HISTORIC PACT SECURES STATE'S FULL SHARE OF THE COLORADO RIVER

By Gale A. Norton, Secretary of the Interior

Certainty and predictability in water allocation are critically important in planning for the West's booming water needs. One of the greatest uncertainties for the region has been how California would reduce its over-reliance on water from the Colorado River.

Thanks to the patience, perseverance, and hard work of many western leaders, we now have a more predictable future.

On Oct. 16th, I had the honor of signing a landmark pact with California officials. Under the terms of this Colorado River Water Delivery Agreement, continued on page 4.

The Upper Colorado River Endangered Fish Recovery Program: A Success Story

The Upper Colorado River Endangered Fish Recovery Program (Recovery Program) was a product of fear and hope. The fear was that there would be a head-on collision between two great bodies of law, the federal Endangered Species Act and interstate compacts allocating Colorado River water among the states. Such a collision would have had an uncertain outcome, unforeseen costs, and would threaten the orderly management of water resources in the Colorado River Basin. The hope was that implementation of the Endangered Species Act, in accordance with state water law and interstate compacts, would provide a positive, workable alternative for ESA compliance that would meet the ultimate goal of the Endangered Species Act, recovery of endangered species.

The Recovery Program was initiated in January, 1988 after four years of negotiation involving the states of Colorado, Utah, and Wyoming, U.S. Fish and Wildlife Service, Bureau of Reclamation, Western Area Power Administration, Colorado Water Congress, and environmental organizations. As a means of implementing the Endangered Species Act, the Program was unprecedented. The Colorado Water Congress initially proposed the Recovery Program for resolving potential conflicts (Pitts, 1985). The CWC proposal became the basis for negotiation of the Recovery Program.

The most common early reaction to the Program was skepticism. Persistence, patience, good faith, and unflagging commitment by all parties to the Program have converted hope to reality, and skepticism to support. Both in Congress and at the highest levels of the Department of the Interior, the Upper Basin Recovery Program is cited as a national model for implementing the Endangered Species Act.

ESA COMPLIANCE UNDER THE RECOVERY PROGRAM

The basic principles of the Recovery Program regarding ESA compliance are:

1) the objective of the program is to recover four endangered fish species in the Upper Colorado River Basin;
2) a broad array of actions will be taken to recover the fish;
3) funding will be provided for recovery actions under equitable and mutually agreeable funding arrangements of the parties involved in the Program;
4) actions taken by the Program will be considered by U.S.

Continued on page 8

46th ANNUAL CWC CONVENTION
JANUARY 29 & 30, 2004
HOLIDAY INN NORTHGLENN
The Colorado Water Congress requests that you assist this distribution process by providing your e-mail address. You will be the first to receive the publications issued by the Colorado Water Congress by BE THE FIRST TO KNOW!!!
SECRETARY NORTON MEETS WITH CWC BOARD

Above: Secretary Gale Norton and Senator Lewis H. Entz

Right: Assistant Secretary Bennett Raley and Secretary Gale Norton arrive on October 17 at Adam’s Mark Hotel in Denver

(L to R) CWC Board Past President Senator Lewis H. Entz, Assistant Secretary Bennett Raley, CWC Board Vice President David Merritt, and Secretary Gale Norton

(L to R) Secretary Gale Norton, Marc Catlin of Montrose, Neil Jaquet of Golden and David Merritt of Glenwood Springs

CWC WATER QUALITY WORKSHOP

Members of the Colorado Water Quality Control Commission addressed priorities and issues — (L to R) Paul Grundemann of Centennial Water and Sanitation District and Robert Sakata, Sakata Farms, Brighton

Mark Pifer, Director of Colorado Water Quality Control Division delivers an informative address

(L to R) Tom Pitts of Water Consult, Loveland, and Keynote Speaker — Max Dodson, EPA Asst Regional Administrator

The audience was attentive

Aquatic Life Water Quality Standards Revisions were addressed by this panel

Colorado Water Rights
Norton: Historic Pact, cont.

Continued from page 1
California has agreed to take specific, incremental steps to reduce its overuse of Colorado River water to its authorized share, fulfilling a solemn promise the state made to the six other Basin States and the Federal Government more than 70 years ago.

California’s agreement to live within its 4.4 million acre-foot allocation provides certainty to Colorado and other Basin States sharing the waters of the Colorado River that their authorized shares will be protected, enabling them to draw on this reliable supply as needed to help meet the vital needs of their growing communities in the decades ahead.

Many western leaders had feared that California’s over-reliance on the river’s water jeopardized the allocations of other Basin States. The Colorado River Compact of 1922, which divides the river’s flow between the Upper and Lower Basin States, authorizes 3.85 million acre-feet a year for Colorado. The state currently uses about 2.5 million acre-feet of its authorized share.

Despite its 1929 promise to live within its basic allocation, California has been using up to 800,000 acre-feet of extra water a year. What’s more, because the demands of other Basin States were less than their full allocations or reservoirs were full, California’s over-reliance raised major concerns that the state might someday seek a permanent right to the extra water it has been using.

In the past, some have suggested that sales or leases of additional water from the Upper Basin’s allocation to California would be the best approach to resolve problems associated with California’s overuse of the Colorado River. However, this approach is fundamentally inconsistent with the allocations to the Upper and Lower Basins provided in the Colorado River Compact of 1922.

Undermining the certainty of the allocations established during the past century would not solve problems within the Basin. Rather, such an approach would lead to a prolonged period of uncertainty and instability for all Basin State water users. The Colorado River Water Delivery Agreement upholds a fundamental principal of the Law of the Colorado River: Legal allocations to each state must be respected and enforced.

The economy and well-being of Colorado and other Basin States rely on vital agreements, such as this one, that allocate Colorado River water, provide assurances of long-term supplies, and clarify the way for market-based transfers and other water management tools that are essential to meet the growing water needs of the region.

This Agreement will allow Colorado’s planners and policymakers to make more informed decisions and allocate the available water resources that will shape the state’s future.

The Quantification Key

Like the 1922 Colorado River Compact, this historic Agreement is the product of Basin State leadership. Thanks to the diligent efforts over the past decade of many local, federal, and state leaders, including Gov. Bill Owens, the so-called “granddaddy” of western water wars is ending.

The key to this Agreement has been quantifying, or dividing, California’s authorized share of Colorado River water among its southern farming and urban communities. Determining who owns how much water was critical to the ability of California to use market-based transfers of water to meet the needs of its growing cities to meet its needs within its legal entitlement. However, this quantification had eluded California and the other Basin States since 1931.

A framework to implement a quantification agreement was reached only after major court battles and years of difficult negotiations. By late 2000, California, the other Basin States and Interior had agreed on the framework, known as the Interim Surplus Guidelines, offering California a choice of options to keep its “irrevocable” promise.

If California meets all of the Guidelines’ benchmarks, it would have access to extra water during the transition down to its 4.4 million acre-foot limit. In other words, it would have a grace period to gradually wean itself off the use of too much water. This option is known as the “soft landing.”

The first benchmark required the four southern California water agencies that use most of the state’s share of Colorado River water to adopt a Quantification Settlement Agreement by Dec. 31, 2000.

Conversely, if California failed to meet any of the benchmarks in the Interim Surplus Guidelines, the state would immediately lose access to that grace period of extra water, an option known as the “hard landing.”

Despite the efforts of many local, state, and federal officials, California water agencies finally were able to reach an internal consensus on a number of issues involved in the Quantification Settlement Agreement and failed to meet the first major benchmark under the Guidelines.

Accordingly, in my role as Water Master for the Lower Colorado River, I had to step in and enforce the Law of the River. On Jan. 1, 2003, California lost its access to extra Colorado River water – experiencing the first stage of a hard landing.

Throughout this year, negotiations continued among representatives of the seven Basin States, the four California water agencies, and Interior. All parties worked through an astounding series of difficult issues. As a result, California water agencies finally were able to agree among themselves on the collateral issues regarding how the state’s basic allocation of Colorado River water will be allocated. This is an historic turning point for all the Basin States.

By the terms of this Agreement, California will be able to provide water for growing cities in the southern half of the state, as well as its farming communities, while addressing the environmental concerns of the Salton Sea – all in a manner that respects the rights of the other Colorado River Basin States.

Proven Tools, Innovative Approaches

The pact clears the way for the largest, long-term agricultural-to-urban water transfer in U.S. history, supplying San Diego about a third of its future water needs. The San Diego County Water Authority would receive up to 200,000 acre-feet annually from the Imperial Valley Irrigation District, California’s largest user of Colorado River water. The initial price for that water is $258 an acre-foot. The transfers will continue for as long as 75 years.

The San Diego County Water Authority also will fund water conservation measures in the Imperial Valley, including lining parts of the All American Canal that brings Colorado River water to Imperial Valley farms.

For 17 million residents of Southern California counties, these sales will help defray the cost of water supply on which to build their future. For Imperial Valley, the transfers could generate $2 billion over 75 years, allowing farming communities to strengthen their economies through water market-based modernization, water efficiency projects, following some farmland, and other conservation projects.

For the environment and wildlife, these sales will provide a mitigation and restoration fund. The proceeds of these water sales, an estimated $300 million, as well as other revenue from those who benefit from the water transfers, will be used to help restore the Salton Sea, an inland lake that has grown increasingly saline and salty as runoff from Imperial Valley farms.

As a result of this Agreement, I have reinstated the grace period of the Interim Surplus Guidelines. California regains the right to access extra Colorado water during the next 14 years, easing its gradual reduction.

This action also will allow Nevada, which lost access to extra water from the Colorado River along with California, to again have access to this water and return to the long-term path it has developed to meet the needs of its growing population.

With this Agreement, divisible litigation regarding use of Colorado River water has been resolved. Our commitment to the Law of the Colorado River remains clear and the future of the Colorado River Basin is made more secure.

Finally, this Agreement demonstrates what can be accomplished by working cooperatively – despite seemingly insurmountable obstacles – and by using innovative market-based approaches to find solutions to the water supply challenges facing western communities.

Colorado Water Rights
Tour Itinerary

Water Resources Review Committee

Committee Members in Attendance:
Senators Entz, Isgar, and Taylor
Representatives, Hoppe, Miller, White, Rippy, and Salazar

Other Member in Attendance:
Senator Joan Fitzgerald

Staff in Attendance:
David Beaujon and Scott Grosscup (Legislative Council)

Tuesday, October 7
Dillon and Green Mountain Reservoirs, Ute Pass, Williams Fork and Wolford Mountain Reservoirs, Colorado Big-Thompson Windy Gap Project, Granby Reservoir, and dinner reception

8:00 a.m. Depart for Dillon, Colorado on 47 passenger bus from the west side of the Capitol, next to the Civil War monument. Briefings will be provided on bus concerning the Dillon water collection system, Denver Water's relation with the west slope, and Summit County water supply agreements.

10:00 a.m. Arrive at Dillon Marina for presentation on water pollution credit trading program and Dillon Reservoir issues.

10:30 a.m. Depart for Green Mountain Reservoir on Hwy 9.

11:00 a.m. Arrive at Green Mountain Reservoir for presentation on use and operation of the reservoir and the Heeney slide issue.

12:00 p.m. Depart for Wolford Mountain Reservoir. Presentation on the bus concerning pine beetle damage from Craig Maguire, Regional Forester, and timber sales from Bob Gallant, timber sale administrator, US Forest Service.

12:30 p.m. Arrive at Wolford Mountain Reservoir near Kremmling on Hwy 40. Presentation concerning the use of the reservoir by David Merritt of the Colorado River Water Conservation District.

12:45 p.m. Depart for Williams Fork Reservoir, operated by Denver Water. Presentation on the bus concerning the use of the reservoir.

1:15 p.m. Arrive at Williams Fork Reservoir

1:30 p.m. Depart for the Colorado Big-Thompson Windy Gap Project on Hwy 40 for presentation on the bus concerning use of the project and the Windy Gap Firming Project.

2:00 p.m. Arrive at Windy Gap Project.

3:30 p.m. Depart for Granby Reservoir.

4:00 p.m. Drive by Granby Reservoir and other water facilities, time permitting.

4:30 p.m. Depart for Winter Park, Colorado.

5:30 p.m. Check-in at Iron Horse Resort.

6:30 p.m. Depart for dinner reception at Winter Park Mountain Lodge, Shadow Mountain Ballroom, sponsored by Grand County Water Users Forum, Grand County, and Incorporated Towns of Grand County.

9:00 p.m. Return to the hotel.

Wednesday, October 8
Committee meeting, Winter Park Ski Area, Meadow Creek Reservoir, TBA, return to Denver

7:15 a.m. Breakfast at the Iron Horse Resort, Jane Creek Grill, sponsored by the Town of Winter Park.

8:30 a.m. Meeting of the Water Resources Review Committee in the Moffat Room at the Iron Horse Resort to act on draft legislation.

9:30 a.m. Meeting ends. Bus to Winter Park Ski Area facilities for presentation on water use by the ski area.

10:00 a.m. Depart for Meadow Creek Reservoir via 15 passenger vans.

10:45 a.m. Arrive at Meadow Creek Reservoir for presentation concerning use of Reservoir and Denver Collection System.

11:00 a.m. Depart for tour of Denver's collection system in Meadow Creek and Ranch Creek area.

2:00 p.m. Return to Iron Horse Resort. Depart for Denver via Berthoud Pass.

2:45 p.m. Arrive at Jones Pass Tunnel for discussion of Denver Water's diversion from Williams Fork to Moffat Collection System by way of Vasquez Tunnel.

4:00 p.m. Depart for Capitol.

5:00 p.m. Arrive at the Capitol.

Colorado Water Rights
Water Resources Review Committee Tour of Central Colorado by Senator Lewis H. Entz

On October 7 and 8 several members of the Water Resources Review Committee – Senators Entz, Ingr and Taylor and Representatives Hoppe, Miller, Rippy White and Salarze – and other interested parties – Senator Joan Fitzgerald and staff members David Beaujon and Scott Grosscup (Legislative Council) – participated in a tour of various water facilities in Central Colorado. The purpose of this tour was to provide a better understanding of the critical water issues facing our state.

The Tour Itinerary is published on Page 3.


Below: Bob Gallant and Craig Maguire of the U.S. Forest Service highlight pine beetle damage in Colorado.

Above: Overlooking Dillon Reservoir

Right: Green Mountain Reservoir site with presentations by Brian Ferenc of CSORR and Eric Wilkison of NCWCD

Grand County Commissioner James Newberry leads the presentation at the Winter Park dinner

At Dillon Reservoir, two members couldn’t get away from their cell phones (L to R) Rep. John Salarze and Sen. Lewis H. Entz.

Inspecting snow making equipment at Winter Park

Checking out the Fraser system

Brian Wexler of the NCWCD hits some significant points on the Colorado-Big Thompson Project at Grand Lake

The group gathers below Williams Fork Reservoir dam

The Meadow Creek Reservoir dam site for a presentation of the use of the reservoir and the Denver collection system
Pitts: Endangered Fish Recovery, cont.

Continued from page 1

Fish and Wildlife Service (USFWS) as the irremediable and prudent alternative (mitigation) for decreasing impacts of existing water projects, and all impacts of existing (pre-1988) projects;
5) water for endangered fish will be acquired in accordance with state water law and interstate compacts;
6) no water will be condemned, taken through regulatory procedures, or acquired from other than willing sellers for the purpose of providing water for endangered fish; and
7) the states will use their authorities under state water law to provide and deliver water for endangered fish that may be acquired by water right filing, permit, purchase, contract, or other legal means.

No party surrendered any of its authorities under federal or state law in order to implement the Recovery Program. USFWS retains its decision-making authority regarding the applicability of Recovery Program actions to offset impacts of water projects. States retain their jurisdiction over non-endangered species and water administration. Reclamation retains its authorities under Reclamation law, and also complies with the other applicable federal laws, including the Endangered Species Act. Water users retain their rights to beneficially use water under state law.

The Recovery Program has been a success in terms of ESA compliance because it is carrying out actions to recover the fish, and those actions are benefiting the endangered fish. It would not be adequate to simply build fish screens and fish passages, stock fish, provide habitat, or control nonnative fishes. The results must show in terms of increased populations of endangered fish, and this is happening.

ESA compliance under the Recovery Program has been remarkably successful. As of June 30, 2003, 729 water projects in Colorado, Wyoming, and Utah have achieved ESA compliance under the Recovery Program. These projects have provided depredations of 1.72 million acre-feet per year.

ESA compliance has been streamlined for federal agencies, large and small water users, and USFWS. For most small water users, ESA compliance has become almost immediate. There is no need for small water users to hire engineers, attorneys, and biologists in order to comply with the Endangered Species Act. Threats to their water supplies as a result of ESA compliance have been removed.

For large water users, ESA compliance is also provided by the Recovery Program. The Service reviews each large project to determine if the Program is achieving progress towards recovery sufficiently to justify using the Program for ESA compliance. To date, all large projects reviewed have achieved ESA compliance under the Recovery Program. These projects have had depredations of up to 425,000 acre-feet. One project includes Grand Valley Irrigation Company, federal projects, such as Grand Valley, Silt, Rifle, Colorado-Ed Thompson, and Fryingin-Arkansas, and other major developments.

In some parts of the western United States, implementation of the Endangered Species Act is characterized by almost endless litigation. In the Upper Colorado River Basin there have been no lawsuits filed on ESA compliance by water projects using the Recovery Program as the compliance mechanism.

Elkhead Reservoir Enlargement — New Water Storage for Endangered Fish

Elkhead Reservoir is an existing reservoir with the capacity of 13,700 acre-feet on the Elkhead River, a tributary to the Yampa River. It is located about 10 miles northeast of Craig, Colorado. After reviewing several alternatives for providing late summer, low-flow water for endangered fish in the Yampa River, the Recovery Program decided that the best alternative was to participate in the enlargement of Elkhead Reservoir. In cooperation with the Colorado River Water Conservation District, the City of Craig, and Colorado Division of Wildlife, the reservoir will be expanded by 12,000 acre-feet. The Recovery Program will pay for the construction costs associated with 5,000 acre-feet of the enlargement. The River District will pay for the remaining 7,000 acre-feet of expansion for future human uses. However, 2,000 acre-feet will be leased back to the Program on a 20-year basis for use by the Recovery Program. Design and permitting for Elkhead Reservoir are underway, and expansion is expected to be completed by 2008. The Recovery Program capital funds provided by Congress (through the Bureau of Reclamation), the states, and power users will be used to pay for the Recovery Program share. The Recovery Program will also pay its share of the operation and maintenance costs associated with the reservoir.

Irrigation System Improvements to Provide Water for Endangered Fish

The Recovery Program is spending approximately $5 million to install canals and outlet works in the 30-mile long Grand Valley Project canal near Grand Junction. Those structures, operated by the Grand Valley Water Users Association, will reduce demands for water releases from Green Mountain Reservoir, while still meeting all water demands on the Grand Valley system. In average water years, improved efficiency is expected to provide about 28,000 acre-feet of additional water for endangered fish for the 15-mile reach of the Colorado River between Glenwood Canyon and Highline Canal, and the Gunnison, where low flows have been experienced in the past. The fish structures are in place and an automated SCADA system is being installed. The final component is construction of pump station on Highline Lake which is expected to be completed in early 2004. The check structures were a definite benefit to irrigators during the very dry 2002 irrigation season. The checks structures allowed for efficient management of limited water supply to ensure adequate supplies for members of the Association, while reducing demands on the river.

Habitat Enhancement

The Recovery Program installed a fish ladder at Redlands Diversion Dam on the Gunnison River in June, 1996. The ladder has been used by 53,000 native fishes (vs. 7,600 nonnative fishes). Endangered fish use includes 60 Colorado pikeminnow, six previously stocked razorback suckers, and one previously stocked bonytail. This passage has opened up 57 miles of the Gunnison River for endangered fish use. As endangered fish populations grow, more use is anticipated.

On the Colorado River near Grand Junction, a fish passage was constructed at the Grand Valley Irrigation Company Diversion Dam in January, 1998. Fish passage structures will be constructed at the Price, Slatto Diversion Dam and the Grand Valley Project Diversion Dam to restore 56 miles of historically occupied Colorado River habitat to endangered fish. A fish screen on the Grand Valley Irrigation Company canal was completed in March, 2002 at Recovery Program expense and is being operated by the Grand Valley Irrigation Company, with operation and maintenance costs being reimbursed by the Recovery Program. A fish screen will be installed at the Redlands Diversion by the Recovery Program in 2005 to prevent entrapment of the endangered fishes in the canal. A fish screen will be constructed at the Grand Valley Project Diversion Dam in 2005.

Flood plain habitat for endangered fish species has been restored at five Bureau of Land Management sites on the Green River, three sites at Ouray National Wildlife Refuge in Utah, two sites on the Colorado River near Glenwood Springs, and one site in the Escalante State Wildlife Area on the Gunnison River. The Recovery Program has acquired 967 acres of floodplain/wetland habitat along the Green, Colorado, and Gunnison rivers through purchase or easements. Recently the Program also acquired an 80 acre-foot Thunder Ranch on the upper Green River, only six miles downstream from the Green River razorback spawning area. Once access to the bottomland is restored, this site is expected to provide a significant potential for achieving recovery goals for razorback sucker.

Nonnative Fish Management

Populations of nonnative fish that do not represent endangered species continue to be a problem in the Upper Colorado River basin. The Program works to reduce the effects of nonnative fish via several means. In some cases the species are newly introduced, and in others they are an established problem. Activities include the following:

1) Nonnative fish use aquacultural facilities for members of the Association, while reducing demands on the river.

Continued on page 12

Colorado Water Rights
CWC 2004 CONVENTION PROGRAM

(Registration Form follows on page 10)

Bill Owens
Governor of Colorado

Gale Norton
Secretary of the Interior

Senator Lewis H. Entz

Ken Salazar
Colorado Attorney General

WEDNESDAY, JANUARY 28, 2004

10:00 a.m. Colorado Water Conservation Board Meeting

7:00 p.m. CWC Board of Directors’ Meeting

THURSDAY, JANUARY 29, 2004

THEME: "Where there is no vision, the people perish." — Proverbs

7:00 a.m. Registration Opens

8:00 a.m. Colorado Water Conservation Board Meeting

8:30 a.m. Five Concurrent Workshops – i.e., (1) Water Development; (2) Engineering & Management Developments; (3) CSU Workshop; (4) CSU Workshop; and, (5) Water Conservation.

10:15 a.m. Four Concurrent Workshops – i.e., (1) Engineering & Management Developments; (2) Endangered Species Issues; (3) Water Education; and, (4) Water Conservation/Conservancy District Issues.

12:15 p.m. GENERAL SESSION LUNCHEON – “Title to be Announced” _ (Invited) Governor Bill Owens of Colorado

2:15 p.m. GENERAL SESSION I – “Title to be Announced” _ (Invited) Mayor John Hickenlooper of Denver

2:45 p.m. “Wayne Aspinall and the Shaping of the American West” – (Invited) Steven C. Shulte, Ph.D., Professor of History, Mesa State College, Grand Junction, and author of Wayne Aspinall and the Shaping of the American West.

3:15 p.m. GENERAL SESSION I – “Title to be Announced” – Ken Salazar, Attorney General, State of Colorado

4:15 p.m. Five Concurrent Workshops – i.e., (1) Engineering & Management Developments; (2) The Colorado Water Conservation Board Issues; (3) Ground Water Issues; (4) Water Quality & Drinking Water Issues; and (5) Colorado Water Trust.

5:45 p.m. CWC Annual Business Meeting
— Proposed 2004 Water Congress Policies
— CWC Board elections

FRIDAY, JANUARY 30, 2004

LEGISLATIVE BREAKFAST – Speakers will be Senators Lewis H. Entz, Jim Dyer and Jim Isgar and Representatives Diane Hoppe, John Salazar, Gregg Rippy and Al White. Ag Commissioner Don Ament will serve as moderator.

8:30 a.m. GENERAL SESSION II – A Dialogue on the Importance of Water Development – this dialogue will be facilitated by (Invited) Dr. Robert P. McGowan, Chair of the Department of Management, University of Denver, and the session will be taped and recorded for future historical record.

The participants are: To be announced.

12:15 p.m. THE WAYNE N. ASPINALL LEADERSHIP LUNCHEON – "To be Announced." — (Invited) Gale Norton, Secretary of Interior, U.S. Department of Interior, Washington, D.C. The Twenty-Fourth Annual “Wayne N. Aspinall Water Leader of the Year” award will be presented at this luncheon. In addition, several other awards will be made at the luncheon.

Reckless Abandon
NAME: ____________________________________________

ORGANIZATION: _______________________________________

ADDRESS: ____________________________________________

CITY/STATE/ZIP: _______________________________________

E-MAIL ADDRESS: _______________________________________

REGISTRATION: INVOICE / STATEMENT

(1) CWc Member Registration for January 29 & 30, 2004
   $ 125 (prepaid in advance by NOVEMBER 21, 2003),
   $ 160 (prepaid in advance by DECEMBER 19, 2003),
   $ 185 (prepaid in advance by JANUARY 9, 2004), OR
   $ 220 (AT DOOR)

MEALS ARE NOT INCLUDED IN REGISTRATION

(2) Non-Member CWC Registration for January 29 & 30, 2004
   $ 250 (prepaid in advance by NOVEMBER 21, 2003),
   $ 320 (prepaid in advance by DECEMBER 19, 2003),
   $ 370 (prepaid in advance by JANUARY 9, 2004), OR
   $ 440 (AT DOOR)

MEALS ARE NOT INCLUDED IN REGISTRATION

MEALS

(3) Thursday Lunch, January 29, 2004, at $ 23.00 each

(4) Friday Breakfast, January 30, 2004, at $ 17.00 each

(5) Friday Lunch, January 30, 2004, at $ 21.00 each

TOTAL Registration and Meals $  ____________________________

Registration and meal refunds will be made less a $60 handling fee only if the CWC staff is notified by no later than 12:00 Noon, Friday, January 2, 2004. There are no refunds authorized by the Board after the aforementioned time and date. Meal tickets — if available — must be purchased by not later than five hours before meal event. CWC accepts checks or cash only.

RETURN THIS UPPER FORM TO: Colorado Water Congress
Or E-Mail: macravey@cowatercongress.org
DEADLINE FOR FINAL ADVANCE REGISTRATION IS JANUARY 10, 2004
OR FAX TO: (303) 837-1607

DETACH AND MAIL THIS LOWER FORM DIRECTLY TO:
HOLIDAY INN DENVER-NORTHGLENN, PLEASE DO NOT SEND CURRENCY.

ATTENDING: COLORADO WATER CONGRESS
DATE: JANUARY 27-31, 2004
PLEASE RESERVE THE FOLLOWING: (PLEASE PRINT OR TYPE)

ACCOMMODATION NON SMOKING
SINGLE: (one person) $ 69.00 .

DOUBLE: (two persons) $ 72.00 .

HOTEL TELEPHONE: (303) 452-4100. RATES DO NOT INCLUDE SALES TAX.

ARRIVAL DATE: ____________________________
DEPARTURE DATE: ____________________________

RESERVATIONS MUST BE RECEIVED BY JANUARY 1ST TO ENSURE RATE AND AVAILABILITY.

NOTE: It is most helpful if you use a separate form for each individual.
Northern Colorado Water Conservancy District Dedication

Two former Assistant Secretaries of Interior for Water & Science (L to R) James W. Ziglar, Sr., and John Sayre

Unveiling of Dedication Plaque

A very large number of spectators were in attendance

NCWCD Officials—front row (L to R) Ruth Wright, W.D. Farr, Les Williams and Mike Applegate

NCWCD Board Members

Some people will eat anything

The front entrance and courtyard at the new building

Large-scale landscape interpretation of the Colorado-Big Thompson Project
Endangered Fish Stocking

The Upper Basin Program has spent approximately $8 million constructing hatchery facilities at Grand Junction, Utah, and Ouray, Colorado. These facilities have resulted in a significant increase in the populations of the recovery species. The Upper Basin Program has also conducted an extensive genetics sampling program on the endangered fish populations, and then developed a plan to ensure maintenance of that genetic diversity. That plan is being implemented through the hatchery management program.

One of the benefits of that plan is that fish in excess of stocking goals can be stocked in the rivers, provided that the genetic management plan is followed. This should lead to a specific recovery of the endangered fish.

Water for Endangered Fish

The Recovery Program continues to investigate other sources of water for the endangered fish, including the water rights of the Upper Basin water users in Colorado, Wyoming, and Utah. The program has recently completed a feasibility study for augmenting spring peak flows. The recommendations included maximizing the voluntary coordinated reservoir operations program. Up to 20,000 acre-feet of storage water will be provided, with a guarantee that water rights would not be foreclosed. This would be achieved through use of an insurance pool of water designated by USFWS from existing environmental pools. In addition, the study identified a mainstem reservoir alternative downstream from Rifle, Colorado (Webster Hill Reservoir site) that could have multiple benefits as water certainty of stream peak and base flow augmentation for endangered fish. Feasibility studies of this reservoir will be developed over the next few years.

CONCLUSION

The Recovery Program is a success story. Congress provides financial support for the Program, and has recognized the Program principles in federal law (P.L. 106-392) that authorizes funding for the Program. The Program has now spanned four separate administrations with Washington, D.C., and several state administrations in Colorado, Utah, and Wyoming. The Program is an accepted way of EPA compliance in the Upper Basin. Its continued success depends on implementation of projects to secure recovery of the fish, increased populations to achieve recovery, and maintenance of the conditions that will have led to recovery.

Like any negotiated agreement, the parties to the Program must stay involved. Issues arise constantly that require resolution, and that resolution must be achieved in accordance with the basic principles of the Program. Diligence is needed to keep the Program functioning in accordance with those basic principles, which reflect the interest of the parties that created the Program, including the water users.

Persistence, patience, good faith, and commitment will ensure the long-term success of the Program. Tom Pitts is principal, Water Consultants, Engineering and Planning Consultants, Loveland, Colorado. He represents the Upper Basin water users in Colorado, Wyoming, and Utah on the Recovery Program.

Colorado Water Rights

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