

**THE SOUTHWESTERN WATER CONSERVATION DISTRICT  
RESOLUTION OF SUPPORT FOR FUTURE USE ALLOCATION IN  
CWCB'S INSTREAM FLOW PROGRAM  
Resolution No. 2013-05**

**WHEREAS**, the Colorado General Assembly created the Instream Flow Program in 1973 with the passage of Senate Bill 97, and the Colorado Water Conservation Board (CWCB) was granted the authority to establish instream flow segments throughout Colorado to preserve the natural environment to a reasonable degree; and

**WHEREAS**, the Southwestern Water Conservation District (SWCD) was established by the Colorado General Assembly and State Statute in 1941 to conserve and protect the waters of the San Juan and Dolores Rivers and their tributaries; and

**WHEREAS**, SWCD fully supports the purposes and intent of the CWCB Instream Flow Program; and

**WHEREAS**, in the past, these instream flow appropriations have primarily occurred high in the watersheds of the state, above diversion structures and locations of potential beneficial use of water by the citizens of Colorado and without conflicting with other water rights or future consumptive needs; and

**WHEREAS**, more recently, CWCB has requested appropriations of water for instream flow purposes in the lower reaches of major rivers, and downstream of existing water rights and human development; and

**WHEREAS**, such appropriations of instream flow water rights in the lower reaches of these rivers or near state boundaries will have a negative impact on upstream future development of water for consumptive uses and human needs; and

**WHEREAS**, appropriations or acquisitions of instream flow water rights in these lower reaches will limit Colorado's ability to fully develop its' entitlements under Interstate Compacts,

**NOW, THEREFORE, BE IT RESOLVED** that SWCD hereby strongly urges that CWCB's enabling legislation be amended to provide that, when such appropriations are contemplated in the lower reaches of rivers or near a state line, CWCB be required to evaluate potential future demands, and initiate an appropriation and filing for a reasonable Future Use Allocation senior to the instream flow appropriation, in order to safeguard consumable water supplies to serve those future needs.

ADOPTED on the 9th of December, 2013 at the regular meeting of the Southwestern Water Conservation District, by a vote of 7 to 0. One board member abstained.

  
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John Porter, President

  
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Bob Wolff, Secretary