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**Testimony
Before the Committee on Resources
United States House of Representatives**

**Hearing on:
*Abuses of the Endangered Species Act: the so-called "Preble's Meadow
Jumping Mouse"***

The Central Colorado Water Conservancy District (CCWCD) is located in Northeast Colorado from Commerce City north to Greeley and east to Fort Morgan. The District covers lands in Adams, Weld and Morgan Counties. One of the primary services of CCWCD to constituents is the augmentation of 1440 South Platte River alluvial irrigation wells (An alluvial well is a well that depletes the river flows when pumped). In Colorado, out of priority depletions from junior irrigation wells must be replaced via surface water sources to prevent injury to senior surface water users. Other duties of CCWCD include the development and operation of water storage facilities, surface and groundwater quality research, water education activities for students and adults, lobbying at the state and federal levels, and review of water rights applications in the Division One Water Court.

Recent drought conditions in Colorado coupled with stricter restrictions on well pumping in the South Platte River (over 1500 alluvial wells have been permanently shut down, and many more have had their allotments drastically cut) have increased the need for additional water projects. Within CCWCD, a group of 1000 irrigation well owners are pumping at a 50% quota in 2006, and the other 440 wells were shutdown in the middle of the irrigation season because of the lack of water supplies due to the ongoing drought. CCWCD has been a leader in developing water storage but the recent well curtailments proves the need for many more water storage projects. Without these additional water supplies, many farmers in CCWCD will not be able to continue to operate. These lost farms will have a tremendous impact on the local economies in Northeast Colorado, as most communities rely on agriculture.

In May, 1990 the CCWCD Board of Directors decided to invest in the right to store water in a mined gravel pit with a bentonite slurry wall liner (a wall that prevents water from seeping through the gravel pores and back to the river). This was believed to be the first slurry wall lined gravel pit used for Water Storage in the United States. The pit, Siebring Reservoir, is located west of Greeley and adjacent to the Cache la Poudre River. The reservoir covers approximately 120 surface acres and holds approximately 1,800 acre-feet. In May, 1994, three other gravel pit storage agreements were acquired. These sites, also along the Cache la Poudre River, include the 83rd Avenue Pit, Jo Dee Reservoir, and La Poudre Reservoir storage reservoir projects. These projects have provided CCWCD with an additional 2000 AF of water storage.

The District has also developed storage reservoirs along the South Platte River. In 1997, CCWCD acquired the water storage rights in a gravel pit, now called Walker Reservoir, located just north of Brighton (Walker Reservoir has recently been sold to the City of Aurora). CCWCD then acquired Koenig Reservoir northwest of Fort Lupton. This project is currently being mined by Weld County but upon completion it will yield 1,300 acre-feet of water storage. CCWCD currently has other water storage projects in Firestone, Milliken and Kersey. When completed these three projects will yield the District an additional 8000 AF of water storage.

Colorado has seen unprecedented growth along the Front Range in recent years, and the numbers are projected to continue to increase. Because of this growth, coupled with the

worst drought conditions the state has seen in over 300 years, water storage in lined gravel pits has become very expensive and limited. Many viable projects have had to be put on hold or turned down completely because of the so called Preble's meadow jumping mouse.

The listing of the Preble's meadow jumping mouse on the endangered species list has caused many water storage projects to be delayed or prevented from ever getting off of the ground. The process to assess a potential water storage project for the Preble's meadow jumping mouse costs precious time and money. The property must be assessed and then a report filed with the Fish and Wildlife Service. If there are no findings of the mouse you may get quick approval from the Fish and Wildlife service. The problem occurs when there is a finding of a Preble's meadow jumping mouse habitat on the property. A mouse Mitigation Plan must be created for the property and submitted to the US Fish and Wildlife Service. This usually takes a couple of months to complete. The real delays come once it is submitted. It takes about 30 to 45 days for the Fish and Wildlife Service to rule on whether or not your plan to relocate the mouse is acceptable. The mouse must be moved within an acceptable distance to the current habitat, usually somewhere else on or adjacent to the property. Many times a conservation easement is necessary for the area where the mouse is being moved. Once a conservation easement is placed on the land, all potential development, or additional storage potential is eliminated forever. If your mouse mitigation plan is not acceptable to the Fish and Wildlife Service, any hopes for the project are completely eliminated, as long as the Preble's meadow jumping mouse is listed as an endangered species.

While none of CCWCD's current projects are being slowed down by the so called Preble's meadow jumping mouse, the issue is a deep concern to the CCWCD Board of Directors. Many great water storage projects have been passed up since the listing of the mouse, and many will not be pursued in the future if the mouse remains on the endangered species list. CCWCD can not afford to tie up its limited funds into a project that may never get off the ground. The cash strapped farmers can't afford to remain in business why these important projects are put on hold.

CCWCD does not claim to be an expert on the science of the differences between the Preble's meadow jumping mouse to the much more common Bear Lodge meadow jumping mouse (along with any other mouse species for that matter). What we do know at CCWCD is the impact the listing of the mouse has had on the farmers in Northern Colorado. At a time when farmers are more desperate than ever for additional water storage in Colorado, a mouse, who may or may not be a subspecies of the common mouse seen everywhere, has caused many substantial water storage projects from ever getting off of the ground.

The real question is: Should a mouse, even when scientists can't agree on what exact species it is, be protected at all costs, even if one of the major costs is the extinction of the Northeast Colorado farmer who relies on irrigation wells to remain in business? If this is the case, many local economies will be destroyed in Northeast Colorado.