

**COLORADO RIVER AND WATER SUPPLY COMMITTEE**  
**MINUTES**  
**Thursday, July 18, 2024**

A meeting of the Colorado River and Water Supply Committee was held on Thursday, July 18, 2024, at 1:01 p.m. at the District office.

Chairman Tom Goodwin announced a quorum was present.

**COMMITTEE MEMBERS PRESENT:**

Tom Goodwin - Chairman, Kevin Karney – Vice-Chairman, Seth Clayton, Pat Edelmann, Mark Pifher, Bill Long and Leann Noga

**COMMITTEE MEMBERS ABSENT AND EXCUSED:**

None

**OTHERS PRESENT:**

Alan Hamel, Andy Colosimo, Southeastern Board members; Lee Miller, Peter Levisch (remote), Leann Noga; Patty Rivas (remote), Chris Woodka, District staff; Roy Vaughan, H2O Consultants; Christopher Olney, Kelly Rousch, Colorado Springs Utilities (remote); Luke Mecklenburg, Assistant Attorney General, Federal and Interstate Water Unit; Andy Mueller, Matt Aboussie, Brendon Langenhuizen, Colorado River Conservation District.

**APPROVAL OF MINUTES:**

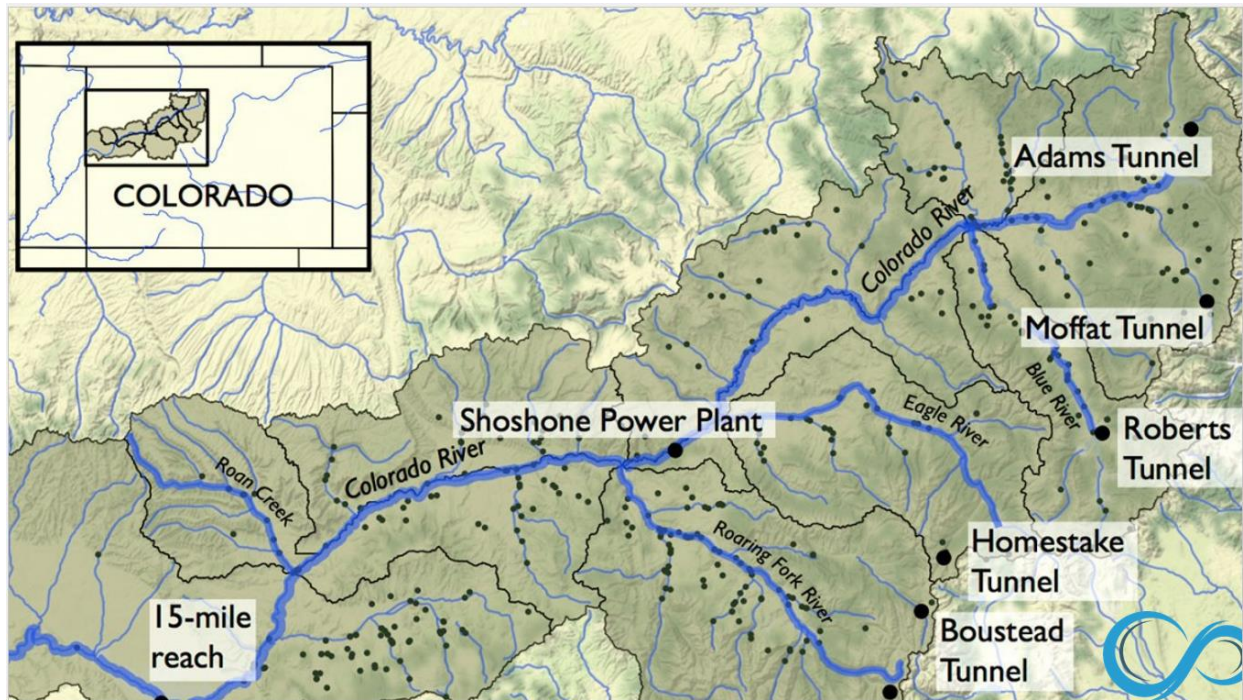
Chairman Tom Goodwin confirmed that members of the Committee received their copy of the August 17, 2023 minutes, and asked if there were any corrections or additions. Seth Clayton moved, seconded by Mark Pifher, to approve the minutes. Motion unanimously carried.

**PRESENTATION:**

Andy Mueller, General Manager of the Colorado River Conservation District, presented “Keep Shoshone Flowing,” which described the District’s efforts to purchase the Shoshone water right with the intent of preserving the permanency of the water right.

Mr. Mueller said the Shoshone water right is a very large and senior non-consumptive water right owned by Public Service Co. (a subsidiary of Xcel Energy), which operates the Shoshone Power Plant. It has a 1902 appropriation date with 1,250 cubic feet per second (cfs) and a 1929 appropriation date with 158 cfs. It has the ability to command 1,408 cfs, or 1.02 million acre-feet per year.

The water right pre-dates most transmountain diversions in Colorado, including the Fryingpan-Arkansas Project.



Mr. Mueller showed the above map, noting that it has the ability to call out all of the water rights above, including many rights owned by the Colorado River District. There are some agreements with Northern Colorado Water Conservancy District, Denver and others that allow substitute water supplies during the Shoshone calls.

Colorado River flows benefit agriculture, water quality, wildlife and recreation above and below the Shoshone Power Plant diversion and the Roaring Fork (which supplies the Fry-Ark Project) contributes to flows below the Shoshone diversion. The Shoshone flow, as a non-consumptive water right, is especially important to maintaining those benefits, Mr. Mueller said.

Mueller presented a list of governmental and private entities within the Colorado River basin that support the purchase of the Shoshone water right by the Colorado River District. The River District plans to contribute it to the Colorado Water Conservation Board (CWCB) under an Instream Flow Agreement.

The Colorado River District signed a purchase and sale agreement with Xcel for the purchase of the Shoshone water right for \$99 million. Mueller outlined steps toward the closing of the purchase in 2027, which include:

- Ongoing fundraising with local, state and federal partners. Sources include the Colorado River District's tax base, the CWCB and Bureau of Reclamation.
- Negotiating an Instream Flow Agreement between Xcel, the Colorado River District and CWCB.
- Completing a change case in water court successfully.
- Approval from the Public Utilities Commission.

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Lee Miller asked for the analysis of Roaring Fork impacts from the sale.

Brendon Langenhuizen, an engineer for the Colorado River District, described what potential impacts could be according to a model.

Mr. Miller asked when the sale will be presented to the CWCB.

Mr. Mueller said this will occur in either November or January. The timeline to completion will be 120 days.

Mr. Mueller asked what issues members of the Southeastern District might have with the purchase. He added that the Colorado River District is not looking to injure others' water rights or providing a windfall to any water user.

Mr. Miller said the goal of maintaining the status quo is important to the Southeastern District. He added that more analysis of the impacts on Fry-Ark Project. He said that the Fry-Ark Operating Principles and environmental commitments are in place and need to continue.

Mr. Mueller replied that various scenarios are being modeled. There are a number of other agreements that could also be affected within watersheds above the Shoshone Power Plant.

Mr. Miller and Mr. Mueller discussed some of those scenarios and agreed that maintaining the status quo may be of mutual benefit.

The Committee briefly discussed the impacts to Fry-Ark following Mr. Mueller's presentation. It was unclear to the Committee whether the "impact" would mean more or less imports of Fry-Ark water. Mr. Miller said it would be premature to put any weight on a particular model of impacts.

**OTHER BUSINESS:**

None

**NEXT MEETING**

The next meeting is scheduled for November 21, 2024, 30 minutes after the Enterprise Board of Directors meeting.

**ADJOURN**

Chairman Goodwin adjourned the meeting at 2:10 p.m.

Respectfully Submitted,

Chris Woodka  
Senior Policy and Issues Manager