

Resolution No. 2006-02
Arkansas River Compact Administration

**Winter Water and District 67 Winter Water Storage Charge Holding Accounts in
John Martin Reservoir**


BE IT RESOLVED that the Arkansas River Compact Administration does hereby create two holding accounts in John Martin Reservoir as prescribed below:

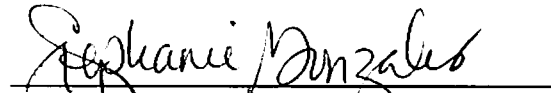
1. **Definitions:** All terms employed in this Resolution which are defined in the Compact or the 1980 Operating Plan shall have the same meaning as set out in the Compact or the 1980 Operating Plan, as the case may be. When the term Section is used in this resolution, it refers to a Section of the 1980 Operating Plan.
2. **1980 Operating Plan:** The two holding accounts are in addition to those accounts established in the 1980 Operating Plan (formally known as *Resolution Concerning an Operating Plan for John Martin Reservoir*). The holding accounts will facilitate the distribution of water delivered to John Martin Reservoir under the Pueblo winter water storage plan. This facilitation is necessary because the exact distribution between the Section III accounts and the exact distribution of associated storage charge water (detailed in Section III D) to the Colorado District 67 accounts established in Section II may not be known until March 15.
3. **Termination:** The holding accounts directly relate to the operation of the 1980 Operating Plan and these holding accounts shall no longer exist if 1980 Operating Plan is terminated.
4. **Winter Water Holding Account:** A holding account is hereby established in John Martin Reservoir during the period of November 15 to the next March 15 of each Compact Year to allow temporary storage of water delivered under the Pueblo winter water storage plan solely for the purpose of distribution to the Section III A, III B and III C accounts in accordance with the limitations set forth in Section III of the 1980 Operating Plan. All water accumulated in this holding account shall be completely released to the accounts established in Sections III A, III B and III C as of March 15.
5. **District 67 Winter Water Storage Charge Holding Account:** A holding account is hereby established in John Martin Reservoir during the period of November 15 to the next March 15 of each Compact Year to allow temporary storage of the portion of the Section III D waters delivered under the Pueblo winter water storage plan owed to the Colorado Water District 67 Section II accounts solely for the purpose of distribution to these Section II accounts. All water accumulated in this holding account shall be completely distributed to the Section II accounts as of March 15.

6. **Spill Order:** In the event that runoff conditions occur in the Arkansas River basin upstream from the Reservoir that cause water to spill from the Reservoir, then water stored in the Permanent Pool in excess of 10,000 acre-feet shall spill before water stored in the accounts established in Subsections III A, B, and C of the 1980 Operating Plan, including the **winter water holding account** established herein; which shall spill before the water stored in the Offset Account; which shall spill before the accounts established in Section II of the Operating Plan, including the **District 67 winter water storage charge holding account** established herein; which shall spill before the Kansas Transit Loss Account; all of which shall spill before conservation storage.
7. **Effective Date:** These holding accounts will be used as of Compact Year 2006.

Be it further resolved that ARCA directs that this recommendation be implemented for all subsequent operations and that this recommendation will be incorporated by future amendment of the Resolution Concerning an Operating Plan for John Martin Reservoir, adopted April 24, 1980 as amended.

Entered this 12th day of December 2006, at the ARCA Annual meeting.


Robin Jennison, Chairman
Arkansas River Compact
Administration


Stephanie Gonzales, Recording Secretary
Arkansas River Compact
Administration

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Recommendation B
Special Engineering Committee
October 2006

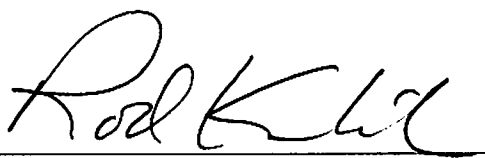
Winter Water and District 67 Winter Water Storage Charge Holding Accounts

The Arkansas River Compact Administration (ARCA) created a Special Engineering Committee by means of Resolution No. 2005-1 and directed said committee to develop recommendations to ARCA which will reduce or eliminate disputes between the States.

Pursuant to said Resolution, Rod Kuharich and Hal Simpson, for Colorado; David Brenn and David Pope, for Kansas; and Robin Jennison, Federal member, ex-officio, were appointed members of the Special Engineering Committee.

Two issues related to the provisions of Section III of 1980 Operating Plan specifically associated with water delivered to John Martin Reservoir under the Pueblo winter water storage plan are in dispute: (1) the use of temporary accounts not specifically authorized by ARCA¹ and (2) the timely transfer of 35% charge water as described in Section III D.²

The Operations Secretary has proposed and implemented a process that potentially resolves these issues. Attached as an exhibit is a flow chart entitled "Distribution of Inflow to John Martin Nov. 15 to Mar. 15" that illustrates the process to distribute water delivered under the Pueblo winter water storage plan. In order to fully and properly implement that process, the Committee recommends that ARCA authorize the use of two holding accounts by adopting the attached resolution.



Rod Kuharich, Colorado



David A. Brenn, Kansas



Hal Simpson, Colorado State Engineer



David L. Pope, Kansas Chief Engineer

Date: October 19, 2006

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¹ These issues have been referenced as Issue #20 in the "Matrix" document, JMR Accounting Issues, dated April 2005

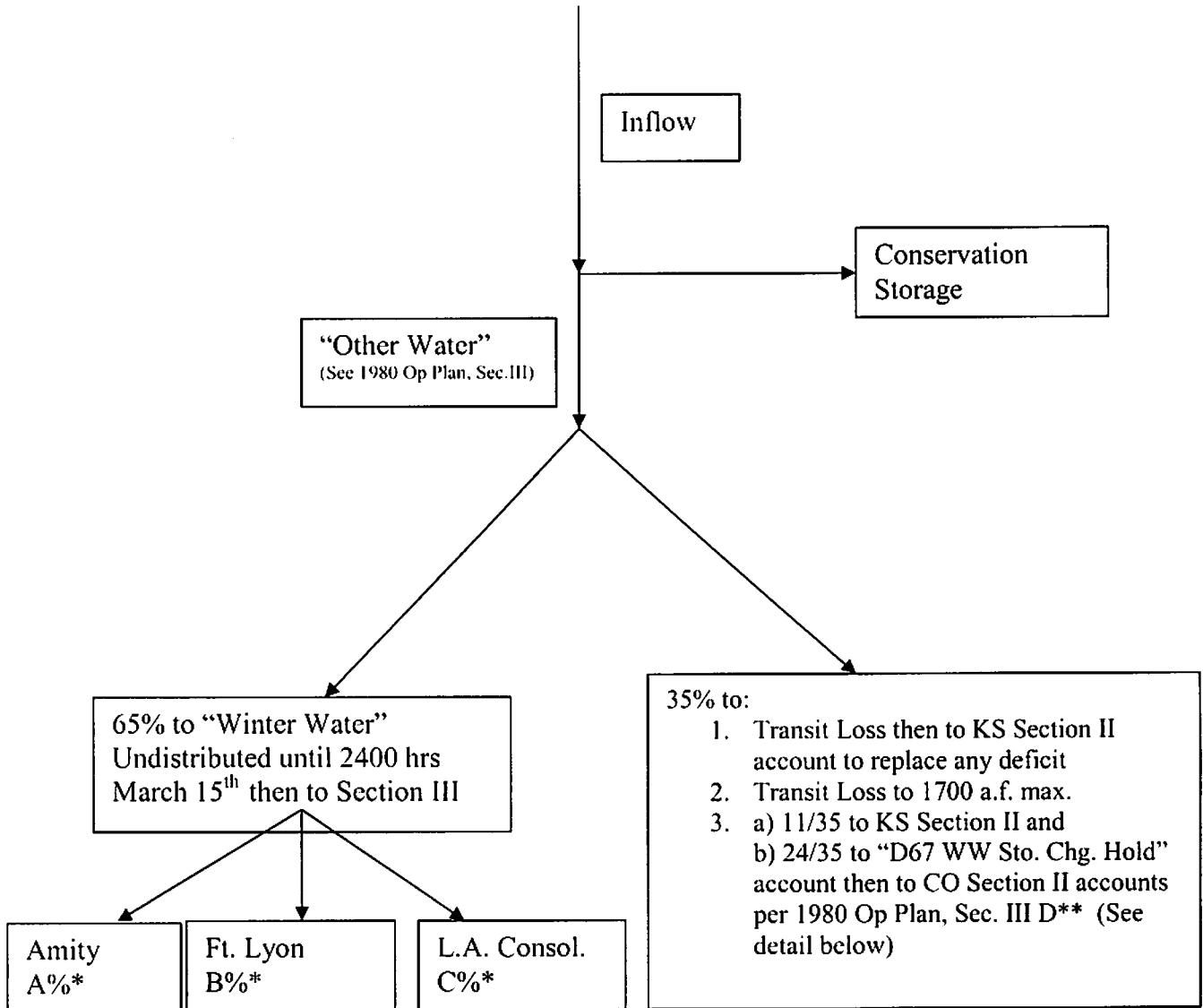
² These issues have been referenced as Issue #21 in the "Matrix" document, JMR Accounting Issues, dated April 2005

Distribution of Inflow to John Martin Nov. 15 to Mar. 15

The following illustration depicts the processes that are to be performed to properly distribute inflow to John Martin Reservoir during this period.

Problem: One can not properly distribute to Section III accounts or complete step 3. b) in right-hand branch, until after March 15th.

Proposed Solution: Use "Winter Water" account and "D67 WW Sto. Chg. Hold" account to accumulate quantities of water prior to distribution on or after March 15th of each year. All other distributions are to be made on a daily basis.



* These percentages are not fixed. Actual percentages are unknown until at least March 15 per 84CW179. $A\% + B\% + C\% = 100\%$

**Detail Step 3. b):

Assume, 100 units on Mar.15th. 1980 Op Plan, Sec. III D provides that Amity doesn't share in proportion it contributed, so distribute "D67 WW Sto. Chg. Hold" acct. as follows:

A units ($A\% \times 100$) to be distributed to All WD 67 ditches per Section III D except Amity
 B+C units ($(B\% + C\%) \times 100$) to be distributed to All WD 67 ditches per Section III D including Amity