

Administration of the Arkansas River Compact



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Operations Secretary

Arkansas River Compact Administration

Regulation of the Arkansas



- ⌘ Typically subject to priority administration year round...only 5 “call free” instances since 1954.
- ⌘ Avg. annual basin yield, 884,000 af
- ⌘ Avg. annual imports, 126,933 af
- ⌘ Avg. stateline flow, 142,200 af
- ⌘ Avg. surface diversions, 2 M af (approx.)
- ⌘ Reuse ratio = 2.0

Arkansas River Compact



- ⌘ An outgrowth of previous interstate litigation—1907; Doctrine of Equitable Apportionment
- ⌘ Negotiated in 1948, approved by Congress in 1949
- ⌘ Benefits of John Martin Reservoir allocated to Colorado and Kansas, 60/40
- ⌘ Not a specific performance contract...

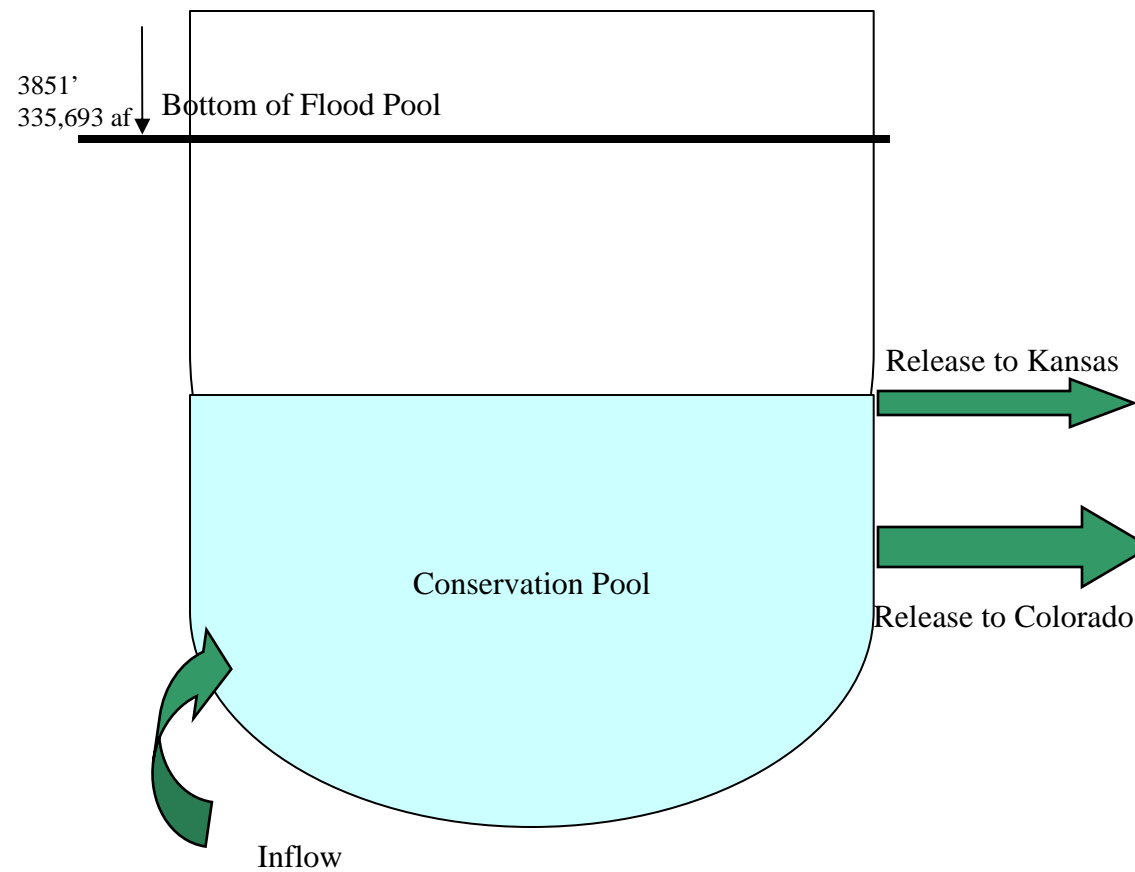
Article IV D


Arkansas River Compact

CRS 37-69-101

⌘ This compact is not intended to prevent development of the Arkansas river in Colorado, which may involve improved or prolonged functioning of existing works: Provided, the waters of the river shall not be depleted in usable quantity or availability to the water users in Colorado and Kansas...

Common Pool





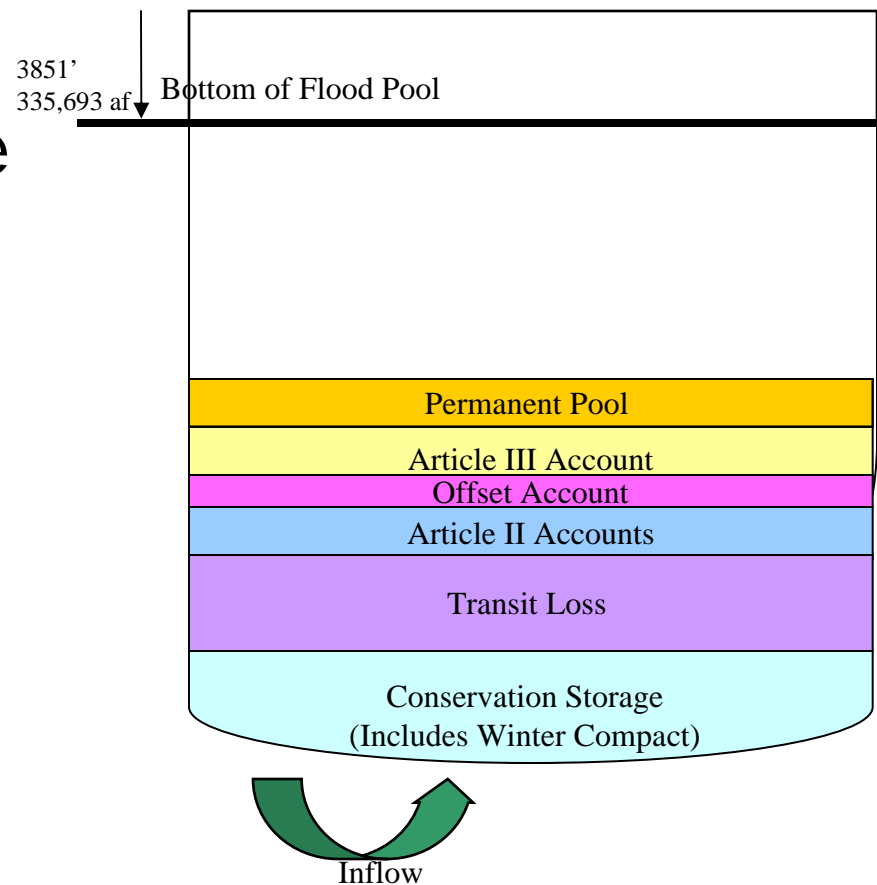
Description of Operational Practices-John Martin Res. Account System

1980 Operating Resolution

Winter Storage

Nov. 1- Mar. 31

⌘ All inflows...shall
accrue to
Conservation Storage



“Other Water” for Regulation...
e.g. “Pueblo winter storage plan”
Nov. 15-Mar. 15



⌘ Amity ($\leq 50,000$ a.f.) *

⌘ Fort Lyon (20,000 a.f.)

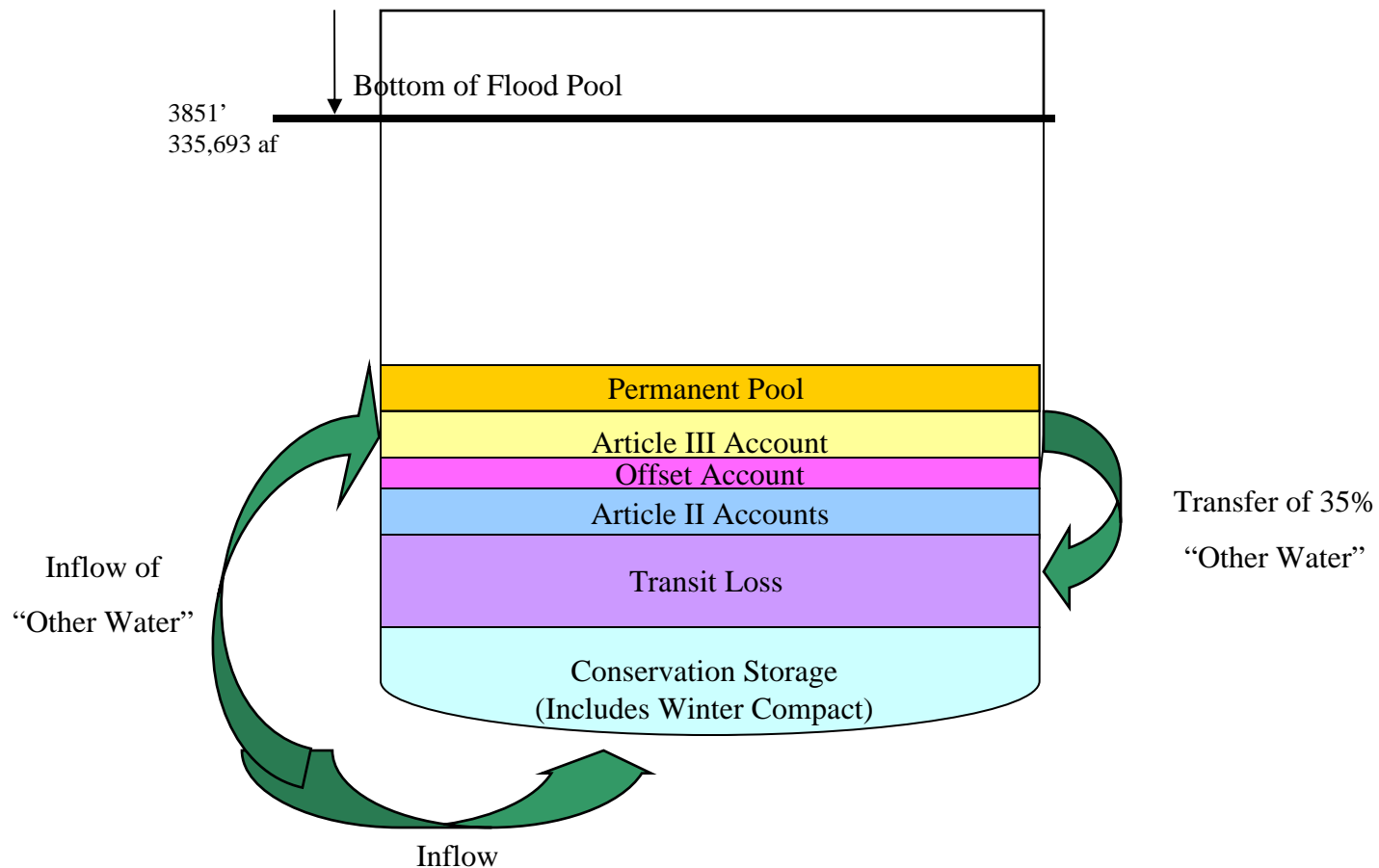
⌘ Las Animas Consolidated (5,000)

⌘ 35% of all deliveries above are transferred

☒ Transit Loss account (≤ 1700 a.f.), then:

☒ 11% Kansas account and 24% Colorado accounts

Depiction of Winter Storage plus "Other Water"



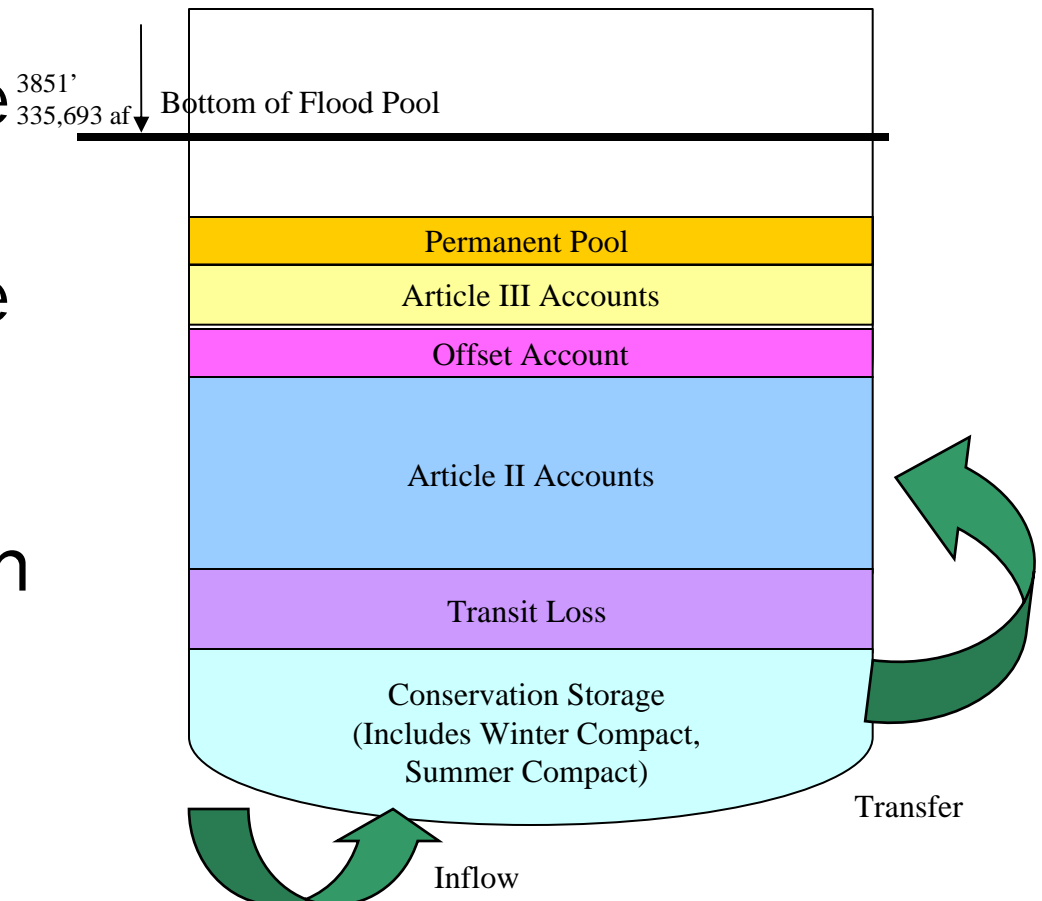
Summer Storage

April 1- Oct. 31

- ⌘ All inflows...shall accrue to Conservation Storage until first exhaustion
- ⌘ Conservation Storage is transferred into accounts beginning no later than April 7th

- ⊠ xfer @ 1000-1250 cfs
- ⊠ 40% to Kansas
- ⊠ 60% to Colorado

John Martin Reservoir

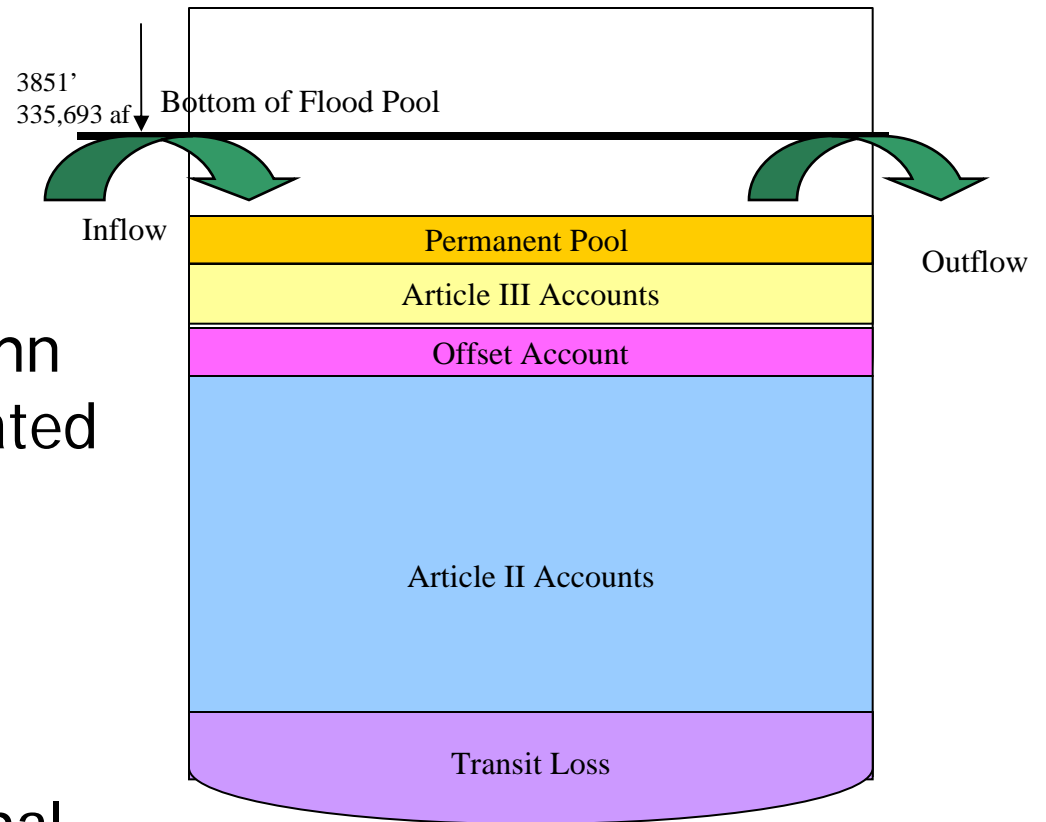


Summer Storage (cont.)

April 1- Oct. 31

⌘ Once Conservation Storage transfer into accounts has been completed, Colorado water rights below John Martin may be integrated with those above the Reservoir.

⌘ However, upstream water users have demanded an additional delay..."Agreement B"



Summer Storage (cont.)

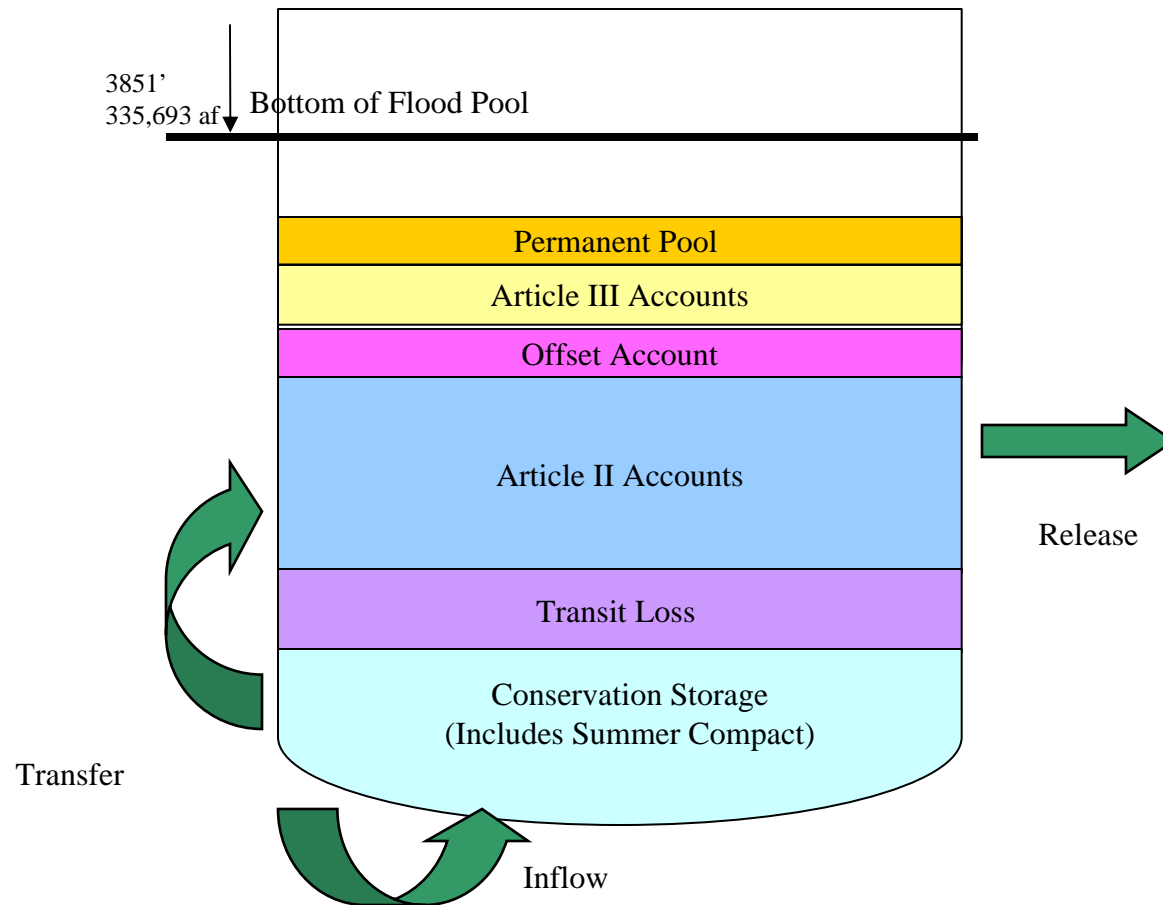
April 1- October 31



⌘ When a runoff event causes inflow to exceed the existing irrigation requirements of Colorado below the reservoir by more than 1000 a.f. (per day)

- ☒ The outlet gates are closed, except as needed for continuing demands for releases from accounts
- ☒ The Colorado water rights below the reservoir are removed from the priority system
- ☒ All inflows (except those “other waters” to which Amity is entitled) accrue to Conservation Storage. These waters are subsequently transferred to Kansas and Colorado accounts, beginning within 48 hours.

Depiction of Summer Storage



Release out of Accounts

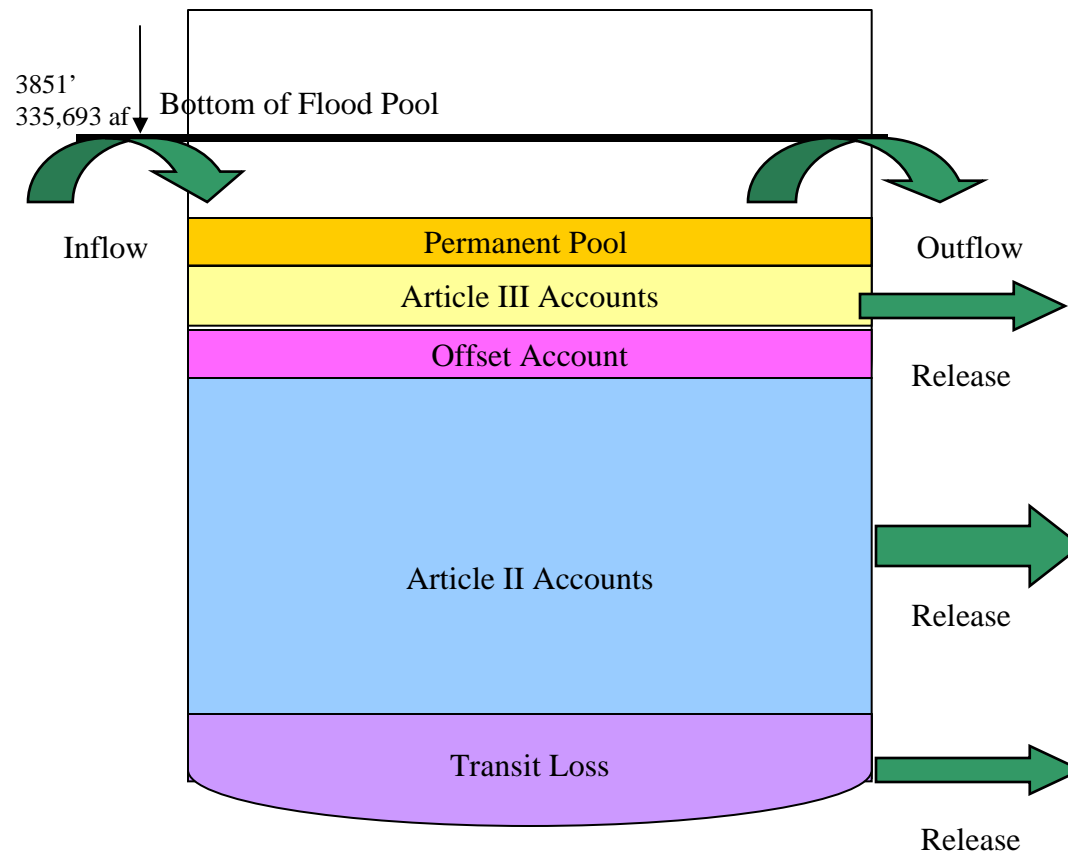


⌘ Kansas and the various Colorado ditches may demand release of water contained in their respective accounts...at any time, at any rate.

☒ Releases to Colorado users are subject to transit losses.

☒ Releases to Kansas are measured at the Stateline. Such deliveries are ensured by additional releases from the Kansas transit loss account.

Depiction of Releases



Permanent Recreation Pool



- ⌘ By ARCA resolution dated August 14, 1976, a 15,000 a.f. pool was authorized.
- ⌘ Of this, up to 10,000 a.f. is to be retained within the flood pool in the event of spill
- ⌘ ARCA must approve all water stored within the permanent pool

Offset Account



- ⌘ A 20,000 a.f. account to offset any depletions to usable Stateline flows caused by pumping post-Compact wells in excess of 15,000 a.f. annual entitlement
 - ☑ Kansas may demand the release of any fully consumable or “Stateline return flow” waters in the account at any time and at any rate.
 - ☑ A 2005 agreement establishes the credit Colorado is to receive for the delivery of water released upon demand by Kansas.

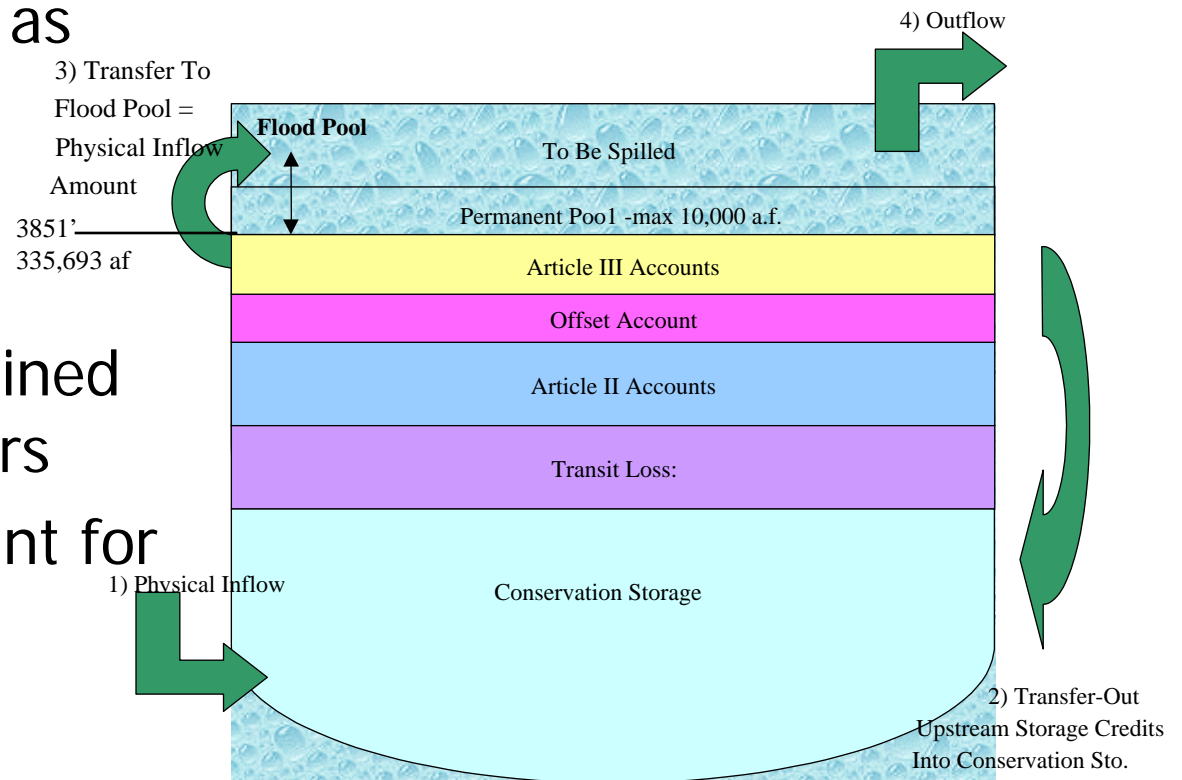
Spill Order / Procedures


John Martin Reservoir Spill

⌘ Order of spill determined by ARCA resolution, as shown:

⌘ Release rate determined by Corps of Engineers

⌘ Procedures to account for effects of upstream storage as shown:





Final Decree
Kansas v. Colorado
No. 105 Original

Hydrological-Institutional Model deemed “reasonable” means to determine compliance

- ⌘ 10 year rolling compliance period
- ⌘ 1st Compliance period 1997-2006