

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

ARKANSAS RIVER COMPACT ADMINISTRATION

COMPACT YEAR 2015

ANNUAL MEETING

December 10, 2015

HELD AT THE

CLARION INN

1911 EAST KANSAS AVENUE

GARDEN CITY, KANSAS

James S. R. 3346
12/7/17

Reported By:

ADVANCED COURT REPORTING SERVICES

Lee Ann Bates, CSR, RPR, CRR

27113 W. Mills Avenue

Plevna, Kansas 67568

(620)793-6555 or (620)664-7230

ORIGINAL

APPEARANCES

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

CHAIRMAN:

Jim Rizzuto

COLORADO:

James Eklund

Lane Malone

Scott Brazil

KANSAS:

David Barfield

Randy Hayzlett

Hal Scheuerman

P R O C E E D I N G S

1
2 MR. RIZZUTO: We're going to start the
3 meeting. First, I'd like to welcome everyone to
4 this year's Annual Meeting. I've been asked by a
5 number of people to move the meeting along as
6 quickly as possible and that people have
7 appointments in Denver and other parts of Kansas
8 today.

9 I'll introduce myself. My name's Jim Rizzuto
10 and I'm Chairman of the ARCA commission as the
11 federal Representative. Why don't I let Kansas
12 start off and have you introduce yourself as well.
13 Randy.

14 MR. HAYZLETT: Randy Hayzlett from Lakin,
15 ARCA representative.

16 MR. BARFIELD: Dave Barfield. I'm Chief
17 Engineer with the Kansas Division of Water
18 Resources, Kansas Department of Agriculture, and a
19 Compact commissioner.

20 MR. SCHEUERMAN: I'm Hal Scheuerman. I
21 live over at Deerfield and I'm the other Kansas
22 commissioner.

23 MR. EKLUND: I'm James Eklund. I'm the
24 Director of the Colorado Water Conservation Board
25 and I serve as a commissioner on the commission.

1 MR. MALONE: Lane Malone. I'm from
2 Holly, Colorado and ARCA rep, Colorado.

3 MR. BRAZIL: Scott Brazil, Pueblo, and
4 I'm also the ARCA rep.

5 MR. EKLUND: Mr. Chairman, I'd like to
6 move as an exhibit executive order from Governor
7 John Hickenlooper from Colorado, an executive order
8 2015 201, as it appoints Scott "Lane" Malone of
9 Holly to this commission.

10 MR. RIZZUTO: Okay. Any objection from
11 anyone?

12 MR. BARFIELD: No objection.

13 MR. RIZZUTO: Okay. That will become an
14 exhibit, yes.

15 MR. BARFIELD: Very good.

16 MR. SALTER: For reference, just to keep
17 things straight, that will be Exhibit C to the
18 transcript.

19 MR. RIZZUTO: Okay. Just some logistical
20 things. First, an attendance sheet will be passed
21 around the room to be made part of the transcript as
22 well. One thing, those who are presenting, if you
23 speak, please introduce yourself, speak loudly and
24 clearly, using the podium and microphone where
25 possible. This will help the court reporter capture

1 everything in an accurate manner. If you are
2 presenting, please provide a copy of your business
3 card to the court reporter, if you have one, and
4 then we'll need four copies of anything that will be
5 made an exhibit. Any item that is made an exhibit
6 will need to be assigned an exhibit reference.

7 Going to first start off with introductions.
8 Going to go around the room, if you would stand up,
9 give your name, and who you represent.

10 MR. NEWMAN: Brent Newman, Colorado Water
11 Conservation Board.

12 MR. STEUER: Dan Steuer, Assistant
13 Attorney General, Colorado Department of Law.

14 MR. BEIGHTEL: Chris Beightel, Kansas
15 Department of Agriculture.

16 MR. BATDORF: Rob Batdorf, City of Lamar.

17 MR. MASON: Pat Mason, City of Lamar.

18 MR. WORK: Wiley Work, City of Lamar.

19 MS. DURAN: Rachel Duran, Kansas
20 Department of Agriculture, Division of Water
21 Resources in Garden City.

22 MR. SKEIE: Erik Skeie, Colorado Water
23 Conservation Board.

24 MS. COLE: Brandy Cole, Department of Ag,
25 Division of Water Resources, Kansas.

1 MS. MARINTZER: Lori Marintzer, U.S.
2 Geological Survey, Kansas.

3 MR. VAUGHAN: Roy Vaughan, Reclamation,
4 Pueblo.

5 MR. STULP: John Stulp, Colorado
6 Governor's office.

7 MR. WITTE: Steve Witte, Colorado
8 Division of Water Resources. I'm also the
9 Operations Secretary to the Administration.

10 MR. STEERMAN: Don Steerman from Shinn,
11 Steerman & Shinn in Lamar, Colorado, representing
12 District 67 and some other ditches.

13 MR. HOWLAND: Terry Howland, Amity Canal.

14 MR. WILSON: Glenn Wilson with the Amity
15 Canal.

16 MR. BANKS: Bill Banks, USGS, Pueblo.

17 MR. PAYNE: Bill Payne, USGS, Pueblo.

18 MR. DANIELSON: Jeris Danielson,
19 Purgatoire River District.

20 MR. STREETER: Tracy Streeter, Kansas
21 Water Office.

22 MS. McCLASKEY: Jackie McClaskey, Kansas
23 Department of Agriculture.

24 MS. METZGER: Susan Metzger, Kansas
25 Department of Ag.

1 MS. LAIR: Cindy Lair, Colorado
2 Department of Agriculture.

3 MR. GRIGGS: Burke Griggs, office of the
4 Kansas Attorney General.

5 MR. BOOK: Dale Book representing the
6 State of Kansas.

7 MR. RUDE: Mark Rude with the Southwest
8 Kansas Groundwater Management District in Garden
9 City.

10 MR. GOBLE: Jack Goble, Lower Arkansas
11 Valley Water Conservancy District.

12 MR. McELROY: Brady McElroy, USDA-NRCS in
13 Lamar, Colorado.

14 MR. BRENN: Dave Brenn, Kansas Water
15 Congress.

16 MR HINES: Steven Hines, Coolidge,
17 Kansas, Frontier Ditch.

18 MR. NORQUEST: Jason Norquest, Southwest
19 Kansas Groundwater Management District here in
20 Garden.

21 MR. GRAFF: Greg Graff, Groundwater
22 Management District 1 and Kansas Water Association.

23 MR. LETOURNEAU: Lane Letourneau with the
24 Kansas Department of Agriculture.

25 MAJ. MELCHIOR: Jason Melchior, Deputy

1 Commander, Albuquerque District, United States Army
2 Corps of Engineers.

3 MR. GRONEWOLD: Ryan Gronewold, Reservoir
4 Control Branch Chief for the Army Corps of Engineers
5 in Albuquerque.

6 MR. ROSS: Garret Ross, Arkansas Basin
7 Coordinator, Corps of Engineers in Albuquerque.

8 MR. ACKERMAN: Brett Ackerman, Colorado
9 Parks and Wildlife out of Colorado Springs.

10 MS. ROBB: Traci Robb, U.S. Army Corps of
11 Engineers, Trinidad Lake.

12 MS. DOWNEY: Karen Downey, John Martin
13 Reservoir, for the U.S. Army Corps of Engineers.

14 MR. STILES: Tom Stiles, Kansas
15 Department of Health and Environment.

16 MR. PISTORIUS: Paul Pistorius, Kansas
17 Department of Ag.

18 MR. AGUILAR: Jonathan Aguilar, Kansas
19 State University Research and Extension.

20 MR. GEUBELLE: Ross Geubelle, Syracuse
21 Dairy.

22 MR. WOLFE: Dick Wolfe, Colorado State
23 Engineer's office.

24 MR. TYNER: Bill Tyner, Colorado Division
25 of Water Resources.

1 MR. REYNOLDS: Phil Reynolds, Colorado
2 Division of Water Resources.

3 MR. MILLER: Steve Miller, Colorado Water
4 Conservation Board, and if it hasn't already been
5 said, please make sure you signed the signup sheet
6 so the court reporter can read your name, rather
7 than try and catch it as we read it off here.

8 MR. VAN OORT: John Van Oort, Division of
9 Water Resources, Colorado.

10 MR. MONTOYA: Jeff Montoya, Colorado
11 Division of Water Resources.

12 MR. JONES: Larry Jones, Finney County,
13 Kansas commissioner.

14 MR. VANSHAAR: James VanShaar, Bureau of
15 Reclamation, Eastern Colorado area office, Loveland.

16 MS. SNORTLAND: Signe Snortland, Deputy
17 Area Manager, Eastern Colorado area office, Bureau
18 of Reclamation.

19 MR. RAYNES: Tom Raynes, Bureau of
20 Reclamation, Loveland.

21 MR. THOMPSON: Kelley Thompson, Colorado
22 Division of Water Resources.

23 MR. HENDRIX: Randy Hendrix, Slattery &
24 Hendrix Engineering, representing the Lower Arkansas
25 Water Management Association.

1 MS. GONZALES: Stephanie Gonzales,
2 Arkansas River Compact Administration Recording
3 Secretary and Treasurer.

4 MR. SPADY: Lonnie Spady, Division 2,
5 District 17 Water Commissioner.

6 MS. NICHOLS: Rebecca Nichols, District
7 67 Water Commissioner.

8 MR. RIZZUTO: Thanks. We'll keep you
9 running today, moving the microphone back and forth.

10 Next order of business is reports of the
11 officers. I have nothing to report at this time,
12 other than Randy and I were talking. We're still
13 going to try and do a tour. I know, Kevin, you and
14 others tried to set it up. We were unable to do
15 that. Hopefully we could get some dates out early,
16 so that we could try and pinpoint exactly when we
17 could do it, whether it's spring or early summer. I
18 know we get into the agriculture season and the
19 like, so that's the only thing I would request.
20 Randy?

21 MR. HAYZLETT: And the Administrative and
22 Legal last night did look at the first week in May
23 for that, so just for a heads up on that.

24 MR. RIZZUTO: Good. Okay. And Recording
25 Secretary, Operations Secretary, and Assistant

1 Operations Secretary will be deferred to later, as
2 far as reports are concerned.

3 Next order of business, reports of federal
4 agencies, and all these presentations or reports
5 will be made exhibits. First, I'd like to call on
6 U.S. Geological Survey, Bill Payne.

7 MR. PAYNE: My name is Bill Payne with
8 the U.S. Geological Survey and I want to go through
9 the summary of flows for the Arkansas River Compact
10 USGS gages for Kansas and Colorado, if you can see
11 it.

12 I won't go into a lot of the details here.
13 Basically, the 2015 program consists of 11 gages,
14 nine in Colorado and two in Kansas, one crest-stage
15 gage on Big Sandy, above Amity Canal. In 2015, the
16 USGS and ARCA agreed to change the guidance for
17 making measurements, additional measurements on the
18 Compact sites. As part of that, measurements will
19 be made as soon as practical or within 72 hours of
20 requests. Measurements made at each site shall be
21 implemented with corresponding shifts to ratings as
22 soon as practical, but no later than 24 hours
23 following the measurement, and the USGS will arrange
24 to make measurements on weekends or off hours. I
25 think this year, that went really well, according to

1 what I've heard, and it's improved the record
2 considerably.

3 We do continue to have some beaver issues at
4 two sites, Big Sandy and Arkansas River at Granada.
5 This year, we were able to contract with a local
6 trapper in Lamar and we removed the beavers there,
7 and the estimated days for 2014 were 294 days, and
8 in 2015, after the dams and the beavers were
9 removed, we had -- we've had no estimated days to
10 this point, so we have improved the record at that
11 site considerably. Granada, we have not been able
12 to get permission to trap below Highway 385, but
13 this year we did have some issues at lower flows,
14 but someone, and we don't know who, is taking beaver
15 dams out and the high flows have helped to mitigate
16 that issue, at least for this year, so.

17 This is a summary of the flows. The second to
18 the left column shows the percentage of flow
19 compared to 2014, and I won't go through each one of
20 these, but you can see, based on this year that
21 we've had, everything is over 100% in comparison to
22 2014 in Acre Feet.

23 The last column is the comparison to the
24 average flow for period of record, and again, a lot
25 of these are extremely high percentages, so this

1 just gives you an idea of what kind of year we had.

2 Real quickly, this is Fountain Creek near
3 Pinon, not a Compact site, but I thought it would be
4 of interest. These are -- this is three years of
5 record and these are streamflow duration
6 hydrographs. You can see the colors. The top is
7 the 90th percentile, the green is the average, and
8 of course, the brown is the five percentile. The
9 black trace is the year, the flow for the year. I
10 included '13 because, as you know, late in 2013, we
11 had some severe flooding along the Front Range, and
12 you can see the corresponding trace. Last year was
13 not really an outstanding year, and then this year,
14 of course, you can see that we're above the
15 90th percentile. The peak at that site this year
16 was measured on June 16th. It was 19,900 cfs.

17 This is the unit value hydrograph from April
18 to July for that same site, 2014 and 2015, '15 on
19 the top, '14 on the bottom. You can see that the
20 flows are like 10 orders of magnitude higher this
21 year, so that's just to give you an idea of the
22 issues we had along the Front Range this year.

23 And then these are some more Arkansas, going
24 back up to Arkansas, Leadville, Parkdale. Arkansas
25 River at Avondale we're, again, we're very high.

1 Arkansas River Las Animas. Purgatoire River, John
2 Martin, Lamar, Granada, Coolidge, and this is
3 Syracuse, which I'll just point out there's 112
4 years of record there at that site. That's an old
5 site.

6 This is the Wild Horse gage. We had a peak
7 record this year, 2960 cfs on August 17th. On
8 August 18th, we went out to flag that for an
9 indirect measurement survey, and this is about 220
10 cfs. You can see the flood marks and then the gage.
11 That's not our primary gage. That's a crest-stage
12 indicator out there. The gage is up here. And that
13 was about a 10-foot rise.

14 This is looking upstream. Before we could get
15 back to do the survey, they came in, stripped the
16 channel of all the vegetation, so we had to
17 determine that peak using a slope conveyance and
18 some other means.

19 In 2016, we proposed to continue to operate
20 the 11 stream gages in Colorado and Kansas, continue
21 to make the measurements based on Kansas and
22 Colorado calls and when there's a release from John
23 Martin, and to monitor Big Sandy and the Arkansas at
24 Granada and improve that record.

25 This is our contact information. Any

1 questions? This slide was taken two days from the
2 peak at Empire Gulch. I don't recall the peak flow
3 there, but that was also the day we measured the
4 peak at Pinon. I don't have a business card, but --
5 and will you need the agreement? I gave that to
6 Stephanie for an exhibit.

7 MR. RIZZUTO: Yes.

8 MR. PAYNE: Okay. I'll make some more
9 copies.

10 MR. BANKS: Bill Banks, Chief, USGS,
11 Southeast Colorado Office of the Colorado Water
12 Science Center. While it's not directly under the
13 purview of this group, I thought it was important to
14 bring to the attention some work that the USGS is
15 doing in the Basin, collaborative work with the
16 Regional Resource Planning Group (RRPG), proceeding
17 to understand, quantify and predict things that
18 affect water quality and water quantity in the
19 Arkansas Basin.

20 Some of the general observations by the RRPG
21 and USGS is that we need a baseline data of
22 sufficient quality, quantity, spatial distribution
23 and temporal distribution, in order to make a
24 comprehensive regional analysis; that water uses and
25 water issues are tied to land use and agriculture

1 organization and other changes in water uses and
2 operations; and that water quality and water supply
3 are inextricably linked; that it's imperative to
4 develop methods and tools to quantify and predict
5 the effects of these changes.

6 It's done in a phased process or has been done
7 in a phased process. The first was to synthesize
8 existing data and to determine what the issues and
9 the study areas were that needed to be addressed.
10 The result was a basin-wide assessment and report on
11 salinity, selenium and uranium. This is the cover
12 and it can be found online.

13 Phase II were a series of water-quality
14 studies to determine the source, dominant processes,
15 and evaluate changes in land uses and water uses, to
16 evaluate the fate and transport of metals in the
17 Basin, and to evaluate the effects of change in
18 reservoir operations on water quality. These are
19 the first two in that series of water quality
20 reports and, again, can be found online.

21 This is the third and should be found --
22 should be available to the public in early spring of
23 next year. That's the -- I wanted to bring out --
24 excuse me. I wanted to point out that those
25 publications can be found online at USGS.gov/pubs

1 and that the duration curves that Bill presented can
2 also be found online at USGS/waterwatch, I believe.
3 Thank you very much.

4 MR. RIZZUTO: Thank you. Any questions?
5 Okay. It will be marked Exhibit B, and that -- is
6 it B?

7 MR. SALTER: It should be D.

8 MR. RIZZUTO: D? Okay. Next with the
9 U.S. Army Corps of Engineers, Mason, or Major --
10 excuse me -- Jason Melchior.

11 MAJ. MELCHIOR: Mr. Chairman and members,
12 good to be back the second year, sir.

13 MR. RIZZUTO: Yes.

14 MAJ. MELCHIOR: My name is Major Jason
15 Melchior and I'm the Deputy District Commander for
16 the United States Army Corps of Engineers,
17 Albuquerque District. Thank you again for this
18 opportunity to present key topics from our report
19 from last year and items of current interest within
20 the Arkansas River Basin.

21 Joining me from the Albuquerque District
22 Office I have Ryan Gronewold, who is my Reservoir
23 Control Branch Chief, and Garret Ross, the Arkansas
24 River Basin Coordinator. We also have Karen Downey,
25 John Martin Dam Project Manager, and Traci Robb,

1 Trinidad Lake Project Manager.

2 Just as an update to everybody that knew
3 Dennis Garcia, Dennis has moved on to my Dam and
4 Levee Safety Program, so that's why Dennis isn't
5 here. I think this is the first time in 18 years.
6 Jeris probably knows better than anybody, but I
7 think it's the first time in 18 years Dennis hasn't
8 been here, so he sends his regards to everybody.

9 So we'll start with flood operations. As of
10 May 1st, 2015, the Basin wide snowpack within the
11 Arkansas Basin was 89% of normal, with the upper
12 Arkansas Basin reporting 103% normal and the
13 Purgatoire River Basin only at 7% of the average.
14 Despite this average to well below average
15 distribution and snowpack within the Arkansas Basin,
16 a series of moderate but widespread storms pushed
17 Pueblo Dam into flood control operations on May
18 19th in response to flood peaks traveling down
19 Fountain Creek in excess of 7,000 CFS, and you'll
20 see here pictures of Fountain, both Fountain Creek
21 and Pueblo. Through coordinated efforts of USACE,
22 Colorado Division of Water Resources, and Bureau of
23 Reclamation, Pueblo Dam releases were cut to reduce
24 the impacts of this flooding in the middle valley.

25 Arkansas continued to receive significant

1 rains throughout the end of June, requiring close
2 coordination between the Corps, the State of
3 Colorado, and Bureau of Reclamation. The Pueblo Dam
4 outflow was adjusted to either release stored waters
5 and inflows when possible, or store water in the
6 Joint Use Pool when needed to help maintain those
7 downstream flows within the safe channel capacity
8 through the middle valley. In anticipating --
9 anticipation of increase of release rates, the
10 Corps, Reclamation, and State of
11 Colorado coordinated to identify critical points
12 along the watershed that have typically been
13 sensitive to those high river stages, and a
14 monitoring plan was established for four different
15 locations within the -- on the Arkansas River.
16 Through this coordinated effort of the agencies,
17 Pueblo Dam release rates were set to minimize the
18 downstream flooding.

19 So Pueblo climbed into the Flood Pool on the
20 morning of June 13th. It didn't drop back out of
21 the Flood Pool until July 6th. Pueblo Dam storage
22 peaked at 289,724 Acre Feet on June 22nd, nearly
23 32,800 Acre Feet within the Flood Pool. On
24 July 15th, the reservoir pool at John Martin storage
25 peaked at 325,676 Acre Feet, about 6,000 Acre Feet

1 below the published Flood Pool. Although John
2 Martin never entered flood operations in 2015, it's
3 worth noting that the reservoir held only 6,157 Acre
4 Feet on October 31st, 2014, and only 57,767 Acre
5 Feet at the beginning of the 2015 irrigation season.
6 The Corps did not operate for flood control at John
7 Martin or Trinidad in 2015.

8 The cooperation and coordination that occurred
9 within the Corps, Reclamation, the State of
10 Colorado, the National Weather Service, the
11 Southeastern Colorado Water Conservation -- Water
12 Conservancy district, excuse me, and the North
13 La Junta Conservancy District, and others proved to
14 be critical to the success of these flood control
15 measures. It was particularly beneficial to have
16 those eyes on the ground provided by Reclamation,
17 State of Colorado, and the conservancy districts as
18 the operational decisions were implemented
19 throughout the season.

20 So, current items of interest: The operations
21 and maintenance continues at the Corps-owned dams
22 within the Arkansas River Basin and is, as usual, an
23 ongoing effort. In addition to day-to-day work
24 performed by both Trinidad and John Martin Dams,
25 more notable efforts are periodically undertaken to

1 ensure the coordinated safe operations of our
2 facility.

3 At Trinidad, the installation of our eight
4 piezometers and four inclinometers was completed and
5 two permanent access roads were construed -- were
6 constructed to the downstream face of the
7 embankment. This monitoring equipment replaced
8 existing unserviceable equipment and enhanced the
9 Corps' abilities along the main dam embankment. In
10 FY 2016, we will be conducting gate painting and
11 maintenance on the two service gates and the two
12 emergency gates in the control tower. This coating
13 treatment reduces the corrosion and increases the
14 lifespan of the water control structures.

15 Several projects were completed on the
16 structure of John Martin Dam in 2015. Four new
17 water stop valves were installed to allow water from
18 the lake to be used for maintenance issues within
19 the dam, and then two new gate valves and two new
20 stop check valves were installed on sump pumps
21 located in the grouting gallery of the dam.

22 The Lake Hasty Habitat Improvement Project is
23 advancing. Lake bottom soil samples were collected
24 by the Kansas City District of the Corps of
25 Engineers team, and testing of these materials is

1 ongoing. A total of 13 test wells were installed
2 around the lake in strategic locations, which we're
3 monitoring monthly. Water rights are still a factor
4 in the long-term plan for Lake Hasty, and
5 discussions with the Colorado State Division of
6 Water Resources and the Department of Natural
7 Resources will be forthcoming on how that water
8 usage will play a role in the habitat improvement
9 efforts. Long-term goals are to have Lake Hasty
10 Habitat Improvement Project completed by 2018, to
11 coincide with the 70th anniversary of the completion
12 of John Martin.

13 In 2012, Telluride Energy applied for and was
14 issued their preliminary permits for hydropower
15 studies to both Trinidad and John Martin Dam. Over
16 the three years permitting period, the permittee is
17 expected to carry out prefiling consultations and
18 study developments leading to the possible
19 development of a license application. Telluride
20 Energy submitted their fifth Preliminary Permit
21 Six-Month Progress Report for John Martin and
22 Trinidad Hydropower Projects to the Federal Energy
23 Regulatory Commission in 2000 -- January of 2015.
24 In those reports, Telluride Energy concludes that
25 the current electricity prices and their future

1 electricity price estimates lessen the economic
2 attractiveness of hydropower development, absent any
3 market increases in the, in price. It's our
4 understanding from them that no further studies will
5 be conducted under these permits.

6 And I would like to conclude with, I'd like to
7 highlight some of the priorities and recent
8 contributions of the Corps of Engineers team. The
9 Corps delivers engineering solutions for the
10 nation's toughest challenges, at home and abroad.
11 This year, we continued to provide critical
12 engineering support to the joint force in
13 Afghanistan and Iraq. While most of our Corps
14 employees, as everyone knows, are not soldiers, I am
15 proud to say that during Fiscal Year 2015, we had
16 nine district members who voluntarily went to
17 Afghanistan and we currently have five employees
18 that are over there at this time. We also stand
19 prepared and ready to respond to natural and manmade
20 disasters here at home. Each year, the Corps
21 employs hundreds of people to deploy with public
22 works and engineering support to long-term
23 infrastructure recovery. We maintain our team of
24 dedicated and trained volunteers who, at a moment's
25 notice, are ready to deploy to disasters that occur

1 within our nation's boundaries as well. This year,
2 we deployed volunteers to support flood recovery
3 operations in Texas, and then we continue to support
4 the cleanup efforts of Hurricane Sandy in New York.
5 It's also timely to note that our Corps team is
6 working diligently to strengthen our nation's
7 security by building and maintaining the
8 infrastructure and providing military facilities
9 where our service members train, work, and live.

10 Sir, this concludes my report and I'd be happy
11 to answer any questions, with the assistance of my
12 team, as necessary.

13 MR. RIZZUTO: Okay. Questions by any of
14 the commissioners?

15 MR. BARFIELD: None from Kansas.

16 MR. RIZZUTO: None, Kansas. None,
17 Colorado. You did a great job.

18 MAJ. MELCHIOR: Thank you, sir. Getting
19 used to it.

20 MR. RIZZUTO: Thank you on behalf of all
21 of us for your service and the service of those in
22 the Corps of Engineers to keep America safe and
23 everything you do.

24 MAJ. MELCHIOR: Yes, sir. Appreciate it.

25 MR. RIZZUTO: That will be Exhibit E.

1 Next, U.S. Bureau of Reclamation, Roy Vaughan. This
2 will become Exhibit F.

3 MR. VAUGHAN: Okay. Go ahead. I'm going
4 to talk to you a little bit about this year's water
5 year for the Arkansas Basin. Some of it's going to
6 be redundant because I went last, so...

7 Anyway, so imports are well above average,
8 72 -- a little over 72,000. That's about 130% of
9 our 40 year average. Snowpack, and we'll look at
10 that in depth a little bit more later, kind of
11 started slow, looked kind of like it was going to be
12 a 2012 year and then finished really strong, which
13 helped us get to our 72,000. It opened April 23rd
14 and peaked in June and we shut down the collection
15 system around August.

16 So the turquoise column is this year's, this
17 water year, the silver column is 2015, the blue
18 column is 2014 and the heavy black line is the
19 historical average, so you can see in Turquoise
20 Reservoir, we're above average and above where we
21 were this time last year. Twin Lakes, we're about
22 where we were this time, but still above average.
23 In Pueblo, you can see we're well above average and
24 above where we were this time last year. This is
25 just as of the latest accounting, Turquoise is about

1 103% of average, Twin Lakes is a little over 100%,
2 Pueblo is 136% of average.

3 Our forecasts came in this way: February 1st
4 was about 64,000. This is imports from the west
5 slope. March 1st was about 68-5. Then things
6 dropped off to 52-6, and in May, we were a little
7 nervous. They were 53, so go ahead.

8 This is the way the imports came in through
9 the Boustead Tunnel. You can see. That's fine, go
10 ahead. So this is the -- this is as of April 14th,
11 and I've got a series of slides. You can just, you
12 can kind of see the heavy blue line is this year's
13 runoff, and you can see the green line is 2012 when
14 we only imported 13,000, so you can see that it
15 starts trending down (Referring to a series of basin
16 snowpack graphs). It was average at the first of
17 May (sic), and then April, it took a dive and then
18 started finishing, and then we got some late snows
19 that really helped us out. This is the Arkansas
20 Basin. Go ahead. It's kind of the same thing for
21 Boustead.

22 So everybody's been talking about flood
23 control. It was a pretty significant -- we had some
24 pretty significant rain events in the Basin. These
25 were inflows into Pueblo Dam over that period of

1 time. You can see right about 6,000. Go ahead.
2 They actually had to shut down the south boat ramp
3 because of the high elevation in the reservoir this
4 year. You can see getting close to the crest of the
5 spillway.

6 These are releases from Pueblo Dam. This is
7 flood control efforts that the Corps was making to
8 protect downstream interests.

9 Fountain Creek, I think we can just go through
10 these. This is the same that -- this is what
11 Fountain Creek looked like at Avondale. Go ahead
12 one more.

13 So, winter operations. Currently we're moving
14 about 225 CFS from our upper reservoirs to make room
15 for this year's runoff. We anticipate making room
16 for about 60,000, but that will all change,
17 dependent on the snowpack.

18 We did a new -- there was a new sedimentation
19 survey done in 2012 of Pueblo Reservoir. They did
20 find some sediment deposits and they used a little
21 more accurate survey this time, so we lost about
22 11,000 -- well, we did lose 11,576 Acre Feet of
23 storage, and that reduced the active conservation
24 pool to 245,373, and this is kind of when you look
25 at Pueblo Dam and see this, again, a significant

1 change in content. We adjusted it at the start of
2 this water year.

3 Mussels. The facility assessments for Fry-Ark
4 are complete. The action response plans are
5 complete. To date, we have still found no adults in
6 the substrate samples, and they were negative this
7 year for anything. If you want to contact
8 information for some of this information that's out
9 there, the reports, it's Pat McCusker.

10 AVC and Master Contract. The Arkansas Valley
11 Conduit and Long Term Excess Capacity Master
12 Contract Environmental Impact Statements were
13 completed August, 2013. Record of decision has been
14 signed and feasibility engineering design work is
15 ongoing. The first session of the Master Contract
16 negotiations will be held in Pueblo January 7th, and
17 Signe is our point of contact for that.

18 The Ten-Year Review, as you all know, Andrew
19 Gilmore has left. We have advertised the position.
20 He was who was responsible for the last Ten-Year
21 Review, and we hope to have it filled soon. In the
22 meantime, the regional hydraulic engineer from, from
23 Billings will be helping out.

24 Southern Delivery System. Most of you are
25 aware of what's going on there, but it's a

1 \$1.1 billion project by Colorado Springs, Security,
2 Fountain and Pueblo West to build a 62-mile pipeline
3 from Pueblo Reservoir up north. They had to install
4 a fixed cone valve downstream of our current valve
5 and put a Y. That is completed and it's
6 operational, and then ongoing testing of the Juniper
7 pump stations, as well as the others. This is just
8 a fixed cone valve in operation. Any questions?

9 MR. RIZZUTO: Okay. Thank, you Roy.
10 Questions, Kansas?

11 MR. BARFIELD: No questions for Kansas.
12 Appreciate the report.

13 MR. RIZZUTO: Colorado?

14 MR. EKLUND: None here.

15 MR. RIZZUTO: Okay. Thank you. As
16 mentioned, that will be Exhibit F.

17 Next, we'll move on to reports from local
18 water user and state agencies, and if a written
19 report or Power Point presentation is provided, let
20 us know if you'd like it to be an exhibit.

21 First, I'll call upon Jeris Danielson with
22 Purgatoire River Water Conservancy District.
23 Welcome, Jeris.

24 MR. DANIELSON: Thank you, Mr. Chairman.
25 Chairman Rizzuto and other members of the

1 commission, I'm pleased to be able to appear before
2 you today and give you just a very short report on
3 what went on in Trinidad. I would observe that if
4 you come to these meetings religiously, like every
5 year, you move up on the list of also-rans. It used
6 to be if you look at your agenda item, Purgatoire
7 was always at the bottom, and now we're kicking that
8 off. That's because none of the other guys ever
9 come anymore.

10 Major, I second what Chairman Rizzuto said.
11 Thank you for your service.

12 The irrigation season for 2015 for the
13 Purgatoire District started out with a snowpack
14 average of 59%, but as the season went on, we were
15 able, when we closed the books October 15th, we
16 diverted 79% of the full water supply. That was
17 mostly due to my excellent managerial skills, but we
18 did get rains. We were in using Project water.
19 That means there was water available in the
20 reservoir for our ditches from April 1 to
21 September 23rd, and we only went on priority
22 administration on the 24th of September, so it was a
23 very, very good year, particularly in light of the
24 last 20. We carried over 2800 Acre Feet of water in
25 the reservoir, and 2300 Acre Feet of that was in the

1 Model Account.

2 Another event that delighted everybody, and I
3 would invite you to come to Trinidad, Division of
4 Parks and Wildlife was able to purchase, I believe,
5 about 11,000 Acre Feet, Steve is that right, of
6 water from Pueblo Board of Water Works,
7 transmountain water, and we exchanged that up to the
8 Permanent Pool in Trinidad. That pool had been
9 running at about 5 or 6,000 Acre Feet. When it's
10 full, it's 15,000, so right now, we're at about 93%,
11 92% full on the Permanent Pool, so it makes Trinidad
12 State Park very, very attractive to people who live
13 out here in the flatlands.

14 I have a couple of slides. This is just a
15 hydrograph of the purple, I don't know if you can
16 see it, is an average year. The blue is the highest
17 year of record, '82-'83. Low year, green, you can
18 see it wasn't a year, 2001 to 2002; and then the red
19 was what happened during 2014-2015, and you can see
20 it was an interesting hydrograph. We had several
21 spikes in it in June, July and August, and that's
22 what created the amount of water that allowed us to
23 divert 79% of normal.

24 I don't expect you to read these numbers, but
25 they'll be in the Power Point. It just gives the

1 amount of water diverted by each of the ditches and
2 Project water and priority water, and you can see
3 Project water total for the ditches was 48,167 Acre
4 Feet. Priority water was only 1,679, so that tells
5 you we had a very, very good Project year.

6 This is just the summary of diversions by
7 ditches on an acre-foot per acre basis, and you can
8 see we had two ditches that exceeded four Acre Feet
9 to the acre. Model, the second from the right, is
10 1.68, but Model has a huge amount of acreage to
11 irrigate and they have to operate on an allocation
12 of just 6,000 Acre Feet if the reservoir's full, so
13 they always kind of come in last in the game, but it
14 gives you a feel that we did have a very, very good
15 year. Thank you, Kevin, and we'll make that part of
16 the record.

17 Oh, this is just for those of you who don't
18 understand spikes, this is a pie. All right? The
19 Enlarged Southside diverted 35% of the total
20 diversions in the Project, and Model was about 21%.
21 Thank you.

22 We are doing an interesting project, or will
23 be doing. The infrastructure in the Trinidad
24 Reservoir ditch system, most of it was built prior
25 to the turn of the century, and I don't mean 2000.

1 I mean 1900, and then there were some major
2 improvements done in the '20s and '30s. Basically
3 what we're using for diversion works and canal
4 structures are well over a hundred years old, and as
5 you might expect, they're not in real good repair,
6 so we're going to launch an infrastructure
7 improvement project. It will be about \$300,000.
8 56% of that money will come from the District and
9 from the local ditches, and then we're looking at
10 about \$150,000 from State and Basin Roundtable and
11 statewide WSRA funds.

12 We expect this will result in a savings of
13 about 5,000 Acre Feet of water per year on the
14 average, just through increasing the efficiency of
15 our diversion structures. Johns Flood ditch has a
16 flume over one of the arroyos. You can walk along
17 the flume and you can see the arroyo down through
18 the bottom in some places, so there's going to be
19 some substantial savings that come about.

20 The benefits of this program won't just be for
21 ag. It will be municipal diversions, because City
22 of Trinidad relies on Model and Johns Flood for
23 their municipal diversions. We think it will help
24 us in Compact compliance. We know that, you know,
25 you guys are always looking over our shoulder in

1 terms of how we're operating the project, and there
2 will be about a thousand feet of river restoration
3 that will take place and there will be some flood
4 mitigation, so it's kind of a multiuse, multibenefit
5 program that we're looking at.

6 We hope to start construction. Although I
7 talked to Brent, it looks like severance tax funds
8 may not be as prolific as we had hoped, but we would
9 like to get into construction next fall after we
10 close the -- close the season.

11 The only other item I have is -- and you heard
12 a little bit of a report from the Bureau. The
13 Bureau and the District have been looking at
14 renegotiating the 1966 repayment contract, and the
15 only idea was to add five years to the repayment
16 period. The Bureau is concerned that with the 20
17 years of extremely low flows we've had in the past,
18 that the District might be unable to meet its
19 obligation, its repayment obligation. So the idea
20 was the Bureau felt they had the ability to add five
21 years to the repayment contract, which would make it
22 a 75-year contract rather than a 70-year.

23 We looked forward to that, and then we got a
24 letter from the Bureau which was the proposed new
25 repayment contract. I think there were five pages

1 of new conditions, many of which we found to be
2 onerous, and so the District rejected the proposed
3 repayment contract and we're very happy to stay with
4 the one that we have. That doesn't mean we won't
5 talk to the Bureau, but something has to change
6 before the District's going to sign onto some of the
7 conditions that were in that proposal.

8 The other item, and I harp about this every
9 year, in Trinidad Reservoir in the Joint Use Pool,
10 there's about 35,000 Acre Feet of storage capacity
11 that goes unused every year. Taxpayers built this
12 facility. The District is repaying the construction
13 costs on that facility, and yet we're not allowed to
14 use it. We have approached the Bureau many times in
15 terms of there are water users upstream of Trinidad
16 Reservoir who are not any part of the project, but
17 have water rights and they have no storage spots,
18 and we think having the ability to store third party
19 water in this Joint Use Pool, having no effect on
20 Project operations whatsoever, it's third party
21 water that once it's in there, it -- you know, it
22 doesn't affect the project at all, would or could
23 create a revenue stream for the District that could
24 benefit us in the repayment issue. So far, it's
25 like banging your head on the bridge abutment.

1 We've made no progress with the Bureau.

2 And I think that concludes my remarks,
3 Mr. Chairman. If you have questions, I'd be happy
4 to try and answer.

5 MR. RIZZUTO: Okay. Thanks, Jeris.
6 Questions from the commissioners?

7 MR. EKLUND: None from Colorado.

8 MR. RIZZUTO: None from Colorado?

9 MR. BARFIELD: None from Kansas. Thank
10 you.

11 MR. RIZZUTO: This -- how long will the
12 infrastructure project take? You said you were
13 going to begin it in the fall.

14 MR. DANIELSON: We hope to begin in
15 October of next year. We should be done by --
16 depends on weather, of course.

17 MR. RIZZUTO: Sure.

18 MR. DANIELSON: But certainly well before
19 the start of the next irrigation season, so
20 February.

21 MR. RIZZUTO: Okay. Thanks. Thank you,
22 Jeris, and your presentation will be Exhibit G.

23 Next, Fountain Creek Greenway, Watershed and
24 Flood Control District, Larry Small.

25 MR. MILLER: I'm sorry. That was a small

1 lack of communication. We can give a brief update
2 on what their activities are, but that should have
3 been -- we should have told you that ahead of time.

4 MR. RIZZUTO: That, that -- okay. We'll
5 dispense with that and move on to Southeast Colorado
6 Water Conservancy District, James Eklund.

7 MR. EKLUND: Thank you, Mr. Chairman.
8 I'm going to read a letter into the record as soon
9 as I pull it up here -- give me a second -- from Jim
10 Broderick, who he couldn't attend today, but wanted
11 to definitely convey to the commission his desire to
12 be here, and I'm going to maybe find this letter.
13 The marvels of technology.

14 (Reading) "Chairman Rizzuto, sorry I cannot
15 attend this year's ARCA meeting in Garden City.
16 It's always a pleasure to give an update on
17 Southeastern Colorado Water Conservancy District's
18 major projects. This year, I thought I would give
19 you an update on the Arkansas Valley Conduit. AVC
20 is what our acronym is for that project.

21 In February of 2014, the Final Environmental
22 Impact Statement (FEIS) Record of Decision was
23 signed for the Arkansas Valley Conduit. The Record
24 of Decision indicates that the FEIS was completed in
25 compliance with the National Environmental

1 Protection Act," or it should say Policy Act. I'll
2 tell Jim.

3 "AVC is a congressionally authorized feature
4 of the Fryingpan-Arkansas Project that was not built
5 during the original Fry-Ark construction. AVC would
6 be a bulk water supply pipeline designated to meet
7 existing and future municipal and industrial water
8 demands in the lower Arkansas River Basin. The
9 proposed AVC Project would serve the needs of 39
10 communities in the lower Arkansas River Valley. The
11 annual AVC delivery would be 10,256 Acre Feet of
12 water. The AVC water supply is needed to meet
13 federal and state drinking water standards to
14 supplement or replace existing poor quality water
15 and to provide better water quality to customers.
16 The AVC will also assist in meeting projected future
17 water demands.

18 Major components that would be constructed
19 include about 230 miles of buried pipeline, a water
20 treatment facility, pumping plants, and other
21 related facilities. The estimated construction cost
22 of AVC is \$400 million. The project has an
23 estimated annual cost of \$3.5 million for AVC
24 operations, maintenance and replacement.

25 The AVC is currently in the feasibility level

1 of design and engineering. This design level is
2 scheduled to be completed in September of 2016.
3 Final design and engineering for the project is
4 scheduled to begin in 2017 and completed the end of
5 2018. AVC construction could begin as early as
6 2019.

7 Chairman Rizzuto, if you have any further
8 questions on this project, please don't hesitate to
9 contact me. I also understand that ARCA will be
10 touring the Arkansas River in Colorado this coming
11 year and if the District can be of any help, please
12 feel free to contact me. Sincerely, Jim Broderick,
13 Executive Director."

14 MR. RIZZUTO: Thank you. Well, we'll
15 enter that as Exhibit H. Any questions on that
16 letter?

17 MR. BARFIELD: No.

18 MR. RIZZUTO: Okay. Move on to Jack
19 Goble, Lower Arkansas Valley Water Conservancy
20 District.

21 MR. GOBLE: Thank you, Mr. Chairman. I'm
22 just going to have an oral report today. The Lower
23 Ark district participated in a number of activities
24 this year, but a couple of the highlights were the
25 first year of operation of the Catlin Lease Fallow

1 Pilot Project, which included six farms with about
2 900 acres total, and during 2015, we fallowed about
3 230 acres and delivered a little over 400 Acre Feet
4 to the municipalities of Fountain, Fowler and
5 Security, and we're happy with how that turned out.
6 We delivered about just under 90% of what our limits
7 were, so with the wet year, that helped us exchange
8 up quite a bit of water and had a successful year
9 and plan to operate next year as well.

10 We also continued to operate two Rule 10 plans
11 under the Irrigation Improvement Rules, the Fort
12 Lyon plan and the non-Fort Lyon Plan. The Fort Lyon
13 Plan, we had 89 farms with just under 14,000
14 sprinkler acres, and the non-Fort Lyon Plan had 59
15 farms with 7800 sprinkler acres and 300 drip acres,
16 and so through October, we maintained about 1040
17 Acre Feet of return flow for those plans.

18 Another major thing we also do is we hold and
19 continue to accept conservation easements in the
20 Lower Ark Valley, and that would conclude my report,
21 Chairman. Any questions?

22 MR. RIZZUTO: Thank you, Jack.
23 Questions?

24 MR. BARFIELD: No. Appreciate the report
25 and last night's as well, so thank you.

1 MR. RIZZUTO: Colorado? None? Okay.

2 Thank you, Jack.

3 Next I'd like to call on Brent Newman,
4 Arkansas River Basin Roundtable.

5 MR. NEWMAN: Good morning, members of the
6 Administration. I'm Brent Newman with the Colorado
7 Water Conservation Board and I'm the staff liaison
8 to the Arkansas Basin Roundtable, and I'm filling in
9 today for Sandy White, who is the new Chair of the
10 Ark Roundtable. I'm briefly going to summarize the
11 Roundtable's major undertakings over the past year.

12 On April 17th, the Roundtable submitted their
13 final Basin Implementation Plan to the Water
14 Conservation Board. This BIP was the Roundtable's
15 big project over the past couple of years, which
16 establishes priorities and needs for the Basin and
17 proposes projects, methods and policies to meet
18 those needs. The Ark BIP, along with the work of
19 the other eight Basin Roundtables in Colorado, was
20 incorporated by the Water Conservation Board into
21 the final Colorado's Water Plan, which Director
22 Eklund will discuss next.

23 It's become common to hear in Colorado over
24 the past month that now we have a water plan, and
25 that was the easy part. Here comes the hard part,

1 implementation of said plan.

2 The Ark Roundtable has led the way in
3 Colorado, taking decisive steps since April to
4 achieve the measurable outcomes and goals
5 established by the BIP. First, the Roundtable
6 brought on a coordinator for the Arkansas Basin
7 Watershed Collaborative. This effort seeks to
8 address watershed health issues across the Basin in
9 a strategic and tactical fashion. The collaborative
10 has already held two public meetings, one in Salida,
11 one in Pueblo, and next week, we'll be having one in
12 La Junta. These meetings are bringing stakeholders
13 together to prioritize strategies and projects,
14 leverage resources, and provide information to other
15 decision-makers.

16 The Roundtable has also brought on a Basin
17 Implementation Plan coordinator, with the task of
18 educating Basin actions and -- or Basin citizens and
19 water users of the information and processes
20 identified in the BIP, to build stakeholder groups
21 and foster greater cooperation from the Roundtable,
22 the public, NGO's, and state and federal agencies.
23 The end goal of this process is to move forward
24 three to six subregional projects or methods
25 identified in the BIP forward to funding and

1 implementation.

2 Finally, at their November meeting, the Water
3 Conservation Board approved a grant to the
4 Roundtable with the intent of implementing the
5 education and outreach goals of the Ark Roundtable.
6 This grant will be managed by the Arkansas River
7 Basin Water Forum in conjunction with the executive
8 committee of the Roundtable. Funding will be used
9 to address the areas of concern identified in the
10 BIP, provide education, and promote action through
11 multiple outreach mechanisms geared to engage an
12 expanding audience throughout the Basin.

13 As you can tell, the Roundtable is very busy
14 undertaking a sequence of actions hoping to
15 implement key items and priorities in their Basin
16 Plan. For more information, you can check out their
17 web site, arkansasbasin.com, which has meeting
18 agendas, presentations and links to the full Basin
19 Implementation Plan. Thank you all. That's all
20 I've got, unless there are any questions.

21 MR. RIZZUTO: Okay. Thanks, Brent.
22 Questions, commissioners?

23 MR. BARFIELD: I was going to ask if the
24 plans were available. You told me they were. Have
25 the priorities, the initial priorities been

1 identified yet?

2 MR. NEWMAN: They have been, the Basin
3 Plan that's available on the Arkansas web site and
4 also the Colorado Water Plan web site, which is
5 coloradowaterplan.com.

6 MR. BARFIELD: Okay. Thank you.

7 MR. RIZZUTO: Other questions? Nothing
8 to enter as far as an exhibit; right?

9 MR. NEWMAN: No exhibit.

10 MR. RIZZUTO: No exhibit? Okay. Thank
11 you, Brent.

12 Next, Commissioner Eklund, a report on the
13 Colorado State Water Plan.

14 MR. EKLUND: Thank you, Mr. Chairman. It
15 was a big day for Colorado, in especially the water
16 community on November 19th this year. We handed in,
17 pursuant to an executive order that was signed clear
18 back in May of 2013, and then if you go way back,
19 back to the legislation that was executed in 2005
20 that set up the Basin Roundtables that Brent just
21 walked you through for the Arkansas River Basin. We
22 handed this in pursuant to that executive order of
23 this Colorado's water plan, which is, in a physical
24 manifestation, it looks like this. It's digitally
25 available on line. It's over 400 pages. It talks

1 about just about everything that's important in
2 water in Colorado. We have, as a headwater State,
3 18 downstream States and the country of Mexico that
4 receive water from our snowpack, so the nine
5 interstate compacts that we have are central to this
6 plan, and compact compliance with those compacts is
7 critical, so we articulate, as you would all expect,
8 a good description of the Arkansas Compact and this
9 Administration in the Compact or, sorry, in the
10 plan, and we also dive into some of the issues that
11 are handled by this Administration in the Basin
12 description of the Arkansas River Basin in Chapter 3
13 of the plan.

14 So I guess the things that we take on in
15 Colorado are not unlike the things that you deal
16 with in Kansas. We've got a, maybe an exacerbated
17 amount of buy and dry that goes on in Colorado. We
18 all, as a State, concluded as part of the
19 discussions around this plan that we needed to
20 change the trajectory of that buy and dry tradition,
21 I guess, of transactions that really purchased the
22 water, move them off of the land, move those water
23 rights off of the land in perpetuity and dry the
24 land, so we -- we've got some articulated options
25 that still recognize private property rights. Those

1 are something, you know, if you want to do a buy and
2 dry transaction in Colorado, you're still allowed to
3 do that. There's nothing in this plan prohibits
4 that, but what we need to do is make market
5 competitive options that are available to producers
6 so that they can take advantage of something that,
7 you know, of a transaction that doesn't necessarily
8 move the water off of the land in perpetuity and,
9 like I said, those have to be market competitive for
10 them to work.

11 So we put a measurable objective in this plan
12 that we need statewide to see 50,000 Acre Feet --
13 sorry -- 50,000 acres of agriculture in -- sorry,
14 Acre Feet, that was correct -- in, in these
15 alternatives to buy and dry, as opposed to buy and
16 dry transactions themselves, which is the place that
17 the market goes for thirsty -- you know, thirsty
18 municipalities in the Front Range go straight to
19 irrigated ag to do these buy and dry deals, so
20 influencing that is a big, big part of this plan.
21 We've worked really closely with the ag community
22 both in the Arkansas River Basin and in the South
23 Platte to make sure that we get that articulated
24 correctly, and we're really proud of it, so I know
25 that people are going to be watching anxiously as we

1 implement this plan. As Brent alluded to, some of
2 our work now just really begins, because we've got
3 to have a suite of legislative, executive branch,
4 and even judicial, because we're the State with
5 water court. Judicial functions that are going to,
6 you know, manifest themselves over the course of the
7 next several years here to implement this thing, so
8 with that, I would be happy to entertain any
9 questions, but that's the water plan in a nutshell.

10 MR. RIZZUTO: Questions?

11 MR. BARFIELD: No questions.

12 Congratulations on your efforts. I would suggest we
13 not attach it to the report. Maybe put a link to it
14 in our report, so --

15 MR. EKLUND: That sounds good.

16 MR. RIZZUTO: You don't want him to read
17 each page into the record? No? Other questions?

18 One question I have. With the legislation
19 that's required, what kind of time frame do you
20 have, as far as moving that forward?

21 MR. EKLUND: So we set out a bunch of
22 measurable objectives that allow everybody in
23 Colorado and other States to keep score about how
24 we're doing and how much progress we're making with
25 this thing so it doesn't become a glossy report

1 that's full of really pretty pictures, and there are
2 a lot of real really nice pictures in here, but it
3 doesn't become a product that just sits on a shelf
4 and gathers dust.

5 The measurable objectives are: We need
6 400,000 Acre Feet of conservation between now and
7 2050. We need 400,000 Acre Feet of additional
8 storage between now and 2050, and if we have those
9 two things, by the way, we zero out the projected
10 560,000 Acre Foot gap that we projected in the
11 municipal context by 2050. We zero that out to, in
12 essence, to 2030. We will be able to look forward
13 to 2050 and say we don't have a projected gap
14 between supply and demand in Colorado, which is a
15 big, big deal.

16 Agriculture, I went through that already.
17 50,000 Acre Feet of water need to be put into these
18 alternatives to buy and dry. It's going to take
19 some legislation to make sure that, you know, if you
20 want to do it again, if you want to do a buy and dry
21 transaction, you can go do that, but you go through
22 water court, and you get your lawyers and your
23 engineers and your time and your money, and you get
24 that all lined up, and we think we should be able
25 to, with some very small modifications to water law

1 in Colorado, put an incentive in place for people to
2 do these alternatives to buy and dry.

3 Part of what you heard about from Jack on the
4 Catlin Canal is an effort to really try and study
5 this, run some pilots. The Catlin Canal Project is
6 a pilot, but it's an alternative to buy and dry, and
7 the more we can learn from those projects, the more
8 we're going to be able to know if we can achieve
9 this, this measurable objectives that we've set out.

10 So it's a long-winded answer to your question,
11 Mr. Chairman, but we have some legislative things
12 that we need to do on the, on the water law front to
13 make sure that our water law is reducing transaction
14 costs for those alternatives to buy and dry. Again,
15 if you want to do a buy and dry transaction, no
16 problem. You can go do that, but you're going to go
17 through water court the same old way that you've
18 always gone through water court. Does that answer
19 it, somewhat?

20 MR. RIZZUTO: Kind of.

21 MR. EKLUND: Maybe? The other two
22 legislative things I want to just point out that
23 we're circling around in the Administration. John
24 Stulp, advisor to the Governor is here, a former
25 county commissioner in Prowers County that lives in

1 Lamar. We, we are looking at making the ability of
2 our agency, the Water Conservation Board, the
3 ability of our funds to be spent on water projects
4 that have a drinking water component. We need more
5 agility, essentially, in being able to make loans to
6 water projects, and we'll be asking for that this
7 year in our projects bill.

8 The second one that we're still dancing around
9 and trying to figure out what the best approach is,
10 is just like I said, we've got 400,000 Acre Feet of
11 conservation that we need, and the Front Range is
12 going to be a big part of that, so we need to -- you
13 know, we had an indoor fixture bill that said if you
14 go to Home Depot or any of these, you know,
15 retailers and you want to buy an indoor fixture in
16 Colorado, you have to buy a high efficiency fixture.
17 It wasn't, it wasn't rocket science. Texas, several
18 other States have done this and we thought that it
19 was a good thing to do, so we did that two years ago
20 and we forecast 40,000 Acre Feet of water between
21 now and 2050 that we're going to be able to save,
22 based on that bill. We could do that for outdoor
23 irrigation fixtures, and that's one of the concepts
24 that we've got that we're circling around, you know.
25 Is this the session to do it or not?

1 MR. RIZZUTO: Okay. We'll look forward
2 to an update next year on that.

3 MR. EKLUND: Absolutely.

4 MR. RIZZUTO: Okay. Thank you. Next,
5 Kansas Water Vision, Tracy Streeter. Welcome.

6 MR. STREETER: Well, good morning,
7 Mr. Chairman. Thank you. Just briefly, I want to
8 give you an update a Kansas's efforts in water
9 planning. Like Colorado, our Governor issued a call
10 to action two years ago to the Department of
11 Agriculture and the Kansas Water Office.

12 MR. RIZZUTO: Can you put the mic up?

13 MR. STREETER: I'll just hold it here.
14 Is that better? Sorry about that.

15 Like Colorado, Kansas has begun a Kansas Water
16 Planning effort focusing on water supply issues with
17 the focus in the Ogallala aquifer and then our
18 system of reservoirs in Kansas. Since the report
19 was rolled out about a year ago at the Governor's
20 Water Conference, we have spent the last year on
21 implementation activities, so I'm going to focus
22 just a bit on a few highlights there.

23 One of the things that's kind of the hallmark
24 of the implementation process is kind of the local
25 leadership, and so we have created 14 new planning

1 regions which replaces our 12, our system of 12
2 river basins. We've created new advisory committees
3 that really feed information up through the grass
4 roots to the water arena.

5 I just really would like to take the
6 opportunity to not only do we have Randy Hayzlett as
7 our Vice-Chairman of the Ark River Compact
8 commission, but he's also a member of the Kansas
9 Water Authority, and we have Greg Graff, who also
10 serves on that committee as well, and so each of
11 these regions have adopted a series of goals to
12 implement this Water Vision and they're actively
13 beginning the implementation process.

14 As I mentioned, the focus has been on the
15 Ogallala and our system of reservoirs. I'll
16 probably spend most of my time talking about items
17 that might pertain to the Ark River and the
18 Ogallala. We characterized our strategies in
19 phases, in terms of priority implementation, and we
20 had approximately a hundred strategies that were
21 created that were to be begun or initiated in the
22 first year, and we reported to Governor Brownback
23 and the audience at our conference a few weeks ago
24 that we have 80% of those strategies at least
25 underway.

1 We have them under four major themes, crops
2 and technology, conservation management, and new
3 sources of supply. Kind of the focus of the entire
4 document are on strategies contained under those
5 major themes.

6 Crops and technology, just a few highlights.
7 One of the things that is exciting, we're seeing it
8 here in Kansas already, is kind of the resurgence of
9 grain sorghum as a water conservation crop, and
10 we're certainly seeing a huge increase in acreage.
11 To kind of take advantage of that momentum,
12 Secretary McClaskey and others in the sorghum
13 business are embarking very soon on a sorghum
14 research proposal that's going to help us make
15 sorghum an even better product in Kansas that we can
16 use under irrigation and under dryland conditions.

17 Irrigation technology is very exciting right
18 now in Kansas as well. In fact, we have one of our
19 own promoting some very promising looking new
20 technology called mobile drip, Teeter Irrigation. I
21 don't know if you've heard about it in Colorado, but
22 it's catching fire here in our State. It seems to
23 have a lot of potential, as far as marrying the
24 water efficiencies of drip irrigation to a sprinkler
25 system, and so I urge you to take a look at that.

1 We're also very excited about the irrigation
2 scheduling opportunities that we have with the deep
3 soil moisture probes, and so I think probably Mark
4 Rude with the Groundwater District will be talking
5 about an RCPP (Regional Conservation Partnership
6 Program) proposal that he has led that will help us
7 incentivize and get more of those types of
8 technologies in the field.

9 CREP, Conservation Reserve Enhancement
10 Program, is a program we've had on the Ark River for
11 a good number of years, taking advantage of a
12 federal program to enroll irrigated land along the
13 Ark River and into that program, and the State
14 coming in with some monies to dry up those acres and
15 get those water rights permanently retired. There
16 will be legislation this year that will enable the
17 State of Kansas to continue that effort on the Ark
18 River, as well as begin a new CREP that's focused in
19 the eastern part of the State, focusing on sediment
20 and nutrient reduction above our major reservoirs
21 that are silting in, and so that's kind of some of
22 the more exciting items we have under crops and
23 technology.

24 Conservation. It was an active legislative
25 year for the Department of Agriculture last year.

1 One thing that was created was carry forward
2 provisions under our multiyear flex accounts, which
3 has been a very successful program to give water use
4 flexibility to our irrigators to utilize their
5 annual appropriations or average water use over a
6 five-year period as they see fit, and it's really
7 provided some opportunities to save some water. In
8 fact, the legislation last year allows for any
9 unused water in those multiyear flex accounts to be
10 carried forward into a subsequent multiyear flex
11 account. Again, it's paying that water forward and
12 saving it for future use, and we think that's a very
13 positive movement.

14 Another piece of legislation that's really
15 probably the marquis of the session was the creation
16 of Water Conservation Area legislation. It's really
17 a tool, another tool amongst several, that we have
18 in this part of the State to allow irrigators to
19 band together, either as individuals or groups, on a
20 consensus basis to adopt locally led conservation
21 plans that imposes some reduction in pumping on
22 themselves. In return, they're afforded some
23 flexibilities under the -- under their water rights,
24 and so that's been a very positive movement. The
25 Department's been very aggressive in working with

1 folks that are interested and we have a dozen or
2 more underway, and actually, the first one was just
3 recently provided to the Department for approval, so
4 we're very excited about some local conservation
5 efforts under that.

6 Education is a huge hallmark of our water
7 plan, and actually, through Secretary McClaskey's
8 efforts, she's leading a very tough, challenging
9 activity to kind of get as many people involved in
10 education that want to be. When you think about
11 starting out with a kindergartner through a, maybe a
12 seasoned adult, there's education needs from, from
13 young to old, and so there's a lot of different
14 venues that we have to touch in that regard and so
15 there's a huge effort underway to kind of get
16 ourselves organized with a water -- kind of a
17 water-based education program in Kansas, and so that
18 recently began.

19 A little bit about management, and I'm going
20 to focus on interstate here. Of course we have
21 compacts with our upstream and downstream States,
22 which is well documented. Recently, again through
23 Secretary McClaskey's efforts primarily, we've kind
24 of expanded that activity with our compact States.
25 Particularly we've been focusing on the Republican,

1 but we've expanded the dialogue beyond the folks
2 that are at the table.

3 We've started to have dialogues with folks
4 like John Stulp, Commissioner Brown and others in
5 Colorado, and the same in Nebraska, and kind of
6 getting away from maybe the old routine in terms of
7 how we manage water that we share across our state
8 lines. Of course, we have to always stay, stay in
9 tune with the Compact and what it requires, but I
10 think the exciting thing about this is we're
11 starting to think beyond the Compact, and what do we
12 share in terms of resources where it's in our best
13 interest as States to work together.

14 One of the things in our vision document, for
15 example, is an Ogallala Summit, and certainly in
16 Colorado, Nebraska, Oklahoma, Texas, and the rest of
17 the Ogallala States, there's a lot of things we have
18 in common and things we're trying to do, and so
19 we're very excited about getting past some of the,
20 some of the history of interstate discussions and
21 get on to collaboration on some things that we all
22 have in common, so very excited about that as well.

23 A little bit about new sources of supply. One
24 of the things that's gaining a lot of, a lot of
25 attention in Kansas, as well as around the country,

1 is reuse. Whether it's treated effluent or whether
2 it's produced water from oil and gas industry
3 activities, there's a lot of energy being devoted to
4 that, and produced water in our State is
5 particularly becoming of higher interest because of
6 our induced seismicity or our earthquake problem
7 that we've been having in south central Kansas.
8 There's some suggestions that tie back to the
9 disposal of that produced water, and certainly our
10 oil and gas industry is experiencing some tough
11 times now, but there's certainly some discussions
12 with us and Oklahoma about using that water and
13 treating it and being able to reuse it in some
14 fashion.

15 Let's see. Let's close here. I want to talk
16 just a bit about water transfer. One of the things
17 that's in our Vision document is to look at the
18 water, at the water resources of the Missouri River
19 as an underutilized resource, and we did conduct a
20 study. We went in concert with Groundwater
21 Management District Number 3 to look at an aqueduct
22 effort that was looked at about 30 years ago. That
23 study really proved that, you know, the cost and
24 that particular concept was infeasible, but
25 certainly the concept that the Missouri River is an

1 underutilized resource came away loud and clear to
2 us that that's something we need to work on, so I
3 think we're going to be continuing to look at
4 efforts to take full advantage of the waters of the
5 Missouri River.

6 I believe with that, I will -- oh, I do want
7 to close with two priority items that really
8 occurred early in the process, and one was the
9 creation of the, by the governor of a subcabinet on
10 water resources. We're a decentralized form of
11 government in Kansas. We have a lot of agencies
12 that have a hand in water resources and so the
13 Governor felt it was best that we all kind of band
14 together as a subcabinet, and so the Departments of
15 Agriculture, Health and Environment, Wildlife, Parks
16 and Tourism, and the Water Office now by, by
17 directive of the governor, now function as a member
18 of his subcabinet, and we meet on a monthly basis
19 and collaborate on implementing the water plan as
20 well as other issues that come up.

21 The last thing that I'll touch on,
22 Mr. Chairman, is a blue ribbon task force that was
23 recently named to take a look at our funding options
24 to implement this plan. We have a decent State
25 Water Plan fund right now, but it's woefully short

1 in terms of resources that we need to implement the
2 aggressive strategies in this plan, and so for the
3 next year, we're going to be working with a
4 20-person committee named by the subcabinet agencies
5 and the governor to begin looking at different
6 revenue sources that we might bring to the table to
7 help us implement our plan. So with that, I'll
8 close, and see if there are any questions.

9 MR. RIZZUTO: Great report, Tracy, and
10 compliments. Very comprehensive. Questions by any
11 of the members, or comments? Randy, do you want to
12 add anything, beings you've been part of this?

13 MR. HAYZLETT: Kudos to the hard work
14 that Tracy and all his gang have done and the
15 Secretary. There's been a lot of work put into it
16 over the last, what, two years now, three years?

17 MR. STREETER: I'm losing track, but at
18 least two.

19 MR. HAYZLETT: Yeah. Good work.

20 MR. STREETER: Thank you, and
21 congratulations to the State of Colorado. I know
22 your plan was very aggressively put together as
23 well, and so that probably has occupied a lot of
24 your time as well as ours, so --

25 MR. RIZZUTO: Great. Okay. Thank you.

1 Next, I'd like to call on Mark Rude, Groundwater
2 Management District 3.

3 MR. RUDE: Thank you, Mr. Chairman. Just
4 anticipating trying to keep things rolling. When I
5 talked to Kevin Salter, I said, "Well, should I be
6 brief?" and he said, "That would be good," so I'll
7 try to be brief.

8 I do want to take a moment, though, sort of
9 following on the word "kudos" that was used just a
10 moment ago, and I don't think it's said enough that
11 Mr. Chairman and members of the commission, I'm on
12 the clock, I'm being paid, but there's a lot of
13 effort and work that goes into this meeting and the
14 deliberations of the Compact Administration that are
15 free gratis. I mean, they're donated time, and that
16 goes too often unsung as a -- and I just want to say
17 thanks for all the efforts that go in on both sides
18 of the Stateline in the contributions to make a
19 Compact Administration work, 'cause it's vital to
20 both of our great States.

21 For Southwest Kansas Groundwater Management
22 District Number 3, again, my name is Mark Rude. I'm
23 Executive Director of the Southwest Kansas
24 Groundwater Management District. We cover parts of
25 12 counties in southwest Kansas and primarily High

1 Plains Aquifer, and like most States, we are doing a
2 wonderful job of consuming that aquifer, and with
3 our recent modeling, we've got as much challenge as
4 any other consumed aquifer area in the nation, and
5 so we're looking, as Tracy sort of suggested, we're
6 certainly looking at alternatives on the
7 conservation side and also on potential augmentation
8 and alternative sources of supply.

9 We recently conducted, with some private
10 contributions a, a study conducted by some
11 researchers that have done work for the central
12 Arizona Project and the Colorado River Basin States.
13 I think it's called protecting the flows and has a
14 very interesting web site, sort of cheeky, if you
15 know what I mean, but the researchers here did an
16 economic importance of water availability in Kansas
17 evaluation, and part of that was in conjunction with
18 the initiation of the governor's Water Vision for 50
19 years into the future. Looking that far ahead we
20 looked at, through this study, a snapshot of the
21 year 2062 and constrained versus unconstrained water
22 supplies, sort of the gap, using the term that was
23 used so often in Colorado, and it's a pretty
24 significant effect.

25 Economic value loss in 50 years, if we keep

1 doing just what we're doing, one year is
2 \$10.4 billion to southwest Kansas alone. Statewide,
3 the study came up with a little over \$18 billion
4 effect or loss in value in one year, so water we all
5 know is very valuable, and it's the kind of thing we
6 need to manage not only today but looking way into
7 the future. That, that study, we'd like to make a
8 part of the record here.

9 Another study we embarked on was with the help
10 of the Bureau of Reclamation Water Smart program,
11 and that was really an attempt to try to just focus
12 on the water quality issues. We've talked about, in
13 prior Compact meetings, working with the Reclamation
14 as a partner and seeking other partners to take a
15 look at a plan of study, which is one step off of a
16 Basin study, to look at the water quality issues.
17 We have concluded that study with Reclamation and
18 I'd like to make that, that study also a part of the
19 record.

20 I want to just read the final paragraph of the
21 letter from Reclamation conveying that final study.
22 It says, "Outreach of Southwest Kansas Groundwater
23 Management District Number 3 was unsuccessful in
24 obtaining additional study partners in either Kansas
25 or Colorado in the development of this plan of

1 study. Reclamation understands that GMD-3 will
2 utilize this plan of study to continue to discuss
3 issues within the Ark River Basin, both -- but
4 without additional study partners, GMD-3 will not
5 proceed at this time with implementation of a full
6 Basin study under the Water Smart program."

7 That was a knock on the door that was -- we
8 were unsuccessful in getting study partners on
9 either side of the line, the study area being John
10 Martin to Garden City. Water quality is such a huge
11 concern on the concept of water usability, and it's
12 shared on both sides of the line. We've heard some
13 report earlier from USGS and some of their
14 initiatives. We understand that there's also
15 continued work through CSU and, and their work with,
16 I think what's called the Ark River Management
17 Action Committee, through this recent grant given to
18 them, to take a look at alternatives.

19 It's certainly in that spirit that we continue
20 to look for opportunities to say the RCPP program or
21 other things that might be offered to USDA as
22 voluntary incentive-based programs that could be
23 crafted to address specific issues that have been
24 identified that will help us improve the quality of
25 the water.

1 That affects the usability. Of course, as it
2 comes into Kansas, we're blessed with recharge, but
3 that recharge tends to reduce the quality of our
4 High Plains Aquifer as well, so we want to continue
5 to work on those issues with our partners, both in
6 both States. With that, the importance of the
7 water, of course, and the water quality and the need
8 to collaborate, I'll just stand for questions, and
9 thank you for the opportunity to make a report.

10 MR. RIZZUTO: Okay. Thank you, Mark.
11 Questions? Colorado? Kansas?

12 MR. BARFIELD: No.

13 MR. RIZZUTO: No? And the report and,
14 slash, study would be Exhibit I and J; is that
15 correct?

16 MR. RUDE: Two reports. If you want to
17 make them one, that's fine.

18 MR. SALTER: We could make them one
19 exhibit.

20 MR. RIZZUTO: Make it one, so that will
21 be Exhibit I. Thanks, Mark.

22 Next, Brett Ackerman, JMR Permanent Pool
23 requests for new water resource (sic) by Colorado
24 Parks.

25 MR. ACKERMAN: Thank you, Mr. Chairman.

1 I also have a presentation that I presented to the
2 Engineering Committee yesterday but will forego that
3 for today for brevity, but if we could enter that as
4 an exhibit, I'd sure appreciate that. In addition,
5 I have a letter of support from the Army Corps of
6 Engineers that I'd like to enter as well that I'll
7 pass over.

8 So just in summary briefly, we talked last
9 year about the Permanent Pool. The Permanent Pool
10 has created a little bit of an issue for us, well, a
11 large issue for us, for many, many years. We have
12 the Permanent Pool to protect the fishery in the
13 event that the reservoir gets drawn down to low
14 levels. Currently, the situation is that the
15 Permanent Pool tends to mirror reservoir levels, and
16 so when reservoir levels are low, the Permanent Pool
17 is low. When they're high, the Permanent Pool is
18 high. It doesn't matter if we have a Permanent Pool
19 when they're high. When it matters is when it's
20 low, because it's intended to protect the fishery,
21 and unfortunately, with the current resources, it's
22 not able to do that.

23 Now, that said, I recognize the numerous
24 efforts on behalf of this Administration, on the
25 State of Kansas, the State of Colorado, to try to

1 maintain that Permanent Pool over the years since
2 the 1976 establishment of the Permanent Pool, and I
3 think we're getting closer to being able to do that.

4 What I'm requesting is a pilot project to add
5 an additional source to the Permanent Pool, and that
6 source is the Highland Canal. The Highland Canal
7 brings about 3800 Acre Feet of consumable water down
8 on average each year. We need about 1900 Acre Feet
9 average to cover evaporation on the Permanent Pool.

10 We have a water management agreement with the
11 Lower Arkansas Water Management Association, LAWMA,
12 currently that brings a lot of Lamar Canal shares
13 into its portfolio, which provide almost exactly the
14 same amount of water that comes down the Highland,
15 generally just a little bit less; and so our
16 proposal is to have LAWMA be able to manage that
17 water so that they can put water from the Highland
18 in the Permanent Pool which, of course, is above the
19 reservoir, and then allow the use of the Lamar Canal
20 shares as needed to help supplement the Stateline
21 flow credits, so that they can continue to meet
22 their Stateline obligations.

23 Now, that said, we also have other needs for
24 water in the Basin, and so the maximum that would be
25 available to Colorado Parks and Wildlife generally

1 hovers at about a thousand Acre Feet less than the
2 consumable credits that come down the Highland.
3 That said, there would be, of course, a thousand
4 Acre Feet that would continue to go into the Offset
5 Account or into other uses as LAWMA manages that
6 water, but again, that's just the maximum.

7 The Pilot Program that we're proposing
8 recognizes that those, those decree provisions,
9 those obligations that LAWMA has to meet Stateline
10 flow, meet its Stateline flow obligations, supersede
11 any plan that we would put together, and so this
12 plan is based on LAWMA continuing to meet their
13 obligations using the Highland, the Keesee, and the
14 many sources within their portfolio, including the
15 Lamar Canal shares that we bring to the portfolio,
16 to continue to meet those obligations.

17 If they're not able to continue to meet those
18 obligations, then obviously, we understand there
19 wouldn't be any water that would be able to be
20 dedicated from that source into the Permanent Pool,
21 but what we're asking is to approve that as a
22 source, try this as a Pilot Program, provide an off
23 ramp where if it's not working, we can modify, we
24 can pitch it, we can try something else and see if
25 we can't maybe maintain that Permanent Pool during

1 those low years.

2 That said, and I don't want to put mouth in
3 the words (sic) of the Administration, but my
4 understanding from the committee meeting yesterday
5 was that although we have an agenda item for a
6 resolution later today, our intent is not to act on
7 this today, but instead to make this part of the
8 Special Engineering Committee meeting at a date this
9 spring yet to be determined, I believe, and attempt
10 to take action on it there. Mr. Chairman, thank
11 you.

12 MR. RIZZUTO: Okay. Thanks, Brett.

13 Questions? Commissioner?

14 MR. EKLUND: None.

15 MR. RIZZUTO: None?

16 MR. BARFIELD: Appreciate the proposal
17 and, as Mr. Ackerman has indicated, we are, we
18 received this proposal in November and have reviewed
19 it, I guess, and maybe to complete the record, along
20 with your Power Point and the letter from the Corps,
21 we might have my letter of December 4, just
22 providing a little bit of the rationale why we're
23 not ready to act on this at this time and, as you
24 indicated, we are willing and wish to continue
25 dialogue via the Special Engineering Committee, as

1 we'll hear about later, and just more direct
2 discussion of the proposal and alternatives, so
3 thank you very much.

4 MR. ACKERMAN: Thank you.

5 MR. RIZZUTO: Thanks, and Brett, you said
6 you had two separate reports to enter as exhibits or
7 one?

8 MR. ACKERMAN: That's correct,
9 Mr. Chairman. The Power Point from yesterday and
10 then a letter of support from the Army Corps of
11 Engineers.

12 MR. RIZZUTO: Okay. So J and K.

13 MR. BARFIELD: Okay, and then I also have
14 a letter, and maybe we can just make them all J, I
15 don't know, because they're all related to the same
16 issue.

17 MR. RIZZUTO: All right. So we'll make
18 it Exhibit J.

19 MR. BARFIELD: Right.

20 MR. RIZZUTO: Okay. Thanks.

21 MR. ACKERMAN: Thank you, Mr. Chair.

22 MR. RIZZUTO: Next, Cindy Lair, and I may
23 have the last name incorrect. Kansas/Colorado
24 discussions, water quality and potential application
25 for a Regional Conservation Partnership Program

1 Project in 2016. Welcome, Cindy.

2 MS. LAIR: Good morning, and thank you,
3 Chairman. Thank you, Mr. Chairman, and no, you did
4 not mess up my name, which was nice you didn't call
5 me a liar. That happens a lot, and I'm happy to
6 come this morning to speak with you. It was a year
7 ago I think I briefly addressed the commission about
8 an RCPP Project that we were working on between
9 Kansas and Colorado on groundwater resources that we
10 wanted to start to conserve collectively.

11 That was not a successful preproposal at that
12 time, and we actually look at that as maybe a
13 benefit to us because it's given us more time to
14 think about a better -- not necessarily a better,
15 but maybe a more focused approach, because that one
16 was fairly broad at the time, and I -- what we're
17 looking at is a more focused approach to working on
18 the water quality in the Arkansas River, and I was
19 approached at your meeting in September 25th in
20 Broomfield, I think, and I wasn't able to attend the
21 entire meeting, but I came in towards the end and
22 everybody was smiling and saying, "Hey, why don't
23 you help put this together," and actually, it was a
24 great idea and I am really happy to be working with
25 the Kansas Department of Agriculture.

1 Steve Frost and I are going to be working most
2 closely, I think, in drafting this actual
3 application or preproposal, which is due in May, and
4 our goals really are quite focused in our geographic
5 area as well, because we are looking at the area
6 of -- to be affected by this proposal as right at
7 Hasty, Colorado where the John Martin Reservoir
8 discharges and then to go to Lakin, Kansas, so that
9 is the focus area for this project.

10 What I've passed out to you is actually just a
11 white paper that we've agreed upon, and Steve Frost
12 put this together, and I think it accurately talks
13 about what we are trying to achieve, and we're
14 looking more closely at building a relationship.
15 Historically, a lot of this work has been approached
16 by the health departments, the health agencies of
17 the two States, and Tom Stiles, and I'll talk about
18 Dick Parachini, even though he is retired and no
19 longer in his role, but they have talked and talked
20 and talked over the years about the needs to work on
21 TDS (total dissolved solids) and different nutrient
22 problems that are in the river and we have not
23 really been able to approach it as aggressively as I
24 think we'd like to.

25 Now, as I say this, we're looking at employing

1 best management practices through this and we felt
2 like the Departments of Agriculture might be better
3 poised with the irrigators in Colorado and Kansas to
4 really convince -- not necessarily convince, but
5 work collaboratively with the irrigators, with those
6 producers.

7 And as we talk about water quality, we're also
8 looking at soil health. We're looking at a lot of
9 different practices on farms that are going to help
10 build production, build productivity of the land, as
11 well as some of these other benefits that will
12 improve water quality through time in the river and
13 going into Kansas, so we're not expecting an
14 overnight change in water quality. I don't want to
15 say anything to suggest that we're thinking it will
16 be that quick. It's going to probably take decades
17 to see much measurable change, but through this
18 proposal that we're working on, we see it being a --
19 the beginning of good collaboration between the
20 Departments of Agriculture in both States to work
21 more closely with the ag producers to effect this
22 positive change.

23 Our goals are to also make it Compact neutral.
24 We are very aware of the concerns with that, and as
25 a result, I work very closely with the Water

1 Conservation Board and the State Engineer's office
2 in Colorado to make sure that any actions I do are
3 with respect to Compact Compliance, and so we --

4 I wanted to also talk about some of the other
5 things going on in Colorado to give you more
6 background because, as it was suggested earlier, we
7 have the ARMAC Project, which is the Arkansas River
8 Management Action Committee. I look at that group
9 as really looking at not just alternatives, but just
10 best management practices to be employed to work on
11 water conservation, water quality improvements and
12 things like that.

13 So with that going on, we also have a -- we're
14 getting ready to sign a contract with the Colorado
15 Department of Public Health and Environment, the
16 Water Quality Control Division, to be able to put
17 some power authority work up, our power authority
18 money together and 319 money together to revise and
19 rework the Lower Arkansas Watershed Plan, and within
20 that, there's going to be substantial outreach to
21 vet the results of the ARMAC committee, and I think
22 we're going to be able to implement some of these
23 BMPs and put out some demonstration projects, so if
24 we're able to get this RCPP through like we're
25 hoping to, some of these other things that we're

1 doing now that are going to be in place, I think
2 they can work in parallel together and the RCPP
3 would just add more money to, to the efforts, and I
4 think that will benefit our goals quite a bit.

5 Now, what this, the next steps are to be,
6 Steve Frost and I are going to develop this
7 proposal, and our goal is to get it done by, oh,
8 about the end of January. The preproposals are not
9 due until May, but during this time after we get the
10 draft completed, we're going to start to float that
11 around to other partners, other entities that could
12 sign on and support what we're trying to accomplish
13 here, and we'll get more collaboration for this
14 preproposal, and of course, both State Departments
15 of Health and Environment are supportive and helping
16 us in the background to make sure the efforts are
17 consistent with their goals as well.

18 And so, as you can see, there are numerous
19 efforts in southeastern Colorado at play here to
20 work over time to improve water quality in the
21 Arkansas River, and there are -- as I said before,
22 it will take a while, but we're taking small steps,
23 building that collaboration between the two State
24 Departments of Agriculture, and I think that's
25 probably going to yield more positive results down

1 the road and down the river in future years, so
2 that's all I wanted to report on. If I can answer
3 any questions, I'd be glad to.

4 MR. RIZZUTO: Okay. Questions? None?
5 Colorado?

6 MR. BARFIELD: Just a couple comments;
7 not really questions. This is exactly the kind of
8 thing Tracy was talking about a few moments ago
9 about increased collaboration among the States and
10 varying agencies and so forth, and so anyway, I
11 appreciate your report and appreciate you allowing
12 yourself to be drafted to sort of help us with this
13 effort, so --

14 MS. LAIR: It's a pleasure.

15 MR. HAYZLETT: Do you plan to circulate
16 the proposal then? You said you were going to share
17 that with other partners as it's developed. Will
18 you share that with the Administration?

19 MS. LAIR: We would be glad to. We would
20 be glad to.

21 MR. RIZZUTO: Okay. Cindy, thank you
22 very much. Kevin, we thought we might give you a
23 couple of minutes to prepare, so we're going to take
24 about a 10-minute break. We will start exactly at
25 11.

1 (A break was then taken.)

2 (Proceedings resumed at 11:03 a.m.)

3 MR. RIZZUTO: We're back in business, and
4 first order of business, Cindy had presented a
5 handout. Would like to make that an exhibit, which
6 would be Exhibit K.

7 Okay. Next order of business is Compact
8 Compliance/Decree Issues Update, brought to us by
9 Kevin Salter. Welcome to Garden City, Kevin.

10 MR. SALTER: Thank you. Hopefully
11 everybody is hearing me out there. I do have four
12 copies at this table. The sole purpose of this
13 presentation is to present this table to ARCA and to
14 have it made an exhibit so we can monument it going
15 out, because there's no other real place to be able
16 to document the work that's done on this table.

17 Kelley Thompson last night did a great job of
18 going through the table and walking through the
19 numbers, so I'm not going to do the same thing that
20 he did last night. I appreciate Kelley doing that
21 last night. This is really a joint product of the
22 States. There is a tremendous amount of effort that
23 goes into this table, the numbers behind it. Kelley
24 did recognize one person that's moved on, Angela
25 Schenk. She has moved on to a new position, is no

1 longer part of this process, but as Kelley
2 recognized, she was quite instrumental over the last
3 several years of helping Kansas work with Colorado
4 to get this done, so she was an engineering expert
5 for the State of Kansas.

6 This table is a sum of the last ten years. As
7 long as we have a positive sum over the ten years,
8 Colorado is in compliance with the Compact per the
9 *Kansas v. Colorado* decree, so what matters is the
10 year that's dropping off and then the year that's
11 coming on.

12 Last year, we had a fairly significant dropoff
13 and we had a depletion come on, so our Stateline
14 accretion decreased down to about 43,282 Acre Feet,
15 so Colorado is still in compliance. This upcoming
16 year, as you can see on the table, we'll have 12,745
17 accretion dropoff, so this number may be reduced.
18 Depends on the results of this past year, and we'll
19 know that at the next Compact meeting.

20 So what I'd like to do, Mr. Chair, is offer
21 this as an exhibit to the transcript. If there's
22 any questions, I will endeavor to answer those.

23 MR. RIZZUTO: Is there any questions of
24 Kevin? Okay, and it will be entered as Exhibit M.
25 Thanks, Kevin.

1 Next Bill Tyner, implementation of Irrigation
2 Improvement Rules.

3 MR. TYNER: Thank you, Chairman Rizzuto.
4 I appreciate the members of the Administration, the
5 opportunity to be here to talk about the Irrigation
6 Improvement Rules. These rules were a set of rules
7 that Dick Wolfe, our State Engineer, helped to put
8 in place through an advisory committee process that
9 allowed them to become effective in 2011. So we've
10 now completed our fifth year of operation, and I
11 might point out that the rules were done to
12 recognize a potential Compact issue that could be
13 avoided rather than having to be litigated, and so I
14 think it's a perhaps a good way to look at complying
15 with the Arkansas River Compact, rather than having
16 to address an interstate lawsuit.

17 So you heard a little bit from Jack Goble.
18 One of the highlights that he pointed out was that
19 the Lower Arkansas Valley Water Conservancy District
20 operates two of the three plans that operated in the
21 Basin in 2015, the Fort Lyon Plan and the Non-Fort
22 Lyon Plan that Jack mentioned. The Lower Arkansas
23 Water Management Association that you're a little
24 more familiar with, as far as operations of well
25 augmentation, they took on the responsibility of

1 operating a third plan in 2015, and one thing I
2 noted at the committee meetings I failed to get on
3 this particular presentation was that the City of
4 Aurora actually did also have a plan approved under
5 the Irrigation Improvement Rules, under Rule 8 of
6 those rules.

7 Aurora had dried up the Rocky Ford Ditch
8 around Rocky Ford, and although they weren't
9 required to under their decree, they found that
10 their revegetation efforts on the municipal dryup,
11 it was an example of a buy and dry that had occurred
12 in past decades. They had revegetated a significant
13 portion of those lands, but the severe droughts we
14 had in 2002 and '3 and '12 and '13 had damaged some
15 of that native vegetation, and so they did a plan
16 under the Irrigation Improvement Rules to use part
17 of their consumable water from the Rocky Ford Ditch
18 to help rehabilitate that revegetation around the
19 Rocky Ford area during 2015.

20 So for the plans involved under the rules, the
21 largest is the Fort Lyon Plan that the Lower
22 Arkansas Valley Water Conservancy District sponsors.
23 89 farms, all sprinklers and just under 14,000
24 acres, and those return flows that are important to
25 compliance with the Compact are maintained using the

1 sources I show listed here, transmountain ag return
2 flows after transmountain water has been released to
3 ditches that applied for supplemental water to their
4 native water rights. Those return flows from that
5 use can be used for either well augmentation or
6 maintenance of surface water return flows.

7 The Rocky Ford Ditch Revegetation Project I
8 just mentioned, they generated some excess credits.
9 They couldn't use all of the consumable water they
10 delivered to the Rocky Ford Ditch to complete the
11 revegetation, and so they supplied some of that as a
12 return flow maintenance source to this plan, and
13 then there were some reservoir releases that the
14 Lower Arkansas Valley Water Conservancy District
15 made. Also, this map shows the Fort Lyon service
16 area. It's one of the largest canals. It is the
17 largest canal in the Arkansas River Basin, and the
18 improvements are predominantly in that area just
19 below John Martin Dam and to the east.

20 The Non-Fort Lyon Plan that the District
21 operates includes a number of ditches all the way
22 from the Bessemer Canal up near Pueblo Reservoir
23 clear to the Buffalo Canal down at the bottom of the
24 system. It involves sprinkler and drip system
25 improvements and also has the first lateral

1 improvement. At the Engineering Committee
2 yesterday, I probably didn't quite talk enough about
3 that, but part of the Irrigation Improvement Rules
4 also include the ability to place a -- what had been
5 previously an earthen ditch or lateral, put it in a
6 pipeline or line it with concrete. You can do that
7 under the Irrigation Improvement Rules, but you have
8 to assess the impacts on return flows, so this, the
9 one lateral that has been improved since the rules
10 went into effect was under the Catlin Canal and it
11 served about 542 acres, so try to give you a little
12 bit better explanation of what that was.

13 You'll see the potential for more of those,
14 and again, the similar types of replacement sources
15 were used to maintain those return flows, and this
16 map shows the various ditches that are involved in
17 that plan. It's a little bit of a challenging plan
18 because of the vast extent of the ditches involved.

19 And then finally, the Lower Arkansas Water
20 Management Association did a plan that involved four
21 farms, but they were pretty large farms under the
22 Lamar Canal. All sprinklers; a little over 3,000
23 acres. This plan is a little bit different than the
24 first two plans we looked at in that they relied
25 predominantly on Lamar Canal shares released on

1 augmentation stations to maintain those return flows
2 and keep us in compliance with the Compact, and I
3 think the map here shows the Lamar Canal area, for
4 reference.

5 And then, finally, this just summarizes the
6 total: A little over 25,000 acres of sprinkler
7 irrigation and 310 acres of drip irrigation by
8 surface water, and then the one lateral that was
9 approved. It's probably important to mention that
10 there are other irrigation improvements that have
11 been made in Colorado that are done under systems
12 served just by wells, so we have more sprinkler
13 acreage and especially more drip irrigation acreage
14 served only by wells, and those systems aren't
15 subject to these rules.

16 Probably also important to point out that many
17 of these items that are subject to the Irrigation
18 Improvement Rules are recognized as best management
19 practices for improving water quality, so despite
20 the implementation of these rules, we've seen a
21 continued growth of the number of sprinkler systems
22 that are put in in the Arkansas Basin. However, as
23 we go from a very small percentage of the irrigated
24 acreage down through the mainstem to a more
25 significant percentage, these types of plans will

1 run into some sources and delivery problems, absent
2 some enhancements that we'll be trying to look at,
3 and one of those was discussed yesterday in front of
4 the Engineering Committee.

5 Colorado will spend some time studying the
6 potential to have a new account in John Martin
7 Reservoir that would allow for some of these return
8 flow maintenance activities, as well as some well
9 augmentation activity in-state to be more successful
10 for Colorado farmers that would allow them to
11 continue to make these irrigation improvements that
12 improve water quality. That, of course, would be
13 subject to approval by Kansas.

14 We think that this type of account would allow
15 a little more transparency in seeing how those
16 deliveries for return flow maintenance and
17 augmentation are made, so I appreciate the
18 Administration hearing that presentation yesterday
19 and for the future years, when we'll actually make
20 that proposal.

21 If there are any questions, I'd be glad to
22 answer those.

23 MR. RIZZUTO: Questions? Colorado,
24 Kansas?

25 MR. BARFIELD: Once again, no questions.

1 Just thanks for the report, Bill, last -- yesterday
2 afternoon, I guess, and today. Certainly do
3 appreciate the proactive set of rules and, you know,
4 Colorado's transparency in providing the plans and
5 their cooperation in terms of our comments and from
6 reviewing those and the dryup, so -- and look
7 forward to continuing to work with you on these
8 things.

9 MR. TYNER: Thank you. I appreciate
10 that.

11 MR. RIZZUTO: And would you like to make
12 that part of the record, as far as an exhibit?

13 MR. TYNER: That would be fine, yes.

14 MR. RIZZUTO: Okay. So that would be
15 Exhibit M. Okay. Thank you.

16 Next, I'd like to call up Kelley Thompson,
17 Colorado PDF Evaluation, and then move into the H-I
18 Model revisions.

19 MR. THOMPSON: Thank you, Chairman
20 Rizzuto. Again, my name is Kelley Thompson with the
21 Colorado Division of Water Resources, and today I'm
22 just going to give a real brief update on the 2015
23 annual presumptive depletion factor evaluation, and
24 Amended Appendix A.4 of the Kansas v. Colorado
25 decree directs the State of Colorado to conduct an

1 annual re-evaluation of this factor. This is the
2 factor for flood and furrow irrigation when it's
3 used supplementally with a well, and these
4 presumptive depletion factors are used by Division 2
5 in the Division of Water Resources to relate
6 groundwater pumping amounts to wellhead depletion
7 amounts so we can calculate streamflow depletions.

8 Colorado completed the 2015 evaluation in
9 August, which indicated that the most appropriate
10 supplemental flood and furrow irrigation PDF would
11 be a value of 35.5%, and Kansas experts were allowed
12 to, to evaluate that evaluation and they got back to
13 us in November that they agreed with the methodology
14 in the evaluation; so we would make the
15 recommendation to Division 2 to use this
16 supplemental flood furrow irrigation value of 35.5%
17 for replacement plans in 2016.

18 We did have, after the last evaluation in
19 2014, two issues that Kansas had raised in the
20 evaluation methodology, and we did implement one of
21 those one of those -- one of those methods in this
22 current evaluation, and the second issue won't
23 affect us for some time; but given that, we really
24 would like to finalize and agree on these
25 methodologies this next year, so that we can

1 finalize the document that we have prepared on the
2 methodologies for the evaluation. Thank you.

3 MR. RIZZUTO: Questions, anyone? None?
4 Okay.

5 MR. THOMPSON: And I think I'm next up
6 here, too.

7 MR. RIZZUTO: Yes, you are, so continue
8 with your next report on the H-I model.

9 MR. THOMPSON: Yeah, thank you again, and
10 again, Kelley Thompson. I get to report now on a
11 little mini success story I think of the
12 collaboration between our two States, and we were
13 able to successfully complete these limited
14 modifications to the H-I Model.

15 In October of 2014, Colorado submitted to the
16 Kansas Chief Engineer a report proposing revisions
17 to the H-I Model, and they include two items. One
18 was a revision of the tailwater factor calculation
19 method, and also incorporation of new area capacity
20 information that was available for John Martin
21 Reservoir; and so experts from our both -- from both
22 of our States worked over the last year to implement
23 these revisions pursuant to, you know, the *Kansas*
24 *V. Colorado* decree provisions.

25 The tailwater calculation methodology was

1 first defined in the, quote, 2011 Agreement on H-I
2 Model Changes to Address Increases in Irrigation
3 Efficiency for Pumped Groundwater, so this was
4 revised, retitled the 2011 Agreement as Amended
5 August, 2015, and Kansas experts, Kevin really
6 helped us also, draft a new agreement titled the
7 2015 Agreement on Implementation of John Martin
8 Reservoir Revised Elevation-Area-Capacity tables in
9 the H-I Model.

10 So in August of 2015, the Kansas Chief
11 Engineer and our Colorado State Engineer were able
12 to sit down and sign these two new agreements, and
13 to reflect these agreements, we also needed to
14 revise two appendices to the *Kansas v. Colorado*
15 decree, Appendix B.1 and Appendix C.1, and so the
16 States did agree to revisions of those two
17 appendices and they're now titled As Amended in
18 August of 2015.

19 With the help of the Attorney General's office
20 from both States, we were able to submit these four
21 new and revised documents to the U. S. Supreme Court
22 in October, and these documents have been posted on
23 their web site under the Special Master report
24 section, and I believe now we also have links to
25 those on our ARCA web site, so they are publicly

1 available in several places.

2 As a part of that, we also -- we did develop a
3 new H-I Model Code and update the file in August,
4 and these were also submitted to the U. S. Supreme
5 Court electronically on a DVD, and these new files
6 will be utilized for the 2015 H-I Model update that
7 we'll embark on soon. I did really want to thank
8 the Kansas team for their help with this in getting
9 this through, and in particular, Kevin Salter, who
10 really helped make this happen, so I think it worked
11 out well for us. Thank you.

12 MR. RIZZUTO: Thanks, Kelley. Questions?
13 Comments? Anything need to be part of the exhibit?

14 MR. THOMPSON: No, I don't believe so.
15 Since these are posted on our web sites, I think
16 those agreements are well out there.

17 MR. BARFIELD: I think his comments are
18 sufficient documentation.

19 MR. RIZZUTO: Great job. Beings you're
20 doing so well, I could let you take David's thing,
21 so --

22 MR. THOMPSON: I don't want to take all
23 day. That's fine.

24 MR. RIZZUTO: All right. Okay. Next,
25 update on LAWMA, David Barfield.

1 MR. BARFIELD: Yeah, I'll just make a
2 couple of comments here. State of Kansas has
3 expressed a number of concerns about the LAWMA
4 decrees and the States have sort of worked through a
5 number of issues, but it's been sort of languishing,
6 I guess, in terms of progress. I know Eve McDonald,
7 who is not here this year, but she has pressed us to
8 sort of take up that dialogue. I guess I just can
9 report that we are, that we are, we have initiated
10 some engineering work that's targeted at sort of the
11 first two to three issues that we think have the
12 greatest potential for resolution, and we'll be
13 doing that work over the coming months and hope to
14 begin the dialogue with Colorado on those issues.

15 MR. RIZZUTO: Okay. Look forward to
16 positive dialogue between the two States.

17 Okay. Next we'll move to reports by the
18 committees. The action items that are part of the
19 committee reports will become exhibits and we'll
20 note those as we go through, so first report of the
21 Engineering Committee. David.

22 MR. BARFIELD: Okay. Yes the Engineering
23 Committee met yesterday afternoon, starting at 2:00.
24 I think in your packet of agendas, you have our
25 agenda. We have a meeting summary here and action

1 items. I will just very briefly -- I'm not going to
2 read the whole meeting summary, because it --
3 really, your agenda is pretty much the meeting
4 summary, but we did hear reports from Kelley
5 Thompson on Colorado's development of its decision
6 support system.

7 We had a report from the Bureau of Reclamation
8 on the City of Trinidad's proposed amendments to
9 their Operating Principles. We had a report from
10 the Corps of Engineers on many of the subjects you
11 heard about in their report today. We had a
12 committee from the Bureau again, in greater detail,
13 on the subjects that you heard about today. We had
14 a report from the U. S. Geologic Survey, again, as
15 you heard today, from the Bureau of Reclamation on
16 their Ten-Year Review of the Trinidad Operating
17 Principles. We had a report from Bill Tyner on the
18 GP Farm Operations. We had a report from Jack Goble
19 on the Catlin Lease Fallow Pilot Project. We had a
20 significant report in more detail from Brett
21 Ackerman on the Highland Canal as a source for the
22 Permanent Pool and a discussion by Steve Miller on
23 State of Colorado's initiating a study on a
24 potential new storage account at John Martin.

25 The lone action item from our committee

1 meeting was to recommend that ARCA continue to
2 review the Highland Canal as a source for the
3 Permanent Pool and refer this to the Special
4 Engineering Committee. That is the summary, unless
5 Scott has something to add.

6 MR. BRAZIL: No, that takes care of it.

7 MR. RIZZUTO: Okay. And that report
8 would be entered as an exhibit, which would be N.

9 MR. BARFIELD: Shall we make all of the
10 reports and action items part of N? That would be
11 my recommendation.

12 MR. RIZZUTO: Any issues?

13 MR. EKLUND: None.

14 MR. RIZZUTO: None? Okay. Next, report
15 of Operations Committee. Hal.

16 MR. SCHEUERMAN: Good morning. Glad
17 everybody's still here. Not everybody has left yet.
18 Just a couple things. We had a meeting right after
19 the Engineering Committee yesterday and we received
20 the Compact Year 2015 reports from the Operations
21 Secretary, Steve Witte, and the Assistant Operations
22 Secretary's report from Kevin Salter, and it was
23 recommended from the committee that the -- we meet
24 in 2016 to review the water matrix.

25 The committee also received the 2015 report

1 for the Offset Account for Bill Tyner. We received
2 the Colorado's Presumptive Depletion Factor
3 Evaluation Report from Kelley Thompson and we heard
4 an update on the implementation of the Irrigation
5 Improvement Rules from Bill Tyner. Bill was there
6 several times, noting the conclusion of the pond
7 study and how plans for '15 would be -- 2015 would
8 be handled.

9 The only action items that we really have, and
10 I don't know if we should do it now or later, but
11 we'll do it now. We referred the Operations
12 Secretary's reports to the Special Engineering
13 Committee, and that the committee will meet in 2016,
14 hopefully more than once, to review water matrix
15 issues, and we acknowledge the receipt of the 2015
16 Operations and Assistant Operations Secretary's
17 reports, and the Ten-Year Compact Compliance
18 Accounting Table for 2005 to 2014 was presented.
19 The committee recommended that this table be as an
20 exhibit to the 2015 ARCA Annual Meeting transcript
21 and be included in the Compact Year 2015 Annual
22 Report.

23 So with that being said, I guess we're ready
24 to move on to Mr. Steve Witte's Operations Secretary
25 report.

1 MR. RIZZUTO: Yes.

2 MR. WITTE: Members of the
3 Administration, good morning. As you know, one of
4 the principal purposes of the Arkansas River Compact
5 that's identified is to allocate the benefits that
6 arise out of the construction of John Martin
7 Reservoir, and the Administration has determined to
8 do that pursuant to a resolution that was first
9 passed in 1980 and has subsequently been amended,
10 which we referred to as the 1980 Operating Plan. So
11 I yesterday, as has been noted, submitted a report
12 on the daily operations of the reservoir that have
13 taken place pursuant to the 1980 Operating Plan, and
14 would just highlight a few key elements of
15 operations last year for you.

16 We began the Compact year with only 6,192 Acre
17 Feet of water stored in the reservoir, total. Over
18 the course of the year, there were substantial
19 increases in storage so that at the end of the 2015
20 Compact Year on October 31st, 205,905 Acre Feet were
21 held in storage.

22 The winter of '14-'15 produced 20,489 Acre
23 Feet that remained in storage on April 11th, and by
24 that date, we had transferred that amount from
25 conservation storage into the relative accounts.

1 Now, that's slightly less than the long-term average
2 winter storage supply, but it is twice that, that we
3 received in over the winter of 2013-2014.

4 During the 2015 Compact storage year, 360,042
5 Acre Feet were added to conservation storage, as a
6 result of rains primarily that occurred during what
7 we've come to call the month, the miracle May. We
8 stayed in Compact storage from May 9th through
9 October 3rd of 2015. As has been alluded to, the
10 maximum end of day content during the year was
11 325,652 Acre Feet, which is about half a foot below
12 invasion of the Flood Pool.

13 During the Compact Year, we were able to
14 effect exchanges through or into John Martin
15 Reservoir and then subsequently exchange water
16 upstream, resulting in an increased storage of water
17 that originated in the Colorado River Basin in the
18 permanent recreation and fishery pool in Trinidad
19 Reservoir.

20 There are certain accounts in John Martin
21 referred to as Section 3 accounts. The Amity Canal
22 was able to store 57,845 Acre Feet in its Section 3
23 accounts outside of the Winter Water Storage
24 Program. They were able to store an additional
25 14,490 Acre Feet within the Winter Water Storage

1 Program that was then subsequently -- 35% of which
2 was subsequently distributed into various accounts,
3 as called for by the 1980 Operating Plan.

4 We'll have a more detailed report regarding
5 the operation of the Offset Account, and so I'll
6 skip over that for the time being.

7 Over the course of the year, we stored an
8 additional or there was a gain in storage in the
9 Permanent Pool of -- in John Martin of 6,603 Acre
10 Feet. The source of that water was both Colorado
11 River -- of Colorado River origin, or the other
12 approved source that's been allowed to be placed
13 into John Martin's Permanent Pool is water derived
14 from the Muddy Creek storage right.

15 Kansas called for two releases of its water
16 from John Martin Reservoir, the first in early June
17 of 4,958 Acre Feet released from the Offset Account,
18 and then a release of 65,380 Acre Feet that came
19 from its Section 2 account over the course of
20 June 27th through August 12th. This resulted in a
21 deficit of delivery of that amount at the Stateline
22 of 1,671 Acre Feet, which will be and is in the
23 process of being made up to Kansas through
24 additional deliveries to Section 3 accounts in this
25 Compact year.

1 Finally, Colorado called for and -- releases
2 of 160,105 Acre Feet through the year, so those are
3 the highlights of the report. A copy of the report
4 has been tendered to members of the Operations
5 Committee and also to the Operations Secretary
6 (sic). Thank you, unless there are questions.

7 MR. RIZZUTO: Questions from the
8 committee?

9 MR. BARFIELD: None.

10 MR. RIZZUTO: Thanks, Steve. Up next,
11 Kevin.

12 MR. SALTER: Kevin Salter. I'm up here
13 as the role of the Assistant Operations Secretary's
14 Report. Steve did a very good job describing the
15 operations this year of John Martin Reservoir and
16 releases to Kansas. We discussed some of that last
17 night in my report, so I think I'll go ahead and
18 move on from that.

19 My -- I'm going to give my perspective kind of
20 on some other things that we have going on between
21 the States. Steve and I have made it a goal to meet
22 at least twice a year. Unfortunately, we were not
23 able to do that even last year or even in the
24 previous year to that.

25 Even though we did not meet in person, the

1 level of communication between the two State offices
2 have been fairly high. I appreciate the effort that
3 his staff goes into to keep my office informed of
4 issues that are going on in Colorado that may be of
5 a concern to Kansas or we might just be interested
6 in happening. We're going to try to meet a few more
7 times this year.

8 I think you've heard the Operations Committee
9 wanting to get together and review what we call the
10 Water Issues Matrix. That matrix is a document that
11 was created by the Operations Committee and
12 maintained by Steve and I on the issues that we have
13 with accounting issues in John Martin Reservoir and
14 even some other issues as they've come up, so that's
15 been a real good tool of tracking these issues and
16 seeing where we can make progress, and we've
17 resolved a lot of issues. We do have some issues
18 remaining, and I think it would be good for the
19 Operations Committee to get together and we can walk
20 through those after both States have had another
21 chance to review that document, kind of bring it up
22 to the current date of where we stand on some of the
23 issues.

24 And again, I just would like to thank the
25 Division 2 staff and the staff that supports me. I

1 couldn't do what we've -- what I've done up here
2 without their help, so that's my report unless
3 there's questions.

4 MR. RIZZUTO: Okay. Questions of Kevin?
5 If you and Steve want a central location to meet, my
6 house in Swink is about halfway, so feel free to use
7 it.

8 MR. SALTER: Barbecue grill?

9 MR. RIZZUTO: Sure, we can do that.
10 Okay. Offset Account Report, Steve Witte. Bill
11 Tyner.

12 MR. TYNER: Again, thank you, Chairman
13 Rizzuto. I'm back up again, really briefly on the
14 Offset Account Report. In 2015, the Lower Arkansas
15 Water Management Association operated the Offset
16 Account in order to be able to replace post-Compact
17 well depletions to prevent injury to Kansas through
18 depletion of Stateline flows.

19 In order to do that, the LAWMA water rights
20 that were involved included the Highland Canal, and
21 the Highland Canal was the source of water that
22 Colorado Parks and Wildlife mentioned earlier as a
23 proposed potential source to the Permanent Pool.

24 You can see from this map that in the lower
25 center part of the map, the kind of reddish brown

1 arrow represents the Highland Canal coming down the
2 Purgatoire River into John Martin Reservoir, and the
3 contributions from that source in 2015 were 6,118
4 Acre Feet. An audit at the end of the season caused
5 us to work with Kansas to discount part of the water
6 that had been delivered, partially due to some dryup
7 inspection problems that Kansas and Colorado's water
8 commissioners recognized on a small part of the
9 acreage, and in disqualifying those credits, we
10 determined an amount that should be transferred from
11 the Offset Account into conservation storage.

12 Additionally, the LAWMA decree includes some
13 monthly volumetric limits, and we discovered at the
14 end of the season that in May and June, we had
15 allowed deliveries to occur above those limits and
16 so we needed to make that right with Kansas and with
17 the water users in District 67. So on November 1st,
18 which will appear in next year's Offset Account
19 Report, we agreed on an amount that should be
20 transferred to conservation storage, and that will
21 show up for next year.

22 The Highland Canal is still an important
23 source to the Offset Account. The other significant
24 LAWMA source that is important is the Keesee Ditch,
25 which wasn't used as much in 2015 to deliver to the

1 Offset Account, 253 Acre Feet. The Keesee Ditch
2 appears up in the right-hand side of this map and
3 the green arrow represents the exchange of Keesee
4 Ditch water back up into John Martin Reservoir.
5 LAWMA has the ability to use the Keesee Ditch to
6 deliver water to the Offset Account or to replace
7 depletions in-state.

8 The other primary source that LAWMA used to
9 provide water in the Offset Account was through
10 leases with Colorado municipalities. Much of the
11 Colorado Canal has been purchased and dried up by
12 Colorado Springs and other municipal interests, and
13 LAWMA was able to lease a significant amount of
14 water from Colorado Springs Utilities. That
15 consumable water from that municipal dryup is stored
16 in Lake Meredith, which is shown in the upper
17 left-hand portion of this map, the yellow pin, and
18 water released out of Lake Meredith to the river and
19 then down to John Martin Reservoir represented about
20 5,186 Acre Feet of water delivered.

21 And then finally, as Steve mentioned, just
22 under 5,000 Acre Feet was released out of the Offset
23 Account for delivery to Kansas for their use. This
24 was the first delivery that Kansas made during the
25 year and we were, I think, still seeing the effects

1 of drought and heavy river losses. The delivery
2 efficiency to the Stateline was only, I believe,
3 about 64% for this delivery, and LAWMA then, from
4 that physical delivery water to the Stateline,
5 receives a credit of 2,695 Acre Feet that can be
6 applied in that Ten-Year Accounting.

7 In Kansas's second delivery of Section 2
8 water, where there was some benefit from using the
9 Transit Loss Account, that delivery efficiency
10 improved quite a bit to 97%, so this one may have,
11 may have served to eliminate some of those river
12 losses that the ditches in Kansas would otherwise
13 experience. Any questions on the Offset Account?

14 MR. EKLUND: Thank you, Mr. Chairman.
15 Bill, thanks for the report. I wanted to just make
16 sure that the delivery, when some people might have
17 seen a City of Lamar glass of water earlier and that
18 was not inadvertent. That needs to be included in
19 the delivery to Kansas.

20 MR. RIZZUTO: I assume everyone's in
21 agreement with that.

22 MR. TYNER: So noted.

23 MR. RIZZUTO: Bill, any other questions
24 for Bill? None? Okay. Thanks.

25 MR. TYNER: Thank you.

1 MR. RIZZUTO: Anything else from
2 operations?

3 MR. SCHEUERMAN: No. I already went
4 through the recommendations. Thank you.

5 MR. RIZZUTO: Good. Next, call on James
6 for a report of Administrative and Legal Committee.

7 MR. EKLUND: Thank you, Mr. Chairman.
8 The committee met yesterday and requested Rachel
9 Duran and Erik Skeie to produce a short summary of
10 presentations made and a list of action items for
11 this committee meeting that I'll be reading from.

12 Summary is that our committee agenda item 6.
13 C and D were stricken. We felt that those were a
14 little duplicative of prior presentations. The
15 committee heard a report from Stephanie Gonzales,
16 Recording Secretary and Treasurer. The committee
17 gave an update on the status of transcripts from
18 prior annual meetings. Those years were 1998, 1999,
19 2013 and 2014. 2013 was the only one we've made
20 substantial progress on, so that was the only one
21 submitted. Committee heard an update on the status
22 of the ARCA reports from -- the annual reports from
23 Steve Miller, and then the action items are as
24 follows, and there are 12 of them.

25 So the committee recommends that the ARCA

1 adopt the December 18th, 2013 Annual Meeting
2 minutes. The -- I think the best way to do this, if
3 I'm not mistaken, is to read through all of them.

4 (Interruption for Amber Alert.)

5 MR. EKLUND: Do you want me to read
6 through all of them?

7 MR. RIZZUTO: Read through all of them.

8 MR. EKLUND: Number 1, the committee
9 recommends the ARCA adopt the December 18th, 2013
10 Annual Meeting minutes. Number 2, the committee
11 recommends that the efforts to resolve Kansas
12 concerns with LAWMA change of water rights decrees
13 be referred to the Special Engineering Committee.
14 3, the committee recommends that the ARCA approve a
15 resolution regarding the Special Engineering
16 Committee for 2016 and 2017. 4, the committee was
17 informed that the 2015 audit report is not ready for
18 approval and recommends that ARCA approve continued
19 work between the States to finalize the 2015 audit
20 report. Number 5, the committee recommends to ARCA
21 that the Chairman sign the contract for Mr. Farmer,
22 Ron Farmer, for 2015-2016 audit work. 6, the
23 committee recommends approval of the revised Fiscal
24 Year 2015-16 budget and adoption of the proposed
25 Fiscal Year 2016-17 budget. 7, the committee

1 recommends that Stephanie Gonzales sign the Colorado
2 USGS Cooperative agreement and the Kansas USGS
3 Cooperative agreement. 8, the committee heard an
4 update on the CoAgMet funding status and cost share
5 agreement and recommends that ARCA authorize a
6 three-year renewal of that contract at \$5,000 per
7 year. 9, the committee recommends ARCA approve
8 renewal of the ARCA web site. 10, the committee
9 recommends the following slate of officers and
10 committee chairs for calendar year 2016, and those
11 officers are as follows:

12 The recommendation is as follows: Vice-Chair,
13 Randy Hayzlett; Recording Secretary-Treasurer,
14 Stephanie Gonzales; Operations Secretary, Steve
15 Witte; Assistant Operations Secretary, Kevin Salter.
16 Committee chairs would be Administrative and Legal,
17 Randy Hayzlett as chair, James Eklund as member.
18 Operations, Hal Scheuerman as chair, Lane Malone as
19 member. Engineering would be Scott Brazil as chair
20 and David Barfield as a member.

21 Number 11, the committee will offer a
22 resolution recognizing Colin Thompson. I have that
23 resolution when you're ready for me to read that
24 into the record, and then Number 12, the committee
25 recommends to ARCA that the 2016 ARCA annual meeting

1 dates be December 13 for the committee meetings,
2 with December 14 for the Annual Meeting, and direct
3 staff to determine the meeting location.

4 That concludes the action items of the
5 Administrative and Legal Committee, Mr. Chairman.

6 MR. RIZZUTO: Okay. Questions of James?
7 We're going to have to vote on these, so is this a
8 one motion or should we do it separately?

9 MR. EKLUND: Kevin's not going to let us
10 get on the --

11 MR. SALTER: Actually, in Section 12
12 coming up after the new business, we do have a
13 number of those items that are already on there as
14 separate action items.

15 MR. RIZZUTO: So we could do it that way?

16 MR. SALTER: Right, and then maybe if
17 James could kind of track along with the ones that
18 aren't listed on the agenda, we can circle back and
19 get those approved separately.

20 MR. RIZZUTO: Okay. All right.

21 MR. EKLUND: Sounds good.

22 MR. RIZZUTO: We'll do that. Okay.
23 Before we move to that, let me ask you, is there any
24 new business? Okay.

25 MR. BARFIELD: Not that I'm aware of.

1 MR. RIZZUTO: Anyone? Okay. Then we'll
2 move to the ARCA action items. The first I have
3 listed, but we can go in order as you see fit,
4 James, is the resolution for Colin Thompson.

5 MR. EKLUND: That sounds good.
6 Mr. Chairman, thank you. It's an honor to read this
7 resolution into the record honoring Mr. Colin
8 Thompson, and it reads as follows:

9 Whereas, Mr. Colin Thompson of Holly, Colorado
10 has completed his appointment to the Arkansas River
11 Compact Administration after serving from 2005 to
12 2015 as Colorado's representative from Irrigation
13 District 67; and

14 Whereas, Colin zealously represented the
15 region between John Martin Reservoir and the
16 Stateline, while at the same time reaching out to
17 water users in other parts of the Arkansas River
18 Basin, including those downstream in Kansas; and

19 Whereas, Colin worked closely with all members
20 of the Administration and the federal agencies to
21 promote interstate comity, and did so with equal
22 measures of common sense and good humor; and

23 Whereas, Colin's concern for the Arkansas
24 River Basin, its scarce and precious water
25 resources, and the prior appropriation system was

1 expressed through his service to Operations
2 Committee; and

3 Whereas, Colin and his family have owned and
4 managed a successful farming operation in the Holly
5 area, demonstrating the values of hard work and
6 commitment to the community that make the Arkansas
7 Valley a vibrant and proud region; and

8 Whereas, Colin has been a vocal and effective
9 advocate for rural Colorado and the continued
10 viability of irrigated agriculture.

11 Now, therefore, be it resolved by the Arkansas
12 River Compact Administration that it does hereby
13 express its sincerest gratitude and appreciation for
14 the opportunity to have known and worked with Colin
15 and for his outstanding service, dedication, and
16 courtesy to this Administration and to the States.

17 Be it further resolved that the Administration
18 honor Mr. Thompson by including this Resolution and
19 appropriate dedicatory remarks in the
20 Administration's Annual Report for Compact Year
21 2015, and hereby instructs the Recording Secretary
22 to send a copy of this Resolution to Colin, and to
23 the Governor of Colorado, and then it's entered this
24 day, the 10th day of December, 2015, at this Annual
25 Meeting here in Garden City, Kansas.

1 MR. RIZZUTO: Okay. That's a motion.
2 Comments, anyone?

3 MR. HAYZLETT: I move the resolution be
4 adopted.

5 MR. BRAZIL: I second.

6 MR. RIZZUTO: Second? Okay. All in
7 favor?

8 SIMULTANEOUS SPEAKERS: Aye.

9 MR. RIZZUTO: Opposed?

10 MR. MILLER: We found out through reading
11 the minutes that that method of calling the question
12 doesn't work real well because the reporter doesn't
13 know who said aye.

14 MR. RIZZUTO: Who's doing the --

15 MR. MILLER: So if you could ask for
16 Kansas' vote and Colorado's vote, it just tracks a
17 lot easier in the written record.

18 MR. EKLUND: Do we still make a motion?

19 MR. MILLER: Oh, yes. Yeah. Just when
20 you call a question, say, "Kansas, how do you vote?
21 Colorado, how do you vote?" You get a single aye
22 from each State and the record --

23 MR. RIZZUTO: It's different than the
24 legislature. We never used to vote. We just did
25 whatever we wanted.

1 MR. BARFIELD: We're not like that here.

2 MR. RIZZUTO: Okay. So there has been a
3 motion and a second. How does Kansas vote?

4 MR. BARFIELD: Kansas votes aye.

5 MR. RIZZUTO: How does Colorado vote?

6 MR. EKLUND: Colorado votes aye.

7 MR. RIZZUTO: Okay. Pass. Okay. Next,
8 do you want to continue with --

9 MR. EKLUND: Yes.

10 MR. RIZZUTO: And that would be
11 Resolution 2015-01.

12 MR. EKLUND: All right. We can go to --

13 MR. BARFIELD: We exchanged documents on
14 the SEC resolution. My understanding is the
15 committee accepted Kansas's latest version, but do
16 we have a copy of that? We do have a copy of that?
17 Very good. We have a copy of it.

18 MR. RIZZUTO: A copy of it. Okay.

19 MR. BARFIELD: Who's going to offer this?

20 MR. EKLUND: I can offer it.

21 MR. BARFIELD: Okay.

22 MR. EKLUND: And our committee
23 recommended that this resolution be passed and
24 entered into by the Administration, and do you need
25 me to read this into the record or are we okay?

1 MR. BARFIELD: I think we're okay. I
2 think we just need to highlight maybe what we're
3 changing in the resolution, because there are some
4 new things. This is not just our typical renewing
5 for another year or two.

6 MR. EKLUND: Okay. Well, I'll turn the
7 mic over to you.

8 MR. BARFIELD: All right. I'll attempt
9 to characterize it. So we've had the Special
10 Engineering Committee for a number of years and
11 we've extended it either for single year by single
12 year or, in the last case, for two years, and so we
13 are proposing again to extend the resolution
14 creating and authorizing the Special Engineering
15 Committee's work for another two years.

16 I think we did a bit of an update of sort of
17 the operational provisions of the SEC basically, as
18 I understand the changes. Membership, we
19 specifically require that the Kansas Chief Engineer
20 and Colorado State Engineer be on the SEC. That's
21 the principal change there, and we also broadened
22 the tasks that could be assigned to the SEC.

23 We continued with the unresolved issues on the
24 matrix, which has really been the dominant work of
25 the committee; to continue to work to provide

1 recommendations; to revise and approve outstanding
2 annual reports of the Operations Secretary. We
3 broadened it to include recommendations -- excuse
4 me.

5 We continued with recommendations on any other
6 accounting issues -- oh, I'm sorry. Let me back up.
7 So we broadened it to now allow essentially any of
8 the ARCA committees to refer a matter for resolution
9 to the Special Engineering Committee, so that, that
10 was, that was the principal changes to sort of
11 operating procedures for the committee.

12 Then in the resolution extending it for these
13 two years, we asked the SEC specifically to meet at
14 least once before June 30, 2016, and we asked for
15 them to consider, that committee to consider three
16 specific issues: Matrix issue number 27, matrix
17 issue number 14 on the Permanent Pool issue that
18 we've been talking about, and to consider the LAWMA
19 decree issues that we've also talked about here, so
20 the resolution effects those changes.

21 MR. RIZZUTO: Okay. We need a motion.

22 MR. EKLUND: So moved.

23 MR. RIZZUTO: Mr. Eklund seconds.

24 MR. BARFIELD: Kansas would second.

25 MR. RIZZUTO: Kansas seconds. Okay.

1 Discussion? How does Kansas vote?

2 MR. BARFIELD: Kansas votes aye.

3 MR. RIZZUTO: How does Colorado vote?

4 MR. EKLUND: Aye.

5 MR. RIZZUTO: Okay. Passes. That would
6 become Resolution 2015-02. Okay. Next item of
7 business.

8 MR. EKLUND: Okay. We'll move to the
9 approval of Highland Canal water as a new source for
10 John Martin Reservoir Permanent Pool. Do we have a
11 resolution on that or did we --

12 MR. BARFIELD: We do not.

13 MR. EKLUND: We did not do that.

14 MR. BARFIELD: That's right.

15 MR. EKLUND: Okay. So we need to --

16 MR. BARFIELD: We were just going to note
17 on the record at this point the status of it being
18 essentially referred to the SEC for resolution.

19 MR. EKLUND: So that's been referred to
20 the SEC for resolution. We don't have to take any
21 action then at this time on that.

22 Financial matters. This is Item 12 C., small
23 i., Approval of audit report for Fiscal Year 14-15.
24 We recommend -- we recommend approval of the audit
25 report. No, we didn't. We did not. I take that

1 back. We recommended -- our committee said that it
2 is not yet ready, so it's the opposite of what I
3 just said, and we need to -- we do not need to take
4 action on Fiscal Year 14-15.

5 Approval of audit procedures for Fiscal Year
6 15-16. That, we did suggest approval of or
7 recommend approval of.

8 MR. HAYZLETT: Yes. I don't know if we
9 need to vote on that.

10 MR. RIZZUTO: I've never had to vote on
11 an audit procedure, but --

12 MR. MILLER: I think last night, that was
13 discussed in the context of the retainer letter for
14 Mr. Farmer for this current year, and I think the
15 committee did recommend approval of that and
16 signature letter, but you haven't had a chance to
17 read it and you're the Chairman, so the action today
18 might be to authorize the Chairman to review that
19 retainer letter, sign it on behalf of the
20 Administration if he's comfortable with it, and if
21 not, we'll have to convene the Administrative and
22 Legal Committee. I think that's where it ended up
23 last night.

24 MR. HAYZLETT: Yeah.

25 MR. MILLER: If you defer to the

1 committee, Mr. Chairman, I guess it's ready to be
2 signed now.

3 MR. RIZZUTO: Or I can change it any way
4 I want?

5 MR. BARFIELD: Legislative experience for
6 you again, huh.

7 MR. RIZZUTO: So I concur, you know,
8 based on whatever they recommend. I'll review it
9 and unless I have any issues, I'll sign it on behalf
10 of the commission.

11 MR. BARFIELD: So does that need to be a
12 motion to authorize that?

13 MR. EKLUND: Do you want it, just to --

14 MR. RIZZUTO: Do it just to be clear.

15 MR. EKLUND: Okay. So call for the -- I
16 move.

17 MR. RIZZUTO: Mr. Eklund moves to move
18 forward with the letter on audit procedures contract
19 with Mr. Farmer. Second?

20 MR. HAYZLETT: Second.

21 MR. RIZZUTO: Second by Mr. Hayzlett.
22 All in favor, Colorado?

23 MR. EKLUND: Aye.

24 MR. RIZZUTO: Kansas?

25 MR. SCHEUERMAN: Aye.

1 MR. RIZZUTO: Okay. Passes.

2 MR. EKLUND: All right. The next one is
3 approval of USGS gaging contracts. We recommend
4 approval from the committee.

5 MR. RIZZUTO: I assume you so move?

6 MR. EKLUND: And I so move.

7 MR. RIZZUTO: Okay.

8 MR. HAYZLETT: And Kansas seconds.

9 MR. RIZZUTO: Kansas seconds. How does
10 Kansas vote?

11 MR. HAYZLETT: Aye.

12 MR. RIZZUTO: How does Colorado vote?

13 MR. EKLUND: Aye.

14 MR. RIZZUTO: Passes. Okay. We're
15 getting this down.

16 MR. EKLUND: Now it's happening.
17 Adoption of the budgets. Just said -- let's see.
18 We recommend approval of, let's see, revised Fiscal
19 Year 2015-16 budget and adoption of the proposed
20 Fiscal Year 16-17 budget. Is that right?

21 MR. MILLER: Yes, but those are the two
22 years. Last night I reviewed the revised 15-16 with
23 the committee on paper and learned that I did not
24 have the right number of Kansas USGS contracts, so I
25 revised the budgets last night and shared those with

1 Stephanie, and the net effect of the change is that
2 we will spend 5,000 more in that 15-16 budget than I
3 told you last night.

4 That reduces the reserves we have at the end
5 of this current year and it also reduces the amount
6 of reserves we have going into the following year by
7 5,000 so, you know, there's a \$5,000 change from
8 last night. It doesn't change anything else within
9 those budgets. What you'd be asking to adopt is not
10 what you saw last night. It's two new documents
11 Stephanie has and is ready to sign.

12 MR. EKLUND: Okay. So we will assume
13 that the revised Fiscal Year 2015-16 budget is --
14 incorporates the changes that you just articulated,
15 and with those changes, I move adoption of the
16 revised Fiscal Year 2015-16 budget and adoption of
17 the proposed Fiscal Year 2016-17 budget.

18 MR. RIZZUTO: Okay. Second?

19 MR. HAYZLETT: Second.

20 MR. RIZZUTO: Discussion? How does
21 Kansas vote?

22 MR. HAYZLETT: Aye.

23 MR. RIZZUTO: Colorado?

24 MR. EKLUND: Aye.

25 MR. RIZZUTO: Okay. It passes.

1 MR. EKLUND: Mr. Chairman, renewal of the
2 CoAgMet contract is the next item. We recommended
3 at the committee level approval, and I so move.

4 MR. RIZZUTO: Okay.

5 MR. HAYZLETT: Kansas seconds.

6 MR. RIZZUTO: Discussion? How does
7 Kansas vote?

8 MR. HAYZLETT: Aye.

9 MR. RIZZUTO: How does Colorado vote?

10 MR. EKLUND: Aye.

11 MR. RIZZUTO: Passes.

12 MR. EKLUND: The committee also
13 recommended renewal of the ARCA web site, and I so
14 move.

15 MR. RIZZUTO: Okay. Second?

16 MR. HAYZLETT: Kansas seconds.

17 MR. RIZZUTO: How does Kansas vote?

18 MR. HAYZLETT: Aye.

19 MR. RIZZUTO: How does Colorado vote?

20 MR. EKLUND: Aye.

21 MR. RIZZUTO: Passes.

22 MR. EKLUND: The approval of prior
23 meeting minutes is on here and we recommended that
24 the ARCA adopt the December 18th, 2013 Annual
25 Meeting minutes only at this time, and I so move.

1 MR. HAYZLETT: Kansas seconds.

2 MR. RIZZUTO: Kansas seconds. Comment?

3 I'm going to ask one question. It seems odd to me,
4 based on other committees I've been on, to be
5 approving minutes from two years ago rather than
6 dealing with minutes from our last meeting, which
7 was in December of 2014. Maybe at some point, we
8 could have a discussion so we could expedite that.
9 Kevin, do you want to say --

10 MR. SALTER: Yeah. There's been an issue
11 2013 and 2014 just trying to get the minutes through
12 the process. We have reviewed on Kansas side the
13 2014. We'll get those to Steve to get those in, so
14 hopefully next year you'll be looking at 2014 and
15 2015 minutes. We've just had a little hiccup in the
16 process there, as far as those two years.

17 MR. RIZZUTO: Okay. So we would be
18 voting on two sets of minutes.

19 MR. SALTER: We hope to be voting on two
20 sets next time.

21 MR. RIZZUTO: Okay. And one other
22 question, 'cause I'm fairly new at this. Do the
23 commission members get a copy of the minutes, the
24 proposed minutes, to review?

25 MR. SALTER: Generally, they have not

1 asked to review those proposed minutes. They've
2 left it to staff to review. When the minutes are
3 approved, there's four copies made. Is that right?
4 State of Kansas gets one, State of Colorado gets
5 one, and ARCA receives one.

6 MS. DURAN: Just the three copies.

7 MR. SALTER: Just the three copies, so
8 ARCA has -- ARCA office has a copy of the original
9 minutes, as well as the State of Colorado and the
10 State of Kansas. They are also available
11 electronically on the web site now, thanks to Rachel
12 and Colorado staff efforts.

13 MR. RIZZUTO: Okay. So being able to
14 review them is possible? Okay.

15 MR. EKLUND: Mr. Chairman, can I say
16 something? Okay. So I think you make a very good
17 point, and there's no reason that this
18 Administration needs to function differently than
19 any other board that we all sit on. If there are
20 meeting minutes that are being generated, this is a
21 good example. For this meeting 2015, you should get
22 those minutes, you know, to review in due course and
23 be able to approve them in 2016 in December. I
24 think Randy is supportive of that and we'll do, on
25 the Colorado side, we will make sure that happens.

1 It's not rocket science, so we can do this.

2 MR. RIZZUTO: Steve?

3 MR. MILLER: Let me just -- two things.
4 It's not rocket science, but on the other hand, it
5 is done with a court reporter, so it's really not in
6 control of the people that review the minutes. We
7 have to -- it's a transcript, so it's a little
8 longer than just having done. Well, they get done a
9 lot faster than it was done in the last few years.

10 MR. EKLUND: But we have minutes from
11 1998 that haven't been approved.

12 MR. MILLER: One of those was a deceased
13 reporter, I think, and actually if we have a special
14 meeting for any other reason in 2016, we could
15 probably approve -- certainly could approve the '14
16 minutes and maybe the '15, I don't know.

17 But the other thing, the real thing I wanted
18 to say was since we didn't have a chairman for so
19 long, we got in the habit of not relying on the
20 chairman's role in this, and certainly the chairman
21 or any other ARCA member could be part of that
22 review, but as Kevin says, over the years, it's just
23 become a staff assignment to review the draft, and
24 in the course of my review and Kevin's, I can share
25 it with our members. I can share it with the

1 officers, and occasionally I do, but we could
2 certainly involve you in the initial stages, Jim, if
3 you'd like to be involved and have the time to. As
4 soon as we get the draft, Kevin, myself and you
5 could be looking at it. I don't know if you want to
6 be that involved.

7 MR. RIZZUTO: I think going through the
8 initial draft from the reporter or recorder, I'd
9 leave that up to you, but then getting your comments
10 after reviewing it would be helpful from my
11 standpoint. Okay?

12 MR. MILLER: Okay.

13 MR. RIZZUTO: All right. I don't know if
14 I can ask the reporter this question. Typically,
15 how long does it take to get a copy of today's
16 minutes?

17 THE REPORTER: I can't speak and take the
18 record at the same time, sir.

19 MR. EKLUND: Well, I can tell you we've
20 been in court on both sides of this table and I can
21 tell you they turn it around pretty quick, so it's
22 not years, that's for sure, and so we'll get this
23 ironed out. Our board meets every other month, if
24 you can get your minutes done and in a timely
25 manner, and we just need to focus on doing it. With

1 that, I think there's a motion pending.

2 MR. RIZZUTO: Yeah, there is. Okay. The
3 motion is to approve the 2013 minutes, and it's been
4 motioned and seconded. How does Kansas vote?

5 MR. HAYZLETT: Kansas votes aye.

6 MR. RIZZUTO: How does Colorado vote?

7 MR. EKLUND: Aye.

8 MR. RIZZUTO: Okay. Motion adopted.

9 MR. EKLUND: Thank you, Mr. Chairman.

10 We'll move now to approval of the officers and
11 committee appointments. We recommended the slate of
12 officers I read earlier in my description, and for
13 the ARCA officers, I would move the slate that I
14 read earlier.

15 MR. RIZZUTO: Okay.

16 MR. HAYZLETT: Kansas seconds.

17 MR. RIZZUTO: Kansas seconds.

18 Discussion? How does Kansas vote?

19 MR. HAYZLETT: Aye.

20 MR. RIZZUTO: Colorado?

21 MR. EKLUND: Aye.

22 MR. RIZZUTO: There you go. Motion
23 passes.

24 MR. HAYZLETT: We don't need a motion on
25 the committee chairs. We just rotate those.

1 MR. RIZZUTO: So we've got approval.

2 MR. EKLUND: Oh, the meeting dates,
3 future meetings. Let's just do that right now, if
4 it's all right with you, Mr. Chairman.

5 MR. RIZZUTO: Sure.

6 MR. EKLUND: Okay. We'll take the Item
7 14 out of order, I guess. For future meetings, the
8 committee recommended to ARCA that the 2016 ARCA
9 annual meeting dates be December 13th for the
10 committee meetings and December 14th for the Annual
11 Meeting and directs staff to determine the meeting
12 location, and I so move.

13 MR. HAYZLETT: Second.

14 MR. RIZZUTO: Kansas seconds. How does
15 Kansas vote?

16 MR. HAYZLETT: Aye.

17 MR. RIZZUTO: How does Colorado vote?

18 MR. EKLUND: Aye.

19 MR. RIZZUTO: Motion adopted.

20 MS. DURAN: Rachel Duran. Mr. Chairman,
21 before you disperse, is there any other financial
22 documents that you want to make an exhibit? In
23 previous year, we have included the budgets as
24 exhibits, both the --

25 MR. BARFIELD: I move we adopt the two

1 budgets that we have adopted here.

2 MR. EKLUND: Second.

3 MR. RIZZUTO: Second. How does Colorado
4 vote?

5 MR. EKLUND: Aye.

6 MR. RIZZUTO: How does Kansas vote?

7 MR. BARFIELD: Aye.

8 MR. RIZZUTO: Okay.

9 MR. MILLER: On the motion about the
10 meeting dates, I think we also were instructed to
11 hold that meeting in Lamar, right, so that the
12 planning and location means finding a location in
13 Lamar, not moving it around the valley; is that
14 correct?

15 MR. HAYZLETT: That's correct.

16 MR. RIZZUTO: I was kind of hoping for
17 Hutchinson. Then I could visit my wife's family for
18 Christmas, but --

19 MR. BARFIELD: We would support that.

20 MR. RIZZUTO: Okay.

21 MR. BARFIELD: Well, wait a minute. I
22 would support that. I better not speak for Kansas
23 here without -- Kevin, have we taken care of all the
24 action items on this list?

25 MR. SALTER: I do not know. James?

1 MR. EKLUND: Yes, I checked everything
2 off.

3 MR. MILLER: One more instruction that
4 was to create a Doodle Poll for potential tour dates
5 in 2016, so --

6 MR. EKLUND: We don't need to take action
7 on that, no.

8 MR. RIZZUTO: That's the May proposal?

9 MR. HAYZLETT: Yeah.

10 MR. RIZZUTO: Okay. Is there any other
11 business to come before the meeting, Steve?

12 MR. MILLER: Kind of jumped the public
13 comment. I don't know if there will be any, but --

14 MR. RIZZUTO: Good point. Any members of
15 the public wish to make a comment?

16 MS. DURAN: Mr. Chairman, I actually have
17 one more comment. Rachel Duran.

18 MR. RIZZUTO: Sure.

19 MS. DURAN: Did we clarify what Exhibit
20 A and B were?

21 MR. RIZZUTO: Yeah. An agenda is Exhibit
22 A.

23 MR. BARFIELD: And the attendance list.

24 MR. RIZZUTO: And the attendance list is
25 B.

1 MS. DURAN: Okay. Thank you.

2 MR. RIZZUTO: So everything would fall
3 into place after that, okay. Okay. No other
4 business.

5 One, I want to thank Kevin and everyone in the
6 Garden City community for the logistics and the
7 great meeting space and the like and wish everyone
8 happy holidays. With that, motion to adjourn?

9 MR. EKLUND: So moved.

10 MR. RIZZUTO: Second?

11 MR. BARFIELD: Second.

12 MR. RIZZUTO: Okay. How does Kansas
13 vote?

14 MR. BARFIELD: Aye.

15 MR. RIZZUTO: How does Colorado vote?

16 MR. EKLUND: Aye.

17 MR. RIZZUTO: Okay. We are adjourned.

18

19 (Proceedings concluded at 12:15 p.m.

20 Mountain Time.)

21

22

23

24

25

EXHIBIT LIST

Exhibits accepted by ARCA follow in the order introduced:

- A. 2015 ARCA Annual Meeting Agenda
- B. 2015 ARCA Annual Meeting Attendance List
- C. Colorado Executive Order 2015-201 Appointing Lane Malone as Colorado Rep to ARCA
- D. USGS Report
- E. US Army Corps of Engineers Report
- F. US Bureau of Reclamation PowerPoint
- G. PRWCD PowerPoint
- H. SECWCD Letter
- I. GWMD #3 Report/Studies
- J. CPW Highland Canal as new source for JMR Permanent Pool PowerPoint, KDWR letter, US Army Corps of Engineers support letter
- K. RCPP White Paper
- L. Ten-year Compact Compliance Accounting Table (2005-2014)
- M. Irrigation Improvement Rules PowerPoint
- N. Committee Action Items
- O. FY 15-16 and FY 16-17 Budgets

ADOPTED RESOLUTION

ARCA adopted following resolutions:

1. Resolution 2015-01 Honoring Colin Thompson
2. Resolution 2015-02 Renewal of the Special Engineering Committee

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

1 STATE OF KANSAS)

2 COUNTY OF RENO)

3

4

5

6

7

8

9

This is to certify that I, Lee Ann Bates, a Certified Shorthand Reporter in and for the State of Kansas, reported in shorthand the proceedings had at the time and place set forth on the title page hereof and that to the best of my ability, the above and foregoing pages contain a full, true and correct transcript of the said proceedings.

10

11

Certified to on this 22nd day of November, 2016.

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Lee Ann Bates, CSR, RPR, CRR
ADVANCED COURT REPORTING SERVICES
LEE ANN BATES, CSR, RPR, CRR
27113 West Mills Avenue
Plevna, Kansas 67568
(620) 793-6555 or (620) 664-7230