



**COLORADO**

**Colorado Water  
Conservation Board**

Department of Natural Resources

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**TO:** Colorado Water Conservation Board Members

**FROM:** Linda Bassi  
Kaylea White, Senior Water Resource Specialist  
Stream and Lake Protection Section

**DATE:** May 19-20, 2021

**AGENDA ITEM:** 8. Renewal of Ute Water Conservancy District Lease of Ruedi Water for Instream Flow Use in the 15-Mile Reach (Water Division 5)

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On June 27, 2020, the CWCB entered into a renewable short-term Water Lease Agreement with the Ute Water Conservancy District (“Ute Water”) to use a portion of the water that Ute Water owns in Ruedi Reservoir (“Ruedi water”) for instream flow (“ISF”) use in the 15-Mile Reach of the Colorado River. See attached Vicinity Map. The purpose of the lease is to supplement existing ISF water rights to preserve and improve the natural environment of the 15-Mile Reach of the Colorado River, benefitting endangered fish habitat in that reach. Ute Water has offered to renew the Water Lease Agreement for this year and potentially make available up to 12,000 acre-feet of Ruedi Water for ISF use in the 15-Mile Reach at a cost of \$20.00 per acre-foot. The term of the renewal will extend from its effective date to December 31, 2021. This will be the first of four renewals potentially available under the Water Lease Agreement.

**Staff Recommendation:** Staff recommends that the Board approve: (1) a one-year renewal of the Water Lease Agreement to lease up to 12,000 acre-feet of Ruedi Water from the Ute Water Conservancy District for \$20.00 per acre-foot, and (2) an expenditure of up to \$240,000 from the Species Conservation Trust Fund, subject to the following conditions:

1. Releases of Ruedi water under the Water Lease Agreement shall not cause releases out of Ruedi Reservoir to exceed 300 cfs and shall not cause flows in the Frypan River below Ruedi Reservoir to exceed 350 cfs. Staff shall coordinate with the Bureau of Reclamation to ensure meeting this condition.
2. CWCB staff shall consult and coordinate weekly with Colorado Parks and Wildlife staff on proposed releases to minimize impacts to the fishery on the Frypan River below Ruedi Reservoir.

## Discussion

In 2020, Ute Water leased 9,830 acre-feet of Ruedi water to the CWCB. Releases of that leased water occurred July 20-August 23 and October 5-26, resulting in higher flows in the 15-Mile Reach and providing some operational flexibility for the USFWS and operators of other reservoirs that release water in late summer to benefit the endangered fish habitat in the 15-Mile Reach. The released water passed through the Ruedi Reservoir hydropower plant and



Orchard Mesa Irrigation District’s power plant on its way to the 15-Mile Reach, providing additional local benefits.

This year, facing the prospect of a poor water supply year, Ute Water will not guarantee a minimum volume of water to be leased, ensuring flexibility in its operations should it need all of its Ruedi water. Staff appreciates Ute Water’s interest in renewing the Water Lease Agreement this year to provide the ability to exercise the lease if Ute Water determines that Ruedi water is available for that purpose.

### ISF Water Rights

The CWCB currently holds ISF water rights on the following reaches of the Colorado River on which it can use the leased Ruedi water:

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

### Use of the Leased Water

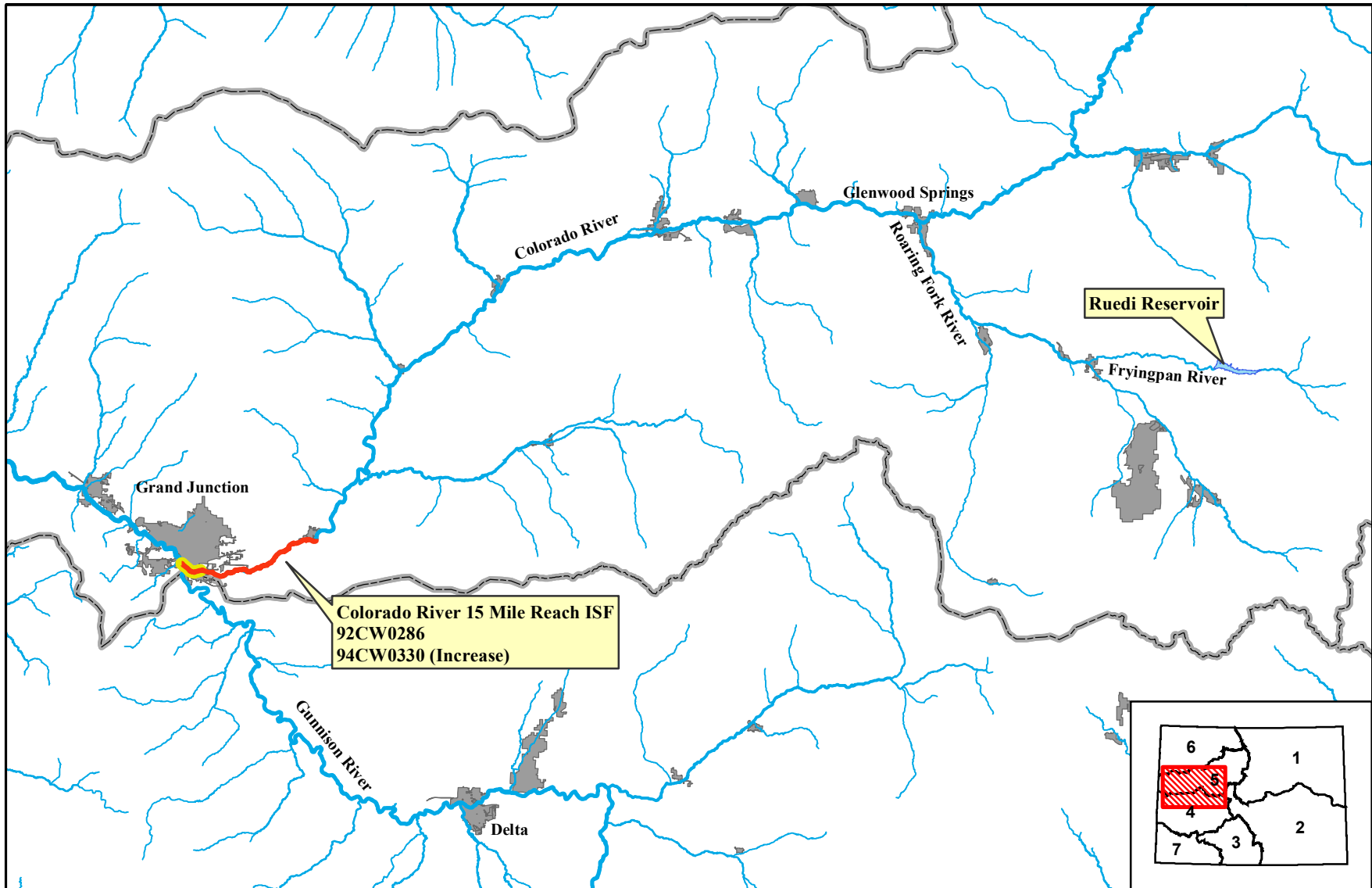
The CWCB will use the leased water to supplement the existing ISF water rights in the 15-Mile Reach to preserve the natural environment, and to provide water to help meet or reduce shortfalls to the U.S. Fish and Wildlife Service’s (“USFWS”) flow recommendation to benefit the endangered fish habitat in the reach. Based upon current hydrologic conditions, it appears that the August - October 15-Mile Reach flow recommendation will be a dry-year target of 810 cfs. The CWCB’s use of the leased water above the decreed ISF rates to help meet the USFWS flow recommendation will improve the natural environment to a reasonable degree. The CWCB, USFWS, and U.S. Bureau of Reclamation (USBR) will coordinate on the timing and amount of such uses. The Division 5 Division Engineer has confirmed that the release and delivery of the Leased Water from Ruedi Reservoir to the 15-Mile Reach pursuant to a contract between Ute Water and the CWCB will be administrable.

### Public Outreach

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

Attachment: Vicinity Map





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May 19-20, 2021 CWCB Board Meeting  
 Agenda Item 8: Renewal of Ute Water Conservancy District  
 Lease of Ruedi Water for Instream Flow Use in the 15-Mile  
 Reach (Water Division 5)

