

Colorado pipeline proposal stirs water fears

Green River » Entrepreneur would tap flow before it reaches Utah.

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Seedskafee National Wildlife Refuge Manager... (BRANDON LOOMIS / The Salt Lake Tribune Loomis)

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Seedskafee National Wildlife Refuge, Wyo. » A big gulp of the little stream that splits these sagebrush prairies might take a \$3 billion detour across the Great Divide and into Colorado's bullish future.

It's one former Utah ranch boy's dream to build a 400-mile pipeline to water the booming Denver suburbs, and beyond to Pueblo, with the glacial and snowmelt waters that course through Wyoming's Green River.

In an audacious test of the Western axiom that water flows toward money, Fort Collins, Colo., entrepreneur Aaron Million wants to tap this Colorado River tributary just downstream from here and send it to faucets in neighborhoods that don't yet exist.

"We certainly don't want to impact the Green River," says Million, who spent his youthful summers shoveling mud to open and close flood-irrigation canals to his grandfather's melon farm in Green River, Utah.

His plan worries Utah and Wyoming officials, who don't dispute that Colorado has a legal right to the water under the Colorado River Compact. They never expected their neighbor to take its share from a river that they consider money in their water banks, but rather thought the diversion would come from the Colorado River to the south.

Million wants to sell up to 250,000 acre-feet, or 81 billion gallons, a year. It's enough to supply perhaps a quarter of Colorado's projected new needs if its population doubles to 10 million as predicted by 2050.

He insists it won't harm boating, fishing, four endangered Utah fish or other states' legal rights to Colorado River Basin flows. And here at Seedskafee, he sees no reason why two downstream diversion pipes -- on the river and in Flaming Gorge Reservoir -- should threaten a delicate and dying cottonwood oasis for eagles, ospreys and moose.

Ripple effect » Up and down the watershed, doubters fear all of those resources and rights are at

Green River pipeline

The Million Conservation Resource Group in Fort Collins, Colo., proposes a pipeline from Flaming Gorge Reservoir and the Green River above it to supply up to 250,000 acre feet of water per year to Colorado's Front Range. Opponents fear for fish and recreation in the river, both in Wyoming and downstream in Utah.



Source: U.S. Army Corps of Engineers

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risk. They're flooding the U.S. Army Corps of Engineers with critical or skeptical comments as it reviews Million's pipeline proposal with a federal environmental impact statement.

"That river is so quickly impacted by [changing] water conditions," says Mark Forslund, a Heber City fly-fishing guide who has floated the Green here for a dozen years. Unlike lower stretches, he says, the upper Green is shallow, with no holes to hide fish. When flows shrink in winter, fish die. In summer, the water gets hot.

These are conditions that steel the monstrous brown trout and make valiant fighters of the rainbows and native cutthroats, he says. Tinkering with flows from the Fontenelle Dam, above the refuge, could doom them.

The Corps of Engineers is reviewing Million's proposal to take water from just 200 yards downstream of the refuge boundary. Million now says he'll consider a diversion downstream in siltier waters below the city of Green River, Wyo.

Moving it lower is better, Seedskafee Refuge Manager Carl Millegan says, but won't fully protect the refuge. Draining the river -- perhaps taking as much as half of its lowest winter flows -- will hinder fish migrations from Flaming Gorge. Kokanee salmon, a major source of nutrients for the refuge's other fish and birds, might not swim up to Fontenelle to spawn and die as they do now, he says.

"I can't see how they'd make it," he says while standing on a cutbank and watching one of the refuge's seven eagle nests on a tree across the ice.

Wherever the pipeline starts, Millegan fears, it could require adjusting Fontenelle Dam's releases and stemming spring floods that scour the riverbanks and help new cottonwoods sprout.

Millegan's view north across the sagebrush finds the ice-capped granite of the Wind River Range, source for both the river and uneasiness about its future. The glaciers there, including seven of the 10 largest in the American Rockies, are shrinking. It's just one reason scientists throughout the Colorado River Basin worry that climate changes will drop water levels well below what the states divvied up on paper with the 1922 compact.

"Whether you believe in climate change or not, every year around here is a struggle" for adequate flows, Millegan says. So far this winter's snowpack in the Winds is about half the historic average.

The glaciers have shrunk by a third or more since 1970, according to Craig Thompson, an associate professor of earth sciences and engineering at Western Wyoming Community College. He and faculty colleague Charlie Love, a geologist, have studied the glaciers since 1985.

The glaciers help maintain year-round flows, Thompson says, because they release meltwater late in the summer and fall, when winter snows are gone. When they disappear, he expects, the year-round supply for Denver or any other big pipe evaporates.

Corralling the river also could degrade municipal supplies here, Thompson says, because lower flows mean higher salinity in this mineral-rich valley.

Water into money » All this for private gain? At current Colorado water prices, Thompson figures the Million Conservation Resource group could make \$250 million a year on the water.

"It looks like a project where Million gets to turn millions into billions," he says, "and Wyoming gets to bear the impacts."

Million views his plan more like his great-grandfather might have, back when he built one of the river's earlier irrigation ditches.

"Water in the Western United States was developed privately, initially, by the farm and ranch and mining communities," he says. It wasn't until later that the federal government stepped in, he says. His pipeline is a return to the principle of private capital serving public demand.

"That's how America was built," Million says.

Utah has long expected the Green River would supply its remaining Colorado Basin right of about 400,000 acre-feet, Assistant State Engineer Matt Lindon said. Million's pipeline is a threat.

"That's less water that Utah has to deal with," Lindon says, noting the state already must let half of the river's water drift on to entitled states downstream.

The U.S. Bureau of Reclamation, which manages the river's reservoirs and dams, has told Million and the Corps of Engineers that there's not 250,000 acre-feet a year to spare in Flaming Gorge.

After reserving Wyoming's and Utah's remaining undeveloped water rights and providing mandated minimum flows for endangered pikeminnows, humpback chubs, bonytails and suckers, the agency has estimated the reservoir has 165,000 acre-feet to spare.

Government hydrologists are running new models to double-check that estimate, said Beverley Heffernan, environmental chief for the bureau's Provo office.

"We really think that that number is pretty close to the ballpark," she says.

Penciling out » Million is unfazed. He can build the pipeline with up to \$3 billion in private financing, he says, if he gets 140,000 acre-feet or more.

Despite the loud and broad criticism -- including condemnation by the Green River and Laramie city councils in Wyoming -- Million believes the project is on course. After all, he notes, Colorado has an absolute right to the water.

"We have found no fatal flaws," he says.

Million must show who will buy his water before the environmental review continues. His deadline to produce a list of users to the Corps of Engineers is today. He says he has that list ready, but critics wonder why anyone would sign on without a firm supply and rates in place.

To get a permit to alter wetlands, Million also will have to prove his plan jibes with the Clean Water Act. That means the corps must determine it's the least damaging plan that can reasonably meet the need. The corps is investigating that question, project manager Rena Brand says, and whether in fact Front Range growth is likely to require so much water.

University of Arizona law professor Robert Glennon sees many obstacles in Million's way, "not the least of which is the Rocky Mountains." Farmers and small towns in western Colorado won't want the Front Range to soak up all of Colorado's rights. Further political complications come from Front Range citizens and water districts who "won't want Aaron Million to hold all of the cards."

Glennon's 2008 book, *Unquenchable: America's Water Crisis and What To Do About It*, groups Million with a host of grand-scheming "water alchemists" who, he writes, "gaze at the Mississippi River, the Columbia River, icebergs in Alaska, and rivers in British Columbia and wistfully imagine the problem is solved."

Still, he says, if Million secures real municipal and agricultural customers, the interstate compact's so-called "law of the river" is with him.

"Sometimes," Glennon says, "dreamers pull off their dreams."