

**SUBMIT OPTION SUBMITTAL FORM BY:**

1. EMAIL TO: [COLORADORIVERBASINSTUDY@USBR.GOV](mailto:COLORADORIVERBASINSTUDY@USBR.GOV)
2. U.S. MAIL TO: BUREAU OF RECLAMATION, ATTENTION MS. PAM ADAMS, LC-2721, P.O. BOX 61470, BOULDER CITY, NV 89006-1470
3. FACSIMILE TO: 702-293-8418

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## Option Submittal Form

**Contact Information (optional):**

**Keep my contact information private.**

Contact Name: _____	Title: _____
Affiliation: _____	
Address: _____	
Telephone: _____	E-mail Address: _____

Date Option Submitted: 02/01/2012

**Option Name:**

Ute Indian Tribe Groundwater Use

**Description of Option:**

The Ute Indian Tribe (Tribe) of the Uintah and Ouray Reservation (Reservation) is presently engaged in meetings with a Federal Implementation Team, and will subsequently conduct meetings with the State, in order to reach an agreement as to a clarification and common interpretation of the Ute Indian Water Compact before obtaining final ratification of the Compact by the Tribe and the State, pursuant to the 1992 Ute Indian Rights Settlement Act. The Compact recognizes the Tribe's federally reserved water rights within the Upper Colorado River Basin, amounting to 480,594 Acre-Feet (AF) of diversions and 258,943 AF of depletions. A vast majority of these rights are derived from surface supplies. However, several large aquifers underlie the Reservation, of which some may not be hydrologically connected to surface water. The Ute Tribe seeks to develop groundwater where needed and economically feasible.

The State of Utah deducts all depletions from its apportionment of Colorado River water, whether the depletions derive from surface diversions or groundwater withdrawals. Hence, the State considers any new Tribal groundwater withdrawal as a deduction from the State's Colorado River apportionment. The Ute Tribe generally concurs with this position, but reserves the right to develop any groundwater under Tribal land that is not hydrologically connected to surface water. ("Hydrologically connected" means the interconnection of groundwater and surface water such that they constitute one water supply and the use of either results in an impact to both.) Withdrawals of non-hydrologically connected groundwater do not result in direct and measurable depletion of surface waters. Use of non-hydrologically connected groundwater should be treated as a new water source to which the Tribe has priority.

The Ute Tribe requests that Reclamation's Study adopt the option that the Ute Indian Tribe may engage in new Tribal development of groundwater that is not hydrologically connected to surface waters in the Colorado River Basin, and that groundwater that is not hydrologically connected should not be deducted from the Utah State allocation from the Colorado River. Development of such sources may augment supplies and alter demands in the Upper Colorado River Basin

**Location:** Describe location(s) where option could be implemented and other areas that the option would affect, if applicable. Attach a map, if applicable.

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The Reservation is located in northeast Utah. Several large aquifers underlie the Reservation, principally the Duchesne-Uinta, Bird's nest, Douglas Creek-Renegade, Mesaverde, and Dakota-Glen Canyon Aquifers. Smaller, localized aquifers are also present.

**Quantity and Timing:** Roughly quantify the range of the potential amount of water that the option could provide over the next 50 years and in what timeframe that amount could be available. If option could be implemented in phases, include quantity estimates associated with each phase. If known, specify any important seasonal (e.g., more water could be available in winter) and/or frequency (e.g., more water could likely be available during above-average hydrologic years) considerations. If known, describe any key assumptions made in order to quantify the potential amount.

Hydrologic connectivity and the available yield of all non-hydrologically connected aquifers underlying the Reservation are unknown. Because of this, rather than modeling specific quantities, the Tribe requests that Reclamation simply recognize and consider non-hydrologically connected aquifers as a new water source for future Tribal water supply development.

## Additional Information

**Technical Feasibility:** Describe the maturity and feasibility of the concept/technology being proposed, and what research and/or technological development might first be needed.

The Tribe anticipates no technical constraints to this option.

**Costs:** Provide cost and funding information, if available, including capital, operations, maintenance, repair, replacement, and any other costs and sources of funds (e.g., public, private, or both public and private). Identify what is and is not included in the provided cost numbers and provide references used for cost justification. Methodologies for calculating unit costs (e.g., \$/acre-foot or \$/million gallons) vary widely; therefore, do not provide unit costs without also providing the assumed capital and annual costs for the option, and the methodology used to calculate unit costs.

There will be well drilling and other costs to develop new Tribal groundwater supplies. Such costs will be covered by the groundwater developer(s).

**Permitting:** List the permits and/or approvals required and status of any permits and/or approvals received.

The Ute Tribe will permit all new groundwater development underlying Tribal land, pending State and Tribal ratification of the Tribe's Water Compact.

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**Legal / Public Policy Considerations:** Describe legal/public policy considerations associated with the option. Describe any agreements necessary for implementation and any potential water rights issues, if known.

The presented option will be subject to State and Tribal ratification of the Ute Tribe's Water Compact.

**Implementation Risk / Uncertainty:** Describe any aspects of the option that involves risk or uncertainty related to implementing the option.

Tribal development of new non-hydrologically connected groundwater will increase water supply in the Upper Colorado River Basin, which will decrease uncertainty in water planning.

**Reliability:** Describe the anticipated reliability of the option and any known risks to supply or demand, such as: drought risk, water contamination risk, risk of infrastructure failure, etc.

Tribal development of new non-hydrologically connected groundwater will increase the reliability of water supply in the Upper Colorado River Basin.

**Water Quality:** Identify key water quality implications (salinity and other constituents) associated with the option in all of the locations the option may affect.

None.

**Energy Needs:** Describe, and quantify if known, the energy needs associated with the option. Include any energy required to obtain, treat, and deliver the water to the defined location at the defined quality.

Energy Required	Source(s) of Energy
Not applicable.	

**Hydroelectric Energy Generation:** Describe, and quantify if known, any anticipated increases or decreases in hydroelectric energy generation as a result of the option.

Location of Generation	Impact to Generation
Not applicable.	

**Recreation:** Describe any anticipated positive or negative effects on recreation.

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Location(s)	Anticipate Benefits or Impacts
Not applicable.	

**Environment:** Describe any anticipated positive or negative effects on ecosystems within or outside of the Colorado River Basin.

Location(s)	Anticipated Benefits or Impacts
Not applicable.	

**Socioeconomics:** Describe anticipated positive or negative socioeconomic (social and economic factors) effects.

Tribal groundwater development will improve reliability of water supply to the Ute Tribe, improving economic and employment conditions on the Reservation.

**Other Information:** Provide other information as appropriate, including potential secondary benefits or considerations. Attach supporting documentation or references, if applicable.

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