

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

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**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**

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**NOTICE OF PARTY STATUS OF TROUT UNLIMITED 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**

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Trout Unlimited ("TU") hereby submits this Notice of Party Status to participate in the Colorado Water Conservation Board's (the "CWCB") hearing for the proposed acquisition of an interest in the Shoshone Power Plant water rights ("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 an instream flow acquisition shall become a party upon submission of a written notice including the name and mailing address of the person and a brief statement of the reasons the person desires party status.

Through this notice, TU 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 this hearing, Drew Peternell shall be TU's contact person. The appropriate mailing address, phone number, and email address for Mr. Peternell are listed in the signature block below.

**III. Applicants' Interest in the ISF Acquisition Hearing**

Trout Unlimited ("TU") is a nationwide, nonprofit fisheries conservation organization. TU's mission is to conserve and restore cold water fisheries and the rivers and creeks on which they depend. In Colorado, TU has 10,000 members, 22 chapters, and nearly 40 staff all working to safeguard and improve Colorado's waterways so that they support healthy trout populations.

TU desires party status in this proceeding because it supports 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 20 percent over the last 20 years largely due to climate change. Models show that climate change and historic drought will continue to affect Colorado in the foreseeable future.

Maintenance of historical flows in the Colorado River through exercise of the Shoshone Water Rights is necessary to protect the health of Colorado's river infrastructure. The CWCB holds over 300 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, TU views the acquisition of the Shoshone Water Rights for instream flow purposes as a significant step in protecting critical ecosystem benefits and supporting recreation, communities and agriculture across the Western Slope of Colorado. Accordingly, TU requests party status for the CWCB Shoshone Water Rights acquisition hearing.

Respectively submitted this 9<sup>th</sup> day of July 2025.

TROUT UNLIMITED



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