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--- KEEPING PROMISES AND MAKING SENSE ---

## REASONS TO CONTINUE HISTORIC OPERATIONS OF THE ASPINALL UNIT

### Background

The Bureau of Reclamation's Aspinall Unit consists of Blue Mesa Reservoir, Morrow Point Reservoir, and Crystal Reservoir. The unit is at the bottom of the Upper Gunnison River Basin just before the Gunnison River enters the Black Canyon. Blue Mesa, the largest reservoir, has a total capacity of 940,000 acre-feet and active storage capacity of 748,000 acre-feet. Total active storage for the whole unit is about 803,000 acre-feet or 53% of the average annual 1.5 million acre-feet of water flowing into the Aspinall Unit.

The Aspinall Unit serves primarily state, multi-state, and national purposes - not local. It is one of four large water storage projects built within the Upper Colorado River Basin. Like the others, it provides: river flow management, water storage, flood control, generation of hydroelectric power and reclamation of arid lands. Each is intended to enable the states of Colorado, New Mexico, Utah, and Wyoming to eventually use their shares of the Colorado River's water. Locally, it provides enhancement of wildlife and recreational resources.

Political support for construction of what is now the Aspinall Unit was sought from the Upper Gunnison Basin Community. To gain this support two key promises were made and later included in the project's design and operations. First, it was promised in 1959 that the project would protect water users in the Upper Gunnison Basin from future downstream calls, or shut-offs, caused by the exercise of large senior water rights below the Unit - specifically the Gunnison Tunnel and Redlands Power Canal rights. Second, it was promised that the project would be subordinated, or be junior in priority, to 60,000 acre-feet of depletion occurring upstream of the unit and thereby ensuring that this amount of water would be available, in perpetuity, for local uses..

First in 1992 and again in 1994 our basin's community was threatened by the Bureau of Reclamation proposing to change how the unit was operated and in effect renegeing on the promises. Reasons given were downstream requirements to recover endangered fish species and commitments of water to the Black Canyon National Monument. Also it was said that the promises were not in writing.

Since Blue Mesa Reservoir began operating in 1965, some 28 years ago, both promises have been kept. No cost for this to our Upper Gunnison Basin was contemplated in the design of the Aspinall Unit and none has ever been imposed. Keeping these promises is not a gift or a subsidy. It is part of the compensation and mitigation for placement of the Aspinall Unit, serving primarily non-local purposes, within the Upper Gunnison Basin. The project flooded a world renowned fishery, resorts, summer homes, and ranches. At a public meeting held last June in Gunnison, a representative of the Bureau of Reclamation acknowledged that there had been promises and even a draft contract drawn up to reflect them - but this process was never concluded. In effect, the promises were given but not put "in writing". That was a mistake.

Breaking these promises and loss of what they achieve would be extremely harmful and costly to the basin's community. Many present water users, particularly well users and some irrigators, have come to depend on their continued implementation through Aspinall operations. The alternative is augmentation or "call insurance." It would be costly to set up and to administer for the Bureau, those individuals desiring to participate, and for the community taxpayers generally.

### 1. Why Keep The Promises

They make practical sense by offering cost effective simplicity for management of the existing uses and water resources within the basin. The design of the Aspinall Unit included these promises. Because the unit is at the bottom of the basin, it ultimately receives all the water not consumed. The unit's capacity relative to the river's total flow allows management of incoming water to successfully achieve the many purposes for which the unit was constructed.

Most local irrigators can not afford costly augmentation or call protection, given the value of the hay produced. Many irrigators may not need or choose not to participate in augmentation. Many who do participate will find the initial administrative requirements to be a burden. Likewise many well owners will not need or desire to participate. Experience with such programs in other basins shows the administrative burdens for participating well owners need not be burdensome but participation can be costly.

### 2. Meeting New Requirements Is Not A Problem.

Recent studies made of the Aspinall Unit's future operation show that meeting endangered fish requirements, providing appropriate water flows through the Black Canyon National Monument,

and maintaining water levels in Blue Mesa Reservoir within present yearly levels for recreation can be accomplished without breaking past promises. There is enough water available to do all these things - it is a question of management. The Department of Energy, responsible for distributing hydroelectric power generated at the Aspinall Unit, considered endangered fish requirements in its long range plans which examined the units operation in representative wet, average or moderate, and dry year conditions. Its analysis shows present demands of senior water rights below the Aspinall Unit - specifically the Gunnison Tunnel and Redlands Power Canal can be fully met over the course of a year.

In the representative years, sometimes water flows were more than adequate for requirements of the different uses and at other times a little less. From time to time it would be necessary to "top up" flows presumably by releasing water from the Aspinall Unit and perhaps when possible cut back on the excess. Over the course of a year it is a question of careful resource management and timing. This is because the new requirements for the Black Canyon and endangered fish requirements are fitted to natural water availability - dry year requirements in dry years, moderate in moderate, and wet in wet.

### 3. Where To Go From Here?

The past promises need to be "put in writing" or re-affirmation. This would continue the historic and successful operations of the Aspinall Unit, and thereby provide security to our basin's future. There are at present two ways to achieve this. First, and the most straight forward, is to include re-affirmation of historic operational practice in Senator Ben Nighthorse Campbell's proposed legislation for the Black Canyon. The second is to include this provision in a water supply contract among federal agencies that is now being negotiated. The latter appears more difficult, time consuming, and might expire with expiration of the contract.

### 4. Continuation of Past Operational Practice Makes Sense

The Aspinall Unit's location means that almost all the water not consumed or depleted in the basin will pass through it and is therefore available to be managed. The unit's size means it can effectively manage or adjust flows from the basin, but not store water from year to year. Total annual depletion or water consumption from all water uses in the basin is presently estimated to be about 52,500 acre-feet. *Some from pre 1920 etc*

Promises can not be open ended. A sensible limit to reaffirmation is 60,000 acre-feet of total depletion in the Upper Gunnison Basin. This limit allows present use to continue and offers a little extra room for additional water consumption in the basin. The Aspinall Unit continues to have more than enough water over the course of a year to meet recognized needs of users downstream and requirements of endangered fish recovery and the Black Canyon. Levels of Blue Mesa Reservoir need not change perceptively from the present annual cycle. Projected future hydroelectric power production targets can be met and the unit can continue to serve its many other purposes.

Significant new consumptive water uses within the Upper Gunnison Basin are not expected in the future - unless there is transmountain diversion or perhaps mining. In this event, the Aspinall Unit continues to have water and/or storage available, at a cost, for such projects. The Upper Gunnison Water Conservancy District has held conditional rights for about 80,000 acre-feet since 1961. These rights can be put to many different kinds of uses. Depending on how these rights are eventually developed, the limit of 60,000 acre-feet of depletion limit could be exceeded. If that happens the limit would necessitate the District arranging for appropriate augmentation related to the uses of these rights.

In effect, re-affirmation of the promises with a reasonable limit of 60,000 acre-feet depletion would not affect present water users, would discourage future transmountain diversion because of the necessity to arrange for augmentation, and enable commitment of the waters from the Upper Gunnison Basin to downstream purposes.