# MINUTES OF THE ARKANSAS RIVER COMPACT ADMINISTRATION

### REGULAR ANNUAL MEETING

December 13, 1983 Cow Palace Inn, Lamar, Colorado

The regular annual meeting of the Arkansas River Compact Administration was held at the Cow Palace Inn in Lamar, Colorado, on December 13, 1983. The meeting was called to order at 12:35 p.m. (MST) by Mr. Frank G. Cooley, Chairman and United States representative. Other members in attendance were:

### For Kansas:

Carl E. Bentrup--Deerfield, Kansas Ronald Olomon--Garden City, Kansas David Pope--Topeka, Kansas

### For Colorado:

Carl Genova--Pueblo, Colorado Leo Idler--Lamar, Colorado J. William McDonald--Denver, Colorado

Mr. Cooley introduced the members of the Administration. Mr. McDonald introduced the members of his staff and Mr. Pope introduced his staff members and others from Kansas.

The agenda for the meeting was introduced by Mr. Cooley and approved without change. The agenda is included as Attachment A.

The third item on the agenda was the approval of the minutes of the August 26, 1983, Special Meeting. Mr. McDonald stated that the minutes would be mailed to the members in the next few weeks for review.

Under agenda item #4, Report of Officers, Mr. Cooley, as chairman, noted there were differences between Kansas and Colorado which had not yet been resolved. He indicated that he would do everything possible to achieve a settlement by negotiation and arbitration to prevent a third lawsuit before the Supreme Court.

Following these comments, the Recording Secretary's report, Attachment B, was placed into the record without discussion.

155 arca/min (12/13/83) Mr. Cooley then entered the Treasurer's Report, Attachment C, into the record. Mr. Cooley asked about the investment of Compact Administration funds. Mr. Bentrup stated that they were invested in money market accounts. Mr. Genova indicated that the funds were earning about 9% interest.

Mr. Cooley then asked Mr. Jesse to present the Report of the Operations Secretary. Mr. Jesse briefly outlined the highlights of his annual report. Mr. Jesse stated that the water remaining in the Kansas transit loss account at the end of the year was distributed to the other accounts in John Martin Reservoir according to the operating plan. He noted that the Colorado Division of Wildlife made two major purchases from transmountain water that replenished the permanent pool and brought it to 13,480.61 acre-feet in September, 1983.

Mr. McDonald then moved that the Operations Secretary's, Recording Secretary's, and Treasurer's reports be received with the latter two to be included in the minutes. The motion was seconded by Mr. Olomon and passed upon the unanimous vote of Kansas and Colorado.

The Auditor's report for the fiscal year ending June 30, 1983, was then passed out but deferred for action later in the meeting.

The next items addressed were the committee reports. Mr. Cooley asked Mr. McDonald to present the Administrative and Legal Committee report. Mr. McDonald stated that the committee had met prior to the March 25, 1983, Special Meeting to discuss the proposed procedures of arbitration, but that no decision was reached on the matter. Mr. McDonald added that Colorado was pleased that Kansas had obtained funds to define the issues with which it was concerned and that Colorado would be available for discussion at such time as Kansas was ready to proceed.

Mr. Genova, as chairman of the Engineering Committee, stated that the Engineering Committee had not met during the preceding compact year and that there was no report.

Mr. Idler, as chairman of the Operations Committee, advised that there was a correction to the Operations Committee Report. The appropriate corrections were made by Mr. Cooley.

Mr. Olomon moved, seconded by Mr. Genova, that all committee reports be received and that the corrected Operations Committee Report (Attachment D), be included in the minutes. The motion was approved by Kansas and Colorado.

The next item taken up was the report by the U.S. Geological Survey presented by Doug Cain.

Mr. Cain stated that the new subdistrict chief would be Russ Livingston and that he would take over his duties around the first of March. Mr. Cain also briefly reported on the status of a comprehensive model of the Arkansas River basin that the USGS is preparing. The report will be in 4 parts and 3 parts of it should be approved this year. The fourth part of the study will be used to model various management alternatives. Mr. Lloyd Stulken, from the USGS in Kansas, briefly reported on two groundwater modelling projects for the Arkansas River in Kansas. There followed some general discussion on the need, frequency and accuracy of the flow measurements made by the USGS in Kansas, but no formal action was taken.

Mr. Mike Mocek presented a brief report on Corps of Engineers activities. He stated that because of District boundary changes the Tulsa District was now responsible for Corps activities in Kansas. He briefly described the status of several flood control studies as well as a small hydropower study on John Martin Reservoir and stated that any hydropower facility on John Martin Reservoir would not affect its operation. He also advised that there had been no Corps of Engineers flood control operations in either Trinidad Reservoir or John Martin Reservoir. There were several questions raised about a sediment resurvey of John Martin Reservoir. Mr. Mocek stated that there was no resurvey scheduled. It was requested that Mr. Cooley write to the Corps to determine the status of the resurvey programs and request a new sediment survey.

Mr. Ray Wilms of the Bureau of Reclamation then gave a brief report on the status of the the Fryingpan-Arkansas Project. He stated that the annual operating plan meeting would be held the following day in Pueblo.

The next item was the approval of the Auditor's report. Mr. McDonald moved, and Mr. Bentrup seconded, the approval of the corrected Auditor's report. The motion was passed upon the unanimous vote of Kansas and Colorado.

The next item on the agenda was the election of officers for Compact Year 1984. After a brief discussion, Mr. McDonald moved the nomination of the four existing officers to serve in their same capacity for the current compact year. The motion was seconded by Mr. Pope and was unanimously approved.

With respect to the appointment of committee members for compact year 1984, Mr. Cooley reappointed all committee members to their current committees.

The next item on the agenda was a review of the FY 83-84 expenditures, a review of the FY 84-85 budget, and the adoption of the FY 85-86 budget.

Mr. McDonald asked if the expenditures made during 1983-84 to date were consistent with the adopted budget (Attachment E)

and if there were any anticipated problems of over expenditures. Mr. Idler indicated that expenditures were within budget. Mr. McDonald stated that since the 1983-84 budget had been approved previously and since there were no problems, no action was required by the Administration.

Mr. McDonald noted that the 1984-85 budget had also been adopted previously but that it was necessary to determine if changes needed to be made. Mr. Idler stated that the amount budgeted for the Annual Report was probably too small. After some discussion on the need for publishing the minutes of the Administration's meetings in the Annual Report and the budget process with respect to the USGS cooperative agreement, Mr. McDonald moved that:

- a. The Administration revise the budget for FY 84-85 by changing the USGS line item to \$15,750 and adjust all the totals accordingly,
- b. The assessments for FY 84-85 as previously approved not be changed, and
- c. The budgeted expenditures be taken out of the surplus funds available to the Administration to the extent that budgeted expenditures will exceed assessments.

Mr. Pope seconded the motion which was then unanimously approved. The original and revised budget is included as Attachment F.

The next item was the adoption of the FY 1985-86 budget. After some discussion, Mr. McDonald moved that the USGS cooperative agreement be budgeted at \$16,050 and the budget be adopted with that change. The motion was seconded by Mr. Pope and the budget was unanimously approved and is included as Attachment G.

With respect to Agenda Item 11a, the Nine Mile-Highland Proposed Water Storage Program, Mr. McDonald stated that this is a request by the Colorado delegation that the Ninemile-Highland Canal Companies be granted an account for winter water storage in John Martin Reservoir. Colorado had provided to the Kansas delegation a proposed resolution which would create such an account. However, he indicated that Kansas had requested additional engineering data and analysis and that Colorado would therefore not bring the resolution to a vote. He emphasized that Colorado would like to work toward establishing an account by the next storage season.

With respect to Agenda Item 11b, Annual Report for 1982, Mr. McDonald reported that it was being drafted and would be out for review shortly.

With respect to Agenda llc, Transit Loss Account, Mr. McDonald stated that the Colorado delegation had some concerns with the present transit loss account system, but had no specific recommendations at this time. He requested that the Administration concur in directing the engineering committee to examine the provisions in the operating plan and if it finds desirable any potential changes, to bring those to the Administration. Kansas offered no objection to referring the request to the engineering committee.

With respect to Agenda Item 11d, the proposed transfer of the Rocky Ford ditch rights, Mr. McDonald noted that this item was added at the request of Mr. Bentrup. He stated that the change of water rights filing had been made in water court and that the State Engineer had intervened in the case to assure no injury to the river.

Mr. Bentrup stated that Kansas had prepared a resolution (Attachment H) and that the Administration could consider intervening in the transfer case in the Colorado Water Court. Mr. McDonald stated that Colorado would need to take a closer look at the resolution before discussing it.

Mr. Cooley then asked that Mr. Thomson, Southeast Colorado Water Conservancy District, give a brief report on the satellite gaging program. Mr. Thomson stated that there had been a request made earlier in the year to the General Assembly for \$500,000 for funding the Comsat satellite program which however was not funded. The Colorado Water Resources and Power Development Authority was subsequently authorized to finance such a program. The Authority authorized a contract with Sutron Corporation to install 82 gaging stations throughout Colorado. These stations will be administered by the State Engineer and the various Division Engineers.

Following Mr. Thomson's remarks, Mr. Mocek stated that he had just checked with the Corps' District Office and that there was no definite schedule for the sediment survey of John Martin Reservoir. The cost would be between \$50,000 - \$200,000 and could not be budgeted until after FY 1985. There was no further discussion on this matter.

Mr. McDonald stated that the Colorado delegation had some conversations with Leo Pollart regarding Amity's account for other waters in John Martin Reservoir. He indicated that Amity had some concerns about how their account is administered. Mr. McDonald indicated that the Colorado delegation wished to discuss the matter further and may request in the future that adjustments be made by way of amendments to the 1980 Operating Plan.

Following this the Rocky Ford transfer case was brought up again. Mr. McDonald read into the record the resolution proposed by Kansas (Atachment H) and asked for a recess, which was granted

by Mr. Cooley. Following recess, Mr. Cooley asked Mr. Bentrup to move for adjournment. Mr. Bentrup stated that they did not wish to adjourn. Mr. Cooley then observed that action on the proposed resolution raised major legal issues and that if there were no objections, he would declare the meeting adjourned.

There being no further business to come before the Administration, Mr. Cooley adjourned the meeting at 3:30 p.m.

The foregoing minutes were adopted on May 10, 1984 at the Special Meeting of the Arkansas River Compact Administration held in Las Animas, Colorado.

Frank G. Cooley

Chairman

Leo Idler

Recording Secretary

### ATTACHMENT A

# ANNUAL MEETING ARKANSAS RIVER COMPACT ADMINISTRATION

December 13, 1983 Cow Palace, Lamar, Colorado

12:30 p.m. (MST)

- 1) Call to Order and Introductions
- 2) Approval of Agenda
- 3) Approval of Minutes August 26, 1983 (Special Meeting)
- 4) Report of Officers
  - a) Chairman
  - b) Recording Secretary
  - c) Treasurer
  - d) Operations Secretary
- 5) Auditor's Report for F.Y. 82-83
- 6) Committee Reports
  - a) Administrative and Legal
  - b) Engineering
  - c) Operations
- 7) Election of Officers for Compact Year 1984 (November 1, 1983 October 31, 1984)
  - a) Vice Chairman
  - b) Recording Secretary
  - c) Operations Secretary
  - d) Treasurer
- 8) Appointment of Committee Members for Compact Year 1984 (November 1, 1983 October 31, 1984)
  - a) Administrative and Legal
  - b) Engineering
  - c) Operations
- Reports of Federal Agencies
  - a) Geological Survey
  - b) Corps of Engineers
  - c) Bureau of Reclamation

ATTACHMENT A

# 10) Budget Matters

- Review F.Y. 83-84 expenditures
- b) Review previously adopted F.Y. 84-85 budgetc) Prepare and adopt F.Y. 85-86 budget

### 11) Other Matters

- Ninemile-Highland Proposed Water Storage Program
- b) Annual Report for 1982
- Transit Loss Account, John Martin Operating Plan c)
- Proposed Transfer of Rocky Ford Ditch Rights d)

#### 12) Adjournment

/bm

### ATTACHMENT B

# ARKANSAS RIVER COMPACT ADMINISTRATION

The second secon

1001 S. Main Street LAMAR, COLORADO 81052

KANSAS
DAVID L. POPE. Topeka
CARL E. BENTRUP, Deerfield
Vice Chairman
RON OLOMON, Garden City

FRANK G. COOLEY Chairman and Federal Representative PO. Box 98 Meeker, Colorado 81641 COLORADO

J. WILLIAM McDONALD, Denver
CARL GENOVA, Puenio
LEO IDLER, Lamar
Treasurer

SECRETARY'S REPORT DEC. 13, 1983.

The 1983 irrigation season, water wise, was one of the best I have experienced since I started farming.

We had an above average snowpack and a very wet spring. This made a very good runoff into John Martin Reservoir. Our summer was very dry with many days above one hundred degrees, making the need for irrigation water for our farmland extremely high.

We have experienced very good relations with the U.S.G.S. personnel in their cooperation to keep the water measuring stations in working condition. One improvement I would suggest would be one stream measurement at the state line three days after water is turned out of John Martin Reservoir for Honors and another a week later to help in regulating the water delivery to them. The river cases to change considerably when the water in it rises abruptly making for much guessing on the part of Calamaio at the case delivery in the case delivery in their effort to deliver Hanass' share all there.

I believe that rether them living on some of the surplus funder to have on hand it would be better to use them for further improvement of our guaging stations, such as telephones on the various creeks furing the summer time only, when it would be nort edward togotus. To could pay for observers that live chose to the creeks and have telephones for first hand reports of a militians after rain others. To make their observations more occurate a could have staff guages on bridges located close to their homes for accurate absoruntions.

longeatfully submitted,

ATTACHMENT B

# TREASURER'S REPORT July 1, 1982 thru June 30, 1983

0 u1	<u> </u>	
CASH BALANCE, JULY, 1, 1982 RECEIPTS:		\$37,799
Revenue from Assessments:	11 608	
Colorado - 60%	11,608	
Kansas - 40%	7,736 2,80 <u>3</u>	
Interest TOTAL RECEIPTS:	2,00)	22,147
		44 y - 11
DISBURSEMENTS:	100	
Insurance Geological Survey	10,845	
Equipment	2,483	
Professional Fees	. 250	
Office Supplies	. 250 550	
Printing Annual Report	1.849	
Secretary's Salary - Net	1,849 3,359	
Payroll Taxes	482	
Telephone	1,336	
Typing & Mailing	326	
Bank Charges	12	
Travel and Meetings	73	
Secretarial	1,927	
TOTAL DISBURSEMENTS:		<u>23,592</u>
EXCESS OF RECEIPTS UNDER DIS	BURSEMENTS:	(1,445)
CASH BALANCE, JUNE 30, 1983		<u> 36,354</u>
·		<del></del>
BALANCE S		
July 1, 1983 thru D	ecember 10, 1983	
CASH BALAMCE, JULY 1, 1983 RECEIPTS:		<u> 56, 354, 68</u>
Revenue from Assessments:		
Colorado - 60%	17,454.72	
Kansas - 40%	11,636.48	
Interest	2 <b>.</b> 082.36	_
TOTAL RECEIPTS:		31,173.56
DICTURATIONES:		
Insurance	100	
U S Geological Survey	11 <b>,</b> 995 <b>3</b> 00	
Professional Fees	300	
Office Supplies	90.82	
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# ARKANSAS RIVER COMPACT ADMINISTRATION

1001 S. Main Street LAMAR, COLORADO 81052

#### KANSAS

DAVID L. POPE, Topeka CARL E. BENTRUP, Deerfield Vice Chairman RON OLOMON, Garden City

# FRANK G. COOLEY Chairman and Federal Representative P.O. Box 98 Meeker, Colorado 81641

# COLORADO

J. WILLIAM McDONALD, Denver CARL GENOVA, Pueblo LEO IDLER, Lamer Treasurer

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# ARKANSAS RIVER COMPACT ADMINISTRATION

1001 S. Main Street LAMAR, COLORADO 81052

KANSAS

DAVID L. POPE, Topeka CARL E. BENTRUP, Deerfield Vice Chairman RON OLOMON, Garden City

FRANK G. COOLEY Chairman and Federal Representative P.O. Box 98 Meeker, Colorado 81641 COLORADO

J. WILLIAM McDONALD, Denver
CARL GENOVA, Pueblo
LEO IDLER, Lamar
Tressurer

OPERATIONS COMMITTEE REPORT DEC. 13, 1983

The transfer of water to the accounts of the various entities in District 67 in Colorado and the Kansas account began on April 7th.

Delivery of the first irrigation matter for the year started on April 28th when a ditch in Colorado put in a call for water. Managet first call came on May 6th.

The contents of John Mertin Meservoir reached its highest elevation for 1983 when SM, Fll some feet of mater were stored on July 12.

Film Martin Reservoir conscrustion good was declars on by on August 27th. To more water was atorad in the conservation pool after that date for the caseson.

There were 104,785.45 acro feet of water releaced for Kansas ditches during the 1903 irrigation season. This included 5,800.52 acre fact of transit water loss account water added to their release to deliver their water across the state line. On October 31st, there remained 15,112.19 acre feet of water in their account. All measured flows passing the state line, from April 1st thru October 31st, were 129,160 acre feet. The Frontier ditch diverted 8,164 acre feet of water during this time making a total of 137,324 acre feet.

During the irrigation season of April through October there were 151,643.21 acre feet of water released for District 67 ditches. On October 31st, there remained 17,642.25 acre feet of water in the accounts of the ditches in District 67 for 1983.

The figures for the above all came from Robert Jessee's report to the Operations Committee for 1983. Mr. Robert Jessee is the Water Commissioner for the Arkansas River in Colorado and is also the Operation Committee secretary for the Arkansas River Compact Admin.

Respectfully submitted,

Leadelles Parell Clomore

# ARKANSAS RIVER COMPACT ADMINISTRATION

1001 S. Main Street LAMAR, COLORADO 81052

KANSAS

GUY E. GIBSON, Topeka CARL E. BENTRUP, Deerfield Vice Chairman RON OLOMON, Garden City

FRANK G. COOLEY
Chairman and Faderal Representative
P.O. Box 98
Meeker, Colorado 81641

COLORADO

J. WILLIAM MCDONALD, Denver
CARL GENOVA, Pueblo
LEO IDLER, Lamar
Treasurer

BUDGET

Fiscal Year July, 1983 - June 30, 1984

Λ.	SALARIES:		9,941.20
	1. Recording Secretary	3,600	
	2. Operations Secretary	6,100	
	3. Payroll Taxes	241.20	
В.	GUAGING STATIONS:		12,500
	l. Maintenance and Operation		`
	A. Cooperative		
	Agreement 12,000		
	B. Telemark Telephone		
	John Martin Dam		
	Granada 500		
C.	OPERATING EXPENSE:		4,650
	1. Treasurer's Bond	100	
	2. Annual Report	1,500	
	3. Office Expense		
	A. Telephone 1.500		
	B. Supplies500		
	C. Printing . 500		
	4. Travel and Meetings	250	
	5. Audit	300	
D.	CONTINGENCY:		2,000
Ε.	TOTAL BUDGET		\$29,091.20
	COLORADO (60%)	\$17.454.72	
	Kansas (40%)	<u> \$11.636.48</u>	

### ATTACHMENT F

## ANSAS RIVER COMPACT ADMINED

# LAMAR, COLORADO BLECA

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FRANK G. COOL Co.
Charman and Freleval Representative
P.O. Issue C.
Markett, Color, 1911 by

COLOR STATE

### BUDGET

# Fiscal Year July 1, 1984 - June 30, 1985

Λ.	SALARIES:			9941.20
	1. Recording Becretary		3,600	
	2. Operations Secretary		6,100	
	3. Payroll Texer		241.20	16,250
3.	GULGING STATIGES:			<del>12,500</del>
	1. Heintenance and Operation		• .	
	Cooperative-changed to	15,750 (Dec.	13, 1983)	
	Agreement	12,000	•	
•	B. Telemark Tolophone:			
	John Hartin Serv			
	Granada Guego	500		
C.	(PUNTING UMPANUN:			4,600
	A. Freadurer's Bond		100	
	2. Annual Report		1,650	•
	3. Office Expense			
	Telephone	1,600		
	D. Supplies	350		
	C. Printing	350		
	4. Travel and Leeting:		200	
	5. Audit		<u> </u>	
n.	CONTINGENCY:			1,000
E.	TOTAL BUDGET:			528,641,20
	COLORADO (60%)		\$16,804.72	\$31,791.20
	KANSAN (40%)	•	311,210.48	
	Desdard server 111	_		_

Budgeted expenditures in excess of assessments will come out of surplus. This was adopted Pec. 13, 1983

### ATTACHMENT G

# THURS RIVER COMPACT ADMITE

1001 S. W. (0 Street) EAMAR, COLOTYDO 61052

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TRANK C. COULTY
Charman and Ledor d Hebre entative
P.O. Son 127
Meeves, Colonado 1.15

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## BUDGET Fiscal Year July 1, 1985 - June 30, 1986

Λ.	SALARIES:			9,941.20
	1. Decording Secretary		<u>3,600</u>	
	2. Operations Secretary		6.100	•
	3. Dayroll Taxon		241.20	_
2.	dungino statuoni:			17,000
	1. Meintenance and Operation			
	Cooperative			
	Agroement	16,500		
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	John Lartin Uc.			• .
	Graneda Gurgo	<u> 500</u>		
C.	. This regard is the materia:			<u>1, 950</u>
	R. Treaturer's Bond		100	
	2. innual Report		2,000	
	N. Office Expende			
	A. Telephone	1.600		
	B. Supplies	350		
	C. Printing	350		
	4. Travel and Heetings		200	
	5. Audit		<u>350</u>	
() <b>.</b>	CONTRIGRICY:			1.000
E.	TOTAL BUDGET:			52,891.20
	COLORADO (60%)		119,734.72	
	KANS 13 (40%)		\$13,156.48	-

REVISED AND ADOPTED DECEMBER 13, 1983 LAMAR, COLORADO

### ATTACHMENT H

Kansas Resolution
Annual Meeting
Arkansas River Compact Administration
December 13, 1983
Lamar, Colorado

Resolve:

The Arkansas River Compact Administration's Legal and Administration Committee shall investigate and produce a report concerning the limitations if any exist on the Administration's ability to participate in state court proceedings. Said report shall be completed and delivered to the chairman not later than March 1, 1984.

Annua Meeting Arkansas Rwer Compact Admi December 13, 1983 Lamar, Colorado

Kosolui-The Arleaner River Compact Adminstrations. Legel & Administration Committee shall inastople. and produce a report Concerning the limitations if any exist on the administrations ellittle to participate in state report sheel he completed a develot to the chairman not later than March 1, 1984