

**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**

PREHEARING STATEMENT OF SAVE THE WORLD'S RIVERS

Save The World's Rivers hereby submits this Prehearing Statement 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. Save The World's Rivers submitted a Notice requesting party status during the process and was granted party status.

Save the World's Rivers has about 500 members and about 50,000 supporters in the Colorado River basin who enthusiastically appreciate and support a healthier, cleaner, more free-flowing river.

II. Contact Person

For purposes of Save The World's Rivers' participation in this hearing, Gary Wockner, shall be Save The World's Rivers' contact person. The appropriate mailing address, phone number, and email address for Gary Wockner are listed in the address block below.

III. Prehearing Statement

a) A statement of the Party's position(s).

Save The World's Rivers contends that the full Shoshone Water Right, 1,408 cfs, should be transferred for instream flow use on the Colorado River.

- b) **A witness list with a brief description of each witness's testimony and a resume for each witness who will present testimony on technical issues.**

Gary Wockner shall be Save The World's Rivers' witness (resume attached).

The memo from Colorado Parks and Wildlife included in the application states that, ***"the best use of the acquired water rights is to preserve and improve the natural environment in the Shoshone Reach of the Colorado River at any rate up to the full decreed amount of 1,408 cfs, and that fish habitat will also be improved in the Shoshone Reach at streamflows up to at least 3,000 cfs."*** Save The World's Rivers will testify that the full water right, 1,408 cfs, is necessary for instream flow use to fulfill the unique biological and legal obligation of this application.

- c) **A statement of any open legal questions.**

The amount of water that should be transferred for instream flow use is an open legal question. We argue that the entire goal of the program is to benefit the environment, and so maximizing the benefit to the environment must determine the amount of water transferred, which should be 1,408 cfs.

- d) **A statement of the relief requested.**

Save The World's Rivers requests that the CWCB take a position and support transferring 1,408 cfs of the Shoshone Water Rights to the instream flow program.

- e) **The amount of time desired for the Party's presentation at the hearing.**

Save The World's Rivers requests 3 minutes at the hearing.

- f) **An exhibit list and exhibits. Exhibits must be titled by the Party ID as defined above and numbered in the order presented in the exhibit list. E.g., "CWCB Staff-1." Each exhibit must be labeled separately and filed electronically as a separate file at the time of submission of the prehearing statement. All exhibits filed in this proceeding must be filed according to this process.**

“SWR-Exhibit-1” which includes the May 6, 2025, Cover Letter from Colorado Parks and Wildlife, to Colorado Water Conservation Board, Subject: Colorado Parks and Wildlife Recommendation on the Proposed Acquisition of an Interest in the Shoshone Hydroelectric Power Plant Water Rights; and the May 6, 2025, report from Colorado Parks and Wildlife, “Biological Evaluation of the Shoshone Water Rights Instream Flow Acquisition”

Respectively submitted this 4th day of August 2025.

Save The World's Rivers

A handwritten signature in dark ink, appearing to read "Gary Wockner". The signature is fluid and cursive, with the first name "Gary" being more prominent than the last name "Wockner".

Gary Wockner
2525 Arapahoe Ave., Unit E4, #260
Boulder, CO 80302
970-218-8310
gary@savetheworldsrivers.org