

# COLORADO WATER CONSERVATION BOARD

## Protecting Colorado Water

### Frequently Asked Questions about the Colorado River

#### THE COLORADO RIVER 101

**Q. What is the Colorado River Basin?**

**A.** The Colorado River Basin is about 1,450 miles long, with headwaters in Colorado and Wyoming, and eventually flows across the international border into Mexico. The drainage basin area covers nearly 250,000 square miles and 8% of the continental United States.

**Q. What is the Colorado River System?**

**A.** The “Colorado River System” is the Colorado River and its tributaries in the United States.

**Q. What states are part of the Colorado River basin?**

**A.** The Colorado River and its tributaries pass through seven states: Colorado, Arizona, California, Nevada, New Mexico, Utah, and Wyoming.

**Q. Who uses the Colorado River?**

**A.** The Colorado River irrigates 5.5 million acres of farmland. It also provides water to over 40 million people in the southwestern United States, including the cities of Denver, Salt Lake City, Cheyenne, Albuquerque, Santa Fe, Las Vegas, Phoenix, Tucson, Los Angeles, and San Diego.

The Colorado River Basin is home to 29 federally recognized Tribal Nations. It also hosts 11 National Parks, plus many National Wildlife Refuges, Recreation Areas, and Monuments. The Colorado River is often called the “hardest working river in the West.”

**Q. Why is the Colorado River important in Colorado?**

**A.** Most of the water consumed in Colorado is diverted from the Colorado River and its tributaries. This water is used for agricultural, municipal, industrial, recreational, and other purposes.

While the Colorado River only flows west of the Continental Divide, people and economies on both sides of the Continental Divide depend on its water. Reservoirs and tunnels bring water from the west side of the Rocky Mountains to the east side.

**Q. What rivers in Colorado are part of the Colorado River basin?**

**A.** Many rivers in Colorado eventually flow into the Colorado River including the Yampa, Little Snake, White, Gunnison, Dolores, Animas, and La Plata Rivers. Any water that falls west of the Continental Divide flows into the Colorado River or its tributaries.

**Q. What is Colorado's role in the Colorado River basin?**

**A.** Colorado is the headwaters and namesake of the Colorado River. Between 60% and 70% of water in the Colorado River Basin comes from Colorado. Colorado manages its use of the Colorado River, while working with the Colorado River basin states and the federal government through interstate agreements, federal laws, state laws, and regulations.

**Q. What is an acre-foot?**

**A.** An acre-foot is the amount of water it would take to cover an acre of land with one foot of water. An acre-foot is a common unit of measurement when talking about water rights. An acre-foot is the amount of water it would take to cover a football field with one foot of water. It takes two acre-feet to fill an Olympic-sized swimming pool.

**Q. It rained a lot in Denver this year. Is there still a drought?**

**A.** Yes. "Drought conditions" do not just measure how much rain or snow falls from the sky. Drought means that there is less water available in a particular area than usual. One major factor is how much rain or snow falls from the sky. But even when Colorado gets a lot of precipitation, it doesn't mean an end to the drought. Timing of runoff, ground conditions, and where the precipitation falls play major roles too.

When the snow melts early in the year, farmers haven't had time to plant crops that could use the water. So, while there is some water available in the early part of the year, there isn't water available later in the summer when the crops need it.

Conditions on the ground also matter. When the ground is dry and the soil moisture is low, the ground soaks up the runoff. Because dry ground acts like a sponge, less water reaches our streams and rivers.

Even if there is snow and rainfall in parts of the state, it doesn't mean that every part of the state benefits. It is difficult and expensive to move water around the state, and there are limited systems to do that. Even when it rains in Denver, other parts of the state can remain very dry.

See [current drought conditions](#) across Colorado.

**Q. Is Colorado renegotiating all the rules for the Colorado River?**

**A.** No. The 1922 Colorado River Compact and the 1948 Upper Colorado River Basin Compact have been—and will continue to be—the law of the land. The Colorado River Basin states are not considering changing those agreements.

In 2007, the Colorado River Basin states negotiated guidelines for how to operate Lake Powell and Lake Mead and to address water shortages in Arizona, California and Nevada. Those guidelines expire at the end of 2025. Colorado, along with the six other Colorado River Basin states and the federal government, is preparing to negotiate a new set of operating guidelines that will go into effect after the other guidelines expire.

## A DEEPER DIVE INTO THE COLORADO RIVER

### Q. Who is in charge of the Colorado River?

A. No single entity is in charge of the Colorado River. Instead, the federal government and seven Colorado River Basin states have signed agreements that allocate use of water among the states. Other laws and regulatory guidelines build on these agreements to manage the Colorado River. Each state is responsible for distributing and regulating waters within its own borders.

The Department of the Interior and the Bureau of Reclamation are responsible for operating some of the large reservoirs on the Colorado River. They work closely with the states to manage the reservoirs.

### Q. What is the “Law of the River”?

A. The [Law of the River](#) refers to a collection of interstate compacts, an international treaty, federal and state laws, court decisions and decrees, and more that govern the management of the Colorado River.

### Q. What is the Upper Basin?

A. The 1922 [Colorado River Compact](#) divided the Colorado River into the Upper Basin and Lower Basin. The Upper Basin is all the parts of Colorado, New Mexico, Utah, Wyoming, and Arizona that drain into the Colorado River and its tributaries above Lee Ferry, a point on the Colorado River in northern Arizona. It also includes all areas that beneficially use water diverted above Lee Ferry.

NOTE: The Upper Division includes the states of Colorado, New Mexico, Utah and Wyoming. The Lower Division includes the states of Nevada, Arizona and California.

### Q. Who controls water in the Upper Basin?

A. In 1948, the Upper Basin states signed the Upper Colorado River Basin Compact, which allocates water among the Upper Basin states. From there, each state is in charge of allocating and administering water rights within the state. The federal government has no official role in allocating or administering water within the boundaries of each state.

The Upper Colorado River Basin Compact also sets up an administrative agency, the Upper Colorado River Commission (UCRC). The UCRC is an administrative body that can conduct investigations and make certain findings about flows to the Lower Basin States and Mexico. Colorado, New Mexico, Utah, Wyoming, and the federal government have commissioners on the UCRC.

### Q. What is the Lower Basin?

A. The 1922 Colorado River Compact divided the Colorado River into the Upper Basin and Lower Basin. The Lower Basin is all the parts of Arizona, California, Nevada, New Mexico, and Utah that drain into the Colorado River and its tributaries below Lee Ferry, a point on the Colorado River in northern Arizona. It also includes all areas that beneficially use water diverted below Lee Ferry. Even areas that are not in the Colorado River watershed but that receive Colorado River water from the Lower Basin, such as Los Angeles and San Diego, are part of the Lower Basin.

**Q. Who controls water in the Lower Basin?**

**A.** Unlike the Upper Basin, where the states entered into an agreement to apportion water among themselves, the Secretary of the Interior is the water master in the Lower Basin. The Secretary of the Interior delegates this responsibility to the Bureau of Reclamation. Water users in the Lower Basin states can contract directly with the Bureau of Reclamation for release of water.

For more information on water use in the Lower Basin, refer to the [Bureau of Reclamation's website](#).

**Q. How much water does each Colorado River Basin state get to use?**

**A.** Under the 1922 Colorado River Compact, both the Upper Basin and the Lower Basin may use 7.5 million acre-feet each year.

In the Upper Basin, the states signed the 1948 Upper Colorado River Basin Compact, which allocates water to the states by percentage. Each Upper Division state gets to use a set percentage of the water available each year: Colorado 51.75%; New Mexico 11.25%; Utah 23%; and Wyoming 14%. In addition, Arizona gets to use 50,000 acre-feet because a small portion of Arizona is in the Upper Basin.

Allocation among the Lower Basin states was more difficult. In 1963, the Supreme Court ruled that each Lower Basin state would get to use a set amount of the 7.5 million acre-feet of water each year. California gets 4.4 million acre-feet, Arizona gets 2.8 million acre-feet, and Nevada gets 300,000 acre-feet. If there is more than 7.5 million acre-feet available, California and Arizona split the extra.

Over time, the Colorado River Basin states have come to additional agreements about what happens if there is extra water (known as surplus water) or not enough water (known as a water shortage). For example, the 2007 Interim Guidelines were designed to respond to changes in the amount of water available and address shortages in the Lower Basin.

**Q. Do the tribes in the Colorado River basin have water rights?**

**A.** Yes. In 1908, the Supreme Court declared that the federal government implicitly reserved water rights when it set aside lands for tribal use (known as federal Indian reserved water rights). Even if the tribe didn't use water at the time, the tribe has a right to use water today.

There are two Tribes in Colorado: the Ute Mountain Ute and the Southern Ute. Together, the Tribes and Colorado agreed on the amount of the reserved water rights for the Tribes in Colorado. Some other states have reached similar agreements with Tribes, while others have not.

**Q. Does Mexico have the right to use Colorado River water?**

**A.** Yes. The Colorado River flows through Yuma, Arizona, crosses into Mexico, and empties into the Gulf of California. In 1944, the United States and Mexico signed the Mexican Water Treaty. Under the Treaty, the United States commits to delivering 1.5 million acre-feet of Colorado River water to Mexico each year, and more if there is extra water. The International Boundary and Water Commission oversees this agreement.

**Q. What does “shortage” mean?**

A. Shortage means that there is not enough water in a particular area to meet demand. Every year, Colorado water users experience shortages on the Colorado River and its tributaries in Colorado.

**Q. What is “compact administration?”**

A. Under the 1922 Colorado River Compact, the Upper Basin states have to make sure that they don't cause the flow of water to the Lower Basin states to drop below a certain amount over a ten-year period (known as the non-depletion obligation). If the Upper Basin is at risk of not meeting that commitment, states may have to cut back their water use. This type of mandatory reduction in use is called “compact administration.” However, people also refer to it as “compact compliance” or “curtailment.”

The 1948 Upper Colorado River Basin Compact sets up guidance on how to determine total reductions for Colorado, New Mexico, Utah, and Wyoming. After that, each state gets to determine how to make those cutbacks within their own state. In Colorado, the State Engineer (who is the head of the Division of Water Resources) determines how to administer water rights in Colorado to meet compact obligations. There has never been a compact administration.

**Q. What are the 2007 Interim Guidelines?**

A. The [2007 Interim Guidelines](#), formally known as the “Colorado River Interim Guidelines for Lower Basin Shortages and the Coordinated Operations for Lake Powell and Mead,” set up rules for operating Lake Powell and Lake Mead that respond to changing water conditions. They also established rules for how the Lower Basin would allocate water in times of shortage. The Bureau of Reclamation worked with the seven Colorado River basin states to develop the 2007 Interim Guidelines.

**Q. What is the Drought Contingency Plan?**

A. The Drought Contingency Plan (DCP) is a set of agreements to reduce risks of ongoing drought. In 2019, Colorado and the other Colorado River basin states signed the DCP to provide extra security and flexibility in managing water, beyond the 2007 Interim Guidelines. The DCP allows for flexible operations of the Upper Basin reservoirs when Lake Powell falls to very low levels. The DCP also lets the Upper Basin states decide whether to set up a [demand management program](#) and store extra water in Lake Powell as insurance against future mandatory cutbacks (known as compact administration).

**Q. What is demand management?**

A. [Demand management](#) is the concept of temporary, voluntary, and compensated reductions in the consumptive use of water in the Colorado River basin. Colorado is in the process of investigating whether a potential program would be feasible. New Mexico, Utah, and Wyoming are conducting their own investigations.

**Q. What is the plan for the future?**

A. The 2007 Interim Guidelines expire at the end of 2025. Colorado is preparing to negotiate with the other Colorado River basin states on a new set of operating guidelines for managing major reservoirs on the Colorado River in the future. Colorado Commissioner Rebecca Mitchell will

advocate for Colorado and prioritize security for current and future water users, and the system as a whole. Commissioner Mitchell will continue to engage with Tribal Nations, water users, and other water stakeholders to protect Colorado's interests in the Colorado River.