

**BEFORE THE COLORADO WATER CONSERVATION BOARD
DEPARTMENT OF NATURAL RESOURCES, STATE OF COLORADO**

**IN THE MATTER OF THE HEARING FOR THE PROPOSED ACQUISITION OF AN
INTEREST IN THE SHOSHONE WATER RIGHTS FOR INSTREAM FLOW USE ON THE
COLORADO RIVER**

**NOTICE PURSUANT TO RULE 6m (5)(e) OF THE BOARD'S RULES CONCERNING THE
COLORADO INSTREAM FLOW AND NATURAL LAKE LEVEL PROGRAM, 2 CCR 408-2,
OF PARTY STATUS OF AMERICAN WHITEWATER**

American Whitewater hereby submit this Application for Party Status to participate in the Colorado Water Conservation Board's (the "CWCB") hearing for the proposed acquisition of an interest in the Shoshone Water Rights for instream flow use on the Colorado River.

I. Introduction

On July 1, 2025, the CWCB considered four requests for a hearing for the CWCB's proposed acquisition of an interest in the Shoshone Water Rights for instream flow use on the Colorado River. The CWCB granted the requests and set the hearing to be held in conjunction with the September 16-18, 2025, CWCB meeting.

Pursuant to Rule 6m (5)(e) of the Board's Rules Concerning the Colorado Instream Flow and Natural Lake Level Program, 2 CCR 408-2, any Person who desires party status for a hearing on a instream flow acquisition shall become a party upon submission within seven days after notice of the hearing is issued of a written Notice of Party Status to the Board Office including the name and mailing address of the person and a brief statement of the reasons the person desires party status.

Through this Notice, American Whitewater requests party status for the hearing for the proposed acquisition of an interest in the Shoshone Water Rights for instream flow use.

II. Contact Persons

For purposes of American Whitewater's participation in this hearing, Hattie Johnson, shall be American Whitewater's contact person. The appropriate mailing address, phone number, and email address for Ms. Johnson are listed in the address block below.

III. Applicants' Interest in the ISF Acquisition Hearing

American Whitewater is a national 501(c)(3) non-profit organization with a mission to protect and restore our nation's whitewater resources and enhance opportunities to enjoy them safely. With over 7,000 individual and 100 affiliate club members, American Whitewater represents the interests of over 80,000 river enthusiasts nationally. As conservation-minded whitewater recreationists, we place a high value on protecting naturally functioning river ecosystems, including their fish and wildlife, geomorphic processes, and potential to provide clean and safe drinking water.

American Whitewater has members that live and recreate throughout the Colorado River Basin. American Whitewater and our members are invested in ensuring the important outdoor recreation industry of the western slope is maintained and the outstanding river recreational opportunities remain. The senior right at Shoshone provides important predictability for river outfitters from Kremmling to Glenwood Springs. According to the Colorado River Outfitters Association this commercial activity provided \$14M in direct expenditures and \$36M in economic impact to the state in 2022.

American Whitewater desires party status in this proceeding because it supports the CWCB's acquisition of an interest in the Shoshone Water Rights. If used for an instream flow, these water rights will be utilized downstream use by the recreation community. Over the last twenty-plus years, the Colorado River has been compromised by drought and noticeable changes in temperature and precipitation. The average flow in the Colorado River Basin has declined approximately 20 percent over the last 20 years, largely due to climate change, which is causing warming temperatures, diminished rainfall, increased evaporation, and a snowpack that's shrinking and melting earlier throughout the Colorado River Basin.

American Whitewater completed a flow preference and boatable days analysis for the Upper Colorado River Basin in 2010 and has tracked annual boatable days in the intervening years. Models show that climate change and historic drought will continue to affect the Colorado River and the State of Colorado in the foreseeable future. The impact of the reductions in stream flows predicted by these models on Colorado's recreational economy is of great concern to American Whitewater. Maintenance of historical flows in the Colorado River through acquisition and continued exercise of the Shoshone Water Rights will help protect out recreational economy because these flows will be available for subsequent use and reuse for multiple purposes downstream, including recreational boating use.

Given these benefits, American Whitewater views the acquisition of the Shoshone Water Rights for instream flow purposes as a significant step to take in protecting Colorado's recreational economy in communities across the West Slope. We intend to demonstrate at the hearing that the CWCB's acquisition of an interest in the water rights is appropriate pursuant to the factors set forth at Rule 6e(8) and 6e(9) of the Board's Rules Concerning the Colorado Instream Flow and Natural Lake Level Program, 2 CCR 408-2.

Accordingly, we request party status for the CWCB Shoshone Water Rights acquisition hearing.

Respectively submitted this 9th day of July 2025.

AMERICAN WHITEWATER



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