



COLORADO

Colorado Water Conservation Board

Department of Natural Resources

1313 Sherman Street, Room 718, Denver, Colorado 80203

Phone: (303) 866-3441

www.cwcb.colorado.gov

**TO: Subscribers Instream Flow Mailing List (*via email*), and
State Engineer's Substitute Water Supply Plan Notification List for Water
Division 5 (*via email*)**

DATE: July 2, 2025

**RE: Notice of Hearing and Deadline for Notice of Party Status for the Proposed
Acquisition of an Interest in the Shoshone Water Rights for Instream Flow Use
on the Colorado River, Water Division 5**

The Colorado Water Conservation Board ("CWCB") conducted a virtual special meeting on July 1, 2025, to consider whether or not to grant the requests to hold a hearing on the proposed acquisition offered by the Colorado River Water Conservation District ("River District") and Public Service Company of Colorado ("PSCo") to the CWCB for an interest in the Shoshone Water Rights for instream flow ("ISF") use on the mainstem of the Colorado River. Four requests for a hearing were received within 20 days from the initial May 21, 2025 presentation of the acquisition offer.

After consideration, on July 1, 2025 the CWCB: (1) granted the requests for a hearing for the proposed acquisition of an interest in the Shoshone Water Rights for instream flow use on the Colorado River; (2) determined the hearing should be held in conjunction with the September 16-18, 2025, CWCB meeting, and (3) appointed Senior Assistant Attorney General Jackie Calicchio as the Hearing Officer.

Pursuant to ISF rule 6m (5)(e) Any person who desires party status shall become a Party upon submission of a written Notice of Party Status to the Board Office via email to the Hearing Officer. The Notice shall include the name and mailing address

of the Person and a brief statement of the reasons the Person desires party status. **The Board Office must receive Notice of Party Status within seven days of this hearing notice, which will be by the end of the day on July 9, 2025.** To submit a Notice of Party Status please email such Notice to the Hearing Officer, at Jackie.Calicchio@coag.gov. Questions about this process may be directed to Jackie Calicchio at (720) 508-6250.

For more information, please see ISF Rule 6m regarding Public Input on Proposed Acquisitions which is available at the following link:

<https://dnrweblink.state.co.us/CWCB/0/edoc/214232/2%20CCR%20408-2.pdf>

Background:

At the May 21, 2025, CWCB meeting, staff presented an offer to the Board from the River District, and PSCo for an interest in the Shoshone Water rights for ISF purposes on the mainstem of the Colorado River. Under this proposal, the River District would purchase and maintain ownership of the water rights, while CWCB would hold perpetual ISF use rights, and PSCo would hold a lease for hydropower use. The Shoshone water rights offered to CWCB total 1,408 cfs, comprised of the senior Shoshone water right in the amount of 1,250 cfs, and the junior Shoshone water right in the amount of 158 cfs. The CWCB would use these water rights, pursuant to their individual priorities, in the combined amount of up to 1,408 cfs, at the flow rates recommended by Colorado Parks and Wildlife to preserve and improve the natural environment to a reasonable degree in the 2.4-mile reach of the Colorado River between the Shoshone Power Plant Diversion Dam and Tunnel and the Shoshone Power Plant Discharge Outlets.

Supporting Data:

Available information concerning the proposed acquisition can be found at:

<https://cwcb.colorado.gov/2025-shoshone-isf-acquisition>