



The New Colorado River: Thriving with Less

Brenda Burman, General Manager

October 18, 2024

YOUR WATER. YOUR FUTURE.

Colorado River Basin

Supplies water to 40 million people

Provides water to Salt Lake City, Las Vegas, Phoenix, Los Angeles, San Diego, and Denver

Includes 30 Tribes

Irrigates ~5 million acres of farmland

Includes 60 million acre-feet of storage capacity

Generates clean hydropower for the Western power grid

Supports National Parks, wildlife refuges, recreation areas and monuments



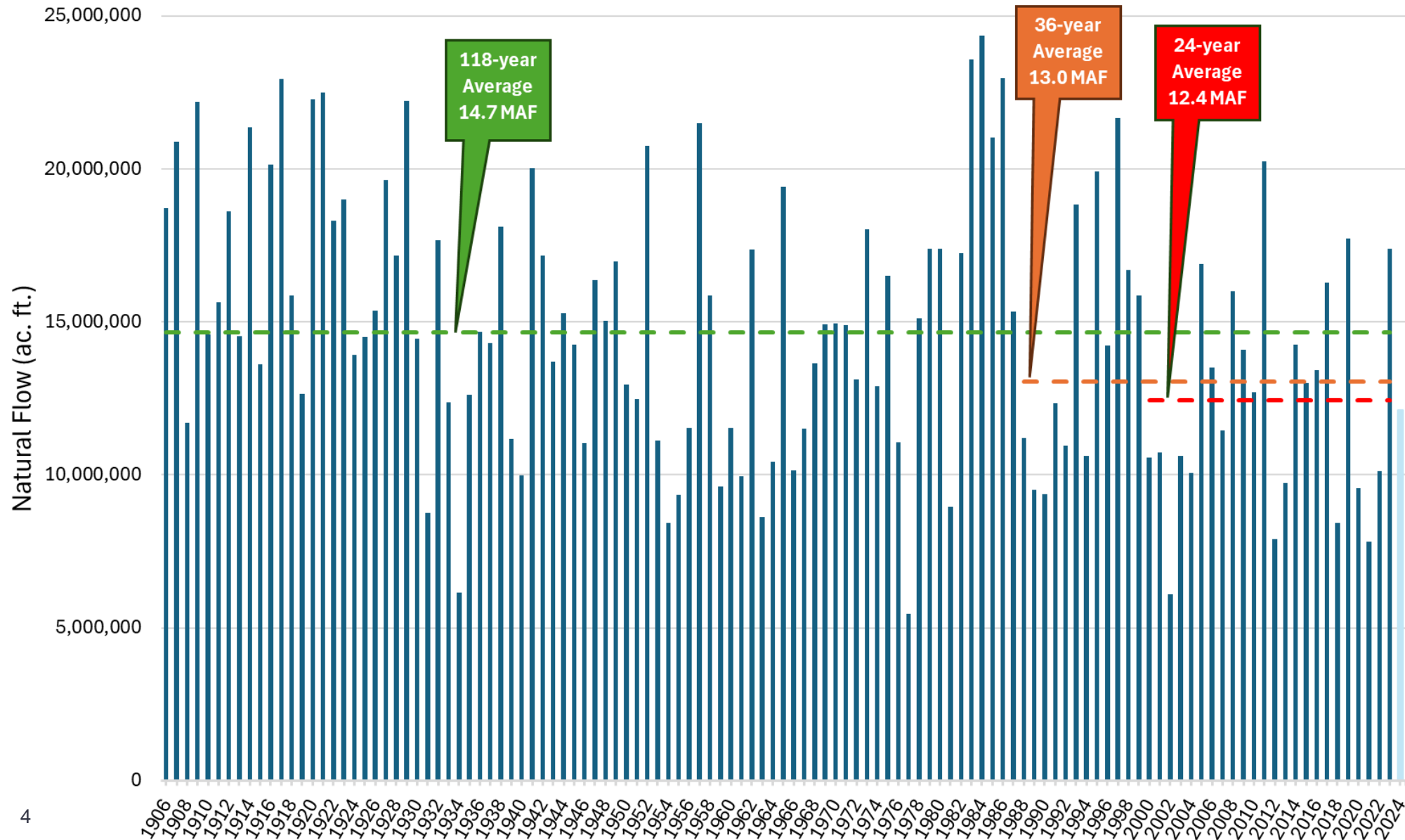
Central Arizona Project

- More than **80% of Arizona's population** (6 million+ people)
- **3 Counties** – Maricopa, Pinal and Pima
- **12 tribal nations**
- CAP supply is allocated by contract:
 - 54% to municipal/industrial
 - 46% to tribes
 - Agricultural priority for excess water



Colorado River Flow

Natural Flow at Lees Ferry - Calendar Year 1906-2023



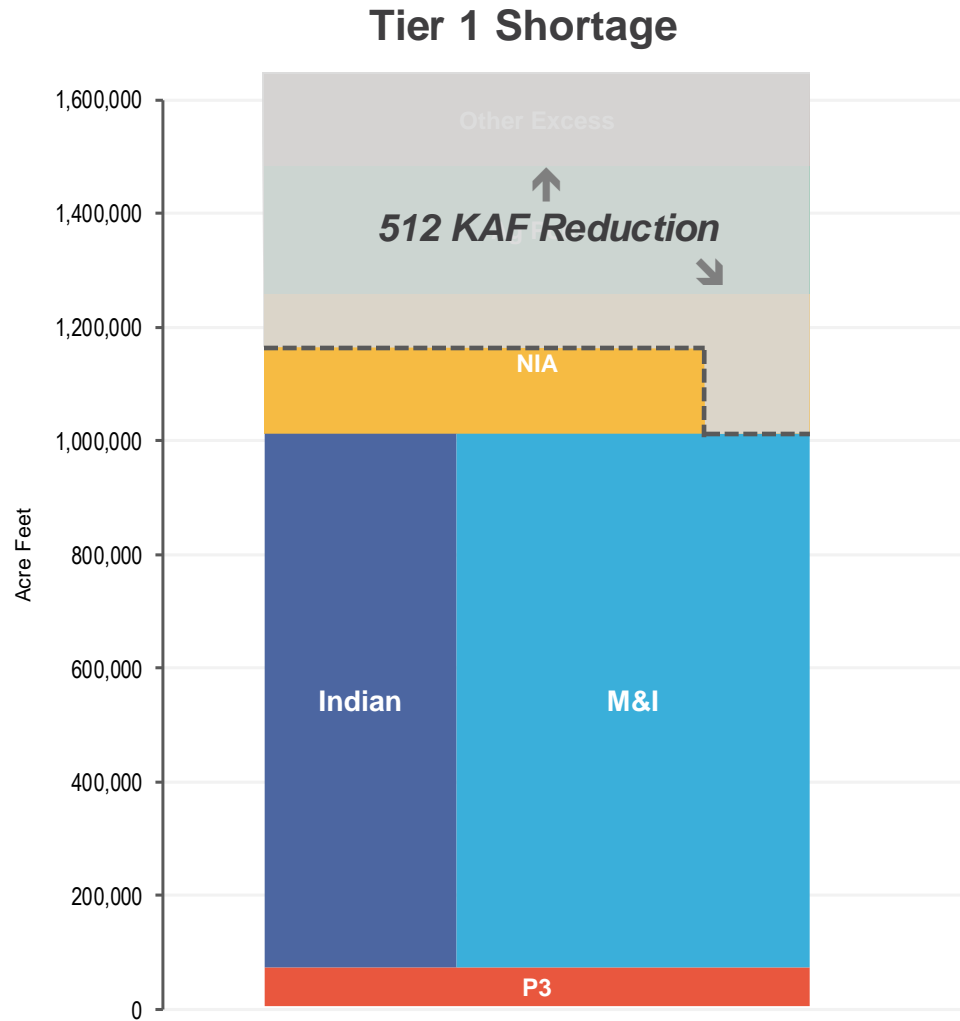
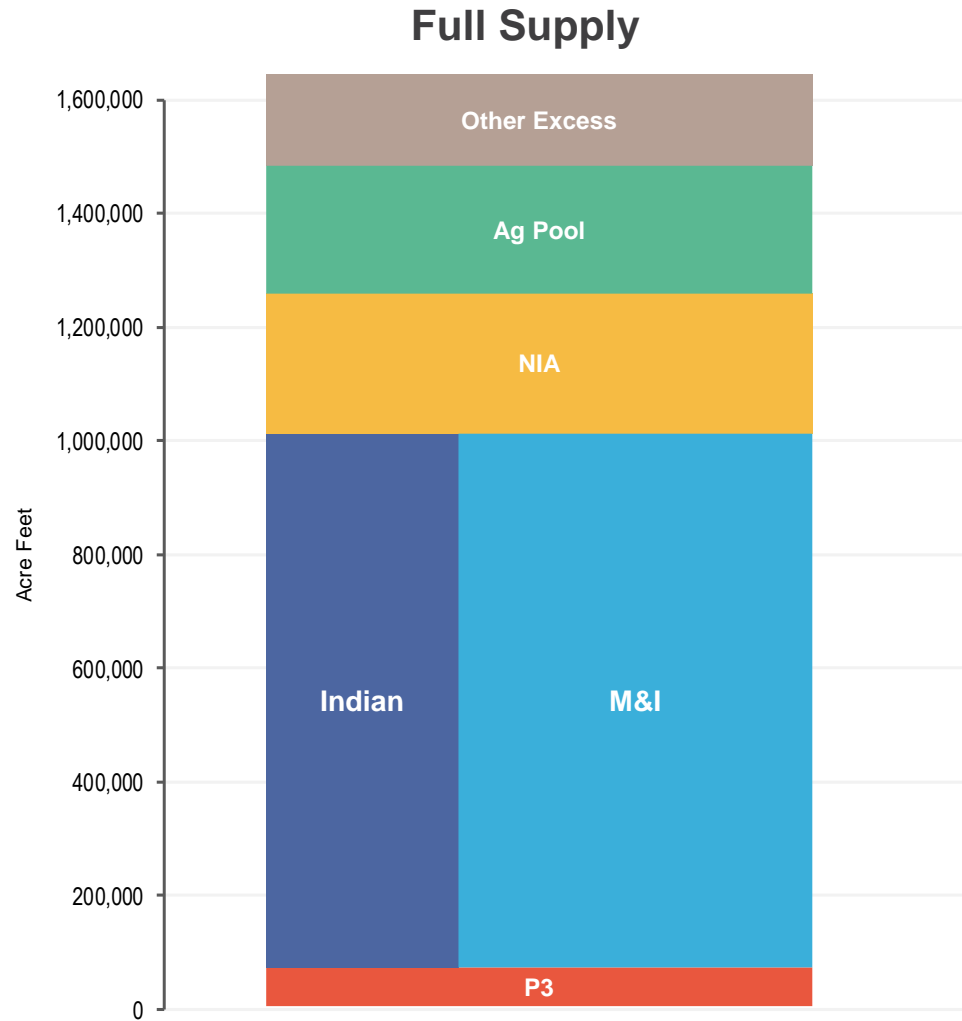
Provisional data, subject to change, estimated values for 2021-2024

Snowpack and Runoff



Snowpack vs. Runoff (% of average)		
	Snowpack	Runoff
2020	105%	61%
2021	86%	37%
2022	90%	63%
2023	161%	140%
2024	114%	83%

CAP Priorities



Law of the River

1922 – Colorado River Compact

1928 – Boulder Canyon Project Act

1944 – Mexican Water Treaty

1948 – Upper Colorado River Basin Compact

1956 – Colorado River Storage Project Act

1964 – AZ v. CA US Supreme Court Decision

1968 – Colorado River Basin Project Act

1970 – Coordinated Long-Range Operation of Colorado River Reservoirs

1992 – Grand Canyon Protection Act

2004 – Arizona Water Settlements Act

2005 – Multi-Species Conservation Program

2007 – Colorado River Interim Guidelines

2017 – Minute 323 to the Mexican Water Treaty

2019 – Drought Contingency Plan (DCP)

2021 – 500+ Plan

2023 – Lower Basin interim proposal

2024 – Minute 330 to the Mexican Water Treaty

Citations:

CAP - <https://www.cap-az.com/about/history-of-cap/law-of-the-river/>

Reclamation - <https://www.usbr.gov/lc/region/pao/lawofrvr.html>

1922: Colorado River Compact

First agreement to legally connect the Colorado River Basin states

Apportions 8.5 million acre-feet of beneficial use to the Lower Basin and 7.5 million acre-feet of beneficial use to the Upper Basin

- Subject to the Upper Basin obligation to deliver 7.5 million acre-feet (plus one-half the Mexico Treaty obligation) to the Lower Basin over a rolling 10-year period

Arizona did not ratify until 1944



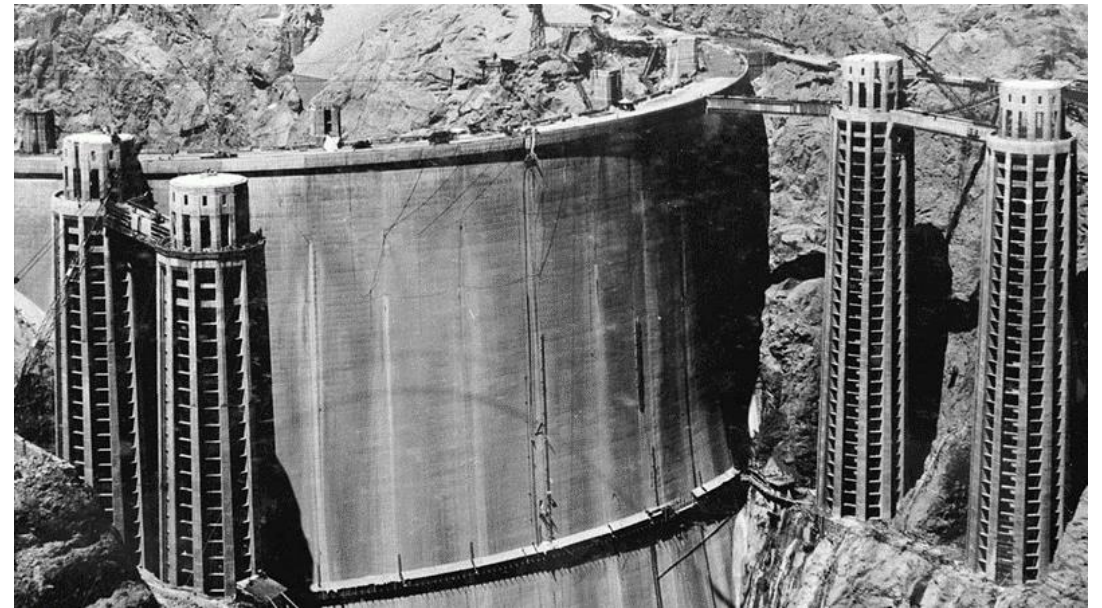
1928 - Boulder Canyon Project Act

Authorized construction of Hoover Dam

Apportioned Colorado River water
among the Lower Basin states

- Arizona – 2.8 maf
- California – 4.4 maf
- Nevada – 300,000 acre-feet

Authorized construction of the All-American Canal



1944 – U.S. Mexico Water Treaty

Apportioned 1.5 maf per year of Colorado River water to Mexico and specified that Mexico would share in times of surplus and in reductions due to “extraordinary drought”

Established the binational International Boundary and Water Commission to implement the Treaty

Notable Minutes – 242, 319, 323, 330



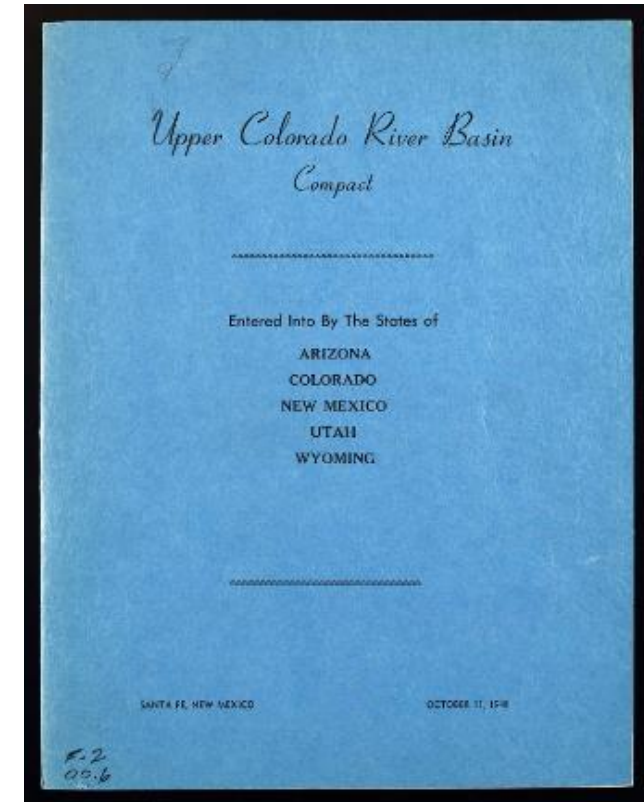
1948 – Upper Colorado River Basin Compact

Created the Upper Colorado River Commission

Apportioned the Upper Basin Colorado River supply including 50,000 af/yr to Arizona

The rest apportioned among:

- Colorado – 51.75%
- Utah – 23%
- Wyoming – 14%
- New Mexico – 11.25%



1956 – Colorado River Water Storage Project Act

By the mid 1950s it was determined that, in the Upper Basin, a series of dams and reservoirs on the Colorado River and its tributaries would be necessary to regulate flows and ensure compliance with the 1922 Compact.

Authorized construction of Colorado River Storage Project (CRSP):

Aspinall Unit

Flaming Gorge Unit

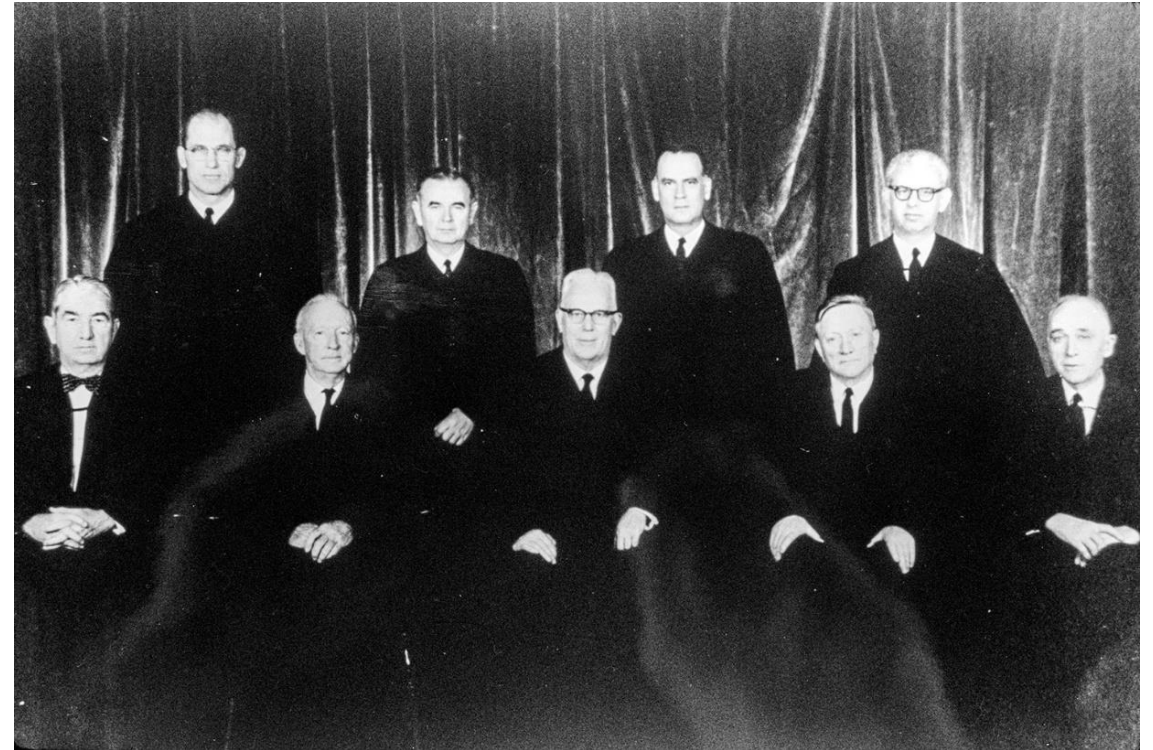
Navajo Unit

Glen Canyon Unit

1964 – U.S. Supreme Court Decree: Arizona v. California

After a decade of deliberation, Supreme Court's opinion favored Arizona, upholding its designated 2.8 maf/yr share of mainstem Colorado River water

Decision effectively established the U.S. Secretary of the Interior as the Lower Basin “water master”



1968 – Colorado River Basin Project Act

Authorized the Bureau of Reclamation to fund and construct Central Arizona Project

Created a junior priority in the Lower Basin for CAP water

Directed the U.S. Secretary of the Interior to develop a plan for augmenting the Colorado River supply



2007 – Interim Guidelines

Established a shortage framework for the Lower Basin based on elevations in Lake Mead

Incentivized storage of water in Lake Mead through Intentionally Created Surplus

Coordinated operations of Lake Powell and Lake Mead

20-year term – 2007-2026



2008-2024 Partnership with Mexico

Expanded collaboration and sharing of shortage risks and surplus opportunities between Mexico and the United States

Provided for U.S investment in water infrastructure and environmental projects in Mexico

Allowed Mexico to store water in Lake Mead to meet demands (including environmental uses) and international obligations

Created commitment to significant conservation



Colorado River Compact - 1922

Article III:

(a) There is hereby apportioned from the Colorado River System in perpetuity to the Upper Basin and to the Lower Basin, respectively, the exclusive beneficial consumptive use of 7,500,000 acre-feet of water per annum, which shall include all water necessary for the supply of any rights which may now exist.

(b) In addition to the apportionment in paragraph (a), the Lower Basin is hereby given the right to increase its beneficial consumptive use of such waters by one million acre-feet per annum.

Colorado River Compact - 1922

Article III:

(c) If, as a matter of international comity, the United States of America shall hereafter recognize in the United States of Mexico any right to the use of any waters of the Colorado River System, such waters shall be supplied first from the waters which are surplus over and above the aggregate of the quantities specified in paragraphs (a) and (b); **and if such surplus shall prove insufficient** for this purpose, then, the burden of such deficiency shall be equally borne by the Upper Basin and the Lower Basin, and whenever necessary **the States of the Upper Division shall deliver at Lee Ferry water to supply one-half of the deficiency** so recognized in addition to that provided in paragraph (d).

(d) The States of the Upper Division **will not cause the flow of the river at Lee Ferry to be depleted below an aggregate of 75,000,000 acre-feet for any period of ten consecutive years** reckoned in continuing progressive series beginning with the first day of October next succeeding the ratification of this compact.

Compact Compliance

1956 Colorado River Storage Project Act §620m

“In the operation and maintenance of all facilities, authorized by Federal law and under the jurisdiction and supervision of the Secretary of the Interior, in the basin of the Colorado River, the Secretary of the Interior is directed to comply with the applicable provisions of the Colorado River Compact....in the storage and release of water from reservoirs in the Colorado River Basin.”

Compact Compliance

1968 Colorado River Basin Project Act §601(c)

“All Federal officers and agencies are directed to comply with [the Colorado River Compact]...in the storage and release of water from all reservoirs and in the operation and maintenance of all facilities in the Colorado River system under the jurisdiction and supervision of the Secretary...”

Compact Compliance

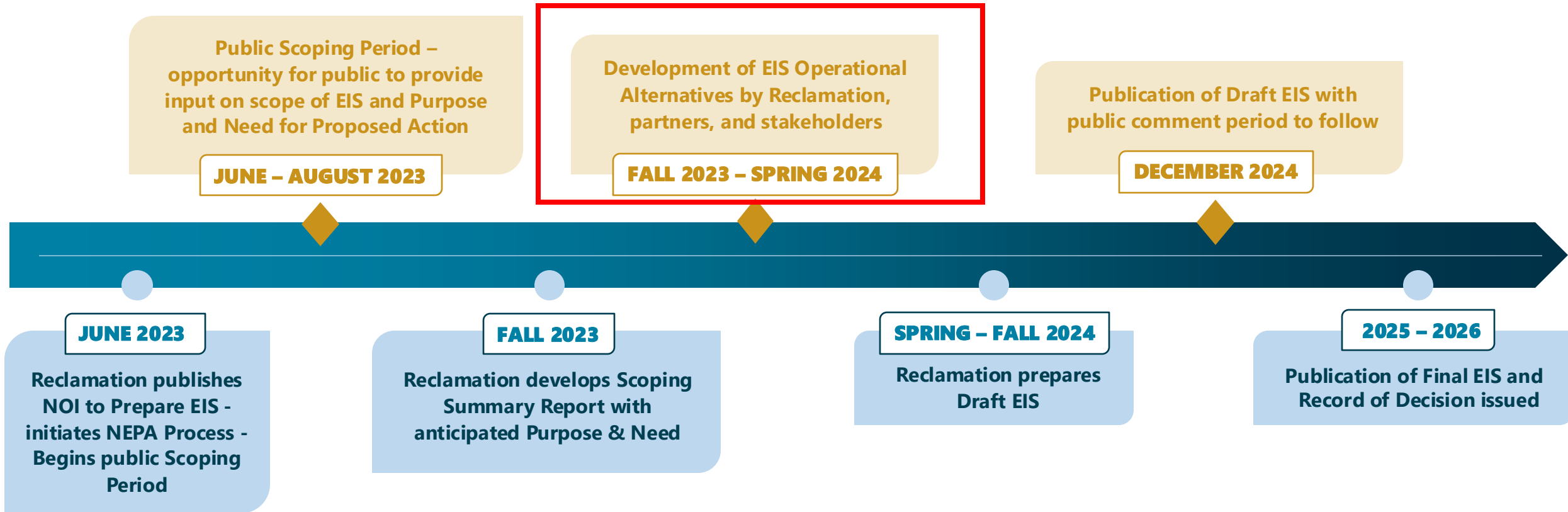
Compliance means releases to the Lower Basin of 75 maf over a rolling 10-year period, plus annual releases equal to one-half the Mexico Treaty obligation (unless surplus – 750 kaf/y + losses)

Upper Basin has put forth novel arguments to avoid Compact responsibilities

Bottom line

Either we enter a wet period, the parties negotiate a resolution that shares the burden, or there will be a Compact call (action to compel Upper Basin compliance through curtailment)

Post-2026: Proposed Schedule



For More Information

Links to Arizona Reconsultation Committee meeting materials and minutes

- [Arizona Department of Water Resources](https://www.azwater.gov/arizona-reconsultation-committee) - <https://www.azwater.gov/arizona-reconsultation-committee>
- [CAP](http://www.cap-az.com/ARC) – www.cap-az.com/ARC

More about Arizona-specific [Colorado River water reductions](https://www.cap-az.com/water/water-supply/adapting-to-drought/colorado-river-reductions/) – <https://www.cap-az.com/water/water-supply/adapting-to-drought/colorado-river-reductions/>

Lower Basin letter to Reclamation explaining the [Lower Division States Alternative](https://www.azwater.gov/sites/default/files/2024-03/Lower%20Basin%20Alternative%20Letter%205.6.24.pdf) - <https://www.azwater.gov/sites/default/files/2024-03/Lower%20Basin%20Alternative%20Letter%205.6.24.pdf>

Reclamation's source for information about the [post-2026 process](https://www.usbr.gov/ColoradoRiverBasin/post2026/index.html) - <https://www.usbr.gov/ColoradoRiverBasin/post2026/index.html>



Thank you

YOUR WATER. YOUR FUTURE.