



# Colorado Scientific Society

## Lecture Announcement

Thursday, May 15, 2025, Calvary Church Golden



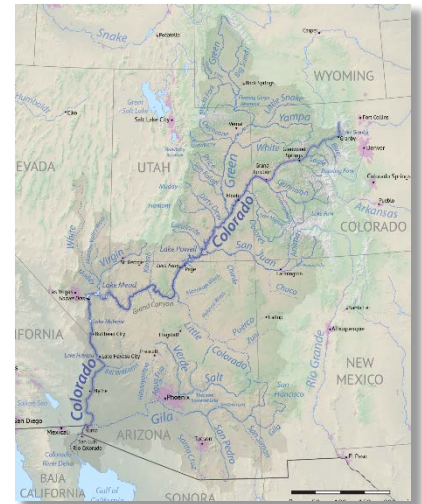
### 2025 Samuel F. Emmons Lecture

**Eric Kuhn**, Colorado River District (ret.)

## "The Consequences of the Compact Remain with Us": Challenges and Opportunities for the Colorado River Upper Basin

### Lecture Highlights:

Declining Colorado River flows are exposing critical ambiguities in the "Law of the River", the interlocking set of compacts, statutes, and court decisions that frame management and allocation of its waters. Perhaps most important among those is an apparent conflict between Article I of the Colorado River Compact, which calls for the "equitable division" of the river's waters, and Article III, which is interpreted as creating a firm delivery obligation of water from the river's Upper Basin to the Lower Basin. This apparent conflict has been ignored for decades due to surplus water deliveries, but with climate change depleting the river flow, we are approaching a point where that is no longer possible: a continuation of current practice would place the bulk of the burden of responding to climate change on the Upper Basin. That would hardly be "equitable". We argue this places a burden on the Upper Basin to choose among a narrow set of paths forward; 1) continuing with the status quo in hopes of negotiating more favorable near-term rules, 2) taking a hard line with the attendant risk of litigation, or 3) seeking a more equitable long term agreement.



### Speaker Background:

Eric Kuhn is the retired general manager of the Colorado River Water Conservation District and co-author of *Science Be Dammed: How Ignoring Inconvenient Science Drained the Colorado River* (University of Arizona Press, 2019). Eric started his career as a U.S. Navy engineer officer aboard nuclear submarines and worked as a nuclear start-up engineer for Bechtel Power Corp. In 1981, he was hired by the Colorado River District as Assistant Secretary-Engineer and appointed General Manager in 1996. Eric has served on the Colorado Water Conservation Board (1994–2001), as an at-large representative on the Colorado Inter-basin Compact Committee (2005–2018), and on the Engineering Advisory Committee of the Upper Colorado River Compact Commission (1982–2019).



Eric has authored or coauthored numerous articles and papers about the Colorado River. His research interests include how climate change affects operation of reservoirs in the Colorado River system and how the evolving hydrology of the Colorado River affects the law of the river.

**Keywords:** Colorado River, Colorado River Compact, demand management, curtailment, Upper Basin obligations, water conservation

