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Colorado's Remaining Allocation of Colorado River Basin Water

Colorado River Water Conservation District Policy Statements:

The Colorado River Water Conservation District (River District) supports and will remain involved in statewide efforts to better determine Colorado's current use and remaining development potential of its Colorado River compact allocation. Further, the River District will advocate for legislation, policies and programs that protect Colorado's existing uses of Colorado River basin waters and permit responsible development of Colorado's remaining water entitlement without increasing the risk of compact curtailment to existing water uses.

The Colorado River District believes the impacts of a curtailment of water rights to meet Colorado's obligations under the 1922 and 1948 compacts would cause significant harm to the welfare of the state; therefore, the first priority must be to avoid such a curtailment. Accordingly, all Colorado River water users and the State of Colorado must work cooperatively to minimize the risk of curtailment. Additionally, in anticipation of possible compact curtailment, strategies to offset the inevitable impacts must be developed well in advance.

Background & Discussion:

The Colorado River Compact of 1922 and the Upper Colorado River Basin Compact of 1948 allocate Colorado River basin water for consumptive uses to Colorado and other basin states. There is considerable uncertainty, however, regarding the amount of Colorado River entitlement allocated to each Upper Basin state.

Curtailed Colorado River water uses to meet the 1922 Compact requirements is projected to impact all or nearly all post-compact Colorado River water uses. As additional water development in Colorado occurs, the risk of reaching or exceeding our compact entitlement increases. Due to the anticipated magnitude of any interstate curtailment, this risk will likely be shared by all post-compact water users in Colorado regardless of seniority of water rights. The risks to the West Slope posed by the potential for acquisition of pre-compact water rights and dry-up of associated agricultural lands must be addressed. Further the future effects of and uncertainty surrounding climate change represent additional risk and challenges regarding determination and management of Colorado's remaining Colorado River entitlement that must also be addressed.

The River District Board is concerned that it is currently premature and distracting for the State Engineer's Office to promulgate rules and regulations to administer water rights in the event curtailment is necessary under the 1922 and 1948 Colorado River compacts. It is first necessary to complete the SB07-122 Colorado River water availability studies and to evaluate the available supply and associated risks of a compact curtailment. More importantly, the state's policy priority should be to avoid a compact curtailment.