

ARKANSAS RIVER COMPACT ADMINISTRATION

COMPACT YEAR 2014

ANNUAL MEETING

December 17, 2014

HELD AT THE

LAMAR ELKS LODGE NO. 1319

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LAMAR, COLORADO

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James S. Fizzell

Reported By:

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

APPEARANCES

CHAIRMAN:

Jim Rizzuto

COLORADO:

James Eklund

Colin Thompson

Scott Brazil

KANSAS:

David Barfield

Randy Hayzlett

Hal Scheuerman

P R O C E E D I N G S

MR. HAYZLETT: I've got a few instructions for the audience and for presenters here. Good morning. My name's Randy Hayzlett. I'm Vice-Chair for the Compact. First of all, we've got a court reporter, like we have every year. We want to make sure that she captures everything for the meeting, so if you're a presenter, come to the podium, state your name. If you have a business card, make sure you get a business card to her. That will help her out quite a bit. If you have a presentation, make sure you get one to Kevin Salter over here, if he doesn't have it already, so he can capture that. If you have a written presentation, we'd like to have more than one copy of those; probably four copies.

MR. SALTER: If possible.

MR. HAYZLETT: Yeah, if possible. So anyway, we're going to try to move right along this morning. We've got some weather coming in. We've got some guys going back to northeast Kansas that may run into some weather going home, so we'll try to keep moving right along. If we can sometime this morning, we'll take a break here, but so with that, maybe a few introductions here. We'll probably go

1 around the room and as you introduce -- we'll
2 introduce, have you introduce yourself in the
3 audience, too, but be sure and speak up so Ms. Bates
4 can capture that as well.

5 So with that, it's my pleasure to introduce
6 the new Federal Chairman, Mr. Jim Rizzuto, and so I
7 think we'll go around the room, do some
8 introductions, and then we'll get into the agenda.

9 MR. SCHEUERMAN: I'm the privileged one.
10 I'm Hal Scheuerman. I'm the Kansas -- one of the
11 Kansas representatives. I live at Deerfield. I'm
12 an irrigator, farmer. Some people think I'm
13 semiretired, but I have to show up to work like
14 everybody else, so...

15 MR. BARFIELD: David Barfield, Kansas
16 Chief Engineer and commissioner, one of the
17 commissioners for Kansas.

18 MR. BRAZIL: Scott Brazil, representative
19 for Colorado from Pueblo.

20 MR. EKLUND: James Eklund, I'm the
21 Director of the Colorado Water Conservation Board
22 and I sit on the Administration.

23 MR. COLIN THOMPSON: Colin Thompson. I'm
24 the District 67 Representative on the ARCA
25 Commission.

1 MR. SALTER: Kevin Salter with the Kansas
2 Division of Water Resources, Assistant Water
3 Commissioner (sic).

4 I think we're going to go around the room.
5 We'll just go ahead and pass the microphone. Just
6 hold it up about this level would be good. We'll
7 also start an attendance list around the room. If
8 you'd sign it, I'd appreciate it.

9 MR. COLIN THOMPSON: Just for time's
10 sake, you can just introduce all the Kansas people
11 and that way we can --

12 MR. SALTER: Okay. Sure. If you can
13 stand up, Rachel Duran helps me out. She's a big
14 reason for this meeting being as successful as it
15 is. Dale Book sitting at the next table is our
16 engineering expert out of Denver. Chris Beightel,
17 Manhattan. Burke Griggs with the Kansas AG's
18 office. Brandy Cole works the river for us in
19 Kansas. Mike Meyer, Water Commissioner for Garden
20 City Field Office, and Lane Letourneau is the
21 program manager for our water appropriation staff.

22 MR. STEUER: Dan Steuer, Colorado
23 Attorney General's office.

24 MR. MILLER: Steve Miller, Colorado Water
25 Conservation Board, on James Eklund's staff.

1 MR. WITTE: I'm Steve Witte. I'm the
2 Division 2 engineer for the Colorado Division of
3 Water Resources and the Operations Secretary.

4 MR. NEWMAN: Brent Newman, Colorado Water
5 Conservation Board staff.

6 MR. SEUFER: Donald Seufer, Amity Canal
7 farmer and LAWMA board member.

8 MR. AHRING: Trevor Ahring, GMD-3, Garden
9 City.

10 MR. NORQUEST: Jason Norquest out of
11 GMD-3 in Garden City as well.

12 MR. ACKERMAN: I'm Brett Ackerman with
13 Colorado Parks and Wildlife out of the region office
14 in Colorado Springs.

15 MS. DAVIS: Alex Davis, Water Resources
16 Manager for Colorado Parks and Wildlife.

17 MS. LAIR: Cindy Lair, the Colorado State
18 Conservation Board Manager within the Colorado
19 Department of Ag.

20 MR. LIECHTY: Sherman Liechty, Natural
21 Resources Conservation Service, area conservationist
22 for southeast Colorado.

23 MR. VAIL: Richard Vail, Colorado Parks
24 and Wildlife, water resource engineer.

25 MR. HOWLAND: Terry Howland with the

1 Amity Canal at Buffalo.

2 MR. STEERMAN: Don Steerman of Shinn,
3 Steerman & Shinn, attorneys for District 67
4 Irrigation Canals Association and several of the
5 individual ditches under them.

6 MR. WILSON: Glenn Wilson with the Amity
7 Canal.

8 MR. NILES: Kevin Niles, General Manager
9 of AGUA, Pueblo, Colorado.

10 MR. STANLEY HINES: Stanley Hines for
11 Frontier Ditch in Coolidge.

12 MR. RUDE: Mark Rude, Executive Director
13 of the Southwest Kansas Groundwater Management
14 District.

15 MR. MAXFIELD: Dan Maxfield, Amazon
16 Canal, Lakin, Kansas.

17 MR. STEVEN HINES: Steven Hines,
18 Coolidge, Frontier Ditch.

19 MS. CHARTRAND: Laura Chartrand,
20 Tri-State Generation and Transmission.

21 MR. LEE MILLER: Lee Miller, Southeastern
22 Colorado Water Conservancy District.

23 MR. BRODERICK: Jim Broderick,
24 Southeastern Water Conservancy District.

25 MR. VAUGHAN: Roy Vaughan, Reclamation,

1 Pueblo.

2 MR. VANSHAAR: Good morning. My name's
3 James VanShaar. I'm with Reclamation in Loveland.

4 MR. GILMORE: Andrew Gilmore, Reclamation
5 in Loveland.

6 MR. MARKUS: Garrett Markus, Southeast
7 Colorado Water Conservancy District.

8 MR. MONTOYA: Jeff Montoya, Colorado
9 Division of Water Resources.

10 MR. SPADY: Lonnie Spady, Colorado
11 Division of Water Resources, District 17.

12 MS. NICHOLS: Rebecca Nichols, Water
13 Commissioner, Water District 67.

14 MR. ORTIZ: I'm Rod Ortiz. I'm with the
15 U.S. Geological Survey out of Pueblo, Colorado.

16 MR. PAYNE: Bill Payne, U.S. Geological
17 Survey out of Pueblo as well.

18 MS. ROBB: Traci Robb, US Army Corps of
19 Engineers, Trinidad Lake.

20 MR. GARCIA: Dennis Garcia, US Army Corps
21 of Engineers out of Albuquerque.

22 MAJ. MELCHIOR: Major Jason Melchior,
23 Deputy District Commander, Albuquerque District,
24 Army Corps of Engineers.

25 MR. WOODRUFF: Jason Woodruff, Army Corps

1 of Engineers.

2 MR. YUSKA: Mark Yuska, Albuquerque
3 District, US Army Corps of Engineers.

4 MR. TRUAN: Van Truan, Corps of
5 Engineers, Pueblo, Colorado.

6 MR. BOLDT: Gary Boldt, a casual
7 observer.

8 MR. GRASMICK: Bill Grasmick, Lower
9 Arkansas Water Management Association.

10 MS. SPADY: Bev Spady, Purgatoire River
11 Water Conservancy District.

12 MR. DANIELSON: Jeris Danielson,
13 Purgatoire District, and casual observer.

14 MS. WOLDRIDGE: Julianne Woldridge,
15 attorney for the Purgatoire District.

16 MS. GONZALES: Stephanie Gonzales,
17 Arkansas River Compact Administration
18 secretary/treasurer.

19 MR. PROFFER: Justin Proffer, US Army
20 Corps of Engineers out of John Martin Reservoir.

21 MR. LANGSTAFF: Chris Langstaff, Corps of
22 Engineers, John Martin.

23 MS. DOWNEY: Karen Downey, US Army Corps
24 of Engineers, John Martin Reservoir.

25 MS. ZANCANELLA: Rachel Zancanella with

1 the Colorado Division of Water Resources.

2 MR. VALENTINE: Mike Valentine, City of
3 Trinidad.

4 MS. WALLACE-GROSS: Madoline
5 Wallace-Gross, Lyons Gaddis, special water counsel
6 for City of Trinidad.

7 MR. REYNOLDS: Phil Reynolds, Division of
8 Water Resources, Colorado.

9 MR. KELLEY THOMPSON: Kelley Thompson,
10 Colorado Division of Water Resources.

11 MR. SULLIVAN: Nathan Sullivan, USGS, out
12 of the Hays, Kansas field office.

13 MR. VAN OORT: John Van Oort, Colorado
14 Division of Water Resources.

15 MS. PEARSON: Julie Pearson, Colorado
16 Division of Water Resources.

17 MR. TYNER: Bill Tyner, Colorado Division
18 of Water Resources.

19 MR. McELROY: Brady McElroy, USDA-NRCS.

20 MR. AGUILAR: Jonathan Aguilar, Kansas
21 State University based in Garden City.

22 MR. SALTER: Did we miss anybody?

23 MR. GOBLE: Jack Goble, Lower Arkansas
24 Valley Water Conservancy District.

25 MR. GEUBELLE: Doug Geubelle with

1 Syracuse Dairy.

2 MS. DICKEY-GRIFFITH: Meg
3 Dickey-Griffith, CWCB.

4 MR. HAYZLETT: Anybody else that we
5 missed? If not, welcome to the 2014 Annual Meeting
6 of the Ark River Compact Administration. Kevin,
7 where is the attendance list? You might start that.
8 Do you have it?

9 MR. MILLER: There's two separate pieces
10 of it, one on that side, one on this side, and
11 they're going around.

12 MR. HAYZLETT: Bring them by the front
13 table then. Very good. First item is review and
14 revisions of the agenda.

15 MR. BARFIELD: I would have one revision.

16 MR. HAYZLETT: Mm-hmm.

17 MR. BARFIELD: Apparently Stephanie is
18 going to need to be gone for part of the morning.
19 Normally under, under Agenda Item 4.C., we say we're
20 going to defer that to Item 10. We are -- we're not
21 going to -- I would suggest we not defer to Item 10
22 but go ahead and do that, her report at that time,
23 so we would do it at that time and not do Agenda
24 Item 10.B.

25 MR. HAYZLETT: Okay.

1 MR. BARFIELD: I think that's the only
2 change I'm aware of. With that, I'd move adoption
3 of the revised agenda.

4 MR. HAYZLETT: Is there a second?

5 MR. BRAZIL: Second.

6 MR. HAYZLETT: It's been moved and
7 seconded to adopt the revised agenda, moving one
8 item. All in favor, say Aye.

9 MEMBERS: Aye.

10 MR. HAYZLETT: Opposed, same sign. (No
11 response.)

12 Okay. We'll work off of this agenda then.

13 First item, or next item is report of
14 officers, and I'm going to let --

15 MR. SALTER: Point of reference, the --
16 can you make the revised agenda Exhibit A and the
17 attendance list Exhibit B, please.

18 MR. HAYZLETT: Yes, we'll do that. In
19 the past, we've struggled with maybe keeping some
20 exhibits straight, so Kevin, are you going to be
21 responsible? Rachel's going to be responsible
22 for -- you and Meg? Okay. You two can be
23 responsible for keeping exhibits straight and
24 helping us out on that up here.

25 MR. MILLER: I have a few more copies of

1 the agenda if someone didn't get it.

2 MR. HAYZLETT: Okay. If you don't have
3 an agenda, there are a few at the front table or the
4 entry table, and then Steve Miller has a few.

5 So with that, Item 4 then, reports of
6 officers, I'm going to let Mr. Rizzuto have a mic
7 for a little bit.

8 MR. RIZZUTO: Okay. Thanks, Randy. It's
9 a pleasure to be here. I think I am six days into
10 this federal rep appointment, but I wanted to tell
11 you a little bit about myself. I was born and
12 raised in southeastern Colorado, the La Junta area,
13 and did most of my schooling, college here at the
14 University of Colorado and Otero Junior College;
15 then went on to graduate school. My background in
16 education is economics and finance.

17 Ran a business in the La Junta, Lamar area;
18 used to be called Mason Wholesale. Maybe some of
19 you bought some stuff from us over the years.

20 I spent 16 years in the State Senate here in
21 Colorado, most of those years on the Joint Budget
22 Committee, and became very familiar with the
23 Colorado-Kansas lawsuit as we were taking on that
24 issue. I carried a number of pieces of water
25 legislation while I was in the State Senate; some

1 good, probably a lot bad, now that I look back on
2 it.

3 After I was term limited in 1998, I was
4 appointed by Governor Owens to head up health care
5 policy and financing, which is the Medicaid program
6 in Colorado.

7 After that, I came back to La Junta and became
8 president of Otero Junior College and for about
9 almost three years was joint president of Otero and
10 Lamar Community College. I'm now back at Otero and
11 serving as president there.

12 I was fortunate. I married a young lady from
13 Kansas, so I know when I cross the border what to
14 call the river, so I'm sensitive to the Kansas
15 issues as well as the Colorado issues and look
16 forward to serving as the federal rep on this board.
17 I do appreciate, and only being six days in, I'm
18 wise enough to know you don't jump in and act like
19 you know everything immediately, so I appreciate
20 Randy chairing the meeting so I can learn and then
21 at our next meeting, I'll be able to take over. So
22 thanks for having me here and I look forward to
23 working with all of you.

24 MR. HAYZLETT: Thank you, Jim, and
25 certainly welcome you here, and especially being

1 Vice-Chair, be more than happy to hand this back
2 over to you next year.

3 MR. RIZZUTO: Okay.

4 MR. HAYZLETT: Okay. We're ready for
5 Item C, Stephanie. Are you available? You are?
6 And we do only have one mic, so we're going to try
7 to keep passing this thing around today, so if we
8 miss that, let us know.

9 MS. GONZALES: Yesterday we discussed the
10 option of relocating ARCA documents that are stored
11 at the Prowers County Annex over to Southeast
12 Colorado Enterprise Development. It would give us
13 access to a desk, a phone, we'd have a place to set
14 up a printer and have a laptop. That was just -- we
15 are paid through June for the rent that we are
16 paying for Prowers County, so at that point, I asked
17 ARCA for direction as to whether we want to go ahead
18 and move that. Currently the Prowers County Annex
19 is just a storage room and it does not lend itself
20 to meeting with people in that area.

21 The other issue was to purchase a laptop.
22 Currently, all of the ARCA documents that I take
23 care of paying monthly bills are on my personal
24 desktop at home. This would make it a little more
25 mobile. Should I need to be gone or someone else

1 should take over, it would be on its own equipment,
2 and that was all I had.

3 MR. HAYZLETT: Okay. Thanks, Stephanie,
4 and we dealt with that item in a committee meeting
5 yesterday, so we'll deal with that a little bit
6 later in the meeting today.

7 Ready for Item 5 on the agenda, USGS report,
8 and that's Bill Payne, I believe.

9 MR. PAYNE: My name is Bill Payne with
10 the U. S. Geological Survey, the Colorado Water
11 Science Center. Today I'm going to give you a
12 summary of the 2014 flows for the Arkansas Compact
13 gages. There's 11 gages associated with the
14 Compact, nine in Colorado and two in Kansas,
15 operated by the Kansas U. S. Geological Survey.

16 As you can see (Slide 3 in Exhibit C),
17 beginning upstream and working down, the second
18 column from the right, percentages of the 2014 to
19 2013 flows are considerably higher. The column to
20 the far right is the comparison of the 2014 flows to
21 the period of record average annual flow. As you
22 can see, the percentages all the way down until we
23 get below John Martin are not too bad, and then they
24 drop between 23 and 50%.

25 These are some selected sites out of the

1 Arkansas Basin that shows the mean streamflow
2 duration hydrographs. The green is the average and
3 the black is 2013 and 2014, so you can see at Ark
4 Leadville, and then the Arkansas River Parkdale just
5 above the Royal Gorge and Arkansas River at Lamar.
6 I think we missed one. No, the Avondale. Arkansas
7 River at Avondale. You can see after the 2013 flood
8 events along the front range, considerably higher
9 into the 95 percentile, and then Lamar.

10 Granada and Coolidge, and then I added
11 Arkansas River at Syracuse, which again after the
12 flooding in September, not a lot of flow, but you
13 can see it increase its... (inaudible)

14 Issues of importance. In the operation of the
15 gage, gages in the Lower Ark, we've had
16 considerable...the beaver dam issues at Granada and
17 Coolidge, or not Granada -- Granada and Big Sandy
18 continue to cause the record to be poor quality. We
19 attempted to have a trapper trap and remove the
20 beaver dams at these sites but we could not get the
21 permissions, so shifting to the base rating average
22 from minus seven-tenths of a foot to a foot,
23 1.7 feet, so you can see that's all variable between
24 measurements, so a lot of the record for these two
25 sites are estimated, and that's, that's really the

1 most significant events that's...(inaudible)

2 This is a picture of Big Sandy. This is from
3 last year. There's now a beaver dam over the
4 monitoring site that's even worse, and beaver dams
5 are all the way down to the mouth of the Arkansas.

6 In 2015, propose to continue the operation of
7 the 11 gages associated with the Arkansas Compact.
8 This month or early in January, we plan to move the
9 Big Sandy gage further downstream into the easement
10 for Highway 196 so that we can gain permissions to
11 trap and remove beaver dams, so we hope to improve
12 that record at that site.

13 Let's go back. We'll continue to try to work
14 with the landowner at Granada and see if we can't
15 improve that record as well.

16 Then beyond that, I think we've decided in
17 this meeting to increase the number of measurements
18 at Coolidge when water is being delivered to Kansas,
19 so we've, we've agreed upon that. We do make
20 additional measurements at Granada, Lamar, Las
21 Animas, and Purgatoire during those times as well.
22 Is there any questions? Yeah.

23 MR. MILLER: Bill, will you be here
24 throughout the meeting?

25 MR. PAYNE: Yeah.

1 MR. MILLER: We want the details of what
2 you're proposing for 2015 are in the actual
3 agreements that have been signed with us and
4 Kansas....help us with that.

5 MR. BARFIELD: I guess I have a question.
6 With respect to his report, a lot of times when we
7 get a written report, we make that an exhibit;
8 right? Shall we print out a copy of the Power Point
9 and make that an exhibit as his report or...

10 MS. DURAN: Yeah, we have done that in
11 the past.

12 MR. PAYNE: Yeah, I'll provide that.

13 MS. DURAN: That would be Exhibit C.

14 MR. BARFIELD: Okay. Yeah, let's, while
15 we have your presentation so we, we can print that.
16 Then we'll make that Exhibit C, so thank you.

17 MR. STEVEN HINES: Randy, as a Frontier
18 Ditch water user -- I'm Steven Hines. Why can't we
19 have measurements all done between, say, April 1 and
20 November 15th, and not worry about the off season?

21 MR. HAYZLETT: I think that's maybe some
22 conversation as we work on the USGS agreement that
23 can be discussed and see if we can work that out.

24 MR. SALTER: From my perspective, working
25 for the State Division of Water Resources, we care

1 about the record year-round. The USGS I know will
2 tell you they also care about the record year-round,
3 because they publish those streamflow records.
4 That's the reason why they're so intent about having
5 the correct data, so...

6 MR. STEVEN HINES: But the water we're
7 using comes during the Compact or the water season.
8 If the Compact is going to pay for it, it ought to
9 be done during the water use season, is the way I
10 see it.

11 MR. HAYZLETT: Any suggestions?

12 MR. STEVEN HINES: If they want the
13 records other times, maybe USGS needs to pay for
14 them.

15 MR. SALTER: I imagine this is a
16 conversation that we might need to have with
17 Mr. Hines after. The Compact is a year-round. Our
18 Compact Compliance is year-round. We rely on
19 wintertime flows in Kansas for our water supply as
20 much as we do the surface water flows that come
21 across during the summer, so there is a year-round
22 component to Compact compliance for Colorado, and
23 like I said, we can talk to Mr. Hines afterwards.
24 Maybe I suggest somebody from the Division of Water
25 Resources of Colorado, myself, and maybe Nate and

1 Bill with the USGS, so we can go ahead and move on
2 with the meeting.

3 MR. HAYZLETT: Good comments, Steve, and
4 something to discuss, I think, so...

5 MR. STEVEN HINES: Thank you.

6 MR. HAYZLETT: Mm-hmm. S.B. then is the
7 US Army Corps of Engineers, Major Melchior.

8 MAJ. MELCHIOR: All right. We'll let it
9 get fired up here. I do apologize. I'm from the
10 South, so if I say Arkansas, it's just because of
11 where I grew up. I'm aware of the different
12 pronunciations on each side of the border, so...

13 MR. THOMPSON: Sounds appropriate.

14 MAJ. MELCHIOR: All right. Good morning,
15 Mr. Chairman and members. I'm Major Jason Melchior,
16 Deputy District Commander of the Albuquerque
17 District United States Army Corps of Engineers.
18 Thank you for the opportunity to present key topics
19 here today from our report from last year and items
20 of current interest.

21 Joining me from the Albuquerque District are
22 Mark Yuska, my Operations Division Chief; Dennis
23 Garcia, who most of you know is our Reservoir
24 Control Branch Chief; and we also have Jason
25 Woodruff here with us, the Arkansas River Basin

1 Coordinator; as well as Karen Downey from John
2 Martin Reservoir; and Traci Robb, along with Van
3 Truan, from our regulatory office in Pueblo. Excuse
4 me. Traci Robb is from Trinidad Lake, up in
5 Trinidad.

6 So, current items of interest. Within 2004
7 (sic), the Arkansas River Basin snowmelt runoff was
8 normal throughout the Basin. As of May 1st, the
9 basin wide snowpack was 99% of normal with the Upper
10 Arkansas Basin reporting 112 of normal and the
11 Purgatoire Basin reporting 88%. USACE did not
12 operate flood control at Trinidad, John Martin, or
13 Pueblo Reservoirs within 2014.

14 Operations and maintenance at the two
15 USACE-owned dams within the Arkansas River Basin is
16 an ongoing effort, as it always is. Besides
17 day-to-day work performed at both Trinidad and John
18 Martin, more notable efforts are periodically
19 undertaken to ensure continued safe operations of
20 these facilities.

21 At the end of the fiscal year for 2014, the
22 Albuquerque District issued contracts related to the
23 installation of new instrumentation along the main
24 embankment at Trinidad. These installations will
25 include eight piezometers and four inclinometers

1 located at four different locations along the dam.
2 Just to clarify, those are along the downstream face
3 of the dam. This coming spring, temporary roads
4 will be constructed to allow drilling crew access to
5 those four points of interest.

6 Between April and May of next year, a
7 specialist from the US Army Corps of Engineers will
8 mobilize in Trinidad Dam location and begin the
9 installation of that previously mentioned
10 instrumentation. Once completed, the downstream
11 face will be returned to its original state, and the
12 project completion on that is no later than the end
13 of FY 15.

14 In 2012, Telluride Energy applied for and was
15 issued also a preliminary permit for hydropower
16 studies related to both Trinidad and John Martin
17 Dam. Over the three-year permitting period, the
18 permittee is expected to carry out pre-filing
19 consultations and study developments leading to the
20 possible development of a license application.
21 During this feasibility study development, the
22 permittee is expected to coordinate with us at USACE
23 to ensure that this study will result in a plan
24 consistent with the authorized purposes of the
25 Federal project.

1 In 2014, coordination with Telluride began on
2 the proposed project at Trinidad and to date, no
3 communication regarding John Martin has been had
4 from the permittee at Telluride.

5 In 2014, the Lake Hasty Habitat Improvement
6 Project planning efforts continue. The current
7 objectives are to improve the fishery and
8 potentially expand the wetlands in an effort to
9 increase the recreational uses of the facility. The
10 Albuquerque District is currently partnering with
11 Ducks Unlimited, with Ducks Unlimited offering their
12 wetland engineering expertise in the preliminary
13 designs for the project.

14 The current design concept is looking at
15 surface water diversions from the Arkansas River as
16 a method of improving water quality and also
17 coordination with the State of Colorado regarding
18 the USACE-owned water rights is ongoing. The
19 long-term goal of this is to have two -- have the
20 Lake Hasty Project completed by 2018 to coincide
21 with the 70th anniversary of the completion of the
22 John Martin Dam.

23 I just want to bring this up. As you all are
24 aware, we have important activity going on now
25 outside the country and the world, as well as

1 inside, and I'd just like to conclude with a few
2 words about our -- another priority mission within
3 the United States Army Corps of Engineers, and that
4 is our support to our Overseas Contingency
5 Operations, formerly known as the Global War on
6 Terror.

7 I think I lost it. All right. I can speak
8 loud. So while most of our Corps employees are not
9 uniformed soldiers like myself, I'm proud to say
10 within Fiscal Year 14, we had nine Albuquerque
11 members who voluntarily deployed to Afghanistan, so
12 we like to, we like to highlight that as a great
13 asset to our employees; and as well, we also have
14 currently three employees that are also deployed
15 now. In addition, there have been four employees
16 that have left Albuquerque District boundaries and
17 responded to either Hurricane Sandy on the East
18 Coast, as well as numerous FEMA taskings associated
19 with our New Mexico floods in September of 2013.

20 So, sir, this concludes my report and I'm
21 happy to answer any questions with the assistance of
22 my staff.

23 MR. HAYZLETT: Thank you, Major. Are
24 there questions from the front table for the major?

25 MR. BARFIELD: No questions. Go ahead.

1 MR. EKLUND: I was just going to say,
2 would you invite a round of applause for the service
3 of this young man and the several of his colleagues
4 that he referenced in Afghanistan?

5 MR. HAYZLETT: Absolutely. I think it's
6 well worth it.

7 (Applause.)

8 MAJ. MELCHIOR: Thank you. I love my
9 job. I love everything I do during the day. It's a
10 great honor for me, as a uniformed service member,
11 to work with my civilian colleagues and my civilian
12 employees, because without them, I just know Army
13 stuff.

14 MR. HAYZLETT: Thank you, Major. We
15 appreciate that.

16 MAJ. MELCHIOR: Yes, sir.

17 MR. BARFIELD: Right, and so his report
18 would be Exhibit D.

19 MS. DURAN: D.

20 MR. HAYZLETT: Okay. Very good. Ready
21 for Item 5.C., U. S. Bureau of Reclamation. Andrew,
22 is that you?

23 MR. GILMORE: I think we'll let Roy go
24 first.

25 MR. HAYZLETT: Okay.

1 MR. VAUGHAN: Good morning, everyone.
2 I'm going to go ahead and review the operations of
3 the Fryingpan-Arkansas Project on the east slope.
4 Let's see. Who's going to advance? You? Okay. So
5 this is for Water Year 2014. The imports were well
6 above average at 80,300. That's about 150% of our
7 40-year average. Snowpack in the collection system
8 was average through February. Then it continued to
9 be well above average for the remainder of the snow
10 season.

11 The collection system opened April 23rd and
12 runoff began May 16th and continued through the
13 middle of August, so the next slides are kind of the
14 current status and then we'll go back and look at
15 last year's Water Year, so go back one.

16 Turquoise, the blue line is 2014, the blue
17 column. The silver line is currently where we're at
18 and the heavy black line is average, so we're, in
19 the Turquoise Reservoir, we're well above where we
20 were this time last year and a little above average.
21 Go ahead.

22 Twin Lakes, we're above average and well above
23 where we were this time last year; and for Pueblo,
24 it's the same thing. We have about 89,000 Acre Feet
25 more in storage than we did this time last year. Go

1 ahead.

2 The summary, Turquoise is 102%, Twin Lakes
3 105% of average, and Pueblo is 129% of average, so
4 this is last year's Water Year. The blue column is
5 2014 and the silver column is 2013, so you could see
6 we're in a lot better shape. This is Turquoise
7 again. All throughout the season, we had more water
8 than we -- a lot more water than we did this time,
9 or in 2013.

10 It's kind of the same story, not as extreme,
11 for Twin Lakes. Pueblo Reservoir is a lot more
12 noticeable towards the end of the water season. Go
13 ahead, yeah.

14 These are our forecasts. February was 63-8
15 (63,800 AF); March was 73-1 (73,100 AF); April was
16 93-9 (93,900 AF); and May 1st was 64,040. This is
17 what we anticipated bringing in from the collection
18 system on the west slope. So this is just the way
19 it came off. The heavy dark blue line is the way it
20 came off. The red line is average, so you can see
21 about February, we just continued to build snowpack
22 above average, and then we had a few events late in
23 the, late in the season, and this is the upper basin
24 for the Colorado River. That's where we import
25 from. This is the Arkansas Basin, how it looked.

1 It pretty much hovered around average and came off
2 about average.

3 These were our total imports from the
4 collection system were 80,300, and this is kind of
5 the way it came off, so you can see in June, we
6 were -- we pretty much peaked during that time and
7 it really came off kind of gentle, which helps us to
8 collect more water.

9 Winter operations, we're currently moving 200
10 CFS from twin to Pueblo. We plan to make space for
11 about 60,000 and we'll adjust that according to our
12 customer needs and the snowpack.

13 A few things I wanted to touch on again are
14 the mussels that, that are of concern in Pueblo
15 Reservoir. The facility assessment for the Fry-Ark
16 system, east slope system is completed. The action
17 response plans are completed if we were to find
18 something, but to date we've found no adults, and
19 this year, all the reservoirs tested negative for
20 larvae, and this is the web site if you want to read
21 that report.

22 The other thing we have going on is the AVC
23 and the Master Contract. The Arkansas Valley
24 Conduit and Long Term Excess Capacity Master
25 Contract Environmental Impact Statement has been

1 completed. The Preferred Alternative has been
2 identified. The Record of Decision has been signed
3 and preliminary work has begun. This is our
4 contact. It's Kara Lamb. Jim will do a little bit
5 more in-depth presentation a little bit later on
6 this, I think.

7 Southern Delivery System. The Southern
8 Delivery System is a \$1.1 billion proposal by
9 Colorado Springs, Security, Fountain and Pueblo West
10 to build a 62-mile pipeline from Pueblo Dam with a
11 capacity of 96 million gallons a day with an
12 anticipated start up of 2016, and they're about --
13 they're on schedule for that.

14 The installation of the fixed cone valve is
15 complete and it's operational. That's one of the
16 key components to them being able to get water out
17 of the reservoir.

18 Construction has begun on their -- on the
19 Juniper Pump Station, as well as two others. That's
20 the fixed cone well. Questions? Questions?

21 MR. HAYZLETT: Thank you, Roy. Is there
22 questions from the front table for Roy? Hearing
23 none, this will be Exhibit E, then.

24 MR. VAUGHAN: Anyway, at this time,
25 Andrew is going to speak to Trinidad, so I'll turn

1 it over to him. Thank you.

2 MR. GILMORE: All right. This is
3 essentially the same presentation as yesterday. I
4 think I'll make a slightly different emphasis on a
5 few points, and for Jim, you were educated, I guess.
6 The -- so we'll -- this is an -- on the Trinidad
7 Project. Go ahead, Kevin, and it's a background.
8 As the Corps mentioned, it's a Corps of Engineers
9 facility. It has multipurposes, including
10 irrigation, and we, Reclamation holds the repayment
11 contract on the irrigation portion of the
12 construction cost. Currently, it's a 70-year
13 payment at 0% interest, and Reclamation interest in
14 the project is essentially our being in the contract
15 and things like the Operating Principles, of which
16 there are five signatories. ARCA, the Chairman of
17 ARCA is one of the signatories, as well as the State
18 of Kansas, the Corps of Engineers, Purgatoire
19 District, and Reclamation.

20 The -- there is, in the Operating Principles,
21 provision for review of them every 10 years, and the
22 purpose of those reviews is to encourage optimum
23 beneficial use with no significant increase in water
24 use, and those Operating Principles are incorporated
25 as an exhibit to Reclamation's repayment contract

1 with the District. Go ahead.

2 So an update on Reclamation's actions on this
3 right now. What we did have in the resolution for
4 ARCA today regarding the City of Trinidad's proposed
5 amendments, we'll touch more on that in a second.
6 We are working with the District to look at a
7 request for using some of the joint use pool, the
8 sedimentation pool in the reservoir for excess
9 capacity, and our -- the District has been asking
10 for this for a while, and we had a meeting with them
11 in 2013 where we weren't all that. Our solicitor
12 looked at it and was pretty concerned about our
13 authority to do so, but we asked for the District to
14 send us their legal analysis and we got that in July
15 and our solicitor and us are working hard to look
16 review what our position is and I think the outlook
17 is rosy. I don't have a whole lot more specific
18 information on that, but I think we have the --
19 there is some hope there that I think we'll be able
20 to get to. We looking at excess capacity into and
21 at Trinidad Reservoir, and that is a benefit to
22 Reclamation and the District, because the goal is
23 there to help with the District repayment
24 obligations.

25 As well as I mentioned the Ten-Year review, we

1 had a great project Review meeting in September with
2 a tour of the project that went very well. We had
3 also two technical meetings in February and July,
4 and I think those are in good shape, and we do have
5 a scheduled Annual Meeting. We'd like to have these
6 the Friday morning after Trinidad board meeting in
7 Trinidad, and so we're going to scheduled to have
8 ours in 2015 in September, September 4th.

9 So the City of Trinidad a couple years ago
10 came before ARCA and presented a suggested
11 amendments to help with their use of their using of
12 water for rotation and exchange, as well as a --
13 they have some water rights that they have access to
14 that they would like to use for municipal use and
15 the proposed amendments, and we are working with
16 those and our current plan is to split the one
17 that's more difficult and the one that's
18 straightforward, and so there is that resolution to
19 deal with that before you, I believe, today.

20 We do know that in revised Operating
21 Principles will require an amended contract to
22 recognize and adopt those as an exhibit, and so
23 that's a part of Reclamation's action and we are
24 working hard with the people who are interested, the
25 signatories to the Operating Principles, as well as

1 anybody else who has interest, Lower Ark, for
2 example. I think Don's been -- Don Steerman's been
3 doing a good job of presenting interest there.

4 Point out quickly, one of the goals of the
5 Ten-Year Review is to look at the impact of the
6 project on downstream users. We have in the past
7 used a double mass analysis where we compare the
8 project, the flows of the over the Ten-Year period
9 at the gage above and the gage below the project and
10 the signal in the last 10 years. That Ten-Year
11 period ended October 31st, 2014. The next Ten-Year
12 Review period and the signal from this analysis is
13 different in that Ten-Year period than the Ten-Year
14 periods before that. So with that, we are looking
15 deeper into the analysis and looking to work with
16 the State of Colorado as they develop their division
17 tools in the ArkDSS project to look at some modeling
18 tools to help us investigate the and try to
19 distinguish impacts from something else that can be
20 occurring, climate change or a change in storm
21 distribution patterns from impacts in the project.

22 So as well, you should have a motion, or I'm
23 not sure if it's a resolution or a motion.
24 Reclamation in the past has conducted the Ten-Year
25 Review, and that has been at the ARCA. We're making

1 that request has been one piece of that has been
2 helpful, and so I've requested that if indeed the
3 signatories are -- want Reclamation to continue to
4 do that, that a resolution for ARCA would be very
5 beneficial, and so we discussed the structure of the
6 review.

7 If you have questions or concerns about that,
8 please contact us, and there's my contact
9 information and I double-checked the URL at the
10 bottom because this is essentially the same
11 information as was published in 2010. In this next
12 review period we'll be printing some more
13 information on there, but that URL still is working.
14 There's my contact information, as well as James
15 VanShaar, who is my supervisor, and as I said
16 yesterday, I am going to be taking a new position
17 starting in January with Western Area Power, so this
18 is my last ARCA meeting and I want to compliment
19 Colorado and Kansas (States) on their cooperation
20 and I'm pretty impressed with you all.

21 So with that, I'd take any questions.

22 MR. HAYZLETT: Any question for Andrew?

23 MR. BARFIELD: No questions.

24 MR. HAYZLETT: Thank you for attending
25 the meetings and what you've done in the past. We

1 appreciate it. We'll come back and see us.

2 MR. GILMORE: So Kevin's got my
3 presentation, so I would -- I don't have a printed
4 copy, so Roy showed me up, I don't know.

5 MR. HAYZLETT: Make those in conjunction
6 with Exhibit E then as well. Okay.

7 MR. BARFIELD: And as he mentioned, we
8 will deal with -- I think we have a couple
9 resolutions to deal with the two issues that ARCA is
10 going to act on related to this. So Andrew, I just
11 express a thank you for your years of service to the
12 Basin, so we appreciate it and wish you well as you
13 move on, so...

14 MR. GILMORE: Thank you.

15 MR. HAYZLETT: Okay. Item 5. D. then,
16 U. S. Department of Ag. Is that Sherman Liechty;
17 correct? Liechty. I'm sorry.

18 MR. LIECHTY: It's a tough name. I'm
19 Sherman Liechty. I'm with the Natural Resources
20 Conservation Service. I'm the area conservationist
21 for southeast Colorado --

22 MR. HAYZLETT: Sherman, be sure to use
23 the mic, please.

24 MR. LIECHTY: So -- oh, closer? All
25 right. So I'm sure most of you know who we are.

1 We're in every county in every state in the union,
2 so Kansas has their NRCS, we have our NRCS, and we
3 fund projects for the farmers and the ranchers out
4 there in the watershed, so water conservation is a
5 big part of what we do. I mean, we fund irrigation
6 systems that are higher efficiency irrigation
7 systems. We fund pipelines, tanks for, you know,
8 cattle and stuff like that.

9 So what I'm going to talk to you just a couple
10 minutes about today is a new program that we came
11 out with last year. It's called the Regional
12 Conservation Partnership Program, RCPP, and I'll
13 just call it RCPP from here on out, but this is
14 really a perfect group for what that program is
15 about. It brings together multiple partners from
16 state, local, nongovernmental agencies that have a
17 like cause, and with this group, I would assume
18 water quantity would be an issue, you know, maybe
19 water quality also, and what that does is it takes
20 our normal funding program, which is EQIP, and
21 that's the funding pool that all the farmers in the
22 states go to to try to get money to put in
23 irrigation systems and to put in tanks and watering
24 facilities for their cattle, and it puts it into a
25 smaller pool.

1 So this group, let's say, would apply for one
2 of these projects, get their few million dollars,
3 and it's a five-year program, so you would apply and
4 this would be a five-year funding cycle. Then your
5 farmers, instead of competing against the whole
6 state, would only compete against farmers in the
7 watershed right here.

8 Last year we had over 1200 applications for
9 EQIP and we only funded like 250 of them, so it's
10 very competitive. So if you have your own funding
11 pool, you can get, you know, your farmers are first
12 in line. They can still come into our office. They
13 still sign up just like they would normally, but
14 they're signing up in the, let's say, the Lower
15 Arkansas Partnership Project or whatever you want to
16 call it, but then they only compete against the
17 farmers in that watershed, so they're more likely to
18 get their project, and if you start getting a lot of
19 these more energy or water-efficient systems out
20 there, you know, you're going to use a lot less of
21 the water that's coming in.

22 So the way the project works is you put in --
23 it's a matching, matching grant project, but your
24 part of that could be in-kind services. It could
25 be, you know, putting on the field days; sending out

1 the flyers; getting the farmers into our offices.
2 Our part of that is a lot of the cash that goes into
3 these systems. It's the engineering that -- you
4 know, Brady over there, my engineer, he's a
5 specialist in these, you know, energy or water
6 efficient systems, and we still do the design. We
7 still do the survey work on it. That's all part of
8 our normal day-to-day business, but if you got
9 this -- I think last year, we had eight proposals
10 that have made it. We haven't got that finalized
11 yet.

12 In January, we're going to find out how many
13 of Colorado's proposals will get accepted, but
14 there's eight of them that made the final cut, and
15 so we're, we're just getting to that point where
16 we're going to start taking proposals for next year,
17 so this is pretty much a perfect opportunity,
18 perfect time to get started on putting a proposal
19 together and getting it up there, and then if it
20 gets accepted, again it's a five-year project and we
21 can extend that if we have to another year or two,
22 but -- and the money again goes to your farmers and
23 your ranchers in your watershed and it doesn't go
24 to, you know, somebody in the Colorado River. It
25 doesn't go to somebody up north of Denver. It stays

1 right here and across the Stateline into Kansas, so
2 when you have a multistate, multipartner project
3 like this, you know, that's what we're looking for.
4 That's what this program's about.

5 So all I can say is if, you know, go to our
6 web site. Go to NRCS's web site. Look up the
7 Regional Conservation Partnership Program, RCPP, and
8 look up the material, look it over. There's a few
9 out here that know about it and that could help lead
10 you guys, you know, to the direction you need to get
11 one of these proposals put together, and you've got
12 plenty of time to get a proposal together right now.
13 We're just, like I said, we're just now getting to
14 that point where we're funding last year's
15 proposals, so -- but consider it. It's a good
16 opportunity for a watershed group like this, you
17 know, to get some money into your watershed and, and
18 we're here to help where we can, and that's all I
19 have.

20 MR. HAYZLETT: Okay. Thank you Sherman.
21 Questions?

22 MR. EKLUND: Can I borrow your mic?
23 Thank you, Sherman. I just, from Colorado's
24 perspective, on both sides of the line if you're in
25 the audience and you've heard this presentation, I'd

1 encourage you to explore this with us. We're going
2 to make sure that we do all we can, working with our
3 partners in Kansas, to figure out how to take
4 advantage of this programming, so come up and talk
5 to Mr. Miller or to Cindy Lair over at the Colorado
6 Department of Ag and we'll make sure that we put our
7 best foot forward for the next round of proposals
8 that or applications that they'll be receiving that
9 we just heard about here, so don't, don't forget
10 that. Jot it down, and let's work together to make
11 sure we can take advantage of this.

12 MR. HAYZLETT: Okay. Questions?

13 MR. EKLUND: Cindy?

14 MS. LAIR: I just wanted to mention that
15 I've been working with Steve Frost, who's with the
16 Kansas Department of Agriculture, and --

17 MR. HAYZLETT: State your name, please.

18 MS. LAIR: I'm Cindy Lair. I'm sorry.
19 I'm the manager with the Colorado State Conservation
20 Board and the Colorado Department of Agriculture and
21 a few of us, Steve Miller and a couple others from
22 the Colorado Water Conservation Board, have worked
23 together with Kansas Department of Agriculture,
24 Steve Frost.

25 We put together a proposal, a pre-proposal

1 last year that wasn't successful. We were really
2 looking at conservation measures for the Ogallala we
3 share down in our corners and we, we tried to have a
4 proposal that would work with Oklahoma, Texas, and
5 New Mexico as well, but that kind of fell apart, but
6 luckily, what we were able to hold onto was between
7 Kansas and Colorado, so that wasn't a successful
8 pre-proposal, but we have had discussions lately
9 about ways we might be able to expand it and rather
10 than focusing purely on the Ogallala, we may be
11 looking beyond that on surface water and looking at
12 water quality and we'll be bringing in the Colorado
13 Department of Public Health and Environment on that.
14 But if you have any perspectives on this from
15 Kansas's side, I think it would be great to talk to
16 Steve about that, Steve Frost. He would welcome
17 your comments, I'm sure.

18 MR. HAYZLETT: Okay. Thank you. Any
19 questions for Cindy? Okay. Thank you, Sherman.

20 MR. GILMORE: Sorry, Randy. I -- one of
21 the things I did not mention in our presentation,
22 because it's certainly not directly connected to
23 Trinidad, but as the NRCS has mentioned in some of
24 their water conservation efforts, I know that we're
25 working with Mark Rude and the folks in

1 Oklahoma-Texas Area office and sort of water smart
2 and basin studies. It's a grant program and a
3 cooperative funding program with Reclamation. You
4 may have heard some of the work that was done on the
5 Colorado in the Big Basin study that was done there,
6 and we expect to be sending, and again, I believe
7 Kansas will get one as well, a letter of requesting
8 interested parties. I think we have \$2 million for
9 basin studies this year for if there are people who
10 are interested in participating in that, it's a,
11 it's a quite a process to get involved, but those
12 are 50% matching funds for studies in watershed
13 development, mitigation of concerns of the climate
14 change and water supply. That's a Reclamation
15 program authorized in this area and we expect to see
16 it continue.

17 The question I would have, talking about
18 these, this NRCS program as well as ours, especially
19 to James and the folks in from CWCB is I wasn't sure
20 this was ripe because of all the work that's
21 currently going on with the statewide water plan, in
22 terms of whether it would be premature to start
23 working on a basin study on the Arkansas if through
24 all of this internal work going on in terms of water
25 planning for the State Water Plan, so I just want to

1 make sure you're all aware that I know the CWCB will
2 be getting that letter in January soliciting
3 interested people who are interested in a letter of
4 intent, a letter of interest for the basin study
5 program, so those come out every year, but not every
6 year we have as much funding as we do this year, so
7 I would point that out.

8 MR. HAYZLETT: Thanks, Andrew, for
9 expanding on that. Appreciate that. I think that
10 will take care of the reports from federal agencies.
11 We appreciate the reports, as usual, from all the
12 agencies there.

13 Item 6, Reports from Local Water Users and the
14 State Agencies. The Purgatoire, I believe, is
15 first. Mr. Danielson, I believe you're the first.

16 MR. DANIELSON: Thank you, Randy. Well,
17 it's a pleasure to be here again in Lamar.
18 Mr. Chairman, I would really welcome you to the
19 wonderful world of ARCA. I had the pleasure, when I
20 was State Engineer, to work with Senator Rizzuto
21 many, many times, both on water legislation and as
22 chairman of the Joint Budget Committee, trying to
23 preserve what little funds I had, and he was always
24 very helpful and I think you're going to find he's
25 going to be a great federal rep, so welcome.

1 MR. RIZZUTO: Thank you.

2 MR. DANIELSON: To the Major, I'm glad to
3 see the blue suit, and I know it's not navy, and I
4 thank you for your service.

5 It's amazing how soon we get old. I just met
6 the Major this morning and I looked down at his
7 badge and it's the 20th Engineer Brigade badge and
8 wow, you know, I was in the 20th Engineer Brigade in
9 1968 in Vietnam, so he's what, three generations
10 removed, I guess, from me; but anyway, glad to have
11 him.

12 I'd like to just cover a few items that the
13 Purgatoire was involved with this year. We had a
14 good year. Snowpack was about 70% of normal, but it
15 came out in a very reasonable fashion and it made
16 2013 look really bad, because we were able to get
17 water on most of our lands this year and farmers had
18 a good, good crop.

19 We did conduct a project tour last September.
20 We had 38 people. It was a day-long affair, and I
21 think it was very beneficial to everyone who
22 attended it to just kind of see what the project
23 looks like, how it operates.

24 We put in 12 new recording gaging stations
25 this year on two or three cases, thanks to funds

1 from the Colorado Water Conservation Board and the
2 District, and this is going to improve
3 administration immensely on, particularly on the
4 Picketwire Ditch.

5 Andrew mentioned the issue of excess capacity
6 in Trinidad. If you've been coming to these
7 meetings, you know I've been whining and howling
8 about that for quite a few years now. Trinidad
9 Reservoir has a pool, a joint use pool of 37,000
10 Acre Feet of water capacity and there's never any
11 water there, and we're now actively pursuing
12 contracts with third parties to put third party
13 water in that excess capacity. It just makes sense
14 to me. It's a federal facility. The taxpayer built
15 it. Our District is struggling to repay the cost,
16 and I'm glad to hear Andrew say there may be a light
17 at the tunnel. I just hope it's not a train.

18 We revised our rules and regs and stayed out
19 of any major litigation, to the chagrin of my
20 counsel over here.

21 Yeah, let's -- I'd like to just go through a
22 Power Point here for you. This just gives you a
23 feel, and I know I hate engineers who put slides up
24 that nobody can read, but it sums up, from 1999 to
25 2013, what our average has been in terms of yield to

1 the project. You can see the average over that
2 period has been 39,000 plus Acre Feet. A full
3 supply is 62,000, so since 1999, we've averaged
4 about 63% of a full supply.

5 This just shows it in another way. The red
6 line is the full supply, and you can see what the
7 river has -- how it's performed since that period in
8 1999. Only two years out of that did we ever come
9 close to a full supply.

10 Well, this is the best of times and the worst
11 of times. If you look at the green line at the
12 bottom, that was 2001-2002, and you can see we've
13 never got even close to an average of 50 CFS flow at
14 the Madrid Gage, which is the inflow to the
15 reservoir. '82-'83, the blue one, light blue, that
16 is the best of times. '01-'02 were the worst of
17 times.

18 There is a project that we got involved with
19 about two years ago and it's an ongoing project.
20 Those of you who are familiar with the Purgatoire
21 River as it flows through Trinidad, it's not as bad
22 as the Chicago River. It never catches fire, but it
23 basically was a trash dump for people living and
24 operating businesses along through the city, along
25 the river, so we decided it would be great if we

1 could do a river restoration project and see if we
2 couldn't enhance the environment through the city,
3 and we had a lot of good partners: Water
4 Conservation Board District, City of Trinidad, Trout
5 Unlimited. I think we had like 14 cooperating
6 agencies, and we decided let's create a cold water
7 fishery. Now, I think Parks & Wildlife was very
8 hesitant to think this could happen, but they
9 partnered with us.

10 So here's the president of the local Trout
11 Unlimited chapter, and you can see he didn't throw a
12 rock. He's got a fish hooked out there, and it's
13 not a carp. It's a trout.

14 This is what the channel looked like through
15 the city. That's I-25. We hired a contractor,
16 Finnup, and went in and created structures to hold
17 the fish and enhance the fish population. These are
18 just some shots of here's a structure that's in
19 place and working. You can see it's creating
20 holding water and also ripples for the fish.

21 We had I believe about 200 volunteers from the
22 community to help in clearing vegetation, getting
23 rid of phreatophytes, planting willows, that sort of
24 thing, and that's the result. We do have a
25 population of rainbow trout and brown trout that are

1 reproducing now, so we're kind of proud of it.
2 We've restored about 3500 feet of river through the
3 city and we'll be doing more this coming year.

4 Any questions? Good.

5 MR. HAYZLETT: The permitting process to
6 be able to do that work in the river, was that quite
7 a challenge?

8 MR. DANIELSON: Well, I tell you what.
9 We are fortunate, and I don't say this gratuitously,
10 but we get to work with the Albuquerque District,
11 and those people are very, very good to work with in
12 terms of permitting and moving things ahead, and we
13 appreciate their efforts and hats off. No, we had
14 no problems.

15 MR. HAYZLETT: Okay. Good.

16 MR. DANIELSON: Maybe we didn't ask them.
17 I don't know.

18 MR. HAYZLETT: That's what I was
19 wondering. Maybe you just did it and then told
20 them. Thanks, Jeris, for your report and thank you
21 for your service, too, to the country.

22 That exhibit would be Exhibit F then?

23 MR. BARFIELD: That's right.

24 MR. HAYZLETT: Okay. Fountain Creek
25 Greenway Watershed and Flood Control District.

1 Larry Small.

2 MR. SMALL: Thank you, and thank you for
3 the invitation to come down and talk to you today
4 about the Fountain Creek Watershed Flood Control and
5 Greenway District and one of the projects that we
6 have just recently kicked off associated with the
7 flood control and water rights on the Fountain Creek
8 and the Arkansas River Basin.

9 I'm Larry Small, Executive Director of the
10 District. Today I'm going to talk to you about what
11 the District is, what our purpose is, our governance
12 and some of studies that have been done, and then
13 talk to you about the water rights protection task.

14 Now, the District was formed by the state
15 legislature in 2009. It's a Title 32 special
16 District under Title 32-11.5. It was signed into
17 law October 30th, 2009, so it's our fifth year of
18 operation, and generally the purpose of the
19 District, as established by the legislature, is to
20 address flooding, drainage, sedimentation, water
21 quality, water quantity, and erosion problems within
22 the Fountain Creek Watershed and effectively
23 protect, develop, and use the natural resources
24 within the watershed and to authorize the District
25 to primarily manage, administer, and fund the

1 capital improvements necessary in the Fountain Creek
2 Watershed.

3 The boundaries of the District comprise the
4 entirety of El Paso County and Pueblo County. The
5 watershed management area is the Fountain Creek
6 Watershed in El Paso and Pueblo counties, 127 square
7 miles. The District has general powers within the
8 area of the District, but special powers within the
9 watershed management area. We do have land use
10 authority that is restricted to the Fountain Creek
11 Floodplain from the southern Fountain city limit to
12 the northern Pueblo city limit.

13 The district is governed by a nine-member
14 board. It's made up of four members from Pueblo
15 County, four members from El Paso County, and the
16 member of the Citizens Advisory Group is the ninth
17 member, who is jointly appointed by El Paso County
18 Commissioners and Pueblo County Commissioners.
19 Board members are appointed to a two-year term and
20 there are no term limits on the board.

21 One of our biggest objective is flood control,
22 and primarily flood control on Fountain Creek. Here
23 are some examples of what has been experienced.
24 This was the storm of 1999, 18,000 CFS. The storm
25 of September, 2011, 13,000 CFS. These are at

1 Pueblo, and then another storm most recently,
2 September, 2013, which produced 11,800 CFS at the
3 Pueblo Gage.

4 Our flood control study was one of the
5 projects that we initiated in 2011. It was
6 completed in 2013. It was a joint study funded by
7 USGS and the District. Total cost of the project
8 was \$570,000 and it provides an analytic baseline to
9 allow selection and conceptual design of mitigation
10 projects from Colorado Springs and the Arkansas
11 River confluence. That study looked at 14 different
12 scenarios.

13 The first scenario was a baseline scenario
14 that looked at a historic 100-year flood or 100-year
15 storm in the Fountain Creek Watershed. It measured
16 the impact at Pueblo Gage and it looked at the flows
17 at that gage as baseline considerations. Then the
18 other 13 were different alternatives. Generally,
19 the alternatives were based on side detention
20 methods of flood control, and when we looked at the
21 hydrology at the Pueblo Gage, it was based on a
22 34,000 CFS. We were attempting to mitigate 14,000
23 CFS at that gage. It reduced the flows to 20,000
24 CFS, so that was the baselines that we had looked at
25 in the study.

1 So as we begin moving forward, one of the
2 things that we want to do in continuation of this
3 study is look at the alternatives that were
4 presented, find out which of those are feasible and
5 which are not feasible and move forward to a
6 preferred alternative; but to do that, one thing
7 that is very important to us is to balance the need
8 for flood control with the need to preserve and
9 protect water rights of downstream users on Fountain
10 Creek and the Arkansas River.

11 So to do that, we initiated a Water Rights
12 Protection Task, and the task is directed to
13 determine water rights that can be affected by
14 operating flood control facilities and then
15 establish credible alternatives for analysis and
16 determine if there are any fatal flaws associated
17 with balancing the need for flood control and the
18 production (sic) of water rights.

19 We are holding meetings with stakeholder
20 groups, so the stakeholders, ditch companies, water
21 right holders, the Arkansas Compact members, anyone
22 who has water rights or associated with water rights
23 in Fountain Creek or in the Arkansas River, either
24 upstream or downstream of Fountain Creek.

25 We want to have the conversation and determine

1 what those rights are and how they could be affected
2 if we were to clip that 14,000 CFS from the peak
3 flows that are occurring with that 100-year storm.
4 We want to look at methods for routing flows or
5 augmenting the reduced flows through the use of any
6 methods that we might use to control these flooding
7 conditions.

8 We plan to produce a draft report for review
9 by a technical team and other interested
10 stakeholders and then a final report. We have
11 established the technical team. We checked off our
12 project at the Winter Water Forum and had our first
13 technical team meeting November 3rd at the
14 Southeastern Conservancy District office.

15 Our next one is going to be the first week of
16 January. We're still trying to schedule a date that
17 we can do that, but it will generally be in that
18 period of time, so we have had good participation
19 from the technical folks associated with the water
20 rights in this Basin.

21 We funded the project through self-funding
22 with our partners. There's \$26,500 cash in the
23 project, 24,000 in-kind from Colorado Springs
24 Utilities and 4500 from the District, so the total
25 project is \$55,000.

1 As I said, we kicked it off in October, had
2 our first meeting in November, and we're hoping to
3 finish it up in April of 2015 with a six-month
4 project, so we're in the process of putting our
5 consultant under contract. We have that discussion
6 ongoing and we want to compile and finalize a
7 report, so that's in progress.

8 We want to discuss who's out there, who's
9 involved in this, and develop selection criteria for
10 that consultant. We have done that. We have two
11 candidates in mind now, so hopefully we'll have an
12 individual under contract in early January, at the
13 next meeting in January, 2015.

14 So if you're interested in participating in
15 this, we welcome everyone to do it. Our e-mail is
16 fountainckeist (sic), that's one string, at aol.com,
17 so if you want to participate in this, you can do it
18 either in person. (Email actually is
19 fountainckeist@aol.com) We'll hopefully have a
20 teleconference meeting set up for the meetings, but
21 we are soliciting your support in this. We think
22 it's very important, and not only important, but
23 it's critical to balance any flood control
24 activities we might have with preservation of water
25 rights downstream.

1 We've had a lot of support from Steve Witte on
2 our first demonstration project in Pueblo. That was
3 a 21-acre side detention facility, 42 Acre Feet
4 associated with that. It is in operation. We do
5 have a substitute water supply plan that's done in
6 conjunction with the City of Pueblo, the owner and
7 operator of the facility, so we've at least done one
8 project to see how we would do it, what effects it
9 might have, and what do we need to do to protect the
10 water rights associated with these facilities.

11 So again, thank you for allowing me to come
12 down and speak to you today, and I appreciate all
13 that everyone here is doing for the preservation of
14 our Arkansas River Basin water. Thank you. Any
15 questions?

16 MR. HAYZLETT: Any questions for Larry?

17 MR. THOMPSON: Are you going to plan on
18 having any meetings down in this end of the neck of
19 the woods, Larry, when you come down to talk to the
20 District 67 folks?

21 MR. SMALL: Yes, we can. We can schedule
22 those, and if you'd let me know when you would like
23 to do that, we'll be glad to do that. We'll go
24 anywhere, anytime, to have these meetings.

25 MR. HAYZLETT: Any other questions?

1 MR. SMALL: I appreciate Kevin Salter.
2 He just agreed that he was going to participate in
3 our technical committee, to be sure that we have
4 Kansas representation in this activity.

5 MR. HAYZLETT: Thank you, Larry.
6 Appreciate that.

7 MR. SMALL: Okay. Thank you very much.

8 MR. HAYZLETT: Next item is Southeast
9 Colorado Water Conservancy District Jim Broderick.
10 Oh, yes. Exhibit G for his presentation.

11 MR. BRODERICK: Thank you, Mr. Chairman
12 and Vice-Chairman and Compact representatives.
13 Staying away from the Arkansas-Kansas debate there.

14 I'm Jim Broderick, the Executive Director for
15 the Southeastern. I would really like to thank you
16 for allowing me to come down and talk to you about
17 what Southeastern's doing. More importantly, I'm
18 really pleased that you moved the dates of this
19 meeting so I could be here. Normally I'm unable to
20 be here, and I want to say thank you very much for
21 doing that. I hope it just wasn't for my benefit,
22 but I surely appreciate it.

23 I'd like to go through what Southeastern is
24 doing since the last time I was here and the
25 projects that you were interested at that point in

1 time and give you an update of where we are on all
2 those projects, so I'll start with that. The
3 puzzles, as I refer to it, talks about the Final
4 Environmental Impact Statement and Record of
5 Decision that Roy talked about, and I'll talk a
6 little bit more about that. The second piece is the
7 Arkansas Valley Conduit, which that Environmental
8 Impact Statement and Record of Decision is about.

9 The Long-Term Excess Capacity Master Contract
10 at Pueblo Reservoir, enlargement of Pueblo
11 Reservoir, and Hydroelectric Power will be the
12 discussions.

13 Basically, from the last time, we made a lot
14 of progress. We were still struggling with trying
15 to get the project moving. This is the original
16 project of the 1962 legislation. I've been trying
17 to move it for a long time, finally got it moving,
18 and what you see up there are comments within the
19 Basin of people wanting to move forward.

20 This one was a pretty important slide, the
21 President coming to Pueblo and making it fairly
22 clear that a project that was authorized when he was
23 born probably should be built before he took the
24 presidency. We concurred with that, and we use this
25 all the time back in Washington, as much as we can.

1 The NEPA-EIS had three components or three
2 federal actions, as they're known: The construction
3 of the Arkansas Valley Conduit and the repayment and
4 conveyance contracts; the interconnect conveyance
5 contract; and the long-term excess capacity master
6 contract.

7 That gives you kind of a map of the District
8 itself, and most of all that activity is occurring
9 at Pueblo Reservoir and down.

10 The purpose and need, and if I didn't learn
11 anything in this whole process, its purpose and
12 need. Thank you, federal agencies, for that. It's
13 to deliver municipal and industrial water to the 40
14 communities within the Lower Arkansas Valley. The
15 need is for the quality water that meets primary and
16 secondary drinking water regulations and to provide
17 sufficient water for existing infrastructure and
18 water demands in the future.

19 That's an example of the interconnect. Any
20 time that you have a facility as large as we do at
21 the Pueblo Reservoir, we only had one outlet, if you
22 will, and that would be the south outlet, so we had
23 some work with the Southern Delivery partners. We
24 worked on the north outlet, got the north outlet
25 flush, and so what we'll do is put a connect between

1 the south and north in case we have to have one out,
2 we'll have (trailing off).

3 (Interruption for reporter
4 clarification.)

5 MR. BRODERICK: Let's go back. The north
6 outlet and south outlet, the interconnect will allow
7 us to interchange water back and forth so that when
8 one is out of service, we have the ability to
9 provide service to all the communities.

10 The Master Contract. Roy told you about
11 80,000 more Acre Feet in Pueblo Reservoir, give or
12 take. The purpose of the Master Contract is to
13 allow you to store water in Pueblo Reservoir for the
14 37 or 40, depending on what area you're at,
15 participants with their water. This allows them to
16 have long-term contract we're looking at is 40
17 years, ability to store their waters and take them
18 out of a short-term contract situation. It allows
19 them to have reliable water supply to meet the
20 demands for through 2060.

21 Those are all of the parties that are involved
22 there. I brought the slide for no action so you
23 know kind of what it was before we started and so
24 you'll be able to see all the entities that are in
25 the project. Next slide.

1 There's the preferred alternative, called the
2 Comanche North alternative, and that's starts at
3 Pueblo Reservoir and skirts the west side of Pueblo
4 and then brings it down through the valley.

5 The appraisal cost for the project is sitting
6 at \$400 million. Started at 500 million and we
7 brought it down to 400 million. The cost sharing is
8 65-35 at that point.

9 Probably one of the most important days that
10 we kind of look at for this project was February 27,
11 when the Record of Decision was signed which allowed
12 us to start moving forward and got us out of an
13 appraisal perspective and moved us into a
14 feasibility perspective.

15 This is the second slide and the second
16 comment that the President spoke that we use all the
17 time as well, that we want to make sure that want to
18 move that project forward.

19 (Interruption for reporter
20 clarification.)

21 MR. BRODERICK: The second piece of the
22 puzzle is storage, and when I look at storage, where
23 everybody's always talking about storage, and so
24 we'll talk a little bit about the preferred storage
25 option plan, long-term excess capacity master

1 contract, and the enlargement of reservoirs.

2 The preferred storage option plan is one that
3 I've come here and spoken many times about. We've
4 done a little switch on that one for trying to move
5 this forward in the next slide. Let's go to the
6 next slide. Really used to be looking at enlarging
7 Pueblo Reservoir. We switched it a little bit and
8 said why don't we go ahead and start working on
9 excess capacity master contracts to use the existing
10 facility that we have, fill that up, and then show
11 the argument of we filled it up. Now we need some
12 more room. We have done that with this contract
13 that we'll be working on in the near future. We'll
14 bring almost 100,000 more Acre Feet of storage into
15 Pueblo Reservoir and it's under contract.

16 So when we get to the excess capacity piece,
17 we're really had to wait for the ROD (record of
18 decision) for the NEPA, and then we will go into
19 negotiations with Reclamation on the contract.
20 We're right now having 37 participants involved in
21 this and we'll have to schedule memorandums of
22 agreements with those participants. We're scheduled
23 to do starting those negotiations in the second
24 quarter of 2015. The contract will be set up for
25 2016, so those long-term contracts will start at

1 that date for 40 years.

2 The second piece of that puzzle is to allow us
3 to look at storage in general, and there's three
4 ideas that are floating around. Since the last time
5 I was here, there was only the one big discussion
6 and that was Phase 2, which was the enlargement of
7 Pueblo Reservoir and the enlargement of Turquoise
8 Reservoir. There's another piece that's being
9 added, and that's starting to look at small to
10 medium reservoirs in the Basin, and one of those
11 projects is the Upper Water Conservancy District
12 looking at some of their storage projects and
13 starting to work.

14 A third piece is looking at lower basin
15 storage, possibly in gravel pits to be able to
16 capture (inaudible) which is small recovery of
17 yields are known as ROY projects, and so those two
18 are moving. The enlargement project also is moving.
19 As I told you, we were trying to get the excess
20 capacity in place.

21 The next project is the hydrofacility that
22 originally was a part of the Arkansas Valley Conduit
23 when we brought the whole picture together. We
24 broke it out just because we thought we could get
25 this done a little bit quicker, but in 2011,

1 Reclamation published a request in the Federal
2 Register for hydropower generation and Pueblo Dam
3 was in the top ten. We partnered with our partners,
4 the Board of Water Works and Colorado Springs
5 Utilities, to utilize it. The facilities at Pueblo
6 Dam on the north outlet, it consists of 7.0 megawatt
7 at Pueblo, will be running at 18.6 million kilowatt
8 hours, and we estimate the cost of this at 19.7, so
9 normally I just say 20 million, but somebody at my
10 accounting decided we better get pretty right on the
11 numbers.

12 So the issues associated with this is three
13 pieces, again, is the lease of power privilege
14 permit, the construction and the operations.

15 Phase 1 of the lease of power permit (LoPP) is
16 the financing and economic review, of which we have
17 accomplished; our partnerships and contracts and the
18 power purchase lease agreement. Stage 3 is the
19 technical. We're walking through the planning and
20 all the associated with the planning permit and
21 design.

22 The schedule sits this way. The preliminary
23 LoPP was granted in February of '12; feasibility
24 study update was in March of 2014; preliminary
25 design, July of 2014. We believe that we'll get the

1 execution of the final lease of power privilege in
2 May of '15, and then we will start looking at final
3 design in October of '15. We will start
4 construction in March of '16. We believe that we'll
5 be completed with construction in March of '18 and
6 it will be commissioned in 2018.

7 For those of you that wonder where in the
8 world are you putting this thing, that arrow is the
9 place we're putting it. It's on the north side of
10 Pueblo Reservoir. As you can see, Roy was talking
11 about the fixed cone valve. You can see that in the
12 background, which is a little bit further forward.

13 The engineers, I've always said I have to have
14 some kind of diagram so they can see what it looks
15 like. That's as close as it can be, and yes, Jeris,
16 you can't see it.

17 There's the next one. That's for the
18 engineers as well, so you can see what it kind of
19 looks like. For the rest of us, that's kind of
20 where it looks like and that's where it will be
21 sitting, where the green area is.

22 That's the picture of what it will look like
23 the housing and the structure associated with. With
24 that, those are the major projects that we're
25 undergoing. The projects that were sitting in place

1 is somewhere close to \$460 million in process, and I
2 think it's starting to take the project's intended
3 purpose and starting to put it into place.

4 We have finished our 50th anniversary since
5 I've been here before and we've celebrated that, so
6 the project is starting to finish up the original
7 design, the Fryingpan-Arkansas Project, and with
8 that, Mr. Chairman, I'll be glad to take any
9 questions.

10 MR. HAYZLETT: Questions for Jim?

11 MR. BRAZIL: On the hydropower, is the
12 power generated you're going to use in the Arkansas
13 Valley Conduit, in the SDS to pump it, or are you
14 just going to sell it on the open market?

15 MR. BRODERICK: At the present time, we
16 will be negotiating with Black Hills. They're the
17 ones that have the surface territory associated with
18 Pueblo Dam. We will put together a contract with
19 them and they'll determine what their best uses are.
20 We anticipate that to happen later next year.

21 MR. HAYZLETT: Any other questions?

22 MR. BARFIELD: Jim, appreciate your
23 report. I think it's been a few years since you've
24 been here, so I'm glad you've been able to make it.
25 Your Phase 2 storage options, what are the general

1 timelines for looking at those sort of storage
2 options you outlined?

3 MR. BRODERICK: Right now we're trying to
4 finish up those phases ahead of it, or right now
5 we're looking at, as you're aware -- I'll do the
6 enlargement piece first. I'm assuming that's what
7 you're referring to, but I'll do the other two if
8 you'd like.

9 While the enlargement piece is we're looking
10 at most likely '16 to start moving that one forward.
11 We're still doing some work on it, but preliminary
12 we'll be doing probably '16, to start moving that in
13 some discussions on that piece, and that's at Pueblo
14 Reservoir. Turquoise Reservoir was always
15 intentioned to be -- in the report, it says 25 years
16 later, so I'll stick with 25 years later and see
17 what that looks like.

18 The second one you're looking at is, I'm
19 assuming you're talking about the Upper Water
20 Conservancy District's small pits, and those are
21 looking -- they're starting to move that forward
22 right now and I'm assuming it will be somewhere
23 between '15 and '18 and '19 before that gets moving.

24 The third one I put up on the slide having to
25 do with the recovery of yield, which is water that's

1 flowing through Pueblo through agreements and
2 capturing that yield and moving it back up. They've
3 been looking at it for the last three or four years.
4 Conceptually, they'll start looking at a site in
5 2015 and probably start looking at design in '16
6 through '18. Most of those facilities are not, are
7 still have gravel in them, so you have to do it in
8 phasing and my guess, I think it's going to be a
9 three to four phase, but I haven't seen the complete
10 final engineering report on that, and those are
11 the -- sorry. Those are the three that I showed up
12 there.

13 MR. BARFIELD: Right.

14 MR. BRODERICK: Assuming that's what
15 you're referring to.

16 MR. BARFIELD: Yes, it was. Thank you.

17 MR. HAYZLETT: Any other questions for
18 Jim? Thanks for coming to the meeting this year,
19 Jim.

20 We're ready for the Lower Ark Valley Water
21 Conservancy District, Jack Goble.

22 MS. DURAN: Will his presentation be an
23 exhibit?

24 MR. HAYZLETT: Oh, yes. Exhibit H. on
25 that.

1 MR. GOBLE: Jack Goble. I'm the engineer
2 for the Lower Arkansas Valley Water Conservancy
3 District, and I apologize. Our executive director,
4 Jay Winner, had a prior commitment today. I
5 actually didn't even know that I was presenting
6 today, but seeing our District's name on the agenda,
7 I wrote down a few notes just to kind of hit some
8 highlights, so this probably won't be as
9 entertaining as Jay would be, but I'll go ahead and
10 go for it.

11 So the District is continuing to participate
12 in numerous activities. Some of the highlights are
13 this lease-fallowing pilot project that we're
14 proposing for 2015 on the Catlin Canal. We've had a
15 couple of goes at this that haven't happened, so
16 hopefully, the third time's a charm. It will be a
17 consisting of six farms under the Catlin Canal and
18 with the goal of moving up to 500 Acre Feet of water
19 to the communities of Fowler, Fountain and Security.
20 It's still in the comment period. Tomorrow, there
21 will be an engineer's meeting in Denver to go over
22 the specifics, but we're still in the comment period
23 as of now.

24 This summer -- I gave a presentation yesterday
25 on the two recharge ponds we're planning on using

1 that we tested this summer, and they, those were
2 successful tests. We recharged on the one a little
3 over 100 Acre Feet and the other around 330 Acre
4 Feet, so those were successful.

5 One of the other major things that our
6 District handles is we oversee two Rule 10 Plans and
7 those are for the irrigation permit rules, also
8 known as the sprinkler plans, and we have the Fort
9 Lyon Plan and the Non-Fort Lyon Plan. So far this
10 year, we made replacements of about 1900 Acre Feet.
11 We're eight months into the plan now and so we'll
12 continue those out for the rest of the year and we
13 plan to do those, both of those plans again next
14 year.

15 The Fort Lyon Plan, a group has actually been
16 formed. The Fort Lyon Rule 10 Association filed
17 with the Secretary of State, and the idea is to
18 eventually have them take over their own plan, and
19 so they actually elected their directors earlier
20 this week and so that's moving forward nicely.

21 We did, the Fort Lyon group, actually, the
22 Fort Lyon Canal had something new happen this year.
23 They requested their first right of refusal and all
24 of their Fry-Ark return flows, and so the Rule 10
25 Plan benefited from that. That will go a long way

1 to satisfy a lot of their replacements and they were
2 real pleased with that, and we appreciate the
3 Southeastern District working with us to make that
4 happen.

5 We continue to accept conservation easements.
6 That's kind of another big part of what our District
7 does. We're closely involved in this Fountain Creek
8 master plan. I've been attending those, that first
9 meeting, and plan to do that going forward.

10 One of the other thing I'd like to mention,
11 we're looking at doing a -- well, we are going to do
12 a irrigation efficiency study under the Fort Lyon
13 Canal to look at the 65% irrigation efficiency for
14 flood irrigation, so that will be a two-year study
15 and, well, the Phase 1 will be two years and we'll
16 be looking at starting that here shortly, so that's
17 kind of some of the highlights. Any questions?

18 MR. HAYZLETT: Any questions for Jack?

19 MR. BARFIELD: No.

20 MR. GOBLE: Thanks.

21 MR. HAYZLETT: Thank you. Appreciate the
22 presentation. I think we're ready for the Arkansas
23 River Basin Roundtable. Is that Brent Newman or Jim
24 Broderick? Jim again?

25 MR. BRODERICK: Mr. Chairman and

1 Mr. Vice-Chairman and Compact representatives, for
2 the record, I'm Jim Broderick, chair of the Arkansas
3 River Basin Roundtable. I won't go into a lot of
4 great detail of the Colorado Water Plan, because
5 Mr. Eklund will come right behind me and do an
6 outstanding job on that.

7 I do want to make a couple of comments,
8 however, from the Roundtable perspective.
9 Ultimately, the Roundtable intended for a grass root
10 impact for the Colorado Water Plans to be meaning --
11 to be a meaningful document, and I believe we
12 accomplished that; not only just for the Arkansas
13 Basin, but I think that could be said for all the
14 basins.

15 I think it's important that we understand that
16 what I think it did was foster the collaborative
17 solutions to responding to the looming gap between
18 supply and demand. I think it gave us the ability
19 to ensure that we fortify the prior appropriation
20 doctrine and not undermine it. I think it
21 identified and tests cost-effective alternatives to
22 the discussion of permanent or buy and dry of
23 irrigation lands. I think it is certain that
24 Colorado will protect its Compact entitlements and
25 demonstrate effective state-based policy to prevent

1 federal erosion of state and water and local
2 authority.

3 I think it encouraged strong cooperation by
4 interested stakeholders to move regulatory and
5 permitting efforts more quickly through the process,
6 and probably the biggest issue associated with it
7 was by front-loading the State involvement.

8 Everybody, you know, talks a whole lot about, gee,
9 you've really been spending a long time on this, but
10 the reality of that is the State of Colorado needed
11 to. People needed to understand what the other
12 person at the other table was thinking and how they
13 felt and, more importantly, to educate all of us on
14 the different issues of each basin, and not only
15 each basin but within the basin, because there's a
16 lot of people that sit in different pieces of the
17 basin that not everybody understands their issues,
18 so from a Roundtable perspective it was, I believe,
19 well worth it.

20 The last piece that I will talk about is I
21 also think it aligns the State policies and the
22 resources and the funding of Colorado's water values
23 and allows us to start putting in those projects and
24 programs in a priority, and that's what the
25 Roundtable is working on now. We've submitted the

1 draft Basin Implementation Plan. It was published.
2 Mr. Eklund will talk with and we're still working on
3 finalizing that, but it is -- it has been a, a, a
4 dialogue of everyone.

5 There are 56 members of the Arkansas Basin
6 Roundtable. Some people say it's like herding cats,
7 but most of the time, we don't have those issues.
8 Most of the time we're able to get to where we need
9 to get and have a pretty good dialogue.

10 So with that Mr. Chairman, Mr. Vice-Chairman,
11 I'll stop my comments and allow Mr. Eklund to
12 (Inaudible). If there's any questions, I'll be glad
13 to answer any on behalf of the Roundtable.

14 MR. BARFIELD: No questions.

15 MR. HAYZLETT: Any questions? Okay.
16 Thank you, Jim. Were we discussing a break? Okay.
17 We were discussing a break and thinking maybe this
18 might be a good time before we get into Item B, if
19 that's okay. Okay. We'll take about a five-minute
20 break that will turn into 10.

21 (A break was then taken from
22 11:25 a.m. to 11:39 a.m.)

23 MR. RIZZUTO: Okay. We'll get started.
24 I'll try and get us through the rest of the agenda.
25 At this time, I'd call upon James Eklund to go over

1 the Colorado State Water Plan. James.

2 MR. EKLUND: Thank you, Mr. Chairman.
3 Welcome and thank you for your service to Colorado
4 and then on this board. I think I echo everybody
5 else that this is going to be a good tenure under
6 your leadership.

7 Governor Brownback and Governor Hickenlooper
8 are developing a very fast friendship. They talk
9 about water issues but they also talk about economic
10 development and, you know, other agriculture and
11 other issues when they get together, and as a result
12 I think, you know, that there's a lot of
13 similarities that you're going to see between the
14 Colorado Water Plan and the Vision, Kansas's Water
15 Vision as they move forward here.

16 The governors both called their respective
17 water machinery into action in both States. In May
18 of 2013, Governor Hickenlooper issued his executive
19 order directing the Colorado Water Conservation
20 Board to complete a draft Water Plan for the State
21 by December of this year. We delivered that last
22 week on Wednesday, a week ago today, to the
23 governor, and we were on time with that document.
24 I'll talk a little bit more about that.

25 Similarly in October of 2013, and I know

1 Kansas will go into this, their plan in greater
2 detail, but Governor Brownback directed a process to
3 be overseen by what he called the Vision Team,
4 consisting of the Kansas Water Office, Kansas
5 Department of Agriculture and the Kansas Water
6 Authority and, you know, they're very similar and
7 they share, they share some commonalities, and I
8 just wanted to go over those in brief. Those of you
9 from Colorado have had to sit through my
10 presentation. It usually lasts 30 to 40 minutes, so
11 I'm, I'm sparing you that, especially in concern of
12 the time and the travel in front of the folks from
13 Kansas.

14 But the first similarity or common theme is
15 the, you know, the Vision in Kansas and the Plan in
16 Colorado recognized the importance of interstate
17 compacts and comity and obviously, that's very
18 important to this Compact Administration and the
19 work we do every day for both of our states. So our
20 Plan says the State of Colorado will continue to
21 uphold Colorado's water entitlements under
22 Colorado's compacts, equitable apportionment decrees
23 and other interstate agreements, and Kansas's Vision
24 says their goal is to improve interstate cooperation
25 so that Kansas's water needs are met and protected.

1 The second point of commonality is that both
2 plans, both the Plan and the Vision, contemplate
3 greater collaboration among the respective State
4 agencies. So Governor Brownback in Kansas called on
5 his agencies that I just listed to work together and
6 collaborate more and Governor Hickenlooper did the
7 same thing in Colorado. So the synchronization of
8 your agency permitting process in Kansas is kind of
9 the hallmark there, and on our Plan, we recognize
10 the same need around permitting processes and, as a
11 result, that's led to coordination with our sister
12 agencies including, you know, the Colorado
13 Department of Public Health & Environment, where we
14 have all of our water quality business living in
15 Colorado, so we're trying to cross this, you know,
16 recognize the quantity-quality nexus and it's no
17 longer something that we can think of in isolation,
18 one from the other, moving forward.

19 The third commonality is we talk about
20 transfers within water basins in both the -- you
21 know, Kansas talks about it in the Vision. We talk
22 about it in our Plan. That's not a controversial
23 topic at all in Colorado, so we, we -- our -- we're
24 proud of the path that we're crafting toward
25 resolving some of the conflict in Colorado around

1 which basin is, is, you know, has water for
2 development and which ones don't. The basin of
3 origin topic, you know, both in Kansas and in
4 Colorado recognizes and focuses on the, you know,
5 the feasibility and acceptability to those basins of
6 origin, so that's, that's important. I think that's
7 moving the conversation along, I know in Colorado
8 anyway.

9 Last but not least, the grass roots efforts
10 are the real hallmarks of these, of these two
11 efforts. Kansas, you've got regional planning
12 areas. In Colorado, we call those Basin
13 Roundtables. The -- and I'd be remiss if I didn't
14 just pause real quick and highlight the person you
15 just heard from. The chairman of the Basin
16 Roundtable in the Arkansas Valley is Jim Broderick,
17 and his leadership and the leadership of that Basin
18 Roundtable has been important statewide as we talk
19 about these conversations, you know, these topics of
20 water issues, and he in particular and that, this
21 Basin that you're sitting in today, are responsible
22 for really moving the state forward on several
23 topics, from watershed health to project permitting
24 and really to what we're going to do in terms of
25 closing a gap between supply and demand that we're

1 witnessing in our state, and I assume it is also
2 prevalent in other western states, including Kansas.

3 So I saw or I heard, and I bet if the
4 transcript was read back, Madam Reporter, that Roy
5 Vaughan from Reclamation said there were no adults
6 in the Arkansas Basin. He was referring to mussels,
7 but I just wanted to clarify, and usually Chris
8 Woodka from the Chieftain is here, so I really
9 wanted to clarify for him, when he's here, that
10 there are adults in the Arkansas Basin and they're
11 having tough conversations that are -- you know, it
12 would be easy to kick the can down the road on all
13 this stuff, and people have done that in the past
14 because it is the easy thing to do, but we're not
15 doing that anymore, and it's exciting because we're
16 having adult conversations that need to be had on
17 this topic in Colorado and it sounds like that's the
18 direction things are headed in Kansas, and so we're
19 leading to finalized products in both States, a Plan
20 in our State in 2015 and a Vision in Kansas in 2015.

21 So if you didn't know it already, and all of
22 you sure as hell know it because you're here, water
23 is important and now is a wonderful time and
24 opportunity to make your voice heard in both of our
25 respective States. So with that, I'll answer any

1 questions.

2 MR. RIZZUTO: Any questions from the
3 board? Any questions from the audience? Okay.
4 Thanks, James.

5 MR. EKLUND: You bet. Thank you,
6 Mr. Chairman.

7 MR. RIZZUTO: Now to the Kansas Vision,
8 and if I have the name correct, Lane Letourneau.

9 MR. LETOURNEAU: Correct, yeah. Thank
10 you.

11 MR. RIZZUTO: Sounds Italian.

12 MR. LETOURNEAU: I'm French Canadian from
13 Brookville, Kansas.

14 MR. RIZZUTO: Close.

15 MR. LETOURNEAU: And I do have my
16 business card and I'll give you my presentation, and
17 I won't take a lot. James did a wonderful job
18 touching the highlights that I was going to touch
19 on, and really, what I would do is just talk a
20 little bit about our process.

21 It was probably well over a year ago the
22 governor did tell the Department of Agriculture and
23 the Kansas Water Office to go out and talk to
24 stakeholders and develop a 50-year Vision with our
25 water resources, and we ended up over 300 meetings

1 and talking with over 10,000 people, so in our
2 document, everything in this document, you can go to
3 the Kansas Water Office web site, www.kwo.org, and
4 get this 80-page document. It's got 101, I believe,
5 action items, and like James had mentioned, as a
6 result of this, we had a year of meetings, 10,000
7 people.

8 Then we came up with a first draft of
9 everything that we heard and we went out and did a
10 week-long tour, at least three or four meetings per
11 day in every region of the State, and the result of
12 that is this second draft, and as James had
13 mentioned, we've got these planning regions and
14 right now, we are building those goal-setting teams,
15 and we asked for nominations and we were overwhelmed
16 with nominations.

17 We ended up with over 350 people nominated, so
18 Monday in Wichita, Kansas, then we will be
19 establishing those teams with -- Chairman Hayzlett
20 is on the Kansas Water Authority, so we will be
21 finalizing those, and then those goal-setting teams
22 then will come up with a third draft. We see this
23 as a living document and 'cause with each meeting we
24 have, better ideas come out of that and, you know, I
25 will stand for questions.

1 As I said, James, I appreciate you covering
2 the highlights for me, so I'll stand for just a few
3 questions. For the sake of keeping the meeting
4 moving I can, I can move forward. I do have
5 business cards. I'm in the back of the room if
6 anybody wants to get my contact information.

7 MR. RIZZUTO: Okay. Questions from the
8 board? Seeing none, any questions from the
9 audience? Okay. Thank you, Lane.

10 MR. EKLUND: One point of clarification,
11 Mr. Chairman. I've neglected to mention, and there
12 are copies of this out on the table back there, but
13 this is the executive summary of the first draft
14 Plan that Colorado delivered to the governor last
15 week, so pick one up. Let us know what you think.
16 We have a product now.

17 The full version of this is 400-plus pages, so
18 it's in this binder right here, so
19 coloradowaterplan.com is the web site for Colorado's
20 Plan, and I apologize for not mentioning that
21 earlier.

22 MR. RIZZUTO: Okay. Thanks, James.
23 Next, Ground Management District 3, Mark Rude.
24 Mark.

25 MR. RUDE: Thank you, Mr. Chairman. It's

1 good to be here this morning and I recognize time,
2 and so I am Mark Rude with the Southwest Kansas
3 Groundwater Management District in Garden City,
4 covering most of the 12 counties in southwest
5 Kansas. Most of that is predominantly Ogallala
6 Aquifer water supply but also we, of course, have
7 members utilizing the Ark River.

8 Just a couple of items. For the benefit of
9 brevity, I've got a written report here and I'll put
10 some copies back on the table. I did want to touch
11 on a couple of things. I think I was put on the
12 agenda not only as a local area but one that, as was
13 mentioned earlier, is involved with the Bureau of
14 Reclamation on a basin Plan of study, so just a
15 couple of comments on that, on some Stateline
16 groundwater gages we had installed and then a
17 concept on a rule, because we are in the process of
18 updating our administrative rules applicable to
19 southwest Kansas wells, and that includes a concept
20 of water usability depletion, so open to comments on
21 that.

22 Let me just read a couple of things here.
23 Water quality issues that are occurring along the
24 upper Ark River in Kansas have been identified in
25 various reports. Reclamation recently completed a

1 Public Water Supply Alternatives Viability
2 Assessment for Hamilton, Kearney and Finney Counties
3 that discussed various infrastructure and treatment
4 methods that could ensure that quality water is
5 supplied to this area from the Stateline to Garden
6 City, so that's been completed. It's really sort of
7 a scoping study.

8 On the Ark River Basin Plan of Study, right
9 now we're kind of referring to it as a work Plan,
10 but it's, again, it's under their basin planning
11 program.

12 GMD-3 applied to and was selected by
13 Reclamation's 2013 Basin Study Program for a plan of
14 study or work plan to develop a scope of a study
15 which would cooperatively develop strategies to
16 address the water quality issues in the Ark River
17 and as we have put in our application from John
18 Martin Reservoir in Colorado to Garden City.

19 Through the basin studies program, Reclamation
20 solicited state and local partners to conduct
21 comprehensive water supply and demand studies of
22 river basins in the western United States. This
23 selection provided funding to Reclamation to assist
24 GMD-3 in the preparation of this work Plan.

25 GMD-3 and Reclamation are currently in the

1 process of developing a work Plan which describes
2 the objectives and study tasks for a basin study.
3 It is expected that the work Plan will be completed
4 in the next few months. After completion of the
5 work Plan, it will be shared with others in the
6 Basin in the hopes of attracting additional partners
7 in Kansas and Colorado that would provide input and
8 assistance in addressing these water quality issues.

9 That's essentially all I have for a report on
10 that process. Again, intended to be collaborative
11 in seeking the assistance of Reclamation under their
12 Basin Planning Program.

13 On this Stateline groundwater gages installed,
14 Stateline groundwater gage sites have been
15 established through a cooperative agreement with the
16 USGS through a process of probing the tributary
17 groundwater formations along the Stateline by GMD-3
18 in cooperation with the Kansas Geological Survey and
19 subsequent drilling of groundwater gage sites for
20 the alluvial aquifer and the Paleo-River Channel
21 Aquifer near the Stateline. This activity will
22 provide additional continuous monitoring of waters
23 of the Ark River Basin and the water quality near
24 the Stateline. Information on the water quality and
25 usability can aid in serving the interests and

1 concerns of local water users on both sides of the
2 Stateline and the purposes of the Ark River Compact
3 Administration, and on this, I have those two web
4 sites of those continuous reporting gages.

5 Regarding a draft GMD-3 rule definition
6 relating to water quantity and water quality in
7 southwest Kansas for comment, I just included that
8 here because, really, this quality and quantity are
9 two sides of the same coin. It's good to hear both
10 in the discussions of the Kansas water visioning
11 process as well as the Colorado water visioning
12 process, that that's -- we're making headway in
13 recognizing that.

14 In southwest Kansas, we have that reality of
15 fresh Ogallala water and then the wonderful
16 recharge, but the quality concerns that we get from
17 various sources, including the Ark River. For
18 instance, we have an area in -- down in Meade County
19 where, as we pump down the Ogallala and the upper
20 Permian, chlorides are upwelling or can upwell into
21 that fresh water supply, degrading these local
22 farmers' water supplies for their pivot systems, so
23 we're trying to stay on top of that and define the
24 issues.

25 Along those lines, we have this draft water

1 usability depletion definition, and with the great
2 minds I've known for years in this room, we're open
3 to suggestions on how to craft this, this
4 definition. Right now we've proposed this
5 definition as: Water usability depletion means the
6 degradation or reduction in the quality of a water
7 supply without compensation for cost of treatment
8 and a corresponding increase in quantity, as needed
9 to materially restore the usability of a water
10 supply in volume, value and function.

11 That's that challenge I think we all face as
12 water managers as we utilize our water supply, make
13 better use of it, more efficient use of it. There's
14 that quality side of the coin that we have to
15 address to the extent that we may have an effect on
16 other water users and other water rights, and I
17 think Steve Witte addressed that question in the
18 Holly meeting, that special Compact meeting that we
19 had, where there was some concern expressed that
20 routinely we consider both quality and quantity in
21 these changes to water rights.

22 That's some quick comments, trying to stay --
23 I went over the three minutes, Hal, so I stand for
24 questions if there are some.

25 MR. RIZZUTO: Any questions from the

1 board?

2 MR. THOMPSON: Mark, have you got this
3 paleo reservoir mapped out?

4 MR. RUDE: The Paleo-River Channel, in
5 fact, we're proposing to study it further with the
6 Kansas Geological Survey. It's not defined well.
7 It's just sort of written in, I think, in a USGS
8 publication a number of years ago and so, you know,
9 the how it exists is a notion locally, but I don't
10 think it's well-defined, and particularly from the
11 standpoint of sustainability, we really need to
12 define that more, so I think there's work to come on
13 that.

14 MR. RIZZUTO: Any other questions from
15 the board? Any from the audience? Okay. Thank
16 you, Mark, very much, and for the record, Mark's
17 report will become Exhibit I.

18 And next, Brett Acreman. Did I get that
19 right, Brett?

20 MR. ACKERMAN: Ackerman.

21 MR. RIZZUTO: Or Ackerman, sorry. John
22 Martin Reservoir Permanent Pool Report.

23 MR. ACKERMAN: Thank you, sir. Thank
24 you, Mr. Chairman, members of the board. Also in
25 the interest of time, I'm going to be very, very

1 brief and hit just the highlights here, and
2 particularly since the board is generally aware of
3 the plight of the Permanent Pool, as are most people
4 in this room, can we just flip to slide number 6,
5 Kevin, for me please.

6 Essentially the Permanent Pool was created by
7 federal legislation and a subsequent resolution by
8 ARCA, and my agency, Colorado Parks and Wildlife, is
9 the agency charged with maintaining the Permanent
10 Pool for the benefit of recreation to ensure the
11 investment in the fishery and in the recreational
12 amenities at the reservoir.

13 Currently, there are two approved sources for
14 the Permanent Pool, the Muddy/Rule Creek decree that
15 we have and then Colorado River water. It takes
16 about 1200 to 1800 Acre Feet to cover the
17 evaporation of the full Permanent Pool in John
18 Martin, and you can see here the Muddy Creek Decree,
19 we're priority number 46.5, and then we certainly
20 try to acquire transmountain water when and where we
21 can.

22 But in the end, if you'll flip to slide number
23 10 please, Kevin, essentially what's happening is
24 that instead of providing that Permanent Pool buffer
25 when water levels are low throughout the Basin, it's

1 tracking the water levels throughout the Basin, so
2 when there's not any water, there's no water in the
3 Permanent Pool. When there is water, then we do
4 have water in the Permanent Pool, which is great,
5 but that makes it so it's not fulfilling its intent
6 of providing that insurance policy, and the
7 consequences of that, especially when we draw the
8 lake down quickly, are we lose a lot of fish through
9 mortality and evacuation of fish out of the
10 reservoir. We estimated in a year like this year,
11 we lose about 75% of the sport fish in the
12 reservoir, and it takes a number of years to recover
13 those fish, leading to a significant economic
14 expense. Roughly, we estimate about a
15 million-dollar expense each time we have this type
16 of an event happen.

17 If you would then please, Kevin, flip to the
18 end of the presentation, number 18, please. So
19 essentially what we'd like to do is we'd like to
20 fill up the Permanent Pool when water is abundant
21 and not, you know, we're not struggling to get water
22 throughout the Basin, and then just create a
23 significant or a consistent source to cover the
24 evaporation, consistent source of 1200 to 1800 Acre
25 Feet each year that we can run in there and maintain

1 the Permanent Pool so that it can function as it was
2 originally intended by the legislation and by the
3 ARCA resolution.

4 So what we'd like to do, this is just
5 informational at this stage, but what we'd like to
6 do, if you flip to the next slide please, Kevin, is
7 back in 2008, Mr. Barfield's office created a list
8 of criteria against which some suggested sources for
9 the Permanent Pool would be evaluated. What we'd
10 like to do is offline, with the approval of the
11 board, touch base again with Mr. Barfield's office
12 and make sure that this list of criteria is still
13 valid and still in effect, and throughout the course
14 of this next year -- the next slide, Kevin -- we'd
15 like to examine a number of sources throughout the
16 lower basin against these criteria, and essentially,
17 those criteria are set up to ensure lack of injury
18 against lower water users, and come back to you in
19 the summer with a due diligence package and try to
20 narrow down some of these sources that we think
21 would meet those criteria and then come back to the
22 ARCA meeting next December with a list of sources
23 that we would ask for a resolution for approval then
24 going forward.

25 In a nutshell, Mr. Chairman, that's our

1 proposed process going forward, with your approval.

2 MR. RIZZUTO: Okay. Questions?

3 MR. BARFIELD: Don't have any questions.
4 Appreciate Barry (sic) coming and the presentation,
5 understanding the importance of the fishery
6 resources and the need for more water. We'll seek
7 to be responsive as you move forward to identify
8 some sources.

9 MR. ACKERMAN: Thank you, Mr. Barfield.

10 MR. RIZZUTO: Okay. Any other questions
11 from anyone in attendance? Hearing none, thanks a
12 lot.

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

14 MR. RIZZUTO: Okay. Now we'll move on to
15 Compact Compliance, and if I have it correct, coming
16 from higher ed, I know how to look over and kind of
17 cheat and see who's next, but Kelley Thompson, I
18 call you forward to do the Ten-Year Compact
19 Compliance, okay.

20 MR. MILLER: I forgot to ask one
21 question. Did Mr. Ackerman's Power Point, did you
22 want to make that an exhibit?

23 MR. BARFIELD: Yeah, we can do that.
24 Yeah, the full Power Point, that would be fine.

25 MR. RIZZUTO: So that would be Exhibit J.

1 Kelley Thompson is the next speaker.

2 MR. KELLEY THOMPSON: Thank you,
3 Vice-Chairman Hayzlett and Chairman Rizzuto. Again,
4 my name is Kelley Thompson with the Colorado
5 Division of Water Resources, and I can report that
6 the H-I Model was successfully updated with the 2013
7 data as a collaboration between the experts in our
8 two States, and the display table shows the 2013
9 annual result, which was approved and agreed to by
10 our two States, which was a 4099 Acre Feet depletion
11 usable Stateline flows for 2013; but the table also
12 shows the Ten-Year Accounting, which results over 10
13 years in a net accretion of 58,118 Acre Feet to the
14 Stateline, and so I -- this credit does demonstrate
15 that the State of Colorado is meeting their Compact
16 Compliance terms under the *Kansas v. Colorado*
17 decree, so on behalf of the Colorado and Kansas
18 experts, I'd like to recommend that this table be
19 accepted by the Administration and that we are able
20 to record it in the minutes, and I believe Kevin and
21 Rachel have produced four copies that we can add to
22 the minutes.

23 MR. RIZZUTO: Okay. Any questions for
24 Kelley? Any questions from anyone in attendance?
25 Okay. Thank you, Kelley, and I assume this becomes

1 an exhibit, which would be K.

2 MR. HAYZLETT: Correct.

3 MR. RIZZUTO: All right. Next,
4 implementation of the Irrigation Improvement Rules,
5 Bill Tyner.

6 MR. TYNER: Thank you, Chairman Rizzuto
7 and Vice-Chairman Hayzlett and members of the
8 Compact Administration. My name is Bill Tyner with
9 Colorado Division of Water Resources and I work from
10 the Pueblo office.

11 Jack Goble did an excellent job of giving a
12 summary of the two Rule 10 or Surface Water
13 Improvement Rule Plans that the Lower Arkansas
14 Valley Water Conservancy District works with, in
15 terms of the approximately 1900 Acre Feet of return
16 flow maintenance that they have achieved this year
17 under those two plans.

18 I'll only make a few more comments about those
19 two. He did reference the Fort Lyon Canal Plan that
20 serves farmers exclusively under the Fort Lyon
21 Canal, and the other Plan that is sponsored by the
22 Lower Arkansas Valley Water Conservancy District
23 serves seven canals from the Bessemer Canal near
24 Pueblo all the way down to the Amity Canal below
25 John Martin.

1 The breakdown of obligations so far for this
2 year for those two plans is 687 Acre Feet for the
3 Non-Fort Lyon Plan and a return flow maintenance
4 obligation. Those plans do continue through April
5 of 2015, so they'll have some further obligation
6 once the irrigation season starts back up in the
7 spring.

8 The Fort Lyon Plan had a total so far through
9 the year of 1140 Acre Feet of return flow
10 maintenance that had to occur. Jack's releases of
11 water generally will exceed that by a little bit
12 because of the river loss involved.

13 A third Plan that was added in 2014 was
14 sponsored by the Lower Arkansas Water Management
15 Association or LAWMA, and it was to serve sprinkler
16 improvements that went in under the Lamar Canal that
17 GP Resources developed on the west farm and on the
18 Grasmick farm, and that Plan, it was designed to
19 maintain return flows of approximately 650 Acre
20 Feet.

21 The Lower Arkansas Valley Water Conservancy
22 District, along with farmers, completed a two-year
23 study. This was the second year of data collection
24 on pond seepage for head stabilization ponds that
25 allow water to be delivered just ahead of the

1 sprinkler system and debris or silt settled out in
2 those ponds, under the Irrigation Improvement Rules,
3 there was a conservative assumption about how much
4 pond seepage might occur in those ponds.

5 This two-year study provides some actual data
6 by measuring inflows and outflows from those ponds
7 in order to see what the actual seepage was from
8 those ponds. They conducted the study on 25 ponds
9 and are beginning to work on the final report that
10 will make recommendations about ongoing seepage
11 estimates for head stabilization ponds.

12 I think that's all I had. If there are any
13 questions, I'd be glad to answer those.

14 MR. RIZZUTO: Any questions from the
15 board?

16 MR. BARFIELD: No questions from Kansas.
17 You know, appreciate working with the Division 2 on
18 these issues. Obviously we still have, you know,
19 just our normal cycle of those reviews and working
20 through questions and issues. Obviously, we have a
21 number on GP farms that we're working through in
22 that first year of operation, so but we'll continue
23 to work with you on those issues. Thanks.

24 MR. RIZZUTO: Okay. Colorado, anything?
25 Anyone from the audience?

1 MR. STEVEN HINES: Yes.

2 MR. RIZZUTO: Okay, sir.

3 MR. STEVEN HINES: Steven Hines, Frontier
4 Ditch. Is return flows considered augmentation? Is
5 that how the augmentation comes about?

6 MR. TYNER: You might recall Eve
7 McDonald, who was our Attorney General's office
8 attorney, who has been here at many Arkansas River
9 Compact Administration meetings. Eve hammered into
10 Steve Witte and I's head that we should separate the
11 description of what we do under the Irrigation
12 Improvement Rules from what we do under the well
13 augmentation Plan, so she would hammer us if we
14 referred to return flow maintenance as augmentation,
15 but in effect, functionally, it ends up being the
16 same type of thing.

17 It's a mechanism to make sure that there's
18 water available to the river system to keep the
19 river system whole, whether it's from the reduced
20 return flows from using the sprinkler or drip system
21 instead of flood irrigation or whether it's using a
22 well that needs to be augmented because it's out of
23 priority there. The operations are still the same.
24 It's putting physical water back into the river
25 system to keep the system whole so the Colorado

1 water rights aren't injured and the Compact isn't
2 violated.

3 MR. STEVEN HINES: Is the return flow
4 measured then back into the river through the
5 augmentation stations?

6 MR. TYNER: There's a mixture of return
7 flow maintenance sources. Part of those sources are
8 transmountain agricultural return flows so, for
9 example, under the Fort Lyon Plan that Lower
10 Arkansas Valley Water Conservancy District manages,
11 the deliveries of Fryingpan-Arkansas Project water
12 that come from the west slope to the Fort Lyon are
13 fully consumable sources and the Southeastern
14 Colorado Water Conservancy District can sell those
15 agricultural return flows for use either for well
16 augmentation or as maintenance of native return
17 flows.

18 However, that's usually not enough, and so
19 then the other return flow maintenance operations
20 are either releases out of reservoirs and deliveries
21 down to the place in the river where the return
22 flows are owed; or in some cases, under the LAWMA
23 Plan, for example, they used Lamar Canal shares
24 delivered back out through the augmentation station
25 to maintain return flows for those sprinklers, so

1 it's a mixture of how that water gets back into the
2 system.

3 MR. STEVEN HINES: Thank you.

4 MR. RIZZUTO: Okay. Any other questions?
5 Okay. Thanks, Bill. Thanks, Mr. Hines, for the
6 question.

7 MR. STEVEN HINES: Thank you for allowing
8 me.

9 MR. RIZZUTO: Next, Colorado's presumed
10 depletion factor evaluation, Kelley Thompson.

11 MR. KELLEY THOMPSON: Thank you again,
12 Mr. Chairman. Again, my name's Kelley Thompson from
13 the Division of Water Resources, and the Amended
14 Appendix A.4 of the *Kansas v. Colorado* decree
15 directs the State of Colorado to conduct an annual
16 evaluation of the Presumptive Depletion Factors for
17 the supplemental use of flood furrow irrigation, and
18 so I'd just remind you that the Presumptive
19 Depletion Factors, or PDF's as we call them, relate
20 the groundwater pumping amounts to stream depletion
21 amounts that must be replaced, and if you'll recall
22 from last, the last ARCA meeting, we recommended
23 that a value of 36.5% be used for this year.

24 The 2014 PDF evaluation indicated that a
25 supplemental flood furrow irrigation PDF of 36.0

1 would be most appropriate to apply in 2015, so we
2 made that recommendation to Kansas and the Kansas
3 experts agreed with the results of our evaluation,
4 with an informal stipulation that we still evaluate
5 two final issues with the evaluation methodology, so
6 the State of Colorado has committed to work with the
7 Kansas experts to try to come to an agreement on
8 these last two issues and develop and finalize our
9 document on the evaluation methodology, and we
10 commit to do that before the 2015 evaluation.

11 So for administration in the 2015 Plan, plans,
12 we do recommend that the Division of Water Resources
13 use a value of 36.0 for the PDF, and I do have four
14 copies of the evaluation report. I don't know if we
15 want to submit that to the minutes or --

16 MR. BARFIELD: I don't think it's
17 necessary.

18 MR. RIZZUTO: All right. Questions of
19 Kelley?

20 MR. BARFIELD: No questions.

21 MR. RIZZUTO: Anyone from the audience?
22 And don't wander too far, Kelley. I think you're
23 next up. Okay. 2014 Colorado proposed -- is it H-I
24 Model?

25 MR. KELLEY THOMPSON: Yes.

1 MR. RIZZUTO: Okay. Revisions, Kelley.

2 MR. KELLEY THOMPSON: Right. Thank you
3 again. In October -- excuse me. Again, my name's
4 Kelley Thompson.

5 In October, Colorado submitted a report to the
6 Kansas Chief Engineer and the Kansas experts
7 regarding two proposed revisions to the H-I Model.
8 The first revision is to the methodology that's used
9 to calculate H-I Model tailwater factors, and
10 Colorado contends that they currently do not
11 correctly consider drip irrigation.

12 The second revision is to incorporate new area
13 capacity curves for John Martin Reservoir that have
14 been developed by the Army Corps, US Army Corps of
15 Engineers and is now being applied for
16 administration of the reservoir.

17 As the proposed revisions do cause changes in
18 the H-I Model results, they would be qualified as
19 substantive changes pursuant to Amended Appendix
20 A--B.1 of the *Kansas v. Colorado* decree. Therefore,
21 Kansas does have six months to review and respond to
22 the proposal and we do have a set way to proceed
23 with these, but from what I understand from the
24 Kansas experts, I believe we should be able to agree
25 to these revisions relatively easily and relatively

1 soon, so that we can document them and use them into
2 the future.

3 I do really want to thank Jason Woodruff with
4 the Army Corps and the rest of the Army Corps staff
5 for helping us come up with the area capacity,
6 really digging up a lot of old area capacity
7 information for John Martin Reservoir, and that
8 really helped us sort out how that's represented in
9 the model, so thank you.

10 MR. RIZZUTO: Okay. Questions of Kelley,
11 board?

12 MR. BARFIELD: I don't have a question.
13 I would just concur. Kansas has completed its
14 review and is willing to approve the changes. I
15 think we're -- so it's sort of moving on to how to
16 document that approval, and we're actually starting
17 to sort of work on a document to document the
18 approval and determine if -- I know last time we did
19 an approval of a model change, it affected some of
20 the appendices. We're sort of looking to see if any
21 of the appendices are implicated, so we'll move
22 forward with that.

23 MR. KELLEY THOMPSON: Thank you.

24 MR. RIZZUTO: Okay. Any other questions?
25 Thanks, Kelley.

1 Update on LAWMA Colorado Water Court decree,
2 David Barfield.

3 MR. BARFIELD: Yeah, I'll go ahead and
4 handle this. Thank you. David Barfield.

5 You know, LAWMA has, has moved forward with
6 these two, this, these decrees and Kansas has, I
7 think, responded with various objections and
8 concerns and in various ways, and then we've also
9 sort of tried to take the list of issues and come up
10 with a Plan for moving forward. That, that effort
11 is not -- has languished a bit, and so there was
12 some discussion last night in the Administration and
13 Legal Committee as to sort of how to move forward,
14 whether to ask the Special Engineering Committee to
15 maybe take a shot at trying to help move it.

16 After discussion, there was agreement that
17 really the two States, through the state engineers,
18 are probably the best venue, and I guess I committed
19 to try and seek to find a way to move these issues
20 forward, so we'll do our best to, to reach out to
21 Dick Wolfe and sort of try and come up with a Plan
22 forward.

23 MR. RIZZUTO: Okay. Questions of David?
24 Board or anyone? Okay. Next we'll move on to
25 committee reports, and the first report is the

1 Engineering Committee and it's back to you, David.

2 MR. BARFIELD: Okay. We had a very
3 productive committee, I guess, in terms of reviewing
4 information and presentations. I'll just sort of --
5 we actually, for each of these committees, we put
6 together a brief summary of what we heard, and then
7 and the focus also of this is to document any
8 particular action items.

9 I won't read the whole report. It will be
10 available, but we heard from Kelley Thompson on
11 the -- Colorado's work to continue development of
12 its Decision Support System in the Ar-kansas River
13 Basin or the Arkansas River Basin, as you wish. We
14 heard an update from Madoline Wallace-Gross on the
15 City of Trinidad's proposed amendments to the
16 Trinidad Operating Principles.

17 Two of those, there was a resolution approved
18 by ARCA 2012 that anticipated two amendments. One
19 of those is ready to move forward, and we'll be
20 discussing a resolution essentially approving that
21 amendment on behalf of ARCA here later.

22 Steve Miller reported on the work of the Water
23 Conservation Board on the status of CWPDA's request
24 for a new storage account in John Martin. We heard
25 from Dennis Garcia and Jason Woodruff on the Corps

1 on a number of topics, Trinidad Operating
2 Principles, the Madrid Gage, the hydropower at
3 Trinidad as we heard about this morning, stream bank
4 stabilization on Fountain Creek, Lake Hasty
5 improvements, and the Trinidad Project maintenance
6 again that we heard about this morning.

7 Andrew Gilmore provided a report on behalf of
8 the Bureau that was on topics that we heard about
9 again this morning. Bill Payne provided a report
10 on -- by the USGS, again covering many of the issues
11 we heard about this morning.

12 Bill Tyner provided a brief overview on sort
13 of how the well augmentation process works in
14 Colorado, for our general education. We actually
15 also heard from Bill on GP farms in particular, and
16 again, Kansas's concerns with some of the -- some of
17 that was expressed, and we'll again continue to be
18 working with them on that, what happened in '14 and
19 going forward.

20 Heard a report from Steve Witte on the
21 progress or the consideration of a rule-making
22 process for post-1985 groundwater pumping, and we
23 heard a progress report from Bill Tyner and Jack
24 Goble on the Catlin Canal pilot project that again
25 we heard a little bit about this morning.

1 Finally, we heard about the Permanent Pool
2 issue that we heard about this morning, and the only
3 action item we had was essentially recommending that
4 the Bureau -- that the Bureau's requests that ARCA
5 request it to conduct the next Ten-Year Review in
6 some form, a resolution or some form, but we
7 deferred that to the Admin and Legal Committee, so
8 if you can consider that an action item, that was
9 our sole action item, so that's my report.

10 MR. RIZZUTO: Okay. Any questions of
11 David? Okay.

12 MR. BARFIELD: And I -- will we make all
13 the, I guess I would suggest that the following
14 exhibit number, which whatever it is.

15 MR. RIZZUTO: I think we're to L.

16 MR. BARFIELD: To L. That maybe all the
17 committee action items would be in that single
18 exhibit, so...

19 MR. RIZZUTO: Okay. All right. Report
20 of Operations Committee, call on Hal Scheuerman.

21 MR. SCHEUERMAN: Thank you. My report's
22 not as long as Dave's. The committee received the
23 Compact Year 2014 reports of the Operations
24 Secretary, which is Steve Witte, and the Assistant
25 Operations Secretary, Kevin Salter. Kevin Salter

1 requested that the issue that arose in the 2014
2 Kansas releases be added to the Water Issues Matrix
3 and be referred to the Special Engineering
4 Committee. Steve Witte agreed that the 2006 Section
5 2 Agreement be referred to the Special Engineering
6 Committee and recommends that the Offset Account
7 Crediting Agreement also be referred.

8 Witte also asked the committee to approve
9 accounting for the Kansas releases as set forth in
10 his 2014 report. The committee received the 2014
11 report of the Offset Account from Bill Tyner. The
12 committee received the Colorado's Presumptive
13 Depletion Factors evaluation report from Kelley
14 Thompson. The committee heard an update on the
15 implementation of the Irrigation Improvement Rules
16 from Bill Tyner, noting that the conclusion of the
17 pond study and how the plans after 2015 will be
18 handled, and I'll wait and give the action items
19 after the reports. Oh, is that my deal?

20 MR. RIZZUTO: Go ahead. Sure.

21 MR. SCHEUERMAN: I guess the next thing
22 is Operations Secretary's report from Colorado,
23 Steve Witte.

24 MR. WITTE: Good morning. My name is
25 Steve Witte. I'm the Operations Secretary for the

1 Arkansas River Compact Administration. The
2 Operations Secretary's report was mailed to or --
3 was mailed to members of the Administration,
4 particularly the members of the Operations
5 Committee. As per the provisions of the 1980
6 Operating Resolution on December 1st, and also, a
7 copy has been sent to the Recording Secretary of the
8 Administration.

9 Before getting into the details of the
10 operations of your reservoir in the past year, I'd
11 like to publicly acknowledge some of the folks that
12 helped make that happen, and in particular, I'd like
13 to acknowledge Josh Kasper, who is the Water
14 Commissioner for Water District 67 who recently
15 relocated to a different water district and has been
16 replaced by Rebecca Nichols, who these folks are
17 instrumental in, in ushering water to Colorado head
18 gates and to the Stateline, pursuant to the
19 provisions of the Compact. Also, I'd like to
20 acknowledge Mr. Phil Reynolds, John Van Oort and
21 Bill Tyner, also.

22 Over the course of the 2014 Compact Year, the
23 net change of storage in John Martin Reservoir was a
24 negative 10,000 plus Acre Feet. We started the year
25 with a content of 16,828 Acre Feet and by year's

1 end, the content was only 6,193. We made an
2 adjustment on November 1st to reduce the content of
3 all accounts pro rata by the amount in each of those
4 accounts, a total of 2185 Acre Feet, in order to
5 implement the provisions of a resurvey of the area
6 capacity of the reservoir. That procedure had been
7 agreed upon previously with the State of Kansas and,
8 as I say, reduced the capacity to 16,828 Acre Feet
9 at the beginning of the year on November 1st.

10 Over the course of the winter storage period,
11 a total of 11,145 Acre Feet was stored in
12 conservation storage, and within that period, there
13 was a total of 12,712 Acre Feet stored pursuant to
14 the winter storage program or the Pueblo winter
15 storage program in Section 3 accounts. That was
16 then transferred into those accounts on March 16th.
17 Throughout that period, the inflow split between
18 Colorado Section 3 account water and Compact water
19 was 80-20.

20 The Offset Account is the account that's used
21 to provide water by the Colorado well associations,
22 making it available to Kansas for their call, to be
23 released at their demand. It requires a storage
24 charge. A transfer of 144 Acre Feet was made during
25 the month of March to complete the fulfillment of

1 those storage charge requirements and, during the
2 year, there was 381.8 Acre Feet transferred from
3 Section 2 accounts into the Offset Account, as well
4 as 3800 Acre Feet that was delivered into the Offset
5 Account. That water then was released in the months
6 of -- the month of August, resulting in a release
7 from the Offset Account of 4,342 Acre Feet.

8 The Permanent Pool decreased by 1,347 Acre
9 Feet over the course of the year, due to
10 evaporation, primarily. There was one incident in
11 2014 where Colorado Parks and Wildlife was able to
12 store just under 200 Acre Feet pursuant to the Muddy
13 Creek Decree.

14 Taking advantage of some precipitation events
15 that began in June, Kansas determined to make a
16 release of its, from its Section 2 account. This
17 was the first opportunity that Kansas had availed
18 itself of since Compact Year 2011, and over the
19 course of three separate runs, a total of 22,536
20 Acre Feet was released from the Section 2 account.

21 Using a Transit Loss Determination Agreement
22 that had been approved in 2006, actually two
23 agreements that were approved in 2006, it was
24 determined that there were transit losses of 712
25 Acre Feet associated with the first run, 354 Acre

1 Feet associated with the second run, and 62 Acre
2 Feet with the third run. These being transit losses
3 or deficits of deliveries from the Section 2
4 account, Colorado is required to restore or repay
5 for those transit losses, and transfers were
6 subsequently made to retire that obligation to
7 Kansas; so at this point in time, we have fully
8 repaid Kansas for those losses that were experienced
9 during those Section 2 runs.

10 During the year, releases from Colorado
11 accounts totaled 19,000 Acre Feet, just a little
12 over 19,000, and there were three storage events
13 where additional water was able to be stored for
14 conservation storage and distribution into Section 2
15 accounts totaling 20,909 Acre Feet. There were also
16 three -- or excuse me -- five other occasions when
17 Amity was able to exercise its Great Plains Storage
18 Decree and store additional water in John Martin
19 Reservoir Section 3 account, accounts totaling
20 19,640 Acre Feet.

21 There was only one meeting of the Operations
22 Committee in Compact Year 2014. There were three
23 meetings of between the Assistant Operations
24 Secretary and his staff and me and my staff. We
25 continued to work on trying to resolve a number of

1 issues that are included in the matrix of issues
2 that have been brought up in recent years.

3 I believe that a number of these issues will
4 be referred to the Special Operations Committee in
5 the report of action items from the committee
6 meeting yesterday, and we in particular look forward
7 to receiving or working with Kansas on resolving
8 those issues that have been referred to the Special
9 Engineering Committee and as well as the remaining
10 issues on the Water Issues Matrix, so thank you.
11 Unless there are questions, I think that completes
12 my report.

13 MR. RIZZUTO: Any questions, Board?
14 None? Any questions? Okay. Steve, thank you, and
15 Kevin Salter, I think you're next.

16 MR. SALTER: In my other role first, I
17 know in the past, we've made the summary from the
18 Operations Secretary report an exhibit. Do we want
19 to do the same this year?

20 MR. BARFIELD: Yes.

21 MR. SALTER: Okay. Now in my role, I'm
22 Kevin Salter. I'm the Assistant Operations
23 Secretary for the ARCA. I will kind of brief
24 through my report. I will just kind of touch the
25 highlights. I do have a couple limited copies of

1 hard copies. I can e-mail the report to you if you
2 would like.

3 As Steve noted, we did meet on three occasions
4 during 2014. With water issues, we find that things
5 move pretty slow, but we are making good progress on
6 a number of issues, I think. We also have regular
7 communications with the Division 2 office on various
8 issues as they arise during the year.

9 As Steve noted, we did make three releases in
10 2014, taking advantage of the improved river
11 condition. Two of the releases ended on
12 precipitation runoff events. Unfortunately, those
13 runoff events didn't really last long enough to --
14 it did help the system. As we went through the
15 releases, you'll see it would have been nice to see
16 a little longer release on some of those runoff
17 events.

18 Our first release, we called for on
19 June 27th to start. That was a Friday morning.
20 Working with the Division 2 staff, we determined to
21 use about 450 CFS; in the beginning, a mixture of
22 Kansas Section 2 and Transit Loss, front-loading the
23 release to try to get that water pushed down through
24 the system, but not putting so much water into the
25 system that we had to have that kind of primary

1 channel up into the weeds and the -- outside the
2 channel. Our desire was to get about 350 CFS at the
3 Stateline.

4 That Sunday morning as I reviewed the
5 conditions along the river, I added up the release,
6 the diversions from the river and then accretions
7 and measured returns, the measured flows back into
8 the river through augmentation stations, and looked
9 at the flow at Lamar. When I looked at the flow at
10 Lamar, there was 41 CFS more than the accretions and
11 the release less the diversions. So at that point
12 in time, I contacted Division 2 staff on Sunday and
13 talked to them by phone and also in an e-mail and
14 started looking at, you know, what's happening in
15 the river system that we're producing water?

16 Well, we really decided it wasn't producing
17 water. It was just the gage was not reflecting the
18 water that was actually there at Lamar, and as the
19 USGS measured these sites, we found out exactly how
20 bad we were off, as far as those initial USGS
21 ratings, due to changes in the channel.

22 So at Lamar, that was measured on July 1st and
23 the flow indicated before the adjustment was 544
24 CFS; after the measurement was made, 388, or a
25 difference of about 156 CFS. We saw similar results

1 at Granada and Coolidge, so what was happening is
2 because the water -- the channel hadn't been
3 exercised, there was some growth in the channel that
4 caused the water to slow down, pile up, and indicate
5 in the gages that there was more water than was
6 actually there.

7 That caused a little issue with the accounting
8 of the release, and that's something that Steve and
9 I have discussed, you know, over the several months,
10 but this is the Colorado accounting of the release
11 using the provisional data. There's the Kansas
12 accounting using the approved corrected data of the
13 USGS after measurement, so the issue came to the
14 hump that you see at the beginning of the release,
15 because that water wasn't in fact there.

16 There's the provisional -- we talked about
17 provisional data, so when as I was putting together
18 my report and talking to the Kansas team, we would
19 say, well, we ought to take a look at all the
20 releases and see what would happen if we used the
21 corrected data to account for the releases. And
22 this first table, you can see that, you know, we
23 came up with a difference of about 1380 Acre Foot of
24 delivery deficit that was water that we didn't
25 actually get in that first run.

1 But then we looked at the second release, and
2 Steve and I were in agreement on using the
3 provisional data on the amount of water that we
4 didn't receive of the 354 Acre Feet. When we used
5 the corrected data, there was no delivery deficit
6 during that run, so actually, Colorado paid back 354
7 Acre Foot of water that it really didn't have to
8 repay if we used the corrected data.

9 Similar with the third release. Steve and I
10 were in agreement with the numbers used in the
11 provisional data, but when you go back and
12 re-evaluate using the corrected data, there was some
13 additional water that was, you know, there that
14 wasn't reflected in the gage, so they made a 62 Acre
15 Foot delivery deficit payment to us, and using the
16 corrected data, it wasn't really necessary, but this
17 really comes down to it showed an issue that we
18 didn't expect to happen.

19 In the past, we had seen provisional data be
20 incorrect, but it wasn't on the order of magnitude
21 that we saw with this particular year. Given that
22 we may have similar years moving forward, it was my
23 recommendation that we add the provisional data in
24 the Water Issues Matrix, and the Operations
25 Committee will go ahead and address that.

1 One of the issues that we had talked about,
2 moving away from the releases, is the Pueblo Winter
3 Water Storage Program. This has been a
4 long-standing issue. It's preventing some
5 Operations Secretary reports from being approved.
6 We did make some progress, both States reviewing the
7 pre and post Winter Water Program storage periods,
8 and we're still working on that.

9 Recognitions. I can't do what I do without
10 the support of the DWR staff, and that includes
11 staff from our Manhattan office and our local Garden
12 City field office. Again, I appreciate the efforts
13 of the Colorado Division 2 staff in working with us
14 on the various issues as they come up during the
15 year, real time administration, and as Kevin calling
16 up and asking him, this gage looks a little funny,
17 can you tell me kind of what's happening in the
18 local area?

19 Andrew Gilmore kind of dropped a bomb on us
20 last night, saying that he was leaving the
21 U.S. Bureau of Reclamation. I'm kind of concerned
22 that maybe it was the Trinidad Ten-Year Review that
23 he's been stuck with that kind of forced him out. I
24 know he changed positions at one point in time and
25 the review followed him, so I really appreciate all

1 the efforts that he's made. Appreciate the ability
2 and the coordination in trying to get the States to
3 come together, as well as the other interested
4 parties in the Purgatoire District, and sit down
5 once a year and air the grievances and the issues,
6 rather than waiting for the Ten-Year Review and then
7 everything gets dumped over a period of about six to
8 10 years.

9 Stephanie Gonzales, I really appreciate you
10 arranging a little different room. I know we just
11 came back from the Community Building and I
12 appreciate your efforts in getting us into a new
13 location; and then Megan and Rachel sitting over at
14 this table, if you don't know it, these two gals
15 have really done a lot of things to make this
16 meeting work the way it has in generating documents,
17 printing, copying, keeping track as far as the
18 exhibits and that, so I really appreciate their
19 efforts as well.

20 In summary, it will be up to Steve and I to
21 schedule some additional meetings. We'd like to
22 shoot for about four additional meetings, or four
23 meetings, two that are called for then two
24 additional meetings, and see if we can't get that
25 done and address some issues related to the Kansas

1 release using provisional data, continue our work on
2 the Winter Water Storage Program, and other issues
3 as they come up. That's my report.

4 MR. RIZZUTO: Okay. Questions? Thanks,
5 Kevin, and thanks, everyone you recognized. Next,
6 either Steve or Bill on the Offset Account Report.
7 Bill Tyner.

8 MR. TYNER: Steve's report highlighted
9 many of the major aspects of the operation of the
10 Offset Account within the context of the overall
11 account operations in John Martin, but I'll just
12 highlight just a few others very quickly. I'll
13 highlight a few of the key elements very quickly for
14 the Administration.

15 The account began the Compact Year after the
16 adjustment that was made for the stage area survey
17 for John Martin with a content of 2323 Acre Feet.
18 The Offset Account has a, an obligation by Colorado
19 to provide a storage charge. In order to be able to
20 operate, that storage charge is a 5% storage charge,
21 and 500 Acre Feet has to be provided to enable the
22 Offset Account to be used up to the first 10,000
23 Acre Feet of storage, and the Lower Arkansas Water
24 Management Association provided all of the water for
25 that storage charge for this Compact Year, partially

1 from transfers that occurred from their Article 2
2 accounts in 2013 and from physical inflow deliveries
3 from LAWMA's Highland Canal water right on the
4 Purgatoire River in 2013, September of 2013, and
5 then finally, as Steve mentioned, through a final
6 transfer of Article 2 water in March of 2014 to
7 complete the 500 Acre Foot storage charge.

8 LAWMA also delivered other water to the
9 account via several other Article 2 transfers in
10 2014 and fully consumable water from Pueblo Board of
11 Water Works, City of Salida, Colorado Springs
12 Utilities, as well as from their Keesee and Highland
13 Canal water rights that are decreed to allow storage
14 in the Offset Account; and as Steve mentioned, the
15 total deliveries to the Offset Account were 4,164
16 Acre Feet. 4,113 Acre Feet of that was fully
17 consumable water and 51 Acre Feet was return flow
18 water and return flow maintenance water owed to
19 Kansas associated with the water rights used from
20 the Article 2 accounts.

21 Steve described the single release that Kansas
22 had made that occurred August 1st through
23 August 7th involving the total release of 4,342 Acre
24 Feet. Of that, 3,390 Acre Feet was fully consumable
25 water that was eligible to be used as a credit by

1 the Colorado well associations against Stateline
2 depletions, and pursuant to the agreed upon delivery
3 accrediting, 2728 Acre Feet of that amount is going
4 to be a credit in the next Ten-Year Accounting at
5 the Stateline, and the ending content of the account
6 on October 31st, 2014 was 1103 Acre Feet. Any
7 questions?

8 MR. RIZZUTO: Okay. Thank you. Wrap-up
9 on committee recommendations, Hal?

10 MS. DURAN: Mr. Chairman, Rachel Duran.
11 If I may interrupt, are we going to make the
12 Assistant Operations Secretary report an exhibit?

13 MR. RIZZUTO: Yes.

14 MS. DURAN: Okay.

15 MR. RIZZUTO: So it would be --

16 MS. DURAN: That would be Exhibit N.

17 MR. RIZZUTO: Okay. Is that -- Steve?

18 MR. MILLER: I know it was mentioned
19 making it part of the Operations Secretary report,
20 but I think the word summary was used. Is there a
21 particular piece, Steve, that you think? Is it the
22 text, the first 10 or so pages? There's a lot of
23 tables and numbers in Steve's report. I'm not sure
24 what part of it you want to make an exhibit.

25 MR. RIZZUTO: Any idea?

1 MR. MILLER: There is an abbreviated
2 report, but it's still probably 30 pages or so and
3 includes a CD. Is that what you were intending
4 or --

5 MR. BARFIELD: What have we done in the
6 past; do you know?

7 MR. MILLER: Honestly, I don't think
8 we've included it as an exhibit. I think we may
9 have included the cover page to signify that we had
10 seen the report and so people could find it using
11 that information. You know, some of this goes away
12 with the web site, eventually, but for the time
13 being, we're kind of feeling our way, so -- I have a
14 short form of his report. Maybe defer to Steve what
15 he thinks ought to be in the --

16 MR. RIZZUTO: Kevin, and then we'll come
17 back.

18 MR. SALTER: Yeah. What we have included
19 in the past, I know, is the letter report that Steve
20 provides without the tables added, and it is
21 referenced that we -- here's the ability to access
22 the full report other places.

23 MR. MILLER: About the first 10 pages or
24 so? Okay. I think we can adequately find what we
25 just talked about and get it to the reporter.

1 MR. BARFIELD: Why don't we let Steve
2 determine what he thinks ought to be included, so
3 that would be just -- so the committee reports and
4 recommendations was L; is that right?

5 MR. RIZZUTO: Correct.

6 MR. BARFIELD: And then Steve's report.

7 MR. RIZZUTO: Was M.

8 MR. BARFIELD: Was M, and then the
9 Assistant Operations Secretary's was N, and then do
10 we do a part of the Offset Account Report? Again,
11 is there a summary of that? We don't want -- that
12 thing is a -- is there a summary portion of the
13 Offset Account Report? I should know this.

14 MR. RIZZUTO: Bill?

15 MR. TYNER: There's a narrative portion
16 at the front, similar to the Operations Secretary's
17 report, yes.

18 MR. BARFIELD: Why don't we include that,
19 and again, we -- we're going to hear about the web
20 site soon, and obviously, we'll have all of these
21 reports available via the web site, so we can --

22 MR. SALTER: Yeah. One other thing is
23 for some large reports, we've just been said the
24 exhibit was Exhibit X, for example, and then the
25 sheet behind it would say Report Available

1 Electronically.

2 MR. RIZZUTO: Okay. Makes sense. Okay.
3 Hal?

4 MR. SCHEUERMAN: I should also note that
5 Colin Thompson also helped on this committee and we
6 very briefly come to all these conclusions. The
7 action items for the Operations Committee include:
8 The committee recommends that the issue that arose
9 in Compact Year 2014 with regard to the use of the
10 provisional data included in both the Section 2
11 Agreement and the Offset Account Crediting Agreement
12 be referred to the Special Engineering Committee.

13 The committee acknowledged receipt of the
14 Compact Year 2014 reports of the Operations
15 Secretary and the Assistant Operations Secretary.
16 The committee approved the accounting under the
17 Compact Year 2014 report of the Operations Secretary
18 for the Kansas releases.

19 The Ten-Year Compact Compliance table,
20 Accounting Table for 2004 through 2013 were
21 presented. The committee recommended that this
22 table be an exhibit to the 2014 ARCA Annual Meeting
23 transcript and included in the Compact Year 2014
24 Annual Report.

25 And the last recommendation is: The committee

1 refers the Compact Year 2006 through Compact Year
2 2013 Operations Secretary's reports to the Special
3 Engineering Committee for resolution of the various
4 issues that are holding up the approval of those
5 reports, and that's all I have.

6 MR. RIZZUTO: Okay. Questions? Okay.
7 Thank you, Hal.

8 Report of Administrative and Legal Committee,
9 and feel free just to call upon those that follow
10 you, Randy.

11 MR. HAYZLETT: Okay. Thank you. The
12 Administrative and Legal Committee met yesterday;
13 James Eklund, the other member of the committee, and
14 myself. The committee heard reports from Stephanie
15 Gonzales, the Recording Secretary, in regards to the
16 location of materials of ARCA and maybe the
17 possibility of moving those to a new location, as
18 well as looking at maybe some equipment for the
19 office there.

20 We also heard a report and saw a demonstration
21 from Rachel Duran and Meg Dickey-Griffith on the new
22 ARCA web site. The committee heard an update from
23 Steve Miller on the status of the transcripts from
24 prior years. The 2013 transcript will be presented
25 to the committee in February of 2015.

1 The June 10th, 1994 special meeting was
2 presented to the committee by Steve Miller and Kevin
3 Salter as ready for ARCA approval. Committee also
4 heard an update on the status of the ARCA annual
5 reports from '94 through 2014 and the process that's
6 being done to get those completed.

7 Committee heard a report on the updates of the
8 status of efforts of Kansas concerns with the LAWMA
9 change, and you heard a report on that in the
10 engineering report awhile ago and the status of that
11 moving forward. Committee also received an update
12 to the USGS Cooperative Agreements from Kevin Salter
13 with the comments by Bill Payne with USGS and the
14 agreements with USGS. Steve Witte also noted an
15 amendment to the 1980 Operating Plan, Section 3-A,
16 and that it would not be ready for any action at
17 this time.

18 That brings us up to the action items, but
19 first we have a presentation from Meg and Rachel on
20 the ARCA web site.

21 MR. EKLUND: Mr. Chairman, we need to go
22 back to the Operations list of action items and
23 adopt those, because we didn't take a vote on that.

24 MR. RIZZUTO: All right. We can do that.
25 What the issue is, is we didn't adopt the

1 recommendations on the Operations, so before we have
2 the two reports, we'll go back to that. I need a
3 motion, Hal.

4 MR. SCHEUERMAN: I guess I need to make a
5 motion that we accept the recommendations of the
6 Operations Committee. Is that the correct wording?

7 MR. RIZZUTO: Good. Second?

8 MR. THOMPSON: Second.

9 MR. RIZZUTO: Okay. In favor?

10 MR. THOMPSON: Aye.

11 MR. BARFIELD: Aye.

12 MR. RIZZUTO: Passed. Now, you called on
13 Megan and Rachel, okay.

14 MS. DICKEY-GRIFFITH: Okay. We'll be
15 going over briefly the new web site, as you saw
16 yesterday. We'll just start looking at the home
17 page. This just has information about the annual
18 meetings up front for everybody.

19 In general, this web site is designed to make
20 ARCA mission and documents available and easily
21 accessible for anybody. The overview page is put in
22 a question and answer format, just giving the
23 background, the technical information about how the
24 Administration is put together. The Administration
25 page lists all of the members and their pictures,

1 which we will take this afternoon.

2 Documents is where you'll find the meat and
3 potatoes of the web site. This is, we'll provide
4 links to all these different items. Some of them
5 will link just directly to a PDF. Others, such as
6 the annual reports, will link to another page where
7 all the years are listed and where they're each
8 linked to the report.

9 Resources page provides essentially external
10 resources and links all in one place, and then there
11 is finally a contact page where you can get in touch
12 with the Administration, and I believe this was
13 recommended yesterday and we are looking for
14 approval to go live.

15 MR. RIZZUTO: Okay. Questions? None by
16 the Board?

17 MR. HAYZLETT: No.

18 MR. RIZZUTO: I'll turn the mic back to
19 Randy and we'll take care of the motion. Okay.
20 Thank you so very much.

21 MR. HAYZLETT: Thank you, and Rachel and
22 Meg, you've done an outstanding job on making that
23 web site. I think it's going to be a great
24 improvement and a great addition to ARCA.

25 That brings us up to some of the action items.

1 I think I will defer those to Item 12, if there's no
2 new business.

3 MR. RIZZUTO: All right. Any new
4 business? Hearing none, now we'll go to the Ark
5 River Compact Administration action items. The
6 first is a recognition in memoriam of Frank Cooley,
7 and I'll call on James Eklund.

8 MR. EKLUND: Thank you, Mr. Chairman. I
9 move that the Administration adopt and direct staff
10 to appropriately number the following resolution:
11 In memoriam Frank Gideon Cooley III.

12 Whereas, the Administration was saddened to
13 learn of the passing of Mr. Frank Gideon Cooley III
14 on August 3rd, 2014; and whereas, Frank served as
15 the Federal Representative and Chairman of the
16 Arkansas River Compact Administration from 1976 to
17 the 1995, a period spanning the terms of five U.S.
18 presidents; and whereas, Frank fervently represented
19 the interests of the United States and was a true
20 friend of the States of Kansas and Colorado; and
21 whereas, Frank served the Administration with grace,
22 elegance, skill, and a great passion for the waters
23 and people of the Arkansas River Basin and treated
24 all who appeared before the Administration with
25 respect and equanimity; and whereas, the current

1 members wish to express their gratitude for his
2 service and their condolences at his passing.

3 Now, therefore, be it resolved by the Arkansas
4 River Compact Administration that this statement be
5 placed into the record of the 2014 Arkansas River
6 Compact Administration Annual Meeting and a copy be
7 sent to his son Andrew and daughter Karen.

8 Adopted by the Arkansas River Compact
9 Administration at its 2014 Annual Meeting on
10 December 17th, 2014 in Lamar, Colorado, and then
11 there are signature blocks for you, Mr. Chairman,
12 and for our secretary, Ms. Gonzales.

13 MR. RIZZUTO: That is a motion? A motion
14 and second?

15 MR. BARFIELD: I would second the motion.

16 MR. RIZZUTO: Discussion? Kevin?

17 MR. SALTER: Yeah. If I could, I knew
18 Frank. I sat through his meetings that he chaired.
19 It was always an interesting and learning
20 experience. I sent out an e-mail to some of the
21 staff that aren't here with the Division of Water
22 Resources, and Lee Rolfs, an attorney for the Kansas
23 Department of Agriculture, provided an e-mail back
24 that really kind of wrapped up a lot of things. He
25 was quite the character, and Lee Rolfs worked with

1 the minutes, and many times, Lee would have to go to
2 the dictionary to look up the meaning of a word that
3 Frank had used in the meeting, just to make sure
4 that it was right, and it was, all the time.

5 So he also noted that Mr. Cooley, and I didn't
6 realize it 'til after reading his obituary, the
7 breadth and the depth of the man that was Frank
8 Cooley. He was at D-Day. He was actually born and
9 raised in New York, as I understand from his
10 obituary, and then moved to Colorado; was a
11 journeyman for several different things before
12 settling into the law profession.

13 Lee said that he remembered him being an avid
14 skier, and he was really excited to hit that age
15 where he could go and get a lift ticket for free, so
16 he ends with Frank -- and this is true -- he was a
17 real gentleman and just generally a nice guy, so
18 thank you.

19 MR. RIZZUTO: Thank you, Kevin. Any
20 other comments? Okay. There's a motion and a
21 second to adopt the memoriam for Frank Cooley.
22 Those in favor, signify by saying Aye.

23 MR. BARFIELD: Aye.

24 MR. EKLUND: Aye.

25 MR. RIZZUTO: Pass. Resolutions, and

1 I'll call on you David, David Barfield, to go
2 through each one of them.

3 MR. BARFIELD: Okay. Pursuant to
4 discussions we've had this morning, the first
5 resolution that ARCA is to consider today is a
6 resolution with respect to requesting that the
7 Bureau of Reclamation take the lead in the Trinidad
8 Project Ten-Year Review, so let me just -- it's very
9 brief. Let me just go ahead and read it.

10 It's Resolution Regarding U.S. Bureau of
11 Reclamation and Trinidad Project Ten-Year Review for
12 2005 to 2014. Whereas, pursuant to the Trinidad
13 Operating Principles, Article VI and the State of
14 Kansas condition 4, there is to be a Ten-Year Review
15 of the Trinidad Project; whereas, the U.S. Bureau of
16 Reclamation has taken the lead in past reviews to
17 conduct such a review with participation of those
18 interested parties including the States of Colorado
19 and Kansas; whereas, the U.S. Bureau of
20 Reclamation's role as lead has resulted in the
21 completion of previous reviews, now therefore, be it
22 resolved that the Arkansas River Compact
23 Administration requests that the U.S. Bureau of
24 Reclamation conduct a Ten-Year Review for the period
25 2005 to 2014 with the cooperation of the States.

1 Adopted by ARCA today.

2 I guess I would move adoption of this
3 resolution on behalf of ARCA.

4 MR. RIZZUTO: Okay. Second?

5 MR. BRAZIL: Second.

6 MR. RIZZUTO: All in favor, signify by
7 saying Aye.

8 MR. EKLUND: Aye.

9 MR. BARFIELD: Aye.

10 MR. RIZZUTO: Opposed? (No response.)

11 Okay. That passes.

12 MR. BARFIELD: I think we need to number
13 these, so the resolution in memoriam of Mr. Cooley
14 would be 2014-01, correct, and then this resolution
15 that we just passed then would be resolution
16 2014-02, correct? Okay.

17 MR. RIZZUTO: Okay. And then do I hand
18 it back to you?

19 MR. BARFIELD: Yes. Okay. The next item
20 on the agenda references a potential resolution
21 regarding an Amendment to the 1980 Operating Plan
22 regarding Section 2.A. (Note: speaker says 2.A but
23 agenda says III.A) The States have done some work
24 on that, but there's additional work that -- and
25 dialogue that needs to occur related to clarifying

1 those provisions, and so we are not acting on that
2 today, but the States are committed to continue to
3 work through that process, so that's agenda Item
4 12.B.ii. we're not acting on today.

5 The next agenda item is regarding an amendment
6 to the Trinidad Operating Principles. The States
7 have been working together on this issue, and
8 Madoline Wallace-Gross actually did a lot of work to
9 spearhead this through, and just in the -- just in
10 economy of time, I'm going to go ahead and read the
11 end product of that resolution and ask that the
12 Administration act on it. Again, a resolution
13 approving similar action was done in 2014 (sic), but
14 it envisioned two different amendments to the
15 Operating Principles, but only one of them is ready.
16 I'll go ahead and read the resolution into the
17 record.

18 Amendment to the Operating Principles Trinidad
19 Dam and Reservoir Project, amended last in 2014
20 (sic). Whereas, the Arkansas River Compact
21 Administration adopted Resolution 12-01 at the
22 Annual Meeting on December 6, 2012 in Garden City,
23 Kansas; whereas, Resolution 2012-01 related to two
24 distinct amendments to the Operating Principles of
25 the Trinidad Dam and Reservoir Project as last

1 amended in 2014; and whereas, the first amendment
2 approving -- approved in Resolution 2014-01 (sic)
3 (should be 2012-01) concerned the issue of whether
4 water stored in the City of Trinidad's account in
5 the joint use capacity of Trinidad Reservoir could
6 be used outside of the Purgatoire River Water
7 Conservancy District; and whereas, the City of
8 Trinidad is still negotiating with the Bureau of
9 Reclamation regarding the First Amendment proposed
10 in Resolution 2012-01; and whereas, the second
11 amendment approved in Resolution 2012-01 concerning
12 the amount of water attributable to the historic
13 consumptive use on acreage removed from irrigation
14 that may be stored in the City's account in the
15 joint use capacity, as limited by Article
16 IV.B.4(a)(1) of the Trinidad Operating Principles;
17 and whereas, the second amendment proposed in
18 Resolution 2012-01 is agreeable to all the
19 signators -- signatories of the Trinidad Operating
20 Principles; and whereas, on behalf of the City of
21 Trinidad, the Purgatoire River Water Conservancy
22 District has requested this 2014 Resolution; and
23 whereas, the Administration is a signatory to the
24 Trinidad Operating Principles and all signatories
25 must approve amendments to them. Now, therefore, be

1 it resolved that the Administration hereby approves
2 the amendment to the Trinidad Operating Principles,
3 as set forth in Exhibit A of this Resolution, which
4 is identical to Exhibit B of the Resolution 2012-01;
5 and be it further resolved that the Administration
6 authorizes its Chairman to sign the Trinidad
7 Operating Principles as amended by Exhibit A of this
8 Resolution, subject to approval by all signatories.
9 Adopted by ARCA today.

10 I would move adoption of this resolution that
11 we'll number 2014-03.

12 MR. RIZZUTO: Okay. Second?

13 MR. EKLUND: Second.

14 MR. RIZZUTO: James seconds it.

15 Discussion? All in favor, signify by saying Aye.

16 MR. HAYZLETT: Aye.

17 MR. EKLUND: Aye.

18 MR. RIZZUTO: Opposed? (No response.)

19 Okay. That passes.

20 Now, for the purpose of adopting procedures
21 for approval of annual reports, I'm going to call on
22 Randy.

23 MR. HAYZLETT: Thank you. I missed that
24 on item 10.E. there, procedures for approval of
25 annual reports. There was some discussion on that

1 at the Administrative and Legal as to where that
2 status is at on that. Kevin or Steve, do you want
3 to comment on that?

4 MR. MILLER: I gave a very brief report
5 indicating that no progress had been made, but I
6 think the action could be or should be that you and
7 James have set some new deadlines. I've agreed to
8 provide you some information by February, and I
9 guess the one thing we didn't talk about is you
10 could authorize, if you're satisfied with the
11 product and Kansas's review of the product, that we
12 go ahead and publish before the next Annual Meeting,
13 particularly take advantage of the new web site, so
14 rather than wait a whole year for you to approve the
15 work that I'm supposed to get you in February.

16 MR. HAYZLETT: You're going to have
17 something to us in February and we can take a look
18 at it?

19 MR. EKLUND: Mr. Chairman, I'd move that
20 we are provided with that authority to publish,
21 subject to our approval of what we get from
22 Mr. Miller.

23 MR. HAYZLETT: Okay. Second.

24 MR. BARFIELD: Could I clarify? "We,"
25 meaning that we authorize the Admin Legal Committee

1 to take that action?

2 MR. EKLUND: Yes. Sorry.

3 MR. RIZZUTO: Okay. Amended.

4 MR. EKLUND: It's amended, and if it's
5 okay with the second.

6 MR. HAYZLETT: Yes.

7 MR. RIZZUTO: Okay. In favor, signify by
8 saying Aye.

9 MR. EKLUND: Aye.

10 MR. BARFIELD: Aye.

11 MR. RIZZUTO: Opposed? (No response.)

12 Okay. Now to financial matters under the
13 agenda.

14 MR. HAYZLETT: Actually, action items for
15 the Administrative and Legal, and I have several of
16 those, so it kind of tells me what committee does
17 the most work around here.

18 The action items, the committee asked ARCA for
19 the authority to work with the Recording Secretary
20 and Treasurer on moving the location of the ARCA
21 office and records. This would also include giving
22 the committee authority to approve any necessary
23 office supplies, and I would move that ARCA give us,
24 Administrative and Legal, that authority.

25 MR. BRAZIL: Second.

1 MR. RIZZUTO: All in favor?

2 MR. BARFIELD: Aye.

3 MR. EKLUND: Aye.

4 MR. RIZZUTO: Opposed? (No response.)

5 Okay.

6 MR. HAYZLETT: The committee recommends
7 to ARCA that the web site be approved and be
8 published and that the committee be granted the
9 authority to implement the web site, and I would so
10 move.

11 MR. RIZZUTO: Second?

12 MR. BRAZIL: Second.

13 MR. RIZZUTO: You didn't jump very fast.

14 MR. BRAZIL: Well, I thought somebody
15 might jump in there.

16 MR. RIZZUTO: Okay. All in favor,
17 signify by saying Aye.

18 MR. EKLUND: Aye.

19 MR. BARFIELD: Aye.

20 MR. RIZZUTO: Opposed? (No response.)

21 MR. HAYZLETT: Committee recommends that
22 ARCA adopt the June 10th, 1994 minutes. So moved.

23 MR. BRAZIL: Second.

24 MR. RIZZUTO: Second? Okay. In favor?

25 MR. EKLUND: Aye.

1 MR. BARFIELD: Aye.

2 MR. RIZZUTO: Opposed? (No response.)

3 MR. HAYZLETT: Committee directs the
4 Colorado State Engineer and the Kansas Chief
5 Engineer to work to resolve Kansas's concerns with
6 LAWMA change of water rights decrees. I would move
7 that.

8 MR. BRAZIL: Second.

9 MR. RIZZUTO: Second? Okay. All in
10 favor, signify by saying Aye.

11 MR. EKLUND: Aye.

12 MR. BARFIELD: Aye.

13 MR. RIZZUTO: Opposed? (No response.)
14 Okay.

15 MR. HAYZLETT: Committee recommends the
16 approval of the Audit Report for the Fiscal Year FY
17 2013-14; July 1, 2013 to June 30th, 2014.

18 MR. BRAZIL: Second.

19 MR. RIZZUTO: Okay. Second. All in
20 favor, say Aye.

21 MR. EKLUND: Aye.

22 MR. BARFIELD: Aye.

23 MR. RIZZUTO: Opposed? (No response.)

24 Okay. Passes.

25 MR. HAYZLETT: Committee recommends the

1 approval of the revised current fiscal year, FY
2 2014-15, July 1 from 2014 to June 30th, 2015 budget.
3 So moved.

4 MR. BRAZIL: Second.

5 MR. RIZZUTO: Second? All in favor,
6 signify by saying -- oh, question?

7 MR. BARFIELD: Steve.

8 MR. RIZZUTO: Steve.

9 MR. MILLER: I just would offer an
10 exhibit that might help document your actions
11 regarding the budget and the audit, and so there's
12 four copies of this. I reviewed this with the
13 committee last night. I can find more copies, but I
14 know I have four here, so I'd offer that as an
15 exhibit and then you don't have to go into the
16 numbers that --

17 MR. HAYZLETT: We're not going to. The
18 committee recommends adopting the Fiscal Year
19 FY 2015-16 proposed budget. So moved.

20 MR. BRAZIL: Second.

21 MR. RIZZUTO: All in favor, signify by
22 saying Aye.

23 MR. EKLUND: Aye.

24 MR. BARFIELD: Aye.

25 MR. RIZZUTO: Opposed? (No response.)

1 Passes.

2 MR. HAYZLETT: Committee heard an update
3 from the Colorado Satellite Monitoring System
4 contract and recommends renewal of that contract to
5 ARCA. So moved.

6 MR. BRAZIL: Second.

7 MR. RIZZUTO: Good. Just, okay. All in
8 favor, signify by saying Aye.

9 MR. EKLUND: Aye.

10 MR. BARFIELD: Aye.

11 MR. RIZZUTO: Opposed? (No response.)

12 Passes.

13 MR. HAYZLETT: Committee heard an update
14 on the CoAgMet funding status and cost-share
15 agreement and recommended ratifying the renewal that
16 was done in FY 2014 and 15 and authorize renewal of
17 that \$5,000 contract in FY 15-16. So moved.

18 MR. BRAZIL: Second.

19 MR. RIZZUTO: Second?

20 MR. MILLER: I didn't realize you were
21 going to go quite this rapid fire.

22 MR. RIZZUTO: Oh, okay.

23 MR. MILLER: There was a couple of pieces
24 of this that --

25 MR. RIZZUTO: Sure, Steve. Go ahead.

1 MR. MILLER: Let me just clarify, 'cause
2 it will help down the road. On the CoAgMet
3 contract, Stephanie, the Recording Secretary,
4 actually signed an extension agreement pursuant to
5 the original contract, which did expire on
6 June 30th, so I think it would be appropriate for
7 the Administration to ratify that action by
8 Stephanie; and then the other piece of that would be
9 to authorize her to sign the next extension
10 agreement, which would come up in October, 2015
11 before we meet again. So I guess that's one single
12 motion, but there's two things, two actions.

13 MR. EKLUND: That's how the motion is
14 written, Number 9.

15 MR. MILLER: Oh, I didn't hear Randy say
16 it that way, but is that -- okay.

17 MR. EKLUND: Yeah, it's two pieces.

18 MR. MILLER: Okay.

19 MR. HAYZLETT: So are we good?

20 MR. MILLER: Go for it, I guess. I don't
21 have a copy of the --

22 MR. HAYZLETT: You want me to read the
23 motion again?

24 MR. RIZZUTO: Read the motion as it's --

25 MR. HAYZLETT: Let me read the motion

1 again. The committee heard an update on the CoAgMet
2 funding status and cost-share agreement and
3 recommended ratifying the renewal that was done in
4 FY 14-15 and authorized renewal of that \$5,000
5 contract in FY 15-16.

6 MR. MILLER: That's perfect. I'm sorry.
7 Oh, okay. On the SMS contract satellite monitoring
8 system, that contract did lapse on June 30th.
9 You've authorized a renewal, and I'm -- just to
10 clarify, the renewal would be from July 1 of 2014
11 for the next three years, and assuming you do that,
12 they have billed us for the five months or so since
13 it lapsed. They continued to do the work for us,
14 even though there was no agreement, so I'd like you
15 to ratify Stephanie paying the invoice for the
16 current fiscal year of 14-15, understanding that the
17 first five months of that period, we technically did
18 not have a contract obligating us to do that. Hope
19 I didn't confuse that, but I think you understand
20 what I'm saying.

21 MR. HAYZLETT: I think that's what it
22 said in the motion, isn't it?

23 MR. SCHEUERMAN: To me, it did.

24 MR. EKLUND: It doesn't have the dates,
25 but it's -- I think it's broad enough to cover what

1 you're talking about.

2 MR. MILLER: Item 8, Randy?

3 MR. HAYZLETT: 9. Item 9.

4 MR. MILLER: No, I'm talking about the
5 system, satellite monitoring system, Number 8.

6 MR. HAYZLETT: Okay. I'm sorry.

7 MR. MILLER: So we need to renew the
8 contract, but we also need to agree that we'll pay
9 for the entire year, even though we didn't have a
10 contract for a portion of the year.

11 MR. HAYZLETT: Okay. Okay. And I so
12 move that we pay for the contract that expired that
13 we didn't get taken care of.

14 MR. BRAZIL: Second.

15 MR. RIZZUTO: That's second. Now, is
16 that all incorporated? We got two different issues,
17 or we adopted the issue already that Steve brought
18 up initially, correct? Okay. So now we're to this,
19 okay. Motion and a second. Discussion? All in
20 favor?

21 MR. EKLUND: Aye.

22 MR. BARFIELD: Aye.

23 MR. RIZZUTO: Opposed? (No response.)
24 Okay. That passes.

25 MR. MILLER: And all of that was built

1 into the budgets that you just started to approve.

2 MR. RIZZUTO: Okay.

3 MR. BARFIELD: Did we actually adopt the
4 one, Number 9?

5 MR. EKLUND: Yes.

6 MR. RIZZUTO: We did. We had adopted
7 that and then Steve brought up a question to it,
8 but --

9 MR. BARFIELD: All right.

10 MR. HAYZLETT: Okay. We're clear to
11 there. The committee recommends that Stephanie
12 Gonzales sign the Colorado USGS Cooperative
13 Agreement and the Kansas USGS Cooperative Agreement
14 with the new provisions that were discussed with the
15 committee last night. So moved.

16 MR. BRAZIL: Second.

17 MR. RIZZUTO: Okay. Discussion? All in
18 favor, signify by saying aye.

19 MR. EKLUND: Aye.

20 MR. BARFIELD: Aye.

21 MR. RIZZUTO: Opposed? (No response.)

22 Passes.

23 MR. HAYZLETT: Committee received a
24 proposed resolution memorializing Frank Cooley and
25 recommends ARCA adopt that resolution. We've

1 already taken care of that. I don't know that we
2 need an action there.

3 The committee received an update on the City
4 of Trinidad proposed amendment to the Trinidad
5 Operating Principles, along with the new resolution.
6 I believe we've taken care of that.

7 Committee received a resolution requesting
8 U.S. Bureau of Reclamation conduct the Trinidad
9 Operating Principles. We've taken care of that, I
10 believe.

11 So then the committee recommends the following
12 slate of officers and committee chairs for the
13 coming Compact Year 2015: ARCA officers,
14 Vice-Chair, Randy Hayzlett; Recording
15 Secretary/Treasurer, Stephanie Gonzales; Operations
16 Secretary, Steve Witte; Assistant Operations
17 Secretary, Kevin Salter. I would move that those
18 members be appointed.

19 MR. BRAZIL: Second.

20 MR. RIZZUTO: And a second. Discussion?
21 All in favor, signify by saying aye.

22 MR. EKLUND: Aye.

23 MR. BARFIELD: Aye.

24 MR. RIZZUTO: Opposed? (No response.)

25 Passes.

1 MR. HAYZLETT: And committee chairs for
2 next year, Administrative and Legal would be James
3 Eklund as chair, Randy Hayzlett as member.
4 Operations, Colin Thompson as chair, Hal Scheuerman,
5 member. Engineering, David Barfield as chair and
6 Scott Brazil as member. Do we need an action on
7 that or just appointments?

8 MR. MILLER: I think those are fine, but
9 I forgot one other thing. The audit report should
10 be made an exhibit, and I've got four copies of
11 that.

12 MR. HAYZLETT: Okay. Action on the
13 chairs or just appointments? I think just
14 appointments.

15 Committee recommends to ARCA that the 2015
16 ARCA Annual Meeting dates be December 9th, and we --
17 and for the committee meetings and December 10th for
18 the Annual Meeting, and we would certainly invite
19 you to Garden City and make the motion that we have
20 the meeting in Garden City next year.

21 MR. BRAZIL: Second.

22 MR. RIZZUTO: Second? Okay. Discussion?
23 So the meetings for next year would be
24 December 9th and 10th in Garden City, Kansas.

25 MR. HAYZLETT: Yes.

1 MR. RIZZUTO: Okay. All in favor,
2 signify by saying Aye.

3 MR. EKLUND: Aye.

4 MR. BARFIELD: Aye.

5 MR. RIZZUTO: Opposed? So moved.

6 MR. HAYZLETT: That completes my report.

7 MR. BARFIELD: Okay. Just to tidy up the
8 exhibits then, Steve, what specific exhibits do we
9 need related to financial matters?

10 MR. MILLER: The spreadsheet table, I'm
11 actually working that out with Rachel.

12 MR. BARFIELD: Okay.

13 MR. MILLER: We're calling it the Budget
14 and Assessment Summary 2010 through 2019, and the
15 audit report for Fiscal Year ending June 30th, 2014
16 from Anderson and Company.

17 MR. BARFIELD: Okay. So the Budget
18 Summary would be Exhibit P?

19 MS. DURAN: Right.

20 MR. BARFIELD: And the audit would be
21 Exhibit Q?

22 MS. DURAN: Right.

23 MR. BARFIELD: Okay. Is that all we need
24 to do then? Okay. All right.

25 MR. RIZZUTO: Okay. All right. Any

1 discussion under committee meetings or special
2 meetings of ARCA in the future? I think, David, you
3 may have a recommendation.

4 Oh, yeah. Let me back up. Public comment.
5 Are there any comments from the public? Hearing
6 none --

7 MR. BARFIELD: We didn't cover agenda
8 Item 12.D., approval of transcripts. Are there
9 none -- are there any ready to approve?

10 MR. MILLER: Only the one you did
11 approve, a June 10 of 1994 special meeting. Found
12 that as a missing -- we were missing an approved
13 copy of that, discovered it while we were putting
14 the web site together. We've agreed on the version
15 and (inaudible) --

16 MR. BARFIELD: All right. Oh, okay.
17 We're just so efficient, here I missed that.

18 MR. RIZZUTO: Okay.

19 MR. BARFIELD: Okay.

20 MR. RIZZUTO: Are we down to committees
21 and special meetings? I asked for the public
22 comment. There was none for public comment.

23 Okay. Any future meetings, other than the
24 Annual Meeting next year?

25 MR. MILLER: I think we've committed to

1 holding a Special Engineering Committee meeting at
2 some time, but we haven't set the date, and I think
3 there's some discretion in the resolution as to who
4 the actual members of that committee would be at any
5 one time, so we probably need to have some phone
6 calls, but I don't think there's an action item
7 today.

8 MR. BARFIELD: Correct. I think the
9 resolution says each State will appoint two, at
10 least one will be, and it anticipates the state
11 engineers and at least one member of ARCA from each,
12 so I'll, I'll work with Mr. Wolfe to figure out when
13 we would have that meeting and I guess each state is
14 going to need to appoint the second member, but we
15 can, we can correspond about that, I think, in due
16 course.

17 MR. HAYZLETT: Then the Administrative
18 and Legal would have some information given to them
19 in February, but I don't know that there would be
20 a -- any special meeting.

21 MR. MILLER: And I believe under the
22 by-laws -- Kevin will maybe correct me or
23 (inaudible). I think the committee's going to meet
24 without. It could be telephonically, so --

25 MR. HAYZLETT: Without notice?

1 MR. MILLER: Yeah. I think you and James
2 could just have a phone call and get it and decide
3 what you want to do.

4 MR. HAYZLETT: And the only other,
5 Mr. Chairman, is with your new appointment, there's
6 been discussion about a tour of the Basin sometime
7 this summer. Kevin, you want to comment on that?

8 MR. SALTER: Yeah.

9 MR. HAYZLETT: You jumped up really
10 quick.

11 MR. SALTER: I did forget one other thing
12 that was pretty important for us in Kansas to
13 recognize, too.

14 In 2004, we did a two-day tour of the Basin.
15 We started at Rocky Ford and we saw various
16 different sites along the river from Rocky Ford down
17 to Garden City, Kansas; and then following that, we
18 actually had an Operations Committee in Garden City,
19 an Operations Committee meeting in Garden City in
20 August of 2004. I think it would be appropriate for
21 the Administration to conduct a similar tour of
22 extents that maybe we could talk about where we
23 start, where we end, but for the benefit of
24 Mr. Rizzuto and Scott Brazil and others on the
25 Administration to see some of these sites that we're

1 dealing with on a daily basis.

2 MR. RIZZUTO: Okay.

3 MR. SALTER: Another thing on the tour, I
4 did forget that one of the important things that we
5 wanted to is recognize that Hal Scheuerman and Randy
6 Hayzlett were reappointed as Kansas Compact
7 representatives, and one of the things that should
8 become part of the exhibits is their credentials.

9 We have the credentials for Mr. Scheuerman.
10 Mr. Hayzlett, lost in the mail is all I can say at
11 this point in time, but maybe we can go ahead and
12 make that the last exhibit to this meeting minutes,
13 and we'll provide Mr. Hayzlett's as they're
14 received, so I'm sorry. That's something probably
15 should have done at the very front end of the
16 meeting, recognize their reappointments, and we
17 appreciate their service to the State of Kansas.

18 MR. RIZZUTO: So done.

19 MS. DURAN: Exhibit R.

20 MR. RIZZUTO: R, so that will be made a
21 part of the record.

22 And as far as the tour, I think at least from
23 my standpoint, very open to it. It's been a number
24 of years. I did a tour from Garden City all the way
25 past Rocky Ford a number of years ago with a

1 gentleman some of you probably remember, Frank
2 Malinski, who was very much involved in water, and
3 of course, I got his point of view at that point in
4 time, so I think it's timely and if staff can work
5 with us to come up with a date that works, I think
6 that would be great and summer is a good time for
7 me, and so who will manage that? Steve or Kevin?

8 MR. MILLER: I'll help manage, but what I
9 wanted to suggest is if we cut the tour off, whether
10 it's Rocky Ford or Pueblo, had Jim Broderick still
11 been here, he could have -- we could have firmed
12 this up, but he routinely conducts a tour of the
13 headwaters in the transmountain facilities that you
14 heard something about.

15 MR. RIZZUTO: Right.

16 MR. MILLER: And that could be a separate
17 tour. He would be the host and I'll try and find
18 the particulars out of when he does that. It is in
19 the summer. We may have to choose which one we want
20 to do or schedule so you can do both, if you have
21 that much time.

22 MR. RIZZUTO: Yeah, if you could -- go
23 ahead.

24 MR. BRAZIL: Broderick's tour is a
25 two-day deal, so --

1 MR. MILLER: Yeah.

2 MR. BRAZIL: -- it's pretty intense.

3 MR. RIZZUTO: Okay. Why don't we work on
4 first getting this one scheduled and then we can
5 look on later doing the second one with the upper
6 headwaters. I was thinking of ending it at Swink,
7 because that's where I live, so --

8 MR. SALTER: I'd be willing to be that
9 point person.

10 MR. RIZZUTO: So Kevin, you'll work to
11 put that together? Okay.

12 MR. HAYZLETT: Mr. Chairman, since we
13 haven't used up the entire alphabet on exhibits,
14 maybe we should have yours as well, your appointment
15 and credentials as an exhibit.

16 MR. RIZZUTO: Okay. That's assuming
17 there are credentials.

18 MR. MILLER: They're forthcoming, is my
19 understanding, but we have the e-mail from the White
20 House designating. It doesn't quite say appointing.

21 MR. RIZZUTO: I got something in the mail
22 last night, which I did not read, sorry, but --
23 because I got home late, but I'll get that to you,
24 Steve, and if it's okay, then we can make that as
25 part of the record as well. Okay.

1 MR. THOMPSON: Jim, I thought it was
2 great that you got appointed. I just thought that
3 on the e-mail, it was somewhat symbolic that you
4 were one notch above the representative for the
5 Inter-American Tuna Council.

6 MR. RIZZUTO: Yeah, I had a son-in-law
7 who asked me why I didn't go for that. I wished I
8 did but I don't eat sushi, and part of that is
9 getting bluefin tuna out of Japan for sushi
10 restaurants.

11 So nonetheless, anything else to come before
12 the board? Any last public comment? Okay. With
13 that, a motion to adjourn?

14 MR. HAYZLETT: Move.

15 MR. EKLUND: Second.

16 MR. RIZZUTO: Second. All in favor, Aye.

17 MEMBERS: Aye.

18 MR. RIZZUTO: Okay. Safe travels to
19 everyone and happy holidays.

20
21 (Proceedings concluded at 1:29 p.m.
22 Mountain Time.)
23
24
25

EXHIBIT LIST

Exhibits accepted by ARCA follow in the order introduced:

- A. Revised Agenda
- B. Attendance List
- C. USGS Printed Power Point Presentation
- D. USACE Report
- E. BOR Power Point Presentations
- F. PRWCD Power Point Presentation
- G. Fountain Creek Greenway District Power Point Presentation
- H. SECWCD Power Point Presentation
- I. GMD #3 Report
- J. CPW Power Point Presentation
- K. Ten-Year Accounting Table
- L. Committee Action Items
- M. Summary of Operations Sec'y Report
- N. Assistant Operations Sec'y Report
- O. Offset Account Report Summary
- P. Budget & Assessment
- Q. Audit Report
- R. Randy Hayzlett & Hal Scheuerman Credentials
- S. Jim Rizzuto Credentials

ADOPTED RESOLUTION

ARCA adopted following resolutions:

1. Resolution 2014-01 In Memoriam for Frank
Cooley
2. Resolution 2014-02 Request to USBR to Conduct
Trinidad Ten-Year Review
3. Resolution 2014-03 Amendment of Trinidad
Operating Principles

1 STATE OF KANSAS)

2 COUNTY OF RENO)

3
4 This is to certify that I, Lee Ann Bates, a
5 Certified Shorthand Reporter in and for the State of
6 Kansas, reported in shorthand the proceedings had at
7 the time and place set forth on the title page hereof
8 and that to the best of my ability, the above and
9 foregoing pages contain a full, true and correct
10 transcript of the said proceedings.

11 Certified to on this 18th day of October, 2015.

12
13 ADVANCED COURT REPORTING SERVICES
14 LEE ANN BATES, CSR, RPR, CRR
27113 West Mills Avenue
15 Plevna, Kansas 67568
(620) 793-6555 or (620) 664-7230
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