



3729 Cleveland Avenue
P.O. Box 100
Wellington, Colorado 80549
Telephone: (970)568-3612
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North Poudre Irrigation Company

September 10, 2025

The Colorado Water Conservation Board
1313 Sherman St., Room 718
Denver, Colorado 80203

RE: Public Comment on Shoshone Hydropower Water Rights

Dear Colorado Water Conservation Board,

On behalf of the North Poudre Irrigation Company (NPIC), we are writing in support of the hearing on the proposed acquisition of the Shoshone Hydropower Water Rights. Agriculture on both the Western Slope and in Northeastern Colorado relies on Upper Colorado River water for agricultural production, and the status quo has provided critical reliability for both regions.

As a mutual ditch company, in addition to some native flows, about 60% of our water comes from 40,000 units of the Colorado-Big Thompson (CBT) Project. This water supports about 600 different shareholders, about 23,000 acres of farms and agricultural lands in the Wellington, CO area, and various municipal water providers in the region.

We believe the change needs to match the way these water rights were used, including in more recent years. We are concerned that the current proposed methodology for determining historic use of the senior and junior water rights overstates actual historical diversions and effectively expands the use of these rights. This expansion would change the call on the river and cut into the reliability of the CBT Project, which would significantly diminish the amount of water NPIC will be able to deliver to its shareholders.

Of our understanding of Rule 6(e) of the Rules Concerning the Colorado Instream Flow and Natural Lake Level Program, NPIC is most concerned that CWCB consider sections:

- (b) Any potential material injury to existing decreed water rights,
- (c) The historical consumptive use and historical return flows of the water right proposed for acquisition,
- (f) The effect on maximum utilization of the waters of the state,

If the CWCB supports the current ISF Draft Agreement as written, it could injure existing water rights. A more accurate study of historic use should be completed before moving ahead in water court.

Sincerely,

NPIC Board of Directors: Loren Maxey (President), Mike Matsuda (Vice President), Dale Leach (Treasurer), Mike Scheid, Donnie Dustin

.....

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program1 message

Andy Bernhagen <andybernhagen@gmail.com>
To: viola.bralish@state.co.us

Tue, Aug 26, 2025 at 7:39 PM

Good evening,

I wanted to inform you that I support the inclusion of Shoshone Water Rights through the State's Instream Flow Program and **urge** the CWCB to accept the proposed acquisition. My name is Andrew Bernhagen, I am a resident of Grand Junction, CO and I have a strong connection to the water in Western Colorado. I love to play, paddle, swim, and enjoy the water in various forms while living on this planet. I also use the water for gardening at home and wouldn't be able to enjoy the plants I care for without the water. Nor would I be able to enjoy the fruits that come from this part of the state if they didn't have access to the water either.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and the communities that rely on it.

Andrew Bernhagen



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Daniel Brogan <riverenthusiast@gmail.com>
To: viola.bralish@state.co.us

Fri, Aug 29, 2025 at 2:57 PM

Dear Ms. Bralish,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Amy Brogan and I live in Carbondale, Colorado. I kayak and raft along the Colorado River and its tributaries. I enjoy sitting on its banks and skipping stones, and I look forward to passing on these memories and experiences on to my child.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Regards,
Amy



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

ashley bromstrup <gocashgo@gmail.com>
To: viola.bralish@state.co.us

Sun, Aug 31, 2025 at 9:33 PM

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

My name is Ashley Bromstrup, a lifelong Coloradoan and I want all the bad things to stop happening. Let's have a collective win, shall we?

Ashley Bromstrup



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Aaron C <toothpasteisafoodgroup@gmail.com>

Thu, Aug 28, 2025 at 8:16 AM

To: viola.bralish@state.co.us

"I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition." My name is Aaron Cleveringa and I think this is vitally important to our future. Thank you for your time.

Aaron

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program1 message

Andrew Knapp <knapp.andrew@gmail.com>
To: viola.bralish@state.co.us

Tue, Sep 2, 2025 at 10:33 AM

I am writing to support the inclusion of the Shoshone Water rights through the State's Instream Flow program and encourage the Colorado Water Conservation Board to accept the proposed acquisition.

My name is Andrew Knapp and I have lived in Glenwood Springs since 2007. I have recreated in the Colorado River since I moved to Glenwood Springs. I have a strong connection to the river as I worked for CDOT for 15 years, frequently in Glenwood Canyon, responding to numerous emergencies and witnessing the power of mother nature and the positive effects of the consistent river flows through the canyon. I have also enjoyed the recreation opportunities of the river kayaking the outstanding white water since 2007.

Please accept these flows into the State's Instream Flow Program to continue to allow the river to provide a vibrant community, critical environmental benefits, and enormous regional economic benefits for all communities that rely on the river. The continued river flows will allow the special Western Slope communities and ways of life to continue to flourish.

Thank you for your thoughtful consideration.

Sincerely,
Andrew Knapp

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Aidan Meadows <aidanmeadowsone@gmail.com>
To: viola.bralish@state.co.us

Wed, Aug 27, 2025 at 5:52 PM

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition. My name is Aidan Meadows, I live in Carbondale, and I paddle Shoshone nearly every day. I grew up playing on the banks of the Colorado River and have grown to kayak the waters.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

*Thank you,
Aidan Meadows*

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program1 message

alex.nees@gmail.com <alex.nees@gmail.com>

Sun, Aug 31, 2025 at 8:26 PM

To: viola.bralish@state.co.us

Good evening,

I am writing to express my strong support for the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition. I am a resident of Grand Junction, an environmental professional working in the development and conservation space in western Colorado, and a recreational river user. The Colorado River is absolutely critical to our economies, our tourist industries, and our sense of community and identity. The Shoshone water right is an essential piece of preserving bare minimum flows that will allow these things to survive, and I can't imagine a better uses for the CWCB's conservation funds.

Thank you,
Alexander Nees

Sent from my iPhone

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program1 message

Aubry Sapp <aubryjoysapp@gmail.com>

Sat, Aug 30, 2025 at 6:23 PM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Aubry Sapp and I live and work in the roaring fork valley. As a full time ski patroller and raft guide, my office is water, year round. I also recreate frequently on the Colorado river. The western slope needs the Shoshone water right inclusion without question, the intrinsic value, economic necessity for so so many individuals who are already dirt poor in this beautiful place, and ecological support that it provides is paramount to keeping the roaring fork valley the roaring fork valley. I can only imagine the damage it would do to lose even more water downriver from additional diversions, and it's a sad story in my book. My undergraduate degree was in Ecosystem Science and Sustainability. I'm not a PHD, or an expert, but I know enough to understand a solution to water demand in the West can be found without losing out on Shoshone.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

*Aubry Sapp
Blue Sky Rafting- Snowmass Ski Patrol*

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Anjaneya <anjaneya.sardonicus@gmail.com>
To: viola.bralish@state.co.us

Sat, Aug 30, 2025 at 12:31 AM

1. *I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.*
2. *My name is Anjaneya Sardonicus, I live in Coal Creek Canyon, Colorado, and I frequently raft in Western Colorado, including the headwaters of the Colorado River. We have such special rivers here and I deeply appreciate Mother Nature and its incredible beauty and flow*
3. *Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.*

Sincerely,

Anjaneya Sardonicus

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Shoshone Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Alex Stepniewski <stepniewskialex@gmail.com>
To: viola.bralish@state.co.us

Mon, Sep 1, 2025 at 12:48 PM

To our fellow members of the Western Colorado Slope and Rivers,

As a Colorado native and someone who envisions a bright future for the Colorado water basins/ ecosystems, I implore you to support the inclusion of the Shoshone Water Rights proposal through the State's Instream Flow Program (ISF), and strongly urge the CWCB to accept the proposed acquisition. The river & water flows through Shoshone, and all of Colorado, are vital to maintaining vital ecosystems, attractions to our state such as fishing, rafting, and general tourism.

I, Alex Stepniewski, am a native to Colorado, born and raised in Glenwood Springs. My playground as a child was the rivers; from white water kayaking, river rafting/ guiding, experiencing the wildlife that relies on these river flows, and showing other people & friends the amazing environment that the Western Colorado water basins have to offer. Over the more recent years, I have watched the water levels drop drastically, leaving friends and family members saddened and sometimes without seasonal jobs. More importantly, these water restrictions/ limitations have immense downstream impacts that lead all the way to the end of the Colorado River. This does not just apply to CO residents, as I have seen the saddening impacts downstream; all the way from Utah and even through the Grand Canyon when kayaking/ rafting. The rivers on the Western Slope are part of our community & identity as residents of Colorado as a whole, not just a small sector of Colorado.

As the primary state for the Colorado River, I again implore you to accept these proposed flows into the State's Instream Flow Program to secure vital protection for the Colorado River & the communities that rely on it.

Thank you very much for your time and consideration on this matter.

*We as a State uphold the values of our natural landscapes & wish to protect/ support them for future generations. Please take the time to consider all notes and comments related to this issue, as it will impact families and generations to come.

Respectfully,

Alex Stepniewski
Local native of Glenwood Springs & Denver Resident
Design Engineer & ME Engineers
Cell: 970-618-3158

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program1 message

Andrew J Straub-Heidke <andrew.straub-heidke@colorado.edu>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Wed, Aug 27, 2025 at 9:37 AM

Good morning Violet,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

I am a Senior Hydrologist at LRE Water in Glenwood Springs, about half a mile from the confluence of the Roaring Fork and Colorado Rivers. My work focuses daily on the Colorado River and its tributaries, so I know firsthand the importance of maintaining flows on the Western Slope. I am also raising my children a mile from the river, where they fish, raft, swim, and we drive adjacent to it each day on our way to work and school. As climate variability grows and demands on the Colorado River increase, it is critical that our generation takes this step to protect flows at Shoshone, not just for today, but for generations to come.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it. Please feel free to contact me at this email or my cell, 734.646.3538, if you have any questions or additional needs.

Thanks,
Andrew

**STATE OF
COLORADO****Bralish - DNR, Viola <viola.bralish@state.co.us>**

Please accept Shoshone Water Rights into ISF Program

1 message

project7@montrose.net <project7@montrose.net>

Thu, Aug 28, 2025 at 3:29 PM

Reply-To: project7@montrose.net

To: viola.bralish@state.co.us

We support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

As a water treatment wholesaler on the Western Slope of Colorado, we firmly support the action to secure the water rights for the State of Colorado. We see this as vital to the constant threat of downstream users with way more political power sucking up the water rights via prior appropriation. We see this as cementing this long-standing right against the perpetual creep of new demand in the lower Basin states.

We represent the communities of Montrose, Delta, and Ouray County as the wholesale domestic water supplier for the Uncompahgre Valley.

Thank you for considering our support,

*Adam Turner, Manager
Project 7 Water Authority
Montrose, CO 81401
970-249-5935*

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

A Wiesner <1nissanguru@gmail.com>
To: viola.bralish@state.co.us

Tue, Aug 26, 2025 at 7:09 PM

- *I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.*
-
- **Andy Wiesner**
- [3099 Gunnison Ave](#)
- [Grand Junction, CO 81504](#)
-
- *I depend on the water for drinking, bathing, washing my clothes and maintaining my landscaping.*
-
- *Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River and the communities that rely on it.*
-

Signed,

Andy Wiesner

**STATE OF
COLORADO****Bralish - DNR, Viola <viola.bralish@state.co.us>**

Public Comment: Please include Shoshone Water Rights in ISF program

1 message

Audwin Wilkinson <hapkido1996@gmail.com>

Sat, Aug 30, 2025 at 4:28 AM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Hello,

I'm a concerned American. Please hear my voice and the voices of other concerned citizens like me and include the Shoshone Water Rights through the state's Instream Flow Program. Please urge the CWCB to accept the acquisition proposal, as it is vital to the welfare of so many, including not only downstream residents, but also farmers.

Thank you for your attention. I hope to hear good news about this through the media. I'm a History teacher and would love to be able to tell my junior high students that the system isn't broken, and that the average citizen's voice can still be a powerful thing when people dare to speak up.

Sincerely,

A. T. Wilkinson



To: Colorado Water Conservation Board

Date: 9/2/2025

Re: Support for Inclusion of the Shoshone Water Rights through the Instream Flow Program

Dear Colorado Water Conservation Board Members,

On behalf of Audubon Rockies and all ten of our affiliated Audubon chapters across Colorado, we write to express **strong support for the inclusion of the historic Shoshone Water Rights in the State's Instream Flow Program and urge the Colorado Water Conservation Board (CWCB) to accept the proposed acquisition. Together we represent over 34,000 members across Colorado who care about the state's water management efforts that sustain healthy rivers and resilient ecosystems—because protecting water means protecting the birds, communities, and economies that depend on it.**

The Shoshone Water Rights are the cornerstone of flows in the Colorado River through Glenwood Canyon and downstream. These rights sustain year-round river flows that support not only agricultural producers, communities, and recreation but also the ecological functions that birds and wildlife depend upon.

Healthy, connected flows from Shoshone help maintain riverscape processes downstream along the mainstem Colorado River—sustaining riparian vegetation, forming sandbars and backwaters, recharging wetlands, and creating habitat complexity. These ecosystem functions provide critical food, cover, and nesting resources for a wide range of birds, from yellow warblers and black-crowned night-herons to bald eagles, osprey, and migratory waterfowl. When flows are stable and reliable, entire bird communities thrive in tandem with the river's health.

For more than a century, the Shoshone Water Rights have been fundamental in protecting flows through the headwaters of the Colorado River. Their inclusion in the Instream Flow Program would secure these benefits in perpetuity—ensuring that the ecological, cultural, and economic values of the river continue to support people and wildlife alike.

As conservation organizations dedicated to protecting birds and the places they need to thrive, we see this as a once-in-a-generation opportunity to safeguard river health in a way that benefits both nature and people. **We urge the CWCB to accept the proposed acquisition and protect this critical water right through the State's Instream Flow Program.**

Thank you for your leadership and commitment to Colorado's valued rivers.

Sincerely,



Abby Burk
Senior Manager, Western Rivers Program
Audubon Rockies
Abby.Burk@audubon.org

Alongside the following independent Audubon Chapters across the Centennial State:

Jessica Miller, President
Aiken Audubon Society
Colorado Springs, CO

JoAnn Hackos, Conservation Chair
Evergreen Audubon
Evergreen, CO

Peg Rooney, President
Arkansas Valley Audubon Society
Pueblo, CO

Nic Korte, Conservation Chair
Grand Valley Audubon Society
Grand Junction, CO

Sallie Thoreson, Co-President
Black Canyon Audubon Society
Delta, CO

John Shenot, President
Northern Colorado Bird Alliance
Fort Collins, CO

Scott Severs, President
Boulder County Audubon Society
Boulder, CO

Mary Harris, President
Roaring Fork Audubon Society
Carbondale, CO

Nicole Bopp, Executive Director
Curt Frankenfeld, Board President
Denver Audubon
Littleton, CO

Jean Zirnhelt, President
Weminuche Audubon Society
Pagosa Springs, CO



Left to right: Osprey (Hung Tran/APA), Black-crowned Night Heron (Jessica Fox/APA), Yellow Warbler (Evan Barrientos/Audubon Rockies), Sandhill Crane (Patrick Dennen/APA), Bald Eagle (Richard White/APA)

APA - Audubon Photography Awards

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Please accept Shoshone water rights into ISF program.

1 message

Barry Chamberlain <Barry.Chamberlain@imail.org>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Sun, Aug 31, 2025 at 9:53 AM

Dear Colorado Water Conservation Board,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Barry Chamberlain, I am a Nurse for CareFlight of the Rockies. I live in Grand Junction. I am a Colorado native. I have kayaked and rafted on the Shoshone section of the Colorado River for over 35 years. I have kayaked it a minimum of once a month for the last 46 consecutive months with my friend Joe Elsen and others. That includes the below freezing winter months when there is still a low but enjoyable flow of water in Shoshone. Any less and it would threaten it as a year around option to paddle.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Sincerely,

Barry Chamberlain

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STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Brigitte Holiday <1024holiday@gmail.com>
To: viola.bralish@state.co.us

Wed, Aug 27, 2025 at 10:40 AM

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

Sincerely,
Brigitte Holiday
Durango, CO

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Bailey Leppek <baileyl@sgm-inc.com>

Fri, Aug 29, 2025 at 12:09 PM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Dear CWCB,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Bailey Leppek. I am a water resources engineer with over a decade of experience in working with Colorado River issues, including supporting with the 2021 update to the Colorado Basin Implementation Plan. My comments represent my opinion only, and do not represent the opinions of any other entity. Below are my reasons why I personally support inclusion of the Shoshone Water Rights through the State's Instream Flow Program (Shoshone Permanency Efforts).

1. Shoshone Permanency is a Priority for the Colorado Basin

The Shoshone Right is a vital piece of Colorado's water future. Protecting this right is a priority for the Colorado Basin Roundtable in our [Basin Implementation Plan](#).

- This priority aligns with the Colorado Basin Roundtable's Theme # 5, to [Assure dependable basin administration](#), and in particular its goal to "Protect and defend maximum mainstem calls at Shoshone Hydroelectric Plant, senior Grand Valley irrigation diversions, and Green Mountain Reservoir beneficiaries."
- This also supports Theme # 1, [Protect and restore healthy streams, rivers, lakes, and riparian areas](#), and in particular its goal to "Support and provide for high-quality river and stream recreational opportunities with appropriate flows."

These themes and goals were developed with intensive stakeholder engagement across the Colorado River Basin and represent a consensus of priorities across the broad and diverse range of stakeholders throughout the basin. That level of consensus has to count for something, coming from such a diverse range of users.

2. Shoshone Permanency Supports Ecosystem Needs

The Shoshone Water Right pulls water past upstream diversions. This water right is fundamental to the natural hydrologic regime, especially in the face of increasing drought and climate variability. This keeps water in the Colorado River and its tributaries. This supports flows throughout the Basin: in the headwaters of the basin where flows are pulled past transmountain diversions, and in the Middle Colorado reach and below.

These flows support the Upper Colorado River Fish Recovery Program in the 15-Mile Reach. Native fish (Colorado pikeminnow, razorback sucker, etc.) are particularly sensitive to low flows in dry times.

Water quantity and water quality are inexorably linked. Greater flows support cooler temperatures, which are needed to sustain fisheries and reduce toxic algal blooms. Trout in particular are very sensitive to high water temperatures. Greater flows also provide dilution for other pollutants.

3. Shoshone Permanency Supports Colorado Economy

Per the [Colorado BIP](#), “Colorado’s outdoor recreation economy generates \$37 billion in consumer spending annually, contributes 511,000 direct jobs, and represents 10 percent of the states’ gross domestic product. Those who work in the industry have collectively earned more than \$21 billion in wages and salaries, while those who support it have generated \$9 billion in state and local tax revenue.”

Colorado’s west slope economy is heavily dependent upon recreation based tourism. This economy includes boating and fishing, both of which are highly dependent on flows.

The flow provided by Shoshone is critical to the economy of the entire Colorado River Basin. Its flows allow for recreation downstream of Shoshone (especially fishing and boating).

Low flows increase water temperatures. When water temperatures exceed 67 degrees Fahrenheit, fish are too stressed to survive catch-and-release fishing. Even with the Shoshone water right, it is common in late summer of dry years for water temperatures to rise above 67 degF in popular fishing areas, triggering voluntary and even mandatory closures. Without Shoshone flows, these closures would be more frequent.

Losing Shoshone flows could have devastating impacts on the economy of the region.

4. Shoshone Flows Counts Toward Colorado Compact Flows

The Shoshone Water Right pulls water down past upstream diverters. After providing immense benefits to all of Colorado, these flows eventually cross the Colorado State line and count toward flows at Lees Ferry. Further depleting the flow of the Colorado River by failing to protect the Shoshone Right could exacerbate our risk of a Colorado Compact compliance scenario.

5. Shoshone Permanency Efforts are Compatible with the Needs of Colorado’s Front Range

I am a resident of Glenwood Springs Colorado, and have lived in the Roaring Fork Valley since 2016. Before that, I lived my entire life on the Front Range of Colorado, where I was raised on transmountain diversions. I understand the importance of transmountain diversions for Colorado. I drank that water. I boated on those flows. I swam in those reservoirs. I ate produce grown with those diversions. I believe the Shoshone Permanency Efforts are compatible with the needs of Colorado’s Front Range. The Shoshone Permanency Effort strives to maintain the status quo, not to change it. I understand some Front Range water providers have concerns about the exact amount per the historical use analysis. Those details can be worked out in the Water Court process. Please do not let concern over these details derail this monumental effort and once-in-a-FOREVER opportunity to protect the Colorado River.

Thank you for your review of public comment!

Bailey Leppeck, PE

Water Resources Team Leader



phone (970) 384-9046

email baileyl@sgm-inc.com

118 W. 6th Street, Suite 200
Glenwood Springs, CO 81601



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Shoshone

1 message

Batch McGehee (WP) <BMcgehee@winterparkresort.com>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Mon, Sep 1, 2025 at 8:30 AM

Ms. Bralish,

As a Colorado resident and recreational boater, I would like to ask that the CWCB include the Shoshone Water Right in Colorado's Instream Flow Program.

The consistent flow on the Blue River from Green Mountain Reservoir, and along the reaches of the Upper Colorado River to Dotsero, Glenwood Springs, and downstream, greatly enhances my quality of life as I raft the Colorado regularly from spring through fall. As you probably know, the Colorado River is home to four endangered fish species: Humpback Chub, Pikeminnow, Razorback Sucker, and Bonytail, and the Shoshone water right helps meet the flow targets needed to maintain native fish habitat set by the Upper Colorado River Endangered Fish Recovery Program, particularly along the 15-Mile Reach from the Cameo Diversion through Grand Junction. Furthermore, the river flows guaranteed by the Shoshone Water Right support a significant portion of the recreational economies in multiple Western Slope counties.

Please accept the Shoshone Water Right into Colorado's Instream Flow Program.

Thank you for consideration of my view on this important matter,

Batch McGehee

Director of Lift Operations

bmcgehee@winterparkresort.com

970-726-1469 ext. 1469



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STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Braden Meason <bt.meason@gmail.com>
To: viola.bralish@state.co.us

Tue, Sep 2, 2025 at 8:54 PM

To whom it may concern:

I strongly support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge CWCB to accept the proposed acquisition.

My name is Braden Meason, and I live, work, and recreate in Glenwood Springs, Colorado. The Shoshone Water Rights are crucial to maintaining flows in the Colorado River for these purposes. I enjoy the river myself frequently, and see hundreds of people daily taking advantage of this wonderful natural resource, supporting the local economy, and engaging with nature in healthy, positive, ways.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and the communities that rely on it.

Thank you,
Braden Meason, MD
[817 Red Mountain Drive,](#)
[Glenwood Springs, Colorado](#)

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program1 message

Brenton Scott <brentonscott@aol.com>

Thu, Sep 4, 2025 at 2:30 PM

Reply-To: Brenton Scott <brentonscott@aol.com>

To: Viola Bralish <viola.bralish@state.co.us>

Dear CWCB Members,

CWCB members: I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

The Colorado River is a treasured Gold-Medal fishery and recreational asset, the lifeblood of many of our state's communities and working lands, a driver of our multi-billion dollar outdoor recreation economy, and an iconic part of Colorado's natural and cultural heritage. For more than 100 years, the Shoshone water right has helped maintain the Colorado River and its values to our state - and has been especially critical in maintaining winter flows that are essential to the river's health. By accepting the Shoshone Rights into Colorado's instream flow program, the CWCB can help preserve the longstanding flow regime that has been a foundation for all of those values supported by a healthy, flowing Colorado River.

The nonconsumptive water rights at Shoshone have played a critical role in sustaining the Colorado River from headwaters to the Grand Valley, generating diverse benefits not only for Western Colorado, but also for residents of Colorado's eastern slope who also depend upon the river. By accepting those rights into Colorado's instream flow program, the CWCB can help ensure that the Shoshone rights continue to operate for the river as they have for more than a century, so that Coloradans continue to enjoy those benefits even when the hydropower facility itself goes off line as its infrastructure ages.

Please accept the Shoshone flows into CWCB's instream flow program and secure this vital protection for the Colorado River, and the environment and communities that rely upon it.

Sincerely,
Brenton Scott
[9526 W Avalon Dr](#)
[Littleton, CO 80127](#)

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Shoshone

1 message

Batch McGehee (WP) <BMcgehee@winterparkresort.com>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Mon, Sep 1, 2025 at 8:46 AM

Hi,

I just sent you a copy of an email in support of keeping the Shoshone water right and supporting keeping flows up on the west slope. It was articulate and nice. Another way to say it more bluntly is that the east slope of Colorado already legally takes (steals) untold hundreds of thousands of acre feet from the west slope of Colorado each year. They should not be allowed any more. The entire Colorado River is being de-watered by the east side of Colorado. The negative effects are everywhere to be seen. I live in Grand County Colorado. The Fraser and the Colorado are nothing but small trickle of their former selves. All we have left keeping the Colorado barely alive and on life support is the Shoshone water right. If it is reduced or taken, the west side of Colorado will suffer. The East side takes too much already, don't give them any more.

Thanks

Batch

Batch McGehee

Director of Lift Operations

bmcgehee@winterparkresort.com

970-726-1469 ext. 1469



Confidentiality Warning: This message and any attachments are intended only for the use of the intended recipient(s), are confidential, and may be privileged. If you are not the intended recipient, you are hereby notified that any review, retransmission, conversion to hard copy, copying, circulation or other use of this message and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender immediately by return e-mail, and delete this message and any attachments from your system. Thank you.

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Emily Schwaller <garpitcd@gmail.com>
To: viola.bralish@state.co.us

Wed, Aug 27, 2025 at 10:12 AM

Dear Members of the Colorado Water Conservation board,

On behalf of the Bookcliff Conservation District we would like to voice our support for the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition. The senior Shoshone call protects the flows of the river that support the lives of landowners, agricultural producers, municipalities, wildlife and communities. It ensures that this critical right remains in Colorado's hands and continues benefiting not just the Western Slope, but all of Colorado. When Shoshone is called, the river runs fuller, healthier, and more stable downstream — including in other basins. The statewide benefit is real and proven.

We urge the CWCB to act decisively by approving the inclusion of the Shoshone Water Rights in the State's Instream Flow Program. Doing so will lock in critical protection for the Colorado River and preserve the flows that sustain communities across the Western Slope.

Sincerely,

Board of Supervisors of the Bookcliff Conservation District - Representing landowners and agricultural producers from Glenwood to De Beque.

--

Emily Schwaller, District Manager
Bookcliff, Mount Sopris and South Side Conservation Districts
Office: (970) 404-3439
Website: <https://bookcliffmountsoprisouthsidecd.org/>



**GRAND MESA WATER CONSERVANCY DISTRICT
P.O. Box 129
Cedaredge, Colorado 81413**

August 28, 2025

Re: Shoshone Water Rights in the Colorado River

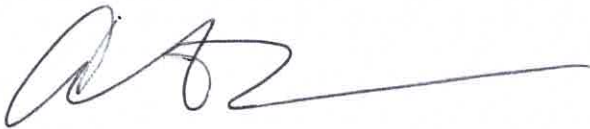
Public Comment: Please accept the Shoshone Water Rights into the ISF Program.

We strongly support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program. We also urge the CWCB to accept the proposed acquisition.

**Grand Mesa Water Conservancy District
P.O. Box 129
Cedaredge, Colorado 81413
970-250-4027**

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River and the communities that depend on it.

Submitted on Behalf of : The Board of Directors

A handwritten signature in dark ink, appearing to be 'A. Keiser', followed by a long horizontal line extending to the right.

**Austin M. Keiser, President
Grand Mesa Water Conservancy District
Serving the water needs of the South side of Grand Mesa**



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Clay Allen <yourfriendclay@gmail.com>
To: viola.bralish@state.co.us

Thu, Aug 28, 2025 at 6:00 AM

Good morning,

I strongly support the protection of the Shoshone Water Rights by incorporating them into the State's Instream Flow Program. These rights are essential to maintaining healthy river flows, supporting fish and wildlife habitat, and preserving the cultural and recreational values of the river. I urge the CWCB to move forward with the proposed acquisition to ensure this vital water remains in the river for future generations.

I'm an educator in Carbondale, Colorado and have lived here for 8 years. I appreciate you taking the time to read my comment.

Most sincerely,

Clay Allen

**STATE OF
COLORADO****Bralish - DNR, Viola <viola.bralish@state.co.us>**

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Charles Conner <charlesconner@gmail.com>
To: viola.bralish@state.co.us

Wed, Aug 27, 2025 at 10:47 PM

Hello,

I'm writing to voice my support for the inclusion of Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

I'm a resident of Glenwood Springs that recreates on the Shoshone section of the Colorado every month of the year in either a raft or kayak. Every time out, I meet paddlers from all over the country that utilize this stretch of river due to its consistent flows, exciting whitewater and spectacular scenery. This combination of factors make it a unique and valuable recreational resource for many Coloradans and Americans.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Thanks!
Charles

Charles Conner
313 Sunny Hills Lane
Glenwood Springs, CO 81601
706.853.9242

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Conor Flynn <ckflynn049@gmail.com>
To: viola.bralish@state.co.us

Tue, Sep 2, 2025 at 9:50 AM

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Conor Flynn. I was born and raised in the Roaring Fork Valley, and have been a Colorado river user since childhood. I have seen how much less water is in the Roaring Fork and Colorado rivers in recent years. Steps need to be taken to ensure future recreation, more natural flows, and healthy ecosystems in our western rivers.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it

Sincerely,
Conor Flynn



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Chloe Hollis <hollischloe@gmail.com>
To: viola.bralish@state.co.us

Sun, Aug 31, 2025 at 9:15 AM

Dear Colorado Water Conservation Board,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition

My name is Chloe Hollis. I am a lifelong resident of Colorado and Utah and have spent my life along the banks of the Colorado river. I grew up in Carbondale and Grand Junction, Colorado and live in Moab, Utah now. The Colorado river is integral to life in Western Colorado and beyond. Please keep water flowing downstream. Many economies, ranchers, farmers, recreational users and municipal drinking water providers rely on this water.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

*Sincerely,
Chloe Hollis*

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Colleen Loughlin <coll.loughlin@gmail.com>
To: viola.bralish@state.co.us

Tue, Aug 26, 2025 at 7:21 PM

Dear Viola Bralish,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition. I am an Architect, lover of the outdoors, and former community member of the Roaring Fork River Valley. Spending 9 years of my adult life along the Colorado Watershed was formative in more ways than I can count. The Western Slope, and particularly the Middle Colorado Watershed, are unique and valuable resources that need to be preserved. The protection of the flows of the Shoshone are tantamount to maintaining both a vibrant ecosystem as well as a flourishing community and economy largely influenced by water. Wildfires, drought, and shortening winter ski seasons are all impacting the communities on the Western Slope.

Preserving the Shoshone Water Rights is something that I strongly support.

Best,
Colleen Loughlin

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Catherine Patton <catherinep@sgm-inc.com>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Fri, Aug 29, 2025 at 8:53 AM

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition. My name is Catherine Patton, and I live in Carbondale, CO and have lived in Colorado for 6 years and Western Colorado for 2 years. I am a passionate outdoor adventurer and Civil Water Engineer. I work in Glenwood Springs and get to look daily at our water levels in the Colorado River. It is saddening to image what the river would look like if this historic right for the watershed is taken away which allows for water depletion throughout the rest of the body of water.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Thank you, Viola,

Catherine Patton

Engineer I



phone (970) 880-9503
email catherinep@sgm-inc.com
118 W. 6th Street, Suite 200
Glenwood Springs, CO 81601





STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Inclusion of the Shoshone Water Rights through the State's Instream Flow Program

1 message

Craig Rodman <craigrodman@yahoo.com>

Sun, Aug 31, 2025 at 12:43 PM

Reply-To: Craig Rodman <craigrodman@yahoo.com>

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Hi Viola,

My name is Craig Rodman, I am a concerned citizen residing in Utah, but I feel the need to reach out as Shoshone Water Rights affects users downstream of Glenwood Canyon. I support the inclusion of the Shoshone Water Rights through the state's Instream Flow Program and urge the CWCD to support the proposed acquisition. Please accept these flows into the Instream Flow Program and secure this vital protection for the Colorado River and the downstream communities that rely on it.

Sincerely,

Craig Rodman

Concerned Citizen



Utilities
222 Laporte Ave.
PO Box 580
Fort Collins, CO 80522
970-212-2900
utilities@fcgov.com

The Colorado Water Conservation Board
1313 Sherman St., Room 718
Denver, Colorado 80203

RE: Public Comment on Shoshone Hydropower Water Rights

Dear Colorado Water Conservation Board,

I represent the City of Fort Collins Utilities. We provide water to approximately 143,000 people and numerous businesses in Fort Collins, which is the 4th largest city in Colorado. Although we are supported partially by flows from the Cache la Poudre River, about 60% of our demands are met from our ownership of units in the Colorado-Big Thompson (CBT) Project. This reliance on Colorado River supplies makes us very concerned about what may happen with the Shoshone Hydropower Water Rights.

Our organization supports changing the Shoshone Hydropower Water Rights to an instream flow use. However, we are concerned that the current proposed methodology for determining historic use of the senior and junior water rights significantly overstates actual historical diversions and effectively expands the use of these rights by not including the more recent years use of these water rights. This expansion would change the call on the river and cut into the reliability of the CBT Project, which would significantly diminish the amount of CBT water that is critical to meeting our customers' demands.

The City of Fort Collins has a history of conserving and using our resources efficiently, with programs and campaigns going back decades. Therefore, a decrease in CO River supplies could result in more frequent and severe water restrictions that would impact customers' quality of life, the ability to support our agricultural sector, and our local businesses, breweries, and other industries that are important to our community and economy.

From our understanding of Rule 6(e) of the Rules Concerning the Colorado Instream Flow and Natural Lake Level Program, Fort Collins Utilities is most concerned that the CWCB carefully considers the following sections:

- (b) Any potential material injury to existing decreed water rights
- (c) The historical consumptive use and historical return flows of the water right proposed for acquisition
- (f) The effect on maximum utilization of the waters of the state

It is our understanding that this is the largest instream flow acquisition request considered by the CWCB and the State of Colorado. Further, we understand the South Platte representatives of the CWCB have recused themselves from the issue, leaving our entity unrepresented. Thus, it becomes more important for the other Board members to ensure all concerns are appropriately considered.

We urge the CWCB to approve the acquisition with appropriate safeguards for the junior water rights that provide millions of people on the Front Range with critical water supplies. Those safeguards include:

- The CWCB maintaining its authority to determine when and how the rights are called.
- Accepting the Acquisition in a manner that directs staff to ensure no injury will occur to junior existing water rights.
- Supporting in the water court change case a historic use methodology that represents the actual historical use of the rights over the last 25 years and does not expand the use of the rights to the detriment of junior water users.
- Recognition of the terms of existing agreements between all the parties. These agreements entered into by the River District with Northern Colorado Water Conservancy District, Aurora Water, Denver Water, Colorado Springs Utilities and the Bureau of Reclamation have created a de facto instream flow right that also contains important drought protections.

The CWCB has an obligation to ensure that its ISF rights, particularly this one, comply with Colorado law, and balance the needs of users with the need to protect the environment. We urge the CWCB not to rush this process but to take the time needed to get this right. Please approve a plan that keeps the status quo river conditions, protects the environment, and all the communities it serves including those of us in Northeast Colorado.

Sincerely,

Signed by:

Nicole Poncelet-Johnson

Nicole Poncelet-Johnson

Utilities One Water Executive Director
City of Fort Collins

August 6, 2025

Via electronic mail

Colorado Water Conservation Board
1313 Sherman Street, Room 718
Denver, CO 80203



RE: Letter of Support: Shoshone Water Rights Preservation

Dear Colorado Water Conservation Board Members:

The City of Rifle strongly supports the permanent protection of the Shoshone Water Rights and urges the Colorado Water Conservation Board to accept the use of the Shoshone Water Rights for instream flow purposes.

The Shoshone Hydroelectric Plant, located on the Colorado River in Glenwood Canyon, collectively holds some of the largest, most senior nonconsumptive water rights on the Colorado River. These rights ensure essential water flows through the Colorado River's mainstem, providing vital ecosystem, habitat, and restoration benefits from the river's headwaters in Grand County to Grand Junction.

The City of Rifle is a municipal water supplier that pulls water directly from the Colorado River for our 10,500 residents as well as commercial and industrial customers. The Shoshone Water Rights are pivotal from both a water quality and quantity perspective to ensure that we continue to deliver clean, cost-effective water, to our customers. Additionally, our region is seeing a significant increase in river based recreation. The City has recently purchased an island in the Colorado River to expand recreation opportunities along the waterway. The instream flow is key to protecting the significant investment the City has made along the river corridor.

Preserving the instream flow of the Shoshone water right is a permanent and priceless investment in the health and vitality of the Colorado River and all who depend on it. We urge you to accept the acquisition and support a once-in-many-generation opportunity to protect Colorado River flows for future generations.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sean Strode", written over the word "Sincerely,".

Mayor Sean Strode



COLORADO WATER TRUST

August 28, 2025

Ms. Lauren Ris
Director
Colorado Water Conservation Board
1313 Sherman St., Rm 718
Denver, CO 80203
lauren.ris@state.co.us

Mr. Rob Viehl
Chief, Stream and Lakes Protection Section
Colorado Water Conservation Board
1313 Sherman St., Rm 718
Denver, CO 80203
rob.viehl@state.co.us

Re: Proposed Acquisition of an Interest in the Shoshone Water Rights for Instream Flow Use on the Colorado River, Water Division 5

Dear Ms. Ris and Mr. Viehl:

Colorado Water Trust ("Water Trust") is writing to provide a public comment letter regarding the Colorado Water Conservation Board's ("CWCB") proposed acquisition of an interest in the Shoshone Water Rights for instream flow use on the mainstem of the Colorado River. These comments are offered neither in support of nor in opposition to the proposed acquisition. Rather, they are offered to provide clarification and insight on an issue that has been raised by several parties in their August 4, 2025, Prehearing Statements and are offered based on the Water Trust's professional experience working with the CWCB's acquisition program.

Several parties have argued in their prehearing statements that the proposed acquisition agreement between CWCB and the Colorado River Water Conservation District ("District") impermissibly limits the CWCB's statutory authority and discretion to manage instream flow rights.¹ Specifically, these parties argue that the language in Paragraph 7 of the Draft

¹ See, e.g., Prehearing Statement of Aurora Water section II.E; Colorado Springs Utilities' Prehearing Statement section A.4; Denver Water's Prehearing Statement section II.4; Homestake Partners' Pre-



Shoshone Water Rights Dedication and ISF Agreement² requiring the CWCB to place a call for the Shoshone Water Rights for instream flow use—subject to some exceptions—any time the flow rate at a certain gauge drops below a specific rate represents a term that improperly limits the agency’s ability to adjust or remove the call for other considerations.³ These parties also argue that allowing an exception to the above requirement if CWCB and the District agree in writing to reduce the instream flow call improperly grants the district “veto authority” over the CWCB’s decision making power.⁴

In contrast, our decades-long experience in water sharing agreements reflects a different understanding of this issue: that CWCB’s abilities outlined in Instream Flow Rule 10, 2 CCR 408-2 (“ISF Rule 10”) to enter into agreements to a) partially limit its own discretion to manage an instream flow water right, or to b) delegate limited authority to act on its behalf are neither contrary to law nor a novel approach taken in this particular proposed transaction.⁵

Because the Water Trust is not a party to this acquisition hearing, we do not offer a separate legal rebuttal in this comment letter to the Front Range Parties’ position other than to say our experience is consistent with the positions on this limited issue described in the CWCB’s and the District’s prehearing statements.⁶ Rather, this comment letter describes the Water Trust’s experience in facilitating acquisitions on behalf of the CWCB and the role that these two CWCB authorities play in maintaining the flexibility and durability of the state’s instream flow program.

The mission of the Water Trust is to restore water to Colorado’s rivers and streams. During its 24-year history, the Water Trust has completed 27 flow restoration projects across the

Hearing Statement section III.2; Prehearing Statement of Northern Colorado Water Conservancy District and its Municipal Subdistrict sections II.B.a and b. (“Front Range Parties”).

² Included with the District’s Exhibit 1 to their Prehearing Statement.

³ See, e.g., Colorado Springs Utilities’ Prehearing Statement, 8.

⁴ See, e.g., Prehearing Statement of Aurora Water, 9.

⁵ This rule, among other things, allows the Board to “enter into enforcement agreements that limit the Board’s discretion in the protection, approval of inundation, modification or disposal of ISF right, and/or may delegate limited authority to act on the Board’s behalf.”

⁶ See Prehearing Statement of Staff of Colorado Water Conservation Board, 11; Joint Prehearing Statement of the Colorado River Water Conservation District, *et al.*, 16-17.



state, and many involve permanent or temporary acquisitions in support of the instream flow program. Several projects that we have completed in partnership with the CWCB are based on agreements that—in accordance with ISF Rule 10—either limit the CWCB’s discretion or delegate limited authority to the Water Trust or other partners to act on its behalf.

Perhaps the best example of both of these ISF Rule 10 abilities is our McKinley Ditch Project in Division 4. In this project, we originally partnered with the non-profit entity Western Rivers Conservancy (“WRC”) that purchased both irrigated ranch land out of foreclosure, as well as the associated water rights on the Little Cimarron River, tributary to both the Cimarron and Gunnison Rivers. While WRC worked to ultimately re-market the ranch, it sold the water rights to the Water Trust. The Water Trust partnered with the CWCB to seek water court approval to add instream flow use to the water rights. (Please see the decree for this project in Case No. 14CW3108, included herein as **Attachment 1**.)

Colorado Water Trust continues to hold title to these water rights, and we conveyed a permanent grant of flow restoration to the CWCB for instream flow use and a deeded a separate grant of use to the landowner for irrigation. (Please see the Grant of Flow Restoration Use between the Water Trust and the CWCB included herein as **Attachment 2** (“Grant”).) Both agreements lay out the process by which these entities will coordinate use of the water each year, whether it is a full season of continued irrigation, a full season of instream flow use, or a split-season of shared use. In an average hydrologic year, the landowner may use the water to grow crops during the first part of the irrigation season; and in the second half of the season, irrigation ceases and the CWCB uses the water for instream flow on the Little Cimarron and Cimmaron Rivers. These arrangements also allow for full season irrigation or full-season instream flow use if there is an exceptionally wet or dry year.

The Grant also specify how the parties, specifically the CWCB and the Water Trust, will work together to identify which use scenario they will implement each year. Similar to the proposed acquisition agreement between CWCB and the District, the Grant for our McKinley project also expressly grants limited authority to the Water Trust in accordance with ISF Rule 10 to act as CWCB’s agent in the administration and monitoring of the instream flow use of those water rights.



This arrangement, as outlined by Paragraphs 5 and 7 of the Grant, provides both some level of certainty but also some flexibility for other users of this water. Such a split-season arrangement would be nearly impossible without the CWCB's ability to limit its own discretion. For projects of this nature to operate successfully as intended, the CWCB must have the flexibility to enter into agreements to reasonably limit its own discretion in how and when it operates the instream flow water right. Likewise, the CWCB needs to be able to delegate some level of authority to other parties to act on its behalf, given the growing number of projects it is involved with and its limited resources and capacity.

In addition to the McKinley project, over the years the Water Trust has helped facilitate other projects around the state—both permanent and temporary—that rely on similar limitation-of-discretion or delegation-of-authority arrangements with the CWCB for success. In our years of supporting the CWCB, the Water Trust has found these ISF Rule 10 abilities to be vital for creating successful partnerships between environmental flow protection and other water uses, such as agricultural and municipal. This flexibility allows water rights owners to enter into long-term and short-term acquisition agreements with the CWCB while retaining some autonomy to continued use of their property rights as needed (and as agreed to). The Water Trust is concerned that, without these options, the demand from water users to participate in flexible water-sharing agreements with the CWCB would be greatly diminished statewide.

The importance of these flexible arrangements is also reflected in the Colorado Water Plan, which identifies water sharing as a key strategy for balancing multiple uses of water in the state. Water sharing is described in the plan as critical to closing the gap in meeting environmental and recreational flow needs, while at the same time supporting continued agricultural and municipal use. In our experience, CWCB's ability to occasionally limit its discretion and delegate limited authority to partners can be key practical mechanisms that enable these agreements to function effectively and succeed over the long term. These ISF Rule 10 abilities also help build trust and confidence with partners by ensuring their needs are considered in the operation of the agreement, which in turn makes potential partners more willing to participate in water-sharing agreements for the first time.

In summary, the Water Trust does not agree with the Front Range Parties' characterization that the CWCB may not limit its own discretion or grant authority to another entity, as is proposed in the acquisition agreement with the District. Based on our experience, agreements incorporating limited discretion and delegation have long been part of the



COLORADO WATER TRUST

CWCB's practice and are consistent with its statutory authority under ISF Rule 10. Moreover, these ISF Rule 10 abilities are critical to the continued success of the instream flow acquisition program: They allow the CWCB to implement flexible, durable water-sharing arrangements that balance the needs of instream flow protection with the continuing needs of the water rights owners, whether they are agricultural, industrial, or municipal. Without these abilities, many long-term and short-term acquisitions would not be possible. The CWCB's use of these authorities has been a consistent and accepted practice, and they remain important to the continued flexibility and effectiveness of the instream flow acquisition program.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Kate Ryan".

Kate Ryan
Executive Director

A handwritten signature in black ink that reads "Josh Boissevain".

Josh Boissevain
Senior Staff Attorney

Attachment 1

DISTRICT COURT, WATER DIVISION NO. 4 STATE OF COLORADO 1200 N. Grand Ave. Bin A Montrose, CO 81401	DATE FILED: October 1, 2018 CASE NUMBER: 2014CW3108
CONCERNING THE APPLICATION FOR WATER RIGHTS OF: COLORADO WATER TRUST and COLORADO WATER CONSERVATION BOARD IN GUNNISON and MONTROSE COUNTIES	▲ COURT USE ONLY ▲ Case No.: 14CW3108
FINDINGS OF FACT, CONCLUSIONS OF LAW, RULING OF THE REFEREE, AND DECREE OF THE WATER COURT	

This matter comes before the Water Referee upon the Application for Change of Water Rights (the "Application") filed by the above captioned applicants (the "Co-Applicants"). The Referee, having made such investigations as are necessary to determine whether the statements in the Application are true, and having become fully advised with respect to this matter, hereby makes the following findings of fact, conclusions of law, and ruling:

FINDINGS OF FACT

- Co-Applicants.** The Application in this matter was filed on December 31, 2014 by the Co-Applicants, the Colorado Water Trust ("Water Trust") and the Colorado Water Conservation Board (the "CWCB").
- Jurisdiction.** All notices required by law have been duly given, and the Water Court has jurisdiction over the Application and all parties affected thereby, whether or not they have chosen to appear.
- Statements of Opposition.** Statements of opposition to the Application were timely filed by David Taylor and Wayne Maurer. The Collier Ditch Company filed and was granted an Uncontested Motion to Intervene. All Opposers have stipulated to the entry of this Ruling and Decree.
- Consultation Report.** The Court has considered the Summary of Consultation dated May 14, 2015 filed in this matter by the Division Engineer and the Co-Applicants' Response thereto.
- Overview.** The Water Trust is a Colorado nonprofit corporation that seeks to restore and protect streamflows in Colorado using voluntary, market-based tools. The Water Trust owns 1.5 of the 8 shares (18.75%) in the water rights decreed to the McKinley Ditch (the "Shares"), a ditch with four priorities that diverts water from the Little Cimarron River, a tributary of the Cimarron River, a tributary of the Gunnison River. In furtherance of the Water Trust's mission, the Water Trust conveyed to the CWCB a Grant of Flow Restoration Use (the "Grant"), attached as Exhibit A. The Grant conveys to the CWCB the permanent right to use the Shares to preserve

and/or improve the natural environment to a reasonable decree pursuant to the terms of the Grant. At its September 12, 2014 meeting, the CWCB found that the Grant would preserve and/or improve the natural environment of the Little Cimarron River and the Cimarron River, to be used exclusively by the CWCB pursuant to Section 37-92-102(3), C.R.S. (2016). The Water Trust retains the underlying ownership of the Shares.

Under the proposed change of water rights, the preferred use of the Shares will be a split season use, with the historical irrigation use being made during the first part of the irrigation season and instream flow use being made in the later part of the irrigation season. However, in some years the Shares will only be used for irrigation, and in other years the Shares will only be used for instream flow use. Accordingly, a change of water rights is sought to add instream flow use by the CWCB to the existing decreed irrigation use of the Shares.

6. Decreed water rights for which change is sought:

6.1 Name of Structure: McKinley Ditch

6.2 Case Number, Court, and Date of Original and All Relevant Subsequent Decrees:

- (a) Civil Action No. 1319, District Court, Montrose County, March 28, 1904
- (b) Civil Action No. 1745, District Court, Montrose County, May 8, 1913
- (c) Civil Action No. 4742, District Court, Montrose County, April 21, 1941
- (d) Case No. 05CW132, District Court, Water Division 4, May 30, 2008
- (e) Case No. 12CW52, District Court, Water Division 4, February 14, 2013

6.3 Legal description of structure as described in most recent decree (12CW52): A point in the NW1/4NW1/4NW1/4, Section 12, Township 47 North, Range 6 West, N.M.P.M., 58 feet from the north section line and 220 feet from the west section line (easting 282861, northing 4247959, Zone 13, NAD 83).

6.4 Decreed source of water: Little Cimarron River, tributary to the Cimarron River, tributary to the Gunnison River.

6.5 Priorities, appropriation dates, total amount decreed, and amounts to be changed:

Table 1: Water Rights Decreed to McKinley Ditch/Co-Applicants' Ownership

McKinley Ditch (all amounts are absolute and are in cfs)			
Priority	Appropriation Date	Total Decreed Amount	Amount Co-Applicants Intend to Change (18.75% of each priority)
56	September 1, 1886	12.17	2.2819
125	May 10, 1905	3.125	0.5859
128	May 10, 1906	3.125	0.5859
285	May 1, 1912	12.58	2.359
TOTAL		31.0	5.8125

6.6 Previous Changes:

6.6.1 Case No. 05CW132, decreed on May 2, 2008 by the District Court for Water Division 4, corrected the point of diversion for the McKinley Ditch to the point referenced in Section 6.3 above.

6.6.2 Case No. 12CW52, decreed on February 14, 2013 by the District Court for Water Division 4, confirmed the historical place of use irrigation under the McKinley Ditch. That case also confirmed that each priority under the McKinley Ditch may be used on all lands irrigated under the McKinley Ditch, subject to certain terms and conditions set forth in that decree.

6.7 Decreed use: Irrigation.

7. Description of Proposed Change:

7.1 Change of Water Right to Add Instream Flow Use: In addition to the existing decreed irrigation use, Co-Applicants seek approval to use the Shares for instream flow use exclusively by the CWCB pursuant to the terms of the Grant and Section 37-92-102(3), C.R.S. (2016) for preservation and/or improvement of the natural environment to a reasonable degree, within stream Segments One, Two and Three described in Section 7.2 below. Any water so used for instream flow will be in addition to any other water to which the CWCB would otherwise be entitled pursuant to its existing or future decreed instream flow water rights on the Cimarron River described in Section 7.1.1 below.

7.1.1 Existing Decreed Instream Flow Water Right: The CWCB currently holds a decreed instream flow right on the Cimarron River, described in the table below.

Table 2: Existing Cimarron River Instream Flow Right

Case No.	Stream	Reach	Amount	Appropriation Date
84CW398	Cimarron River	Confluence of Little Cimarron River to confluence of Gunnison River	16 cfs (year round)	May 4, 1984

The CWCB intends to use the Shares in priority for instream flow uses in Segment 3, described in Section 7.2 below, in combination with or in addition to the decreed instream flow appropriation described above. Use will be for preservation of the natural environment at times when the existing instream flow is not fully met, and for improvement of the natural environment at flow rates above the decreed rate of the existing instream flow right when the existing instream flow water right is fully met.

7.2 Instream Flow Segments: The instream flow use will occur in three stream segments of the Little Cimarron and Cimarron Rivers, described below and depicted on Figure 1 attached hereto.

Table 3 - Instream Flow Segment UTM Coordinates

Segment	X Coordinate*	Y Coordinate*
1 - Start	282,858.02	4,247,930.81
1 - End	280,924.83	4,252,774.82
2 - Start	280,924.83	4,252,774.82
2 - End	279,308.91	4,254,790.81
3 - Start	279,308.91	4,254,790.81
3 - End	278,031.53	4,259,180.93
*Projection: NAD 1983 UTM Zone 13N - Meters		

7.2.1 Segment One:

(a) Upper terminus: A point on the Little Cimarron River in the NW1/4 NW1/4 NW1/4, Section 12, Township 47 North, Range 6 West, N.M.P.M., as further described in the UTM Coordinates Table 3 above. This is the existing point of diversion of the McKinley Ditch.

(b) Lower terminus: A point on the Little Cimarron River where the return flows from the historical use of the Shares returned to the Little Cimarron River, estimated

to be upstream of the Perrin Ditch headgate in the NE1/4, Section 27, Township 48 North, Range 6 West, N.M.P.M., as further described in the UTM Coordinates Table 3 above.

7.2.2 Segment Two:

(a) Upper terminus: A point on the Little Cimarron River where the return flows from the historical place of use of the Shares return to the Little Cimarron River, estimated to be upstream of the Perrin Ditch headgate in the NE1/4, Section 27, Township 48 North, Range 6 West, N.M.P.M., as further described in the UTM Coordinates Table 3 above.

(b) Lower terminus: The confluence of the Little Cimarron River and the Cimarron River, as further described in the UTM Coordinates Table 3 above.

7.2.3 Segment Three:

(a) Upper terminus: The confluence of the Little Cimarron River and the Cimarron River, as further described in the UTM Coordinates Table 3 above.

(b) Lower terminus: The confluence of the Cimarron River and the Gunnison River, as further described in the UTM Coordinates Table 3 above.

8. Historical Use.

The additional uses described in Section 7 are based on a historical use analysis performed by Bishop-Brogden Associates (“BBA”). Historical irrigation use of the Shares resulted in a net depletion to the Little Cimarron River during the irrigation season and a net accretion to the river during the non-irrigation season. Historically, there have been no calls on the Little Cimarron River outside of the irrigation season. During operation of the instream flow use of the Shares, the non-irrigation return flows are included in the bypassed water and will naturally accrue to the stream and be available to other water users below Segment Three. The study period for the analysis was 1974 through 2013. This study period is sufficiently long, includes a representative variety of wet, average, and dry years, and is representative of the historical use of the McKinley Ditch, meeting the requirements of § 37-92-305(d), C.R.S. (2016).

8.1 Irrigation and Instream Flow Seasons of use. The historical irrigation season of the Shares was from April through November. For the change of the Shares approved in this decree, the season of use shall be from May 1 through October 31, for either irrigation or instream flow use, subject to the volumetric limits set forth in 9.3.2 below. Any diversions at the McKinley headgate made by the ditch during the months of April or November attributable to the Shares shall be measured and immediately returned to and relinquished to the stream.

8.2 Historical Diversions. To determine the amount of in-priority diversions to the historically irrigated property, the total diversions were limited to diversions taken in-priority, up to the decreed flow rate and then were pro-rated by the ratio of 1.5/8 shares (18.75%). The historical in-priority diversions of the Shares are as follows:

Table 4: Co-Applicants' Pro-Rata Share of In-Priority Historical Headgate Diversions in Each Month of the Future Instream Flow Season of Use – All Priorities

Month	Average (af)
May	106.8
June	237.6
July	206.7
August	142.6
September	102.9
October	58.0
Annual	854.6

In instances when only the most senior McKinley Ditch water right (Priority 56) was in priority and only the decreed limit of 87.5625 acres could be irrigated, the average irrigation season diversions attributable to the historically irrigated property are as follows:

Table 5: Co-Applicant's Pro-Rata Share of In-Priority Historical Headgate Diversions in Each Month of the Future Instream Flow Season of Use – Priority 56 only

Month	Average (af)
May	67.2
June	130.8
July	134.9
August	118.6
September	92.6
October	54.2
Annual	598.3

8.3 Ditch Losses. Ditch losses in the McKinley Ditch suffered by the Shares were historically 10% of the amount diverted.

8.4 Historical Net Depletions. The Shares were used to irrigate pasture grass on the 194.5 acres depicted on Figure 1 attached hereto. However, this analysis of the historical depletions limits the irrigated acreage to 177.5625 acres per the decreed acreage in Case No. 12CW52. Furthermore, 87.5625 acres was used in the historical use analysis when only the senior McKinley Ditch water right (Priority 56) was in priority. Net irrigation season depletions were determined using the Modified Blaney-Criddle method in the State CU model. A value of 10% was used to account for ditch loss. Climate data was obtained from the NOAA Cimarron

weather station. A maximum irrigation efficiency of 55% was used in the model, as all the lands under the McKinley Ditch are flood-irrigated. Soil moisture capacity was determined through an analysis of underlying soils. Forty percent of ground water returns flows were lagged using a Glover analysis.

The historical net depletions from the in-priority diversions in each month of the future instream flow season of use resulting from such irrigation of 177.6 acres were as follows:

Table 6: Historical Net Depletions of Shares - All Priorities

Month	Average (af)
May	41.7
June	105.4
July	99.4
August	68.5
September	36.9
October	6.5
Annual	358.3

The following table shows the historical net depletions in each month of the future instream flow season of use from the use of the Shares when only the decreed limit of 87.5625 acres could be irrigated and when only Priority 56 was in priority:

Table 7: Historical Net Depletions of Shares - Priority 56 only

Month	Average (af)
May	21.5
June	52.6
July	57.8
August	48
September	29.1
October	7.4
Annual	216.4

9. **Future Operations.**

9.1 Use of the Shares - Scenarios. The preferred future use of the Shares will be split season use, whereby the Shares will continue to be used to irrigate the historically irrigated land in the first part of the irrigation season and then used during the remainder of the irrigation season for instream flow use instead of irrigation. This will allow the historically irrigated land to remain irrigated for at least part of the year, but makes the Shares available to preserve and/or improve the natural environment in Segments One, Two and Three in the later part of the irrigation season when stream flows normally drop. Alternatively, the Shares may be also used

for irrigation throughout the entire irrigation season or for instream flow for the entire irrigation season.

9.2 Notification. To provide sufficient notice of which of the above operational scenarios will be used in any given year, the Co-Applicants will give the Division Engineer, the Collier Ditch Company [Jack Perrin, President of Collier Ditch Company, at his email address: Perrin, Karen (kperrin@coloradomesa.edu), or such other person as the Collier Ditch Company may designate], and Three P's LLC [Garry Forney, 1701 Bowker Rd., El Centro, CA 92243, garryf@bullentinc.net] or Three P's LLC's successor in interest 30-day notice before use of the Shares for instream flow.

9.3 Instream Flow Rates by Segment. Flow rates for instream use of the Shares will vary by Segment. When in priority, these flow rates will be available daily for instream flow use by the CWCB, subject to the limitations in Table 8. In the event that this amount is not physically available at the McKinley Ditch headgate, the CWCB will be entitled to place an administrative call on the Little Cimarron at the McKinley headgate.

9.3.1 Segment One. As noted above, the historical use of the Shares was fully depletive to the Little Cimarron River throughout Segment One, as return flows from irrigation use of the Shares did not accrue to the stream until the upstream terminus of Segment Two. Accordingly, in Segment One, the rate of flow that may be bypassed past the headgate of the McKinley Ditch for instream flow purposes will be equal to the Co-Applicant's pro rata portion of the decree priorities for the McKinley Ditch then in priority available at the McKinley Ditch headgate, as limited herein, less 10% of such amount to be diverted down the McKinley Ditch to replicate historical ditch losses.

9.3.2 Further, in order to avoid enlarged use of the Shares, Co-Applicants shall be limited to the following monthly, annual, and 20-year volumetric limits set forth in Table 8 for their pro rata share of water available for diversions at the McKinley Ditch, whether the water is used for irrigation or instream flows.

Table 8: Monthly, Annual, and 20-Year Volumetric Limits

Month	Maximum annual in ac-ft	20-year volumetric in ac-ft
May	252	2135
June	346	4751
July	321	4133
August	239	2851
September	208	2058
October	214	1160
Annual	1158	---

Co-Applicants' diversions in any month shall be limited to the lesser of either (1) the maximum allowable diversion for that month or (2) the maximum diversion that is allowable under the 20-year volumetric limitation for that month. The maximum diversion allowable under the 20-year volumetric limitation in any particular month shall be calculated by subtracting the total of the diversions during the previous 19 years in that particular month from the 20-year volumetric limitation for that particular month. In applying the 20-year volumetric limitations during the initial 20-year period following entry of this decree, the Co-Applicant's cumulative headgate diversion entitlements cannot exceed one-half of the 20-year monthly volumetric limitation in either the first or last 10-year period. In addition, the Co-Applicants' diversions shall be limited to 1,158 acre-feet in any May 1 through October 31 period.

9.3.3 Segments Two and Three. In segments Two and Three the rates of flow that can be used for instream flow purposes are the historical net depletions determined by multiplying the pro rata portion of the decree priorities for the McKinley Ditch then in priority available at the McKinley Ditch headgate determined in Section 9.3.1 for Segment One, by the monthly depletion factors shown in Table 9 (which factors take into account the ten percent ditch loss in the McKinley Ditch), and then reduced for transit losses pursuant to Paragraph 11.6 below.

Table 9: Net Depletion Factors

Net Depletion Factors	May	Jun	Jul	Aug	Sep	Oct
	39%	44%	48%	48%	36%	11%

10. Maintenance of Historical Return Flows.

10.1 Irrigation Season Return Flows. Under full season irrigation, irrigation season return flows will occur as they have historically. Under full season instream flow use, irrigation season return flows will be maintained through delivery of return flows as a portion of the bypassed instream flow water. Under a split-season scenario, historical irrigation season return flows will be maintained through a combination of historical irrigation use of the Shares and delivery of bypassed instream flow water.

10.2 Non-Irrigation Season Return Flows. There have been no historical calls on the Little Cimarron River outside of the irrigation season. As described in Section 7.1.1, the CWCB has an existing, year-round instream flow right downstream on the Cimarron River in Segment Three - the Cimarron River from its confluence with the Little Cimarron River to its confluence with the Gunnison River. Segment Three has benefitted from non-irrigation season return flows from the historical irrigation use of the Shares. However, pursuant to 2 CCR 408-2(6)(e) of the Rules Concerning the Colorado Instream Flow and Natural Lake Level Program, the CWCB has determined that the benefit to the natural environment of the Little Cimarron and the Cimarron River from this project during the irrigation season outweighs the potential detriment to the natural environment that could result in some years from unmaintained lagged return flows to the Cimarron River. During operation of the instream flow use of the Shares, the non-irrigation season return flows are included as part of the bypassed water and will naturally accrue to the stream and be available to other water users below Segment Three. Consequently, no injury will occur to downstream water rights and this change will not require the replacement of any historical non-irrigation season return flows during the non-irrigation season.

11. Additional Terms and Conditions. The following additional terms and conditions on the operation of the change approved herein are required, and are adequate, to protect other owners or users of water rights or decreed conditional water rights from material injury.

11.1. Diversion/Bypass Only In Priority. Diversions of the Shares for irrigation use and bypass of the Shares for instream flow use shall be limited to periods that the McKinley Ditch water rights are in priority, and only occur from May 1 through October 31 for irrigation and instream flow use.

11.2 Limitation of Irrigated Acreage. During periods of a valid downstream senior call, the use of the Shares for continued irrigation shall be limited to 87.5625 acres if only Priority 56 is in priority and limited to 177.5625 acres if all of the Shares' priorities are in priority. At times without a valid call, irrigation may occur on the entire 194.5 acres as provided in Case No. 12CW52.

11.3 No Split of Priorities. The Co-Applicants shall only use all the priorities of the Shares for continued irrigation or for instream flow uses, and will not split the uses by priority. The Co-Applicants shall apply the Shares to continued irrigation or to instream flow uses for

whole-month increments throughout the irrigation season. Once the Shares are used for instream flow purposes in any one year, the Shares shall continue to be bypassed for instream flow purposes for the remainder of that irrigation year.

11.4 Ditch Loss. During months that the Shares are being bypassed to the stream for instream flow use and other McKinley Ditch shares are being diverted for irrigation, 10% of the flow rate bypassed at the McKinley Ditch for instream flow as determined in Section 9.3.1 shall be left in the McKinley Ditch to protect the remaining shareholders for ditch loss.

11.5 Dry-up. During the months that the Shares are being bypassed to the stream for instream flow use, the historically irrigated land may not be irrigated by the Shares or other existing McKinley Ditch shares; however, the historically irrigated land may be irrigated by sources approved in a subsequent decree, through a substitute water supply plan, or by other statutory mechanism.

11.6 Transit Losses. The transit losses associated with delivery of the changed right through the instream flow segments will be determined and assessed by the Division Engineer, as provided in the Stipulation Between Co-Applicants and Opposer the Collier Ditch Company ("Collier Ditch Company Stipulation"), at the time deliveries are made.

12. **The Collier Ditch Company Stipulation and Wayne Maurer Stipulation Terms.** Co-Applicants have filed stipulations herein with The Collier Ditch Company and Wayne Maurer, which the Court has approved and hereby incorporates into this decree.

13. **Administration Past Downstream Headgates.** The Division Engineer shall administer the portion of the Shares in priority and changed to instream flow use past any headgates in Segment One as determined in Section 9.3.1, including the Collier Ditch headgate, provided that adequate structures are in place to bypass and measure such bypassed water, as provided in the Collier Ditch Company Stipulation. Within Segments Two and Three, the Division Engineer shall administer the portion of the Shares in priority and changed to instream flow use as determined in Section 9.3.3 past any headgates, provided that adequate structures are in place to bypass and measure such bypassed water.

14. **Conjunctive Administration.** For the purposes of administration of the McKinley Ditch for instream flow purposes, the CWCB shall be entitled to call for and exercise the Shares, up to the amounts decreed herein, alone or in combination with the existing instream flow water right described in Section 7.1.1 or any future instream flow water right(s), under each water right's respective priority. The CWCB's exercise of the McKinley Ditch for instream flow purposes shall not decrease the amount of water that can be called for and used under its existing instream flow water right.

15. **Measurement and Accounting.** The Co-Applicants shall install such measuring devices and maintain and submit monthly accounting records as may be required by the Division Engineer. Co-Applicants shall also submit such required monthly accounting records to a designated representative of the Collier Ditch. Co-Applicants shall also submit such required monthly accounting records to Three P's LLC or its successor in interest at the address in Section 9.2 until notified otherwise.

16. **Downstream Use.** During years in which the Shares are used for instream flow use, either for a partial or full season, the Water Trust retains the right to bring about beneficial use of the historical consumptive use of the Shares downstream of Segment Three as fully consumable reusable water pursuant to section 37-92-102(3), C.R.S. (2016).

17. **No Material Injury.** The change of water rights described herein, subject to the terms and conditions set forth herein, will not injuriously affect any person entitled to use water under a vested water right or a decreed conditional water right.

18. **Can and Will.** The change of water rights described herein is not speculative, can and will be completed within a reasonable time, and otherwise meets all legal requirements.

CONCLUSIONS OF LAW

19. **Incorporation.** To the extent they constitute legal conclusions, the foregoing Findings of Fact are incorporated herein.

20. **Complete Application.** The Application is complete, covering all applicable matters required pursuant to the Water Right Determination and Administration Act of 1969, C.R.S. §37-92-101-602.

21. **Fulfillment of Legal Requirements.** Applicants have fulfilled all legal requirements for a decree as requested.

RULING OF THE REFEREE

THEREFORE, the Water Referee rules as follows:

22. **Fully Incorporated Ruling of the Referee.** The foregoing Findings of Fact and Conclusion of Law are hereby fully incorporated into this Ruling of the Referee.

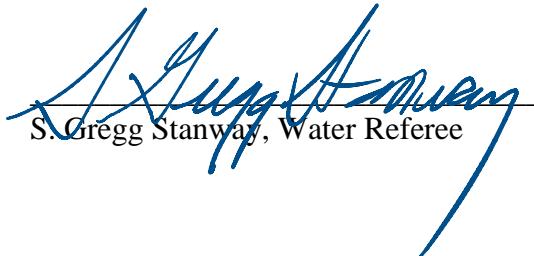
23. **Change of Water Rights.** The change of water rights described above is hereby granted, subject all of the terms and conditions set forth above.

24. **Retained Jurisdiction.** Pursuant to the provisions of C.R.S. §37-92-304(6), the Court shall retain jurisdiction over the change of water rights granted herein for reconsideration of the question of whether the provisions of this decree are necessary or sufficient to prevent injury to the vested water rights of others. The Court's retained jurisdiction period shall automatically terminate five years after the first day of instream flow use of all or part of the Shares hereunder by the CWCB below the Collier Ditch. During said period, the Court's retained jurisdiction may be invoked by any existing party to this case by petition, with appropriate notice to all other parties. The petition shall set forth with particularity the specific injury alleged, together with proposed decretal language that the petitioner contends would remedy the alleged injury that is the basis for the petition. The person filing the petition shall have the burden of proof to establish that the modification sought is required to avoid injury to the petitioner.

25. **No Precedent.** This Decree is entered into by way of compromise and settlement of this litigation. Any agreements or terms and conditions herein are due solely to the unique circumstances and facts of this case. This Decree shall not establish any precedent and shall not be construed as a commitment to include any specific findings of fact, conclusions of law, specific engineering methodologies, or administrative practices in future stipulations or decrees..

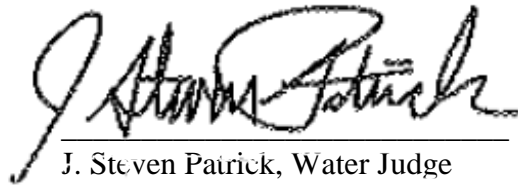
26. **Filing.** A copy of this Judgment and Decree shall be filed with the Water Clerk for Water Division 4, and this Decree shall become effective upon such filing. A copy of this Judgment and Decree shall also be filed with the Division Engineer for Water Division 4 and with the State Engineer.

Dated this 6th day of September, 2018.


S. Gregg Stanway, Water Referee

NO OBJECTION HAVING BEEN FILED TO THE FOREGOING RULING OF THE REFEREE WITHIN THE TIME PERMITTED BY STATUTE, THE FOREGOING RULING IS HEREBY MADE THE JUDGMENT AND DECREE OF THE WATER COURT.

DATED October 1, 2018

A handwritten signature in black ink, appearing to read "J. Steven Patrick", is written over a horizontal line. The signature is fluid and cursive.

J. Steven Patrick, Water Judge



GRANT OF FLOW RESTORATION USE

This GRANT OF FLOW RESTORATION USE (this "Grant") dated this ~~23~~²¹ day of ~~April~~^{September} 2015, is between the COLORADO WATER TRUST (the "Trust"), a Colorado nonprofit corporation, and the COLORADO WATER CONSERVATION BOARD (the "Board"), an agency of the State of Colorado (sometimes collectively referred to herein as the "Parties").

1. The Water Rights. The following water rights were decreed to the McKinley Ditch that is located or irrigates land in the Counties of Montrose and Gunnison, and were conveyed to the Trust by Special Warranty Deed dated January 6, 2014, which was recorded in the real property records of Gunnison County, Colorado on January 15, 2014, at Reception No. 625180 and in the real property records of Montrose County, Colorado on January 29, 2014, at Reception No. 853303. The Trust owns an undivided 18.75% in each of the following priorities ("Water Rights"):

- Priority 56, decreed in Civil Action No. 1319, District Court, Montrose County, March 28, 1904 for 12.17 cfs
- Priority 125, decreed in Civil Action No. 1745, District Court, Montrose County, May 8, 1913 for 3.125 cfs
- Priority 128, decreed in Civil Action No. 1745, District Court, Montrose County, May 8, 1913 for 3.125 cfs
- Priority 285, decreed in Civil Action No. 4742, District Court, Montrose County, April 21, 1941 for 12.58 cfs

The Water Rights were subsequently changed by decree in Case No. 05CW132 dated May 30, 2008 and by decree in Case No. 12CW52 dated February 15, 2013, District Court, Water Division 4.

2. Grant. Subject to the covenants and reservations hereinafter contained, the Trust, for due and sufficient consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant to the Board the permanent right to use the Water Rights to preserve and/or improve the natural environmental to a reasonable degree (the "Grant") in the following stream reaches for the following purposes:

- a. Instream flow use ("Full Season Instream Flow Use") exclusively by the Board for the entire irrigation season to preserve and/or improve the natural environment to a reasonable degree in the following stream reaches (the "Instream Flow Reaches):
 - i. Little Cimarron River from the McKinley headgate downstream to its confluence with the Cimarron River.



- ii. Cimarron River from its confluence with the Little Cimarron River downstream to its confluence with the Gunnison River.
 - b. A split-season arrangement ("Split-Season Use"), where during a single irrigation season, the Water Rights are used for irrigation in the first part of the irrigation season and then instream flow use exclusively by the Board for the remain of the irrigation season to preserve and/or improve the natural environment to a reasonable degree in the Instream Flow Reaches.
3. The Parties intend that the Grant shall run with the Water Rights and shall burden the Trust's successors and assigns.
4. Change Case. The Parties recognize the need to obtain a change of the Water Rights to allow the desired use of the Water Rights for instream flow purposes as contemplated herein. Pursuant to the Water Rights Acquisition Agreement dated April 9, 2015 between the Parties regarding the Water Rights, the Parties will file as co-applicants an application for such a change with the District Court in and for Water Division No., 4 (the "Change Case"). This Grant shall be subject to any terms and conditions in the Change Case decree. If the Change Case is denied, in whole or in part, for any reason, or is conditioned in such a manner as to prevent the purposes of this Grant from being fulfilled, the Parties shall consult with each regarding future use of the Water Rights.
5. Annual Operation. The Parties agree that Split-Season Use is the preferred use of the Water Rights in any given year. Recognizing that Split-Season Use may not be feasible or desirable by the Parties in every year, the Trust and the Board agree that under the following circumstances, full season irrigation or Full Season Instream Flow Use may occur under the following circumstances (the "Special Circumstances"):
- a. Full season irrigation may occur if the Parties agree that:
 - i. projected climatological conditions are such that there is no need to use the Water Rights to preserve and/or improve the natural environment in the Instream Flow Reaches; or
 - ii. there is a land management issue that requires full season irrigation, such as re-vegetation of the historically irrigated land; or
 - iii. there is an unanticipated or pressing situation that renders full season irrigation necessary.
 - b. Full Season Instream Flow Use may occur if the Parties agree that:



- i. projected climatological conditions are such that there is a need for the use of the Water Rights for Full Season Instream Flow Use to preserve and/or improve the natural environment in the Instream Flow Reaches; or
- ii. circumstances make irrigation impractical, including unavailability of a lessee for irrigation; or
- iii. there is an unanticipated or pressing situation that renders Full Season Instream Flow Use necessary.

The Parties agree to consult before April 1 of each year to determine whether any Special Circumstances exist and to discuss the use of the Water Rights during the upcoming irrigation season. If no Special Circumstances exist, but the Parties do not agree on whether to begin instream flow use on July 1 or August 1, the Parties shall hire a mediator to assist them in reaching agreement on the start date. Subject to the availability of funds, the Parties shall split the costs of the mediator.

6. Irrigation Use. Under either the full season irrigation or Split-Season Use scenario, the Trust shall have the right to allow the use (by lease or otherwise) the Water Rights for the period in question to irrigators under the McKinley Ditch or other ditches below the McKinley Ditch for irrigation use, for such consideration and on such terms as the Trust desires, provided there is no diminishment of yield to the Water Rights for instream flow use or injury to existing instream flow water rights, to the satisfaction of CWCB. The Board shall have no responsibilities and bear no costs for such irrigation use of the Water Rights. Under the Split-Season Use scenario, the Trust shall coordinate all aspects of the irrigation use, including the switch from irrigation to instream flow use.

7. Administration. Pursuant to 2 CCR 408(2)(10), the Board hereby authorizes the Trust to be the CWCB's agent for administration and monitoring of the instream flow use of the Water Rights. If the stream flow at any monitored point falls below the decreed instream flow amount provided by the Water Rights, the Trust shall notify the staff of the Board. Upon consultation with the Trust and the Division of Water Resources, the staff of the Board shall place a call for administration of the Water Rights if appropriate. The Trust shall provide an annual report to the Board regarding the use of the Water Rights each year and the actions taken by the Trust as the Board's agent. Such report shall be due on or before December 31st of each year.

8. Injury with Mitigation. If the Board and Trust successfully obtain a decree in the Change Case, the Board commits to use the Water Rights, as changed, for instream flow purposes to preserve and/or improve the natural environment to a reasonable degree, consistent with the terms of the decree and this Grant, and to take all reasonable steps to enforce those rights for instream flow purposes and protect them from injury. If the Board receives a request to consider injury with



mitigation for the portion of the Little Cimarron River and/or Cimarron River benefited by the change of the Water Rights, the Board shall promptly inform the Trust of such request, consult with the Trust regarding such request, and not take any action that, in the Trust's reasonable judgment, would impair the benefits to the Little Cimarron River and/or Cimarron River resulting from the Trust's Grant to the Board of the Water Rights and their change to add instream flow uses.

9. Stream Gages. Subject to the availability of funds, the Board shall be solely responsible for the installation and maintenance of any stream gages within the Instream Flow Reaches that are required by law or needed to exercise the instream flow uses added to the Water Rights. The Board shall consult with the Trust regarding the type, location, and other aspects of the gaging.

10. Reserved Rights. The Grant is subject to the following rights that are expressly reserved to the Trust:

- a. the right to use the Water Rights for irrigation purposes pursuant to Section 4 above; and
- b. the right to bring about, by sale, lease or otherwise, the beneficial use of the historical consumptive use of the Water Rights as fully consumable water downstream of the Instream Flow Reaches, pursuant to 37-92-102(3), C.R.S, subject to such terms and conditions as the Water Court deems necessary to prevent injury to vested water rights or decreed conditional water rights.

11. Enforcement. The Parties agree that the exclusive venue and jurisdiction of any action pertaining to the interpretation or enforcement of this Grant shall be in the District Court, Water Division No. 4, to the extent permitted by law. If jurisdiction or venue is not proper in the water court, it is agreed that the exclusive venue and jurisdiction of any action pertaining to the interpretation or enforcement of this Grant shall be in the District Court of Gunnison County, Colorado. Before commencing any action for enforcement of this Grant, the party alleging a breach shall notify the other party in writing of the alleged breach and the Parties shall make a good faith effort to resolve their differences through informal consultation. Specific performance shall be the exclusive remedy for failure of either party to comply with any provision of this Grant.

12. Right of First Refusal. In the event the Trust begins actively marketing the Water Rights, the Trust will give the CWCB notice within two (2) weeks of the commencement of such activity. The Trust hereby grants to the Board a right of first refusal to purchase all or a portion of the Water Rights in the event the Trust seeks to convey these interests to a third party. Upon receipt of an offer to purchase that the Trust may accept, the Trust shall give the Board at least one hundred twenty (120) days' notice of the Trust's intention to transfer or convey the Water Rights by delivering to the Board a bona fide written offer to purchase made by a third party.



During the one hundred twenty (120) day notice period, the Board shall enjoy its right of first refusal, entitling it to purchase the Water Rights proposed for sale. If within one hundred twenty (120) days following notice by the Trust of the Trust's intention to sell the Water Rights, the Board chooses to exercise its right to purchase, the purchase price of the Water Rights shall be the fair market price of the Water Rights prevailing at the time of the offer. Provided that the Board notifies the Trust within one hundred twenty (120) day notice period of its intent to exercise its right to purchase, the Trust shall cooperate with the Board to allow sufficient time to complete the purchase of the Water Rights. In the event that the Board decides not to exercise its right to purchase the Water Rights offered for sale, the Trust shall be free to sell the Water Rights to the third party. In any sale to a third party, the Trust shall, as a part of that conveyance, require the third party purchaser to abide by the terms of this Grant.

IN WITNESS WHEREOF, the Trust and the Board have executed this Grant on the date set forth above.

COLORADO WATER TRUST

By: 

Amy Beatie

Executive Director

COLORADO WATER CONSERVATION
BOARD

By: 

Name: James Ekland

Title: Director



STATE OF COLORADO)
) ss.
COUNTY OF DENVER)

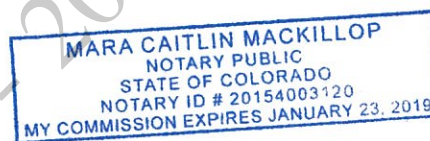
The foregoing instrument was acknowledged before me this 23 day of April, 2015, by Amy Beatie, as Executive Director of the Colorado Water Trust, a Colorado nonprofit corporation.

Witness my hand and official seal.

Mara Mackillop
Notary Public

My commission expires: January 23, 2019

STATE OF COLORADO)
) ss.
COUNTY OF Denver)

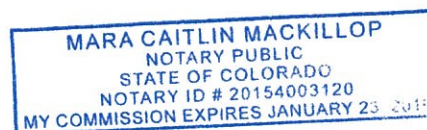


The foregoing instrument was acknowledged before me this 23 day of April, 2015, by James Eklund, as Director of the Colorado Water Conservation Board, an agency of the State of Colorado.

Witness my hand and official seal.

Mara Mackillop
Notary Public

My commission expires: January 23, 2019





Corporate Office:
3120 Freeboard Drive, Suite 201
West Sacramento, CA 95691
(916) 447-2854 • Fax (916) 447-2878

Viola Bralish
Colorado Water Conservation Board
1313 Sherman Street, Room 718
Denver, CO 80203

Via email to viola.bralish@state.co.us

Subject: Comment Letter from RCAC – Please Accept Shoshone Water Rights into ISF Program

Dear Ms. Bralish,

The Rural Community Assistance Corporation (RCAC) is a 501(c)(3) nonprofit organization that operates in 13 western states and the Pacific Islands. We serve indigenous and rural communities through training, technical and financial assistance, and advocacy. RCAC is a significant drinking water and wastewater technical assistance provider in Colorado working under several state and federal grant programs.

RCAC currently supports over 50 rural water utilities in Colorado, many of which are on the western slope. Many of these rural communities are directly impacted by the Shoshone water right and are dependent on the Colorado River for their water security, which forms the basis for a thriving economy. For example, water treatment expenses are already rising for many communities supplied by the Colorado river that we have worked with, such as Palisade, and protecting this water right will help improve raw water quality for municipal utilities which already face many other rising costs and competing priorities & threats to their water services. Even more communities we have relationships with are directly and indirectly impacted by the sustained agricultural and recreational benefits all along the Colorado River mainstem and Grand Valley regions.

RCAC respectfully requests that the Colorado Water Conservation Board accept the Colorado River Water Conservation District's purchase of the senior and junior non-consumptive water rights associated with Shoshone Hydroelectric Facility. This purchase would preserve the status quo around which the river basin and its communities have developed over the past century and ensure that this non-consumptive right continues to serve as the foundation of regional water security. Please reach out to Kate Sawyer if you have any questions or concerns.

Kate Sawyer

RCAC | Community & Environmental Services

Regional Environmental Manager (Colorado) | Durango, CO

kate.sawyer@rcac.org

(970) 903-8964

www.rcac.org

August 26, 2025

Colorado Water Conservation Board
1313 Sherman Street, Room 718
Denver, CO 80203

Subject: Support for Inclusion of Shoshone Water Rights in State's Instream Flow Program

Dear Members of the Colorado Water Conservation Board,

The Colorado River Valley Economic Development Partnership strongly supports the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urges the CWCB to accept the proposed acquisition.

As the regional economic development organization serving communities throughout the Colorado River Valley, we represent the collective interests of businesses, municipalities, industries, organizations and residents who depend on the Colorado River's health for their economic vitality and quality of life. Our partnership spans from New Castle through to Parachute as well as parts of unincorporated Garfield County, encompassing rural communities that have built their economies around the reliable flows that the Shoshone Water Rights help sustain.

The permanent protection of these water rights represents far more than environmental stewardship—it is essential economic infrastructure for our region. The consistent flows supported by Shoshone directly benefit our communities through:

Agricultural Sustainability: Family farms and ranches throughout our valley depend on reliable water supplies. The Shoshone flows support irrigation systems that sustain generational agricultural operations, from hay production to fruit orchards on the Western Slope. These agricultural businesses are not only economic anchors but also preserve the working landscape character that attracts visitors and new residents to our region.

Municipal Water Security: Numerous municipalities throughout the Colorado River Valley depend directly on the Colorado River system for their municipal water supplies. The Shoshone flows help maintain water quality and quantity that these communities rely on for basic municipal services. Consistent river flows support proper dilution ratios, reduce treatment costs, and ensure reliable water delivery to residents and businesses. For smaller municipalities with limited financial resources, the cost savings from stable, high-quality source water directly impacts their ability to maintain affordable utility rates and invest in other community infrastructure.

Recreation Economy: Our outdoor recreation economy, worth hundreds of millions of dollars annually, relies entirely on healthy river flows. Rafting outfitters in Glenwood Springs, fishing guides from Aspen to Grand Junction, and countless riverside businesses depend on the consistent water levels that Shoshone flows help maintain. During low-flow years, we've witnessed firsthand how reduced flows translate directly to cancelled bookings, shortened seasons, and economic hardship for small business owners.

Community Resilience: Rural Western Colorado communities face unique challenges in economic diversification. The guaranteed flows from Shoshone provide stability that allows local businesses to plan investments, communities to attract new enterprises, and families to build long-term roots. This

predictability is invaluable for small communities working to retain young people and maintain economic viability.

Future Economic Development: As we work to attract new businesses and residents to our region, water security is consistently identified as a primary concern. Permanent protection of these flows through the instream flow program provides the certainty that enables sustainable growth and responsible development planning.

The Colorado River Valley Economic Development Partnership believes that accepting the Shoshone Water Rights into the State's Instream Flow Program represents a critical investment in the long-term economic health of rural Colorado. This action secures not just water, but the foundation upon which dozens of communities have built their economies and their futures.

We respectfully urge the CWCB to accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River and the communities that rely on it for economic prosperity and community sustainability.

Thank you for your consideration and your continued commitment to Colorado's water future.

Kind regards,

Alicia Gresley

Alicia Gresley
Director
Colorado River Valley Economic Development Partnership
www.betterjobsclosertohome.com
970-306-1899
info@crvedp.org

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Devon Bernhagen <devonbernhagen@gmail.com>
To: viola.bralish@state.co.us

Tue, Aug 26, 2025 at 7:24 PM

Good evening,

I wanted to inform you that I support the inclusion of Shoshone Water Rights through the State's Instream Flow Program and **urge** the CWCB to accept the proposed acquisition. My name is Devon Bernhagen, I am a resident of Grand Junction, CO and I have a strong connection to the water in Western Colorado. I love to play, paddle, swim, and enjoy the water in various forms while living on this planet. I also use the water for gardening at home and wouldn't be able to enjoy the plants I care for without the water. Nor would I be able to enjoy the fruits that come from this part of the state if they didn't have access to the water either.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and the communities that rely on it.

Devon Bernhagen



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Dale Kaup <dale@kaupengineering.com>

Sat, Aug 30, 2025 at 8:10 AM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

As a 35 year resident of Glenwood Springs, I am writing in support of the River Districts offer to buy the Shoshone water rights. It is critical for the long term of the Colorado River to keep this water on the west slope. With the ongoing long term drought, and the ongoing compact negotiations, approving the purchase is the best and appropriate option.
Thanks

Dale Kaup
1203 Bennett Ave
Glenwood Springs, CO 81601

Sent from my iPhone

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

DOUGLAS KRIEGER <dakrieger53@gmail.com>
Reply-To: DOUGLAS KRIEGER <dakrieger53@gmail.com>
To: Viola Bralish <viola.bralish@state.co.us>

Fri, Sep 5, 2025 at 1:42 PM

Dear CWCB Members,

CWCB members: I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

The Colorado River is a treasured Gold-Medal fishery and recreational asset, the lifeblood of many of our state's communities and working lands, a driver of our multi-billion dollar outdoor recreation economy, and an iconic part of Colorado's natural and cultural heritage. For more than 100 years, the Shoshone water right has helped maintain the Colorado River and its values to our state - and has been especially critical in maintaining winter flows that are essential to the river's health. By accepting the Shoshone Rights into Colorado's instream flow program, the CWCB can help preserve the longstanding flow regime that has been a foundation for all of those values supported by a healthy, flowing Colorado River.

The nonconsumptive water rights at Shoshone have played a critical role in sustaining the Colorado River from headwaters to the Grand Valley, generating diverse benefits not only for Western Colorado, but also for residents of Colorado's eastern slope who also depend upon the river. By accepting those rights into Colorado's instream flow program, the CWCB can help ensure that the Shoshone rights continue to operate for the river as they have for more than a century, so that Coloradans continue to enjoy those benefits even when the hydropower facility itself goes off line as its infrastructure ages.

Please accept the Shoshone flows into CWCB's instream flow program and secure this vital protection for the Colorado River, and the environment and communities that rely upon it.

Sincerely,
DOUGLAS KRIEGER
15475 Pleasant View Drive
Colorado Springs, CO 80921

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public comment--Please accept Shoshone Water rights in ISF program

1 message

dluke6265@skybeam.com <dluke6265@skybeam.com>

Sun, Aug 31, 2025 at 6:45 PM

Reply-To: dluke6265@skybeam.com

To: viola.bralish@state.co.us

Cc: Wendell Koontz <wendell.koontz@gmail.com>, Janice Chesnik <janicechesnik@tds.net>

I am Dixie Jacobs Luke, a partner in Jacobs Family LLLP with 2000+ acres of land on south side of McClure Pass, CO 133--with first decreed water rights (1909), waste water flows into Paonia Reservoir, North Fork of Gunnison and then mainstem of Gunnison. I am vice-president of Ragged Mountain Water Users-- all waste water flows into the Paonia Reservoir. Also, I and my husband, Dion M Luke, own property west of Hotchkiss, CO, which is irrigated with water from the Paonia Reservoir and are the largest shareholders in the Fire Mnt Canal and Reservoir. I served as president of Fire Mtn Canal and Reservoir Co for 15 years, served on Gunnison Basin Roundtable since its inception until 2020, and continue to serve on North Fork Water Conservancy District. My sister, Janice Chesnik, also has property with water rights impacted.

We support CWCB proposal to accept Shoshone Water Rights into CO ISF program.

My communities: Ragged Mountain, Hotchkiss and Paonia, are dependant on our water. Much has early decrees. Our community also has established vineyards, people raising cattle, sheep, goats and specialty vegetables and marketing locally and to adjacent resort communities. Local businesses-grocery stores, hardware, recreational business benefit from recreation, site-seeing, fishing, hunting.

Many of us are 4+ generation into protecting resources; ask you to continue our mission,

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Shoshone Water Rights Preservation

1 message

Dan McMahon <inclinedan@comcast.net>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Thu, Aug 28, 2025 at 3:07 PM

To: Colorado Water Conservation Board

Hello,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Dan McMahon and I am a professional fly fishing guide based out of Carbondale, Colorado. I am also a member of the board of directors of the Roaring Fork Fly Fishing Guide Alliance. As fly fishing guides in the Roaring Fork Valley we are regular users of the lower Colorado River and heavily rely on the water flows to maintain a healthy fishery which allows us to provide quality angling experiences. Increased river flows are critical to sustaining the insect habitat that the fish rely upon as well as helping keep the water temperatures low enough to be conducive to trout. If water temperatures rise above 68 degrees we are forced to stop fishing which has a negative impact to Glenwood Springs and all the towns in the Roaring Fork Valley. Shoshone flows help prevent this from happening. Our clients travel from all over the world to come fish with us and are big contributors to our local economy. Beyond hiring fishing guides they are booking lodging, eating at restaurants, and visiting our local shops.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River and the communities that rely on it.

Sincerely,

Dan McMahon

Fly Fishing Guide: Alpine Angling

Board of Directors: Roaring Fork Fly Fishing Guide Alliance



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Dimitri Poppeliers <dpoppeli@gmail.com>
To: viola.bralish@state.co.us

Thu, Aug 28, 2025 at 3:45 PM

As a Colorado resident with interest in supporting wise water resource management, I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

Thank you,

Dimitri Poppeliers
Fort Collins, CO

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Darrell Smith <dsmith.earthcare@gmail.com>
To: viola.bralish@state.co.us

Fri, Aug 29, 2025 at 10:06 AM

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

I live and work in the Roaring Fork Valley and I'm very aware of the significance of river flows on the West Slope. Agriculture, recreation, and municipalities depend on these consistent flows and we are facing a hotter future with longer growing seasons. Even with Shoshone-related water flows being kept as they are currently, water resources will likely be more scarce.

I'm concerned that the voices from the West Slope, which are fewer in number, will get drowned out by the far more numerous front range residents and their representatives. We who *live in the region* directly impacted by the Shoshone water right do not want to see this historical flow reduced. Please hear our west slope voices.

Thank you!

Darrell Smith
[0171 Clubhouse Dr](#)
[Snowmass Village](#)

**STATE OF
COLORADO****Bralish - DNR, Viola <viola.bralish@state.co.us>**

Shoshone Power Plant Water Rights

1 message

David Thiel <elkranger@icloud.com>

Thu, Aug 28, 2025 at 4:11 PM

To: viola.bralish@state.co.us

I support the inclusion of the referenced water right(s) into the Instream Flow Program. I believe doing so is vital to the continued prosperity of Western Slope interests, including agriculture, business, recreation and other activities. Maintaining endangered and/or threatened species of fish is also of paramount concern.

I understand that there is room for debate concerning the precise volumes to be considered, but the basic premise of keeping this vital water source available to us on the Western Slope should not be in doubt.

Thank you for your attention,
David Thiel
Grand Junction

Sent from my iPad

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

D w <dlwiesner@hotmail.com>

Tue, Aug 26, 2025 at 7:06 PM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

•
I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

•
•
Dawn Wiesner

•
[3099 Gunnison Ave](#)

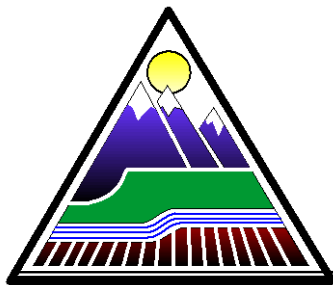
•
[Grand Junction, CO 81504](#)

•
I depend on the water for drinking, bathing, washing my clothes and maintaining my landscaping.

•
Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River and the communities that rely on it.

•
Signed,

Dawn Wiesner



DELTA COUNTY, COLORADO

BOARD OF COUNTY COMMISSIONERS

ADMINISTRATION BUILDING • 560 DODGE STREET • SUITE 227 • DELTA • COLORADO • 81416-1796

OFFICE: (970) 874-2113 MOBILE: (970) 200-4251

www.deltacounty.com

wkoontz@deltacountyco.gov

Wendell A. Koontz, Delta County Commissioner

August 29, 2025

Colorado Water Congress
1313 Sherman Street, Room 718
Denver, Colorado 80203

RE: Inclusion of Shoshone Water rights in the Instream Flow Program

On behalf of the Delta County Board of County Commissioners, I support the inclusion of the Shoshone Water Rights through the State's Instream Flow (ISF) Program and urge the CWCB to accept the proposed acquisition. Delta County is home to over 31,000 citizens with an agriculturally based economy. We are also home to the Gunnison River, the largest tributary to the Colorado River. If the Shoshone water rights are not included in the ISF, the ability to manage the river with Shoshone's senior call will allow municipal water providers in Front Range cities like Denver, Boulder, and Fort Collins to benefit from more water and more control over the river. The impact of water shortages will fall squarely on the backs of farmers, ranchers, and families from Grand County to Grand Junction including Delta County.

Preserving the Shoshone water rights is about keeping water where it belongs. In this case, that's on the Western Slope and in the communities like Delta County, that rely on it to grow crops, raise livestock, and provide clean drinking water to rural families. If this deal falls apart, it's not just our local economies that will suffer. The loss of Shoshone flows would trigger increased water calls, more fallowing of productive land, and diminished support for energy operations in the Piceance Basin which rely on Colorado River water to sustain drilling operations. All of that would undermine the very economic backbone of rural communities along the Colorado River and by extension, America's food and energy security.

Delta County fully supports the inclusion of Shoshone water rights in the Instream Flow Program. The communities, economies, and lives of the families in our county depend on water and the long-term viability of our rivers.

Sincerely,

A handwritten signature in blue ink that reads "Wendell A. Koontz". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Wendell A. Koontz
Chair, Delta County Board of Commissioners



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Ellen Daugherty <daughertyee@gmail.com>
To: viola.bralish@state.co.us

Wed, Aug 27, 2025 at 7:10 AM

Hello,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Ellen Daugherty, and though I live in the Front Range (Longmont), I recreate on the upper Colorado River and recognize the importance of in-stream flows for the ecology and residents of this area. Flows in this portion of the river contribute to major components of western Colorado's character and economy, and they must be preserved for the future.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Thank you.

Ellen Daugherty

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Erin Evers <erin.m.evers@gmail.com>
To: viola.bralish@state.co.us

Tue, Sep 2, 2025 at 8:37 PM

To whom it may concern,

I am writing this email in support of the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and would like to encourage the CWCB to accept the proposed acquisition. My name is Erin Evers and I and the rest of my family of 5 are avid recreationalists on and along the Colorado River near our home in Glenwood Springs, CO. We frequently raft and kayak from Grizzly Creek to town, and we frequently bike along the bike path paralleling the Colorado River and I-70, stopping at the No Name Pavillion to play in the water. Not only do we enjoy recreating on the Colorado River, but our community at large, because of tourism, such as rafting and fishing, relies on river flows, as a means of bringing people into our community and contributing to our local economy. When we bike along the river, we see fleets of rafts floating down river, full of tourists enjoying the beautiful scenery, and this simply would not be possible at lower flows, with water being diverted to the front range. You have before you a unique opportunity to aid our community, ensuring access to the water that belongs in Glenwood Canyon to continue to flow further downstream. This is not only a matter of recreation and our economy though. I have not doubt that lower flows would have impacts on the local ecosystems that exist along the colorado river, whether that is the river otters that play along the shore in glenwood canyon, the fish that swim there, and the dippers that bob at the waters edge in search of a perfect meal. I strongly encourage you to protect the water rights of the Colorado River, by keeping the water where it was meant to be, in Glenwood Canyon, and further downstream. A decision otherwise feels unnatural and unsafe to those who depend on these waters all along the western slope of Colorado and beyond.

I sincerely thank you for your time and hope that this letter has helped lend support to the fact that we need to keep the water where it belongs, in the Colorado River.

Thank you,
Erin Evers

--

Erin Evers
(435) 659-1459
erin.m.evers@gmail.com

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program1 message

Erika Sophia Gibson Mull <gibson.erika@gmail.com>
To: viola.bralish@state.co.us

Sat, Aug 30, 2025 at 2:12 PM

I strongly support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program, and urge the CWCB to approve the proposed acquisition of the Shoshone rights by the Colorado River Water Conservation District.

My name is Erika Gibson, and I live in Glenwood Springs, Colorado. I am a water attorney, chair of the Glenwood Springs River Commission, and a long-time volunteer for many river-related organizations. As a Colorado native, I have also spent most of my life floating, playing in, and admiring the Colorado River. Both personally and professionally, I know how vital senior calling rights are to water users across Colorado.

Without protecting the Shoshone senior right mechanism and its non-consumptive benefits, the domino effect on small downstream water users would be chaotic and deeply harmful. Beyond that, the loss of these flows would threaten water quality, aquatic habitat, and the health of the communities that depend on the river. It doesn't take a PhD to recognize the cascade of fallout that would follow if these flows are not preserved.

I urge the CWCB to accept these flows into the Instream Flow Program and ensure this vital protection for the Colorado River and the downstream communities that rely upon it. Thank you for your thoughtful consideration of this historic issue.

Erika Gibson

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment in Support of Shoshone Rights Acceptance In Stream Flow

1 message

Eleanor Hasenbeck <eleanorhasenbeck@gmail.com>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Mon, Sep 1, 2025 at 8:36 PM

Hello Ms. Bralish,

I'm writing in support of CWCB's acceptance of the proposed acquisition of Shoshone Water Rights into the instream flow program.

I am a Colorado resident living in Berthoud, Colorado, 80513. I enjoy recreating on West Slope rivers. Peaches are also my favorite fruit, and I treasure the Palisade peaches irrigated by water currently preserved by Shoshone water rights. I also rely on CBT water for my community's drinking water. Even so, I believe it is important to keep Shoshone water rights flowing down the Colorado River. The instream flow program is an excellent way to do that.

Preserving Shoshone flow westward will preserve the culture, habitat, and agriculture the river supports for generations to come. Integrating these water rights into the program would help advance the ability of the state to improve the natural environment while also benefitting water users and the public. Further, it would help CWCB advance its mission to conserve, protect and manage Colorado's water for present and future generations.

I hold a master's in water resources and am pursuing a law degree with a focus on water law. Further, I've worked in water on the West Slope and the Front Range for six years, most recently on drought resilience. I have the background to know how impactful this acquisition would be on our future. I urge you to accept these rights into the instream flow program.

I am writing only on behalf of myself. These comments represent my views and do not represent the views of any employer or organization I'm involved with.

Many thanks for your consideration,

Eleanor Hasenbeck

M.S. Water Resources

[725 Bruce Drive, Berthoud CO](#) (please exclude my address from publication)

**STATE OF
COLORADO****Bralish - DNR, Viola <viola.bralish@state.co.us>**

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Elise Jeppsen <elisejepps@gmail.com>
To: viola.bralish@state.co.us

Sun, Aug 31, 2025 at 10:45 AM

I support the Inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Elise Jeppsen, from Salt Lake City, Utah. I had the amazing opportunity to float on Grand Canyon this spring and experience the life changing beauty of that canyon. We have already done enough damage trying to control the water flows for our own short-term gain. Just because we can use something doesn't mean we should.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Thanks for caring about humans and the earth (that will be here long after us unless we seek to destroy it) over money.
Elise Jeppsen

**STATE OF
COLORADO****Bralish - DNR, Viola <viola.bralish@state.co.us>**

2025 Shoshone ISF Acquisition

1 message

Eric Krch <erick@sgm-inc.com>

Wed, Aug 27, 2025 at 8:55 AM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Viola:

I want to voice my support as a citizen and practicing professional civil engineer in water resources in Western Colorado for the acquisition of the Shoshone Hydropower water rights. The 15-mile reach in Mea County of the Colorado River is alarmingly low this year. With a persistent drought of unknown duration looming ahead, I can't imagine low flows through this reach continuing without the water rights acquisition. Healthy stream flows are crucial for supporting our outdoor recreation and agricultural communities and thier economic importance to our region.

Thanks for considering this email of support.

Eric L. Krch, CFM, PE .

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Evan Kwiecien <EKwiecien@dhmdesign.com>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Sat, Aug 30, 2025 at 12:25 PM

Hello,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Evan Kwiecien and I work and live in Durango as a Landscape Designer. I see our waterways as a vital public resource and their protection is integral in ensuring that their use can be continued for years to come. I see a community built upon river recreation opportunities here in Durango - the Animas river is a true live blood in our city and many raft, swim, or drip throughout the summer season. Protection of minimal flows ensures equitable water access for the countless communities in our watershed.

Our future is built upon the decisions and gratitude that we extend toward the natural world and its fragile systems. I think there is great opportunity here to preserve and lift up river communities and sustain natural ecosystems. Water is sacred in the southwest - championing its careful and gentle use contributes to the reciprocity and conversation we extend toward the land itself. I hope you see the value you in this as well!

I feel passionate about this topic and will not let silence be seen as indifference or opposition. I stand strongly in support inclusion of the Shoshone Water Rights through the State's Instream Flow Program

Thank you,
Evan Kwiecien

Designer

O: 970.385.4219 | C: 971.901.8725



DENVER | CARBONDALE | DURANGO | BOZEMAN

**STATE OF
COLORADO****Bralish - DNR, Viola <viola.bralish@state.co.us>**

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Evelyn Perry <emasoner27@gmail.com>
To: viola.bralish@state.co.us

Wed, Aug 27, 2025 at 5:48 PM

Hello,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition. My name is Evelyn. I am a recreational user of water that flows below the Shoshone Power Plant and a Grand Canyon river guide. I think it is incredibly valuable and important to protect year-round river flows, and support communities, agriculture, recreation, the environment, and local economies across Western Colorado. Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Sincerely,

Evelyn Perry

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

ERIC POLCZYNSKI <ericski75@yahoo.com>
Reply-To: ERIC POLCZYNSKI <ericski75@yahoo.com>
To: Viola Bralish <viola.bralish@state.co.us>

Mon, Sep 8, 2025 at 10:40 AM

Dear CWCB Members,

CWCB members: I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

The Colorado River is a treasured Gold-Medal fishery and recreational asset, the lifeblood of many of our state's communities and working lands, a driver of our multi-billion dollar outdoor recreation economy, and an iconic part of Colorado's natural and cultural heritage. For more than 100 years, the Shoshone water right has helped maintain the Colorado River and its values to our state - and has been especially critical in maintaining winter flows that are essential to the river's health. By accepting the Shoshone Rights into Colorado's instream flow program, the CWCB can help preserve the longstanding flow regime that has been a foundation for all of those values supported by a healthy, flowing Colorado River.

The nonconsumptive water rights at Shoshone have played a critical role in sustaining the Colorado River from headwaters to the Grand Valley, generating diverse benefits not only for Western Colorado, but also for residents of Colorado's eastern slope who also depend upon the river. By accepting those rights into Colorado's instream flow program, the CWCB can help ensure that the Shoshone rights continue to operate for the river as they have for more than a century, so that Coloradans continue to enjoy those benefits even when the hydropower facility itself goes off line as its infrastructure ages.

Please accept the Shoshone flows into CWCB's instream flow program and secure this vital protection for the Colorado River, and the environment and communities that rely upon it.

Sincerely,
ERIC POLCZYNSKI
PO Box 3483
Pagosa Springs, CO 81147



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Eliot Taft <etaft@crms.org>
To: viola.bralish@state.co.us

Mon, Sep 1, 2025 at 9:35 AM

Hello,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Eliot Taft, and I am a teacher in Carbondale, CO. I coach and teach children water sports in Glenwood Canyon year-round.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and the communities that rely on it.

Sincerely,

Eliot Taft

--

Eliot Taft
He/Him/His
English Instructor

Colorado Rocky Mountain School puts the security of the community at a high priority. Therefore, we have put efforts into ensuring that the message is error and virus-free.

This email originated from the:

[Colorado Rocky Mountain School](#) | [500 Holden Way](#) | [Carbondale, CO 81623](#) | 970.963.2562



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

greg bigler <livcimplly@aol.com>

Sun, Aug 31, 2025 at 9:17 AM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

I visit Western Colo regularly and usually to paddle the Colorado river at or below the power plant,
Please protect these water flows.

These flows support the river ecologically and economically.

Greg Bigler, Jackson, WY

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program1 message

sghand@comcast.net <sghand@comcast.net>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Tue, Aug 26, 2025 at 7:01 PM

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the Colorado Water Conservation Board to accept the proposed acquisition.

My connection to water in Western Colorado is friendship and support of the Sheriff family. This family has been recognized by the State of Colorado as the oldest single family-owned ranch in the state, up in Grand County, on the Colorado River. A robust and steady Colorado River is essential to the environment, economy and well being of Grand County and the great state of Colorado.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Sincerely,
Gregory J. Hand
Concerned citizen
Danville, CA



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment on Shoshone Water Rights

1 message

Austin Keiser <askeiser@yahoo.com>

Thu, Aug 28, 2025 at 4:14 PM

To: Viola Bralish - DNR <viola.bralish@state.co.us>

Please see Attached Letter concerning the Shoshone Water Rights

**Thank You,
Austin M. Keiser, Pres.
GMWCD**



BRW900F0C31D44F_016097.pdf

130K

Heather McGregor
63 County Road 116
Glenwood Springs, Colorado 81601
mcmgregor@rof.net

August 29, 2025

Colorado Water Conservation Board
1313 Sherman St., Room 718
Denver, Colorado 80203

Greetings Colorado Water Conservation Board Members,

I am writing to express my support for inclusion of the Shoshone water rights into the Colorado Instream Flow Program, and urge Colorado Water Conservation Board members to accept the proposed acquisition.

I am a resident of Glenwood Springs, which is directly downstream of the Shoshone Power Plant in Glenwood Canyon. Our community and our neighbors upstream and downstream on the Colorado River depend on the Shoshone water right to maintain instream flows during the non-irrigation months of the year. These flows are essential for a healthy river ecosystem, fishery and riparian habitat.

I have a professional connection to the Shoshone water rights. In the 1980s and 1990s, I was the lead water reporter for *The Daily Sentinel*. In 1986, I reported that Denver Water had obtained a right of first refusal for the Shoshone water rights from what was then Public Service Co. of Colorado. ("Denver grabs Shoshone water," *The Daily Sentinel*, Oct. 12, 1986.) By uncovering this contract, *The Daily Sentinel* alerted residents and decision-makers in western Colorado to the risks of having this water right changed to benefit Denver Water. If exercised, it would have undoubtedly led to more transmountain diversions from the Colorado River basin.

Denver Water withdrew that right of first refusal in 2013 as part of a broader set of water-related compromises with the Colorado River District and other parties. That deal, however, sharpened the awareness of Western Slope of the risks to the flow regime if Xcel Energy were to retire the Shoshone hydropower plant. In the years since, motivated by those risks, the Colorado River District negotiated a purchase agreement with Xcel to acquire the water rights, with the intent of having the rights protected in perpetuity as part of the Colorado Instream Flow Program. Again, I urge the Colorado Water Conservation Board to accept the proposed acquisition.

While I fully support the concept of the Shoshone water rights purchase and protection within the Instream Flow Program, I am concerned about the financial transaction. The Colorado River District and many other Western Slope local governments and water districts have pledged millions of dollars from taxpayers and ratepayers to

finance this purchase. Additional funds are pending from the federal government. My concern is how Xcel Energy, a private, investor-owned utility, will use this \$99 million windfall.

I have been told that once the purchase is close to completion, Xcel must submit a plan to the Colorado Public Utilities Commission for its use of this money. It is worrisome to me that taxpayers and ratepayers across the Western Slope are not being given any information about how Xcel will use these funds, and whether any of this money will return to the Western Slope. Ideally, Xcel would direct these funds toward its Western Slope customers in the form of grid improvements, renewable energy projects and efficiency incentives for residential and commercial customers.

I recognize that oversight of Xcel's use of these funds is beyond the direct purview of the Colorado Water Conservation Board. However, the board holds an influential position in this proposed transaction. I urge board members to call on Xcel Energy to do the right thing when it receives the proceeds of the Shoshone purchase, namely, to re-invest those funds in Western Slope communities.

Regards,

Heather McGregor

**STATE OF
COLORADO****Bralish - DNR, Viola <viola.bralish@state.co.us>**

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Harper E. Powell <hep@mountainlawfirm.com>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Fri, Aug 29, 2025 at 1:56 PM

Dear Ms. Bralish,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition of the Shoshone Water rights by the Colorado River Water Conservation District.

My name is Harper Powell, a Colorado native currently living in Carbondale. I work with municipal governments and care about the protection of our state's water resources.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and downstream Colorado communities that rely on it.

Thank you,

Harper E. Powell | Associate Attorney
Karp Neu Hanlon, P.C.

Phone: 970.945.2261 x 130 / Direct: 970.928.3164
Office: 201 14th Street, Suite 200, Glenwood Springs, CO 81601
Mailing: P.O. Drawer 2030, Glenwood Springs, CO 81602
Glenwood Springs | Basalt | Aspen | Ridgway
hep@mountainlawfirm.com | www.mountainlawfirm.com

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STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Good People Tree Service <goodpeopletreeservice@gmail.com>
To: viola.bralish@state.co.us

Sat, Aug 30, 2025 at 12:35 AM

We support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

We are good people tree service. Many of our employees are avid boaters and fishermen. Much of this boating and fishing, due to water levels throughout the year, is done on the western slope of Colorado, most of that is on the Colorado river.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Sincerely,
Good People Tree Service
Ivan Clusin
Owner



Good People Tree Service

(303)847-5221

goodpeopletreeservice@gmail.com

www.goodpeopletreeservice.com

196 Quartz Rd, Black Hawk CO 80422

**STATE OF
COLORADO****Bralish - DNR, Viola <viola.bralish@state.co.us>**

Please Accept Shoshone Water Rights into ISF Program

1 message

Irah Wooten <irahwooten@gmail.com>

Wed, Aug 27, 2025 at 8:32 PM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Good evening,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

I am a Western Colorado native that has been in the outdoor industry for more than a decade. Residents rely on steady flows in the Colorado River for recreation, municipal water use, irrigation, and many other uses. We need to keep water in our basins not only for fun, but for survival. Please make the right decision to keep water in Western Colorado, our future depends on it.

Sincerely,

Irah Wooten

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Jeremy Bailey <jeremy@friendsoftheyampa.com>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Wed, Aug 27, 2025 at 2:49 PM

I am writing to express my strong support for the inclusion of the Shoshone Water Rights into Colorado's Instream Flow Program. These rights have played a vital role in maintaining consistent flows in the Colorado River for over a century, supporting not only the ecological health of the river but also the communities, economies, and recreational opportunities that depend on it.

As a resident of Steamboat Springs and avid boater of the Colorado River, I have personally witnessed the importance of these flows in sustaining vibrant riparian habitats, enabling year-round recreation, and preserving the cultural heritage of the region. The Shoshone call ensures that water is released from upstream reservoirs, benefiting stretches of the river far beyond Glenwood Canyon—including areas upstream like Gore Canyon and Pumphouse, which are critical for both wildlife and outdoor enthusiasts.

By formally protecting these flows through the ISF Program, the CWCB has an opportunity to secure a legacy of stewardship and resilience for the Colorado River. This action would help safeguard the river against increasing pressures from climate change, drought, and competing water demands.

Please accept the Shoshone Water Rights into the Instream Flow Program and ensure that this iconic and essential flow regime continues to benefit Colorado's environment and people for generations to come.

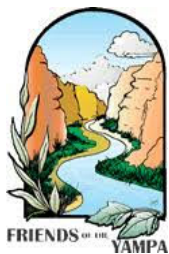
Sincerely,
R. Jeremy Bailey

Jeremy Bailey

Program & Office Assistant

Friends of the Yampa

Mobile: 303-588-9221



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

John Brereton <jaybrereton@hotmail.com>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Fri, Aug 29, 2025 at 10:40 PM

To whom it may concern,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is John Brereton and I live in Buena Vista CO. I have spent hundreds of days floating and fishing on the Colorado River from it's headwaters well into Utah. It is a treasured resource to me and my family.

I believe we must support and preserve this resource. Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

John Brereton
Buena Vista CO

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STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Fwd: Shoshone as Colorado Saving maf

1 message

John Coffee <mydogs2003@icloud.com>

Wed, Sep 10, 2025 at 2:31 AM

To: viola.bralish@state.co.us

Cc: jmiles@usdr.gov

Sent from my iPhone

Begin forwarded message:

From: John Coffee <mydogs2003@icloud.com>

Date: September 9, 2025 at 8:59:20 PM CDT

To: crb@crb.ca.gov

Subject: Shoshone as Colorado Saving maf

Count the bilateral state purchase of the Shoshone hydroelectric power plant from Xcel as the Upper Basin of the Colorado River's agreement to save millions of acres feet (maf) of water every year along with the Lower Basin's commitment to save 1.5 maf of water each year!

Sent from my iPhone



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Jeremiah Cummins <jeremiahcummins@gmail.com>
To: viola.bralish@state.co.us

Thu, Aug 28, 2025 at 3:42 PM

To the Colorado Water Conservation Board,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition. Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it. I am a rancher in Routt County and use water from the Bear River for agricultural irrigation.

Thank you for your attention,

Jeremiah Cummins
Valley of the Bear Ranch
Yampa, CO



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

No more diversions

1 message

john ellwood <johnscleaners@gmail.com>
To: viola.bralish@state.co.us

Wed, Aug 27, 2025 at 9:49 PM

Good evening,

As a life long (69) resident of the great state of Colorado. I find it alarming that the front range continues to divert water to the communities that are objecting to the purchase of Shoshone water. This water right has been a huge reason that the Colorado river continues to flow year round through the Glenwood canyon. This asset needs to remain on the current allocation for the Colorado river to insure its continued diminished flows.

Thank you for allowing me to express my opinion.

John W Ellwood

Glenwood.

Sent from my iPad

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Joe Elsen <elsen.joe12@gmail.com>
To: viola.bralish@state.co.us

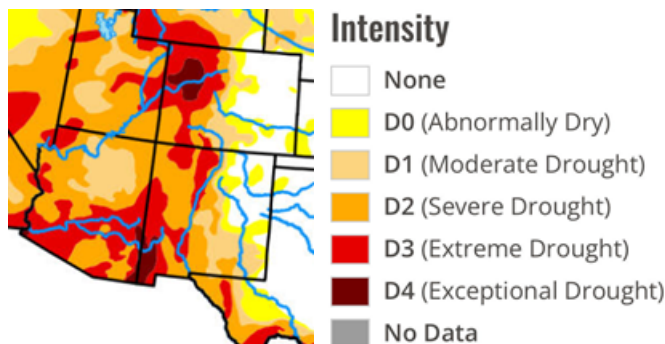
Sun, Aug 31, 2025 at 3:02 PM

Dear Members of the Colorado Water Conservation Committee (CWCB):

I am writing to fully support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition. It's the right thing to do.

My name is Joseph Elsen and I have lived in Glenwood Springs since 1983 when I was hired to work as an engineer on the construction of I-70 through Glenwood Canyon. It's my understanding that the Shoshone section of the Colorado has the most senior water rights (1905 decree) in the river system--a change to this non-consumptive "first in use, first in right" use will injure downstream users and completely disrupt the whitewater quality.

Below is a snip of the current drought map for the Four Corners area; please note that the Colorado portion of the map shows "severe, extreme and exceptional drought" for the Western Slope and much lower drought intensity for the Front Range. The diagram clearly illustrates the need for water to remain in-place.



Please accept the inclusion of the Shoshone water rights into the State's Instream Flow Program and secure this vital protection for the Colorado River and protect the communities that rely on it.

Thank you for your careful attention to this important matter.

Sincerely,

Joseph T Elsen, P.E.

Concerned Citizen and Colorado River User

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Shoshone Water Rights to ISF Program1 message

david fetter <fetterdavid@hotmail.com>

Fri, Aug 29, 2025 at 12:27 PM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Hello,

The inclusion of the Shoshone Water Rights into the State of Colorado's Instream Flow Program has many benefits. This will maintain flows in the Colorado River for endangered fish, provide for recreation opportunities for whitewater boating and fishing that stimulate economies, and provide water to downstream users. Without these flows, the ecosystems, economies, and downstream users will be detrimentally and irreparably harmed; the water shortages in the western US will likely worsen.

I am a front-range resident, and I value these flows in the Colorado River.

Please accept these flows into the State's Instream Flow Program.

Thank you!

JD Fetter

Fort Collins, CO

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Colorado Water Conservation Board Consideration of the Shoshone Water rights for instream flow

1 message

James F. Fosnaught <jff@mountainlawfirm.com>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Fri, Aug 29, 2025 at 11:49 AM

Dear Colorado Water Conservation Board:

I strongly support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the Colorado Water Conservation Board to vote to accept the proposed acquisition of the Shoshone Water rights by the Colorado River Water Conservation District for uses consistent with instream flow. I am an attorney in Glenwood Springs, Colorado. My firm represents ordinary citizens, businesses, organizations, and municipalities that rely upon continued flows of Colorado River Water staying on the Western Slope of Colorado. These clients and friends recreate, farm, ranch, irrigate, provide municipal water, strongly support preservation of endangered species, support hydropower and other uses consistent with making the Shoshone water rights available for instream flow.

Please take all steps necessary to accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and downstream Colorado communities that rely on it. Thank you.

James F. Fosnaught | Shareholder

Karp Neu Hanlon, P.C.

Phone: 970.945.2261 x 119

Direct: 970.928-2120

Office: 201 14th Street, Suite 200, Glenwood Springs, CO 81601

Mailing: P.O. Drawer 2030, Glenwood Springs, CO 81602

Glenwood Springs | Basalt | Aspen | Ridgway

jff@mountainlawfirm.com | www.mountainlawfirm.com



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**STATE OF
COLORADO****Bralish - DNR, Viola <viola.bralish@state.co.us>**

Public Comment: Accepting Shoshone Water Rights into ISF Program

1 message

Joan Frisbie <frisbiehollis@gmail.com>

Sun, Aug 31, 2025 at 9:18 AM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>, Joan Frisbie <frisbiehollis@gmail.com>

Please please please notify the Colorado Water Conservation Board that I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program.

I am Joan Frisbie of Grand Junction, Mesa County, CO, a 40-year resident of the Western Slope; we raised our family here. We've always cherished the Western Slope's natural environment, supported conserving it, enjoyed recreating in it - and on the river! - and are well aware of the preciousness of water to our lives, especially with the agricultural community, and with the high desert ecosystem. Shoshone Water Rights are strongly supported by a myriad group of stakeholders (regardless of political affiliation).

Please accept the Colorado River Flows (i.e., Shoshone Water Rights) into the State's Instream Flow Program, and secure this vital protection for the Colorado River, and the communities that rely on it - now, and for the future.

Sincerely,
Joan Frisbie

**STATE OF
COLORADO****Bralish - DNR, Viola <viola.bralish@state.co.us>**

Public Comment – Shoshone Water Rights

1 message

Jessie Goff <jesscgoff@gmail.com>
To: viola.bralish@state.co.us

Wed, Aug 27, 2025 at 8:07 AM

Dear Ms. Bralish,

I am writing to express my strong support for the inclusion of the Shoshone Water Rights through the State's Instream Flow Program. I urge the CWCB to accept the proposed acquisition to protect environmental flows in the Colorado River that promote thriving fish and riparian habitats, and recreational opportunities for the millions of people accessing the river annually.

Sincerely,
Jessie Goff
Glenwood Springs, CO

**STATE OF
COLORADO****Bralish - DNR, Viola <viola.bralish@state.co.us>**

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Jeff Hodges <jeffh@sgm-inc.com>

Wed, Aug 27, 2025 at 9:23 AM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Cc: Bailey Leppek <baileyl@sgm-inc.com>

Hello,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition. This proposed acquisition will be imperative to ensuring that the future of the Colorado River is preserved for communities who currently heavily utilize it, like my own in Glenwood Springs, CO. I am a Civil Engineer that works in water resources engineering as well as an avid outdoorsman, and I have constantly seen the immense personal, academic, professional, and recreational impact that the Colorado River and this water right has on local communities on the Western Slope. Thank you for considering my comment.

Sincerely,

Jeff Hodges

Engineer I



phone (970) 384-9064

email jeffh@sgm-inc.com

118 W. 6th Street, Suite 200

Glenwood Springs, CO 81601





STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program Body:

1 message

Jonathan Holt <jonathanh@sgm-inc.com>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Wed, Aug 27, 2025 at 1:59 PM

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

I live in Grand Junction

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Jonathan Holt

Intern



phone (970) 880-9504
email jonathanh@sgm-inc.com
259 Grand Ave, Suite 200
Grand Junction, CO 81501





STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

J. Ryan Zwelling, OD <zwelling2020@gmail.com>
To: viola.bralish@state.co.us

Mon, Sep 1, 2025 at 6:56 PM

Good Evening and Happy Labor Day,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

Call to action: Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Sincerely,

Jennifer Lehrman

Glenwood Springs, Colorado resident

Colorado Native



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Jaime Levy <jc4424@gmail.com>
To: viola.bralish@state.co.us

Wed, Aug 27, 2025 at 1:19 PM

1. *I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.*
2. *Jaime Levy, LAc. Carbondale, Co whitewater community member, Roaring Fork Kayak Club member in Western Colorado Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.*

Jaime Levy

(I cannot figure out how to format this message without the numbers! Please consider the content regardless)

Sent from my iPhone



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

shoshone water rights

1 message

joanne mcgrew <paddleprincess@hotmail.com>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Wed, Aug 27, 2025 at 6:52 PM

hello,

I'm a concerned citizen of Colorado and I'm writing to express my support for the Shoshone water rights.

I would like to see these water rights included in the state's in stream flow program. I want Colorado River water protected and urge the CWCB to accept the proposed acquisition.

As a whitewater paddler from Salida, CO, I understand how important these water rights are to myself people like me and to all the citizens of our state. I'm a member of American Whitewater and I know they are in supportive this also

Please protect these flows for the future of the citizens of Colorado! This must happen!! It's 's so important for the future of the Colorado river, and all of us in the state that depend on it.

Sincerely,

Joanne McGrew
956-342-1492
Sent from my iPhone



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Jonathan Powers <jyspowers@gmail.com>

Wed, Aug 27, 2025 at 8:06 AM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Viola,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Jonathan Powers, and I am a resident of the Roaring Fork Valley. The Roaring Fork and Colorado Rivers are an important source of water for my family.

Please accept the Shoshone Water Rights into the State's Instream Flow Program.

Thank you,

Jonathan Powers

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program1 message

Jon Reuter <jon.reuter@colorado.edu>

Thu, Sep 4, 2025 at 2:25 PM

Reply-To: Jon Reuter <jon.reuter@colorado.edu>

To: Viola Bralish <viola.bralish@state.co.us>

Dear CWCB Members,

CWCB members: I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

The Colorado River is a treasured Gold-Medal fishery and recreational asset, the lifeblood of many of our state's communities and working lands, a driver of our multi-billion dollar outdoor recreation economy, and an iconic part of Colorado's natural and cultural heritage. For more than 100 years, the Shoshone water right has helped maintain the Colorado River and its values to our state - and has been especially critical in maintaining winter flows that are essential to the river's health. By accepting the Shoshone Rights into Colorado's instream flow program, the CWCB can help preserve the longstanding flow regime that has been a foundation for all of those values supported by a healthy, flowing Colorado River.

The nonconsumptive water rights at Shoshone have played a critical role in sustaining the Colorado River from headwaters to the Grand Valley, generating diverse benefits not only for Western Colorado, but also for residents of Colorado's eastern slope who also depend upon the river. By accepting those rights into Colorado's instream flow program, the CWCB can help ensure that the Shoshone rights continue to operate for the river as they have for more than a century, so that Coloradans continue to enjoy those benefits even when the hydropower facility itself goes off line as its infrastructure ages.

Please accept the Shoshone flows into CWCB's instream flow program and secure this vital protection for the Colorado River, and the environment and communities that rely upon it.

Sincerely,

Jon Reuter

3167 Nelson Rd

LONGMONT, CO 80503

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Re: Shoshone Water Rights Support

1 message

J Reed Roesler <rossreedler@gmail.com>
To: viola.bralish@state.co.us

Wed, Aug 27, 2025 at 2:49 PM

Please permit me a further comment in support of the inclusion of the Shoshone Water Rights through the State's Instream Flow Program.

To repeat, my name is John Roesler and since retirement from Peoria, Illinois some 5+ years ago, I now live in Edwards, CO. My wife and I bought a whitewater raft in 2020.

My prior comments were given from the perspective of an Upper Colorado rafter. Now let me share my thoughts from the perspective of a Shoshone rapids rafter. In the past 10 days, I have rafted the Shoshone rapids 7 times over the course of 3 days. Fabulous late summer runs, all owing to the Shoshone water rights, which yield water in the 1350 cfs range right now.

But one thing is striking about the drive west to the Shoshone boat ramp [and about the return drive going east]...that 2+ mile section of the river above the boat ramp that is utterly DEAD. The river flows, then disappears, only to resume after the Shoshone power plant. I'm not a scientist or engineer, but it seems plain as day that the lifeblood of the river has been strangled to the point of death for anything that depends on the flow of water, upstream and down.

What a shame for the environment. What a shame for the millions of motorists [my guess] that drive through Glenwood Canyon, to see a dead river bed extend for miles. What a fabulous opportunity to reconnect a natural resource after 100+ years of a comatose condition.

As said before, I urge the CWCB to accept the Shoshone power plant flows into the State's Instream Flow Program and secure this vital protection for the betterment of the Colorado River.

John Roesler
Edwards, CO

On Thu, Jul 3, 2025 at 8:08 AM J Reed Roesler <rossreedler@gmail.com> wrote:
Please let me add this fact...this is my 6th season rafting the Upper Colorado.

I raft with anywhere from 2 to 5 paddlers, including myself. It's a small raft.

In that small raft, my best guess is that I have taken upwards of 100 guests down some part of the Upper Colorado.

They are invariably awed by the river, its whitewater and its canyons.

Consider my email signed by all these guests.

John Roesler
Edwards, CO

On Thu, Jul 3, 2025 at 6:21 AM J Reed Roesler <rossreedler@gmail.com> wrote:
I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is John Roesler and since retirement from Peoria, Illinois some 5+ years ago, I now live in Edwards, CO. Winter skiing has been a life-long passion, but I was not sure what to make of my summers until my wife and I bought a whitewater raft in 2020.

I experimented, all on the Upper Colorado, and took training courses, and now, 5 years later, am rafting 3 to 4 days a week, taking friends, family and friends of friends and family with me, all to enjoy the incredible asset we have in our backyard, almost exclusively running anywhere between the BLM boat ramps at Pumphouse and Two Bridges, a span of about 18 miles.

I completely rely on the flows that the Shoshone water rights provide for. Without it, countless river runners will be deprived of an unparalleled natural asset.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River and the communities of rafters that rely on it.

John Roesler
Edwards, CO

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

JUDY ROREM <rockarosa@aol.com>
To: viola.bralish@state.co.us

Tue, Aug 26, 2025 at 8:21 PM

As a person who grew up in Minnesota and moved to the west the importance of water rights was something I knew nothing about. I moved to Grand Junction in 1976 a drought year. Ski areas didn't have snowmaking it was a bad ski season. Luckily the climate went back to wet.

But since 2000 Climate change has caused a 25 year drought.

I recreate ski raft camp hike fish hunt and use irrigation water for 7 acre hay field on the Grand Valley Water Users system.

It is impossible to maintain the recreational and economic benefits to Western Colorado and downstream without the Shoshone Water Right.

I support all efforts to fund this project especially the Federal funding of \$40,000,000 that the Trump administration is trying to claw back. Even though every Congressional representative and both senators from Colorado have opposed the claw back.

Sincerely,

Judith A Rorem

Sent from my iPad

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

BOB STEPNIIEWSKI <stepfour@comcast.net>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Tue, Sep 2, 2025 at 12:01 AM

*Dear western slope water enthusiasts,
I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program
and urge the CWCB to accept the proposed acquisition.
My name is Julie Stepniewski and I live in Glenwood Springs on the roaring fork river.
i have lived here for 30 + years and have loved rafting, kayaking, fishing and biking along both the
Colorado and the Roaring Fork rivers through to South Canyon and beyond.
the flies are vital to our community, ecology, drinking water etc. please accept the inclusion and
keep the flies in the valley.
thank you for your service to this important program!!
julie Stepniewski
ski vacation sales / now retired
970-618-2674*



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment- Please Accept Shoshone Water Rights into ISF Program

1 message

Jon Winkelblech <jonnywinks91@gmail.com>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Sat, Aug 30, 2025 at 10:24 PM

Hello,

I support the rights of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition. I care about this issue because I live a half mile from the Colorado river. It is an invaluable source of recreation, agriculture and biodiversity.

-Jon Winkelblech

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Joe Wolf <jhwolf@yahoo.com>
Reply-To: Joe Wolf <jhwolf@yahoo.com>
To: Viola Bralish <viola.bralish@state.co.us>

Mon, Sep 1, 2025 at 12:23 PM

Dear CWCB Members,

CWCB members: I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

The Colorado River is a treasured Gold-Medal fishery and recreational asset, the lifeblood of many of our state's communities and working lands, a driver of our multi-billion dollar outdoor recreation economy, and an iconic part of Colorado's natural and cultural heritage. For more than 100 years, the Shoshone water right has helped maintain the Colorado River and its values to our state - and has been especially critical in maintaining winter flows that are essential to the river's health. By accepting the Shoshone Rights into Colorado's instream flow program, the CWCB can help preserve the longstanding flow regime that has been a foundation for all of those values supported by a healthy, flowing Colorado River.

The nonconsumptive water rights at Shoshone have played a critical role in sustaining the Colorado River from headwaters to the Grand Valley, generating diverse benefits not only for Western Colorado, but also for residents of Colorado's eastern slope who also depend upon the river. By accepting those rights into Colorado's instream flow program, the CWCB can help ensure that the Shoshone rights continue to operate for the river as they have for more than a century, so that Coloradans continue to enjoy those benefits even when the hydropower facility itself goes off line as its infrastructure ages.

Please accept the Shoshone flows into CWCB's instream flow program and secure this vital protection for the Colorado River, and the environment and communities that rely upon it.

Sincerely,
Joe Wolf
[343 Engine Creek Trl](#)
[Durango, CO 81301](#)

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Jennifer Young <jennacuda@icloud.com>
To: viola.bralish@state.co.us

Sat, Aug 30, 2025 at 3:55 AM

I write to you with strong support of including the Shoshone Water Rights in the State's Instream Flow Program and respectfully urge the Colorado Water Conservation Board to move forward with the proposed acquisition.

As a resident of Superior, Colorado, and a frequent recreational visitor to the Western Slope rivers, I have seen how deeply the health of the Colorado River is tied to the well-being of our state's economy. The flows supported by the Shoshone Water Rights are not just about preserving natural beauty—they underpin industries and livelihoods across the region.

Agriculture, recreation, and tourism all depend on reliable river flows. Farmers and ranchers rely on steady water supplies to sustain crops and livestock. River recreation—rafting, fishing, kayaking—draws thousands of visitors each year, supporting small businesses, guides, outfitters, hotels, and restaurants. Local communities benefit from the stability these flows provide, which in turn drives job creation, tax revenue, and long-term economic resilience.

By securing the Shoshone flows through the Instream Flow Program, the CWCB has an opportunity to safeguard one of the most important economic anchors for the Western Slope and for Colorado as a whole. Without this protection, we risk not only ecological harm but also economic instability that would ripple across multiple industries and communities.

I urge you to accept this acquisition and take decisive action to ensure that the Colorado River continues to serve as a foundation of prosperity—for agriculture, for tourism, for recreation, and for the many families and communities whose livelihoods depend on it.

Sincerely,

*Jennifer Cech
Superior, CO
Water Resources Advocate
CO resident since 1982*



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

soup.hints6i@icloud.com <soup.hints6i@icloud.com>

Wed, Aug 27, 2025 at 8:21 PM

To: viola.bralish@state.co.us

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition. As a fisherman, protecting our rivers and wilderness areas is wildly important to me.

Joe



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Shoshone Water Rights

1 message

Jordan S <jordan4487@rocketmail.com>
Reply-To: Jordan S <jordan4487@rocketmail.com>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Thu, Aug 28, 2025 at 8:15 AM

To whom it may concern,

I support the inclusion of the Shoshone water rights through the states instream flow program and urge CWCB to accept the proposed acquisition.

Im a Colorado Native, water is a scarce and shared resource vital for supporting the state's population, agriculture, wildlife, and economy, and effective protection ensures future availability, and helps maintain Colorado's quality of life amid growing demands from population growth and climate change.

Thank you,
Jordan Schneider
Eagle County Resident

[Yahoo Mail: Search, Organize, Conquer](#)

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Katlyne Bartolo <katlyne.bartolo@gmail.com>
To: viola.bralish@state.co.us

Wed, Aug 27, 2025 at 9:46 PM

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Katlyne Bartolo from Grand Junction and I rely on the Colorado River flows to maintain a vibrant ecosystem in the valley. Most of my recreation year round is along the river (or on it). There is so much wildlife along the river that needs to be protected. I utilize irrigation rights from an old farm, so I utilize less water than was previously consumed while providing a natural garden that supports wildlife and important pollinators.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Sincerely,

Katlyne Bartolo, a resident of the Grand Valley.

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Kimberly Carson <1kimcarson@gmail.com>
To: viola.bralish@state.co.us

Thu, Aug 28, 2025 at 9:33 AM

I support the inclusion of the Shoshone water rights through the state's instream flow program. I ask the CWCB to accept this acquisition.

My connection to western water runs deep. My first summer job after moving to Colorado in 1998 was as a raft guide through the Shoshone section of the Colorado river, putting in at the power plant. I saw how a person can change their life perspective just by taking a recreational trip along this special section of river. I now live along the Eagle river in Gypsum. I see both the positive side of river recreation including floating and guided fishing, and the stress that the river systems are seeing as river temperatures rise and pressure on the fish and ecosystems change. I truly believe that a guaranteed instream flow of the Shoshone water rights will help to protect the ecosystems upstream and downstream and is vital.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Sincerely,

Kim Carson, 124 Riverview Road, Gypsum, CO 81637

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program1 message

Kevin D Keenan <kdkeen49@msn.com>

Fri, Aug 29, 2025 at 5:29 PM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Dear Ms Bralish,

I am writing to express my strong support for the inclusion of the Shoshone Water Rights in the State's Instream Flow Program. I am retired from a career with the states of Montana and Colorado as working in water quality issues.

It seems to me that the Shoshone Water Rights play a crucial role in maintaining the flow of the Colorado River for all uses.

Thank you for your attention to this matter. I appreciate your efforts in preserving our state's water resources.

Sincerely,

Kevin D. Keenan**Personal Cell: 406-431-9517 (preferred contact)**

Personal E-mail: kdkeen49@msn.com

Home address:**495 VALLEJO DR****Grand Junction, CO 81507-1425**



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Katy J. Knapp <glenwoodk8@gmail.com>
To: viola.bralish@state.co.us

Mon, Sep 1, 2025 at 10:42 AM

Hello Viola,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

I'm Katy Knapp and I live in Glenwood Springs, Co. I live near and recreate on the Colorado River and I think this is a very important initiative.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Sincerely,

Katy Knapp



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public comment - please accept Shoshone water rights into ISF program

1 message

Keighton Leftwich <keightonl@yahoo.com>

Mon, Sep 1, 2025 at 8:37 PM

To: viola.bralish@state.co.us

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

Thanks,
Keighton Leftwich
Berthoud, CO

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Kayo Ogilby <kogilby@crms.org>
To: viola.bralish@state.co.us

Thu, Sep 4, 2025 at 2:33 PM

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

How do I put into words the role, the impact, the importance that this stretch of river has had on my life as a kayaker and educator? Its role in my well-being and mental health, and connection to the West.

I will never forget the first time I paddled Shoshone, in 1990, with my high school English teacher, who taught me to kayak.

How many HUNDREDS of times have I paddled it since? Untold. Alone. With friends. With strangers. And with my students. I have been coaching and instructing for the CRMS kayak program for 30 years now. This stretch of river is WHY we have a robust kayak program. What would we do without it?

The fact that there is reliable water in Glenwood Canyon all year round is what makes this part of the state TRULY unique. A loss or reduction to this would be a truly dire moment in our paths. A seismic change in who we are and what we live and breathe, and celebrate.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

With gratitude,
Kayo Ogilby, Carbondale Colorado

Kayo Ogilby
he, him, his
Science Department Chair
Telemark Team Director
Colorado Rocky Mountain School
[1493 County Road 106](#)
[Carbondale, CO 81623](#)
cell - 970.366.0555
fax - 970.963.9865
Hell Roaring String Band

Colorado Rocky Mountain School puts the security of the community at a high priority. Therefore, we have put efforts into ensuring that the message is error and virus-free.

This email originated from the:

[Colorado Rocky Mountain School](#) | [500 Holden Way](#) | [Carbondale, CO 81623](#) | 970.963.2562

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program1 message

Kyle Pieti <kyle.pieti@gmail.com>
To: viola.bralish@state.co.us

Wed, Aug 27, 2025 at 7:49 AM

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Kyle Pieti and I wear many hats including scientist, recreation enthusiast, and construction worker. The rivers and streams are the lifeblood of our community.

This is a unique opportunity to support a permanent, proactive solution, protecting river flows in the face of climate change, overuse, growing demands, and pressure for more transmountain diversions.

Thank you for taking the time to consider this important decision.

Sincerely,
Kyle Pieti

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Kimberly Wynn <kimberwynn@hotmail.com>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Wed, Aug 27, 2025 at 3:25 PM

Viola,

My name is Kimberly Wynn and I am writing to show my support for the Shoshone Water Rights to be included in the ISF Program. I teach in both the Ecosystem Science and Sustainability departments at Colorado Mountain College and my students and I are eager to see brave steps taken towards protecting and conserving our precious water flows. Water issues, both now and in the future, are urgent and will continue to become more pressing. It is imperative to take action now to save and protect what we can. Water is life, and control of it is power. Who knows what those powers will do with it in the future? The wisest council would be to protect it now. The decision to include the Shoshone Water Rights is one that will most surely be regarded by those in the future as one of great foresight. Please protect it now.

Thank you-

Kimberly Wynn
Adjunct Professor
Colorado Mountain College



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Adams, Laura <laura.adams@d51schools.org>

Wed, Aug 27, 2025 at 11:51 AM

Reply-To: Laura.Adams@d51schools.org

To: viola.bralish@state.co.us

Hello Ms Bralish,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

Laura Adams, Grand Junction, CO, River Recreater

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Laura Adams



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Please protect Shoshone Water Rights!

1 message

Steve and Lynne Metcalf / Charles <sagehistoric@gmail.com>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Fri, Aug 29, 2025 at 7:40 AM

Hello,

I am writing in support of including the Shoshone water rights into the state's instream flow program. I hope that the CWCB will accept the proposed acquisition.

My name is Lynne Charles, and I own a small orchard in Palisade. My great grandparents came here in the late 1800's, and as an older adult, I decided to follow in their steps and farm a small orchard with my 75-year-old husband. I can't stress enough how important the Colorado river is to the vitality of our community and how it gives us the opportunity to provide beautiful fresh produce to happy consumers all around the state.

Please accept these flows into the states instream flow program. This is vital protection for the Colorado river, and the communities who rely on it. Western Colorado is the fruit basket of the region, and there is a strong culture here surrounding the centuries of growing peaches, plums, grapes and vegetables. Palisade Peaches have become an emblem of Summer in Colorado, and only continue to grow as an important and popular part of our culture. Without a healthy river system, all of this will go away.

Lynne Charles

Lynne Charles~Steve Metcalf
Sage Historic Places, LLC
Lynne 720-427-5966 / Steve 720-427-0439

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Lynn Feragen <yferagen@yahoo.com>
Reply-To: Lynn Feragen <yferagen@yahoo.com>
To: Viola Bralish <viola.bralish@state.co.us>

Wed, Sep 3, 2025 at 2:02 PM

Dear CWCB Members,

CWCB members: I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

The Colorado River is a treasured Gold-Medal fishery and recreational asset, the lifeblood of many of our state's communities and working lands, a driver of our multi-billion dollar outdoor recreation economy, and an iconic part of Colorado's natural and cultural heritage. For more than 100 years, the Shoshone water right has helped maintain the Colorado River and its values to our state - and has been especially critical in maintaining winter flows that are essential to the river's health. By accepting the Shoshone Rights into Colorado's instream flow program, the CWCB can help preserve the longstanding flow regime that has been a foundation for all of those values supported by a healthy, flowing Colorado River.

The nonconsumptive water rights at Shoshone have played a critical role in sustaining the Colorado River from headwaters to the Grand Valley, generating diverse benefits not only for Western Colorado, but also for residents of Colorado's eastern slope who also depend upon the river. By accepting those rights into Colorado's instream flow program, the CWCB can help ensure that the Shoshone rights continue to operate for the river as they have for more than a century, so that Coloradans continue to enjoy those benefits even when the hydropower facility itself goes off line as its infrastructure ages.

Please accept the Shoshone flows into CWCB's instream flow program and secure this vital protection for the Colorado River, and the environment and communities that rely upon it.

Sincerely,
Lynn Feragen
[577 Kelseya Circle](#)
[Pagosa Springs, CO 81147](#)



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

PUBLIC COMMENT - PLEASE ACCEPT SHOSHONE WATER RIGHTS INTO ISF PROGRAM

1 message

Lindsay Gurley <ljgurley@gmail.com>
To: viola.bralish@state.co.us

Mon, Sep 1, 2025 at 1:32 PM

Hi Viola,

I am writing to express my support and request to accept the inclusion of the Shosone Water Rights through the State's Instream Flow Program. I urge you, the CWCB, to accept this proposed acquisition.

My name is Lindsay Gurley, from Glenwood Springs, Colorado and just as all the other residents of the western slope, water is critically important to my life, the land we live on, and all the ecosystems impacted by the water (which is all of them!). I am fisherwoman, boater, land conservationist, and general lover of our planet.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

With Gratitude,
Lindsay Gurley (electronic sig.)
Lindsay Gurley Coaching

--

Lindsay Gurley
Professional Life + Leadership Coach
303-956-6087
www.LindsayGurley.com



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

luc.hayne@gmail.com <luc.hayne@gmail.com>
To: viola.bralish@state.co.us

Thu, Aug 28, 2025 at 9:22 PM

Hello,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Lucas Hayne and I live in Windsor, Colorado. In my hometown we rely on the sustained flow of the Cache La Poudre River for recreation, agriculture, and the preservation of our riparian ecosystem. For the past 15 years I have been an avid fly fisher and know first hand the importance of protected waterways.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Sincerely,

Lucas Hayne



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Accept Shoshone Water Rights into ISF Program

1 message

lindsay jones <lindsayannjones@hotmail.com>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Thu, Aug 28, 2025 at 3:04 PM

- I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

- I live in the Roaring Fork Valley and rely on the Crystal, Roaring Fork, and Colorado Rivers for life, recreation, and happiness.

- Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

- Thank you.

LINDSAY JONES

ART ANIMATION ILLUSTRATION

www.lindsayannajones.com | [@lindsayannajones](https://twitter.com/lindsayannajones)



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Providing Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Luca Lepori <l_u_c_a@outlook.com>

Wed, Aug 27, 2025 at 8:59 PM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Dear Viola Bralish,

I am writing to support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, our communities that rely on it today and for future generations of Coloradoans to come.

My name is Luca Lepori, I live in the Fort Collins area and I am a long time (35 years) recreational user of the Colorado River on the Western Slope including kayaking, rafting, sightseeing and fly fishing.

Thank you for the opportunity to provide input on Shoshone Water Rights and the State's Instream Flow Program.

Regards,

Luca Lepori



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Luke Lubchenco <luke.lubchenco@gmail.com>

Sun, Aug 31, 2025 at 7:26 AM

To: viola.bralish@state.co.us

To whom it may concern,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

I am a kayak instructor, Glenwood Springs local, and avid recreationalist in western Colorado. I love all things water and my work relies upon consistent water throughout the summer months.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Lukas Lubchenco



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Lily Mellblom <lily mellblom@gmail.com>
To: viola.bralish@state.co.us

Wed, Aug 27, 2025 at 7:58 AM

Hello,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Lily Mellblom and I'm a Glenwood springs resident and came from my home town of Denver to the western slope for the Colorado River. I'm a former raft guide that worked this section and being on the river everyday was transformational for me. I learned to kayak at grizzly creek and did my first class 3 rapid on Shoshone and would love to keep paddling here.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Thank you,

Lily Mellblom

Sent from my iPhone



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Lauren M <lauren.mayerle@gmail.com>
To: viola.bralish@state.co.us

Wed, Aug 27, 2025 at 9:34 PM

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition. I live in Red Cliff, CO. I believe the opportunity to secure permanent protection of the river flow is a no-brainer, and should not be overshadowed by fear-mongering on the front range.

Thank you,

Lauren Morris



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Shoshone Water Rights into ISF Program

1 message

Lynn Siodmak <lynn.siodmak@gmail.com>

Thu, Aug 28, 2025 at 11:56 AM

To: viola.bralish@state.co.us

CO Water Conservation Board,

I support the inclusion of the Shoshone Water Rights through the Colorado Instream Flow Program and urge the CWCB to accept the proposed acquisition. This protection is vital for the Colorado River and the communities that rely on it.

Sincerely,

Lynn Siodmak
266 S 4th St.
Carbondale, CO 81623

--

805.844.5966

lynn.siodmak@gmail.com

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Shoshone Water Rights Need Protection - Include in the ISF Program

1 message

Lynne Uhl <lynne.uhl2@gmail.com>
To: viola.bralish@state.co.us

Wed, Aug 27, 2025 at 9:05 AM

Please include of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

I live in the Roaring Fork Valley and have been an avid kayaker since 1985. I also possess a current CPW Fishing License. The Colorado River is so important for agriculture, recreation & tourism here. Maintaining flows is critical for the communities in this western part of the state.

Please approve these flows into the State's Instream Flow Program to protect this vital river for the future of Western Colorado.

Thank you,

Lynne Uhl
970-948-2888
[1455 County Road 102](#)
[Carbondale, CO 81623](#)

Collbran Conservancy District

Vega Reservoir

August 29, 2025

Colorado Water Conservation Board
1313 Sherman Street, Room 718;
Denver, CO 80203

Dear: Colorado Water Conservation Board

The Collbran Conservancy District strongly supports the inclusion of the Shoshone water rights through the State's instream Flow Program and urges the CWCB to accept the proposed acquisition.

Located in Mesa County, Collbran Conservancy District (CCD) provides irrigation water for over 19,000 irrigated acres and operates Vega Reservoir and the Southside Canal, which is owned by the Bureau of Reclamation as part of the Collbran Project. CCD recognizes the importance of the Shoshone water rights to the security and viability of Colorado's Western Slope and its agricultural industries that are dependent on a healthy, flowing Colorado River.

It is critical that the Shoshone water rights stay in the Colorado River. The Shoshone water rights collectively holds some of the largest, most senior nonconsumptive water rights in the Colorado River. These rights ensure essential water flows down the Colorado River's mainstem, providing vital ecosystem, habitat, and restoration benefits from the river's headwaters in Grand County to Grand Junction. While the CCD is not on the mainstream of the Colorado River, the absence of this water in the Colorado River would have substantial consequences that would go upstream of every tributary below the Shoshone power plant. The absence of this water in the river would cause a River Call earlier in the season. It could affect HUP beneficiaries and change the way irrigators have been operating for over a hundred years. It could and would cause depletion of Reservoir water storage in normal years to make up the difference, to complete dry-ups of land in dry years. The CCD believes that this would cause a reduction in groundwater and return flows that would have a compounding effect that would go the whole length of the Colorado River. These water rights are vital for agricultural, recreation, water wells, power production, and Municipal water storage in the Plateau Valley.

The CCD asks that the Colorado Water Conservation Board accept these flows into the State's instream Flow program and secure this vital protection for the Colorado River and the communities that rely on it.

Sincerely,

Bruce Michaelsen, Manager
Collbran Conservancy District



August 30, 2025

Via electronic mail

Colorado Water Conservation Board
c/o Ms. Viola Brash
viola.bralish@state.co.us

RE: Colorado Basin Round Table Support of CWCB's Acceptance of the Proposed Donation of the Shoshone Powerplant Senior and Junior Water Rights for Instream Flow Purposes

Dear CWCB Board,

The Colorado Basin Roundtable strongly supports the Colorado Water Conservation Board's Acceptance of the proposed donation of the Shoshone Powerplant senior and junior water rights for instream flow purposes. Supporting this donation advances a long-standing, Tier 1 priority for the Roundtable. Specifically, Project-00988, Permanency of Shoshone Call Flows "recognizes that permanent management of the flow of the Colorado River that mimics the Shoshone Call is important to the Colorado River basin and the State of Colorado. Accordingly, the roundtable supports activities that promote the permanency of the Shoshone Call flows, including but not limited to West Slope acquisition of the Shoshone assets." The importance of Shoshone permanency was identified in both of the Colorado Basin Roundtable Basin Implementation Plans.

This priority aligns with the Colorado Basin Roundtable's Theme # 5, to [Assure dependable basin administration](#), and in particular its goal to "Protect and defend maximum mainstem calls at Shoshone Hydroelectric Plant, senior Grand Valley irrigation diversions, and Green Mountain Reservoir beneficiaries." This also supports Theme # 1, [Protect and restore healthy streams, rivers, lakes, and riparian areas](#), and in particular its goal to "Support and provide for high-quality river and stream recreational opportunities with appropriate flows."

Colorado River water users benefit greatly from Shoshone's flows, which provide vital environmental, economic, and community benefits both upstream and downstream from the hydroelectric plant. Shoshone's flows provide critical habitat to four fish listed under the Endangered Species Act in the 15-Mile Reach of the Colorado River. Without the exercise of the Shoshone call, the stretch of the Colorado River known as the 15-Mile Reach in and around Grand Junction would have significantly less flow during large periods of the year, especially in dry years, when Shoshone can contribute half of the flow in the 15-Mile Reach. All Colorado River water users rely upon the benefits of the Shoshone flows as a bedrock for the success of the Upper Colorado River Endangered Fish Recovery Program and continued compliance with the Endangered Species Act (ESA), which provides compliance protections for over 1,250 projects in Colorado. In addition, Shoshone flows are one of the four identified long-term protection measures for the Upper Colorado River Wild and Scenic River Alternative Management Plan.

Shoshone flows support Colorado's \$11.9 billion agricultural economy through greater water security by preserving Green Mountain Reservoir's Historic User Pool (HUP) water supplies, supporting Endangered Species Act compliance, and creating higher water quality for irrigators up and down the mainstem. According to Colorado's Division of Water Resources, without Shoshone flows, the downstream Cameo call could be longer and deeper each year (up to 2,260 cfs vs. 1,950 cfs), triggering less opportunity for in-priority diversions, a greater frequency of April calls, and an insufficient replacement of supplies for some West Slope augmentation plans.

201 Centennial Street, Suite 200, Glenwood Springs, CO 81601
<https://www.coloradobasinroundtable.org/>



Colorado's robust recreational economy relies heavily on the Colorado River mainstem, with Shoshone flows strengthening the state's iconic river recreation industry throughout Grand, Summit, Eagle, Garfield, and Mesa counties. River recreation in Colorado contributes \$14.6 billion annually to the state's GDP, with nearly \$4 billion coming directly from the Colorado River basin on the Western Slope. As temperatures rise and streams diminish, Shoshone permanency provides security for this economic industry, protecting the recreational fishery and boating that sustain local businesses and attract water-based recreators.

Communities large and small along the Colorado River mainstem benefit from the enhanced water quality Shoshone flows provide, distilling pollutants in the source drinking water for towns like New Castle, Rifle, Palisade, Clifton, and the greater Grand Junction area served by Ute Water Conservancy District. Without the higher flows of clean and cold headwater sourced supplies provided by the Shoshone call, a higher pollutant concentration creates increased costs for municipal drinking and wastewater treatment.

For more than 20 years, the Colorado River District and 19 other western Colorado governments and water entities, including Summit, Grand, Eagle, Garfield, and Mesa Counties and many of the municipalities and major water organizations therein, have been working together to find a way to permanently preserve the Shoshone flows. Since the time the Colorado River District successfully contracted for the purchase of the Shoshone water rights, even more entities have stepped up and committed funds to the purchase price. We are now on the cusp of the unprecedented alignment of multiple factors that present a real opportunity to finalize this long-standing goal. The Colorado Basin Roundtable strongly supports this effort.

We urge you to accept the proposed donation.

Thank you,

Colorado Basin Roundtable

By: April B. Long
April Long, Chair

**STATE OF
COLORADO****Bralish - DNR, Viola <viola.bralish@state.co.us>**

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Mike D Brinson <mikedbrinson@gmail.com>
To: viola.bralish@state.co.us

Thu, Aug 28, 2025 at 12:02 PM

"I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition."

My name is Mike Brinson, I have lived on the Western Slope for 40years. Retaining this water right is crucial to the health of the Colorado River that will benefit the entire state of Colorado as well as those states where the Colorado River flows. Moving forward, to sustain all life in these regions, municipalities need to set restrictions of development and growth in accordance with water availability.

To not implement this measure will surely lead to future suffering of our human and wildlife populations.

Thank you

Mike Brinson

Mike B



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Mary Chester <maddy275@icloud.com>
To: viola.bralish@state.co.us

Thu, Aug 28, 2025 at 11:47 AM

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Megan Chester. I reside in [Eagle County Colorado. 275 Sierra Vista, Carbondale, Co 81623](#). 970-379-5777.

Thank you,
Megan Chester
Sent from my iPhone



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Accept Shoshone Water Rights into ISF Program Please

1 message

Mike D <xenodata01@hotmail.com>

Wed, Aug 27, 2025 at 9:53 PM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Hello,

I endorse adding the Shoshone Water Rights to the State's Instream Flow Program and encourage the CWCB to move forward with the proposed acquisition.

Sincerely,

Mike Damewood

Jefferson County



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

2025 Shoshone ISF Acquisition

1 message

Mark Detsky <mdetsky@hotmail.com>

Thu, Sep 4, 2025 at 3:28 PM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

To the CWCB:

I support CWCB moving forward with the Shoshone ISF acquisition. You will not face a more significant moment in your career or in the history of the Colorado River. You will not be given a better opportunity than this to keep water flowing in the Colorado River and its tributaries for generations to come. This is what the ISF program, and the Colorado Water Plan, were made for - to make big decisions that support our environment and our economy.

Were it not for the imbalance of political power, this would not be a second thought. Of course big Front Range water providers would feel concern in a change to the status quo, but this does not equate to injury.

These flows support our family trips to Glenwood for rafting, to Grand Junction and Fruita, and we are just one family of thousands. This is your opportunity to stand up for our great western rivers, and I celebrate your decision.

Take care,

Mark

Mark Detsky
5316 Gallatin Place
Boulder, Colorado 80303
303.915.2428



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Matt Doerhoff <mdjeuncy8@gmail.com>
To: viola.bralish@state.co.us

Sun, Aug 31, 2025 at 10:27 PM

My name is Matt and I live in Avon, CO.

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

I use these waterways on a regular basis. Fishing, rafting, camping, swimming, etc. These waterways are the heartbeat of life on the western slope. Without them the people and wildlife would suffer greatly.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Thank you

Matt Doerhoff



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Melissa Ebone <melissa@bettyfordalpinegardens.org>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Wed, Aug 27, 2025 at 12:56 PM

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Melissa Ebone, resident of Garfield County

--

Melissa Ebone | Vice President of Development | Betty Ford Alpine Gardens
522 S. Frontage Road E. | Vail, CO 81657 | Phone: (970) 306-7616 | melissa@bettyfordalpinegardens.org

www.bettyfordalpinegardens.org

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Matthew Frankel <frankelmatthew1@gmail.com>
Reply-To: Matthew Frankel <frankelmatthew1@gmail.com>
To: Viola Bralish <viola.bralish@state.co.us>

Thu, Sep 4, 2025 at 2:26 PM

Dear CWCB Members,

CWCB members: I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

The Colorado River is a treasured Gold-Medal fishery and recreational asset, the lifeblood of many of our state's communities and working lands, a driver of our multi-billion dollar outdoor recreation economy, and an iconic part of Colorado's natural and cultural heritage. For more than 100 years, the Shoshone water right has helped maintain the Colorado River and its values to our state - and has been especially critical in maintaining winter flows that are essential to the river's health. By accepting the Shoshone Rights into Colorado's instream flow program, the CWCB can help preserve the longstanding flow regime that has been a foundation for all of those values supported by a healthy, flowing Colorado River.

The nonconsumptive water rights at Shoshone have played a critical role in sustaining the Colorado River from headwaters to the Grand Valley, generating diverse benefits not only for Western Colorado, but also for residents of Colorado's eastern slope who also depend upon the river. By accepting those rights into Colorado's instream flow program, the CWCB can help ensure that the Shoshone rights continue to operate for the river as they have for more than a century, so that Coloradans continue to enjoy those benefits even when the hydropower facility itself goes off line as its infrastructure ages.

Please accept the Shoshone flows into CWCB's instream flow program and secure this vital protection for the Colorado River, and the environment and communities that rely upon it.

Sincerely,
Matthew Frankel
[14 South Ogden Street](#)
[Denver, CO 80209](#)

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Comments on Shoshone Water Rights Action

1 message

Mike Gheleta <mgheleta@hotmail.com>

Fri, Aug 29, 2025 at 11:48 AM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

August 29, 2025

Colorado Water Conservation Board

[1313 Sherman Street, Room 718](#)[Denver, CO 80203](#)

To: Colorado Water Conservation Board

This public comment conveys my support for the inclusion of the Shoshone Water Rights through the State of Colorado's Instream Flow Program. I strongly urge the CWCB to accept the proposed acquisition in its full amount, for the reasons stated below.

My name is Michael Gheleta, a currently retired water attorney and avid whitewater boater for nearly 50 years. Upon moving to Colorado in 1984 to attend law school, one of the first stretches of river I boated was the Colorado River through Glenwood Canyon below the Shoshone Power Plant. I have floated this stretch numerous times in the years since, in both a raft and inflatable kayak. And last weekend, over 40 years later, I once again enjoyed guiding a raft down this stretch, enjoying the challenging yet manageable river flows close to the level of the 1,408 cfs water right possessed by the Shoshone Power Plant. During this latest float, I observed dozens of other rafts, kayaks and other water craft, all floating this stretch of river supported by the outflows of the Shoshone Power Plant, which I took the time to observe closely flowing into the river below the Plant.

The flows entering the Colorado River from the Shoshone Power Plant under its water right are crucial to support recreation and the environment in this stretch of the Colorado River. During my rafting experience, I observed others fishing, including one gentleman who landed a trout just below the Power Plant inflow that appeared to approach two feet long and three pounds. From the perspective of whitewater rafting, the full range of flows available under the water right – low, medium, and high – are needed to support different types of rafting experiences. At this time of year in late August, this stretch of river is one of the only ones with sufficient water to enjoy the recreational rafting experience, due to the Shoshone Power Plant outflows continuing to flow down the river. That water used non-consumptively continues to flow further down the West Slope, supporting agriculture, recreation, the environment, communities, and the overall state economy. Such multiple beneficial uses should be protected and continued into the future.

Accordingly, I strongly support the CWCB's acceptance of these flows into the State of Colorado's instream flow program, at the full amount of this 1905 water right and maximum historic use made for over 100 years. I have worked on water rights issues under federal and state law over several decades as a water attorney in the federal government, private practice, and non-profit environmental organizations. It is

refreshing to see Colorado state law, implemented through the State's instream flow program, utilized to protect vital flows in the Colorado River and support communities relying on them. Supporting inclusion of this water right in the State's program at its full amount is a logical and important continuing evolution of this program.

Sincerely,

Michael Gheleta

Golden, Colorado

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Mara Hannig <mara.s.hannig@gmail.com>
To: viola.bralish@state.co.us

Wed, Sep 3, 2025 at 3:25 PM

Hi,

I would like to let you know that I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

I live in Lakewood and this summer has been exceptionally hot and dry. The fire danger was set to very high for months.

So please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

*Kind regards,
Mara Hannig*

Sent via [Wildhero](#) - email that plants trees.



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Morgan Hill <morgan.r.hill1@gmail.com>
To: viola.bralish@state.co.us

Sun, Aug 31, 2025 at 9:01 AM

Hello,

My name is Morgan Hill and I live in Glenwood Springs, CO.

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition. I live on the Western Slope of Colorado, and the Colorado River is the lifeblood of our community. I personally love floating in our inflatable kayak on the Colorado River and we rely on it for drinking water. It's also a critical piece of our economy in Garfield County.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Thank you,
Morgan

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program1 message

Megan Kane <megankane732@gmail.com>
To: viola.bralish@state.co.us

Sun, Aug 31, 2025 at 8:53 PM

My name is Megan Kane and I have lived in Summit County for about a decade now. Among other things I spend my summer recreating on our local rivers, mainly The Blue and The Colorado.

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Thank you for your time and for taking this into consideration.

Gratefully

Megan Kane

**STATE OF
COLORADO****Bralish - DNR, Viola <viola.bralish@state.co.us>**

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Massimo Lepori <Massimo@kirmasari.com>

Fri, Sep 5, 2025 at 11:55 AM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Dear Ms. Bralish,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Massimo Lepori. I am a Colorado resident and have been all my life. As long as I can remember, my family and I have camped, snowboarded, and swam in and around the Colorado River. Not only is the river an important part of the natural ecosystem. But is a huge part of what makes Colorado so great.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Sincerely,
Massimo Lepori
Colorado Resident and Concerned Citizen

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Mark Mitisek <mark.mitisek@lrewater.com>

Wed, Aug 27, 2025 at 1:09 PM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Dear Colorado Water Conservation Board Members,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My work and livelihood are closely connected to water in this region, and I have seen firsthand how critical the Shoshone flows are to the health of the Colorado River, the environment, and the communities that depend on it.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and the people, ecosystems, and economies that rely on its resilience.

Sincerely,

Mark Mitisek
Water Resources Consultant, LRE Water
Denver, Colorado

Mark Mitisek
Department Manager | Technology Team Lead
LRE Water | A Spheros Environmental Company
Office: 303-455-9589 | Cell: 970-310-3835
Mark.Mitisek@LREwater.com



LREwater.com
1221 Auraria Parkway, Denver, CO 80204

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF ProgramI

1 message

Mortell, Marcus <marcus.mortell@crms.org>

Sat, Aug 30, 2025 at 12:27 PM

To: viola.bralish@state.co.us

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition. I am Marcus Mortell from Telluride, Colorado, but I go to School in carbondale. Insuring the Water rights of Shoshone is essential to so many people growing up around here. I am huge into white water kayaking and it has helped me get through some of the hardest times of my life. I can't think where I would be if we lost these water rights. Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Sincerely, Marcus Mortell

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program1 message

Michael Podmore <podmoremichael@gmail.com>
To: viola.bralish@state.co.us

Tue, Sep 2, 2025 at 1:53 PM

Hello, my name is Michael Podmore and I am a resident of Newcastle Colorado. I am a citizen concerned, keeping western Slope water in the dwindling Colorado river. *I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition. Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.*

Sincerely,

Michael Podmore

Sent from my iPhone



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Please Accept Shoshone Water Rights into ISF Program

1 message

Mary Ellen Reed <maryellen.reed@gmail.com>
To: viola.bralish@state.co.us

Thu, Aug 28, 2025 at 2:20 PM

To whom it may concern,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

Like so many Americans, I love the outdoors, nature, and healthy living. We have to protect it for future generations.

Best regards,
Mary Ellen Reed



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

michael strumph <mps@strumphengineering.com>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Thu, Aug 28, 2025 at 8:31 AM

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

Hi, my name is Michael Strumph and I moved to the Eagle River Valley 20 years ago, drawn to the mountains and the outdoors. Winter sports might have been what brought me from New England, but the rest of the seasons are what has kept me here, and the Colorado River is a big part of that. Floating, fishing, or just driving through Glenwood Canyon won't be the same if the water goes away. The Colorado River waters should stay in the Colorado River, pumping water over the continental divide does not seem sustainable.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and the communities that rely on it.

Thanks for listening.

Michael Strumph, PE

Strumph **Engineering**

PO Box 5044

Eagle, CO 81631

Office: 970 705 1610

Mobile: 970 471 9791

strumphengineering.com



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Megan Winkelblech <meganb.92@gmail.com>
To: viola.bralish@state.co.us

Sat, Aug 30, 2025 at 10:19 PM

- o To whom it may concern,
- o Our water, where I live in Clifton, CO matters. Therefore, I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition

-Megan Winkelblech



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Nate Ament <nate0138@yahoo.com>
To: viola.bralish@state.co.us

Sun, Aug 31, 2025 at 6:37 PM

Dear Colorado Water Conservation Board,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition

My name is Nathan Ament. I was born and raised in western Colorado and have spent my life along the banks of the Colorado river. I grew up in Cedaredge, Colorado and live in Moab, Utah now. The Colorado river is integral to life in Western Colorado and beyond. Please keep water flowing downstream. Many economies, ranchers, farmers, recreational users and municipal drinking water providers rely on this water.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Sincerely,
Nathan Ament



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Shoshone Water Rights

1 message

Nikos Hollis <nikoshollis@gmail.com>
To: viola.bralish@state.co.us

Sun, Aug 31, 2025 at 8:10 AM

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Nikos Hollis, I live in Grand Junction, and I've been floating on the Colorado river and enjoying having reliable flows ever since 1988.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Do the right thing and help us keep this water flowing to the western slope and on downstream for perpetuity.

*Sincerely,
Nikos Hollis*



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Nina Landes <ninalandes@gmail.com>
To: viola.bralish@state.co.us

Wed, Aug 27, 2025 at 1:44 PM

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

I have lived in Eagle County, CO for over 25 years and we need to keep water on the western slope. It would also be amazing to see that stretch to return to a more "normal" river bed.

Thank you,
Nina Landes
Vail, CO

**STATE OF
COLORADO****Bralish - DNR, Viola <viola.bralish@state.co.us>**

Shoshone Water Right

1 message

Mambo Mamba <mambomamba61@gmail.com>

Sun, Aug 31, 2025 at 12:20 PM

To: Viola Bralish <viola.bralish@state.co.us>

Viola,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

Neal Schwieterman, Paonia, CO. I am the Recreation Representative to the Gunnison Basin Roundtable.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Neal Schwieterman, GBRT-

Neal Schwieterman

mambomamba=giant poisonous African snake dance

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program1 message

Nathan Shand <nwshand21@gmail.com>

Tue, Aug 26, 2025 at 9:35 PM

To: viola.bralish@state.co.us

Cc: Beth Shand <pekabluhm@gmail.com>

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition. My name is Nate Shand and I am a resident of Carbondale. My family and I connect with each other and the Colorado river through rafting, fishing, swimming, and enjoying the wildlife, flora, and fauna supported by the river. Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Nate Shand
808-630-1461

**STATE OF
COLORADO****Bralish - DNR, Viola <viola.bralish@state.co.us>**

Shoshone Water Rights

1 message

Nathaniel White <naterwhite@gmail.com>
To: viola.bralish@state.co.us

Thu, Aug 28, 2025 at 10:22 AM

To the Colorado Water Conservation Board,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Nate White, and I live in the Roaring Fork Valley of Western Colorado. I'm a whitewater enthusiast and co-founder of the Roaring Fork Kayak Club. We teach students of all ages to kayak and enjoy rivers, with the Colorado River as our primary teaching and recreation area. Our programs rely on secured, predictable flows to operate safely and to introduce new community members, especially kids, to river stewardship. Securing this right through the Colorado River District will be a huge help to sustaining our educational programs and the broader river-based economy and ecology.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Thank you for your consideration.

Sincerely,
Nate White
Co-Founder, Roaring Fork Kayak Club
Carbondale, CO
720-266-0534



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Shoshone

1 message

Pat Bingham <binghampersonal@gmail.com>
To: viola.bralish@state.co.us

Tue, Sep 2, 2025 at 12:06 AM

To whom it may concern:

I have lived on the western slope all my life. I have watched as water diversion projects have taken water from the mountains to the eastern slope to maintain golf courses and huge housing developments that have not gotten the memo about conserving water (think Highlands Ranch and it's miles and miles of parks). I have also seen how the Colorado River no longer survives all the way to the Pacific Ocean before drying up.

It is important that if the western slope has an opportunity to maintain a critical water right that we do so.

I support the inclusion of the Shoshone Water Rights proposal through the State's Instream Flow Program (ISF), and strongly urge the CWCB to accept the proposed acquisition

Pat Bingham Fitzpatrick
[Binghampersonal@gmail.com](mailto:binghampersonal@gmail.com)
970-366-7901



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Peter Benedict <pbenedict@crms.org>
To: viola.bralish@state.co.us

Sat, Aug 30, 2025 at 11:35 AM

Viola,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition. I run the river program at the Colorado Rocky Mountain School in Carbondale Colorado. I have been paddling Shoshone since 1998. I have introduced hundreds of kayakers to whitewater on the waters of Glenwood Canyon. Shoshone is my local gym. It is a place where I push myself physically several days a week. It is unique in its year-round access to good rapids, almost in the country, especially in Colorado. It serves as a training ground for all of Colorado. Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River and the communities that rely on it.

Peter Benedict
He, Him
River Program Coordinator
Math Faculty

Colorado Rocky Mountain School puts the security of the community at a high priority. Therefore, we have put efforts into ensuring that the message is error and virus-free.

This email originated from the:

[Colorado Rocky Mountain School](#) | [500 Holden Way](#) | [Carbondale, CO 81623](#) | 970.963.2562

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Patrick Drake <patrick@hanginglake.com>

Wed, Sep 3, 2025 at 2:52 PM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

My name is Patrick Drake, owner of Hanging Lake Adventure Co-Op and operator of Blue Sky Adventures and Glenwood Canyon Rafting in Glenwood Springs. Our business specifically, and the general summertime economy in Glenwood Springs relies heavily on the consistent and constant navigable flow of the Colorado River made possible by the Shoshone Hydropower Plant.

I am writing in support of the inclusion of the Shoshone Water Rights through the State's Intstream Flow Program and urge the Colorado Water Conservation Board to accept the proposed acquisition.

Please accept these flows into the State's Intstream Flow Program and secure this vital protection for the Colorado River and communities that rely on it.

Patrick Drake

Owner

Hanging Lake Adventure Co-op



(970)945-6605

info@hanginglake.com

<https://hanginglake.com>

152 W 6th Street, Glenwood Springs, Colorado, 81601

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Pamela Gibson <pagibson01@gmail.com>

Sat, Aug 30, 2025 at 4:48 PM

To: viola.bralish@state.co.us

I support this inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition. My name is Pamela Gibson and while I currently live in Castle Valley, Utah, the Colorado has always been and remains important to me. Prior to moving here a few years ago, I lived in Denver for over 30 years and our daughter now lives in Glenwood Springs. The Colorado River has been important to me personally and my family as our primary source of recreation. We have enjoyed river rafting and kayaking many, many times with friends and family over those thirty plus years. Now we live a mere two miles from the Colorado and enjoy it almost daily. The threats to the River are many. I believe that the Shoshone Water Rights acquisition would help to preserve the Colorado for all its many uses permanently.

Thank you for your consideration.

Pamela Gibson



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment: Urge Acceptance of Shoshone Water Rights into the ISF Program

1 message

PETER hollis <frisbiehollis@msn.com>

Sun, Aug 31, 2025 at 9:43 AM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Dear Colorado Water Conservation Board,

I strongly support including the Shoshone Water Rights into the Colorado's Instream Flow Program.

This Peter Hollis, a 40-year resident on the Western Slope, in Grand Junction, Mesa County, CO. I have spent a lot of time on the Colorado river, canoeing, rafting, packrafting over the years with my family. The River is a precious resource, beautiful and essential to our lives on the Western Slope. We must secure our water future through protecting Shoshone Water Rights in perpetuity.

Thank you,
Peter Hollis



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Phillip Marino <phillipmarino@gmail.com>
To: viola.bralish@state.co.us

Fri, Aug 29, 2025 at 3:12 PM

Hello

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

I live in Denver Colorado and spend much of my time in the various rivers and creeks across the Western Slope and the state in general. I have a rafting trip planned in the Grand Junction Area in 3 weeks.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Phillip Marino

**STATE OF
COLORADO****Bralish - DNR, Viola <viola.bralish@state.co.us>**

Public Comment - Please Accept Shoshone Water Rights into ISF Program1 message

PAUL VON GUERARD <paulvon65@msn.com>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>
Cc: PAUL VON GUERARD <paulvon65@msn.com>

Wed, Aug 27, 2025 at 8:30 PM

To Whom It May Concern:

I support the purchase of the Shoshone Water Right by the Colorado River Water Conservation District and also support the Shoshone Water Right being included in the States Instream Flow Program.

I am a 48-year resident of Colorado having spent 32 years collecting streamflow data with the US Geological Survey. Maintaining instream flows, especially during this 20+ year drought is critical for a many reasons. Maintenance of riparian habitats, municipal and agricultural water supplies, maintaining streamflow during the drought to maintain dilution of pollutants for meeting point-source discharge permits for industries and municipalities, and for recreational water use especially primary contact recreation.

Thank you for adding my comments into your process.

Sincerely

Paul von Guerard
Retired Hydrologist, USGS

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment: Preserving the Historic Shoshone Water Rights as In-Stream Flows

1 message

Peter Wadden <peterwadden@gmail.com>

Fri, Aug 29, 2025 at 9:00 AM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

8/29/25

Distinguished members of the Colorado Water Conservation Board,

My name is Pete Wadden. I am fortunate to live on the banks of the Eagle River in Gypsum, Colorado. I love to fish, raft, kayak, and bird watch and dedicate much of my free time to serving on the board of our local watershed organization, the Eagle River Coalition. I want to thank you for your service and commitment to securing and preserving the water future of the State of Colorado.

I am writing to urge you to accept the full volume of the historic Shoshone Water Rights as In-Stream Flows. As I am sure you will hear, doing so is simply preserving the status quo as it has been established over more than a century. The Shoshone flows are more essential than ever as we move into a climatic future whose defining characteristic is uncertainty. The preservation of these water rights is necessary to ensure the health of the Colorado River and the vitality of the Western Slope communities that depend upon it.

You will hear from Front Range water providers who contest aspects of the Colorado River District's petition for preservation of these flows. Their efforts to make permanent short-term agreements like ShOP are cynical, short-sighted, and belong in water court, not before this board. So too do their arguments that the preserved in-stream flows should be lower than the full 1400 cfs that constitute the combined Shone Water Rights. I am confident you all recognize your responsibility to serve all Coloradans. The sustainable management of the Colorado River is not another issue that should exacerbate the rural/urban divide or pit Front Range municipalities against West Slope towns. Preservation of historic flows in the Colorado River is a benefit to everyone in the state.

You have an opportunity to do something truly historic. In preserving the Shoshone Water Rights as in-stream flows you will secure the water future of the state for generations to come. Please do not squander this opportunity.

Sincerely,

Pete Wadden

Gypsum, Colorado



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Rick Grubin <rick.grubin@gmail.com>
To: viola.bralish@state.co.us

Fri, Aug 29, 2025 at 6:04 PM

Ms. Bralish:

Please accept this comment in support of the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Richard Grubin; I am a frequent visitor to western CO, and a recreational water user there.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Thank you.

Richard Grubin
Golden CO

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Roger Houck <rdhouck@comcast.net>
To: viola.bralish@state.co.us

Thu, Aug 28, 2025 at 7:53 PM

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

I'm Roger Houck and I'm a landowner with irrigation water rights outside of Mesa Colorado. I'm also president of the Bull Creek Reservoir Company.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Roger Houck
Landowner in Mesa County and President of Bull Creek Reservoir Company



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

RICHARD MADDOX <freezzie@comcast.net>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Wed, Aug 27, 2025 at 5:09 PM

Viola

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Rich Maddox and I am from Longmont, CO. I recreate on the Upper Colorado river several times a year and realize the importance of maintaining seasonal flows on the Colorado river from a recreational, environmental, and business viewpoint.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Regards
Rich Maddox



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Shoshone

1 message

Scot Marana <smarana@icloud.com>
To: viola.bralish@state.co.us

Wed, Aug 27, 2025 at 8:45 PM

To whom it may concern,
I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition. As we all know water is the most precious resource and we absolutely must take whatever action we can to preserve it as well as we can.
Thank you for your consideration.
Sincerely,

Robert Marana
182 Greenhorn Av
Eagle, CO. 81631

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Kimberly McGhee <mcghee11@live.com>

Wed, Aug 27, 2025 at 6:54 AM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

1. *I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.*
2. *My name is Richard McGhee. I live in Gypsum CO and have been a resident of the Eagle River valley for more than 40 years.*
3. *Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it. It is critically important to preserve our water resources.*

Thank you



August 30, 2025

Colorado Water Conservation Board
1313 Sherman Street
Room 718
Denver, CO 80203

Greetings, Colorado Water Conservation Board members,

I'm the mayor of Ridgway, a town of about 1250 people at the foot of the San Juan Mountains in SW Colorado. As in every other community in the state, water is a crucial issue in our town.

As I'm sure you're receiving hundreds (if not thousands) of comment letters on this topic, I'll keep mine short and to the point. I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition. Shoshone flows support agriculture across the Western Slope, where I live, not to mention a multitude of recreational uses, which in turn support the economies of cities and towns like Ridgway everywhere. Our community recognizes the importance of adequate water supplies, and we ask that you accept the Shoshone Water Rights into the State's Instream Flow Program, which will secure this essential protection for the Colorado River, and communities that rely on it.

Sincerely,

John I. Clark
Mayor
Town of Ridgway

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Sara Ballantyne <saraballantyne@gmail.com>
To: viola.bralish@state.co.us

Fri, Aug 29, 2025 at 9:20 AM

Hello,

I am writing to show my support for the inclusion of the shoshone Water Rights through the States' Instream Flow Program and urge the Colorado Water Conservation Board to accept the proposed acquisition.

I've lived in Colorado for 50 years. We raised our children on local rivers. This translates to future generations with good stewards for the environment. So much is gained when one detaches from social media and plays/learns through what rivers have to offer. Our Western Rivers seem to be drying up year after year.

Please accept these flows into the States Instream Flow Program and secure this vital protection for the Colorado River and communities that rely on it.

Thank you for taking the time to read my letter.

Sara Ballantyne
[755 Sabeta Drive](#)
[Ridgway, CO 81432](#)
970-318-8806

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

suydam corbin <bcsamiam@gmail.com>
To: viola.bralish@state.co.us

Sun, Aug 31, 2025 at 12:25 PM

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

I spend a lot of time on the rivers boating, fishing, and enjoying the outdoors. Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Suydam "Sam" Corbin
217 Cottonwood Ln
Aspen CO 81611

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Please Accept Shoshone Water Rights into ISF Program

1 message

Scott Dillard <scottdillardrealtor@gmail.com>
To: viola.bralish@state.co.us

Wed, Aug 27, 2025 at 9:01 AM

The thought of losing the late season water in Shoshone and Gore Canyon pains me to the core. One of the main reasons we live on the western slope is the availability of quality whitewater throughout the summer and fall on the Colorado. My name is Scott Dillard and I live at [852 Handy Drive, Carbondale CO, 81623](#). My family and I are avid whitewater kayakers and we spend countless hours on the Shoshone and Gore Canyon sections of the Colorado River. Candidly, if Shoshone was to lose this water right to the front range we would have to move from the area. For us it's merely pleasure, but for so many people on the western slope and downstream this water is their lifeblood. The commercial and recreational impact of losing this water right is impossible to quantify. Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Scott, Vida, Helen, and Morgan Dillard

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program1 message

Sam Feuerborn <skiwithscissors@gmail.com>
To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

Sun, Aug 31, 2025 at 3:20 PM

Dear Board Members,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition. As a resident of Glenwood Springs, a lifelong boater and angler the continued and consistent flows provided by the Shoshone water right are critical to my personal wellbeing, the West Slope economy and the future of many iconic and protected aquatic species.

I ask that you support my community and the many others like it downstream from us, and accept these flows into Colorado's Instream Flow Program.

Thank you for your consideration.

Best regards,

Sam Feuerborn

Glenwood Springs, CO

**STATE OF
COLORADO****Bralish - DNR, Viola <viola.bralish@state.co.us>**

Public Comment - Please accept Shoshone Water Rights into ISF program

1 message

Steph Johnson <eatdrinksmilevail@gmail.com>

Sat, Aug 30, 2025 at 7:57 PM

To: viola.bralish@state.co.us

Good afternoon, Ms. Bralish,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

The Shoshone water plant is a vital part of the Western Slope's ecosystem, keeping our Colorado River flowing to cool our trout, support flora and fauna, and protect our communities from forest fires by hydrating our grounds.

Our Western Slope economies depend on our river to stay afloat (pun intended). Our Palisade Peaches and Olathe corn feeds our neighbors. Our river tourism supports families, including mine - my husband has been a professional river guide for over 20 years.

Please consider this historic and monumental inclusion to protect our Colorado River. Thank you so much for your time and for all of the efforts of the Colorado Water Conservation Board to protect our waterways.

Sincerely,

Steph Johnson
Eagle County Resident



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Please Accept Shoshone Water Rights into ISF Program

1 message

Scott Kozlowski <scottkozlowski@hotmail.com>

Sat, Aug 30, 2025 at 9:50 PM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Scott Kozlowski from Niwot Colorado and I enjoy floating, camping and fishing the Colorado River and my wish is that I can teach my kids to love these same outdoor activities and that they are accessible to them in the future.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Thank you,

Scott Kozlowski
6667 Apache Ct.
Niwot, CO 80503



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Stewart Lewis <stewart.h.lewis@gmail.com>
To: viola.bralish@state.co.us

Fri, Aug 29, 2025 at 1:52 PM

Hey Viola,

My name is Stewart Lewis, I live in Bailey Colorado. I'm reaching out to support the inclusion of the Shoshone Water Rights through Colorado's Instream Flow Program and I urge the CWCB to accept the proposed acquisition.

Not only am I a private boater that enjoys boating on our Western Slope, but I design whitewater raft frames and manage the retail sales team for Down River Equipment.

Please accept these flows into the state's Instream Flow Program and secure this vital protection for the Colorado River, the businesses and communities that rely on it.

Thank you,
Stewart Lewis

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Shoshone water right

1 message

Sara Ransford <sararansford@me.com>
To: viola.bralish@state.co.us

Tue, Sep 2, 2025 at 12:23 AM

To the Members of the Western Colorado Slope and Rivers,

I have been living in the Roaring Fork Valley since 1977, have been a river user for the last 48 years, and know the importance of this Colorado River water right to remain in Glenwood Springs.

It is critical for this water right to be included in the Shoshone Water Rights proposal through the State's Instream Flow Program (ISF), and I implore the CWCB to accept the proposed acquisition. The river & water flows through Shoshone, and the Colorado River below are vital to maintaining vital ecosystems, for the remainder of its course to the sea, through multiple states, in the US and finally through Mexico

As a 45-year-old Kayaker, river, lover, landowner, I have watched Colorado's multiple water restrictions/ transfers to the eastern slope, having an immense impact on all of the rivers on the western slope. It is crucial that this water right remain on the western slope.

Since Colorado is the source of this remarkable river, I urge you once again to approve the inclusion of these water rights into the State's Instream Flow Program, ensuring essential protections for the Colorado River and the communities that depend on it.

Thank you very much for your time and consideration on this matter.

Respectfully,

Sara Ransford

Garfield resident

Sent from my iPhone



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Shelton Reichardt <sheltonreichardt@gmail.com>
To: viola.bralish@state.co.us

Fri, Aug 29, 2025 at 8:09 AM

To Whom It May Concern:

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Thank you for your consideration.

Shelton Reichardt
President
The Stock Pond Ditch Company
[613 Willowbrook Rd.](#)
[Silverthorne, CO 80498](#)
970.406.1705



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Shoshone

1 message

Collin Robinson <collin.robinson@guidewater.life>
To: viola.bralish@state.co.us

Tue, Sep 2, 2025 at 10:30 AM

Dear Colorado Water Conservation Board,
Please include the Shoshone hydroelectric water rights on the Colorado River in Glenwood Canyon in the Instream Flow program.

Thank you.

-Collin

Samuel Collin Robinson
Professional Engineer

GUIDE WATER
Post Office Box 4033
Grand Junction, CO 81502
collin.robinson@guidewater.life
www.guidewater.life
m: (970) 822-2079



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Sabrina Scherma <sabrina.scherma@gmail.com>
To: viola.bralish@state.co.us

Wed, Aug 27, 2025 at 10:31 AM

Hi Viola,

I am writing to indicate my support for the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge CWCB to accept the proposed acquisition. I am a long time Colorado resident, work in the environmental sector, and love our public lands and rivers. I believe that this is a positive proposed change for our state, and hope that we protect the flow of the Colorado river as we move towards times of further drought and environmental change.

Best,
Sabrina

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program1 message

Scout L <rockstarr9k@gmail.com>
To: viola.bralish@state.co.us

Thu, Aug 28, 2025 at 9:14 AM

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Scout, and I've got family in Grand Junction. This Summer has been dry, our friends in Denver and across the state have felt that. With the exception of some recent weather events, our average temps were the upper 90s. The most recent fires South of us have burned thousands of acres. Having a natural water source that flows downstream ensures the health and safety of not just us citizens down the riverside, but it helps replenish sources of water to our ecosystems. Protecting these water sources is also crucial for local firefighters to stop wildfires. With cuts to FEMA funding and to Colorado by this administration in DC, the water flow is significant in saving costs in emergencies and protecting our people, animals, and land with an adequate response time. We have to keep Shoshone flowing!!

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

-Scout



August 6th, 2025

Colorado Water Conservation Board
1313 Sherman Street, Room 718
Denver, CO 80203

RE: Inclusion of Shoshone Water Rights through the State's Instream Flow Program

To the Members of the Colorado Water Conservation Board,

The Town of Fraser is writing to express its strong support for the inclusion of the Shoshone Water Right in the State's Instream Flow Program, and to urge the Colorado Water Conservation Board (CWCB) to approve the proposed acquisition. Securing the Shoshone Water Right under the State's Instream Flow Program represents a critical opportunity to permanently protect flows in the Upper Colorado River Basin, which are vital to the health, economy, and sustainability of Grand County and the broader Western Slope.

As the headwaters of the Colorado River—and home to a significant share of transmountain diversions—Grand County is uniquely impacted by flow reductions. The Shoshone Water Right, which commands up to 1,250 cubic feet per second, ensures consistent, reliable streamflows that support agriculture, recreation, tourism, and ecological health throughout the region. By preserving this right under an instream flow, the State can safeguard a resource that is foundational to Colorado's water heritage and future resilience.

Over the past two decades of sustained drought, the role of the Shoshone call in protecting river flows has become even more vital. Should the Shoshone power plant cease operations without a permanent instream flow designation, the potential for the water right to be altered, transferred, or lost presents a significant threat to environmental integrity and economic vitality across the Western Slope. Enshrining this right in the Instream Flow Program provides perpetual protection against such risks.

This acquisition is a generational investment in Colorado's water future—benefiting not only Grand County but also all Coloradans who depend on a healthy Colorado River. It reflects Colorado's leadership in collaborative, forward-thinking water management and honors the intent of the Shoshone right to sustain river flows for present and future generations. The Town of Fraser urges the CWCB to approve this landmark acquisition and to advance the Shoshone Water Right as a State-held instream flow. We thank you for your leadership and consideration.

Sincerely,

Mayor Brian Cerkvenik
Town of Fraser



Post Office Box 975
100 Mikaela Way
Avon, CO 81620

Colorado Water Conservation Board
1313 Sherman St
Denver, CO 80203

Submitted via email: viola.bralish@state.co.us

September 9, 2025

RE: Public Comment – Accepting Shoshone Water Rights into ISF Program

Dear Colorado Water Conservation Board,

Please accept this letter of support from the Town of Avon for the inclusion of the Shoshone Water Rights for management through the State's Instream Flow Program. We sincerely urge the Colorado Water Conservation Board to accept the proposed acquisition.

Our Town relies exclusively on the water in western Colorado so deeply tied to our geography, history and economy. Our Town and the broader region rely on the Colorado River and its tributaries for our domestic water supplies, as well as agriculture, recreation, and riparian and environmental health. We are passionate about protecting the instream flow for our community and broader region now and in the future. Accepting the Shoshone Hydropower Plant's historic water rights into Colorado's Instream Flow Program is a vital step in protecting year-round river flows, and supporting communities including our Town, agriculture, recreation, the environment, and local economies in Colorado.

Please accept these water rights into the state's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Please give the proposed acquisition your highest consideration. Thank you.

Sincerely,

Tamra N. Underwood

A handwritten signature in blue ink that reads "Tamra N. Underwood".

Mayor, Town of Avon
tunderwood@avon.org



September 9, 2025

The Colorado Water Conservation Board
Attn: Ms. Viola Bralish, Board Coordinator
1313 Sherman St., Room 718
Denver, Colorado 80203

RE: Public Comment on Shoshone Water Right ISF Agreement(s)

Dear Colorado Water Conservation Board,

On behalf of Greeley of Greeley Water Utilities, I write in support of the proposed acquisition by the Colorado Water Conservation Board ("CWCB") of an interest in the Shoshone Hydropower Water Rights for instream flow use on the Colorado River. The water resources from the Upper Colorado River play a very important role in Greeley's municipal water supply portfolio and they are an essential resource that supplements South Platte mainstem and tributary resources to generate a robust food and fiber economy in Weld County and beyond. The City of Greeley is a vested stakeholder in Upper Colorado River water through a couple of long-standing investments in the Colorado-Big Thompson and Windy Gap projects, and a portfolio of irrigation company shares that contain Grand Ditch water resources that work as an integrated portfolio of water resources to meet the needs of Greeley, its residents and our value added industrial users. Greeley's public comments herein are rooted in the fact that Shoshone Water Rights are an important and consequential water right throughout the state, including to water users and communities in Weld County and the South Platte River Basin.

Greeley's Water & Sewer Utilities Board and staff aim to be well informed, engaged and effective collaborators on intrastate and interstate Colorado River issues. While we support the proposed acquisition and change of use for the Shoshone rights to facilitate instream flow use, our support is predicated on a fair and representative assessment of the historical use period of record, and terms of agreement that generate benefit for all Coloradoans. To maintain the status quo administration for water users within Colorado, the instream flow agreement and change decree should accurately reflect the historic flow regime and DWR administration on the River. The long-standing administration and operational agreements around Shoshone have been beneficial for Front Range and Western Slope water users, and that status quo operation supports Colorado's stewardship and maximization of benefit from the River's water resources within the framework provided for under the 1922 compact. Greeley strongly recommends that CWCB only move forward with an instream flow agreement that prioritizes and protects communities, agriculture, recreation and environmental interests on both the West and East slopes of Colorado.

The Colorado River District ("River District") and Public Service Company of Colorado ("PSCo") indicate that they have proposed to maintain the water rights administration status quo. However, the proposed methodology for determining the historical use of the Shoshone Water

Rights will, in our professional opinion, likely result in an expansion of historic use. Most water interests have become aware of the Shoshone powerplant's operational challenges and less than full operations over the decades. Sound cooperative operating agreements have been built around actual water use in the current period of record, so to claim the full decreed rights, year round, would lead to a real expansion of use and thereby have water rights administration impacts to various tributary river system on both sides of the divide. As the CWCB Board weighs their role and duties in advance of entering into the proposed Agreement, we ask for their thoughtful consideration of the equity for water user communities who have come to rely upon agreements and status quo protective policies. Further, we ask that CWCB staff and Board consider and document how the proposed agreement and acquisition conform to CWCB ISF Rule 6e.

Lastly, the Shoshone Outage Protocol Agreement dated June 27, 2016 ("ShOP Agreement") reflected a real compromise among major transmountain diverters and Western Slope entities. The ShOP Agreement established a "virtual call" for water rights administrative purposes that has guided the agreed upon status quo administration. The ShOP Agreement was suitable for all parties at the time and widely considered to strike a fair balance between diversion for storage and maintenance of flows. The acquisition of an interest in the Shoshone Water Rights by CWCB and subsequent water court filing should better reflect the regime maintained by the ShOP Agreement. As we go forward, we conjecture that what is best for all Coloradoans and for Greeley is something that looks a lot like the last 30 years of water rights administration that sought to make a shared best use of the finite Colorado River water resources that we need and value on both sides of the divide.

The City of Greeley and our Northeast Colorado agricultural neighbors have a great respect for the value of upper Colorado River water and our ancestral connection to Delph Carpenter and the wisdom applied to the Colorado River's framework for administration. Greeley authentically appreciates the value and resiliency that upper Colorado River supplies add to our community, our regional agricultural production, and environmental and recreational non-consumptive uses. Greeley encourages agreements that maintain water administration that is consistent with the past 30 years status quo and protective of the related benefits realized by all parties. Please hear and understand that Greeley advocates herein as a proactive water utility with certain vested rights, as a Colorado community and as a regional hub of robust agriculture; and we not advocating for more water than historically received from upper Colorado River rights, but we are asking that the proposed agreements and decree not leave us with a less reliable water supply or cause stranded investments in water utility infrastructure. Accordingly, Greeley strongly urges CWCB to reevaluate the historical use analysis proposed by the River District and amend the currently proposed Draft Dedication and ISF Agreement to reflect a reasonable historic use analysis prior to approving the acquisition of an interest in the Shoshone Water Rights.

Sincerely,



Sean Chambers

Director of Water and Sewer

cc: Mr. Raymond Lee III, City Manager, City of Greeley

Mr. Harold Evans, PE, Chair of Greeley Water & Sewer Utilities Board

Ms. Leah Hubbard, Deputy Director of Water Resources, City of Greeley

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Ted Bright <trbright1@gmail.com>

Sat, Aug 30, 2025 at 5:33 PM

To: viola.bralish@state.co.us

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Ted Bright. I live in Castle Valley, UT, along the Colorado River just upstream from Moab. My wife and I raft the river in various sections, including Glenwood Canyon, Ruby & Horsethief Canyons, Westwater Canyon and, of course, the sections between Cisco and Moab (including the daily). Exactly one week ago, on August 23, the flow in the Colorado River at the Cisco gauge was down to 1,750 ft³/second. The threat of the effect severe drought conditions may have on the river flow and its impact on wildlife that depend on the river corridor and adequate water flow and depth, is of serious concern to me. That's of course in addition to my concern over the negative impact unnecessarily limited river flow can have on recreation, businesses and others that depend Colorado River water. Hence . . . my support for the inclusion of the Shoshone Water Rights through the State's Instream Flow Program.

Thank you for your consideration of my comment.

Ted Bright
Castle Valley, UT



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Taryn Contento <taryn@poudrewatershed.org>
To: viola.bralish@state.co.us

Wed, Aug 27, 2025 at 10:28 AM

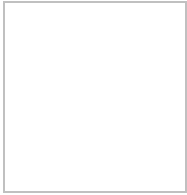
Hello,

There seems to be an amazing opportunity to secure a non-consumptive water right along the Colorado River. I support this effort to include the Shoshone Water Rights through the State's Instream Flow Program.

Taryn Contento

--

Taryn Contento
Post-Fire Project Manager
430 N. College Ave., Suite 430
Fort Collins, CO 80524 USA
(p) 520-661-0952
www.poudrewatershed.org



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program1 message

Trevor LaLonde <lalondetrevor@gmail.com>

Sun, Aug 31, 2025 at 9:32 PM

To: viola.bralish@state.co.us

I live in Basalt, CO, am an avid local and statewide recreational private kayaker, rafter, fisherman, hunter, etc. public land user and supporter, as well as a contributing member of the local community as a trusty local government employee. Preserve this water right. It is absolutely asinine to think it's responsible to do anything but. The status quo of water management in the west is so far removed from sustainable it's laughable and not preserving this right would only bring us further down that road. The Shoshone right has always been the one saving grace (to add some hyperbole). In my humble opinion of course.
Get it done.

Thank you.

Trevor LaLonde
Basalt, CO
Sent from my iPhone

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Tim McKennie <cursus99@gmail.com>
To: viola.bralish@state.co.us

Fri, Aug 29, 2025 at 4:03 PM

To whom it may concern. I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

I've been a Summit County resident for 30 plus years. I feel maintaining this flow on the Colorado is vital to our recreation economy as well as sustaining the riparian environment of the Upper Colorado.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Tim McKennie



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

TJ Szewczak <tj@970design.com>
To: viola.bralish@state.co.us

Thu, Aug 28, 2025 at 8:24 AM

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

--

TJ Szewczak

Tech Lead

Certified

[970design.com](https://www.970design.com)



T: 970.331.0078

97 Main St W105

Edwards, CO 81632

970DESIGN

To Whom It May Concern,

I'm writing in support of the inclusion of the Shoshone Water Rights through the state's Instream Flow Program and urge CWCB to accept the proposed acquisition. I own and operate an adventure company in the Roaring Fork Valley called Blazing Adventures. Our business relies heavily on healthy river flows for our guests to enjoy rafting throughout the summer and fall season. The majority of our rafting trips take place on the Shoshone section of the Colorado River. Please accept these flows into the state's Instream Flow Program and ensure that we protect this section of the Colorado River, tourism industry, and communities that rely on it. Thank you for your time and consideration.

Sincerely,

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

Vince Nichols
Owner
Blazing Adventures

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program1 message

William Abshagen <abshagenb@gmail.com>
Reply-To: William Abshagen <abshagenb@gmail.com>
To: Viola Bralish <viola.bralish@state.co.us>

Mon, Sep 1, 2025 at 12:12 PM

Dear CWCB Members,

CWCB members: I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

The Colorado River is a treasured Gold-Medal fishery and recreational asset, the lifeblood of many of our state's communities and working lands, a driver of our multi-billion dollar outdoor recreation economy, and an iconic part of Colorado's natural and cultural heritage. For more than 100 years, the Shoshone water right has helped maintain the Colorado River and its values to our state - and has been especially critical in maintaining winter flows that are essential to the river's health. By accepting the Shoshone Rights into Colorado's instream flow program, the CWCB can help preserve the longstanding flow regime that has been a foundation for all of those values supported by a healthy, flowing Colorado River.

The nonconsumptive water rights at Shoshone have played a critical role in sustaining the Colorado River from headwaters to the Grand Valley, generating diverse benefits not only for Western Colorado, but also for residents of Colorado's eastern slope who also depend upon the river. By accepting those rights into Colorado's instream flow program, the CWCB can help ensure that the Shoshone rights continue to operate for the river as they have for more than a century, so that Coloradans continue to enjoy those benefits even when the hydropower facility itself goes off line as its infrastructure ages.

Please accept the Shoshone flows into CWCB's instream flow program and secure this vital protection for the Colorado River, and the environment and communities that rely upon it.

Sincerely,
William Abshagen
[1845 W 2nd Ave](#)
[Durango, CO 81301](#)

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program

1 message

Wilson Dippo <wilsondippo@gmail.com>
To: viola.bralish@state.co.us

Thu, Aug 28, 2025 at 10:40 PM

*Hi,**My name is Wilson Dippo. I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.**The Colorado River has played a major role in my life. I've rafted and kayaked too many stretches to count. More recently I have started working in the adaptive sport space. The National Ability Center recently acquired a permit to take people with disabilities down multiple sections outside of Moab, Utah. Without guaranteed river flows their impact will be greatly diminished.**I fully recognize that my right to play shouldn't supercede someone's right to drinking water, but once these river rights are lost, they are lost, there is no putting the genie back in the bottle. I hope in 20 years we aren't wondering why we lost access to a precious form of recreation so folks can water their lawn in the front range.**Respectfully,
Wilson Dippo*

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Shoshone Water Rights

1 message

William Retallack <willreta1@gmail.com>

Fri, Aug 29, 2025 at 9:12 AM

To: "viola.bralish@state.co.us" <viola.bralish@state.co.us>

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is William R. Retallack and I am a user of agricultural irrigation through the Palisade Colorado irrigation system. Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

William R. Retallack

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program1 message

Will Sardinsky <will_sardinsky@yahoo.com>

Sun, Aug 31, 2025 at 5:50 PM

To: viola.bralish@state.co.us

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition.

My name is Will Sardinsky, a resident of Eagle county in Carbondale, Colorado. I'm a kayaker, rafter, and also enjoy having water left in the river to keep our ecosystem balanced.

Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Will Sardinsky

https://urldefense.proofpoint.com/v2/url?u=http-3A__www.willsardinsky.com&d=DwlFaQ&c=sdnEM9SRGFuMt5z5w3AhsPNahmNicq64TgF1JwNR0cs&r=FqhkwY5N57b65KQdBikVkZ9EMKh3U1L1ZCW2wwyZCPg&m=IDwGLN9PnkG-pqYutmFYCHGTyrorsA1gxQB0MqlBw3Sscf1X6XJOIFxbS4X5NE_&s=L0vjfGlbMHv-QiJGGeSjP_r3_rRgcokDlesDjrpB7ow&e=

Sent from my iPhone

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment - Please Accept Shoshone Water Rights into ISF Program1 message

wmseth@gmail.com <wmseth@gmail.com>
To: viola.bralish@state.co.us

Mon, Sep 1, 2025 at 11:56 AM

Hello,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition. Over the course of my 48 years of living in Colorado I have observed a dramatic decline in snowpack and rainfall. I have concerns that without regulated water on the Colorado River there is a good chance that it will become a seasonal flow. My name is Wade Seth, I live in Fruita, and my connection to water in Western Colorado is drinking, agriculture and recreation. Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Best Regards,

Wade Seth.

STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Please Accept Shoshone Water Rights into ISF Program

1 message

Wm Ross Williams <wrosswilliams@gmail.com>

Thu, Aug 28, 2025 at 5:24 PM

To: viola.bralish@state.co.us

The Shosone Hydro generating plant is among the most environmentally clean, renewable, and reliable sources of 24/7 power generation in Colorado.

And, it still needs to continue being a bastion of well-used water rights, that downstream squanderers of water have been trying to steal since William Mulholland instigated water piracy all the way up the Colorado River Basin

We MUST fight as hard as possible to preserve Colorado River Water rights.

Another major aspect is that Shoshone generates clean electricity with no emissions or consumptive use of water. This should be adjudicated as sacred rights of the entire indigenous population west of the Continental Divide.

--

William Ross Williams
Direct 303 888 0380
Wrosswilliams@gmail.com
382 1/2 Ridge View Dr.
Grand Junction, CO 81507.



WEST DIVIDE
WATER CONSERVANCY DISTRICT

818 Taughenbaugh Blvd., Suite 101 P.O. Box 1478
Rifle, Colorado 81650-1478
Tel: (970) 625-5461
Web: www.wdwdc.org Email: water@wdwdc.org

July 17, 2025

Colorado Water Conservation Board
c/o Ms. Viola Brash
1313 Sherman Street, Room 718
Denver, CO 80203
Via email: viola.bralish@state.co.us

Re: Public Comment – Support for Instream Flow Acquisition of the Shoshone Water Rights

Dear Members of the Colorado Water Conservation Board:

With this letter, the West Divide Water Conservancy District board of directors shares its unanimous support for the proposed acquisition of the Shoshone Water Rights to the state's Instream Flow Program. We urge the CWCB to accept this once-in-a-lifetime, stabilizing proposal to permanently preserve the historical flow regime of the mainstem of the Colorado River on which water users and the environment on both sides of the Continental Divide depend. West Divide believes the Shoshone water rights will preserve and improve the natural environment of the Shoshone Reach to a reasonable degree and therefore meets the letter and spirit of the instream flow acquisition statute.

The citizens of the West Divide District in central Garfield County voted to create the district in 1964. Today, more than 500 water contract customers rely on our augmentation plans for domestic and irrigation water. Those augmentation plans in turn rely in significant part of the continuous flows in the Colorado River assured by the senior Shoshone water rights.

Additionally, the Shoshone water rights are critical to maintaining compact compliance, fisheries, riparian habitats, and flows for downstream users including the recovery efforts of the four listed fish species. As the Board knows, the Recovery Program is predicated in large part on the flows resulting from continued exercise of the Shoshone water rights. Continued success of the Recovery Program is critical to water users on both sides of the state.

Directors: Samuel B. Potter Kelly Couey Chris Treese Tom Jankovsky Brad Mollman

We urge the CWCB to accept these water rights into the Instream Flow Program and ensure the long-term protection of the Shoshone Water Rights for future generations.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam Potter", written in a cursive style.

Sam Potter, President

cc: The Honorable Marc Catlin
The Honorable Elizabeth Valasco



Promoting the wise use of all natural resources

P.O. Box 837
351 7th Street
Meeker, CO 81641
(970) 878-9838

Colorado Department of Natural Resources
Colorado Water Conservation Board
1313 Sherman Street, Room 718
Denver, CO 80203

July 21, 2025

Dear Members of the Colorado Water Conservation Board,

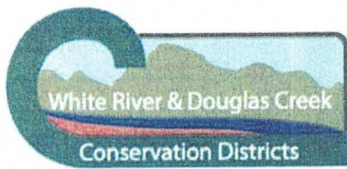
The White River and Douglas Creek Conservation Districts (the Districts) are political subdivisions of the State of Colorado, made up of locally elected officials whose special expertise is to provide leadership in the wise use of the natural resources within the Districts' boundaries. The Districts' authorities, power, and structure are contained in the Colorado Revised Statutes, Title 35, Article 70.

As local governments under Colorado law, the Districts are charged with representing the interests of local landowners in land and natural resource decision-making. In fulfillment of this role, the Districts—alongside Rio Blanco County—developed the **Rio Blanco County Land and Natural Resource Use Plan and Policies (LNRUPP)**. This plan expresses the locally developed policy framework that guides our coordination with state and federal agencies and reflects the values, needs, and priorities of our communities. One of our statutory responsibilities is “to prepare a plan for the care, treatment, and operation of the lands within the district.” (Colo. Rev. Stat. § 35-70-108(1)(k)).

The LNRUPP affirms that local communities must have a strong voice in water policy decisions that affect their long-term economic, environmental, and cultural sustainability. As such, the Districts submit the following comments in strong support of permanently protecting the **Shoshone Water Right**:

- **Downstream Benefits for Agriculture and Livelihoods:** The Shoshone right has ensured consistent, year-round flows in the Colorado River for over a century, helping maintain water availability for downstream users, including agricultural producers in Rio Blanco County. These producers rely on predictable flows for hay production, livestock, and irrigation infrastructure. The LNRUPP prioritizes **sustainable agricultural use of water** and opposes water decisions that threaten long-term land productivity and rural economies (LNRUPP Section 4.12.4).
- **Protecting the White River and Tributary Health:** Though the Shoshone right is not located within Rio Blanco County, decisions affecting its status impact the entire **Yampa-White-Green Basin**, including our tributaries. Maintaining flow stability improves **aquifer recharge, water quality, aquatic habitat**, and local watershed function—directly aligning with the LNRUPP's emphasis on **interconnected watershed health** and coordinated, basin-wide water management (LNRUPP Section 4.13.2).
- **Water Security as Economic Security:** In rural counties like Rio Blanco, water security is a linchpin of economic resilience. The LNRUPP highlights that water use tied to agriculture, energy production, and recreation is critical to maintaining local employment, tax revenue, and infrastructure (LNRUPP Section 4.13.3). The loss of the

Purpose: *To make available technical, financial, and educational resources, whatever their source, and focus or coordinate them so that they meet the needs of the local land manager with conservation of soil, water, and related natural resources.*



Promoting the wise use of all natural resources

P.O. Box 837
351 7th Street
Meeker, CO 81641
(970) 878-9838

Shoshone right would threaten vital operations in the **Piceance Basin**, disrupt energy production, and jeopardize private investments dependent on reliable water access.

- **Opposition to Trans basin Diversions and Out-of-Basin Transfers:** The LNRUPP clearly opposes transmountain and out-of-basin diversions that undermine the long-term viability of local communities and ecosystems. A permanent, non-consumptive Shoshone right ensures that senior water stays in the Western Slope, preventing junior Front Range demands from undermining established, beneficial, and **locally guided water use** (LNRUPP Section 4.13.4).
- **Local Policy Backing for Water Protection:** The LNRUPP states that the Districts: “*oppose any action, lack of action, or permitted use that results in a significant or long-term decrease in water quality or quantity.*” (LNRUPP, Section 4.13.2, p. 88). If the Shoshone right is not protected, Western Slope water users face direct threats to flow reliability, agricultural viability, energy operations, and aquatic species conservation.

Furthermore, the potential loss of this right would reverberate in **Upper and Lower Basin Compact negotiations**. In an already over-allocated system, the stability offered by Shoshone’s senior, non-consumptive status is vital for reducing legal uncertainty and supporting **collaborative, science-based** solutions.

We also underscore the **local financial commitment** to this issue: over \$57 million has been raised by counties, water users, and municipalities to protect the Shoshone Water Right, reflecting widespread, grassroots support.

In closing, we thank the Colorado Water Conservation Board for the opportunity to comment and **strongly urge the Board to permanently protect the Shoshone Water Right**. Doing so aligns with both state goals and locally adopted land and water policies that safeguard the economic, ecological, and cultural health of Rio Blanco County and the broader Western Slope.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Collins".

Chris Collins, President
White River Conservation District

Rosaly Coombs

Rosaly Coombs (Aug 28, 2025 08:17:12 MDT)

Rosaly Coombs, President
Douglas Creek Conservation District

Purpose: *To make available technical, financial, and educational resources, whatever their source, and focus or coordinate them so that they meet the needs of the local land manager with conservation of soil, water, and related natural resources.*

Please Accept Shoshone Water Rights into ISF Program

Thomas Carter

Whitewater Rafting, LLC

2000 Devereux Road

Glenwood Springs, CO, 81601

Thomas@coloradowhitewaterrafting.com (970)945-8477

Aug 30, 2025

Dear Colorado Water Conservation Board,

I'm writing on behalf of Whitewater Rafting, LLC, a rafting company on the Colorado River. Our business—and the jobs of our guides and staff—depend on steady river flows protected by the historic Shoshone water rights.

When flows are reliable, rafting is safe and accessible. Visitors travel from across the country, supporting not only our business but also local hotels, restaurants, and shops. Strong river levels also protect agriculture, fisheries, and the healthy ecosystems that make the Western Slope so unique.

Without Shoshone, reduced flows would shorten our rafting season, force us to let go of staff, and cut deep into the outdoor recreation economy. The ripple effects would be felt by workers, wildlife, and entire communities.

Protecting the Shoshone water rights means protecting Colorado jobs, families, and a way of life on the Western Slope. I urge your agency to keep these rights in place for the sake of the river and the people who depend on it.

Sincerely,

Thomas Carter

Whitewater Rafting, LLC



Viola Bralish, Director Support & Board Coordinator
Colorado Water Conservation Board
1313 Sherman St., Room 718, Denver, CO, 80203

29 August 2025

Dear Viola,

The Shoshone Water Rights purchase between the Colorado River District and Xcel Energy is a historic opportunity to permanently guarantee considerable in-stream flows within the upper Colorado River. This Purchase and Sale Agreement (PSA) will support ecological, economic, and sociocultural elements through long-term water resource planning.

The Western Slope Conservation Center (WSCC) supports the inclusion of the Shoshone Water Rights through Colorado's Instream Flow Program (IFP) and urges the Colorado Water Conservation Board to accept the proposed acquisition. The guarantee of permanent in-stream flows within the upper Colorado River aligns with WSCC's mission to enhance the lands, air, water, and wildlife of the Western Slope and to steward resilient ecological systems, where water management, agricultural practices, and recreation opportunities allow people and the environment to flourish. As such, please accept these flows into Colorado's IFP and secure this indispensable protection for the Colorado River, the people, and wildlife that depend on its continual flow.

The securement of the largest nonconsumptive and senior water rights on the Colorado River will support communities in western Colorado while also providing benefits to all Coloradans through the integrated water management partnerships being developed to effectively steward this vital natural resource. Improving the ecological health and resilience of the Colorado River basin through innovative partnerships such as this one is vital to the future well-being and sustainability of all arid west communities dependent on this river corridor system.

WSCC emphasizes the significance of this PSA as a crucial step in safeguarding in-stream flows on the Colorado River, which will support efforts such as the Upper Colorado River Endangered Fish Recovery Program and federal compliance with the Endangered Species Act, while also bolstering agricultural, recreational, and municipal undertakings downstream.

Thank you for your time, consideration, and commitment to preserving essential in-stream flows of the Colorado River.

Sincerely,

Hannah Stevens
Executive Director



STATE OF
COLORADO

Bralish - DNR, Viola <viola.bralish@state.co.us>

Public Comment – Please Accept Shoshone Water Rights into ISF Program

1 message

Zoe V. <zoevolpa@gmail.com>
To: viola.bralish@state.co.us

Sat, Aug 30, 2025 at 8:27 PM

Dear Colorado Water Conservation Board,

I support the inclusion of the Shoshone Water Rights through the State's Instream Flow Program and urge the CWCB to accept the proposed acquisition. My name is Zoe Volpa and I was born and raised in Fort Collins. I grew up visiting the Western slope and enjoying the natural beauty that it offers. Please accept these flows into the State's Instream Flow Program and secure this vital protection for the Colorado River, and communities that rely on it.

Thank you,

Zoe Volpa



September 9, 2025

The Colorado Water Conservation Board
Attn: Ms. Viola Bralish, Board Coordinator
1313 Sherman St., Room 718
Denver, Colorado 80203

RE: Public Comment on Shoshone Water Right ISF Agreement(s)

Dear Colorado Water Conservation Board,

On behalf of Greeley of Greeley Water Utilities, I write in support of the proposed acquisition by the Colorado Water Conservation Board ("CWCB") of an interest in the Shoshone Hydropower Water Rights for instream flow use on the Colorado River. The water resources from the Upper Colorado River play a very important role in Greeley's municipal water supply portfolio and they are an essential resource that supplements South Platte mainstem and tributary resources to generate a robust food and fiber economy in Weld County and beyond. The City of Greeley is a vested stakeholder in Upper Colorado River water through a couple of long-standing investments in the Colorado-Big Thompson and Windy Gap projects, and a portfolio of irrigation company shares that contain Grand Ditch water resources that work as an integrated portfolio of water resources to meet the needs of Greeley, its residents and our value added industrial users. Greeley's public comments herein are rooted in the fact that Shoshone Water Rights are an important and consequential water right throughout the state, including to water users and communities in Weld County and the South Platte River Basin.

Greeley's Water & Sewer Utilities Board and staff aim to be well informed, engaged and effective collaborators on intrastate and interstate Colorado River issues. While we support the proposed acquisition and change of use for the Shoshone rights to facilitate instream flow use, our support is predicated on a fair and representative assessment of the historical use period of record, and terms of agreement that generate benefit for all Coloradoans. To maintain the status quo administration for water users within Colorado, the instream flow agreement and change decree should accurately reflect the historic flow regime and DWR administration on the River. The long-standing administration and operational agreements around Shoshone have been beneficial for Front Range and Western Slope water users, and that status quo operation supports Colorado's stewardship and maximization of benefit from the River's water resources within the framework provided for under the 1922 compact. Greeley strongly recommends that CWCB only move forward with an instream flow agreement that prioritizes and protects communities, agriculture, recreation and environmental interests on both the West and East slopes of Colorado.

The Colorado River District ("River District") and Public Service Company of Colorado ("PSCo") indicate that they have proposed to maintain the water rights administration status quo. However, the proposed methodology for determining the historical use of the Shoshone Water

Rights will, in our professional opinion, likely result in an expansion of historic use. Most water interests have become aware of the Shoshone powerplant's operational challenges and less than full operations over the decades. Sound cooperative operating agreements have been built around actual water use in the current period of record, so to claim the full decreed rights, year round, would lead to a real expansion of use and thereby have water rights administration impacts to various tributary river system on both sides of the divide. As the CWCB Board weighs their role and duties in advance of entering into the proposed Agreement, we ask for their thoughtful consideration of the equity for water user communities who have come to rely upon agreements and status quo protective policies. Further, we ask that CWCB staff and Board consider and document how the proposed agreement and acquisition conform to CWCB ISF Rule 6e.

Lastly, the Shoshone Outage Protocol Agreement dated June 27, 2016 ("ShOP Agreement") reflected a real compromise among major transmountain diverters and Western Slope entities. The ShOP Agreement established a "virtual call" for water rights administrative purposes that has guided the agreed upon status quo administration. The ShOP Agreement was suitable for all parties at the time and widely considered to strike a fair balance between diversion for storage and maintenance of flows. The acquisition of an interest in the Shoshone Water Rights by CWCB and subsequent water court filing should better reflect the regime maintained by the ShOP Agreement. As we go forward, we conjecture that what is best for all Coloradoans and for Greeley is something that looks a lot like the last 30 years of water rights administration that sought to make a shared best use of the finite Colorado River water resources that we need and value on both sides of the divide.

The City of Greeley and our Northeast Colorado agricultural neighbors have a great respect for the value of upper Colorado River water and our ancestral connection to Delph Carpenter and the wisdom applied to the Colorado River's framework for administration. Greeley authentically appreciates the value and resiliency that upper Colorado River supplies add to our community, our regional agricultural production, and environmental and recreational non-consumptive uses. Greeley encourages agreements that maintain water administration that is consistent with the past 30 years status quo and protective of the related benefits realized by all parties. Please hear and understand that Greeley advocates herein as a proactive water utility with certain vested rights, as a Colorado community and as a regional hub of robust agriculture; and we not advocating for more water than historically received from upper Colorado River rights, but we are asking that the proposed agreements and decree not leave us with a less reliable water supply or cause stranded investments in water utility infrastructure. Accordingly, Greeley strongly urges CWCB to reevaluate the historical use analysis proposed by the River District and amend the currently proposed Draft Dedication and ISF Agreement to reflect a reasonable historic use analysis prior to approving the acquisition of an interest in the Shoshone Water Rights.

Sincerely,



Sean Chambers

Director of Water and Sewer

cc: Mr. Raymond Lee III, City Manager, City of Greeley

Mr. Harold Evans, PE, Chair of Greeley Water & Sewer Utilities Board

Ms. Leah Hubbard, Deputy Director of Water Resources, City of Greeley