

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: October 9, 2013

Board Item: V-E-6

2012 Grand County Operating Plan

Action by Consent

Action

Information

The 1992 Clinton Reservoir-Fraser River Agreement provided, among other provisions, for 920 acre-feet of water to be bypassed during the winter months from the Board's Fraser River Collection System for the benefit of five water users in Grand County. The water users were required to provide replacement water to make Denver Water whole in terms of water supply. The water users and Denver Water entered into an Operating Plan consolidating water deliveries under several different agreements and determining delivery locations, shortage priorities and other operational procedures.

The Colorado River Cooperative Agreement contains several provisions that inure to the benefit of the Grand County water users, including: an additional 375 acre-feet of water with similar replacement obligations; year-round delivery of the 920 acre-feet from the Clinton Agreement; additional water from dead pool storage and a spillway enlargement at Clinton Reservoir, of which Winter Park Recreational Association is a shareholder; and an agreement to move Vail Ditch water on behalf of the Grand County Mutual Ditch and Reservoir Company. The parties have negotiated a new comprehensive Grand County Operating Plan that encompasses water deliveries and arrangements under all previous agreements. Ordinarily, an operational agreement would not be submitted to the Board for approval. However, the parties desired formal binding agreements regarding certain aspects of the Operating Plan, including provisions describing the various types of water; the fundamental operational obligations of the parties; and the relative priorities for delivery of water in times of shortage. Therefore, sections 2, 3 and 4 of the Plan can only be amended with same formal approvals as the original execution of the Plan. Other provisions may be modified without the same formality.

Recommendation:

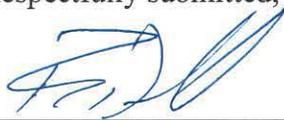
It is recommended that the Board approve the 2012 Grand County Water Users Operating Agreement.

Approvals:

Respectfully submitted,



Patricia Wells
General Counsel



James S. Lochhead
CEO/Manager



Tom Roode
Director of Operations and Maintenance



Dave Little
Director of Planning