

# *Compact Administration*

## *Colorado River Basin*

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IBCC-Demand Management Meeting  
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# “Four Takeaways for Today”

1. Compact Administration versus Curtailment
2. What influences Compact Administration?
3. Current activity of the State Engineer’s Office
4. Compact Administration, one scenario



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# “Compact Administration”

Why are we talking about Compact Administration,  
why not Compact Curtailment?

- *A discussion about curtailment only: Common assumption*
  - If and when Colorado is “out of compliance,”
  - the State and Division Engineers need only curtail water use according to priority of appropriation,
  - Colorado is again “in compliance,”
- The actual discussion, and potential course of action is more complex



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# “Compact Administration”

But what does the  
Upper Colorado River Compact say?

- If curtailment becomes necessary “in order that the flow at Lee ferry shall not be depleted below that required by article III of the Colorado river compact...”
- “...the extent of curtailment by each state of the consumptive use of water apportioned to it...shall be in such quantities and at such times as shall be determined by the commission...”
- Each individual state determines how to proceed/meet obligation
- How does Colorado achieve that “curtailment?”
- *Compact Administration*



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# “Compact Administration”

Why are we talking about Compact Administration, why not Compact Curtailment?

- *Compact Administration:*
  - Multi-faceted, holistic approach,
  - Direction from the UCRC that “curtailment” “shall become necessary,”
  - It is the process by which we will work to protect Colorado’s water rights, minimize reductions in our use, and maintain compliance.

# “Compact Administration”

- Consider the South Platte River Compact:
  - Flows at Julesburg less than 120 cfs, April 1 - October 15?
  - Curtail all diversions in WD 64 junior to June 14, 1897
  - Colorado is in compliance



# “Compact Administration”

- Consider the La Plata River Compact:
  - From February 16 - November 30, determine flows at Hesperus gauge
  - If flow at the gauge is less than 100 cfs
  - Curtail diversions (in priority) to ensure delivery of one half that amount at the state line on the following day
  - Colorado is in compliance



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# “Compact Administration”

- Consider the Colorado River Compact:
  - The states of the Upper Division will not cause the flow of the river at Lee Ferry to be depleted below an aggregate of 75,000,000 acre-feet for any period of ten consecutive years...
  - That is the recognized (Upper Basin States) standard for maintaining compact compliance,
  - What is compliance? How do we maintain it?
    - How does that influence Compact Administration?



# Colorado River Compact Administration

- What influences Compact Administration:
  - Potential that UCRC, including Colorado, would need to take action to maintain compliance; effect of reservoir operations,
  - Upper Colorado River Compact; UCRC role,
  - Develop an approach,
  - Implement Compact Administration.



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# What Influences Administration?

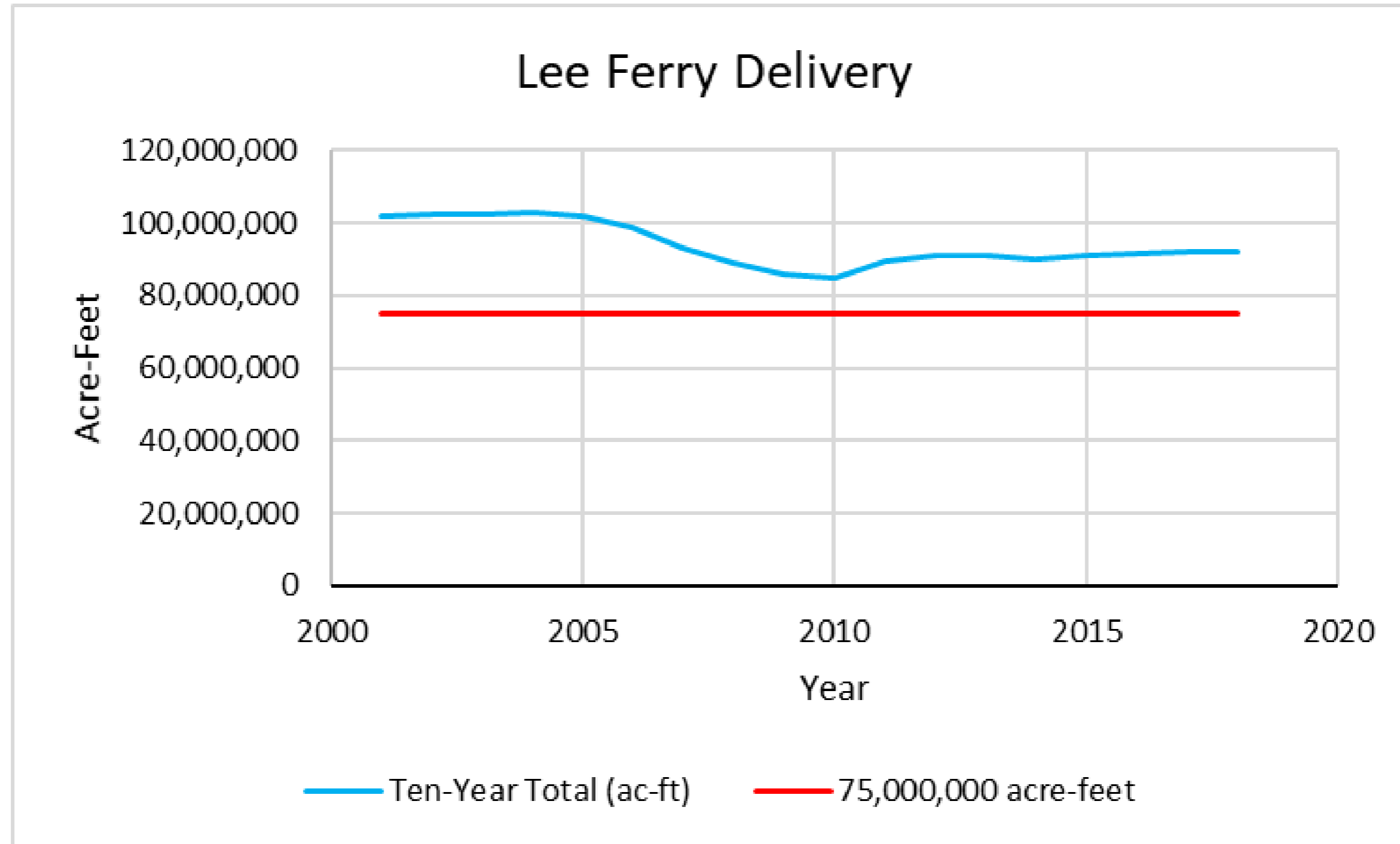
- Potential for need to take action to maintain compliance;
  - Currently (2018) the Upper Basin States' delivery stands at 92,124,000 acre-feet,

# What Influences Administration?

Year	Annual Lee Ferry Flow (ac-ft)	Ten-Year Total (ac-ft)
2000	9,530,000	101,754,000
2001	8,361,000	101,983,000
2002	8,348,000	102,308,000
2003	8,372,000	102,543,000
2004	8,348,000	102,585,000
2005	8,395,000	101,738,000
2006	8,508,000	98,716,000
2007	8,422,000	93,265,000
2008	9,180,000	89,004,000
2009	8,406,000	85,870,000
2010	8,436,000	84,777,000
2011	13,227,000	89,643,000
2012	9,534,000	90,829,000
2013	8,289,000	90,746,000
2014	7,590,000	89,988,000
2015	9,157,000	90,750,000
2016	9,138,000	91,380,000
2017	9,175,000	92,133,000
2018	9,171,000	92,124,000



# What Influences Administration?



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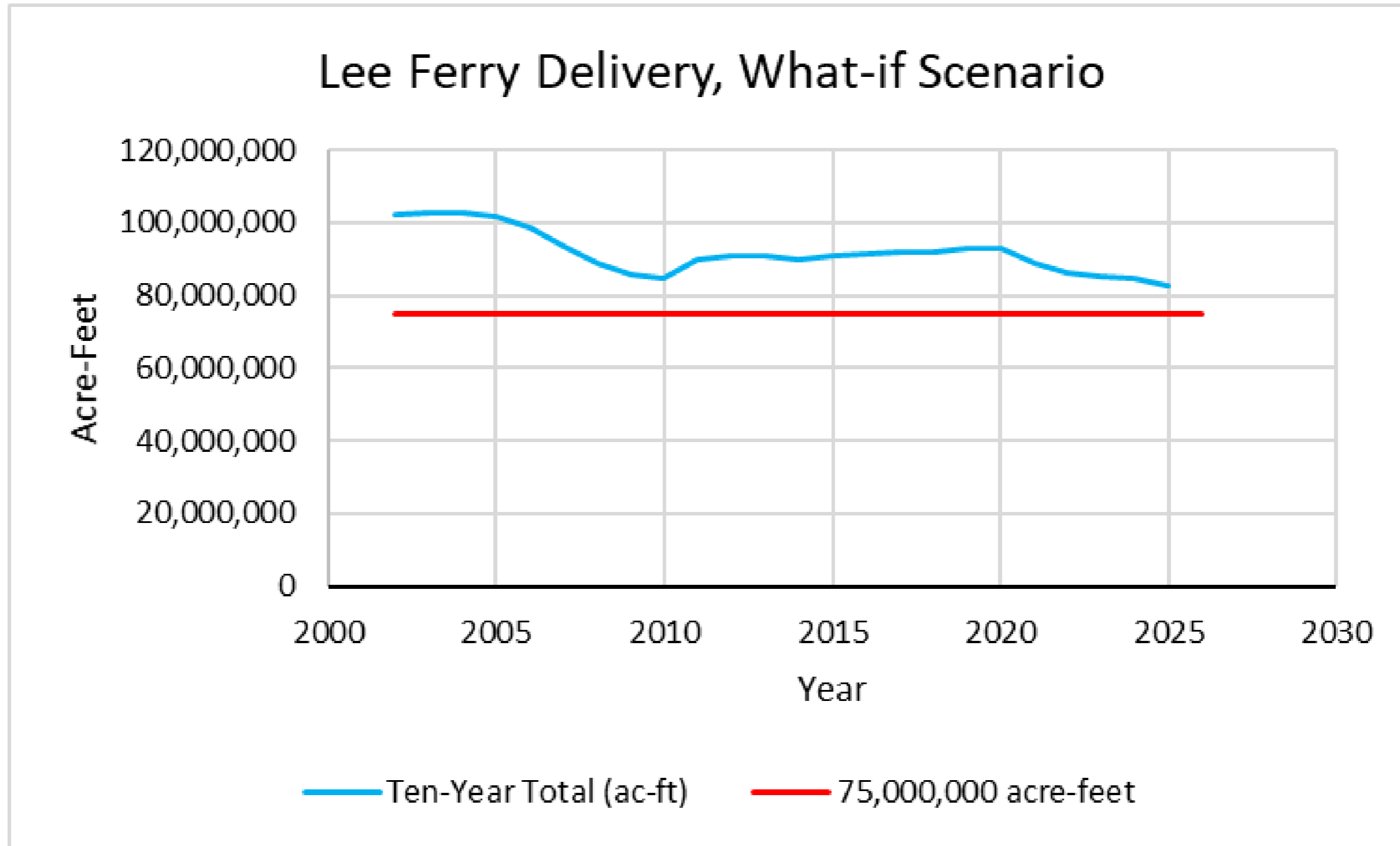
## (What-if Scenario)

- 2017-2018 Actual Totals
- 2019-2021; Current projection, November 2019 24-Month Study\*
- 2022-2025; Minimum release under '07 Guidelines = 7,000,000 acre-feet\*
- Acknowledge Mexico “obligation”

\* Consider 150,000 ac-ft gain in river, Powell to Lee Ferry

Year	Annual Lee Ferry Flow (ac-ft) (Year Ending September 30)	Ten-Year Total (ac-ft)
2017	9,175,000	92,133,000
2018	9,171,000	92,124,000
2019	9,150,000	92,867,000
2020	8,380,000	92,811,000
2021	9,150,000	88,734,000
2022	7,150,000	86,350,000
2023	7,150,000	85,211,000
2024	7,150,000	84,771,000
2025	7,150,000	82,764,000

# What Influences Administration?



# What Influences Administration?

- Potential for need to take action to maintain compliance;
  - Currently (2018) the Upper Basin State's delivery stands at 92,124,000 acre-feet,
  - The reservoir operations direct deliveries at least in amounts that exceed the “What-if Scenario.”



# What Influences Administration?

- What influences Compact Administration:
  - Potential that UCRC, including Colorado, would need to take action to maintain compliance; effect of reservoir operations,
  - Upper Colorado River Compact; UCRC role,
  - Develop an approach,
  - Implement Compact Administration.



# What Influences Administration?

- Upper Colorado River Compact; UCRC Role;
  - The need for curtailment is determined by the Upper Colorado River Commission, which includes Colorado's Commissioner, due to imminent need,
  - Colorado limited by Upper Colorado River Compact.



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# What Influences Administration?

- Develop an approach;
  - Priority administration?
  - Acquire relevant information, data, rules?



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# What Influences Administration?

- Develop an approach;
  - Simple priority administration may not be enough. Why?
  - Use available information, data, rules?

# What Influences Administration?

- Develop an approach
  - Simple priority administration? Can we do more?
  - Use available information, data, rules?
    - Informed, contemplated, more precise,
    - Stakeholder involvement,
    - Allows for planning, develop options,
    - Acknowledge legal concerns.



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# What Influences Administration?

- Use available information, data, rules?
  - Compact Compliance Study,
  - Renegotiation of '07 Guidelines,
  - Data (Measurement Rules),
  - Demand Management (consider the outcome of the workgroups),
  - Compact Administration Rules.



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# What Influences Administration?

- Why Measurement Rules?
  - Consider administration in other basins,
  - Data is critical; accuracy is critical,
  - Consider as an important first step,
  - What would Measurement Rules entail?



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# What Influences Administration?

- What could Compact Administration Rules look like?
  - Guide the State Engineer in Compact Administration
    - Define process
    - Acknowledge UCRC and its role, interaction with UCRC
    - Monitoring methodology
    - Guidance on strict application of priority
    - Guidance on enforcement
    - Consider “Present Perfected Rights,” how that influences administration
    - Mechanisms for allowing diversion by water rights that would otherwise be curtailed



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  - Develop an approach,
  - **Implement Compact Administration.**



# What Influences Administration?

- Implement Compact Administration;
  - Certain direction from UCRC,
  - Reliable data is available,
  - Certain process if Compact Administration Rules are developed,
  - Precise, focus to maintain compliance while avoiding over-delivery.



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# *Current Activity of the State Engineer's Office*

- The need for Compact Administration is not imminent
- Then why all this activity right now?

# *Current Activity of the State Engineer's Office*

- Then why all this activity right now?
  - Drought Contingency Plan; why?
  - Demand management; why?
  - Measurement Rules, why?
  - Compact Administration; why, why not?
    - Developing the Compact Administration plan now is not helpful
      - Not needed now, too much information is pending
    - However, understanding the scope of Compact Administration now is important to all the other activities

# *Current Activity of the State Engineer's Office*

- Compact Administration is not imminent
- We continue to learn
- Consider beginning with Basin Measurement Rules
- Refine our understanding:
  - Coordination with CWCB and UCRC
  - Scope of Compact Administration
  - Available Tools
  - Investigate and Plan: Scope and Process for Rulemaking; Structure of Rules
- Incorporate this information into a Compact Administration plan; communicate with Colorado stakeholders



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# *Compact Administration, a Scenario*

- Upper Colorado River Commission determination
  - Curtailment is necessary to maintain compliance
  - Colorado obligation, time and amount
- State Engineer's Office implements Compact Administration,
  - Potential guidance from rules
  - Status of CRSPA Reservoirs influences administration
  - Present perfected rights influences the administration
  - Rules provide for consideration of priority
  - Rules provide for other mechanisms;
  - Potential availability of Demand Management water
  - Administration is guided by the outcome of studies of water use
- Result is precise, informed, legally sound administration (which may include curtailment) that is targeted toward compliance while avoiding over-delivery



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