

ARKANSAS RIVER COMPACT ADMINISTRATION - December 08, 2022

ARKANSAS RIVER COMPACT ADMINISTRATION

2022 ANNUAL MEETING

THURSDAY, DECEMBER 8, 2022

8:30 A.M. (MST)

Lamar Elks Lodge No. 1319

28157 US Highway 287

Lamar, CO 81052

CALDERWOOD-MACKELPRANG, INC.
(303) 477-3500

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APPEARANCES:

Chair and Federal Representative:
James T. Rizzuto, Swink

For Colorado:
Rebecca "Becky" Mitchell, Denver (via videoconference)
Lane Malone, Holly
Scott Brazil, Vineland

For Kansas:
Earl Lewis, Manhattan
Randy Hayzlett, Lakin
Troy Dumler, Garden City

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P R O C E E D I N G S

* * * * *

1 THE CHAIRMAN: Good morning. We'll call the
2 Arkansas River Compact Administration, 2022 Annual
3 Meeting, to order at 8:41 Mountain Standard Time.
4 We'll introduce ourselves, people here at the front
5 desk and who they represent, and then I'll kind of
6 lay out how the meeting will go today.

7 My name is --

8 MR. SALTER: Quick suggestion. Do we want to
9 go off-record to do the introductions, for the
10 court reporter's benefit, and do you want to have
11 them put it in the record --

12 THE CHAIRMAN: Would that help you?

13 THE COURT REPORTER: Whatever is --

14 THE CHAIRMAN: Probably. Now, we'll do that.
15 So, we'll go off-record to introduce ourselves.

16 (Discussion off the record)

17 THE CHAIRMAN: Okay, we'll go back on the
18 record. And welcome, to everyone, to the annual
19 meeting. For your benefit, this is both, an
20 in-person and virtual meeting, so we'll need to
21 respect those who are on, virtually, to give them
22 time to speak, if they so wish.

23 Also, all the names, of the people who are on
24

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1 virtually, as well as those in person -- your
2 names -- please sign the sign-up list. Those, that
3 are on virtually, we'll get your names based on
4 log-in. And that will become Exhibit A to today's
5 meeting.

6 (Exhibit A was marked)

7 THE CHAIRMAN: Over the course of today's
8 meeting, any state rep., who wants to talk, please
9 identify yourself for the court reporter, as well
10 as introduce any staff, that you would like to,
11 prior to your presentation.

12 One thing I'd like to mention. We'll probably
13 take maybe one break. We'll see how the meeting
14 goes, but we will take at least one break, during
15 the course of this meeting, and give you a chance
16 to get some coffee or whatever.

17 So, at this point in time, I am going to ask
18 the members of the commission to review, and see,
19 if there are any revisions to the proposed agenda.

20 MR. LEWIS: (Shakes head)

21 THE CHAIRMAN: None? None?

22 (No response)

23 THE CHAIRMAN: Becky, do you have --

24 MS. MITCHELL: None.

25 THE CHAIRMAN: Okay. All right, so we'll

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1 adopt the agenda. Probably, we need a motion for
2 that, so, if someone could --

3 MS. MITCHELL: I would make a motion.

4 THE CHAIRMAN: Thank you, Becky. Second?

5 MR. HAYZLETT: Second.

6 THE CHAIRMAN: Okay. How does Kansas vote?

7 MR. LEWIS: Kansas votes aye.

8 THE CHAIRMAN: Colorado?

9 MR. BRAZIL: Aye.

10 MR. MALONE: Aye.

11 THE CHAIRMAN: And for the benefit of anyone
12 who is new, the voting goes -- each state votes one
13 vote. So there will be a motion and a second, and
14 then Colorado and Kansas will be given the
15 opportunity to vote their position.

16 So, that agenda will now be a part of
17 Exhibit B.

18 (Exhibit B was marked)

19 THE CHAIRMAN: This is the time where Randy,
20 who is the vice-chairman, and myself, get to give
21 you any update on whatever we'd like. So I'll
22 start with Randy, to see if you have anything to
23 bring us up to date on.

24 MR. HAYZLETT: Not a lot to bring you up to
25 date on, just a quick comment. We gathered last

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1 night, and had a meal, to recognize Bill Tyner and
2 Phil Reynolds. We wish them the best as they look
3 at retirement. It has been good knowing them and a
4 lot of good friends there. Would just like to say
5 that this will be my last Compact meeting, as well,
6 so I will miss everyone, but I wish the
7 camaraderie, and the cooperation, will continue in
8 the future. Yep.

9 THE CHAIRMAN: I didn't realize this would be
10 your last meeting, Randy, because you have been one
11 of the longest-serving members of the Compact. You
12 started in the '90s.

13 MR. HAYZLETT: Yes. That's correct.

14 THE CHAIRMAN: So --

15 MR. HAYZLETT: Shortly after they dug the
16 river.

17 (Laughing)

18 THE CHAIRMAN: Well, all the best to you, and
19 I join in congratulating those that are retiring,
20 and we'll get to hear from them, I am sure, as the
21 meeting goes on.

22 I really don't have much to update anyone on.
23 One, we're excited on the Colorado side. Finally,
24 funding has come through for the Conduit, and I am
25 sure there is some discussions going on, amongst

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1 the cities along the river, for final
2 implementation. But it looks like we have gotten
3 quite a few million dollars. I heard 60,
4 initially. There may be more, from talking to
5 Governor Polis, that might be available. So, that
6 will be moving along.

7 With that, let's move forward with reports of
8 federal agencies, U.S. Geological Survey. Is
9 Brandon Forbes here? Did anyone -- is he here?

10 MR. FORBES: Good morning, everybody. Can you
11 hear me back there? Excellent.

12 MR. SALTER: I think we may have a problem.
13 You have more than one slide for your show,
14 correct?

15 MR. FORBES: That is correct.

16 MR. SALTER: Okay. My apologies, I thought I
17 had it loaded.

18 MR. FORBES: You're okay, Kevin. (Brief
19 pause) Look good? Thanks, Kevin.

20 Good morning, everyone. My name is
21 Brandon Forbes. I am the associate director of the
22 Colorado Water Science Center. I am stationed in
23 Pueblo, Colorado. I am here today with a group of
24 leadership and staff from both, the Colorado Water
25 Science Center and the Kansas Water Science Center,

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1 to present our Water Year 2022 numbers for the
2 Lower Ark gages that we have with the -- with the
3 ARCA agreements.

4 First off, I'd like to thank Mr. Chairman, and
5 the board, for allowing us to speak today and
6 giving us this opportunity. I also want to
7 thank -- the opportunity for Krystal, to present
8 last night, of the technical committee and share
9 some of our information at -- at the sites last
10 night. Thank you very much.

11 First off, this is a map that shows an
12 overview of the gages that we operate. In
13 agreements with ARCA, we have five mainstem sites:
14 The Ark at Las Animas, the Ark below John Martin,
15 the Ark at Lamar, the Ark near Granada, and the Ark
16 near Coolidge, Kansas.

17 We also have three tributary sites -- the Big
18 Sandy Creek near Lamar, which we'll talk about;
19 Wild Horse Creek above Holly; and the Apishapa
20 site. We also have Frontier Ditch, that we operate
21 out of the Kansas Water Science Center.

22 The next slide, please. I just want to
23 reiterate what we spoke about last night, about the
24 proposed changes to the agreement. We spoke about
25 the challenges that we're facing at Big Sandy

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1 Creek, and what we would like to do is utilize the
2 equipment, and the funding, that were -- were
3 provided to operate the site -- and move that
4 equipment and funding to re-occupy the Ark River at
5 Holly Site Gage. We were able to see some cost
6 savings by reusing the stream gage equipment,
7 that's at Big Sandy, and also bring the USGS
8 federal funding, that we talked about last night,
9 to help with the O&M costs at that new site.

10 There is a proposed additional one-time fee of
11 the installation cost and the sixth additional
12 stream flow measurements, that we talked about last
13 night. And if there is any questions at the end,
14 we can -- we can address those then.

15 The next slide, please. I am going to go
16 through a couple of sites and talk about the -- the
17 water-year history that we measured this year. The
18 first site is the Ark at Las Animas. On the
19 left-hand side, you can see a hydrograph,
20 throughout each month of the water year, that shows
21 how the river behaved, compared to how it has
22 behaved, historically. And the -- the red/orange
23 values are lower-than-average flows, using the
24 long-term average, green is about average, and then
25 blue and purple are above-average flows.

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1 You can see that throughout the year the --
2 the hydrograph -- trended in the early part of the
3 year, in below-average flows, and then, during the
4 summer storms, we were -- we were about average
5 flows.

6 On the right-hand side of the -- this slide
7 here -- you can see the flow hydrograph
8 accumulation chart, that shows the timing of the
9 flows and how the volume of flows have accumulated
10 over the years and past the gage. This past water
11 year we have measured 88,746 acre-feet, about
12 47 percent of the long-term average.

13 Here is the same information for the
14 Purgatoire near Las Animas, one of the tributaries
15 to the mainstem. You can see the beginning of the
16 year we were just below-average flows -- and the
17 monsoon season and summer storms kicked in, and we
18 actually had some above-average flows. However,
19 the accumulation hydrograph on the right-hand side,
20 the black line, shows Water Year 2022. You can see
21 that we're below average, for the total flows that
22 have passed that gage, compared to the long-term
23 record. And in Water Year 2022, we measured
24 12,145 acre-feet, which is 29 percent of the
25 long-term average.

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1 Next slide, please. The next slide we'll talk
2 about is the Ark below John Martin. Similar
3 pattern here, that we're seeing in the upper part
4 of the basin. The beginning of the water year,
5 flows were low and below average, and then raised
6 slightly in -- in May and June -- and then tracked
7 downward, to slightly below average, throughout the
8 rest of the water year.

9 The flow accumulation hydrograph, you can see
10 on the right, is actually interesting. Between
11 October and March, it was some of the lowest, the
12 lowest accumulation that we have observed, but the
13 April-to-September period brought those -- that
14 accumulation record -- above our lowest observed
15 value, and at the end of the water year we measured
16 98,156 acre-feet, passed by this gage, 49 percent
17 of the long-term average.

18 The next site we'll talk about is the Ark at
19 Lamar, again similar trends. But in the beginning
20 of the water year, we're actually right around
21 average. And this site, the majority of this site,
22 traced about average flows for the year. You can
23 see that similar pattern in the accumulation
24 hydrograph, where, at the end of the water year,
25 it's slightly tailed off, compared to long-term

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1 average. And at this site, in Water Year 2022, we
2 measured 27,118 acre-feet, which is 34 percent of
3 the long-term average.

4 The next site we'll talk about is Ark at
5 Granada, similar pattern here. The year started
6 off slow. December to March had lower-than-average
7 flows, and then March through April, also,
8 exhibited that but a similar pattern. Its
9 historical flow shows -- you can see here the
10 summer storms in May and June produced some
11 slightly larger flows. And in this site, the
12 accumulation hydrograph shows about 23 percent of
13 the long-term average with 26,600 acre-feet passing
14 this site in Water Year 2022.

15 In the Arkansas River at Coolidge -- I believe
16 this is the last site we'll talk about -- the
17 beginning of the water year started off just
18 below-average historical flows and then bumped up
19 into average regimen.

20 The accumulation hydrograph shows a similar
21 pattern. At the end of the year, we measured
22 23 percent of the long-term average, and 33,160
23 acre-feet passed by this site in '22.

24 Here is a table that shows all the gages that
25 we're monitoring, in cooperation with ARCA,

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1 throughout the basin. You can see very similar
2 patterns here.

3 Next slide, please. Here is a summary slide
4 about the 2022 water year, the two major
5 tributaries to John Martin. The Apishapa and the
6 Purgatoire produced 32 percent and 25 percent of
7 the long-term average, respectively. Outflow from
8 John Martin Reservoir produced about 49 percent of
9 the long-term average, average flow.

10 I also wanted to say a huge thanks to the USGS
11 staff in both, Colorado and Kansas, for the work
12 this year. And this is an interesting factoid
13 about the basin. If you -- if you add up all the
14 years of operation, for every gage in our agreement
15 today -- the network has just under 700 years of
16 gage operation, and in Water Year 2022 these gages
17 required over 125 individual discharge measurements
18 for calibration.

19 And with that, I'll take any questions.

20 THE CHAIRMAN: Questions?

21 (No response)

22 MR. MALONE: No.

23 THE CHAIRMAN: Okay, none.

24 MR. FORBES: Thank you.

25 THE CHAIRMAN: Thank you. That report will be

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1 added as Exhibit C, unless there is objections.

2 (Exhibit C was marked)

3 THE CHAIRMAN: Next I call upon the U.S. Army
4 Corps of Engineers, Lt. Colonel -- and excuse me if
5 I get this wrong -- Hans -- Hansbrough? Is that
6 good?

7 LTC HANSBROUGH: Yes, you guys -- that's --
8 that's correct --

9 THE CHAIRMAN: Oh.

10 LTC HANSBROUGH: -- and thank you very much.

11 THE CHAIRMAN: Great.

12 LTC HANSBROUGH: I am sorry I can't be there
13 in person. I was looking forward to it, and I
14 ended up being in meetings until late yesterday
15 afternoon, in Albuquerque. I wasn't going to make
16 a drive that would get me there around -- closer to
17 midnight. So I apologize for that, because I was
18 really looking forward to meeting all of -- all of
19 you in person. This is my first engagement with --
20 with the Compact here.

21 So I took command in July, and I have been
22 working, diligently, on learning the region and
23 learning the challenges within it. So, again,
24 apologize for not being there.

25 I do have a couple folks of -- on staff, that

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1 are there in person -- so, Nabil Shafike. Probably
2 pronounced his name wrong. Nabil, if you can wave
3 your hand. You might be the one operating the
4 slide. I am just not sure.

5 So, he is our water quality -- he is our water
6 manager-in-chief. I also believe I have Jacob
7 Williams in the room, and he is our ops chief for
8 the John Martin Dam. Then, online, I believe I
9 have Kim Falen. Yes. Okay, she is on -- she is
10 our ops chief for the Trinidad Dam. So, when you
11 guys talk about a hard question, I can't answer, I
12 will probably defer over to them.

13 Okay, so we can get to it. So, if you can go
14 to the next slide, please. So, we are going to
15 cover a few things. It was helpful having the USGS
16 upfront, pick up a lot of the pieces for the water
17 flow, for what's happening, with the details
18 between the sites that we have. But we'll talk
19 about the water management, overall, some of the
20 water quality that we saw in the -- in the
21 reservoirs. We'll talk the ops and maintenance
22 pieces, that we have been going -- that we did this
23 year, major pieces -- some minor civil works
24 pieces, and EM coordination.

25 So go to the next, please. Okay, thank you.

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1 So, last year, the bottom line is it was -- we had
2 less water than projected, which is never a good
3 thing. The overall; we expected 74 percent of
4 the -- the headwaters -- to run into the -- our
5 first dam going into Trinidad, and we ended up
6 being -- so 13, 13 percent, lower than anticipated.
7 Instead of 37, we had 24 for it.

8 The John Martin with total flow -- we, also,
9 had a reduction. We ended up getting 18 percent
10 less than anticipated for the year. Concerning,
11 but it's the fact of the matter, and we'll expect
12 to see the next forecast in January. Right now
13 it's expected to be similar, hopefully trending
14 upwards, with a little bit of extra luck on the
15 matter.

16 Okay, go to the next slide, please. So, the
17 flows follow a lot of what USGS is talking about,
18 for where the routine season happened toward the --
19 the center part of the year.

20 So, overall, we started -- we started the year
21 with 20,000 acre-feet stored, and we closed up
22 with -- I -- see where it's actually -- and the --
23 and ended up with 18,000 acre-feet, so, definitely
24 a lower start point than we were hoping for.

25 Total flow for this year was 30,000 acre-feet.

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1 And, again, this is for the Trinidad Dam. I
2 apologize for not saying that upfront. When we
3 looked at the flood control operations, we didn't
4 have to do any during 2022, and we didn't have any
5 zebra or quagga mussels detected during monsoon
6 monitoring. So, that's good maintenance happening
7 on that piece.

8 The next slide, please. For John Martin, we
9 started about 16,000 and change, for acre-feet, and
10 ended with about 11,000 in -- in the dam -- a total
11 of 11,000 acre-feet, and that's 45 percent of the
12 anticipated Compact year inflow that we solved
13 throughout. We also had no flood management
14 operations required, and we did not have any zebra
15 or quagga mussel detected for this location.

16 Next please. So, when we look at the water
17 quality monitoring -- these are the stations that
18 we had set up across the two reservoirs for it --
19 and, as I am new to this forum, it took me a
20 second -- when you were talking about the Ark this,
21 the Ark that -- I was picturing some 400 cubic flow
22 and in these different locations. Then I realized,
23 got it, it's shorthand. So, I am glad I could pick
24 that one up.

25 So what we're seeing along the -- the Ark

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1 here -- we're -- we're seeing pretty -- we're
2 collecting, on a monthly basis, the water quality
3 from the reservoirs. We have been doing it since
4 2012, I see up here.

5 So this is the -- the categories that we have
6 collected -- profiles, measurements, the visual
7 clarity, and checking on the -- the mussels.
8 The -- the sites, that collect on these here -- the
9 specific conductance, the dissolved oxygen,
10 turbidity, water temperature, pH -- these are
11 conducted at 15-minute intervals for the site. So,
12 we have pretty active engagement on these. This is
13 throughout the Riverine project.

14 So, if I could go to the next slide, please.
15 So these are the -- the outputs from the data that
16 we have been collecting -- and the key part here is
17 what this is going to affect on central crops, for
18 use in the irrigation on it.

19 The -- we're not seeing any expected effects
20 for beans, potatoes, or alfalfa, based on the
21 specific conductance at this time, coming out of
22 either of these sites.

23 Next. Thank you. Now, when we look at this
24 piece here, we do expect to -- sorry, I have got my
25 notes backwards here. Oh, so that was the

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1 upstream. This is the -- the outstream piece. And
2 based on the specific conductance, the -- we do
3 expect to have potential impacts on certain crops
4 on here, for the beans, potatoes, alfalfa, wheat,
5 sugar beet -- wheat, sugar beets, and barley -- are
6 all expected to have some impacts based on the time
7 of the year. It has to do with the timing for how
8 the water is collected, through, and the amount of
9 recycle going on. Once the flow is happening, it
10 tends to level out, as we're releasing water, and
11 we get it to decent levels later on. As you can
12 see, there is some concern for the downstream for
13 John Martin, for the wheat and -- just for
14 everything, except for wheat and sugar beets.

15 Next, please. So ops and maintenance, ops and
16 maintenance going on at John Martin and Trinidad;
17 generally, routine activities are going on out
18 here. We are looking at -- or we have installed
19 some piezometers at John Martin. This here allows
20 us to better manage the -- the internal dam
21 pressure, maintain the internal dam pressure --
22 gives us better information to make sure the dam is
23 staying healthy and strong. And we're looking good
24 so far.

25 For Trinidad, we're just continuing to work on

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1 the miscellaneous contracts to replace sump pumps
2 in the dam tower to keep everything operating
3 smoothly, so we can let things out when we want and
4 keep them in when we want.

5 Next, please. The Civil Works projects and --
6 not a whole lot going on in the area at the time.
7 The only one here is the Section 206, in Spring
8 Creek, and it's really focused on wetland
9 restoration. Everything is going well, on track
10 for this year. We've had good cooperation across
11 the board.

12 Next, please. Then I just want a
13 clarification for emergency, emergency management.
14 It was a busy year for the Albuquerque District,
15 overall, more responding on the -- the New Mexico
16 side with the wildfires -- but some, of the lessons
17 learned, are making sure that we are engaged, early
18 and often, with an understanding of the authorities
19 for Public Law 84-99.

20 It's really important, should this happen on
21 the other side, or on the Colorado side, as well,
22 to make sure that we're coordinated with the local
23 and state authority, just so that we can be
24 helping, in the best way possible, for any
25 potential emergencies going on.

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1 Again, we didn't have any specific responses
2 this year, for Colorado, but not too far away. I
3 am sure you guys got some of the smoke, especially
4 in the southern Colorado area.

5 Next, please. So that -- that's the main
6 piece of information for it. It's kind of the
7 synopsis of the report. We will put more detail in
8 the report, itself, which I believe has been
9 distributed (holding up document). It looks like
10 this.

11 Okay, the next year is going to be a big deal
12 because it's the 75th anniversary for the John
13 Martin Dam, so, we're looking forward to doing
14 something for that. Mr. Williams is in the room.
15 He is going to be the lead planner for it because
16 he is out there, on-site, and -- and get more
17 information to this group -- as we develop the
18 actual agenda activities, that we plan for it.

19 And with that, I open up for any questions. I
20 apologize I was a little bumpy and awkward,
21 presenting from a seated position. I am not used
22 to that. So my apologies there, too.

23 THE CHAIRMAN: Okay.

24 LTC HANSBROUGH: Questions, please?

25 THE CHAIRMAN: Good. Thank you. Questions

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1 for Lieutenant Colonel?

2 (No response)

3 THE CHAIRMAN: None? Okay. Thank you very
4 much for your report. We look forward to seeing
5 you at the 75th Anniversary of John Martin next
6 year.

7 LTC HANSBROUGH: Same here. Thank you.

8 THE CHAIRMAN: Okay. The Corps of Engineer
9 report will be added as Exhibit D to today's
10 meeting.

11 (Exhibit D was marked)

12 THE CHAIRMAN: U.S. Bureau of Reclamation,
13 Jeff Rieker and Mike Holmberg.

14 MR. HOLMBERG: All right. Good morning,
15 everybody. So I am Mike Holmberg. I am the acting
16 facility manager at Pueblo Dam with the Bureau of
17 Reclamation. The -- the information that I have
18 for you today is just a quick Fry-Ark update. It's
19 actually the same, a boiled-down version, of what I
20 presented yesterday, so I am going to gloss over it
21 and not bore you too much with the same details.

22 So here are the numbers for current
23 conditions, as of November 29th. Turquoise Lake is
24 at 89 percent of average for this time of year,
25 Twin Lakes at 104 percent, and Pueblo to

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1 109 percent of average. And that's kind of the --
2 the trim that we saw most of Water Year '22 -- as
3 we stayed a little below average at Turquoise,
4 average to below at Twin, and then right around
5 average at Pueblo Reservoir.

6 Turquoise; you can see that. We were a little
7 bit below average most of the year. There was an
8 especially low period in -- around March and
9 April -- and that was moving water out of Twin --
10 or, I'm sorry, out of Turquoise into Twin -- to
11 generate power.

12 And then you can see that uptick, in getting
13 closer to average in March and April at Twin Lakes,
14 and then we stayed mostly below average, for the
15 majority of the year, at Twin.

16 And then, Pueblo, it seemed to look pretty
17 similar from year to year. We stayed right about
18 average, to a little above, for most of the year.

19 So, our Fry-Ark forecast. Every year our
20 office puts out an import forecast on February 1st,
21 March 1st, and April 1st, and then on May 1st we
22 put out our official forecast.

23 So, you can see we started out at 59.1
24 thousand-acre-feet in February. In March, that
25 dropped to 47,400 -- and then 42,300 in April, and

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1 then, in May, we anticipated we would import about
2 45,300 acre-feet.

3 Each year -- or we open the collection system
4 in the third week of April. We ran bulldozers, and
5 we have a crew, out of the Mount Elbert field
6 office, that goes up there and plows out the
7 collection system up above Aspen and Basalt.
8 Usually during, you know, peak run-off, is when we
9 also hit our peak imports, and then usually, around
10 late July -- mid to late July, sometimes early
11 August, depending on the year -- we're usually done
12 importing.

13 In Water Year '22, we imported a total of
14 47,232 acre-feet, nearly hitting that -- that
15 forecast, just slightly above what we forecasted.

16 And then here is just a graph of the -- the
17 daily imports and the cumulative imports, daily on
18 the right-hand axis, cumulative on the left. You
19 can see kind of that monsoon pattern there in -- in
20 mid June to early July -- and then, also, we had a
21 little bit of a cool-down, around the last week of
22 May, first week of June, that slowed down the
23 import year. I think, by July 17th, we were done
24 importing, Water Year '22.

25 And again, like last, I have to apologize. I

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1 have got a typo on this, on this slide. The winter
2 water stored in Pueblo was actually 34,461, not
3 the -- the number shown on there. It fluctuated,
4 pretty wildly, toward the -- the later part of the
5 winter -- but, early on, we were seeing inflows of
6 around 100 to 300 acre-feet per day. And then,
7 from there, it kind of changed on a daily basis,
8 pretty rapidly, based on snow melt and -- and some
9 of those winter -- or late winter/early spring
10 patterns.

11 Our current conditions, our current winter
12 operations; right now, we're releasing 15 cfs out
13 of Twin Lakes and 3 cfs out of Turquoise Lake.
14 Those are the minimums. We might have to see some
15 increases in that, based on the admin account and
16 -- and where the reservoir needs to be.

17 Generally, we tried to have an 60,000
18 acre-foot hole in the upper reservoirs, to make
19 sure we have enough room for spring imports. We
20 have 35,000 acre-feet of project space available
21 right now, so we're going to need to move down an
22 additional 25,000. We'll start moving that after
23 January 1st. Movement of water from those upper
24 reservoirs are dependent on the current snowpack,
25 the current forecast, and also customer demands.

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1 And then the power plant at Turquoise Dam --
2 at Turquoise, which is Sugar Loaf Dam -- was
3 recently purchased, and they are going to be moving
4 some water, or requesting that we move some water,
5 for them to generate power. So, we'll be working
6 with them and try to maximize their ability to
7 "generate."

8 So, like I said, quick and dirty, that's all
9 that I have. If you have any questions for me,
10 I'll take some at the end. But, for now, I will
11 turn it over to Jeff Rieker.

12 MR. RIEKER: All right, good morning. So my
13 name is Jeff Rieker. I am the eastern Colorado
14 area manager for Reclamation, and I am just going
15 to provide some kind of higher-level general
16 updates on some of our activities in the Ark Basin.

17 I am going to start off with a discussion
18 about funding activities. And as you can imagine,
19 this has been a pretty significant focus of our
20 agency here, recently, given several pieces of
21 recently passed legislation related to funding, and
22 perhaps the most significant of those was the
23 Bipartisan Infrastructure Law. We call that BIL
24 for short, within Reclamation, and it's also known
25 as the Infrastructure Investment in Jobs Act, IIJA.

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1 So that legislation actually provided about
2 \$8.3 billion in total, to Reclamation, between now
3 and 2026, primarily for water infrastructure, and
4 the funding is distributed across 18 different
5 program areas, essentially categories, and funding
6 within those categories is going to be distributed
7 each year, between now and 2026, according to some
8 pretty specific formulation, and selection
9 guidelines and processes, that are specific to each
10 of those categories.

11 Yeah, so I am not going to get into all the
12 details on the different categories -- you can
13 definitely read more about that at the website,
14 that's on the slide there -- but I am going to talk
15 about some of the significant investments, that
16 have been made here in the Ark Basin thus far, out
17 of two of those different categories.

18 So the first is the Pueblo Recovery of Storage
19 Project. This was described in more detail by
20 Mike Holmberg yesterday, during the engineering
21 committee meeting, so I will just mention it at a
22 higher level. It's a sedimentation study of Pueblo
23 Reservoir being conducted in conjunction with the
24 Southeastern Colorado Water Conservancy District.

25 The purpose of this is to review the issue of

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1 storage loss, and over the years due to
2 sedimentation, and that project was provided a
3 million dollars, out of the aging infrastructure
4 program area, of the -- the infrastructure law.

5 The second one, which the chairman noted
6 earlier, is our investment in the Ark -- Ark --
7 Arkansas Valley Conduit, AVC, and that was recently
8 provided \$60 million out of the storage and
9 conveyance program area of the bill.

10 So that funding is, of course, in addition to
11 the appropriated funding, that our agency has been
12 providing in recent years for the AVC, and I am
13 going to talk a little bit more in detail, provide
14 more of a detailed update on that, in just a minute
15 here. And so, again, those are two of the major
16 items, out of the infrastructure funding, and you
17 can read more about all of that at the website up
18 there.

19 Another funding area I did want to highlight
20 is our WaterSmart program. So this is a program
21 that has been ongoing for many years within
22 Reclamation, funded from a variety of different
23 funding sources, but it also received additional,
24 additional funding, from the infrastructure law
25 investment there.

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1 And so here, in the Ark Basin, we've had, you
2 know, several grants awarded out of this program
3 area, in recent years, and those were also covered
4 yesterday by Chris Gnau of our agency, during the
5 engineering committee meeting, so I'll just touch
6 on them here.

7 So, in brief, the Purgatoire River Water
8 Conservation District was essentially secured
9 through this program, a water efficiency grant, and
10 that was for the installation of automated
11 headgates. And they are pursuing additional grants
12 for similar activities out of that program.

13 In addition, the WaterSmart program helped
14 fund a -- a grant, to the Purgatoire Watershed
15 Partnership -- for ecology and channel process
16 restorations that are occurring in the Purgatoire
17 River, up there in the Trinidad area, and we've had
18 an applied science grant, come out of the
19 WaterSmart program, to help fund some of the
20 modeling efforts that are going on, as well. So
21 you can see more information about the WaterSmart
22 program at the website, that's shown up on the
23 slide there, as well.

24 So those are just a couple of the major
25 funding updates, that I wanted to provide here

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1 today, and did want to take just a brief moment to
2 provide an update, on the Department of Interior,
3 and Reclamation's, overall leadership and
4 organization.

5 It's -- compared to years past, we have
6 actually kind of settled into a pretty stable
7 state, as far as our leadership structure goes, and
8 I say that because I know there has been years
9 past, when we have seen a fair amount of transition
10 in the leadership positions, both at our area and
11 the region and the national levels, and -- but
12 we're settling into a pretty stable current state
13 there, which I think has been good for all the
14 activities on the Fry-Ark, and the Purgatoire area,
15 that we cover.

16 And in addition, we've had a lot of stability
17 in our organizational structure as of late. I
18 think some of you may recall that, in years past,
19 there was a look at transitioning the eastern
20 Colorado area into a new regional organizational
21 structure, that would have combined us with the
22 upper Colorado River region. But that has been
23 settled. We're remaining under the Missouri Basin
24 regional structure, within our agency, but we do
25 now have expanded ties to the upper Colorado River

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1 region. And that's working to our advantage --
2 since the Fry-Ark project arrives. It's water
3 supply from that upper Colorado River Basin, and we
4 are having regular meetings with our Reclamation
5 colleagues, on the western side of the state, as
6 well as throughout the Colorado River Basin, and
7 closely monitoring the situation there, given the
8 drought conditions that we're seeing throughout the
9 Colorado River Basin and how that may impact our
10 state. So that's, you know, definitely something
11 we'll remain engaged in -- and quite a -- quite a
12 focus of the agency.

13 So, if we can go to the next slide. This is
14 our last slide. I just wanted to provide kind of a
15 more-detailed update on what's going on with the
16 Arkansas Valley Conduit, and specifically covering
17 some of the milestones that we accomplished this
18 last year, as well as where we're headed this next
19 year.

20 And just as a reminder -- so this project is
21 being constructed as a joint, federal and local
22 effort, in conjunction with the Southeastern
23 Colorado Water Conservancy District. Essentially,
24 the federal government is constructing the trunk
25 line, that'll lead from Pueblo out here to Lamar,

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1 and then Southeastern is working to construct those
2 spur and delivery lines, and that's why you're
3 seeing funding coming from both, the federal
4 government, as well as state and other sources, on
5 the project.

6 So, from the federal side, 2022 was a really,
7 really big year for this project -- and just some
8 highlights here. Back in February, we completed
9 the updated environmental compliance documents, the
10 NEPA documents, for the project to move forward.

11 In March, we took a big step forward and
12 signed a three-way agreement, between Reclamation,
13 the Pueblo Board of Waterworks, and Southeastern,
14 and that allowed for the conveyance of AVC water
15 through the City of Pueblo's existing
16 infrastructure, which cut out a significant
17 potential portion of the project, that would have
18 had to go around the city of Pueblo, and definitely
19 reduce the timeline for the project, significantly.
20 So that was a huge step forward for the project.

21 In September, we were happy to award our first
22 major construction contract for that first reach of
23 pipeline, that's leading out of Pueblo towards
24 Boone, as well as several other
25 construction-related contracts in that month.

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1 And then in October, as I mentioned, we
2 received that \$60 million announcement out of the
3 Bipartisan Infrastructure Law funding, and so that
4 was, of course, huge as we move forward.

5 So now, as we're headed into 2023, we have got
6 an exciting year ahead. We're looking forward, in
7 late February, to the mobilization for construction
8 on that first reach, so, folks will start to see
9 machinery out there, as we move forward with that,
10 and we're anticipating, during this next year, the
11 completion of the design and contracting processes
12 for the remainder of the reaches and -- and
13 segments -- that'll lead down towards Boone there.

14 So, really excited to see things moving
15 forward. This is going to be a -- a really big
16 year coming up, as we get into construction in a
17 major way -- and I look forward to keeping everyone
18 posted, on the progress of the project, as we move
19 into future years.

20 And with that, that's all I have to report for
21 today, so, happy to take any questions.

22 THE CHAIRMAN: Okay, thanks. Jeff --
23 questions for Jeff or Mike?

24 (No response)

25 MR. RIEKER: All right.

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1 MS. MITCHELL: Oh --

2 THE CHAIRMAN: I just -- I have one. Or,
3 Rebecca --

4 MS. MITCHELL: Yes?

5 THE CHAIRMAN: -- were you --

6 MS. MITCHELL: I just wanted to kind of echo
7 some of what was said, regarding the Arkansas
8 Valley Conduit, the funding coming in and how
9 important that is, and -- and how appreciative we
10 are for the Bureau's attention to that. So that
11 was it.

12 THE CHAIRMAN: Okay. Thank you. A question:
13 Of what kind of is the time frame now on the
14 Conduit --

15 MR. RIEKER: Well, I am -- so --

16 THE CHAIRMAN: -- for completion?

17 MR. RIEKER: Right. That'll be certainly
18 highly dependent on how -- how well we can continue
19 to fund things. Of course, we're subject to
20 ongoing appropriations funding, in our annual
21 appropriations process, as well as the selection
22 processes for the infrastructure funding. Original
23 plan was roughly a 15-year time frame, under kind
24 of what we expected under our annual appropriation
25 processes, but now that we're getting these boosts

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1 from the infrastructure funding, we anticipate that
2 we should be able to accelerate that,
3 significantly.

4 The exact degree of acceleration is going to,
5 again, depend highly on -- on how well we can keep
6 that funding flowing in, in a -- you know, kind of
7 echo what -- what Becky just said -- you know, we
8 appreciate the state funding, that's coming in for
9 the other parts, because all of this really creates
10 that synergy to move the project forward as fast as
11 we can.

12 THE CHAIRMAN: All right. Randy?

13 MR. HAYZLETT: Just curious why it ended at
14 Lamar, rather than going clear to Holly. I have
15 always kind of wondered that question.

16 MR. RIEKER: That is a good question. We have
17 to double-check. I believe there was elements of
18 that relating to the original authorization, as
19 well as kind of the service area that was
20 designated, so -- but if you're -- yeah, if you're
21 interested, we could certainly check further into
22 that and have a further discussion into it.

23 THE CHAIRMAN: And I just have one more.
24 Are -- all of the communities bought into the
25 project? I have -- I have heard some are still a

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1 little reluctant.

2 MR. RIEKER: Yeah, so -- and that would be a
3 great one for the Southeastern District --

4 THE CHAIRMAN: Okay.

5 MR. RIEKER: -- because, as our local partner,
6 they're responsible for securing all of their
7 repayment structure for the project, and so they
8 have been working, diligently, on that piece of the
9 project.

10 THE CHAIRMAN: Okay, good. All right. No
11 other questions?

12 (No response)

13 THE CHAIRMAN: Thank you, Jeff, and thank you,
14 Mike.

15 MR. RIEKER: Yeah, thanks.

16 THE CHAIRMAN: The report will become
17 Exhibit E.

18 (Exhibit E was marked)

19 THE CHAIRMAN: Next we'll have reports from
20 local water users and state agencies, but first,
21 I'll call upon the Purgatoire River Water
22 Conservancy District, Steve Kastner. Welcome,
23 Steve.

24 MR. KASTNER: Thank you, Mr. Chairman.

25 Yeah, Steve Kastner from the Purgatoire River

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1 Water Conservancy District here again today.
2 Introductions; other than me, we have Connie
3 Mantelli here, who is our office manager, and also,
4 from the City of Trinidad, Gil Ramirez, is here
5 today.

6 The City has water rights outside of our
7 district, and some of the water rights controlled
8 by the district, and so they are -- and they also
9 lease space in Trinidad Reservoir, so, they're
10 actively involved in the Purgatoire.

11 I have a few slides here today, some of my
12 typical slides, and -- and then some new
13 information today.

14 MR. SALTER: Do you know what we're looking
15 for, Steve, or --

16 MR. KASTNER: Can you make it --

17 MR. SALTER: Yeah, I am trying to --

18 MR. KASTNER: -- to a full screen? Okay, if
19 you could try to make it as big as possible.

20 Anyway, but this, this first chart -- shows is
21 our diversions. The far-right blue bar is our
22 diversions for 2022, municipal and irrigation
23 diversions during the irrigation season. So, we
24 were -- it's at 31,000, which is below our average.
25 The red line is a running five-year average. It's

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1 trending downward, not very good.

2 Our -- our snowpack -- we -- we struggled all
3 last winter to get to a hundred percent. We never
4 made it there. We got as high as about 80 percent
5 the beginning of April, but by the beginning of May
6 it was mostly gone. It was just temperatures, I
7 think. We didn't see a lot of runoff. We didn't
8 store any water during the irrigation season. In
9 our model pool, there just wasn't enough water, in
10 the Arkansas or the Purgatoire, to do that.

11 And -- and if that -- that's kind of it for
12 that chart, Kevin. The -- that's the last one.
13 There you go. Whoops, one back. One more back.
14 There you go.

15 This is our -- the red line is our diversions
16 throughout this year, the last irrigation year.
17 The red dashed line; they start in April and die
18 off in the middle of October, and the blue line is
19 our storage supply in the reserv -- reservoir, our
20 climbs during the winter -- and kind of flattens
21 out in the beginning of the spring and then heads
22 down as we use the water.

23 It was a dry spring. We didn't have much
24 runoff, didn't have a lot of precipitation, but
25 then, middle of July and August, were six good

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1 weeks of monsoon moisture, nothing severe, just
2 good steady rains. And that's the peak in the red
3 line there, in July and August. That kind of saved
4 the season for a lot of our irrigators. You can't
5 ever quite make up from a dry spring, but we did
6 the best we could.

7 Next one, Kevin, from that one. Here is kind
8 of a graph I often show. The far right ends, the
9 red and blue lines, are the -- the blue is the flow
10 at Trinidad right in the city. It takes into
11 account the reservoir releases and anything down
12 Raton Creek, below the reservoir. It -- the
13 horizontal blue line is the average for that gage,
14 so we are -- I have got a number -- 53 percent of
15 average inflow into our district. So, once again,
16 not very good, but we try to get by.

17 The red line is Thatcher, the flow at
18 Thatcher, well below our district. It also was
19 quite -- it was further below average, about
20 25 percent, during the season. That -- that kind
21 of indicates the monsoons -- although they were
22 good for us, they weren't -- I don't think they
23 went as far down the basin, as they often do, nor
24 were they so severe, or high, that much flow had to
25 be passed down. We only passed down, to water

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1 rights below our district, maybe a half a dozen
2 days during the whole season, when there was enough
3 water to warrant that under water rights
4 administration. So that kind of explains the --
5 the low red line and the distance between the red
6 and blue lines.

7 Okay. Here is a picture of last month. We
8 were putting in two of these new headgates
9 Jeff Rieker just mentioned. These are two gates
10 that are on the head of the south-side canal. I
11 think the Rubicon calls them FlumeGates. And
12 they -- they just kind of rotate over 90 degrees,
13 to let water go by or to retain, or block, the
14 water.

15 The -- the installer came down, and he -- he
16 was functioning them, riding them through to test
17 them, and they -- you can -- you can hear them when
18 they're moving, but you can't see them. They're --
19 they -- they take about 15 minutes to go
20 90 degrees, and unfortunately -- he is going to
21 come back, because we don't know how to work them
22 yet, but he gave us a 160-page manual.

23 So we are actually doing some -- we hope to
24 put in two more, or on two more ditches, this
25 winter yet. We have them sitting there, in

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1 Trinidad, so we'll -- we'll get them installed. So
2 it's good to have something moving forward.

3 This is our last ten years or so, of our
4 survey of dry -- of irrigated and dried-up lands --
5 under the district. The blue is irrigated lands,
6 and the brown, on top, are the dried-up component
7 of that. The dry-up is due to the city, Trinidad
8 dry-up, and Colorado State Parks & Wildlife dry-up.

9 And it -- as you can see, it's pretty steady.
10 It doesn't change much. It's -- it's really a --
11 what changes on the water supply is the quality of
12 the irrigation, not so much the acreage. We will
13 await the results of our survey work from this
14 summer. The Division Engineer's Office will work
15 that up this winter -- and another year of data
16 next time.

17 Kevin (next slide). Our sprinkler irrigation
18 efficiency plan; we're growing slowly. 2022, we
19 had 24 sprinklers, 1800 acre-feet of diversions.
20 Again, that diversion number is kind of based on
21 water supply availability. And we did replace
22 115 acre-feet, to the river, due to efficiency
23 improvements and lessening of return flows. So
24 that -- that's going well.

25 I don't know how many sprinklers we're,

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1 ultimately, going to get down there. Our -- our
2 land is not conducive to a lot of them, some
3 irregular parcels, and -- and we just don't have a
4 lot of acreage -- but there is an interest just
5 because of the labor savings and the efficiency of
6 time.

7 Kevin (next slide). Due to previous requests
8 the last several years of our -- at our annual
9 Trinidad project meeting in November -- we did host
10 a tour of the district, in August this year. The
11 black squiggly line is our district boundary, the
12 green is our, typically, irrigated areas, and the
13 red line is kind of the tour route. We had 30 or
14 40 people on a bus, and we spent a half a day going
15 through the district areas, making numerous stops.

16 And the previous afternoon, the Corps hosted a
17 tour of the Trinidad Dam itself, and we also had
18 some talks, by the City of Trinidad, and Parks &
19 Wildlife, and their activities at the reservoir. I
20 think it was -- I think everything worked out well,
21 and I hope people learned something and enjoyed it.
22 So that was one thing we did.

23 And this -- this may be hard to see. This is
24 another activity, less led by the district and more
25 by the Purgatoire River Partnership, that Jeff

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1 Rieker just mentioned. That's a picture of the
2 Picketwire Diversion Dam. Kind of, you can see the
3 whitewater there. That's the dam, and the ditch
4 diverts off to the -- the top.

5 The river is running from left to right, and
6 the ditch is up there. Kevin has a "hand"
7 (indicating on map). And what's in that circle is
8 the sediment right in front of the dam, and it was
9 beginning to interfere with the operation of the
10 diversion. And so, with funding from the local
11 developer right there, developing a hotel area --
12 and the City and the two local ditch companies that
13 use that dam -- that sediment was mostly removed
14 last spring. It's also a part of the effort to put
15 a new top on that dam -- a new face, a new top --
16 and move down the stream side, along with some
17 other work there. That's a lot of WaterSmart and
18 CWCB money going into that little area.

19 And then the next slide, Kevin, is that same
20 area, just looking from the headgate side. The
21 whitewater, again, is the dam, and the island isn't
22 there anymore (indicating on photograph). It's
23 pretty shallow there, but we are going to excavate
24 some more this winter, in front of that dam, to
25 work on the dam itself.

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1 So that was -- that -- not only does it help
2 the irrigation mechanics there, but it also
3 keeps -- helps keep the river-channel capacity up
4 and -- which is always a -- a struggle below a
5 reservoir.

6 And with that, I have a -- just a few more
7 comments. I guess, speaking for the District, I
8 would like to encourage ARCA to expand its
9 multi-purpose account participation to include
10 additional entities and maybe additional sources.
11 So, put my -- my two cents into that effort.

12 And then some acknowledgments -- Kim, and her
13 staff, with the Corps. We sometimes test them, and
14 we make odd requests, at different times of the day
15 or week, and it's always good working with them.

16 And our two water commissioners, Jeff Montoya
17 and Ed Diemer -- we talk to them every morning
18 for -- pretty much during the summer -- and then, I
19 guess, Phil and Bill. I remember when Phil came to
20 us. When I was with Water Resources in Pueblo,
21 Phil was working with the Southeast District, and
22 doing all of their financial accounting, and I
23 thought, well, this might be interesting, an
24 accountant coming here. But it turns out, all you
25 have to do is teach them to stop using that dollar

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1 sign in front of the numbers and put the two
2 letters, a-f, after the numbers. And -- and
3 everything else works out.

4 (Laughing)

5 MR. KASTNER: And then -- and then Bill -- I
6 was at that office when Bill came. I think it was
7 maybe 1994, if my memory is about right. Yeah, and
8 Bill came to us at the time from the state hospital
9 in Pueblo. He said he worked there, but --

10 (Laughing)

11 MR. KASTNER: -- which -- which was good.
12 It -- Bill -- Bill has turned out very well, as you
13 all know, for the District. He is an engineer
14 that, you know, naturally, would -- doesn't mind
15 sitting in a corner and chewing on problems, you
16 know, and -- but he has also shown all the
17 leadership skills needed. So he has really been
18 appreciated over the last, I don't know, 25 years
19 that I have known him.

20 So I guess my conclusion from that is, if
21 you're looking for good water rights/administrative
22 people, go to a bank, they have good people, or go
23 to mental health facilities --

24 (Laughing)

25 MR. KASTNER: -- because they have good

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1 people, too. Unless there is any questions, that's
2 all I have, Mr. Chairman.

3 THE CHAIRMAN: Thank you, Steve. Questions of
4 Steve?

5 (No response)

6 THE CHAIRMAN: Okay. Thank you.

7 MR. KASTNER: You're welcome.

8 THE CHAIRMAN: Next we'll move to "Compact
9 Compliance/Decree Issues Updates," and the first
10 person I'll call on is Kevin Salter, to do the
11 Ten-Year Compact Compliance Table. Welcome, Kevin.

12 MR. SALTER: Again, Kevin Salter, Interstate
13 Water Engineer out of Garden City. We kind of do
14 this to memorialize the results of the H-I Model
15 run, and the table up there shows that, you know,
16 we dropped off the year 2011, and we added on 2021.
17 And the annual result was a depletion of about
18 383 acre-feet, but when we dropped off 2011, we
19 ended up with a shortfall of about 3200 acre-feet.

20 So Colorado has worked, and put water into the
21 Kansas consumable, and Colorado downstream
22 consumable accounts, to make up that water by
23 July 1st. So we would just offer this, as an
24 exhibit to the record, to make sure that it is
25 monumented.

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1 Kelley, I don't know if you had anything else
2 to add to that.

3 MR. THOMPSON: No.

4 MR. SALTER: Okay. Well, and again, there is
5 a lot of work that goes into this table. I really
6 appreciate the efforts of (Colorado) Bill Tyner and
7 his staff, Kelley Thompson, in putting all of this
8 together.

9 It's a year-long process, that really gets
10 kick-started the first of the year, to do the
11 update. They work on that until about the end of
12 March, and then they turn it over to Kansas. I
13 recognize Rachel Duran, and some of our outside
14 consultants, that really put a lot of work into it,
15 because we have six weeks to review everything
16 Colorado has done -- basically, in the first three
17 months of the year -- and it's a process between
18 the states. There is a lot of communication.

19 Again, even before Colorado turns this over to
20 us -- you know, if they come up with something,
21 they make sure they get that to us. The same is,
22 is if we recognize there may be something going on
23 with their data, we try to get that to them before
24 the March 31st.

25 So it's a lot of time and effort that -- I

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1 really appreciate the work that's being done. So,
2 with that, I --

3 THE CHAIRMAN: Okay.

4 MR. SALTER: -- look to maybe make this an
5 exhibit.

6 THE CHAIRMAN: All right. Any questions for
7 Kevin?

8 (No response)

9 THE CHAIRMAN: And if not, unless there is an
10 objection, we will make that Exhibit G?

11 THE COURT REPORTER: "F."

12 THE CHAIRMAN: "F"?

13 MEMBER: Exhibit F.

14 THE COURT REPORTER: "F" as in "Frank," sir.

15 THE CHAIRMAN: Oh, "F." Pardon me. Okay.

16 (Exhibit F was marked)

17 THE CHAIRMAN: Next, I'll call on -- he is
18 already coming on up -- Kelley Thompson, Colorado
19 presumed depletion factor evaluation.

20 MR. THOMPSON: Thank you. Thank you, Chairman
21 Rizzuto and the Administration. Yeah, we also --
22 after the H-I Model is done and -- the H-I Model
23 has completed the year, for the year -- we use the
24 hydrology, and the pumping from the model, to
25 re-evaluate the presumptive depletion factor that

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1 should be used for supplemental flood and for
2 irrigation for the next year's Rule 14 plan. And
3 over the last year, since 2015, we have come up
4 with a -- a factor of 36 percent, and we're
5 recommending that that 36 percent, again, be used
6 for next year. It's getting less and less exciting
7 every year, but -- but, yeah, we would submit that
8 number to Division 2 to use for next year's Rule 14
9 number.

10 THE CHAIRMAN: Any questions of Kelley?
11 Actually, you had us in the edge of our seat, so
12 you did well. Okay.

13 MR. THOMPSON: Thank you.

14 THE CHAIRMAN: No questions?

15 (No response)

16 THE CHAIRMAN: All right. We'll move to the
17 Report of the Special Engineering Committee, and
18 after this report we'll take a break. And I'll
19 call on Earl.

20 MR. LEWIS: Thank you, Mr. Chairman. It's my
21 pleasure to -- to give a short report on the work
22 of the special engineering committee over the last
23 year. The committee, especially -- our technical
24 staff met a number of times this -- this last year
25 -- to work through issues. And -- and I, in

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1 particular, want to give acknowledgment to Kevin
2 Salter, Rachel Duran, of our staff, and then Bill
3 Tyner and Rachel Zancanella, from Colorado, that
4 did the bulk of the work, maybe some of the folks
5 on -- on both staff -- that did the bulk of the
6 work that led to our progress of this last year.

7 The first half of the year was primarily spent
8 on finishing the work, that led to the resolution,
9 and the operations plan, for the multi-purpose
10 account on John Martinez Reservoir. So I think
11 that's a significant accomplishment, and a lot of
12 work, that went into -- to getting to that point.
13 And certainly, that, as you all know, is adopted in
14 July of this year.

15 As a part of that agreement, we have talked
16 about trying to resolve some of the other disputed
17 issues, that have appeared on the water issue
18 matrix over the years, in particular the -- the
19 Pueblo Winter Water Storage Program -- and have
20 made some progress on that but still have some work
21 to do -- and have bifurcated that issue somewhat
22 into the impact on conservation -- Compact
23 conservation, storage, and operational changes, pre
24 and post the Pueblo Winter -- Winter Water Storage
25 Program.

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1 I would also note that the -- particularly,
2 the staff, and the states, are working on
3 implementation of the multi-purpose account as it
4 pertains to the -- the folks that are taking
5 advantage of that opportunity -- and we will
6 continue to work on -- on updating the review for
7 the operational plan, as well as a process -- to
8 determine additional entities that want to use
9 that, that account, and how we would go about
10 determining if they should be approved or not.

11 So with that, Mr. Chairman, I would -- I would
12 stop and see if there is any questions. Again, I
13 think there is still a lot of work to do on those,
14 those other issues that we have -- we have got --
15 and, hopefully, we'll have some progress, to come
16 back next year, and report on, and ideally in the
17 near term have -- or near future -- have some --
18 some recommendations that would resolve some of
19 those issues.

20 So thanks for the opportunity, and again, I am
21 happy to answer questions, if there are any.

22 THE CHAIRMAN: Questions?

23 (No response)

24 THE CHAIRMAN: Hearing none, thanks, Earl.

25 MR. LEWIS: Okay.

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1 THE CHAIRMAN: As mentioned, that at this time
2 we'll take a recess. It's approximately 9:45.
3 We'll recess until 10 o'clock.

4 (Brief recess was taken from 9:47 a.m. to
5 10:04 a.m.)

6 THE CHAIRMAN: Oh, well, I call the Arkansas
7 River Compact Administration Annual Meeting back to
8 order at 10:04, approximately, Mountain Standard
9 Time, and this portion of the meeting will go into
10 committee reports. And after we have heard the
11 committee reports, they'll all become a part of one
12 exhibit to today's meeting.

13 (Exhibit G was marked)

14 THE CHAIRMAN: So, with that report of the
15 engineering committee, Scott Brazil. Scott.

16 MR. BRAZIL: The engineering committee met
17 yesterday, and we received an update on the
18 progress on the Ark Decision Support System and the
19 Colors of Water tool.

20 Bill Tyner provided an update on the Colorado
21 Multi-Purpose Account and John Martin Reservoir.
22 Kevin Salter provided an update on the efforts to
23 replace the Frontier Ditch flume.

24 The committee also heard updates from the
25 federal agencies. Nabile Shafike, with the Corps

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1 of Army Engineers, presented the 2022 reservoir
2 operations for Trinidad/John Martin Reservoirs, the
3 John Martin Water Control Manual, forecasting -- or
4 John -- excuse me. The John Martin Water Control
5 Manual is in the process of being updated and
6 expected completion in December of 2024.

7 A forecasting model, and Forecasting Informed
8 Reservoir Operation, is being developed over the
9 next couple of years to aid in the decision related
10 to flood control space. Kim Falen provided some
11 updates on operations and maintenance that
12 control -- that occurred in the Trinidad Reservoir.

13 Jacob Williams provided an update on
14 improvements to John Martin Reservoir, including
15 upgrades to the sump pumps and field investigations
16 and the dredging project. Chris Gnau, with the
17 Bureau of Reclamation, went over some current grant
18 projects provided through the WaterSmart program.

19 Mike Holmberg provided an update on the
20 Frying-Ark operations for the Water Year 2022.
21 Item of interest noted includes a -- the fixed cone
22 valve with the Pueblo Dam -- was installed on
23 bypass for the hydropower plant. The Pueblo
24 Reservoir Recovery of Storage Project is currently
25 underway to look at sediment, as well as ways to

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1 mitigate and recover storage capacity in the
2 current NEPA reviews.

3 Krystal Brown with USGS reported on the
4 Cooperative Streamgauge Program, due to decades of
5 continued beaver dam activity at the Big Sandy
6 Creek, near Lamar, and recommended discontinuing
7 the Big Sandy gage and re-establishing the gage on
8 the Ark River at Holly. The Arkansas River near
9 the Las Animas gage has several channels, which
10 makes streamgaging difficult and challenging.

11 Chris Woodka, with the Southeastern
12 Conservative (sic) District, presented their 2022
13 operations and project -- projects -- first
14 construction contract, was issued for the Arkansas
15 Valley Conduit in September of 2022, with
16 groundbreaking to occur in March of 2023.

17 Frying-Arkansas Proj -- Fryingpan-Arkansas
18 Project is celebrating its 60 years after the
19 signing of the project in 1962. Jack Goble, with
20 the Lower Ark District, provided an update on the
21 Fort Lyon and Non-Fort Lyon Rule 10 Plans, with two
22 rotating lease-fallow projects under the Catlin
23 Canal, and the Colorado Multi-Purpose Account, and
24 water quality issues.

25 The committee recommendations; the Committee

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1 would request the evaluation report of the Colorado
2 Multi-Purpose Account be presented to this
3 Committee in 2023.

4 We would also -- also request for a report on
5 the completion of the Frontier Flume and a report
6 back in 2023. And the Committee recommended
7 approval of the Colorado USGS Joint Funding
8 Agreement, with the removal of the Big Sandy Creek
9 gage, and installing a gage at the Arkansas River
10 at Holly, with the inconclusion of six additional
11 measurements.

12 And that concludes our report. Is there any
13 questions?

14 (No response)

15 THE CHAIRMAN: All right. Good job, Scott.
16 Move on to Operations Committee, and the first
17 person, who is definitely a short-timer -- I wish
18 him well -- I would like to call on Operations
19 Secretary Report Bill Tyner. Bill.

20 MR. SALTER: And Bill, I think we can use that
21 mic.

22 THE CHAIRMAN: I think that mic is working.

23 MR. SALTER: I think it got fixed.

24 MR. TYNER: Okay.

25 MR. SALTER: Sorry.

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1 MR. TYNER: Does it work pretty well? Not too
2 bad?

3 Good morning, Chairman Rizzuto and
4 representatives to the Arkansas River Compact
5 Administration. I will provide a brief summary of
6 the operations that occurred, related to John
7 Martin Reservoir and Trinidad Reservoir, during the
8 Compact Year 2022.

9 A number of folks are here at the meeting
10 today, or were at the committee meetings yesterday,
11 in person, that I would like to recognize: Kevin
12 Rein, our Colorado State Engineer; Dan Steuer from
13 the Colorado Attorney General's Office; and Kelley
14 Thompson from the State Engineer's Office, modeling
15 group, who you have already heard from today --
16 took the time to be here and have some key
17 conversations with our folks, and Kansas folks,
18 over these past couple of days -- Rachel
19 Zancanella, who was just appointed as the next
20 Division engineer, for the Arkansas Basin, is here,
21 as she has been over the past number of years, and
22 providing updates and reports on items important to
23 ARCA.

24 Also, joining in person or -- I don't think we
25 have anybody on by Zoom today, that I could spot,

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1 but we had Lonnie Spady, our River Operations
2 Coordinator; of course, Phil Reynolds, our
3 Reservoir Operations Specialist, who is also
4 retiring at the end of this month; Water
5 Commissioners Brandy Cole, Jeff Montoya, Jeanette
6 Myers, and Ed Diemer.

7 And then some of Rachel's folks from the
8 Pueblo office include Joey Talbott, our lead
9 hydrographer; Noah Friesen, augmentation engineer;
10 and Kassidy Davis, augmentation accountant. They
11 were here, both, yesterday and today.

12 Bethany Arnold, our water resources engineer
13 and her tiny assistant, Paityn, joined us yesterday
14 at the committee meetings and for dinner last
15 evening. We start them young in Colorado.

16 (Laughing)

17 MR. TYNER: Our employees work closely with
18 Kansas staff throughout the year, and I want to
19 thank Kevin Salter and Rachel Duran, and the rest
20 of the Kansas team, for the good relationships we
21 have developed, and that you will continue to
22 develop, as you work together on ARCA matters.
23 Thanks, also, to all who were able to share in a
24 great dinner last night, even though some had to
25 wait quite a bit for either a meal or a check.

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1 Andrew Rickert, with the Colorado Water
2 Conservation Board, has worked hard with Stephanie
3 Gonzales, Rachel Duran, and Kevin Salter, to plan
4 for the ARCA meeting, and he and Rachel Duran
5 continue to do great work to bring a number of ARCA
6 reports to finalization, or near finalization, for
7 some of the years back in the 1990s.

8 We get to work with great folks from the
9 Bureau of Reclamation, Corps of Engineers, and
10 USGS, and I want to thank all of the individuals we
11 have worked with during this last Compact year. We
12 also get to work with a lot of great folks from the
13 conservancy districts in Colorado and the Arkansas
14 Basin. I want to thank all of those folks and
15 their managers.

16 I wanted also to, briefly, acknowledge the
17 untimely passing of Don Higbee. The Lower Arkansas
18 Water Management Association's manager passed away
19 this fall. Some may remember Don from his
20 testimony in Pasadena, in the trial, and why we
21 will certainly miss Don.

22 And, now, for the kind of duller statistics.
23 At the beginning of the Compact year of 2022, John
24 Martin Reservoir contained approximately 16,362
25 acre-feet. Conservation storage occurred, during a

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1 period from November 1st, 2021, through April 17th,
2 2022, without any subsequent summer storage events.
3 A total of 20,034 acre-feet was stored during this
4 period and transferred into Colorado and Kansas
5 Section II accounts.

6 Storage of other water, under Section III of
7 the 1980 operating plan during the winter period,
8 totaled 11,367 acre-feet. From this total storage,
9 35 percent was distributed, to make up a delivery
10 deficit of 521 acre-feet to the Kansas Section II
11 account, and then to refill the transit loss
12 account, by adding 2,279 acre-feet, to bring the
13 total up to 1700, and to maintain it at that level,
14 whenever we had that charge water coming in. I
15 think some of that water, also, went into the
16 transit loss account, and was transferred to
17 Section II, to make up that deficit.

18 Additionally, water from the 35 percent charge
19 was distributed to Kansas, or Colorado Section II
20 accounts, with 543 acre-feet going to the Kansas
21 Section II account and 1,185 acre-feet going to the
22 Colorado Section II accounts.

23 Amity's Great Plains Storage right did not
24 come into priority during the irrigation season in
25 2022, so no additional Section III water was stored

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1 after the winter.

2 The offset account received approximately
3 9,057 acre-feet through inflow, for a transfer --
4 Kansas called for two releases of water from the
5 offset account -- totaling, approximately, 7,850
6 acre-feet. Rachel Zancanella provided details on
7 the offset, offset account, in her presentation to
8 the Compact.

9 The permanent pool had a decrease across the
10 Compact year of 1,864 acre-feet, largely due to
11 LAWMA's exclusive use of the Highland Canal water
12 right to deliver water to the offset account during
13 what turned out to be a very tough year.

14 Kansas did not use any of their Section II
15 water during 2022. Colorado ditches utilized
16 approximately 13,938 acre-feet of Section II water
17 in 2022. At the end of the Compact year, the
18 content in John Martin Reservoir was 11,263
19 acre-feet.

20 With ARCA's approval, at a special meeting on
21 July 1st, 2022, a new account for John Martinez
22 Reservoir was authorized, called the multi-purpose
23 account -- a very great presentation from Jack
24 Goble, about some of the details of that account,
25 yesterday.

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1 Four participants were approved to use the
2 account in 2022, including the Catlin Augmentation
3 Association, two lease fallow projects under the
4 Catlin Canal, managed by the Lower Arkansas Valley
5 Water Conservancy District and the Colorado Springs
6 LAWMA lease under the Fort Lyon Canal.

7 These entities each used the account, with a
8 total of 552 acre-feet delivered to the account,
9 from July through October, and 69 acre-feet of that
10 water was transferred to the Kansas charge

11 subaccount, and then, at the end of each month, to
12 the Kansas Section II account. Exchanges were
13 operated to move 331 acre-feet upstream, to Pueblo
14 Reservoir, for municipal use by the participants.

15 Finally, with respect to Trinidad Reservoir,
16 the permanent fishery pool received approximately
17 349 acre-feet to partially offset 690 acre-feet of
18 evaporation in a larger pool.

19 As you have already heard, this will be my
20 last Arkansas River Compact Administration meeting,
21 as I am retiring from the Colorado Division of
22 Water Resources at the end of the month.

23 It has been my great honor to be a part of
24 ARCA for a little over a quarter of a century.
25 During the first ten years of -- or so -- relations

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1 between Kansas and Colorado were tense, times --
2 and at times terse -- as a second decade of the
3 Kansas-Colorado lawsuit unfolded. I think Randy
4 remembers this period a little better than me. I
5 think we talked last night, and Randy had about six
6 additional years with ARCA, that -- that I haven't.
7 But we were both there through a lot of that, that
8 time.

9 MR. HAYZLETT: (Nods head)

10 MR. TYNER: A key point in my ARCA
11 participation came with the formation of the
12 special engineering committee a little before 2007.
13 Months of very hard work in negotiations, between
14 the states, resulted in the resolution of a number
15 of issues, that the special master -- that, Special
16 Master Littleworth had told the states to solve --
17 before the conclusion of the lawsuit.

18 Resolving these highly complex and technical
19 issues resulted in the Mission Inn agreements,
20 aptly named because Kansas' chief engineer,
21 David Pope, and Colorado State Engineer
22 Hal Simpson, signed the agreements at the Mission
23 Inn, in Pasadena, California, to deliver to the
24 special master. These agreements became many of
25 the decree appendices that we rely on today in our

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1 work with Kansas.

2 The successful operation of the special
3 engineering committee set us on a path to the last
4 15 years, my time with ARCA, where, a number of
5 issues have been resolved, a new source for the
6 permanent pool in John Martin Reservoir was
7 approved, and the multi-purpose account was
8 approved this year.

9 I have appreciated the cooperative
10 relationships, that have developed over these
11 years, and the high degree of mutual respect that
12 has come with these improved relationships. The
13 trust built between the states should help in
14 tackling other important issues, like water
15 quality, that, although not a Compact issue,
16 sometimes involves Compact considerations in order
17 to find the best solutions.

18 I have found over these years that farmers, in
19 southeast Colorado and southwest Kansas, have much
20 in common and, primarily, that it takes water to
21 raise a crop and facilitate livestock production,
22 and the hard work done by ARCA, and Kansas and
23 Colorado staff, to ensure they receive the water
24 they are entitled to, is very important.

25 Thank you to each of our ARCA

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1 representatives -- Becky Mitchell, who, you know, I
2 would have loved to have had, be here today, but I
3 understand the importance of her being where she is
4 today.

5 Scott Brazil and Lane Malone, and the Kansas
6 representatives, I haven't got to know as longer --
7 Earl Lewis and Troy Dumler -- but for a number of
8 years now -- and then Randy Hayzlett for a long
9 period of time, and a great appreciation for
10 Chairman Rizzuto.

11 I thank all the great folks who worked with
12 ARCA, worked quietly but passionate --
13 passionately -- to operate this interstate Compact
14 and, hopefully, avoid future litigation between the
15 states. My years with Colorado DWR, and
16 participation with ARCA, have been the very best of
17 my career, and I will always be grateful for the
18 outstanding people I have met and enjoyed working
19 with. So, thank you.

20 THE CHAIRMAN: Thank you. Now, questions?
21 Comments? I mean this is a chance, last meeting,
22 and we probably need to grill you for about an hour
23 and a half and --

24 (Laughing)

25 THE CHAIRMAN: Any questions or comments?

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1 MEMBER: None from me.

2 THE CHAIRMAN: Okay.

3 MEMBER: None from me.

4 MR. TYNER: Thank you.

5 THE CHAIRMAN: Well, thank you, Bill, for
6 everything. We are glad that you left the state
7 hospital to make it to the position --

8 (Laughing)

9 THE CHAIRMAN: -- you're in. You have been a
10 credit and an asset to the organization. Thank
11 you.

12 MR. TYNER: Thank you.

13 THE CHAIRMAN: Okay. Assistant Operations
14 Secretary Report, Kevin Salter.

15 MR. SALTER: And that's a really tough
16 presentation to follow up on. I think it would be
17 good that that's all down on the record. Bill said
18 some things that -- you know, it's good to kind of
19 continue to build on what we have -- where we have
20 gotten to. So, I appreciate those words and really
21 appreciate working with Bill over these years.

22 So, just kind of want to highlight a few
23 things this morning. I think, if you really want
24 to get into it, you ought to take a look at the
25 Operation Secretary's Report and the other reports

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1 that have been submitted to the Administration.
2 They contain a lot of detail, a lot of things that
3 we didn't get conveyed last night or even today.

4 And, again, I think as Bill alluded to, the
5 communication between the states -- that has been
6 the key thing, because, as Bill started, and as I
7 started, there was not the communication between
8 the states. And actually, the head table up here
9 had the state engineer from Colorado, the Kansas
10 chief engineer, staff attorneys, and special
11 assistant attorneys -- so, you know, that head
12 table is quite a bit bigger, and it took a lot
13 longer to get through because of all the side bar
14 discussions that went on.

15 So, we also grilled the former operation
16 secretary merci -- mercifully -- so, I think Bill
17 probably appreciates the fact that he doesn't
18 grill -- grill the way Steve Witte would -- on some
19 of these issues.

20 So, again, with the new staff and the
21 Division 2 office, we look forward to working with
22 them. We'll -- hopefully, we'll have a new staff
23 on our side, that we'll have to get from their --
24 the Division 2 office -- but as long as we can keep
25 that communication going, from the people, that

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1 work with Bill and I, all the way up to Earl and
2 Kevin.

3 So, also, I'll talk a bit at the John Martin
4 Reservoir accounts, the Kansas releases, a Pueblo
5 winter storage program, and then, again, some more
6 recognition of Phil and Bill.

7 I would like to just throw this slide up. I
8 am not going to detail-on -- on any -- but, as you
9 can see at the top is the conservation storage. At
10 the bottom is where we operated. This is the
11 second year I can remember that we have been
12 operating at the bottom of the reservoir. It's not
13 a good situation. Hopefully, we can get some water
14 in to continue irrigation.

15 We didn't call this last year for a
16 Section II. We have went, in the past two years in
17 a row, of not calling our Section II water. So,
18 hopefully, that's not going to happen this year.

19 We did have two releases from the offset
20 account, and that was kind of a coordination with
21 our associated ditches, as well as a coordination
22 with Bill and his staff -- and actually with a --
23 hopefully, helping LAWMA out along the way, too --
24 because, if we had not called for water, that would
25 have been water that they would not have been able

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1 to have used to offset some groundwater depletions
2 within their association. So, there was quite a
3 bit of work that went on in those two releases. We
4 still have a couple of things that we need to work
5 on moving forward.

6 So, just to kind of show how things looked,
7 here is the first release, and the discharges over
8 here is in acre-foot-per-day, which is what we kind
9 of work with. But if you think about cfs, you cut
10 that in half. So, you can see we started out with
11 probably less than 35-40 cfs of flow at the state
12 line. We did get a nice precipitation runoff
13 event, that ended our first release, but then we
14 had to kick-on, after a few days of -- of rest.

15 So this is the second release, and again, you
16 can see we're talking about a hundred cfs, or less,
17 for most of that portion.

18 The green-shaded portion is the credit
19 Colorado was able to obtain for the consumable
20 water delivered to the off -- to the state line
21 from the offset account.

22 So, looking back a full year, again, Colorado
23 staff, Kansas, worked real good -- were -- worked
24 well together to establish the base flows going
25 into the year. We also had to deal with an issue

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1 right at the end, the Winter -- Winter Water
2 Storage Program -- to make sure that we could,
3 perfectly, split the water between the Compact
4 conservation storage and Pueblo winter water
5 storage program and water.

6 Part of the things, that made things work a
7 little easier last year and this year, as well, is
8 Colorado installed temporary gages on some waste
9 ways and the tail end of the consolidated ditch.
10 By having that flow data -- that made us be able to
11 add that water back into the Ark River at
12 Las Animas gage, because, that was water that was
13 due to the Compact but was not getting measured,
14 previously.

15 And, again, I am not going to do as good a
16 job, as Bill did today, as far as thanking people.
17 Definitely, wants -- to thank Stephanie and -- and
18 Andrew -- with the Colorado Water Conservation
19 Board. Stephanie Gonzales is actually the
20 recording secretary and works here, in Lamar, with
21 the economic development.

22 But she is our recording secretary, and their
23 work really helps get this thing put together, this
24 annual meeting, committee meetings, and just even
25 through the year, making sure that the business, of

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1 the Administration, is done.

2 And, again, Bill and his staff through the
3 year -- the coordination is really important to
4 have, so, appreciate getting all the stuff and them
5 responding to our requests, as we make them.

6 And then Rachel Duran -- it's kind of nice
7 because I used to be the people running around like
8 your head was cut off. That transferred over to
9 Rachel now, and -- and Rachel has done a good job
10 of making sure that, again, a lot of things get
11 done here, at the meeting, as far as getting
12 reports to the committees. And then just her
13 support throughout the entire year has been really
14 good.

15 I was a little pressed with my report this
16 year, and Rachel said, "Well, I'll take a look at
17 it." And, shoot, I have opened it up, and it's
18 basically done. So I really appreciated that.

19 Go ahead. I knew Phil came over from the
20 accounting side, and I don't know if he'd want me
21 chasing pennies or fractions of an acre-foot,
22 because I think, in the accounting world, he is
23 limited to the pennies, but I think we have chased
24 fractions of an acre-foot.

25 So, he is one of those people -- and like a

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1 lot of people on Bill's staff, we don't see or hear
2 from, but without them, things just wouldn't get
3 done. And with Bill's account -- or with Phil's
4 accounting and the reservoir and the complex
5 accounting -- that, really, it happens with these
6 things -- he was able to keep all of those
7 fractions of an acre-foot in line. So, really
8 appreciate what Phil has done.

9 We need to talk about siphon tubes and how --
10 how those work -- but we'll see how that goes. I
11 don't imagine he has got any plans for that in his
12 retirement.

13 Bill; again, you know, it's -- he came on just
14 a little after I started working with the Kansas
15 Division of Water Resources. He alluded to the
16 special engineering committee meeting.

17 You know, there is a lot of things with Bill
18 you can kind of bring up and talk about; but,
19 again, those were intense meetings. Some of those
20 were extended by weather circumstances. Colorado
21 got snowed in -- and Topeka -- so, we had an extra
22 bonus, what, day, day and a half, that we all stood
23 around the table and -- and worked. And -- and,
24 again, it took a lot of sweat equity, in that.

25 And for the lawyers in the room -- one of the

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1 things, that made that work, is we kicked the
2 lawyers out.

3 (Laughing)

4 MR. SALTER: We did bring them back later, to
5 make sure every -- things were -- was correct, but
6 it -- it was good. And like I said, it was all a
7 good experience.

8 The -- even the meetings, themselves; it kind
9 of got less formal. I know we threatened to cut
10 off a tie or two in -- in those meetings.

11 So I don't know that Bill can be replaced, but
12 like others before him, you know, there is other
13 people to fill in, and they will do the job -- and
14 they'll become the new "Bills" and "Johns," going
15 forward, and they'll probably make their own name.

16 So that's my report. I don't know if there is
17 any questions.

18 THE CHAIRMAN: Questions of Kevin? No?

19 (No response)

20 THE CHAIRMAN: Thank you, Kevin. Offset
21 Account Report, Rachel Zancanella.

22 MS. ZANCANELLA: I need a new card. I don't
23 have one.

24 THE CHAIRMAN: That's fine.

25 MS. ZANCANELLA: Okay.

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1 THE COURT REPORTER: That's okay. Don't worry
2 about it.

3 MS. ZANCANELLA: Meant to bring that for you.

4 Thank you, Chairman Rizzuto and
5 representatives of the Compact Administration. I
6 appreciate the opportunity to speak with you this
7 morning. I am not going to do justice to either,
8 Kevin or Bill, in those speeches, and that's
9 probably pretty obvious, as to why. I am going to
10 go through the offset account report.

11 I wanted to start by thanking our staff. I
12 know that Bill has done a very good job of that. I
13 do appreciate all the work that they go through all
14 year long. I mentioned yesterday in the committee
15 meetings that the work, that goes into the offset
16 account reports, accumulates in about 370 pages,
17 this year (indicating). Fortunately, we don't have
18 to go through the details of that, and I am going
19 to kind of hit on some of the highlights.

20 But I did want to reach out and thank Bethany
21 Arnold, in particular. Bethany works all year long
22 to help ensure that requirements of the offset
23 account report are met in a timely fashion and that
24 we are conveying notice, timely, to Kansas, of the
25 operations that go into that.

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1 We knew, obviously, that she was not going to
2 be available at this time of year, because of the
3 fact that she was welcoming a new member of her
4 family, and the time and dedication, that went into
5 preparing all of the possible things that could be
6 prepared, prior to the final week of November, made
7 a significant difference in our ability to continue
8 to meet these, these requirements.

9 And so I just wanted to mention Bethany,
10 specifically. With any luck, hopefully she'll be
11 able to give this presentation next year, as I move
12 I think on to the presentation that Bill just gave.

13 I spoke yesterday about the Offset 101 slide,
14 which gives a little bit of detail about how the
15 offset account came to fruition and what the
16 purpose of it is. Today I wanted to make a few
17 notes about the actual report itself. Obviously,
18 as we go about putting these things together,
19 despite the work that we do to try and make sure
20 that all of the I's are dotted and T's are crossed,
21 there is still a significant peer review process
22 that goes through that.

23 Kevin Salter plays a significant role, and
24 Rachel of course, in helping us review, and check
25 and make sure, that what we present to you is

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1 current and accurate. To that effect, thank you to
2 Kevin. We did catch an error, that I had
3 transcribed into the report. So, that has been
4 updated in the hard copies that are here today, to
5 provide to Kansas, and it will be sent out in an
6 update, in digital form, because those have been
7 updated as well.

8 This report gives a summary of the operations
9 of the offset account, and I would like in it to --
10 if you were to try and describe every transaction
11 that occurs in your bank account -- where, before
12 you make a purchase, you notify your friend that
13 they are about to see a purchase come through that
14 account, and then, after that purchase has been
15 completed, you send them a letter, letting them
16 know exactly what the details of that purchase was.

17 So the offset report includes a summary, at
18 the beginning, that describes the final outcome of
19 the operations of that account, and then each
20 section is a summary.

21 The first section is the individual table,
22 that sums the accounting. The second section is a
23 detailed accounting of every operation, on a daily
24 basis, throughout the entire year. The third
25 section is the summary of all of those notice

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1 letters, to Kansas, informing them of what is about
2 to incur -- occur -- and what had occurred, in
3 detail. And then, of course we write a monthly
4 summary, that describes the final outcome, of
5 whatever happened each month, and provide that in
6 Section 4.

7 Kevin and Bill have both mentioned, multiple
8 times, that we have a lot of coordination between
9 the states on these subjects. We had a meeting for
10 the operations secretary and the assistant
11 operations secretary, in November, where, some
12 inconsistencies in the summaries, for the monthly
13 balances of the offset account -- Kevin brought to
14 our attention. Bill was kind enough to go back
15 through and make sure that those were corrected and
16 that the balances came out as they should. That
17 has been updated in the final version, so that you
18 see, if there is any changes, between the monthly
19 and the final, that's why.

20 Rachel Duran noted yesterday, during the
21 committee meetings, that we also have a process of
22 doing a five-year review of the offset account
23 report, where, we look at five years at a time and
24 make sure that there are no errors or things that
25 have been missed.

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1 During the process of that review this year,
2 we did discover that we had an oversight in the
3 previous year, where, we actually did deliver more
4 than 10,000 acre-feet to the offset account, and
5 that resulted in a 5 percent storage charge to
6 Kansas, that hadn't been correctly annotated out
7 and paid. And so that was caught up this year, for
8 3.52 acre-feet, and a summary letter went out to
9 that.

10 Bill Tyner has set a good precedence, of
11 making sure that the time spent, describing the
12 total operations, is clear and concise. And so,
13 for the record, I'd like to read into it.

14 The final numbers for the operations, of the
15 offset account for 2022, which was that -- at start
16 of the Compact year, there was a balance of 2,264.8
17 acre-feet. There was 6,932.84 acre-feet
18 transferred into the account, 4,193.83 acre-feet of
19 inflows, 1,499.51 acre-feet lost to evaporation,
20 398.25 acre-feet transferred out of the account,
21 and 7,850.81 acre-feet released. At the end of the
22 Compact year, the balance in the account was
23 1,579.45 acre-feet.

24 I am going to take one quick second to just
25 talk a little bit about the difference in this

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1 transition. I think that we have been very
2 fortunate in having had Bill as an assistant,
3 before he was a division engineer, for the years
4 that he was there. I don't think anybody batted an
5 eye or questioned anything, when Bill took over as
6 the division engineer after Steve, because he has
7 been marching alongside of him for so long.

8 I grew up in water resources engineering. I
9 come from a family, with a father who is a water
10 resource engineer, and I have been in the Division
11 office since 2011. I consider myself very blessed,
12 to have had the opportunity to train under such
13 amazing mentors, as Bill and Steve, and to come
14 from that background, but it doesn't change the
15 fact that seasoning goes a long way, and sometimes
16 it just takes time to gain that same seasoning.
17 And so I hope that I'll be able to work in that
18 regard, to build that time.

19 There is a big, big difference in trying to do
20 something when you live through the process, and
21 you were there in the room when the conversations
22 were had, as opposed to being in a position to have
23 to review something as significant as the Compact
24 and the -- and the lawsuit -- from a case study
25 perspective.

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1 But I have a significant respect for the work,
2 that went into formulating those documents, and
3 ensuring that they go into the future with the same
4 regard as they have been carried up to this point.

5 So I just wanted to say that, say thank you so
6 much for the opportunity. I really look forward to
7 building those relationships, as we move forward,
8 and to gaining that solid understanding that some
9 day, hopefully, I'll have the total recall that
10 Bill has today. One could only hope.

11 Thank you so much. Appreciate it. Are there
12 any questions?

13 THE CHAIRMAN: Questions? Well -- well said.
14 I am sure you'll do very, very well. Best of luck.

15 MS. ZANCANELLA: Thank you.

16 THE CHAIRMAN: Okay, thank you. Report from
17 the December meeting, December 7th. Troy?

18 MR. DUMLER: Thank you. Yesterday the
19 operations committee received the Compact Year 2022
20 reports from the Operations Secretary, Bill Tyner,
21 and Assistant Operations Secretary Kevin Salter.
22 Rachel Zancanella provided an update on the 2022
23 offset account operations, permanent pool
24 operations, and implementation of the irrigation
25 improvement rules.

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1 Rachel Duran provided the committee with an
2 update on the joint report of the states, regarding
3 a review of the offset account operations for the
4 period 2017 through 2021, and as far as committee
5 actions, the committee deferred the 2006, through
6 2022 operations secretary report, to the special
7 engineer -- engineering committee -- to work
8 towards a resolution of issues that are holding up
9 the unapproved operations secretary report.

10 That's all, Mr. Chairman.

11 THE CHAIRMAN: Okay. Any questions of Troy?

12 (No response)

13 THE CHAIRMAN: Okay. Hearing none, we'll move
14 on to the administrative and legal committee.
15 First, I'll call on Stephanie Gonzales, recording
16 secretary and treasurer report.

17 MS. GONZALES: Okay.

18 THE CHAIRMAN: She must -- there she comes.

19 MS. GONZALES: I am coming. Thank you so
20 much, Chairman, for the introduction. I am
21 Stephanie Gonzales, I am with the ARCA, and I
22 reported yesterday to the committee that the audit
23 was reported -- was presented with a good report,
24 ready to be approved -- and JFAs have been
25 submitted to each of the states, per the budget,

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1 and I really don't have much, other than been
2 working with Andrew to do the budget. And he will
3 give that report -- or he gave that report, and
4 it's ready for approval, as well.

5 That's all I have.

6 THE CHAIRMAN: Okay.

7 MS. GONZALES: Thank you, again, for all the
8 work that happens, between Rachel/Kevin/Andrew, to
9 help make this meeting go smoothly. So, thank you
10 very much.

11 THE CHAIRMAN: Okay, thank you. Any questions
12 of Stephanie?

13 (No response)

14 THE CHAIRMAN: None? Vice-Chairman,
15 Randy Hayzlett.

16 MR. HAYZLETT: Yes. Thank you, Mr. Chairman.
17 The administrative and legal committee met
18 yesterday afternoon. The committee is comprised of
19 Becky Mitchell and myself. We requested a staff
20 of -- of Rachel and Andrew -- to create this
21 summary and a list of recommendations. I'll read
22 through the summary, first, and then we'll have
23 some extra items and motions following that.

24 Committee reviewed the annual meeting agenda,
25 and no changes were recommended. An update on

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1 transcripts from previous meetings, that were ready
2 for approval, were provided. The 2020 annual
3 meeting and the 2022 special meeting summaries are
4 both ready. The 2021 annual meeting transcript
5 should be ready for the 2023 meeting.

6 The status of work done, to bring previous
7 ARCA annual reports up to current, was provided,
8 and Stephanie Gonzales provided her ARCA, recording
9 secretary and treasurer's report, and the auditor's
10 report.

11 The cooperative agreements with USGS and an
12 amendment budget for FY '22-'23 were discussed.
13 The USGS cooperative agreements were discussed as
14 the Colorado agreement included a modification to
15 move the gage at Big Sandy Creek and add a gage on
16 the Arkan -- Arkansas River at Holly.

17 There was a discussion regarding the 75th
18 anniversary of the signing of the Compact, that
19 would occur in 2023, as well as the 75th
20 anniversary of the first ARCA meeting, annual
21 meeting, that would occur in 2024. This included
22 the need for a committee, to be formed by ARCA, and
23 a -- and, potentially, a special meeting of ARCA.

24 The FY '22-'23 budget had a modification to
25 increase the line item for the court reporter. The

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1 proposed FY '23-'24 ARCA budget was reviewed -- and
2 the discussion of amending this budget, once
3 decisions are made on funding for the 75th ARCA
4 anniversary.

5 One proposed resolution was put before the
6 committee, entitled Regarding William "Bill" Tyner
7 Recognition, as well as a letter of recognition for
8 Phil Reynolds. Nominations of ARCA officers, and
9 committee chair appointments, were done within this
10 committee, and there was a discussion on possible
11 dates and locations for the 2023 ARCA annual
12 meeting.

13 And that concludes the -- the report.

14 THE CHAIRMAN: Rest with a motion or --

15 MR. HAYZLETT: I will move into the motions
16 then. We recommend ARCA approve the transcript for
17 the 2020 annual meeting and the summary meeting for
18 the 2022 special meeting, and I so move.

19 THE CHAIRMAN: All right, second?

20 MR. BRAZIL: Second.

21 THE CHAIRMAN: Okay. How does Kansas vote?

22 MR. LEWIS: Aye.

23 THE CHAIRMAN: Colorado?

24 MR. MALONE: Aye.

25 MS. MITCHELL: Aye.

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1 THE CHAIRMAN: Passed. Okay.

2 MR. HAYZLETT: A recommendation -- recommend
3 ARCA approve the Fiscal Year (FY) 2021-2022
4 Auditor's Report and authorize Stephanie Gonzales
5 to sign the engagement letter for the auditor's
6 services, and if so moved.

7 THE CHAIRMAN: Second? Is that just --

8 MS. MITCHELL: Second.

9 MR. BRAZIL: Yes.

10 THE CHAIRMAN: Okay, Scott. All right,
11 discussion?

12 (No response)

13 THE CHAIRMAN: How does Kansas vote?

14 MR. LEWIS: Aye. Colorado, how do you vote?

15 MR. BRAZIL: Aye.

16 MS. MITCHELL: Aye.

17 THE CHAIRMAN: Okay.

18 MR. BRAZIL: We don't need to --

19 THE CHAIRMAN: Okay.

20 MS. MITCHELL: Sorry, Scott.

21 MR. BRAZIL: Well, I didn't know if you were
22 going to --

23 THE CHAIRMAN: Well, we have on echo here,
24 right? That's good. Okay, passed.

25 MR. HAYZLETT: I recommend ARCA authorize

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1 Stephanie Gonzales to sign the Colorado and Kansas
2 USGS joint funding agreements with the
3 modification, under the Colorado agreement, to
4 remove the gage at Big Sandy Creek and install a
5 gage on the Arkansas River at Holly with additional
6 measurements. And I so move.

7 THE CHAIRMAN: Second?

8 MR. BRAZIL: I second.

9 THE CHAIRMAN: Scott. A discussion?

10 (No response)

11 THE CHAIRMAN: How does Kansas vote?

12 MR. LEWIS: Aye.

13 THE CHAIRMAN: Colorado, how do you vote?

14 MR. BRAZIL: Aye

15 MS. MITCHELL: Aye.

16 THE CHAIRMAN: Colorado is going to have to go
17 into caucus some day.

18 (Laughing)

19 THE CHAIRMAN: It passes.

20 MR. HAYZLETT: I recommend -- or we recommend
21 a committee be formed for the 75th celebration of
22 ARCA, and I will make that motion.

23 THE CHAIRMAN: Second?

24 MR. BRAZIL: Second.

25 THE CHAIRMAN: Scott. Discussion?

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1 (No response)
2 THE CHAIRMAN: How does Kansas vote?
3 MR. LEWIS: Aye.
4 THE CHAIRMAN: How does Colorado vote?
5 MR. BRAZIL: Go ahead, Becky.
6 THE CHAIRMAN: Becky with --
7 MS. MITCHELL: Aye.
8 THE CHAIRMAN: Okay.
9 MS. MITCHELL: Thanks, Scott.
10 THE CHAIRMAN: Thank you, Becky. Passes.
11 MR. HAYZLETT: Recommend ARCA approve the
12 amended Fiscal Year (FY) 2022-2023 budget. I so
13 move.
14 THE CHAIRMAN: Second?
15 MR. BRAZIL: Second.
16 THE CHAIRMAN: Scott. Discussion?
17 (No response)
18 THE CHAIRMAN: How does Colorado vote?
19 MS. MITCHELL: Aye.
20 THE CHAIRMAN: How does Kansas vote?
21 MR. LEWIS: Aye.
22 THE CHAIRMAN: Okay, it passes.
23 MR. HAYZLETT: Recommend ARCA approve the
24 Fiscal Year (FY) 2023-2024 budget, with the
25 understanding that an amendment would be needed for

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1 the 75th anniversary expenditures. And I so move.

2 THE CHAIRMAN: So moved. Second?

3 MR. BRAZIL: Second.

4 THE CHAIRMAN: Scott. Discussion?

5 (No response)

6 THE CHAIRMAN: Colorado, how do you vote?

7 MS. MITCHELL: Aye.

8 MR. LEWIS: Aye.

9 THE CHAIRMAN: Kansas, how do you vote?

10 MR. LEWIS: Aye.

11 (Laughing)

12 MR. HAYZLETT: Recommend ARCA adopt the
13 resolution, entitled Regarding William "Bill" Tyner
14 Recognition. And at this time, Becky, would you
15 like to read that resolution into the record?

16 MS. MITCHELL: I would love to, and I would be
17 honored. It was incredibly touching to hear not
18 only Bill's presentation but everyone after, after
19 that. So it is -- it is my honor to read the
20 resolution regarding Bill Tyner. I will start it
21 from the beginning.

22 It's Resolution No. 2022 -- I am not sure what
23 number it is -- regarding William "Bill" Tyner
24 Recognition: Whereas, Bill Tyner was a
25 well-respected and exceptional employee for the

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1 State of Colorado for 37 years, 26 of those years
2 with the Division of Water Resources; and, whereas,
3 Bill's outstanding work benefited the Arkansas
4 River Compact Administration, in numerous ways,
5 throughout his tenure with the Colorado Division of
6 Water Resources; and, whereas, Bill served as the
7 Colorado Division Engineer, for the Arkansas River
8 Basin, from 2018 until his retirement on
9 December 31st, 2022; and, whereas, Bill took on
10 projects to protect Colorado water rights, and the
11 Arkansas River Compact, even though such projects
12 were not easy or well-received; and, whereas, Bill
13 was instrumental during the transition between,
14 when Colorado and Kansas were in conflict, to now,
15 where, there is significant cooperation and
16 coordination between the states; and, whereas, Bill
17 served as the admin -- administration's operations
18 secretary -- from 2017 until his retirement from
19 state government; and, whereas, Bill performed with
20 distinction his responsibilities as an officer of
21 the administration; and, whereas, Bill conducted
22 himself at all times with the utmost
23 professionalism and sense of public duty. He
24 worked to find ways for disputed issues to be
25 resolved, with the spirit of cooperation, while

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1 protecting Colorado's interests.

2 Now, therefore, be it resolved, that the
3 Arkansas River Compact Administration hereby
4 acknowledges, with gratitude, the outstanding, and
5 devoted service of William "Bill" Tyner, to the
6 people of the states of Colorado and Kansas and
7 extend to him best wishes for continued good health
8 and happiness in all of his future endeavors.

9 Be it further resolved that this resolution be
10 entered into the record of the Administration and
11 that the recording secretary be instructed to send
12 a copy to Mr. Tyner.

13 Be it further resolved that the Administration
14 honor Mr. Tyner, for his many years of service, by
15 including his picture, and appropriate dedicatory
16 remarks, in the Administration Annual Report, for
17 the Compact Year 2022, adopted by the Arkansas
18 River Compact Administration at its 2022 annual
19 meeting on December 8th, 2022, in Lamar, Colorado.

20 MR. HAYZLETT: I would move --

21 THE CHAIRMAN: Thank you.

22 MR. HAYZLETT: -- approval of the letter.

23 THE CHAIRMAN: Okay, second?

24 MR. BRAZIL: Second.

25 THE CHAIRMAN: Second by Scott. Discussion?

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1 (No response)

2 THE CHAIRMAN: How does Colorado vote?

3 MS. MITCHELL: Colorado votes aye,
4 emphatically.

5 THE CHAIRMAN: Okay. How does Kansas vote?

6 MR. LEWIS: We would vote aye.

7 THE CHAIRMAN: It passed. Okay, Randy.

8 MR. HAYZLETT: The next item, I believe
9 down -- Becky is going to read this.

10 THE CHAIRMAN: Okay.

11 MR. HAYZLETT: Next item is recommend ARCA
12 adopt the letter recognizing Phil Reynolds for his
13 years. I would ask Becky if she would want to read
14 that letter into the record.

15 MS. MITCHELL: I would love to read that
16 letter into the record, and this is the letter for
17 recognition of Phil Reynolds, the Colorado -- from
18 the Colorado Division of Water Resources.

19 The Arkansas River Compact Administration
20 wishes -- wishes to recognize Phil Reynolds -- who
21 is retiring from the Colorado Division of Water
22 Resources at the end of this year. Phil has worked
23 as the reservoir operations coordinator, managing
24 the daily operations of Pueblo Reservoir, John
25 Martin Reservoir, and Trinidad Reservoir, for many

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1 years. Phil is a dedicated public servant, who has
2 worked tirelessly to ensure the daily operations of
3 the Arkansas River are attended to, which is a
4 365-day-a-year responsibility.

5 Phil's Colorado Division of Water Resources
6 career includes 11-and-a-half years of service to
7 the water users in the Arkansas Basin. Phil joined
8 the Division of Water Resources, in the summer of
9 2011, after working with the Southeastern Colorado
10 Water Conservancy District for a number of years
11 and in accounting and finance -- finance -- prior
12 to that.

13 In his time, at the Colorado Division of Water
14 Resources, he has actively participated in numerous
15 meetings, on behalf of the agency, and has been
16 integral to the ongoing John Martin Reservoir and
17 Trinidad Reservoir accounting, as well as the
18 Pueblo Reservoir and Winter Water Storage Program
19 accounting.

20 The Colorado representatives would also note
21 that Phil's work has impacted all areas of water
22 users, including agriculture, recreational, and
23 municipal, interests.

24 The members of the Arkansas River Compact
25 Administration express their gratitude to

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1 Phil Reynolds for his service and wish him the very
2 best in retirement.

3 THE CHAIRMAN: Randy?

4 MR. HAYZLETT: We recommend the approval of
5 that letter. I so move.

6 THE CHAIRMAN: Second?

7 MR. BRAZIL: Second.

8 THE CHAIRMAN: Scott. How does Colorado vote?

9 MS. MITCHELL: Aye.

10 THE CHAIRMAN: How does Kansas vote?

11 MR. LEWIS: Aye.

12 THE CHAIRMAN: Okay, it passes.

13 MR. HAYZLETT: The Arkansas -- the
14 Administration, Administrative Legal Committee,
15 recommend ARCA approve the following slate of
16 officers for the Compact Year 2023: For
17 Vice-Chairman, Scott Brazil; recording secretary
18 and treasurer, Stephanie Gonzales; operations
19 secretary, Rachel Zancanella; assistance operations
20 secretary, Kevin Salter.

21 I would make a motion we approve those
22 officers.

23 THE CHAIRMAN: So moved.

24 MR. BRAZIL: Second.

25 THE CHAIRMAN: Second? Scott. The

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1 discussion?

2 (No response)

3 THE CHAIRMAN: How does Kansas vote?

4 MR. LEWIS: Aye.

5 THE CHAIRMAN: How does Colorado vote?

6 MR. BRAZIL: Becky?

7 MS. MITCHELL: Aye.

8 THE CHAIRMAN: Yeah, passes.

9 MR. HAYZLETT: I recommend the following
10 committee chairs for the Compact Year 2023, and it
11 does not need a vote to adopt. We are just making
12 recommendations --

13 THE CHAIRMAN: Oh.

14 MR. HAYZLETT: -- on this. So, the
15 engineering committee will be Earl Lewis, as chair,
16 and Scott Brazil as member. Operations would be
17 Lane Malone as chair, Troy Dumler as a member.
18 Administrative and legal would be Rebecca Mitchell,
19 as chair, and Randy Hayzlett as a member. And the
20 final is, we recommend ARCA approve the dates of
21 December 6th, 2023, for the committee meetings and
22 December 7th, 2023, for the annual meeting, and
23 discuss a meeting location.

24 So, I guess I will open it up for a discussion
25 on location.

ARKANSAS RIVER COMPACT ADMINISTRATION - December 08, 2022

1 MS. MITCHELL: I -- I think we would like to
2 suggest La Junta.

3 MR. LEWIS: Yeah. I -- I think Kansas would
4 be okay with that suggestion.

5 THE CHAIRMAN: Further discussion?

6 (No response)

7 THE CHAIRMAN: And it would be my
8 understanding it would be at the college.

9 MR. HAYZLETT: We would hope that -- you would
10 help work out those details, Mr. Chairman.

11 THE CHAIRMAN: Okay. Oh --

12 MR. HAYZLETT: And --

13 THE CHAIRMAN: -- this we need to vote on.

14 MR. HAYZLETT: -- I -- that would -- I make a
15 motion to vote, yes.

16 THE CHAIRMAN: Okay, a motion. A second?

17 MR. BRAZIL: Second.

18 THE CHAIRMAN: Scott. Discussion further?

19 (No response)

20 THE CHAIRMAN: None. All in favor?

21 MR. LEWIS: Aye.

22 THE CHAIRMAN: Oh, I'm sorry. I'm sorry.
23 Kansas, how do you vote?

24 MR. LEWIS: Aye.

25 THE CHAIRMAN: Colorado, how do you vote?

ARKANSAS RIVER COMPACT ADMINISTRATION - December 08, 2022

1 MS. MITCHELL: Aye.

2 THE CHAIRMAN: Okay, passes.

3 MR. HAYZLETT: Thank you. That completes the
4 report --

5 THE CHAIRMAN: Okay.

6 MR. HAYZLETT: -- for the Administrative and
7 Legal.

8 THE CHAIRMAN: Thank you. And if I am
9 correct, the reports -- engineering, operation,
10 administrative, and legal committee -- will be a
11 part of one exhibit, which would be G.

12 And the auditor's report and budget -- do
13 those need to be separate exhibits? So auditor's
14 report would be H, and the budgets would be I, as
15 far as exhibits.

16 (Exhibits H and I were marked)

17 THE CHAIRMAN: Okay, thanks to chairs and
18 members. Now we'll move on to new business, and on
19 personal privilege I'll call on Earl Lewis for
20 recognition. Earl.

21 MR. LEWIS: Thank you, Mr. Chairman. I --
22 well, I just wanted to make a couple of quick
23 comments here. First, I probably should have done
24 this before, but I want to add my thanks and
25 congratulations to Bill. I appreciate all of the

ARKANSAS RIVER COMPACT ADMINISTRATION - December 08, 2022

1 work that he has done over the years, not only for
2 Colorado but for Kansas -- and -- and certainly the
3 approach that you have taken -- being a cooperative
4 and collaborative approach, trying to solve the
5 problems, and is something we should all strive
6 to -- to model our -- our behavior after. So thank
7 you for your -- your work. It has been very
8 helpful to us, as well.

9 As Randy mentioned, you know, both, his and
10 Troy's term, have been -- are up this year -- and
11 so, when we talked about going forward in
12 appointments, Randy said, maybe it's time for me to
13 step away and let somebody else take it over. And
14 we're in the process of that.

15 But I -- I would be remiss if I didn't take a
16 few minutes and -- and I know we'll probably talk
17 about him again next year -- but, as -- as Bill
18 talked, you know, I think probably the tenure of
19 the discussions, that we've had in the commission
20 here, or the Compact administration, has changed
21 for Randy over the years.

22 I think the first time that he was appointed
23 was in 1990, that four-year term, 1990 to '94, and
24 he took a four-year break -- and then took a
25 breather, I guess -- and then came back and served,

ARKANSAS RIVER COMPACT ADMINISTRATION - December 08, 2022

1 continuously, from 1998 to -- to now -- so,
2 28 years, in total, of service to the State of
3 Kansas and to the Compact. I think that's the
4 second-longest Compact commissioner in history. I
5 don't know if you knew that or not.

6 MR. HAYZLETT: No.

7 MR. LEWIS: So, if you want to stick around
8 and try and make the --

9 MR. HAYZLETT: I --

10 MR. LEWIS: -- make it number one -- but
11 that's -- that's a pretty big investment of time.
12 You know, we think about this next year being the
13 75th anniversary of the Compact -- you know, that's
14 more than a third, of the Compact, Randy has been
15 sitting at this table, being involved in
16 discussions and -- and representing the interests
17 of water users in -- in Kansas -- and trying to
18 solve problems.

19 You know, I think something Bill said is -- is
20 you have got to have -- I can't remember how
21 exactly he said it, but you know, quite a
22 passionate about these.

23 You know, and I think that's certainly where
24 we put Randy, as well. He -- he has been very
25 dedicated to these issues and very passionate about

ARKANSAS RIVER COMPACT ADMINISTRATION - December 08, 2022

1 the Ark River -- certainly have lived there, along
2 the Ark River, and depended on it your entire life.
3 And you were talking this morning, at breakfast,
4 about not only your life but your -- your father,
5 your -- and your grandfather -- being, you know, on
6 the same property, right along the river, and
7 depending on the river and its water for your
8 livelihood. And -- and so, you have a -- a real
9 vested personal interest in this issue, and you
10 have dedicated a significant amount of your time to
11 helping solve these issues.

12 And sometimes we kind of forget -- somebody
13 like me gets paid to be here. Randy, and other
14 folks, don't really get paid to be here. You have
15 got to dedicate a lot of time and energy, taking
16 away from -- from your own business, your own
17 family, and your own time, to -- to be here.

18 So -- and I think you have been for me, coming
19 into this over the last few years -- have been a
20 great resource, having that -- that knowledge --
21 and really understanding the ins and outs, and
22 understanding the history of how we got to this
23 point, on any number of issues.

24 And so I just want to say, thanks for -- for
25 being that resource. I know you're not -- not

ARKANSAS RIVER COMPACT ADMINISTRATION - December 08, 2022

1 going away. You'll -- you'll still answer the
2 calls, I think. But I just wanted to say, thank
3 you on behalf of -- of our team -- for all that you
4 have done. And -- and, again, I know you're not
5 going anywhere, we'll be able to get ahold of you,
6 but maybe you'll spend a little less time in
7 dealing with this stuff.

8 So thank you.

9 MR. HAYZLETT: And thanks, Earl. Appreciate
10 that.

11 THE CHAIRMAN: Thank you, Earl. Now, Troy,
12 will you be re-appointed? Or that's up to the
13 governor, I guess?

14 MR. DUMLER: That's up to the governor to
15 approve.

16 THE CHAIRMAN: Okay. Well, and we feel
17 certain that that will happen. Otherwise, we'll
18 get a new governor in.

19 (Laughing)

20 THE CHAIRMAN: And Randy, I -- we should
21 probably put it to a vote, as to whether you can
22 leave this commission or not. I don't think it
23 would pass.

24 (Laughing)

25 MR. HAYZLETT: Just me.

ARKANSAS RIVER COMPACT ADMINISTRATION - December 08, 2022

1 THE CHAIRMAN: But I want to join Earl. I can
2 remember, when I first got on this commission, my
3 first meeting was in this very building, on the
4 other side, and I didn't have a clue what I was
5 getting into. I couldn't even spell ARCA at that
6 point in time. And Randy ran the meeting, at least
7 part of it, to kind of kick things off and get
8 me -- or, at least, get my feet somewhat wet.

9 But I feel you have been a true credit, and
10 Kansas is lucky to have a person like you, who
11 dedicates a large part of their life to supporting
12 the Arkansas -- "Arkansas" River -- and everything
13 that it means to the development of Kansas itself.

14 So I want to thank you, as well.

15 MR. HAYZLETT: Okay, thank you.

16 THE CHAIRMAN: Any new business, other new
17 business?

18 (No response)

19 THE CHAIRMAN: Being none? Okay. Public
20 comments? Any public comments? Oh, we have some.
21 Come to the podium and give us your name, and I
22 think it's turned on. Check.

23 MR. REYNOLDS: Thank you, Mr. Chairman. Phil
24 Reynolds speaking. I just want to say, as keeper
25 of the data for the last 11-and-a-half years, it

ARKANSAS RIVER COMPACT ADMINISTRATION - December 08, 2022

1 has been an honor to have been a part of ARCA, and
2 I just want to thank all of the ARCA people over
3 this, these years, that have been so kind to me and
4 -- and helpful.

5 I want to say thank you to Division 2, Bill,
6 and all the people in Division 2 that helped me
7 learn so much; great learning situation. So I
8 appreciate all of that. And kudos to Kevin -- and
9 Rachel Duran. You couldn't ask for two more
10 professional people to work with. I appreciate you
11 two very much. Thank you.

12 THE CHAIRMAN: Thank you. Any other public
13 comment?

14 (No response)

15 THE CHAIRMAN: Hearing none, I would like to
16 thank all of the staff from Colorado, as well as
17 Kansas, for everything you did to make this meeting
18 run as smoothly as it did. I know you put in a lot
19 of extra time to make us look somewhat good.

20 But with that, also, wish everyone a Merry
21 Christmas, Happy New Year, and Happy Hanukkah, and
22 Happy Holidays, and I would entertain in a
23 motion -- I can't tell if Kevin is trying to get my
24 attention or not.

25 MR. SALTER: Yeah.

ARKANSAS RIVER COMPACT ADMINISTRATION - December 08, 2022

1 THE CHAIRMAN: Just --

2 MR. SALTER: And it's not me. It's actually
3 Rachel Duran. I don't think we made the letter to
4 Phil Reynolds an exhibit.

5 THE CHAIRMAN: Oh.

6 MR. SALTER: So that probably would be
7 appropriate to do. My apologies for breaking in so
8 late.

9 (Exhibit J was marked)

10 THE CHAIRMAN: So I will make that Exhibit J,
11 unless there is -- we could just -- seeing none.

12 (No response)

13 THE CHAIRMAN: Okay, motion to adjourn?

14 MR. HAYZLETT: So move.

15 THE CHAIRMAN: Second?

16 MS. MITCHELL: Second.

17 THE CHAIRMAN: Oh, Becky is right on top of
18 that. Great. Okay. Anyone opposed?

19 (No response)

20 THE CHAIRMAN: Seeing none, we are adjourned
21 at 11:07 a.m.

22 (Whereupon, the proceedings were concluded)

23

24

25

**ARCA 2022 ANNUAL MEETING
EXHIBITS/ATTACHMENTS TO MINUTES**

Letter	Description
A.	Attendance List
B.	Agenda
C.	USGS Report
D.	USACE Report
E.	USBR Report
F.	Ten-Year Compact Compliance Accounting Table
G.	Committee Reports
H.	Auditors Report
I.	Budgets
J.	Letter recognizing Phil Reynolds

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Exhibit A

Annual Meeting

December 8, 2022

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ATTENDANCE LIST
2022 ARKANSAS RIVER COMPACT ADMINISTRATION ANNUAL MEETING
Thursday, December 08, 2022, 8:30 A.M. (MST), Lamar, Colorado

<u>NAME</u>	<u>REPRESENTING</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
Nabil Shafik	CSACE	Albuquerque, NM	505-342-3421	nabil.g.shafik@CSACE.army.mil
Connie Mantelli	PRWCD	3540 E Main Trinidad CO	719 846 7285	prwcd@yahoo.com
Randy Hayzlett	ARCA	1112 Rd T Lakin	620 271-4008	hayzlett@pld.com
Jim Rizzuto	Ed Rep	319 Columbia ^{Swink} CO	719, 469, 6822	j.rizzuto@braun.net
CHRIS GNAN	USBR	Loveland CO	970-461-5432	cgnan@usbr.gov
STEVE KASTNER	PRWCD	TRINIDAD	719 242 7227	prwcd@yahoo.com
Zel Gale	Frontier Ditch		620-784-8284	
Philip Reynolds	CDWR			philip.reynolds@state.co.us
Noah Friesen	CDWR	Canon City, CO	970-470-5770	friesenn@state.co.us
Kassidy Davis	DWR	310 E Abriendo Pueblo, CO	719-469-3568	kassidy.davis@state.co.us

Exhibit A

ATTENDANCE LIST

2022 ARKANSAS RIVER COMPACT ADMINISTRATION ANNUAL MEETING
Thursday, December 08, 2022, 8:30 A.M. (MST), Lamar, Colorado

<u>NAME</u>	<u>REPRESENTING</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
Earl Lewis	Kansas	1320 Research Park Manhattan, KS	785-477-5906	Earl.Lewis@ks.gov
Mike Holmberg	USBR	610 Reservoir Rd Pueblo, CO 81005	719-429-5798	mholmberg@usbr.gov
Kurtis Wiard	KS AG			Kurtis.Wiard@ag.ks.gov
Bill Ramirez	TRINIDAD	3789 HWY 12 WESTON CO 81001	719 680 1432	northlake.gil @gmail.com
Nathan Sullivan	USGS-KS	1204 Canterbury Dr. Hays, KS 67601	785-764-6266	nsullivan@usgs.gov
Tyler Sargerwinnie	USGS-KS	1204 Canterbury Dr. Hays, KS 67601	785-259-4267	tsargerwinnie@usgs.gov
Jeff Ricker	Reclamation	11056 W County Rd 18E Loveland, CO 80537	970-461-5300	jricker@usbr.gov
Rachel Zanarotta	CDWR	310 E Abriendo Ave Pueblo, CO 81004	719-565-8686	Rachel.Zanarotta @state.co.us
Bill Tyner	" "	" "		
Ray Cue	LAWMA	310 S 6th St. Lamar CO 81052	719 688 9310	lawma@cmint.net

ATTENDANCE LIST

2022 ARKANSAS RIVER COMPACT ADMINISTRATION ANNUAL MEETING
Thursday, December 08, 2022, 8:30 A.M. (MST), Lamar, Colorado

<u>NAME</u>	<u>REPRESENTING</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
Krystal Brown	USGS	201 E 9th St Pueblo, CO 81003	719-250-0096	kcbrown@usgs.gov
Dustin Ethredge	USGS	201 E 9th St Pueblo, CO 81003	719-369-5738	ethredge@usgs.gov
Brandon Forbes	USGS	201 E 9th St Pueblo, CO 81003	520-579-8970	bforbes@usgs.gov
MATT ELY	USGS	DENVER FZO CENTRAL, DENVER CO	720-618-3282	MELYC@USGS.FZO
Rachel Duran	KDWR	Garden City	620-276-2701	Rachel.duran@ks.gov
Lorrie Spady	CDWR	310 Abriendo Pueblo CO 81004	719-250-1655	Lorrie.Spady@state.ks.us
David Engelhaupt	KDA	1320 Research Park Dr. Manhattan KS 66502		
Chris Bright	KDA	" "		
Stephanie Kramer	KDA	" "		stephanie.kramer@ks.gov
Troy Dumlér	ARCA	Garden City	620-276-3246	tdumler@gardencityco.com

ATTENDANCE LIST

2022 ARKANSAS RIVER COMPACT ADMINISTRATION ANNUAL MEETING
Thursday, December 08, 2022, 8:30 A.M. (MST), Lamar, Colorado

<u>NAME</u>	<u>REPRESENTING</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
Scott Brazil	ARCA	1850 38th Ave Pueblo CO 81000	719-250-7113	S.brazil@live.com
Lane McLoan	Arca Rep	33827 CR17 Holly Colo 81047	719-940-0646	lmcloan@ch2m.hill.com
DAN STEUER	CO Army GENL	1300 Bway DENVER	720 508 6262	DANIEL.STEUBER @COAR.GOV
Keaton Pearson	Kansas Water Office			keaton-pearson@ kwo.ks.gov
TERRY Howland	Amity	P.O. Box 187 2045 Main St Holly CO	719-537-6627	amity5@verizon.net
Kevin Selter	KOA-DWR			
Kelly Roesch	Colorado Springs Wildlife		719-688-0104	Kroesch@csu.org
JAKE WILLIAMS	USACE		719-336-3476	Jacob.E.Williams@usace. army.mil
Zoom Kimberly Falen				
Zoom Kate Langworthy				

ATTENDANCE LIST

2022 ARKANSAS RIVER COMPACT ADMINISTRATION ANNUAL MEETING
Thursday, December 08, 2022, 8:30 A.M. (MST), Lamar, Colorado

<u>NAME</u>	<u>REPRESENTING</u>	<u>ADDRESS</u>	<u>PHONE</u>	<u>EMAIL</u>
Tam Sabin	KADKE	Tyrone KS	785 246-6170	tam.sab@ks.gov
Bryan Cole	Co DWR	Wiley, Co	719-688-6411	bryan.cole@state.co.us
Kelley Thayer	CDWR	Denver CO		kelley.thompson@state.co.us
Stephanie Gonzales	ARCA ^{Rec. Sec} _{Treas.}	Granada, CO	719-688-0799	arca.co.ks@gmail.com
Josep Talbot	CDWR	Division 2	719 225 9542	joseph.talbot@state.co.us
Rebecca Mitchell	CWCB			
Jake Wessel				
Julie Knudson				
Justin Louen				
Jeff Montoya				

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Exhibit B

Annual Meeting

December 8, 2022

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ARKANSAS RIVER COMPACT ADMINISTRATION
2022 ANNUAL MEETING
Thursday, Dec. 8, 2022, 8:30 a.m. MST (9:30 a.m. CST)
Elks Lodge No. 1319, Lamar, CO
DRAFT AGENDA (subject to change)
Presiding: James Rizzuto, Chairman

- 1. Call to Order: Chairman, James Rizzuto**
- 2. Review and revisions of agenda**
- 3. Report of Chair and Vice-Chair**
- 4. Reports of Federal Agencies**
 - A. U.S. Geological Survey
 - B. U.S. Army Corps of Engineers
 - C. U.S. Bureau of Reclamation
- 5. Reports from Local Water User and State Agencies**
 - A. Purgatoire River Water Conservancy District
- 6. Compact Compliance / Decree Issues Updates**
 - A. Ten-year Compact Compliance Accounting table (2012-2021) – Joint Report of the States
 - B. Colorado’s PDF (presumed depletion factor) Evaluation
- 7. Report of Special Engineering Committee**
- 8. Report of Engineering Committee**
- 9. Operations Committee**
 - A. Operations Secretary Report
 - B. Assistant Operations Secretary Report
 - C. Offset Account Report
 - D. Report from December 7, 2022 meeting
- 10. Administrative & Legal Committee**
 - A. Recording Secretary and Treasurer Report
 - B. Report from December 7, 2022 meeting
- 11. New Business**
- 12. Public Comment**
- 13. Adjourn**

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Exhibit C

Annual Meeting

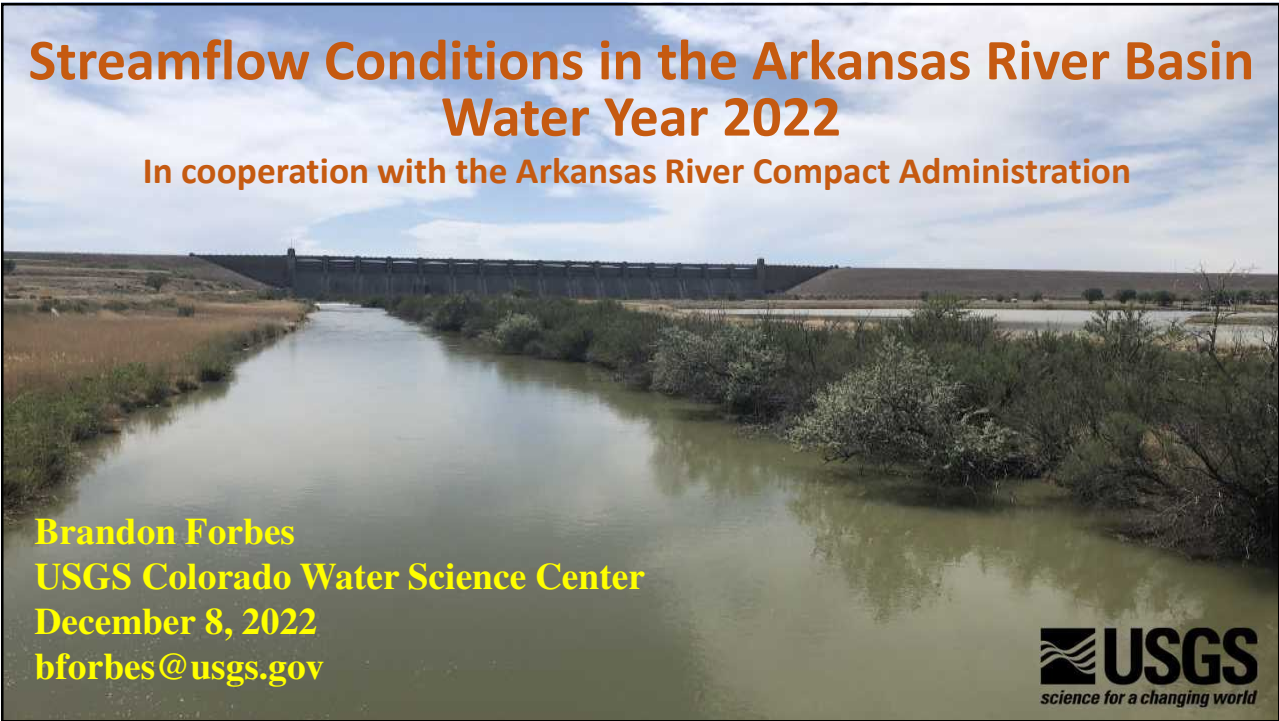

December 8, 2022

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Streamflow Conditions in the Arkansas River Basin Water Year 2022

In cooperation with the Arkansas River Compact Administration


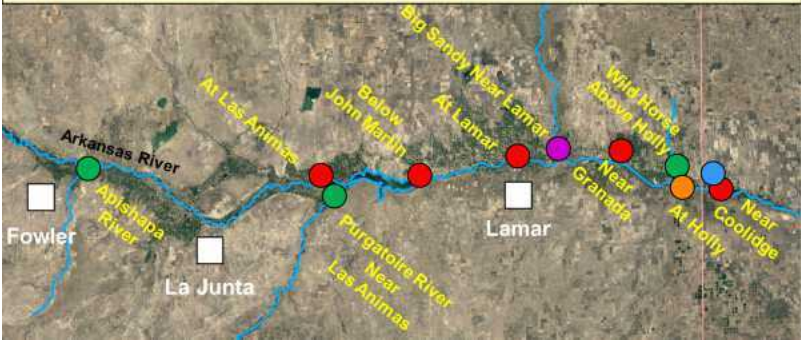
Brandon Forbes
USGS Colorado Water Science Center
December 8, 2022
bforbes@usgs.gov



1

USGS/ARCA Cooperative Streamgauge Program

- Mainstem Arkansas Sites (5)
- Tributary Sites (3)
- Frontier Ditch
- Potential Discontinued Site: Big Sandy nr Lamar
- Potential Reestablished Site: Arkansas River at Holly



2



Proposed Changes to the Engineering Committee

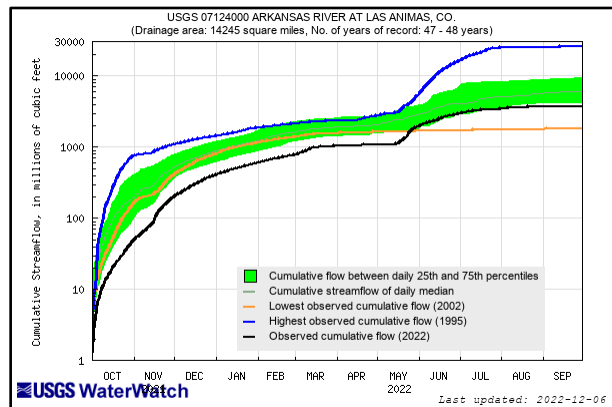
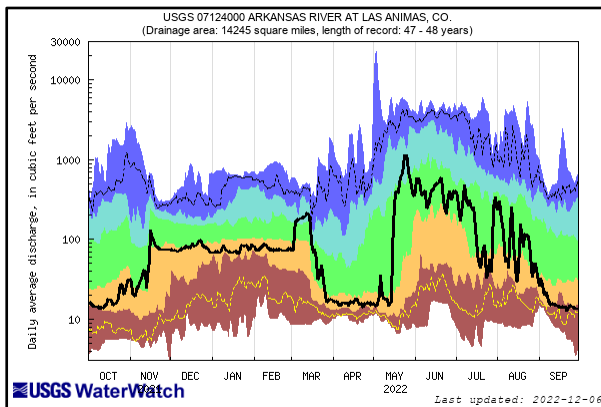
- Discontinuation of the Big Sandy Gage
- Reestablishment of the Ark River at Holly Gage
- Reuse gaging equipment to save costs
- Installation of new equipment
- 6 additional stream flow measurements to improve rating development



3

Water Year 2022 Streamflow Conditions

Arkansas River at Las Animas



Explanation - Percentile classes					
lowest-10th percentile	5	10-24	25-75	76-90	95 90th percentile-highest
Much below Normal	Below normal	Normal	Above normal	Much above normal	Flow

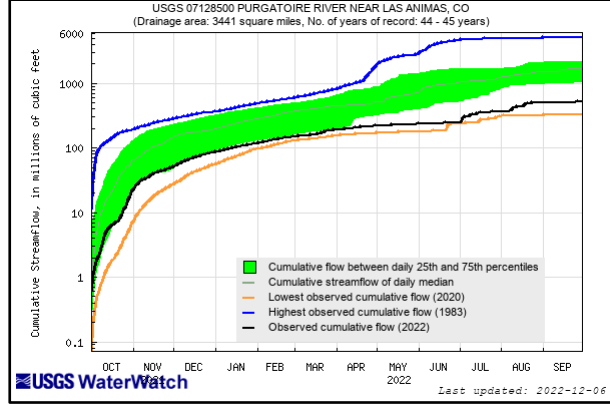
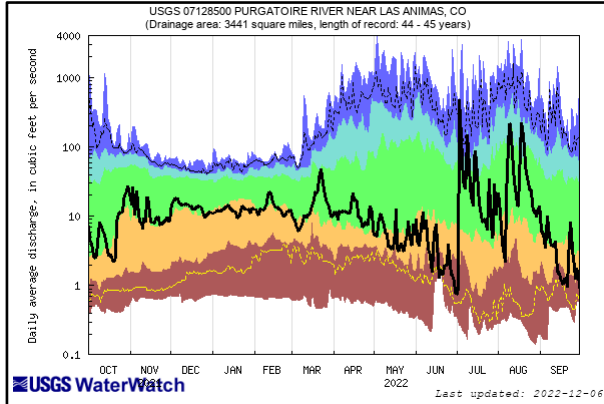
In Water Year 2022:
88,746 Acre-Feet, 47% of the long-term average



4

Water Year 2022 Streamflow Conditions

Purgatoire River near Las Animas



Explanation - Percentile classes						
lowest-10th percentile	5	10-24	25-75	76-90	95	90th percentile-highest
Much below Normal	Below normal	Normal	Above normal	Much above normal		Flow

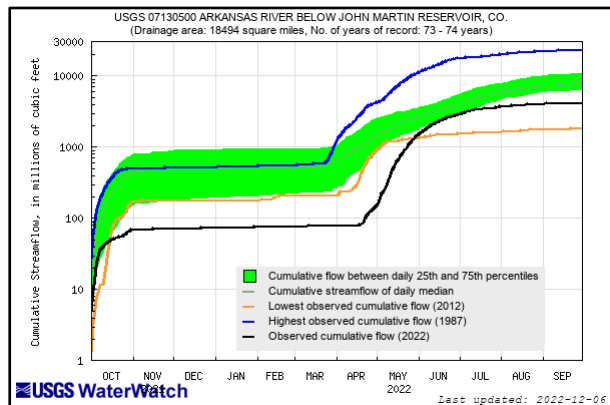
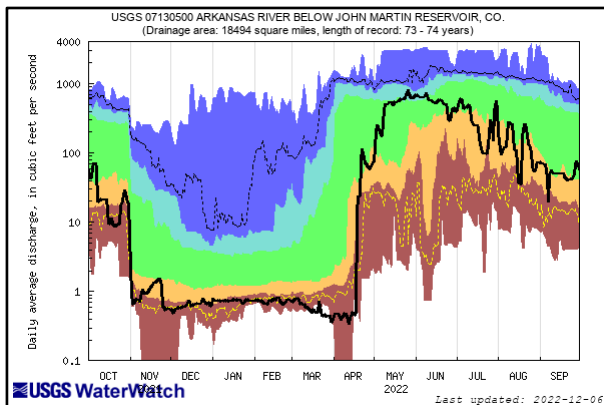
In Water Year 2022:
12,145 Acre-Feet, 29% of the long-term average



5

Water Year 2022 Streamflow Conditions

Arkansas River Below John Martin Reservoir



Explanation - Percentile classes						
lowest-10th percentile	5	10-24	25-75	76-90	95	90th percentile-highest
Much below Normal	Below normal	Normal	Above normal	Much above normal		Flow

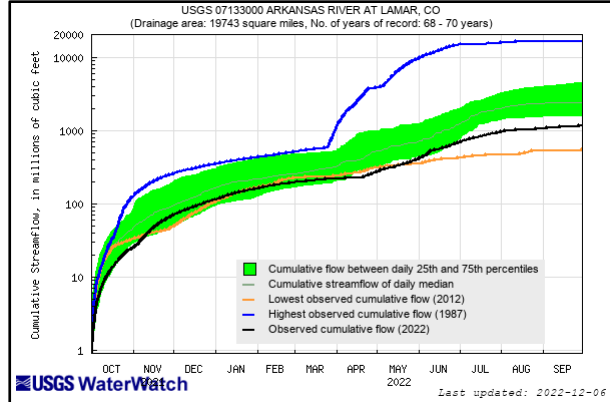
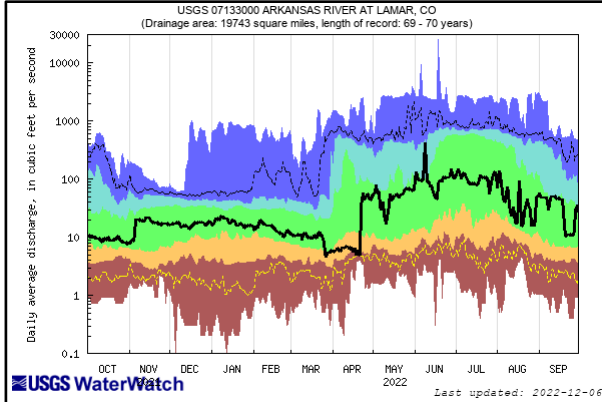
In Water Year 2022:
98,156 Acre-Feet, 49% of the long-term average



6

Water Year 2022 Streamflow Conditions

Arkansas River at Lamar



Explanation - Percentile classes						
lowest-10th percentile	5	10-24	25-75	76-90	95	90th percentile-highest
Much below Normal	Below normal	Normal	Above normal	Much above normal		Flow

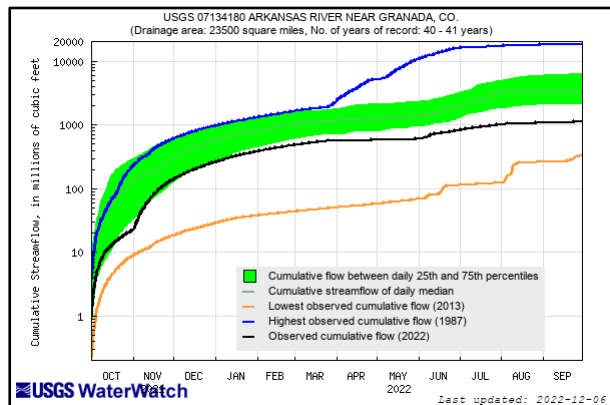
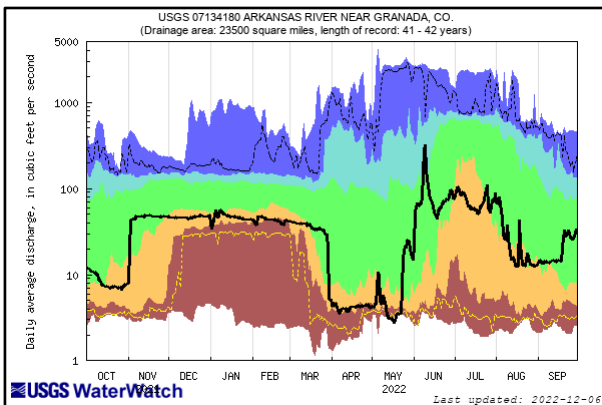
In Water Year 2022:
27,118 Acre-Feet, 34% of the long-term average



7

Water Year 2022 Streamflow Conditions

Arkansas River at Granada



Explanation - Percentile classes						
lowest-10th percentile	5	10-24	25-75	76-90	95	90th percentile-highest
Much below Normal	Below normal	Normal	Above normal	Much above normal		Flow

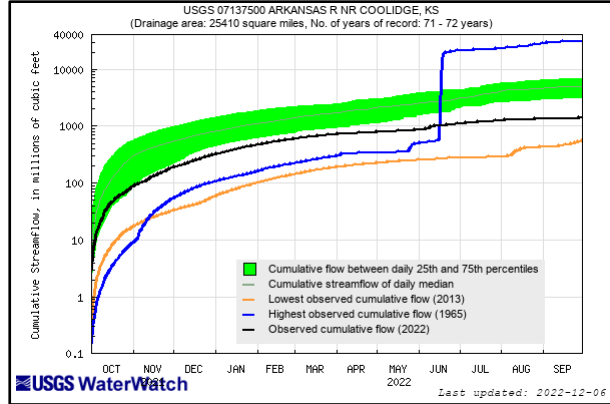
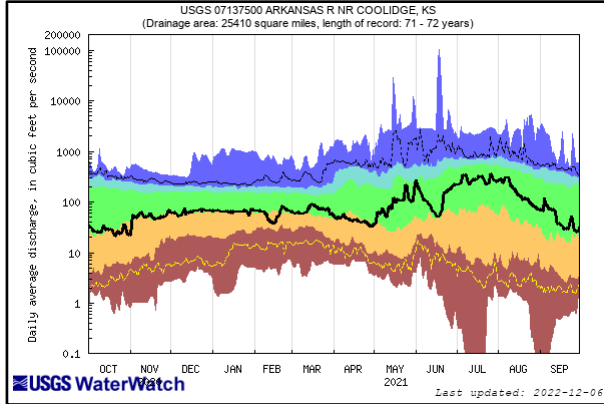
In Water Year 2022:
26,668 Acre-Feet, 23% of the long-term average



8

Water Year 2022 Streamflow Conditions

Arkansas River at Coolidge



Explanation - Percentile classes						
lowest-10th percentile	5	10-24	25-75	76-90	95	90th percentile-highest
Much below Normal	Below normal	Normal	Above normal	Much above normal		Flow

In Water Year 2022:
33,160 Acre-Feet, 23% of the long-term average



9

Water Year 2022 Streamflow Conditions



Summary of streamflow at USGS/ARCA stations Water Year 2022 (Oct 1, 2021 - Sept 30, 2022)

USGS Station Number	Station Name	WY2022 Annual total flow, in acre-feet	WY2022 as Percentage of long-term average
07119500	Apishapa River near Fowler	5,376	32%
07124000	Arkansas River at Las Animas	88,746	47%
07128500	Purgatoire River near Las Animas	12,145	29%
07130500	Arkansas River below John Martin Reservoir	98,156	49%
07133000	Arkansas River at Lamar	27,118	34%
07134100	Big Sandy Creek near Lamar	2,121	23%
07134180	Arkansas River near Granada	26,668	23%
07134990	Wild Horse Cr. above Holly, October, April-Sept	749	21%
07137500	Arkansas River near Coolidge, KS	33,160	23%
07137000	Frontier Ditch near Coolidge, KS	10,288	120%

10

Water Year 2022 Streamflow Conditions

-The two major tributaries to John Martin Reservoir, the Apishapa and the Purgatoire produced 32% and 29% respectively, of the long-term average flow.

-Outflow from John Martin Reservoir produced 49% of the long-term average.

-Huge thanks to the USGS staff in Colorado and Kansas for all the hard work this year!

-The network has just under 700 years of gage operation collectively; two gages have been in operation over 100 years!
(Purgatoire nr Las Animas and Ark at Lamar)

-Gage calibration in WY 2022 required over 125 individual discharge measurements



11



Questions?



12

Exhibit D

Annual Meeting

December 8, 2022

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2022 ARCA ANNUAL MEETING ARKANSAS RIVER BASIN REPORT

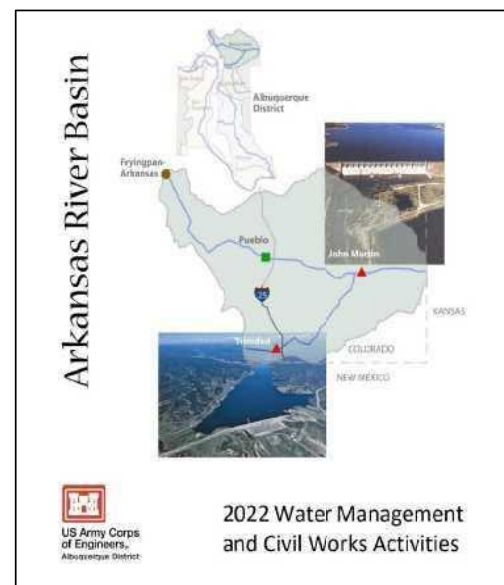
LTC Jerre Hansbrough, PE
District Commander
South Pacific Division
Albuquerque District

8 December 2022



TOPICS

- Compact Year 2022 Water Management
- Arkansas Basin Water Quality Monitoring
- Operations and Maintenance
- Civil Works Projects
- Emergency Management Coordination





COMPACT YEAR 2022 WATER MANAGEMENT

Snowpack and Runoff



May 1st Natural Resources Conservation Service Forecast

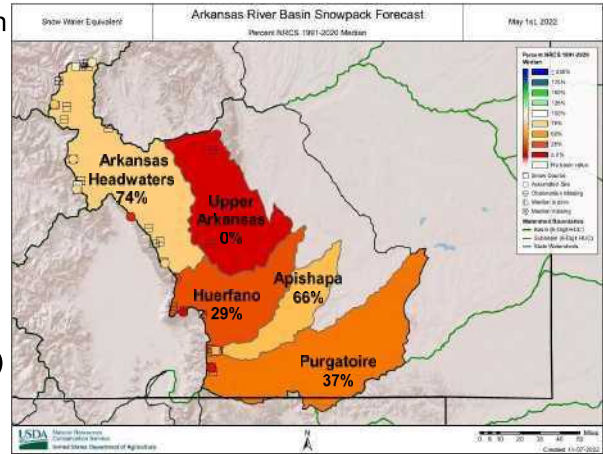
- Arkansas Headwaters Basin snowpack: 74% of median
- Upper Arkansas Basin snowpack: 0% of median
- Purgatoire Basin snowpack: 37% of median
- Basin-wide average: 66% of median

Trinidad Dam and Lake

- Forecast runoff inflow: 10,000 ac-ft
- Actual runoff inflow: 7,000 ac-ft (24% of median)

John Martin Dam and Reservoir

- National Weather Service: 82,400 ac-ft
- Actual runoff inflow: 60,750 ac-ft (48% of median)



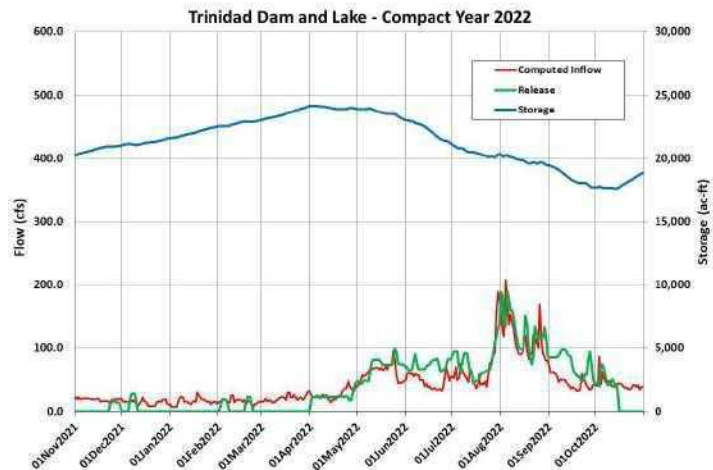
COMPACT YEAR 2022 WATER MANAGEMENT

Trinidad Dam and Lake



Compact Year 2022 Water Management

- Computed inflow: 30,200 ac-ft
- Release: 29,400 ac-ft
- Maximum storage: 24,160 ac-ft
- Minimum storage: 17,620 ac-ft
- End of Compact Year storage: 18,862 ac-ft
- No Flood Risk Management Operations
- No evidence of zebra or quagga mussels





COMPACT YEAR 2022 WATER MANAGEMENT

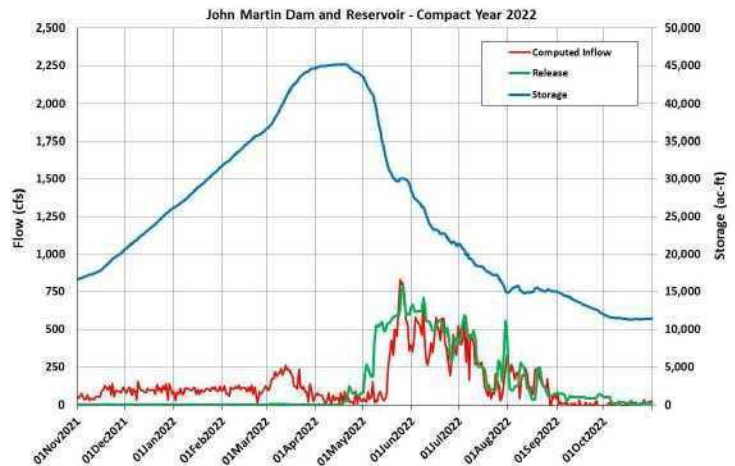
John Martin Dam and Reservoir



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Compact Year 2022 Water Management

- Computed inflow: 101,500 ac-ft
- Release: 95,400 ac-ft
- Maximum storage: 45,260 ac-ft
- Minimum storage: 11,350 ac-ft
- No Flood Risk Management Operations
- No evidence of zebra or quagga mussels



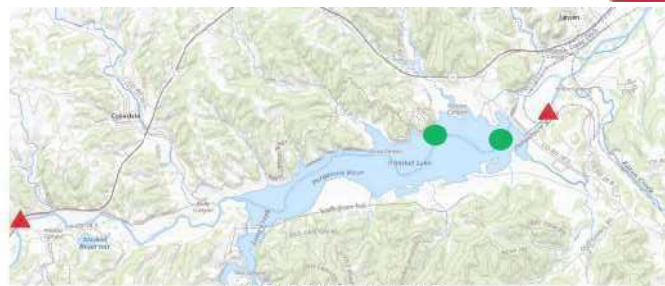
ARKANSAS WATER QUALITY MONITORING



6

● Reservoir Stations (2012 – Current)

- Monthly during ice-free period
 - Vertical profiles
 - Temperature
 - Dissolved oxygen
 - Surface measurements
 - Turbidity
 - pH
 - Specific conductance
 - Secchi depth
 - Zebra and quagga mussel (June-October)



Trinidad Dam and Lake

▲ Riverine Stations (2020 – 2025)

- 15-minute interval
 - Water Temperature
 - Dissolved oxygen
 - Turbidity
 - pH
 - Specific conductance
- Monthly anions/cations and total suspended sediment



John Martin Dam and Reservoir



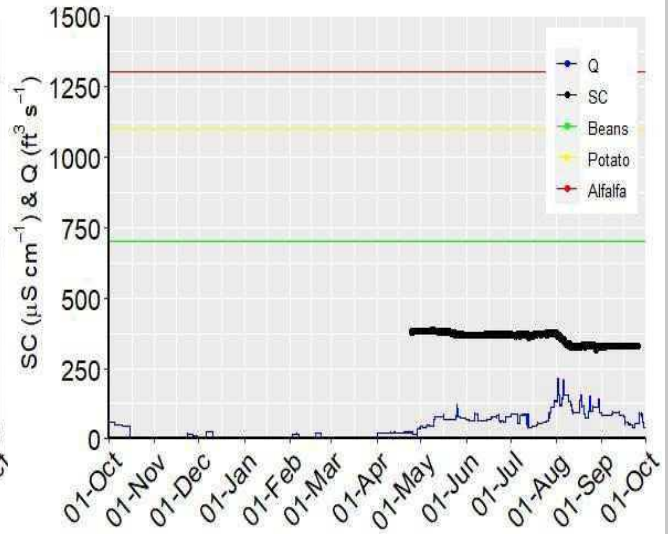
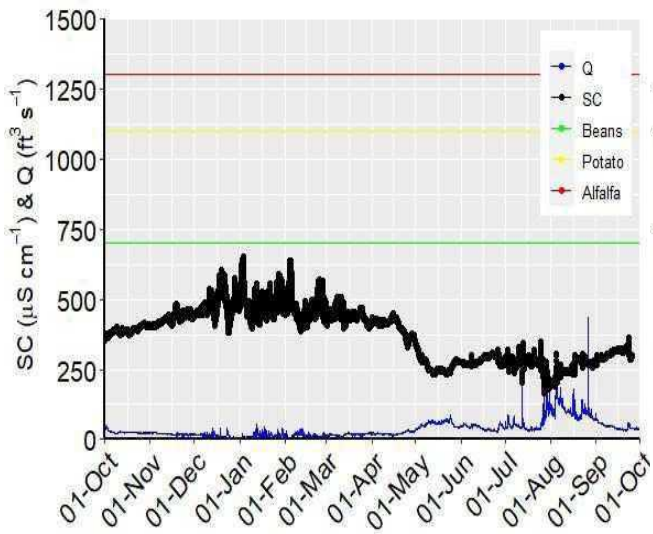
ARKANSAS WATER QUALITY MONITORING DATA



2022 Discharge, Specific Conductance, and Crop thresholds

Upstream of Trinidad dam (Madrid Gauge)

Downstream of Trinidad Dam



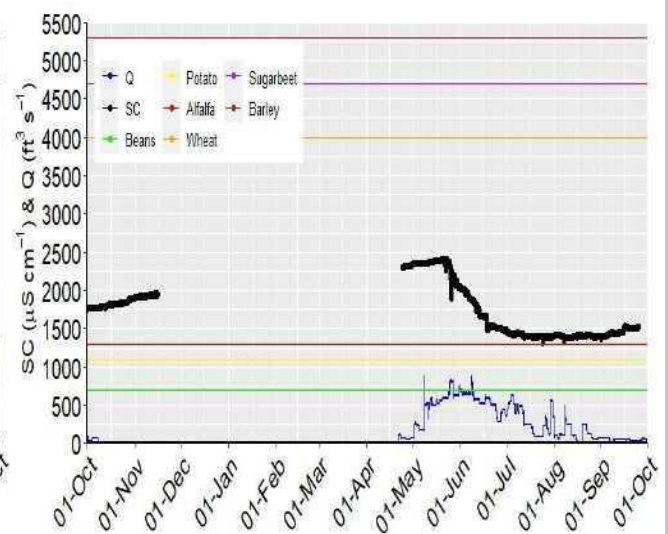
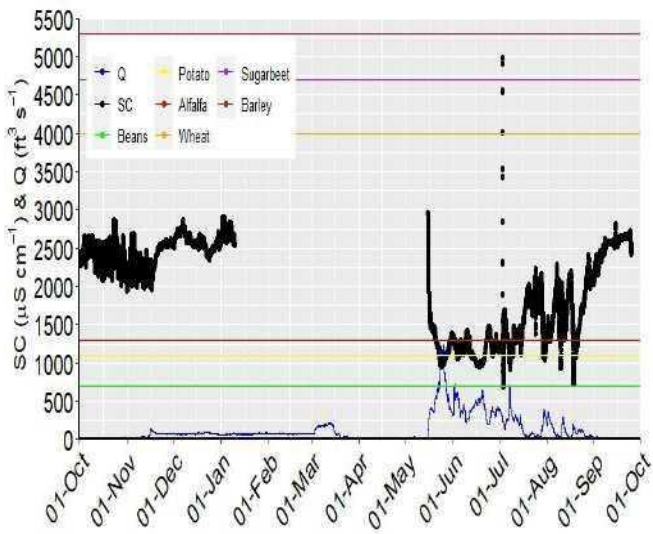
ARKANSAS WATER QUALITY MONITORING DATA



2022 Discharge, Specific Conductance, and Crop thresholds

Upstream of John Martin dam

Downstream of John Martin Dam





OPERATIONS AND MAINTENANCE



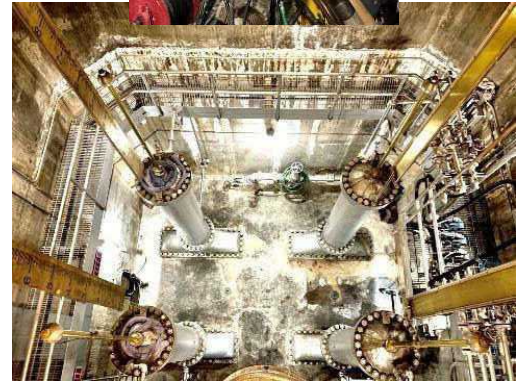
John Martin Dam and Reservoir

- Field investigation
Vibrating wire piezometers were installed at three key monoliths and directed both upstream and downstream of the dam. This effort involved drilling into the monoliths from the operating gallery and then barge drilling in the reservoir.



Trinidad Dam and Lake

- Maintenance Contracts
Contracts were completed to replace the sump pump in the dam tower and to replace the packing glands on the two pairs of service and emergency gates.



CIVIL WORKS SECTION 206- ECOSYSTEM RESTORATION



Spring Creek, Colorado

Sponsor: City of Colorado Springs

- o The purpose of the project is to restore a wetland and bird sanctuary formerly managed by the Audubon Society.
- o In FY21, funds were used to complete the Federal Interest Determination
- o Feasibility Cost Share Agreement signed July 2022
- o Feasibility study expected to complete in 2025



Project site location in Colorado Springs, CO. Former wetland outlined in light blue.

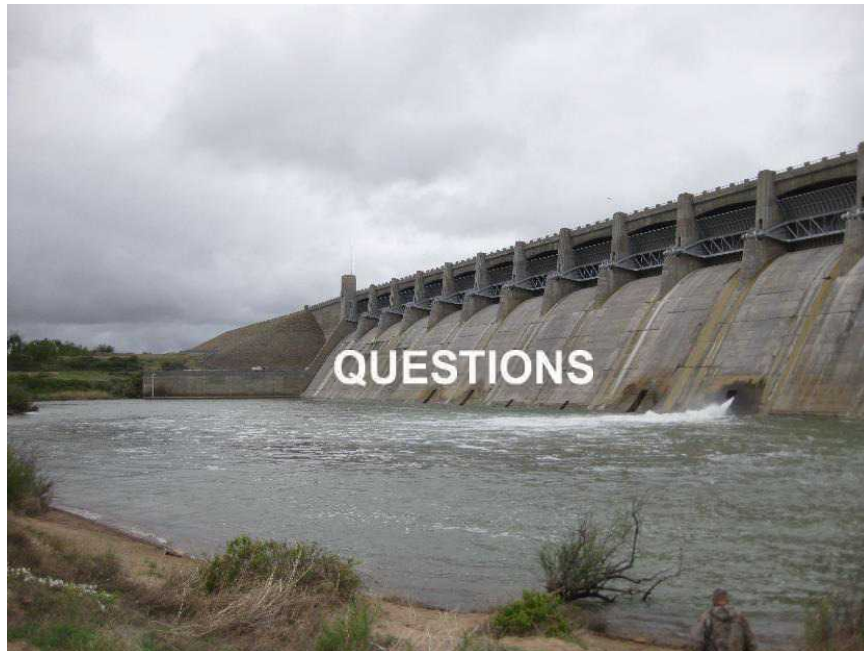
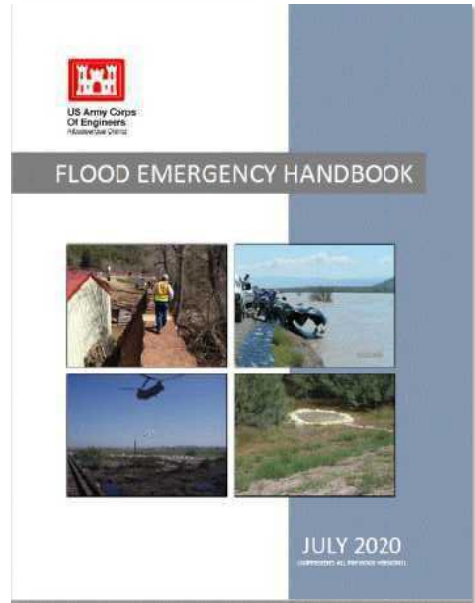


EMERGENCY MANAGEMENT COORDINATION

Public Law 84-99 authorized USACE to assist state and local governments before, during, and after flood events.

Assistance can be obtained by contacting:

**Albuquerque District, U.S. Army Corps of Engineers,
Emergency Management Branch, Operations Office**
cespa-eoc@usace.army.mil
505-342-3686



Arkansas River Basin



US Army Corps
of Engineers®
Albuquerque District

2022 Water Management and Civil Works Activities

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1. General

During Compact Year 2022 (1 November 2021 – 31 October 2022), activities of the U.S. Army Corps of Engineers (USACE), Albuquerque District, in the Arkansas River Basin consisted of water management, operations and maintenance, civil works, flood risk management, compliance with Section 404 of the Clean Water Act, and post wildfire flooding concerns.

2. Water Management Operations

In 2022, the Arkansas River Basin snowmelt forecast was well below normal throughout much of the basin. As of May 1st, the overall basin wide snowpack was reported as below average at 66% of median. The Upper Arkansas Basin reported 74% of median, the Cucharas and Huerfano basins reported 29% of median, the Apishapa Basin reported 66% of median, and the Purgatoire River Basin reported 37% of the median snowpack.

Table 1 compares the Natural Resources Conservation Service's (NRCS) forecast runoff to the actual measured runoff. The NRCS May 1st forecast predicted streamflow to be 77% of average for the Arkansas River above Pueblo Reservoir, and 39% of median for the Purgatoire River at Trinidad Reservoir. Actual observed snowmelt runoff (native) inflow to Pueblo Reservoir was 55% of the 30-year median used by NRCS, actual observed snowmelt and storm runoff inflow to Trinidad Reservoir was 17% of the 30-year median, and actual observed snowmelt runoff inflow to John Martin Reservoir was 36% of median.

Table 1. May 1, 2022, NRCS/NWS Forecast and Actual Runoff

Arkansas River Basin May 1 st Most Probable Snowmelt Runoff Forecast (50% Exceedance)				
Measurement Location	Snowmelt Runoff (x 1,000 Acre-Feet)		Percent of Median	
	May Forecast	Actual	May Forecast	Actual
Arkansas River above Pueblo (April – July)	250	177.5 ¹	77%	55%
Purgatoire River at Trinidad (April – July)	10	7 ²	34%	24%
John Martin Dam and Reservoir (April – July)	82.4 ³	60.75 ²	65% ³	48%

¹ Data Source: Colorado Division Water Resources

² Data Source: U.S. Army Corps of Engineers

³ National Weather Service inflow forecast for Arkansas at Las Animas

a. Trinidad Dam and Reservoir

For Compact Year 2022, the reservoir surface elevation started at 6,183 ft with storage of 20,247 acre-feet and ended at 6,181 ft with storage of 18,825 acre-feet, a net change of -2 ft in elevation and -1,420 acre-feet in storage. Storage peaked at 24,160 acre-feet (elevation of 6,188.33 ft) on 2 April 2022. The maximum daily inflow was 208 cubic feet per second (cfs) on 23 May 2022 and the maximum daily release was 1175.5 cfs on 04 August 2022. The total inflow for Trinidad Reservoir was 30,660 acre-feet and total outflow was 29,430 acre-feet. Figure 1 illustrates daily release, storage and computed inflow to Trinidad reservoir.

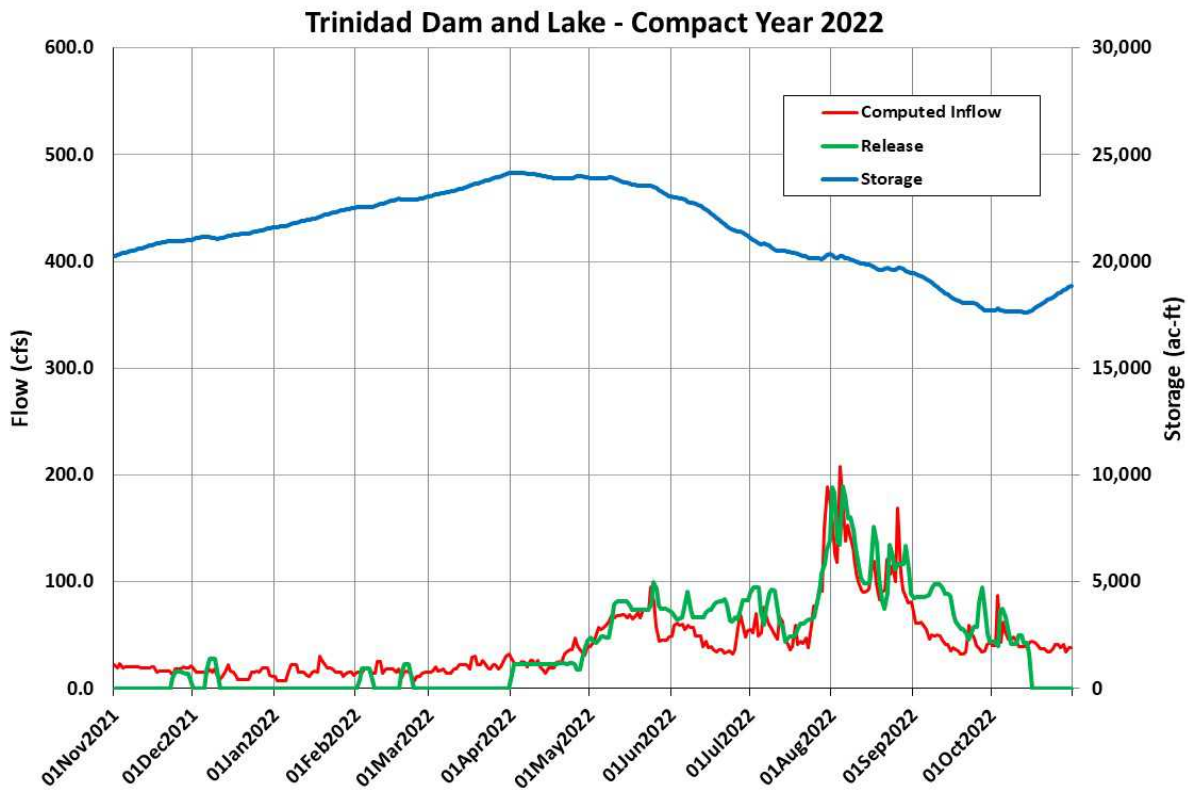


Figure 1: 2022 Trinidad Dam and Lake Water Operations

b. John Martin Dam and Reservoir

For Compact Year 2022, the reservoir surface elevation started at 3,799.77 ft with storage of 16,658 acre-feet and ended at 3,797.29 ft with storage of 11,480 acre-feet, a net change of -2.48 ft in elevation and -5,178 acre-feet in storage. Storage peaked at 45,256 acre-feet (elevation of 3,810.02 ft) on 17 April 2022. The maximum daily inflow was 833 cfs on 24 May 2022 and the maximum daily release was 793 cfs on 26 May 2022. The total computed inflow for John Martin Reservoir was 103,740 acre-feet

and total release was 95,420 acre-feet. USACE did not operate for flood control at John Martin Dam and Reservoir in 2022. Figure 2 illustrates daily release, storage and computed inflow to John Martin Reservoir.

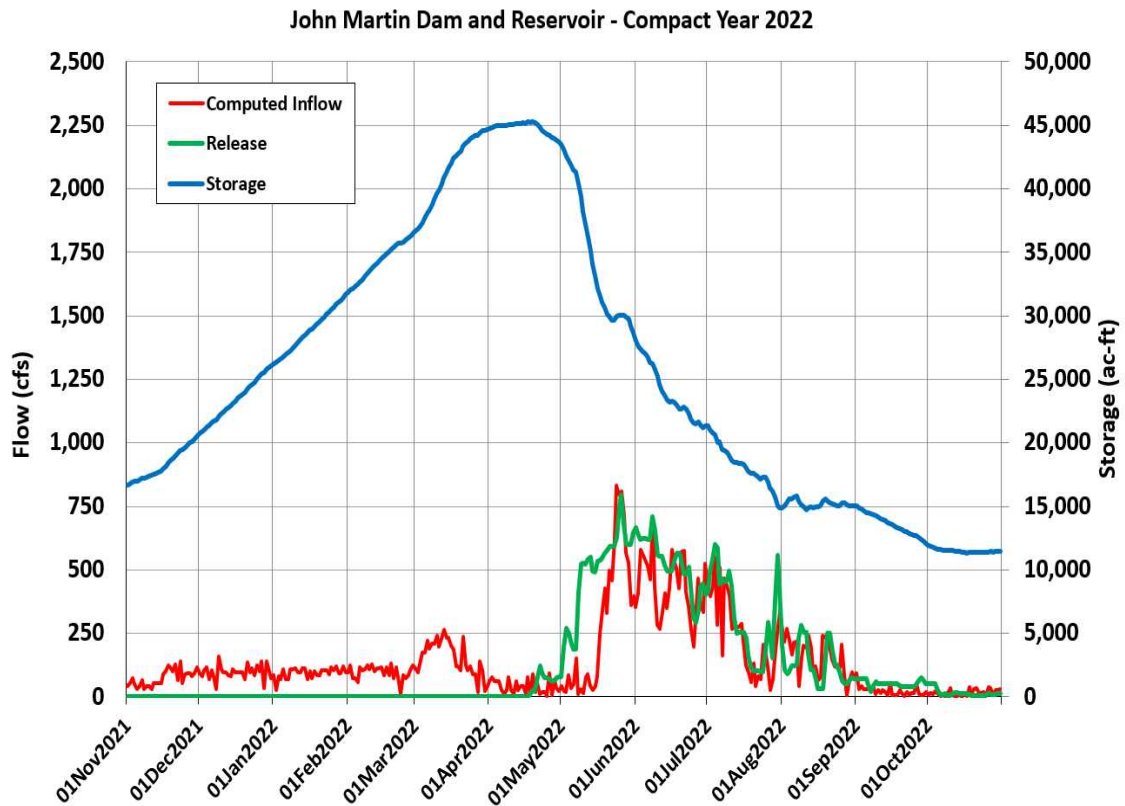


Figure 2: 2022 John Martin Dam and Reservoir Water Operations

c. Water Quality

USACE continued water quality monitoring program in Compact Year 2022. Project staff have been collecting monthly water quality data from USACE reservoirs since 2012, which is forwarded to environmental staff in USACE’s Albuquerque District Office for review and entry into the water quality database. At the locations shown below within Trinidad Reservoir and John Martin Reservoir (Figures 3 & 4), staff collect surface measurements of turbidity, pH, and specific conductance, as well as Secchi depth. Data on temperature and dissolved oxygen are collected through vertical profiles through the water column, and zebra and quagga mussel monitoring typically occurs from June through October.

In Compact Year 2020, the Albuquerque District entered into cooperative agreements to install riverine water quality stations upstream and downstream of Trinidad Reservoir and John Martin Reservoir at the locations indicated by red dots (Figures 3 & 4). These sites will collect data on water temperature, dissolved oxygen, turbidity, pH, and specific conductance at 15-minute intervals. Total suspended sediment and sampling

of anions and cations will be completed monthly at these riverine stations. Monitoring at most of these riverine stations began in July and August of 2020, and this project is currently funded to provide riverine monitoring through 2025. During compact year 2022 data was collected at all water quality sites.

The primary goals of this expanded water quality monitoring program are to identify seasonal and other trends in streamflow and reservoir water quality, and to help assess the impacts of Trinidad Reservoir and John Martin Reservoir on the Purgatoire and Arkansas Rivers. The program will also generate and disseminate reviewed real-time and high-frequency water quality data and determine the suitability of using turbidity and streamflow records to calculate high-frequency suspended sediment concentrations and loads upstream and downstream of the reservoirs. The data collected through this program will be reviewed and compiled into a database that will be available through the Albuquerque District Water Management Section. Data requests can be sent to Justin Reale.

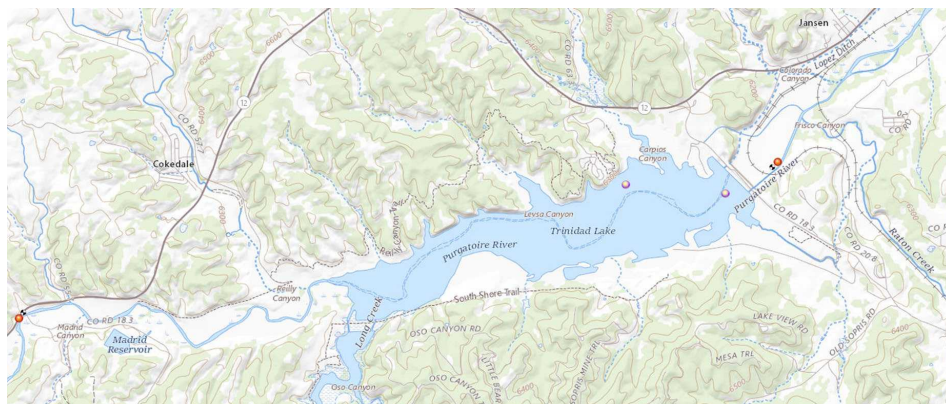


Figure 3: Water Quality monitoring stations at Trinidad Dam and Reservoir



Figure 4: Water Quality monitoring stations at John Martin Dam and Reservoir

Figures 5 and 6 show specific conductance compared to river flows for water year 2022 above and below both Trinidad and John Martin Dams. The plots also include crop threshold values for a variety of crops. In water year 2022, the specific conductance at

Trinidad dam contains much less dissolved salt and minerals, because the majority of the flows come from snowmelt and rainfall. At John Martin, flows exhibit higher specific conductance due to dry conditions throughout the basin. The lack of data upstream of John Martin at the end of the year was due to harsh redox reactions that damaged two of the sensors. During wet years it is expected that the specific conductance would be lower than water year 2022.

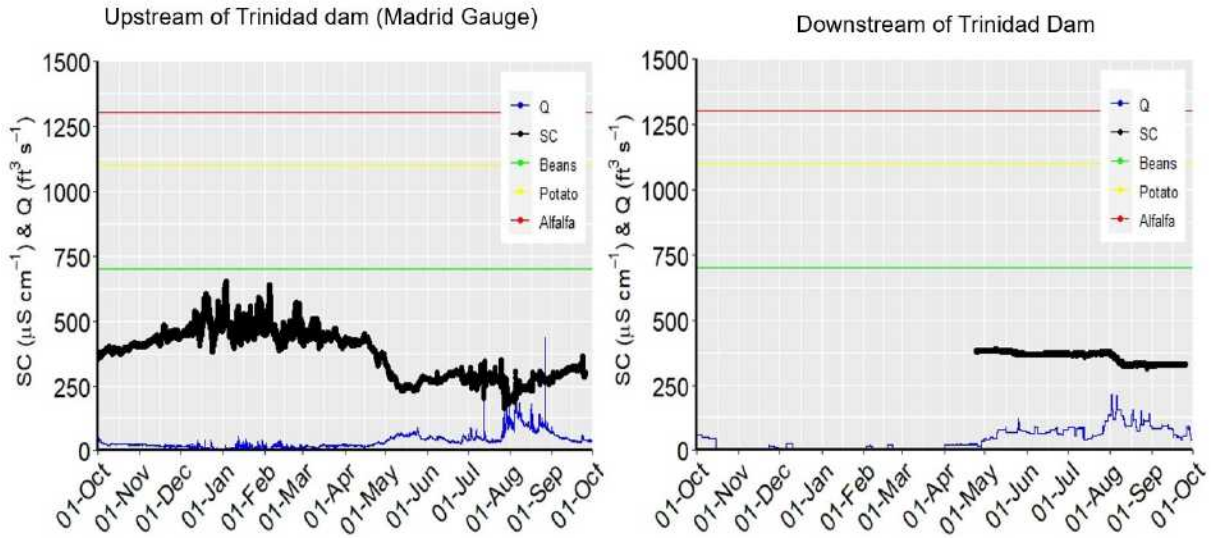


Figure 5: Water Quality monitoring data at Trinidad Dam

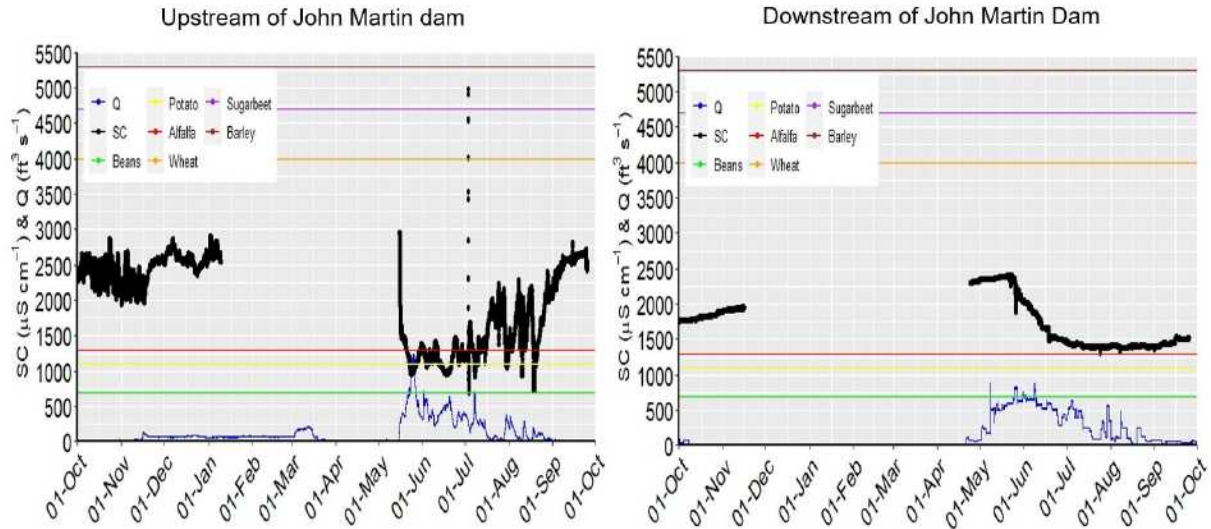


Figure 6: Water Quality monitoring data at John Martin Dam and Reservoir

3. Operations and Maintenance

a. Trinidad Dam and Reservoir

During 2022, several projects were completed and/or awarded at Trinidad Dam and Reservoir as described below:

- a. A contract was awarded to replace the sump pump in the dam tower. The existing sump pump, while still functional, is original to the project and repair parts are no longer readily available. Installation of the new system, which also includes a high-water alarm, was completed in 2022
- b. A contract was awarded in 2021 to replace the packing glands on the two service and two emergency gates. The work was completed in 2022.
- c. Windows in the administrative building were replaced because of positive findings of asbestos.
- d. A heater for the dam tower was installed in September 2022.
- e. Periodic Inspection No.13 was performed on 29 June 2022.
- f. Stationing signs for the dam crest road were purchased and locations were marked in the field. Mounting of the signs is anticipated in 2023.

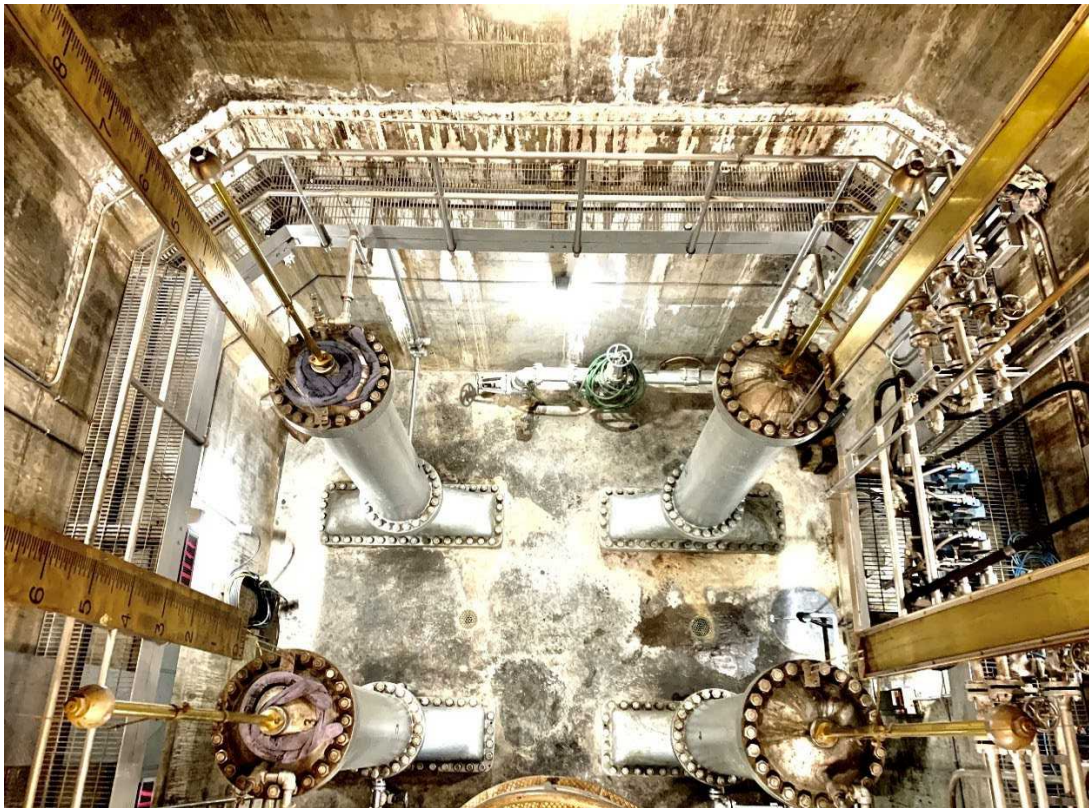


Figure 7: New sump pumps at Trinidad Dam. New packing glands were also installed.

b. John Martin Dam and Reservoir

During 2022, operations and maintenance projects were completed at John Martin Dam and Reservoir as described below:

- a. Significant troubleshooting and repairs were made to the sump pumps on the north end of the grouting gallery. Additional repairs to the sump system were made in 2022 to prevent accumulation of water within the gallery when the pool elevation is high.
- b. Vibrating wire piezometers were installed at three key monoliths and directed both upstream and downstream of the dam. This effort involved drilling into the monoliths from the operating gallery and then barge drilling in the reservoir (Figure 8).
- c. Bulk samples were taken upstream of the dam in the proposed area of the confined disposal facility (CDF) to assist with the design of the dredging project.
- d. Bulkhead storage racks and cover structures were constructed.
- e. Fort Lyon Toe Drain Extension project was completed. This project involved constructing a seepage berm and installing new collector pipes on the landside of the levee.
- f. Common operations and maintenance (O&M) items were conducted according to prescribed schedules.



Figure 8: Vibrating Wire Piezometers installed in the operating gallery of John Martin Dam.

4. Civil Works

a. Continuing Authorities Program

The Continuing Authorities Program (CAP) is a group of nine legislative authorities under which the Secretary of the Army, acting through the Chief of Engineers, is authorized to plan, design, and implement certain types of water resources projects without additional project-specific congressional authorization. USACE had one active CAP projects in the Arkansas River Basin in 2022.

Section 205

Section 205 of the 1948 Flood Control Act, as amended, provides authority to USACE to plan and construct small flood damage reduction projects that have not been specifically authorized by Congress. USACE had no active Section 205 projects in the Arkansas River Basin in 2022.

Section 206- Ecosystem Restoration

Section 206 of Water Resources Development Act (WRDA) 1996 provides authority to USACE for aquatic ecosystem restoration projects in areas unrelated to existing USACE water projects. Section 206 projects must improve the environmental quality of the environment, be in the public interest, demonstrate cost effectiveness.

Spring Creek Section 206- Ecosystem Restoration Project

In cooperation with the Sponsor, the City of Colorado Springs, the proposed project will restore a wetland and bird sanctuary formerly managed by the Audubon Society. The project site is located along Spring Creek in Colorado Springs. Stream channel incision and morphological changes resulted in the degraded wetland. Structural and non-structural means will be used to restore the wetland habitat and improve stream channel function and stability. The project was determined to have a federal interest in September of 2021 and the USACE and Colorado Springs entered into a feasibility cost share agreement (50/50%) and began the feasibility study in July 2022. The feasibility study is expected to take 2-3 years to complete. If the results of the feasibility study determines that there is an efficient and effective alternative in the public interest, then the project will move into the implementation and construction phase that will have a 65% federal and 35% non-federal cost share.

Section 14

Section 14 of the 1946 Flood Control Act, as amended, provides authority for USACE to plan and construct emergency stream bank protection projects to protect endangered highways, highway bridge approaches, public facilities such as water and sewer lines, churches, public and private nonprofit schools and hospitals, and other nonprofit public facilities. There are no active Section 14 projects in the Arkansas River Basin in 2022.

b. Investigations Program

The USACE Investigations Program includes specifically authorized studies for comprehensive solutions to large complex problems relating to flooding, ecosystem restoration, loss of land and property, floodplain management, and watershed planning and analysis. The Investigations program consists of two phases: the feasibility study phase, and the pre-construction engineering and design (PED) phase. The feasibility study is used to investigate the Federal interest, engineering feasibility, economic justification and environmental acceptability of a recommended water resources project, and results in a feasibility report. The feasibility report is the document on which congressional authorization for PED and Construction is based. During the pre-construction engineering and design phase, development of the first construction contract bidding package can be completed while waiting for congressional construction authorization. If the project is authorized for construction by Congress, USACE and the project sponsor can move forward with the remaining detailed design and construction. USACE had no active Investigations or Construction projects in the Arkansas River Basin in 2022.

5. Flood Risk Management Program

USACE established the National Flood Risk Management Program (FRMP) in May 2006 to integrate and synchronize USACE activities, both internally and with counterpart activities of the Department of Homeland Security, Federal Emergency Management Agency (FEMA), other Federal agencies, state organizations, and regional and local partners and stakeholders. The USACE Levee Safety Program was authorized in WRDA 2007 and established by the National Levee Safety Act of 2007. The Inspection of Completed Works/Rehabilitation Program (ICW/RP) is the USACE program that provides for the inspection and rehabilitation of Federal and non-Federal flood risk management projects within the ICW/RP (PL8499). For 2022, no active projects in the ICW/RP were removed from the program based on inspection. Additionally, initial levee risk screenings have been performed and their risk characterizations HQ approved for all, except one, USACE constructed levees in the Arkansas watershed. Levee system risk characterizations have been published to the National Levee Database. The one exception is the Pueblo Arkansas River Levee Extension, which ties into Pueblo Arkansas River Levee which is currently finalizing rehabilitation of the levee. Initial risk screening will be completed after rehabilitation is finalized.

The National Levee Database (NLD) is used to track both USACE and Non-USACE levee system inventory and other flood risk management features (Figure 10). The NLD is viewable to the public through the following internet link; <https://levees.sec.usace.army.mil/#/>. The database contains pertinent information (length, height, crest width, etc.) concerning levee systems as well as flooding risk information for the systems. The database viewer uses both an interactive text search and graphical search functions to locate levee systems of interest.

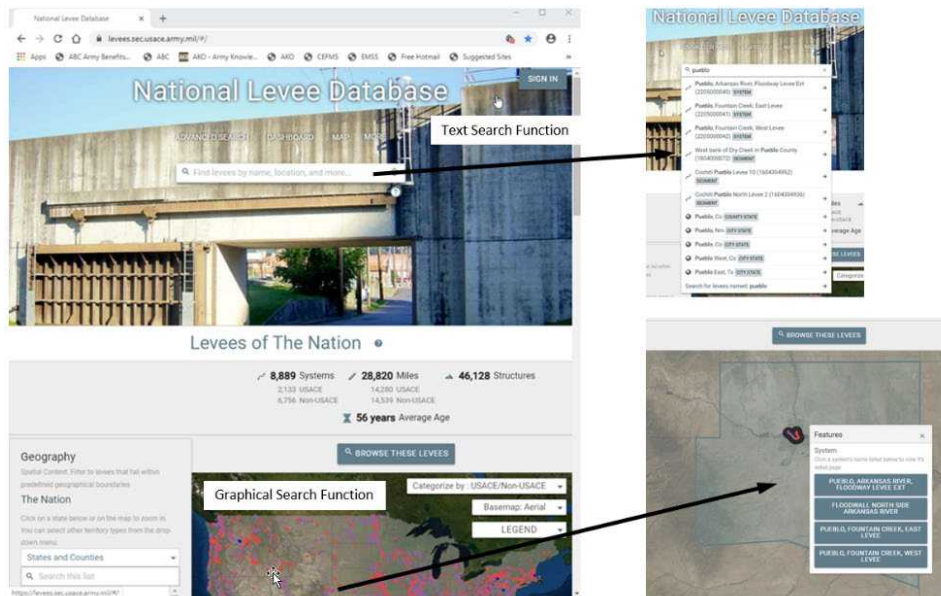


Figure 9: National Levee Database Search Functions

An additional component of FRMP is the Silver Jackets Program, which is part of the National Flood Risk Management Program. The Silver Jackets Program proposes establishing an interagency team in each state with a representative from FEMA, USACE, the State National Flood Insurance Program Coordination Office, and the State Hazard Mitigation Office as standing members and lead facilitators. The lead FRMP Manager for the formation of the Silver Jackets Program in Colorado and the Arkansas River Basin resides in the USACE Omaha District, and the Albuquerque District performs a support role.

The Colorado Silver Jackets team was officially created in 2013. The team consists of four USACE Districts that include the Sacramento, Albuquerque, Kansas City, and Omaha Districts, with the lead Silver Jackets coordinator sitting in the Omaha District. The State of Colorado is represented by the Colorado Water Conservation Board, the Colorado Division of Water Resources, Dam Safety Program, and the Colorado Department of Transportation. FEMA Region 8 is also part of the State Silver Jackets team. There were several projects in Colorado including the development of a follow up hydrologic analysis for the Spring Fire in the community of La Veta, Colorado, as well as near completion of a Flood After Fire for the Regional Southwest that will be used by communities susceptible to wildfire risk in regions of the Southwest.

The La Veta Post Wildfire Community Action Plan is on track for completion in FY 23. The 2018 Spring Creek fire was the single largest disaster for Huerfano County (the County), and the third largest wildfire in Colorado history. The purpose of the project is to improve existing post-wildfire hydrology modeling, develop a community action plan, and develop a tabletop exercise.

The Flood After Fire Training for the Regional Southwest Wildfire is a half-day interactive workshop that walks through modules for mitigation, preparation and training, response, and recovery. The training brings together emergency managers, stakeholders, community members, and federal/state/local governments, to simulate the resource personnel that interact during emergencies. Each module allows the group to practice interpreting and responding to scenarios to reduce flood risk by protecting lives, property, and infrastructure. The training is complete in PowerPoint presentation versions and is being advertised to gain community interest, it is also being integrated into a video format by the USACE Risk Management Center (RMC) for ease of use.

6. Regulatory Program

USACE has regulatory authority under Section 404 of the Clean Water Act for the discharge of dredged or fill material into waters of the United States. The Albuquerque District, Southern Colorado Office (SCO) reviewed a total of 71 activities in the Arkansas River Basin during Compact Year 2022, including 51 activities authorized under general (Regional or Nationwide) permits, 5 activities authorized under a Standard Individual Permit, and 15 activities that did not require a permit. General permits are activity-specific permits that are used to authorize projects that result in minimal adverse impacts on the aquatic environment. Standard Individual Permits are required for activities having more than minimal adverse impacts and/or for activities that do not meet the terms and conditions of a general permit.

Persons or agencies who are planning to conduct work in any waterway in the basin are advised to contact SCO at 201 W 8th Street, Suite 350, Pueblo, Colorado 81003, email at CESPA-RD-CO@usace.army.mil, or telephone 719-744-9119. Information, including all public notices, is also available on the USACE Albuquerque District web page at: <https://www.spa.usace.army.mil/Missions/Regulatory-Program-and-Permits/>.

7. Emergency Management Coordination

Public Law 84-99 provides USACE with the authority to assist state and local governments before, during, and after flood events. In the Arkansas River Basin, USACE works with the State of Colorado Division of Homeland Security and Emergency Management and the National Weather Service, in Pueblo Colorado to prepare for flood fight activities in years with significant snowpack and spring snowmelt runoff.

Assistance can be obtained by contacting the Albuquerque District, U.S. Army Corps of Engineers, Emergency Management Branch, 4101 Jefferson Plaza NE, Albuquerque, New Mexico 87109 or telephone 505-342-3686 during our normal business hours between 7 am and 4 pm, weekdays.

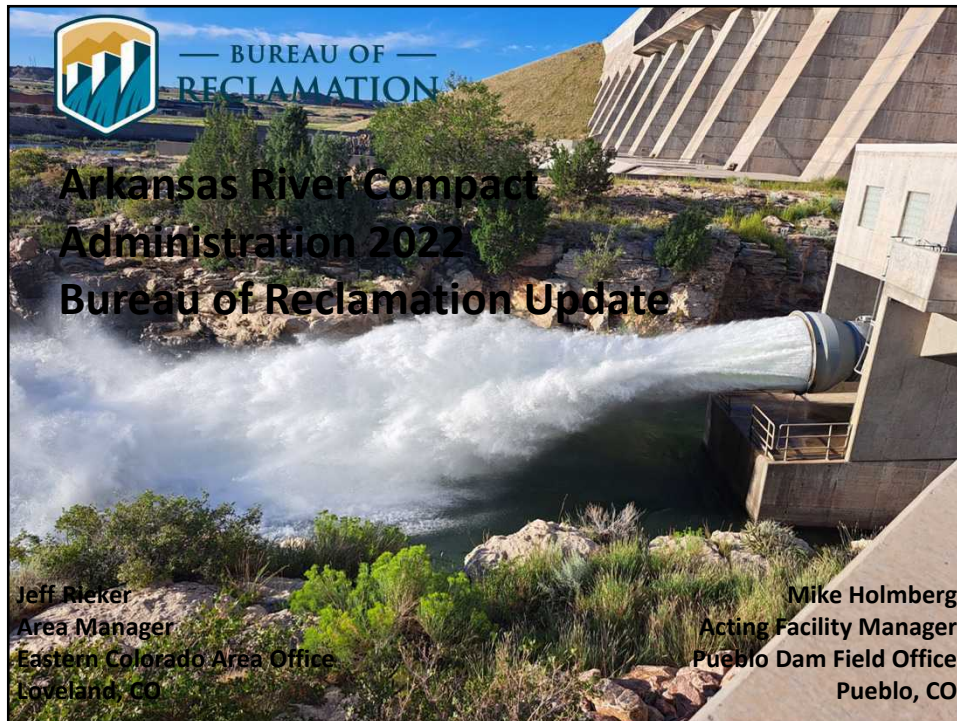
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Exhibit E

Annual Meeting

December 8, 2022

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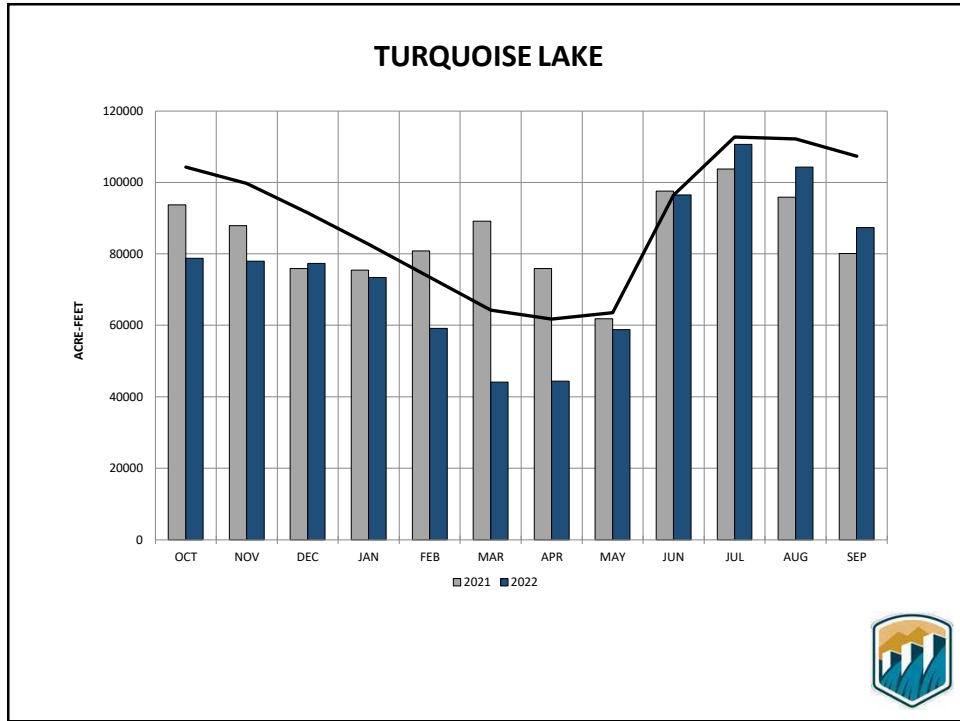


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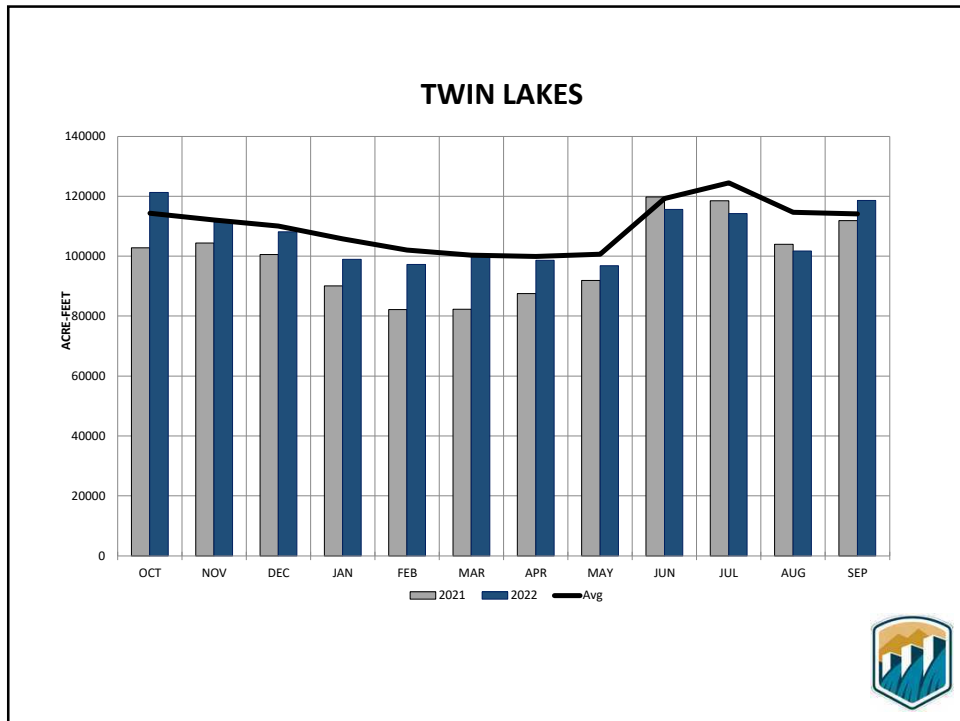


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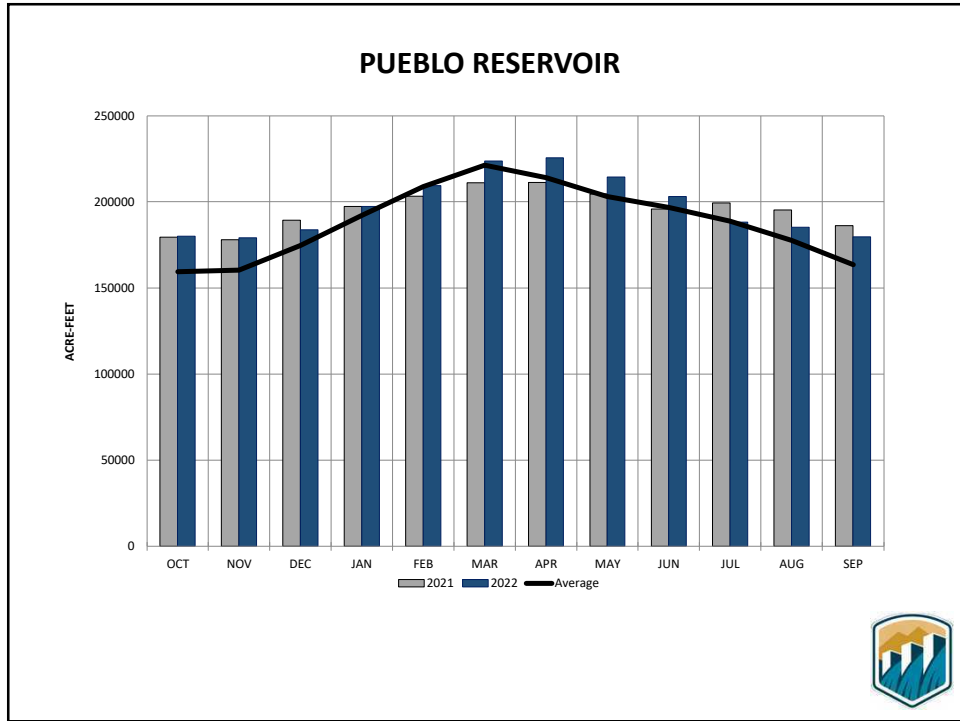
Exhibit E



3



4



5

2022 FRY-ARK-FORECASTS

February 1: 59.1 KAF
 March 1: 47.4 KAF
 April 1: 42.3 KAF

May 1:

- 10% - 59.5 KAF
- 25% - 52.7 KAF
- 50% - 45.3 KAF
- 75% - 37.8 KAF
- 90% - 31.1 KAF

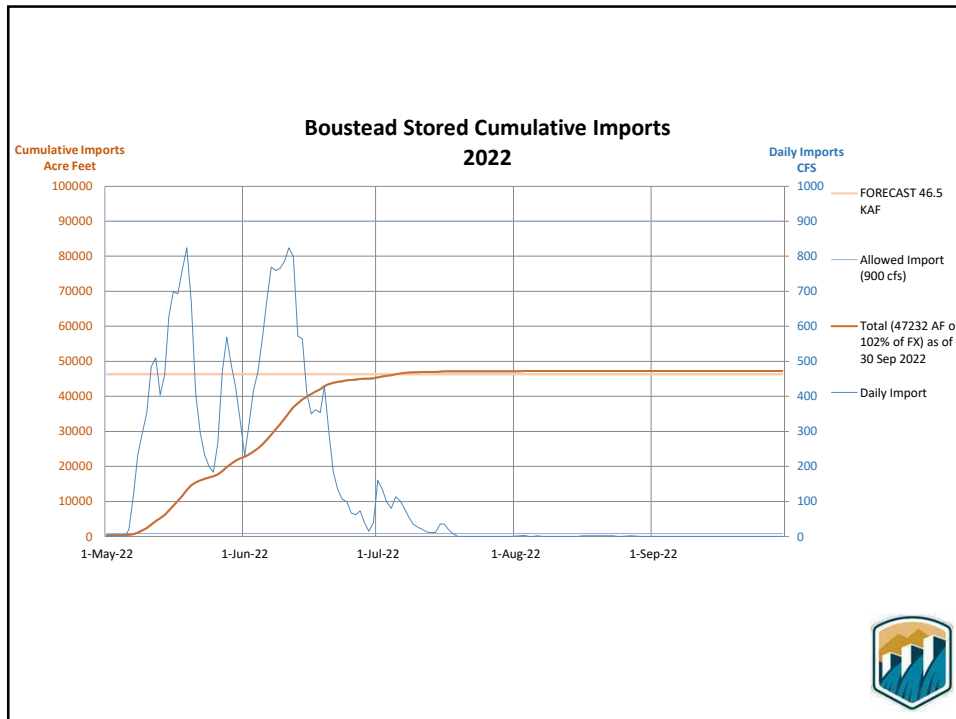
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2022 Fry-Ark Imports

- Collection system opens each year around the 3rd week in April
- Imports peak during peak runoff, usually between mid-May and mid-June
- Usually done around late July
- WY22 a total of 47,232 AF was imported through the Boustead Tunnel

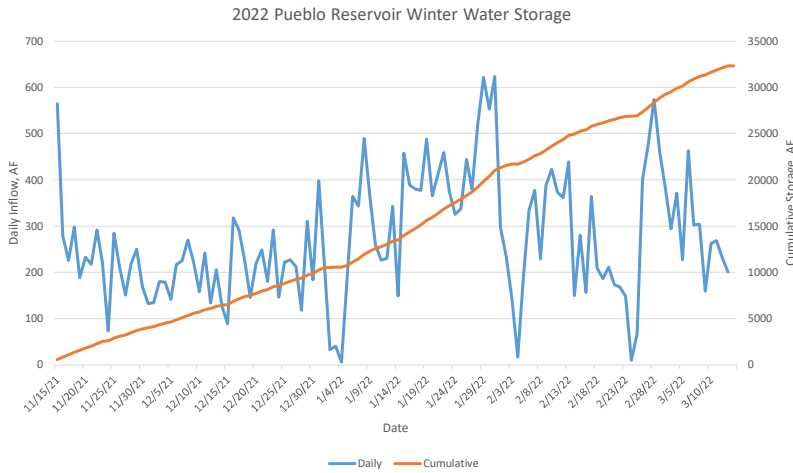


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8

2022 Winter Water – 32,313 AF stored in Pueblo Reservoir



9

WY 2023 Winter Operations

- Currently releasing 15 cfs from Twin Lakes and 3 cfs from Turquoise Lake
- Need to move ~25,000 AF down from upper reservoirs to Pueblo
- Plan to begin moving water after January 1
- Movement of water will be adjusted based on snowpack and customer needs
- Sugarloaf powerplant



10



13

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Exhibit F

Annual Meeting

December 8, 2022

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Ten-year Accounting of Depletions and Accretions to Usable Stateline Flow
2012 - 2021

1	2	3	4	5	6	7	8	9
Year of Ten-year Cycle	Model Year	H-I Model Usable Depletion/Accretion ¹	Offset Account Credits ²					Remaining Usable Depletion/Accretion ⁶
			Stateline Delivery to Kansas	Evaporation Credit	Gross Credit ³	Applied to Post-1985 Depletions ⁴	Net Credit ⁵	
1	2012	4,044	0	0	0	1,479	-1,479	5,523
2	2013	2,594	0	0	0	1,505	-1,505	4,099
3	2014	4,332	2,728	0	2,728	1,635	1,093	3,239
4	2015	2,779	2,695	0	2,695	2,337	358	2,421
5	2016	4,328	4,044	0	4,044	3,043	1,001	3,327
6	2017	-1,916	8,847	0	8,847	3,300	5,547	-7,463
7	2018	-9,062	4,543	0	4,543	3,346	1,197	-10,259
8	2019	11,807	8,045	0	8,045	3,756	4,289	7,518
9	2020	2,096	11,278	0	11,278	3,717	7,561	-5,465
10	2021	4,493	7,139	0	7,139	3,029	4,110	383
Total		25,495	49,319	0	49,319	27,147	22,172	3,323
Shortfall for 2022								3,323

Water Quantities are in acre-feet.

¹ Positive values in Columns 3 and 9 reflect depletions; negative values, accretions. H-I Model results in Column 3 for 2021 are based on input file UPDATE21_Jun22.dat.

² Positive values in Columns 4, 5, 6, and 8 reflect credits; negative values, debits.

³ Column 6 is the sum of Columns 4 and 5.

⁴ Column 7, a positive value, is the amount of Offset Credit applied to Post-1985 depletions, determined pursuant to Appendix A.3 of the 2009 Judgment and Decree in KS v CO.

⁵ Column 8 is Column 6 minus Column 7.

⁶ Column 9 is Column 3 minus Column 8.

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Exhibit G

Annual Meeting

December 8, 2022

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Arkansas River Compact Administration
Operations Committee
Meeting Summary and Action Items
December 7, 2022
Elks Lodge, Lamar, CO

The committee requested staff to produce a meeting summary and a list of recommendations.

Meeting Summary

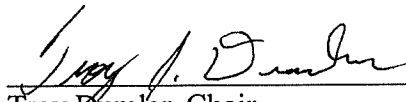
The committee received the Compact Year (CY) 2022 reports of the Operations Secretary (Bill Tyner, CDWR) and Assistant Operations Secretary (Kevin Salter, KDWR).

Rachel Zancanella, CDWR, provided an update on the 2022 Offset Account operations, permanent pool operations, and implementation of the Irrigation Improvement Rules.

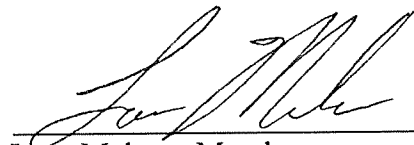
Rachel Duran provided the Committee with an update on the Joint Report of the States regarding Review of Offset Account Operations for the period 2017-2021.

Committee Recommendation

1. Committee defers the 2006-2022 Operations Secretary reports to the Special Engineering Committee to work towards resolution of issues that are holding up unapproved OS reports.



Troy Dumlér, Chair



Lane Malone, Member

Date: 12-7-22

Date: 12-7-22

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Arkansas River Compact Administration
Engineering Committee
Meeting Summary and Action Items
December 7, 2022
Elks Lodge, Lamar, CO

The committee requested staff to produce a meeting summary and a list of recommendations.

Meeting Summary

The Committee received an update on progress related to the Arkansas Decision Support System (ArkDSS) and the Colors of Water tool.

Bill Tyner provided an update on the Colorado multipurpose account in JMR.

Kevin Salter provided an update on efforts to replace the Frontier ditch flume.

The committee heard updates from the federal agencies:

- Nabile Shafike with the Corps of Engineers presented the 2022 reservoir operations for Trinidad and John Martin Reservoirs. The John Martin Water Control Manual is in the process of being updated and expected completion is December 2024. A forecasting model, Forecast Informed Reservoir Operation (FIRO), is being developed over the next couple of years to aid in decisions related to flood control space. Kim Falen provided some updates on operations and maintenance that occurred at Trinidad Reservoir. Jacob Williams provided an update on improvements to John Martin Reservoir including upgrades to sump pumps, field investigations, and a dredging project.
- Chris Gnau with the Bureau of Reclamation went over some current grant projects provided through the WaterSMART program. Mike Holmberg provided an update on Fry-Ark operations for Water Year 2022. Items of interest were noted, including that the fixed cone valve at Pueblo Dam was installed on the bypass for the hydropower plant, a Pueblo Reservoir Recovery of Storage Project is currently underway to look at sedimentation as well as ways to mitigate and recover storage capacity, and current NEPA reviews.
- Krystal Brown with the USGS reported on the Cooperative Streamgage Program. Due to decades of continuous beaver dam activity at Big Sandy Creek near Lamar, USGS recommended discontinuing the gage at Big Sandy Creek and re-establishing the gage on the Arkansas River at Holly, CO. The Arkansas River Near Las Animas gage has several channels which makes streamgaging at this site more challenging.

The committee also heard updates from two of the local conservancy districts:

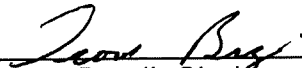
- Chris Woodka with the Southeastern Colorado Water Conservancy District presented on their 2022 operations and projects. First construction contract was issued for the Arkansas Valley Conduit in September of 2022 with ground breaking to occur in

March 2023. Fryingpan-Arkansas project is celebrating 60 years after the signing of the Fryingpan-Arkansas Project into law in 1962.

- Jack Goble with the Lower Arkansas Water Conservancy District provided the committee with an update on the Fort Lyon and Non-Fort Lyon Rule 10 Plans, the two rotational leasing-following projects under the Catlin Canal, the Colorado Multi-Purpose Account, and water quality projects.

Committee Recommendation

1. The Committee would request that the evaluation report for the Colorado Multi-Purpose Account is presented to this Committee in 2023.
2. The Committee would request a report on the completion of the Frontier Flume and a report back in 2023.
3. The Committee recommends approval of the Colorado USGS Joint Funding Agreement with the removal of the Big Sandy Creek gage and installation of a gage on the Arkansas River at Holly with the inclusion of 6 additional measurements.



Scott Brazil, Chair



Earl Lewis, Member

Date: 12-7-2022

Date: 12/7/2022

Arkansas River Compact Administration
Administrative & Legal Committee
Meeting Summary and Action Items
December 7, 2022
Elks Lodge, Lamar, CO

The committee requested staff to produce a meeting summary and a list of recommendations.

Meeting Summary

The committee reviewed the Annual meeting agenda, no changes were recommended.

An update on transcripts from previous meetings that are ready for approval was provided. The 2020 annual meeting and 2022 special meeting summary are both ready. The 2021 annual meeting transcript should be ready for the 2023 meeting.

The status of work done to bring previous ARCA annual reports up to current was provided.

Stephanie Gonzales provided her ARCA Recording Secretary and Treasurer report and the Auditor's report.

The Cooperative agreements with USGS and amended budget for FY22-23 were discussed. The USGS Cooperative agreements were discussed as the Colorado agreement included a modification to remove the gage at Big Sandy Creek and add a gage on the Arkansas River at Holly.

There was a discussion regarding the 75th anniversary of the signing of the Compact that would occur in 2023 as well as the 75th anniversary of the 1st ARCA annual meeting that would occur in 2024. This included the need for a committee to be formed by ARCA and potentially a special meeting of ARCA.

The FY22-23 budget had a modification to increase the line item for the court reporter.

The proposed FY23-24 ARCA budget was reviewed. Discussion of amending this budget once decisions are made on funding for the 75th ARCA Anniversary.

One proposed resolution was put before the committee, entitled *Regarding William "Bill" Tyner Recognition* as well as a letter of recognition for Phil Reynolds.

Nominations of ARCA officers and committee chair appointments were done within this committee.

There was discussion on possible dates and locations for the 2023 ARCA Annual meeting.

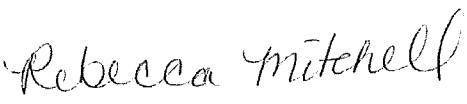
Committee Recommendations

1. Recommend ARCA approve the transcript for the 2020 annual meeting and the meeting summary for the 2022 special meeting.

2. Recommend ARCA approve the Fiscal Year (FY) 2021-22 Auditor’s Report and authorize Stephanie Gonzales to sign the engagement letter for the auditor’s services.
3. Recommend ARCA authorize Stephanie Gonzales to sign the Colorado and Kansas USGS Joint Funding Agreements (JFA) with the modification under the Colorado agreement to remove the gage at Big Sandy Creek and install a gage on the Arkansas River at Holly with additional measurements.
4. Recommend a committee be formed for the 75th celebrations of ARCA.
5. Recommend ARCA approve the amended Fiscal Year (FY) 2022-2023 Budget.
6. Recommend ARCA approve the Fiscal Year (FY) 2023-2024 Budget with the understanding that an amendment would be needed for the 75th anniversaries.
7. Recommend ARCA adopt the resolution titled *Regarding William “Bill” Tyner Recognition*.
8. Recommend ARCA adopt the letter recognizing Phil Reynolds.
9. Recommend ARCA approve the following slate of officers for CY 2023:
 - a. Vice-chairman.....Scott Brazil
 - b. Recording/Secretary- Treasurer.....Stephanie Gonzales
 - c. Operations Secretary.....Rachel Zancanella
 - d. Assistant Operations Secretary.....Kevin Salter
10. Recommends the following committee chairs for CY 2023 (does not need an ARCA vote to adopt):
 - a. Engineering..... Earl Lewis as Chair (Scott Brazil as member)
 - b. Operations..... Lane Malone as Chair (Troy Dumler as member)
 - c. Admin & Legal..... Rebecca Mitchell as Chair (Randy Hayzlett as member)
11. Recommend ARCA approve the dates of December 6, 2023 for the committee meetings and December 7, 2023 for the annual meeting and discussion of meeting location.



 Randy Hayzlett, Chair



 Rebecca Mitchell, Member

Date: 12/08/2022

Date: 12-8-2022

Exhibit H

Annual Meeting

December 8, 2022

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Arkansas River Compact Administration

Financial Statements

June 30, 2022

James J. Butts
12/8/22

Copy 4 of 4

Exhibit H

**Arkansas River Compact Administration
Annual Financial Report
For the Year Ended June 30, 2022**

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General Fund	13

Independent Auditor's Report

The Governing Body
Arkansas River Compact Administration

Opinions

We have audited the financial statements of the governmental activities and the major fund of Arkansas River Compact Administration (the "Compact"), as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the Compact's basic financial statements as listed in the table of contents.

In our opinion, based on our audit the accompanying financial statements present fairly, in all material respects, the respective financial position of the governmental activities and the major fund of the Compact, as of June 30, 2022, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Compact, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Compact's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material

if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Compact's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Compact's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Management has elected to omit the management's discussion and analysis. The omission of this information does not affect our opinions.

rfarmer, llc

November 28, 2022

Arkansas River Compact Administration
Statement of Net Position
June 30, 2022

	Governmental Activities
ASSETS	
Cash and Equivalents	\$ 171,275
Other receivables	36,000
Total Assets	207,275
 LIABILITIES	
Total liabilities	-
 NET POSITION	
Unrestricted	207,275
Total net position	\$ 207,275

The accompanying notes to financial statements
are an integral part of these statements.

**Arkansas River Compact Administration
Statement of Activities
For the Year Ended June 30, 2022**

<u>Functions/Programs</u>	<u>Expenses</u>	<u>Program Revenue</u> <u>Charges for Services</u>	<u>Net (Expense) Revenue and</u> <u>Changes in Net Position</u> <u>Primary Government</u> <u>Governmental</u> <u>Activities</u>
Primary government			
Governmental Activities			
General Government	\$ 97,381	\$ 90,000	\$ (7,381)
Total governmental activities	<u>97,381</u>	<u>90,000</u>	<u>(7,381)</u>
Total primary government	<u>97,381</u>	<u>90,000</u>	<u>(7,381)</u>
General revenues:			
Unrestricted interest income			<u>224</u>
Total general revenues, special items, and transfers			<u>224</u>
Change in net assets			(7,157)
Net position - beginning			<u>214,432</u>
Net position - ending			<u>\$ 207,275</u>

The accompanying notes to the financial statements
are an integral part of these statements.

**Arkansas River Compact Administration
Balance Sheet
Governmental Fund
June 30, 2022**

	<u>General</u>
ASSETS	
Cash and cash equivalents	\$ 171,275
Other receivables	<u>36,000</u>
Total assets	<u><u>207,275</u></u>
 LIABILITIES AND FUND BALANCES	
Liabilities:	
Total liabilities	<u>-</u>
 Fund balances:	
Unassigned	<u>207,275</u>
Total fund balances	<u>207,275</u>
Total liabilities and fund balances	<u><u>\$ 207,275</u></u>

The accompanying notes to financial statements
are an integral part of these statements.

Arkansas River Compact Administration
Reconciliation of the Governmental Fund Balance Sheet to the Statement of Net Position
June 30, 2022

Total Fund Balance, Governmental Funds	\$ <u>207,275</u>
Net Position of Governmental Activities in the Statement of Net Position	\$ <u><u>207,275</u></u>

The accompanying notes to financial statements
are an integral part of these statements.

Arkansas River Compact Administration
Statement of Revenues, Expenditures and Changes in Fund Balances
Governmental Fund
For the Year Ended June 30, 2022

	General
REVENUES	
State Assessments	\$ 90,000
Interest Income	224
Total revenues	90,224
 EXPENDITURES	
Gauging Stations and Studies	79,450
Professional Services	16,151
Operating Expenses	1,780
Total Expenditures	97,381
Excess (deficiency) of revenues over expenditures	(7,157)
Net change in fund balances	(7,157)
Fund balances - beginning	214,432
Fund balances - ending	\$ 207,275

The accompanying notes to financial statements
are an integral part of these statements.

Arkansas River Compact Administration
Reconciliation of the Statement of Revenues, Expenditures, and Changes in Fund Balance of Governmental Funds to
the Statement of Activities
For the Year Ended June 30, 2022

Net change in fund balances - total governmental funds:	<u>\$ (7,157)</u>
Change in net position of governmental activities	<u><u>\$ (7,157)</u></u>

The accompanying notes to financial statements
are an integral part of these statements.

Arkansas River Compact Administration
Notes to Financial Statements
June 30, 2022

Note 1 Reporting Entity

Arkansas River Compact Administration (the “Compact”), a quasi-governmental entity, was created in 1948 and approved by Congress 63 Stat.145 (1949).

The major purposes of the Compact are to:

- A. Settle existing disputes and remove causes of future controversy between the States of Colorado and Kansas, and between citizens of one and citizens of the other State, concerning the water of the Arkansas River and their control, conservation and utilization for irrigation and other beneficial purposes.

- B. Equitably divide and apportion between the States of Colorado and Kansas the waters of the Arkansas River and their utilization as well as the benefits arising from the construction, operation, and maintenance by the United States of John Martin Reservoir Project for water conservation purposes.

All financial transactions of the Compact are included in the General Fund of the basic financial statements. The Board of the Compact is accountable for all fiscal matters.

The financial statements present the financial position of Compact in accordance with Governmental Accounting Standards.

The Compact has no component units.

Note 2 Summary of Significant Accounting Policies

The accounting and reporting policies of the Compact conform to accounting principles generally accepted in the United States of America (USGAAP) as applicable to government units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The following summary of significant accounting policies is presented to assist the reader in evaluating the County’s financial statements.

Measurement Focus, Basis of Accounting and Financial Statement Presentation

Government-Wide and Fund Financial Statements

The Compact government-wide financial statements include a Statement of Net Position and a Statement of Activities. These statements present summaries of Governmental Type Activities for the Compact accompanied by a total column.

The Statement of Activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function or segment. *Program revenues* include (1) charges to customers or applicants who purchase, use or directly benefit from goods, services or privileges provided by a given function or segment and (2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment.

Separate financial statements are provided for the governmental fund.

The government-wide financial statements are presented on an *economic resource's measurement focus* and the *accrual basis of accounting*. Accordingly, all the Compact's assets and liabilities, including capital assets, as well as infrastructure assets, and long-term liabilities, are included in the accompanying Statement of Net position. The Statement of Activities presents changes in net position. Under the accrual basis of accounting, revenues are recognized in the period in which they are earned while expenses are recognized in the period in which the liability is incurred.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the Compact considers revenues to be available if they are collected within a reasonable period of time after the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting.

The primary revenue sources, which have been treated as susceptible to accrual by the Compact, are the state assessments.

The Compact reports the following major governmental funds:

General Fund

This is the Compact's primary operating fund. It accounts for all activities of the Compact.

Reconciliation of the Fund financial statements to the Government-Wide financial statements is provided in the financial statements to explain the differences created by the integrated approach of GASB Statement No. 34.

The Compact does not have any general fixed assets or infrastructure.

Fund Equity

In the fund financial statements, governmental funds report reservations of fund balance for amounts that are not available for appropriation or are legally restricted by outside parties for use for a specific purpose. Designations of fund balance represent tentative management plans that are subject to change.

Net Position

Net position represents the difference between assets and liabilities. Net investment in capital assets consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any borrowing used for the acquisition or construction of improvements of those assets.

Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the amounts reported in the financial statements and accompanying notes. Actual results may differ from those estimates.

Budgets and Budgetary Accounting

Annual budgets are adopted as required by the Compact and by-laws, as amended.

Budgets are adopted on a basis consistent with generally accepted accounting principles (GAAP). Budgetary comparisons in this report are presented on the GAAP basis of accounting.

Note 3

Deposits and Investments

Deposits

Colorado State Statutes, specifically the Public Depository Protection Act (PDPA) of 1989, require all public monies to be deposited in financial institutions that have been designated as eligible public depositories. Eligible public depositories must pledge eligible collateral, as promulgated by the State banking board, having a market value in excess of 102% of the aggregate uninsured public deposits. Eligible collateral must be held in the custody of any federal reserve bank or any branch thereof or of any depository trust company which is a member of the Federal Reserve System, and which is supervised by the State banking board. The Statutes further restrict such deposits to eligible public depositories having their principal offices within the State of Colorado.

Custodial Credit Risk

Deposits are exposed to custodial credit risk if they are not covered by depository insurance or PDPA and the deposits are:

- a. Uncollateralized,
- b. Collateralized with securities held by the pledging financial institution, or
- c. Collateralized with securities held by the pledging financial institution's trust department or agent but not in the depositor-government's name.

The Compact was not exposed to custodial credit risk in that all cash is deposited in one local financial institution that is covered by FDIC insurance and the Public Depository Protection Act (PDPA).

The Compact is not exposed to any other investment risks as defined in GASB 40.

Note 4

Fund Balances

The Compact has implemented GASB Statement No. 54, "Fund Balance Reporting and Governmental Fund Type Definitions." In the fund financial statements, the following classifications describe the relative strength of spending constraints.

Non-Spendable Fund Balance

This is the portion of fund balance that cannot be spent because it is either not in spendable form (such as inventory and prepaid amounts) or is legally or contractually required to be maintained intact.

Restricted Fund Balance

This is the portion of fund balance constrained to being used for a specific purpose by external parties (such as grantors or bondholders), constitutional provisions, or enabling legislation.

Committed Fund Balance

This is the portion of fund balance constrained for specific purposes according to the limitations imposed by the Compact's highest level of decision-making authority, which is the Board.

Assigned Fund Balance

This is the portion of fund balance set aside for planned or intended purposes but is neither restricted nor committed. The intended use may be expressed by the Compact or their designee authorized to assign funds to be used for a specific purpose. Assigned fund balances in special revenue funds will also include any remaining fund balance that is not restricted or committed. This classification is necessary to indicate that those funds are, at a minimum, intended to be used for the purpose of that particular fund.

Unassigned Fund Balance

This is the residual portion of fund balance that does not meet any of the above criteria. The Compact will only report a positive unassigned fund balance in the General Fund.

When both restricted and unrestricted fund balance are available for use, it is the Compact's policy to use restricted amounts first. Unrestricted fund balance will be used in the following order: committed, assigned and unassigned.

**Arkansas River Compact Administration
Budget and Actual
General
For the year ended June 30, 2022**

	<u>Budgeted Amounts</u> <u>Original and Final</u>	<u>Actual Amounts,</u> <u>Budgetary Basis</u>
REVENUES		
State Assessments	\$ 90,000	\$ 90,000
Interest Income	200	224
Total revenues	<u>90,200</u>	<u>90,224</u>
EXPENDITURES		
Current:		
Gauging Stations and Studies	79,449	79,450
Professional Services	16,550	16,151
Operating Expenses	2,200	1,780
Contingency	2,000	-
Total Expenditures	<u>100,199</u>	<u>97,381</u>
Excess (deficiency) of revenues over expenditures	<u>(9,999)</u>	<u>(7,157)</u>
Net change in fund balances	(9,999)	(7,157)
Fund balances - beginning	189,077	214,432
Fund balances - ending	<u>\$ 179,078</u>	<u>\$ 207,275</u>

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Exhibit I

Annual Meeting

December 8, 2022

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Exhibit J

Annual Meeting

December 8, 2022

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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

Recognition for Phil Reynolds, Colorado Division of Water Resources

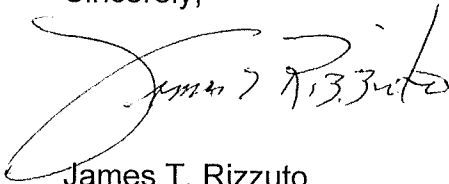
The Arkansas River Compact Administration wishes to recognize Phil Reynolds, who is retiring from the Colorado Division of Water Resources at the end of this year. Phil has worked as the Reservoir Operations Coordinator managing the daily operations of Pueblo Reservoir, John Martin Reservoir and Trinidad Reservoir for many years. Phil is a dedicated public servant who has worked tirelessly to ensure the daily operations of the Arkansas River are attended to, which is a 365 day a year responsibility.

Phil's Colorado Division of Water Resources career includes 11-1/2 years of service to the water users in the Arkansas Basin. Phil joined the Division of Water Resources in the summer of 2011 after working with Southeastern Colorado Water Conservancy District for a number of years and in accounting and finance prior to that. In his time at the Colorado Division of Water Resources he has actively participated in numerous meetings on behalf of the agency and has been integral to the ongoing John Martin Reservoir and Trinidad Reservoir accounting as well as the Pueblo Reservoir and Winter Water Storage Program accounting.

The Colorado Representatives would also note that Phil's work has impacted all areas of water users including agricultural, recreational and municipal interests.

The members of the Arkansas River Compact Administration express their gratitude to Phil Reynolds for his service and wish him the very best in retirement.

Sincerely,



James T. Rizzuto
Chairman
Arkansas River Compact Association

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**ARCA 2022 ANNUAL MEETING
RESOLUTION**

NUMBER	Description
2022-02	Regarding William “Bill” Tyner Recognition

*Note: ARCA Resolution No. 2022-01 *Regarding Concerning a Multi-Purpose Account Pilot Project in John Martin Reservoir* was adopted at the Special meeting held on July 1, 2022 and can be located within that meeting summary or on ARCA’s website.

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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 No. 2022-02

Regarding William “Bill” Tyner Recognition

WHEREAS, Bill Tyner was a well-respected and exceptional employee for the State of Colorado for 37 years; 26 of those years with the Colorado Division of Water Resources; and

WHEREAS, Bill’s outstanding work benefitted the Arkansas River Compact Administration in numerous ways throughout his tenure with the Colorado Division of Water Resources; and

WHEREAS, Bill served as the Colorado Division Engineer for the Arkansas River Basin from 2018 until his retirement on December 31, 2022; and

WHEREAS, Bill took on projects to protect Colorado water rights and the Arkansas River Compact even though such projects were not easy or well received; and

WHEREAS, Bill was instrumental during the transition between when Colorado and Kansas were in conflict to now when there is significant cooperation and coordination between the States; and

WHEREAS, Bill served as the Administration's Operations Secretary from 2017 until his retirement from State government; and

WHEREAS, Bill performed with distinction his responsibilities as an officer of the Administration; and

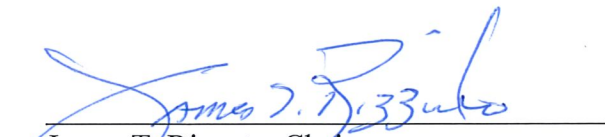
WHEREAS, Bill conducted himself at all times with the utmost professionalism and sense of public duty and worked to find ways for disputed issues to be resolved with a spirit of cooperation while protecting Colorado’s interests.

NOW THEREFORE, BE IT RESOLVED that the Arkansas River Compact Administration hereby acknowledges with gratitude the outstanding and devoted service of William “Bill” Tyner to the people of the States of Colorado and Kansas, and extend to him best wishes for continued good health and happiness in all of his future endeavors.


BE IT FURTHER RESOLVED that this Resolution be entered into the records of the Administration and that the recording secretary be instructed to send a copy to Mr. Tyner.

BE IT FURTHER RESOLVED that the Administration honor Mr. Tyner for his many years of service by including his picture and appropriate dedicatory remarks in the Administration's annual report for Compact Year 2022.

ADOPTED by the Arkansas River Compact Administration at its 2022 Annual Meeting on December 8, 2022 in Lamar, Colorado.



James T. Rizzuto, Chair
Arkansas River Compact Administration



Stephanie Gonzales, Recording Secretary
Arkansas River Compact Administration