THE COLORADO RIVER COMPACT

WHY DOES IT MATTER TO THE GUNNISON BASIN?

Upper Gunnison Basin Water Management Planning Group

November 13, 2017
Law of the Colorado River

- Colorado River Compact (1922)
- Boulder Canyon Project Act (1928)
- Mexican Water Treaty (1944)
- Upper Colorado River Basin Compact (1948)
- Colorado River Storage Project Act (1956)
- Arizona v. California (1963)
- Colorado River Basin Project Act (1968)
An Interstate Compact is:

- Authorized by U. S. Constitution
- Contract among states
- Ratified by
  - State Legislatures
  - U. S. Congress
- State Law
- Law of United States
Why A Compact?

Early Twentieth Century - Growth and development in California

*Kansas v. Colorado*
*Wyoming v. Colorado*

Proposed Reclamation Service projects in Lower Basin

Delphus Emory Carpenter
United States of America

DEPARTMENT OF STATE

To all whom these presents shall come, Greeting:

We certify That the document annexed is a true copy of the

Colorado River Compact,” signed 24th November, 1922, at the

City of Santa Fe, New Mexico, the original of which is on file

in this department.

In testimony whereof I, Charles E. Hughes,

Secretary of State, have hereunto caused the Seal of the

Department of State to be affixed and my name subscribed by

the Chief Clerk of the said Department, at the City of

Washington, this twenty-first day of December, 1922.

[Signature]

Chief Clerk.

Bishop’s Lodge  Santa Fe, New Mexico
November 24, 1922
Key Provisions of the Colorado River Compact

Article III(a)
Apportions to Upper Basin and Lower Basin 7.5 million acre-feet per year in perpetuity.

Article III(b)
Lower Basin may develop additional one million acre-feet annually.

Article III(c)
Defines obligations of Upper and Lower Basins for deliveries to Mexico.

Article III(d)
Upper Division will not deplete flows at Lee Ferry below an aggregate of 75 million acre-feet over any period of ten consecutive Years.

Article IV(c)
No interference with state control of water within its boundaries.

Article VIII
Present perfected rights are unimpaired.
**Mexican Water Treaty (1944)**

**Article 10(a)**
1.5 maf guaranteed to Mexico annually

**Article 10(b)**
“surplus of waters” and “extraordinary drought” provisions

Minute 323 (September, 2017)
Upper Colorado River Basin Compact (1948)

Article I
“equitable division and apportionment of the use of waters” apportioned to Upper Basin

Article III(a)
- Arizona  50,000 af
- **Colorado  51.75%**
- Utah  23.00%
- Wyoming  14.00%
- New Mexico  11.25%

Article VIII
Creates Upper Colorado River Commission (four states plus United States)

Article IV
In the event curtailment becomes necessary to comply with 1922 Compact, Commission determines quantities

(b) State using more than its Article III apportionment supplies first

(c) Each state supplies according to its percentage of total use in preceding year (excluding pre-1922 rights)
Colorado River Storage Project Act (1956)

Objective
Annual Release: 8.23 million acre-feet

30.6 million acre-feet total storage

Subject to balancing criteria under 2007 Interim Guidelines
Sustained Drought

Lake Powell storage elevation 2000-2016

Lake Mead storage elevation 2000-2016

Critical Storage Elevations

3525 to protect Minimum Power Pool [3626 on Nov. 12]

1075 Shortage Condition [1082 on Nov. 12]
Elements of the Upper Basin Plan:

* Expand existing weather modification programs.
* CRSP drought operations (Aspinall, Flaming Gorge, Navajo and Glen Canyon Dam).
* Develop opportunities for Upper Basin demand management.

Should we be concerned about a “Compact call”?
Questions?

Glen Canyon Dam - Lake Powell

Hoover Dam - Lake Mead