



September 17, 2015

John W Hickenlooper, Governor  
136 State Capitol  
Denver, CO 80203-1792

James Eklund, Director  
Colorado Water Conservation Board  
1313 Sherman St., Room 718  
Denver, CO 80203

Dear Governor Hickenlooper and Director Eklund:

AGNC members recognize the need for a statewide water plan and applaud the efforts that have taken place over the last two years to draft the document. We believe the goal of the plan should be to allow all citizens of the state to enjoy the highest quality of life possible without penalizing any economic sector or river basin.

It is our understanding that there will be an anticipated shortfall of water in the amount of approximately 600,000 acre feet of water by 2050 given growth projections on the Front Range. Strong conservation measures could save 450,000 acre feet and substantially reduce the projected gap. The water basins in Northwest (NW) Colorado have opted to adopt recommendations for high water conservation levels in the areas they serve in an effort to continue to provide for agriculture, environmental as well as municipal and industrial uses. We encourage Front Range basins to take a similar stance as, even with a high level of conservation in Western Colorado basins, conservation measures in the western part of the state may not be enough to offset continued drought conditions across the Western United States. Conservation measures adopted in Western Colorado may aid in continued power generation and, hopefully, a delay on any potential compact call from lower basin states.

AGNC members are very concerned about the 7 Principles recently circulated and represented as an “agreement” among all basins across the state regarding potential future trans-mountain water diversions. While there may be a place for the inclusion of such a document in the Colorado Water Plan, we are compelled to point out serious concerns regarding those principles:

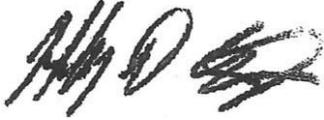
- It has been said that the principles would have no binding effect, however, once the principles are embodied in the water plan, they are likely to have more status

than it seems they should as they would then become “state policy” and it is anticipated they would be given great deference in any future discussions.

- The principles indicated that Front Range interests are not looking for a “firm yield” of water and will accept the “hydrologic risk” of a new trans-mountain diversion project yet Front Range interests will not agree to refrain from the use of “condemnation” to firm up yield.
  - Hydrologic risk would include sharing the obligation to meet any compact call that may be issued during times of water crisis.
  - It is not unrealistic to expect that all of Colorado should share the impact of a compact call by lower basin states; that means some of the diverted water should stay in our reservoirs, streams and rivers in order to address the call if and when a call is made. We do not want to see one region and/or one industry penalized and required to bear the burden of such a call.
  - As water from a trans-mountain diversion is used to serve a number of homes on the Front Range it is hard to conceive that a “firm yield” would not be needed so it is feasible that Front Range interests would invoke the terms of “condemnation” in times of water crisis leaving the Western Slope alone in addressing a compact call.
  - While there may be a place for a document like the 7 Principles in the Colorado Water Plan, we believe there should be more discussion and clarification around whatever Principles may be included. Western Colorado roundtables were not included in the initial discussions and, as they were introduced at the last minute, there has been little time for those most impacted to review and discuss potential modifications to that document.
- The Colorado Water Plan does not address what happens if/when there is a compact call on the Colorado River. The plan does not address what happens as we face a shortage of 3.2 million acre feet of water by 2060 – we see this as a shortcoming of the water plan and believe these shortcomings must be addressed.
- It is critical that the plan encourages new storage projects and supports basin implementation plans that identify such projects. New and enhanced storage needs to be a major part of the Colorado Water Plan in all parts of the state.
- Conservation measures need to be implemented in all parts of the state; it is even more critical that a high level of conservation is required in the Front Range as water diverted to serve the metropolitan area is 100% consumptive and cannot return to Western Colorado Rivers and streams.
- The Colorado Water Plan needs to emphasize that all measures will be implemented before any discussions about further diversions can be opened and that all Colorado water users must share in meeting any compact call the state may experience in the future.

Thank you for the opportunity to comment on the Colorado Water Plan. AGNC, along with Western Colorado basin roundtables are committed to working together to meet the water needs of all Coloradans not just those in the metropolitan area.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey Eskelson', with a stylized flourish at the end.

Jeffrey Eskelson, Chairman  
Rio Blanco County

A handwritten signature in black ink, appearing to read 'Martin Chazen', with a simple, elegant flourish.

Martin Chazen, Vice-Chairman  
City of Grand Junction