

DENVER BOARD OF WATER COMMISSIONERS

Meeting Date: December 19, 2012

Board Item: 2-B-4

**Ruedi Insurance Water Intergovernmental Agreement**

Action by Consent

Action

Information

Denver Water and other Front Range water entities are participating with entities on the West Slope in the Recovery Implementation Program of the Endangered Fish Species in the Upper Colorado River Basin ("Recovery Program"), designed to aid in the recovery of four species of fish listed as endangered under the Endangered Species Act. East and West Slope water providers have cooperatively worked on the development of recovery actions described in the Programmatic Biological Opinion ("PBO") to implement the Recovery Program in the 15-Mile Reach of the Colorado River.

The Recovery Program and PBO contemplate a permanent commitment by Colorado water users to release 10,825 acre feet of water per year to the 15-Mile Reach to improve flows for the listed fish species. The water users' commitment for is a joint obligation shared equally between east and west slope water users.

The East Slope's share of the water, or 5,412.5 acre feet, will be provided from Granby Reservoir through an increase in supply derived by modifying the operations of the New Red Top Valley Ditch. The modified operations may, under certain conditions, increase the amount of water the City of Colorado Springs and Denver Water owe to Green Mountain Reservoir under the Blue River Decree, or may decrease the amount of water available in Green Mountain to West Slope water users.

To offset these potential adverse impacts of modified ditch operations, the River District will contract for the use of 2,000 acre feet of water from Ruedi Reservoir. Denver Water has agreed to reimburse the River District for the capital costs of purchasing the 2,000 acre feet (\$2,480,000.00), and for annual maintenance and operations costs assessed by the US Bureau of Reclamation. By separate contracts, Denver Water will be reimbursed 77% of the costs of this contract by participating Front Range entities.

The master plan code is 4AR0025 and was included in the 2013 budget. The Budget funds are sufficient to cover expenses under the contract amount. The contract will commit the Board to future year expenditures base upon the operation and maintenance assessments made by the USBR for Ruedi Reservoir. This contract does not require a variance or transfer of funds.

Recommendation:

It is recommended that the Board approve the attached agreement (Contract #14727A).

**Approvals:**

  
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Director of Planning

Respectfully submitted,  
  
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James S. Lochhead, CEO/Manager

  
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General Counsel