

**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 WESTERN RESOURCE ADVOCATES, AMERICAN RIVERS,
CONSERVATION COLORADO, AND THE NATIONAL AUDUBON SOCIETY**

Western Resource Advocates, American Rivers, Conservation Colorado, and the National Audubon Society (collectively, "WRA et al") hereby jointly 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, WRA et al request 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 WRA et al's participation in this hearing only, John Cyran and Bart Miller for Western Resource Advocates, Healthy Rivers Program, shall be WRA et al's contact persons. The appropriate mailing address, phone number, and email address for Mr. Cyran and Mr. Miller are listed in the address block below.

III. Applicants' Interest in the ISF Acquisition Hearing

WRA et al are nonprofit conservation organizations with long histories of successfully working with public and private entities to address issues affecting Colorado's streams and rivers.

For more than 50 years, American Rivers has worked to safeguard the 3.5 million miles of rivers and streams essential to our nation's clean drinking water, extraordinary wildlife, and the strength of our communities. American Rivers advocates for local, state, and federal protection for our nation's healthiest

waterways — including rivers that flow across our public lands and through our communities, as well as restoration work to improve river health. Every river faces its own unique challenges. The best results come when solutions work well for everyone involved. In Colorado, American Rivers works to find holistic, common-sense solutions to the many needs of rivers, including the Colorado River, and all who depend on them.

Conservation Colorado works to protect our state's climate, air, land, water, and communities through organizing, advocacy, and elections. Conservation Colorado has a long and successful history in Colorado of collaborating on key environmental issues, working at the State Capitol, and establishing strategic partnerships. Specifically, Conservation Colorado has a history of working on matters pertaining to Colorado streams, including actively participating in past CWCB instream flow matters.

The National Audubon Society (NAS) is an inclusive, nonpartisan bird conservation organization that collaborates with diverse stakeholders to further its mission of protecting birds and the places they need, including Colorado rivers and streams, today and tomorrow. NAS works throughout the Americas using science, advocacy, education, and on-the-ground conservation. Twenty-three state/regional programs, 41 nature centers, 450+ local chapters, and a broad array of partners give NAS an unparalleled wingspan that reaches millions of people each year to inform, inspire, and unite diverse communities in conservation action. A nonprofit conservation organization since 1905, NAS seeks to advance in a world in which people and wildlife thrive. Audubon Rockies is a regional office of NAS representing Colorado, Utah, and Wyoming. Audubon Rockies' Western Rivers Initiative aims to create healthier rivers throughout Colorado, for birds, wildlife, and people.

Western Resource Advocates ("WRA") is a nonprofit conservation organization dedicated to protecting the Interior West's land, air, and water. We promote river restoration and water conservation, advocate for a clean and sustainable energy future, and protect public lands for present and future generations. WRA engages with water providers, districts, and utilities, state and federal government agencies, and Colorado irrigators to find solutions to meet growing urban water demands while protecting stream flows for fish, wildlife, and recreation. WRA has experience helping western communities meet their legitimate water needs, as well as extensive knowledge of the water delivery systems in the Colorado River Basin. Our members and employees are located throughout the arid and semi-arid states of the Interior West.

WRA et al desire party status in this proceeding because they support the CWCB's acquisition of an interest in the Shoshone Water Rights. 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. Models show that climate change and historic drought will continue to affect the Colorado River and the State of Colorado in the foreseeable future.

Maintenance of historical flows in the Colorado River through continued exercise of the Shoshone Water Rights is necessary to protect the health of Colorado's river infrastructure. The CWCB holds over 300 hundred instream flow water rights upstream of the Shoshone Power Plant that benefit from the seniority of the Shoshone Water Rights and their ability to maintain flows in the Colorado River. An analysis by Colorado Parks and Wildlife concluded that continued exercise of the Shoshone Water Rights benefits hundreds of miles of critical river habitat for ecosystem health, including several species of threatened and endangered fish found in the Colorado River Basin, and nowhere else in the world. Maintenance of a healthy Colorado River is critical to a wide range of wildlife including river otters,

beavers, mule deer, elk, peregrine falcon and bighorn sheep, and to preserving the unique geology in Glenwood Canyon that includes caves, springs, and geothermal outputs.


Continuation of flows provided by the Shoshone Water Rights is also essential to advancing water security and reliability in the Colorado River Basin for Colorado's water users. These flows help buffer the uncertainty of water supply variability within the State, providing water stability for all who depend on the Colorado River, including the State's critical agricultural and recreational based economies on the Western Slope.

Given these benefits, WRA et al view the acquisition of the Shoshone Water Rights for instream flow purposes as a significant step to take in protecting critical ecosystem benefits and supporting recreation, communities and agriculture across the West Slope. We intend to demonstrate at the hearing that the CWCB's acquisition of an interest the water rights is appropriate pursuant to the factors set forth at Rule 6e of the Board's Rules Concerning the Colorado Instream Flow and Natural Lake Level Program, 2 CCR 408-2, and other considerations raised by WRA et al, CWCB Staff, and the other parties to this proceeding.

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

Respectively submitted this 9th day of July 2025.

WESTERN RESOURCE ADVOCATES

A handwritten signature in black ink, appearing to read 'John Cyran', with a stylized, cursive script.

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On behalf of Western Resource Advocates, American
Rivers, Conservation Colorado, and the National
Audubon Society