**Colorado Water Issues**

Western States Water Council

Denver, CO

April 5, 2013

Dick Wolfe, M.S., P.E.

Colorado State Engineer

1. Division 1 (South Platte)
   1. New Well Measurement Rules approved by water court March 2013
   2. Investigations underway regarding high ground water levels (2 study areas and study by Colorado Water Institute approved under HB 12-1278)
2. Division 1 (Republican)
   1. Multiple arbitrations/litigation ongoing regarding compact compliance efforts by Nebraska (3) and Colorado (2)
   2. Enforcement of over pumping in basin
3. Division 2 (Arkansas)
   1. Attempts to approve pilot rotational fallowing program (Super Ditch)
   2. Irrigation Improvement Rules
4. Division 3 (Rio Grande)
   1. Developing Ground Water Use Rules
   2. Approved operation of first subdistrict Annual Operating Plan in 2012
   3. Lawsuit filed by NM against BOR regarding operations of Elephant Butte Reservoir
   4. The TX TCEQ has filed for cert with the Supreme Court (TX v NM and CO) to settle issues regarding compact operations in the Rio Grande Project and the surface and groundwater rights associated with the project.
   5. Critical habitat designations by FWS in Colorado in 2013
5. Division 4 (Gunnison)
   1. FWS proposes to list Gunnison Sage-Grouse as endangered in the Gunnison River basin of Colorado
6. Division 5 (Colorado)
   1. Colorado River Cooperative Agreement
      1. Green Mountain Reservoir Protocol and Agreement
      2. Shoshone Outage Protocol
7. Division 6 (Yampa and White)
   1. Active administration on Yampa and Elk Rivers
      1. Required installation of headgates and measuring devices
   2. Loans to instream flow program
8. Division 7 (San Juan, Dolores, La Plata)
   1. A-LP Project Compact
      1. Completion of A-LP Project
      2. Developed administrative protocol for A-LP Project
   2. Construction of Long Hollow Reservoir-assist with compact compliance
9. Statewide
   1. Drought
      1. Severe restrictions on allowed well pumping. Many wells pumping allocation range from 0-30% in South Platte and Arkansas
      2. Carry-over storage lower in 2013 than in 2012
   2. Produced Water Rules
   3. Decision Support Systems (DSS)
      1. DSS in all basins (Arkansas in development)
   4. Legislation
      1. SB 13-78 – Erroneously Described Diversion Points
         1. Acknowledges errors in locations of diversion points that have never moved
         2. Allows those that were true clerical errors to be corrected by petition
         3. Allows owner a simplified process with minimal risk (no historic use, no anti-speculation or can and will)
         4. Allows diversions to continue and valid historic use if no action is taken
      2. SB 13-74 – Legacy Ditch
         1. Allows ditches irrigated acres to develop over a period of 50 years
         2. Must not conflict with express provisions of a decree
      3. SB 13-41 – Storage
         1. Allows a conditional storage right to be made absolute if stored for a beneficial use-no release necessary
         2. Allows a conditional storage right to be made absolute even though not all absolutes have been stored first
   5. DWR Strategic Plan
      1. Programs
         1. Water Administration
         2. Public Safety (dams)
         3. Well Inspection
      2. Performance Measures
         1. Identify customers
         2. Develop objectives
            1. Processes and strategies to achieve objectives
         3. Program inputs
         4. Program outputs
            1. Establish benchmarks
         5. Program outcomes
   6. Integrated Colorado Courts E-Filing System (ICCES) began operation in Colorado replacing Lexis/Nexis for filing court documents