

ARKANSAS RIVER COMPACT ADMINISTRATION

SPECIAL MEETING

September 17, 2013

HELD AT THE UNITED METHODIST CHURCH, HOLLY, COLORADO
TUESDAY, SEPTEMBER 17, 2013 AT 1:00 PM M.S.T. (2:00 PM C.S.T.)

[Summary of Recorded Meeting]

The following meeting summary is the official minutes of the Arkansas River Compact Administration's September 17, 2013 Special Meeting, as signed by the Vice-Chair of the Administration, pursuant to Administration approval given on December 18, 2013 at Lamar, Colorado.



Randy Hayzlett, Vice Chairman
Arkansas River Compact Administration

List of Summary Attachments

- A. Notice and Agenda
- B. Attendance List
- C. David Barfield Power Point Presentation
- D. GP Resources Power Point Presentation
- E. Public questions submitted

Notes

On September 17, 2013, a Special Meeting of the Arkansas River Compact Administration (ARCA) was held in Holly, CO. Pursuant to its By-Laws, the Administration instructed staff to prepare a written summary of the Special Meeting in lieu of a verbatim transcript, and to preserve for the record an electronic copy of the audio recording of the meeting.

The following meeting summary was prepared by the staff of the Kansas Division of Water Resources from notes taken at the meeting, which was then reviewed by staff of the Colorado Water Conservation Board, and finalized after consultation between the two agencies. Audio recordings of the meeting were made by both the Kansas Division of Water Resources and the Colorado Water Conservation Board. These recordings will be made a part of the ARCA record.

Summary of Record Meeting

A Special Meeting of the Arkansas River Compact Administration (ARCA) was called to order at 1:00 PM (MST) in Holly Colorado on September 17, 2013. In absence of a federal Chair, the Vice-Chair, Randy Hayzlett, acted as Chair. Chairman Hayzlett recognized the three new ARCA reps: Hal Scheuerman, Kansas representative from Deerfield, KS; James Eklund, Colorado representative and Colorado Water Conservation Board Director; and Scott Brazil, Colorado representative from Pueblo, CO. Chairman Hayzlett asked David Barfield and James Eklund to recognize any legislative representatives and respective State staff. The members of the audience were then asked to introduce themselves. Approximately 90 people attended this meeting, which primarily consisted of farmers from both Colorado and Kansas, along with State, local water district, and federal water officials.

ARCA reviewed and approved the meeting agenda.

Chairman Hayzlett described the meeting purpose as being to inform ARCA on relevant parts of the Arkansas River Compact and the *Kansas v. Colorado* decree related to proposed developments by GP Irrigated Farms. GP Irrigated Farms was also present to provide information on those possible developments. The Chairman also made clear that no action would be taken at this meeting related to those proposed developments.

David Barfield, Chief Engineer for the Kansas Division of Water Resources and Kansas representative for ARCA, provided a review of the Compact development, Compact Article IV.D, and certain provisions of the *Kansas v. Colorado* decree. (See attachment C.)

Steve Witte, Division 2 Engineer for the Colorado Division of Water Resources, provided a review of Colorado water law as it relates to the proposed developments.

Ken Knox, an engineer for the GP Irrigated Farms, provided an overview of the proposed developments near Holly, Granada, and Lamar. He stated the purpose was to grow feedstock crops for both an existing dairy located near Syracuse, Kansas, and a proposed dairy that would be located south of Holly, Colorado. The developments primarily consist of replacement and new installation of center pivot irrigation systems. The new pivot installations would either be on lands currently irrigated by the flood-furrow method and/or new lands brought under irrigation. He also stated that the water supply for the new dairy south of Holly would come from the Southern High Plains Designated Groundwater Basin. It was also noted that there would be a dry gravel pit on the farm east of Lamar. He stated that these changes will have to meet Colorado rules and regulations. (See attachment D.)

After the presentations were over, ARCA asked questions pertaining to the development project. Once ARCA had asked their questions, Chairman Hayzlett informed that there would be a break to allow time for the public to submit written questions.

After the break ARCA asked GP Irrigated Farms, Colorado officials and Kansas officials the written public questions that had been submitted during the break. Additional time was then allotted for the public to ask any questions that had not been answered to their satisfaction. (See attachment E.)

The meeting was adjourned at approximately 4:00 PM M.S.T. (5:00 PM C.S.T.)

Attachment A

Special Meeting

September 17, 2013

This page intentionally blank

ARKANSAS RIVER COMPACT ADMINISTRATION

Lamar, Colorado 81052

For Colorado

Chairman and Federal Representative

For Kansas

James Eklund, Denver
Colin Thompson, Holly
Scott Brazil, Pueblo

Vacant

David Barfield, Topeka
Randy Hayzlett, Lakin
Hal Scheuerman, Deerfield

NOTICE & AGENDA SPECIAL MEETING ARKANSAS RIVER COMPACT ADMINISTRATION

TUESDAY, SEPTEMBER 17, 2013
1:00 P.M. (MDT) / 2:00 P.M. (CDT)
Holly, Colorado

The Arkansas River Compact Administration ("ARCA") will meet at the time noted above at the **Holly United Methodist Church, 411 U.S. Highway 50, Holly, CO 81047** to receive information on proposed agricultural developments in the Holly, Lamar, and Granada areas, collectively known as the GP Irrigated Farms.

This is an informational only meeting and ARCA will take no official actions regarding GP Irrigated Farms.

Meetings of the Administration are operated in compliance with the federal Americans with Disabilities Act. If you need a special accommodation as a result of a disability please contact Stephanie Gonzales at 719-734-5102 at least three days before the meeting.

SEPTEMBER 17, 2013 SPECIAL MEETING AGENDA

(tentative subject to change / all times are listed are MDT and subject to change)

1:00 pm	Call to Order / Introductions	Randy Hayzlett
1:10 pm	Approval of Agenda	Randy Hayzlett
	Description of meeting protocol	Randy Hayzlett
1:15 pm	Review of Article IV. D. of Arkansas River Compact and provisions of U.S. Supreme Court Decree re new developments	David Barfield
1:30 pm	Review of Colorado water law, administration of Rules to ensure Arkansas River Compact compliance and compliance status	Steve Witte
2:00 pm	Description of development plans by GP Irrigated Farms	Ken Knox
2:45 pm	Questions of GP representatives and state officials by ARCA	
3:15 pm	Break Audience is invited to submit written questions to be addressed by GP representatives, state officials or ARCA representatives	
3:35 pm	Reading of audience questions	Randy Hayzlett
	Adjournment	Randy Hayzlett

Attachment B

Special Meeting

September 17, 2013

This page intentionally blank

ATTENDANCE LIST
2013 ARKANSAS RIVER COMPACT ADMINISTRATION SPECIAL MEETING
Tuesday, September 17, 2013, 1:00 P.M. (MST), Holly, Colorado

<u>NAME</u>	<u>REPRESENTING</u>	<u>ADDRESS</u>	<u>PHONE & FAX</u>	<u>EMAIL</u>	<u>Add to ARCA Distribution List?</u>
Steve Witte	Colo Div Water Res	310 E Abriendo Blvd	719-542-3369	steve.witte@state.co.us	
ALEX DAVIS	Colo Parks & Wildl	6060 Broadway Den.	3-291-7280	ALEX.DAVIS@STATE.CO.US	<input checked="" type="checkbox"/>
Ed Perkins	Colo Parks & Wildl	6060 Broadway Den.	3-291-7466	ed.perkins@state.co.us	<input checked="" type="checkbox"/>
Tim Haslett	Hamilton Co. Cons. Dist.	BOX 359 SYRACUSE, KS	620-384-5687	Sygar@pld.com	<input type="checkbox"/>
Henry Schnabel	Prowers County	Bristol, CO	719-688-2408	hschnabel@prowerscounty.net	<input type="checkbox"/>
Bill GRASMICK	GP			bill@grasmickinc.com	<input type="checkbox"/>
ROSS GUMBELLE	SD	Syracuse, KS	620.492.2525	Yoss@syrausedairy.com	<input type="checkbox"/>
KARL NYQUIST	GP	Littleton, CO	303-369-5100	Karl@Cocampaign.com	<input type="checkbox"/>
Shane E. Lytle		Lawer			<input type="checkbox"/>
Dale March	Ft Lyon	Lamar			<input type="checkbox"/>
Josh Weimer	Ft Lyon	Wiley CO			<input type="checkbox"/>
DAN MAXFIELD	AMAZON	Lawton, KS	620 355 7637	Whit@PhD.com	<input type="checkbox"/>

ATTENDANCE LIST
2013 ARKANSAS RIVER COMPACT ADMINISTRATION SPECIAL MEETING
Tuesday, September 17, 2013, 1:00 P.M. (MST), Holly, Colorado

<u>NAME</u>	<u>REPRESENTING</u>	<u>ADDRESS</u>	<u>PHONE & FAX</u>	<u>EMAIL</u>	Add to ARCA Distribution List?
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>

ATTENDANCE LIST
2013 ARKANSAS RIVER COMPACT ADMINISTRATION SPECIAL MEETING
Tuesday, September 17, 2013, 1:00 P.M. (MST), Holly, Colorado

NAME	REPRESENTING	ADDRESS	PHONE & FAX	EMAIL	Add to ARCA Distribution List?
Kevin Salter	KSDWR				
Art Boltz	Farmer	P.O. Box 405	620-384-7480	boltz@pld.com	<input checked="" type="checkbox"/>
MARK RUDE	SW KS. GROUNDWATER DIST.	2009 E. SPRUCE ST.	620-275-7147	MRUDE@GMDJ.ORG	<input checked="" type="checkbox"/> ON
Ron Conway	Harden City Co. & Hard Eastern Irr. Co.	Harden City, Ks P.O. Box 597	620-276-3246	Conway.Ron@sbglobal.net	<input checked="" type="checkbox"/> ON
Gary Witt	SW Irrigator Kansas	Wright Water Eng. Denver, Co 80211	303 480-2700 480-1020	gwitt@wrightwater.com	<input checked="" type="checkbox"/>
Stanley Hines	Frontier Ditch Farmers	PO Box 147 Coolidge, Kansas 67038	620-772-8251 cell 620-784-4427		<input type="checkbox"/>
Steven Hines	Frontier Ditch Co	Box 147 Coolidge Ks 67836	620 372 8251 620 372-2901		<input type="checkbox"/>
Pam Hayfield		1112 Rd T Lakin, KS 67860	620-355-7499		<input type="checkbox"/>
Don Dy	Kansas	Box 608 Syracuse KS.	620 384 5298		<input type="checkbox"/>
Larry Williams	Bluffton	Garden City, Ks.	620-276-2366	larmdirector@gmail.com	<input type="checkbox"/>
Connie Richmeier	Finney Co Conservation Dist	Garden City Ks	620 275 0211 x309	connie.richmeier@ks.nacdnet.net	<input type="checkbox"/>
Randy Dunning	Proctor City Land Use Board	620 276 1 Co 31041	719 734 5135		<input type="checkbox"/>

ATTENDANCE LIST

2013 ARKANSAS RIVER COMPACT ADMINISTRATION SPECIAL MEETING
Tuesday, September 17, 2013, 1:00 P.M. (MST), Holly, Colorado

<u>NAME</u>	<u>REPRESENTING</u>	<u>ADDRESS</u>	<u>PHONE & FAX</u>	<u>EMAIL</u>	Add to ARCA Distribution List?
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>

ATTENDANCE LIST

2013 ARKANSAS RIVER COMPACT ADMINISTRATION SPECIAL MEETING

Tuesday, September 17, 2013, 1:00 P.M. (MST), Holly, Colorado

NAME	REPRESENTING	ADDRESS	PHONE & FAX	EMAIL	Add to ARCA Distribution List?
Jerome Sauter	NE Power Board NRCs Holly	610 N 1st Ave Holly Colo 81047	719 537 6263	JD Sauter@Centurylink.net	<input checked="" type="checkbox"/>
Brad Johnson	Pipeyard	32852 Hwy 71 Rocky Ford CO 81067	719 254-7194	pipeyard1@rural-com.com	<input type="checkbox"/>
Roger Reyher	Farmer under Fort Lyon	35504 Rd 30 McClave, CO.	719-824-4321	rogerreyher@gmail.com	<input checked="" type="checkbox"/>
Rex Royer	CWPDA with asst. Sinner	PO Box 46 McClave, CO 81057	719-688-1164	rexroyer@yahoo.com	<input checked="" type="checkbox"/>
Brett Jones (B.J.)	NRCs Holly	Holly CO	719 688 1350 719 537 6635	Brett.Jones @CO.usda.gov	<input type="checkbox"/>
Brady McCrooy	USDA-NRCs	3503 S. Main Lamar CO 81052	719-336-3937	brady.mccrooy@co.usda.gov	<input checked="" type="checkbox"/>
Neil Thompson	NRCs Holly	33647 CR 29 Holly, CO	719-691-9803	neil322@hotmail.com	<input type="checkbox"/>
Jay Wimmer	LAUWCO	801 Swink	719-254-5115		<input type="checkbox"/>
Greg E. Mauch	" "	Lamar, Co.	336-3895		<input type="checkbox"/>
Bobby Lord	Self	Lamar, Co.	734 5358		<input type="checkbox"/>
Dana Barth	Northeast Powers Conserv. Dist. - manager	PO Box 535 Holly, CO 81047	719-537-6506 F: 719-537-6625	DePcd@hotmail.com	<input checked="" type="checkbox"/>
Nikki Schwerdtfeger	SELF Hamm Co Commissioner	PO Box 130 Coolidge, KS	620 372-2493	tnofarm@pld.com	<input checked="" type="checkbox"/>

ATTENDANCE LIST

2013 ARKANSAS RIVER COMPACT ADMINISTRATION SPECIAL MEETING
Tuesday, September 17, 2013, 1:00 P.M. (MST), Holly, Colorado

<u>NAME</u>	<u>REPRESENTING</u>	<u>ADDRESS</u>	<u>PHONE & FAX</u>	<u>EMAIL</u>	Add to ARCA Distribution List?
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>

ATTENDANCE LIST

2013 ARKANSAS RIVER COMPACT ADMINISTRATION SPECIAL MEETING
Tuesday, September 17, 2013, 1:00 P.M. (MST), Holly, Colorado

NAME	REPRESENTING	ADDRESS	PHONE & FAX	EMAIL	Add to ARCA Distribution List?
Dary Thompson	:	34755 rd 28 Holly	779 735 4975	comp@arcom.net	<input checked="" type="checkbox"/>
Duane Dress	Finney County KS Commissioner	1812 Crestway Garden City KS		ddress@cox.net	<input type="checkbox"/>
Chiff Kerkhoff	Finney Co	3489 Rd 29 Holly		none	<input type="checkbox"/>
BRAD SIMON	TOWN OF HOLLY		719-537-6622		<input type="checkbox"/>
MARIS DUBEE	Holly, CO	841 W. Cliff	719-537-6010		<input type="checkbox"/>
Bonnie Neill	Holly CO	27289 Hwy 89	719-532-6372	None	<input type="checkbox"/>
BILL TYNER	CO DWR	310 E. ABRILLO AVE STEP, PUEBLO, CO 81004	719-542-3368	bill.tyner@state.co.us	<input type="checkbox"/>
John Kasper	CO DWR	36 PASO PL. LAMAR	719 688 6711	joh.kasper@state.co.us	<input type="checkbox"/>
Julie Pearson	CO DWR Div 2	310 E Abriendo AB PUEBLO, CO 81004	719-542-3368	julie.pearson@state.co.us	<input type="checkbox"/>
DAN DIREZZA	Co DWR	PO BOX 767 LA JUNTA, CO 81050	719 469 5142	dan.direzza@state.co.us	<input type="checkbox"/>
Harry Reed	Frontier	Coolidge KS-	620-372-8196		<input type="checkbox"/>
DON HIGBEE	LAWMA	Lamar	719-336-9696	lawma@eminet.net	<input type="checkbox"/>

ATTENDANCE LIST

2013 ARKANSAS RIVER COMPACT ADMINISTRATION SPECIAL MEETING
Tuesday, September 17, 2013, 1:00 P.M. (MST), Holly, Colorado

<u>NAME</u>	<u>REPRESENTING</u>	<u>ADDRESS</u>	<u>PHONE & FAX</u>	<u>EMAIL</u>	Add to ARCA Distribution List?
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>

ATTENDANCE LIST

2013 ARKANSAS RIVER COMPACT ADMINISTRATION SPECIAL MEETING
Tuesday, September 17, 2013, 1:00 P.M. (MST), Holly, Colorado

NAME	REPRESENTING	ADDRESS	PHONE & FAX	EMAIL	Add to ARCA Distribution List?
Glenn D. Vaut	Self	PO Box 11 Lamar			
DALE SEUFER	Self	P.O. Box 727 Holly Co. 81047	719-688-6233	Seufer dd@hotmail	<input type="checkbox"/>
TERRY Howland	Amity Buffalo	Holly Co. P.O. 187 81047	719-537-6627 719-688-0288	Amity@uncl-com.com	<input type="checkbox"/>
Jim Harp	Self	P.O. Box 585 Holly Colo 81047	719-691-9298 719-537-6230		<input type="checkbox"/>
Brian Boyd	City of Syracuse, KS	PO Box 148 Syracuse, KS 67878	620-384-4080	brianb@pld.com	<input checked="" type="checkbox"/>
STEVE SCHELL	CITY OF SYRACUSE	P.O. BOX 991 SYRACUSE KS 67878	620-384-9605	steves@thevalleystatobank.com	<input type="checkbox"/>
LARRY FAULWELL	Coolidge, KS	P.O. Box 146 Coolidge, KS 67836	620-372-2421 620-372-2423	FAULWELL8@GMAIL.COM	<input type="checkbox"/>
KRITH E Simon	Syracuse, KS	P.O. Box 589 Syracuse, KS 67878	620-384-4014 620-384-4890	KSStick10@gmail.com	<input type="checkbox"/>
Doug Beubelle	Syracuse Dairy	751 S. CR 3E Syracuse, KS 67878	620-492-2525	doug@syracusedairy.com	<input type="checkbox"/>
Jason Norquest	GMD 3	2001 E. Spruce Garden City, KS 67846	620-271-1287	norquest@gmd3.org	<input type="checkbox"/>
Michael Meyer	Kansas Dept. Ag. KDAWR	2508 JONES ST. Garden City KS	620-276-2901	mike.meyer@kda.ks.gov	<input type="checkbox"/>
Brandy Cole	"	"	"	brandy.cole@kda.ks.gov	<input type="checkbox"/>

ATTENDANCE LIST

2013 ARKANSAS RIVER COMPACT ADMINISTRATION SPECIAL MEETING
Tuesday, September 17, 2013, 1:00 P.M. (MST), Holly, Colorado

NAME	REPRESENTING	ADDRESS	PHONE & FAX	EMAIL	Add to ARCA Distribution List?
ANDY WYATT	P.C. ASSESSOR	3019 MAIN, 205 LAMAR CO 81052	719-336-8000 336-7232	awyatt@prowerscounty.net	<input checked="" type="checkbox"/>
Colin Thompson	ARCA	30255- CR 31 HOLLY	719 537 6772	P	<input type="checkbox"/>
Scott Brazel	ARCA	1890 38th Lane Pueblo	719-252-7113		<input type="checkbox"/>
James Eklund	ARCA	CWCB Denver, CO	303-866- 3441	james.eklund@state.co.us	<input type="checkbox"/>
Randy Hayzlett	ARCA	1112 Rd T Lakin, KS	620-355-7499	hayzlett@plc.com	<input type="checkbox"/>
Hal Scheuerman	ARCA	2370 Rd 180 Deerfield	620-426-6073		<input type="checkbox"/>
Dan Steusel	COLORADO AG	1300 BROADWAY, 7TH DENVER 80203	720 508-6262	DANIEL.STEUSEL@ STATE.CO.US	<input checked="" type="checkbox"/>
Rachel Duran	KDWR	2508 Johns St Garden City, KS	620-276 2901		<input type="checkbox"/>
Chris Beinhart	KDWR	109 SW 9TH ST Topeka KS	785 296 3830		<input type="checkbox"/>
Brent Newman	CWCB	313 Sherman St Rm 723 Denver CO 80203	303 866 3491	brent.newman@state.co.us	<input type="checkbox"/>
Steve Milbr	CWCB	1313 Sherman St Rm 724 Denver CO 80203	303-866 7441 83228	Steve.Milbr@state.co.us	<input type="checkbox"/>

ATTENDANCE LIST
2013 ARKANSAS RIVER COMPACT ADMINISTRATION SPECIAL MEETING
Tuesday, September 17, 2013, 1:00 P.M. (MST), Holly, Colorado

NAME	REPRESENTING	ADDRESS	PHONE & FAX	EMAIL	Add to ARCA Distribution List?
BOB HAMILTON	SOUTHEASTERN COLORADO WATER CONSERVANCY DIST.	31717 2443 UNITED AVE PO BOX 60, CO 81001	P: 719 948 0083 F: 719 948 0036	BOB@SECWCD.COM	<input type="checkbox"/>
Dave Gass	GASS FARMS	PO Box 332 Granada	688-9767		<input type="checkbox"/>
Leslie Kohn	American Irrigation	2718 W Oklahoma Ave Whites KS 67880	620-353-9051	lesliekohn@americanirrigation.com	<input type="checkbox"/>
Bin Brendorff	Tri-state G&I Assn.	P.O. Box 33675 Denver CO 80233	303-254-3725 PA 254-6068 FAX	brendorff@tristategt.org	<input type="checkbox"/>
Leroy Brase	Tri-state G&I	1301 North Main Lamar, CO	719-336-0890 719-336-0891	LBrase@Tristategt.org	<input type="checkbox"/>
Lisa KALHA	Holly Farmer. Lamar + County Park	105 Highland Holly CO 81047 Box 373	719 577 6443 698 1414		<input type="checkbox"/>
Les Sears	Self	7634 Roberts Dr 95610 C.H. CO	916 599 9551	lessears57@yahoo.com	<input type="checkbox"/>
Glenn Wilson	Amity Mutual Irrigators	19755 County Rd 44 Holly CO 81047	719-688-4997	glennw@desert@yahoo.com	<input type="checkbox"/>
Kelly Kroesch	Pure Cycle Corp	34132 Rd 26 Melary CO 80557	719-6880104	Kroesch@purecyclewater.com	<input type="checkbox"/>
Bob Miller	Farmer	at Bristol	719-764 5350		<input type="checkbox"/>
JOHN SUTHERLAND	CITY OF LAMAR	102 E. FARMENTER LAMAR, CO 81052	719-336-1365	john.sutherland@ci.lamar.co.us	<input type="checkbox"/>

ATTENDANCE LIST

2013 ARKANSAS RIVER COMPACT ADMINISTRATION SPECIAL MEETING

Tuesday, September 17, 2013, 1:00 P.M. (MST), Holly, Colorado

NAME	REPRESENTING	ADDRESS	PHONE & FAX	EMAIL	Add to ARCA Distribution List?
David Barfield	KDWR				
Josh Cichocki	City of Lamar	102 E. Parmenter St. Lamar, CO. 81052	(719) 336-1308	josh.cichocki@ci.lamar.co.us	<input type="checkbox"/>
Skip Reedeman	City of Lamar	Box 83 81052			<input type="checkbox"/>
Trevor Ahring	Southwest Kansas GMD 3	2009 E Spruce St. Garden City, KS 67846	(620) 275-7147	trevora@gmd3.org	<input checked="" type="checkbox"/>
RANDAL RISTAU	KDHE - WATER Quality	4300 Cherry Creek Dr. S Denver, CO 80246	303 692-3571	randal.ristau@state.co.us	<input checked="" type="checkbox"/>
Tom Stiles	KDHE - BOW-TMDL	1000 S Jackson Suite 420 Tapeles, KS 66602	785-296- 6170	tstiles@kdheks.gov	<input checked="" type="checkbox"/>
Ted Pierce	Holly	P.O. Box 641	719 691-5342		<input type="checkbox"/>
Bob Parker	Holly	P.O. Box 456	719 940-6720		<input type="checkbox"/>
Ron Miller	Holly	P.O. Box 481	691-5013		<input type="checkbox"/>
Jan Miller	Miller & Miller Farms	25525 Co. Rd. 31.5 Holly, CO 81047	719 940-9026		<input type="checkbox"/>
Craig Schenck	NEP NRCS	19050 Hwy 89 Holly	688-6203		<input type="checkbox"/>
Randy Hendrix	Slattery Hendrix LAWMA	8357 Windhaven Dr. Parker, CO	303-309-0061	Randy@slatteryhendrix.com	<input type="checkbox"/>

Attachment C

Special Meeting

September 17, 2013

This page intentionally blank

ARCA Special Meeting September 17, 2013 Holly, Colorado

David Barfield
Kansas Department of Agriculture
Division of Water Resources
Chief Engineer

Arkansas River Compact

- Long history of litigation and dispute over waters of Arkansas River
- 1943—U.S. Supreme Court encouraged States to enter into an interstate compact
- 1943-1948—Compact negotiations

Arkansas River Compact

- Compact agreed to on December 14, 1948
- Adopted as statute in both States and as U.S. Public Law
- Major purposes (Article I):
 - "Settle existing disputes and remove causes of future controversy..."
 - "Equitably divide and apportion..." Arkansas River waters and the benefits of John Martin Reservoir

Compact Article IV-D

"This Compact is not intended to impede or prevent future beneficial development of the Arkansas river basin in Colorado and Kansas by federal or state agencies, by private enterprise, or by combinations thereof, which may involve construction of dams, reservoirs and other works for the purposes of water utilization and control, as well as the improved or prolonged functioning of existing works: **Provided, That the waters** of the Arkansas river, as defined in Article III, **shall not be materially depleted in usable quantity or availability for use** to the water users in Colorado and Kansas under this Compact by such future developments or construction." (KSA 82a-520)

Recent Litigation

- *Kansas v. Colorado*

- 1985—Kansas filed suit; included complaint concerning post-compact depletion of river flows by irrigation wells drilled along the Arkansas River
- Kansas prevailed on above point; resulted in U.S. Supreme Court finding Colorado in violation of the Compact
- States negotiated a decree; entered by the U.S. Supreme Court in March 2009

Kansas v. Colorado decree

- *Decree* specifically provides that Colorado comply with Article IV-D and sets out the following:
 - To prevent Groundwater Pumping in excess of the pre-compact pumping allowance of 15,000 acre-feet per year without Replacement of depletions to Usable Stateline Flow in accordance with this Decree
 - To enforce the Colorado Use Rules with respect to groundwater pumping, unless John Martin Reservoir is spilling and Stateline water is passing Garden City, Kansas; and
 - To enforce the Colorado Measurement Rules with respect to Groundwater Pumping.

Kansas v. Colorado decree

- Determination of Compact compliance:
 - annual updates to H-I Model
 - annual accounting
 - moving ten-year compliance period
- 2010--Colorado adopted surface water irrigation improvement rules
- 2011--States agreed to model change that recognized groundwater irrigation system improvements
- Monitoring compliance:
 - accounting reviews
 - field investigations

Proposed Developments

- Developments being contemplated will have to meet the Article IV-D requirement

Attachment D

Special Meeting

September 17, 2013

This page intentionally blank

Arkansas River Compact Administration
Holly, Colorado
September 17, 2013



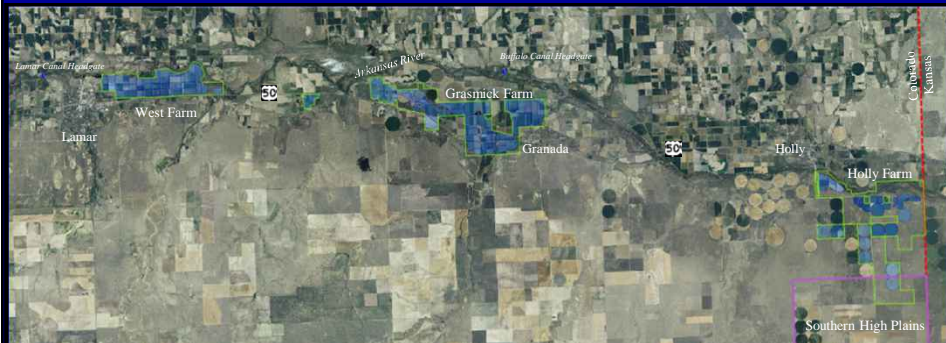
GP Farms and Syracuse Dairy

- ✓ Purpose – optimize the beneficial use of water to provide a reliable source of crops/feed for Syracuse Dairy
- ✓ Capture the technological advancements in irrigation and farming practices by using center-pivot systems
- ✓ No injury or harm to other water right owners/users in Colorado or Kansas
- ✓ Full compliance with all applicable laws and regulatory policies

Arkansas River Compact (1948)

Article IV D. *This compact is not intended to impede or prevent future beneficial development of the Arkansas river basin in Colorado and Kansas by federal or state agencies, by private enterprise, or by combinations thereof, which may involve construction of dams, reservoirs and other works for the purposes of water utilization and control, as well as the improved or prolonged functioning of existing works: Provided, that the waters of the Arkansas river, as defined in article III, shall not be materially depleted in usable quantity or availability for use to the water users in Colorado and Kansas under this compact by such future development or construction.*

Pre-1986 Irrigated Lands



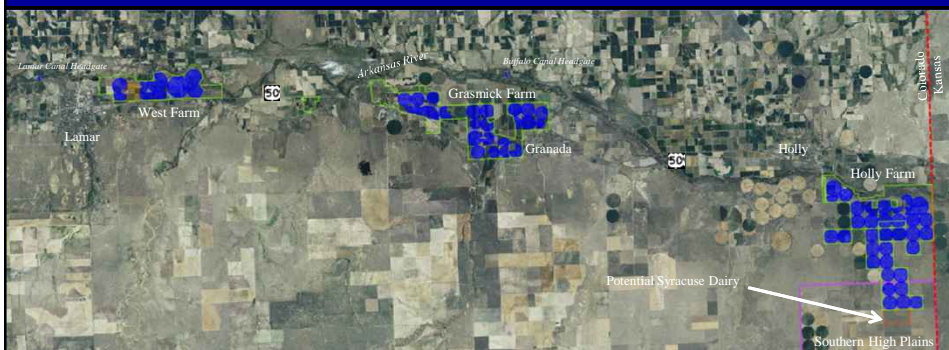
Pre-1986 Irrigation	Acres
West Farm	1937
Grasmick Farm	4429
Holly Farm	2083
Totals	8449

GP Farms Irrigation System (Present)



Current Irrigation	Acres
West Farm	1440
Grasmick Farm	3929
Holly Farm	1973
Totals	7342

GP Farms Irrigation System (Projected)

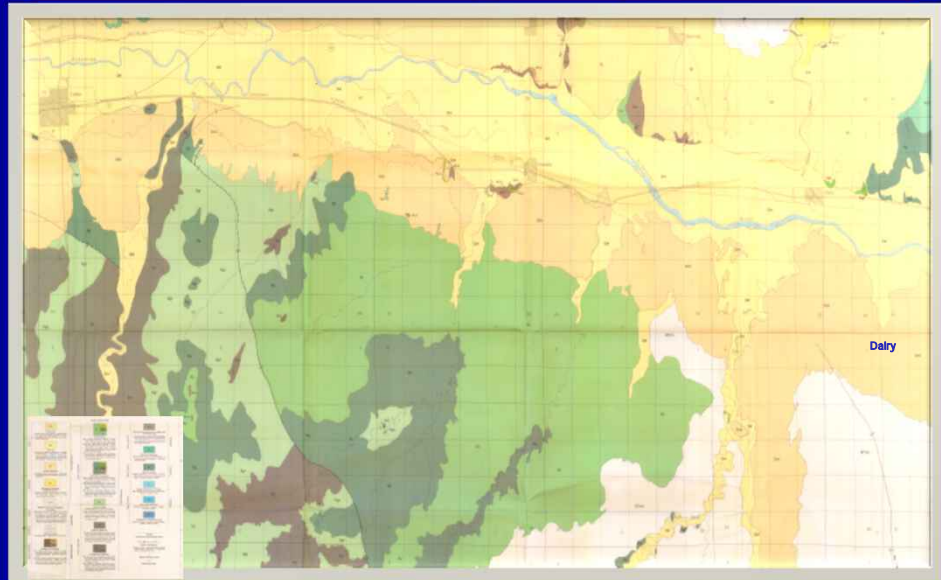


Projected Irrigation	Acres
West Farm	1165
Grasmick Farm	2298
Holly Farm	3876
Totals	7339

Irrigation Summary	Pre-1986	Current	Projected
West Farm	1937	1440	1165
Grasmick Farm	4429	3929	2298
Holly Farm	2083	1973	3876
Totals	8449	7342	7339

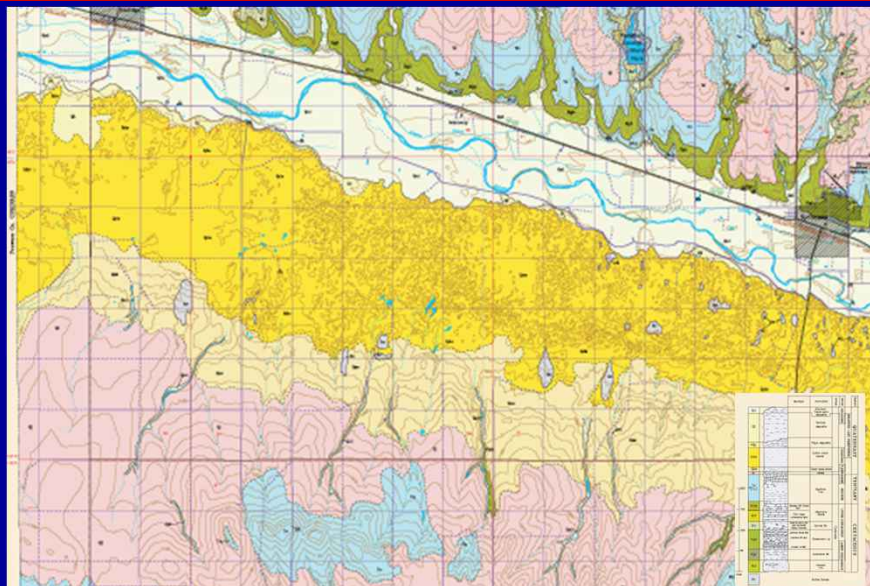
Geology of Prowers County Colorado

Source: United States Geological Survey



Geology of Hamilton County, Kansas

(Source: Kansas Geological Survey)



Protection of Water Rights in Colorado and Kansas

Irrigated acreage will operate under approved well permits

- Lands irrigated under existing groundwater well permits (Rule 14 Plan)
- Depletions under new lands will be replaced by a court approved plan for augmentation

RULES AND REGULATIONS GOVERNING THE DIVERSION AND USE OF TRIBUTARY GROUND WATER IN THE ARKANSAS RIVER BASIN, COLORADO

Rule 1. Scope. These Rules apply to all diversions of tributary ground water in the Arkansas River Basin in Colorado except diversions by decreed or permitted wells as described in section 37-92-602, wells located within a designated ground water basin which withdraw designated ground water, decreed and/or permitted wells which withdraw nontributary ground water, and exposure of ground water in connection with extraction of sand and gravel by open mining as defined in section 34-32-103(9), 14 C.R.S.

Rule 14. Applications for Approval of Plans to Divert Tributary Ground Water. No later than April 1, 1996, and no later than March 1 of each year thereafter, a well user or an entity acting on behalf of well users who desires approval of a plan to divert tributary ground water pursuant to these Rules must file with the division engineer an application in writing setting forth a complete description of the plan.

Conversion from Surface Water Irrigation to Center-Pivots

COMPACT RULES GOVERNING IMPROVEMENTS TO SURFACE WATER IRRIGATION SYSTEMS IN THE ARKANSAS RIVER BASIN IN COLORADO

ORDER OF THE STATE ENGINEER

BY THIS ORDER the State Engineer adopts the following rules and regulations to govern improvements to surface water irrigation systems in the Arkansas River Basin in Colorado to comply with Article IV-D of the Arkansas River Compact.

Rule 1. Title

The title of these Rules is "Compact Rules Governing Improvements to Surface Water Irrigation Systems in Arkansas River Basin in Colorado." The short title for these Rules is "Irrigation Improvement Rules," and they may be referred to herein collectively as the "Rules" or individually as a "Rule."

Rule 2. Authority

These Rules are promulgated pursuant to the authority granted the State Engineer in § 37-80-102(1)(a), § 37-80-104, and § 37-92-501, C.R.S., to ensure compliance with the terms of the Arkansas River Compact, 63 Stat. 145; § 37-69-101, *et seq.*, C.R.S. (Compact).

Rule 3. Purpose

A. The purpose of these Rules is to *ensure that improvements to surface water irrigation systems in the Arkansas River Basin in Colorado comply with Article IV-D of the Compact.*

B. These Rules have as their *objective the optimum use of waters of the Arkansas River in a manner consistent with preservation of the priority system of water rights while ensuring that the State of Colorado complies with the terms of the Compact.*

Thank You

Comments and Questions?



Attachment E

Special Meeting

September 17, 2013

This page intentionally blank

ARCA SPECIAL MEETING
QUESTION SUBMITTED (PLEASE WRITE LEGIBLY)

NAME (Optional): Art Boltz Syracuse

ORGANIZATION (Optional): Farmer

QUESTION Will any water be pumped out of the Ogalla, Dakota
Cheyenne or Paleo aquifers to augment water use? GP

Your question will be read aloud by the meeting chairman, and a response given by the appropriate person, at the chair's discretion.

ARCA SPECIAL MEETING
QUESTION SUBMITTED (PLEASE WRITE LEGIBLY)

NAME (Optional): Roger Reyher

ORGANIZATION (Optional): Farmer under Fort Lyon Canal

QUESTION Full cap. how much water are
we talking
Acre Feet

Your question will be read aloud by the meeting chairman, and a response given by the appropriate person, at the chair's discretion.

ARCA SPECIAL MEETING
QUESTION SUBMITTED (PLEASE WRITE LEGIBLY)

NAME (Optional): PS Griekoor

ORGANIZATION (Optional): Kansas Farmer

QUESTION Under Colo law, if GP Farms or Syracuse Dairy
goes out of business, what happens to water
right ownership?

Your question will be read aloud by the meeting chairman, and a response given by the appropriate person, at the chair's discretion.

**ARCA SPECIAL MEETING
QUESTION SUBMITTED (PLEASE WRITE LEGIBLY)**

NAME (Optional): _____

ORGANIZATION (Optional): _____

QUESTION How far South is the location
planned for the dairy? & how many
acres & how many head dairy is planned

Your question will be read aloud by the meeting chairman, and a response given by the appropriate person, at the chair's discretion.

GP

**ARCA SPECIAL MEETING
QUESTION SUBMITTED (PLEASE WRITE LEGIBLY)**

NAME (Optional): _____

ORGANIZATION (Optional): _____

QUESTION What is the plan for the water in 15 yrs.
Can water be sold with temporary Permit?

GP

Your question will be read aloud by the meeting chairman, and a response given by the appropriate person, at the chair's discretion.

Co

**ARCA SPECIAL MEETING
QUESTION SUBMITTED (PLEASE WRITE LEGIBLY)**

NAME (Optional): BOB HAMILTON

ORGANIZATION (Optional): _____

QUESTION DOGS G.P. HAVE ANY SURFACE
WATER RIGHTS INVOLVED IN THIS
Project

Your question will be read aloud by the meeting chairman, and a response given by the appropriate person, at the chair's discretion.

GP

ARCA SPECIAL MEETING
QUESTION SUBMITTED (PLEASE WRITE LEGIBLY)

NAME (Optional): Row Conway

ORGANIZATION (Optional): Great Eastern Irr. & Garden City Company

QUESTION Is Augmentation water for water
and where. What about Quality of Augmented water

Your question will be read aloud by the meeting chairman, and a response given by the appropriate person, at the chair's discretion.

Co

ARCA SPECIAL MEETING
QUESTION SUBMITTED (PLEASE WRITE LEGIBLY)

NAME (Optional): _____

ORGANIZATION (Optional): _____

QUESTION Why is money spend without Permit?

Your question will be read aloud by the meeting chairman, and a response given by the appropriate person, at the chair's discretion.

Co

ARCA SPECIAL MEETING
QUESTION SUBMITTED (PLEASE WRITE LEGIBLY)

NAME (Optional): Row Conway

ORGANIZATION (Optional): Great Eastern Irr. & Garden City Company

QUESTION What is it that we are not seeing? How can all
this development be going on and no water plan yet
complete - It is like buying a \$300,000 combine and you
haven't planted the wheat crop.

Your question will be read aloud by the meeting chairman, and a response given by the appropriate person, at the chair's discretion.

Co

ARCA SPECIAL MEETING
QUESTION SUBMITTED (PLEASE WRITE LEGIBLY)

NAME (Optional): Trevor Ahrens

ORGANIZATION (Optional): Southwest Kansas Groundwater Management Dist. 3

QUESTION Is the quality of the water you plan on using for
augmentation similar to the water you plan on diverting?

Your question will be read aloud by the meeting chairman, and a response given by the appropriate person, at the chair's discretion.

CP

ARCA SPECIAL MEETING
QUESTION SUBMITTED (PLEASE WRITE LEGIBLY)

NAME (Optional): Tim Tracy Syracuse

ORGANIZATION (Optional): _____

QUESTION Is this project going to effect the ~~Drinking~~ ^{Drinking}
Water for the town of Syracuse? Are the wells ~~Document~~ ^{Document}
that are being used, I heard some were drilled without
Permits

Your question will be read aloud by the meeting chairman, and a response given by the appropriate person, at the chair's discretion.

KS

ARCA SPECIAL MEETING
QUESTION SUBMITTED (PLEASE WRITE LEGIBLY)

NAME (Optional): Nikki Schwerdfeger

ORGANIZATION (Optional): Down Stream Land owner

QUESTION If the paleo channel does not exist

As Mr Knox says, why does it appear on 1940 USGS GP
maps and how do we explain the difference in ~~CA~~

Your question will be read aloud by the meeting chairman, and a response given by the appropriate person, at the chair's discretion.

water quality (conductivity) from wells in that
channel from wells in the ARK alluvial