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# The Next Three Things

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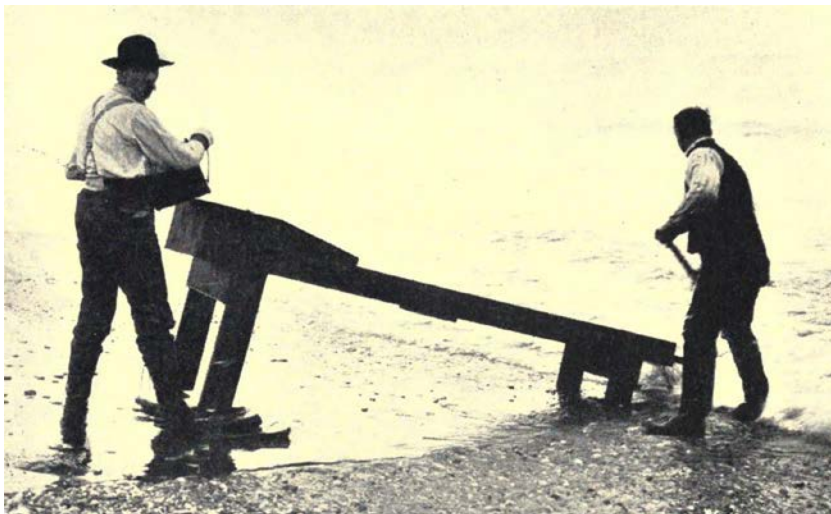
Lawrence Jones Custer Grasmick LLP

# A System to Fit the Land

- Riparian System
  - “Reasonable Use” by riparian landowners
  - Shortage- “Share and share alike”
- Prior Appropriation System
  - Any party could use water
  - Shortage- “First in time, first in right”
  - Rights transferable



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# Booming Agriculture

- Establishing a right
  - Diversion
  - Application to beneficial use
  - No waste
  - No speculation
  - Conditional Rights
- Changing rivers
  - Return flows





# Trans-Basin Diversions



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- 80% of Colorado's population is east of the Rocky Mountains
- 80% of Colorado's water supply is west of the Rocky Mountains

# Great and Growing Cities

- Change of Water Rights
  - Measure-historical use
- “Injury Standard”
- Trans-Basin Diversions
  - Fully consumable
  - “Re-use” programs
  - C-BT Project

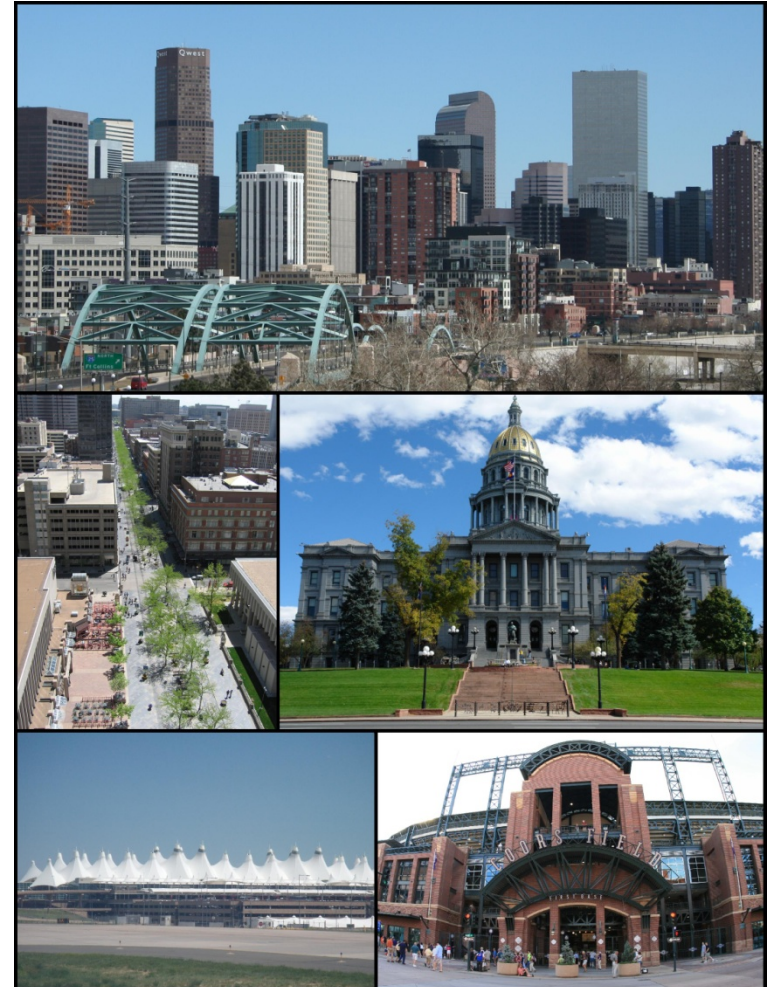


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# 1. They *Will* Come; You *Must* Build It

- Statewide Water Supply Initiative Study
- Population
  - 100,000 (1876)
  - 5,116,796 (2011)
  - 7,156,400 (2030)
  - Increase 2,000,000
  - 85% on Front Range

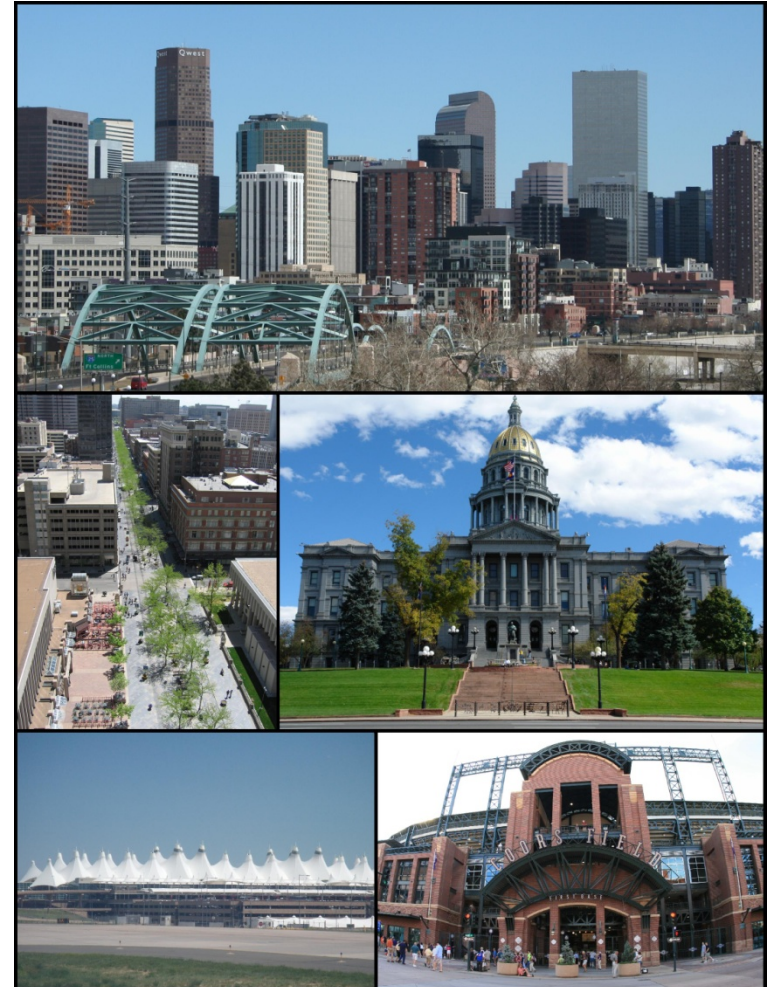
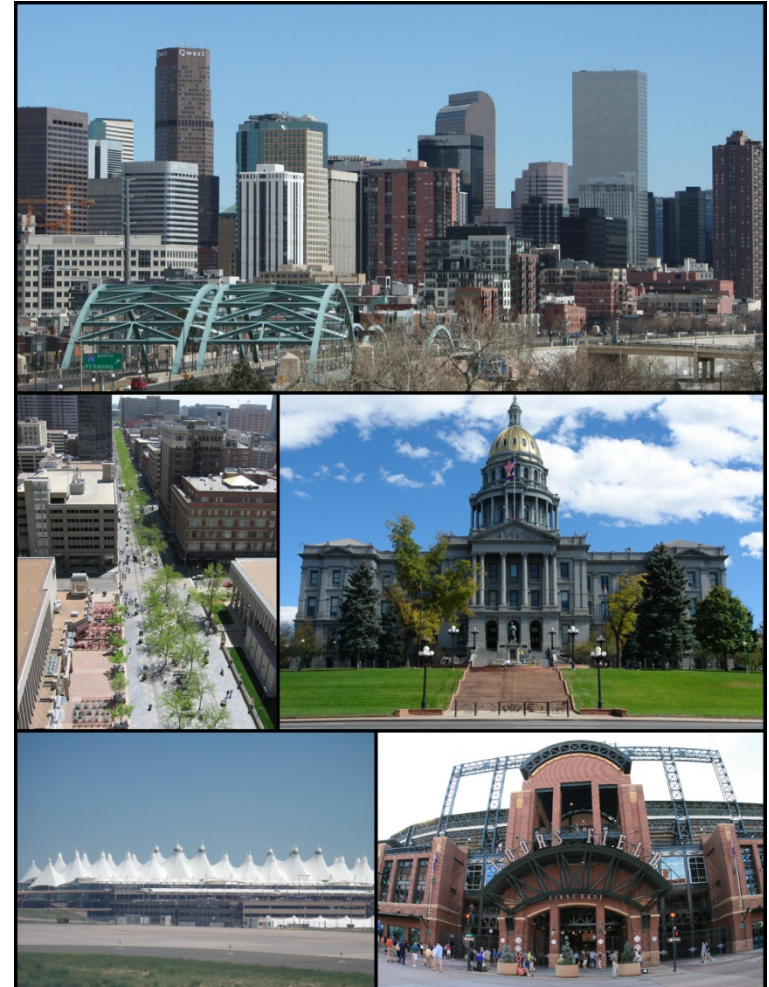


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# 1. They *Will* Come; You *Must* Build It

- Water Supplies
  - Increased Demand
    - 630,000 af
    - Planned projects: 511,800 af
    - Gap: 118,200 af, IF all projects completed



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# 1. They *Will* Come; You *Must* Build It

- Decreasing Agriculture
  - 85% of water supply is used for Agriculture
  - Dry-up 144,000 acres IF all planned project completed
  - 50% completed, 596,000 acres (18% of irrigated farms in state)
- Many providers with no plans beyond 2030
- **Infrastructure: Not a question of whether, but of where and how**

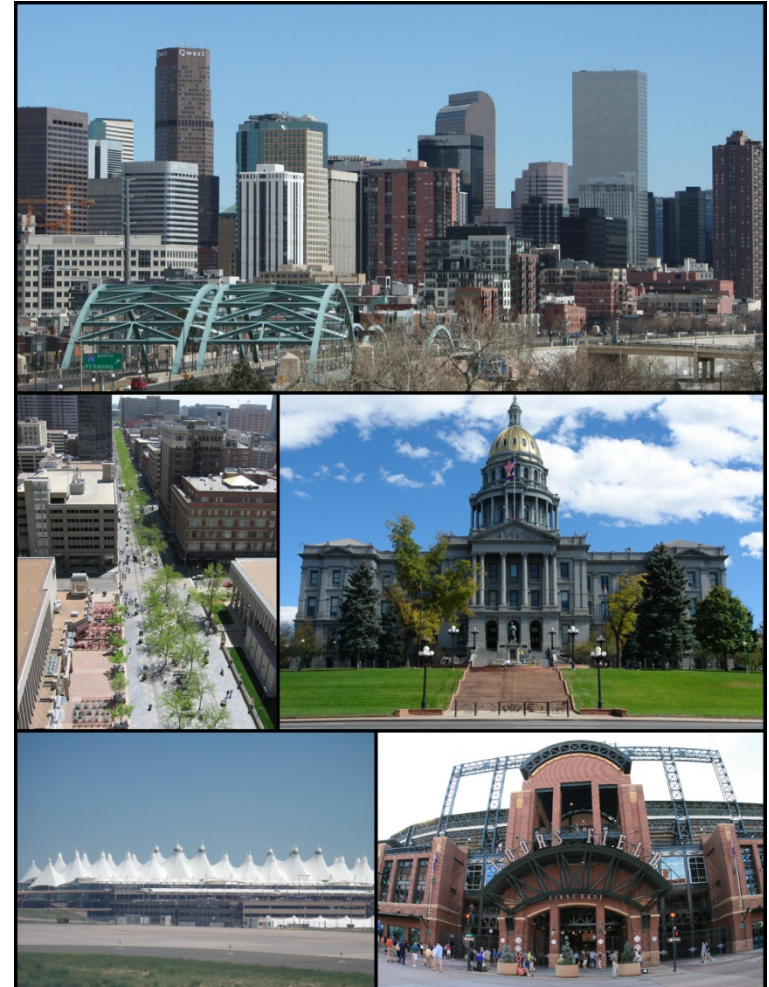


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## 2. Make Room at the Table

- In Stream Flow Rights
  - Colorado Water Conservation Board
- Recreational In-Channel Diversions (RICD)
- Level of Participation
  - Unknown, not invited
  - Crashing the party
  - A place at the table
- **Environmental and recreational interests will take a meaningful place at the table.**



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### 3. Multiple Uses, Shared Uses



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- “Too valuable to fight over”
- Re-use of effluent
- Alternatives to Dry-Up: fallowing, reduced CU cropping, deficit irrigation
- Infrastructure: Storage (above ground, underground), delivery mechanisms
- **Scarcity will drive increasing cooperation, shared and multiple uses**



# On the Cache La Poudre River, 1876



On the Cache La Poudre River, 1876  
Worthington Whittredge (1820-1910)