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## Despite state water plan, local headwaters have growing claims



Pictured here is Dillon Reservoir, a main source of water for the Denver Metro Area. Two new proposed diversions in Colorado stand to draw water from the Colorado River.



Pictured here is Dillon Reservoir, which acts as a mountain water stockpile for Front Range residents. The Colorado Water Plan proposes additional dams and water diversions, which some environmentalists oppose.

The battle over water is moving to a boil.

Colorado unveiled a statewide water plan this past November to better prepare for an estimated doubling of its population by the year 2050, from about 5 million to an estimated 10.5 million. In the meantime, both intra- and interstate interests are presently at work attempting to gobble up every ounce of the Colorado River before it flows to the next.

Between four separate proposed diversion projects across Colorado, Utah and Wyoming — three states that make up the Upper Basin section of the Colorado River — about another 250,000 acre-feet of water would be pulled from these vital headwaters. An acre-foot is the U.S. standard measurement concerning bodies of water, and the typical American family uses an average of 1 acre-foot of water (about 326,000 gallons) each year.

Specific to Colorado, those projects are the Moffat Collection System Project (A Denver Water enterprise that would remove 18,000 acre-feet), and the Windy Gap Firming Project (A Northern Water undertaking to obtain 30,000 acre-feet). And then Wyoming is in the initial stages of the Fontenelle Dam Re-engineering proposal, which would claim the largest amount of water at 123,000 acre-feet, and finally Utah's Lake Powell Pipeline, which would require 86,000 acre-feet.

The idea is, basically, to stockpile water for each individual community before it can get downstream. The impediment standing in the way though — aside from their respective project approval processes, of course — is senior rights to the water source, as per the Colorado River Compact of 1922, from the states of the Lower Basin: California, Nevada and Arizona.

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“On paper, perhaps the water exists,” explained environmental activist Gary Wockner. “But in reality, every new drop that someone takes out now is water that gets taken away from somebody else that’s currently diverting it. It’s going to accelerate the likelihood of a shortage being called on the river in the Lower Basin and accelerate political and legal chaos.”

He is the executive director of Save the Colorado, a nonprofit that attempts to combat new dams and diversions. The group adamantly opposes the four proposed projects because, he says, additional diversions will quickly dry up the water source, which already annually faces record low depths that nearly led to declaring an emergency shortage for the very first time last year.

“Things aren’t looking any better in terms of the amount of water that’s flowing into the river,” said Wockner. “The legal and political situation on the river is already very near the breaking point, and these actions of Colorado, Wyoming and Utah are going to make it break faster.”

Tapping out

All of these advancing claims on the Colorado River, on top of another plan suggested by Wyoming concerning 10 new Green River reservoirs over the next 10 years, several others in Colorado, as well as a small diversion project in New Mexico, are fast tapping the source out. The state’s water plan,

produced through the Colorado Water Conservation Board (CWCB), was designed in part to help offset such concerns. But even this program is already running into its own set of troubles.

The director of the CWCB, James Eklund, recently scheduled a stakeholders meeting to discuss permitting of water diversions and additional storage but did not invite any of the counties and other entities associated with these headwaters. After learning of the meeting after the fact, the counties of Summit, Pitkin, Grand and Eagle (and joined by Gunnison and Park counties) sent a letter to Eklund stating that holding such meetings without this group was improper.

“We expressed our extreme disappointment,” said Summit County Commissioner Karn Stiegelmeier, “and this was not in the spirit of the letter of the Colorado Water Plan. “It was great frustration that right after this was passed, and we think we have good understand, and there have been so many hours and hours of meetings about how we should move forward and not leave local government out, and there was this meeting.”

An email to Eklund seeking comment went unreturned by deadline.

A headwaters local government representative will now attend the next such meeting. The letter’s message was clear, said Stiegelmeier, who is also the vice chair of the Colorado Basin Roundtable.

“You may figure out how to comply with the EPA and all of the different federal agencies,” she said, “but if you’re not looking at local authorities and regulations, then you may be spinning your wheels and missing the boat. If you don’t include the local governments, you’re basically wasting time, and then it puts us on the defensive.”

## Down the river

The water plan, which is not law but merely a consensus agreement, has now moved toward the next stages. No longer are the proposals to secure more water throughout the state, in particular for its most populous cities, a theory, but it’s transitioned to figuring out how to pay for all of it, with estimates coming in at \$100 million a year.

Statewide tap fees and taxes are two funding sources currently be investigated by the CWCB. In the meantime, these other water diversion plans from within Colorado, in addition to those of neighboring states, move forward.

Decisions on the next steps for the two Colorado projects are due some time in 2016, while the Lake Powell Pipeline is on a federal fast-track plan and could be executed as early as the next two or so years. The Wyoming projects are still in the early phases of development.

Wockner said his organization would almost certainly file federal lawsuits to prevent each project’s eventual fulfillment should they eventually be approved. He and Save the Colorado are for now also keeping a close eye on the Colorado Water Plan, as it puts in opposition one swath of the state’s

citizens against another, all in pursuit of assuring the personal availability of what comes out of the faucet.

“When the water plan got finalized, it was a big ol’ kumbaya,” said Wockner. “But now the rubber hits the road in the implementation phase, because the details were dirty and it was just severely pitting the Western Slope against the Front Range.”

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