economic Development & International Trade, 2019.

Shoshone's call to support a river recreation industry that contributes \$18.8 billion in economic output and over \$10 billion annually to the state's GDP, with nearly \$4 billion coming directly

from the Colorado River basin on the Western Slope<sup>2</sup>. In addition, communities large and small along the Colorado River mainstem also benefit from the enhanced water quality Shoshone flows provide, diluting pollutants in the source drinking water for towns like New Castle, Rifle, Palisade, Clifton, and the greater Grand Junction area served by Ute Water Conservancy. Without the higher flows provided by the Shoshone call, higher pollutant concentrations create higher costs for municipal drinking and wastewater treatment.

During the last 23 years of severe drought, the benefit of the Shoshone call to the flow of the river has become even more evident and important. If the power plant were to cease operation without permanent protection of the water right through an instream flow, the negative economic and environmental impacts to Western Colorado and to the State of Colorado would be immediate and profound. American Rivers strongly supports this project of state significance and looks forward to being a substantive partner going forward.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Rice", is written over a light yellow rectangular background.

Matt Rice  
Director, Southwest Region  
American Rivers

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<sup>2</sup> 2019 Business for Water Stewardship Report (<https://businessforwater.org/co-rivers-key-to-economy>); Total economic output calculated with the multiplier effect.



September 18, 2023

*Via electronic mail*

Lauren Ris, Acting Director  
Colorado Water Conservation Board  
1313 Sherman Street, Room 721  
Denver, CO 80203

RE: Non-Reimbursable Project Investment: Shoshone Hydro Plant – Water Right Permanency

Dear Director Ris:

American Whitewater is pleased to support the Colorado River Water Conservation District's (Colorado River District's) Non-Reimbursable Project Investment application to be considered as part of the 2024 Water Projects Bill. For more than 20 years, the Colorado River District and 17 other western Colorado governments and water entities, including Summit, Grand, Eagle, Garfield and Mesa Counties and many of the municipalities therein, have been working together to find a way to permanently preserve the Shoshone flows. The 2013 Colorado River Cooperative Agreement between Denver Water and 17 West Slope governments/water user organizations expressly recognizes the importance of – and memorialized the need to provide permanent protection of – the historical flow regime created by the Shoshone Plant.

Colorado River water users, including and especially the recreational users and the natural environment, benefit greatly from Shoshone's flows, and we are motivated to protect those benefits in perpetuity. The senior right at Shoshone provides important predictability for river outfitters from Kremmling to Glenwood Springs. According to the Colorado River Outfitters Association this commercial activity provided \$14M in direct expenditures and \$36M in economic impact to the state in 2022.<sup>1</sup> The recreation economy of the upper Colorado River is second in the state only to the Arkansas river which sees the highest commercial rafting use of any river in the country. The Shoshone Power Plant call creates boatable streamflows for these critical reaches throughout much of the summer tourist season. In addition to the important commercial outfitter use of these sections of the Colorado River, the river has seen drastic increase in use from Coloradans seeking accessible family friendly adventures.

Recreationalists depend on these flows for critical temperature suppression as flows decrease to keep local economies afloat and recreation a central economic driver for the state. These high temperature events have voluntarily closed many sections of the Colorado almost annually over the past five years. Losing the flow protection provided by the Shoshone call would almost assure more extreme closures and threaten recreational users and economies.

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<sup>1</sup> Colorado River Outfitters Association. Commercial Rafting Use Report in the State of Colorado 1988-2022.  
<https://www.croa.org/wp-content/uploads/2023/06/2022-CROA-Commercial-Rafting-Use-Report.pdf>

Non-Reimbursable Project Investment  
Shoshone Water Right Permanency  
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Page 2

In addition, communities large and small along the Colorado River mainstem also benefit from the enhanced water quality Shoshone flows provide, diluting pollutants in the source drinking water for towns like New Castle, Rifle, Palisade, Clifton, and the greater Grand Junction area served by Ute Water Conservancy. Without the higher flows provided by the Shoshone call, higher pollutant concentrations create higher costs for municipal drinking and wastewater treatment.

During the last 23 years of severe drought, the benefit of the Shoshone call to the flow of the river has become even more evident and important. If the power plant were to cease operation without permanent protection of the water right through an instream flow, the negative economic and environmental impacts to Western Colorado and to the State of Colorado would be immediate and profound.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Hattie Johnson".

Hattie Johnson  
Southern Rockies Restoration Director  
American Whitewater  
hattie@americanwhitewater.org



## ADMINISTRATION

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P.O. Box 20000 544 Rood Avenue Grand Junction, CO 81502-5001 Phone (970)244-1885

September 15, 2023

Lauren Ris, Acting Director  
Colorado Water Conservation Board  
1313 Sherman Street, Room 721  
Denver, CO 80203

RE: Non-Reimbursable Project Investment: Shoshone Hydro Plant – Water Right Permanency

Dear Acting Director Ris:

Montrose County is pleased to support the Colorado River Water Conservation District's (Colorado River District's) Non-Reimbursable Project Investment application to be considered as part of the 2024 Water Projects Bill. For more than 20 years, the Colorado River District and 17 other western Colorado Governments and water entities, including Summit, Grand, Eagle, Garfield, and Mesa Counties and many of the municipalities therein, have been working together to find a way to permanently preserve the Shoshone flows. The 2013 Colorado River Cooperative Agreement between Denver Water and 17 West Slope governments/water user organizations expressly recognizes the importance of – and memorialized the need to provide permanent protection of – the historical flow regime created by the Shoshone Plant.

Colorado River water users benefit greatly from Shoshone's flows, and we are motivated to protect those benefits in perpetuity. Shoshone's flows provide critical habitat to four fish listed under the Endangered Species Act in the 15-Mile Reach of the Colorado River. For most of the year, the river would not come close to meeting the flow targets set by the Upper Colorado Endangered Fish Recovery Program. All Colorado River water users – both east and west slope users – rely upon the benefits of the Shoshone flows as a bedrock for the success of the Upper Colorado River Endangered Fish Recovery Program and to provide continued compliance with the Endangered Species Act. In addition, Shoshone permanency preserves Historic User Pool (HUP) water supplies and allows Colorado's \$11.9 billion agricultural economy to continue alongside critical habitat protections under the Recovery Program.<sup>1</sup> In addition, Shoshone flows are one of the four identified long-term protection measures for the Upper Colorado River Wild and Scenic River Alternative Management Plan.

Further, commercial river outfitters and recreationalists using the river need these flows as temperatures increase and flows decrease to keep local economies afloat and recreation a central economic driver for the state. Those economic drivers rely on the recreational flows provided by Shoshone's call to support a river recreation industry that contributes \$18.8 billion in economic output and over \$10 billion annually to the state's GDP, with nearly \$ billion coming directly from

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<sup>1</sup> Colorado Office of Economic Development & International Trade, 2019.

Non-Reimbursable Project Investment  
Shoshone Water Right Permanency  
September 2023  
Page 2

the Colorado River basin on the Western Slope.<sup>2</sup> In addition, communities large and small along the Colorado River mainstem also benefit from the enhanced water quality Shoshone flows provide, diluting pollutants in the source drinking water for towns like New Castle, Rifle, Palisade, Clifton, and the greater Grand Junction area served by Ute Water

Conservancy. Without the higher flows provided by the Shoshone call, higher pollutant concentrations create higher costs for municipal drinking and wastewater treatment.

During the past 23 years of severe drought, the benefit of the Shoshone call to the flow of the river has become even more evident and important. If the power plant were to cease operation without permanent protection of the water right through an instream flow, the negative economic and environmental impacts to Western Colorado and to the State of Colorado would be immediate and profound.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Peter M. Baier".

Peter M. Baier, P.E., M.P.A  
County Administrator  
Mesa County

PMB/ar

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<sup>2</sup> 2019 Business for Water Stewardship Report (<https://businessforwater.org/co-rivers-key-to-economy>); Total economic output calculated with the multiplier effect.

September 14, 2023

*Via electronic mail*

Lauren Ris, Director  
Colorado Water Conservation Board  
1313 Sherman Street, Room 721  
Denver, CO 80203

RE: Non-Reimbursable Project Investment: Shoshone Hydro Plant – Water Right Permanency

Dear Director Ris:

Grand Valley Water Users Association is pleased to support the Colorado River Water Conservation District's (Colorado River District's) Non-Reimbursable Project Investment application to be considered as part of the 2024 Water Projects Bill. For more than 20 years, the Colorado River District and 17 other western Colorado governments and water entities, including Summit, Grand, Eagle, Garfield and Mesa Counties and many of the municipalities therein, have been working together to find a way to permanently preserve the Shoshone flows. The 2013 Colorado River Cooperative Agreement between Denver Water and 17 West Slope governments/water user organizations expressly recognizes the importance of – and memorialized the need to provide permanent protection of – the historical flow regime created by the Shoshone Plant.

Colorado River water users benefit greatly from Shoshone's flows, and we are motivated to protect those benefits in perpetuity. Shoshone's flows provide critical habitat to four fish listed under the Endangered Species Act in the 15-Mile Reach of the Colorado River. For most of the year, the river would not come close to meeting the flow targets set by the Upper Colorado Endangered Fish Recovery Program. All Colorado River water users – both east and west slope users – rely upon the benefits of the Shoshone flows as a bedrock for the success of the Upper Colorado River Endangered Fish Recovery Program and to provide continued compliance with the Endangered Species Act. In addition, Shoshone permanency preserves Historic User Pool (HUP) water supplies and allows Colorado's \$11.9 billion agricultural economy to continue alongside critical habitat protections under the Recovery Program.<sup>1</sup> In addition, Shoshone flows are one of the four identified long-term protection measures for the Upper Colorado River Wild and Scenic River Alternative Management Plan.

Further, commercial river outfitters and recreationalists using the river need these flows as temperatures increase and flows decrease to keep local economies afloat and recreation a central economic driver for the state. Those economic drivers rely on the recreational flows provided by Shoshone's call to support a river recreation industry that contributes \$18.8 billion in economic output and over \$10 billion annually to the state's GDP, with nearly \$4 billion coming directly

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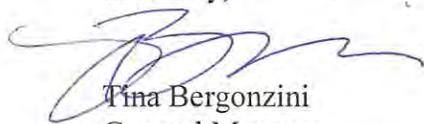
<sup>1</sup> Colorado Office of Economic Development & International Trade, 2019.

from the Colorado River basin on the Western Slope<sup>2</sup>. In addition, communities large and small along the Colorado River mainstem also benefit from the enhanced water quality Shoshone flows provide, diluting pollutants in the source drinking water for towns like New Castle, Rifle, Palisade, Clifton, and the greater Grand Junction area served by Ute Water Conservancy. Without the higher flows provided by the Shoshone call, higher pollutant concentrations create higher costs for municipal drinking and wastewater treatment.

During the last 23 years of severe drought, the benefit of the Shoshone call to the flow of the river has become even more evident and important. If the power plant were to cease operation without permanent protection of the water right through an instream flow, the negative economic and environmental impacts to Western Colorado and to the State of Colorado would be immediate and profound.

Thank you for your consideration.

Sincerely,



Tina Bergonzini  
General Manager  
Grand Valley Water Users Association

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<sup>2</sup> 2019 Business for Water Stewardship Report (<https://businessforwater.org/co-rivers-key-to-economy>); Total economic output calculated with the multiplier effect.



## Orchard Mesa Irrigation District

Office 970.464.7885

Fax 970.464.5928

668 38 Road Palisade, CO 81526

Agenda Item # 10c  
Attachment

September 13, 2023

*Via electronic mail*

Lauren Ris, Acting Director  
Colorado Water Conservation Board  
1313 Sherman Street, Room 721  
Denver, CO 80203

RE: Non-Reimbursable Project Investment: Shoshone Hydro Plant – Water Right Permanency

Dear Acting Director Ris:

Orchard Mesa Irrigation District is pleased to support the Colorado River Water Conservation District's (Colorado River District's) Non-Reimbursable Project Investment application to be considered as part of the 2024 Water Projects Bill. For more than 20 years, the Colorado River District and 17 other western Colorado governments and water entities, including Summit, Grand, Eagle, Garfield and Mesa Counties and many of the municipalities therein, have been working together to find a way to permanently preserve the Shoshone flows. The 2013 Colorado River Cooperative Agreement between Denver Water and 17 West Slope governments/water user organizations expressly recognizes the importance of – and memorialized the need to provide permanent protection of – the historical flow regime created by the Shoshone Plant.

Colorado River water users benefit greatly from Shoshone's flows, and we are motivated to protect those benefits in perpetuity. Shoshone's flows provide critical habitat to four fish listed under the Endangered Species Act in the 15-Mile Reach of the Colorado River. For most of the year, the river would not come close to meeting the flow targets set by the Upper Colorado Endangered Fish Recovery Program. All Colorado River water users – both east and west slope users – rely upon the benefits of the Shoshone flows as a bedrock for the success of the Upper Colorado River Endangered Fish Recovery Program and to provide continued compliance with the Endangered Species Act. In addition, Shoshone permanency preserves Historic User Pool (HUP) water supplies and allows Colorado's \$11.9 billion agricultural economy to continue alongside critical habitat protections under the Recovery Program.<sup>1</sup> In addition, Shoshone flows are one of the four identified long-term protection measures for the Upper Colorado River Wild and Scenic River Alternative Management Plan.

Further, commercial river outfitters and recreationalists using the river need these flows as temperatures increase and flows decrease to keep local economies afloat and recreation a central economic driver for the state. Those economic drivers rely on the recreational flows provided by Shoshone's call to support a river recreation industry that contributes \$18.8 billion in economic output and over \$10 billion annually to the state's GDP, with nearly \$4 billion coming directly

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<sup>1</sup> Colorado Office of Economic Development & International Trade, 2019.



from the Colorado River basin on the Western Slope<sup>2</sup>. In addition, communities large and small along the Colorado River mainstem also benefit from the enhanced water quality Shoshone flows provide, diluting pollutants in the source drinking water for towns like New Castle, Rifle, Palisade, Clifton, and the greater Grand Junction area served by Ute Water Conservancy. Without the higher flows provided by the Shoshone call, higher pollutant concentrations create higher costs for municipal drinking and wastewater treatment.

During the last 23 years of severe drought, the benefit of the Shoshone call to the flow of the river has become even more evident and important. If the power plant were to cease operation without permanent protection of the water right through an instream flow, the negative economic and environmental impacts to Western Colorado and to the State of Colorado would be immediate and profound.

Thank you for your consideration.

A handwritten signature in blue ink, appearing to read "Jackie Fisher".

Sincerely,  
Jackie Fisher  
District Manager  
Orchard Mesa Irrigation District

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<sup>2</sup> 2019 Business for Water Stewardship Report (<https://businessforwater.org/co-rivers-key-to-economy>); Total economic output calculated with the multiplier effect.

P.O. Box 460 (81502)  
2190 H 1/4 Road  
Grand Junction, CO 81505



Office: (970)242-7491  
Fax: (970) 242-9189  
[www.utewater.org](http://www.utewater.org)

September 13, 2023

*Via electronic mail*

Lauren Ris, Director  
Colorado Water Conservation Board  
1313 Sherman Street, Room 721  
Denver, CO 80203

RE: Non-Reimbursable Project Investment: Shoshone Hydro Plant – Water Right Permanency

Dear Director Ris:

Ute Water Conservancy District (“Ute Water”) is pleased to support the Colorado River Water Conservation District’s (Colorado River District’s) Non-Reimbursable Project Investment application to be considered as part of the 2024 Water Projects Bill. Ute Water was organized in 1956 by Grand Valley farmers to provide clean, potable water service to rural areas of the Grand Valley outside of the Town of Palisade, City of Grand Junction, and Town of Fruita. Today, Ute Water is the largest domestic water provider between Denver and Salt Lake City and provides water service to 90,000 Grand Valley customers which now includes the entire Town of Fruita and a significant portion of the City of Grand Junction.

For more than 20 years, the Colorado River District and 17 other western Colorado governments and water entities, including Ute Water, Summit, Grand, Eagle, Garfield and Mesa counties, and many of the municipalities therein, have worked collaboratively to find a way to permanently preserve the Shoshone flows. The 2013 Colorado River Cooperative Agreement between Denver Water and 17 West Slope governments/water user organizations including Ute Water expressly recognizes the importance of – and memorialized the need to provide permanent protection of – the historical flow regime created by the Shoshone Plant.

Colorado River water users benefit greatly from Shoshone’s flows, and we are motivated to protect those benefits in perpetuity. Shoshone’s flows provide critical habitat to four fish listed under the Endangered Species Act in the 15-Mile Reach of the Colorado River. For most of the year, the river would not come close to meeting the flow targets set by the Upper Colorado Endangered Fish Recovery Program. All Colorado River water users – both east and west slope users – rely upon the benefits of the Shoshone flows as a bedrock for the success of the Upper Colorado River Endangered Fish Recovery Program and to provide continued compliance with the Endangered Species Act. In addition, Shoshone permanency preserves Historic User Pool (HUP) water supplies and allows Colorado’s \$11.9 billion agricultural economy to continue alongside critical habitat



Non-Reimbursable Project Investment  
Shoshone Water Right Permanency  
August 2023  
Page 2

protections under the Recovery Program.<sup>1</sup> For these reasons, Shoshone flows are one of the four identified long-term protection measures for the Upper Colorado River Wild and Scenic River Alternative Management Plan.

Communities large and small along the Colorado River mainstem benefit from the enhanced water quality Shoshone flows provide, diluting pollutants in source water supplies used for drinking water in towns like New Castle, Rifle, Palisade, Clifton, and the greater Grand Valley area served by Ute Water. Without the higher flows provided by the Shoshone call, Ute Water and other municipal suppliers experience higher pollutant concentrations in our supply sources, which increase costs to the public to achieve regulatory compliance for municipal drinking and wastewater treatment. Western Slope communities also depend on Colorado River flows for agriculture uses that include not only farms and ranches but irrigation for subdivisions, parks, and other public environments. Further, commercial river outfitters and recreationalists using the river need these flows as temperatures increase and flows decrease to keep local economies afloat and recreation a central economic driver for the state. Those economic drivers rely on the recreational flows provided by Shoshone's call to support a river recreation industry that contributes \$18.8 billion in economic output and over \$10 billion annually to the state's GDP, with nearly \$4 billion coming directly from the Colorado River basin on the Western Slope<sup>2</sup>. In recognition of these diverse benefits, protection and permanent preservation of the historical flow regime created by the Shoshone Plant has been recognized as a Tier 1 project within the Colorado Basin Roundtable Basin Implementation Plan incorporated as part of the Colorado Water Plan

During the last 23 years of severe drought, the benefit of the Shoshone call to the flow of the river has become even more evident and important. If the power plant were to cease operation without permanent protection of the water right through an instream flow, the negative economic and environmental impacts to Western Colorado and to the State of Colorado would be immediate and profound.

Thank you for your consideration.

Sincerely,



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<sup>1</sup> Colorado Office of Economic Development & International Trade, 2019.

<sup>2</sup> 2019 Business for Water Stewardship Report (<https://businessforwater.org/co-rivers-key-to-economy>); Total economic output calculated with the multiplier effect.

Basalt Water Conservancy District  
P.O. Box 974  
Glenwood Springs, CO 81602

September 12, 2023

*Via electronic mail*

Lauren Ris, Director  
Colorado Water Conservation Board  
1313 Sherman Street, Room 721  
Denver, CO 80203

RE: Non-Reimbursable Project Investment: Shoshone Hydro Plant – Water Right Permanency

Dear Director Ris:

The Basalt Water Conservancy District (Basalt District) is pleased to support the Colorado River Water Conservation District's (Colorado River District's) Non-Reimbursable Project Investment application to be considered as part of the 2024 Water Projects Bill. For more than 20 years, the Colorado River District and more than 17 other western Colorado governments and water entities, including the Basalt Water Conservancy District, Summit, Grand, Eagle, Garfield and Mesa counties and many of the municipalities therein, have been working together to find a way to permanently preserve the Shoshone flows. The 2013 Colorado River Cooperative Agreement between Denver Water and 17 West Slope governments/water user organizations expressly recognizes the importance of – and memorialized the need to provide permanent protection of – the historical flow regime created by the Shoshone Plant. Colorado River water users benefit greatly from Shoshone's flows, and we are motivated to protect those benefits in perpetuity.

The Basalt District provides dependable legal water supplies to its constituents in Eagle, Garfield and Pitkin counties. Basalt District water supplies include long-term contracts in Ruedi and Green Mountain reservoirs, as well as water rights it owns in the Roaring Fork Valley. Thousands of Basalt District constituents, both residential and commercial users, utilize these supplies through dozens of court-decreed plans for augmentation, including six plans the Basalt District adjudicated and continuously operates for their benefit. These plans for augmentation were developed and approved in reliance on the historical flow regime created by operation of the Shoshone Plant. The water supply for these Basalt District constituents will be impaired if these historical flows diminish.

Shoshone's flows also provide critical habitat to four fish listed under the Endangered Species Act in the 15-Mile Reach of the Colorado River. For most of the year, the river would not come close to meeting the flow targets set by the Upper Colorado Endangered Fish Recovery Program. All Colorado River water users – both east and west slope users – rely upon the benefits of the Shoshone flows as a bedrock for the success of the Upper Colorado River Endangered Fish

Recovery Program and to provide continued compliance with the Endangered Species Act. In addition, Shoshone permanency preserves Historic User Pool (HUP) water supplies and allows Colorado's \$11.9 billion agricultural economy to continue alongside critical habitat protections under the Recovery Program.<sup>1</sup> In addition, Shoshone flows are one of the four identified long-term protection measures for the Upper Colorado River Wild and Scenic River Alternative Management Plan.

Further, commercial river outfitters and recreationalists using the river need these flows as temperatures increase and flows decrease to keep local economies afloat and recreation a central economic driver for the state. Those economic drivers rely on the recreational flows provided by Shoshone's call to support a river recreation industry that contributes \$18.8 billion in economic output and over \$10 billion annually to the state's GDP, with nearly \$4 billion coming directly from the Colorado River basin on the Western Slope<sup>2</sup>.

In addition, communities large and small along the Colorado River mainstem also benefit from the enhanced water quality Shoshone flows provide, diluting pollutants in the source drinking water for towns like New Castle, Rifle, Palisade, Clifton, and the greater Grand Junction area served by Ute Water Conservancy. Without the higher flows provided by the Shoshone call, higher pollutant concentrations create higher costs for municipal drinking and wastewater treatment. It should also be mentioned that Western Slope communities depend on Colorado River flows for agriculture uses that include not only farms and ranches but irrigation for subdivisions, parks, and other public environments.

During the last 23 years of severe drought, the benefit of the Shoshone call to the flow of the river has become even more evident and important. If the power plant were to cease operation without permanent protection of the water right through an instream flow, the negative economic and environmental impacts to Western Colorado and to the State of Colorado would be immediate and profound.

Thank you for your consideration.

Sincerely,



Gary Knaus, President  
Basalt Water Conservancy District

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<sup>1</sup> Colorado Office of Economic Development & International Trade, 2019.

<sup>2</sup> 2019 Business for Water Stewardship Report (<https://businessforwater.org/co-rivers-key-to-economy>); Total economic output calculated with the multiplier effect.

## THE GRAND VALLEY IRRIGATION COMPANY

688 - 26 Road  
Grand Junction, Colorado  
81506

September 11, 2023

Lauren Ris, Acting Director  
Colorado Water Conservation Board  
1313 Sherman Street, Room 721  
Denver, CO 80203  
RE: Non-Reimbursable Project Investment: Shoshone Hydro Plant – Water Right Permanency

Dear Acting Director Ris:

The Grand Valley Irrigation Company is pleased to support the Colorado River Water Conservation District's (Colorado River District's) Non-Reimbursable Project Investment application to be considered as part of the 2024 Water Projects Bill. For more than 20 years, the Colorado River District and 17 other western Colorado governments and water entities, including Summit, Grand, Eagle, Garfield and Mesa Counties and many of the municipalities and irrigation providers therein, have been working together to find a way to permanently preserve the Shoshone flows. The 2013 Colorado River Cooperative Agreement between Denver Water and 17 West Slope governments/water user organizations expressly recognizes the importance of – and memorialized the need to provide permanent protection of – the historical flow regime created by the Shoshone Plant.

Colorado River water users benefit greatly from Shoshone's flows, and we are motivated to protect those benefits in perpetuity. Shoshone's flows provide critical habitat to four fish listed under the Endangered Species Act in the 15-Mile Reach of the Colorado River. For most of the year, the river would not come close to meeting the flow targets set by the Upper Colorado Endangered Fish Recovery Program. All Colorado River water users – both east and west slope users – rely upon the benefits of the Shoshone flows as a bedrock for the success of the Upper Colorado River Endangered Fish Recovery Program and to provide continued compliance with the Endangered Species Act. In addition, Shoshone permanency preserves Historic User Pool (HUP) water supplies and allows Colorado's \$11.9 billion agricultural economy to continue alongside critical habitat protections under the Recovery Program. In the Grand Valley, maintenance of the Shoshone flows is critical to agricultural irrigators, municipalities, nongovernmental entities, and individuals. In addition, Shoshone flows are one of the four identified long-term protection measures for the Upper Colorado River Wild and Scenic River Alternative Management Plan.

September 11, 2023

Page 2

Further, commercial river outfitters and recreationalists using the river need these flows as temperatures increase and flows decrease to keep local economies afloat and recreation a central economic driver for the state. Those economic drivers rely on the recreational flows provided by Shoshone's call to support a river recreation industry that contributes \$18.8 billion in economic output and over \$10 billion annually to the state's GDP, with nearly \$4 billion coming directly from the Colorado River basin on the Western Slope. In addition, communities large and small along the Colorado River mainstem also benefit from the enhanced water quality Shoshone flows provide, diluting pollutants in the source drinking water for towns like New Castle, Rifle, Palisade, Clifton, and the greater Grand Junction area served by Ute Water Conservancy. Without the higher flows provided by the Shoshone call, higher pollutant concentrations create higher costs for municipal drinking and wastewater treatment.

During the last 23 years of severe drought, the benefit of the Shoshone call to the flow of the river has become even more evident and important. If the power plant were to cease operation without permanent protection of the water right through an instream flow, the negative economic and environmental impacts to Western Colorado and to the State of Colorado would be immediate and profound.

Thank you for your consideration.

Sincerely,

GRAND VALLY IRRIGATION COMPANY

  
\_\_\_\_\_  
Sean Norris President



September 8, 2023

***Via electronic mail: [lauren.ris@state.co.us](mailto:lauren.ris@state.co.us)***

Lauren Ris, Director  
Colorado Water Conservation Board  
1313 Sherman Street, Room 721  
Denver, CO 80203

RE: Non-Reimbursable Project Investment: Shoshone Hydro Plant – Water Right Permanency

Dear Director Ris:

The Eagle River Water & Sanitation District and the Upper Eagle Regional Water Authority (the “Eagle District and Authority”) are pleased to support the Colorado River Water Conservation District’s (“Colorado River District’s”) Non-Reimbursable Project Investment application to be considered as part of the 2024 Water Projects Bill. For your reference, the Eagle District and Authority are collectively the second largest municipal water supplier on the western slope serving the mountain resort communities in Eagle County stretching from Vail to Wolcott. For more than 20 years, the Colorado River District and 17 other western Colorado governments and water entities, including Summit, Grand, Eagle, Garfield, and Mesa Counties and many of the municipalities and water suppliers therein, have been working together to find a way to permanently preserve the Shoshone flows. The 2013 Colorado River Cooperative Agreement between Denver Water and 17 West Slope governments/water user organizations expressly recognizes the importance of – and memorialized the need to provide permanent protection of – the historical flow regime created by the Shoshone Plant.

Colorado River water users benefit greatly from Shoshone’s flows, and we are motivated to protect those benefits in perpetuity. Shoshone’s flows provide critical habitat to four fish species listed under the Endangered Species Act in the 15-Mile Reach of the Colorado River. For most of the year, the river would not come close to meeting the flow targets set by the Upper Colorado Endangered Fish Recovery Program. All Colorado River water users – both east and west slope users – rely upon the benefits of the Shoshone flows as a bedrock for the success of the Upper Colorado River Endangered Fish Recovery Program and to provide continued compliance with the Endangered Species Act. In addition, Shoshone permanency preserves Historic User Pool (HUP) water supplies and allows Colorado’s \$11.9 billion agricultural economy to continue alongside critical habitat protections under the Recovery Program.<sup>1</sup> In

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<sup>1</sup> Colorado Office of Economic Development & International Trade, 2019.

addition, Shoshone flows are one of the four identified long-term protection measures for the Upper Colorado River Wild and Scenic River Alternative Management Plan.

Further, commercial river outfitters and recreationalists using the river need these flows as temperatures increase and flows decrease to keep local economies afloat and recreation a central economic driver for the state. Those economic drivers rely on the recreational flows provided by Shoshone's call to support a river recreation industry that contributes \$18.8 billion in economic output and over \$10 billion annually to the state's GDP, with nearly \$4 billion coming directly from the Colorado River basin on the Western Slope<sup>2</sup>. In addition, communities large and small along the Colorado River mainstem also benefit from the enhanced water quality Shoshone flows provide. Without the higher flows provided by the Shoshone call, higher pollutant concentrations create higher costs for municipal drinking and wastewater treatment.

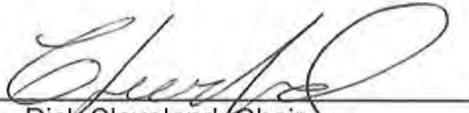
During the last 23 years of severe drought, the benefit of the Shoshone call to the flow of the river has become even more evident and important. If the power plant were to cease operation without permanent protection of the water right through an instream flow, the negative economic and environmental impacts to Western Colorado and to the State of Colorado would be immediate and profound.

Thank you for your consideration.

Sincerely,

EAGLE RIVER WATER & SANITATION DISTRICT

By:

  
Dick Cleveland, Chair

UPPER EAGLE REGIONAL WATER AUTHORITY

By:

  
George Gregory, Chair

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<sup>2</sup> 2019 Business for Water Stewardship Report (<https://businessforwater.org/co-rivers-key-to-economy>); Total economic output calculated with the multiplier effect.



# Grand County BOARD OF COMMISSIONERS

Colorado

308 Byers Ave., P.O. Box 264 | Hot Sulphur Springs, CO 80451 | 970-725-3347

**Richard D. Cimino**

District I, Fraser 80442

**Merrit S. Linke**

District II, Granby 80446

**Randal F. George**

District III, Kremmling 80459

**E-Mail:** [grndcty1@co.grand.co.us](mailto:grndcty1@co.grand.co.us)

**Phone:** 970/725-3100

**Fax:** 970/725-0565

**Edward Moyer**

County Manager

**Maxine LaBarre-Krostue**

County Attorney

September 6, 2023

Colorado Water Conservation Board  
Attn: Lauren Ris, Director  
1313 Sherman Street, Room 721  
Denver, CO 80203

Delivered via Electronic Mail [Lauren.Ris@state.co.us](mailto:Lauren.Ris@state.co.us)

RE: Non-Reimbursable Project Investment: Shoshone Hydro Plant – Water Right Permanency

Director Ris,

On behalf of the Grand County Board of County Commissioners, please accept this letter of support for the Colorado River Water Conservation District's (Colorado River District's) Non-Reimbursable Project Investment application to be considered as part of the 2024 Water Projects Bill. For more than 20 years, the Colorado River District and 17 other western Colorado governments and water entities, including Summit, Eagle, Garfield, Mesa and Grand Counties, as well as many of the municipalities therein, have been working together to permanently preserve the Shoshone flows. The 2013 Colorado River Cooperative Agreement (CRCA) between Denver Water and 17 West Slope governments/water user organizations expressly recognizes the importance of – and memorialized the need to provide permanent protection of – the historical flow regime created by the Shoshone Plant.

Colorado River water users benefit greatly from Shoshone's flows, and we are motivated to protect those benefits in perpetuity. Grand County is home to the headwaters of the Colorado River and is impacted by significant transmountain diversions; the Shoshone call and associated flow regime is critical to Grand County and we rely upon it as part of our local economy and the health of our rivers. Without the long-term security provided by the Shoshone call, additional transmountain diversion yield and limited reservoir replacement flows would have a drastic impact on Colorado River aquatic health and fisheries, recreation and agriculture. As well, Grand County's

environmental water and storage benefits tied to Shoshone through the CRCA and other agreements would be compromised.

Shoshone's flows also provide critical habitat to four fish listed under the Endangered Species Act in the 15-Mile Reach of the Colorado River. For most of the year, the river would not come close to meeting the flow targets set by the Upper Colorado Endangered Fish Recovery Program. All Colorado River water users – both east and west slope users – rely upon the benefits of the Shoshone flows as a bedrock for the success of the Upper Colorado River Endangered Fish Recovery Program and to provide continued compliance with the Endangered Species Act. In addition, Shoshone permanency preserves Historic User Pool (HUP) water supplies and allows Colorado's \$11.9 billion agricultural economy to continue alongside critical habitat protections under the Recovery Program.<sup>1</sup> Shoshone flows are also one of the four identified long-term protection measures for the Upper Colorado River Wild and Scenic River Alternative Management Plan.

Commercial river outfitters and recreationalists using the river need the Shoshone call and flows as temperatures increase and flows decrease in order to keep local economies afloat. These economic drivers rely on the recreational flows provided by Shoshone's call to support a river recreation industry that contributes \$18.8 billion in economic output and over \$10 billion annually to the state's GDP, with nearly \$4 billion coming directly from the Colorado River basin on the Western Slope<sup>2</sup>. In addition, cities, towns and water providers along the Colorado River benefit from the enhanced water quality that the Shoshone flows provide, diluting pollutants in the source drinking water. Without the higher flows from the Shoshone call, higher pollutant concentrations would increase costs for municipal drinking and wastewater treatment providers.

During the last 23 years of severe drought, the benefits of the Shoshone call and associated flows for the Colorado River has become even more evident and important. If the power plant were to cease operation without permanent protection of the water right through an instream flow, the negative economic and environmental impacts to Grand County, Western Colorado and to the State of Colorado would be immediate and profound.

Thank you in advance for your consideration of this important request.

Sincerely,



Edward T. Moyer  
County Manager

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<sup>1</sup> Colorado Office of Economic Development & International Trade, 2019.

<sup>2</sup> 2019 Business for Water Stewardship Report (<https://businessforwater.org/co-rivers-key-to-economy>); Total economic output calculated with the multiplier effect.

August 22, 2023

***Via electronic mail***

Lauren Ris, Acting Director  
Colorado Water Conservation Board  
1313 Sherman Street, Room 721  
Denver, CO 80203  
Lauren.Ris@state.co.us

RE: Non-Reimbursable Project Investment: Shoshone Hydro Plant – Water Right Permanency

Dear Acting Director Ris:

The Clinton Ditch & Reservoir Company (Reservoir Company) is the owner and operator of Clinton Gulch Reservoir, which is a major augmentation source for the Reservoir Company's shareholders. The shareholders of the Reservoir Company are the Towns of Breckenridge, Dillon and Silverthorne; Summit County; the Arapahoe Basin, Breckenridge, Copper Mountain, Keystone and Winter Park ski areas; and the Copper Mountain Consolidated Metropolitan District. The Reservoir Company strongly supports the Non-Reimbursable Project Investment application of the Colorado River Water Conservation District (Colorado River District) to be considered as part of the 2024 Water Projects Bill. For more than 20 years, the Colorado River District and 17 other western Colorado governments and water entities, including the Reservoir Company and the Summit, Grand, Eagle, Garfield and Mesa Counties and many of the municipalities therein, have been working together to find a way to permanently preserve the Shoshone flows. The 2013 Colorado River Cooperative Agreement between Denver Water and 17 West Slope governments/water user organizations expressly recognizes the importance of – and memorialized the need to provide permanent protection of – the historical flow regime created by the Shoshone Plant.

Colorado River water users benefit greatly from Shoshone's flows, and we are motivated to protect those benefits in perpetuity. Shoshone's flows provide critical habitat to four fish listed under the Endangered Species Act in the 15-Mile Reach of the Colorado River. For most of the year, the river would not come close to meeting the flow targets set by the Upper Colorado Endangered Fish Recovery Program. All Colorado River water users – both east and west slope users – rely upon the benefits of the Shoshone flows as a bedrock for the success of the Upper Colorado River Endangered Fish Recovery Program and to provide continued compliance with the Endangered Species Act. In addition, Shoshone permanency preserves Historic User Pool (HUP) water supplies and allows Colorado's \$11.9 billion agricultural economy to continue alongside critical habitat protections under the Recovery Program.<sup>1</sup> In addition, Shoshone flows are one of the four identified long-term protection measures for the Upper Colorado River Wild and Scenic River Alternative Management Plan.

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<sup>1</sup> Colorado Office of Economic Development & International Trade, 2019.

Non-Reimbursable Project Investment  
Shoshone Water Right Permanency  
August 2023  
Page 2

Further, commercial river outfitters and recreationalists using the river need these flows as temperatures increase and flows decrease to keep local economies afloat and recreation a central economic driver for the state. Those economic drivers rely on the recreational flows provided by Shoshone's call to support a river recreation industry that contributes \$18.8 billion in economic output and over \$10 billion annually to the state's GDP, with nearly \$4 billion coming directly

from the Colorado River basin on the Western Slope<sup>2</sup>. In addition, communities large and small along the Colorado River mainstem also benefit from the enhanced water quality Shoshone flows provide, diluting pollutants in the source drinking water for towns like New Castle, Rifle, Palisade, Clifton, and the greater Grand Junction area served by the Ute Water Conservancy District. Without the higher flows provided by the Shoshone call, higher pollutant concentrations create higher costs for municipal drinking and wastewater treatment.

During the last 23 years of severe drought, the benefit of the Shoshone call to the flow of the river has become even more evident and important. If the power plant were to cease operation without permanent protection of the water right through an instream flow, the negative economic and environmental impacts to Western Colorado and to the State of Colorado would be immediate and profound.

Thank you for your consideration.

Sincerely,

CLINTON DITCH & RESERVOIR COMPANY

Tom Daugherty

Digitally signed by Tom Daugherty  
DN: c=US, E=tdaugherty@silverthorne.org, O=Town of Silverthorne, OU=Public  
Works, CN=Tom Daugherty  
Reason: I am approving this document  
Date: 2023.08.21 13:20:47-08'00'

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Tom Daugherty  
Chairman of the Board of Directors

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<sup>2</sup> 2019 Business for Water Stewardship Report (<https://businessforwater.org/co-rivers-key-to-economy>); Total economic output calculated with the multiplier effect.



## MIDDLE PARK WATER CONSERVANCY DISTRICT

[www.middleparkwcd.com](http://www.middleparkwcd.com)

P.O. Box 145, Granby, CO 80446  
(970)725-3460

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August 14, 2023

***Via electronic mail***

Lauren Ris, Acting Director  
Colorado Water Conservation Board  
1313 Sherman Street, Room 721  
Denver, CO 80203

RE: Non-Reimbursable Project Investment: Shoshone Hydro Plant – Water Right Permanency

Dear Acting Director Ris:

Middle Park Water Conservancy District is pleased to support the Colorado River Water Conservation District's (Colorado River District's) Non-Reimbursable Project Investment application to be considered as part of the 2024 Water Projects Bill. For more than 20 years, the Colorado River District and 17 other western Colorado governments and water entities, including Summit, Grand, Eagle, Garfield and Mesa Counties and many of the municipalities therein, have been working together to find a way to permanently preserve the Shoshone flows. The 2013 Colorado River Cooperative Agreement between Denver Water and 17 West Slope governments/water user organizations expressly recognizes the importance of – and memorialized the need to provide permanent protection of – the historical flow regime created by the Shoshone Plant.

Colorado River water users benefit greatly from Shoshone's flows, and we are motivated to protect those benefits in perpetuity. Shoshone's flows provide critical habitat to four fish listed under the Endangered Species Act in the 15-Mile Reach of the Colorado River. For most of the year, the river would not come close to meeting the flow targets set by the Upper Colorado Endangered Fish Recovery Program. All Colorado River water users – both east and west slope users – rely upon the benefits of the Shoshone flows as a bedrock for the success of the Upper Colorado River Endangered Fish Recovery Program and to provide continued compliance with the Endangered Species Act. In addition, Shoshone permanency preserves Historic User Pool (HUP) water supplies and allows Colorado's \$11.9 billion agricultural economy to continue alongside critical habitat protections under the Recovery Program.<sup>1</sup> In addition, Shoshone flows are one of the four identified long-term protection measures for the Upper Colorado River Wild and Scenic River Alternative Management Plan.

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<sup>1</sup> Colorado Office of Economic Development & International Trade, 2019.

Non-Reimbursable Project Investment  
Shoshone Water Right Permanency  
August 2023  
Page 2

Further, commercial river outfitters and recreationalists using the river need these flows as temperatures increase and flows decrease to keep local economies afloat and recreation a central economic driver for the state. Those economic drivers rely on the recreational flows provided by Shoshone's call to support a river recreation industry that contributes \$18.8 billion in economic output and over \$10 billion annually to the state's GDP, with nearly \$4 billion coming directly from the Colorado River basin on the Western Slope<sup>2</sup>. In addition, communities large and small along the Colorado River mainstem also benefit from the enhanced water quality Shoshone flows provide, diluting pollutants in the source drinking water for towns like New Castle, Rifle, Palisade, Clifton, and the greater Grand Junction area served by Ute Water Conservancy. Without the higher flows provided by the Shoshone call, higher pollutant concentrations create higher costs for municipal drinking and wastewater treatment.

During the last 23 years of severe drought, the benefit of the Shoshone call to the flow of the river has become even more evident and important. If the power plant were to cease operation without permanent protection of the water right through an instream flow, the negative economic and environmental impacts to Western Colorado and to the State of Colorado would be immediate and profound.

Thank you for your consideration.

Sincerely,



Kent Whitmer  
Attorney for Middle Park Water Conservancy District

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<sup>2</sup> 2019 Business for Water Stewardship Report (<https://businessforwater.org/co-rivers-key-to-economy>); Total economic output calculated with the multiplier effect.



**TOWN OF BRECKENRIDGE**  
**PUBLIC WORKS**

August 23, 2023

*Via electronic mail*

Lauren Ris, Director  
Colorado Water Conservation Board  
1313 Sherman Street, Room 721  
Denver, CO 80203  
Lauren.Ris@state.co.us

RE: Non-Reimbursable Project Investment: Shoshone Hydro Plant – Water Right Permanency

Dear Director Ris:

The Town of Breckenridge is pleased to support the Non-Reimbursable Project Investment application of the Colorado River Water Conservation District (Colorado River District) to be considered as part of the 2024 Water Projects Bill. For more than 20 years, the Colorado River District and 17 other western Colorado governments and water entities, including the Summit, Grand, Eagle, Garfield and Mesa Counties and many of the municipalities therein, have been working together to find a way to permanently preserve the Shoshone flows. The 2013 Colorado River Cooperative Agreement between Denver Water and 17 West Slope governments/water user organizations expressly recognizes the importance of – and memorialized the need to provide permanent protection of – the historical flow regime created by the Shoshone Plant.

Colorado River water users benefit greatly from Shoshone’s flows, and we are motivated to protect those benefits in perpetuity. Shoshone’s flows provide critical habitat to four fish listed under the Endangered Species Act in the 15-Mile Reach of the Colorado River. For most of the year, the river would not come close to meeting the flow targets set by the Upper Colorado Endangered Fish Recovery Program. All Colorado River water users – both east and west slope users – rely upon the benefits of the Shoshone flows as a bedrock for the success of the Upper Colorado River Endangered Fish Recovery Program and to provide continued compliance with the Endangered Species Act. In addition, Shoshone permanency preserves Historic User Pool (HUP) water supplies and allows Colorado’s \$11.9 billion agricultural economy to continue alongside critical habitat protections under the Recovery Program.<sup>1</sup> In addition, Shoshone flows are one of the four identified long-term protection measures for the Upper Colorado River Wild and Scenic River Alternative Management Plan.

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<sup>1</sup> Colorado Office of Economic Development & International Trade, 2019.



**TOWN OF BRECKENRIDGE**  
**PUBLIC WORKS**

Further, commercial river outfitters and recreationalists using the river need these flows as temperatures increase and flows decrease to keep local economies afloat and recreation a central economic driver for the state. Those economic drivers rely on the recreational flows provided by Shoshone's call to support a river recreation industry that contributes \$18.8 billion in economic output and over \$10 billion annually to the state's GDP, with nearly \$4 billion coming directly

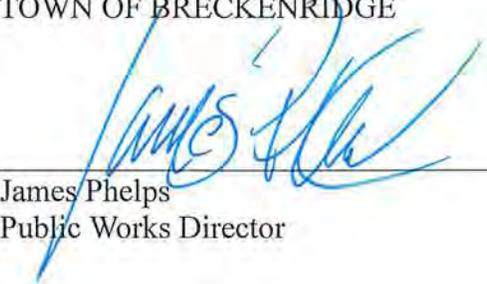
from the Colorado River basin on the Western Slope<sup>2</sup>. In addition, communities large and small along the Colorado River mainstem also benefit from the enhanced water quality Shoshone flows provide, diluting pollutants in the source drinking water for towns like New Castle, Rifle, Palisade, Clifton, and the greater Grand Junction area served by the Ute Water Conservancy District. Without the higher flows provided by the Shoshone call, higher pollutant concentrations create higher costs for municipal drinking and wastewater treatment.

During the last 23 years of severe drought, the benefit of the Shoshone call to the flow of the river has become even more evident and important. If the power plant were to cease operation without permanent protection of the water right through an instream flow, the negative economic and environmental impacts to Western Colorado and to the State of Colorado would be immediate and profound.

Thank you for your consideration.

Sincerely,

TOWN OF BRECKENRIDGE



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James Phelps  
Public Works Director

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<sup>2</sup> 2019 Business for Water Stewardship Report (<https://businessforwater.org/co-rivers-key-to-economy>); Total economic output calculated with the multiplier effect.