

Historical Information for the Roundtable

1. Connections

Compacts, agreements, and any possible future programs are all CONNECTED. Rights to Colorado River water and Compact Compliance (under variable water supplies). For further details on specific compacts, acts, and agreements, visit: <https://www.usbr.gov/lc/region/g1000/lawofrvr.html>

1.1. Colorado River Compact (1922 – Perpetuity)

- Divides watershed into Upper and Lower Basins
- 7.5 MAF consumptive use apportioned to each Upper and Lower Basins
- Requires the Upper Basin to not cause the flow to be depleted at Lee Ferry below 75 MAF over a ten-year rolling average
- The seven basin states entered into the Compact under the Act of the Congress of the U.S.A. on August 19, 1921 (42 Statutes at Large, page 171) with the seven basins states signing the Compact on November 24, 1922
- For further details see: Article III(a) – Apportionment; Article III(d) – Non-Depletion Clause; Article III(e) – Operational Provisions; Article IV

1.2. Boulder Canyon Project Act (1928 – Perpetuity)

- Ratified the 1922 Compact
- Authorized the construction of Hoover Dam and related irrigation infrastructure in the Lower Basin
- 7.5 MAF divided amount the lower basin states: 2.8 MAF for Arizona, 4.4 MAF to California, and 0.3 MAF to Nevada
- Authorized and directed the Secretary of Interior to function as the sole contracting authority for the Colorado River water use in the Lower Basin

1.3. Treaty with Mexico (1944 – Perpetuity)

- Guarantees Mexico an annual quantity of 1.5 MAF and if a system surplus exists, amount can increase to 1.7 MAF
- In “extraordinary drought” allotment can be reduced in proportion to reduction of uses with the U.S. however the Treaty does not define “extraordinary drought” and any definition would apply to the Lower Rio Grande too
- For further details see: Article 10(b); Schedule II(e)

1.4. Upper Colorado River Basin Compact (1948 – Perpetuity)

- Colorado apportioned of 51.57% of available consumptive use
- Tasks the Upper Colorado River Commission with determining volume of water for each Upper Basin state
- Article IV (b) describes the penalty clause for any Upper Basin state who consumptively uses more water than its entitlement under the apportionment made by Article III of this compact and how this overuse may be supplied prior to demands are made from other Upper Basin states
- For further details see: Article III; Article VIII

1.5. Colorado River Storage Project Act (1956 - Perpetuity)

- A compressive Upper Basin wide water resource development plan

- Authorized the construction of Glen Canyon, Flaming Gorge, Navajo and Curecanti dams for river regulation, power production, irrigation projects, and other uses

1.6. Arizona V California Supreme Court Decree (1964 – Perpetuity)

- Decision to settle a 25-year dispute between Arizona and California
 - Arizona: desire to build the Central Arizona Project to utilize its full Colorado River apportionment
 - California: objected and argued that Arizona’s use of water from a Colorado River tributary constituted use of its Colorado River apportionment , which under doctrine of prior appropriation, precluded Arizona from developing the project
 - Ruling: Supreme Court rejected California’s arguments and ruled that lower basin states have a right to appropriate and use tributary flows before the tributary co-mingles with the Colorado River and that the doctrine of prior appropriate did not apply to apportionments in the Lower Basin
- In 1964, the Supreme Court issued its decree with the decree directing the Secretary of the Interior from delivering water outside the framework of apportionments and mandated the preparation of annual reports documenting the uses of water in the lower basin states
- In 1979, the Supreme Court issued a Supplemental Decree addressing present perfected rights referenced in the Colorado River Compact and in the Boulder Canyon Project Act

1.7. Colorado River Basin Project Act (1968 - Perpetuity)

- Authorized construction of water development projects in the Upper and Lower Basins
 - This includes the Central Arizona Project (CAP) and made the priority of the CAP water supply subordinate to California’s apportionment in times of shortages
- Directed the Secretary of Interior to prepare, in consultation with Colorado River Basin states, a long-range operating criterion for the Colorado River reservoir system
- Section 301 (a) describes protection of existing uses for irrigation water and municipal water supplies to the water-deficient areas of Arizona and western New Mexico
- Section 602 (a) describes how the Secretary will comply with the provisions of these compacts by proposing criteria for the coordinated long-range operation of storage units of the Colorado River storage project and releases of water from Lake Powell
- Section 603 (a) states “the rights of the upper Basin to the consumptive use of the water available to that basin from the Colorado River system under the Colorado River Compact shall not be reduced or prejudiced by any use of such water in the lower basin.”
- Caveat: Sections 301, 602, and 603 were paraphrased for this summary and should be read in their entirety for further understanding and consideration

1.8. Interim Guidelines (2007 – 2026)

- Requires Lower Basin to take shortages
- Coordinates reservoir operation to stabilize system
- Secures Upper Basin right to release from the Lake Powell
- Avoids protracted litigation
- Will be re-negotiated by 2026

1.9. Drought Contingency Plans for the Lower and Upper Basins (2019? – 2026)

- TEMPORARY plans to help prevent system crash if drought worsens

- Allows states to control their own destiny
- Helps assure '07 Interim Guidelines can operate until 2026
- Avoids litigation
- Provides opportunity to identify best tools to continue Upper Basin compact compliance

1.10. Upper Basin Demand Management Program (ongoing)

- One potential tool made possible under Upper Basin Drought Contingency Plan IF DEEMED FEASIBLE
- Only advances if each Upper Basin state agrees to terms and conditions
- Colorado Water Conservation Board approved a [2019 Work Plan](#) to investigate the myriad of aspects relating to a Demand Management program in March of 2019

1.11. San Juan-Chama Project

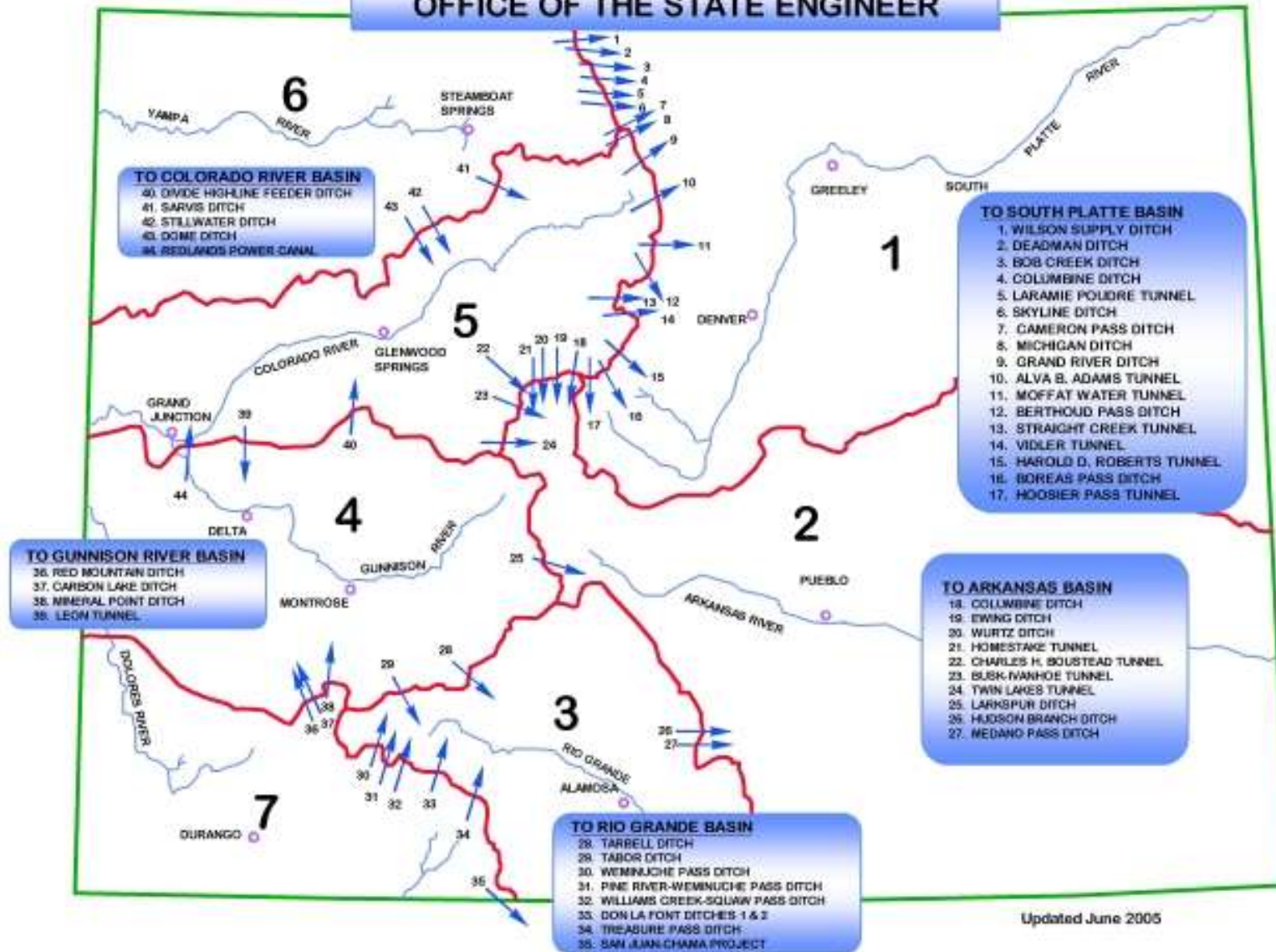
- A participating project of the Colorado River Storage Project by diverting water from the upper San Juan River tributaries through the continental divide into the Rio Grande Basin for multiple uses
- Congress passed a bill to initiate the first stage of the project on June 13, 1962 ([Public Law 87-483](#))
- This project holds no water right in Colorado and is considered part of New Mexico's Colorado River Compact allocations
- Annual diversions for this project average 96,000 acre-feet, with the capacity to divert up to 110,000 acre-feet

2. Critical Reservoirs and Trans-Mountain Diversions Information

Water Right/Reservoir	Inflow	Volume (AF)	Appr. Date	Admin Number
Jackson	Mancos	10,000	10/31/1936	31715
Lemon	Florida	40,146	6/10/1936	31572
Vallecito	Pine	125,400	11/31/1935	31362
Animas-La Plata	Animas	123,541	9/02/1938	32386
McPhee	Dolores	381,100	9/10/1940	33125
Blue Mesa	Gunnison	829,500	11/13/1957	39398
Navajo	San Juan	1,708,600		
Flaming Gorge	Green	3,788,700		
Lake Powell	Colorado & San Juan	24,322,000		
Lake Mead	Colorado	26,134,000		
<i>Major Trans-Mountain Diversions</i>	Inflow	Annual Avg. Diversion (AF)	Appr. Date	Admin Number
Alva B Adams Tunnel*	Colorado	230,300	8/1/1935	31258
*Windy Gap (portion of tunnel)	Colorado		6/22/1967	43621.42906
Grand River Ditch	Colorado	18,380	9/1/1890	14854
Moffat Tun	Colorado	55,140	7/9/1934	30870.26117
Hoosier Pass Tun	Colorado	8,970	5/13/1948	35927
Harold D. Roberts Tun	Colorado	61,400	6/24/1946	35238
Homestake Tun	Colorado	24,930	2/7/1956	38753.3752
Columbine Ditch	Colorado	1,580	7/8/1908	19546
Ewing Ditch	Colorado	1,040	6/5/1911	22435.20605
Wurtz Ditch	Colorado	2,620	2/7/1956	38753.37478
Charles H. Bousted Tun	Colorado	56,500	7/29/1957	39291
Busk-Ivanhoe Tun	Colorado	5,040	6/27/1921	28394.2611
Twin Lakes Tun	Colorado	41,080	9/18/1934	30941.29454

Note: The “Admin Number” was developed by the Division of Water Resources to provide a simple ranking of water rights’ priorities. The number references the number of days since December 31, 1849, an entirely arbitrary date except for the fact that it is prior to the most senior Colorado water right. For further detail on the determination of the Admin Number please refer to the Administration Guideline document.

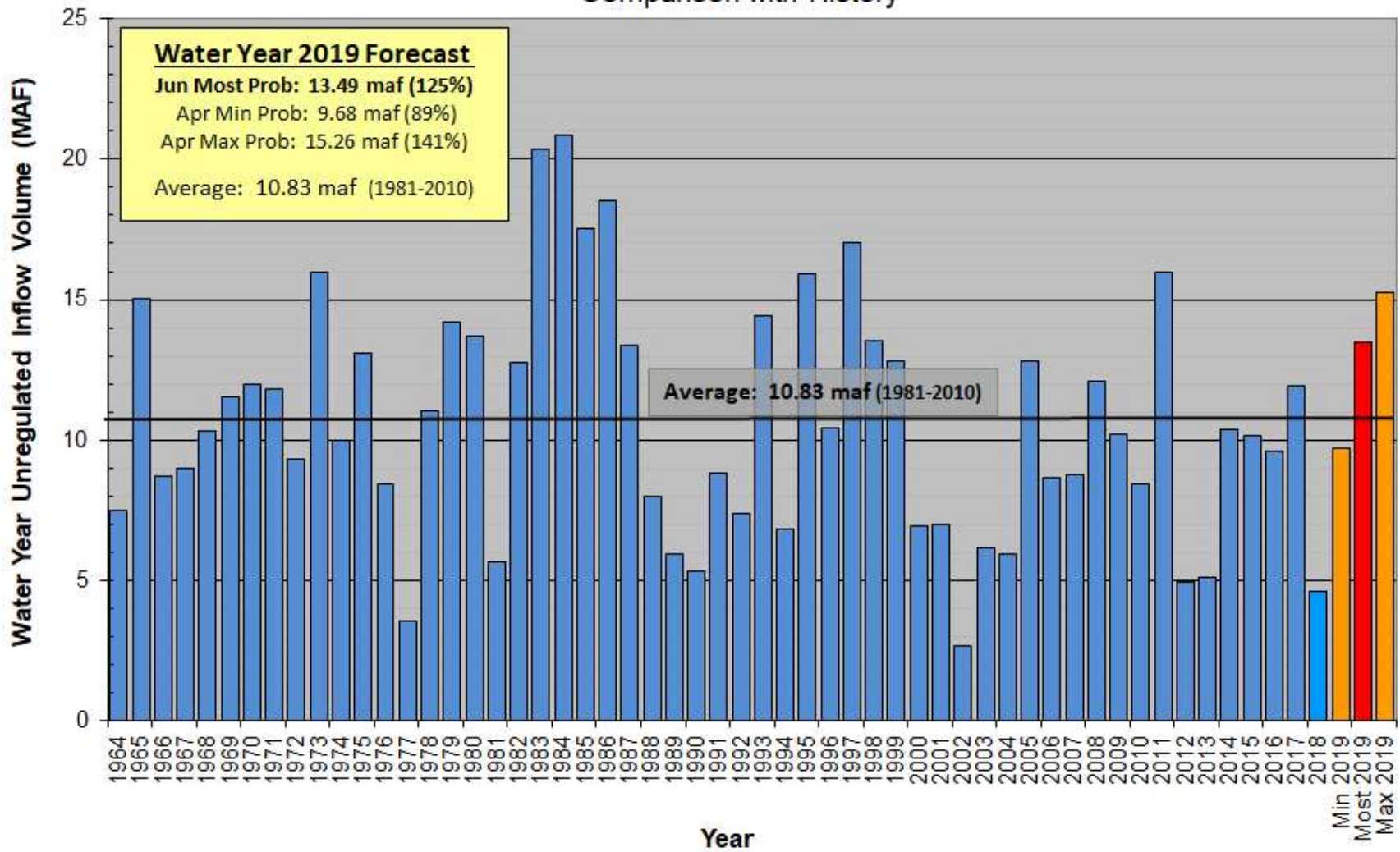
TRANSMOUNTAIN DIVERSIONS OFFICE OF THE STATE ENGINEER



Lake Powell Unregulated Inflow

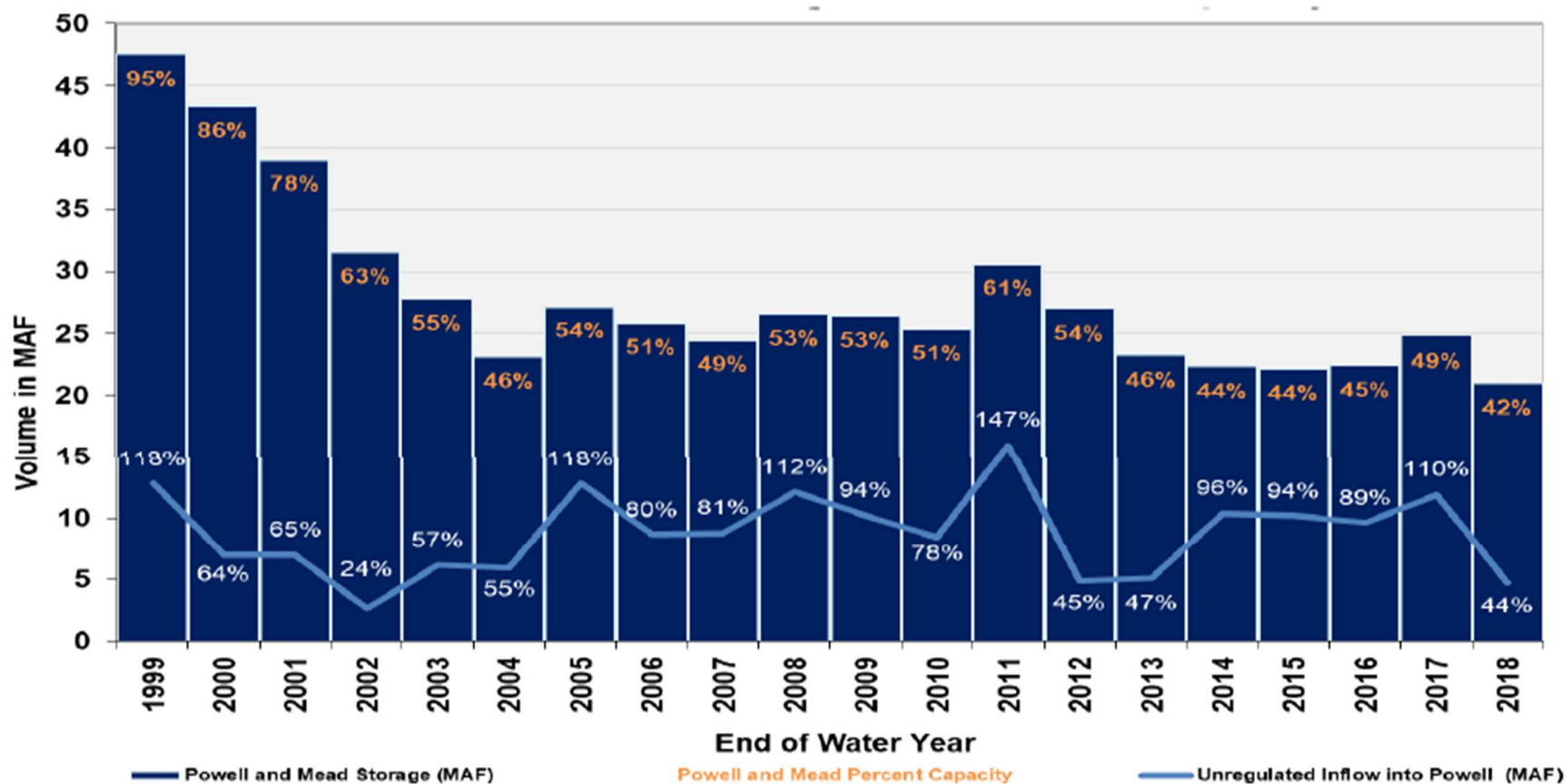
Water Year 2019 Forecast *(issued June 4, 2019)*

Comparison with History



For the most recent forecast, please visit: <https://ww.usbr.gov/uc/water/crsp/studies/images/PowellForecast.png>

Lake Powell & Mead Storage and Percent Capacity & Unregulated Inflow into Lake Powell



¹Values for Water Year 2018 are projected. Unregulated inflow is based on the latest CBRFC forecast dated September 17, 2018. Storage and percent capacity are based on the September 2018 24-Month Study.

²Percentages on the light blue line represent percent of average unregulated inflow into Lake Powell for a given water year. The percent of average is based on the period of record from 1981-2010.

