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Aurora, Colorado
2008



**Enhancement of
Intermittent & Interruptible
Water Supply Opportunities**



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Presented by Gerald Knapp
September 27, 2012
Water Resources Review Committee



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Background...



Alternative Transfer Methods for developing municipal water supplies are being explored in great detail within the State.




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Background...




Leasing fallowing has received much attention in the past couple of years.



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Background...Benefits?







- Farmers have option to market water as a crop
- City has access to water for an intermittent need




Background...



Aurora conducted the only large scale lease to date in 2004/2005 with Rocky Ford High Line Canal.


Background...



- 124 Individual Contracts
- 8,200 Acres
- 37% of Total Ditch
- 18 months to receive approval

The Problem...




Existing agricultural water right decrees do not contain provisions for temporary off farm leasing.

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The Problem...




Currently there are 2 authorities to conduct temporary transfers from agricultural uses to municipal uses.

1. Substitute Water Supply Plan (SWSP) statute limits the use to a single period of only 5 years. [37-92-308(5)(a), C.R.S.]
2. Interruptible Water Supplies (IWS) agreements provide an alternative way to move water from agricultural uses to municipal uses. [37-92-309(1), C.R.S.]

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The Problem...




Interruptible Water Supplies (IWS) agreements provide an alternative way to move water from agricultural uses to municipal uses. [37-92-309(1), C.R.S.]

- An IWS may only be used for 3 years in a 10 year period.
- A single approval can be used for the three years of leasing.
- An IWS may not be renewed for additional 10 year periods.

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 **Consideration...**

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Modifications to the IWS statutes may be most useful.



What changes are most beneficial and practical?

- Adding additional periods for renewal with review of the engineering for each 10 year period?
- Is a limitation on renewal periods necessary?


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 **Consideration**


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Ultimately for long-term intermittent municipal use of an agricultural water right, changes to the decree adding specific provisions, terms and conditions for times when temporary leasing of water from the irrigation sources is occurring should be accomplished.




To facilitate changes adding leasing to decrees, a legislative provision protecting the original decree as these additional provisions are added is necessary.

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 **Related Activity...**


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"Agricultural Fallowing Dialogue" has been initiated...

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**Next Steps...**


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- Drafting and circulating legislative language amongst interested parties.
- Bringing draft language to committee staff

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**Questions/Discussion...**

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Thank You...

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