

Evolving Regional Frameworks for Ag-to-Urban Water Transfers

December 11, 2008, 8:30 to noon

University of Colorado Law School
Wolf Law Building, Wittemyer Courtroom

The permanent transfer of water from agricultural users to municipalities has become a common feature of water management in several western states. In many cases, these voluntary market-based transfers provide significant benefits to both the buyers and sellers, but many third parties—including remaining irrigators, rural businesses and communities dependent upon agricultural economies—have been negatively impacted. While some impacts of these so-called “buy and dry” transfers are largely unavoidable, many can be lessened by temporary arrangements that only shift water to cities in years when municipal supplies are inadequate, such as drought and post-drought storage recovery, and by consolidating individual farm-to-city water transfers within a regional framework where cumulative impacts can be anticipated and mitigated. Additionally, regional water transfer frameworks can potentially reduce the transactions costs (e.g., legal and engineering expenses, approval time) associated with shifting water, making water transfers a more cost-effective mechanism for cities adapting to the challenges associated with growth and climate variability.

In May 2008, the Lower Arkansas Valley “Super Ditch” Company was established to play this role in the active water market in southeastern Colorado, building upon the experiences and innovations of other regions—namely, the Palo Verde Irrigation District in Southern California, and the Fremont-Madison Irrigation District in Idaho. Please join us for a review of the experience in these three regions:

Presenters:

- **Peter Nichols**, *Trout, Raley, Montano, Witwer & Freeman, PC* (and General Counsel of the Lower Arkansas Valley “Super Ditch” Company)
- **Ed Smith**, General Manager, *Palo Verde Irrigation District*
- **Jerry R. Rigby**, *Rigby, Thatcher, Andrus, Rigby & Moeller* (and Counsel for Fremont Madison Irrigation District)

Moderator: **David Getches**, Dean and Raphael J. Moses Professor of Natural Resources Law