



MONTANA: As Montana faces an unprecedented fourth straight year of drought, TU's Montana Water Project is mobilizing early to save key fisheries. "Montana is headed into uncharted territory this year," said director Laura Ziemer. "After three years, some key fisheries are being stressed to the limit, as are many irrigators with whom we have worked in the past. We have to start working now to keep those cooperative relationships alive through the summer."

WYOMING: In 1986, Wyoming created a process for legally protecting water instream but the process remains difficult and time-consuming. Landowners who choose to leave some water in a stream endure studies and applications, plus they must surrender ownership of that portion of their water right to the State. Staff with the Wyoming Water Project is working to simplify this process so that water right holders have the freedom and flexibility to do what they want with their water.

IN THE WEST

OREGON: Tempers flared in the drought-stricken Klamath Basin last summer when the Klamath Irrigation Project was managed, in part, to protect endangered fish and some farmers went without water. Since then, a draft 10-year management plan for the Project has called for more water for irrigation, leaving fish high and dry. And a National Academy of Sciences' review of the crisis concluded that poor water quality may undercut efforts to restore endangered fish. The Bush Administration is spinning the report as a condemnation of the Endangered Species Act - a view the NAS has rejected.

UTAH: Throughout the West, dam owners release water to flush trapped sediment downstream. A recent silt dump on the Logan River in Utah killed thousands of fish and buried spawning habitat in one of Utah's premiere fisheries. In response, the Utah Water Project and TU volunteers investigated this and other sluicing events and made recommendations to the Governor and state agencies to help minimize these harmful effects.

D.C.: A highly innovative provision of Senate Farm Bill (S. 1731), sponsored by Nevada Senator Harry Reid, grants money to states to improve irrigation systems, with much of the conserved water going to fish and wildlife. The provision — which applies to only six states (CA, NV, OR, WA, ME, and NH) — also extends the popular agricultural land conservation reserve program to water. Trout Unlimited supports the provision and will defend it through a hostile House Conference process. To follow this and other water issues, subscribe to TU's Western Waterfront. Contact: mailsrv@tuweb.tu.org.

Report Highlights the Chronic Problem of Dry Rivers in Colorado

In January, Trout Unlimited's Colorado Water Project released a report detailing the stress that Colorado's rivers and streams are beginning to show due to overuse. According to "A Dry Legacy: The Challenge for Colorado's Rivers", the draining of state waterways is a problem that will only get worse as the population continues to grow.

The report used ten case studies to show how diversions, damming, and the expanding demand for water are damaging Colorado's rivers. The case studies detailed varying impacts caused by reduced or altered flows, including fish kills, degraded water quality, reduced wildlife habitat and affected recreational opportunities — impacts that have far-reaching economic, social, and quality of life impacts. The case studies look at only a subset of rivers and streams that are showing signs of stress. The CO Division of Wildlife lists more than 570 waters that are limited by low and fluctuating stream flows.

Several factors are at the root of the problem, according to the report, including the overuse of water — a limited resource in semiarid Colorado — due to irrigation, power generation, municipal consumption and even recreational uses like snowmaking.

It faulted Colorado's 19th century system of water laws for allowing such overuse. The system has not evolved to address the state's rapid growth and the resulting impacts on rivers and streams. The report also faulted the State for its reluctance to use the limited authority available under current law to protect stream flows.

"Some of the state's water laws are so archaic that the senior holder of a water right, who chooses not to use his or her entire water allocation in order

to protect fish and wildlife habitat or water quality, can lose all or part of that right. This, in turn, creates a huge and very powerful disincentive to conserve water," said Bill Gordon, a rancher from South Park who supports stronger instream flow protection.

The report follows a major study released last month by the University of Colorado Natural Resources Law Center, which concluded that unfettered demand for water in the state due to continued growth along the Front Range and on the Western Slope will exceed currently available water supplies.

The TU report includes a series of strategies that will help restore stressed rivers and streams and prevent others from incurring similar harm, such as making better use of the limited protections under Colorado law, borrowing strategies from other western states, and aggressively protecting rivers that are still in good shape. In addition, individuals can help by:

- Reducing water use at home by using less water intensive yard plants, installing low-flow fixtures and appliances, and promptly repairing leaks,
- Getting involved with a local organization doing river restoration or protection, such as a Trout Unlimited chapter or watershed group,
- And working with state groups to support reforms to Colorado's water system, such as a bill allowing private individuals to convert existing diversionary water rights to instream flow uses.

"Fortunately there are common sense solutions to this pending environmental crisis. It's just a matter of summoning the courage and the political will," said Melinda Kassen, director of the Colorado Water Project.

"A Dry Legacy" is available electronically at www.cotrout.org, at public libraries throughout Colorado, and by contacting Megan Braet in the Boulder office at mbraet@tu.org.

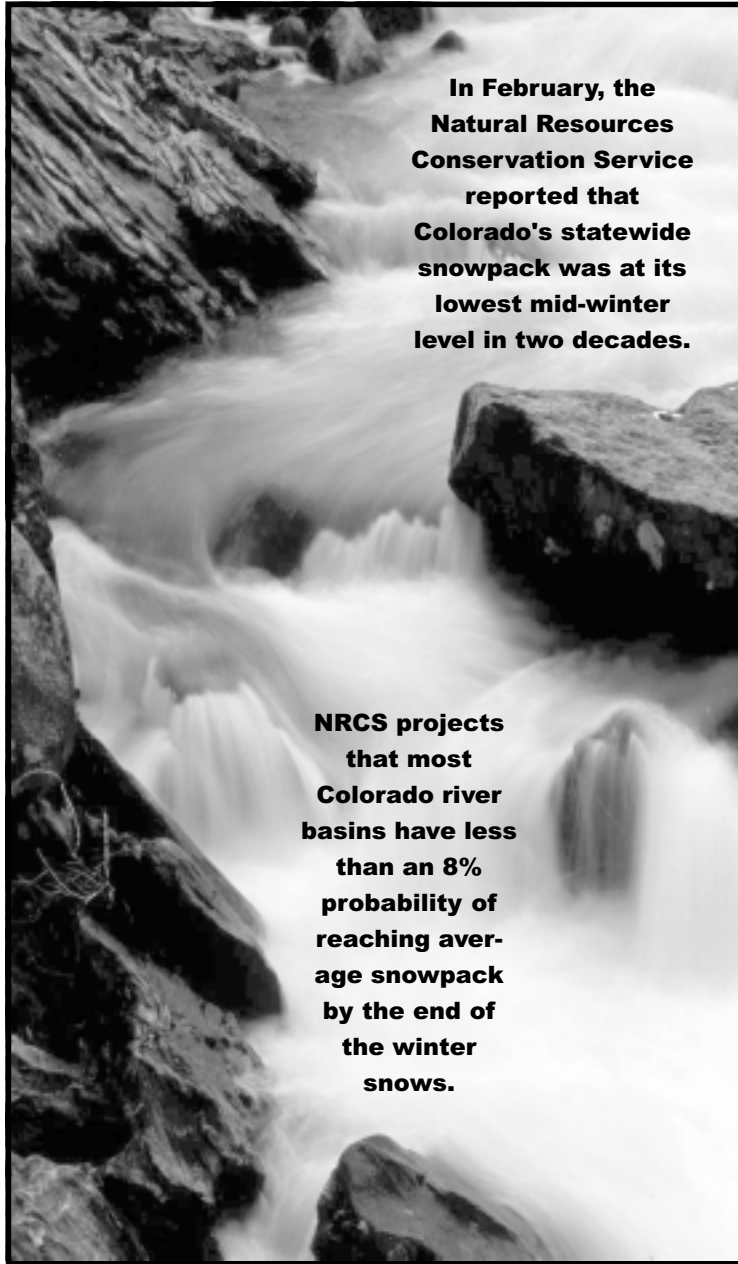
Financial contributions to the Colorado Water Project are tax deductible and greatly appreciated. Please make checks payable to Trout Unlimited and mail them to the project office at 1966 13th St., #LL60, Boulder, CO, 80302. Questions? Contact Melinda Kassen at (303)440-2937, or mkassen@tu.org.

Protecting Streamflows for Recreation Remains a Continuing Challenge in Colorado

Last year, the City of Golden secured a water right to protect water flowing through its Olympic-class kayak course on Clear Creek. The state opposed this water right in court, and Golden appealed. TU is one of several parties supporting Golden's right to this water and is also involved in two more court challenges to kayak courses, set for trial in May. TU will also participate in two additional cases that must go through the new state administrative process for claiming water for kayak courses, in addition to going through water court. Cities' ability to gain protection for kayak courses flows will remain one of the most contentious water issues facing Colorado, at least until the State Supreme court rules this fall.

The North Fork of the Gunnison River illustrates the problem of dry rivers in Colorado.





In February, the Natural Resources Conservation Service reported that Colorado's statewide snowpack was at its lowest mid-winter level in two decades.

NRCS projects that most Colorado river basins have less than an 8% probability of reaching average snowpack by the end of the winter snows.

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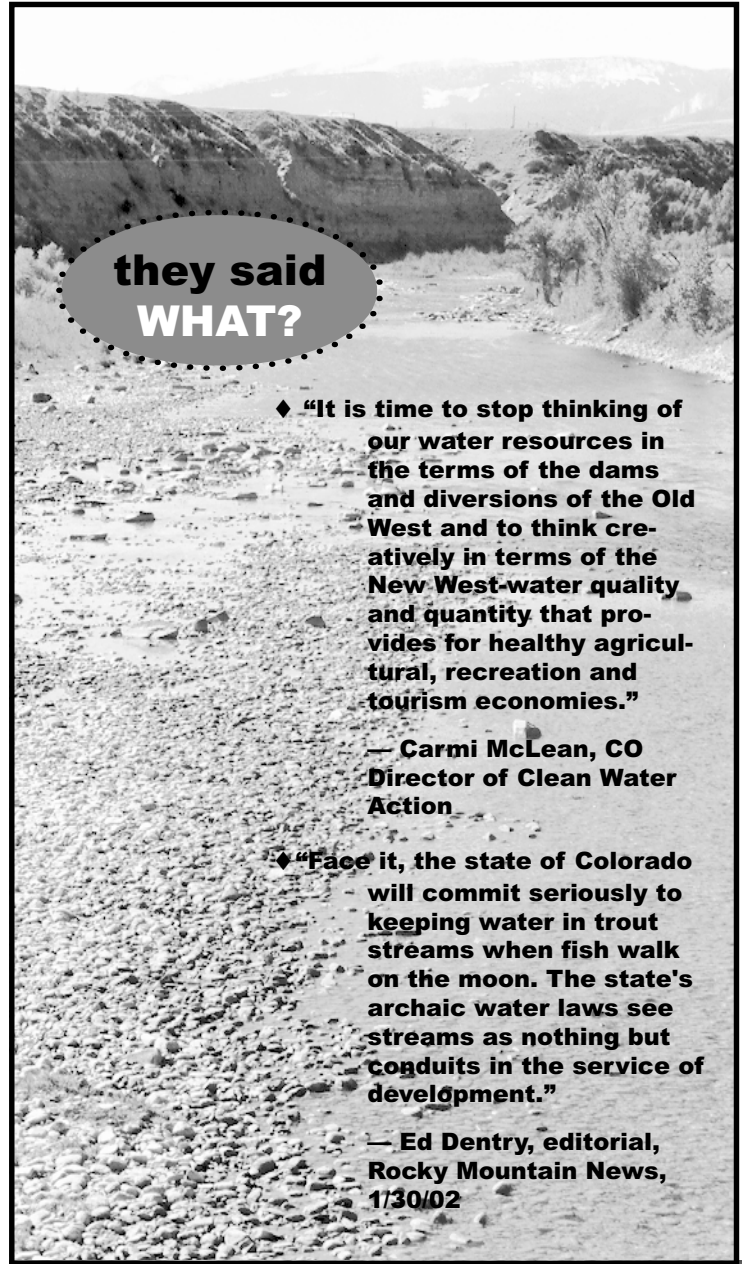
keeping current

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NEWS FROM THE WESTERN WATER PROJECT



INSIDE: Colorado's Dry Legacy
TV Report chronicles the draining of state rivers



they said
WHAT?

◆ "It is time to stop thinking of our water resources in the terms of the dams and diversions of the Old West and to think creatively in terms of the New West-water quality and quantity that provides for healthy agricultural, recreation and tourism economies."

— Carmi McLean, CO Director of Clean Water Action

◆ "Face it, the state of Colorado will commit seriously to keeping water in trout streams when fish walk on the moon. The state's archaic water laws see streams as nothing but conduits in the service of development."

— Ed Dentry, editorial, Rocky Mountain News, 1/30/02

KEEPING CURRENT is a publication of the Western Water Project, a joint initiative of Trout Unlimited and WaterWatch of Oregon. The mission of the Project is to work primarily at the state level in decisions affecting water allocation and water quality. The Project seeks to restore and maintain streamflows for healthy coldwater fisheries and increase meaningful participation in these decisions.