

STATE OF COLORADO

EXECUTIVE CHAMBERS

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Roy Romer
Governor

EXECUTIVE ORDER

COLORADO RIVER MATTERS

- WHEREAS, Colorado's legal entitlement to water from the Colorado River system is established under a series of compacts and statutes known as the "Law of the River" which include the 1922 Colorado River Compact, the 1948 Upper Colorado River Basin Compact, and the 1944 Water Treaty with Mexico;
- WHEREAS, the Law of the River perpetually sets apart and withholds for the benefit of Colorado the right to use the water of the Colorado River system within Colorado for present and future generations;
- WHEREAS, in the next few years, it is anticipated that the lower basin states of California, Nevada, and Arizona will for the first time in the history of the Colorado River Compact exceed consumption of water from the Colorado River beyond the 7.5 million acre feet allocated to the Lower Basin under the Colorado River Compact;
- WHEREAS, the Bureau of Reclamation is conducting a series of technical studies entitled, "Colorado River Operation and Planning Studies," to evaluate alternative operational scenarios for the Colorado River;
- WHEREAS, the Bureau of Reclamation is conducting a five-year review of the criteria for coordinated long-range operation of Colorado River reservoirs, and the Bureau is consulting with the seven basin states;
- WHEREAS, the implementation of federal laws may affect the operation of the Colorado River reservoirs and the development and use of the waters of the Colorado River System;
- WHEREAS, the lower basin states have been meeting to develop proposals to address their long-term and short-term future water needs and have presented proposals to the upper basin states for consideration;

the Colorado River Basin have been engaged in ongoing discussions concerning these issues between themselves and through the workgroup on Colorado River Reservoir Operations established by the Bureau of Reclamation.

WHEREAS, the State of Colorado must assure that it is prepared to meet these current and imminent challenges;

WHEREAS, the State of Colorado must have a strategic and coordinated approach to resolving these issues for the best interest of current and future generations of Coloradans;

WHEREAS, the Colorado Water Conservation Board exercises authority and oversees programs on certain interstate and intrastate matters on the Colorado River;

WHEREAS, the Colorado Division of Water Resources and State Engineer exercise authority over the administration of the use of water within Colorado, including administration of water rights in Colorado to assure compliance with interstate compacts; and

WHEREAS, the Executive Director of the Department of Natural Resources has specific statutory responsibilities over Colorado's natural resources and administrative responsibility over the divisions in the Department of Natural Resources.

NOW THEREFORE, I, Roy Romer, Governor of Colorado, by the authority vested in me by the Constitution of the State of Colorado including Article IV, Sections 1 through 22, and the laws of the State of Colorado including Colorado Revised Statutes, Section 37-60-109, and Articles V and VI of the Colorado River Compact (Colorado Revised Statutes, Section 37-61-101), do hereby direct and order the following:

1. The Executive Director of the Department of Natural Resources or his designee shall supervise and direct the efforts outlined in this Executive Order, and act on my behalf as needed and appropriate, on Colorado River matters.
2. The Colorado Water Conservation Board shall have final authority on interstate matters on the Colorado River, subject only to approval by the Governor and the General Assembly as required by law.
3. The State Engineer shall coordinate with the Executive Director of the Department of Natural Resources, the Colorado Water Conservation Board, and the Colorado River


Commissioner in undertaking those activities specified in Article V of the Colorado River Compact.

4. A person or persons, well versed in Colorado River matters, shall be appointed to serve at the pleasure of the Governor as Colorado's Commissioner on discussions concerning those matters specified in Article VI of the Colorado River Compact and in Colorado Revised Statutes, Section 37-60-109, as Colorado's Commissioner on the Upper Colorado River Commission under Article VIII of the Upper Colorado River Compact, and as Colorado's representative on the Bureau of Reclamation Task Force on Colorado River Reservoir Operations. Compensation shall be fixed by the Governor. Staff of the Colorado Water Conservation Board and Division of Water Resources will work with the Commissioner as needed, under the coordination of the Executive Director of the Department of Natural Resources.
5. A Colorado River Policy Advisory Council is hereby established to help the State of Colorado develop Colorado's position on interstate issues on the Colorado River. The Council shall provide advice and guidance to the Colorado Water Conservation Board, the Colorado River Commissioner appointed under paragraph 4, above, the General Assembly, the Executive Director of the Department of Natural Resources, and the Governor on Colorado's position and response to positions from other states or the United States on the Colorado River. The Council shall be convened as often as necessary by the Colorado River Commissioner, shall be chaired by the chairperson of the Colorado Water Conservation Board, and shall consist of the following:
 - a. one representative of the Colorado River Water Conservation District;
 - b. one representative of the Southwestern Colorado Water Conservation District;
 - c. one representative of the Southeastern Colorado Water Conservancy District;
 - d. one representative of the Northern Colorado Water Conservancy District;
 - e. one representative of the Denver Board of Water Commissioners;
 - f. one representative of the Front Range Water Authority;
 - g. one representative of the City of Aurora;
 - h. one representative of the City of Colorado Springs;

- i. one representative of the Ute Mountain Ute Tribe;
 - j. one representative of the Southern Ute Tribe;
 - k. one representative of Arapahoe County;
 - l. one representative of the Gunnison-Uncompahgre basin;
 - m. two representatives from the Colorado Environmental Caucus;
 - n. the Colorado State Engineer; and
 - o. the Director of the Colorado Water Conservation Board.
6. A Colorado River Decision Support System Advisory Committee is hereby created and shall provide advice and guidance regarding development of the database and analytical tools needed to support decisions made by the state of Colorado on the Colorado River, as requested by the Executive Director of the Colorado Department of Natural Resources, the Colorado Water Conservation Board, the Colorado State Engineer, and the Colorado River Commissioner. The Committee shall consist of technical representatives designated by members of the Colorado River Policy Advisory Council established in this Executive Order. The Executive Director of the Colorado Department of Natural Resources may make additional appointments to this Committee as needed. The Committee shall be chaired by a person selected by the Colorado Water Conservation Board.
7. The Executive Director of the Department of Natural Resources and the Colorado River Commissioner appointed pursuant to paragraph 4 shall report to me in writing on a regular basis on the status of Colorado River matters.
8. This Executive Order shall expire on January 1, 1995, unless otherwise extended by executive order, and amends and supercedes Executive Order D0015 92 dated June 11, 1992.



Given under my hand
and the Executive Seal
of the State of
Colorado, the 7
of July, 1992.


Roy Romer
Governor