

MINUTES OF THE
SPECIAL TELEPHONIC MEETING
OF THE
ARKANSAS RIVER COMPACT ADMINISTRATION
July 2, 1984

A special telephonic meeting of the Arkansas River Compact Administration was called to order at 12:15 p.m. (MDT) by Mr. Frank Cooley, Chairman and federal member. Other members participating in the telephonic conference call were:

For Colorado:

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

For Kansas:

Carl Bentrup,	Deerfield
Ron Olomon,	Garden City
David Pope,	Topeka

Because of a poor telephone connection, Mr. Bentrup, in his capacity as vice-chairman, chaired the conference call.

The purpose of the meeting was to consider recommendations of the Operations Committee concerning authorization for the Ft. Lyon Canal Company to store water released from Blue Lake Dam in the company's account in John Martin Reservoir established pursuant to Article III B of the resolution concerning the operation of John Martin Reservoir, which water had been released at the order of the Colorado State Engineer for dam safety

purposes. After discussion of and changes to draft recommendations of the Operations Committee, which draft had been forwarded to the members of the Administration in advance of the telephonic conference call, Mr. McDonald moved, seconded by Mr. Olomon, that the recommendations of the Operations Committee attached hereto as Attachment A be approved by the Administration subject to Mr. Pope and Mr. McDonald reaching agreement on language for item numbered 8 and subject to the typed version of the recommendations of the Operations Committee being mailed out for final approval. The motion was passed upon the unanimous vote of both states.

[Mr. Pope and Mr. McDonald agreed to language for item numbered 8 in subsequent telephone conversations, whereupon the typed recommendations of the Operations Committee were circulated for review. Those recommendations, as attached to these minutes, were approved.]

During the course of the telephonic conference call, Mr. McDonald advised that the Amity Canal Company wished to store Great Plains water in its account in John Martin Reservoir. Mr. McDonald observed that the Administration had already granted an account for this purpose, and no further action was required. He noted that the State Engineer would not, however, permit Amity to store in its account in John Martin unless the objectors in the Colorado water court proceeding concerning the transfer of the

Great Plains storage decree to John Martin Reservoir agreed by stipulation to such storage this summer. Mr. McDonald indicated that he would keep Kansas advised of this matter.

There being no further business to come before the Administration, the special telephonic meeting was adjourned at 12:45 p.m. (MDT).

The foregoing minutes were approved by the Administration at its regular annual meeting held in Lamar, Colorado, on December _____, 1984.

Leo Idler, Recording Secretary

Frank Cooley, Chairman

RECOMMENDATIONS OF THE OPERATIONS COMMITTEE
TO THE ARKANSAS RIVER COMPACT ADMINISTRATION

July 2, 1984

Fort Lyon Resolution

The Fort Lyon Canal Board of Directors has requested the right to store in John Martin Reservoir water they have stored in Blue Lake (aka Adobe Creek Reservoir). On June 1, 1984, Blue Lake Dam was found to be incapable of safely storing the entire amount of water impounded therein and the State Engineer ordered the water to be drawn down to a safe level in the lake.

The Operations Committee, after investigating the facts of this matter, recommends that the Arkansas River Compact Administration allow the Fort Lyon Canal Company to store water released from Blue Lake Dam in the account in John Martin Reservoir established for them pursuant to Article III B of the Resolution Concerning the Operation of John Martin Reservoir subject to the following conditions:

1. The total amount of water stored in said account from all sources shall not exceed 20,000 AF.
2. The amount of water delivered to said account from water released from Blue Lake shall be determined by the Operations Secretary of the Administration, Robert W. Jesse, Division Engineer, Water Division No. 2, State of Colorado.

3. The only waters which can be stored in said account must be waters of the Arkansas River.
4. The water delivered from Blue Lake to said account shall be subject to a 35 percent storage charge, which storage charge shall be credited directly to conservation storage and shall be released into the Kansas and Colorado accounts pursuant to Article II D of the Resolution Concerning the Operation of John Martin Reservoir dated April 24, 1980.
5. Storage of said water in John Martin Reservoir shall be carried out in compliance with state law.
6. This authorization is made solely because of the unique situation that now exists at Blue Lake Dam and the authorization shall expire on November 1, 1984, or when a cumulative total of 20,000 AF, exclusive of storage charges, shall have been stored in said account, whichever occurs first; provided, however, that such authorization shall not constitute a waiver of any rights which the states of Kansas and Colorado have under the terms of the Kansas-Colorado Arkansas River Compact nor set any precedent for future action.
7. This authorization is retroactive to the first day upon which the Fort Lyon Canal released water from storage

for dam safety purposes and shall be limited to releases which were made for that purpose and which resulted in water being stored in John Martin Reservoir that would not have otherwise reached John Martin Reservoir.

8. This authorization shall entitle the Fort Lyon Canal Company to store no more water in the aggregate (inclusive of storage charges) than could have been stored in Blue Lake during compact year 1984 pursuant to the company's storage decree for Blue Lake had storage in Blue Lake not been restricted by the State Engineer for dam safety purposes.

This recommendation is intended only to authorize the storage of water in John Martin Reservoir and does not supersede, abrogate or otherwise eliminate or modify any provisions of the laws of the State of Colorado pertaining to the use or administration of water rights.