

ARKANSAS RIVER COMPACT ADMINISTRATION

Lamar, Colorado 81052

For Colorado

Chair and Federal Representative

For Kansas

Rebecca Mitchell, Denver
Lane Malone, Holly
Scott Brazil, Vineland

James T. Rizzuto, Swink

Earl Lewis, Manhattan
Randy Hayzlett, Lakin
Troy Dumler, Garden City

RESOLUTION 2022 - 01

RESOLUTION CONCERNING A MULTI-PURPOSE ACCOUNT PILOT PROJECT IN JOHN MARTIN RESERVOIR

WHEREAS, Article IV.D. of the Arkansas River Compact (“Compact”) provides as follows:

This Compact is not intended to impede or prevent future beneficial development of the Arkansas River basin in Colorado and Kansas by Federal or State agencies, by private enterprise, or by combinations thereof, which may involve construction of dams, reservoir, and other works for the purposes of water utilization and control, as well as the improved or prolonged functioning of existing works: Provided, that the waters of the Arkansas River, as defined in Article III, shall not be materially depleted in usable quantity or availability for use to the water users in Colorado and Kansas under this Compact by such future development or construction;

WHEREAS, Section 2 of the Act of Congress approving the Compact provides in relevant part as follows:

That the Chief of Engineers is hereby authorized to operate the conservation features of the John Martin Reservoir project in a manner conforming to such compact with such exceptions as he and the Administration created pursuant to the compact may jointly approve;

WHEREAS, the State of Colorado (“Colorado”) recognizes the need for a multi-purpose storage account in John Martin Reservoir for storage of water for various entities, including for municipalities, well augmentation and surface irrigation improvement replacement groups, water conservancy districts, and other water users within the Arkansas River Basin in Colorado;

WHEREAS, Colorado desires to continue to allow efficiency improvements to surface water irrigation systems, improve efficiency and reduce waste of limited municipal water supplies, and enhance transparency and improve operations related to replacement of well depletions in Colorado;

WHEREAS, this multi-purpose storage account may increase monitoring and accounting obligations for both Colorado and the State of Kansas (“Kansas”) but at the same time provide accounting transparency;

WHEREAS, the Arkansas River Compact Administration (“Administration”) recognizes that it has the authority to create the multi-purpose storage account as provided for herein, but that neither the Administration nor either of its member States has any obligation to create the account provided for in this Resolution;

WHEREAS, a pilot project utilizing a multi-purpose storage account would provide an opportunity for both States to gain an understanding of such an account and determine whether the account poses any risk to downstream water users; and

WHEREAS, the States have identified several long-standing disputed issues related to the spill of John Martin Reservoir, the Pueblo Winter Water Storage Program, and the maintenance of winter return flows to and below John Martin Reservoir.

NOW THEREFORE, BE IT RESOLVED that, pursuant to Section 2 of the Act of Congress approving the Compact, the Administration has prescribed procedures for the administration of the Compact and the establishment of a pilot project multi-purpose account in John Martin Reservoir with a maximum content of 20,000 acre feet at any one time in accordance with an operating plan established by the agreement of the States that does not modify, conflict, or interfere with any duty or obligation of the Chief of Engineers of the U.S. Army Corps of Engineers.

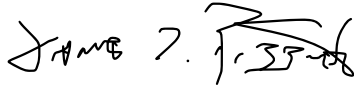
BE IT FURTHER RESOLVED that the States are committed to resolving the long-standing disputed issues related to the spill of John Martin Reservoir, the Pueblo Winter Water Storage Program, and the maintenance of winter return flows to and below John Martin Reservoir as a component of this pilot project.

BE IT FURTHER RESOLVED that this Resolution shall not be affected by the termination of the 1980 Operating Plan, except those operations associated with the multi-purpose storage account pilot project which rely on the existence of the 1980 Operating Plan shall no longer occur if the 1980 Operating Plan is terminated.

BE IT FURTHER RESOLVED that this authorization of the multi-purpose account will terminate on March 31, 2028, unless extended by a future resolution of the Administration.

ADOPTED by the Arkansas River Compact Administration at the Special Meeting held virtually on this 1st day of July, 2022.

The effective date of this Resolution shall be the date on which the Chief of Engineers of the U.S. Army Corps of Engineers, or his duly authorized representative, gives his concurrence by signing and dating below in the space provided.



James T. Rizzuto, Chair
Arkansas River Compact Administration

7/01/2022

Date



Stephanie Gonzales, Recording Secretary
Arkansas River Compact Administration

7/01/2022

Date

Concurrence

Patrick M. Stevens V, P.E., PMP
Lieutenant Colonel, U.S. Army
Commander and District Engineer, Albuquerque District
Duly Authorized Representative of the Chief of Engineers
U.S. Army Corps of Engineers

5 July 2022

Date