

APPENDIX C: La Plata River Compact Summary

The La Plata River Compact, which was ratified by Congress and became effective in 1925, provides for the diversion of flows between the States of Colorado and New Mexico as follows.

1. Between December 1 and February 15, each state shall have unrestricted use of water which may flow within its boundaries.
2. Between February 15 and December 1:
 - a. Each State shall have the unrestricted use of the water within its boundaries on each day the mean flow at the interstate gaging station (State Line gage) in 100 cfs or more.
 - b. When the flow at the interstate gaging station is less than 100 cfs, Colorado shall deliver at the interstate station a quantity of water equivalent to one-half of the flow at Hesperus gaging station (recorded flow at Hesperus plus concurrent diversions by ditches diverting above Hesperus) on the previous day but not to exceed 100 cfs.
3. At times of low flow the State Engineers may agree to rotate the entire flow to each State.
4. Use by New Mexico is at all times limited to the requirement for beneficial use.

When the flows at Hesperus drops to about 25 cfs or less, the ditches with senior water rights in Colorado have been permitted to divert the total flow. Experience has proven that return flow from these diversions during low flow conditions will produce essentially as much runoff at the State line as if the total Hesperus flow were allowed to traverse the entire stream channel. Item 3 allows a rotating schedule of deliveries to the respective states. This type of schedule has been implemented in the past. It should be noted this portion of the compact would need to be considered if an instream flow right was sought.