

WATER RESOURCES
RECEIVED
NOV 10 1997
KS DEPT OF AGRICULTURE

1996 ARKANSAS RIVER COMPACT ADMINISTRATION

ANNUAL MEETING

held at the

COW PALACE INN
LAMAR, COLORADO

December 10, 1996

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES

Chairman, Arkansas River Compact Administrator:
Larry Trujillo



FOR COLORADO:

- Mr. James Rogers
- Mr. Carl Genova
- Mr. Chuck Lile
- Mr. Steve Miller

FOR KANSAS:

- Mr. Robert Buerkle
- Mr. Gene Overton
- Mr. David Pope
- Mr. John Draper
- Mr. Dale Book
- Mr. Leland Rolfs
- Mr. Donald Pitts

EXHIBIT LIST
ARCA Annual Meeting Transcript
December 10, 1996

<u>Exhibit Letter</u>	<u>Page No.</u>	<u>Item</u>
A	9	Agenda
B	26	Operations Secretary's Report
C	27	Resolution re: Operations Secretary's Reports
D	50	Corps of Engineers' Report
E	67	USGS Report
F	86	John Martin Storage Account Resolution
G	94	Audit Report
H	94	Treasurer's Report
I	95	ARCA Budgets
J	98	1996-97 Cooperative Joint Funding Agreement with USGS
K	98	1997-98 Cooperative Joint Funding Agreement with USGS
L	--	Attendance List

1 CHAIRMAN TRUJILLO: Why don't we all take a seat
2 and get this meeting started. We're already running
3 about a quarter of an hour late.

4 Call the 1996 meeting...annual meeting of the
5 ARCA to order. And at this time what I would like to do
6 is call on Mr. Lile and Mr. Pope to introduce the members
7 at the head table from their respective states and like
8 last year I would like to then turn it over to the
9 audience so each of you introduce yourselves. I know
10 most of you were here last year, I certainly can't
11 remember 95 percent of those names that were are here
12 from last year, and this year, so it will probably be a
13 good idea to reintroduce ourselves and at least I'll know
14 who is speaking during the meeting and with that, Mr.
15 Pope...

16 MR. POPE: Thank you, Mr. Chairman...is this
17 coming through? Thank you. Like to introduce the...of
18 course my name is David Pope, member of the
19 Administration and Chief Engineer for Kansas. Like to
20 introduce the other two members of the Administration
21 from Kansas. On my immediate right is Gene Overton and
22 next to him is Robert or Bob Buerkle, and both of these
23 gentlemen live in the Ark River Valley there at the
24 Stateline in the Garden City area. To my left Mr. John
25 Draper who is Special Assistant Attorney General for

1 Kansas in handling matters related to the Kansas-Colorado
2 case and other related matters to that. To his left is a
3 gentleman named Don Pitts. Don is an Assistant Attorney
4 General with the office of the Attorney General in
5 Topeka, also involved in these matters during the
6 litigation and related matters. To his left is Dale
7 Book. Dale has been involved in providing consulting
8 services, engineering services to us for many years and
9 is from Spronk Water Engineers. I would like at this
10 point, Mr. Chairman, if I could before I proceed further
11 -- let me go on and come back to that. Leland Rolfs is
12 legal counsel for the Division of Water Resources in my
13 office and he's the last gentleman here at the head
14 table.

15 I would like to, if I could come back for just a
16 second, many of you recall over the years that Mr. Book's
17 partner, Brent Spronk, has been with us many years, has
18 been very involved for the State of Kansas in terms of
19 the, not only the litigation between the states, but
20 helping provide advice to us on matters related to the
21 Compact. I think all of you are aware of his
22 unfortunate, untimely death earlier this year. I would
23 like to just take this opportunity to acknowledge his
24 service to the State and to the Compact Administration
25 and his presence in terms of providing engineering

1 matters related to water resources, so with that, I just
2 wanted to make that comment and pay tribute to Brent, who
3 helped us an awful lot.

4 With that, I think if you would like, I would
5 stop here and then the other people that are from Kansas
6 would introduce themselves as they go around. There
7 certainly are members from my staff and others here that
8 we will hear from.

9 CHAIRMAN TRUJILLO: Thank you.

10 MR. LILE: Thank you, Mr. Chairman. My name is
11 Chuck Lile. I represent the State of Colorado. To my
12 left is Jim Rogers who represents the lower Arkansas
13 River Basin Water District 67. Carl Genova and Special
14 Counsel, David Robins, is on our right over here we also
15 have with us from Colorado, State Engineer, Hal Simpson,
16 Division 2 and Operations Manager of the Compact
17 Administration, Steve Witte. We have Don Higbee with us
18 today. We have Bart Rickenbaugh in the back from the
19 Attorney General's Office, Dennis Montgomery and Steve
20 Kastner also are here. And I would ask that the Colorado
21 users, the rest of the Colorado Delegation introduce
22 themselves as they go around.

23 CHAIRMAN TRUJILLO: Thank you very much, Mr.
24 Pope and Mr. Lile. At this time I would also call on
25 each of you to introduce yourselves please and I want to

1 start with calling on Sandy so that he can also
2 acknowledge Mr. Garlutzo. Sandy.

3 MR. SANDY MACDOUGALL: Thank you, Mr. Trujillo.
4 My name is Sandy MacDougall. I'm the lawyer for the
5 Purgatoire Water Conservancy District. I regret to
6 inform the Compact Administration and others present that
7 Carmel Garlutzo, who was a driving force in the
8 Purgatoire River District, died on Saturday, December the
9 7th. Carmel was a lawyer in Trinidad, Colorado, native
10 of Trinidad and he was present at the inception of the
11 project as a private lawyer and negotiated some of the
12 contracts. He was the coordinator of the district during
13 the time the dam was under construction and when we first
14 started using the dam in the late '70's and he remained
15 the coordinator of the district until Thelma Lujan took
16 his place. Carmel will be sorely missed as a leader in
17 the Trinidad community and as a leader in the water
18 business in Huerfano County and Las Animas County and we
19 regret his passing. Thank you.

20 CHAIRMAN TRUJILLO: Thank you, Sandy. Why don't
21 we proceed there back and forth?

22 (Whereupon, the following people and
23 introduced themselves, as follows:)

24 Kevin Salter, Division of Water Resources in Kansas,
25 Garden City office. Mark Rude, Kansas Division of Water

1 Resources, Garden City. Don Hillyer, Kansas Geological
2 Survey, Lawrence. Jeff Lanterman, Kansas Division of
3 Water Resources in Garden City. Jeris Danielson,
4 Consulting Engineer for the Purgatoire River. Eugene
5 Aiello, President of the Purgatoire River Conservancy
6 District. Joe DeGarbo, Trinidad, Colorado, Water
7 Conservancy Board, Director. Ruben Jeris, Secretary,
8 Water Conservancy District. Thelma Lujan, Water
9 Conservancy District. Erma Evans, Director, Purgatoire
10 Water Conservancy District. Bruce Billings, City
11 Attorney, City of Trinidad, Colorado. Jim Fernandez,
12 Water Superintendent, City of Trinidad. Larry Gennette,
13 Kansas Water Resources, Garden City. Steven Hines,
14 Frontier Ditch, Coolidge, Kansas. Oliver Hines, Frontier
15 Ditch, Coolidge, Kansas. Randy Hayzlett, Southside
16 Ditch, Lakin, Kansas. Bob Lytle, Kansas Division of
17 Water Resources in Topeka. Don Steerman, I'm an attorney
18 for the Amity Ditch and the District 67 Ditch Association
19 and the Buffalo Canal. Tom Musgrove, Bureau of
20 Reclamation in Pueblo. Tom Gibbens, Bureau of
21 Reclamation in Loveland, Colorado. John Gierard, also
22 with the Bureau of Reclamation in Loveland. Julie
23 Swanda, also with the Bureau of Reclamation in Loveland.
24 Jack Garner, Bureau of Reclamation, Loveland. Leroy
25 Mauch, Fort Lyon Canal. John Lefferdink, Fort Lyon Canal

1 Company. Jim Putnam, USGS in Lawrence, Kansas. Bob
2 Goddard, USGS, Hays, Kansas. Bill Grasmick, Lower
3 Arkansas Water Management Association. Ken Smart, Amity
4 Canal. Joe Cline, Fort Lyon Canal. James Amos, Pueblo
5 Chieftain. Loretta Scott, Tribune Democrat. I'm again
6 Steve Witte with the Colorado Division of Water
7 Resources, I also serve as Operations Secretary to the
8 Compact Administration. Hal Simpson. Dick Kreiner,
9 Corps of Engineers, Albuquerque. Mark Harberg, Corps of
10 Engineers, Albuquerque. Lieutenant Colonel Steve Wagner,
11 of the Albuquerque District of Corps of Engineers. Jim
12 Townsend with the Corps of Engineers out of Pueblo. Don
13 Higbee, ARCA Recording Secretary. Danny Marquez,
14 Division of Water Resources, District 19 Water
15 Commissioner, Trinidad. Vicki Taylor, CWPDA. Bill
16 Allen, Colorado Division of Water Resources at Las
17 Animas. Steve Malot, Catlin Canal. Frank Milenski,
18 Catlin Canal. Dennis Montgomery, Special Assistant
19 Attorney General for Colorado. Bart Rickenbaugh,
20 Colorado Attorney General's Office. Keith Kepler,
21 Colorado Division of Water Resources, Pueblo. Doug Cain,
22 US Geological Survey, Pueblo. Ron Steiger, US Geological
23 Survey in Pueblo. Walter Trujillo, Pueblo. Bill Broils
24 Keesee Ditch Company, Lamar. Sue Edling, Colorado
25 Division of Water Resources. Dan Neubold, Colorado

1 Division of Water Resources, Lamar. Bill Tyner, Colorado
2 Division of Water Resources, Pueblo. Dale Straw,
3 Colorado Division of Water Resources, Pueblo. Steve
4 Kastner, Colorado Division of Water Resources, Pueblo.
5 Steve Miller, Colorado Water Conservation Board.

6 CHAIRMAN TRUJILLO: Thank you folks very much.
7 We will now proceed to the agenda and I can assure you
8 we're going to try to move the agenda so we can get you
9 folks out of here at a decent hour and still complete the
10 business before the Administration. First on the agenda
11 is the approval of the Proposed Agenda. I understand
12 that there's some changes, Mr. Lile, Mr. Pope.

13 MR. LILE: Thank you, Mr. Chairman. I would
14 like to suggest under agenda item, I believe it's 13
15 concerning the Highland and Nine Mile litigation, perhaps
16 we may need a brief executive session around noon just
17 before lunch to discuss that case and I would ask that we
18 adjust the agenda to reflect that just before lunch time.

19 CHAIRMAN TRUJILLO: About how much time do you
20 think you will need?

21 MR. LILE: Probably no more than 15 minutes.

22 CHAIRMAN TRUJILLO: Why don't we set that at,
23 say, 11:40, try to finish our business by that time. Any
24 other changes? Any other changes to the agenda. If not,
25 the Chair would entertain a motion to approve the

1 proposed agenda as printed with the addition that item 13
2 we'll go into a brief executive session at 11:40 in the
3 morning in order to take care of some business telephonic
4 ...through the telephone. Motion please.

5 MR. OVERTON: I move we approve the agenda.

6 CHAIRMAN TRUJILLO: Any second?

7 MR. GENOVA: Seconded.

8 CHAIRMAN TRUJILLO: It's been moved and seconded
9 that the agenda as proposed with the...the proposed
10 changes will be approved. All in favor say aye.

11 MEMBERS: Aye.

12 CHAIRMAN TRUJILLO: All opposed, no. The agenda
13 is approved and we will go to item 3 on the agenda and
14 that is the approval of transcripts and summaries of
15 prior meetings. Mr. Miller where are?

16 MR. MILLER: The '93 transcript is still not
17 prepared. That's the transcript we had problems with a
18 new court reporter that wasn't familiar with our
19 terminology and procedures and made it hard for him to
20 complete the project. I agreed last year to try and do
21 that for him and didn't get it done. I talked to Lee
22 last night and believe that if he gave me until the end
23 of January to attempt to accomplish that, that would be
24 okay with Kansas, and if I'm unable to do it, then we
25 will have to look at ARCA hiring someone to complete that

1 project. It would involve listening to tapes, correcting
2 the transcript, trying to contact that reporter and see
3 if we can get the work he's done to date in electronic
4 form so that we can complete the revision ourselves. I'm
5 on here for D, and rather than hand the microphone back
6 and forth, I would rather jump to that one.

7 CHAIRMAN TRUJILLO: Yes, please.

8 MR. MILLER: I have three copies of the
9 transcript of the special meeting we had last January.
10 Lee and I worked on that and in March, after he and I had
11 an agreed version I sent it to all of the Administration
12 members. Have not heard anything so I believe it is
13 acceptable and ready to be approved. I think Lee
14 probably feels the same.

15 CHAIRMAN TRUJILLO: Okay.

16 MR. MILLER: Lee is going to do the other two.

17 CHAIRMAN TRUJILLO: Sure. The Chair would
18 entertain a motion to approve the special meeting of
19 January 26, 1996.

20 MR. LILE: I would so move.

21 MR. POPE: Second.

22 CHAIRMAN TRUJILLO: It's been moved and seconded
23 to approve the 1996, January the 26th meeting minutes.
24 All in favor signify by saying aye.

25 MEMBERS: Aye.

1 CHAIRMAN TRUJILLO: All oppose, same sign.
2 Motion carries. We will now go to Mr. Rolfs with the
3 reports for the annual meeting transcripts.

4 MR. ROLFS: Thank you, Mr. Chairman. I'm Lee
5 Rolfs. We have completed the 1994 transcript and I
6 believe it was previously approved by the Compact
7 Administration subject to any discrepancies being worked
8 out between the two states. Steve Miller and I have
9 agreed on those corrections and we have brought copies
10 here today to be signed. The 1995 transcript has been
11 completed and Colorado...Steve Miller and I have agreed
12 on the corrections to it and it is also here for signing
13 today upon the approval of the Compact Administration.

14 CHAIRMAN TRUJILLO: Thank you very much. Do I
15 hear a motion for the approval of the December 1995
16 annual meeting transcripts?

17 MR. POPE: I so move.

18 MR. LILE: Second.

19 CHAIRMAN TRUJILLO: All in favor signify by
20 saying aye.

21 MEMBERS: Aye.

22 CHAIRMAN TRUJILLO: All opposed, same sign.
23 December 1995 annual meeting transcripts are approved and
24 I might add at this point Mr. Miller and Rolfs from
25 Kansas, I don't know if you folks out in the audience

1 realize it but there were some transcripts and also the
2 annual reports that were in arrears and these two
3 gentlemen have worked very diligently during the last
4 year trying to catch them up. They have done a great job
5 with just about catching up the reports and I say that
6 only because I would like for you folks to acknowledge
7 the hard work that they do. I'm sure they have many,
8 many other duties. It's a side job they have got and
9 they have been working on them, it's a difficult job,
10 it's a tedious job reading transcripts and correcting
11 certainly isn't the most exciting thing there is to do
12 and I certainly want to thank them and acknowledge the
13 good work that they do in this area and they have done
14 for the Administration.

15 We'll now go to item 4, Report of Officers of
16 the Compact.

17 MR. LILE: I was curious, Mr. Chairman, did we
18 approve '94 and '95 in the same motion?

19 CHAIRMAN TRUJILLO: The '94's are not ready, the
20 way I understand it. Are the '94 transcripts you're
21 talking about?

22 MR. POPE: My understanding, Mr. Chairman, from
23 what Mr. Rolfs said a minute ago was that we had already
24 approved the '94 subject to representatives of...I think
25 Steve and Lee agreeing that there was a couple minor

1 changes that needed to be looked at and I think so it's
2 officially already done.

3 MR. LILE: I just wanted to make it clear.

4 CHAIRMAN TRUJILLO: I guess those were the ones
5 that are ready for signature, '94 and '95?

6 MR. ROLFS: Yes.

7 CHAIRMAN TRUJILLO: Okay. Thank you. The item
8 number 4A, the Chairman's report. I've got no official
9 reports to submit to the Administration however I would
10 like to make a few remarks first. I would like to thank
11 Mr. Pope and Lile for last year, those of you folks who
12 were here last year we set up a telephonic meeting
13 followed up, I believe January, maybe early part of
14 February, latter part of January. That meeting was held.
15 Everybody at their respective offices in Kansas or
16 Colorado, meeting went off well, and a report was made
17 and I hope a little later probably make more reference to
18 that meeting. I also want to inform the members here, I
19 had the privilege, thanks to the Southeastern Water
20 Conservancy District, Mr. Milenski, who is in the
21 audience, they put together a meeting, rather a tour of
22 the Arkansas River from Pueblo to Coolidge, Kansas, and I
23 had the opportunity along with the water judge from this
24 district, Judge Anderson, to attend that two day tour and
25 we saw every diversion from the river and every inlet

1 from the river, looked at...and actually saw the location
2 of all of the monitoring stations, and it was certainly
3 quite an educational day for me seeing all of those items
4 and I would recommend that anybody...the Conservancy
5 District does this periodically, that has not done this
6 and is interested in the river, it's certainly a good way
7 to spend two days and obtain a lot of knowledge about the
8 diversion of that river. I know that they are planning
9 another one for the northern part of the Arkansas River
10 from Pueblo on up to the head waters, and I guess what
11 I'm going to request from Frank and also the Southeast
12 Water Conservancy District, is that our colleagues from
13 Kansas, particularly Commission members also be included
14 in those in the future, and I too intend to ask something
15 like that be put together for Kansas from the Kansas
16 state line east, and at least give us some knowledge of
17 the diversion of water in that area also.

18 The other item that I would just like to throw
19 out, I guess more for the...to be digested by members of
20 the Compact and of the Administration and also the
21 engineers and the attorneys on...from both states, it
22 appears to me that the, while this annual meeting is
23 required and necessary and certainly beneficial and
24 needed in order to formalize and legally
25 comply...formalize and legally comply with

1 the...formalize and legally comply -- the mic is off so
2 I'll just raise my voice -- the business of the Compact,
3 it is...I begin to wonder whether or not the
4 Administration, the six men who serve as the
5 Administration and the chairman not be briefed in a more
6 frequent manner by either our two most active members of
7 course and who we really depend on, Mr. Pope and Mr.
8 Lile, and maybe even legal counsel from both states or
9 the Attorney General's office involved in litigation. I
10 just begin to feel, and I did not bring this up earlier
11 because of the, let's face it, the federal election that
12 just occurred, not knowing whether or not there would be
13 any change in the chairmanship of the Administration. I
14 don't anticipate there will be any change and I
15 just...maybe I'm the only one that feels at a loss on the
16 Administration, but I feel a periodic briefing either
17 telephonically or maybe a meeting every six months in
18 between the annual meetings for a briefing, if you read
19 the State statutes and the federal statutes, there's an
20 awesome responsibility that you six gentlemen have and I
21 think looking at the history of it, certainly the two,
22 what I would call for lack of better term, main players
23 on the Administration, at times, and Mr. Pope and Mr.
24 Lile do an excellent job at carrying out the duties of
25 the Administration, but I also feel that a more detailed,

1 more frequent briefing is in order, and I throw that out
2 on the table as my report and hopefully so that the
3 gentlemen of the Administration can digest it, come back
4 with some ideas and inform me, and short of that, I
5 certainly would probably take it upon myself to call an
6 additional meeting once a year whether it be telephonic
7 or in person maybe in Kansas so we wouldn't have them all
8 in Colorado for a briefing and updating. I believe
9 that's in order and I certainly would welcome back
10 ...welcome any feedback from the members of the
11 Administration and I continue to call this a Commission.
12 I serve on so many commissions, that I guess that's just
13 out of habit but when I use that word Commission, I'm
14 talking about the Administration. That is the total of
15 my report and at this time I would like to call on the
16 ...we've got a mic that's working and let's hope we don't
17 break it -- Chuck, did you break it?

18 MR. LILE: Yes.

19 CHAIRMAN TRUJILLO: I understand...it's my
20 understanding that the Recording Secretary, Mr. Higbee,
21 and the Treasurer's Report, Mr. Rogers, will be taken up
22 at a later time on the agenda. Is this correct?

23 MR. ROGERS: Yeah, on item 15.

24 CHAIRMAN TRUJILLO: The items B and C under 4
25 will be taken care of under the Treasurer's Report under

1 15, therefore we'll proceed to the Operating Secretary,
2 Mr. Witte, with your report please.

3 MR. WITTE: Do you want to wait...

4 CHAIRMAN TRUJILLO: Do you want to delay that
5 until item 5C. Then we will move to item 5 which is a
6 committee report from the Compact and the three
7 committees met last night. I understand that they were
8 diligently at work and at this time I would like to call
9 on the chairman of that committee, Mr. Lile, to make his
10 report.

11 MR. LILE: Thank you, Mr. Chairman. The
12 Administrative Legal Committee had no business to discuss
13 last night in the meeting. There was no meeting so
14 consequently there will be no report.

15 MR. GRASMICK: Mr. Lile we can't hear you.

16 MR. LILE: The Administrative and Legal
17 Committee didn't have any business to perform last night
18 so we didn't need...there's no report. I'll turn it back
19 to the chairman.

20 CHAIRMAN TRUJILLO: Thank you, Mr. Lile. The
21 Engineer's Report, the Chairman, Mr. Pope.

22 MR. POPE: Thank you, Mr. Chairman. The
23 Engineering Committee which consists of myself as
24 chairman and Carl Genova, did meet last night for
25 approximately an hour, I think. I have not prepared a

1 written report, so we will give just a brief oral summary
2 of that. Your agenda shows the four different items that
3 we discussed at the...at the committee. The first of
4 those related to a proposed storage account at John
5 Martin Reservoir to facilitate Colorado Compact
6 compliance. The committee did discuss that matter
7 briefly and primarily I would note that as a result of an
8 earlier informal meeting in the afternoon between
9 representatives of the states, that a process was
10 developed to try to best deal with this issue in regard
11 to how we can proceed. The discussions, I think probably
12 it's mutually agreed by the parties, were productive and
13 that in the...later in the agenda that my understanding
14 is that a resolution will be considered by the
15 Administration for how to best characterize the status of
16 this particular matter that would be going back to item
17 number 11, Mr. Chairman. So I think in terms of any
18 action, we would defer at this time but I would certainly
19 indicate that there's interest, I think, by members of
20 the Administration and -- will this help back there
21 better?

22 UNIDENTIFIED SPEAKER: No.

23 MR. POPE: About to lose my voice. I may have
24 to try it this other way and those of you may not have to
25 put up with much more discussion from me at the rate I'm

1 going. In any event the...how is that now? Let me back
2 up a little bit. With regard to the first item on the
3 agenda dealing with proposed storage account at John
4 Martin Reservoir to facilitate Colorado Compact
5 compliance beginning with the request from myself, an
6 informal session was held. There was an agreement on the
7 need for those kinds of discussions by Mr. Simpson and
8 other members from the Administration from Colorado. The
9 discussions were held, I think the general conclusion was
10 that they were helpful. No one, I think is setting here
11 saying that we have resolved all of these issues yet at
12 this point and I think my main report, Carl, if you
13 concur with this, is that the action related to this
14 would then be deferred until item number 11 on the agenda
15 where we anticipate some language being worked on by
16 counsel for the states to be considered at that time as
17 far as characterizing the status of that matter. Is that
18 a fair statement on that?

19 MR. GENOVA: I would say so, yes.

20 MR. POPE: Without going into a lot of detail of
21 that matter at this time. The second item on the agenda
22 was related to a status report from the US Geological
23 Survey on the new tributary gages. In review of the
24 installation, initial data and hydrograph separation
25 methods, we get did a report from Doug Cain and Ron

1 Steiger with the status of that matter. They explained
2 to us the method that was used by them to try to separate
3 out the run off from base flow. We received that
4 information either just before the meeting or at the
5 meeting, I don't believe that either state has had a
6 chance to totally digest it. I think our review and
7 consensus on that in the committee was we need to each
8 have an opportunity to review that information and
9 provide any feedback back to the US Geological Survey.
10 Further, I think it was our conclusion that we need to
11 continue with this measurement program for at least
12 another year and get a better feel in terms of the value
13 and the nature and how the information would potentially
14 be used in the future. Carl, does that...do you concur
15 with that?

16 MR. GENOVA: Yes, that covers it.

17 MR. POPE: Third item on the agenda was the
18 status report from the US Geological Survey on the
19 Purgatoire transit loss travel time study. We did
20 receive a status report from Doug Cain on that matter.
21 He indicated that the draft report that had been provided
22 earlier has now been finalized and will be published by
23 the US Geological Survey on phase one of that study and
24 that some discussions apparently are occurring between
25 the GS and the district in regard to a second phase.

1 The...no action or further consideration, I believe, was
2 taken by the committee in regard to that other than just
3 to sort of monitor that as time goes on to see what
4 appropriate role, if any, will be there for the
5 Administration. I think we were reminded about Mr.
6 MacDougall for the district, that there's an item that
7 had been tabled from a couple of years ago regarding a
8 request by the district that is not ripe yet for further
9 consideration until this matter of the study is
10 concluded.

11 The fourth item was a report from the Corps of
12 Engineers regarding the channel capacity study below John
13 Martin and Pueblo reservoirs and we did receive that
14 report. I would note again as with these other items,
15 that we will, I think the Corps would likely probably
16 report on that at least to some degree later in the
17 agenda so I probably would not need to go into any more
18 detail on that, but we did receive and appreciate the
19 study that's ongoing in regard to that matter.

20 With that, I believe that would complete my
21 report as chairman, I would again ask Mr. Genova if he
22 has any additions or other comments on the report,
23 actions of the committee?

24 MR. GENOVA: I think you have pretty well
25 covered it, Mr. Pope, and I think it's accurate.

1 MR. POPE: Thank you very much.

2 CHAIRMAN TRUJILLO: Thank you, Mr. Pope. Can we
3 have the mic here?

4 MR. POPE: Yes.

5 CHAIRMAN TRUJILLO: We will now go to item
6 number C on the agenda, Mr. Rogers, the Operations
7 Committee Chairman.

8 MR. ROGERS: Thank you, Mr. Chairman. The
9 Operation Committee did meet last night and we discussed
10 the items on the agenda and so we'll start with Mr. Steve
11 Witte, item Number 2.

12 MR. WITTE: I'll try to speak up and if that's
13 sufficient, we'll just leave the mic up there.

14 CHAIRMAN TRUJILLO: Sounds real good. You don't
15 need a mic.

16 MR. WITTE: Okay. At the Operations Committee
17 meeting last night I did submit my report as Operations
18 Secretary for Compact Year 1996. I would make just a few
19 summary remarks regarding operations during the year. As
20 more fully detailed in that report, we began the 1996
21 Compact Year with about 257,884 acre feet of water in
22 storage in John Martin Reservoir. Of the 257,884 acre
23 feet in storage, as of November 1, 1995 that consisted of
24 191,250 acre feet in agreement accounts, 9,469 acre feet
25 in the permanent pool and 57,164 acre feet of water in

1 conservation storage that had not yet been transferred
2 into agreement accounts as of that time.

3 Also on November 1 we redistributed water from
4 the Kansas transit loss account that was in excess of
5 that needed to insure deliveries of Kansas's entitlement
6 to the Stateline. That redistribution involved the
7 transfer of 11,172 acre feet to Kansas and to Colorado
8 accounts. At the end of the Pueblo winter water storage
9 program as it is often referred to, there was a total net
10 storage of 34,107 acre feet. This water was subjected to
11 the 35 percent assessment for distribution of 11,937 acre
12 feet into the transit loss account at that point in time.
13 At the end of the Compact storage period, winter storage
14 period on April 1, there was a total net storage of
15 47,585 acre feet, and at that point in time there was
16 a...we began the transfer, continuing the transfer of
17 water from conservation storage into individual agreement
18 accounts for Colorado and for Kansas and this was
19 completed on May 18. There were, during the summer
20 storage period, 11 separate storage events during which
21 time about 80 thousand acre feet was captured. Also
22 during the summer period -- or excuse me -- throughout
23 the Compact Year, a total of 74,822 acre feet were stored
24 in section 3 accounts. There was only one -- excuse me
25 -- there was...there were 4 storage events which caused

1 contributions to the permanent pool in the 1996 Compact
2 Year. All of those were attributable to the Colorado
3 Division of Wildlife's Muddy Creek Reservoir priority
4 being entitled to receive water, and that resulted in
5 about 884 acre feet being added to the permanent pool.
6 Kansas called for six separate releases of its Article 2
7 water. The total release demanded was 66,057 acre feet,
8 and according to the accounting that is detailed in my
9 report, which can be found in tables 11, 12 and 13 which
10 shows that those...there was an equivalent Stateline flow
11 matching those releases delivered to the Stateline
12 according to the rules of crediting as they were applied
13 in 1996. I understand there's going to be some
14 additional discussions regarding this, and rather than
15 going into any detail on that at this time, I'll defer
16 for the moment. John Martin Reservoir was used as a
17 regulating vessel pursuant to a previous resolution by
18 the Administration to enable the city of Lamar to deliver
19 some Frying Pan-Arkansas project water or to re-regulate
20 that through John Martin Reservoir for its own purposes
21 and that also is detailed in the report.

22 Finally, at the...at the end of the Compact
23 Year, the contents of the reservoir were 230,535 acre
24 feet which is about 27,349 acre feet less than on the
25 same date a year ago.

1 As I said, my report was submitted to the
2 Operations Committee last night. My understanding is
3 that it was accepted by the committee with a reservation
4 that is going to be dealt with by resolution to be
5 offered at some point later on in the agenda. And
6 perhaps it will be offered by Chairman Rogers after the
7 conclusion of my remarks.

8 I wanted to point out that in the section of my
9 report dealing with deliveries to the State of Kansas,
10 indeed, throughout my report, the only...only those
11 augmentation operations that happen to be concurrent with
12 demands for deliveries of Kansas's Article 2 account have
13 been detailed in this...in this report. So I think that
14 concludes my report on the 1996 Operations Secretary
15 activities for the year.

16 CHAIRMAN TRUJILLO: Any questions? If not,
17 thank you very much and the report will be received and
18 filed with the secretary.

19 MR. WITTE: Mr. Chairman, did you want me to go
20 ahead and address item 3 at this point in time?

21 CHAIRMAN TRUJILLO: Yes.

22 MR. WITTE: The Kansas Water Commissioner and
23 myself have not yet reached an agreement concerning the
24 rules of...of crediting for the year 1997. Perhaps we
25 will be able to complete that by the end of today or if

1 not today then at some point in the near future. If we
2 fail in that effort to reach an annual agreement then the
3 procedure to be followed are those outlined in section
4 2E4 and section 3D of the 1980 Operating Plan itself. As
5 I say, I suspect we will have some further discussions
6 later today and perhaps can conclude an agreement but we
7 have not done so at the present time.

8 CHAIRMAN TRUJILLO: Okay. Thank you. Mr.
9 Rogers, do you want to make some reference to the, or you
10 Steve, to the 1996 and the 1994 operations; are you going
11 to have additional discussions on that or address it
12 later on today or on a different date?

13 MR. WITTE: My understanding is that a
14 resolution will be offered today that accepts both the
15 1994 Operations Secretary's Report as well as the 1996
16 Operations Secretary's Report with...subject to inserting
17 three points as footnotes to the tables delivering...the
18 tables dealing with deliveries of Kansas's Article 2
19 account water.

20 CHAIRMAN TRUJILLO: Chairman Rogers.

21 MR. ROGERS: Okay. I guess we got a resolution
22 here. It's Resolution of the Arkansas River Compact
23 Administration. The annual reports of the Operations
24 Secretary for 1994-'96 are accepted subject to the
25 inserting the following footnotes below the tables

1 showing Colorado augmentation deliveries. The State of
2 Kansas reserves its objections: A, to the manner in which
3 Kansas' releases water and Colorado augmentation water
4 have been accounted at the Stateline; B, to the usability
5 of augmentation deliveries; and C, the acceptability of
6 the source of the augmentation water.

7 Item Number 2, the State of Colorado
8 acknowledges the Kansas objection and agrees to work
9 towards an accounting acceptable to Kansas in this area.

10 Item 3, the acceptance of this report is without
11 prejudice for either state to endorse a new and different
12 accounting procedure in future years.

13 CHAIRMAN TRUJILLO: Do I hear a motion to adopt
14 this resolution?

15 MR. POPE: I would so move, Mr. Chairman, and
16 suggest that this be made an exhibit to the transcript.

17 CHAIRMAN TRUJILLO: Second the motion?

18 MR. LILE: I'll second the motion.

19 CHAIRMAN TRUJILLO: Any discussion on the
20 motion? If not, all in favor of the resolution signify
21 by saying aye.

22 MEMBERS: Aye.

23 CHAIRMAN TRUJILLO: All opposed, same sign. The
24 resolution is adopted. Any further report Mr. Rogers or
25 Mr. Witte?

1 MR. WITTE: No, sir.

2 MR. ROGERS: If that covers your report, Steve,
3 I think that takes care of the Operation Committee's
4 Report at this time. Thank you.

5 CHAIRMAN TRUJILLO: Again, thank you, Chairman
6 Rogers and Mr. Witte.

7 We will now go into item 6, Election of Officers
8 for Compact Year 1997, and Mr. Lile is...do you folks
9 want to discuss that item D now, recess for a while to
10 discuss it or do you want to move forward for the other
11 three? What is your wishes? Would you like to recess
12 Mr. Lile or Mr. Pope, with regard to item number 6D?

13 MR. POPE: It might be helpful to either recess
14 or maybe defer that until after the break, would that be
15 sufficient?

16 CHAIRMAN TRUJILLO: Okay, what time do you folks
17 have in mind for a break?

18 MR. POPE: Probably 10:00 o'clock or so.

19 CHAIRMAN TRUJILLO: Why don't we then go ahead
20 with item 6A, B and C, defer 6D until right...the first
21 item after the break, and depending on the time we break,
22 say at 10:00 o'clock for 10 or 15 minutes or at least
23 someplace around 10:00 o'clock when we are able to on the
24 agenda. The election of officers for Compact Year 1997
25 item A the Vice-Chairman, current Vice-Chairman, Mr.

1 Genova and any motions or nominations for that?

2 MR. POPE: I thought we were going to defer on
3 all of item 6 or do you want to take part...

4 CHAIRMAN TRUJILLO: If you're ready to proceed
5 on item A, B and C, I would rather proceed and only delay
6 item D...unless you need some discussion on the other
7 items.

8 MR. POPE: No, I don't think so. I move the
9 election of Mr. Genova as Vice-Chairman.

10 CHAIRMAN TRUJILLO: Any other nominations? Any
11 other nominations? All in favor of Mr. Genova to serve
12 as Vice-Chairman for 1997 signify by saying aye.

13 MEMBERS: Aye.

14 CHAIRMAN TRUJILLO: All oppose.
15 Congratulations, Mr. Genova, you are the Vice-Chairman
16 for 1997. Recording Secretary; any nominations?

17 MR. POPE: I would be happy to move the
18 nomination of Mr. Higbee for Recording Secretary.

19 CHAIRMAN TRUJILLO: Any other nominations?
20 There being none, all in favor of Mr. Higbee serving as
21 your 1997 Recording Secretary signify by saying aye.

22 MEMBERS: Aye.

23 CHAIRMAN TRUJILLO: All opposed, same sign.
24 Congratulations, Mr. Higbee, you are the 1997 Recording
25 Secretary. And going to item C, entertain a nomination

1 for the position of Treasurer?

2 MR. LILE: I would like to nominate Mr. Rogers
3 as Treasurer.

4 MR. POPE: Second.

5 CHAIRMAN TRUJILLO: Any other nominations?
6 There being none, all in favor of Mr. Rogers serving as
7 Treasurer please signify by saying aye.

8 MEMBERS: Aye.

9 CHAIRMAN TRUJILLO: All opposed, same sign.
10 Congratulations, Mr. Rogers, as Treasurer for 1997 for
11 the Administration.

12 Item D under 6 will be the first item we will
13 address after the break. We'll go to item 7. The
14 Appointment of Committee Members for the Chair, for
15 Chairs of the three committees. Has all of this been
16 discussed or do you have any...

17 MR. POPE: Mr. Chairman, I don't know that we
18 have discussed it but our tradition has been just to
19 alternate the chairmanship unless there's a suggestion
20 for a change, I would just suggest we keep the same
21 members of each committee which would be for
22 Administrative Legal, that would be Mr. Lile and the
23 Chair would be Mr. Overton and then for 7B for the
24 Engineering Committee the new Chair would be Mr. Genova
25 and I would be the other member, and for item 7C on

1 Operations the new Chair would be Mr. Buerkle and
2 the...the other member would be Mr. Rogers. Do I have
3 that correct gentlemen?

4 MR. LILE: We would concur with that.

5 CHAIRMAN TRUJILLO: Would you please put that in
6 the form of a motion? If I understand, your motion would
7 be the Administration Committee would be Mr. Lile with
8 Mr. Overton serving as Chairman; the Engineering
9 Committee would be Mr. Pope with Mr. Genova serving as
10 Chairman and the Operations Committee, Mr. Buerkle
11 serving as Chairman with Mr. Rogers as its member, is
12 that correct?

13 MR. POPE: Yes, and I would so move.

14 MR. LILE: I'll second.

15 CHAIRMAN TRUJILLO: All in favor of the
16 appointments of the three committees signify by saying
17 aye.

18 MEMBERS: Aye.

19 CHAIRMAN TRUJILLO: All opposed, same sign.
20 Motion carries. And we'll go over to item 8, Reports of
21 the Federal Agencies. Calling on the Bureau of
22 Reclamation and who is going to give that report for the
23 Bureau. Thank you, sir.

24 MR. GARNER: My name is Jack Garner. I'm the
25 area manager for eastern Colorado area office which

1 covers the Frying Pan-Arkansas project, Trinidad and the
2 Colorado Big Thompson project.

3 The subject is the 10 year review, I will -- can
4 you hear me or shall I stand at the back of the room and
5 talk forward? We conducted the 10 year review and
6 distributed on August 30 a report for review and comment.
7 On October 1st we extended the time period for review
8 comments to October the 28th. We received comments from
9 the Army Corps of Engineers, the State of Colorado, the
10 State of Kansas and the Purgatoire River Conservancy
11 District. We have evaluated those comments and done some
12 modification to the report. And we anticipate the report
13 is in its final stages and we will have the report out
14 before the end of the year. Primarily because the author
15 of this report and the historic knowledge on this report
16 is Tom Gibbens and he is retiring at the end of the year
17 and he is not retiring until he gets this report out. So
18 that's his responsibility. Some of you had some
19 questions about some of the changes that have been made
20 in the report since you saw the latest draft on the
21 report. Probably the first thing that I would mention
22 was the amendment that was done in 1996, we referred to
23 it in the report as temporary. That's because some of
24 the language in there we didn't particularly like and we
25 hoped it would be temporary but given all of the comments

1 that have come back, we have taken the reference to
2 temporary out of there.

3 The second point is the stock watering. We've
4 retained our recommendation to decrease the stock
5 watering and we have added additional language explaining
6 why we are going with that decrease.

7 Another item would be we've retained the
8 hydrologic numbers in the report that we had in there.
9 We are in the process of trying to resolve some
10 differences between the district's irrigable acreages and
11 ours, and that should be done very shortly, probably next
12 week, so there are some minor differences in the way we
13 have got that added up, the numbers and we are going to
14 get that resolved.

15 The next item, we have retained our
16 recommendation to adopt D and E of House Document 325
17 with substitute supply plan and removed...

18 (Whereupon, there was a pause in the
19 proceedings while reporter fixes tape
20 recorder, after which the following
21 proceedings were had:)

22 The last item, to repeat that, we have retained
23 our recommendation to adopt D and E of House Document 325
24 with substitute supply plan and removed the Court
25 approved statement that was included in there to say that

1 it was in accordance with the state law.

2 Another item, or the last item really is
3 the...we have reviewed all of the editorial changes that
4 were addressed in all of the comments we received and
5 have made the appropriate changes where necessary for the
6 editorial comments.

7 That is kind of a summary of the items that have
8 been included. If you've got additional comments
9 associated with any of those items, Tom and I will be
10 around here and you can probably get with us and we can
11 address some of those if you need clarification on those
12 items. Our proposal, as I said, is to have the final
13 report out by the end of the year. Also we hope to have,
14 and I'm sure we will have, the draft, Amended Operating
15 Principles, also out by the end of the year. So once
16 that is completed we will send the draft out for review
17 and probably have a 30 day review period on those
18 principles, and after that the Purgatoire River Water
19 Conservancy District Operating Criteria will be modified
20 once we get those principles incorporated. That's
21 virtually all I have. Thank you.

22 CHAIRMAN TRUJILLO: Any questions? Any
23 questions of Mr. Garner?

24 MR. POPE: Yes, Mr. Chairman, I think that we
25 may have some and I would like to turn to John Draper for

1 a second.

2 CHAIRMAN TRUJILLO: Mr. Draper.

3 MR. DRAPER: Thank you, Mr. Chairman. Mr.
4 Garner, are the comments that you received from Kansas
5 and others going to be included in the final version of
6 the report?

7 MR. GARNER: As far as the letters themselves,
8 the actual comments?

9 MR. DRAPER: Yes.

10 MR. GARNER: I would have to ask Tom.. Are you
11 including those as attachments to that, Tom?

12 MR. GIBBENS: We haven't as of this time
13 but...(Reporter can't hear gentleman standing in the back
14 of the room.)

15 MR. GARNER: I don't see any reason why we
16 couldn't do that.

17 MR. DRAPER: I think the 1988 report did include
18 the comments and we would ask that you do that.

19 MR. GARNER: Okay. Good.

20 CHAIRMAN TRUJILLO: Any further questions?

21 MR. DRAPER: Mr. Garner, could you explain what
22 the process will be from here on out in terms of
23 finalizing the report? You did refer to that but I
24 didn't completely understand how that process was going
25 to go forward.

1 MR. GARNER: The process is, we will get the
2 irrigated acreage figures, basically that's kind of
3 holding up this last piece of it, we'll get that figured
4 out within the next week or two and we will finalize the
5 report and print it by the end of the year and distribute
6 the report. Once that's done, then we will put out a
7 draft on the amended principles and give a 30 day time
8 frame in which to get comments on those principles. I
9 would anticipate that will be out...the draft will be out
10 by the end of the year and we will probably be looking at
11 a February timeframe in which to get the comments in on
12 the draft. Once that is finalized then we will look at
13 Purgatorie's operating criteria and review changes to
14 that.

15 MR. DRAPER: If I understand, you're saying that
16 you will prepare a draft amendments to the Operating
17 Principles is that...

18 MR. GARNER: Draft amendments to the Operating
19 Principles, right, to incorporate the recommendations
20 made from the report, so if there's recommendations made
21 from the report that are...and we need to incorporate
22 those into the draft Operating Principles, that will be
23 done by the end of the year and then we will send a draft
24 of those Operating Principles out for review.

25 MR. DRAPER: To the various parties that need to

1 approve any changes to the Operating Principles?

2 MR. GARNER: Right. And my question, I guess at
3 this point would be, is 30 days adequate time for review?

4 MR. DRAPER: A little bit longer would be
5 appreciated if that could be something on the order of
6 say 45 days?

7 MR. GARNER: That would be fine. Is that
8 agreeable?

9 MR. LILE: Sure.

10 CHAIRMAN TRUJILLO: Any other questions? Mr.
11 Genova.

12 MR. GENOVA: Jack, why was the stock water
13 reduced? Do I understand one of the ditches was
14 withdrawn or...

15 MR. GARNER: I'll have Tom explain it. It
16 relates to the Honie and the fact that -- well, go ahead.

17 MR. GIBBENS: Litigation involving Hoehne ditch
18 Company and the Purgatoire River Water conservancy
19 District.

20 CHAIRMAN TRUJILLO: Would you please come up
21 ...we're having a difficult time hearing and we have to
22 have that for the transcription.

23 MR. GIBBENS: There's some litigation between
24 the Purgatoire River Water Conservancy District and the
25 Hoehne Ditch Company in which the Court ruled that the

1 Hoehne Ditch Company should give up their stock water
2 allowance to the district water supply in exchange for
3 determining what the irrigation requirement was for the
4 Hoehne Ditch and by giving up the stock water allowance
5 to the district water supply, essentially we feel that
6 that decreased the stock water supply and transferred it
7 into the district water supply to be used for irrigation
8 purposes.

9 MR. GENOVA: I see.

10 CHAIRMAN TRUJILLO: Anything else, Mr. Genova?

11 MR. GENOVA: No, I was wondering why it was
12 done.

13 CHAIRMAN TRUJILLO: Thank you, sir.

14 MR. DRAPER: Mr. Chairman, if I could ask Mr.
15 Gibbens on page 28 of the draft report that was
16 referenced to the temporary storage of flood flows in
17 Trinidad Reservoir, would it be possible for the Bureau
18 to document those as part of the report or perhaps
19 separately if that's more convenient?

20 MR. GIBBENS: We could do that. That would take
21 a daily flow review of the full study period for each one
22 of the flood occurrences and we didn't believe that was
23 necessary for the review that we were conducting.

24 MR. DRAPER: I might reiterate our request that
25 be included in our comments that we believe it would be

1 useful to do that if the Bureau could find the resources
2 to make that available to the Administration.

3 MR. GIBBENS: At the present time the Operating
4 Principles require that all of those temporarily retained
5 flood flows be passed on through the project. We
6 recommended that condition E, which allows temporary
7 storage of the temporary flood flows rather, and a
8 substitute water supply plan would need to be developed
9 so that it would not impact the in-flows into John
10 Martin, so we feel that at a time that a substitute water
11 supply plan was developed that that review could be made
12 at that time. I think that they would have to do that to
13 determine whether it was even feasible to implement that
14 condition E of House Document 325.

15 CHAIRMAN TRUJILLO: Any other questions? Thank
16 you very much.. And that concludes your report, Jack?

17 MR. GARNER: Yes.

18 SANDY MACDOUGALL: May I ask a question, please,
19 of the Administration?

20 CHAIRMAN TRUJILLO: Yes.

21 SANDY MACDOUGALL: My name is MacDougall. I'm a
22 lawyer for the Purgatoire Water Conservancy District and
23 later on in today's agenda there was a place for the
24 approval of the suggested Operating Principles which I
25 had personally hoped would be ready by today. I'm...I've

1 now learned that they are not going to be ready for today
2 but instead probably will be ready by the end of January.
3 If the Administration sets a special meeting, I would
4 sincerely ask that the Administration set the review of
5 the draft report and in its final form as it will be
6 published and of the Operating Principles as soon as
7 possible. It would be most helpful both for Purgatoire
8 District and for the City of Trinidad to have that occur.
9 We have been waiting a long time. I have set a case in
10 Colorado for trial in May at which a number of the
11 parties in this room are objectors and it would be very
12 handy if you could allow us to have the Administration's
13 position before next December. Thank you.

14 CHAIRMAN TRUJILLO: It is my understanding, I'll
15 call on Mr. Pope or Mr. Lile, that your first part of
16 your comments that they'll not be ready when we have a
17 telephonic meeting first part of '97, February, is
18 correct, is that your understanding?

19 MR. POPE: I think we were anticipating, yes,
20 that probably in the early part of February would be an
21 appropriate time for a telephonic meeting for the other
22 matters that we alluded to earlier in regard to the John
23 Martin account, so I think that the meeting would be
24 there. I'm a little uncertain in terms of what would be
25 ready in the timeframe on this other issue, I know there

1 are the two other proposals that have been referred to on
2 the agenda, whether or not both of those would be ready
3 for consideration at that time I really don't know
4 because we haven't seen any of the...what the Bureau will
5 propose as changes. I would suggest if any consideration
6 is going to be given to that that they be two separate
7 proposals so we can look at the City of Trinidad issue
8 which I think is substantially different than the
9 Purgatoire District and then those can be considered on
10 their own merits individually.

11 SANDY MACDOUGALL: May I respond?

12 CHAIRMAN TRUJILLO: Yes.

13 SANDY MACDOUGALL: MacDougall on behalf of the
14 District, Mr. Billings is here on behalf of the city.
15 The District's position is that we would be perfectly
16 willing for the Trinidad changes and the District's
17 changes be taken up separately. The Bureau has insisted
18 that we take them up together. And so I don't feel that
19 we are in control of that. We are amenable to whatever
20 others want to do.

21 CHAIRMAN TRUJILLO: Chuck.

22 MR. LILE: I would hope we could bring it up at
23 that early meeting if we can do it in a timely fashion
24 and I guess the question I would have for Jack would be
25 the time line, is that going to allow for that to be

1 brought up at that time, do you feel?

2 MR. GARNER: I believe it will.

3 MR. LILE: Well, I would support placing this on
4 the agenda at that telephonic conference to resolve.

5 CHAIRMAN TRUJILLO: Well, that probably won't
6 satisfy the 45 days that you folks earlier requested
7 but...

8 MR. POPE: It in part depends on when the 45 day
9 thing starts because if it doesn't start until the end of
10 the year then 45 days would be extended beyond February 5
11 or whenever we have tentatively talked about a conference
12 call. It may be that we might have to have a second one
13 for that if we get to that stage.

14 MR. LILE: I think it's important to keep the
15 first one as soon as we possibly could for the decisions
16 we have to make regarding that issue.

17 MR. POPE: My suggestion, Mr. Chairman, is just
18 simply that we have a telephonic call that, I think, we
19 tentatively agreed on for the 5th and to the extent that
20 these other issues are ripe and if you can get that on
21 the agenda in time, fine. If not, we would certainly be
22 open to whatever process we do need to consider at a
23 later time.

24 CHAIRMAN TRUJILLO: Is that satisfactory with
25 you as far as do you understand what is being proposed?

1 SANDY MACDOUGALL: Yes, sir. It might make some
2 sense to take it up separately from the well owner's
3 storage account. All I'm interested in is having a
4 meeting before next December to take up this subject. If
5 you want to do it in a separate meeting, that's swell
6 with us. That would probably save us time to have two
7 telephone meetings instead of one. That would be fine.
8 All I'm asking is that please don't put us off until
9 December of 1997.

10 CHAIRMAN TRUJILLO: And I don't think it's the
11 intent that either side or either party here to do that,
12 okay?

13 MR. BILLINGS: Mr. Chairman, I'm Bruce Billings
14 with the city of a Trinidad and we're on the agenda today
15 and I'm not sure what the Bureau's position is as far as
16 covering ours separately or requiring us to be
17 consolidated with the district. We would like to be
18 heard on that today. If there's not favorable action
19 today, we definitely want to be included in the
20 telephonic conference that is held as quickly as
21 possible.

22 CHAIRMAN TRUJILLO: Okay, thank you.

23 MR. LILE: What I might suggest is that because
24 of the time lines we're working with that we have a
25 tentative agreement to do something on February 5 with

1 the storage account, that we place on the agenda the
2 discussion of the time lines and when we could schedule
3 for a final action and discuss it at that time. During
4 that agenda, just pick a date when we can meet at a
5 future time is what I'm trying to say because we will
6 know more about where we are.

7 CHAIRMAN TRUJILLO: Proceed with the 5th of
8 February telephonic meeting, at that meeting discuss this
9 matter that we are now discussing as to what date that
10 would be set.

11 MR. POPE: What you're saying is we would come
12 to closure in terms of how to proceed at that time, we
13 won't...

14 MR. LILE: We'll know more later.

15 MR. POPE: We will know more by then.

16 SANDY MACDOUGALL: Mr. Chairman, my Colorado
17 trial date which is important to several in this room is
18 May 19 through the 23rd. I have to tell the other people
19 in Colorado at least 30 days before that what the Bureau
20 and the Administration have or have not done, so if you
21 could schedule something to be done by mid April, it
22 would be terribly helpful.

23 CHAIRMAN TRUJILLO: Well, we will discuss the
24 specific dates for the discussion of the 5th meeting,
25 telephonic meeting on the 5th of February. Is there some

1 objection of the members of the Administration?

2 MR. POPE: I think that's fine to do the
3 scheduling on the 5th. I guess the only question that we
4 have not resolved and maybe we can't until after these
5 other things occur but the gentleman from the City of
6 Trinidad, of course, who just raised the question a
7 minute ago, I'm left, I guess, not understanding the
8 Bureau's position in regard to whether that particular
9 request would be considered ready from their standpoint
10 separately if it's more ripe for consideration or not.

11 CHAIRMAN TRUJILLO: Mr. Garner, do you care to
12 respond to that?

13 MR. POPE: Do I understand your position that
14 the Bureau has some concerns in that regard?

15 MR. GARNER: I guess our concern is that we
16 address all of these, we would like to address ours,
17 Purgatoire's, and the city's all together rather than
18 piecemeal these together.

19 MR. POPE: They are very different proposals.
20 Is the only...

21 MR. GARNER: That's true, except that, you know,
22 we would like to put them together as a package so we do
23 it all at once rather than doing it piecemeal all the way
24 through it. I'm open to consideration on that.

25 MR. POPE: Well, Jack, I understand the desire

1 to try to deal with the whole thing, but I guess that
2 ...that may mean some delay at least for the city folks
3 that I know have worked real hard to get some things
4 worked out here. I don't know if we can take action on
5 that anyway today, but maybe if it would be at least
6 quicker I think to deal with those issues at some
7 subsequent time but I guess I think I understand your
8 position and we just have to deal with it the best we
9 can.

10 MR. BILLINGS: If I could make...

11 CHAIRMAN TRUJILLO: Just a minute please. Will
12 you finish...

13 MR. GARNER: I guess my feeling is, like I said,
14 we would like to deal with them all at one time. It
15 depends on the amount of delay you know, when we look at
16 getting these out in a 45 day timeframe I didn't realize
17 that your meeting was February the 5th so we are looking
18 at then February the 15th at which the comment period
19 would be over and we would put out the final...the final
20 version so there is a disconnect there between the
21 February 5th date and now our February, basically 15th
22 date. It depends on the urgency of getting this stuff
23 out. I would just as soon, if there's a possibility of
24 addressing them all within a very short time after that,
25 that's what I would prefer to do.

1 MR. BILLINGS: If I could just respond very
2 quickly, Mr. Chairman. Our only concern with the City of
3 Trinidad is that if ours is non-contraversial and
4 there's, in principle, there's a basic agreement on, we
5 would hate to have ours held hostage to a lot of delays
6 in this and that's why we've tried to push to get this
7 matter considered today.

8 CHAIRMAN TRUJILLO: I guess my response to that
9 is you should consult with Mr. Garner and see if that is
10 their position and go ahead and take it up with him.
11 Okay. What we will do at this point, why don't we take a
12 15 minute break. We're at item 8B, first item that we'll
13 take up is 6D which was the Operating Secretary, the
14 election of that position, and then we'll proceed with
15 Colonel Wagner and the report from the Corps of
16 Engineers. Thank you, and please be prompt. Let's get
17 back in 15 minutes. Thank you.

18 (Whereupon, a short break was taken,
19 after which the following proceedings
20 were had:)

21 CHAIRMAN TRUJILLO: Will you please take your
22 seats, we're going to get the meeting started.

23 We'll get started with calling the meeting back
24 to order and the first item we'll take up is item 6D, the
25 Operations Secretary and it's my understanding that

1 there's been some agreement on that matter, it was
2 discussed during the break. Mr. Lile.

3 MR. LILE: Thank you, Mr. Chairman. What was
4 being discussed was the consideration of how we could
5 better the communications between Colorado and Kansas on
6 the operations and how to facilitate that and what we're
7 going to suggest is that we go ahead and nominate and
8 elect Steve Witte as the Operations Secretary but at the
9 same time put on the agenda for February 5th a notice for
10 future discussion and in the meantime explore how we
11 could have an assistant of Kansas work with Mr. Witte
12 with communications on the Compact. That's our proposal.

13 MR. POPE: I concur with that as an appropriate
14 course of action. I believe that's acceptable for those
15 of us here that have talked about this. I think our
16 goal, simply put, this is nothing to criticize what Mr.
17 Witte has done at all. It's to recognize that we're
18 entering an era of more complexity and communications is
19 very important and exchange of information and input into
20 those processes is...should be helpful to us I think.

21 CHAIRMAN TRUJILLO: Okay, thank you. Nomination
22 for the positions of Operating Secretary?

23 MR. LILE: We would like to nominate Steve
24 Witte.

25 MR. POPE: Second.

1 CHAIRMAN TRUJILLO: All in favor, signify by
2 saying aye.

3 MEMBERS: Aye.

4 CHAIRMAN TRUJILLO: All opposed, same sign.
5 Congratulations, Mr. Witte, you are now the continuing
6 secretary and I guess you are not going...you're going to
7 have hopefully in the future an assistant that will cut
8 your work in two, right?

9 We'll now proceed to item 8B, Colonel Wagner
10 with the Corps of Engineers for their report.

11 COLONEL WAGNER: Mr. Chairman, I'm Lieutenant
12 Colonel Steve Wagner. It's a pleasure to be with you
13 again this year. I passed out copies of my report to the
14 front table. Dick Kreiner is passing it around to the
15 group here. During calendar year 1996 the activities of
16 the US Army Corps of Engineers in the Arkansas River
17 basin consisted of reservoir regulation, flood control
18 related studies, flood plain management services, the
19 regulation of dredged or fill materials into waterways
20 under Section 404 of the Clean Water Act and Emergency
21 Engineering Assistance.

22 In 1996 the Arkansas River snow melt run off was
23 slightly above normal in the upper basin above Pueblo and
24 well below normal in the tributaries below Pueblo. There
25 were brief flood control operations at Pueblo and John

1 Martin Reservoirs but there were not appreciable flood
2 control benefits.

3 On November 16, 1994 the Trinidad Lake Water
4 Control Manual was revised to increase the recreation
5 pool from 4,500 to 15,967 acre feet. The Operating
6 Principles for Trinidad Lake were formally amended by the
7 Arkansas Compact Administration in January of 1996 by a
8 telephonic meeting. This was the last step in a formal
9 approval of the increase in the recreation pool there.

10 In December of last year this Compact
11 Administration passed a Resolution in support of a
12 channel capacity and riverine habitat planning. On
13 August 9, 1996 the Corps in cooperation with the Colorado
14 Water Conservation Board began the first of two studies
15 on the Arkansas River under our Section 22 authority. In
16 this study, titled "Channel Capacity and Riverine Habitat
17 Planning, Arkansas River below John Martin Dam," the
18 Corps will develop and evaluate potential maintenance
19 plans for long term improvement of channel capacity and
20 restoration of riverine habitat. The study of the lower
21 reach will be completed by August 19, 1997.

22 The second study will include the upper reach of
23 the Arkansas River from John Martin Reservoir upstream to
24 the Pueblo, Colorado area. The US Geological Survey, the
25 Corps and the Colorado Water Conservation Board will

1 cooperate in this study...in these study efforts. The
2 Corps will determine existing channel capacity and
3 sediment effects while the Geological Survey will
4 investigate the ground water-surface water interaction.
5 The Colorado Water Conservation Board is currently
6 developing a scope of work for a January 1997 mapping
7 contract for both reaches.

8 A Section 1135 feasibility study currently is
9 evaluating aquatic improvements to Lake Hasty immediately
10 below John Martin Dam. The project proposes to route 5
11 to 8 cubic feet per second through Lake Hasty when
12 irrigation releases are being made from the dam in order
13 to improve Lake Hasty's water quality and the dissolved
14 oxygen levels. A Draft Project Modification Report is
15 currently under way by the project sponsor, the Colorado
16 Division of Wildlife, and will be circulated for public
17 review in January of 1997.

18 The Water Resource Development Act of 1996 has
19 removed the restriction that Section 1135 studies be
20 conducted only at Corps project sites. The expanded
21 scope of the program allows restoration projects to be
22 implemented in any area where the Corps has contributed
23 to degradation of environmental quality.

24 During Fiscal year 1997, the Albuquerque
25 District is anticipating two Section 1135 initial

1 appraisals to be conducted in Colorado. Organizations
2 which have expressed an interest in project partnering
3 include the city of Pueblo and Ducks Unlimited.

4 A wetlands enhancement project at John Martin
5 Reservoir was first conceived in 1994 and completed in
6 early 1996. This was the first, and at this time only
7 challenge cost-share project for the Corps in the nation.
8 A direct 50/50 cost sharing agreement was signed between
9 the Corps and Ducks Unlimited at a total cost of \$19,120.
10 The project consists of water retention berm across the
11 Santa Fe slew, a former borrow pit dug during the
12 construction of the dam and located upstream of the dam.

13 Thus far in 1996 the Albuquerque District has
14 responded to seven requests for technical services and
15 flood hazard evaluations of specific sites in the
16 Arkansas River basin.

17 In fiscal year '96 we issued five individual 404
18 permits in the Arkansas River basin and additional 401
19 activities in the basin were reviewed during the period
20 and most were covered under the nationwide permits. Also
21 state wide general permits for excavation activities and
22 recreational placer mining were developed for use in
23 Colorado in '94 and '95 respectively.

24 The Corps provides Emergency Flood Management
25 information under Public Law 84-99 and other authorities.

1 We had 14 contacts in the Arkansas River basin for
2 information or assistance regarding flood related issues.

3 Now Mr. Chairman subject to your questions this
4 concludes my report.

5 CHAIRMAN TRUJILLO: Are there any questions of
6 the Corps of Engineers?

7 MR. POPE: Mr. Chairman, of course I thank
8 Colonel for the report and simply note that Kansas...the
9 State of Kansas certainly has a significant interest in
10 the channel studies and projects that have been alluded
11 to by the Corps, we will continue to try to interact as
12 necessary and appropriate in those matters. We do have
13 concerns that, you know, that there are not be adverse
14 impacts to Kansas from any proposals that are made and
15 I'm sure there won't be. There's some interest in our
16 state to trying to extend the studies on down into Kansas
17 and we have not been able to put that together yet at
18 this point so we will just have to monitor that and see
19 how things will proceed in the future.

20 Colonel, the only other comment I would have,
21 just as a procedural matter, that I think we usually make
22 the report...written reports of this nature, exhibits to
23 our transcript, and I think this would be the third item
24 in our...item C. I think the first should be the agenda,
25 the second was the one we dealt with in terms of the

1 final version of the resolution just adopted and the
2 third would be this.

3 CHAIRMAN TRUJILLO: Right. I have asked Mr.
4 Draper to give a copy of the resolution for the record to
5 you, and hopefully everyone makes a report...provides a
6 report so we can have that as part of the official
7 record. Thank you very much, Colonel, we appreciate your
8 report.

9 Next, we will go to the Geological Survey and
10 that report will be given by Doug.

11 MR. CAIN: Yes, and I've got written copies.
12 Thank you, I'm Doug Cain, US Geological Survey in Pueblo.
13 Also at the conclusion of my report Jim Putnam, who is in
14 our office in Lawrence, Kansas will also make some
15 comments about US Geological Survey activities in Kansas
16 that are of interest to the Compact.

17 The first two items I would like to mention just
18 briefly were already covered in the Engineering Committee
19 Report by Mr. Pope related to the status of the tributary
20 gages and the Purgatoire transit loss travel time study
21 and I don't think I have anything more that needs to be
22 said about those two. I would also like to mention three
23 other items that I think are of direct interest to the
24 Compact. One is that the...the gages that are operated
25 within the, what we call the Compact network, six of

1 those gages, four in Colorado and two in Kansas are
2 funded under the Federal Collection of Basic Records
3 Programs. The Compact contributes some additional
4 funding to those for extra measurements and some other
5 operations.

6 In FY '97, the fiscal year that we just started,
7 USGS why we received some cuts in that program. The way
8 that we are generally dealing with those cuts on a
9 nationwide basis is to try to prioritize the sites within
10 each state and to fully fund the higher priority stations
11 and to drop funding for lower priority stations. Using
12 that process we have full funding for the four stations
13 in Colorado for FY '97 but we understand that in the next
14 few years there may be continued decreases in funding for
15 that program and I just wanted to alert the Compact to
16 that situation.

17 One other item that relates to some decreases in
18 federal funding for USGS activities is that the water
19 quality sampling on the Arkansas River near Coolidge
20 which had been funded by the USGS as part of the National
21 Stream Quality Accounting Network was discontinued in
22 October of 1995 because of delays in receiving a budget
23 for last fiscal year. We did not know at the time of the
24 Compact meeting last year that that was going to occur
25 and so that was not reported at the 1995 meeting but I

1 did want to make the Compact aware of that at this time.
2 Water quality data had been collected at that site during
3 all but two years since 1964 and there was a continuous
4 recording water quality monitor operated there from '64
5 to '68 and 1976 to '81. Because of decreases in funding
6 over the last decade the NASQAN program was redesigned
7 and many sites were dropped throughout the nation and the
8 site at Coolidge was one of those.

9 Also related to water quality we have operated a
10 continuous recording water quality monitor on the
11 Purgatoire River near Las Animas in cooperation with the
12 Southeastern Colorado Water Conservancy District, and
13 because of lack of funding, that operation, that station,
14 was discontinued in 1996. We are looking for alternate
15 funding sources for that but have not found any yet. I
16 would like to mention that both the site at Coolidge,
17 Arkansas River at Coolidge, and the site on the
18 Purgatoire River at Las Animas, these changes in water
19 quality monitoring do not in any way affect operation of
20 the stream flow gages.

21 One last thing, just like to mention, it was
22 mentioned in the report by the Corps of Engineers that
23 USGS will be involved in looking at some surface water-
24 ground water relationships as part of this CWCB study of
25 channel conditions on the Arkansas and we have had some

1 fairly detailed discussion with CWCB about our
2 involvement in that but have not finalized that work yet,
3 so that is, I guess, somewhat still tentative at this
4 time.

5 On the second page of my report, I'll just try
6 to highlight some of these in the first paragraph there's
7 a description of USGS data collection activities in the
8 Arkansas basin both for surface water, ground water and
9 water quality. I'm not going to read through that in any
10 detail. One thing I would like to mention, much of the
11 continuous recording stream flow and water quality data
12 both real time and historic, we have made available on
13 the World Wide Web for about a year and a half now and if
14 there are people who are interested in the web site name,
15 please see me.

16 One other thing I would like to report on, I've
17 mentioned at the Compact meetings in the last several
18 years, is that USGS has been involved in the water
19 quality evaluation of the Arkansas River basin in
20 Colorado for several years. We have published a report
21 in the last year that includes all of the water quality
22 data that was collected from 1990 to '93. We have got a
23 draft report describing water quality conditions in the
24 basin based on the '90 to '93 data that is currently in
25 review and has been reviewed and is being revised and

1 should be approved and published within the coming year.
2 We have also prepared three other draft reports that are
3 in various stages of review or revision. Looking at
4 evaluation of potential changes, the potential effects of
5 changes in irrigation practices on salinity in an
6 irrigated area between La Junta and Las Animas.
7 Evaluation of metal concentrations upstream from Pueblo
8 and an evaluation of the historic effects of reservoir
9 operations on water quality down stream from Pueblo,
10 particularly focusing on reservoir operations at Pueblo
11 and John Martin reservoirs. Both of those or all three
12 of those reports should be approved in the coming year.

13 I think that concludes what I would like to talk
14 about here and would be glad to accept any questions.

15 CHAIRMAN TRUJILLO: Doug, thank you.

16 MR. CAIN: Chuck?

17 MR. LILE: Doug, there were some concerns raised
18 about communications of, because I understand we've moved
19 some people around with the GS and I believe that we had
20 some concerns raised about are we getting...will we be
21 able to communicate timely and maybe perhaps you or Jim
22 Putnam can respond.

23 MR. CAIN: I think it's probably most
24 appropriate if Jim responds to that after I'm done here.

25 MR. LILE: Okay.

1 MR. CAIN: One other item that I probably should
2 mention is that I know the Compact Administration has
3 approved and signed our Joint Funding Agreement for the
4 current fiscal year because of some changes in the way
5 that we're operating, we need to have agreements signed
6 now before the beginning of our fiscal year and
7 appreciate the Compact working with us to do that. When
8 I sent the Joint Funding Agreement for the current fiscal
9 year, I also made an estimate of costs for next fiscal
10 year for your inclusion in your '98 budget, so that's
11 ...that's also something I just thought I would mention.
12 Now I don't know if that's going to be dealt with
13 officially later in the agenda or how that will be
14 handled.

15 CHAIRMAN TRUJILLO: Do you have a question?

16 MR. POPE: Yes, Mr. Chairman, a couple perhaps.
17 Doug, I, of course, note in your report and in your
18 verbal comments about the water quality sampling on the
19 river at Coolidge that had been funded by the, I guess,
20 you call it the NASQAN program?

21 MR. CAIN: That's correct.

22 MR. POPE: That is something I guess that has
23 occurred since last year and kind of takes me, at least,
24 personally, by a little bit of a surprise. I knew that
25 there was an effort to prioritize and look at those gages

1 throughout the nation, wasn't aware that the Ark River
2 was in jeopardy of losing one. Is there any...do you
3 have any reaction to what can be done to reestablish that
4 particular station to the extent that we believe it's
5 necessary?

6 MR. CAIN: I guess, let me make a couple of
7 comments, and I think Jim Putnam might talk about this
8 further. As part of another USGS program, the National
9 Water Quality Assessment Program, there is a basin on the
10 Arkansas River within Kansas that has been selected for
11 one of those studies that will be beginning some data
12 collection probably about two years from now. I think
13 I'll defer the rest of that question to Jim. I guess
14 there's some likelihood that that program will pick up
15 some water quality sampling at that site but probably
16 best to defer that to Jim.

17 MR. POPE: Okay. We might do that and see how
18 the NASQAN study to whatever relationship might occur but
19 other than that you are saying these are final decisions
20 that haven't been...they have already been considered by
21 management in USGS?

22 MR. CAIN: Yes, they are final decisions and my
23 understanding of what they have decided to do with the
24 NASQAN program, was that it used to be a nationwide
25 program where sampling was done at sites throughout the

1 US. The funding had dropped to the point where they made
2 a decision to get useful information they needed to
3 concentrate on several major river basins and I believe
4 those are the Mississippi basin which certainly the
5 Arkansas falls into but my understanding is that the
6 sampling will be focused...if there is sampling it will
7 be focused near their mouths rather than upstream. The
8 Rio Grande, the Columbia, I think are some of the other
9 river basins, so those decisions have pretty well been
10 finalized about which sites will be dropped and the sites
11 that will be sampled in the new basins, I think that's
12 still somewhat open to discussion.

13 MR. POPE: So what you're really saying is if
14 any additional sampling would occur here, it would have
15 to be through some other program, some other type of
16 effort other than this?

17 MR. CAIN: And that could be done through the
18 USGS Cooperative program, if your Compact, or other
19 entities were interested in that. We have done some of
20 that kind of thing with other NASQAN sites in other
21 locations where there was a definite local interest in
22 continuing that data collection.

23 MR. POPE: Okay, thanks.

24 CHAIRMAN TRUJILLO: Thank you very much, Mr.
25 Cain. Mr. Putnam now.

1 MR. PUTNAM: Mr. Chairman, Jim Putnam. I'm the
2 Data Management Chief in Lawrence, Kansas for the US
3 Geological Survey.

4 Three things, I don't have a formal report to
5 pass out but I thought I had some comments that you would
6 be interested in.

7 First of all, there has been some concerns about
8 our monitoring of the Stateline gage on the Arkansas near
9 Coolidge and Frontier Ditch because of us closing our
10 office in Garden City and establishing an office in Hays,
11 Kansas. With conversations with my colleagues, Mr. Cain
12 and Ron Steiger, I think we can come to terms with
13 getting the number of measurements that you all need for
14 those sites throughout the year. It's pretty obvious
15 with us being in Hays we will have great difficulty
16 getting to the site during run off events and things like
17 that or the other extra measurements that we need to get
18 throughout the year with the Compact. With a little
19 effort between Colorado and Kansas I'm sure that we can
20 get those measurements done. There was also some concern
21 about just the flow of information when we closed the
22 office at the end of September. I think in conversations
23 with Bill Howland we have taken care of that to make sure
24 all of the data gets to the Kansas Division of Water
25 Resources as well as the Colorado side, make sure that

1 information is there for management purposes. I would
2 also like to, as Doug mentioned, our gages on Stateline,
3 Frontier Ditch and down stream gages on the Arkansas
4 River at Garden City and on further down stream are on
5 the Internet for everybody to look at. Gage height as
6 well as flow information is there. I would request that
7 you look at that information. If you have comments on
8 other things that we might be able to add that will be
9 helpful, let us know, and I have that address if you need
10 it.

11 The other issue I have is that indeed, Doug was
12 correct about the NAWQA station. Beginning really in
13 1999, the middle Arkansas River NAWQA study will begin.
14 That's a study that will encompass from the Stateline
15 gage to just north of Tulsa, Oklahoma. There will be
16 many offices involved in data collection. Those are
17 generally five year projects, water quality sampling
18 projects that cycle off and reports are published. Very
19 intensive sampling, what they call synoptic sampling and
20 some modes, some years of that where they collect an
21 awful lot of information. It won't...not only be stream
22 flow information, it will be some ground water well
23 samples, there will be fish sampled that really is quite
24 encompassing as compared to the NAWQA sampling that was
25 done. Again it only lasts about five years. We will

1 probably see some data collection begin in late, probably
2 '98, late '98, but really the study doesn't truly begin
3 until '99, and so that is coming and that will add some
4 additional information to the water quality collected at
5 that site. As far as my agreement that I sent for '97 it
6 also does include some estimates for the '98 operation of
7 our two gages on the Stateline and Frontier gage.

8 Questions?

9 CHAIRMAN TRUJILLO: Did you get your questions
10 answered?

11 MR. POPE: Yes, Jim, I believe that does answer
12 my question and I take it that you're saying that the
13 middle Arkansas slash Arkansas has been approved for a
14 NAWQA study?

15 MR. PUTNAM: That is correct. That's correct.
16 We are looking at staffing and all of the other things,
17 planning operations right now.

18 CHAIRMAN TRUJILLO: Any other questions? Okay.
19 Thank you very much, sir. Appreciate it. We'll now go
20 to item 9 of the agenda and again remind you that we'll
21 be breaking at 11:40 for the Executive Session part by
22 telephone. The Trinidad Project, A, the report on the
23 permanent pool operations and who is, may I ask, is
24 giving that report?

25 MR. MILLER: If it's okay, I'll do it.

1 CHAIRMAN TRUJILLO: Certainly.

2 MR. MILLER: Kansas put that item on there. In
3 fact there were no exchanges to Trinidad this year due to
4 the hydrologic circumstances. Both Steve Witte and Paul
5 Flack are here, and they are the ones that were trying to
6 make that exchange happen but it never in fact did
7 happen. You can ask questions.

8 CHAIRMAN TRUJILLO: Any questions with regard to
9 item A under number 9? If not, we'll move to...I'm
10 sorry. Mr. Pope.

11 MR. POPE: If I understood what Steve just said,
12 we really didn't have a report for you this past year.
13 Is...what is the plan for next year, is that something
14 that we can get before then?

15 MR. MILLER: Paul will probably tell you what
16 the long range plans are, he's here, I think. Did Paul
17 Flack disappear?

18 CHAIRMAN TRUJILLO: Anyone else that can answer
19 that question, Steve?

20 MR. POPE: Perhaps maybe I'll just make it in
21 terms of a comment or a request, would you...is it
22 possible for that to occur for this coming year, at least
23 make the request to Paul or...he's with...

24 MR. MILLER: Division of Parks? .

25 MR. POPE: ...the Division of Parks. Is that

1 something that could be passed onto him in the form of a
2 request?

3 MR. MILLER: To ask what their plans are for the
4 current water year?

5 MR. POPE: Yes, and basically report on the
6 permanent pool operations and plans for anything in the
7 future in terms of those operations.

8 CHAIRMAN TRUJILLO: And you are asking for that
9 report for the '97 meeting?

10 MR. MILLER: We can find him and have him talk
11 to us sometime today yet, I'm sure.

12 CHAIRMAN TRUJILLO: Why don't we do that again?

13 MR. POPE: Another thing, Mr. Chairman.

14 CHAIRMAN TRUJILLO: Yes.

15 MR. POPE: Procedurally, I try to look out for
16 Mr. Rolfs and others here. For the transcript, if the
17 report from the USGS could be Appendix D.

18 CHAIRMAN TRUJILLO: I think that was handed in
19 to the reporter.

20 MR. POPE: If she's going to take care of that
21 automatically, then I won't say anything further then.

22 CHAIRMAN TRUJILLO: Yes. I would hope and ask
23 and I'll try to stay on top of it and I appreciate your
24 help to make sure we get copies of all reports so that
25 they are included. We'll go to item B, the approval and

1 proposed changes of the Operating Principles and back to
2 the, I guess, previous discussion that we were having and
3 City of Trinidad, sir.

4 MR. BILLINGS: Thank you, Mr. Chairman. Bruce
5 Billings, City Attorney to City of Trinidad. I'm here
6 with Jim Fernandez, the Water Superintendent.

7 Pick up on the discussion we've had earlier and
8 add a few additional comments here. I appreciate the
9 comments by Mr. Pope as the amount of work that's been
10 put in by the City of Trinidad and particularly this has
11 been done by our Water Engineer, Gary Thompson with W.W.
12 Wheeler who has been very instrumental in putting this
13 all together.

14 We're here on Trinidad's proposed changes to the
15 Operating Principles of the Trinidad Reservoir.
16 Basically what is here is designed to allow the use of
17 project water for municipal and industrial purposes and a
18 resolution was drafted to accomplish that and that's been
19 faxed to various parties here and I have a clean copy of
20 that, if needed, along with proposed amendments which are
21 Exhibit 8 of that.

22 Just a little bit of background here. This is
23 the culmination of many efforts. This issue has been
24 around for a long time. It's here in large part because
25 the city made a large financial investment in the Model

1 and Johns Flood Ditch, the water rights back in the late
2 1970's but has never been able to transfer those rights
3 into the Trinidad Reservoir for municipal and industrial
4 purposes.

5 I want to list just very quickly some reasons
6 here why those changes are needed. First of all, the
7 city by contract is required to replace evaporation
8 losses associated with the permanent pool in the
9 reservoir which is used for recreation and fish
10 propagation. Transfer of city owned water rights out of
11 the Johns Flood Ditch and Model Ditch is needed in order
12 to meet that obligation. Also, in addition, this would
13 allow storage of up to 4,500 acre feet in the reservoir
14 and except when that's need for municipal purposes it
15 would benefit the desires for recreation and fish
16 propagation and would also stimulate the local economy in
17 the Trinidad area. And related to that, if needed, in
18 order to attract economic development in that area, the
19 city must be able to demonstrate sufficient water supply
20 in order to support growth which of course is a very
21 important consideration in the Trinidad area.

22 Pursuant to the direction of the Chair, I did
23 talk to Mr. Garner concerning what the position was of
24 the Bureau with regard to dealing with this issue
25 separately as opposed to all of the requests here for

1 changes in the Operating Principles and he can correct me
2 if I'm misstating this, but my understanding is that he
3 is in support here of the idea of having Kansas and
4 Colorado at least agree in principle to the idea of
5 changing use in the reservoir to municipal and industrial
6 purposes.

7 As far as...it is my understanding then the
8 Bureau would deal with the details and I think some of
9 the issues are of acreage and so forth. And so what we
10 are asking for here would be if we cannot get approval of
11 the resolution here, that at least we get Kansas and
12 Colorado to agree in principle with the change in use to
13 municipal and industrial.

14 That would conclude any statements that I have.

15 CHAIRMAN TRUJILLO: Okay, thank you. Mr. Pope
16 and Mr. Lile, how do wish to proceed with regards to the
17 request to at least agree in principle?

18 MR. LILE: I feel that we could discuss that.

19 MR. POPE: Do you have a suggested way to
20 proceed in that regard, Chuck? I guess, is
21 Colorado...you are basically comfortable with the
22 proposal that's been made?

23 MR. LILE: Yes.

24 MR. POPE: And I guess what I hear being said
25 then is as far as the specific resolution and changes,

1 we're not really in a position to act on those now but if
2 we could, basically, I think we could probably say that
3 these have been looked at from at least a technical
4 standpoint and assuming that the language could be made
5 acceptable to us and the Bureau and the city, the parties
6 that need to approve the Operating Principles, all of
7 those parties, we may be able to proceed on that at a
8 later time.

9 MR. LILE: Yes.

10 MR. POPE: I don't know whether any...just a
11 second. Is this...is this an item perhaps as far as
12 agreements of principle, I think are fine, as long as we
13 understand what the principles are, I guess. I think,
14 conceptually, I think we do have...we have a willingness
15 to deal with this issue. Perhaps this is something we
16 need to discuss further at the February 5th meeting as
17 was suggested earlier in terms of what steps and where we
18 would be at that point in time.

19 CHAIRMAN TRUJILLO: Any other comments?

20 MR. LILE: I guess the concept of principle is
21 that the conversion of water rights to M&I and placing in
22 the reservoir is that what we're asking for a read, I
23 guess is what you're asking us, Jack, you're trying to
24 find out where we are on that?

25 MR. GARNER: I think the idea is, here we have

1 some problems with some of the technical issues
2 associated with this because of the short time frame that
3 we got the information. I don't think there's a problem
4 with the agreement in principle to the change to
5 municipal, so if Colorado and Kansas want to agree in
6 principle to the change in the use, that's fine. We need
7 to deal with some of the specifics.

8 MR. LILE: Which we would have no problem with
9 if that was acceptable to Kansas.

10 CHAIRMAN TRUJILLO: May I suggest that while you
11 are...seems like both parties agree in principle that we
12 would then leave the matter with you, Jack, and to work
13 out whatever detail that you're having problems with,
14 submit this back to Mr. Pope and Mr. Lile as to the
15 specifics so that they both have an opportunity to review
16 it and then maybe take up for final action on the
17 February 5th meeting.

18 MR. POPE: I think that's fine to proceed...I
19 think conceptually we understand what is being said and I
20 think any formal action I think maybe we need to know a
21 little bit more exactly what the implications of that
22 are.

23 CHAIRMAN TRUJILLO: I think what you have, Jack,
24 you have some agreement as far as principle is concerned
25 at least on what they interpret or know of, it's on the

1 that's on the table as of now, and we would proceed then
2 with that, and I guess I'm referring my comments to the
3 City of Trinidad, and then once the...Jack would get his
4 comments down in writing so that the two entities know
5 specifically what they are proposing, then we would give
6 them the opportunity to ask questions of it, and also the
7 City of Trinidad, of course, and then deal with that at
8 the telephonic meeting. Is that acceptable? Any
9 questions?

10 MR. LILE: Sure, one thing. I think that we
11 have a proposed resolution here. If you have any
12 particular problems with that before the February
13 meeting, would you get back to us. Trinidad prepared it
14 and we would ask that you do that.

15 MR. POPE: Yes, okay. Yes, appreciate that.

16 CHAIRMAN TRUJILLO: And also of course to Jack
17 so they can take care of their concerns. Any other
18 questions on this matter. If not, we'll move over to
19 item 2, the Purgatoire River Water Conservancy District.
20 Go ahead, Sandy.

21 SANDY MACDOUGALL: Mr. Chairman, my name is
22 Sandy MacDougall, lawyer for the Purgatoire Water
23 Conservancy District. I think this matter was probably
24 adequately covered under the report of Mr. Garner under
25 item 8A when he reported that the review would be

1 completed at the end of December and that 45 days would
2 then be given for persons to make their final comments
3 and that he would by the end of December also suggest
4 Bureau approved changes to the Operating Principles for
5 the Trinidad Project. We ask that as soon as the review
6 is over, the matter be set for some kind of resolution by
7 the Administration.

8 CHAIRMAN TRUJILLO: Okay.

9 SANDY MACDOUGALL: It won't be possible though
10 by February 5th by my math.

11 CHAIRMAN TRUJILLO: Any questions, Chuck, Dave?

12 MR. POPE: No.

13 CHAIRMAN TRUJILLO: We will proceed with item
14 10. Who is going to provide a report and comment on the
15 Colorado Compact compliance. Mr. Simpson.

16 MR. SIMPSON: Good morning, Mr. Chairman. I am
17 Hal Simpson, Colorado State Engineer. Members of the
18 Administration, what I thought I would do is try to
19 recount the activities that have taken place since the
20 last Compact meeting, giving you an idea of what has
21 progressed and taken place in the past year. I have no
22 written report. I will be summarizing a lot of the
23 information that was in my report to the Special Master
24 submitted in July of this year with some updates.

25 A year ago at this time we had in place the 1994

1 Measurement Rules which require that all active wells had
2 to report ground water usage using information from a
3 totalizing flow meter or from the power conversion
4 coefficient method. We were working diligently on
5 legislation that would be introduced in January that
6 we'll discuss in a moment, that became known as Senate
7 Bill 124, and of course we had in place in 1973 Use Rules
8 that allowed three days of pumping.

9 Early in January of this year Senate Bill 124
10 was introduced. It was referred to as the Arkansas River
11 Basin Protection Act. It was signed on March 1 of this
12 year, went through the Legislature on a very fast track
13 and we do appreciate the legislature's support of this
14 important piece of legislation. Some of the key
15 provisions of the Bill were that the Colorado Water
16 Conservation Board was authorized to loan up to
17 \$3,750,000 to the Lower Arkansas Water Management
18 Association for the purchase of permanent water rights
19 for augmentation purposes.

20 An additional 50 thousand was awarded to the
21 Water Conservation Board or they were authorized to grant
22 50 thousand dollars to the augmentation associations for
23 the acquisition of computers, software, training to
24 facilitate the exchange of information. And that 50
25 thousand dollars has nearly been used on the basis of

1 some activities that have taken place this year.

2 The Channel Improvement Study was authorized for
3 150 thousand dollars that you've heard about from the
4 Corps this morning. There were changes to the statutes
5 requiring that power associations or power companies
6 provide at my request, power data on a well by well or
7 user by user basis. Very important to us so that we
8 could go to the association directly to get power data
9 without having to go to the individual user.

10 The laws were changed to impose penalties upon
11 well users who violated the rules and regs anywhere in
12 the state as related to Compact enforcements. These
13 fines were \$500 a day for each day of violation.

14 Additional staff were allocated to my office.
15 Nine and a half additional FTE's were assigned to the
16 Division II office under Mr. Witte's supervision, which
17 consisted of two engineers, two clerical positions, a
18 programmer and five and a half technicians.

19 In February of this year I amended the 1994
20 Measurement Rules to require additional information to be
21 provided at the time the power coefficient test was taken
22 and to fine tune some other aspects of the rules that I
23 won't go into any detail here but it was based upon our
24 experience operating under the rules since 1994. I filed
25 those on February 26, there were no protests of the

1 rules, therefore there was no trial and the rules became
2 effective on February 26 of this year. Last year I had
3 filed in September amendments to the 1973 Use Rules. In
4 December we knew we had protesters, we had several
5 entities that had protested the rules, no trial date had
6 been set. Early in 1996 Judge Anderson did set a trial
7 date and ruled on a number of legal issues. Trial
8 finally was conducted beginning April 8 and went through
9 April 17. There were, I think, a minimal protest. When
10 you look at the...there were four individuals that
11 employed an attorney that really carried on the majority
12 of the fight or the protest to the rules but they
13 represented only 24 wells out of four thousand wells in
14 the basin. So the majority of the water users supported
15 the rules and did not fight the rules. Great assistance
16 to the state in being able to move forward and show that
17 we were achieving Compact compliance. Judge Anderson
18 issued his decision at the end of April, April 30th,
19 approving the rules totally as introduced with one
20 change. Effective date was moved from April 1 to June 1
21 of this year so that well owners would have roughly a
22 month to, if they were not already in an approved
23 replacement plan or augmentation association they had
24 roughly a month to enroll their wells in such an
25 association.

1 I would like to discuss with you for a few
2 minutes the enforcement of the rules after June 1 when
3 they did become effective and also the Measurement Rules
4 which are effective as amended in late February. Mr.
5 Witte issued 143 Cease and Desist Orders against 200
6 wells in May of 1996 dealing with the Measurement Rules
7 where the owners were not in compliance with those
8 specific rules. All of these particular Cease and Desist
9 Orders were dealt with. All owners came into compliance.
10 In September an additional 45 complaints were filed with
11 Judge Anderson's Court dealing with additional violations
12 to the Measurement Rules and those are in the process of
13 being dealt with now.

14 With respect to the Use Rules, when they became
15 effective, June 1, Mr. Witte's staff began issuing Cease
16 and Desist Orders to well owners whose wells were not a
17 part of an approved replacement plan.

18 The process was to issue a certified letter to
19 the owner but also to place on each well a copy of the
20 certified order in a plastic envelope duct-taped to the
21 well so that it would be a fairly permanent attachment to
22 the well and then to follow up on those orders to see if
23 those wells were pumped, because if they were pumped then
24 they were subject to violation of the rules and a \$500
25 per day fine.

1 In follow up on those orders we found 14
2 violations. Thirteen were dealt with Consent Decrees
3 where the parties agreed to pay fines and attorney's fees
4 and they all joined associations. One party has not been
5 able to be served. It's an individual in Texas, and our
6 server is still chasing him around somewhere in Texas,
7 but we'll catch him eventually, I guess. Today I learned
8 six more complaints will be filed with the Water Court
9 dealing with additional violations of the Use Rules that
10 were discovered so we will be bringing those individuals
11 before Judge Anderson in the near future. So 20
12 violations out of about 1400 active wells isn't too bad.
13 Mostly those are very small violations in the order of
14 just a few acre feet pumped.

15 Let's talk about the replacement plans that were
16 approved this year that allows the majority of the wells
17 to pump. Sixteen plans were approved by my office and
18 nine were disapproved. Total of 25 were submitted.

19 Remember, a well under the rules can't pump
20 unless it is operating pursuant to a decreed plan for
21 augmentation or a replacement plan so these replacement
22 plans are the avenues that allowed the majority of the
23 wells to pump in 1996.

24 Since the rules were effective June 1, we were
25 dealing with pumping after June 1 so the plans projected

1 pumping from June 1 through March 31 of 1997 to be about
2 161 thousand acre feet throughout the basin. Replacement
3 plans delivered to Colorado senior ditches, about 17
4 thousand acre feet of replacement water and to the
5 Stateline they projected deliveries of about 8 thousand
6 acre feet. In actuality, deliveries to the Stateline
7 appear to be around 10,180 acre feet this year of fully
8 consumable water. As the pumping was reported on a
9 monthly basis as we operated under our procedure, a very
10 complex procedure to keep replacement water as closely as
11 possible to the timing of the depletion, we've learned
12 that because of the rains in the valley, pumping is
13 probably going to be actually about 60 percent of what
14 was projected when the plans were filed with our office.

15 With respect to the Stateline deliveries, about
16 62 hundred acre feet was from the Lower Arkansas Water
17 Management Association's augmentation resources, mostly
18 direct flow water from the XY Canal, Manvel Canal, Fort
19 Bent Canal. An additional 39 hundred acre feet of water
20 was made available from mostly the associations above
21 John Martin to cover the unreplaced depletions that
22 occurred this year because we only phased in this year
23 replacement to Colorado ditches at 60 percent of their
24 depletions so there were depletions occurring to
25 Stateline flow that weren't replaced in Colorado or

1 offset, so these associations delivered another 39
2 hundred acre feet of water to the Stateline.

3 We did learn that we need to improve
4 communications on deliveries to the Stateline. Mr.
5 Witte's staff and Mr. Rude's staff worked through that
6 process and I think we have a much better understanding
7 of how we will operate in the future. I think we learned
8 an accounting of John Martin would be extremely
9 beneficial to both states, gives flexibility to Colorado
10 water users to move water into that account rather than
11 trying to take it to the Stateline, at times maybe when
12 it's really not most usable to Kansas. Kansas then can
13 take from that account that water to meet its peak
14 irrigation needs in July and August.

15 We spent a lot of time yesterday talking about
16 that account and soon will continue that discussion on
17 February 5th.

18 Beginning in 1997 though, on April 1, when the
19 new plans are effective, we will require full replacement
20 of depletions, out of priority depletions to Colorado
21 ditches throughout the system. That should nearly offset
22 all depletions to usable Stateline flow and especially
23 for those associations operating above John Martin
24 Reservoir.

25 The Lower Arkansas Water Management Association

1 will continue to deliver water to the Stateline to deal
2 with winter depletions and depletions occurring below the
3 Buffalo Canal head gate in the summer.

4 We met with the association yesterday to talk
5 about how their plan would operate in 1997. If we have a
6 nearly average year of pumping we will be providing
7 somewhere around 40 thousand acre feet of replacement
8 water to senior ditches in Colorado as well as water to
9 the Stateline from the LAWMA account or a direct flow of
10 resources -- or sources, excuse me, in the order of, I
11 don't know, 8 to 10,000 acre feet, maybe more depending
12 on the projected pumping. I would like to thank the
13 augmentation associations that have worked with us
14 carefully and thoroughly throughout the year, it's been a
15 tough year to get started in in the sense of when we
16 begin these type of complex operations there are some
17 difficulties but they have been very cooperative and I
18 just want to express my appreciation to them for working
19 with us as well as they have. I would like to thank
20 Steve Witte and their staff. We have picked up some new
21 people, some outstanding individuals, Bill Tyner, Dale
22 Straw, have really made the augmentation accounting and
23 the tracking of well pumping much more efficient and want
24 to thank them for their diligent efforts. Start up is
25 always difficult. There's one gentleman I want to say a

1 special thank you to and that is Bill Howland. He
2 operates John Martin Reservoir as carefully as probably
3 any reservoir maybe in the west. Where do you see the
4 accounting that goes on for releases like you see at this
5 reservoir, and also as well as the content of numerous
6 accounts. But this year Bill had to not only get
7 Kansas's water to the Stateline he had to monitor
8 deliveries of water to the Stateline for the augmentation
9 associations. .And as you heard last night there was some
10 concerns expressed by Kansas about a few shortages but
11 you have to understand that that river isn't a stable
12 river, it goes up and down daily and to do as well as he
13 did I think you should recognize that he did an
14 outstanding job. Sure, we can probably do better as we
15 improve communications, but I think you should realize
16 that he does truly an outstanding job and I think he
17 should be recognized for that. With that, Mr. Chairman,
18 I conclude my report and will be glad to answer any
19 questions.

20 CHAIRMAN TRUJILLO: Thank you. Any questions?
21 Chuck.

22 MR. LILE: I would just like to thank Hal and
23 his staff for all the efforts they have made to
24 accomplish these tasks and I appreciate that Hal.

25 CHAIRMAN TRUJILLO: Thank you.

1 MR. POPE: I would certainly echo the fact that
2 I know, Hal, you and your staff, including Steve, Bill,
3 your folks that you made reference to, put a lot of hard
4 work into this issue and we recognize that. I hope
5 whenever questions are raised about things that we may
6 not understand or things that we want to make sure that
7 result in our Compact properly being fulfilled aren't
8 taken as the kind of criticism that might not otherwise
9 recognize there's a tremendous amount of time and effort
10 and work to put all of these things together so certainly
11 want to appreciate that and your effort. I know it is a
12 big job and particularly starting up is always difficult
13 on these things. I don't know whether...I did have a
14 couple of questions that might relate to...just to make
15 sure I understood the information you did report on
16 without going into a lot of detail just...when you made
17 reference to the 17 thousand acre feet of replacement
18 water, is that over and beyond the deliveries that you
19 made reference to to the Stateline?

20 MR. SIMPSON: Yes.

21 MR. POPE: So those are two separate numbers?

22 MR. SIMPSON: Yes.

23 MR. POPE: Same thing for the numbers you made
24 reference to in the coming year that you said?

25 MR. SIMPSON: Yes.

1 MR. POPE: Unless there's other comments, I
2 don't know that we need to make further comments or
3 questions. This is probably not the time or place for
4 those.

5 CHAIRMAN TRUJILLO: Okay. Finished? Chuck.

6 MR. LILE: Yes.

7 CHAIRMAN TRUJILLO: On behalf of the
8 Administration, thank you. It's a big undertaking, it is
9 extremely important and one that certainly had to be
10 addressed, to go into the Legislature gathering the
11 necessary resources to complete that job and at least get
12 started and get it on track is an ongoing project and you
13 are to be commended for it.

14 MR. SIMPSON: Thank you.

15 CHAIRMAN TRUJILLO: Thank you. We'll move over
16 to item 11 and also making reference back to item 5(1),
17 that we addressed earlier in the day, and that's a
18 proposed storage account at John Martin Reservoir to
19 facilitate Colorado Compact compliance and I understand
20 that there is a resolution or agreement. Mr. Lile.

21 MR. LILE: Certainly, yes. First I would like
22 to start by stating our appreciation again to Kansas for
23 their willingness to work on these issues. We have
24 placed on the agenda a proposed account at John Martin, a
25 resolution, after an hour discussion yesterday and last

1 night, Colorado would remove that from the agenda to be
2 considered at this time in lieu of the proposed motion or
3 whether it's a motion or joint statement that we are
4 going to be making concerning how we're going to proceed
5 on this issue and so I believe David, that you have had a
6 chance to look at what...how we're proposing to move
7 forward here and if you are in concurrence.

8 MR. POPE: Yes, Chuck. We have had a chance to
9 look at the language and I believe we find it to be
10 acceptable in a way to simply just characterize the
11 nature of the discussion that we have had yesterday and
12 today and so we are willing to proceed forward in
13 consideration of that.

14 CHAIRMAN TRUJILLO: Would one of you gentlemen
15 read it for the record so that the audience also has...

16 MR. LILE: I would like to place it the form of
17 motion and I'll read it for the record. I would like to
18 move the statement would be entered into the record.
19 Representatives of Kansas and Colorado met on Monday,
20 December 9, 1996 to discuss a storage account in John
21 Martin Reservoir to replace the depletions to usable
22 Stateline flows caused by post Compact well pumping in
23 Colorado. At the close of the meeting representatives of
24 both states agreed the discussions were productive and
25 further discussions would be useful before presenting

1 resolutions to the Compact Administration. Therefore,
2 the representatives of both states agreed not to present
3 resolutions to establish a storage account at the annual
4 meeting of the Compact Administration, to exchange draft
5 resolutions and hold further discussions during the next
6 45 days, and to hold a special meeting of the Compact
7 Administration on February 5, 1997 to consider such
8 resolutions.

9 MR. POPE: I would second the motion.

10 CHAIRMAN TRUJILLO: Any comments or discussion
11 on the motion. There being none, all in favor signify by
12 saying aye.

13 MEMBERS: Aye.

14 CHAIRMAN TRUJILLO: All opposed, same sign. The
15 resolution statement is adopted and I as chairman of the
16 Administration want to comment that I commend both of
17 you, both sides, Kansas and Colorado, for your diligent
18 efforts in trying to resolve this matter and so certainly
19 there's matters that can't be resolved individually and
20 end up in the courts and many times when things end up in
21 the courts, it's been my experience and not necessarily
22 with water issues but with many issues, we get
23 resolutions that neither side are totally happy with.
24 And if both sides continue to work on this type of
25 problems and resolve them and instead of throwing our

1 arms up and saying it can't be resolved, I think that's
2 the original reasons why courts established Masters and
3 hopefully try to resolve things, but if we can get even
4 beyond that and resolve them here where it's in agreement
5 and both states are satisfied and they achieve the
6 agreements themselves instead of allowing a third party
7 to reach the agreements for them, and I know since last
8 December how hard both Mr. Pope and Chuck have been
9 working on this and I again commend both of you for your
10 diligent efforts and I hope these matters can be resolved
11 here at the Administration level and it's my feeling that
12 you probably will get more of what you want and more of
13 what you are ultimately satisfied with. And with those
14 comments the next item, item 12.

15 MR. LILE: Just a minute. David, could we talk
16 about the 5th meeting, I guess the question comes whether
17 we want to do that telephonically or do you want to
18 travel or do you want to have those discussions now or
19 should we consult later or...

20 MR. POPE: I guess I think we might want to just
21 consult later on that. I'm not sure. I would be open to
22 discussion.

23 MR. LILE: We'll talk over lunch hour.

24 MR. POPE: I don't think we should rule out the
25 possibility of it being an actual meeting if necessary

1 but I think we had envisioned it at least at this time as
2 being telephonic but if we need a meeting and as we go
3 through this process between now and then and it becomes
4 clear that it's better to have a session we'll sure try
5 to do everything we can to try to work with that. The
6 logistics are a lot more difficult for one than the other
7 but there are some advantages to having...

8 MR. LILE: Thank you.

9 CHAIRMAN TRUJILLO: Item 12, the annual report
10 in preparation. Steve, can we address that? We have 15
11 minutes.

12 MR. MILLER: Yeah, it won't take that long.

13 CHAIRMAN TRUJILLO: If we can, let's go ahead
14 and proceed.

15 MR. MILLER: I'll just talk loud. I think some
16 of the resolutions of the Operating Secretary Report
17 issue done earlier will resolve the annual report
18 preparation too, so let me just quickly say the '94
19 Annual Report is out for review by the...to all of the
20 members of the Administration and resolving the language
21 for the Operations Secretary Report should allow that
22 approval to go ahead I would expect in the next month or
23 so. With the '95 report I have probably an 80 percent
24 complete draft, the issue remaining there and I would
25 like some advice either today or over the next few weeks

1 maybe from both Kansas and Colorado, is the spill. If
2 you will remember that's the year we had the spill and
3 there was some questions although they didn't result in
4 deferral of the Operations Secretary's Report, and I'm
5 not sure how much detail you want to put on this spill
6 accounting in that report, and I don't know what your
7 preference is, if you want me to take a shot at doing
8 what I think is appropriate and send it out for review or
9 if you want to instruct me how to handle the issue of
10 spill in the '95 annual report.

11 CHAIRMAN TRUJILLO: Go ahead, Chuck.

12 MR. LILE: I would suggest that maybe you just
13 talk with Kansas and see how they feel about it and then
14 go forward to see if there's something we could do to
15 just move it forward by first communicating before we
16 write something.

17 MR. POPE: Might be helpful in this case to have
18 some, on that part of it you know, maybe have some
19 informal discussions between you and Lee or however and
20 then maybe that can then result in a draft after that.

21 MR. MILLER: All right. Envisioning both of
22 those will be approved this spring, the only other thing
23 I would mention is that the printer has told me he can
24 save us several hundred dollars if we slightly reduce the
25 page size of that report. If you...it's different from 8

1 and a half by 11 paper turned side ways so I was going to
2 do that on my own but since I'm here I guess I could ask
3 for your permission to do that.

4 MR. LILE: Make an executive decision and...

5 MR. MILLER: Finally, with the '96 report we
6 have an opportunity to be about completing these at least
7 in the fiscal year that the report covers. And I
8 determined that I can get the USGS done which is the bulk
9 of that report by about March of '97 for the Compact Year
10 we just completed. I don't know for sure how the
11 diversion records which the states provide and take a
12 little bit longer to produce and check can be
13 accommodated but I would like to try to get that '96 out
14 for review by this May or June so we could print it
15 before the end of the fiscal year on June 30. And that
16 would complete my report on...

17 CHAIRMAN TRUJILLO: Thank you very much, Steve.
18 What we will do at this point is we will adjourn so we
19 can have the executive meeting on item 13 which is the
20 Highland and Nine Mile cases and we will reconvene at
21 1:15 we will reconvene at 1:15 and we'll deal with items
22 14 through 16. Okay.

23 MR. MILLER: I'll bring Mr. Flack back at that
24 time.

25 (Whereupon, the Executive Session was

1 held, after which a lunch break was
2 taken, and the proceedings commence at
3 1:20 p.m. as follows:

4 CHAIRMAN TRUJILLO: The annual meeting of ARCA
5 will come back to order and we will start with item 13 of
6 the agenda, the Highland and Nine Mile cases and to speak
7 on that issue I'll ask Lee and Bart to address the
8 Administration.

9 MR. RICKENBAUGH: Looks like Lee is busy so I
10 will go ahead and give a brief report. Essentially what
11 we discussed in executive session was the status of the
12 federal lawsuit filed by Highland and Nine Mile. The
13 federal suit was filed concurrently with the state action
14 and was stayed pending the outcome of the state action in
15 the State Court. The issue before the Court was
16 essentially the validity of the 1980 Operating Principles
17 for John Martin Reservoir. The Water Court upheld the
18 validity of the 1980 agreement. The water court's
19 decision was upheld on appeal by the Colorado Supreme
20 Court and that decision was appealed to the United States
21 Supreme Court which declined to hear the case. The
22 attorney for Highland and Nine Mile filed a motion to
23 dismiss the federal case as a result of the outcome of
24 the state case and in the executive session we discussed
25 with ARCA's attorney exactly how ARCA should proceed and

1 it was determined that ARCA's attorney would file a
2 motion with the Court to reopen the federal case for the
3 limited purpose of dismissing the case.

4 CHAIRMAN TRUJILLO: Do you have anything to add
5 to that, Lee?

6 MR. ROLFS: No, I think that ARCA was just not
7 going to object to having it dismissed and apparently
8 there was some administrative problems with having to
9 reopen it for the limited purpose of having it dismissed.

10 CHAIRMAN TRUJILLO: Okay. Thank you. Any
11 questions? If not, thank you very much, Bart.
12 Appreciate it.

13 We'll go to item 14, Review and Approval of the
14 Audit Report.

15 MR. ROGERS: I think Don passed out a copy to
16 all of you people at the head table on the audit report.
17 It covers everything in there. Have you had a chance to
18 look at it? Does anyone have any problems with it?

19 MR. POPE: Jim. I'm not sure I have a copy of
20 that. Do we have copies?

21 MR. HIGBEE: I've got extra ones here.

22 CHAIRMAN TRUJILLO: I think we need another copy
23 up here please.

24 MR. ROGERS: In their opinion, the financial
25 statement referred to above, presents fairly, in all

1 material respects, the assets and liabilities - cash
2 basis - of the Arkansas River Compact Administration as
3 of June 30, 1996 and its revenue collected and expenses
4 paid during the year then ended on the basis of
5 accounting described in note 1a. In their opinion
6 everything is in line. Do you have a...

7 MR. POPE: Yeah.

8 MR. LILE: I move we accept the audit report.

9 CHAIRMAN TRUJILLO: Do I hear a second?

10 MR. BUERKLE: I second it.

11 CHAIRMAN TRUJILLO: Moved and seconded that the
12 audit report be accepted. Any discussion? Any
13 questions? All in favor, signify by saying aye.

14 MEMBERS: Aye.

15 CHAIRMAN TRUJILLO: All opposed, same sign. The
16 motion carries and the report is accepted. Did you get a
17 copy of that?

18 REPORTER: Yes.

19 CHAIRMAN TRUJILLO: The next item will be the
20 Treasurer's item, an item that was laid over, 4C, Mr.
21 Rogers.

22 MR. ROGERS: Yes, cash in bank accounts in the
23 checking account we have \$40.24. Money market account we
24 have \$20,281.75, total accounts \$20,321.99. Total
25 assets, \$20,321.99, liabilities are zero. Equity is

1 \$20,321.99 for a total liability and equity of
2 \$20,321.99. The assessments have been sent out to both
3 states and payments have not been received at this time.
4 They were sent out a little later than normal is the
5 reason why they haven't come back, but both states have
6 assured us they would be here and so we will have money
7 to keep operating.

8 CHAIRMAN TRUJILLO: Any questions on the
9 Treasurer's Report? Entertain a motion to accept the
10 Treasurer's Report.

11 MR. POPE: So move.

12 CHAIRMAN TRUJILLO: Second?

13 MR. ROGERS: Second.

14 CHAIRMAN TRUJILLO: It's been moved and
15 seconded. All in favor signify by saying aye.

16 MEMBERS: Aye.

17 CHAIRMAN TRUJILLO: All opposed, same sign.
18 Treasurer's Report is accepted. Thank you, Mr. Rogers.

19 We'll go to item 16, budget matters. The first
20 one, review of current fiscal year and...

21 MR. MILLER: Here's some extra copies of what
22 I'm going to go through. I passed some out last night
23 but in case. Normally we let the court reporter take a
24 little break while we go through this the first time so
25 she is not trying to track all of the numbers we're going

1 to throw around and we will come back on in a minute or
2 two.

3 (Whereupon, an off-the-record discussion
4 was held, after which the following
5 proceedings were had:)

6 MR. MILLER: Proposed second revision to the
7 fiscal year 1996-'97 budget, and I would prefer that we
8 modify that budget slightly by reducing the amount we
9 anticipate spending on litigation and holding assessments
10 level and that would give us anticipated expenditure of
11 fifty-nine thousand, four hundred twenty-five dollars for
12 fiscal year '96-'97.

13 CHAIRMAN TRUJILLO: Someone want to put that in
14 the form of a motion.

15 MR. LILE: So move.

16 MR. POPE: Second.

17 CHAIRMAN TRUJILLO: Been moved and seconded that
18 we adopt the '96-'97 budget as revised. All in favor
19 signify by saying aye.

20 MEMBERS: Aye.

21 CHAIRMAN TRUJILLO: All opposed, same sign.
22 Motion carries. We go to the '97-'98.

23 MR. MILLER: I would propose a first revision to
24 the fiscal year '97-'98 budget. Total expenditures for
25 that fiscal year being...as revised being \$59,260 and

1 assessments remaining at a total of \$62,000.

2 CHAIRMAN TRUJILLO: Want to put that in form of
3 a motion.

4 MR. LILE: So move.

5 MR. POPE: Second.

6 CHAIRMAN TRUJILLO: Been moved and seconded that
7 the '97-'98 budget be adopted with the revisions --
8 revisions be adopted, rather. All in favor signify by
9 saying aye.

10 MEMBERS: Aye.

11 CHAIRMAN TRUJILLO: All opposed, same sign. The
12 motion carries. The revisions are adopted. Go to the
13 '98-'99, Steve.

14 MR. MILLER: I have a proposed budget for fiscal
15 year '98-'99 with total expenditures, \$58,760.
16 Assessment income at \$62,000, surplus of \$4,240.

17 CHAIRMAN TRUJILLO: Any questions? Motion
18 please.

19 MR. POPE: Move adoption.

20 MR. LILE: Second.

21 CHAIRMAN TRUJILLO: All in favor signify by
22 saying aye.

23 MEMBERS: Aye.

24 CHAIRMAN TRUJILLO: All opposed, same sign. The
25 motion is adopted.

1 MR. MILLER: I believe there will be two.

2 MR. LILE: Do we need to move for ratification.

3 MR. MILLER: Yeah, I was going to say, we should
4 probably ratify...consider two things for the USGS. One
5 would be to ratify the cooperative agreements that were
6 signed this October ahead of the meeting and I don't know
7 how you want to identify those but they are in the
8 budget. It's the Cooperative Joint Funding Agreement
9 with the Colorado District for fiscal year '96-'97 in an
10 amount of \$23,535 and with the Kansas District for the
11 same fiscal year in the amount of \$6,725.

12 CHAIRMAN TRUJILLO: Motion to ratify that?

13 MR. LILE: So moved.

14 MR. POPE: Second.

15 CHAIRMAN TRUJILLO: All in favor signify by
16 saying aye.

17 MEMBERS: Aye.

18 CHAIRMAN TRUJILLO: All opposed same sign.
19 Motion carries. Go onto the next item to be ratified.

20 MR. MILLER: The Administration ought to
21 consider pre-approving a contract Joint Funding Agreement
22 with the Colorado District for fiscal year '97-'98 in the
23 neighborhood of \$24,700, that's only an estimate. We
24 don't know the final dollar amount but we probably won't
25 meet again until a year from now.

1 MR. LILE: And the question is, it could be plus
2 or minus two percent, is what you're saying?

3 MR. MILLER: Yeah. Is Doug here?

4 MR. CAIN: I think plus or minus two percent is
5 a real reasonable.

6 MR. POPE: I have a question on this one, just
7 to make sure I'm straight on which year it is being
8 funded for and which year the work is being done in, last
9 night when we were discussing the additional gages I
10 think our Engineering Committee Report was to continue
11 those for at least one more year. Which year would that
12 be in regard to these cooperative agreements? Was it
13 another year beyond the...

14 MR. MILLER: It would be the year we're talking
15 about now, in other words we have an existing agreement
16 that we're under way on that was signed this October.

17 MR. POPE: Right.

18 MR. MILLER: And they are two months into that
19 agreement already and that is based on service,
20 continuing service of those three new gages. The one
21 that we are discussing at the moment would be your first
22 opportunity to either add to or delete from the gauging
23 program. It would become effective October 1, '97.

24 MR. POPE: We had one years worth of data from
25 the gages that we looked at last night, the year that's

1 going on right now is the second year so the question is
2 whether we want to commit to the third year at this point
3 or not.

4 MR. MILLER: Or consider a procedure to...

5 MR. LILE: I think I would, if I may I would
6 like to amend the motion or withdraw it. Why don't we
7 set it up so that you and I, David, can look at that and
8 then have the Commission or Administration give us the
9 authority to enter into the agreement within the limits
10 of the 24 thousand and then we can make that decision.

11 MR. ROBBINS: Not to exceed 24 thousand.

12 MR. POPE: I like that.

13 MR. LILE: You and I would get together in
14 October and make a call.

15 MR. POPE: I'm not saying we are not wanting to
16 continue, I'm saying it gives us the option of looking at
17 that after we...

18 MR. LILE: To rephrase that in your words, so...

19 CHAIRMAN TRUJILLO: Withdraw your original
20 motion?

21 MR. LILE: Yes. And I would move that the
22 Compact Administration authorize David Pope and Chuck
23 Lile to confer and enter into those contracts not to
24 exceed 24 thousand.

25 MR. MILLER: \$24,700.

1 MR. LILE: \$24,700.

2 MR. MILLER: With the Colorado District and the
3 Kansas District is an additional 7,060 -- 7,060.

4 MR. LILE: Compact Administration's commitment
5 is \$24,700.

6 MR. MILLER: Total would be 31 thousand 7
7 hundred...there's two separate agreements to the same...

8 MR. LILE: For a total of how much?

9 MR. MILLER: \$31,760.

10 MR. LILE: \$31,760.

11 CHAIRMAN TRUJILLO: Not to exceed that.

12 MR. LILE: Not to exceed that.

13 CHAIRMAN TRUJILLO: Any questions on the motion?

14 MR. POPE: I move to do that.

15 UNIDENTIFIED PERSON: I second that.

16 CHAIRMAN TRUJILLO: All in favor, signify by
17 saying aye.

18 MEMBERS: Aye.

19 CHAIRMAN TRUJILLO: All opposed, same sign.
20 Motion carries. Any other business, Steve?

21 MR. MILLER: I think that's all.

22 CHAIRMAN TRUJILLO: Any other business Dave or
23 Chuck?

24 MR. LILE: Mr. Chairman, I would propose that we
25 set February 5th as the next meeting and that at the

1 discretion of the Chair make a decision as to whether
2 it's telephonic or it is held at (inaudible) this meeting
3 which we can consult on later as we proceed with the
4 efforts on our resolution.

5 CHAIRMAN TRUJILLO: And what time on the 5th do
6 you have in mind?

7 MR. POPE: I don't know that.

8 CHAIRMAN TRUJILLO: Assuming it's going to be
9 held in Kansas's time zone.

10 MR. POPE: Okay. Well, there's two issues
11 there. One, is the time, and then the other if I
12 understood Chuck right, was the telephonic or regular.
13 Our assumption has been we're proceeding on the basis of
14 telephonic. If that's not going to be the case we may
15 have to do some additional schedule checking because it
16 may be more than just you know, a few hours or an hour or
17 two or something. It may be more travel arrangements and
18 things like that but why don't we pick a time for the,
19 assuming telephonic, and then as we proceed through this
20 review that's going to occur between you know, in the
21 next 45 days, we'll have a better feel as to whether or
22 not...seems like any negotiations, any discussion are
23 going to occur during that time period. I think we'll
24 know whether we are you know, going to need a meeting or
25 not.

1 CHAIRMAN TRUJILLO: We'll need a meeting
2 regardless, right?

3 MR. LILE: We will need a meeting regardless. I
4 was trying to leave it open, a little bit flexible, it's
5 the Chair's call.

6 MR. POPE: With all due respect to the Chair and
7 I trust him, that there's so many schedules involved I
8 think we might have some discussion with the rest of us
9 too.

10 CHAIRMAN TRUJILLO: Certainly. I'm not going to
11 just arbitrarily call a meeting. There's some desire on
12 my part, I'll be quit frank with you, to have that
13 meeting or future meetings in Kansas. I think it serves
14 both states well that we either alternate or have
15 meetings in both places. It is probably something that I
16 will, of course with consultation from both states,
17 insist that we continue to look at.

18 MR. POPE: Okay.

19 CHAIRMAN TRUJILLO: What we'll do then is we'll
20 set the meeting for the 5th of February of '96 either in
21 Garden City, Kansas or telephonic and the time I will
22 confer with Steve.

23 MR. MILLER: I was just going to suggest.

24 CHAIRMAN TRUJILLO: Go ahead.

25 MR. MILLER: If you are considering a face to

1 face, I know several of the Kansas Delegation are going
2 to be in Garden City on the 30th and 31st for the legal
3 seminar.

4 CHAIRMAN TRUJILLO: Of...

5 MR. MILLER: Of January.

6 CHAIRMAN TRUJILLO: Of January.

7 MR. MILLER: I'm planning on going to see them
8 at the show and maybe we can do a meeting prior to that.

9 MR. ROBBINS: If we're going to do it face to
10 face, that's a good idea the 31st or the 1st.

11 CHAIRMAN TRUJILLO: So maybe we should change
12 that around. I don't know, I don't think we have to
13 formally set the date today, Steve and Chuck, I think
14 that's a good suggestion, might save some travel and some
15 trips or at least two trips with some people if we do
16 decide on something other than telephonic.

17 MR. POPE: There's some possibilities there.

18 CHAIRMAN TRUJILLO: Why don't you and Dave talk
19 that over, come up with an agreement on it and then
20 notify the rest of the Administration, unless there is
21 objection from other members of the Administration. Why
22 don't we do it that way, Dave.

23 MR. POPE: Okay. Why don't we confer on that.
24 I would like to...I think there are some possibilities if
25 we do need face to face meeting. Should we in the event

1 that we do go telephonic, pick a time and say what works
2 best say...

3 MR. LILE: 10:00 o'clock on the 5th.

4 MR. POPE: Let's put down 10:00 o'clock on the
5 5th.

6 CHAIRMAN TRUJILLO: Unless we don't have a
7 meeting earlier, a face to face meeting.

8 MR. POPE: Yes, and that's which time zone?

9 CHAIRMAN TRUJILLO: Kansas.

10 MR. LILE: Kansas time zone is...

11 CHAIRMAN TRUJILLO: If it's telephonic it's
12 10:00 o'clock, Colorado 9:00 o'clock mountain time.

13 (Everyone talking at once.)

14 MR. LILE: So to make it clear...

15 CHAIRMAN TRUJILLO: 10:00 o'clock mountain time.
16 Any other business that you are aware of?

17 MR. LILE: I have no more.

18 CHAIRMAN TRUJILLO: Any other business from
19 Kansas?

20 MR. OVERTON: Not that I know of.

21 CHAIRMAN TRUJILLO: Unless there is an objection
22 we will adjourn the '96 meeting of ARCA. Thank you.

23 (Proceedings conclude.)

24 -----

25

Exhibit A

STATE OF COLORADO

Colorado Water Conservation Board Department of Natural Resources

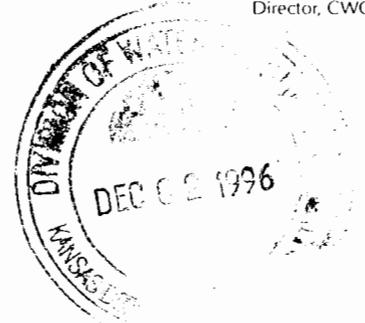
721 Centennial Building
1313 Sherman Street
Denver, Colorado 80203
Phone: (303) 866-3441
FAX: (303) 866-4474



MEMORANDUM

Roy Romer
Governor
James S. Lochhead
Executive Director, DNR
Daries C. Lile, PE
Director, CWCB

TO: Colorado Interested Parties
FROM: Steve Miller 
DATE: November 29, 1996
SUBJECT: Notice and Agenda, ARCA 1996 Annual Meeting



The Arkansas River Compact Administration (ARCA) will hold its **1996 Annual Meeting on Tuesday December 10, 1996** in Lamar, Colorado, pursuant to the enclosed Notice and Agenda. You are invited to attend and/or to convey your comments to any of Colorado's three ARCA members:

Chuck Lile, Director, CWCB
Carl Genova, Pueblo, Colorado
Jim Rogers, Lamar, Colorado

You are also invited to meet with Colorado's Compact members during a meeting in Lamar on **Monday, December 9, beginning at 3:00 PM**, at the Cow Palace Inn. Informal discussion of items on the agenda and also those of general interest to water users in the Arkansas basin will take place. Questions and comments from the public will be welcome.

The Arkansas River Compact Administration has recently completed the annual compact reports for 1990, 1991, 1992, and 1993. Copies will be available at the Annual Meeting in Lamar and may also be picked up free of charge at the following locations: the ARCA office in Lamar, the Division 2 Engineer's office in Pueblo, and the CWCB office in Denver. Copies are also available by mail from the CWCB for \$1.00 per copy to cover shipping and handling.

For additional information on ARCA please contact Steve Miller at the Colorado Water Conservation Board in Denver, (303) 866-3441.

ARKANSAS RIVER COMPACT ADMINISTRATION

307 South Fifth Street, Lamar, Colorado 81052

719-336-9696

Chairman and Federal Representative

Larry E. Trujillo, Sr.
Pueblo, Colorado

For Colorado

Daries C. Lile, Denver
Carl G. Genova, Pueblo
James G. Rogers, Lamar

For Kansas

David L. Pope, Topeka
Robert Buerkle, Holcomb
Eugene Overton, Syracuse

NOTICE OF ANNUAL MEETING

ARKANSAS RIVER COMPACT ADMINISTRATION

Tuesday, December 10, 1996, 8:30 a.m. (MST)

Cow Palace Inn, Lamar, Colorado

The 1996 Annual Meeting of the Administration will be held at the time and place noted above. The meeting will be recessed for the lunch hour at about noon and reconvened for the completion of business in the afternoon as necessary. Meetings of the Administration are operated in compliance with the federal Americans with Disabilities Act. If you anticipate needing a special accommodation as a result of a disability please contact Steve Miller at 303-866-3441 or Don Higbee at 719-336-9696 at least 7 days before the meeting.

The following Committees of the Administration will meet on December 9, 1996 in the Colorado Room at the Cow Palace:

Operations	6:30 p.m.
Engineering	7:30 p.m.
Administrative/Legal	8:30 p.m.

For a description of items to be discussed by the Committees refer to agenda item 5, below. The public is welcome to attend the Committee meetings, but time for comments may be limited.

The tentative agenda for the Annual Meeting, which is subject to change, is as follows:

1. Call to order and introductions
2. Approval of agenda
3. Approval of transcripts and/or summaries from prior meetings
 - a. Report on status of December 1993 Annual Meeting transcript
 - b. Report on status of December 1994 Annual Meeting transcript
 - c. Approval of December 1995 Annual Meeting transcript
 - d. Approval of January 26, 1996 Special Meeting Minutes
4. Reports of Officers for Compact Year 1996:
 - a. Chairman - Trujillo
 - b. Recording Secretary - Higbee
 - c. Treasurer - Rogers (defer until agenda item 15)
 - d. Operations Secretary - Witte (defer until agenda item 5.c.(2))



5. Committee reports for Compact Year 1996:
 - a. Administrative/Legal, Chair Lile:
 - b. Engineering, Chair Pope:
 - (1) Proposed storage account at JMR to facilitate Colorado Compact compliance
 - (2) USGS status report on new tributary gages, review of installation, initial data, and hydrograph separation methods.
 - (3) USGS status report on Purgatoire River transit loss/travel time study
 - (4) Army Corps status report on channel capacity studies below John Martin and Pueblo Reservoirs
 - c. Operations, Chair Rogers:
 - (1) Operations Committee Report
 - (2) 1996 Operations Secretary Report by Steve Witte, deferred from agenda item 4.d.
 - (3) 1997 Annual Agreement
 - (4) 1994 Operations Secretary Report, approval deferred from Dec. 1994

6. Election of officers for Compact Year 1997:
 - a. Vice-chairman, currently Genova
 - b. Recording Secretary, currently Higbee
 - c. Treasurer, currently Rogers
 - d. Operations Secretary, currently Witte

7. Appointment of Committee members and chairs for Compact Year 1997:
 - a. Administrative/Legal, current Chair Lile
 - b. Engineering, current Chair Pope
 - c. Operations, current Rogers

8. Reports of federal agencies:
 - a. Bureau of Reclamation
 - (1) 10-Year Review of Trinidad Operating Principles
 - b. Corps of Engineers
 - (1) Channel capacity studies
 - c. Geological Survey:
 - (1) Status of gaging efforts and costs
 - (2) USGS Cooperative Agreements for federal FY 1997 & 1998
 - (3) Purgatoire River transit loss & travel time study status report

9. Trinidad Project
 - a. Report on permanent pool operations in Trinidad Reservoir pursuant to amended Operating Principles
 - b. Approval of proposed changes to Operating Principles
 - (1) City of Trinidad
 - (2) Purgatoire River Water Conservancy District

10. Report and comments on Colorado's Compact compliance efforts in 1996

11. Proposed storage account at JMR to facilitate Colorado Compact compliance
12. Annual report preparation
 - a. Status of 1994 draft report
 - b. Status of 1995 draft report
 - c. Contents and schedule for 1996 report
13. Highland and Nine Mile Cases
 - a. Litigation status report
 - b. Hillhouse contract
14. Review and approval of Audit Report for FY 1995-96 (7/1/95-6/30/96)
15. Treasurer's Report - deferred from agenda item 4.c.
16. Budget matters:
 - a. Review of current fiscal year (1996-97) budget
 - b. Review of previously adopted FY 1997-98 budget and assessments
 - c. Adoption of FY 1998-99 budget and assessments
17. Adjournment

Exhibit B

**Annual Report
of the
Operations Secretary
to the
Arkansas River Compact Administration**

November 1, 1995 to October 31, 1996

Winter storage in John Martin Reservoir began at 0001 hr November 1, 1995. At that time the reservoir contained 257,884.00 af distributed as follows: 191,250.45 af in agreement accounts, 9,469.15 af in the permanent recreation pool, and 57,164.40 af in the summer compact account. Winter storage ended at 2400 hr March 31, 1996. During this period 82,803.12 af was stored. Of this amount, 48,429.88 af was stored in the conservation storage and 34,373.24 af was stored under the Winter Water Storage Program in Article III accounts. This water was allocated to various accounts as specified in the Operating Plan adopted by the Compact Administration on April 14, 1980.

Transfer of Conservation Storage water to accounts began at 0001 hr April 1, 1995 at a rate of 1,250 cfs. the conservation storage was emptied at 2152 hr, May 18. During the time that transfer was being accomplished 11,723.04 af was stored under summer conditions. From May 26 - June 11 a period of storage accumulated 16,394.84 af. On June 16-17 another 3,133.28 af was stored. Two short storage periods in July yielded 11,446.01 af and from another event during August 20-22 a total of 3,751.63 af was stored. Storage for the period August 24 - September 3 was 13,687.08 af. Three short storage events (September 8 - September 19) accumulated 5,497.73 af. From September 25 to October 16 the amount of 10,390.97 af was stored. The final period of October 27-31 showed a storage of 3,998.41 af. Total summer conservation storage was 80,002.39 af. This water was all transferred to accounts as provided for in the 1980 operating plan.

Six runs to the State of Kansas were made during this year. See Tables XIII-a through XIII-f for details.

A total of 883.93 af was stored in the permanent recreation pool during the year. This water was stored in priority under the Colorado Division of Wildlife's Muddy Creek Reservoir decree. See Table VIII for details.

Storage in the amount of 1,581.84 af was made in the City of Lamar Project Water account in June with the concurrence of the Compact Administration. This water was completely released by September 13.

The residual contained in the transit loss account on October 31 was 19,615.57 af. This was transferred to Kansas and Colorado accounts on November 1, 1996 less 6.30 af evaporation loss.



At the close of the Compact year the reservoir accounts contained 230,535 af. This is 27,349 af less than on the same date last year.

The summary Tables I-IX reflect the status of the various accounts during the year. Table X shows the releases to Colorado ditches. Tables XI, XII, and XIII-a through XIII-f show the progress of the releases to the State of Kansas. Table XIV shows the contents of the various accounts at 2400 hr on October 31, 1996. These tables are found in Section 3 of this report.

Section 4 of this report consists of daily accounting records by month for all accounts.



Steven J. Witte
Arkansas River Compact
Administration Operations Secretary

12/2/96
Date

Exhibit C

RESOLUTION OF THE ARKANSAS RIVER COMPACT ADMINISTRATION

The Annual Reports of the Operations Secretary for the years 1994 and 1996 are accepted subject to inserting the following footnote below the tables showing Colorado Augmentation deliveries:

- 1) The State of Kansas reserves its objections a) to the manner in which Kansas release water and Colorado augmentation water have been accounted at the Stateline, b) to the usability of the augmentation deliveries, and c) to the acceptability of the sources of augmentation water.

- 2) The State of Colorado acknowledges the Kansas objections and agrees to work toward an accounting acceptable to Kansas in this area.

- 3) Acceptance of this report is without prejudice for either state to endorse a new or different accounting procedure in future years.

Adopted by the Arkansas River Compact Administration at its Annual Meeting on December 10, 1996.

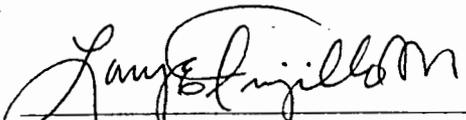

Chairman Larry E. Trujillo, Sr.

Exhibit D

Report of Civil Work Activities by the
Albuquerque District, Corps of Engineers
in the Arkansas River Basin
During Calendar Year 1996

1. General. During calendar year 1996, activities of the Corps of Engineers, Albuquerque District, in the Arkansas River Basin consisted of reservoir regulation, flood control related studies, flood plain management services, the regulation of dredged or fill materials into waterways under Section 404 of the Clean Water Act, and emergency engineering assistance.

2. Flood Control Operations. In 1996 the Arkansas River snowmelt runoff was slightly above normal in the upper basin above Pueblo and well below normal in the tributaries below Pueblo. There were brief flood control operations at Pueblo and John Martin Reservoirs, but there were no appreciable flood control benefits.

One deviation was requested by the Southeastern Colorado Water Conservancy District to extend for 15 days the evacuation of approximately 12,500 acre-feet that was being held above the top of the conservation pool at Pueblo Reservoir. The request was approved by the Corps but the storage was evacuated prior to 15 April 1996, thus avoiding the need for the deviation.

3. Special Topics.

a. Trinidad Lake Excess Space. On November 16, 1994, the Trinidad Lake Water Control Manual was revised to increase the recreation pool from 4,500 to 15,967 acre-feet. The Operating Principles to Trinidad Lake were formally amended by the Arkansas Compact Administration in January 1996 by a telephonic meeting. This was the last step in formal approval of the increase in the recreation pool.

4. Planning Assistance to States (Section 22) Program.

Under authority of Section 22 of the Water Resources Development Act of 1974 the Corps is authorized to assist non-Federal entities in the preparation of comprehensive plans for the development, utilization, and conservation of water and related land resources.

On August 9, 1996 the U.S. Army Corps of Engineers, Albuquerque District (Corps), in cooperation with the Colorado Water Conservation Board (CWCB) began the first of two studies under Section 22 authority: " Channel Capacity and Riverine Habitat Planning, Arkansas River Below John Martin Dam". The Corps will develop and evaluate potential maintenance plans which will provide longterm improvement of channel capacity and restoration of riverine habitat for the Arkansas River from John Martin Dam to the Colorado/Kansas state line. This lower reach study will be completed August 1997.

The second study will include the upper reach of the Arkansas River from John Martin Reservoir upstream to the Pueblo, Colorado area. The U.S. Geological Survey (USGS), the Corps, and the CWCB will cooperate on this study effort. The Corps will determine existing channel capacity and sediment effects; the USGS, groundwater/surface water interaction. The CWCB is currently developing the scope of work for a January 1997 mapping contract for both reaches. The CWCB and the Corps entered into a cost share agreement for the upper reach in early December 1996.

5. **Section 1135.** The 1986 Water Resources Development Act authorized the review of completed water resources projects to implement modifications which improve the quality of the environment. A Section 1135 feasibility study currently is evaluating aquatic habitat improvements to Lake Hasty immediately below John Martin Reservoir. The project proposes to route 5 to 8 cfs through Lake Hasty when irrigation releases are being made from the dam in order to improve Lake Hasty's water quality and dissolved oxygen levels. A draft Project Modification Report is currently under review by the project's sponsor, the Colorado Division of Wildlife, and will be circulated for public review in January 1997.

The Water Resources Development Act of 1996 has removed the restriction that Section 1135 studies be conducted only at Corps project sites. The expanded scope of the program allows restoration projects to be implemented in any area where the Corps has contributed to degradation of environmental quality. During FY 1997, the Albuquerque District is anticipating two Section 1135 initial appraisals to be conducted in Colorado. Organizations which have expressed an interest in project partnering include the City of Pueblo and Ducks Unlimited.

6. **Challenge Cost-Sharing Program.** A wetlands enhancement project at John Martin Reservoir was first conceived in 1994 and completed in early 1996. A direct 50/50 cost sharing agreement was signed between the Corps and Ducks Unlimited at a total cost of \$19,120.00. The project consists of a water retention berm across the Santa Fe Slough, a former borrow pit dug during the construction of the dam, upstream of the dam. Interpretive tours, incorporating a viewing blind, are currently led by Corps' project personnel.

7. **Continuing Authorities Program.** Under Section 14 of the 1946 Flood Control Act, as amended, the Corps of Engineers provides emergency streambank protection works to prevent damage to public facilities. Up to \$500,000 in Federal funds can be spent for each project. Under our Section 205 authority, small flood control projects may be constructed with a maximum Federal contribution of \$5,000,000.

The non-federal sponsor, under both of these authorities, must contribute 35% of the cost for these projects. This program is available to communities, flood control organizations, and other governing entities. Those having a need for this program should contact the U.S. Army Corps of Engineers, Formulation Section, 4101 Jefferson Plaza NE., Albuquerque, New Mexico 87109, telephone (505) 342-3348.

No studies were conducted under these authorities in 1996. To date, no studies have been requested in the Arkansas Basin for 1997.

8. Flood Plain Management Services. The objective of the flood plain management services program is to support comprehensive flood plain management planning with technical services and planning guidance at all appropriate governmental levels. This is intended to encourage and to guide local governments toward prudent use of our nation's flood plains.

Services available include: help in interpretation and evaluation of basic flood hazard data; guidance in preparation of flood plain regulations; advice on use of data regarding possible alternative developments in flood-prone areas; guidance on structural and nonstructural measures which might be employed to reduce flood hazard; and in some cases, development of basic flood hazard data. Section 321 of the Water Resources Development Act of 1990 requires recovering the costs of services provided to Federal agencies, private persons and organizations. A fee schedule has been established. These services are provided to state and local governments at no cost.

Thus far in 1996, the Albuquerque District has responded to 7 requests for technical services and flood hazard evaluations of specific sites in the Arkansas River Basin. The Flood Preparedness Plan, reported complete in the Corps' 1995 report, was actually completed in July 1996 for the community of Canon City, Colorado.

Governmental agencies or persons having a need for these services should contact the U.S. Army Corps of Engineers, Hydrology and Hydraulics Section, 4104 Jefferson Plaza NE., Albuquerque, New Mexico 87109, telephone (505) 342-3461, or check out our FPMS web page at: "<http://www.swa-wc.usace.army.mil/fpms/>".

9. 404 Permits. Section 404 of the Clean Water Act prohibits discharges of dredged or fill materials into waters of the United States, including adjacent wetlands, without a permit from the Corps of Engineers. In Fiscal Year 1996, we issued 5 individual permits in the Arkansas River Basin. An additional 401 activities in the Basin were reviewed during the period and most were covered under nationwide permits. Also, state-wide general permits for excavation activities and recreational placer mining were developed

for use in Colorado in 1994 and 1995, respectively. The development of these general permits results in increased efficiency and more timely permit decisions. These permits were widely used by the public in 1996. Persons or agencies who are planning to conduct fill or excavation activities in any waterway are advised to contact the Southern Colorado Project Office, 720 North Main, Suite 205, Pueblo, Colorado 81003, (719) 543-9459.

10. Emergency Management Coordination. The Corps of Engineers provides information on Corps flood authorities such as Public Law 84-99. The Corps had 14 contacts in the Arkansas River Basin for information or assistance regarding flood related issues.

Exhibit E

**Report of U.S. Geological Survey Water-Resources Activities
in the Arkansas River Basin of Colorado**

to the

Arkansas River Compact Administration

December 10, 1996

Items of Direct Interest to the Administration

The report entitled "Evaluation of streamflow traveltime and streamflow gains and losses along the lower Purgatoire River, southeastern Colorado, 1984-92", which was partially funded by the Administration, has been approved for publication, which is expected in about 2 months. The study found that it was not possible to accurately determine gains and losses in the first 60 miles of the study area using existing data. In the next 100 miles, although some large gains and losses did occur, the median streamflow gains and losses were small. The median streamflow gain or loss for the middle reach was near zero during all seasons, and median values for the downstream reach indicated small daily gains during all seasons. The U. S. Geological Survey (USGS) is pursuing discussions with the Purgatoire River Water Conservancy District about a possible second phase of study which would utilize newly collected data.

The USGS received small decreases in funding for the Federal Collection of Basic Records Program in FY97, and additional cuts are expected in FY98 and future years. This program provides basic station funding for 6 of the stations operated for the Administration (4 in Colorado and 2 in Kansas). Although funding for Compact stations in Colorado was not affected in FY97, continued decreases in funding in future years could affect these stations.

Water-quality sampling on the Arkansas River near Coolidge, which had been funded by the USGS as part of the National Stream Quality Accounting Network (NASQAN), was discontinued in October 1995 (although this decision was not finalized until after the 1995 meeting of the Administration). Water-quality data had been collected at this site during all but two years (1969 and 1974) since 1964, and a continuous-recording water-quality monitor was operated from 1964-68 and 1976-81. The NASQAN program has been redesigned because of decreasing funding over the last decade, and many sites were discontinued. Monitoring of streamflow at this site is not affected.

The continuous-recording water-quality monitor on the Purgatoire River near Las Animas, which had been operated by the USGS in cooperation with the Southeastern Colorado Water Conservancy District since 1985 was discontinued in October 1996 because of a lack of funding. Alternate funding sources for the monitor have not yet been found. Monitoring of streamflow at this site is not affected.

Items of General Interest

During 1997, the USGS will operate continuous-recording stream gages at 52 sites in the basin, partial-record stream gages at 8 sites, continuous-recording gages at 3 reservoirs, sediment data collection at 9 sites, continuous recording water-quality stations at 17 sites, and periodic water quality sampling at 12 surface-water sites and 115 wells (including about 100 wells at the U.S. Army's Pueblo Chemical Depot and 15 wells near Colorado Springs). Several networks of ground-water level measurements will be operated in the basin, including 70 wells measured twice a year between Pueblo and the state line, 40 wells measured twice a year between Leadville and Pueblo, 35 wells measured annually at Fort Carson, 10 wells measured annually at the U.S. Army's Pinon Canyon Maneuver Site, 40 wells measured twice a year in the alluvial aquifer south of Colorado Springs, 30 wells measured every other month in the Upper Black Squirrel Creek Basin and 130 wells measured annually in El Paso County. Much of the continuous-recording streamflow and water-quality data are available on the World Wide Web.

Monitoring of precipitation, streamflow, water quality, and suspended sediment will continue at the U.S. Army's Pinon Canyon Maneuver Site between La Junta and Trinidad and water quality monitoring of Pueblo Reservoir will continue.

The water quality evaluation of the Arkansas River Basin in Colorado will be completed in 1997. A report tabulating the water-quality data collected was distributed during 1996. A draft report describing water-quality conditions in the basin was completed and is currently being reviewed. The evaluation of the water-quality effects of water operations, has resulted in drafts of three reports, including; 1) an evaluation of the potential effects of changes in irrigation practices (dry-up of agricultural land and decreases in ground water pumpage) on salinity in an irrigated area between La Junta and Las Animas; 2) an evaluation of metal concentrations and metal speciation upstream from Pueblo; and 3) an evaluation of the historic effects of reservoir operations on water quality downstream from Pueblo. These reports are expected to be approved and published in 1997. A fourth report, evaluating the effects of water operations upstream from Pueblo on salinity will be prepared during 1997. Several USGS fact sheets, which will summarize these reports in an easily understood format, also will be prepared during 1997.

A study to determine if changes in nitrate concentrations in groundwater from the Upper Black Squirrel Creek alluvial aquifer have occurred since 1984 was begun in summer 1996. A report is planned for spring 1997.

Exhibit F

Representatives of Kansas and Colorado met on Monday, December 9, 1996, to discuss a storage account in John Martin Reservoir to replace depletions to usable Stateline flows caused by post Compact well pumping in Colorado. At the close of the meeting representatives of both States agreed that the discussions were productive and that further discussion would be useful before presenting resolutions to the Compact Administration. Therefore, the representatives of both States agreed not to present resolutions to establish a storage account at the annual meeting of the Compact Administration, to exchange draft resolutions and hold further discussions during the next 45 days, and to hold a special meeting of the Compact Administration on February 5, 1997 to consider such resolutions.

Exhibit G

ARKANSAS RIVER COMPACT ADMINISTRATION

FINANCIAL STATEMENTS

June 30, 1996

ARKANSAS RIVER COMPACT ADMINISTRATION
TABLE OF CONTENTS
June 30, 1996

Independent Auditor's Report	1
Statement of Assets and Liabilities - Cash Basis	2
Statement of Revenues and Expenses with Budget Comparison	3
Changes in Cash Balance - Statement of Receipts and Disbursements	4
Notes to Financial Statements	5



Members
NSPA
PASC

Certified Public Accountants

Ronald D. Anderson, P.A.
Gary L. Anderson, C.P.A.
Cynthia S. Anderson, A.B.A.

INDEPENDENT AUDITOR'S REPORT

December 5, 1996

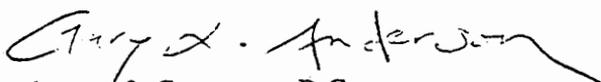
To the Representatives of
Arkansas River Compact Administration
Lamar, Colorado 81052

We have audited the accompanying statements of assets, liabilities and equity - cash basis - of the Arkansas River Compact Administration as of June 30, 1996, and the related statements of revenue collected and expenses paid for the year then ended. These financial statements are the responsibility of the Administration's management. Our responsibility is to express an opinion on these financial statements based on our audit.

Our examination was made in accordance with generally accepted auditing standards and accordingly, included such tests of the accounting records and such other auditing procedures as we considered necessary in the circumstances.

As described in Note 1a, these financial statements were prepared on the basis of cash receipts and disbursements, which is a comprehensive basis of accounting other than generally accepted accounting principles.

In our opinion, the financial statements referred to above present fairly, in all material respects, the assets and liabilities - cash basis - of the Arkansas River Compact Administration as of June 30, 1996 and its revenue collected and expenses paid during the year then ended, on the basis of accounting described in Note 1a.


Anderson & Company, P.C.

ARKANSAS RIVER COMPACT ADMINISTRATION
STATEMENT OF ASSETS AND LIABILITIES - CASH BASIS
June 30, 1996

ASSETS

Cash	\$ 34,936
Prepaid Treasurer Bond (Note 2)	<u>100</u>

<u>TOTAL ASSETS</u>	<u>\$ 35,036</u>
---------------------	------------------

CASH BASIS EQUITY

Expended:	
Pre-paid Expense	100
Unexpended	<u>34,936</u>

<u>TOTAL CASH BASIS EQUITY</u>	<u>\$ 35,036</u>
--------------------------------	------------------

See Accountant's Audit Report.

ARKANSAS RIVER COMPACT ADMINISTRATION
STATEMENT OF REVENUES and EXPENSES
with BUDGET COMPARISON
For the Budget Year July 1, 1995 to June 30, 1996

	<u>ACTUAL</u>	<u>BUDGET</u>	<u>OVER(UNDER)</u>
<u>REVENUES</u>			
Revenues from Assessments			
Colorado - 60%	\$ 30,000	\$ 30,000	\$ 0
Kansas - 40%	20,000	20,000	0
Interest	<u>977</u>	<u>1,000</u>	<u>(23)</u>
<u>TOTAL REVENUES</u>	<u>50,977</u>	<u>51,000</u>	<u>(23)</u>
 <u>EXPENSES</u>			
U. S. Geological Survey-Colorado District	\$ 30,530	\$ 30,530	\$ 0
U. S. Geological Survey - Kansas District	5,650	5,650	0
Satellite Access Fee-State of Colorado	8,400	8,400	0
Operation Secretary	6,087	6,100	(13)
Treasurers Bond (Note 2)	100	100	0
Telephone	1,057	1,200	(143)
Court Reporter, Annual Meeting	847	1,000	(153)
Recording Secretary	2,000	2,000	0
Treasurer	2,000	2,000	0
Meeting Expense	589	500	89
Auditor Fee	350	400	(50)
Incidental Office Expense	400	400	0
Other Miscellaneous Office Expense	9	300	(291)
Printing Annual Reports (Note 3)	9,620	12,000	(2,380)
Office Rent	600	600	0
Legal Fees	522	5,000	(4,478)
Contingency	<u>0</u>	<u>2,000</u>	<u>(2,000)</u>
<u>TOTAL EXPENSES</u>	<u>68,761</u>	<u>78,180</u>	<u>(9,419)</u>
<u>BUDGET SURPLUS (DEFICIT)</u>	<u>\$(17,784)</u>	<u>(27,180)</u>	<u>\$ 9,396</u>

See Accountant's Audit Report.

ARKANSAS RIVER COMPACT ADMINISTRATION
 CHANGES IN CASH BALANCE
 STATEMENT OF RECEIPTS AND DISBURSEMENTS
 For the Year Ended June 30, 1996

CASH BALANCE - July 1, 1995 \$ 52,820

RECEIPTS

Revenues from Assessments	
Colorado	\$ 30,000
Kansas	20,000
Interest	<u>977</u>

TOTAL RECEIPTS 50,977

DISBURSEMENTS

Geological Survey - Gaging Stations	\$36,180
Satellite Access Fee - Gaging Stations	8,400
Operations Secretary	6,087
Office Rent	600
Auditor Fee	350
Legal Fees and Expenses	522
Incidental Office Expense	409
Printing Annual Reports (1989 to 1993)	9,620
Meeting Expense	589
Court Reporter and Transcripts	847
Telephone	1,057
Recording Secretary	2,000
Treasurer	2,000
Treasurer Bond (2 years)	<u>200</u>

TOTAL DISBURSEMENTS (68,861)

DISBURSEMENTS IN EXCESS OF RECEIPTS (17,884)

CASH BALANCE - June 30, 1996 \$ 34,936

See Accountant's Audit Report.

ARKANSAS RIVER COMPACT ADMINISTRATION
NOTES TO FINANCIAL STATEMENTS
June 30, 1996

NOTE 1 - Summary of significant accounting policies:

- a. The Administration maintains financial records using the cash basis of accounting. By using the cash basis of accounting, certain revenues are recognized when received rather than when earned, and certain expenses and purchases of assets are recognized when cash is disbursed rather than when the obligation is incurred.
- b. The *Statement of Receipts and Disbursements* is shown only to reconcile the beginning and ending cash balances. It is not intended to reflect *income* and *expense* recognition. Income and expenses are reflected in the *Statement of Revenues and Expenses with Budget Comparison*.

NOTE 2 - The treasurer bond expense for fiscal year ending 6/30/97 was paid prior to 06/30/96, and therefore is recorded as a prepaid expense.

NOTE 3 - The budget for printing of Annual Reports includes printing for 1994, actual expenditures are for years 1989, 1990, 1991, 1992, and 1993.

A.R.C.A. Balance Sheet

As of 12/5/96

12/9/96

Page 1

COMPACT-Selected Accounts

Acct	12/5/96 Balance
ASSETS	
Cash and Bank Accounts	
Checking-VSB # 11-039863-3	40.24
Money Market-VSB # 11-039862-5	20,281.75
Total Cash and Bank Accounts	20,321.99
TOTAL ASSETS	20,321.99
LIABILITIES & EQUITY	
LIABILITIES	0.00
EQUITY	20,321.99
TOTAL LIABILITIES & EQUITY	20,321.99

Exhibit H

Exhibit I

STATE OF COLORADO

Colorado Water Conservation Board Department of Natural Resources

721 Centennial Building
1313 Sherman Street
Denver, Colorado 80203
Phone: (303) 866-3441
FAX: (303) 866-4474



Roy Romer
Governor
James S. Lochhead
Executive Director, DNR
Daries C. Lile, P.E.
Director, CWCB

MEMORANDUM

TO: Jim Rogers

FROM: Steve Miller 

DATE: December 16, 1996

SUBJECT: ARCA Budgets: FY 96-97, FY 97-98 and FY 98-99

Please find enclosed the final budgets for FY 1996-97 (2nd revision), FY 1997-98 (1st revision), and FY 1998-99 which were adopted by the Administration on Tuesday, December 11, 1996. **Also enclosed for your use is a proposed memorandum for transmittal of the budgets by you to the members of the Administration.** When you do so please **remember to sign and date the transmittal memo** and then send a copy to the Chairman and each member of the Administration, and also to Steve Witte and Don Higbee. I would also like to receive signed copies back for our files.

Please call if you have any questions. Thanks for all your help with the Annual Meeting. Have a Merry Christmas and a Happy New Year.

Enclosures: as stated
cc: Don Higbee, ARCA Recording Secretary
Beverly Lohrey, Court Reporter

ARKANSAS RIVER COMPACT ADMINISTRATION

307 SOUTH FIFTH STREET, LAMAR, COLORADO 81052
719-336-9696

FOR COLORADO
DARIES C. LILE, DENVER
CARL G. GENOVA, PUEBLO
JAMES G. ROGERS, LAMAR

CHAIRMAN AND FEDERAL REPRESENTATIVE
LARRY E. TRUJILLO, SR.
PUEBLO, COLORADO

FOR KANSAS
DAVID L. POPE, TOPEKA
ROBERT BUERKLE, HOLCOMB
EUGENE OVERTON, SYRACUSE

MEMORANDUM

TO: Chairman and Members, Arkansas River Compact Administration

FROM: James G. Rogers, Treasurer

DATE:

SUBJECT: ARCA Budgets: FY 96-97, FY 97-98, and FY 98-99

Enclosed, please find signed copies of the final revised budgets for FY 1996-97 (2nd revision), FY 1997-98 (1st revision), and FY 1998-99 (newly adopted) which were reviewed and approved by the Administration at its December 10, 1996 Annual Meeting. I have signed the above referenced budgets and now distribute them for your records.

Please feel free to contact me or Don Higbee should you have any questions.

Enclosures: as stated

cc: Beverly Lohrey, Court Reporter (w/encs.)
Steve Witte, Operations Secretary (w/encs.)
Don Higbee, Recording Secretary (w/encs.)
Steve Miller, CWCB (w/encs.)

ARKANSAS RIVER COMPACT ADMINISTRATION

307 SOUTH FIFTH STREET, LAMAR, COLORADO 81052

719-336-9696

CHAIRMAN AND FEDERAL REPRESENTATIVE

LARRY E. TRUJILLO, SR.
PUEBLO, COLORADO

FOR COLORADO

DARIES C. LILE, DENVER
CARL G. GENOVA, PUEBLO
JAMES G. ROGERS, LAMAR

FOR KANSAS

DAVID L. POPE, TOPEKA
ROBERT BUERKLE, HOLCOMB
EUGENE OVERTON, SYRACUSE

FY 1996 - 97 BUDGET, 2nd Revision

(July 1, 1996 - June 30, 1997)

I. EXPENDITURES

A. PROFESSIONAL SERVICE CONTRACTS

1. Treasurer	\$2,000
2. Recording Secretary	\$2,000
3. Operations Secretary	\$6,100
4. Auditor Fee	\$400
5. Court Reporter Fee	\$1,000
subtotal services	\$11,500

B. GAGING STATIONS & STUDIES

1. U.S.G.S. Colorado District Joint Funding fed. FY95-96	\$23,350
2. U.S.G.S. Kansas District Joint Funding fed. FY95-96	\$6,175
3. State of Colorado Satellite System	\$8,400
subtotal gaging	\$37,925

C. OPERATING EXPENSES

1. Treasurer Bond	\$0
2. Annual Report Printing (CY1994 & 1995)	\$4,000
3. Telephone	\$1,200
4. Miscellaneous Office Expense	\$300
5. Postage/Copying/Supplies	\$400
6. Meetings	\$500
7. Travel	\$0
8. Rent	\$600
subtotal operating	\$7,000

D. OTHER

1. Equipment	\$0
2. Contingency	\$2,000
3. Litigation	\$1,000
subtotal other	\$3,000

TOTAL ALL EXPENDITURES \$59,425

II. INCOME

A. ASSESSMENTS

1. Colorado (60%)	\$37,200
2. Kansas (40%)	\$24,800
subtotal assessments	\$62,000

B. OTHER

1. Interest Earnings	\$1,000
2. Miscellaneous	\$0
subtotal other	\$1,000

TOTAL ALL INCOME \$63,000

III. CASH SURPLUS ACCOUNT

A. EXPENDITURES FROM SURPLUS

B. ADDITION TO SURPLUS

\$0

\$3,575

Adopted by the Arkansas River Compact Administration at its December 13, 1994 Annual Meeting, and revised at its December 12, 1995 Annual Meeting, and revised again at its December 10, 1996 Annual Meeting.

James Rogers, Treasurer

Date

ARKANSAS RIVER COMPACT ADMINISTRATION

307 SOUTH FIFTH STREET, LAMAR, COLORADO 81052

719-336-9696

FOR COLORADO

DARIES C. LILE, DENVER
CARL G. GENOVA, PUEBLO
JAMES G. ROGERS, LAMAR

CHAIRMAN AND FEDERAL REPRESENTATIVE

LARRY E. TRUJILLO, SR.
PUEBLO, COLORADO

FOR KANSAS

DAVID L. POPE, TOPEKA
ROBERT BUERKLE, HOLCOMB
EUGENE OVERTON, SYRACUSE

FY 1997 - 98 BUDGET, 1st Revision

(July 1, 1997 - June 30, 1998)

I. EXPENDITURES

A. PROFESSIONAL SERVICE CONTRACTS

1. Treasurer	\$2,000
2. Recording Secretary	\$2,000
3. Operations Secretary	\$6,100
4. Auditor Fee	\$400
5. Court Reporter Fee	\$1,000
subtotal services	\$11,500

B. GAGING STATIONS & STUDIES

1. U.S.G.S. Colorado District Joint Funding fed. FY96-97	\$23,535
2. U.S.G.S. Kansas District Joint Funding fed. FY96-97	\$6,725
3. State of Colorado Satellite System	\$8,400
subtotal gaging	\$38,660

C. OPERATING EXPENSES

1. Treasurer Bond	\$100
2. Annual Report Printing (CY1996 & 1997)	\$4,000
3. Telephone	\$1,200
4. Miscellaneous Office Expense	\$300
5. Postage/Copying/Supplies	\$400
6. Meetings	\$500
7. Travel	\$0
8. Rent	\$600
subtotal operating	\$7,100

D. OTHER

1. Equipment	\$0
2. Contingency	\$2,000
3. Litigation	\$0
subtotal other	\$2,000

TOTAL ALL EXPENDITURES \$59,260

II. INCOME

A. ASSESSMENTS

1. Colorado (60%)	\$37,200
2. Kansas (40%)	\$24,800
subtotal assessments	\$62,000

B. OTHER

1. Interest Earnings	\$1,000
2. Miscellaneous	\$0
subtotal other	\$1,000

TOTAL ALL INCOME \$63,000

III. CASH SURPLUS ACCOUNT

A. EXPENDITURES FROM SURPLUS

B. ADDITION TO SURPLUS

\$0

\$3,740

Adopted by the Arkansas River Compact Administration at its December 12, 1995 Annual Meeting, and revised at its December 10, 1996 Annual Meeting.

James Rogers, Treasurer

Date

ARKANSAS RIVER COMPACT ADMINISTRATION

307 SOUTH FIFTH STREET, LAMAR, COLORADO 81052
719-336-9696

FOR COLORADO
DARIES C. LILE, DENVER
CARL G. GENOVA, PUEBLO
JAMES G. ROGERS, LAMAR

CHAIRMAN AND FEDERAL REPRESENTATIVE
LARRY E. TRUJILLO, SR.
PUEBLO, COLORADO

FOR KANSAS
DAVID L. POPE, TOPEKA
ROBERT BUERKLE, HOLCOMB
EUGENE OVERTON, SYRACUSE

FY 1998 - 99 BUDGET

(July 1, 1998 - June 30, 1999)

I. EXPENDITURES

A. PROFESSIONAL SERVICE CONTRACTS

1. Treasurer	\$2,000
2. Recording Secretary	\$2,000
3. Operations Secretary	\$6,100
4. Auditor Fee	\$400
5. Court Reporter Fee	\$1,000
subtotal services	\$11,500

B. GAGING STATIONS & STUDIES

1. U.S.G.S. Colorado District Joint Funding fed. FY97-98	\$24,700
2. U.S.G.S. Kansas District Joint Funding fed. FY97-98	\$7,060
3. State of Colorado Satellite System	\$8,400
subtotal gaging	\$40,160

C. OPERATING EXPENSES

1. Treasurer Bond	\$100
2. Annual Report Printing (CY1998)	\$2,000
3. Telephone	\$1,200
4. Miscellaneous Office Expense	\$300
5. Postage/Copying/Supplies	\$400
6. Meetings	\$500
7. Travel	\$0
8. Rent	\$600
subtotal operating	\$5,100

D. OTHER

1. Equipment	\$0
2. Contingency	\$2,000
3. Litigation	\$0
subtotal other	\$2,000

TOTAL ALL EXPENDITURES \$58,760

II. INCOME

A. ASSESSMENTS

1. Colorado (60%)	\$37,200
2. Kansas (40%)	\$24,800
subtotal assessments	\$62,000

B. OTHER

1. Interest Earnings	\$1,000
2. Miscellaneous	\$0
subtotal other	\$1,000

TOTAL ALL INCOME \$63,000

III. CASH SURPLUS ACCOUNT

A. EXPENDITURES FROM SURPLUS

B. ADDITION TO SURPLUS

\$0

\$4,240

Adopted by the Arkansas River Compact Administration at its December 10, 1996 Annual Meeting.

James Rogers, Treasurer

Date

Exhibit J

**Water Resources Division
Norwest Bank Bldg., Suite 200
201 W. 8th St.
Pueblo CO 81003-3031
Phone and FAX (719) 544-7155
October 4, 1996**

Mr. James Rodgers, Secretary/Treasurer
Arkansas River Compact Administration
307 S. 5th Street
Lamar, CO 81052

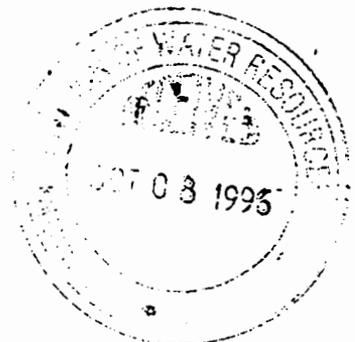
Dear Jim,

To formalize the cooperative program between the Arkansas River Compact Administration (ARCA) and the U.S. Geological Survey (USGS), Colorado District, I am submitting two originals of the Joint Funding Agreement (JFA) for fiscal year 1997 (October 1, 1996 through September 30, 1997) for the operation and maintenance of the streamflow-gaging stations in Colorado that support the Compact. I am sending this agreement earlier than past years because of changes in our financial management procedures that require us to have a signed agreement before we can begin work. I know that the Compact will not formally act on our program until the December meeting, and if there are changes in the program resulting from discussions at the meeting, the JFA could be amended at that time.

As the attached summary table indicates, funding for the Cooperative (USGS/ARCA) portion of the stream-gaging program is \$47,070, of which \$23,535 is repay funds from the Administration and \$23,535 is federal matching funds from the USGS. For future planning purposes, funding for the Administration's share of the FY98 stream-gaging program should be about \$24,700.

If the JFA is satisfactory, please sign both originals; keep one for your records; return one to the address shown below. Work performed with funds from this agreement will be conducted on a fixed-price basis and billing will be made in October or November 1997.

U.S.G.S.-WRD
Mail Stop 415, Box 25046
Denver Federal Center
Lakewood, CO 80225



If you have any questions, please don't hesitate to call me at (719) 544-7155, ext. 130. We are appreciative of your continuing involvement in these important efforts.

Sincerely yours,

Doug Cain
Subdistrict Chief

Enclosure

Copy to: District Chief, WRD, Lakewood, CO
District Chief, WRD, Lawrence, KS
Larry Trujillo, ARCA, Pueblo, CO
David Pope, KDWR, Topeka, KS
Chuck Lile, CWCB, Denver, CO
Steve Miller, CWCB, Denver, CO
Steve Witte, CDWR, Pueblo, CO
Ron Steger, WRD, Pueblo, CO

bcc: 00140
Sharon Goss, WRD, Lakewood, CO

SUMMARY OF PROGRAM

U.S. Geological Survey (Colorado District)/ Arkansas River Compact Administration

Station number	Station name	Notes ¹	Funding ² in FY1997
07119500	Apishapa R. nr. Fowler	A	\$ 8,030
07124000	Arkansas R. at Las Animas	B	2,680
07128500	Purgatoire R. nr. Las Animas	B	2,680
07130500	Arkansas R. blw. John Martin Res.	B	2,680
07133000	Arkansas R. at Lamar	B,C	3,200
07134100	Big Sandy Creek	D	9,060
07134500	Arkansas R. at Granada	A E	8,030 2,680
07134990	Wild Horse Creek	F	4,015
07135000	Two Buttes Creek	F	4,015
TOTALS:			\$ 47,070

¹Activities included are explained as follows:

- Note A Funding for basic station O&M.
- Note B Funding for about six supplemental measurements per year (April-November); basic station O&M funded by USGS.
- Note C Funding includes O&M of a satellite data-collection platform.
- Note D Funding for basic station O&M, and for crest-stage gage on Big Sandy Creek upstream from Amity Canal.
- Note E Funding for about six supplemental measurements per year (April - November)
- Note F Funding for seasonal (April-October) O&M.

²Based on Federal fiscal years, October 1 through September 30.



FOR
Water Resources Investigations

THIS AGREEMENT is entered into as of the 1st day of October 1996 by the U.S. GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the Arkansas River Compact Administration, party of the second part.

1. The parties hereto agree that subject to the availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation operation and maintenance of gaging stations in support of the Compact, hereinafter called the program.
2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program.
 - (a) \$23,535.00 by the party of the first part during the period
October 1, 1996 to September 30, 1997
 - (b) \$23,535.00 by the party of the second part during the period
October 1, 1996 to September 30, 1997
 - (c) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.
3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.
4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.
5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.
6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.
7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.
8. The maps, records or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program and, if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at cost, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records or reports published by either party shall contain a statement of the cooperative relations between the parties.
9. Billing for this agreement will be rendered quarterly. Payments of bills are due within 60 days after the billing date. If not paid by the due date, interest will be charged at the current Treasury rate for each 30 day period, or portion thereof, that the payment is delayed beyond the due date. (31 USC 3717; Comptroller General File B-212222, August 23, 1983.).

Arkansas River Compact Administration

U.S. GEOLOGICAL SURVEY
UNITED STATES
DEPARTMENT OF THE INTERIOR

By _____

By _____

By _____

By *Zella Chapman Stealey*
(SIGNATURE & TITLE)

Acting District Chief, Colorado District

Exhibit K

STATE OF KANSAS

BILL GRAVES, GOVERNOR
Alice A. Devine, Secretary of Agriculture



DIVISION OF WATER RESOURCES
David L. Pope, Chief Engineer-Director
901 South Kansas Avenue, 2nd Floor
Topeka, Kansas 66612-1283
(785) 296-3717 FAX (785) 296-1176

KANSAS DEPARTMENT OF AGRICULTURE

October 10, 1997

Chuck Lile, Director
Colorado Water Conservation Board
Department of Natural Resources
721 Centennial Building
1313 Sherman Street
Denver CO 80203

Dear Mr. Lile:

I have received a copy of your letter dated October 1, 1997 to Treasurer Rogers of the Arkansas River Compact Administration concerning the joint funding agreement with the U.S. Geological Survey for the operation and maintenance of streamflow gaging stations. I do concur that the agreement appears to be consistent with what was proposed for FY 98, and that since it is less than the agreed to amount of \$24,700, the agreement can be signed by the Administration prior to the 1997 Annual Meeting. I also recall discussion concerning the need for some of the tributary gages, and I look forward to resolving this issue at the annual meeting.

If you have any further questions regarding this or any other compact issue, please feel free to contact me.

Sincerely,

David L. Pope, P.E.
Chief Engineer-Director

DLP:RFL:pac
pc: Larry Trujillo, Chairman
Carl Genova, Vice Chairman
Walter Aucott
Doug Cain
Jim Rogers, Treasurer

STATE OF COLORADO

Colorado Water Conservation Board Department of Natural Resources

721 Centennial Building
1313 Sherman Street
Denver, Colorado 80203
Phone: (303) 866-3441
FAX: (303) 866-4474



October 1, 1997

Roy Romer
Governor
James S. Lochhead
Executive Director, DNR
Daries C. Lile, PE.
Director, CWCB

Mr. Jim Rogers, Treasurer
Arkansas River Compact Administration
307 S. Fifth Street
Lamar CO 81052

Dear Jim:

I have received and reviewed a copy of Doug Cain's September 30, 1997 letter to you concerning the Colorado District of the US Geological Survey FY 98 Joint Funding Agreement in the amount of \$24,475.

The agreement appears consistent with the estimated proposal reviewed at the December 96 ARCA Annual Meeting. My recollection of ARCA discussions at that meeting is that if the FY 98 Joint Funding Agreement came in at an amount less than or equal to the estimated amount of \$24,700 that ARCA would sign the agreement prior to the 1997 Annual Meeting. I also recollect that there was some uncertainty about the continued need for and cost-effectiveness of several new tributary gages and that those concerns were to be evaluated this December. As Mr. Cain notes in his letter, the FY 98 Joint Funding Agreement can be amended downward at a later time if the Administration decides to cancel any of those gages or otherwise modify the cooperative program at the Annual Meeting. On this basis I recommend that you sign the proposed agreement at this time, subject to later modification in December.

By copy of this letter to Mr. Pope I am asking him for his concurrence. Upon hearing from him it is my view that you have sufficient authority to execute the FY 98 Joint Funding Agreement as requested by Mr. Cain.

Sincerely,

Daries "Chuck" Lile
Director

cc: Larry E. Trujillo, Sr., Chair
✓ David Pope, Kansas DWR
Steve Witte
Doug Cain



**Water Resources Division
Norwest Bank Bldg., Suite 200
201 W. 8th St.
Pueblo CO 81003-3031
Phone and FAX (719) 544-7155
September 30, 1997**

Mr. James Rodgers, Secretary/Treasurer
Arkansas River Compact Administration
307 S. 5th Street
Lamar, CO 81052

Dear Jim,

To formalize the cooperative program between the Arkansas River Compact Administration (ARCA) and the U.S. Geological Survey (USGS), Colorado District, I am submitting two originals of the Joint Funding Agreement (JFA) for fiscal year 1998 (October 1, 1997 through September 30, 1998) for the operation and maintenance of the streamflow-gaging stations in Colorado that support the Compact. I know that the Compact will not formally act on our program until the December meeting, and if there are changes in the program resulting from discussions at the meeting, the JFA could be amended at that time.

As the attached summary table indicates, funding for the Cooperative (USGS/ARCA) portion of the stream-gaging program is \$48,950, of which \$24,475 is repay funds from the Administration and \$24,475 is federal matching funds from the USGS. For future planning purposes, funding for the Administration's share of the FY99 stream-gaging program should be about \$25,700.

If the JFA is satisfactory, please sign both originals; keep one for your records; return one to the address shown below. Work performed with funds from this agreement will be conducted on a fixed-price basis and billing will be made in October or November 1998.

U.S.G.S.-WRD
Mail Stop 415, Box 25046
Denver Federal Center
Lakewood, CO 80225



If you have any questions, please don't hesitate to call me at (719) 544-7155, ext. 130. We are appreciative of your continuing involvement in these important efforts.

Sincerely yours,

Doug Cain
Subdistrict Chief

Enclosure

Copy to: District Chief, WRD, Lakewood, CO
District Chief, WRD, Lawrence, KS
Larry Trujillo, ARCA, Pueblo, CO
David Pope, KDWR, Topeka, KS
Chuck Lile, CWCB, Denver, CO
Steve Miller, CWCB, Denver, CO
Steve Witte, CDWR, Pueblo, CO
Ron Steger, WRD, Pueblo, CO

bcc: 00140
Sharon Goss, WRD, Lakewood, CO



SUMMARY OF PROGRAM

U.S. Geological Survey (Colorado District)/
Arkansas River Compact Administration

Station number	Station name	Notes ¹	Funding ² in FY1998
07119500	Apishapa R. nr. Fowler	A	\$ 8,500
07124000	Arkansas R. at Las Animas	B	2,750
07128500	Purgatoire R. nr. Las Animas	B	2,750
07130500	Arkansas R. blw. John Martin Res.	B	2,750
07133000	Arkansas R. at Lamar	B	2,750
07134100	Big Sandy Creek	C	9,700
07134500	Arkansas R. at Granada	A D	8,500 2,750
07134990	Wild Horse Creek	E	4,250
07135000	Two Buttes Creek	E	4,250
TOTALS:			\$ 48,950

¹Activities included are explained as follows:

- Note A Funding for basic station O&M.
- Note B Funding for about six supplemental measurements per year (April-November); basic station O&M funded by USGS.
- Note C Funding for basic station O&M, and for crest-stage gage on Big Sandy Creek upstream from Amity Canal.
- Note D Funding for about six supplemental measurements per year (April - November)
- Note E Funding for seasonal (April-October) O&M.

²Based on Federal fiscal years, October 1 through September 30.



U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR
Water Resources Investigations

Agreement No. CO98019
Customer No. CO008

THIS AGREEMENT is entered into as of the 1st day of October 1997 by the U.S. GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the Arkansas River Compact Administration, party of the second part.

1. The parties hereto agree that subject to the availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation **operation and maintenance of gaging stations in support of the Compact**, hereinafter called the program.
2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program.
 - (a) \$24,475.00 by the party of the first part during the period
October 1, 1997 to September 30, 1998
 - (b) \$24,475.00 by the party of the second part during the period
October 1, 1997 to September 30, 1998
 - (c) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.
3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.
4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.
5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.
6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.
7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.
8. The maps, records or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program and, if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at cost, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records or reports published by either party shall contain a statement of the cooperative relations between the parties.
9. Billing for this agreement will be rendered annually. Payments of bills are due within 60 days after the billing date. If not paid by the due date, interest will be charged at the current Treasury rate for each 30 day period, or portion thereof, that the payment is delayed beyond the due date. (31 USC 3717; Comptroller General File B-212222, August 23, 1983.).

Arkansas River Compact Administration

U.S. GEOLOGICAL SURVEY
UNITED STATES
DEPARTMENT OF THE INTERIOR

By Kathleen R. Milke
(SIGNATURE & TITLE)
District Chief, Colorado District

By _____
By _____
By _____

ATTENDANCE LIST
ARKANSAS RIVER COMPACT ADMINISTRATION
OPERATIONS COMMITTEE MEETING
Monday, December 9, 1996, 6:30 p.m. (MST)
Cow Palace Inn, Lamar, Colorado

NAME	REPRESENTING	ADDRESS	PHONE #
James & Rogers	ARCA	32259 Rd 12 Lamar	719 336 2124
Robert Beardsley	ARCA	20235 N Bigelow Rd, Holcomb	316-276-6175
Donald Whittemore	Kansas Geological Survey	1930 Constant, Lawrence, KS	913-864-3965
MARK RUDE	KS. DWR	GARDEN CITY, Ks.	316-276-2901
Eugene Dunton	KS. AACA	Syracuse, Ks.	316-384-5537
Dale Bowk	Spring Water Engineers	1000 Logan St Denver Co.	(303) 861-9700
JOHN DRAPER	KANSAS	PO Box 2307, Santa Fe, NM 87504	505-982-3873
STEVE KASTNER	CO. DWR	PUEBLO CO	719 542 3348
Bill Howland	CO DWR	COs Animas Co	719-456-6893
Carl B. Hanna	H.R.C.H.	33032 South Rd. Pueblo 81006	719-945-3631
Leland E. Rolfs	KS DWR	Topeka, Ks.	913-296-4623
David L. Pope	KS ARCA	Topeka, KS	913 296-3710
KEVIN L. SALTER	KS DWR	GARDEN CITY KS	(316) 276-2901
Chuck Lile	Col. Water Bd.	Denver	303 866 3441
Hal Simpson	COLORADO SED	DENVER	303 866 735
Dennis Montgomery	Colorado	1441 18th St. #100 Denver CO	303 296-8100
David W. Robbins	Colorado	1441 18th #100 Denver, CO 80202	303 296 8100
Dick Kreiner	Grps of Engineers	4101 Jefferson Pl, Albuquerque, NM 87109	505-342-3383
Mark Harberg	" " "	" " "	505-342-3428

ARCA OPERATIONS COMMITTEE MEETING

Monday, December 9, 1996, Cow Palace Inn, Lamar, Colorado

NAME	REPRESENTING	ADDRESS	PHONE #
Jim Townsend	US Army Corps of Engrs	720 N. Main St Suite 205 Pueblo CO 81003	719 543-6915
Tom Musgrove	US Bureau of Rec.	201 W. 8th St. Suite 720 Pueblo, CO 81003	719 544-8171
JOHN GIERARD	USBR	11056 W. County Rd. 18E Loveland, CO 80537	970 962-4392
TOM GIBBENS	USBR	LOVELAND CO	970 667-4410
Larry Bennett	KSDA DWR	2508 Ferns Garden City KS	316 275-2701
Jeff Lanterman	KSDA DWR B.M.T.	" " "	" "
PROB - LITTLE	MS. DWR	TOPEKA, Kc.	913 276-3717
DON HIGBEE	ARCA RECORDING SEC	LAMAR, CO	(719) 336-9696
EUGENE RIEHL	P.R.W.C.D.	TRINIDAD, CO	719 846 7284
DON ANDERSON	PRWCD	TRINIDAD CO.	719 846 2175
Thelma Wujan	PRWCD	Trinidad, CO.	719-846-7285
Erma Evans	PRWCD	Trinidad Co	719-846-6494
Joe DeTarbo	PRWCD	Trinidad, Co	
J.A. DANIELSON	RRWCD	6005 W. 4th Ave. Lakeview CO 80226	303-237-5146
Sue Edling	DWR	Pueblo	542- (719) 336 8
Brad Young	state Rep.	Lamar	719-336-7967
BOB GAUGER	USGS	HAYS KS	913-628-8418
Jim Putnam	USGS, LAWRENCE	4821 Quail Crest Pl Lawrence, KS. 66049	913-832-3573
Donald J. Steeman	Amity, Dist 67 Pres. RWCD	P.O. 390 LAMAR, CO	719 336-4313
MEMacDonnell	Colo WADA	102 N. Cascade #400 Colo Springs 80903	719 520 9288
Steve Miller	CWCBS	Dunn Co	303-266-3441

ATTENDANCE LIST

ARKANSAS RIVER COMPACT ADMINISTRATION
ENGINEERING COMMITTEE MEETING
Monday, December 9, 1996, 7:30 p.m. (MST)
Cow Palace Inn, Lamar, Colorado

NAME	REPRESENTING	ADDRESS	PHONE #
JOHN DRAPEK	KANSAS	PO Box 2307, SANTA FE, NM 87504	505-982-3873
Dick Book	KANSAS	1000 Logan St, Denver, Co	703 861-4700
Gene Overton	Ks	Box 805 SYRACUSE, Ks. 67878	316-384-5537
MARK RUDE	Ks DWR	GARDEN CITY, Ks.	316-276-2901
Donald Whittenmore	KS Geological Survey	1930 Constant, Lawrence, Ks	913-864-3965
Chuck Lyle	ARCA - Colo	1313 Sherman, Denver, Co.	303-866-3444
KEVIN L. SALZER	KSDWR	GARDEN CITY KS	(316) 276-2901
Robert Bueckle	ARCA - Ks	Holcomb, Ks	316-276-6173
Leland E. Rolfs	DWR - KS	Topeka, Ks	913-296-4623
Steve Kasner	DWR - Colo	Pueblo CO	719-542-3368
Bill Howland	DWR - Colo	Las Animas CO	719-456-0093
JOHN GIERARD	USBR	11056 W. County Rd. 13E Loveland, CO 80537	(970) 962-4392
Dale Stoum	DWR - Colo	Pueblo, CO	719-542-3368
BILL TYNER	DWR - COLO	PUEBLO, CO	(719) 542-3368
Tom Musgrove	Reclamation	Pueblo, CO	719-544-2171
Dick Kreiner	Corps of Engineers	Albuquerque, NM	505-342-3383
David W. Robbins	Colorado	1441-18 th #100 Denver CO 80202	303 296 8100
Dennis Montgomery	Colorado	" "	" "
HAL SIMPSON	Col SED	Denver	303-266-3131

ARCA ENGINEERING COMMITTEE MEETING
Monday, December 9, 1996, Cow Palace Inn, Lamar, Colorado

NAME	REPRESENTING	ADDRESS	PHONE #
BOB GRUGER	USGS	VALE, KS	913-628-8918
Jim Putnam	USGS	LAWRENCE, KS.	
Steve Miller	Rockwater Const	Denver CO	303-250-3441
Bart Rickenbaugh	Colo Attny Gen'l	Denver CO	303 866-5090
Doug Cain	USGS	Pueblo CO	719-544-1135
Ron Steger	"	"	x 121
TOM GIBBENS	USBR	LOVELAND CO 80537	970 667-4410
Larry Gennette	KSDA / DWR	Garden City KS	316 276-2901
Jeff Lanterner	KSDA / DWR	" "	" "
ROBERT LITTLE	KSDA / DWR	TOWSON, KS.	913 236 3717
DONALD STEERMAN	Amity / Dist 67	P.O. 390 LAMAR CO	719 336-4373
ME MacAngell	Purg RWCD Lolo WADA	102 N. Cascade Hwy Colo. Springs 80903	719 520 2288
Dan Anderson	PRWC	Trinidad Colo	719-846-2125
Eugene Aiello	PRWCD	Trinidad, CO.	
Thelma Nujan	PRWCD	Trinidad, CO	719-846-7285
Joe DeGurbo	PRWCD	Trinidad CO	719 846 2344
Erma Evans	PRWCD	Trinidad CO	719-846-6494
Jim Edling	DWR Pueblo		
Mark C. Arberg	COE	4101 Jefferson Plaza NE	505.342-3428

ATTENDANCE LIST
ARKANSAS RIVER COMPACT ADMINISTRATION
ANNUAL MEETING
 Tuesday, December 10, 1996, 8:30 a.m. (MST)
 Cow Palace Inn, Lamar, Colorado

NAME	REPRESENTING	ADDRESS	PHONE #
Joni Pappas	ARCA	Lamar CO	
Don Harris	ARCA Sec	Lamar CO	
JOHN STERARD	USBR	LOVELAND, CO	(970) 962-4392
JULIE SUPPARD	USBR	LOVELAND, CO	(970) 962-4363
TOM GIBBENS	USBR	LOVELAND CO	(970) 962-4350
MEM McDougall	ARWCD LWADA	102 N Cascade #100 Lolo, ID 83803	719 520 9283
Tom Musgrave	USBR	Pueblo, CO	719 544-8171
Mark Harberg	COE	Alb, NM	505-342-3428
Sergeant Mauer	Fort Lyon Canal	Lamar CO	719-336-3385
MARK RUDE	Ks DWIR		
Larry Bennett		Golden County	
Jeff Linterman			
ERIC STEVE WATSON	COE	ALBUQUERQUE, NM	505 342 5402
Athaliah Sujan	PR WCD	Trinidad, CO	
Erin Sujan	P. R. WCD	Trinidad, CO	719-246-6457
Paul Flock	Col. State Park	DENVER	
Vicki Taylor	CHPDA	Lajart	384-2754
FRANK KANISANSKI	Ricetham	La Janta	334-4184

ARKANSAS RIVER COMPACT ADMINISTRATION ANNUAL MEETING
Tuesday, December 10, 1996 8:30 a.m. (MST) Cow Palace Inn, Lamar, Colorado

NAME	REPRESENTING	ADDRESS	PHONE #
Jim Fernandez	CITY OF TRINIDAD	P.O. Box 530	719 846-9843
Bruce Billings	CITY OF TRIN.	P.O. BOX 220, Trinidad	719-9211
Dick Kremer	Corps of Engineers	4101 Jefferson Pl. Albuquerque, NM 87109	505 342-3383
Loretta Scott	Lafayette Technical	Lafayette	354-4475
Jim Townsend	Corps of Engngs	720 N. Missouri Suite 205 Pueblo CO 81003	543-6915
DAN NEUWOLD	COLO WATER RES	3024 1/2 E. LAUREL ST PUEBLO	719-5267
KEITH KEPLER	"	Po Box 5726 Pueblo ⁸¹⁰⁰²	54 719 -3364
STEVE KISSNER	"	"	"
Donald Whittemore	KS Geological Survey	1930 Constance, Lawrence, KS ⁶⁶⁰⁴⁷	913-864-3965
Robert Lutz	KS. DWR	901 Kansas, Topeka, KS 66612	913-291-5717
Steven Jones	Franklin County	Concord, KS 67536	
Alan H. Jones	Franklin County	Concord, KS 67536	
Kimberly Haywood	Southwest, UT	LARKIN, KS 67550	
Bill Hordman	DWR, Colo	Los Animas, CO	719-456-5358
RON STEGER	USGS Pueblo	201 W. 8th St, Pueblo, CO	719-566-7155
Donald Steger	Amity / Dist 67	P.O. 390 Lamar, CO	719-336-4212
KEVIN L. SALZER	KS DWR	GARDNER, KS	(316)276-2901
Ken Smart	Amity	33715 R#12 LAMAR, CO	719-336-5635
Leland E. Rolfs	DWR-KS	Trinidad, KS	913/291-4623
HAL SIMPSON	Colo SED	Denver, CO	303-462-9521
W. J. ...	L.P.W.

