

Looking Upstream: An Upper Basin Perspective

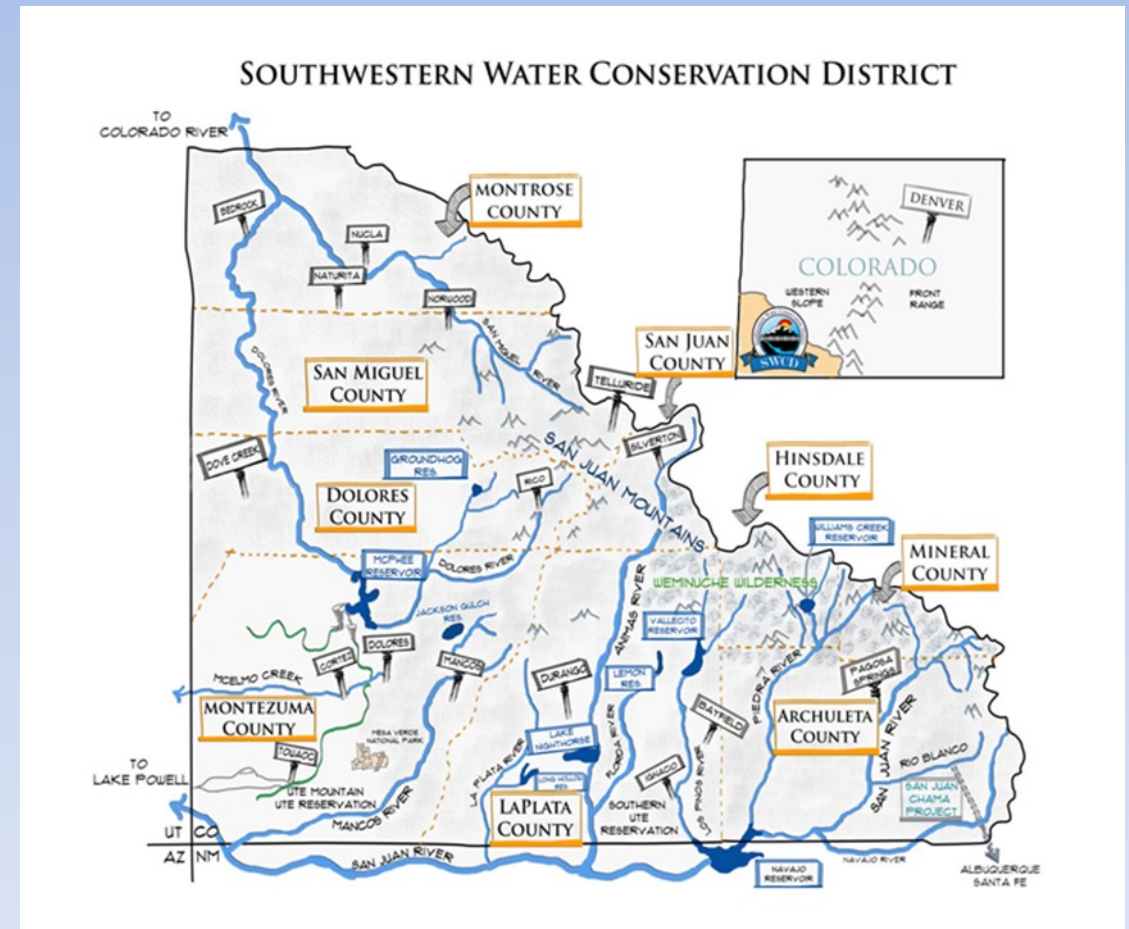
By
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Southwestern Water Conservation District



March 29, 2022

The Southwestern Water Conservation District (SWCD) was created on April 16, 1941 by the Colorado General Assembly through House Bill #795 ([Statute 37-47-101](#)).

- SWCD’s statutory authority is to protect, conserve, use and develop the water resources of the Southwestern basin for the welfare of the District, and safeguard for Colorado all waters of the basin to which the state is entitled.
- The District is comprised of nine counties covering southwest Colorado
- Each Board of County Commissioners appoints a representative to the District Board of Directors, which meets bi-monthly.
- Funded primarily by property taxes.



Presentation Outline

- ❖ The Upper Basin: Overview
- ❖ Drought Contingency Planning Overview
 - ✓ The Upper Basin Plan
- ❖ Upper Basin Considerations
- ❖ Renegotiating River Operations

Upper Colorado River Basin Compact of 1948



- ❖ Divides the Upper Basin's allocation between Arizona, Colorado, Utah, New Mexico, and Wyoming.
 - ✓ Apportions the consumptive use of water.

- ❖ Establishes requirements for each Upper Division state with respect to the obligation not to deplete flows of water at Lee Ferry under Colorado River Compact.

- ❖ Makes provisions for possible curtailment of use of Colorado River water.
 - ✓ Prior perfected rights excluded.

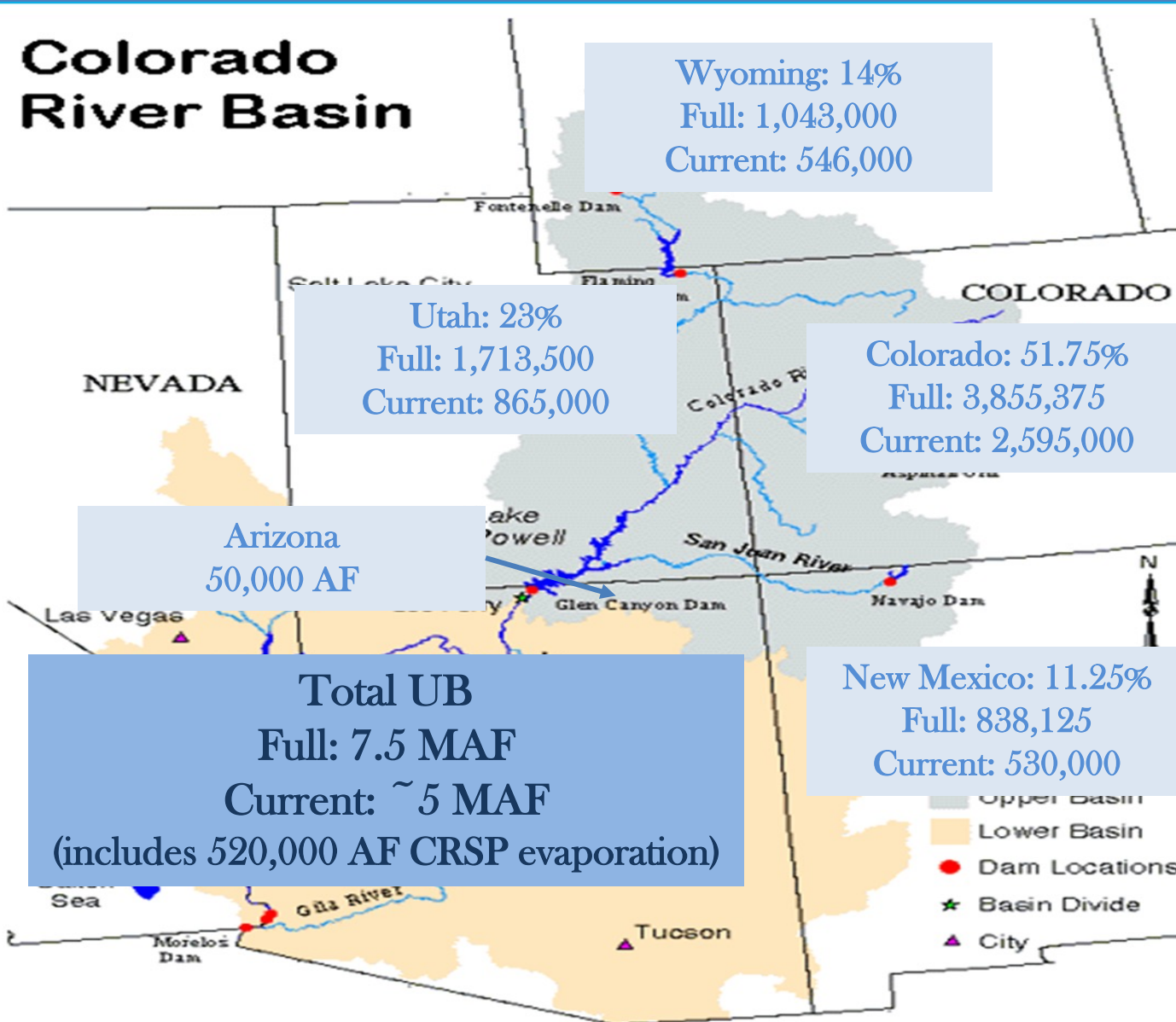
- ❖ Establishes the *Upper Colorado River Commission*.

Upper Colorado River Commission

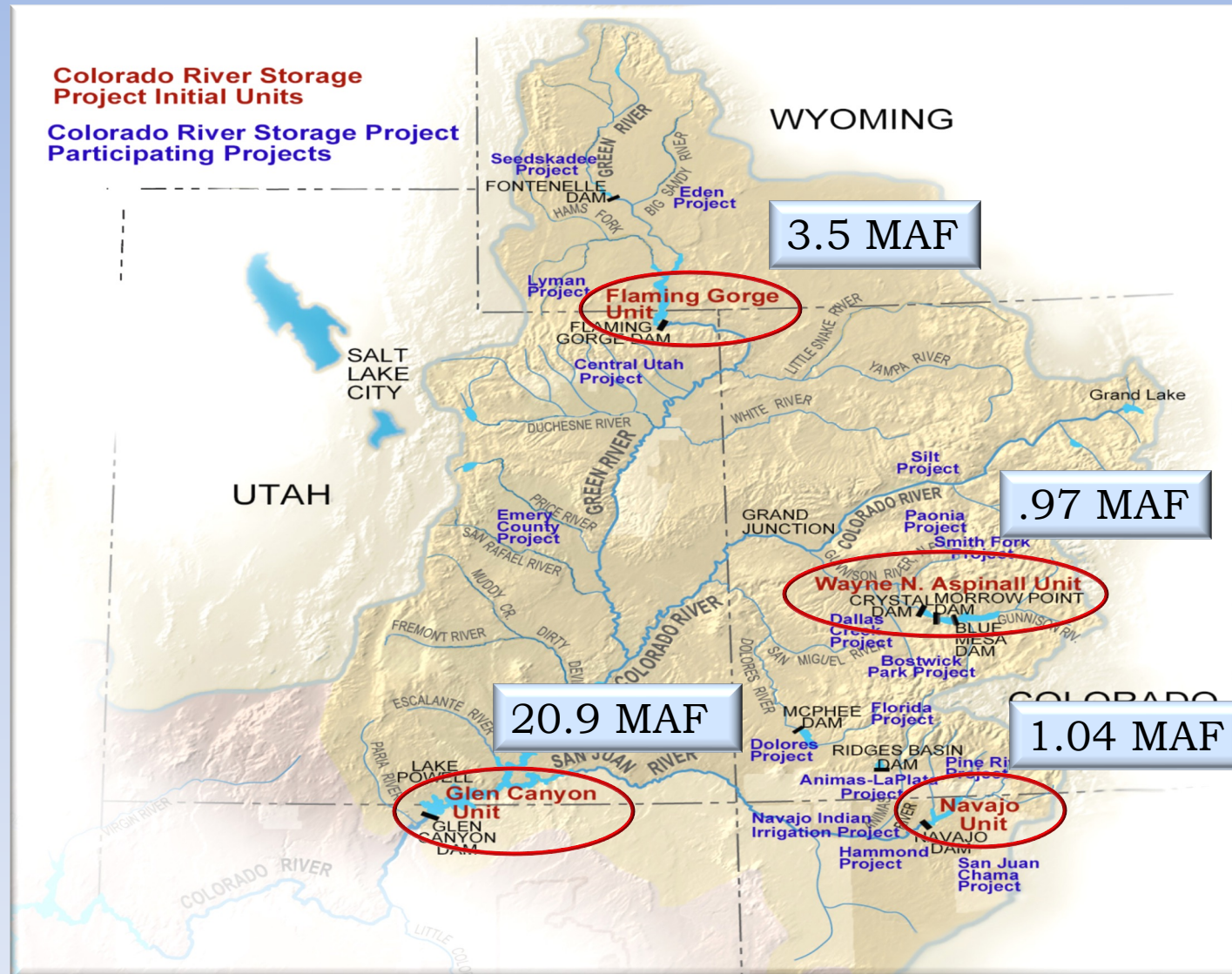


- ❖ One commissioner from each of the Upper Division states and one commissioner representing the US.
- ❖ Commission Powers:
 - ✓ Adopt rules and regulations
 - ✓ Make findings as to:
 - “Extraordinary drought” in the Upper Basin
 - Upper Basin water use
 - Lee Ferry deliveries (if necessary)
 - Necessity for, extent and timing of curtailment if any is required.
 - Reservoir losses
 - ✓ Engage in cooperative studies
 - ✓ Collect and analyze river data
- ❖ UCRC does **NOT** have authority to determine how curtailment will be implemented within an individual state.

Upper Basin Apportionment



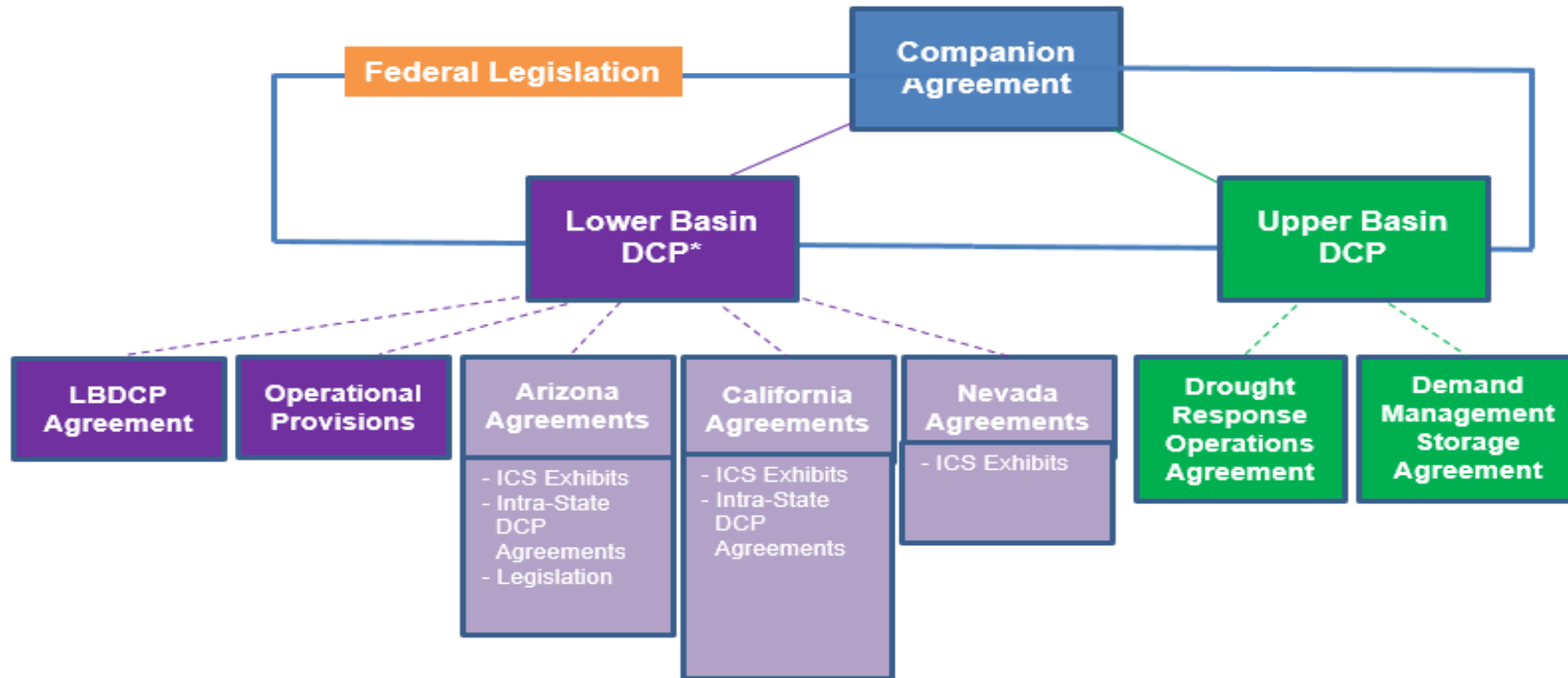
CRSP Initial Units



Volumes are Active Capacity

Drought Contingency Plans (DCPs)

Colorado River Basin Drought Contingency Plan Documents and Agreements

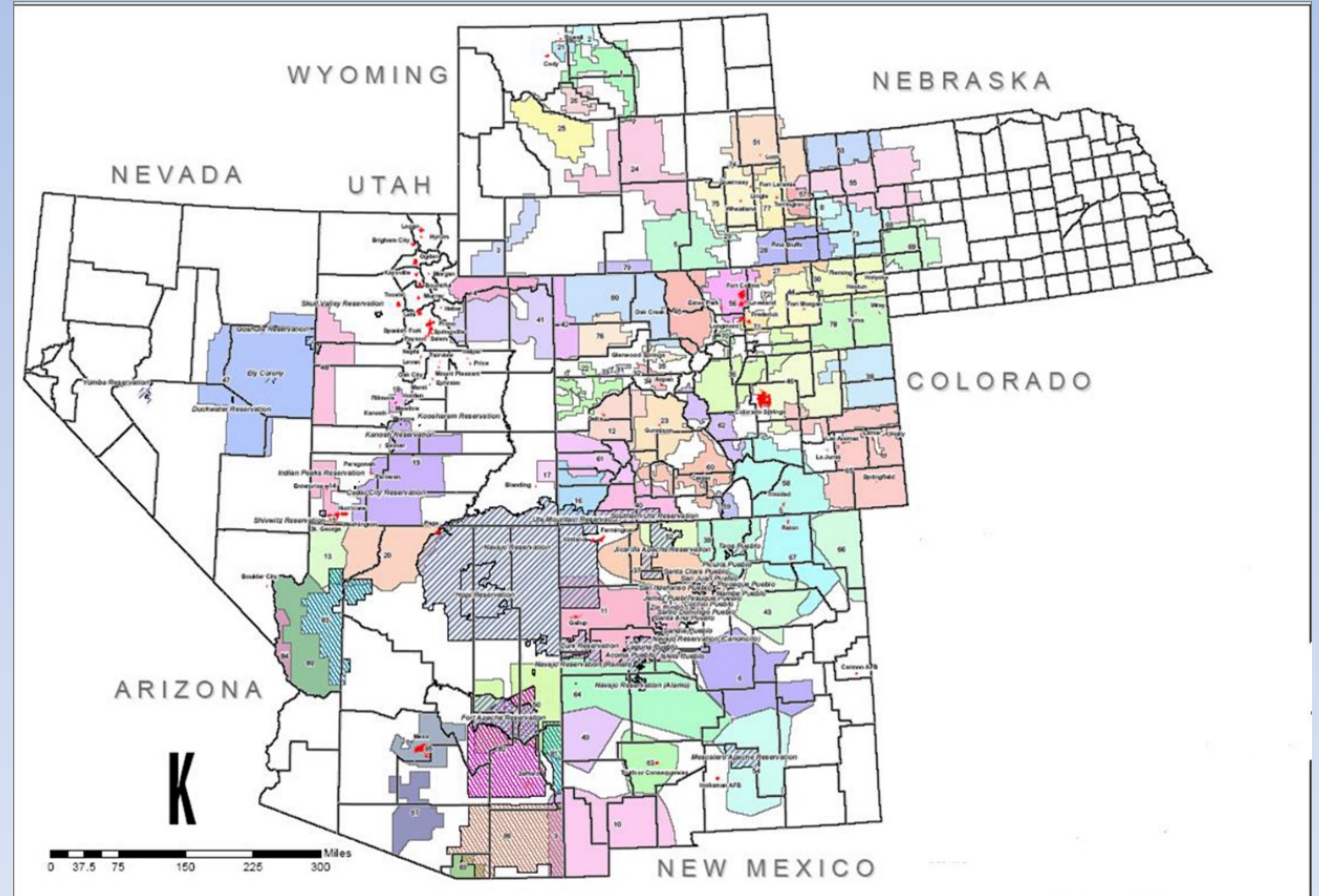


*Activates Section IV of Minute 323 (Binational Water Scarcity Plan)

Upper Basin Drought Contingency Planning

❖ Importance of Protecting Lake Powell

- ✓ Maintain 1922 Compact Non-Depletion Obligation if one still exists.
- ✓ Hydropower generation.
- ✓ \$\$\$ from hydropower sales.



The Drought Response Operations Agreement

- ✓ Conserves water in Lake Powell through operational adjustments or by moving available water from upper CRSP facilities (Aspinall, Flaming Gorge, Navajo).
- ✓ Does not provide for the operation of any reservoir outside of existing authorities.
- ✓ Requires recovery of storage as part of any Drought Response Operations plan.

Navajo
Reservoir



Blue Mesa
Reservoir



Lake
Powell



Flaming
Gorge
Reservoir



Demand Management Storage Agreement

- ❖ The Demand Management Storage Agreement:
 - ✓ Authorizes storage in federal reservoirs to be used by the Upper Division States, at no cost, to hold conserved consumptive use for compact compliance.
 - ✓ Sets the stage for a future demand management program if stood up by the UCRC and the Upper Division states.
 - ✓ **Does not establish a Demand Management Program:** That will require answering numerous technical and policy questions in the future with multiple stakeholders (agriculture, industry, municipal, environmental, recreation) at the table during development.



Some Demand Management Issues

- ❖ Lots of issues exist -
 - ✓ consistency with state water law and federal law
 - ✓ protecting existing water rights
 - ✓ water consumption measurement
 - ✓ accounting in delivery and storage
 - ✓ management and administration
 - ✓ interest by water users to participate
 - ✓ shepherding
 - ✓ funding
 - ✓ economic and other local impacts
 - ✓ environmental

All need to be investigated before determining if demand management is feasible.



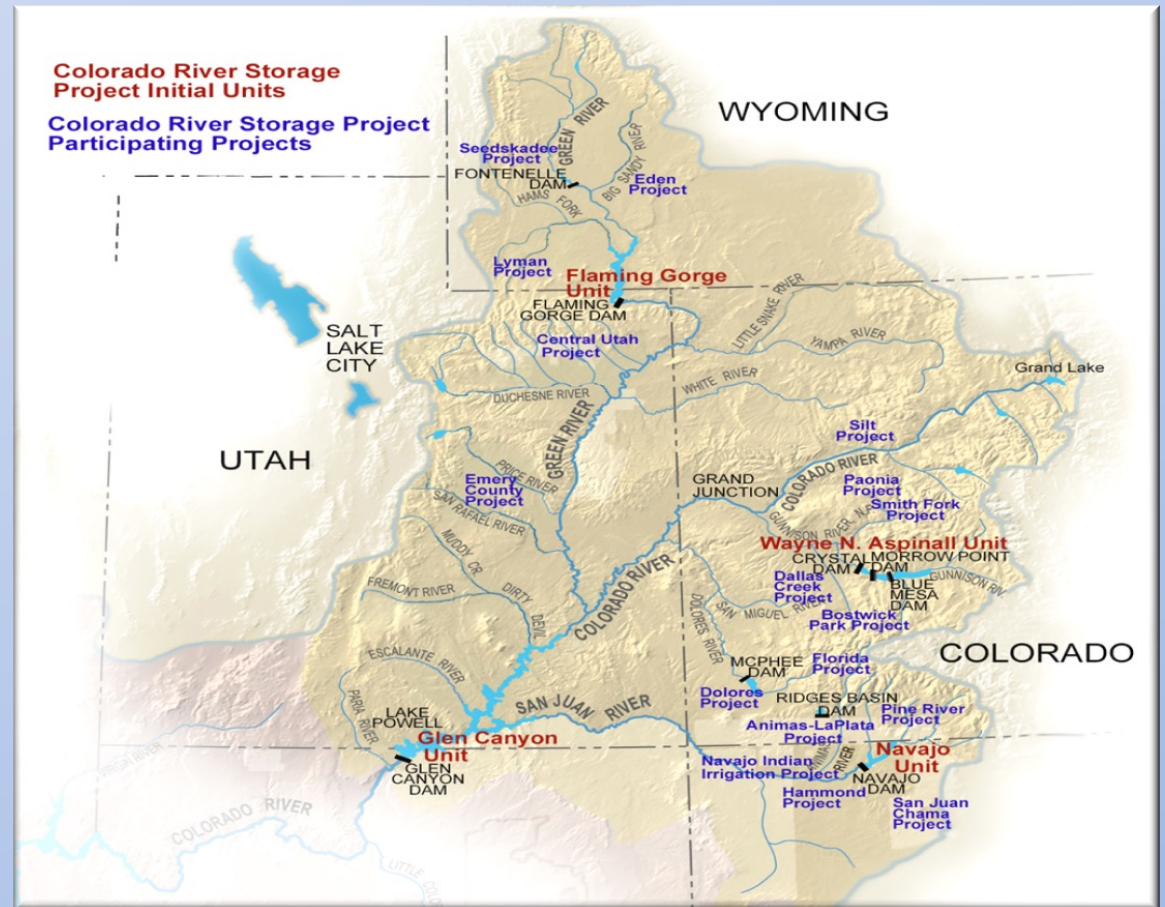
Upper Basin Considerations

Two Current Ongoing Conversations

- How to protect the system in the short-term.
 - 1 - 3 years
 - Concerns for infrastructure at low reservoir levels
 - How to provide some level of certainty on water supply
- Renegotiation of 2007 Interim Guidelines
 - Expire December 31, 2025 (2026 AOP)

Upper Basin Shortages

- Due to the location of storage facilities, the UB is mostly dependent upon snowpack/runoff.
 - Highly variable
 - UB has taken shortages every year for the last 21 years (2011?)



Accounting

- **UB** - All uses and system losses (evaporation and conveyance) are accounted for within our allocations
- **LB** - System losses are not accounted to any user. This contributes to the over use by the **LB**.

Colorado River Compact - 1922

- **Article III (d)** - The States of the Upper Division will not cause the flow of the river at Lee Ferry to be depleted below an aggregate of 75,000,000 acre-feet for any period of ten consecutive years reckoned in continuing progressive series beginning with the first day of October next succeeding the ratification of this compact.

Thank you.

Questions??

