

Few issues more complicated than deciding how to share water

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DENVER -- How to clear legal obstacles, combine interests and pay for solutions for future water needs in a statewide plan were topics batted around in a lively discussion among the state's water leaders Friday.

Conclusions were hard to come by.

The Interbasin Compact Committee, which represents the state's water basins and specific interests, responded to a challenge by Harris Sherman, director of the Department of Natural Resources, to give a vision for using the state's water resources over the next 50 years.

"We can't separate water from everything else. Water is not in isolation with other things," Sherman said. "I don't recall state's top water leaders sitting around the table talking about this in this type of setting."

Generally, the group agreed the state is running low on new water supplies, there will have to be more sharing within or between basins to provide for growth, some protection is needed for nonconsumptive uses and changes are needed in how water business is done.

After that it got complicated.

One possible way to pay for future water development was suggested.

Aurora Water Director Peter Binney suggested a statewide 1 percent sales tax to pay for future water projects, since the state is demanding inclusion of more public needs in water development.

"We have created a disconnect between land-use planning and the way we deliver water to communities," Binney said. "I don't see the state developing water as it has in the past."

Binney said few of the comments submitted to Sherman's challenge dealt with how the visions of the future would be paid for, and said he would support a statewide sales tax to fund water projects.

Not everyone agreed the sales tax would be a good idea.

"It seems unfair to tax everyone for growth on the Front Range; if there was a benefit to everyone it would be different," said Steve Vandiver, manager of the Rio Grande Conservation District. "I hope we get away from the idea that 7.5 million people on the Front Range is a good idea."

Playing "devil's advocates," Cherry Hills Village Mayor Doug Scott suggested that each of the 250,000 new homes envisioned in the next 25 years or so pay a \$20,000 tap fee for water development, creating a \$5 billion development fund. That would be a market solution that might not meet goals for public benefits, he cautioned.

Concerns about growth are statewide. Most of the state's wealth is concentrated in 10 Front Range counties and must be protected. Those counties also recognize they are interconnected with other areas of the state, Binney said.

Binney presented a paper from the Front Range Water Council that proposes several solutions to water dilemmas in all basins, but suggests statewide funding is needed.

Others also said a statewide solution would be the best way to go.

"We don't have the luxury of being independent. There has to be regionalization," said Eric Wilkinson, executive director of the Northern Colorado Water Conservancy District and a member of the Colorado Water Conservation Board.

He said parochialism has to end.

"We should have been doing this 10 years ago," Wilkinson said.

But others said the danger is that smaller communities could be run over in the process.

"You shouldn't deprive a region that's struggling to make a thriving community stronger," said Ray Wright, president of the Rio Grande Water Conservation District.

Chips Barry, Denver Water manager, was among those who said the solution to state water needs could lie outside the "first in time, first in right" doctrine of prior appropriation.

While protecting senior water rights, the doctrine has led to "use it or lose it" practices in agriculture that discourages conservation. Meanwhile, cities have turned to conservation as a way to stretch water supplies.

"The prior appropriation doctrine, which I have always defended, has its wretched excess," Barry said. "Conservation has not been applied evenly. What we need is a uniform requirement that does not differentiate between agriculture and domestic use."

Barry said the state should support broad water supply solutions to meet needs for the next 20 to 30 years.

"Are you ready to trade this acre of ground for this municipal use? Somebody has to be willing to give up something," said Marc Catlin, Uncompahgre Valley Water Users Association manager. "That's a foreign concept for Colorado because we've never had to think that way."

"I think it will be difficult to implement a vision when you have a state that's not excited about planning," said Melinda Kassen, of Colorado Trout Unlimited.

She said energy consumption and water are linked and also said the unused portion of water under the Colorado River Compact is important for nonconsumptive uses " fish, wildlife and recreation " as well as municipal uses.

"Recreation is an industry, just like mining or agriculture. It's an industry that needs water," Kassen said. "Prior appropriation is not designed for sharing."

She suggested that pooling water rights may be needed, even though some senior water rights holders might have to make concessions.

Moffat County rancher T. Wright Dickinson said agricultural development of water is not exclusive of wildlife and recreation, noting that development of farms through irrigation has increased the amount of water available to create groves of cottonwoods and other greenery that provides wildlife habitat and scenery that draws people to the state.

Jeris Danielson, a former state engineer who is now a La Junta water consultant, said the state has neglected to determine which farmland should be dried up, instead taking good farmland out of production in concentrated blocks because water in the area is sold. He said some farmland deserves to be dried up, but admitted

determining how to do that would be tough.

"You're talking about my farm," said Carlyle Courier, a Western Slope rancher, to illustrate the point.

Danielson also reiterated his call for the state to complete a study to quantify Colorado's remaining entitlement under the Colorado River Compact.

"We need to know how much water is left in the Colorado River Basin," Danielson said.

The group will continue to meet on the possibility of developing some sort of planning document that could be taken back to basin roundtables.