



July 9, 2025

*via email*

Jackie Calicchio, Senior Assistant Attorney General  
Hearing Officer  
Jackie.Calicchio@coag.gov

**RE: Notice of Party Status in the Matter of the Proposed Acquisition of an Interest in the Shoshone Water Rights for Instream Flow Use on the Colorado River**

Dear Hearing Officer Calicchio:

Pursuant to Rule 6m(5)(e) of the Rules Concerning the Colorado Instream Flow and Natural Lake Level Program (2 CCR 408-2), and in response to the July 2, 2025 Notice of Hearing and Deadline for Notice of Party Status, Aurora Water hereby submits this Notice of Party Status in the matter concerning the proposal by the Colorado River Water Conservation District (“River District”) and Public Service Company of Colorado (“PSCo”) proposal regarding the Colorado Water Conservation Board’s (“CWCB”) acquisition of an interest in the Shoshone Water Rights for instream flow use on the Colorado River in Water Division 5.

Aurora Water is a major municipal water provider serving more than 400,000 people and relies in part on transmountain diversions from tributaries of the Colorado River. Aurora Water supports, in concept, the addition of instream flow use to the Senior Shoshone Water Right. However, Aurora Water has a significant interest in ensuring that any such change of use complies with Colorado law, is grounded in a defensible historical use analysis, and does not result in an expansion of the Shoshone water rights, injury to existing water rights, or a reduction in Aurora’s ability to provide reliable municipal water service.

As outlined in our May 9, 2025 letter and our June 9, 2025 hearing request—both of which are incorporated herein by reference—Aurora Water has substantial concerns that the methodology used by the River District and PSCo to quantify the flow regime of the river and the historical use of both the senior and junior Shoshone rights materially overstates the actual historical diversions. This error in methodology risks expanding the Shoshone Water Rights and altering the historical flow regime, contrary to law and precedent.

Accordingly, Aurora Water respectfully requests party status to participate in the Colorado Conservation Board’s September 2025 hearing on the proposed Shoshone instream flow acquisition.

Respectfully submitted,

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Marshall Brown,  
General Manager, Aurora Water