

STATE OF  
COLORADO

Mauss - DNR She Her, Anna &lt;anna.mauss@state.co.us&gt;

**RE: WRRWSP Pre-Permitting Report**

1 message

**Scheel - DNR, Kara** <kara.scheel@state.co.us>  
To: Anna Mauss - DNR She Her <Anna.Mauss@state.co.us>  
Cc: Michelle Garrison - DNR <michelle.garrison@state.co.us>

Wed, Jan 3, 2024 at 4:33 PM

Anna,

Thank you for sharing the final report for the White River Regional Water Supply Project Pre-Permitting project funded by a Water Plan grant in 2019.

I wanted to bring to your attention that there are several statements in this report that the CWCB, as a cooperating agency, has already expressed concerns with through this project's permitting process. Specifically, the CWCB does not agree with the District's interpretation of the conditional water right decree and the District's Purpose and Needs statement.

The legal uses of water are defined and limited in the decree entered by the Colorado Division 6 Water Court in Case No. 14CW3043. The regional water needs identified in the Plan of Development (POD) and Purpose and Need Report (Wheeler, 2023) are inconsistent with the Decree and therefore not legally authorized uses for Wolf Creek Reservoir. Specifically, protection of junior water users in the event of curtailment under the Colorado River Compact, agriculture/irrigation, and environmental flows for federally listed species are not authorized uses in the Decree. The Decree also limits hydropower use to times when water is being released for other decreed beneficial uses, but the POD does not recognize this limitation.

Additional comments were made by the CWCB in review of these documents as a Cooperating Agency. A full list of our comments can be made available as the permitting process progresses.

Thank you,  
Kara

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**Kara Scheel, P.E.**  
(She / Her)  
**Endangered Species Recovery Program Manager**



**COLORADO**  
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