# Interbasin Compact Committee Annual Report

## To the House of Representatives Committee on Agriculture, Livestock, and Natural Resources and the Senate Committee on Agriculture, Natural Resources, and Energy

October 31, 2006

CDM

# Interbasin Compact Committee Annual Report

## Executive Summary

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# Executive Summary

The dialogue on water in Colorado has changed. In 2005, the Colorado Water for the 21st Century Act (the Act) created a collaborative process as a new approach to addressing our water needs. Since that historic beginning nine Basin Roundtables have formed and began the process of building a basin vision. The statewide Interbasin Compact Committee (IBCC) has brought 27 people together from different perspectives and different parts of the state to begin developing a framework for interbasin water negotiations.

This report documents the activities of the IBCC and Basin Roundtables since the inception of the Interbasin Compact process, and fulfills the requirement of C.R.S 37-75-105(4) to report to the House of Representatives Committee on Agriculture, Livestock, and Natural Resources and the Senate Committee on Agriculture, Natural Resources, and Energy on the status of compact negotiations by October 31st of each year.

The Act established nine separate Basin Roundtables, shown in Figure ES-1; one for each of the state's eight major river basins, and a "Metro Roundtable" for the Denver metropolitan area. Basin Roundtables are permanent structures set up to facilitate discussions on water management issues and to encourage locally driven collaborative solutions.

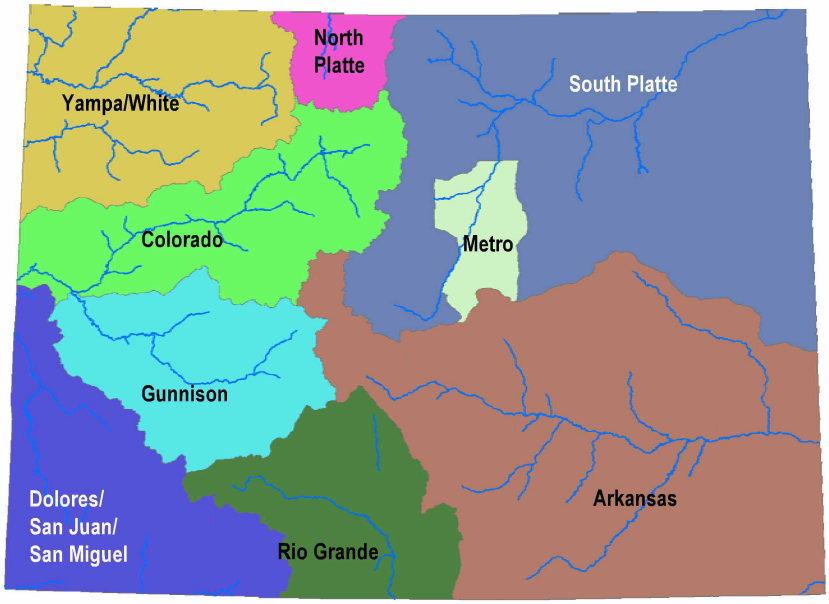



*Figure ES-1*
*The Nine Basin Roundtables*

The Basin Roundtables were immediately tasked with developing by-laws and goals and objectives. Reflecting the grassroots nature of the Interbasin Compact process, each Basin Roundtable established its own by-laws, elected its own leaders, and set its own meeting schedule. Many Basin Roundtables used the by-law formation process to outline goals and objectives for their roundtable and to begin discussions of a vision for their basin.

One of the most important procedural responsibilities of each Basin Roundtable is to select two members of the IBCC. By December of 2005 all nine roundtables had appointed their two IBCC representatives, allowing the IBCC to have its first meeting in early 2006.

With over 100 Basin Roundtable meetings, participation has remained high. The Arkansas Basin Roundtable covers the largest geographic region and has consistently had over 35 of its 53 members in attendance. The Gunnison Basin Roundtable has continually had between 25 and 30 of its 33 members in attendance. Overall participation by roundtable members has consistently been around 70 percent participation with a high of 91 percent participation in April 2006.

The Basin Roundtables were also tasked with educating themselves on water-related issues statewide and within their basin. Basin Roundtables have had presentations on different topic areas (the prior appropriation doctrine, interstate compacts, water administration, groundwater resources, etc.) and on different geographic locations (issues in the Upper Gunnison, issues in the White River Basin, etc.). Section 2 details the educational activities of each Basin Roundtable.

The Act assigned a major task to the Basin Roundtables: the development of a basin-wide water needs assessment (C.R.S 37-75-104(2)(c). In developing their needs assessments, the General Assembly asked the Basin Roundtables to use SWSI and other appropriate sources, and to work in cooperation with local governments, area water providers, and other stakeholders. To begin the needs assessment process, Colorado Water Conservation Board and those involved in SWSI provided briefings

and presentations to help roundtable members understand SWSI. A Water Supply and Needs Report based on SWSI has been produced for each Basin Roundtable, summarizing and compiling all of the information in SWSI relevant to that basin.

In addition to nine Basin Roundtables, the Act created the IBCC, a 27-member committee established to facilitate conversations between basins and to address statewide issues. The IBCC is built out of the Basin Roundtables and will bring the issues of each Basin Roundtable to a statewide forum. The first major task undertaken by the IBCC was the development of a Charter to "govern and guide all negotiations between Basin Roundtables." On April 5, 2006, the IBCC adopted a Charter fulfilling its obligation in C.R.S. 37-75-105. The IBCC referred the Interbasin Compact Charter to the Colorado General Assembly on April 6, 2006, and the Charter was approved through HB 06-1400.

On June 30, 2006, the IBCC approved a set of Bylaws governing its actions, and outlining its decision-making process.

During 2006, the IBCC balanced the need to meet procedural milestones, such as the creation of a Charter, Bylaws, and development of Water Supply Reserve Account Criteria and Guidelines, with the need to fully discuss the roles and purpose of the committee and create a vision for the IBCC in the months and years to come. Throughout the year the IBCC brainstormed topics and issues it would like to address. These are outlined in Appendix J.

Each Basin Roundtable is progressing at its own appropriate pace and addressing the issues they deem most pressing. However, all Basin Roundtables will predominately spend their time in the upcoming year on three issues with varying emphasis from roundtable to roundtable. These anticipated activities for 2007 include:

- Continued Basin Roundtable education, including educational presentations on issues of concern within the basin, future water uses, and issues that impact neighboring basins or Colorado as a whole;
- Work on their basin-wide water needs assessments, including drafting requests for assistance from the needs assessment contractor selected by the IBCC to fill in gaps in available information; and
- Examining proposed solutions to their identified water challenges, and making full use of the funds allocated under SB 06-179 to begin addressing their water needs.

Table ES-1, on the following page, summarizes the accomplishments of the Basin Roundtables and the IBCC.

**Table ES-1 Basin Roundtable and IBCC Accomplishments for 2005 - 2006**

| Basin Roundtables |
|---|
| *Procedural*<br>▪ Nine Basin Roundtables fully-formed with elected leadership, IBCC representatives and adopted bylaws;<br>▪ 298 voting Basin Roundtable members, 27 non-voting Basin Roundtable members, and 10 state and federal liaison agencies actively participating;<br>▪ 106 Basin Roundtable Meetings held between August 2005 and October 31, 2006.<br>▪ Basin Roundtable participation has consistently be around 70 percent;<br>▪ All Basin Roundtables set their own specific meeting schedule, with most of the Basin Roundtables meeting monthly. |
| *Educational*<br>▪ Each Basin Roundtable member was provided with basic water education material complied by the Colorado Foundation for Water Education;<br>▪ Over 70 water-related presentations delivered to the Basin Roundtables statewide;<br>▪ Basin Roundtable members have provided feedback on the IBCC Public Education, Participation, and Outreach Working Group's strategic planning efforts. |
| *Basin-wide Water Needs Assessments*<br>▪ A Water Supply and Needs Report was prepared for each Basin Roundtable utilizing information contained within the SWSI Report;<br>▪ Most of the Basin Roundtables have either formally adopted or are utilizing their Water Supply and Needs Report as their working needs assessment;<br>▪ A team of consulting firms is under contract with the State for $600,000 annually to provide technical assistance to the Basin Roundtables. The Basin Roundtables will direct the use of this contract by submitting task orders to the consulting team to further develop their needs assessment;<br>▪ Four Basin Roundtables have already submitted one or more task orders;<br>▪ CSU sponsored a conference in October 2006 to explore how Colorado's research and academic community can assist the Basin Roundtables with their needs assessments. |
| *Proposed Projects or Methods and the Water Supply Reserve Account*<br>▪ All Basin Roundtables provided input in the development of the Water Supply Reserve Account (Senate Bill 06-179) Criteria and Guidelines, which were subsequently adopted;<br>▪ All Basin Roundtables are evaluating proposed water activities to be funded out of the Water Supply Reserve Account. |
| **IBCC** |
| *Procedural*<br>▪ On April 5, 2006, the IBCC established a Charter fulfilling its obligation in C.R.S. 37-75-105. The IBCC referred the Interbasin Compact Charter to the Colorado General Assembly on April 6, 2006, and the Charter was approved through House Bill 06-1400;<br>▪ On July 30, 2006, the IBCC approved a set of bylaws governing its actions, fulfilling its obligation in C.R.S. 37-75-105(1)(b);<br>▪ The IBCC established a Public Education, Participation, and Outreach Working Group, fulfilling its obligation in C.R.S. 37-75-106;<br>▪ The IBCC established two additional working groups: a Needs Assessment Working Group and a Criteria and Guidelines Working Group;<br>▪ On October 18, 2006, the IBCC approved Criteria and Guidelines for the Water Supply Reserve Account;<br>▪ The IBCC held eight meetings in five different cities throughout the state. |
| *Educational*<br>▪ Appendix G outlines the activities of the IBCC Public Education, Participation, and Outreach Working Group;<br>▪ The IBCC has received presentations on issues in the Arkansas, Rio Grande, and Yampa/White/Green Basins;<br>▪ The IBCC has received information on non-consumptive water needs throughout the state, including the SWSI Phase II Environmental and Recreational Technical Roundtable and a presentation by Ms. Melinda Kassen, the environmental and recreational representative on the IBCC. |
| *Basin-wide Water Needs Assessments*<br>▪ The IBCC Needs Assessment Working Group participated in the selection of a consulting team to provide technical assistance to the Basin Roundtables;<br>▪ The IBCC is encouraging the development of a common technical platform. |
| *Water Supply Reserve Account*<br>▪ The IBCC and CWCB jointly established Criteria and Guidelines for the Water Supply Reserve Account, which provides $40 million over the next four years to be invested in water activities. The Criteria and Guidelines are included in Appendix F;<br>▪ The Criteria and Guidelines reserve $1 million for each Basin Roundtable in a Basin Account; the remaining $31 million is available on a statewide competitive basis;<br>▪ Allocations from either the Basin Account or the Statewide Account require approval of the local Basin Roundtable;<br>▪ The allocations from this account will be available in January 2007. Allocations from the Basin Accounts may be made at any of the bi-monthly CWCB meetings. Allocations from the Statewide Account may be made in March and September. |

# Section 1
# Report from the Director of Compact Negotiations

The dialogue on water in Colorado has changed. In 2005, the Colorado Water for the 21st Century Act (the Act) created a collaborative process as a new approach to addressing our water needs.

Historical water-use patterns have caught up with our choices of where we live and work. Increasingly, communities have outgrown available water supplies. This predicament was created over time and will continue to become more dramatic as Colorado's population continues to grow and its water uses and needs change. To correct this problem by moving water from place-to-place without regard for the communities, economies, and the environment does not recognize the value and importance of water in all parts of Colorado.

Solutions to our water problems in the past, and far too often, have been viewed as creating winners and losers. However, this need not be the case. There is no question that compromise is in order and will be necessary to accommodate the many competing water uses in Colorado – but it does not mean we are dealing with a zero sum proposition. This is the backdrop behind the collaborative process created by the Act. This initiative, also called the Interbasin Compact Process, is based upon the premise that Coloradans must work together to address the water needs within our entire state.

In order to foster this cooperation, the Act sets up a framework that provides a permanent forum for broad-based water discussions. It created two new structures: 1) nine independent Basin Roundtables; and 2) The Interbasin Compact Committee (IBCC), a statewide committee that addresses issues between basins. The process initiated by the Act encourages Coloradans to face our water challenges. It broadens the range of stakeholders who actively participate in the state's water decisions, and it creates a locally-driven process where the decision-making power is exactly where it should be – in the hands of those living throughout the state's river basins.

This report to the legislature documents the activities of the Interbasin Compact process since the passage of the Act. It discusses the formation of the nine Basin Roundtables and the IBCC, summarizes IBCC and Basin Roundtable accomplishments, reviews the implementation of Senate Bill (SB) 06-179 and House Bill (HB) 06-1400, and outlines future plans for the Interbasin Compact process.

The Interbasin Compact process is experiencing resounding success thanks to over 300 Coloradans volunteering their time, energy, and creative thought to addressing our water challenges. As this process continues, we want to thank the General Assembly for honoring the work of these citizens by providing the framework and resources necessary to have a robust and productive grassroots decision-making process.

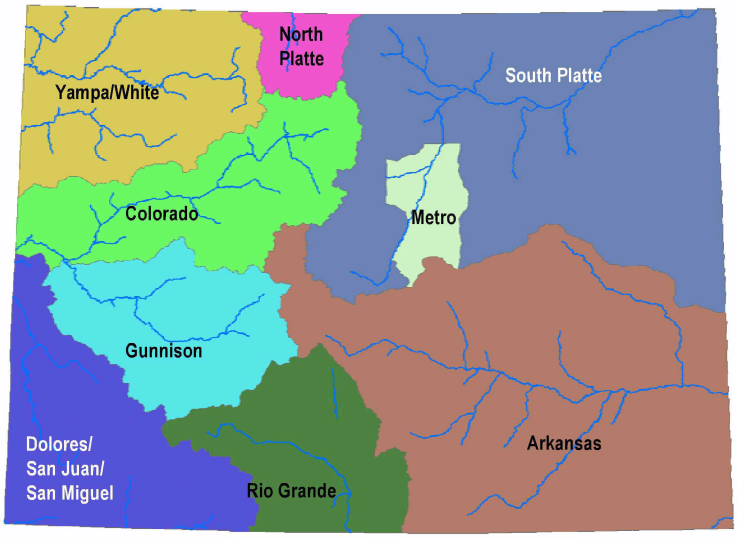



*Figure 1-1*
*The Nine Basin Roundtables*

## 1.1 Formation of Basin Roundtables and Basin Roundtable Membership

The Act established nine separate Basin Roundtables, shown in Figure 1-1. There is one for each of the state's eight major river basins, and a "Metro Roundtable" for the Denver metropolitan area.

The nine Basin Roundtables are:

- Arkansas Basin
- Colorado Basin
- Dolores/San Juan/San Miguel Basin
- Gunnison Basin
- Metro
- North Platte Basin
- Rio Grande Basin
- South Platte Basin
- Yampa/White Basin

The Dolores/San Juan/San Miguel Basin Roundtable has elected to call themselves the Southwest Basin Roundtable and the Yampa/White Basin Roundtable has elected to call themselves the Yampa/White/Green Basin Roundtable.

**Table 1-1 Basin Roundtable Membership**

| **Designated Members** |
|---|
| One member appointed by each *county* within the Basin Roundtable's boundaries |
| One member appointed jointly by all the *municipalities* within any county in the Basin Roundtable's boundaries |
| One member appointed by each water conservancy and water conservation *districts* within the Basin Roundtable's boundaries |
| One member appointed jointly by the chairpersons of the Colorado *House and Senate* Ag. Committees |
| **10 At-Large Members** (appointed by the designated members in consultation with the Director of compact negotiations) |
| One representing *agricultural* interests |
| One representing *recreational* interests |
| One representing local, domestic *water providers* |
| One representing *industrial* interests |
| One representing *environmental* interests – Selected from eligible candidates representing established Colorado environmental organizations |
| At least five of the ten at-large Basin Roundtable members must own water rights or have a contract for federal water |
| **Non-Voting Members** (appointed by the full Basin Roundtable membership) |
| Three non-voting members who must own water rights or have a contract for federal water to represent out-of-basin water interests within the Basin Roundtable's boundaries<br>*--Or--*<br>If no one qualifies, representatives that have interests in and are knowledgeable about water matters |
| **Colorado Water Conservation Board (CWCB)** |
| The CWCB member from the basin will serve as the liaison between the Basin Roundtable and the CWCB |

## 1.1.1 Basin Roundtable Membership

Basin Roundtables are permanent structures set up to facilitate discussions on water management issues and to encourage locally driven collaborative solutions. Basin Roundtable membership reflects the broad-based, collaborative nature of the Colorado Water for the 21st Century process. The Basin Roundtables are made up of a set of "designated members," 10 "at-large" members, and non-voting members as shown in Table 1-1. A list of individuals serving on the nine Basin Roundtables throughout Colorado is included in Appendix A.

The first step in forming the Basin Roundtables was to assemble all of the designated members so that they could select their 10 additional at-large members. During August through October of 2005, Basin Roundtables held meetings throughout the state, individuals expressed interest in serving on the Basin Roundtables, and a democratic process with competitive elections resulted in the formation of all nine Basin Roundtables.

The Basin Roundtables bring 298 citizens into water discussions across the state. The diversity of Basin Roundtable membership broadens the range of stakeholders who are actively participating in Colorado's water decisions, and creates a locally-driven process. Table 1-2 shows the number of voting members in each Basin Roundtable. While the number of members differs among the Basin Roundtables, Basin Roundtable membership ensures full representation of all stakeholders and the general public.

**Table 1-2 Basin Roundtable Voting Members**

| Basin Roundtable | Total Voting Members |
|---|---|
| Arkansas | 53 |
| Colorado | 34 |
| Dolores/San Juan/San Miguel (Southwest) | 34 (including 2 Tribes) |
| Gunnison | 32 |
| Metro | 27 |
| North Platte | 16 |
| Rio Grande | 29 |
| South Platte | 51 |
| Yampa/White (Yampa/White/Green) | 22 |
| **Total** | 298 |

**Table 1-3 Basin Roundtable Meeting Attendance[1]**

| Basin Roundtable | Sep-06 | Aug-06 | Jul-06 | Jun-06 | May-06 | Apr-06 | Mar-06 | Feb-06 |
|---|---|---|---|---|---|---|---|---|
| Arkansas | 36 | 37 | 29 | 38 | 29 | 43 | 38 | 39 |
| Colorado | 36 | 20 | 33 | 34 | 31 | 31 | 42 | 40 |
| Dolores/San Juan/San Miguel | | | | 16 | | | | |
| Gunnison | 27 | 30 | 27 | 22 | 28 | 27 | 25 | 27 |
| Metro | 26 | 25 | 19 | 11 | 24 | 27 | | 25 |
| North Platte | 18 | 16 | 13 | 21 | | 18 | | 13 |
| Rio Grande | 19 | 22 | | 16 | 26 | | 20 | 25 |
| South Platte | 31 | 38 | 23 | 20 | 34 | | 33 | |
| Yampa/White | | | 18 | | | 22 | | 17 |
| Basin Roundtable Total | 193 | 188 | 162 | 178 | 172 | 168 | 158 | 186 |
| **Total Available Participants** | **242** | **242** | **235** | **276** | **227** | **184** | **201** | **214** |
| **Percent Participation** | **79.8%** | **77.7%** | **68.9%** | **64.5%** | **75.8%** | **91.3%** | **78.6%** | **86.9%** |

[1] Red shading indicates no meeting; gray shading indicates no data available

## 1.2 Accomplishments of Basin Roundtables

### 1.2.1 Bylaws, Operating Procedures, Goals, Objectives, and Leadership Structure

With the Basin Roundtables fully formed, their attention turned to their procedural responsibilities. Reflecting the grassroots nature of the Interbasin Compact process, each Basin Roundtable established its own by-laws, elected its own leaders, and set its own meeting schedule. Many Basin Roundtables used the by-law formation process to outline goals and objectives for their Basin Roundtable and to begin discussions of a vision for their basin.

One of the most important procedural responsibilities of each Basin Roundtable was to select two members of the IBCC. By December of 2005 all nine Basin Roundtables had appointed their two IBCC representatives allowing the IBCC to have its first meeting in early 2006.

### 1.2.2 Basin Roundtable Meetings, Attendance, and Participation

The Interbasin Compact process has created a robust and productive dialogue on Colorado's water challenges. Between August 2005 and October 31, 2006, 106 Basin Roundtable meetings were held throughout the State of Colorado; 298 citizens had the opportunity to participate in these meetings as appointed Basin Roundtable members; 27 individuals participated in Basin Roundtable meetings outside of their basin as non-voting members, bringing a cross-basin perspective to the process; and 10 state and federal agencies regularly sent liaisons to the meetings creating lines of communication between government entities and the Basin Roundtables.

With over 100 Basin Roundtable meetings over the past fifteen months, participation not only began high, but has remained high. The Arkansas Basin Roundtable covers the largest geographic region and has consistently had over 35 of its 53 members in attendance. The Gunnison Basin Roundtable has continually had between 25 and 30 of its 33 members in attendance. Overall participation by Basin Roundtable members has consistently been around 70 percent participation with a high of 91 percent participation in April 2006. Trends in Basin Roundtable participation are shown in Table 1-3.

### 1.2.3 Basin Roundtable Educational Accomplishments

Many Basin Roundtables have embarked upon an aggressive education agenda. For some Basin Roundtables, the Interbasin Compact process has provided the first opportunity for all water stakeholders in the basin to come together in one room. For other Basin Roundtables, this process has involved individuals that have not been part of Colorado's traditional water discussions. For these reasons Basin Roundtables felt it

important to educate themselves about water issues in their basin. Basin Roundtables have had presentations on different topic areas (the prior appropriation doctrine, interstate compacts, water administration, groundwater resources, etc.) and on different geographic locations (issues in the Upper Gunnison, issues in the White River Basin, etc.). The Rio Grande Basin Roundtable held one of their meetings in conjunction with a conservation workshop, offered a field trip to an important local reservoir, and had a member assemble a chronology of water management in the San Luis Valley. The South Platte Basin Roundtable has had a series of small group discussions on issues and potential solutions in different parts of the South Platte River Basin. In the words of one Basin Roundtable member, "this beneficial process has led to Basin Roundtable members' active engagement with one another in a meaningful way that is progressing towards a better understanding of the issues throughout our basin."

The following is a representative sample of Basin Roundtable educational activities.

### Arkansas

- Statewide Water Supply Initiative (SWSI): three separate presentations including a SWSI overview, detailed information on the Arkansas Basin, and SWSI Phase II
- Economics of Irrigated Agriculture – Dr. James Pritchett, Colorado State University (CSU)
- Water Administration in the Arkansas Basin and Salvaged Water – Mr. Steve Witte, Division of Water Resources (DWR)
- Aquifer Storage and SB06-193 – Mr. Ralf Topper, Colorado Geological Survey (CGS)

### Colorado

- SWSI: SWSI Overview, Detailed information on the Colorado Basin, and SWSI Phase II
- Rural Resort Region 2005 Benchmark Report – North West Colorado Council of Governments (NWCCOG)
- Colorado's Irrigated Agriculture – Dr. James Pritchett, (CSU)
- Colorado's Irrigated Agriculture-Economic Activity and Future Prospects – Dr. James Pritchett, CSU.
- Use of Tree Rings to assess long term yield of the Colorado River System – Dr. Connie Woodhouse
- Roaring Fork Stream Assessment – Mr. Mark Fuller
- Presentation on Grand Junction Lakes Project – Mr. Jim Carter, Harley Jackson, et al.
- Presentation on Green Mountain Reservoir Pumpback/Wolcott Reservoir Project – Mr. Jim Pearce, Colorado River Water Conservation District
- Colorado River Compact – Mr. Scott Balcomb
- Colorado Foundation for Water Education – Ms. Karla Brown
- Presentation on UPCO Study – Mr. Lane Wyatt
- Presentation on Grand Valley Issues – Mr. Dick Proctor
- CSU Extension Services: Presentation of Services Available – Mr. Rod Sharp
- Water White Paper – Presentation by Dr. Lyn Kathlene, CSU
- Brief Overview of Status of Colorado River Basin Proposal – Merritt, Cazier, Sackbauer, Long, Curran, Bates
- Overview of Colorado Water for the 21st Century Act – Mr. Russell George

### Southwest

- SWSI: SWSI overview with focus on Dolores, San Miguel, San Juan and tributary basins
- Sub-basin reports: San Juan/Piedra (Carrie Campbell), Pine River
- CSU Extension Services: Presentation of Services Available – Mr. Dan Fernandez
- Overview of Colorado Water for the 21st Century Act – Mr. Russell George

### Gunnison

- SWSI: SWSI overview (Mr. Rick Brown) and separate presentation focusing on Gunnison Basin issues (Mr. David Kanzer, Colorado River Water Conservancy District and Mr. Kelly DiNatale, CDM)
- The Colorado River Endangered Fish Recovery Program – Mr. Tom Pitts
- History of the Upper Gunnison Basin and the Upper Gunnison River Water Conservation District (UGRWCD), Water needs and supplies in the Upper Basin and challenges faced by the Upper Basin: Upper Gunnison River Water Conservancy District.
- Video: 'The Hatch'

- Grand Mesa Storage Project – Mr. Bud Burgess and Mr. Thomas Heurkamp
- Gunnison Basin Legal Issues – Mr. John McClow
- Black Canyon Video – 18 minute video on the water issues surrounding the Black Canyon of the Gunnison
- Bureau of Reclamation – Aspinall Unit / EIS
- 'Basics of Colorado River Law', 'Colorado's Water Use', and 'Policy Issues and Questions': Mr. Eric Kuhn, Colorado River Water Conservation District
- CSU Extension Services: Presentation of Services Available – Mr. Wayne Cooley
- Overview of Colorado Water for the 21st Century Act – Mr. Russell George

### Metro

- SWSI: SWSI overview with focus on Metro area
- Lessons learned from Water Conservation Workshops – Mr. Tracy Bouvette, Great Western Institute
- Aquifer Recharge – Mr.Ralf Topper, CGS
- Presentation by Justice Hobbs
- Legislative Update – Mr. Russell George
- State Demographic Projections – Mr. Jim Westkott, Senior Demographer
- CSU Extension Services: Presentation of Services Available – Mr. Carl Wilson
- Presentation of CSU's Water White Paper – Dr. Lyn Kathlene
- Interbasin Compact Vision – Mr. Russell George
- Denver Water Integrated Resource Plan – Mr. Dave Little, Denver Water

### North Platte

- SWSI: SWSI Overview
- Report on U.S. Supreme Court Decree – Ms. Erin Light and Ms. Sue Petersmann
- CSU Extension Services – Presentation of Services Available, Ms. Debbie Alpe
- Update on Platte River Three States Agreement – Mr. Ted Kowalski, CWCB

### Rio Grande

- SWSI: SWSI overview and detailed information on the Rio Grande Basin
- Storage Options: Upper Rio Grande Reservoirs – Mr. Mel Getz
- Rio Grande Reservoir Study Update – Mr. Travis Smith, San Luis Valley Irrigation District and Mr. Kelly DiNatale, CDM
- Rio Grande Compact : What it Means to the Valley – Mr. Mike Sullivan, District Engineer, DWR & Mr. Steve Vandiver, Manager, Rio Grande Water Conservation District
- Historic Reservoir Construction Presentation – Mel and Camille Getz
- Introduction to the Doctrine of Prior Appropriation – Mr. Mike Sullivan
- Rio Grand Compact – Mr. Mike Sullivan
- CSU Extension Services: Presentation of Services Available – Mr. Marvin Reynolds
- Rio Grande Water History Project – Presentation by Mr. Mel Getz

### South Platte

- SWSI: SWSI overview and detailed information on the South Platte Basin
- Aquifer Recharge – Mr.Ralf Topper, CGS
- Film: Written in Water
- Beliefs and Values about Water – Dr. Lyn Kathlene, CSU
- Appreciating our Differences, Telling our Stories – Presentation and small group exercises with Ms. Mary Lou Smith, Aqua Engineering
- Overview of the South Platte River System – Mr. Jon Altenhofen
- CSU Extension Services: Presentation of Services Available – Mr. Thad Gourd

### Yampa/White/Green

- SWSI: SWSI overview
- Overview of the Colorado River Basin – Mr. Eric Kuhn
- Energy issues in the White River Basin – Mr. Jeff Devere
- Non-consumptive needs in the Yampa/White Basin – Mr. Kent Vertrees and Mr. Geoff Blakeslee
- Agricultural issues – Mr. Dan Craig, Mr. David Smith, and Mr. T. Wright Dickinson

One of the key strengths and key challenges of the Interbasin Compact process is the expanded range of citizens actively involved in water discussions. In order to help Basin Roundtable members understand the basics of water in Colorado, the Colorado Foundation for Water Education provided Director's Notebooks to each person serving on a Basin Roundtable or the IBCC. These notebooks contain the Foundation's Citizen Guides series, other materials produced by the Foundation, a recommended reading list, and the Executive Summaries of recent statewide water studies.

## 1.3 Basin Roundtable's Water Needs Assessments and Major Issues in Each Basin

### 1.3.1 Basinwide Water Needs Assessments

The Act assigned a major task to the Basin Roundtables: the development of a basin-wide water needs assessment (C.R.S 37-75-104(2)(c). In developing their needs assessments, the General Assembly asked the Basin Roundtables to use SWSI and other appropriate sources, and to work in cooperation with local governments, area water providers, and other stakeholders. This basin-wide water needs assessment is to consist of four parts:

- Analysis of consumptive water needs (Municipal, Industrial and Agricultural)
- Analysis of non-consumptive water needs
- Analysis of available water supplies and unappropriated waters
- Proposed projects or methods to meet identified needs

Basin Roundtables are relying on SWSI as the starting point and core of their needs assessment. To help begin the needs assessment process, CWCB and those involved in SWSI provided briefings and presentations to help Basin Roundtable members understand SWSI. A Water Supply and Needs Report based on SWSI has been produced for each Basin Roundtable, summarizing and compiling all of the information in SWSI relevant to that basin.

Basin Roundtables now have the opportunity to update, refine, and add to SWSI using other sources of information and technical assistance provided to the Basin Roundtables with appropriations from HB 06-1400. The Department of Natural Resources (DNR) is working with a team of experts to provide technical assistance to the Basin Roundtables. As Basin Roundtables identify areas where they need more technical information, this team will respond, helping to ensure Basin Roundtables are making rational decisions based upon the best available information.

In order to assist the Basin Roundtables with their basin-wide water needs assessments, the IBCC has established a needs assessment working group. The purpose of this working group is to encourage development of a common technical platform and provide coordination and resources for the Basin Roundtables.

### 1.3.2 Major Water Issues in Each Basin

Although the Basin Roundtables are just beginning the substantive work of their basin-wide water needs assessments, they are identifying and discussing the major water issues in their basin. The following description does not represent a comprehensive or consensus outline of major issues, but is a sample of the water challenges in each basin, as determined in SWSI or by the Basin Roundtables themselves. Section 2 contains a more detailed description for each basin.

#### Arkansas

- Arkansas River Compact requirements and existing uses and water rights result in little to no water availability for new uses.
- Growth in the headwaters region will present challenges in obtaining augmentation water for new demands.
- Concerns over agricultural transfers and its impact on rural economies are significant in the lower portion of the basin downstream of Pueblo Reservoir.
- The urban landscape is very important to the economy and an important component to quality of life.

#### Colorado

- Inadequate analysis of consumptive and non-consumptive needs.
- SWSI fails to address water consumption required for energy development.

- Minimum stream flows should address the variations in hydrology that occur during wet and dry years.
- Rapid growth in Colorado and lack of available supplies or storage are significant challenges to meeting future water needs.
- Recreation and the environment are key drivers in the basin and are important for economic health and quality of life; agriculture is especially important in the lower basin.
- There is concern over a potential compact shortage during severe and sustained drought and potential impacts to in-basin supplies.
- The development of water rights associated with trans-basin projects are a concern and their effect on in-basin supplies must be considered.

### Southwest

- Overall water supply is available but getting sufficient infrastructure and water distribution will be a key challenge.
- The Colorado River Compact places pressure on uses of the San Juan River because New Mexico's primary source of the upper Colorado River Basin supplies is the San Juan River.

### Gunnison

- Growth in the headwaters will require additional water management strategies; Growth in the area between Ouray and Montrose is especially rapid.
- Addressing agricultural water shortages in the upper portion of the basin is an important goal of the community; lack of financial resources is an impediment.
- There is concern over possible future trans-basin diversions and the effect this might have on the basin's future.
- Resolving federal issues is a priority. These issues include: resolving the National Park Service claims for flows in the Black Canyon, completion of the Blue Mesa/Aspinall reoperations EIS, and addressing Endangered Species issues in the Gunnison River near the confluence with the Colorado River main stem.

### Metro

- Competition for water is fierce and it is unclear how much competition there is for the same water supplies.
- The lack of any new major water storage in the last 20 years has led to reliance on non-renewable groundwater in Douglas, Arapahoe, and northern El Paso (El Paso County is in the Arkansas Basin) Counties. Explosive growth in these counties coupled with the lack of surface water supplies led to the creation of multiple small water districts and makes coordinated water development a challenge and less efficient especially in light of limited renewable surface water supplies.
- Water reuse and conservation are major components to meeting future water needs but this will put added pressure on agriculture as return flows diminish.
- The urban landscape is very important to the economy and an important component to quality of life.

### North Platte

- Storage, existing diversion structures and water right use classification for the Town of Walden, Jackson County's only incorporated municipality.
- Forest management in light of the extensive mountain pine beetle epidemic and the potential damage to watersheds and water supplies from catastrophic wildland fire.
- Quantification of available unappropriated waters within the basin.
- Potential impacts from coal-bed methane development.
- Consumptive uses and losses and high-altitude crop coefficients.
- Gaining knowledge and understanding of the South Platte Decision Support System as it may affect the basin and historical documentation of irrigated acreage.

### Rio Grande

- The Rio Grande Compact and the effects of sustained drought make new water development very difficult.
- In the Rio Grande Valley, agricultural water use is at unsustainable levels and economic impacts of reducing irrigation use of groundwater supplies will be difficult to address.
- Groundwater is a key component of water use in the basin. Current water uses and management of the Rio Grande Basin's aquifers are not sustainable; addressing this issue is critical.

### South Platte

- Colorado's most diverse and industrialized basin. Agriculture is still a dominant water use but rapid changes are occurring and the impacts to rural communities are a key concern.
- Competition for water is fierce and it is unclear how much competition there is for the same water supplies.
- Water reuse and conservation are major components to meeting future water needs but this will put added pressure on agriculture as return flows diminish.
- The urban landscape is very important to the economy and an important component to quality of life.
- Transfers of agricultural water rights to M&I use will continue to be a significant option for meeting future needs.

### Yampa/White/Green

- Emerging development of gas and oil shale resources is impacting water needs both for the direct production needs and the associated increase in municipal use.
- Agriculture, tourism, and recreation are vital components to this basin's economy.
- Industrial uses, especially power production, are a major water use. Future energy development is less certain.
- While rapidly growing in some areas (Yampa River/Steamboat area) the basin is not developing as rapidly as other portions of the state. This has led to concern that the basin will not get a "fair share" of water use afforded to Colorado under the Colorado River Compact.
- Implementation of a successful Endangered Species Program is vital to ensuring protection of existing and future water uses.

## 1.4 IBCC Formation

In addition to nine Basin Roundtables, the Act created the IBCC, a 27-member committee established to facilitate conversations between basins and to address statewide issues. The IBCC is build out of the Basin Roundtables and will bring the issues of each Basin Roundtable to a statewide forum.

### 1.4.1 IBCC Membership

IBCC membership includes:

- Two members appointed by each of the nine Basin Roundtables;
- Six members appointed by the Governor, who must come from "geographically diverse parts of the state" and have expertise in environmental, recreational, local governmental, industrial, and agricultural matters;
- One member appointed by the chairperson of the Senate Ag. Committee;
- One member appointed by the chairperson of the House Ag. Committee; and
- The Director of Compact Negotiations, who serves as the Chair of the IBCC.

### 1.4.2 IBCC Responsibilities

The Act gives the Interbasin Compact Committee a series of responsibilities. These include establishing by-laws, developing a charter, and creating a Public Education and Outreach Working Group.

### 1.4.3 Establishment of the IBCC Charter and Approval by the General Assembly

The first major task undertaken by the IBCC was the development of a Charter to "govern and guide all negotiations between Basin Roundtables." Through an iterative process between the DNR, the IBCC, and the Basin Roundtables, the IBCC was able to agree on the provisions of a Charter. On April 5, 2006, the IBCC adopted a Charter fulfilling its obligation in C.R.S. 37-75-105. The IBCC referred the Interbasin Compact Charter to the Colorado General Assembly on April 6, 2006, and the Charter was approved through HB 06-1400.

The Charter is included in Appendix E and contains:

- The roles of the IBCC, including a directive to help develop a common vision for statewide water negotiations through the discussion and dissemination of information to the Basin Roundtables. The IBCC is also charged with encouraging the development of a common technical platform in order to guide the process of negotiating Interbasin compacts;

- A framework and principles to guide negotiations between Basin Roundtables, including policies to ensure that individual compacts do not conflict with one another;
- Procedures for ratification of compacts, including a mandatory provision that every affected Basin Roundtable must approve the draft compact;
- Authorities and procedures to ensure that approved compacts are legally binding and enforceable; and
- Procedures for integrating the Interbasin Compact processes with other water planning and development processes, except that no provision may supersede, impair, or modify any local government's "authority, jurisdiction, or permitting powers."

### 1.4.4 IBCC By-laws

On June 30, 2006, the IBCC approved a set of Bylaws governing its actions; including a procedure whereby Basin Roundtables that opt out of the process are no longer represented on the committee but may opt back in, as required by the legislation.

The By-Laws are included in Appendix F and contain:

- Reference to the roles outlined in the Charter and the requirement to provide an annual report to the Legislature;
- Definitions of key term included in the bylaws;
- Committee membership and leadership, including use of alternates and proxies, and procedures for Basin Roundtables opting out of or back into IBCC membership;
- Meetings of the committee, including regular and special meetings, notice of meetings, attendance and use of teleconferencing, and the definition of a quorum;
- Procedures for decision making, which mirror the procedures contained in the Charter and seek to obtain a broad level of support for any action where possible;
- Protocols for establishment of working groups, including membership and responsibility to the IBCC as a whole; and
- A process for amending the bylaws, through which members may raise possible revisions and amendments at any time, with the committee following the decision making process outlined in the bylaws for review and approval of any modifications.

## 1.5 IBCC Activities and Associated Working Groups

### 1.5.1 IBCC Presentations and Discussions

The IBCC held eight meetings prior to the submission of this report, beginning on February 3, 2006. The committee successfully drafted a Charter and Bylaws, established working groups, discussed a variety of topics, and heard presentations from Basin Roundtables and others.

#### IBCC Actions and Accomplishments

- Drafting and approval of Charter
- Drafting and approval of Bylaws
- Establishment of the following Working Groups:
  - Public Education, Participation and Outreach Working Group
  - Needs Assessment Working Group
  - Criteria and Guidelines Working Group
- Approval of Criteria and Guidelines for distribution of Senate Bill 06-179 funds

#### IBCC Discussion Topics

- Ground rules for decision-making on Charter and Bylaws
- Role(s) of the IBCC
- Principles for creation of the criteria and guidelines that will govern distribution of funding for water activities in Colorado from Senate Bill 06-179
- Principles for selection of a contractor to help Basin Roundtables complete needs assessments in each basin
- Report to the Legislature
- Pubic education, participation, and outreach responsibilities
- Vision for the IBCC – preparing for a "strategic planning" discussion to identify roles, goals, future activities, and education needs

#### Presentations to the IBCC

- Arkansas Basin Roundtable
- Rio Grande Basin Roundtable
- Yampa/White/Green Basin Roundtable

### 1.5.2 Public Education, Participation, and Outreach Working Group

The IBCC, in accordance with the Act, developed a public education and outreach working group. This group is creating a process to inform, involve, and educate the public on the IBCC's activities and progress of the Interbasin compact negotiations, as well as a mechanism by which public input and feedback can be relayed to the IBCC and compact negotiators. A summary of this Working Group's efforts is included in Appendix G.

Members of the group include: Rita Crumpton (Chair), Jeris Danielson, Jenny Russell, Carl Trick, Don Glaser, Reagan Waskom, and Jeff Crane. They are working on a proposal outlining recommended activities and expenditures to help the IBCC fulfill its public education, participation and outreach mission.

### 1.5.3 Needs Assessment Working Group

The IBCC has established a Needs Assessment Working Group. The purpose of this working group is to encourage development of a common technical platform and provide coordination and resources for the Basin Roundtables. The group provided input to the DNR on the selection of a contractor to provide technical assistance to the Basin Roundtables. The working group accomplished this by ranking the teams that submitted statements of qualifications, and the DNR has since executed a contract with the top ranked team. This working group is now assessing how they can assist Basin Roundtables with their needs assessments and coordinating a common technical platform. Members of the group are Mr. John Porter, Mr. Peter Binney, Ms. Melinda Kassen, Mr. Eric Kuhn, Mr. Eric Wilkinson, Mr. Bill Trampe, and Mr. Alan Hamel.

### 1.5.4 Criteria and Guidelines Working Group

The Water Supply Reserve Account created by Senate Bill 06-179 (SB 06-179) provides $10 million annually for four years (total of $40 million) to be invested in water activities. The Act charges the IBCC and the CWCB to jointly develop criteria and guidelines for distribution of these resources. The IBCC and the CWCB formed a joint working group to draft a set of criteria and guidelines. Members of the IBCC working group included Mr. Wayne Vanderscheure, Mr. John Porter, Mr. Ray Wright, and Ms. Melinda Kassen from the IBCC, and Mr. Harold Miskel, Mr. Eric Wilkinson, and Ms. Barbara Biggs from the CWCB. The group distributed a set of questions to all Basin Roundtables and used Basin Roundtable feedback to develop a preliminary draft. The IBCC, the CWCB, and all the Basin Roundtables had an opportunity to comment on the preliminary draft. The group incorporated those comments into a consensus document which the group recommended for adoption. On September 20, 2006, the CWCB unanimously adopted the recommended Criteria and Guidelines.

On October 18, 2006 the IBCC approved the recommended Criteria and Guidelines as written with a minor terminology change. The IBCC also requested that the IBCC and the CWCB consider and begin discussions prior to July of 2007 concerning the possible re-allocation and increase of funds to individual basin accounts. The amount allocated to basin accounts will be open to discussion, amendment and possible increase in the future. The IBCC and Basin Roundtables will immediately begin discussions regarding this issue.

## 1.6 Senate Bill 06-179 and the Water Supply Reserve Account

The Governor approved SB 06-179 on May 26, 2006, effective July 1, 2006, the text of which is included in Appendix L. The Act created the Water Supply Reserve Account, into which $10 million will be transferred on or after July 1 from the Severance Tax Trust Fund in each of the next four fiscal years. The unencumbered and unexpended balance in the account will revert back to the Severance Account Trust Fund on June 30, 2010. The funds are appropriated to the CWCB, and the Act charged CWCB with developing criteria and guidelines for allocating money from the account in consultation with the IBCC. The Act specifies that the funds are to be spent on water activities approved by a Basin Roundtable.

The CWCB and the IBCC formed a joint working group to collaborate on drafting the required Criteria and Guidelines, as discussed in the previous section. These criteria and guidelines are included in Appendix F.

The final Criteria and Guidelines contain:

- Background, including major findings and key recommendations from SWSI

- Description of IBCC, CWCB and Basin Roundtable roles in developing criteria for allocating funds, engaging in outreach and education, approving projects, reviewing applications, ensuring the account is managed in a manner that complies with state law and entering into contracts
- A funding and cash management strategy to be used to administer the account:
  - From a total of $40 million, $9 million will be allocated to basin accounts ($1,000,000 for each of the nine Basin Roundtables) with the remainder to the statewide account ($31,000,000)
  - Statewide account applications will be considered in March and September of each year
  - Monies from Basin accounts can be allocated during CWCB's bimonthly meetings
  - In January 2010, any uncommitted monies remaining in the Basin accounts will be transferred to the Statewide account
  - On July 30, 2010, any uncommitted funds in the statewide account will revert to the Operations account of the Severance Tax Fund
- Eligibility requirements, specifying that the following activities are eligible for funding under this program:
  - Competitive grants for environmental compliance and feasibility studies;
  - Technical assistance regarding permitting, feasibility studies, and environmental compliance;
  - Studies or analysis of structural, nonstructural, consumptive, and nonconsumptive water needs, projects, or activities; and
  - Structural and nonstructural water projects or activities
- An application process and submittal requirements
- Threshold criteria, which must be met in order for an application to undergo further review:
  - The water activity meets the eligibility requirements
  - The water activity is consistent with all legal requirements
  - The water activity underwent an evaluation and approval process by the Basin Roundtable
- Nineteen criteria for competitive evaluation (statewide fund), organized under the following categories:
  - Promoting Collaboration and Cooperation
  - Facilitating Water Activity Implementation
  - Meeting Water Management Goals and Objectives and Identified Water Needs
  - The Water Activity Addresses Issues of Statewide Value

Many Basin Roundtables have already begun the process of considering various water activities that meet identified basin needs which may be eligible for funding.

## 1.7 House Bill 06-1400 and Program Appropriations

House Bill 06-1400 (HB 06-1400), included in Appendix F, signed by the Governor on May 26, 2006, approved the IBCC Charter and revised Colorado statute to include the full text of the Charter as a nonstatutory matter. HB 06-1400 also created the Office of the Director of Compact Negotiations within the Office of the Governor, and allocated $75,837 plus 0.5 FTE to the implementation of the statute. HB 06-1400 appropriated an additional $855,481 and 1.2 FTE to CWCB for the ongoing implementation of the Interbasin Compact process.

These funds are being used to hold Basin Roundtable and IBCC meetings around the state, provide technical assistance to the Basin Roundtables to help them develop their basin-wide water needs assessments, and to develop and implement public education and outreach activities.

## 1.8 Communication and Information Sharing

### 1.8.1 Interbasin Compact Website

The DNR hosts a website for the Interbasin Compact process, through which users can obtain information on the IBCC and on each Basin Roundtable. The website is available at: http://dnr.state.co.us/Home/ColoradoWaterforthe21stCentury/IbccHome.htm

#### IBCC Information Available:

- Calendar of upcoming meetings

- Meeting Notices
- Meeting Agendas
- Meeting Notes (minutes)
- IBCC membership
- Charter
- Bylaws
- Colorado Water for the 21st Century Act
- Office of Interbasin Compact Negotiation Staff Information

### Basin Roundtable Information Available:

- Calendar of upcoming meetings
- Map of Basin Roundtable boundaries
- Basin Roundtable Membership
- Basin Roundtable Bylaws
- Meeting Notices
- Meeting Agendas
- Meeting Minutes
- Additional resources provided by the Basin Roundtable, including copies of presentations made at Basin Roundtable meetings

### 1.8.2 Program Materials

The DNR has created two documents to inform and update interested citizens on the Interbasin Compact Process. These include an "Overview - Colorado Water for the 21st Century Act" which explains the details of the process, and an "Interbasin Compact Process Fact Sheet" which is periodically updated to reflect current progress. These documents can be found in Appendix I and J, respectively.

## 1.9 Anticipated Activities in 2007

### 1.9.1 IBCC

During 2006, the IBCC balanced the need to meet procedural milestones, such as the creation of a Charter, Bylaws, and SB 06-179 Criteria and Guidelines, with the need to fully discuss the roles and purpose of the committee and create a vision for the IBCC in the months and years to come. Throughout the year the IBCC brainstormed topics and issues it would like to address. These topics and issues were compiled into an "IBCC Agenda Planning" document, provided in Appendix K. The IBCC has expressed an interest in:

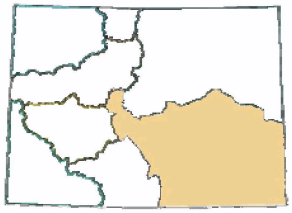
- Engaging in a mission statement and strategic planning exercise to further define the roles identified in the Charter. The facilitation team is working with the Office of Interbasin Compact Negotiations to develop a proposal for IBCC work on strategic planning in early 2007.
- Identifying and meeting educational needs to fulfill their mission and roles.
- Continuing to hear presentations on the major issues in each basin from the Basin Roundtable hosting the IBCC meeting.
- Reviewing and discussing the information coming out of SWSI Phase II.
- Continuing to support the Basin Roundtables in the development of their needs assessments.
- Furthering their public education, participation, and outreach responsibilities.
- Monitoring the Water Supply Reserve Account and assisting Basin Roundtables in implementing identified solutions to their water problems.

### 1.9.2 Basin Roundtables

Each Basin Roundtable is progressing at its own appropriate pace and addressing the issues they deem most pressing. However, all Basin Roundtables will predominately spend their time in the upcoming year on three issues with varying emphasis from Basin Roundtable to Basin Roundtable. These anticipated activities for 2007 include:

1. Continued Basin Roundtable education, including educational presentations on issues of concern within the basin, future water uses, and issues that impact neighboring basins or Colorado as a whole;
2. Work on their basin-wide water needs assessments, including drafting requests for assistance from the technical assistance contractor selected by the IBCC to fill gaps in available information; and
3. Examining proposed solutions to their identified water challenges, and making use of the funds allocated under SB 06-179 to begin addressing their identified water needs.

# Section 2
# Reports from Basin Roundtables



This section provides a summary of accomplishments and activities by each of the nine Basin Roundtables during the past year.

## 2.1 Arkansas Basin

### 2.1.1 Procedural Accomplishments

Since September 2005, the Arkansas Basin Roundtable has met on roughly a monthly basis. Mr. Alan Hamel was elected temporary Chair of the Arkansas Basin Roundtable as well as an IBCC representative. Mr. Gary Barber was appointed to serve as recorder on a temporary basis. Two non-voting at-large Arkansas Basin Roundtable members have been selected. Mr. Jeris Danielson was the second individual selected to represent the Arkansas Basin on the IBCC per Section 37-75-104(2) of the Act. As required by Section 37-75-104(a) (I) of the Act, the bylaws for the Arkansas Basin Roundtable were adopted on March 8, 2006. In April the Roundtable elected their 2006-2007 officers. Those elected were: Mr. Alan Hamel, Chair, Mr. Jonathan Fox and Mr. Jay Winner, Vice-Chairs, and Mr. Gary Barber as Recorder. The Arkansas Basin Roundtable has formed the following subcommittees:

- Groundwater
- Needs Assessment
- Guidelines for Interbasin Water Transfers
- Bylaws

### 2.1.2 Arkansas Basin Educational Accomplishments

The Arkansas Basin Roundtable received a presentation from Dr. Lyn Kathlene on beliefs and challenges for water providers at the January 9, 2006, meeting. Ms. Susan Morea of CDM delivered a presentation on SWSI at the February 8, 2006, meeting. Mr. Rick Brown, CWCB, gave an in-depth presentation of SWSI keyed to the Arkansas River basin at the June 14, 2006 meeting. Mr. Ralf topper, CGS, presented an overview of the Aquifer Recharge Study and SB 06-193 at the July 12, 2006 meeting. Mr. Steve Witte, Division 2 Engineer, gave a presentation on water administration in the Arkansas Basin at the August, 9, 2006, meeting. Additional information on the economic contribution of irrigated agriculture was presented by Dr. James Pritchett of Colorado State University. The presentations received by the Arkansas Basin Roundtable are available on the Colorado Water for the 21st Century section of the DNR website.

### 2.1.3 Arkansas Basin Needs Assessment Accomplishments

A Water Supply and Needs Report was prepared for the Arkansas Basin utilizing information from the SWSI Report as required by Section 37-75-104(c)(II) of the Act. Copies of this report were distributed at the June 14, 2006, meeting. Among the needs assessment topics for which the Arkansas Basin Roundtable determined that more information should be sought are:

- Municipal conservation for small communities
- The impact of Kansas vs Colorado on agriculture
- Water quality information
- Agriculture efficiency

The Arkansas Basin Roundtable obtained additional needs assessment information from the *Arkansas River Water Needs Assessment* prepared in July 2000 by representatives from the U.S. Bureau of Reclamation, Bureau of Land Management, and Colorado Division of Wildlife.

### 2.1.4 Major Water Issues in the Arkansas Basin

Based on the findings in the needs assessment, the Basin Roundtables are tasked with identifing major water issues in their basin and proposing projects or methods to meet those needs. The major water issues in each basin as identified during SWSI served as a starting point for the Basin Roundtables to further develop and refine their own list of major water issues. Following are some of the major issues identified in the Arkansas Basin during SWSI:

- Arkansas River Compact requirements and existing uses and water rights result in little to no water availability for new uses.

- Growth in the headwaters region will present challenges in obtaining augmentation water for new demands.
- Concerns over agricultural transfers and its impact on rural economies are significant in the lower portion of the basin downstream of Pueblo Reservoir.
- Concern over water quality and suitable drinking water are key concerns in the lower basin.
- The success of two major projects is key to meeting future water needs.
- The urban landscape is very important to the economy and an important component to quality of life.

As part of SWSI Phase I and II, a gap analysis was conducted for the Arkansas Basin. The greatest gap in the Arkansas Basin is in northern El Paso County, where 8,000 acre feet (af) of gap was identified as shown in Figure 2-1, below. The SWSI report, in Executive Summary Finding # 5, acknowledged that possible gaps related to dependence on non-renewable groundwater sources were not addressed in the SWSI 1 report. Rather, renewable sources of water are needed to replace the current 100 percent reliance on non-tributary and designated basin groundwater, which substantially increases the potential gap, perhaps as high as 20,000 af/yr by 2030.

The Arkansas River Basin offers abundant opportunities for water-based recreation; on the river and its tributaries as well as on numerous reservoirs. Fishing, boating, kayaking, rafting, water skiing, jet skiing, swimming, sailing, sail boarding, and gold panning are all available, as well as hiking, picnicking, camping, hunting, and biking.

There are no CWCB decreed instream flow rights on the mainstem of the Arkansas River. Via the Fry-Ark Project's operating plan, a minimum flow of 66.0 cubic feet per second (cfs) was established for the Arkansas River at Granite, which is the only legal minimum flow requirement on the mainstem of the Arkansas. Water exchanges are used as a management tool for municipal water supplies in the Arkansas Basin. A water exchange is made by diverting water at one location in the river system and replacing it with a like quantity of water at another location. During an exchange, stream flow in the reach between the two exchange locations is decreased by the amount of the exchange.

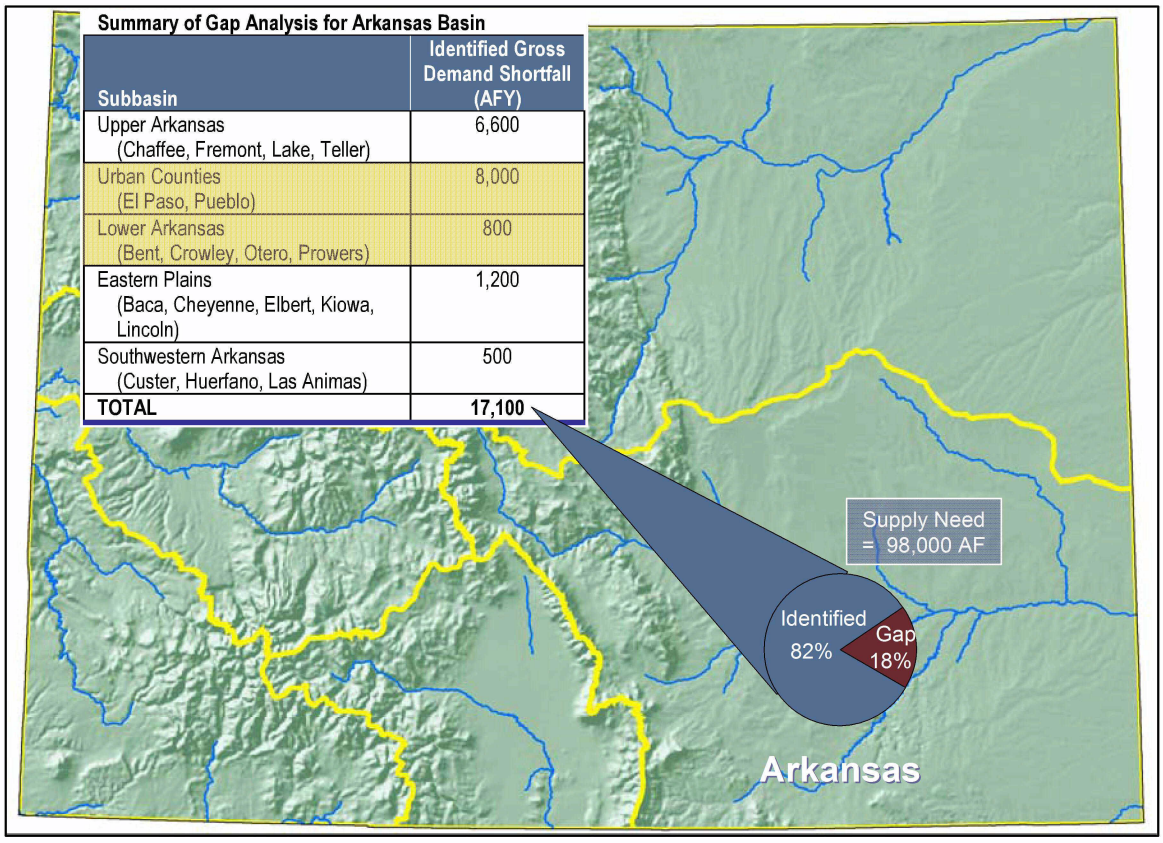
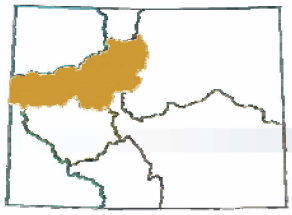



**Figure 2-1 Summary of Gap Analysis for Arkansas Basin.**





## 2.2 Colorado Basin

### 2.2.1 Procedural Accomplishments

The Colorado Basin Roundtable has been meeting regularly on the fourth Monday of each month. Mr. Dave Merritt was elected Chair of the Colorado Basin Roundtable and Mr. Ken Ransford appointed to serve as recorder. Mr. Carlyle Currier and Mr. Stanley Cazier were elected to serve as IBCC representatives.The Colorado Basin Roundtable elected seven non-voting at large members.

As required by Section 37-75-104(a)(I) of the Act, the Colorado Basin Roundtable adopted bylaws and established basin goals on December 12, 2006. The Colorado Basin Roundtable has formed the following subcommittees:

- Consumptive Use Needs
- Non-Consumptive Use Needs
- Water Availability
- Education

In providing comments to CWCB regarding how the SB 06-179 grant money should be allocated, the Colorado Basin Roundtable made the following recommendations:

- Important water activities that should be funded are correcting existing problems with agricultural, municipal, and industrial supplies, and non-consumptive needs assessment of the stream flow necessary to provide for a healthy river ecosystem.
- The Colorado Basin Roundtable recommended that the SB 06-179 money be distributed out in equal one-ninth portions to each Basin Roundtable, to be distributed as the roundtable determines.

### 2.2.2 Colorado Basin Educational Accomplishments

The Colorado Basin Roundtable received presentations on the Upper Colorado River Study by Mr. Lane Wyatt and on the projected population growth in the NWCCOG region by Mr. Gary Severson. The operation of Green Mountain Reservoir and the Green Mountain Reservoir Pumpback is an important issue currently being considered by the Colorado Basin Roundtable. The roundtable has received presentations from the Northern Colorado Water Conservation District and the Colorado River Conservation District on this issue. The Colorado Basin Roundtable also received presentations on Denver Water's agreement with Xcel Energy to reduce the Shoshone Call on the Colorado River; this is another important issue for the Colorado Basin Roundtable because it affects water quality and recreational use throughout the Colorado Basin. Other educational presentations were one on the economics of Colorado's irrigated agriculture by Dr. James Pritchett of CSU and the use of tree rings to assess the Colorado River's long-term yield by Dr. Connie Woodhouse. The presentations received by the Colorado Basin Roundtable are available on the Colorado Water for the 21st Century section of the DNR website.

### 2.2.3 Colorado Basin Needs Assessment Accomplishments

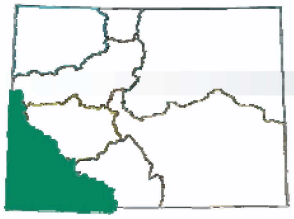
A Water Supply and Needs Report for the Colorado Basins was prepared utilizing information from the SWSI Report as required by Section 37-75-104(c)(II). This Water Supply and Needs Report has not been adopted by the Colorado Basin Roundtable as its needs assessment. The Colorado Basin Roundtable believes the SWSI Report inadequately covers consumptive and non-consumptive needs. The Colorado Basin Roundtable will be using the SWSI Report as one of its tools. For instance, consumptive needs for energy development is not addressed. The Colorado Basin Roundtable feels this needs assessment is so important that it must be considered before any decisions are made on interbasin transfers. The Colorado Basin Roundtable hopes to use some of the SB 06-179 money for this needs assessment.

### 2.2.4 Major Water Issues in the Colorado Basin

The Basin Roundtables are tasked with identifing major water issues in their basin and proposing projects or methods to meet those needs. The major water issues in each basin as identified during SWSI served as a starting point for the Basin Roundtables to further develop and refine their own list of major water issues. Following are some of the major issues in the Colorado Basin:

- Inadequate analysis of consumptive and non-consumptive needs.

- SWSI fails to address water consumption required for energy development.
- Minimum stream flows should address the variations in hydrology that occur during wet and dry years.
- Rapid growth throughout Colorado and lack of available supplies or storage are significant challenges to meeting current and future water needs.
- Recreation and the environment are key drivers in the basin and are important for economic health and quality of life.
- Agriculture is important in the basin, especially in the lower basin (Grand Valley).
- The success of the Endangered Species program is critical to help protect current and future water use.
- There is concern over a potential compact shortage during severe and sustained drought and potential impacts to in-basin supplies.
- The development of water rights associated with transbasin projects are a concern and their effect on in-basin supplies must be considered.



## 2.3 Dolores/San Juan/San Miguel Basin (Southwest Basin)

### 2.3.1 Procedural Accomplishments

The Dolores/San Juan/San Miguel Basin Roundtable has decided to refer to themselves as the Southwest Basin Roundtable. The Southwest Basin Roundtable meets every other month, alternating between the Durango and Cortez areas. Mr. Steven Harris was elected Chair of the Southwest Basin Roundtable and Mr. Ken Beegles was elected Vice Chair. Mr. John Porter and Ms. Jennifer Russell were elected to represent the Southwest Basin on the IBCC per Section 37-75-104(2) of the Act. As required by Section 37-75-104(a)(I) of the Act the Southwest Basin Roundtable approved bylaws and goals and objectives on April 6, 2006. The Southern Ute and Ute Mountain Tribes were not included when the Act set up the Basin Roundtables. The Southwest Roundtable agreed that these Tribes should have voting representatives on the Basin Roundtable and therefore two additional seats were established. Representatives from the Southwest Basin participated in a caucus of the Western Slope Basin Roundtables on May 18, 2006.

The Dolores/San Juan.San Miguel Basin Roundtable engaged in significant discussion regarding SB 06-179 funds and the guidelines and criteria for distributing these funds. At the September 13, 2006, meeting, the Southwest Basin received presentations from the following proposed projects that may be eligible for SB 06-179 funds:

- Approximately $200,000 to assist in the construction of an extension of pipelines for an existing rural water system to a new area. The funds would be used to reduce the cost per home from about $20,000 to $12,000.
- The need for $1.8 million to construct and enlargement to Gurley Dam near Norwood.
- Approximately $200,000 for legal expenses to form a new water district to construct a rural water system in southeast LaPlata County. The funds are needed for the court process and a trial to fight some gas companies who do not want to pay a mill levy if the district is formed.
- Approximately $100,000 for assistance in purchasing land for a new reservoir near Pagosa Springs.
- Approximately $100,000 to investigate additional storage capacity near Jackson Lake Reservoir near Mancos.
- Approximately $50,000 to assist in the on-going Dolores River Dialogue process.
- Approximately $100,000 for a feasibility study to investigate enlargement of Cone Reservoir near Norwood.
- Approximately $4 million to enlarge Red Mesa Reservoir in the LaPlata River drainage.

### 2.3.2 Southwest Basin Educational Accomplishments

The Southwest Basin Roundtable received two SWSI presentations delivered by Mr. Rick Brown of the CWCB. The first covered overall Colorado water needs and the results of SWSI. The second covered specifically water supply needs for the Southwest Basin.

### 2.3.3 Southwest Basin Needs Assessment Accomplishments

A Water Supply and Needs Report was prepared for the Southwest Basin utilizing information from the SWSI Report as required by Section 37-75-104(c)(II) of the Act. Copies of this report were distributed at the June 15, 2006, meeting by Mr. Rick Brown. The water needs assessment for the Southwest Basin will be a primary topic of dicussion at the November 2006 meeting.

### 2.3.4 Major Water Issues in the Southwest Basin

Based on the findings in the needs assessment, the Basin Roundtables are tasked with identifing major water issues in their basin and proposing projects or methods to meet those needs. The major water issues in each basin as identified during SWSI served as a starting point for the basin roundtables to further develop and refine their own list of major water issues. Some of the major issues identified in the Southwest Basin during SWSI are:

- This multiple basin area of the state is extremely diverse with changing demographics.
- Overall water supply is available but getting sufficient infrastructure and water distribution will be a key challenge.
- The Colorado River Compact places pressure on uses of the San Juan River because New Mexico's

primary source of the upper Colorado River Basin supplies is the San Juan River.

The Southwest Basin Roundtable held an open discussion was held on what roundtable members believed the roundtable could contribute which included ideas such as:

- Define needs
- Permitting issues
- Accuracy of State Demographer
- Coordination between basins
- Treat of water competition with New Mexico is large
- What would happen with Colorado River Compact call
- Develop more storage
- Forest Service bypass
- Assure existing facilities continue to be operational
- Assist entities in obtaining and keeping funding for water projects

The largest gap identified in SWSI is in Montrose County, which is due to the amount of firm yield that would be needed if the Tri-State Power Facility were expanded. The results of the gap analysis are presented in Figure 2-2.

A program that considers flow for non-consumptive uses in the Southwest Basin is the San Juan River Basin Recovery Implementation Program, established in 1992. The purpose of this program is to protect and recover endangered fishes in the San Juan Basin while water development proceeds in compliance with all applicable federal and state laws.

Numerous CWCB instream flow rights have been decreed on major rivers and tributaries in the Southwest Basin. These rights are year-round rights with seasonal variability. Flow rights can be found at (http://cwcb.state.co.us/Streamandlake/Database/).

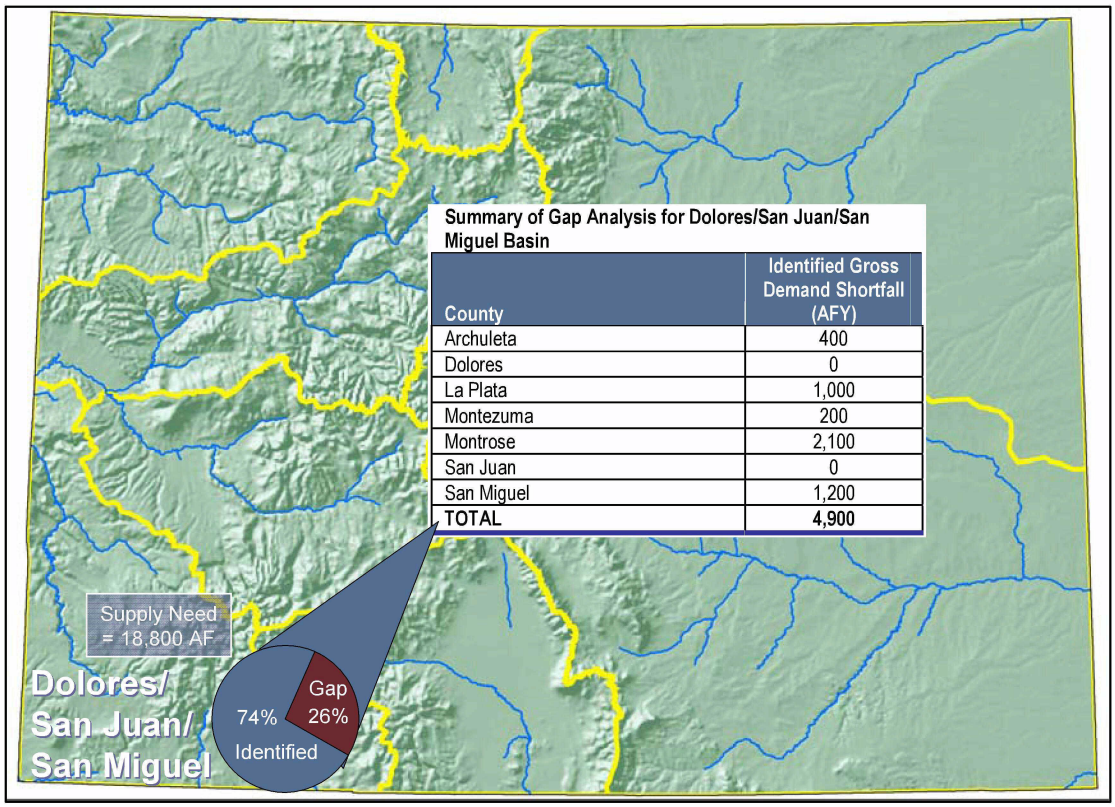
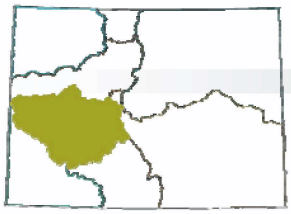



**Figure 2-2. Summary of Gap Analysis for the Southwest Basin.**



## 2.4 Gunnison Basin

### 2.4.1 Procedural Accomplishments

The Gunnison Basin Roundtable has been meeting regularly on the first Monday of each month. Ms. Michelle Pierce was elected Chair of the Gunnison Basin Roundtable and Ms. Sharon Dunning retained to serve as a paid recorder. As required by Section 37-75-104(b)(II) of the Act, Mr. Bill Trampe and Mr. Marc Catlin were elected to serve as IBCC representatives. The Gunnison Basin Roundtable elected four non-voting at large members.

As required by Section 37-75-104(a)(I) of the Act, the Gunnison Basin Roundtable adopted bylaws and established basin goals on December 2, 2006.

### 2.4.2 Gunnison Basin Educational Accomplishments

The Gunnison Basin Roundtable formed an Education Subcommittee to identify topics for presentation.The Gunnison Basin received a series of educational presentations during the year. Topics included an overview of Colorado water issues and water administration, SWSI, the Upper Gunnison River Water Conservancy District, the Grand Mesa Water Project, and legal issues in the Gunnison Basin. The presentations received by the Gunnison Basin Roundtable are available on the Colorado Water for the 21st Century section of the DNR website.

### 2.4.3 Gunnison Basin Needs Assessment Accomplishments

A Water Supply and Needs Report for the Gunnison Basin was prepared utilizing information from the SWSI Report as required by Section 37-75-104(c)(II). Mr. Rick Brown of CWCB and Mr. Kelly DiNatale of CDM presented on how the information for the SWSI Report was developed. The Gunnison Basin Roundtable identified the following issues that they should address:

- Is the current level of detail adequate?
- Do additional studies or other data need to be incorporated into the needs assessment?
- Is there missing information?
- Do water providers and counties have data on water use and existing and future service areas and land use development policies? Will they share the data?
- Do water providers have information on firm yield of existing supplies and plans to meet future needs? Will they share the data?
- What is the appropriate planning period for the future demands?

Additionally, members of the Gunnison Basin Roundtable noted that data for the years from 2002 to 2004 should be considered for its needs assessment, as SWSI covered only data through 2000. The Gunnison Basin Roundtable voted to use the SWSI-based needs report as a starting point and do a formal critique to clearly identify data gaps.

### 2.4.4 Major Water Issues in the Gunnison Basin

Based on the findings in the needs assessment, the Basin Roundtables are tasked with identifing major water issues in their basin and proposing projects or methods to meet those needs. The major water issues in each basin as identified during SWSI served as a starting point for the Basin Roundtables to further develop and refine their own list of major water issues. Following are some of the major issues in the Gunnison Basin identified in SWSI:

- Growth in the headwaters will require additional water management strategies.
- Addressing agricultural water shortages in the upper portion of the basin is an important goal of the community; lack of financial resources is an impediment.
- There is concern over possible future transbasin diversions and the effect this might have on the basin's future.
- Resolving federal issues is a priority. Federal issues include: resolving the National Park Service claims for flows in the Black Canyon, completion of the Blue Mesa/Aspinall reoperations EIS, and addressing Endangered Species issues in the Gunnison River near the confluence with the Colorado River main stem.
- The area between Ouray and Montrose is rapidly growing. Tourism is important in the headwaters but agriculture is dominant in the Uncompahgre Valley. A

rapid influx of retirees and growth in the Uncompahgre Valley may dramatically change the agricultural uses and land use in the area.

During SWSI Phase I and II, a gap analysis was conducted for the Gunnison Basin, the results of which are presented in Figure 2-3, below. The largest demand in the basin is in Gunnison County where additional storage and well augmentation will be needed to meet future demands.

Flow recommendations to benefit endangered fish have been developed for the Gunnison River, however, it is emphasized that flow recommendations are not monolithic absolute values, and they may be revised from time to time to include the results of research. Flow recommendations may not inhibit the development of Colorado's Compact entitlements. The objectives of the flow recommendations are to create and maintain the variety of habitats used by all life stages of the four endangered fishes.

Numerous instream flow and natural lake rights have been appropriated on tributaries to the Gunnison River. A listing of these rights is available from the CWCB at http://cwcb.state.co.us/Streamandlake/Database/.

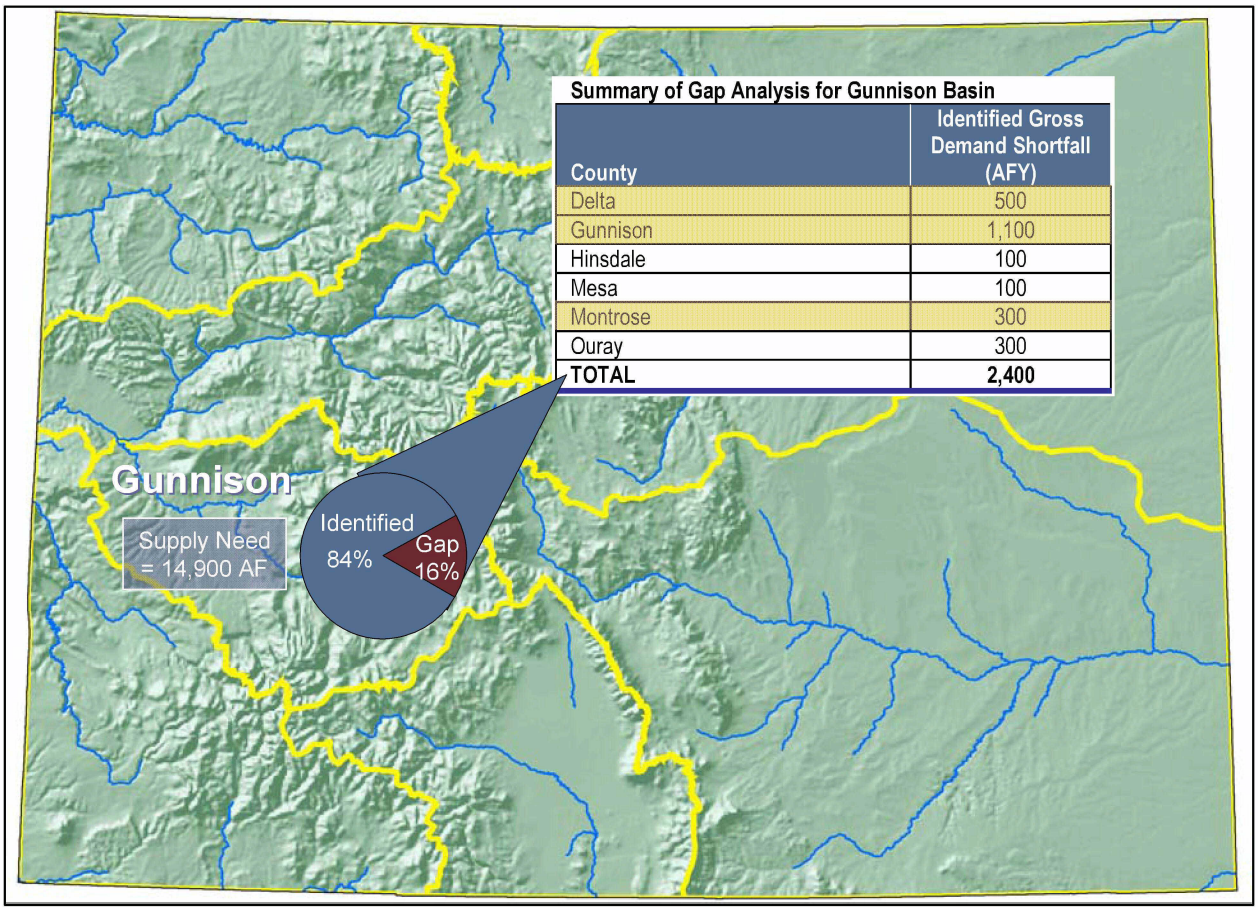
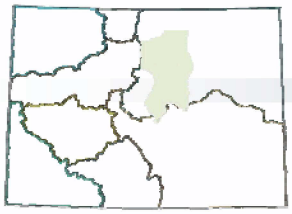



**Figure 2-3. Summary of Gap Analysis for the Gunnison Basin.**



## 2.5 Metro Basin

### 2.5.1 Procedural Accomplishments

The Metro Basin Roundtable meets regularly on the second Wednesday of each month. Mr. Doug Scott was elected Chair of the Metro Basin Roundtable and as a representative to the IBCC. Mr. Gary Thompson appointed to serve as recorder and Mr. Chips Barry was elected as the second representative to the IBCC, as required by Section 37-75-104(b)(II) of the Act. The Metro Basin Roundtable elected five non-voting at large members.

As required by Section 37-75-104(a)(I) of the Act, the Metro Basin Roundtable adopted bylaws and established basin goals on December 7, 2006. The Metro Roundtable has formed a Groundwater Subcommittee and a Needs Assessment Subcommittee.

### 2.5.2 Metro Basin Educational Accomplishments

The Metro Basin Roundtable received presentations on SWSI, water conservation issues, the Denver Water Integrated Resources Plan, beliefs and values of water providers, and economic and population forecasting in Colorado. The presentations received by the Metro Basin Roundtable are available on the Colorado Water for the 21st Century section of the DNR website.

### 2.5.3 Metro Basin Needs Assessment Accomplishments

An Interim Water Supply and Needs Report for the South Platte Basin and Denver/South Metro Counties was prepared utilizing information from the SWSI Report as required by Section 37-75-104(c)(II). The report was distributed and presented to the South Platte Basin Roundtable at the July 12, 2006, meeting. Mr. Rick Brown of CWCB and Mr. Kelly DiNatale of CDM presented on how the information for the SWSI Report was developed.

### 2.5.4 Major Water Issues in the Metro Basin

Based on the findings in the needs assessment, the Basin Roundtables are tasked with identifing major water issues in their basin and proposing projects or methods to meet those needs. The major water issues in each basin as identified during SWSI served as a starting point for the Basin Roundtables to further develop and refine their own list of major water issues. Following are some of the major issues in the South Platte Basin identified in SWSI:

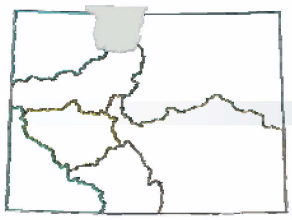
- Colorado's most diverse and industrialized basin. Agriculture is still a dominant water use but rapid changes are occurring and the impacts to rural communities are a key concern.
- Competition for water is fierce and it is unclear how much competition there is for the same water supplies.
- The lack of any new major water storage in the last 20 years has led to reliance on non-renewable groundwater in Douglas, Arapahoe, and northern El Paso (El Paso County is in the Arkansas Basin) Counties. Explosive growth in these counties coupled with the lack of surface water supplies led to the creation of multiple small water districts and makes coordinated water development a challenge and less efficient especially in light of limited renewable surface water supplies.
- Water reuse and conservation are major components to meeting future water needs but this will put added pressure on agriculture as return flows diminish.
- The urban landscape is very important to the economy and an important component to quality of life.
- Transfers of agricultural water rights to M&I use will continue to be a significant option for meeting future needs.

The results of the gap analysis conducted during SWSI for the Denver/South Metro Counties is presented in Table 2-1.

Among the projects for which the Metro Basin Roundtable is interested in seeking additional information is the proposed Flaming Gorge Pipeline Project. This proposed project will divert water from Flaming Gorge Reservoir on the Utah/Wyoming boarder and deliver the water through 400 miles of pipeline to the Front Range.

**Table 2-1 Summary of Gap Analysis for the Denver/South Metro Counties**

| County | Identified Gross Demand Shortfall (AFY) |
|---|---|
| Denver Metro | 12,500 |
| South Metro | 50,300 |
| **TOTAL** | **62,800** |



# 2.6 North Platte Basin

## 2.6.1 Procedural Accomplishments

The first meeting of the North Platte Basin Roundtable was held on October 20, 2005, and members set an immediate goal to fill the vacant at-large positions to ensure all interests in the basin were represented. Within a month, the North Platte Basin Basin Roundtable met again and selected at-large members, elected a chairman, elected representatives to the IBCC and established a subcommittee to begin developing bylaws. Mr. Kent Crowder was elected Chair of the North Platte Basin Roundtable and as a representative to the IBCC. Mr. Carl Trick was elected as the second representative to the IBCC, as required by Section 37-75-104(b)(II) of the Act. Eighty percent of the North Platte Basin Roundtable members own adjudicated water rights in the North Platte Basin. The North Platte Basin Roundtable has 10 voting at-large members and two non-voting at large members.

As required by Section 37-75-104(a)(I) of the Act, the North Platte Basin Roundtable adopted bylaws and 13 distinct goals and objective on April 4, 2006. The purpose/mission of the North Platte Basin Roundtable as stated in the bylaws is to support and advocate cooperative efforts to coordinate and facilitate the appropriate use of the waters of the North Platte and to develop long-term solutions to intra-basin water needs, and collaborate with other Roundtables to find solutions to inter-basin water issues. The North Platte Basin Roundtable first uses a decision making process that seeks to identify and positively affirm a broad general level of support for or approval of an issue or proposal in question by all North Platte Basin Roundtable members. If the North Platte Basin Roundtable cannot reach a mutually acceptable agreement on an issue, proposal or other agreement that is brought before the North Platte Basin Roundtable, members will make the decision by majority vote of the voting members present at the meeting of the North Platte Basin Roundtable. The North Platte Basin Roundtable has met nine times since its initial meeting.

## 2.6.2 North Platte Basin Educational Accomplishments

The formation of the North Platte Basin Roundtable and participation as roundtable members has enhanced awareness of water issues as members begin to grasp a better understanding of how the North Platte Basin issues are linked with those of other basins and neighboring states. All members recognize there is a great deal more to learn regarding water issues. In an effort to increase knowledge, roundtable members have agreed to invite experts to provide brief presentations at the beginning of all future meetings.

During the past year, educational highlights of the North Platte Basin Roundtable include the following:

- Initially, members invested a great deal of time reviewing and discussing the language and intent of HB 05-1177.
- Mr. Ken Lykens, a board member of the Colorado Foundation for Water Education (CFWE) attended a roundtable meeting and gave a brief presentation to the roundtable describing the resources of CFWE. Each member of the roundtable was given an information-packed resource notebook.
- Several roundtable members have attended regional and state meetings addressing Colorado Water Issues (i.e. the CSU Water Dialogue of December 2005 and the Colorado's Future 2006 Conference of October 2006).
- Ms. Erin Light and Ms. Sue Petersmann with the DWR, Division 6 delivered a presentation on the history and importance of the North Platte River Decree. A written document on the decree composed by a former Jackson County water commissioner, Mr. Eric Wagner, was distributed to members.
- Mr. Ted Kowalski, of CWCB, presented a review of the Cooperative Agreement for Platte River Research and Other Efforts Relating to Endangered Species Habitat Along the Central Platte River, Nebraska and the subsequently developed Platte River Recovery Implementation Program. Specifically, Mr. Kowalski discussed how the agreement relates to the North Platte River Depletion Plan.

### 2.6.3 North Platte Basin Needs Assessment Accomplishments

Ms. Susan Morea of CDM gave a presentation on the SWSI Report and updated the North Platte Basin Roundtable regarding SWSI Phase II progress. A Water Supply and Needs Report for the North Platte Basin was prepared utilizing information from the SWSI Report as required by Section 37-75-104(c)(II). North Platte Roundtable members are utilizing the SWSI Report and Basin Water Supply and Needs Report as baseline data to begin the development of the basin-wide consumptive and nonconsumptive water supply needs assessment. Members also reference the resources and information provided in the Director's Notebooks provided by the CFWE and other data and resource information available from the local water conservancy districts, the DWR and the CWCB.

The SWSI Report and Basin Water Supply and Needs Report have indicated that the North Platte Basin is not expected to see significant increases in M&I water needs between now and 2030, and that irrigated agricultural acreage is expected to remain within the amount allowed under the U.S. Supreme Court Decree that equitably apportions the water in the North Platte River between Colorado, Nebraska and Wyoming. SWSI indicated that the North Platte Basin's future demands will primarily be met using existing supplies and water rights and that opportunities to manage water to enhance the environment and recreational opportunities may exist in the basin. Analyses conducted during SWSI showed that no gap is anticipated in the North Platte Basin, but additional storage may be required for drought reliability. Members of the North Platte Basin Roundtable have discussed and brain-stormed the water supply needs assessment for the North Platte during three of the last four meetings and have identified potential data and information gaps, water issues, projects or water management options and water related activities for future consideration in meeting the basin's and state's future water needs. Input from the Basin Advisor and discussion of potential task orders is scheduled on the agenda for the October 24, 2006 meeting of the North Platte Basin Roundtable.

### 2.6.4 Major Water Issues in the North Platte Basin

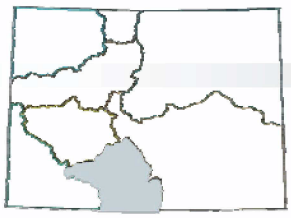
Based on the findings in the needs assessment, the Basin Roundtables are tasked with identifing major water issues in their basin and proposing projects or methods to meet those needs. The major water issues in each basin as identified during SWSI served as a starting point for the Basin Roundtables to further develop and refine their own list of major water issues. Generally there has not been discord among water users or contentious issues in the North Platte Basin. Issues identified in SWSI related to ensuring protection of existing water supplies, impacts of the lack of forest management, and the importance that the Endangered Species issues on the Platte River in Central Nebraska are resolved in a manner that does not put pressure on North Platte water users to reduce existing uses.

It is interesting to note that SWSI indicated that the North Platte Basin was Colorado's only basin with concern over lack of growth and economic development. This lack of growth and economic development is probably why meeting M&I water supply demands has not been an issue in this basin in the past.

As North Platte Basin Roundtable members become more aware and educated about all aspects of water rights, consumptive and nonconsumptive water supply needs and supply, more water issues will be identified. The North Platte Basin Roundtable discussion and brain-storming sessions have brought forth the following additional issues:

- Storage, existing diversion structures and water right use classification for the Town of Walden, Jackson County's only incorporated municipality
- Forest management in light of the extensive mountain pine beetle epidemic and the potential damage to watersheds and water supplies from catastrophic wildland fire
- Quantification of available unappropriated waters within the basin
- Potential impacts from coal-bed methane development
- Consumptive uses and losses and high-altitude crop coefficients
- Gaining knowledge and understanding of the South Platte Decision Support System as it may affect the basin and historical documentation of irrigated acreage
- How can the North Platte Basin assist the State of Colorado in meeting future water needs and supplies

Analyses conducted during SWSI showed that no gap is anticipated in the North Platte Basin, but additional storage may be required for drought reliability.



# 2.7 Rio Grande Basin

## 2.7.1 Procedural Accomplishments

The Rio Grande Basin Roundtable (RGBRT) was formed with significant local participation, including those appointed in accordance with the Act and members of the interested public. The RGBRT has been meeting on the second Tuesday of each month in Alamosa. Initially Ray Wright, of the Rio Grande Water Conservation District, chaired the RGBRT. Officers were subsequently elected and appointments made, with Mr. Mike Gibson as Chairperson, Mr. Doug Shriver as Vice Chair, and Ms. Rio de la Vista as Secretary. The two IBCC appointments were made, Mr. Ray Wright and Mr. Steve Vandiver, with Mike Gibson as an Alternate. Bylaws were subsequently developed and adopted. These processes took longer than the RGBRT anticipated and they were completed without conflict. As required by Section 37-75-104(a)(I) of the Act, the Rio Grande Basin Roundtable adopted bylaws on April 11, 2006, which included six goals and objectives. The RGBRT has formed an Education Subcommittee and a Needs Assessment Subcommittee. The RGBRT elected four non-voting members.

## 2.7.2 Rio Grande Basin Educational Accomplishments

Early in the Basin Roundtable process, it became apparent that many members were not familiar with the water issues in the Rio Grande Basin, primarily because they had not been previously involved with such matters. In addition, it was recognized that communication among the members was difficult because of the different levels of understanding of some of the fundamental issues affecting the Basin. Consequently, a major effort has made to include relevant educational topics at the monthly RGBRT meetings. The topics covered included:

- Doctrine of Prior Appropriation and other water rights issues
- The history and role of the Rio Grande Compact on the management of river flows and how this affects the agricultural users of water
- A history of the reservoirs in the Basin and their uses
- A review of the current study of the Rio Grande Reservoir and its potential enlargement
- SWSI presentation on the findings for the Rio Grande Basin
- Water Conservation Workshop (one of the statewide workshops) conducted by the Great Western Institute
- CWCB – Funding programs for irrigators

The education of the RGBRT members will continue to be a major goal. In addition, it has been recognized that educational efforts need to be expanded to the local communities and plans and opportunities will be sought to achieve this. The presentations received by the Rio Grande Basin Roundtable are available on the Colorado Water for the 21st Century section of the DNR website.

## 2.7.3 Rio Grande Basin Needs Assessment Accomplishments

As stated above, the RGBRT members were introduced to the SWSI process and the findings pertaining to the Rio Grande Basin. In addition, the RGBRT is fortunate to have access to a broad database, which has been developed by work sponsored by the Rio Grande Water Conservation District. These data have confirmed that the Rio Grande Basin's current water uses and practices are not sustainable, which has been exacerbated in recent years by the drought conditions in the Basin.

A number of meetings were held, both with the RGBRT members and members of a subcommittee, to consider the Needs Assessment and its form and contents. A compilation has been made of submissions by RGBRT members and the public of activities and projects to address the Rio Grande Basin's water issues.

A Water Supply and Needs Report for the Rio Grande Basin was prepared utilizing information from the SWSI Report as required by Section 37-75-104(c)(II). The report was distributed and presented to the Rio Grande Basin Roundtable on June 13, 2006.

After the IBCC's development of criteria for potential funding of activities and projects through SB 06 -179, the Needs Assessment will be reevaluated. This evaluation will identify activities and projects to address the primary issue confronting the Rio Grande Basin, the lack of sustainability of water uses and practices. It is anticipated these activities will include, but not be limited to, the following:

- Potential role of increased storage capacity and its management in the Basin.

- Current conditions and cost of improvements of existing privately owned and operated reservoirs.
- Identification of data gaps and how they will be addressed to further understand the hydrology of the Basin and the recharge of its aquifers. This will be followed by the development of the data.
- Identification of information required by the newly formed Sub-districts to address groundwater management plans. This will be followed by the development of the data.
- Development of alternatives for municipalities to augment their ground water supplies to meet potential Colorado Division of Water Resources Rules and Regulations.
- Assessment of future augmentation water needs to meet future development in the Rio Grande Basin, and how such needs can be met.

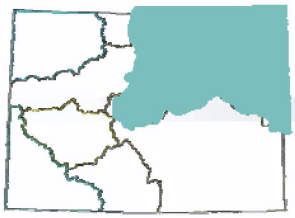
It is anticipated that the RGBRT will be seeking assistance from the DNR's constulting team to further develop the concepts of activities to address the Rio Grande Basin's needs. The constulting ream will also assist in the identification and development of proposed solutions and data gathering. They will also assist in the feasibility and costs of potential solutions and the immediate costs associated with the proposed activities. Their assistance will also be sought in preparing the submissions to the IBCC for funding under SB 06 -179.

### 2.7.4 Major Water Issues in the Rio Grande Basin

Water in the Rio Grande Basin is currently over appropriated. Compliance with the Rio Grande Compact places limitations as to how flows in the Rio Grande and Conejos River are managed, which in turn significantly affects the availability of irrigation water to support the primarily agricultural economy of the Basin. As stated above, data have confirmed the unprecedented drawdown of the Rio Grande Basin's aquifers, demonstrating that the current water uses and management are not sustainable. To date, the implementation of Well Rules and Regulations by the Colorado Division of Water Resources has been avoided by the ability of the irrigators to form Groundwater Management Sub-districts. The success of these Sub-districts is imperative to the avoidance of well regulations.

Additional measures are necessary to address the issue of non-sustainability. This will require a greater understanding of the groundwater regime of the Rio Grande Basin, the role of storage, the management of river flows while meeting the Rio Grande Compact, the issues associated with augmentation programs and the continuing education of communities both within and outside the Basin.

The RGBRT is confident that solutions will be found and implemented to address the Basin's long term water issues.





# 2.8 South Platte Basin

## 2.8.1 Procedural Accomplishments

Since September 2005, the South Platte Basin Roundtable has met on roughly a montly basis. Mr. Bill Jerke was elected Chair of the South Platte Basin Roundtable and Ms. Lisa McVicker appointed to serve as recorder. The South Platte Basin Roundtable elected three non-voting at large members.

As required by Section 37-75-104(a)(I) of the Act, the South Platte Basin Roundtable adopted bylaws on November 15, 2005. A sub-committee on aquifer recharge was formed following a presentation by Mr. Ralph Topper of the Colorado Geological Survey on aquifer storage and SB-193. The South Platte Basin Roundtable also formed a groundwater sub-committee.

## 2.8.2 South Platte Basin Educational Accomplishments

The South Platte Basin received a series of presentations during its first year. These included a presentation on SWSI on March 14, 2006, and two presentations on May 2, 2006. The May presentations were given by Dr. Lyn Kathlene who presented on beliefs and challenges for water providers and by Ms. B. MaryLou Smith of Aqua Engineering, Inc. who presented on moving from polarized positions to win-win solutions. The presentations received by the South Platte Basin Roundtable are available on the Colorado Water for the 21st Century section of the DNR website.

## 2.8.3 South Platte Basin Needs Assessment Accomplishments

An Interim Water Supply and Needs Report for the South Platte Basin and Denver/South Metro Counties was prepared utilizing information from the SWSI Report as required by Section 37-75-104(c)(II). The report was distributed and presented to the South Platte Basin Roundtable at the July 11, 2006, meeting by Mr. Rick Brown of CWCB. At the meeting, the South Platte Basin Roundtable voted to adopt the Interim Water Supply and Needs Assessment Report as their needs assessment ubject to later refinements.

## 2.8.4 Major Water Issues in the South Platte Basin

Based on the findings in the needs assessment, the Basin Roundtables are tasked with identifing major water issues in their basin and proposing projects or methods to meet those needs. The major water issues in each basin as identified during SWSI served as a starting point for the Basin Roundtables to further develop and refine their own list of major water issues. Following are some of the major issues in the South Platte Basin identified in SWSI:

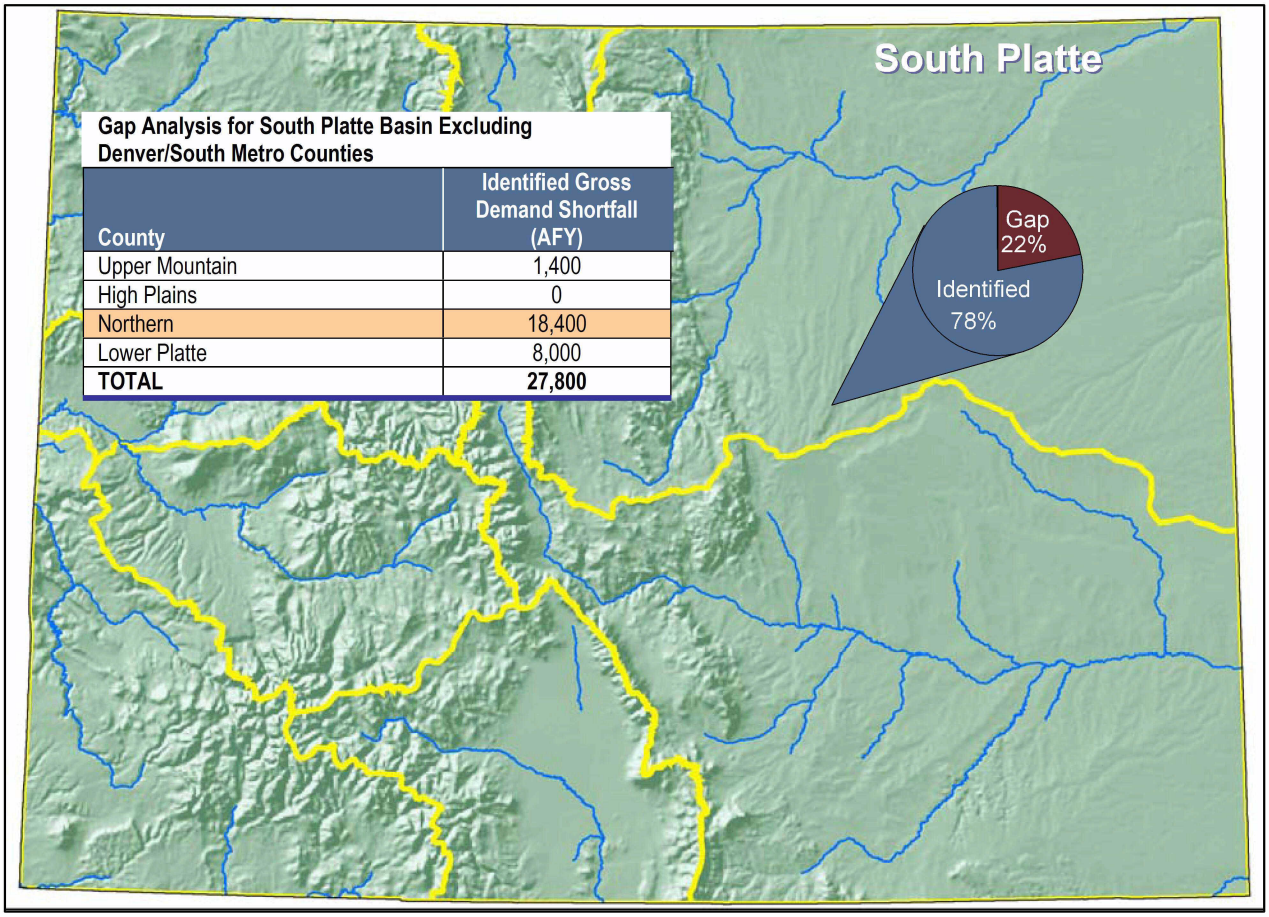
- Colorado's most diverse and industrialized basin. Agriculture is still a dominant water use but rapid changes are occurring and the impacts to rural communities are a key concern.
- Competition for water is fierce and it is unclear how much competition there is for the same water supplies.
- Water reuse and conservation are major components to meeting future water needs but this will put added pressure on agriculture as return flows diminish.
- The urban landscape is very important to the economy and an important component to quality of life.
- Transfers of agricultural water rights to M&I use will continue to be a significant option for meeting future needs.

The South Platte Basin Roundtable continues to develop and refine the list of issues in the South Platte Basin.

The South Platte Basin Roundtable has had a series of small group discussions on issues and potential solutions in different parts of the South Platte River Basin. These small group meetings have facilitated meaningful engagement between members and are helping the South Platte Basin Roundtable progress towards a better understanding of issues in the basin. The Mountains Working Group identified three additional water issues:

- Study small communities and special districts to develop a master plan to jointly develop water projects.
- Explore storage projects that could be rehabilitated, expanded or deepened to included additional partners both upstream and downstream to meet multiple water needs.
- Review policies on the State Engineer's issuance of well permits in over appropriated basins.

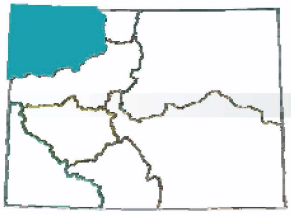
The results of the gap analysis conducted during SWSI for the South Platte Basin excluding the Denver/South Metro Counties is presented in Figure 2-4.




**Gap Analysis for South Platte Basin Excluding Denver/South Metro Counties**

| County | Identified Gross Demand Shortfall (AFY) |
|---|---|
| Upper Mountain | 1,400 |
| High Plains | 0 |
| Northern | 18,400 |
| Lower Platte | 8,000 |
| **TOTAL** | **27,800** |

**Figure 2-4. Summary of Gap Analysis for the South Platte Basin.**



# 2.9 Yampa/White/Green Basin

## 2.9.1 Procedural Accomplishments

The Yampa/White Basin Roundtable has decided to refer to themselves as the Yampa/White/Green Basin Roundtable. Since September 2005, the Yampa/White/Green Basin Roundtable has met on roughly a bi-montly basis. Mr. Tom Sharp was elected Chair of the Yampa/White/Green Basin Roundtable. Mr. Darryl Steele and Mr. Dan Birch were elected as IBCC representatives. The Yampa/White/Green Basin Roundtable elected two non-voting at large members. As required by Section 37-75-104(a)(I) of the Act, the Yampa/White/Green Basin Roundtable is developing bylaws.

## 2.9.2 Yampa/White/Green Basin Educational Accomplishments

The Yampa/White/Green Basin received a series of presentations during its first year. These included a presentation on the Colorado River Compact by Mr. Eric Kuhn, of the Colorado River Water Conservation District on April 19, 2006, and on SWSI by Mr. Rick Brown, of CWCB, on July 19, 2006. Additionally, the Yampa/White/Green Basin Roundtable received a presentation on water supply and needs issues specific to the White River. The presentations received by the Yampa/White/Green Basin Roundtable are available on the Colorado Water for the 21st Century section of the DNR website.

## 2.9.3 Yampa/White/Green Basin Needs Assessment Accomplishments

A Water Supply and Needs Report for the Yampa/White/Green Basin was prepared utilizing information from the SWSI Report as required by Section 37-75-104(c)(II). The report was distributed to the Yampa/White/Green Basin Roundtable at the July 19, 2006, meeting by Mr. Rick Brown of CWCB.

## 2.9.4 Major Water Issues in the Yampa/White/Green Basin

Based on the findings in the needs assessment, the Basin Roundtables are tasked with identifing major water issues in their basin and proposing projects or methods to meet those needs. The major water issues in each basin as identified during SWSI served as a starting point for the Basin Roundtables to further develop and refine their own list of major water issues. Following are some of the major issues in the Yampa/White/Green Basin identified by the Yampa/White/Green Basin Roundtable and in SWSI:

- Emerging development of gas and oil shale resources is impacting water needs both for the direct production needs and the associated increase in municipal use; it is important to quantify these water needs.
- The Yampa/White/Green Basin Roundtable wishes to develop a more detailed needs assessment for non-consumptive (recreational and environmental) water needs. This issue was the topic of a presentation by Mr. Geoff Blakeslee and Mr. Kent Vertrees on October 18, 2006.
- Agriculture, tourism, and recreation are vital components to this basin's economy.
- Industrial uses, especially power production, are a major water use. Future energy development is less certain.
- While rapidly growing in some areas (Yampa River/Steamboat area) the basin is not developing as rapidly as other portions of the state. This has led to concern that the basin will not get a "fair share" of water use afforded to Colorado under the Colorado River Compact.
- Implementation of a successful Endangered Species Program is vital to ensuring protection of existing and future water uses.

The results of the gap analysis conducted during SWSI for the Yampa/White/Green Basin showed that there are no identified gaps for counties in this basin.

The Management Plan for Endangered Fishes in the Yampa River Basin assists in the recovery of four endangered fish species as water depletions from the Yampa River Basin continue to serve human water needs in Colorado and Wyoming. The plan recommends that daily average base flows in the Yampa River not fall below 93 cfs at Maybell from August through October at any greater frequency, magnitude, or duration in the future than had occurred historically. Uncertainty with respect to the winter flow needs of the fishes prompted the US Fish and Wildlife Service to extend the base flow period through the winter months with a 33 percent buffer added to the 93 cfs flow target (i.e., 124 cfs) during this period, which is consistent with observed hydrologic patterns. The plan proposes to augment base flows in accordance with these recommendations to compensate for impacts to base flows due to depletions. Hydrologic modeling demonstrated that 7,000 AF would satisfy base flow needs in all but the driest years.

Numerous instream flow rights have been decreed on major rivers and tributaries in the Yampa/White/Green Basin, which can be found at http://cwcb.state.co.us/Streamandlake/Database/.

# Appendix A
# Basin Roundtable Members

## *Arkansas Basin Representatives*

Patricia Alderton, Chaffee Muni
Glen Ausmus, Baca County
Monte Baker, Cheyenne Muni
Gerald Barber, El Paso County
Charles Beard, Custer Muni
Gary Belew, Ft. Carson (Liaison)
Berry Cardon, Kiowa Muni
James Broderick, Southeastern Colorado Water Conservancy District
Reeves Brown, At-Large Representative
Rod Brown, Kiowa County
Tom Brubaker, At-Large Representative
Hank Corsentino, Huerfano County
Kurt Dahl, Teller County
Jeris Danielson, Purgatoire River Water Conservancy District
Misty DeSalvo, Forest Service (Liaison)
Reed Dils, Recreational Representative
Bud Elliott, Lake Muni
Deb Entwistle, Forest Service (Liaison)
James Fernandez, Las Animas Muni
Thomas Florczak, Pueblo Muni
Jonathon Fox, Agricultural Representative
Tim Glenn, Chaffee County
Tom Goodwin, Saguache County
Alan Hamel, Legislative Appointment
Raymond Harriman, Huerfano County Water Conservancy District
Dan Henrichs, At-Large Representative
Mary Henry, Fish and Wildlife Services (Liaison)
Keith Hood, Custer County
Kathy Justice, Teller Muni
Kevin Karney, Otero County
Joe Kelley, Otero Muni
Loretta Kennedy, Pueblo County
Leroy Mauch, Prowers County
Carl McClure, Crowley Muni
Toni McPherson, Prowers Muni
Harold Miskel, CWCB Member
SeEtta Moss, Environmental Representative
Tom Musgrove, Bureau of Reclamation (Liaison)
Phil Overeynder, Non-Voting At-Large Member
Mark Pifher, Non-Voting At-Large Member
Tom Piltingsrud, Fremont Muni
Lisa Pinello, Local Domestic Water Provider Representative
John Proctor, At-Large Representative
Jane Rawlings, Industrial Representative
Larry Reeves, Elbert County
John Reid, Lincoln County
Kathleen Reilly, Colorado Water Quality Control Division (Liaison)
Randal Ristau, Colorado Water Quality Control Division (Liaison)
Terry Rusher, Crowley County
Gus Sandstrom, Pueblo Conservancy District
Terry Scanga, Upper Arkansas Water Conservancy District
John Schweizer, At-Large Representative
Lawrence Sena, Bent Muni
Jay Skinner, Division of Wildlife (Liaison)
Max Smith, Baca Muni
Dennis Smith, Lake County
Michael Stiehl, Fremont County
Dave Stone, Lincoln Muni
John Tonko, Division of Wildlife (Liaison)
Ralf Topper, Colorado Geological Survey (Liaison)
Jeff Tranel, CSU Extension Service (Liaison)
Paul Trentzsch, Bureau of Land Management (Liaison)
Van Truan, U.S. Army Corps of Engineers (Liaison)
Wayne Vanderschuere, El Paso Muni
Roy Vaughn, Bureau of Reclamation (Liaison)
Tom Verquer, Las Animas County
Frank Wallace, Bent County
Ed Warner, Bureau of Reclamation (Liaison)
Jay Winner, Lower Arkansas Valley Water Conservancy District
Steve Witte, Division of Water Resources (Liaison)

## *Colorado Basin Representatives*

Kim Albertson, At-Large Representative
Clay Altenbern, Bluestone Water Conservancy District
Ken Baker, Non-Voting At-Large Member
Peter Barkmann, Colorado Geological Survey (Liaison)
William Bates, Non-Voting At-Large Member
Eli Beeding, Gunnison County
Paula Belcher, Bureau of Land Management (Liaison)
Linda Bledsoe, Forest Service (Liaison)

Art Bowles, Basalt Water Conservancy District
Jim Broderick, Non-Voting At-Large Member
Don Carlson, Non-Voting At-Large Member
James Carter, Industrial Representative
Stanley Cazier, Middle Park Water Conservancy District
Thomas Clark, At-Large Representative
Dan Crabtree, Bureau of Reclamation (Liaison)
Lurline Curran, Grand County
Carlyle Currier, Collbran Water Conservancy District
Scot Dodero, Silt Water Conservancy District
Mark Fuller, Legislative Appointment
Jaci Gould, Bureau of Reclamation (Liaison)
David Graf, Division of Wildlife (Liaison)
Karl Hanlon, Garfield Muni
Mary Henry, Fish and Wildlife Services (Liaison)
Scott Hummer, Division of Water Resources (Liaison)
Bruce Hutchins, Grand Muni
Harley Jackson, Ute Water Conservancy District
Kirk Klancke, At-Large Representative
Tom Long, Summit County
Alan Martellaro, Division of Water Resources (Liaison)
Bill McKee, Colorado Water Quality Control Division (Liaison)
Arn Menconi, Eagle County
David Merritt, Colorado River Water Conservation District
Louis Meyer, Garfield County
Ken Neubecker, Environmental Representative
Chuck Ogilby, Eagle Muni
Ed Olszewski, West Divide Water Conservancy District
Philip Overeynder, Pitkin Muni
Mark Pifher, Non-Voting At-Large Member
Richard Proctor, Mesa County
Ken Ransford, Non-Voting At-Large Member
John Redifer, CWCB Member
Melvin Rettig, Agricultural Representative
Rick Sackbauer, Recreational Representative
Duane Scholl, At-Large Representative
Rod Sharp, CSU Extension Service (Liaison)
Wayne Shoemaker, Routt County
Jay Skinner, Division of Wildlife (Liaison)
Scott Stoddard, U.S. Army Corps of Engineers
Rose Ann Sullivan, Pitkin County
Dale Tooker, At-Large Representative
Greg Trainor, Mesa Muni
Brent Uilenberg, Bureau of Reclamation (Liaison)
Wayne Vanderschuere, Non-Voting At-Large Member
Michael Wageck, Local Domestic Water Provider Representative
Ed Warner, Bureau of Reclamation (Liaison)
Dawn Wiedmeier, Bureau of Reclamation (Liaison)
Lane Wyatt, Summit Muni

### *Dolores/San Juan/San Miguel Basin Representatives*

Peter Barkmann, Colorado Geological Survey (Liaison)
Ken Beegles, Industrial Representative
Daniel Beley, Colorado Water Quality Control Division (Liaison)
Carrie Campbell, San Juan Conservancy District
Mary Helen de Koevend, Montrose Muni
Larry Deremo, Dolores County
Mallory Dimmitt, At-Large Representative
John Ey, Florida Water Conservancy District
Stephen Fearn, San Juan County
Daniel Fernandez, CSU Extension Service (Liaison)
James Fisher, Dolores Water Conservancy District
Mark Garcia, Archuleta Muni
David Graf, Division of Wildlife (Liaison)
Pat Greer, Animas-La Plata Water Conservancy District
Vern Harrell, Bureau of Reclamation (Liaison)
Steven Harris, Legislative Appointment
Kay Hartman, San Miguel Water Conservancy District
Kara Hellige, U.S. Army Corps of Engineers (Liaison)
Mary Henry, Fish and Wildlife Services (Liaison)
Tim Hunter, Recreational Representative
Raymond Keith, Local Domestic Water Provider Representative
Russell Kennedy, La Plata Water Conservancy District
Gary Kennedy, Mancos Water Conservancy District
Gerald Koppenhafer, Montezuma County
Fred Kroeger, La Plata County
Leo Large, Montrose County
Charles Lawler, Southern Ute Indian Tribe DNR
Jerry McCaw, Agricultural Representative
Monte Naslund, At-Large Representative
Peter Ortego, Ute Mountain Ute Tribe
Pat Page, Bureau of Reclamation (Liaison)
Kelly Palmer, Bureau of Land Management (Liaison)
Hal Pierce, At-Large Representative
John Porter, Southwestern Water Conservation District
Michael Preston, At-Large Representative
Mark Ragsdale, At-Large Representative

Jennifer Russell, San Miguel County and Municipalities
Robin Schiro, Archuleta County
Donald Schwindt, CWCB Member
Ron Shaver, Non-Voting At-Large Member
Jay Skinner, Division of Wildlife (Liaison)
Bruce Smart, Montezuma Muni
John Taylor, Hinsdale County
Chuck Wanner, Environmental
Ed Warner, Bureau of Reclamation (Liaison)
Bruce Whitehead, Division of Water Resources (Liaison)
Robert Wolff, La Plata Muni

### *Gunnison Basin Representatives*

Mike Ahlberg, At-Large Representative
Steve Allen, Fruitland Mesa Water Conservancy District
Thomas Alvey, North Fork Water Conservancy District
Peter Barkmann, Colorado Geological Survey (Liaison)
David Baumgarten, At-Large Representative
Daniel Beley, Colorado Water Quality Control Division (Liaison)
Mike Berry, Tri-County Water Conservancy District
Thomas Brubaker, Non-Voting At-Large Member
Bud Burgess, Grand Mesa Water Conservancy District
Marc Catlin, At-Large Representative
Keith Catlin, CWCB Member
Greg Clifton, Ouray Muni
Wayne Cooley, CSU Extension Service (Liaison)
Dan Crabtree, Bureau of Reclamation (Liaison)
Sharon Dunning (Paid Recorder)
David Graf, Division of Wildlife (Liaison)
Ralph Grover, Hinsdale County
Steve Harris, Non-Voting At-Large Member
Mary Henry, Fish and Wildlife Services (Liaison)
Jim Hokit, Montrose County
Hank Hotze, Recreational Representative
Thomas Huerkamp, Delta Muni
David Kanzer, Non-Voting At-Large Member
Pete Kasper, Agricultural Representative
Frank Kugel, Division of Water Resources (Liaison)
Henry LeValley, Crawford Water Conservancy District
Harmon Lowman III, Ute Water Conservancy District
Dixie Luke, At-Large Representative
Olen Lund, Delta County
Flynn Mangum, Saguache County
Richard Margetts, Local Domestic Water Provider Representative
Tyler Martineau, Gunnison Muni
Steve McCall, Bureau of Reclamation (Liaison)
John MClow, Legislative Appointment
Dennis Murphy, Bureau of Land Management (Liaison)
Josh Penry, Mesa County
Michelle Pierce, Hinsdale Muni
Hugh Sanburg, Industrial Representative
Randy See, Montrose Muni
Ronald Shaver, At-Large Representative
Gary Shelhorn, Forest Service (Liaison)
Jay Skinner, Division of Wildlife (Liaison)
Kenny Smith, Non-Voting At-Large Member
Ken Spann, Upper Gunnison River Water Conservancy District
Dennis Steckel, Gunnison County
Scott Stoddard, U.S. Army Corps of Engineers (Liaison)
Bill Trampe, Colorado River Water Conservation District
Danny Vanover, Mesa Muni
Ed Warner, Bureau of Reclamation (Liaison)
Jay Winner, Non-Voting At-Large Member

### *Metro Basin Representatives*

Tom Acre, At-Large Representative
Chips Barry, Legislative Appointment
Mike Bartleson, Broomfield
Terry Benton, Weld Muni
Barbara Biggs, CWCB Member
Peter Binney, Local Domestic Water Provider Representative
Tracy Bouvette, Non-Voting At-Large Member
Bob Campbell, Teller County
Tim Carey, U.S. Army Corps of Engineers (Liaison)
Tim Carl, Jefferson County
Larry Cerrillo, Non-Voting At-Large Member
Robert Coney, Adams County
Dale Dejacamo, Agricultural Representative
Mark Harding, Non-Voting At-Large Member
Polly Hays, Forest Service (Liaison)
John Hendrick, At-Large Representative
Mary Henry, Fish and Wildlife Services (Liaison)
Julio Iturreria, Arapahoe County
Frank Jaeger, El Paso County
Neil Jaquet, Industrial Representative
Jonathon Kahn, Recreational Representative
Mark Koleber, Adams Muni
Scott Ludwig, Forest Service (Liaison)
Mike Maxwell, Douglas County

Julia Murphy, At-Large Representative
David Nickum, Environmental Representative
James Pearce, Non-Voting At-Large Member
Bill Ray, Jefferson Muni
Jim Reasoner, Central Colorado River Water Conservancy District
Randy Ristau, CO Water Quality Control Division (Liaison)
Bob Sakata, At-Large Representative
Doug Scott, Arapahoe Muni
Hal Simpson, Division of Water Resources (Liaison)
Jay Skinner, Division of Wildlife (Liaison)
Dennis Smith, Non-Voting At-Large Member
Penfield Tate, Denver
Gary Thompson, Upper South Platte Water Conservancy District
Ralf Topper, Colorado Geological Survey (Liaison)
Mark Uppendahl, Division of Wildlife (Liaison)
Ed Warner, BOR (Liaison)
Ray Waterman, Douglas Muni
Carl Wilson, CSU Extension Service (Liaison)
Bernie Zimmer, At-Large Representative

### *North Platte Basin*

Mike Allnutt, Agricultural Representative
Jim Baller, Michigan River Water Conservancy District
Peter Barkmann, Colorado Geological Survey (Liaison)
Paula Belcher, BLM (Liaison)
Dina Bennett, Environmental Representative
Robert Burr, CWCB Member
Dianne Chung, Forest Service (Liaison)
Glen Colton, Non-Voting At-Large Member
Kent Crowder, Legislative Appointment
Buell Fuller, At-Large Representative
Jaci Gould, BOR (Liaison)
Paula Guenther-Gloss, Non-Voting At-Large Member
Tom Hackleman, At-Large Representative
Hal Hagen, Recreational Representative
Anne Kiser, CSU Extension Service (Liaison)
Sandra Knox, At-Large Representative
Erin Light, Division of Water Resources (Liaison)
Bill McKee, CO Water Quality Control Division (Liaison)
David Meyring, At-Large Representative
Lucy Meyring, At-Large Representative
Ed Perkins, Division of Wildlife (Liaison)
Dirk Ramsey, Local Domestic Water Provider Representative
John Rich, Jackson County
Jay Skinner, Division of Wildlife (Liaison)
Ann Timberman, Fish and Wildlife Services (Liaison)
Carl Trick, Jackson County Water Conservancy District
Ty Wattenberg, At-Large Representative
Dawn Wiedmeier, BOR (Liaison)
Richard Wyatt, Jackson Muni

### *Rio Grande Basin*

J.B. Alexander, Mineral Muni
Robert Bagwell, Conejos County
Peter Barkmann, Colorado Geological Survey (Liaison)
Rick Basagoitia, Colorado Division of Wildlife (Liaison)
Fred Bauder, Local Domestic Water Provider Representative
Mike Blenden, Fish and Wildlife Services (Liaison)
Allen Brown, Hinsdale County
Fred Bunch, National Park Service (Liaison)
Nathan Cherpesti, Alamosa Muni
Peter Clark, Forest Service (Liaison)
Ralph Curtis, Legislative Appointment
Rio de la Vista, Environmental
Jerry Gallegos, Costilla County
Dennis Garcia, U.S. Army Corps of Engineers (Liaison)
Melvin Getz, Industrial Representative
Mike Gibson, San Luis Valley Water Conservancy District
Greg Higel, Alamosa County
Maclovio Martinez, Costilla Water Conservancy District
Steve McCormick, Recreational Representative
Edwin Nielsen, Saguache County
Dale Pizel, Mineral County
Kathleen Reilly, CO Water Quality Control Division (Liaison)
Marvin Reynolds, CSU Extension Service (Liaison)
Cindy Rivera, BLM (Liaison)
Paul Robertson, At-Large Representative
John Shawcroft, Alamosa La Jara CD
Doug Shriver, At-Large Representative
Jay Skinner, Division of Wildlife (Liaison)
Travis Smith, CWCB Member
Charles Spielman, Rio Grande Muni
Pete Stagner, Saguache Muni
Charles Stillings, At-Large Representative
Mike Sulivan, Division of Water Resources (Liaison)
John Tonko, Division of Wildlife (Liaison)
Raymond Valdez, Agricultural Representative

Arnie Valdez, At-Large Representative
Steve Vandiver, Rio Grande Water Conservation Districtt
Zeke Ward, At-Large Representative
Ed Warner, BOR (Liaison)
Glen Wiescamp, Costilla Muni
Glen Wiescamp, Trinchera Water Conservancy District
Mike Willett, Conejos Water Conservancy District
Cathee Wilson, NRCS (Liaison)
Raymond Wright, Rio Grande County

### *South Platte Basin*

Leon Allen, Cheyenne County
Rick Anderson, Adams County
Cortney Brand, Non-Voting At-Large Member
Bill Brown, Northern Colorado Water Conservancy District
Bill Buckhanan, Teller County
Carl Chambers, Forest Service (Liaison)
David Colver, Phillips Muni
Paul Czarnecki, Industrial Representative
Lisa Darling, Non-Voting At-Large Member
Frank Eckhardt, Central Colorado River Water Conservancy District
Harold Evans, Weld County Municipal
Pete Fogg, Boulder County
Joe Frank, Lower South Platte Water Conservancy District
Bruce Gerk, Sedgwick Muni
Jaci Gould, BOR (Liaison)
Jim Hall, Division of Water Resources (Liaison)
Mary Henry, Fish and Wildlife Services (Liaison)
Gary Herman, At-Large Representative
Stan Holmes, Yuma Muni
Larry Howard, Larimer Muni
Clay Hurst, Elbert Muni
Ken Huson, Boulder Muni
Tom Iseman, At-Large Representative
BillJerke, Weld County
Webster Jones, Local Domestic Water Provider Representative
Dennis Kaan, CSU Extension Service (Liaison)
Greg Kernohan, Recreational Representative
Kim Killin, Republican River Water Conservation District
Joe Kiolbasa, Logan Muni
Walter Knudsen, Jefferson County
Dave Little, Non-Voting At-Large Member
Dennis Lunbery, Clear Creek Muni
Richard Mann, Kit Carson Muni
Gene Manuello, Agricultural Representative
Lisa McVicker, Center of Colorado Conservancy District
Steve Meakins, Phillips County
John Metli, Elbert County
Brent Nation, Morgan Muni
Denise Newberry, Division of Wildlife (Liaison)
Chuck Powell, Sedgwick County
Jim Powers, Morgan County
Bill Ray, Jefferson Muni
Kathay Rennels, Larimer County
Fred Rios, U.S. Army Corps of Engineers (Liaison)
Randy Ristau, CO Water Quality Control Division (Liaison)
Shannon Roth, Arapahoe County
Joel Schneekloth, CSU Extension Service (Liaison)
Philo Shelton, Gilpin Muni
Mike Shimmin, At-Large Representative
Jay Skinner, Division of Wildlife (Liaison)
Stephen Spann, Upper South Platte Water Conservancy District
Phillip Steininger, El Paso County
John Stencel, Legislative Appointment
Joe Stone, Park Muni
Bob Streeter, Environmental Representative
Kent Swedlund, Logan County
John Tighe, Park County
Ralf Topper, Colorado Geological Survey (Liaison)
Fred Walker, At-Large Representative
Bert Weaver, Clear Creek County
Forrest Whitman, Gilpin County
Dawn Wiedmeier, BOR (Liaison)
Robin Wiley, Yuma County
Eric Wilkinson, CWCB Member
Les Williams, St. Vrain, Left Hand Water Conservancy District
Jim Yahn, At-Large Representative

### *Yampa-White Basin*

Peter Barkmann, Colorado Geological Survey (Liaison)
Dan Birch, Colorado River Water Conservation District
Geoff Blakeslee, Environmental Representative
Mike Brennan, At-Large Representative
Mary Brown, Agricultural At-Large Representative
Mike Camblin, At-Large Representative
Don Carroll, Forest Service (Liaison)
Stephen Colby, Local Domestic Water Provider Representative
Jeff Comstock, At-Large Representative
Don Cook, Recreational Representative
Dan Craig, Routt Muni
Jeff Devere, Rio Blanco Muni
Nate Dieterich, BLM (Liaison)
Tonia Folks, Non-Voting At-Large Member
David Graf, Division of Wildlife (Liaison)
Tom Gray, Moffat County
Bill Haffner, Non-Voting At-Large Member
Mary Henry, Fish and Wildlife Services (Liaison)
Don Jones, Moffat Muni
Forrest Luke, Industrial Representative
Bill McKee, CO Water Quality Control Division (Liaison)
Doug Monger, Routt County
CJ Mucklow, CSU Extension Service (Liaison)
Traute Parrie, BLM (Liaison)
Bob Plaska, Division of Water Resources (Liaison)
Peggy Rector, Rio Blanco Water Conservancy District
Tom Sharp, CWCB Member
Tom Sharp, Upper Yampa Water Conservancy District
Jay Skinner, Division of Wildlife (Liaison)
David Smith, Rio Blanco County
Darryl Steele, Juniper Water Conservancy District
Scott Stoddard, U.S. Army Corps of Engineers (Liaison)
Paul Strong, Legislative Appointment
Kent Vertrees, At-Large Representative
Ed Warner, BOR (Liaison)
Robert Weiss, At-Large Representative
Douglas Wellman, Yellow Jacket Water Conservation District

# Appendix B
# Interbasin Compact Committee Representatives

### Director of Compact Negotiations
Russell George

### Arkansas Basin Representatives
Alan Hamel
Jeris Danielson

### Colorado Basin Representatives
Stan Cazier
Carlyle Currier

### Dolores/San Juan/San Miguel Basin Representatives
John Porter
Jenny Russell

### Gunnison Basin Representatives
Bill Trampe
Marc Catlin

### Metro Basin Representatives
Doug Scott
Chips Berry

### North Platte Basin Representatives
Kent Crowder
Carl Trick

### Rio Grande Basin Representatives
Steve Vandiver
Raymond Wright

### South Platte Basin Representatives
Eric Wilkinson
Mike Shimmin

### Yampa/White Basin Representatives
Darryl Steele
Dan Birch

### Governor
Eric Kuhn
Melinda Kassen
Wayne Vanderschuere
Rita Crumpton
T. Wright Dickinson
Peter Binney

### Senate Agriculture Committee
Jim Isgar

### House Agriculture Committee
Kathleen Curry

# Appendix B
# Interbasin Compact Committee Working Groups

## Public Education, Participation, and Outreach Working Group

Rita Crumpton – Chair
Jeris Danielson
Jenny Russell
Carl Trick
Don Glaser (CFWE)
Reagan Waskom (CSU)
Jeff Crane (CWA)

## Needs Assessment Assistance Working Group

John Porter
Peter Binney
Melinda Kassen
Eric Kuhn
Eric Wilkinson
Bill Trampe
Alan Hamel

## Joint CWCB/IBCC Criteria and Guidelines Working Group

*IBCC:*
Wayne Vanderscheure
John Porter
Ray Wright
Melinda Kassen

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Harold Miskel
Eric Wilkinson
Barbra Biggs

# Appendix C
# Completed Basin Roundtable and IBCC Meetings

| Date | Location/Time | Roundtable |
|---|---|---|
| September 26 (Tuesday) | Walden<br>U.S. Forest Service Building<br>100 Main St.<br>7:00 – 9:00 p.m. | North Platte |
| September 26 (Tuesday) | Longmont<br>Southwest Weld County Building<br>4209 Weld County Rd 24 ½<br>3:00 – 7:00 p.m. | South Platte |
| September 25 (Monday) | Glenwood Springs<br>Glenwood Springs Community Center<br>100 Wolfson Road<br>2:00 – 5:00 p.m. | Colorado |
| September 15 (Friday) | Denver<br>Department of Natural Resources<br>1313 Sherman St.<br>Conference Room 719<br>1:00 – 3:00 p.m. | Sub-Committee Criteria & Guidelines IBCC |
| September 13 (Wednesday) | Highlands Ranch<br>Centennial Water & Sanitation District<br>62 W. Plaza Drive<br>Board Room<br>4:00 – 6:30 p.m. | Metro |
| September 13 (Wednesday) | Pueblo<br>Sangre De Cristo Arts & Conference Center<br>210 N. Santa Fe Ave.<br>Room - Jackson<br>12:30 – 3:00 p.m. | Arkansas |
| September 13 (Wednesday) | Cortez<br>Dolores Water Conservancy District Office<br>60 Cactus Street<br>3:00 – 6:00 p.m. | Dolores/SJ/SM |
| September 12 (Tuesday) | Alamosa<br>Adams State College<br>Student Union Building<br>First Street & Stadium Dr.<br>Room A126/131<br>5:00 – 8:00 p.m. | Rio Grande |
| September 12 (Tuesday) | Alamosa<br>Adams State College<br>Student Union Building<br>First Street & Stadium Dr.<br>Room 309/Lunch in Rm. A129<br>10:30 a.m. – 4:00 p.m. | IBCC |
| September 11 (Monday) | Montrose<br>Holiday Inn Express<br>1391 South Townsend Ave.<br>Ballroom<br>4:00 – 7:00 p.m. | Gunnison |

# Appendix C
# Completed Basin Roundtable and IBCC Meetings

| Date | Location/Time | Roundtable |
|---|---|---|
| September 11<br>(Monday) | Alamosa<br>Adams State College<br>Student Union Building<br>First Street & Stadium Dr.<br>Room 318<br>3:30 – 7:30 p.m. | Sub-Committee<br>Public Education<br>IBCC |
| August 28<br>(Monday) | Glenwood Springs<br>Hotel Colorado<br>526 Pine St.<br>2:00 – 5:00 p.m. | Colorado |
| August 22<br>(Tuesday) | Longmont<br>Southwest Weld County Building<br>4209 Weld County Rd 24 ½<br>5:00 – 8:00 p.m. | South Platte |
| August 22<br>(Tuesday) | Walden<br>Forest Service<br>100 Main St.<br>7:00 – 9:00 p.m. | North Platte |
| August 16<br>(Wednesday) | Castle Rock<br>Douglas County Fairgrounds and Events Center<br>500 Fairgrounds Drive<br>Castle Rock, CO<br>4:00 – 6:00 p.m. | Metro |
| August 9<br>(Wednesday) | Pueblo<br>CSU Cooperative Extension<br>Occhiato University Center<br>2200 Bonforte Boulevard, LW-331<br>East Ballroom<br>12:30 – 3:00 p.m. | Arkansas |
| August 9<br>(Wednesday) | Pueblo<br>CSU Cooperative Extension<br>Occhiato University Center<br>2200 Bonforte Boulevard, LW-331<br>West Ballroom<br>8:30 a.m. – 12:30 p.m. | IBCC |
| August 8<br>(Tuesday) | Alamosa<br>Adams State College<br>Student Union Building<br>First Street & Stadium Dr.<br>5:00 – 8:00 p.m. | Rio Grande |
| August 8<br>(Tuesday) | Alamosa<br>Adams State College<br>Student Union Building<br>First Street & Stadium Dr.<br>5:00 – 8:00 p.m. | Rio Grande |
| August 8<br>(Tuesday) | Pueblo<br>CSU Cooperative Extension<br>Occhiato University Center<br>2200 Bonforte Boulevard, LW-331<br>VAIL Room<br>1:00 – 4:00 p.m. | Sub-Committee<br>Public Education<br>IBCC |

| Date | Location/Time | Roundtable |
|---|---|---|
| August 7<br>(Monday) | Montrose<br>Holiday Inn Express<br>Apex Room<br>1391 South Townsend Ave.<br>4:00 – 7:00 p.m. | Gunnison |
| July 31<br>(Monday) | Denver<br>Dept. of Natural Resources<br>1313 Sherman St.<br>Conference Room 719<br>10:00 – 3:00 p.m. | Subcommittee Criteria & Guidelines (IBCC) |
| July 28<br>(Friday) | Walden<br>Forest Service<br>100 Main St.<br>7:00 – 9:00 p.m. | North Platte |
| July 24<br>(Monday) | Glenwood Springs<br>Glenwood Springs Community Center<br>100 Wolfson Road<br>2:00 – 5:00 p.m. | Colorado |
| July 19<br>(Wednesday) | Craig<br>Holiday Inn<br>300 S. Colorado Hwy 13<br>6:00 – 8:30 p.m. | Yampa/White |
| July 18<br>(Tuesday) | Durango<br>Community Recreation Center<br>2700 Main Ave.<br>4:00 – 6:00 p.m. | Dolores/SJ/SM |
| July 12<br>(Wednesday) | Pueblo<br>CSU Cooperative Extension<br>Southern Region<br>Occhiato University Center<br>2200 Bonforte Boulevard, LW-331<br>12:30 – 3:00 p.m. | Arkansas |
| July 12<br>(Wednesday) | Aurora<br>Aurora Municipal Center<br>15151 E. Alameda Parkway<br>Aurora Room(City Hall)<br>4:00 – 6:00 p.m. | Metro |
| July 11<br>(Tuesday) | Longmont<br>Southwest Weld County Building<br>4209 Weld County Rd 24 ½<br>4:00 – 8:00 p.m. | South Platte |
| July 10<br>(Monday afternoon)<br>July 11<br>(Tuesday all day) | Alamosa<br>Adams State College<br>NO Roundtable Meeting, members are encouraged to attend the Water Conservation Workshop at the College | Rio Grande |
| July 10<br>(Monday) | Montrose<br>Holiday Inn Express<br>Apex Room<br>1391 South Townsend Avenue<br>4:00 – 7:00 p.m. | Gunnison |

# Appendix C
# Completed Basin Roundtable and IBCC Meetings

| Date | Location/Time | Roundtable |
|---|---|---|
| June 30<br>(Friday) | Denver<br>Holiday Inn Denver International Airport Area<br>15500 East 40th Ave.<br>10:30 a.m. – 3:30 p.m. | IBCC |
| June 27<br>(Tuesday) | Walden<br>Forest Service Office<br>100 Main Street<br>3:00 – 5:00 p.m. | North Platte |
| June 26<br>(Monday) | Glenwood Springs<br>Glenwood Springs Community Center<br>100 Wolfson Road<br>2:00 – 5:00 p.m. | Colorado |
| June 15<br>(Thursday) | Dolores<br>Town of Dolores Community Center<br>400 Riverside Dr.<br>4:00 – 6:00 p.m. | Dolores/San Juan/San Miguel |
| June 14<br>(Wednesday) | Denver<br>Division of Wildlife<br>Administration Building<br>Big Horn Room<br>6060 Broadway<br>4:00 – 6:00 p.m. | Metro |
| June 14<br>(Wednesday) | Pueblo<br>CSU Cooperative Extension<br>Southern Region<br>Occhiato University Center<br>2200 Bonforte Boulevard, LW-331<br>12:30 – 3:00 p.m. | Arkansas |
| June 13<br>(Tuesday) | Longmont<br>Southwest Weld County Building<br>4209 Weld County Rd 24 ½<br>4:00 – 7:00 p.m. | South Platte |
| June 13<br>(Tuesday) | Alamosa<br>Adams State College<br>Student Union Building<br>First Street & Stadium Dr.<br>5:00 – 8:00 p.m. | Rio Grande |
| June 5<br>(Monday) | Montrose<br>Holiday Inn Express<br>Apex Room<br>1391 South Townsend Avenue<br>4:00 – 7:00 p.m. | Gunnison |
| June 1<br>(Thursday) | Walden<br>Forest Service Office<br>100 Main Street<br>3:00 – 5:00 p.m. | North Platte |
| May 22<br>(Monday) | Glenwood Springs<br>Glenwood Springs Community Center<br>100 Wolfson Road<br>2:00 – 5:00 p.m. | Colorado |
| May 22<br>(Monday) | Glenwood Springs<br>Glenwood Springs Community Center<br>100 Wolfson Road<br>9:00 a.m. – 1:00 p.m. | IBCC |

| Date | Location/Time | Roundtable |
|---|---|---|
| May 18<br>(Thursday) | Montrose<br>Colorado River Basin Roundtables Caucus<br>Montrose Pavilion<br>1800 Pavilion Drive<br>10:00 a.m. – 4:00 p.m. | Colorado<br>D/SJ/SM<br>Gunnison<br>Yampa/White |
| May 10<br>(Wednesday) | Parker<br>Parker Water and Sanitation District<br>North Reclamation Plant<br>18100 E. Woodman Drive<br>4:00 – 7:00 p.m. | Metro |
| May 10<br>(Wednesday) | Pueblo<br>CSU Cooperative Extension<br>Southern Region<br>Occhiato University Center<br>2200 Bonforte Boulevard, LW-331<br>12:30 – 3:00 p.m. | Arkansas |
| May 9<br>(Tuesday) | Alamosa<br>Adams State College<br>Student Union, Room A131<br>First Street & Stadium Dr.<br>2:00 – 5:00 p.m. | Rio Grande |
| May 2<br>(Tuesday) | Ft. Collins<br>Budweiser Facility<br>2351 Busch Dr.<br>5:00 – 8:00 p.m. | South Platte |
| May 1<br>(Monday) | Montrose<br>Holiday Inn Express<br>Jordan Room A<br>1391 South Townsend Avenue<br>4:00 – 7:00 p.m. | Gunnison |
| April 24<br>(Monday) | Glenwood Springs<br>Glenwood Springs Community Center<br>100 Wolfson Road<br>2:00 – 5:00 p.m. | Colorado |
| April 19<br>(Wednesday) | Steamboat Springs<br>Courthouse Annex<br>Routt County Commissioners Meeting Room<br>136 6th Street<br>6:00 – 9:00 p.m. | Yampa/White |
| April 12<br>(Wednesday) | Littleton<br>Koelbel Library<br>5955 S. Holly Street<br>4:00 – 6:00 p.m. | Metro |
| April 12<br>(Wednesday) | Pueblo<br>CSU Cooperative Extension<br>Southern Region<br>Occhiato University Center<br>2200 Bonforte Boulevard, LW-331<br>12:30 – 3:00 p.m. | Arkansas |
| April 11<br>(Tuesday) | Alamosa<br>Adams State College<br>Student Union, Room A131<br>First Street & Stadium Dr.<br>2:00 – 5:00 p.m. | Rio Grande |

# Appendix C
# Completed Basin Roundtable and IBCC Meetings

| Date | Location/Time | Roundtable |
|---|---|---|
| April 6<br>(Thursday) | Durango<br>The Doubletree Hotel<br>501 Camino Del Rio<br>4:00 – 6:00 p.m. | Dolores/San Juan/San Miguel |
| April 4<br>(Tuesday) | Walden<br>Forest Service Office<br>100 Main Street<br>3:00 – 5:00 p.m. | North Platte |
| April 3<br>(Monday) | Montrose<br>Holiday Inn Express<br>Jordan Room A<br>1391 South Townsend Avenue<br>4:00 – 6:00 p.m. | Gunnison |
| March 27<br>(Monday) | Glenwood Springs<br>Glenwood Springs Community Center<br>100 Wolfson Road<br>2:00 – 5:00 p.m. | Colorado |
| March 24<br>(Friday) | Denver<br>Holiday Inn Denver-INTL Airport Area<br>15500 East 40th Ave.<br>9:00a.m. – 5:00 p.m. | IBCC |
| March 14<br>(Tuesday) | Longmont<br>Southwest Weld County Service Complex<br>4209 Weld County Rd 24 ½<br>Longmont, CO<br>5:00 – 8:00 p.m. | South Platte |
| March 14<br>(Tuesday) | Alamosa<br>Adams State College<br>Student Union, Room A131<br>First Street & Stadium Dr.<br>2:00 – 5:00 p.m.<br>optional presentation 1:00 – 2:00 p.m. | Rio Grande |
| March 8<br>(Wednesday) | Broomfield<br>Mamie Doud Eisenhower Public Library<br>Eisenhower Room (Second Floor)<br>3 Community Park Road<br>4:00 – 6:00 p.m. | Metro |
| March 8<br>(Wednesday) | Pueblo<br>CSU Cooperative Extension<br>Southern Region<br>Occhiato University Center<br>2200 Bonforte Boulevard, LW-331<br>12:30 – 3:00 p.m. | Arkansas |
| March 6<br>(Monday) | Montrose<br>Holiday Inn Express<br>Jordan Room A<br>1391 South Townsend Avenue<br>4:00 – 6:00 p.m. | Gunnison |
| March 3<br>(Friday) | Denver<br>Holiday Inn Denver International Airport Area<br>Vail Meeting Room<br>15500 East 40th Ave.<br>Noon – 5:00 p.m. | IBCC |

| Date | Location/Time | Roundtable |
|---|---|---|
| February 27 (Monday) | Glenwood Springs<br>Glenwood Springs Community Center<br>100 Wolfson Road<br>2:00 – 5:00 p.m. | Colorado |
| February 22 (Wednesday) | Craig<br>The Center of Craig Building<br>601 Yampa Avenue<br>6:00 – 8:00 p.m. | Yampa/White |
| February 22 (Wednesday) | Walden<br>Forest Service<br>100 Main St.<br>1:00 – 3:00 p.m. | North Platte |
| February 14 (Tuesday) | Alamosa<br>Adams State College<br>First Street & Stadium Dr.<br>Student Union, Room A131<br>2:00 – 5:00 p.m. | Rio Grande |
| February 9 (Thursday) | Walden<br>Forest Service<br>100 Main St.<br>3:00 – 5:00 p.m. | North Platte |
| February 8 (Wednesday) | Golden<br>Jefferson County Government Building<br>Lookout Mountain Room<br>100 Jeffco Parkway<br>4:00 – 6:00 p.m. | Metro |
| February 8 (Wednesday) | Pueblo<br>Pueblo Convention Center<br>320 Central Main Street<br>Fortino Grand Hall C-West<br>12:30 – 3:00 p.m. | Arkansas |
| February 3 (Friday) | Denver<br>Holiday Inn Denver-INTL Airport Area<br>15500 East 40th Ave.<br>1:00 – 5:00 p.m. | IBCC |
| February 6 (Monday) | Montrose<br>Holiday Inn Express<br>Jordan Room A<br>1391 South Townsend Avenue<br>4:00 – 6:00 p.m. | Gunnison |
| January 31 (Tuesday) | Ft. Morgan<br>Country Steak Out<br>19592 E. 8th<br>4:00 – 8 p.m. | South Platte |
| January 23 (Monday) | Glenwood Springs<br>Glenwood Springs Community Center<br>100 Wolfson Road<br>1:00 – 4:00 p.m. | Colorado |
| January 17 (Tuesday) | Durango<br>La Plata Electric<br>Board Room<br>45 Stewart St.<br>2:00 – 4:00 p.m. | Dolores, San Miguel, San Juan |

# Appendix C
# Completed Basin Roundtable and IBCC Meetings

| Date | Location/Time | Roundtable |
|---|---|---|
| January 18 (Wednesday) | Denver<br>Denver Water<br>1600 W. 12th Ave.<br>4:00 – 6:00 p.m. | Metro |
| January 9 (Monday) | Pueblo<br>Pueblo Convention Center<br>Fortino Grand Hall C-West<br>320 Central Main St.<br>1:00 – 4:00 p.m. | Arkansas |
| January 10 (Tuesday) | Alamosa<br>Adams State College<br>First Street & Stadium Drive<br>Student Union, Room A131<br>2:00 – 4:00 p.m. | Rio Grande |
| January 4 (Wednesday) | Montrose<br>Holiday Inn Express<br>3:00 – 6:00 p.m. | Gunnison |
| December 1 (Thursday) | Pueblo<br>Pueblo Convention Center<br>1:00 – 3:00 p.m. | Arkansas |
| December 2 (Friday) | Holiday Inn Express<br>12:30 – 5:00 p.m. | Gunnison |
| December 7 (Wednesday) | Aurora<br>Saddle Rock Golf Course<br>4:00 – 6:00 p.m. | Metro |
| December 12 (Monday) | Glenwood Springs<br>Glenwood Springs Community Center<br>1:00 – 5:00 p.m. | Colorado |
| December 13 (Tuesday) | Longmont<br>Southwest Weld County Service Complex<br>4:00 – 8:00 p.m. | South Platte |
| November 17 (Thursday) | Walden<br>Forest Service, 100 Main St.<br>3-5 p.m. | North Platte |
| November 15 (Tuesday) | Greeley<br>4-H Building At Island Grove Park<br>4-6 p.m. | South Platte |
| November 14 (Monday) | Glenwood Springs<br>Glenwood Springs Community Center<br>2-4 p.m. | Colorado |
| November 9 (Wednesday) | Alamosa<br>Adams State College<br>4:30 – 6:30 p.m. | Rio Grande |
| November 8 (Tuesday) | Montrose<br>Holiday Inn Express<br>5-7 p.m. | Gunnison |
| November 7 (Monday) | Cortez<br>Holiday Inn Express Ko Ko's Conference Center<br>4:30-6:30 | Dolores, San Miguel, San Juan |
| November 2 (Wednesday) | Parker<br>Parker Water<br>4-6 p.m. | Metro |

| Date | Location/Time | Roundtable |
|---|---|---|
| October 27 (Thursday) | Pueblo<br>Pueblo Convention Center<br>1-3 p.m. | Arkansas |
| October 12 (Wednesday) | Craig<br>Center of Craig, upstairs meeting room<br>601 Yampa Avenue<br>6-8 p.m. | Yampa/White |
| October 26 (Wednesday) | Alamosa<br>Adams State College, Student Union Rm. A126<br>First Street & Stadium Drive<br>6:30-8:30 | Rio Grande |
| October 25 (Tuesday) | Durango<br>La Plata Electric, Board Room<br>45 Stewart Street<br>6-8 p.m. | Dolores, San Miguel, San Juan |
| October 24 (Monday) | Gunnison<br>Aspinall Wilson Center, North Room<br>909 Escalante Drive<br>1-3 p.m. | Gunnison |
| October 20 (Thursday) | Walden<br>Forest Service Office<br>100 Main St.<br>1-3 p.m. | North Platte |
| October 18 (Tuesday) | Sterling<br>North East Community College, Hayes Student Ball Rm<br>721 Landrum Lane #223<br>4-7 p.m. | South Platte |
| October 17 (Monday) | Eagle<br>4 Eagle Ranch<br>4098 Highway 131<br>2-4 p.m. | Colorado |
| October 5 (Wednesday) | Brighton<br>Brighton Senior Center<br>575 Bush Street<br>4-7 p.m. | Metro |
| October 3 (Monday) | Pueblo<br>Pueblo Convention Center, Fortino Grand Hall C-West<br>320 Central Main St.<br>1-3 p.m. | Arkansas |
| September 28 (Wednesday) | Meeker<br>Fairfield Center, Big Hall<br>200 Main St.<br>6-8 p.m. | Yampa/White |
| September 22 (Thursday) | Grand Junction<br>Mesa State College | Colorado |
| September 19 (Monday) | Delta<br>Bill Heddles Recreation Ctr. | Gunnison |
| September 15 (Thursday) | Pueblo<br>Pueblo Convention Center | Arkansas |
| September 14 (Wednesday) | Alamosa<br>Adams State College | Rio Grande |
| September 12 (Monday) | Durango<br>Fort Lewis College | Dolores, San Miguel, San Juan |

# Appendix C
# Completed Basin Roundtable and IBCC Meetings

| Date | Location/Time | Roundtable |
|---|---|---|
| September 6 (Tuesday) | Castle Rock<br>Douglas County Fairgrounds | Metro |
| September 1 (Thursday) | Greeley<br>Univ. of N. Colorado | South Platte |
| August 23 (Tuesday) | Rangely<br>Colo. N.W. Comm. College | Yampa/White |

**Adopted by the IBCC Members on June 30, 2006**

# THE COLORADO WATER FOR THE 21ST CENTURY INTERBASIN COMPACT COMMITTEE

## BY-LAWS

### Article I
### Name and Purpose

1.1 The name of the committee is the Interbasin Compact Committee (IBCC), a statewide committee established by the Colorado legislature in the Colorado Water for the 21st Century Act, 2005 (the Act).

1.2 The purpose of the committee is to facilitate the process of negotiations between basin roundtables as set forth in the Act and subject to principles established in section 37-75-102 of the Colorado Revised Statutes.

### Article II
### Roles and Reporting of the Committee

2.1 Roles of the Committee. The Committee will perform the roles outlined in Article IV of the IBCC Charter.

2.2 Annual Reporting to the Legislature. Commencing in 2006, the IBCC shall submit an annual report to the House of Representatives Committee on Agriculture, Livestock, and Natural Resources and the Senate Committee on Agriculture, Natural Resources and Energy by October 31st concerning the status of compact negotiations and other activities as deemed appropriate by the IBCC.

### Article III
### Definitions

3.1 Act. The Colorado Water for the 21st Century Act passed during the 2005 Legislative Session "Concerning the Negotiation of Inter-basin Compacts Regarding the Equitable Division of the State's Waters." Also known as House Bill 05-1177, now codified as Sections 37-75-101, *et seq.*, Colorado Revised Statutes (2005).

3.2 Adaptive Management. Future management actions can be adjusted based on feedback from implementation of current management actions.

3.3 Basin Roundtable(s). One or more of the nine permanent bodies established by the Colorado Water for the 21st Century Act: South Platte Basin Roundtable; Arkansas Basin Roundtable; Rio Grande Basin

Roundtable; Gunnison Basin Roundtable; Colorado Basin Roundtable; Yampa-White Roundtable; Dolores, San Miguel, and San Juan Basins Roundtable; Metro Roundtable; and North Platte Roundtable.

3.4 Basin Representative(s). Member(s) selected to represent any of the nine Basin Roundtables.

3.5 Chairperson. Chairperson of the IBCC, specified in the Act as the Director of Compact Negotiations, who is appointed by the Governor.

3.6 Charter. The charter governing the process of interbasin compact negotiations created by the Colorado Interbasin Compact Committee and approved by the legislature in House Bill 06-1400.

3.7 Committee. The Colorado Interbasin Compact Committee.

3.8 C.R.S. Colorado Revised Statues.

3.9 IBCC. The Colorado Interbasin Compact Committee.

3.10 Members. Individuals who have been appointed or selected as a representative to the IBCC, pursuant to Article IV and applicable sections within the approved bylaws of Basin Roundtables.

3.11 Properly Notified. A member will be considered to have been properly notified of a proposed meeting and or action if the members name is on the Colorado Department of Natural Resources Office of Compact Negotiations e-mail distribution list used for noticing meetings and agendas, an e-mail has been sent to them regarding the proposed meeting and or action and the electronic message has not bounced back to the sender.

3.12 Stakeholder. Any person or entity interested in or impacted by the decisions of the IBCC.

## Article IV
## Committee Membership and Leadership

4.1 The Committee shall be comprised of twenty-seven members.

4.1.1 Basin Representatives. Selected by the Basin Roundtables, eighteen Roundtable representatives, with two representatives from each Basin Roundtable, at least one of whom shall reside within the borders of the roundtable and at least one of whom shall own adjudicated water rights, including owners of shares in a ditch or Reservoir Company or their agents.

4.1.2 Gubernatorial Appointments. Six at-large members appointed by the governor. The governor's appointments shall come from geographically diverse parts of the state and shall include individuals with expertise in environmental, recreational, local governmental, industrial, and agricultural matters. No more than three of the governor's appointees shall be affiliated with the same political party.

4.1.3 Colorado House of Representatives. One member appointed by the chairperson of the house agriculture, livestock, and natural resources committee.

4.1.4 Colorado Senate. One member appointed by the chairperson of the senate agriculture, natural resources, and energy committee.

4.1.5 The Director of Compact Negotiations. The Director of Compact Negotiations, appointed by the Governor, shall serve as the chairperson of the IBCC and act as overseer and caretaker of the process established by the Act.

4.2 Alternates

4.2.1 Alternate Basin Roundtable Representatives. Should a Basin Roundtable choose to provide for selection of alternate representatives to the IBCC in its Roundtable Bylaws, alternates thus selected may participate in meetings of the IBCC if one or more of the two IBCC representatives from that Roundtable are unable to attend. When acting in the stead of the regular Basin Representative(s), alternates may fully participate in the deliberation and decision making processes of the IBCC, including the ability to convey the proxy, if one has been given to them, of another IBCC member. Should Roundtables choose to select alternate representatives to the IBCC, the alternates are encouraged to attend IBCC meetings to stay current on activities of the Committee and build relationships with IBCC members.

4.2.2 Alternate Appointed Representatives. Alternates for representatives appointed by the Governor or Legislature may participate in meetings at the pleasure of the appointing authority and with prior notification to the Chairperson.

4.2.3 Alternate Chairperson. Should the Chairperson be unable to attend a meeting of the IBCC, an alternate chairperson will be selected in advance of the meeting from among the membership of the Committee.

4.3 Proxies. In the event that an IBCC member cannot attend a regularly scheduled or special meeting at which a decision is to be made, and no alternate basin roundtable representative is present for that member, that representative, whether appointed by the Governor or Legislature or selected by a Basin Roundtable, may give their proxy to another member of the Committee for the purpose of seeking a broad level of support or voting on a decision before the Committee. Proxies will not be counted as part of a quorum. Proxies will be counted as a part of the 75% majority needed to shift to a decision by voting and in any subsequent votes.

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4.4 Procedures for Basin Roundtables Opting in/opting out of IBCC membership.

4.4.1 Opting Out of IBCC Participation. Basin roundtables which do not wish to participate in the process created by the Act and governed by the IBCC Charter and Bylaws may opt out and decline to be represented on the IBCC through formal notification from the Roundtable Chairperson to the Director of Compact Negotiations. Suspension of membership for that Basin Roundtable's two IBCC representatives will be effective upon receipt of formal notification.

4.4.2 Opting Back In. A Basin Roundtable which has previously opted out of IBCC proceedings may opt back in through formal notification from the Roundtable Chairperson to the Director of Compact Negotiations (Chairperson of the IBCC). Reinstatement of membership for that Basin Roundtable's two IBCC representatives will be effective on the date of the next regularly scheduled meeting of the IBCC.

## Article V
## Meetings of the Committee

5.1 Regular Meetings. Regular meetings of the committee shall be held as necessary at a time and place designated by the chairperson of the IBCC and agreed upon by the members of the committee. Meetings may be held in the Denver Metro area, or in alternate locations around the state as deemed appropriate by the Committee in a manner which will facilitate the participation of Basin Roundtable members. At a minimum, the Committee will establish the time and date of the next regular meeting at the conclusion of each regularly scheduled meeting.

5.2 Special Meetings. Special meetings may be convened as necessary to address matters requiring the Committee's attention which cannot be held until the next regularly scheduled meeting**.** A request to set a special meeting is sent to the chairperson and can come from any member of the IBCC. The chairperson shall determine if a special meeting is necessary, and set the date, time and location.

5.3 Notice of Meetings. Notice of regular meetings will be provided via email to all members of the IBCC and Basin Roundtables, and posted on the website of the Colorado Department of Natural Resources.

5.4 Use of Teleconferencing. Participation by telephone shall not be allowed at regular meetings except in the case of an emergency or approval by the Director of Compact Negotiations. Participation in discussions will be allowed with the approval of the Director of Compact Negotiations. Members attending by telephone can be involved in making decisions. Participation by telephone shall be allowed at special meetings.

5.5 Attendance. Participation in and effective decision making requires consistent attendance by IBCC Members. IBCC Members commit to attend as many meetings as possible. In the event that an IBCC Member is absent from a meeting, other members will not be obligated to backtrack and revisit past discussions to accommodate those who have not attended the prior meeting(s). The Committee will also not be obligated to revisit past discussions when alternates are acting in the place of regular Committee members unless agreed upon by the IBCC as a whole. Decisions made at a prior session will not be reopened to accommodate concerns of members (or alternates) who were absent from these meetings unless agreed upon by the IBCC as a whole.

5.6 Quorum. Two-thirds of the members of the Committee shall constitute a quorum for the transaction of any business at any meeting of the IBCC. Members attending by telephone and alternates shall be included in the quorum. Proxies will not be included in the quorum.

5.7 Facilitator(s). Facilitators shall be engaged as deemed necessary by the IBCC to develop agendas for and facilitate meetings of the Committee.

5.8 Meeting Notes. Meeting notes summarizing discussion and decisions taken shall be prepared for regular and special meetings by the facilitator, or by another designee of the Chairman. These meeting notes shall be made available to Committee members and the general public within 10 days of a regular meeting and within 5 days of a special meeting.

5.9 Open Meetings Law. The IBCC shall be deemed to be a State Public Body for purposes of the Open Meetings Law, Part 4 of Article 6 of Title 24, C.R.S.

5.10 Public Participation. IBCC meetings will be open to the public. Participation and comment by non-members of the IBCC during the meetings will be at the discretion of the Chairperson, however IBCC will strive to include a period for public comment during all regular meetings.

5.11 Reimbursement for Expenses. Members will be reimbursed by the State of Colorado for travel and lodging, as needed, to attend all regular and special meetings, consistent with state policies for reimbursement.

5.12 Meetings of Working Groups. Standing and ad-hoc working groups shall determine when and where their meetings shall occur, and shall publish notice of these meetings in accordance with Section 5.3 of this Article.

## Article VI
## Decision Making

6.1 Administrative Decisions. So long as a quorum is present, decisions regarding administrative business of the IBCC may be made by supermajority (75%) vote. Administrative decisions include approval of agenda and meeting notes, scheduling of future meetings, and setting aside issues for discussion at a later date.

6.2 Review of Compacts or Other Agreements. The IBCC shall review compacts or other agreements submitted by the Basin Roundtables in accordance with the framework outlined in the IBCC Charter.

6.3 Broad General Level of Support. So long as a quorum is present, decisions regarding all other business of the IBCC will be made by seeking to identify and positively affirm a broad general level of support for or approval of the issue or proposal in question by all Committee members present at the meeting. An agreement will be considered to have been reached when either the facilitator or a group member has articulated the proposed agreement, and all IBCC members either verbally affirm their support for it, or at a minimum agree not to actively oppose or subvert it. The above process does not require all Committee members to support a proposal or ultimate agreement to the same degree for an agreement to have been reached. Some members may strongly endorse a proposal, while others may believe it to be not ideal, but ultimately workable and acceptable.

6.4 Polling. When a decision is being made using the above process, any IBCC member may request a non-binding poll of Committee members to determine their views. Members may voice affirmative support for a proposal or agreement, remain silent and allow the agreement to be approved without objection, or state that a broad general level of agreement has not been reached, and request the committee to continue deliberations.

6.5 Shift to Voting. If the IBCC cannot reach a mutually acceptable agreement, its members will use the following procedure. After a complete discussion of the issue(s) in question has occurred at two or more IBCC meetings, and all members have had an opportunity to consult their Basin Roundtables and been given a fair opportunity to present their views and be heard, the Committee may change its decision making process from one seeking broad support for or agreement on an issue or proposal in question, to a majority/minority vote. The shift from one decision making procedure to another will require a 75% or greater majority of the members attending the meeting in favor of the shift. In addition, all IBCC members must have been given the opportunity to be present at the meeting at which the vote to shift decision making procedures is taken, and properly notified of the proposed action. If a 75% majority of IBCC members attending the meeting do not approve changing the decision making process, deliberation may continue.

6.6 Voting as Fallback. If a 75% majority of IBCC members attending the meeting vote to shift the IBCC's decision making process to voting, a decision by vote may be made at the next regularly scheduled IBCC meeting. An agreement will be considered to have been reached if a 75% majority of IBCC members attending the meeting vote in favor of the proposal on the table. All IBCC members must have been given the opportunity to be present at the meeting at which the vote is taken, and properly notified of the proposed action. Following the vote, majority and minority reports will be prepared. Reports will indicate the number of IBCC members that support each view. Reports will be made available to the general public.

## Article VII
## Working Groups

7.1 Establishment. The IBCC may establish Standing and Ad-hoc Working Groups to assist it in its deliberations and functions.

7.2 Membership. Any member of the IBCC can be on the Committee's working groups. External members, those not on the IBCC with technical expertise and relevant knowledge needed by the Committee, must be approved by the IBCC as a whole for membership on a specific working group. Each working group will be chaired by an IBCC member. In addition, at every working group meeting, at least one IBCC member must be present.

7.3 Mandate. Working Groups will receive their mandate from the IBCC as a whole, and will be responsible for bringing proposals back to the IBCC for its consideration and/or approval. They will attempt, to the greatest extent possible, to bring recommendations with a broad general level of support back to the IBCC. The Working Groups do not have final decision making authority on any issues.

7.4 Decision Making. Working groups shall use the decision making processes outlined in Article of VI of these Bylaws.

7.5 Open Meetings Law. A Working Group of the IBCC shall be deemed to be a local public body for purposes of the Open Meetings Law, Part 4 of Article 6 of Title 24, C.R.S.

7.6 Standing Working Groups. Standing working groups shall include the *Public Education, Participation, and Outreach Working Group.*

7.6.1 The Public Education, Participation, and Outreach Working Group. The Public Education, Participation, and Outreach Working Group shall create a process to inform, involve, and educate the public on the IBCC's activities and progress of the interbasin compact negotiations, and create a mechanism by which public input and feedback can be relayed to the interbasin compact committee and compact negotiators.

## Article VIII
## Amendments to the Bylaws

8.1 Proposals for revision of and amendments to the Bylaws can be raised by any member at any time. Decisions regarding proposals will be made following the procedure outlined in Article 6, Sections 6.3 to 6.6 of these Bylaws.

## Article IX
## Ratification of the Bylaws

9.1 These Bylaws shall become valid and binding fourteen days after ratification by an agreement of the Members.

These Bylaws were ratified by general agreement of the Members of the Colorado Interbasin Compact Committee on _____.

Chairperson _____

# THE COLORADO WATER FOR THE 21ST CENTURY INTERBASIN COMPACT COMMITTEE

# CHARTER

## I. PREAMBLE

The Colorado Water for the 21st Century Act creates a voluntary, collaborative process to help the state address its water challenges. The process is based upon the premise that Coloradoans can work together to address the water needs within the state. The Act sets up a framework that provides a permanent forum for broad-based water discussions. It creates nine Basin Roundtables and the Interbasin Compact Committee (IBCC), a statewide committee that will guide discussions and voluntary negotiations between basins.

The IBCC is mandated to: 1) Establish bylaws to govern its actions, 2) Establish and refer to the general assembly an interbasin compact charter that shall govern and guide all negotiations between Basin Roundtables, 3) Submit an annual report to the legislature concerning the status of compact negotiations, and 4) Develop a public education, participation, and outreach working group.

HB 05-1177 states that the IBCC Charter should contain a negotiating framework and foundational principles to guide voluntary negotiations between Basin Roundtables, including present and future consumptive and nonconsumptive water uses and such policies as may be necessary to ensure that compacts or other agreements between Roundtables do not conflict or otherwise not conform with one another.

## II. FOUNDATIONAL LEGAL PRINCIPLES

The following foundational legal principles are drawn from the text of the legislation.

1. The current system of allocating water within Colorado shall not be superseded, abrogated, or otherwise impaired by this article.

2. Nothing in HB 05-1177 shall be interpreted to repeal or in any manner amend the existing water rights adjudication system.

3. HB 05-1177 affirms the state constitution's recognition of water rights as a private usufructuary property right, and is not intended to restrict the ability of the holder of a water right to use or to dispose of that water right in any manner permitted under Colorado law.

4. HB 05-1177 affirms the protections for contractual and property rights recognized by the contract and takings protections under the state constitution and related statutes.

5. HB 05-1177 shall not be implemented in any way that would diminish, impair, or cause injury to any property or contractual right created by intergovernmental agreements, contracts, stipulations among parties to water cases, terms and conditions in water decrees, or any other similar document related to the allocation or use of water.

6. HB 05-1177 shall not be construed to supersede, abrogate, or cause injury to vested water rights or decreed conditional water rights.

7. HB 05-1177 does not impair, limit, or otherwise affect the rights of persons or entities to enter into agreements, contracts, or memoranda of understanding with other persons or entities relating to the appropriation, movement, or use of water under other provisions of law.

## III. FOUNDATIONAL GUIDING PRINCIPLES

The IBCC is informed and guided by the following foundational principles, which will provide a framework for future discussions.

1. All Colorado water users must share in solving Colorado's water resource problems.

2. The State of Colorado should provide assistance, when requested, for local water supply planning and assist in the implementation of consensus-based water resource solutions that respect local authorities, private property and water rights.

3. During the process of planning to meet future needs, water suppliers and utilities should give preference to development of economically viable local water sources and demand management as they consider other options, including development of new water transfers.

4. Additional water storage should be pursued through the improvement and rehabilitation of existing structures and the development of new structures. These activities should be accomplished with local consensus.

5. The right of water rights owners to market their water rights must be protected.

    a. Colorado must fully explore flexible, market-based approaches to water supply management, including interruptible water contracts, water banking, in-state water leasing and groundwater recharge management.
    b. Those seeking to transfer agricultural water to another use should consider leasing or other temporary arrangements for transfer of water, rather than relying exclusively on the purchase of water rights. Leasing or other such temporary arrangements could allow for

reversion of the water to agricultural purposes under certain conditions.

c. In the event that agricultural water is transferred, the transaction must adequately address the need for maintaining the existing tax base, protecting the remaining water rights in the area, and maintaining the proper stewardship of the land including revegetation and weed control.

6. Appropriate recognition should be given to preservation of flows necessary to support recreational, hydroelectric and environmental needs concurrent with development of water for beneficial consumptive uses.

7. Adverse economic, environmental, and social impacts of future water projects and water transfers should be minimized; unavoidable adverse impacts must be reasonably mitigated; all communities involved should commit themselves to identifying and implementing reasonable mitigation measures as an integral part of future water projects or transfers.

8. Future water supply solutions must benefit both the area of origin and the area of use.

9. Water conservation measures that do not injure other water rights should be aggressively pursued.

10. There must be an ongoing, concerted effort to educate all Coloradans on the importance of water, and the need to conserve, manage, and plan for the needs of this and future generations.

## IV. ROLES OF THE COMMITTEE

The IBCC will:

1. Provide a forum to develop and disseminate information, create a positive environment for a statewide perspective, and develop a vision for statewide water negotiations;
2. Serve as a forum for discussing and addressing the socio-economic, recreation and environmental impacts of water development and management, as well as potential impacts on the ability of the state to use its entitlements and meet its Interstate Compact requirements.
3. Assist in finding resources to enable Roundtables to develop basin-wide visions;
4. Encourage development of a common technical platform upon which negotiations can be based;
5. Guide the process of negotiating interbasin compacts and other agreements by providing a framework that creates incentives for successful deliberations, agreements, and their implementation; and
6. Perform all other roles and functions of the IBCC identified in legislation.

## V. USE OF THE NEGOTIATION CHARTER

1. Discussions or negotiations conducted under the framework of the IBCC offer an opportunity for parties with water rights, project proponents, others concerned about water issues and Basin Roundtables to collaboratively search for solutions that hold mutual benefit, avoid litigation, and are sustainable and stable.

2. While all negotiations are voluntary and may be conducted directly between the parties with water rights, project proponents, others concerned about water issues and Basin Roundtables involved, parties are encouraged but not compelled to use the IBCC framework as a forum for discussions and as a way to keep all parties informed.

3. Should the Basin Roundtables feel it necessary or beneficial to bring discussion of a particular topic, issue, or proposal of interest to one or more basins before the entire IBCC, the committee members representing the basin(s) may raise the issue during a meeting of the IBCC. The IBCC will then decide on a procedure that will be utilized by the IBCC for discussing the issue or proposal.

4. Every Basin Roundtable whose waters are affected by a proposed compact or other agreement negotiated under the framework of the IBCC and Basin Roundtables, must provide its affirmative support for such proposed compact or other agreement before such compact or other agreement can be approved or ratified by the IBCC.

## VI. NEGOTIATING FRAMEWORK

1. The IBCC, in helping Roundtables reach agreements, will encourage the use of a collaborative decision making process. Collaborative decision making processes may include but are not limited to:

    a. Unassisted cooperative problem solving and/or negotiation
    b. Assisted cooperative problem solving and/or negotiation by facilitation and/or mediation
    c. Adaptive management
    d. Any other procedures on which Roundtables can mutually agree

2. Informed constituencies will enhance the prospects for acceptance of compacts or other agreements negotiated by the Roundtables or decisions made by the IBCC.

    a. Members of the IBCC who represent constituencies or agencies will inform their constituents and solicit their opinions about the issues under discussion. They will represent the interests of their constituent group and bring their constituents' concerns and ideas to the deliberations.

b. Members of the IBCC may elect to hold regular meetings with their constituent group (a formal caucus), to provide copies of work session minutes to their constituents and request comments, and to communicate informally with their constituents.

c. Prior to any decision being made by the IBCC, representatives will have adequate time to consult with their constituents or other relevant officials to explain deliberations and gain their input and/or approval.

d. IBCC meetings will be open to the public. In order for the IBCC to achieve its mission, discussion and deliberation at work sessions must be focused and manageable. Participation by non-members of the IBCC will be at the discretion of the Director of Compact Negotiations. IBCC will include a period for public comment at each of its meetings.

## VII. AGREEMENTS BETWEEN ROUNDTABLES

1. Basin Roundtables choosing to enter into agreements with other Basin Roundtables are responsible for the form and structure of those agreements. Where appropriate and in a mutually agreed upon manner, agreements will have authorities and procedures addressing the extent to which the agreements are legally binding and enforceable.

## VIII. INTEGRATION WITH OTHER PROCESSES

1. The IBCC will coordinate as appropriate with existing planning, permitting, and public participation processes related to the conservation and development of water within Colorado. No provision of this Charter is intended to supersede, impair, or otherwise modify the authority, jurisdiction, planning or permitting powers of counties or other local government entities.

## IX. RATIFICATION OF NEGOTIATED AGREEMENTS

1. Every Basin Roundtable whose waters are affected by a proposed compact or other agreement negotiated under the framework of the IBCC and Basin Roundtables, must provide its affirmative support for such proposed compact or other agreement before such compact or other agreement can be approved or ratified by the IBCC.

2. The IBCC will review from a statewide perspective all compacts or other agreements reached by Basin Roundtables or other concerned parties, which are referred to it for assessment and ratification. If questions or concerns arise during the IBCC's review and approval process, the Committee will communicate its questions or concerns to involved Roundtables or parties through appropriate Basin representatives to the IBCC. The IBCC may choose to defer further

discussion of a compact or other agreement until its questions or concerns have been adequately addressed.

3. When reviewing or ratifying compacts or other agreements reached by Basin Roundtables or other concerned parties, the IBCC will first use a decision making process that seeks to identify and positively affirm a broad general level of support for or approval of the issue or proposal in question by all Committee members. An agreement will be considered to have been reached when either the facilitator or a group member has articulated the proposed agreement, and all IBCC members either verbally affirm their support for it, or at a minimum agree not to actively oppose or subvert it. The above process does not require all Committee members to support a proposal or ultimate agreement to the same degree for an agreement to have been reached. Some members may strongly endorse an agreement, while others may believe it to be not ideal, but ultimately workable and acceptable.

4. When a decision is being made using the above process, any IBCC member may request a non-binding poll of Committee members to determine their views. Members may voice affirmative support for a proposal or agreement, remain silent and allow the agreement to be approved without objection, or state that a broad general level of agreement has not been reached, and request the committee to continue deliberations.

5. If the IBCC cannot reach a mutually acceptable agreement on a proposed compact or other agreement that has been brought to it for review and ratification, its members will use the following procedure. After a complete discussion of the issue(s) in question has occurred at three or more IBCC meetings, and all members have had an opportunity to consult their Basin Roundtables and been given a fair opportunity to present their views and be heard, the Committee may change its decision making process from one seeking broad support for or agreement on an issue or proposal in question, to a majority/minority vote. The shift from one decision making procedure to another will require a 75% or greater majority of the members attending the meeting in favor of the shift. In addition, all IBCC members must have been given the opportunity be present at the meeting at which the vote to shift decision making procedures is taken, and properly notified of the proposed action.

6. If a 75% majority of IBCC members attending the meeting do not approve changing the decision making process, the issue(s) under consideration along with IBCC members questions or concerns will be returned to concerned Roundtables or parties for further clarification and/or to be addressed by the Roundtables or parties.

7. If a 75% majority of IBCC members attending the meeting vote to shift the IBCC's decision making process to voting, a decision by vote may be made at the next regularly scheduled IBCC meeting. A compact or other agreement will be

considered to have been approved or ratified by the IBCC if a 75% majority of IBCC members attending the meeting vote to approve it. All IBCC members must have been given the opportunity to be present at the meeting at which the vote is taken, and properly notified of the proposed action. Following the vote, majority and minority reports will be prepared. Reports will indicate the number of IBCC members that support each view. Reports will be forwarded to concerned parties and made available to the general public.

## X. PROVISIONS FOR MODIFICATION OF THE CHARTER

1. Proposals for revision of the Charter can be raised by any member at any time.

2. Final revisions to the IBCC Charter can only be made after discussion of revisions have occurred at two consecutive regularly scheduled meetings. This procedure will allow time for members to deliberate and consult other parties as appropriate. If an agreement cannot be reached in two meetings, a third may be allowed.

3. When revising the IBCC's Charter, the Committee will first use a decision making process similar to the one described above for review and approval of compacts or agreements between Basin Roundtables or other concerned parties. The process will seek to identify and positively affirm a broad general level of support for or approval of a proposed change to the Charter by all Committee members. An agreement will be considered to have been reached when either the facilitator or a group member has articulated the proposed change in the Charter, and all IBCC members either verbally affirm their support for it, or at a minimum agree not to actively oppose or subvert it.

4. When a decision is being made using the above process, any IBCC member may request a non-binding poll of Committee members to determine their views on the proposed change to the Charter.

5. If the IBCC cannot reach a mutually acceptable agreement on a proposed change to the Charter, Committee members will use the following procedure. After a complete discussion of issue(s) in question has occurred at two or more IBCC meetings, and all members have had an opportunity to consult their Basin Roundtables and been given a fair opportunity to present their views and be heard, the Committee may change its decision making process from one seeking broad support for or agreement on a proposal, to a majority/minority vote. The shift from one decision making procedure to another will require a 75% or greater majority of IBCC members present at the meeting in favor of the shift. All IBCC members must have been given the opportunity to be present at the meeting at which the vote to shift decision making procedures is taken, and properly notified of the proposed change.

6. If a 75% majority of IBCC members present at the meeting do not approve a shift in the decision making procedure, the charter modification under consideration

may be dropped. Alternatively, the IBCC may continue to discuss the proposed change with the goal of developing either a broad level of support for it or another mutually acceptable option, or the issue may be deferred until such time as a 75% majority of Committee members agree to change the decision making process.

7. If a 75% majority vote to shift the IBCC's decision has been attained, the proposal for a change may be voted on at the Committee's next regularly scheduled meeting. Approval of proposed changes will require a 75% majority of IBCC members. All IBCC members must have been given the opportunity be present at the meeting at which the vote to change the Charter is taken, and properly notified of the proposed change.

# WATER SUPPLY RESERVE ACCOUNT CRITERIA AND GUIDELINES DEVELOPED JOINTLY BY THE COLORADO WATER CONSERVATION BOARD AND INTERBASIN COMPACT COMMITTEE FOR THE ALLOCATION OF FUNDS FROM THE ACCOUNT BY THE COLORADO WATER CONSERVATON BOARD

## PART 1
**Background, Introduction, and Administration**

## Background

Colorado's growth and development as a state has always been intertwined with water. Wise management of this resource is both a trademark of our past and is vital for our future. Development and management of water is complex, controversial, and at times contentious. Over the last few decades decisions regarding water have become increasingly complex as Colorado has experienced both unprecedented population growth and a greater emphasis on multiple uses of this precious resource.

Water users, water managers, governmental and non-governmental organization, and our citizens have worked hard to help ensure that their interests are addressed when making water resource management and development decisions. This dynamic has challenged us all to identify new approaches and collaborative solutions. Over the last few decades there have been significant efforts and many examples of successful programs to help address water resource management issues. As we look forward, we should draw upon the information and successes of the past as we strive to address future challenges and opportunities.

In the last few years state leaders and state resource management agencies have been increasingly interested in helping ensure that Colorado has an adequate water supply for our citizens and the environment. In 2003 the Colorado General Assembly authorized the Colorado Water Conservation Board (CWCB) to implement the Statewide Water Supply Initiative (SWSI). The SWSI implemented a collaborative approach to water resource issues by establishing SWSI roundtables. Membership in these roundtables represented a broad range of water user interests. The SWSI focused on using a common technical basis for identifying and quantifying water needs and issues (the report can be viewed at http://cwcb.state.co.us/IMWD/PhaseIReport.htm.).

The SWSI put forth a "picture" of where Colorado may be by the year 2030and identified a number of important issues and questions regarding how that "picture" of Colorado fits with the values, objectives, and future goals we have for our state. SWSI identified 10 major findings and 8 recommendations which are summarized below.

SWSI Major Findings

1. Significant increases in Colorado's population-together with agricultural water needs and an increased focus on recreation and environmental uses will intensify competition for water.
2. Projects and water management processes that local municipal and industrial (M&I) providers are implementing or planning to implement have the ability to meet about 80 percent of Colorado's M&I water needs through 2030.
3. To the extent that these identified M&I projects are not successfully implemented, Colorado will see a significantly greater reduction in irrigated agricultural lands as M&I water providers seek additional permanent transfers of agricultural water rights to provide for the demands that would otherwise have been met by specific projects and processes.
4. Supplies are not necessarily where demands are; localized shortages exist, especially in headwater areas, and compact entitlements in some basins are not fully utilized.
5. Increased reliance on nonrenewable, nontributary groundwater for permanent water supply brings serious reliable and sustainability concerns in some areas, particularly along the Front Range.
6. In-basin solutions can help resolve the remaining 20 percent gap between M&I water supply and demand, but there will be tradeoffs and impacts on other users-especially agriculture and the environment.
7. Water conservation (beyond Level 1) will be relied upon as a major tool for meeting future M&I demands, but conservation alone cannot meet all of Colorado's future M&I needs. Significant water conservation has already occurred in many areas.
8. Environmental and recreational uses of water are expected to increase with population growth. These uses help support Colorado's tourism industry, provide recreational and environmental benefits for our citizens, and are an important industry in many parts of the state. Without a mechanism to fund environmental and recreational enhancement beyond the project mitigation measures required by law, conflicts among M&I, agriculture, recreational, and environmental users could intensify.
9. The ability of smaller, rural water providers and agricultural water users to adequately address their existing and future water needs is significantly affected by their financial abilities.
10. While SWSI evaluated water needs and solutions through 2030, very few M&I providers have identified supplies beyond 2030. Beyond 2030, growing demands may require more aggressive solutions.

SWSI Key Recommendations

1. Ongoing dialogue among all water interests is needed to help ensure wise management of Colorado's water resources.
2. Track and support identified projects and processes as they play a critical role in meeting Colorado's future M&I needs.
3. Develop a program to evaluate, quantify, and prioritize environmental and recreational water enhancement goals.
4. Work toward consensus recommendations on funding mechanisms for environmental and recreational enhancements.
5. Create a common understanding of future water supplies available for development in each basin.
6. Develop implementation plans towards meeting future water supply needs both for identified projects and processes and in areas where there are no identified plans to meet future needs.
7. Assess potential new state roles in implementing solutions.
8. Develop requirements for standardized annual M&I water use data reporting.

Based on these findings and recommendations and dialogue among all water interests, CWCB identified three broad conclusions: 1) there is a need to help expedite the implementation of water management projects for all water needs; 2) projects and planning processes needed to meet Colorado's future water needs must address transfers and development of water in a manner that meets multiple interests and needs; and 3) there is strong desire for the state to provide financial assistance.

These criteria and guidelines were developed based on information that the Interbasin Compact Committee (IBCC) and CWCB have learned from the SWSI and stakeholder feedback obtained during that process, input from the Basin Roundtables, and information from other important studies and programs that the CWCB has implemented and administered over the years.

While the SWSI was the most comprehensive statewide water study undertaken to date the SWSI could not provide all the answers to the water resource issues that have challenged Colorado for decades; nor could it foresee all the emerging and changing needs and issues. Additional information and updating and refinement of data will be critical to ensure that we make wise resource management decisions.

In 2005, to further the efforts of the SWSI and to help address water development needs in Colorado, the Colorado General Assembly passed the "Colorado Water for the 21st Century Act" (House Bill 05-1177) which in part established permanent water roundtables in 8 river basins and the Denver metro area. Throughout these two efforts there has been a clear recognition of the need for financial assistance to address water challenges in our state. It was recognized that a new program would be needed to assist all water users in addressing their critical water supply issues and interests. This understanding led to the passage of Senate Bill 06-179.

Senate Bill 06-179 adopted by the 2006 General Assembly, created the Water Supply Reserve Account (Account). The legislation directs the State Treasurer to annually transfer ten million dollars from the Operational Account of the Severance Tax Trust Fund to the Account. The effective date of the legislation is July 1, 2006. Any balance remaining in the Account at the end of any fiscal year shall remain in the Account; except that the unencumbered and unexpended balance of the Account shall revert to the Operation Account of the Severance Tax Trust Fund on June 30, 2010.

As specified in the statute, the monies in the Account are continuously appropriated to the CWCB for water activities identified in Section 39-29-109(1) (a) (III), Colorado Revised Statutes (C.R.S.). The legislation states that the CWCB, in consultation with the Interbasin Compact Committee (IBCC) created in Section 37-75-105, C.R.S., shall jointly establish criteria and guidelines for allocating moneys by grant or loan from the Account. This document establishes the criteria and guidelines developed jointly by the IBCC and the CWCB which will be used by the CWCB to allocate funds from the Account. Amendments to this document may be proposed at any time by either the IBCC or the CWCB and shall be effective after an annual program review each October and subsequent approval by both bodies.

## Introduction

Applications will be accepted for grants or loans and these criteria and guidelines are for both grants and loans. These criteria and guidelines do not distinguish or establish preference for allocating money for grants versus loans. In all cases the merits of the water activity itself will be the basis for eligibility and evaluation. It is the goal of the CWCB and IBCC to ensure wise and effective use of monies from the Account

In regard to loans, the CWCB utilizing these jointly developed criteria and guidelines will allocate 0% interest loans from the Account AND offer a match to these loans with low interest loans (at or below the rate of inflation) from the CWCB perpetual base account.

## Grant and Loan Program Administration

**Role of the Interbasin Compact Committee (IBCC):**

- Jointly (with the CWCB) develop criteria and guidelines for allocating funds from the Account.
- Annually review information regarding the Account.
- In October of each year jointly (with the CWCB) consider and make any necessary revisions to these criteria and guidelines.
- Work with Basin Roundtables (BRT) to develop local roundtable criteria and guidelines for approving and recommending water activities that, following recommendations by the respective BRTs, will be eligible to seek funding from the Account.
- Help ensure that data and information from the SWSI and other appropriate sources are used as the technical basis for requesting funding for a water activity.

**Role of the Basin Roundtables (BRT):** The term Basin Roundtable shall mean those roundtables established pursuant to Section 37-75-104 C.R.S.

- Implement outreach and public education regarding the existence and use of the Account.
- Approve water activities that are to be recommended to CWCB for funding. The approving BRT shall be the roundtable for the basin in which the proposed water diversion or nonstructural activity would occur.
- Provide input and comment to the CWCB and IBCC for the annual review of these criteria and guidelines.

**Role of the CWCB:**

- Jointly (with the IBCC) develop criteria and guidelines for allocating funds from the Account.
- Annually review information regarding the Account.
- In October of each year jointly (with the IBCC) consider and make any necessary revisions to these criteria and guidelines.
- Implement outreach and public education regarding the existence and use of the Account. The CWCB in conjunction with the IBCC and BRTs will work to ensure a high level of awareness of the existence of the Account and the process to apply for funds. This effort will include but is not limited to: notice and discussion at roundtable meetings; inclusion of relevant information on the CWCB website; press releases; promotion at workshops; public meetings, and conferences.
- Ensure that the Account is managed consistent with state statutes, applicable state fiscal rules, and the IBCC and CWCB jointly developed criteria and guidelines.
- Review applications and allocate monies from the Account based on recommendations from the BRTs in accordance with the IBCC and CWCB jointly developed criteria and guidelines.
- Enter into contracts with the selected entities and ensure that the water activity identified in the application and work plan is implemented within the time and budget identified in the application.
- Ensure that sound fiscal, fiduciary and accounting practices are implemented. CWCB staff will handle the day-to-day administration of the Account. This effort includes but is not limited to: notification to successful and unsuccessful applicants; review of requests for payment, disbursement and tracking of payments, tracking project progress, ensure proper documentation of completed project/water activity; and preparation of an annual report of activities and expenditure from the Account.

  **Payment** – Payment will be made based on actual expenditures and invoicing by the water activity sponsor. The request for payment must include a description of the work accomplished by major task, and estimate of the percent completion for individual tasks and the entire water activity in relation to the percentage of budget spent, identification of any major issues and proposed or implemented corrective actions. The last 5 percent of the entire water activity budget will be withheld until final project/water activity documentation is completed.

# Part 2
## Grant and Loan Program Eligibility and Application Process

## Overview of the Account and Fund Management

To help ensure opportunities for BRTs to seek funding in an orderly fashion and at the same time to encourage competitive water activities from every river basin the CWCB will administer two accounts. There will be a Statewide Account that will be used to fund water activities from any roundtable on a competitive basis based on the eligibility requirements in this section and the threshold and evaluation criteria outlined in Part 3 of this document. There will also be Basin Accounts for each of the 9 roundtables. The Basin Accounts will be used to fund water activities from the designated BRTs based on the eligibility requirements in this section and the threshold criteria outlined in Part 3 of this document. It is important to emphasize that funds for the Basin Account are reserved for the roundtables until January 2010. In January 2010 any uncommitted (not under contract) monies remaining in any Basin Account will be transferred to the Statewide Account.

The table on the following page summarizes the funding and cash management strategy to be used to administer the Account.

| Funding Source | Accounts | July 06 | January 07 | July 07 | July 08 | July 09 |
|---|---|---|---|---|---|---|
| State Treasurer Transfers | | $10 million | | $10 million ↓ | $10 million ↓ | $10 million ↓ |
| | Statewide Account | | $5.5 million available (after transfer of $4.5 million to basin accounts | $5.5 million added to any remaining balance (transfer additional $4.5 million to basin accounts | $10 million added to any remaining balance | $10 million added to any remaining balance |
| | Basin Account(s) | | $4.5 million ($500k/basin) | $4.5 million ($500k/basin) | | |

Notes regarding this table:

- Monies from the Statewide Account will be allocated in March and September of each year based on the eligibility requirements and threshold and evaluation criteria outlined in this document.
- Monies from the Basin Accounts will be allocated at the CWCB's bimonthly Board meetings based on the eligibility requirements and threshold criteria outlined in this document.
- The cumulative maximum funds available from the Basin Accounts is $9 million dollars with $1 million dollars available per roundtable.
- The cumulative funds available from the Statewide Account is $31 million dollars.
- The above cash management schedule will remain flexible to ensure that funds are available for water activities. The CWCB will strive to ensure that funding is available for each funding cycle, while at the same time addressing applications to fund water activities.
- In January 2010 any uncommitted (not under contract) monies remaining in any Basin Account will be transferred to the Statewide Account.
- On June 30, 2010 any uncommitted (not under contract) monies remaining in the Statewide Account will revert back to the Operation Account of the Severance Tax Fund.

## Eligibility Requirements

Senate Bill 06-179 is very specific regarding eligibility requirements and these criteria and guidelines are developed from the direction provided in the legislation. In order for a water activity to be eligible for funding it must: 1) be approved by a roundtable pursuant to article 75 of title 37, C.R.S. and the approving roundtable shall be the roundtable for the basin in which the proposed water diversion or nonstructural activity would occur; 2) meet the eligibility categories described below; and 3) be approved by the CWCB utilizing the criteria and guidelines jointly developed by the IBCC and CWCB. The legislation also emphasizes that the criteria and guidelines shall help meet the water needs identified by the SWSI and other appropriate sources.

Eligible Water Activities, as identified in Senate Bill 06-179, include the following:

- Competitive grants for environmental compliance and feasibility studies;
- Technical assistance regarding permitting, feasibility studies, and environmental compliance;
- Studies or analysis of structural, nonstructural, consumptive, and nonconsumptive water needs, projects, or activities; and
- Structural and nonstructural water projects or activities.

All request(s) for funds will be evaluated by CWCB utilizing the criteria and guidelines jointly developed by the IBCC and CWCB. The evaluation process is described in Part 3.

Eligible entities that may apply for grants or loans from the Account include:

- Public (Government) - municipalities, enterprises, counties, state and federal government
- Public (Districts) - special, water and sanitation, conservancy, conservations, irrigation, water activity enterprises
- Private Incorporated - mutual ditch companies, homeowners associations, non-profit corporations
- Private (Unincorporated) - individuals, partnerships, sole proprietors
- Non-governmental organizations - are broadly defined as any organization that is not part of the government. These organizations are typically non-profit but they also include for-profit corporations.

## Application Process

To help ensure that water activities move forward in an expedited fashion all eligible applications received will be evaluated and selected based on these criteria and guidelines within the applicable funding cycle. However, to help promote the equitable and competitive allocation of funds it is important to allow sufficient time for applications to be submitted and reviewed. This will allow the greatest opportunity to competitively compare multiple applications and allocate available funds to those water activities that will provide the greatest benefit to Colorado. In preparing the application it is recommended that the applicant include a description of how the water activity meets each element of the criteria that will be used by CWCB to evaluate and select the water activity. The approving roundtable that is seeking funding for a water activity must specify whether the request is for funds from the Statewide Account or for funds from the Basin Account(s).

Applications can be submitted at anytime during the fiscal years 2006-2007 through and including 2009-2010, with the last allocation being made at the March 2010 CWCB meeting. For the Statewide Account, the CWCB will make decisions for allocation of funds at its March and September meetings, with the initial allocations being made at the March 2007 CWCB meeting. For the Basin Accounts, the CWCB will make decisions for allocation of funds at its bimonthly Board meetings. The initial allocation from the Basin Accounts will be January 2007.

Notification of award will be made in writing within 30 days after the applicable Board meeting and the notification will include a summary of the results of the evaluation process and decision of the CWCB. Notification to unsuccessful applicants will be made in writing within 30 days after the applicable Board meeting and the notification will include a summary of the results of the evaluation process and the decision by the CWCB.

Successful applicants are required to execute a contract with CWCB within 6 months of award of a loan or grant.

### Application Submittal Requirements

To apply for a grant or loan from the Statewide Account a detailed application must be received by the CWCB no later than 60 days prior to the CWCB's March and September meetings. To apply for a grant or loan from the Basin Accounts a detailed application must be received by the CWCB no later than 60 days prior to the Board meeting that the roundtable would like the CWCB to evaluate the applicants funding request. CWCB's review and analysis of the application, utilizing the criteria and guidelines, will form the basis upon which the decisions to fund, partially fund, or not fund the water activity will be made. Therefore, applicants should prepare their application to address these criteria and guidelines.

For those applicants seeking a grant, an application form is provided as Attachment A to this document. The applicant should include with its grant application a summary of how the

applicant's water activity meets the eligibility requirements in Part 2 and the threshold and, if applicable, the evaluation criteria in Part 3 of this document. Application forms may also be obtained via the web at http://cwcb.state.co.us/IMWD/.

For those applicants seeking a loan, a CWCB standard loan application form and loan feasibility study must be completed. In addition, the applicant should include with its loan application a summary of how the applicant's water activity meets the eligibility requirements in Part 2 and the threshold and, if applicable, the evaluation criteria in Part 3 of this document. The loan application form and additional information can be found at http://cwcb.state.co.us/Finance/pdfsDocs/LoanApplication.pdf and http://cwcb.state.co.us/Finance/pdfsDocs/LoanProgramGuidelines.pdf .

The following paragraphs provide a general overview of the information that is needed to complete a grant application. The actual grant application form will provide the step- by- step process for applying for a grant. **The grant application form should be filled out using both the general information provided below and the specific directions provided on the application form.**

Application information and requirements may vary depending upon the scope and objective of each water activity funding request. The applicant/water activity sponsor is encouraged to discuss the application with CWCB staff if any questions arise.

- **Description of Applicant (Water Activity Sponsor and any partners)**

  Each application for funding should include a description of the entity (see page 8 for eligible entities) that is sponsoring or pursuing the water activity. The applicant/sponsor may be a public or private entity. Given the diverse range of potential water activities and applicants/sponsors, not all of the following information may be relevant. Where applicable and relevant the description should include the following:

  - Type of organization, official name, the year formed, and the statutes under which the entity was formed, a contact person and that person's position or title, address and phone number. For private entities, a copy of the Articles of Incorporation and By-laws should be appended to the application.

  - For waters suppliers, information regarding the number of customers, taps, service area, and current water usage, and future growth plans, water related facilities owned or used, funding/revenue sources (existing service charges, tap fees, share assessments, etc.), the number of members or shareholders and shares of stock outstanding or a description of other means of ownership.

  - For other entities, background, interest and capacity, organizational size, staffing and budget, and funding related to water that is relevant in determining whether the applicant has the ability to accomplish the water activity for which funding is sought.

- A brief history of the applicant(s).

- **Background**

  Purpose

  This section provides a brief overview of the water activity, including the type of water activity and amount of funding being requested, and a statement of what the water activity is intended to accomplish. It should describe the need for the water activity, the problems and opportunities to be addressed, the expectations of the applicant(s), and why the water activity is important to the applicant(s). It should also discuss relevant project history, if applicable, and any other relevant issues. This section should also contain the information from the approving roundtable including a description of the results of the BRTs evaluation of the water activity. At a minimum, the description must include a description of the level of agreement reached by the roundtable, including any minority opinion(s) if there was not general agreement for the activity. The description must also include reasons why general agreement was not reached and which group(s) opposed the activity and why they opposed it. A letter of support signed by the chair of the roundtable must be included.

  Study Area Description

  The study area/service area is generally the geographic area benefited by the proposed water activity. The description should include the following items:

  1) A narrative description of the study area/service area to include the county, the location of towns or cities, topography, and locations of major surface and ground water features.
  2) An area map showing each of the items above, as well as the locations of existing facilities, proposed project facilities and boundaries of lands benefited by the water activity.
  3) Socio-economic characteristics of the area such as population, employment and land use. For irrigation projects, the tabulation should provide a description of cropping patterns and crop yields on existing agricultural lands.

  Previous Studies

  To the maximum extent possible, the results of any previous studies and investigation should be utilized and incorporated into the proposed water activity. The application for funding should include a brief summary of the results of previous studies and how they will be utilized.

- **Scope of Work**

  The application must provide a summary of the scope of work. The scope of work is a detailed summary of how the project or water activity will be accomplished. The scope of work must include a description of the activities and tasks that will be undertaken, logistics, and final product/deliverables to be produced at the completion of the grant or loan activity.

  Information that should be in the scope of work includes the following:

  - Detailed summary of the water activity.
  - Description of the goals of the water activity and how the water activity will accomplish those goals.
  - Description of how the work will be accomplished and major deliverables/products.
  - A list of participants and their qualifications to accomplish the project/water activity.
  - A detailed budget by activity, level of effort, and rates. The budget shall also detail the source and amount of matching funds and/or in-kind contributions, if any. If applicable, the budget should also include any other outstanding or previously applied for funding that also supports the water activity.
  - A detailed project schedule including key milestones.

## PART 3
## Evaluation Process by the CWCB for Allocation of Funds

Allocation of funds will be dependent on availability of funds and an evaluation of the water activity using the criteria in this section. Applications will be received during each funding cycle. The approving roundtable will specify whether the application for funding is from the Statewide or Basin Accounts.

**For the Statewide Account -** applications must be received 60 days prior to the September and March Board meetings (i.e., July 16 to January 15 to be allocated at the CWCB March meeting and January 16 to July 15 to be allocated at the CWCB September meeting). Applications for funds from the Statewide Account will submit applications consistent with the application submittal requirements and these criteria and guidelines. If the application meets the eligibility requirements and threshold criteria then the application will undergo future evaluation using the evaluation criteria.

**For the Basin Account(s) -** applications must be received 60 days prior to the bimonthly Board meetings in which the application will be considered for funding. Applications for funds from the Basin Account will submit applications consistent with the application submittal requirements and these criteria and guidelines. If the application meets the eligibility requirements and threshold criteria and there are sufficient funds in the Basin Account, then the CWCB will approve the application(s).

CWCB staff will review all eligible applications and provide a written recommendation to the full CWCB Board at their routine applicable Board meetings. CWCB staff will provide a written recommendation to the Board for allocating funding. The written recommendation will provide a summary detailing how the applicant met the eligibility requirements and evaluation criteria described in this document. The CWCB staff and Board will also provide a summary of why each application is being funded, partially funded or not funded. The following criteria are not provided in any order of preference.

**Threshold Criteria** – the following criteria must be met in order for an application to be funded out of a Basin Account or to undergo further evaluation from the Statewide Account.

1. The water activity meets the eligibility requirements outlined in Part 2 of these criteria and guidelines.
2. The water activity is consistent with Section 37-75-102 C.R.S.[1]
3. The water activity underwent an evaluation and approval process and was approved by the BRT and the application includes a description of the results of the BRTs evaluation and approval of the activity. At a minimum, the description must include the level of agreement reached by the roundtable, including any minority opinion(s) if there was not general agreement for the activity. The description must also include reasons why general agreement was not reached (if it was not), including who opposed the activity and why they opposed it.
4. The water activity meets the provisions of Section 37-75-104 (2) (c), C.R.S.[2]

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[1] 37-75-102. Water rights - protections. (1) It is the policy of the General Assembly that the current system of allocating water within Colorado shall not be superseded, abrogated, or otherwise impaired by this article. Nothing in this article shall be interpreted to repeal or in any manner amend the existing water rights adjudication system. The General Assembly affirms the state constitution's recognition of water rights as a private usufructuary property right, and this article is not intended to restrict the ability of the holder of a water right to use or to dispose of that water right in any manner permitted under Colorado law.
(2) The General Assembly affirms the protections for contractual and property rights recognized by the contract and takings protections under the state constitution and related statutes. This article shall not be implemented in any way that would diminish, impair, or cause injury to any property or contractual right created by intergovernmental agreements, contracts, stipulations among parties to water cases, terms and conditions in water decrees, or any other similar document related to the allocation or use of water. This article shall not be construed to supersede, abrogate, or cause injury to vested water rights or decreed conditional water rights. The General Assembly affirms that this article does not impair, limit, or otherwise affect the rights of persons or entities to enter into agreements, contracts, or memoranda of understanding with other persons or entities relating to the appropriation, movement, or use of water under other provisions of law.

[2] 37-75-104 (2)(c). Using data and information from the Statewide Water Supply Initiative and other appropriate sources and in cooperation with the on-going Statewide Water Supply Initiative, develop a basin-wide consumptive and nonconsumptive water supply needs assessment, conduct an analysis of available unappropriated waters within the basin, and propose projects or methods, both structural and nonstructural, for meeting those needs and utilizing those unappropriated waters where appropriate. Basin Roundtables shall actively seek the input and advice of affected local governments, water providers, and other interested stakeholders and persons in establishing its needs assessment, and shall propose projects or methods for meeting those needs. Recommendations from this assessment shall be forwarded to the Interbasin Compact Committee and other basin roundtables for analysis and consideration after the General Assembly has approved the Interbasin Compact Charter.

**Evaluation Criteria** – the following criteria will be utilized to further evaluate the merits of the water activity proposed for funding from the Statewide Account.

Promoting Collaboration and Cooperation

a. The water activity addresses multiple needs or issues, including consumptive and/or non-consumptive needs, or the needs and issues of multiple interests or multiple basins.
b. The number and types of entities represented in the application and the degree to which the activity will promote cooperation and collaboration among traditional consumptive water interests and/or non-consumptive interests, and if applicable, the degree to which the water activity is effective in addressing intrabasin or interbasin needs or issues.

Facilitating Water Activity Implementation

c. Funding from this Account will reduce the uncertainty that the water activity will be implemented. For this criterion the applicant should discuss how receiving funding from the Account will make a significant difference in the implementation of the water activity (i.e., how will receiving funding enable the water activity to move forward).
d. There is an urgency of need for the water activity and/or any compelling "window of opportunity" that may be missed without funding from the Account.
e. The length of time needed to implement the water activity; preference will be given to activities which can be implemented in the least amount of time taking into consideration the complexity of the activity.
f. The applicant has the expertise and ability to implement the proposed activity.
g. The applicant is providing matching funds and the amount of matching funds or is obtaining partial funding from other sources and the amount and source of such other funds or is providing demonstrable in-kind contributions.
h. The applicant has a demonstrated need for financial assistance based on the inability or difficulty obtaining funding elsewhere.

Meeting Water Management Goals and Objectives and Identified Water Needs

i. The water activity helps complete a needs assessment, including consumptive and/or non-consumptive needs, that was not fully funded from other sources.

j. The water activity meets one or more of the water management objectives identified in the Statewide Water Supply Initiative,[3] helps implement projects and processes identified as helping meet Colorado's future water needs, and/or addresses the gap areas between available water supply and future need as identified in the Statewide Water Supply Initiative or a roundtable's basin-wide water needs assessment done in accordance with the Colorado Water for the 21st Century Act.
k. The water activity promotes water conservation and efficiency.
l. The applicant has an existing water conservation plan.
m. The water activity will make new water available for use.
n. The water activity involves reoperation, enlargement, or rehabilitation of existing facilities.

The Water Activity Addresses Issues of Statewide Value

o. The water activity helps sustain agriculture, and open space, or meets environmental or recreational needs.
p. The water activity assists in the administration of compact-entitled waters or addresses problems related to compact entitled waters and compact compliance and the degree to which the activity promotes maximum utilization of state waters.
q. The water activity assists in the recovery of threatened and endangered wildlife species or Colorado state species of concern.
r. The water activity provides a high level of benefit to Colorado in relationship to the amount of funds requested.
s. The water activity is complimentary to or assists in the implementation of other CWCB programs.
t. The water activity helps support the State's economic vitality and competitiveness in national and international markets.

For additional information, questions or assistance please contact Rick Brown, Intrastate Water Management and Development Section (Colorado Water Conservation Board), at (303) 866-3514 or email Rick at rick.brown@state.co.us.

[3] The nine water management objectives are: sustainably meet municipal and industrial demands; sustainably meet agricultural demands; optimize existing and future water supplies; enhance recreational opportunities; provide for environmental enhancements; promote cost effectiveness; protect cultural values; provide for operational flexibility; and comply with all applicable laws regulations, and water rights.

IBCC PUBLIC EDUCATION/ PARTICIPATION/ OUTREACH WORKING GROUP
REPORT TO THE LEGISLATURE—October, 2006

| | | |
|---|---|---|
| Work Group Members: Chair Rita Crumpton (IBCC); Jeris Danielson (IBCC); Jenny Russell (IBCC); Carl Trick (IBCC); Don Glaser (Colorado Foundation for Water Education); Jeff Crane (Colorado Watershed Assembly); Reagan Waskom (CSU). Facilitator, MaryLou Smith, Aqua Engineering. | | |
| | | |
| Legislative Mandate | Work Group Thinking | Means |
| **PUBLIC EDUCATION** | | |
| Create a process to **inform…and educate** the public on the IBCC's activities and progress of the interbasin compact negotiations | Communicate to the general public about the **vision** and the mechanics of the HB1177 **process**, and its **relevance** to them<br><br>Inform the public, especially the "water interested" public, about IBCC and basin roundtable meetings, committee opportunities, educational programs | 1. **Roundtable Education**<br>2. **Website**<br>3. **Work *through* (do not duplicate work of) groups who already are doing water education throughout the state including, but not limited to:**<br>**Colorado Foundation for Water Education**<br>**Colorado Water Congress**<br>**Water conservancy, conservation districts**<br>**Colorado Watershed Assembly**<br>**Conservation/Environmental organizations**<br>**Agricultural organizations**<br>**Universities**<br>**Fed/State/Local agencies** |
| **PUBLIC PARTICIPATION** | | |
| Create a process to… **involve** the public (in) the IBCC's activities and progress of the interbasin compact negotiations | Encourage participation of ALL the public, not just special interest groups. Increase participation by younger people and those not necessarily represented by the roundtables, including those not part of any traditional water related organization | Work on this will be forthcoming—"second stage"—after we have made substantial progress on the public education aspects of our work as shown above. |
| Create a mechanism by which **public input and feedback** can be relayed to the IBCC and compact negotiators. | | Later Consider:<br>How improve public comment process at meetings?<br>Public comment via website?<br>Public dialogue and deliberation at basin level?<br>Roundtable/public workgroups on specific topics? |

IBCC PUBLIC EDUCATION/ PARTICIPATION/ OUTREACH WORKING GROUP
REPORT TO THE LEGISLATURE—October, 2006

| ROUNDTABLE (and IBCC) EDUCATION |
|---|
| Find presenters on particular subjects as requested by roundtables |
| Serve as a clearinghouse for presenters who want to present to the roundtables |
| Provide Headwaters Magazine for every roundtable member |
| Work with CFWE to feature roundtables and basin challenges in each issue of Headwaters |
| Update CFWE notebooks as new Citizen Guides are available |
| Continued spotlight on each basin and its challenges at each IBCC meeting |
| Statewide Educational programs to which all roundtables and public invited |
| Encourage IBCC to be very specific about input requested of each roundtable (put in writing when possible) |
| Encourage roundtables to expand to a broader audience their maillists for meeting notices/agendas/minutes |
| No funding for presenters of education programs at this time—maybe considered later |
| |
| **WEBSITE** |
| Website for 1177 process separate from DNR website |
| Outside contractor to develop and maintain it |
| Paid coordinator to work with roundtables and water education groups to keep it updated |
| 1400 monies to roundtables to assist their recording secretaries in keeping info to website coordinator current |
| Use the website to advertise all roundtable and IBCC meetings and educational programs |
| Use the website to link to basin needs assessment information as it becomes available |
| |
| **WATER EDUCATION GROUPS** |
| Work with Reagan Waskom, CSU, to update and expand Water Education Groups database |
| Work through water education groups to get out the message about the 1177 process and ways to participate, and educational programs on water |
| |
| **OTHER** |
| Upcoming discussion: how to get broad participation, not limited to narrow view of special interests? |
| Upcoming consideration: CSU's Network Analysis Project proposal from Lyn Kathlene |
| Work Group Membership to Be Limited to 8, including IBCC members and outside members |
| Work Group Budget for Fiscal Year Ending June 30, 2007 is $50,000 |
| Funds committed to date are for facilitator fees/expenses, meeting expenses |

# Appendix H
# Overview – Colorado Water for the 21st Century Act

## Introduction

The dialogue on water in Colorado has changed. The Colorado Water for the 21st Century Act creates a collaborative process which fundamentally changes how the state addresses its water challenges.

Historical water use patterns have caught up with our choices of where we live and work. Increasingly communities have outgrown available water supplies. This predicament was created over time and will continue to become more dramatic as Colorado's population continues to grow and its water uses and needs change. To correct this problem by moving water from place to place without regard for the communities, economies, and the environment does not recognize the value and importance of water in all parts of Colorado. Water is moved from basin to basin and sub-basin to sub-basin in every corner of the state. In the past, and far too often, the movement of water has been viewed as creating winners and losers. However, this need not be the case. There is absolutely no question that compromise is in order and will be necessary to accommodate the many competing water uses in Colorado—but it does not mean that we are dealing with a zero sum proposition.

This is the backdrop behind the collaborative process created by the Colorado Water for the 21st Century Act. This Interbasin Compact initiative is based upon the premise that Coloradans must work together to address the water needs within our entire state. In order to foster this, the Colorado Water for the 21st Century Act creates a framework that changes the dialogue on water throughout Colorado, broadens the range of stakeholders that will actively participate in the state's water decisions, and creates a locally driven process where the decision-making power is exactly where it should be – in the hands of those living throughout the state's river basins.

## Colorado Water for the 21st Century Act Provisions

The Colorado Water for the 21st Century Act sets up a framework that provides a permanent forum for broad-based water discussions. It creates two new structures: 1. The Interbasin Compact Committee, a state-wide committee that will address issues between basins; and 2. The Basin Roundtables.

The Act established nine separate Roundtables – one for each of the state's eight major river basins, and a "Metro Roundtable" for the Denver metropolitan area.

The nine Roundtables are:

- The Arkansas Basin
- The Colorado Basin
- The Dolores/San Juan/San Miguel Basin
- The Gunnison Basin
- The Metro Basin
- The North Platte Basin
- The Rio Grande Basin
- The South Platte Basin
- The Yampa/White Basin

## Roundtable Membership

These Basin Roundtables are permanent structures setup to facilitate discussions on water management issues and to encourage locally driven collaborative solutions. The broad-based, collaborative nature of this process is reflected in the roundtable membership. The roundtables are made up of a set of "designated members," ten "at-large" members, and three non-voting members, as shown in Table I-1.

**Table I-1 Roundtable Membership**

| |
|---|
| **Designated Members** |
| One member appointed by each *county* within the Roundtable's boundaries |
| One member appointed jointly be all the *municipalities* within any county in the Roundtable's boundaries |
| One member appointed by each water conservancy and water conservation *districts* within the Roundtable's boundaries |
| One member appointed jointly by the chairpersons of the Colorado *House and Senate* Ag. Committees |
| **10 At-Large Members** (appointed by the designated members in consultation with the Director of compact negotiations) |
| One representing *agricultural* interests |
| One representing *recreational* interests |
| One representing local, domestic *water providers* |
| One representing *industrial* interests |
| One representing *environmental* interests – Selected from eligible candidates representing established Colorado environmental organizations |
| At least five of the ten at-large Roundtable members must own water rights or have a contract for federal water |
| **Non-Voting Members** (appointed by the full Roundtable membership) |
| Three non-voting members who must own water rights or have a contract for federal water to represent out-of-basin water interests within the Roundtable's boundaries<br>*--Or--*<br>If no one qualifies, representatives that have interests in and are knowledgeable about water matters |
| **Colorado Water Conservation Board (CWCB)** |
| The CWCB member from the basin will serve as the liaison between the Roundtable and the CWCB. |

This roundtable membership not only broadens the range of stakeholders that will actively participate in Colorado's future water decisions, but it creates a locally driven process. Of all of the roundtable members, only three, the non-voting members may reside outside the roundtable's boundaries. All other roundtable members must be local stakeholders residing inside the basin. While the number of roundtable members differs between the roundtables and in some cases may be quite large, this membership formula is designed to ensure that all stakeholders and the general public are fully represented.

## Basin Roundtable Responsibilities

The responsibilities of the basin roundtables can be grouped into three categories: procedural responsibilities, substantive responsibilities, and public involvement responsibilities.

### Procedural

Each roundtable must adopt by-laws that include the roundtable's goals, objectives, and operating procedures. These bylaws will reflect the specific needs of the roundtable and reflect the uniqueness of each basin. In conjunction with adopting by-laws, each roundtable may also decide upon leadership positions. Suggestions for these positions include a chairperson, 2 vice-chairpersons, and a recording secretary.

### Substantive

Once the procedural responsibilities are completed, the roundtable's substantive work can begin. Each roundtable has the power to select two members of the Interbasin Compact Committee. Each roundtable will appoint two, and the appointees do not need to be members of the roundtable.

The most extensive substantive responsibility is to develop a basin-wide water needs assessment. This is to be performed in cooperation with local governments, area water providers, and other stakeholders. The needs assessment will:

- Look at both consumptive and nonconsumptive needs,
- Analyze the availability of unappropriated waters within the basin, and
- Propose projects or non-structural methods for meeting water supply needs and utilizing unappropriated waters where appropriate.

Any proposed projects or methods that result from this needs assessment will be forwarded to the Interbasin Compact Committee for consideration. Any compact coming out of the IBCC will be submitted to all affected roundtables for their ratification.

The many localized examples of cooperation on water indicate that as better relationships are fostered through these basin roundtables, practical and innovative solutions to Colorado's water problems can emerge. In addition to goodwill and trust between the participants, the success of the roundtables will require a strong base of information. The Statewide Water Supply Initiative (SWSI) has provided a wealth of important information, and the data can be used by the roundtables in completing their water needs assessment and in considering alternatives to meet any identified needs. SWSI creates a scientific standard from which the roundtables can accomplish their work, and as SWSI continues to add new information, the data will be provided to all the roundtables to help ensure that they are making rational decisions based upon the best available information.

**Public Involvement**

Equally important to the selecting members of the Interbasin Compact Committee and developing a basin-wide water needs assessment, the roundtables will serve as a forum for public involvement. The roundtable activities are required by law to be open, public meetings. In addition, roundtables may develop a process that will involve the public as the needs assessment is conducted and as alternative proposals for meeting water needs of the basin are considered. The roundtable process will create and expanded foundation for public involvement.

## Interbasin Compact Committee (IBCC) Roundtable Responsibilities

The other structure created by the Colorado Water for the 21st Century Act is the Interbasin Compact Committee. This is a 27-member committee established to facilitate conversations between basins and to address statewide issues. The IBCC is build out of the basin roundtables and will bring the issues of each roundtable to a statewide forum.

**IBCC Membership**

The IBCC will be made up of:

- Two members appointed by each of the nine roundtables;
- Six members appointed by the Governor, who must come from "geographically diverse parts of the state" and have expertise in environmental, recreational, local governmental, industrial, and agricultural matters;
- One member appointed by the chairperson of the Senate Ag. Committee;
- One member appointed by the chairperson of the House Ag. Committee ; and
- The Director of Compact Negotiations, who will chair the IBCC.

## IBCC Responsibilities

The Interbasin Compact Committee has a series of initial responsibilities. These include establishing by-laws, developing a charter, and creating a Public Education and Outreach Working Group (see Figure I-1).

**Figure I-1: Interbasin Compact Committee's Initial Responsibilities**

***By-Laws*** – The IBCC must establish by-laws to govern its operations and actions, including a required provision addressing how roundtables that opt out of the process may return to the process.

***Charter*** – By July 1, 2006 the IBCC must develop a Charter to "govern and guide compact negotiations between roundtables." The Colorado General Assembly must approve this charter before negotiations between roundtables may begin. At a minimum, the Charter must include:

- A framework and principles to guide negotiations between roundtables, including policies to ensure that individual compacts do not conflict with one another;
- Procedures for ratification of compacts, including a mandatory provision that every affected roundtable must approve the draft compact;
- Authorities and procedures to ensure that approved compacts are legally binding and enforceable; and
- Procedures for integrating the Interbasin Compact processes with other water planning and development processes, except that no provision may supersede, impair, or modify any local government's "authority, jurisdiction, or permitting powers."

***Public Education and Outreach*** – The IBCC must develop a public education and outreach working group to ensure public education and participation concerning both the activities of the Interbasin Compact Committee and compact negotiations between roundtables.

STATE OF COLORADO

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# Interbasin Compact Process
# Fact Sheet (Updated: 10/31/06)

The Interbasin Compact process established by the Colorado Water for the 21st Century Act (HB-1177) is being fully implemented with an impressive amount of energy and interest at all levels. Nine basin roundtables are established throughout the state. Roundtable membership is meeting the Act's goal of being broadly inclusive. Two hundred and ninety eight Coloradoans are serving as roundtable members bringing a diversity of interests, backgrounds, experiences, and geographic perspectives to Colorado's water discussions (see Figure One). Roundtable participants also include representatives from ten different state and federal agencies, and the involvement of 27 non-voting members bringing a cross-basin perspective to each roundtable.

**Figure One: Number of Roundtable Members**

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|---|---|
| Arkansas | 53 |
| Colorado | 34 |
| Dolores/SM/SJ | 34 (including 2 Tribes) |
| Gunnison | 32 |
| Metro | 27 |
| North Platte | 16 |
| Rio Grande | 29 |
| South Platte | 51 |
| Yampa/White | 22 |
| **Total** | **298** |

The roundtable meetings are being held on a regular basis, are well attended, and have a high level of discourse and engagement. Meetings have been marked by competitive elections, spirited debates about their decision-making and operating procedures, and constructive analysis of water issues and data within their basin as members begin their basin-wide water needs assessments and examine how this process can move the state forward. Figure Two summarizes the roundtables' work.

**Figure Two: Roundtable Summary Data**

| | |
|---|---|
| Roundtable Meetings Held | 106 in all basins |
| IBCC Meetings Held | 8 |
| Non-Voting Cross Basin Participation | 27 |
| Federal and State Agency Liaisons | 10 agencies actively involved |
| CSU Cooperative Extension Liaisons | 10 |

**Work Accomplished:**

- 9 roundtables fully formed with elected leadership and adopted by-laws.
- All roundtables pursuing an education agenda with presentations on important water issues within their basin.
- All roundtables have received a Basin Report, all information relevant to their basin, generated through SWSI. These Basin Reports form the starting point and core of the basin-wide water needs assessment.
- Roundtables are receiving presentations and information on proposed projects or methods to meet water needs within their basin.

STATE OF COLORADO

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office of
Interbasin Compact
Negotiations

Russell George
Director of Compact
Negotiations

Eric Hecox
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Negotiations

The Colorado Water for the 21st Century Act also established the Interbasin Compact Committee (IBCC). The Governor has appointed Russell George as the Director of Compact Negotiations, the roundtables have chosen their IBCC representatives, and the executive and legislative branches of government have made their appointments.

With the roundtables and the IBCC fully formed, the structures are in place to comprehensively address water issues throughout the state. The coming months will be marked by an impressive array of activities. Many of the roundtables are assessing their water interests as a basin, utilizing the information from Statewide Water Supply Initiative (SWSI) and other studies to complete a basin wide water needs assessment, working with Colorado Water Conservation Board (CWCB) to analyze alternatives for meeting identified water needs, and making recommendations on how to meet their water needs to the IBCC. Roundtables are also positioned to analyze and respond to projects or processes that are voluntarily brought before them by other entities.

The IBCC's work has primarily focused on writing and submitting a Charter to legislature. The IBCC's charter was approved on April 5, 2006 and approved by the second assembly through HB06-1400. This Charter will govern and guide water negotiations between roundtables, articulates the role of the IBCC, and forms the framework and foundational principles to guide voluntary negotiations between roundtables. The IBCC will also guide the public education and outreach efforts of this process. Working groups have been established to spearhead efforts with regard to public education, roundtable needs assessments, and establishing criteria and guidelines associated with allocating money provided for in Senate Bill 06-179.

**Figure Three: IBCC Work Accomplished**

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| • Charter written and approved by legislature in accordance with the Colorado Water for the 21st Century Act. The charter establishes procedural framework for the interbasin negotiation process. |
| • By-laws written and approved establishing operational procedures for the IBCC |
| • Working groups established to address IBCC responsibilities with regard to public education, basin-wide needs assessments, and SB06-179 criteria and guidelines |

For further information contact:
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# Appendix J
# IBCC Agenda Planning

*November 16th, Durango (Southwest Roundtable)*

- Presentation from San Juan/Dolores Roundtable
- Work group reports
  - Public education, participation, and outreach
  - Needs assessment – including on an ongoing basis a review/approval of requests for contract assistance
  - Water Supply Reserve Account (should the Criteria and Guidelines Work Group stay together to provide assistance to the roundtables?) – if so, this report could include on an ongoing basis 1) an update/discussion of assistance to roundtables in using the Account; and 2) a review/discussion of requests for funding from this Account.
- SWSI Phase II – Alternatives to permanent agriculture transfers OR Conservation – Presentation of White Paper and discussion

*Future Meeting Dates: Attempt to set 2007 January – June meeting dates at the November meeting.*

Ongoing Topics for 2007 Meetings:

- Working group presentations/updates/discussions
  - Public Education & Outreach
  - Needs assessment – including on an ongoing basis a review/approval of requests for contract assistance
  - Water Supply Reserve Account– including on an ongoing basis: 1) an update/discussion of assistance to roundtables in using the Account; and 2) a review/discussion of requests for funding from this Account.
- Presentation from host roundtable – Presentations Outstanding:
  - Metro Roundtable
  - Colorado Roundtable
  - South Platte Roundtable
  - North Platte Roundtable
  - Gunnison Roundtable
- January or February – Creation of a Mission Statement and being Strategic Planning
  - Facilitated discussion of what the group is willing to do, i.e. what role will the IBCC play – Basis can be the roles outlined in the Charter
  - Discuss education the IBCC needs to begin fulfilling their mission
  - Strategic planning on how to achieve the mission
- January or February Meeting: SWSI Phase II – Alternatives to permanent agriculture transfers OR Conservation (which ever was not presented in November 2006) – Presentation of White Paper and discussion
- February or March Meeting: SWSI Phase II – Filling the Gap – Presentation of White Paper and discussion
- Invite the new Governor to meet with the IBCC

Suggested Additional Topics:

- What does "encourage development of a common technical platform" really mean? What steps should the IBCC take to fill this role identified in the Charter?
- Discussion of Urban Water Use Criteria (Chips Barry Memo)
- Long range vision for water in Colorado – how can the IBCC and the Roundtables begin to look at the big picture?
- Does groundwater exist in Colorado given the decision in the Empire Lodge case?
- Other water issues in the state that might benefit from IBCC or roundtable discussions
  - Colorado basin issues – "unappropriated water", lower basin activities, the impacts of a potential call?
  - Issues with the Ogallala aquifer
  - Denver/west slope issues and ongoing negotiations
  - Water needs for potential energy development
  - Social/economic impacts of agricultural dry up

**NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

# An Act

HOUSE BILL 05-1177

BY REPRESENTATIVE(S) Penry, Buescher, Decker, Liston, Massey, White, Berens, Clapp, Crane, Gallegos, Hall, Hoppe, Jahn, Kerr, Knoedler, Paccione, Rose, Stafford, Stengel, Sullivan, Romanoff, Boyd, Brophy, Coleman, Frangas, Harvey, King, Madden, May M., McCluskey, Merrifield, and Todd;
also SENATOR(S) Isgar, Tapia, Taylor, Entz, Grossman, Kester, Fitz-Gerald, Groff, Teck, and Tupa.

CONCERNING THE NEGOTIATION OF INTERBASIN COMPACTS REGARDING THE EQUITABLE DIVISION OF THE STATE'S WATERS, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** Title 37, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW ARTICLE to read:

## ARTICLE 75
## Interbasin Compacts

**37-75-101. Short title.** THIS ARTICLE SHALL BE KNOWN AND MAY BE CITED AS THE "COLORADO WATER FOR THE 21ST CENTURY ACT".

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

**37-75-102. Water rights - protections.** (1) IT IS THE POLICY OF THE GENERAL ASSEMBLY THAT THE CURRENT SYSTEM OF ALLOCATING WATER WITHIN COLORADO SHALL NOT BE SUPERSEDED, ABROGATED, OR OTHERWISE IMPAIRED BY THIS ARTICLE. NOTHING IN THIS ARTICLE SHALL BE INTERPRETED TO REPEAL OR IN ANY MANNER AMEND THE EXISTING WATER RIGHTS ADJUDICATION SYSTEM. THE GENERAL ASSEMBLY AFFIRMS THE STATE CONSTITUTION'S RECOGNITION OF WATER RIGHTS AS A PRIVATE USUFRUCTUARY PROPERTY RIGHT, AND THIS ARTICLE IS NOT INTENDED TO RESTRICT THE ABILITY OF THE HOLDER OF A WATER RIGHT TO USE OR TO DISPOSE OF THAT WATER RIGHT IN ANY MANNER PERMITTED UNDER COLORADO LAW.

(2) THE GENERAL ASSEMBLY AFFIRMS THE PROTECTIONS FOR CONTRACTUAL AND PROPERTY RIGHTS RECOGNIZED BY THE CONTRACT AND TAKINGS PROTECTIONS UNDER THE STATE CONSTITUTION AND RELATED STATUTES. THIS ARTICLE SHALL NOT BE IMPLEMENTED IN ANY WAY THAT WOULD DIMINISH, IMPAIR, OR CAUSE INJURY TO ANY PROPERTY OR CONTRACTUAL RIGHT CREATED BY INTERGOVERNMENTAL AGREEMENTS, CONTRACTS, STIPULATIONS AMONG PARTIES TO WATER CASES, TERMS AND CONDITIONS IN WATER DECREES, OR ANY OTHER SIMILAR DOCUMENT RELATED TO THE ALLOCATION OR USE OF WATER. THIS ARTICLE SHALL NOT BE CONSTRUED TO SUPERSEDE, ABROGATE, OR CAUSE INJURY TO VESTED WATER RIGHTS OR DECREED CONDITIONAL WATER RIGHTS. THE GENERAL ASSEMBLY AFFIRMS THAT THIS ARTICLE DOES NOT IMPAIR, LIMIT, OR OTHERWISE AFFECT THE RIGHTS OF PERSONS OR ENTITIES TO ENTER INTO AGREEMENTS, CONTRACTS, OR MEMORANDA OF UNDERSTANDING WITH OTHER PERSONS OR ENTITIES RELATING TO THE APPROPRIATION, MOVEMENT, OR USE OF WATER UNDER OTHER PROVISIONS OF LAW.

**37-75-103. Director of compact negotiations.** (1) WITHIN THIRTY DAYS AFTER THE EFFECTIVE DATE OF THIS ARTICLE, THE GOVERNOR SHALL APPOINT A DIRECTOR OF COMPACT NEGOTIATIONS, WHO SHALL ACT AS THE OVERSEER AND CARETAKER OF THE COMPACT NEGOTIATIONS PROCESS ESTABLISHED IN THIS ARTICLE.

(2) THE DIRECTOR OF COMPACT NEGOTIATIONS SHALL HAVE THE FOLLOWING RESPONSIBILITIES:

(a) PROVIDE SUPPORT AND ASSISTANCE TO APPLICABLE LOCAL STAKEHOLDERS IN THE FORMATION OF PERMANENT BASIN ROUNDTABLES ESTABLISHED PURSUANT TO SECTION 37-75-104;

(b) OVERSEE AND DIRECT THE EXPENDITURE OF MONEYS APPROPRIATED PURSUANT TO THIS ARTICLE; AND

(c) SERVE AS THE CHAIRPERSON OF THE INTERBASIN COMPACT COMMITTEE AND OVERSEE IMPLEMENTATION OF THE INTERBASIN COMPACT COMMITTEE'S RESPONSIBILITIES CONSISTENT WITH SECTION 37-75-105, INCLUDING THE TIMELY COMPLETION AND REFERRAL OF THE INTERBASIN COMPACT CHARTER.

**37-75-104. Basin roundtables.** (1) (a) TO FACILITATE CONTINUED DISCUSSIONS WITHIN AND BETWEEN BASINS ON WATER MANAGEMENT ISSUES, AND TO ENCOURAGE LOCALLY DRIVEN COLLABORATIVE SOLUTIONS TO WATER SUPPLY CHALLENGES, PERMANENT BASIN ROUNDTABLES ARE HEREBY CREATED IN COLORADO'S EIGHT WATER BASINS AND IN A DEMOGRAPHICALLY UNIQUE SUBREGION WITHIN WATER DIVISION 1 AS SPECIFIED IN SUBSECTION (3) OF THIS SECTION.

(b) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES SHALL TAKE SUCH ACTIONS AS MAY BE NECESSARY TO ENSURE PROPER INTEGRATION AND NONDUPLICATION OF ACTIVITIES OCCURRING PURSUANT TO THE STATEWIDE WATER SUPPLY INITIATIVE AND THIS ARTICLE.

(2) EACH BASIN ROUNDTABLE SHALL HAVE THE FOLLOWING POWERS AND RESPONSIBILITIES:

(a) (I) AS SOON AS PRACTICABLE FOLLOWING THE EFFECTIVE DATE OF THIS ARTICLE, EACH BASIN ROUNDTABLE SHALL ESTABLISH BYLAWS, OPERATING PROCEDURES, GOALS, AND OBJECTIVES TO GOVERN THE ACTIONS AND DECISIONS OF THE APPLICABLE ROUNDTABLE. BASIN ROUNDTABLES AND THEIR REPRESENTATIVES ON THE INTERBASIN COMPACT COMMITTEE MAY OPT OUT OF THE PROCEDURES ESTABLISHED IN THIS ARTICLE AT ANY TIME.

(II) AS DEEMED APPROPRIATE BY THE EXECUTIVE DIRECTOR, THE ROUNDTABLES ESTABLISHED PURSUANT TO THIS SECTION MAY TAKE ON THE DUTIES AND FUNCTIONS OF THE ROUNDTABLES CREATED PURSUANT TO THE STATEWIDE WATER SUPPLY INITIATIVE.

(b) SELECT TWO BASIN REPRESENTATIVES TO REPRESENT THE VIEWS AND INTERESTS OF THE BASIN ON THE INTERBASIN COMPACT COMMITTEE ESTABLISHED PURSUANT TO SECTION 37-75-105. BASIN REPRESENTATIVES

NEED NOT BE MEMBERS OF THE BASIN ROUNDTABLE.

(c) USING DATA AND INFORMATION FROM THE STATEWIDE WATER SUPPLY INITIATIVE AND OTHER APPROPRIATE SOURCES AND IN COOPERATION WITH THE ON-GOING STATEWIDE WATER SUPPLY INITIATIVE, DEVELOP A BASIN-WIDE CONSUMPTIVE AND NONCONSUMPTIVE WATER SUPPLY NEEDS ASSESSMENT, CONDUCT AN ANALYSIS OF AVAILABLE UNAPPROPRIATED WATERS WITHIN THE BASIN, AND PROPOSE PROJECTS OR METHODS, BOTH STRUCTURAL AND NONSTRUCTURAL, FOR MEETING THOSE NEEDS AND UTILIZING THOSE UNAPPROPRIATED WATERS WHERE APPROPRIATE. BASIN ROUNDTABLES SHALL ACTIVELY SEEK THE INPUT AND ADVICE OF AFFECTED LOCAL GOVERNMENTS, WATER PROVIDERS, AND OTHER INTERESTED STAKEHOLDERS AND PERSONS IN ESTABLISHING ITS NEEDS ASSESSMENT, AND SHALL PROPOSE PROJECTS OR METHODS FOR MEETING THOSE NEEDS. RECOMMENDATIONS FROM THIS ASSESSMENT SHALL BE FORWARDED TO THE INTERBASIN COMPACT COMMITTEE AND OTHER BASIN ROUNDTABLES FOR ANALYSIS AND CONSIDERATION AFTER THE GENERAL ASSEMBLY HAS APPROVED THE INTERBASIN COMPACT CHARTER.

(d) SERVE AS A FORUM FOR EDUCATION AND DEBATE REGARDING METHODS FOR MEETING WATER SUPPLY NEEDS; AND

(e) AS NEEDED, ESTABLISH ROUNDTABLE SUBCOMMITTEES OR OTHER MECHANISMS TO FACILITATE DIALOGUE AND RESOLUTION OF ISSUES AND CONFLICTS WITHIN THE BASIN.

(3) (a) AS USED IN THIS SUBSECTION (3), UNLESS THE CONTEXT OTHERWISE REQUIRES:

(I) "WATER DIVISION" HAS THE SAME MEANING AS SET FORTH IN SECTION 37-92-201.

(II) "WATER MANAGEMENT DISTRICT" MEANS THOSE DISTRICTS ESTABLISHED BY THE DIVISION OF WATER RESOURCES AND DEPICTED ON MAPS PUBLISHED BY THE DIVISION.

(b) THE FOLLOWING BASIN ROUNDTABLES ARE HEREBY CREATED:

(I) THE SOUTH PLATTE BASIN ROUNDTABLE, CONSISTING OF WATER DIVISION 1 EXCEPTING THOSE PORTIONS OF WATER DIVISION 1 LISTED IN SUBPARAGRAPHS (VIII) AND (IX) OF THIS PARAGRAPH (b);

(II) THE ARKANSAS BASIN ROUNDTABLE, CONSISTING OF WATER DIVISION 2;

(III) THE RIO GRANDE BASIN ROUNDTABLE, CONSISTING OF WATER DIVISION 3;

(IV) THE GUNNISON BASIN ROUNDTABLE, CONSISTING OF WATER DIVISION 4;

(V) THE COLORADO BASIN ROUNDTABLE, CONSISTING OF WATER DIVISION 5;

(VI) THE YAMPA-WHITE ROUNDTABLE, CONSISTING OF WATER DIVISION 6 EXCEPTING WATER MANAGEMENT DISTRICT 47;

(VII) THE DOLORES, SAN MIGUEL, AND SAN JUAN BASINS ROUNDTABLE, CONSISTING OF WATER DIVISION 7;

(VIII) THE METRO ROUNDTABLE, CONSISTING OF THE FOLLOWING AREAS IN WATER DIVISION 1: THOSE PORTIONS OF WATER MANAGEMENT DISTRICTS 7 TO 9 THAT LIE EAST OF THE BOUNDARY BETWEEN RANGES 71 AND 72 WEST AND THAT PORTION OF WATER MANAGEMENT DISTRICT 2 THAT LIES SOUTH OF THE BOUNDARY BETWEEN TOWNSHIP 1 NORTH AND TOWNSHIP 1 SOUTH; AND

(IX) THE NORTH PLATTE ROUNDTABLE, CONSISTING OF WATER MANAGEMENT DISTRICTS 47, 48, AND 76.

(4) (a) EACH BASIN ROUNDTABLE SHALL CONSIST OF THE FOLLOWING MEMBERS, EACH OF WHOM SHALL RESIDE WITHIN THE BORDERS OF THE ROUNDTABLE, EXCEPT AS OTHERWISE PROVIDED IN THIS PARAGRAPH (a):

(I) ONE MEMBER APPOINTED BY THE GOVERNING BODY OF EACH COUNTY OR CITY AND COUNTY WITHIN THE BORDERS OF THE BASIN ROUNDTABLE. A COUNTY OR CITY AND COUNTY SHALL BE ENTITLED TO A MEMBER ON EACH BASIN ROUNDTABLE THAT OVERLAPS ITS BOUNDARIES.

(II) ONE MUNICIPAL MEMBER FOR EACH COUNTY LOCATED IN WHOLE OR IN PART WITHIN THE BASIN ROUNDTABLE, WHO SHALL BE APPOINTED JOINTLY BY THE GOVERNING BODIES OF ALL MUNICIPALITIES WITHIN THAT PORTION OF THE COUNTY THAT IS LOCATED WITHIN THE ROUNDTABLE;

(III) ONE MEMBER APPOINTED BY THE BOARD OF DIRECTORS OF EACH WATER CONSERVANCY AND WATER CONSERVATION DISTRICT WITHIN THE BORDERS OF THE ROUNDTABLE. A WATER CONSERVANCY OR WATER CONSERVATION DISTRICT SHALL BE ENTITLED TO ONE MEMBER ON EACH BASIN ROUNDTABLE THAT OVERLAPS ITS JURISDICTION.

(IV) ONE MEMBER APPOINTED BY MUTUAL AGREEMENT OF THE CHAIRPERSON OF THE HOUSE AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES COMMITTEE AND THE CHAIRPERSON OF THE SENATE AGRICULTURE, NATURAL RESOURCES, AND ENERGY COMMITTEE;

(V) TEN AT LARGE MEMBERS APPOINTED BY THE ROUNDTABLE MEMBERS APPOINTED PURSUANT TO SUBPARAGRAPHS (I) TO (IV) OF THIS PARAGRAPH (a) IN CONSULTATION WITH THE DIRECTOR OF COMPACT NEGOTIATIONS, ONE OF WHOM SHALL REPRESENT ENVIRONMENTAL INTERESTS AND WHO SHALL BE SELECTED FROM NOMINEES SUBMITTED BY ONE OR MORE REGIONALLY, STATE-WIDE, OR NATIONALLY RECOGNIZED ENVIRONMENTAL CONSERVATION ORGANIZATIONS THAT HAVE OPERATED IN COLORADO FOR AT LEAST FIVE YEARS, ONE OF WHOM SHALL REPRESENT AGRICULTURAL INTERESTS, ONE OF WHOM SHALL REPRESENT RECREATION INTERESTS, ONE OF WHOM SHALL REPRESENT LOCAL DOMESTIC WATER PROVIDER INTERESTS, ONE OF WHOM SHALL REPRESENT INDUSTRIAL INTERESTS, AND AT LEAST FIVE OF WHOM SHALL OWN ADJUDICATED WATER RIGHTS, INCLUDING OWNERS OF SHARES IN A DITCH OR RESERVOIR COMPANY OR THEIR AGENTS, OR SHALL HAVE A CONTRACT FOR WATER WITH THE FEDERAL BUREAU OF RECLAMATION OR THEIR AGENTS. ANY SUCH AGENT SHALL BE APPOINTED BY THE MEMBER THE AGENT REPRESENTS AND SHALL RESIDE WITHIN THE BORDERS OF THE MEMBER'S ROUNDTABLE.

(VI) (A) THREE NONVOTING MEMBERS SHALL BE SELECTED BY THE ROUNDTABLE MEMBERS APPOINTED PURSUANT TO SUBPARAGRAPHS (I) TO (V) OF THIS PARAGRAPH (a), WHO SHALL REPRESENT ENTITIES OUTSIDE OF THE BASIN THAT OWN WATER RIGHTS WITHIN THE BASIN. MEMBERS APPOINTED PURSUANT TO THIS SUBPARAGRAPH (VI) SHALL NOT BE REQUIRED TO RESIDE WITHIN THE BORDERS OF THE ROUNDTABLE.

(B) IF NO ONE QUALIFIES FOR SELECTION PURSUANT TO SUB-SUBPARAGRAPH (A) OF THIS SUBPARAGRAPH (VI), THREE NONVOTING MEMBERS SHALL BE SELECTED FROM OUTSIDE THE BASIN WHO HAVE INTERESTS IN AND ARE KNOWLEDGEABLE ABOUT WATER MATTERS.

(b) MEMBERS SHALL SERVE FOR A TERM OF FIVE YEARS; EXCEPT THAT INITIAL TERMS SHALL BE STAGGERED PURSUANT TO EACH ROUNDTABLE'S BYLAWS. VACANCIES SHALL BE FILLED PURSUANT TO THE SAME CRITERIA AS THE ORIGINAL APPOINTMENT.

(c) THE MEMBER OF THE COLORADO WATER CONSERVATION BOARD WHO RESIDES WITHIN THE BORDERS OF THE BASIN ROUNDTABLE SHALL ACT AS THE BOARD'S LIAISON TO THE BASIN ROUNDTABLE AND TO THE INTERBASIN COMPACT COMMITTEE FOR THE PURPOSE OF ENSURING THE PROPER COORDINATION OF COLORADO WATER CONSERVATION BOARD INFORMATION, POLICIES, AND RESOURCES. SUCH COORDINATION SHALL BE SUBJECT TO AVAILABLE STAFF RESOURCES AS DETERMINED BY THE DIRECTOR OF THE BOARD AND THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES.

(5) A BASIN ROUNDTABLE SHALL BE DEEMED TO BE A LOCAL PUBLIC BODY FOR PURPOSES OF THE OPEN MEETINGS LAW, PART 4 OF ARTICLE 6 OF TITLE 24, C.R.S.

**37-75-105. Interbasin compact committee - report - repeal.** (1) (a) TO FACILITATE THE PROCESS OF INTERBASIN COMPACT NEGOTIATIONS, A TWENTY-SEVEN-MEMBER INTERBASIN COMPACT COMMITTEE IS HEREBY CREATED. THE INTERBASIN COMPACT COMMITTEE SHALL INCLUDE TWO REPRESENTATIVES FROM EACH BASIN ROUNDTABLE, AT LEAST ONE OF WHOM SHALL RESIDE WITHIN THE BORDERS OF THE ROUNDTABLE AND AT LEAST ONE OF WHOM SHALL OWN ADJUDICATED WATER RIGHTS, INCLUDING OWNERS OF SHARES IN A DITCH OR RESERVOIR COMPANY OR THEIR AGENTS, SIX AT-LARGE MEMBERS APPOINTED BY THE GOVERNOR, ONE MEMBER APPOINTED BY THE CHAIRPERSON OF THE HOUSE AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES COMMITTEE, ONE MEMBER APPOINTED BY THE CHAIRPERSON OF THE SENATE AGRICULTURE, NATURAL RESOURCES, AND ENERGY COMMITTEE, AND THE DIRECTOR OF COMPACT NEGOTIATIONS. THE GOVERNOR'S APPOINTMENTS SHALL COME FROM GEOGRAPHICALLY DIVERSE PARTS OF THE STATE AND SHALL INCLUDE INDIVIDUALS WITH EXPERTISE IN ENVIRONMENTAL, RECREATIONAL, LOCAL GOVERNMENTAL, INDUSTRIAL, AND AGRICULTURAL MATTERS. NO MORE THAN THREE OF THE GOVERNOR'S APPOINTEES SHALL BE AFFILIATED WITH THE SAME POLITICAL PARTY. ANY SUCH AGENT SHALL BE APPOINTED BY THE MEMBER THE AGENT REPRESENTS AND SHALL RESIDE WITHIN THE BORDERS OF THE MEMBER'S ROUNDTABLE.

(b) AS SOON AS PRACTICABLE FOLLOWING THE EFFECTIVE DATE OF THIS ARTICLE, THE COMMITTEE SHALL ESTABLISH BYLAWS TO GOVERN ITS ACTIONS, INCLUDING A PROCEDURE WHEREBY BASIN ROUNDTABLES THAT OPT OUT OF THE PROCEDURES ESTABLISHED IN THIS ARTICLE ARE NO LONGER REPRESENTED ON THE COMMITTEE BUT MAY OPT BACK IN.

(2) NOT LATER THAN JULY 1, 2006, THE INTERBASIN COMPACT COMMITTEE SHALL ESTABLISH AND REFER TO THE GENERAL ASSEMBLY AN INTERBASIN COMPACT CHARTER THAT SHALL GOVERN AND GUIDE ALL NEGOTIATIONS BETWEEN BASIN ROUNDTABLES UNDER THIS ARTICLE. IF THE COMMITTEE DOES NOT SO REFER THE CHARTER BY JULY 1, 2006, THIS ARTICLE IS REPEALED, EFFECTIVE JULY 1, 2006. UPON RECEIPT, CONSIDERATION, AND APPROVAL OF THE CHARTER BY THE GENERAL ASSEMBLY ACTING BY BILL, NEGOTIATIONS BETWEEN BASIN ROUNDTABLES MAY COMMENCE. ANY COMPACT OR OTHER AGREEMENT ESTABLISHED USING THE PROCEDURES ESTABLISHED IN THIS ARTICLE SHALL FULLY COMPLY WITH THE TERMS, REQUIREMENTS, AND PROCEDURES ESTABLISHED IN THE INTERBASIN COMPACT CHARTER AS APPROVED PURSUANT TO THIS SUBSECTION (2).

(3) AT A MINIMUM, THE INTERBASIN COMPACT CHARTER SHALL INCLUDE THE FOLLOWING:

(a) A NEGOTIATING FRAMEWORK AND FOUNDATIONAL PRINCIPLES TO GUIDE VOLUNTARY NEGOTIATIONS BETWEEN BASIN ROUNDTABLES, INCLUDING PRESENT AND FUTURE CONSUMPTIVE AND NONCONSUMPTIVE WATER USES AND SUCH POLICIES AS MAY BE NECESSARY TO ENSURE THAT COMPACTS OR OTHER AGREEMENTS BETWEEN ROUNDTABLES DO NOT CONFLICT OR OTHERWISE NOT CONFORM WITH ONE ANOTHER;

(b) SUBJECT TO THE PRINCIPLES ESTABLISHED IN SECTION 37-75-102, PROCEDURES FOR RATIFYING COMPACTS OR OTHER AGREEMENTS BETWEEN BASIN ROUNDTABLES, INCLUDING THE REQUIREMENT THAT EVERY BASIN ROUNDTABLE WHOSE WATERS ARE AFFECTED BY A PROPOSED COMPACT OR OTHER AGREEMENT SHALL PROVIDE ITS AFFIRMATIVE SUPPORT FOR SUCH PROPOSED COMPACT OR OTHER AGREEMENT BEFORE SUCH COMPACT OR AGREEMENT IS FINAL OR BINDING;

(c) AS DEEMED APPROPRIATE BY THE INTERBASIN COMPACT COMMITTEE BUT SUBJECT TO THE PRINCIPLES ESTABLISHED IN SECTION 37-75-102, AUTHORITIES AND PROCEDURES FOR MAKING COMPACTS OR

OTHER AGREEMENTS BETWEEN ROUNDTABLES LEGALLY BINDING AND ENFORCEABLE; AND

(d) AS DEEMED APPROPRIATE BY THE INTERBASIN COMPACT COMMITTEE, PROCEDURES FOR INTEGRATING THE PROCESSES ESTABLISHED IN THIS ARTICLE WITH EXISTING PLANNING, PERMITTING, AND PUBLIC PARTICIPATION PROCESSES RELATED TO THE CONSERVATION AND DEVELOPMENT OF WATER WITHIN COLORADO; EXCEPT THAT NO PROVISION OF THE CHARTER SHALL SUPERCEDE, IMPAIR, OR OTHERWISE MODIFY THE AUTHORITY, JURISDICTION, OR PERMITTING POWERS OF COUNTIES OR OTHER LOCAL GOVERNMENT ENTITIES.

(4) COMMENCING IN 2006, THE COMMITTEE SHALL SUBMIT AN ANNUAL REPORT TO THE HOUSE OF REPRESENTATIVES COMMITTEE ON AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES AND THE SENATE COMMITTEE ON AGRICULTURE, NATURAL RESOURCES, AND ENERGY BY OCTOBER 31 CONCERNING THE STATUS OF COMPACT NEGOTIATIONS.

(5) THE COMMITTEE SHALL BE DEEMED TO BE A STATE PUBLIC BODY FOR PURPOSES OF THE OPEN MEETINGS LAW, PART 4 OF ARTICLE 6 OF TITLE 24, C.R.S.

**37-75-106. Public education - outreach.** (1) THE INTERBASIN COMPACT COMMITTEE SHALL DEVELOP A PUBLIC EDUCATION, PARTICIPATION, AND OUTREACH WORKING GROUP.

(2) THE PUBLIC EDUCATION, PARTICIPATION, AND OUTREACH WORKING GROUP SHALL:

(a) CREATE A PROCESS TO INFORM, INVOLVE, AND EDUCATE THE PUBLIC ON THE INTERBASIN COMPACT COMMITTEE'S ACTIVITIES AND PROGRESS OF THE INTERBASIN COMPACT NEGOTIATIONS; AND

(b) CREATE A MECHANISM BY WHICH PUBLIC INPUT AND FEEDBACK CAN BE RELAYED TO THE INTERBASIN COMPACT COMMITTEE AND COMPACT NEGOTIATORS.

**SECTION 2. Appropriation.** In addition to any other appropriation, there is hereby appropriated, out of any moneys in the operational account of the severance tax trust fund established pursuant to section 39-29-109 (1) (a) (II), Colorado Revised Statutes, not otherwise

appropriated, to the department of natural resources, Colorado water conservation board, for the fiscal year beginning July 1, 2005, the sum of two hundred forty-seven thousand forty-four dollars ($247,044) and 0.5 FTE, or so much thereof as may be necessary, for the implementation of this act.

**SECTION 3. Safety clause.** The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Andrew Romanoff
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Joan Fitz-Gerald
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

APPROVED_____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO

**NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

# An Act

HOUSE BILL 06-1400

BY REPRESENTATIVE(S) Buescher and Penry and Curry, Coleman, Frangas, Gallegos, Gardner, Hall, Hodge, Hoppe, Jahn, King, Liston, Madden, Merrifield, Paccione, Rose, Stafford, Sullivan, White, and Witwer;
also SENATOR(S) Isgar, Fitz-Gerald, and Taylor.

CONCERNING INTERBASIN COMPACTS, AND, IN CONNECTION THEREWITH, APPROVING THE INTERBASIN COMPACT CHARTER, ALTERING THE BOUNDARIES THAT DEFINE CERTAIN WESTERN SLOPE BASIN ROUNDTABLES, AND MAKING AN APPROPRIATION.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** 37-75-105 (2), Colorado Revised Statutes, is amended to read:

**37-75-105. Interbasin compact committee - report - repeal.** (2) (a) Not later than July 1, 2006, the interbasin compact committee shall establish and refer to the general assembly an interbasin compact charter that shall govern and guide all negotiations between basin roundtables under this article. If the committee does not so refer the charter by July 1, 2006, this article is repealed, effective July 1, 2006. Upon receipt, consideration, and approval of the charter by the general assembly acting by

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bill, negotiations between basin roundtables may commence. Any compact or other agreement established using the procedures established in this article shall fully comply with the terms, requirements, and procedures established in the interbasin compact charter as approved pursuant to this subsection (2).

(b) THE GENERAL ASSEMBLY HEREBY APPROVES THE INTERBASIN COMPACT CHARTER AS SUBMITTED TO THE GENERAL ASSEMBLY ON APRIL 6, 2006, BY THE INTERBASIN COMPACT COMMITTEE. THE REVISOR OF STATUTES SHALL PUBLISH THE FULL TEXT OF THE CHARTER IN THE COLORADO REVISED STATUTES AS NONSTATUTORY MATTER IN ACCORDANCE WITH SECTION 2-5-102 (9), C.R.S.

**SECTION 2.** 2-5-102, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**2-5-102. Inclusions - nonstatutory.** (9) THERE SHALL BE INCLUDED IN THE PUBLICATION OF THE "COLORADO WATER FOR THE 21ST CENTURY ACT", AS NONSTATUTORY MATTER, FOLLOWING SECTION 37-75-105, C.R.S., THE FULL TEXT OF THE INTERBASIN COMPACT CHARTER AS SUBMITTED TO THE GENERAL ASSEMBLY ON APRIL 6, 2006, BY THE INTERBASIN COMPACT COMMITTEE.

**SECTION 3.** 37-75-104 (3) (b) (IV) and (3) (b) (VII), Colorado Revised Statutes, are amended to read:

**37-75-104. Basin roundtables.** (3) (b) The following basin roundtables are hereby created:

(IV) The Gunnison basin roundtable, consisting of water division 4 EXCEPTING WATER MANAGEMENT DISTRICTS 60, 61, AND 63;

(VII) The Dolores, San Miguel, and San Juan basins roundtable, consisting of water division 7 AND WATER MANAGEMENT DISTRICTS 60, 61, AND 63;

**SECTION 4.** 37-75-103 (1), Colorado Revised Statutes, is amended to read:

**37-75-103. Director of compact negotiations.** (1) Within thirty

days after June 7, 2005, the governor shall appoint a director of compact negotiations, ~~who~~ WHICH OFFICE IS HEREBY CREATED IN THE OFFICE OF THE GOVERNOR. THE DIRECTOR OF COMPACT NEGOTIATIONS shall act as the overseer and caretaker of the compact negotiations process established in this article.

**SECTION 5.** 39-29-109 (1) (c) (I) (D) and (1) (c) (III) (A), Colorado Revised Statutes, are amended to read:

**39-29-109. Severance tax trust fund - created - administration - use of moneys - repeal.** (1) (c) (I) For fiscal years commencing on and after July 1, 1997, the executive director of the department of natural resources shall submit with the department's budget request for each fiscal year a list and description of the programs the executive director recommends to be funded from the operational account of the severance tax trust fund. The state minerals, energy, and geology policy advisory board established pursuant to section 34-20-104, C.R.S., shall review the executive director's recommendation before submittal. The general assembly may appropriate moneys from the total moneys available in the operational account of the severance tax trust fund to fund recommended programs as follows:

(D) For programs within the Colorado water conservation board AND FOR PURPOSES AUTHORIZED BY ARTICLE 75 OF TITLE 37, C.R.S., up to five percent of the moneys in the operational account.

(III) (A) It is the intent of the general assembly that the operational account of the severance tax trust fund maintain a state fiscal year end balance equal to twice the current state fiscal year's operating appropriations for the programs specified in this paragraph (c); EXCEPT THAT MONEYS APPROPRIATED FOR PURPOSES AUTHORIZED BY ARTICLE 75 OF TITLE 37, C.R.S., SHALL NOT BE CONSIDERED IN ESTABLISHING SUCH TWO-YEAR RESERVE. Moneys may be appropriated or otherwise made available from such two-year reserve only to offset temporary revenue reductions in the programs specified in this paragraph (c); except that, if the general assembly determines that transfers of moneys from the reserve are needed during a state revenue crisis, such transfers shall be a loan from the reserve to be repaid as soon as moneys are available. This provision is intended to mitigate the impact of fluctuations in the amount of revenue credited to the fund from year to year so as to maintain current levels of service for such

programs.

**SECTION 6. Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the operational account of the severance tax trust fund created in section 39-29-109, Colorado Revised Statutes, not otherwise appropriated, to the office of the governor, for the director of compact negotiations, for the fiscal year beginning July 1, 2006, the sum of seventy-five thousand eight hundred thirty-seven dollars ($75,837) and 0.5 FTE, or so much thereof as may be necessary, for the on-going implementation of article 75 of title 37, Colorado Revised Statutes.

(2) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the operational account of the severance tax trust fund created in section 39-29-109, Colorado Revised Statutes, not otherwise appropriated, to the department of natural resources, Colorado water conservation board, for the fiscal year beginning July 1, 2006, the sum of eight hundred fifty-five thousand four hundred eighty-one dollars ($855,481) and 1.2 FTE, or so much thereof as may be necessary, for the on-going implementation of article 75 of title 37, Colorado Revised Statutes, including basin roundtable meetings, interbasin compact committee meetings, a water needs assessment refinement, and public education outreach.

(3) The moneys appropriated in subsections (1) and (2) of this section shall remain available for the designated purposes until they are fully expended.

**SECTION 7. Safety clause.** The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

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| Andrew Romanoff<br>SPEAKER OF THE HOUSE<br>OF REPRESENTATIVES | Joan Fitz-Gerald<br>PRESIDENT OF<br>THE SENATE |
| Marilyn Eddins<br>CHIEF CLERK OF THE HOUSE<br>OF REPRESENTATIVES | Karen Goldman<br>SECRETARY OF<br>THE SENATE |

APPROVED_____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO

**NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

# An Act

SENATE BILL 06-179

BY SENATOR(S) Isgar, Brophy, Dyer, Entz, Fitz-Gerald, Kester, Owen, Taylor, Teck, Wiens, Evans, and Tochtrop;
also REPRESENTATIVE(S) Penry, Berens, Butcher, Crane, Gardner, Harvey, Hefley, Hoppe, Knoedler, Merrifield, Paccione, Schultheis, Stafford, and Witwer.

CONCERNING ADDITIONAL FINANCIAL SUPPORT FOR WATER PROJECTS.

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** 39-29-109 (1) (a), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

**39-29-109. Severance tax trust fund - created - administration - use of moneys - definitions - repeal.** (1) (a) There is hereby created in the office of the state treasurer the severance tax trust fund. The fund is to be perpetual and held in trust as a replacement for depleted natural resources and for the development and conservation of the state's water resources pursuant to sections 37-60-106 (1) (j) and (1) (l), 37-60-119, and 37-60-122, C.R.S., and for the use in funding programs that promote and encourage sound natural resource planning, management, and development related to minerals, energy, geology, and water. State severance tax receipts shall be credited to the severance tax trust fund as provided in section

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39-29-108. All income derived from the deposit and investment of the moneys in the severance tax trust fund shall be credited to the severance tax trust fund. At the end of any fiscal year, all unexpended and unencumbered moneys in the fund shall remain therein and shall not be credited or transferred to the general fund or any other fund. All moneys in the fund shall be subject to appropriation by the general assembly for the following purposes:

(III) THE WATER SUPPLY RESERVE ACCOUNT. SUBJECT TO THE MAINTENANCE OF A TWO-YEAR RESERVE PURSUANT TO SUB-SUBPARAGRAPH (A) OF SUBPARAGRAPH (III) OF PARAGRAPH (c) OF THIS SUBSECTION (1), ON OR AFTER JULY 1 OF EACH FISCAL YEAR, THE STATE TREASURER SHALL TRANSFER TEN MILLION DOLLARS FROM THE OPERATIONAL ACCOUNT OF THE SEVERANCE TAX TRUST FUND TO THE WATER SUPPLY RESERVE ACCOUNT, ALSO REFERRED TO IN THIS SUBPARAGRAPH (III) AS THE "ACCOUNT". THE MONEYS IN THE ACCOUNT ARE HEREBY CONTINUOUSLY APPROPRIATED TO THE COLORADO WATER CONSERVATION BOARD FOR PURPOSES AUTHORIZED BY THIS SUBPARAGRAPH (III). ALL INTEREST DERIVED FROM THE INVESTMENT OF MONEYS IN THE ACCOUNT SHALL BE CREDITED TO THE ACCOUNT. ANY BALANCE REMAINING IN THE ACCOUNT AT THE END OF ANY FISCAL YEAR SHALL REMAIN IN THE ACCOUNT; EXCEPT THAT THE UNENCUMBERED AND UNEXPENDED BALANCE OF THE ACCOUNT SHALL REVERT ON JUNE 30, 2010, TO THE OPERATIONAL ACCOUNT OF THE SEVERANCE TAX TRUST FUND. THE BOARD SHALL ALLOCATE MONEYS BY GRANT OR LOAN FROM THE ACCOUNT ONLY FOR WATER ACTIVITIES APPROVED BY A ROUNDTABLE PURSUANT TO ARTICLE 75 OF TITLE 37, C.R.S. THE APPROVING ROUNDTABLE SHALL BE THE ROUNDTABLE FOR THE BASIN IN WHICH THE PROPOSED WATER DIVERSION OR NONSTRUCTURAL ACTIVITY WOULD OCCUR. THE BOARD, IN CONSULTATION WITH THE INTERBASIN COMPACT COMMITTEE CREATED IN SECTION 37-75-105, C.R.S., SHALL JOINTLY ESTABLISH CRITERIA AND GUIDELINES FOR ALLOCATING MONEYS FROM THE ACCOUNT. ELIGIBLE WATER ACTIVITIES INCLUDE, BUT ARE EXPRESSLY NOT LIMITED TO, THE CATEGORIES LISTED IN THIS SUBPARAGRAPH (III). THE CRITERIA SHALL ENSURE THAT THE ALLOCATIONS WILL ASSIST IN MEETING THOSE WATER SUPPLY NEEDS IDENTIFIED UNDER SECTION 37-75-104 (2) (c), C.R.S., IN A MANNER CONSISTENT WITH SECTION 37-75-102, C.R.S., AND SHALL FACILITATE BOTH STRUCTURAL AND NONSTRUCTURAL PROJECTS OR METHODS. ELIGIBLE WATER ACTIVITIES INCLUDE THE FOLLOWING:

(A) COMPETITIVE GRANTS FOR ENVIRONMENTAL COMPLIANCE AND FEASIBILITY STUDIES;

(B) TECHNICAL ASSISTANCE REGARDING PERMITTING, FEASIBILITY STUDIES, AND ENVIRONMENTAL COMPLIANCE;

(C) STUDIES OR ANALYSES OF STRUCTURAL, NONSTRUCTURAL, CONSUMPTIVE, AND NONCONSUMPTIVE WATER NEEDS, PROJECTS, OR ACTIVITIES; AND

(D) STRUCTURAL AND NONSTRUCTURAL WATER PROJECTS OR ACTIVITIES.

**SECTION 2. Effective date.** This act shall be effective July 1, 2006.

**SECTION 3. Safety clause.** The general assembly hereby finds,

determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Joan Fitz-Gerald
PRESIDENT OF
THE SENATE

Andrew Romanoff
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED_____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO