

2015 ANNUAL MEETING OF THE  
REPUBLICAN RIVER COMPACT ADMINISTRATION

August 27, 2015  
9:00 a.m. Central Time  
Cornhusker Hotel  
333 S 13th St  
Lincoln, Nebraska

MEMBERS PRESENT

FOR NEBRASKA: Commissioner Gordon W. "Jeff" Fassett, Chair  
Justin Lavene  
Jesse Bradley  
Jim Schneider

FOR COLORADO: Commissioner Dick Wolfe  
Ivan Franco  
Scott Steinbrecher

FOR KANSAS: Commissioner David Barfield  
Burke Griggs  
Chris Beightel



1 PROCEEDINGS:

2 CHAIRPERSON FASSETT: Good morning, everybody.  
3 I'm Jeff Fassett, the new Director of the Nebraska  
4 Department of Natural Resources and your chairman. I've  
5 only been on the job less than a month, so you'll need to  
6 bear with me, and you'll actually be hearing a lot from the  
7 gang on my left and right here to help me get through this  
8 first meeting. But I'm very pleased to be here. Nebraska  
9 is very pleased to be hosting you for this meeting, and  
10 we'll get going.

11 So, let's start with introductions. Maybe, Jim,  
12 let's start here. We'll go around this table first, and  
13 then, for my benefit, I'd like everybody to introduce  
14 themselves, not only for the record, but for my education.

15 MR. SCHNEIDER: Jim Schneider with Nebraska.

16 COMMISSIONER WOLF: Good morning. I'm Dick Wolfe,  
17 Colorado Commissioner, and thank you, Chairman, for hosting  
18 this year's meeting. And here with me from Colorado is  
19 Scott Steinbrecher, who's an Assistant Attorney General with  
20 the Colorado Attorney General's Office, and Ivan Franco,  
21 who's the Colorado engineer advisor. Also have my deputy,  
22 Mike Sullivan, who's out there. We also have some other  
23 guests with us: Dennis Coryell, who's the President of the  
24 Republican River Water Conservation District, and Pete Ampe,  
25 who's their General Counsel, in the back there. So, I don't

1 know if anybody -- if I've missed anybody else that's from  
2 Colorado, maybe, as we're doing introductions, if I missed  
3 you, -- who's over in the corner?

4 MR. STEINBRECHER: Willem.

5 COMMISSIONER WOLFE: Oh, Willem. Here, he's  
6 hiding out over here. See? I couldn't see him. Willem  
7 Schreüder, who's our -- from Principia Mathematica -- who's  
8 our consultant that does work, not only for Colorado, but  
9 the RRCA in terms of the groundwater model and work. So,  
10 with that, I'd turn it over to Commissioner Barfield.

11 COMMISSIONER BARFIELD: Sure. David Barfield,  
12 Kansas Commissioner. Welcome, Jeff, to the administration  
13 and your new duties there. We look forward to working with  
14 you. With me is Chris Beightel, Program Manager for the  
15 Water Management Services Program, and Burke Griggs, from  
16 the Kansas Attorney General's Office. And in the crowd,  
17 with the Department of Agriculture's Division of Water  
18 Resources, is Sam Perkins; our modeler, Ginger Pugh;  
19 Hongsheng Cao and Chelsea Erickson of our Stockton Field  
20 Office.

21 CHAIRPERSON FASSETT: Gentlemen, with me? Go  
22 ahead, Justin.

23 MR. LAVENE: Justin Lavene with the Attorney  
24 General's Office in Nebraska.

25 MR. BRADLEY: Jesse Bradley with the Nebraska

1 Department of Natural Resources.

2 CHAIRPERSON FASSETT: And, again, for my benefit,  
3 I know you've highlighted some folks, but if I could just  
4 ask everybody to introduce themselves, starting here in the  
5 front.

6 Brad?

7 MR. EDGERTON: Okay. I'm Brad Edgerton, Manager  
8 of Frenchman Cambridge Irrigation District.

9 MR. DELKA: Mike Delka, Manager of the Bostwick  
10 Irrigation District in Nebraska.

11 MR. LAMBRECHT: Jason Lambrecht with the U.S.  
12 Geological Survey, the Nebraska Water Science Center, here  
13 in Lincoln.

14 MR. MERRIGAN: Bob Merrigan, Assistant Manager of  
15 Middle Republican Natural Resources District.

16 MR. PERKINS: Sam Perkins, Kansas DWR.

17 MR. SCHREÜDER: I'm still Willem.

18 MS. ERICKSON: Chelsea Erickson with the Kansas  
19 Division of Water in Stockton Field Office.

20 MS. PUGH: Ginger Pugh, Kansas DWR.

21 MR. CAO: Hongsheng Cao, DWR Kansas.

22 MR. CORYELL: Dennis Coryell, Republican River  
23 Water Conservation District.

24 MR. GUNDERSON: David Gunderson with the Nebraska  
25 Department of Natural Resources Cambridge Field Office.

1 MR. STANTON: Shane Stanton with the Cambridge  
2 Field Office.

3 MR. WELLS: I'm Bruce Wells with the Natural  
4 Resources Conservation Service out in Kansas.

5 MR. THAYER: Chance Thayer with the Flatwater  
6 Group.

7 MR. SCOTT: Craig Scott with the Reclamation in  
8 McCook.

9 MR. GILE: Pete Gile, Assistant Superintendent,  
10 Kansas Bostwick Irrigation District.

11 MR. CLEMENTS: Mike Clements, General Manager,  
12 Lower Republican NRD in Alma.

13 MR. SULLIVAN: Mike Sullivan, Colorado Division of  
14 Water Resources.

15 MR. WILCOX: Dustin Wilcox, Nebraska Association  
16 of Resources Districts.

17 MR. DICKE: Scott Dicke, Assistant Manager with  
18 the Lower Republican Natural Resource District.

19 MR. THOMPSON: Aaron Thompson with the Bureau of  
20 Reclamation.

21 MR. STARK: Ken Stark, U.S. Army Corps of  
22 Engineers.

23 MR. BLANKENAU: Don Blankenau, outside counsel for  
24 Nebraska.

25 MR. FANNING: Jasper Fanning of the Republican

1 NRD.

2 MR. WILMOTH: Tom Wilmoth, outside counsel,  
3 Nebraska.

4 MR. AMPE: Peter Ampe, Hill & Robbins, counsel for  
5 the Republican River Water Conservation District.

6 MR. RILEY: Tom Riley with the Flatwater Group.

7 MR. KRACMAN: David Kracman with the Flatwater  
8 Group.

9 MR. GROFF: Marc Groff, also with the Flatwater  
10 Group.

11 CHAIRPERSON FASSETT: Okay. Great. Thank you all  
12 very much. I appreciate that.

13 Moving on. Number -- Item number 2 on our agenda  
14 is adoption of the agenda. Is there any comments,  
15 Commissioners?

16 COMMISSIONER BARFIELD: I think the final agenda  
17 that we have in front of us reflects a few changes from the  
18 proposed agenda, but I think, as it's presented here, it's  
19 appropriate. I'd move adoption.

20 COMMISSIONER WOLFE: And I'll second that. To,  
21 maybe, just clarification, under Item 8 (c), I don't think  
22 we actually have a resolution for approving the amended  
23 rules and regulations. I just wanted to make sure that that  
24 was clear for the record, that we just are adopting the  
25 rules and regulations in their -- in final form.

1                   CHAIRPERSON FASSETT: Yeah, without the cover  
2 sheet of a resolution itself.

3                   COMMISSIONER WOLFE: Without a reso- -- actual  
4 resolution, so, yeah.

5                   CHAIRPERSON FASSETT: Understand. I think  
6 that's --

7                   COMMISSIONER WOLFE: Other than that, I have no  
8 other corrections to the agenda.

9                   CHAIRPERSON FASSETT: Motion and a second. All in  
10 favor, signify by saying aye.

11                   COMMISSIONER WOLFE: Aye.

12                   COMMISSIONER BARFIELD: Aye.

13                   CHAIRPERSON FASSETT: Any opposed?

14                   (No response.)

15                   Agenda is approved for our 2015 Annual Meeting.

16                   Moving on, Agenda Item 3, status report dealing  
17 with our transcripts from prior meetings. I'm going to have  
18 Jim comment on that.

19                   MR. SCHNEIDER: Sure. We had a annual meeting  
20 last year here in Lincoln and, I think, a couple of special  
21 meetings under the 2014 year, and we've been working through  
22 preparing the report for 2014. And we've shared draft  
23 materials with the other states and anticipate having a  
24 final report ready for adoption at next year's Compact  
25 meeting.

1 Any questions on that?

2 (No response.)

3 CHAIRPERSON FASSETT: No? Okay. Good.

4 Jim, thank you.

5 MR. SCHNEIDER: Sure.

6 CHAIRPERSON FASSETT: Next agenda item is the  
7 report of the commissioners. We'll start with the State of  
8 Kansas. David?

9 COMMISSIONER BARFIELD: Very good. Thank you,  
10 Commissioner Fasset.

11 Well, it's been another very busy year. And  
12 that's not been unusual. We've had lots of busy years in  
13 recent years. So, the thing that I'd like to highlight in  
14 my report is the busyness has not been so much in court, but  
15 the negotiating table, which I think everybody is quite  
16 happy about. I'll talk about some Kansas intrastate issues  
17 and then highlight some of our interstate progress.

18 First, on a statewide basis, one thing I reported  
19 on last year was our process to develop a 50-year vision  
20 related to our water resources that was called upon by  
21 Governor Brownback in the fall of 2013. There are two sort  
22 of focuses to that 50-year vision. Our reservoir systems,  
23 we rely on a system of federal reservoirs, in particular, to  
24 provide a water supply to our population centers and  
25 industries, especially the eastern and central Kansas.

1       Unfortunately, that -- the yield of that system is reduced  
2       with siltation and won't be sufficient in the future, so  
3       we've been investigating strategies for dealing with that.  
4       And our Ogallala management, it's just another important  
5       area. That aquifer's critical and declining, and how do we  
6       make the best use of that moving forward.

7               In January this year, that 50-year vision document  
8       was finalized, and that's available. We're busy working now  
9       on implementing the phase one action items, and the agencies  
10      have been going -- there's been a development of regional  
11      teams to determine how to take the broad vision document and  
12      implement that within the various more local areas.

13             It was a busy year with legislation. I will just  
14      highlight one piece of water-related legislation, and that  
15      was in Senate Bill 156. An outgrowth of the vision process,  
16      we've been looking for tools to facilitate improved  
17      management of the declining Ogallala I just mentioned. I  
18      think I highlighted in 2012, there was a new tool provided  
19      called Local Enhanced Management Areas, or LEMAs, that  
20      allowed our groundwater management district, our local  
21      entities that seek to guide groundwater development in their  
22      areas, to develop a plan to reduce use in a particular area  
23      to address groundwater declines and provide some flexibility  
24      tools within that statute. We have one of those I'll speak  
25      about in a minute.

1           This year, we added something called water  
2 conservation areas. It allows a water right holder with a  
3 suite of water rights or a group of water right holders in  
4 an area, again, to sort of develop a plan for reducing their  
5 use to extend the life of that resource and, again, provide  
6 some of the flexibilities that the LEMA statute provides.  
7 The difference here is that the -- it does not have to be  
8 initiated or endorsed by the groundwater management  
9 district, but can be initiated by the water users  
10 themselves. It's implemented via consent agreement between  
11 the water users and the chief engineer. So, again, it  
12 requires a hundred percent consensus, since it's a consent  
13 agreement, but this is just another tool to allow for better  
14 use of our declining resource. So, we're in discussions  
15 with 15 sort of individuals and groups of water users to  
16 figure out how to use this new tool.

17           Looking at the Republican River Basin in Kansas,  
18 climate conditions 2014 and this year have been much more  
19 normal, as opposed to previous years. We've got some areas  
20 currently in normal conditions, some dry, some moderate  
21 drought, but a limited area. Our water administration has  
22 still had to occur in the basin, but on a much more limited  
23 extent. Minimum desirable stream flows on the Republican,  
24 we administered from March to September of 2014 and March to  
25 late May of 2015.

1                   Moving to northwest Kansas, that area is managed  
2 by our Northwest Kansas Groundwater Management District No.  
3 4. They have allowed some very limited number of new  
4 appropriations based on safe yield in a specific area.  
5 That's -- there's been very few new applications granted in  
6 GMD4 in recent years, but they actually decided to go take  
7 the step to formally close the district. I issued a  
8 moratorium on processing new applications while they worked  
9 through that process, but we expect that to happen later  
10 this year. In addition, the GMD4 Board is looking very  
11 aggressively at establishing targets for reducing use  
12 according to the specific areas and the degree of over-  
13 appropriation. They've committed, by the end of 2016, to  
14 establish those goals, and then they'll look at some of  
15 these tools I've been mentioning as a means to implement  
16 those. So, we'll see what they do in the coming years.

17                   Sheridan County has our first local enhanced  
18 management area. It's now in its third year. Its goal was  
19 to reduce water use within that area 20 percent, and, from  
20 everything we've heard, they're on target to accomplish  
21 that, and the area's working well in terms of the  
22 flexibilities to see their economy still move forward with  
23 -- even with that reduced use.

24                   We have a new man- -- he's not here today, but we  
25 have a new manager for Groundwater Management District No.

1 4, Ray Luhman, their long-term assistant manager, started on  
2 January 1.

3 Now, the South Fork issues have been very  
4 important to us. They're very important for our discussions  
5 with Colorado and their augmentation pipeline. On April  
6 7<sup>th</sup>, Governor Brownback, Secretary McClaskey, Kansas Water  
7 Office Director Tracy Streeter, and I went out and held a  
8 public forum in St. Francis to sort of hear from them, in  
9 terms of, you know, their needs and desires for the basin.  
10 We had about 150 of our citizens attend that meeting, and we  
11 got quite a bit of input from them. On the South Fork, we  
12 also did a couple of seepage runs, in cooperation with our  
13 Colorado officials, just to get a better understanding of  
14 how that system works.

15 Interstate progress. I'd just like to, for the  
16 record, just to, you know, talk about sort of what's been  
17 accomplished here from our perspective. I would note, for  
18 the record, that Kansas v. Nebraska, Colorado on the  
19 Republican is over. February 24, the Supreme Court denied  
20 all exceptions by the states and affirmed the special  
21 master's recommendation. So, there's been plenty of press  
22 about that, so I really don't feel the need to wax on about  
23 that. I think we're all just appreciative to have that  
24 phase behind us and, now, to implement, not only the Court's  
25 decisions, but also to figure out how to work together

1 better.

2 Last year, we talked about the start of a new  
3 initiative by the three states to work through the disputes  
4 that we've had as we've sought to work out the compliance  
5 activities of Colorado and Nebraska, particularly their  
6 augmentation projects, to agree on the accounting and  
7 modeling and figure out how we can make sure that downstream  
8 users make good use of that -- those water resources. So,  
9 that started a series of monthly meetings and focused  
10 discussions to reach agreements. And that started in June  
11 of last year, and it's continued even to yesterday when we  
12 had some meetings. Those discussions have been challenging  
13 at times, but, you know, everybody has worked hard to  
14 represent their interests and to be open to listen and to  
15 come up with solutions. And, as we persevered through those  
16 discussions, I think we've made very good progress.

17 I think that's best evidenced in the series of  
18 resolutions that we passed this last year, and I'll just  
19 highlight them very briefly. On October 24 (sic) of 2014,  
20 we reached two agreements. The first was related to  
21 Nebraska's augmentation and compliance activities for 2014  
22 and how they would be credited and how Kansas could make a  
23 few -- effective use of that water resource. Also, on that  
24 same date, in October 22<sup>nd</sup>, 2014, we reached agreement  
25 related to Colorado's augmentation pipeline to allow them to

1 deliver in 2015, get appropriate credit, and we -- the two  
2 states committed to some very specific work tasks for this  
3 year to address concerns with their augmentation pipeline  
4 and, particularly, concerns on the South Fork. And in  
5 November, the following month, we reached a third resolution  
6 -- passed a third resolution related to Nebraska's planned  
7 augmentation deliveries, compliance activities for 2015 and  
8 how they would be credited. And, again, how Kansas could  
9 make effective use of that -- the water supply that was  
10 provided. Finally, on March 6<sup>th</sup> of this year, we did an  
11 addendum to that resolution to allow Nebraska to make  
12 deliveries late this year should that be necessary and,  
13 again, how that would be accounted.

14 So -- and we'll be talking about another  
15 resolution for the 2016. We're starting to get ahead of the  
16 curve, in terms of these agreements. These agreements are  
17 very important. These are important matters. They've --  
18 they're giving us the opportunity to gain some experience  
19 that, I think, has been very helpful and necessary, and to  
20 continue discussions to reach long-term resolution of these  
21 matters. So, we've been working aggressively with Colorado  
22 in our discussions with them to fulfill the, you know, the  
23 requirements of the October 22<sup>nd</sup> resolution so we can  
24 continue to make progress with them on their issues as --  
25 and our issues as well. So, I appreciate the work of all

1 three states and the commitment to deal with these important  
2 matters and look forward to continuing.

3 With that, I'll conclude my remarks.

4 CHAIRPERSON FASSETT: Great. Thank you,  
5 Commissioner Barfield. Appreciate that. Some of that  
6 background is very helpful for me personally. So thank you.

7 Commissioner Wolfe, Colorado.

8 COMMISSIONER WOLFE: Thank you, Chairman. Yeah.

9 Appreciate, Commissioner Barfield, in your report,  
10 highlighting, certainly, a lot of the efforts undertaken --  
11 that we've undertaken as a Commission this past year. I  
12 think that's -- exemplifies kind of the spirit in which  
13 we've been trying to work under this last year and what we  
14 hope to continue and try to solve these things in a  
15 cooperative manner instead of through litigation. So, I  
16 appreciate those remarks. And, also, certainly, we couldn't  
17 do all that without our staff that support us in what we do.  
18 So, I want to take this opportunity to thank our staff,  
19 certainly those that are here today that I recognized, but  
20 there's a lot of other folks behind the scenes that help  
21 make this happen. And we know that that is even beyond  
22 this; we've got to work with our federal agencies, as well,  
23 in these efforts, and the other water users and stakeholders  
24 in all three states. So, we appreciate their cooperation as  
25 they're patient with us as we work through these resolutions

1 that you'll hear more about today and throughout the year.

2 And, again, I'd just like to highlight and echo  
3 Commissioner Barfield's remarks in regards to our  
4 discussions this week, particularly yesterday, as we  
5 continue to work through trying to look at, potentially,  
6 longer-term agreements in regards to our Compact compliance  
7 efforts. Appreciate the cooperation in both states,  
8 particularly Kansas, though, as we work through towards  
9 November 1<sup>st</sup>, based on the October resolution that you had  
10 mentioned. That we're working on an action plan, how we're  
11 going to address the issues surrounding the South Fork. And  
12 so, we're -- I thought we had productive discussions  
13 yesterday on that and hope that we will, by November 1<sup>st</sup>,  
14 get that plan in place, so that the way our agreement and  
15 resolution was structured from last October is, if we come  
16 to an agreement on that, effectively, it's an automatic  
17 approval for operation of the CCP for 2016 under the same  
18 terms and conditions that we've operated under this past  
19 year.

20 I'd like to just also highlight some of Colorado's  
21 continued commitment to Compact compliance. We continue  
22 with a lot of the similar programs that other states are  
23 doing in terms of conservation measures and trying to  
24 preserve the aquifer and reduce depletions, particularly  
25 associated with well-pumping in Colorado. That's our

1 primary use. We have some limited surface water irrigation  
2 that goes on, but the district continues to do buy-outs of  
3 surface water rights and groundwater rights through various  
4 programs, the CREP and other fallowing programs that the  
5 district avails itself to in the basin.

6 One recent effort that the district is -- was  
7 successful in getting some additional funding is in regards  
8 to the Ogallala Aquifer Initiative. The -- they received  
9 approximately \$1 million from NRCS, from that funding for  
10 this year. In addition, the district is adding \$510,000,  
11 and those funds will be used to permanently take out of  
12 production 510 acres of groundwater irrigation. So that,  
13 again, is complementing the other CREP and EQIP programs  
14 that have been underway for a number of years in the basin.

15 We've had a little bit of, I guess, lesser  
16 activity in regards to the CREP program, principally due --  
17 I was talking to Dennis Coryell about this this morning --  
18 that, because we've made a request to the FSA to increase  
19 that rental rate on that, I think some of the users are  
20 waiting to see what the FSA's decision is on that. Because,  
21 if they do increase that, certainly that'll provide a  
22 greater incentive for those folks after that increase, if  
23 they do act on that. So, we're awaiting that. We  
24 understand that the FSA is under a -- kind of a nationwide  
25 review of the CREP program. And so, there is some delay in

1 getting action on our request, but we hope that that is soon  
2 to come.

3 As far as our Compact compliance, the pipeline,  
4 operations of that, starting January 1 through April, we  
5 produced 6,970 acre feet pursuant to our agreement that we  
6 signed last October. According to our agreement, we will  
7 make another projection of September 1 on what we anticipate  
8 the remainder of production will be throughout the rest of  
9 the calendar year. We anticipate at this point that,  
10 probably, production from the pipeline will start back up in  
11 October, but we will provide that projection, working with  
12 the district and their consultant, along with Willem  
13 Schreüder and our staff, on making that projection.

14 Also, we've -- part of these overall efforts for  
15 Compact compliance, as I mentioned at the last meeting, our  
16 efforts in regards to amending our well-measurement rules.  
17 That hearing is now set for September 10<sup>th</sup> in Burlington.

18 Is that correct?

19 (No response.)

20 I think is where it's located. However, we have  
21 reached agreement with all the objectors who filed in that,  
22 so it should be a pretty straightforward hearing, we hope.  
23 And that really was to -- one of the primary reasons was to  
24 include additional wells, particularly in the southern part  
25 of the basin, that hadn't been included in the original

1 measurement rules that we adopted back in 2008. So, that's  
2 been going pretty smoothly, now that we've worked through  
3 all of the objections, and our staff and Scott Steinbrecher  
4 have been taking the lead on those efforts.

5 Also, the Water Preservation Partnership that's  
6 been established in the basin, the district and all our  
7 groundwater management districts are -- have been actively  
8 working on efforts similar to what Kansas Commissioner  
9 Barfield reported and some of the programs and trying to  
10 look at conservation measures within the basin. Everything  
11 from taking end guns off to, you know, water deficit  
12 irrigation, those type of things. So, they've been actively  
13 working on that and seeking funding for various feasibility  
14 studies and actionable items on that.

15 And, lastly, just to follow up after Commissioner  
16 Barfield reminded me when he was talking about Kansas'  
17 efforts on their water plan, Colorado's been embarked on an  
18 active effort in terms of their, really, first water plan  
19 developed by Colorado. This has been led by the Water  
20 Conservation Board, which is a sister agency of ours in the  
21 Department of Natural Resources in Colorado. But that plan  
22 is close to being finalized. They are accepting final  
23 comments on the draft that are due by September 17<sup>th</sup>, and  
24 then a final report will be submitted to Governor  
25 Hickenlooper in December of this year. So, that's been a

1 huge effort, but, again, trying to address Colorado's water  
2 needs and what we identified as gaps in meeting those needs  
3 40, 50 years into the future.

4 So, with that, Mr. Chairman, that's my report,  
5 unless there's any questions.

6 CHAIRPERSON FASSETT: Great. Thank you.

7 Any questions for Dick?

8 COMMISSIONER BARFIELD: No, no questions. I just  
9 affirm that November 1 deadline that, you know, we're --  
10 we've expressed to Colorado our commitment to get there, and  
11 I believe we will. So --

12 COMMISSIONER WOLFE: Thank you.

13 CHAIRPERSON FASSETT: Good. Very good.

14 On behalf of Nebraska, I've got a report here that  
15 builds upon some of the past work, obviously, that I'm not  
16 as familiar with. But let me just start off by, certainly,  
17 indicating that we are in compliance with the Compact as  
18 well; that that's an important action on our behalf. And I  
19 think, more importantly, I think the tone that I've heard  
20 from you and, really, in the three weeks that I've been here  
21 in this position, I think, of watching these states really  
22 work together as hard as you have, as we did this week on a  
23 number of these complex issues, I appreciate, not only the  
24 work of my staff in helping me get up to speed, but the  
25 input from the other states has been very useful. But I

1 think the tone that I've heard today from your reports and  
2 -- is one that we're certainly committed to. The  
3 collaboration, the opportunities of us working together for  
4 the benefit of all the water users in all three of our  
5 states, I think, is ultimately the goal. And compliance is  
6 important, but we need to be helping the users in these  
7 states.

8 Our compliance work this year has afforded Kansas  
9 water users their full access to the Kansas allocations.  
10 This has been accomplished primarily through the  
11 implementation of the -- I think it's the second or third  
12 generation of the integrated water plans that we've been  
13 working on for a number of years here in the State of  
14 Nebraska, working closely with the natural resource  
15 districts and the other water users in this basin and  
16 elsewhere. We really have appreciated the commitments from  
17 the natural resource districts, through their efforts to  
18 assist the State in compliance and, of course, the  
19 substantial investments that they've made to develop the  
20 projects that we've reported on to this group over the  
21 years.

22 The augmentation project in the Rock Creek Basin  
23 continues to comply and provide supplemental aug water. The  
24 last couple of years, the NCORPE project also is making  
25 contributions through the Medicine Creek drainage. That

1 operation began in '14 and continued through '15 as well.  
2 So, those projects, along with other programs, that Nebraska  
3 has implemented with either temporary or permanent water  
4 right irrigated land retirements or short-term leases, I  
5 think, are all the package of activities that we're going to  
6 continue to focus on with the districts and the other key  
7 water users throughout the basin.

8 Some of you have commented on our partnerships  
9 with the federal agencies. We certainly are going to  
10 continue to work with the Bureau of Reclamation through the  
11 WaterSMART Basin Studies Program, begin to work with some of  
12 the tools that are developed through those activities.  
13 Those are important. The partnership, while strained at  
14 times perhaps, I think is really important to us, and  
15 working with our federal partners together with the states  
16 is really an important aspect of what we do. So, those  
17 partnerships, working with our local water users, and the  
18 districts, and the federal agencies, is really part of the  
19 comprehensive strategy that we hope to implement for the  
20 long term. That's the only way, in my view, although new to  
21 the area, that many of these difficult issues are going to  
22 get sort of resolved.

23 I think you heard a report last year from Nebraska  
24 about the new Water Sustainability Fund that was passed in  
25 2014. The process of getting that new funding program up

1 and running is ongoing. The effort is being led by the  
2 State's Natural Resource Commission with sort of companion  
3 involvement by our Department as well. They are close to  
4 finalizing the governance of this new fund; the application  
5 process, the rules and regulations, all the things that our  
6 legislature authorized in '14 is sort of slowly coming  
7 together. We hope to have final rules by the -- for the end  
8 of the year and begin accepting applications for projects  
9 all across the state early next year. So, we'll hopefully  
10 have some additional reports of some ongoing new projects  
11 that are going to be helpful across the state and that will  
12 certainly include this basin.

13 I think you heard a report from us in the past  
14 that that same legislation authorized a new Republican River  
15 Basin planning process. In addition to the integrated water  
16 management plans and the cooperative works -- excuse me --  
17 the cooperative activities between the Department and the  
18 natural resource districts, there's now a basinwide process  
19 that is just getting started. We've had two to three broad  
20 stakeholder meetings. We have active participation now from  
21 50 to 60 people. I was able to attend my first meeting just  
22 a week or so after I arrived. And, again, sort of a broader  
23 perspective wrestling the same issues that have been handled  
24 on an individual basis through the planning processes that  
25 we have. But we're generating some good dialogue, I think,

1 and, if you will, within the state of Nebraska that's really  
2 critical to help us continue to move forward.

3           Several of you have commented on the past and the  
4 resolutions we'll be considering later today. I have  
5 certainly learned a lot about all of that in the last couple  
6 of days working with you. I'm certainly hopeful that these  
7 resolutions will continue the pattern that we're now on.  
8 Perhaps I'm the lucky one of the group, showing up after the  
9 conclusion of the litigation, as David noted, back in  
10 February. There's still a lot of work for all of us to do.  
11 Certainly, I'm learning a lot about what we need to do, and  
12 I've learned a lot about what you are all doing. But I  
13 think the past work and the current set of resolutions,  
14 while complicated, still somewhat controversial, they are  
15 moving the ball forward, and that is important to the state  
16 of Nebraska. So, we do appreciate the collaboration and  
17 cooperation of working through these matters in a real -- in  
18 a positive manner. We've all learned the hard way. I've  
19 learned the hard way in my past experience with similar  
20 interstate disputes that I've been a part of that those are  
21 less than satisfactory processes. So, I think the work that  
22 we're doing now is really the better path for all of us, and  
23 I believe it will be ultimately a better path for the water  
24 users that we all represent. Those are the -- that's the  
25 bottom line, in our view. Compliance is a goal. We don't

1 want to be out of compliance. But we've really got to be  
2 helping the water users, and I think that's what we believe  
3 these resolutions and all the work that we're working on now  
4 really are pointing to.

5 So, I think, with that, I'll close my comments.  
6 Maybe, if you give me the privilege, I'll ask if my deputy,  
7 Mr. Schneider, maybe, has any other thoughts that you might  
8 want to add for our report that I may have overlooked or --

9 MR. SCHNEIDER: No, I think that was very well  
10 said.

11 CHAIRPERSON FASSETT: Okay. All right. Very  
12 good.

13 MR. SCHNEIDER: Jesse has the water administration  
14 report.

15 CHAIRPERSON FASSETT: He does.

16 MR. SCHNEIDER: Yeah.

17 MR. BRADLEY: Okay. Yeah, I'll just, you know,  
18 2014 saw a fairly high level of activity with regard to  
19 water administration in the Republican River Basin. You  
20 know, I'll just kind of go through the report and note some  
21 of the highlights, if you will, within the report. I would  
22 like to say though that a full copy of the report of water  
23 administration activities for the Republican River Basin in  
24 Nebraska for calendar year 2014 was provided with the annual  
25 data exchange on April 15<sup>th</sup>.

1           2014, it started out with the Department issuing  
2 letters to all of the users in the basin, storage and  
3 natural flow permit holders. Those were based on our  
4 Compact call year order, which came out of our forecast,  
5 which was completed on December 31<sup>st</sup>, 2013. So, everyone in  
6 the basin got those on January 1<sup>st</sup>. On January 31<sup>st</sup>, the  
7 Department issued an additional closing notice to the Bureau  
8 of Reclamation that notified them that Harlan County  
9 Reservoir was closed, but storage could retain inflows for  
10 the sole purpose of delivering those to Kansas Bostwick  
11 Irrigation District. Throughout the spring, we issued a  
12 number of additional mailings and notices to water users in  
13 the basin as we sought to finalize our water-use data  
14 through the spring. Those were in a variety of mailings.

15           Fast forwarding to early summer, on June 27<sup>th</sup>, we  
16 were able to open up 21 natural flow permits for irrigation.  
17 Those went out with opening and regulating notices on June  
18 27<sup>th</sup>. Then, about a week later, on July 2<sup>nd</sup>, we were able to  
19 open up an additional 409 irrigation permits in the basin,  
20 notifying that they were open under their conditions of  
21 their permit. Starting on July 8<sup>th</sup> then, there were some  
22 additional closing notices that went out through the month  
23 of July, about a hundred of them that went out, and those  
24 were largely for protection of senior rights in the basin  
25 based on priority calls.

1           Again, kind of fast forwarding then into the fall,  
2           you know, we talked about the resolution that occurred on  
3           October 22<sup>nd</sup> amongst the three states. That really was a  
4           big step for us in terms of what we could do under our water  
5           administration as well. And so, subsequent to that  
6           resolution, on October 23<sup>rd</sup>, we issued opening notices to  
7           165 irrigators in the basin and an additional 87 storage  
8           permits in the basin that allowed them to open and use their  
9           permits.

10           Wrapped up the year on December 8<sup>th</sup> by mailing out  
11           our water use reports to all of the irrigation users in the  
12           basin. And then, subsequently, have collected that data and  
13           provided it through the data exchange.

14           That's really all I have in terms of the high  
15           points, I guess, of the report. I would like to, however,  
16           express appreciation to the Cambridge Field Office. They're  
17           the ones who do all the heavy lifting, in terms of carrying  
18           out this water administration activity and getting all those  
19           notices out. And it's no small task, I know.

20           With that, any questions?

21           (No response.)

22           CHAIRPERSON FASSETT: All right, Jesse. Thank you  
23           very much. Appreciate that.

24           Anything else in the reports from the states?

25           (No response.)

1 All right. Let's move ahead to Agenda Item 5,  
2 federal reports. I'll first call upon the Bureau of  
3 Reclamation.

4 Mr. Thompson, can you come up here, Aaron? It  
5 helps with the microphone for our court reporter, as well as  
6 everybody, to hear.

7 MR. THOMPSON: Good morning. I'm Aaron Thompson,  
8 Area Manager for the Nebraska-Kansas Area Office, located in  
9 McCook, Nebraska. We operate and maintain seven reservoirs  
10 in the Republican River Basin located in all three states.  
11 This year, like many before, Reclamation has prepared a  
12 summary report of our operations in the Republican River  
13 Basin. I believe each commissioner has been handed a copy,  
14 and we've put a few additional copies at the table just  
15 outside the back of the room. The report represents a  
16 complete summary for 2014 and a summary through the end of  
17 July for 2015.

18 Rather than go through the report line by line,  
19 I'll just hit a few of the highlights, as Jesse did just a  
20 minute ago. Water short year administration was in effect  
21 for both 2014 and 2015. In 2014, Kansas Bostwick Irrigation  
22 District, again, entered into a temporary Warren Act  
23 contract to store up to 30,000 acre feet of non-project  
24 water, which was later amended to store up to 60,000 acre  
25 feet of non-project water. Amendment No. 2 then extended

1 the term of the contract to December 31<sup>st</sup>, 2015. This  
2 allowed the Kansas Bostwick Irrigation District the  
3 flexibility to use the non-project water during the  
4 irrigation season when it was most needed.

5 Just a brief update on the Republican River Basin  
6 Study through the WaterSMART Program. A recent draft report  
7 has been circulated for review. We are currently reviewing  
8 and incorporating comments with an expected final report  
9 that's scheduled to be completed by November of 2015.

10 And the last thing I'll mention is I recently held  
11 our sixth negotiation session with the State of Colorado's  
12 -- State of Colorado Department of Wildlife and Parks.  
13 During that negotiation session, we agreed that we've  
14 reached agreement on our contract dispute between the two --  
15 between Reclamation and the State, and we're hopeful to have  
16 that new contract in place prior to the end of this calendar  
17 year.

18 So, it's a short summary, but any questions?

19 CHAIRPERSON FASSETT: Any questions for Mr.  
20 Thompson?

21 MR. BRADLEY: Just on the basin study plan, I know  
22 that a lot of people have been interested. Is that  
23 something that the Bureau of Reclamation will end up then  
24 putting on their website? As being posted, that final  
25 report?

1                   MR. THOMPSON: I don't know if we'll -- where we  
2 plan to store it, but I -- we can definitely make it  
3 available on our website, if that would be a preferred  
4 location.

5                   MR. BRADLEY: Yeah. I was just curious. I know  
6 there's been a lot of interest from stakeholders.

7                   MR. THOMPSON: Yeah. I think that's something  
8 we'll definitely do now.

9                   CHAIRPERSON FASSETT: Yeah, that's a great  
10 suggestion. That's such an easy way for a broader public to  
11 look at the report.

12                   MR. THOMPSON: Yep.

13                   CHAIRPERSON FASSETT: Yes, Mr. Wolfe.

14                   COMMISSIONER WOLFE: I wanted to thank Aaron again  
15 this year for all of your help and, particularly, your staff  
16 too, in operations out at Bonny Reservoir working with our  
17 staff. We greatly appreciate the cooperation there as we  
18 continue to manage those activities there at the dam. So,  
19 thank you.

20                   MR. THOMPSON: Yeah, thanks, Dick. And same to  
21 your staff as well out there.

22                   CHAIRPERSON FASSETT: All right. Thank you very  
23 much.

24                   MR. THOMPSON: Thank you, Chairman.

25                   CHAIRPERSON FASSETT: Appreciate it.

1                   Next, we'll hear from the Corps of Engineers. Mr.  
2 Stark?

3                   MR. STARK: Good morning. I'm Ken Stark. I'm the  
4 Project Manager for the Tainter Gate Repair Project at  
5 Harlan County.

6                   (Pause in proceedings due to technical  
7 difficulties.)

8                   MR. SCHNEIDER: Were you going to do a PowerPoint  
9 too?

10                  MR. LAMBRECHT: I don't have a PowerPoint. Do you  
11 want USGS to step up and --

12                  MR. SCHNEIDER: Sure.

13                  MR. LAMBRECHT: -- just talk?

14                  COMMISSIONER WOLFE: Yeah.

15                  CHAIRPERSON FASSETT: Yeah, let's do that. Thank  
16 you for your flexibility. While we're resolving those  
17 issues, why don't we have our report from the U.S.  
18 Geological Survey? So, Jason?

19                  MR. LAMBRECHT: You betcha. I'm Jason Lambrecht.  
20 I'm with the U.S. Geological Survey, the Nebraska Water  
21 Science Center, here in Lincoln, Nebraska. Oh, the USGS is  
22 -- for the Compact -- operates 15 stream gauges, and,  
23 annually, we provide a report of the information.  
24 Generally, we just provide an annual mean discharge for each  
25 of those sites. And, typically, we have a PowerPoint.

1 Thank God, I don't today. This isn't the day for it.

2 So, sorry, Corps.

3 (Laughter.)

4 The USGS operates 13 of these 15 gauges, actually.  
5 The Nebraska DNR operates two of the stream gauges. They  
6 provide the record to us for approval of the record. I'm  
7 just going through some highlights. I have a handout that  
8 was on the table, and everybody at the table has it, but I'm  
9 just going to touch on some highlights, because it's very  
10 dry stuff, actually.

11 The records from these stream gauges -- well, the  
12 operation of these stream gauges has been anywhere from 53  
13 to 81 years, and so a really long-term system. Ten of these  
14 stream gauges are solely funded by the National Streamflow  
15 Information Program, and that's money allocated directly to  
16 the U.S. Geological Survey to operate stream gauges. Three  
17 of these gauges are funded by a combination of this NSIP,  
18 that I just spoke of, and other agencies, the Army Corps,  
19 the Nebraska DNR, and, also, the U.S. Bureau of Rec. Then,  
20 in regards to the -- then, the last -- the two DNR gauges  
21 there, they provide data to us. Those gauges are -- well,  
22 the records work is funded by the Nebraska DNR, but, also,  
23 by the Army Corps and through this NSIP program again. The  
24 USGS reviews and provides the records, and they're available  
25 in our annual reports. And, in addition, we also maintain

1 DCPs at these stream gauges, these two stream gauges that I  
2 mentioned.

3 On the handout that I have around, I was just  
4 going to give a few of the highlights from that. There's a  
5 summary table on the first page of that thing. And it's a  
6 -- just tapping on that, that's where most of the meat of it  
7 all is at. But, in addition, there's also a graphic display  
8 for each of the stream gauges showing information about the  
9 water year 2014 mean discharge for each site. Now, bear in  
10 mind, this is water year 2014 data that I'm providing.  
11 That's from October 1 of '13 until September 30<sup>th</sup> of 2014.  
12 Of note from water year 2014, that nine of these 15 stream  
13 gauges were -- they were within the top 10 for the lowest  
14 mean discharge on record, meaning, of course, that 2014 was  
15 another one of those dry years following that 2012 drought,  
16 and it just persisted into '14. Been a nice summer so far,  
17 though.

18 Rock Creek at Parks had a mean discharge of 32.1  
19 cubic feet per second, which was actually 261 percent higher  
20 than the long-term mean discharge of 12.3 cubic feet per  
21 second. That's after 74 years of record.

22 The South Fork Republican River near Benkelman had  
23 a zero mean discharge, zero cubic feet per second, for water  
24 year 2014. In 77 years of record, that's only happened,  
25 actually, five times, and they were all since 2004.

1           The Cortland Canal had the 16<sup>th</sup> highest mean  
2 discharge, at 91 cubic feet per second, on record in 60  
3 years. Sixteenth out of 60 years might not sound  
4 interesting, but that's still 120 percent above the long-  
5 term mean.

6           Of note for 2015, moving into this current year,  
7 thanks to a bump in the NSIP funding, that National  
8 Streamflow Information Program funding from Congress, the  
9 USGS was able to assume operation at three of the Nebraska  
10 DNR stream gauges in the Republican Basin so that they could  
11 allocate funds elsewhere. Those gauges were the Beaver  
12 Creek near Beaver City, Republican River at Benkelman, and  
13 the Republican River at Guide Rock. It's assumed that these  
14 three gauges should be included in future USGS reports for  
15 the Committee. So, we'll probably do so.

16           After several years of -- is it several years of  
17 augmentation on Rock Creek? I don't know. There's been a  
18 couple. I lose track. But, it looks like, in January, that  
19 the flows dropped from what we were seeing from 20 to 35 cfs  
20 at Rock Creek down to about -- an average of about four to  
21 six cfs again at that site.

22           As far as records work for water year 2015, I know  
23 that David Kracman was looking for information, and we  
24 weren't able to provide finalized stuff yet for water year  
25 2015, but the -- so far, the records have all been worked

1 through May of 2015 for the Republican Basin. But, due to  
2 recent personnel shortages, we're -- we haven't been able to  
3 approve those yet. So, they are approved, generally, up to  
4 about November of 2014.

5 And that pretty much concludes my highlights.  
6 And, now, the cool stuff from USGS, if there's any  
7 questions?

8 (No response.)

9 It's cool.

10 CHAIRPERSON FASSETT: Any questions for Jason?

11 (No response.)

12 Very good. Thank you very much.

13 MR. LAMBRECHT: You're welcome.

14 CHAIRPERSON FASSETT: We appreciate your report.

15 Ken, we're up and running.

16 MR. STARK: Right.

17 CHAIRPERSON FASSETT: Thank you for your patience.

18 We'll now go back to the Corps of Engineers.

19 Thank you, Jesse.

20 MR. STARK: Alrighty.

21 MR. SCHNEIDER: Other duties, as assigned.

22 (Laughter.)

23 MR. BRADLEY: That's right.

24 MR. STARK: Appreciate that.

25 This morning, we'll talk a little bit about the

1 dam, the features out there that we're working with, the  
2 repairs that we're trying to do, and then where we're at on  
3 the construction status -- the repair status.

4 Harlan County, I frequently get it from the folks  
5 down in Kansas City, "Hey, where is Harlan County?" I  
6 always tell them, "Just go out I-70, get to Hays, head north  
7 to the state line." So, we're in that mid frame here. Next  
8 slide will kind of zoom in here. And what I want to point  
9 out here, the dam itself is about two miles, 12,000 feet  
10 approximately. The spillway right in the middle of the dam,  
11 that's about 856 feet of concrete. And that's where tainter  
12 gates or spillway gates are. We have 18. And you notice  
13 the dam's already pretty steep. The spillway and the  
14 concrete portion is much steeper. The challenges we face at  
15 Harlan County is we've got water upstream and downstream.  
16 We've replaced the -- repaired the spillway gates at Tuttle  
17 Creek, but we could just simply drive up. There was  
18 concrete -- dry concrete on the upstream side, dry concrete  
19 on the downstream side. You could just take a cherry picker  
20 up there and start working on your gates. Can't do that at  
21 Harlan County, so that makes it more difficult.

22 Next slide. Harlan County Dam, built back in the  
23 1940s. Over 60 years old. It does not have -- did not have  
24 a way to de-water those gates. So, the normal level, the  
25 typical level, that should be at Harlan County is 1945.73.

1 That's kind of where that dark line is on those gates. This  
2 week, it is about 13 feet below that. The record low is 20  
3 feet. And then, back in 1960, the record high was 10 feet  
4 above the normal pool. So, quite a range. But, typically,  
5 below.

6 Harlan County Dam, our big repair effort is the  
7 spillway gates, but we're really working on all the water  
8 features. The sluice gates, there's nine sluiceways. We're  
9 engineers. We've got some redundancy there. So, each  
10 sluiceway has two gates. There's two irrigation canals:  
11 The Franklin, which is a five-and-a-half foot diameter  
12 conduit; and the Naponee, which is a two-foot, 10-inch  
13 diameter conduit. Those are the methods of getting water  
14 through Harlan County.

15 The tainter gates, the spillway gates, they're  
16 basically just radial gates, curved gates, on that middle  
17 portion of the dam. That's where the major repairs are, the  
18 major expense. Designed back in the 1940s with no friction  
19 in those bearings, so that pivot point, the original  
20 designers assumed that would be nice and smooth. There is  
21 tons of friction in those bearings. Essentially, the gates  
22 -- the brakes that we have out there, we're not even using,  
23 because there's so much friction, you don't need brakes.  
24 They just -- it's very rough. It's very hard to get those  
25 gates up.

1           Construction status, our first phase, we talked  
2 about normal pool being up on the gates. There was no de-  
3 watering. Our first phase, we started with stoplogs. Went  
4 under contract back in September of '13, and in March of  
5 '15, we took into service three sets of eight stoplogs. So,  
6 those stoplogs are individual, kind of like I-beams.  
7 They're H sections. They just go into the slots. And if  
8 you look closely at the photo, you'll see more slots there.  
9 So, there's guide beams and support beams. We have support  
10 beams and guide beams for six bays. So, they can simply  
11 take those stoplogs and move them back and just continue  
12 hopping as they make the repairs to the spillway.

13           Currently working on bay one through four on those  
14 tainter gates, radial gates. The first three have been  
15 blasted. They blast all the paint off. The paint's  
16 actually -- go back to the 1940s, it's got lead. And so,  
17 there's a containment center. There's a lot of effort to  
18 get that paint off. After the paint's off, they can inspect  
19 the welds. They'll inspect them, determine which welds need  
20 to be repaired. Those first three bays, they've done those  
21 weld repairs.

22           Essentially, we're going to also do a lot on  
23 restricting on those arms. They'll be replacing the  
24 bearings. So, essentially, we'll get as close as we can to  
25 having minimal friction and just being able to operate those

1 gates. The controls to those gates, original 1940s  
2 controls, many of them have failed. When we have done our  
3 annual exercises, we have redundancy. We'll take controls,  
4 and sometimes we can't even get the backup to the backup to  
5 work. They're just that bad. So, once we've replaced --  
6 conducted the repairs, it'll be all-new controls. We'll  
7 have confidence that we'll be able to get those gates up  
8 when we need them up.

9 This is just it's in- -- version, where you can  
10 see that the actual gate has been blasted. That's bay  
11 number two. Bay number four has that containment unit on  
12 it. They're getting ready to blast that. They've also  
13 blasted -- we have a bulkhead. And down below the dam,  
14 there's nine sluiceways that are used for normal flows.  
15 That single bulkhead will be placed, and then they can pull  
16 those sluice gates out of the interior of the dam. And that  
17 will be going sluiceway by sluiceway. But the first step to  
18 that phase is getting that bulkhead ready. It's been  
19 blasted. They're going to inspect it and make any repairs,  
20 and then they can use it.

21 We're also in the process of placing -- getting  
22 new irrigation stoplogs, so that we can eventually inspect  
23 the gates and make necessary repairs. The gate --  
24 irrigation gate work and the repairs to the irrigation lines  
25 are not under contract yet, but we're gearing up for that

1 effort.

2 So, overall, we're working on all of the water  
3 management features at Harlan County Dam. Is there  
4 questions about current points or any of the water features?

5 (No response.)

6 Okay. Thank you for the opportunity for an  
7 update.

8 CHAIRPERSON FASSETT: Ken, I might just ask, what  
9 is the overall schedule for completing all of this work and  
10 the budgets and things?

11 MR. STARK: Overall, we awarded the large tainter  
12 gate repair contract last September. Looking to get that --  
13 current completion date is the middle of '18. So, it's a  
14 three-and-a-half year contract. The irrigation gate  
15 repairs, we're hopeful we can just kind of tag that on, very  
16 small portion to this work. You know, less than one  
17 percent. Overall, dollar-wise, our total estimate from  
18 fiscal year '12 up to '18, we're looking at about 43  
19 million. That's our current estimate of everything, even  
20 the work that's not under contract. And there's some give  
21 or take there. There's some contingency dollars. You know,  
22 so far, I think the team has done well at keeping the cost  
23 down. We've actually sent back money that we -- the bids  
24 have come down lower than we thought on those gates, and so,  
25 this year, we were able to send back close to four, four-

1 and-a-half million. So, -- but the overall cost, we're  
2 looking at 43. There's definitely -- it depends on how the  
3 next bids come in, what problems we run into the next few  
4 years. So, it -- definitely some give or take there.

5 Any other questions on schedule or dollars?

6 (No response.)

7 Okay. Thank you.

8 CHAIRPERSON FASSETT: Thank you very much.

9 MR. BRADLEY: And anybody that's interested, this  
10 is available on our website if you want to have access to  
11 his presentation.

12 CHAIRPERSON FASSETT: That completes our federal  
13 reports for the meeting. Let's move on to Agenda Item No.  
14 6, report of our Engineering Committee. I'll ask Mr.  
15 Schneider to give the report of the committee.

16 MR. SCHNEIDER: Thank you.

17 The Commissioners have the final Engineering  
18 Committee report, along with a CD that contains all of the  
19 attachments. I'll just go through the Executive Summary.

20 The Engineering Committee met four times since  
21 last August's Republican River Compact Administration Annual  
22 Meeting. We completed two assignments: One, being holding  
23 quarterly meetings; and, two, exchanging information listed  
24 in Section 5 of the Accounting Procedures and Reporting  
25 Requirements, including all required data and documentation.

1           Four assignments from last year that we recommend  
2           be ongoing are: To continue efforts to resolve concerns  
3           related to varying methods of estimating ground and surface  
4           water recharge and return flows and related issues. Two, to  
5           continue working on finalizing accounting for 2006 through  
6           '14. And, actually, we modified that to be '05 to '14 in  
7           the assignment. Working to resolve issues preventing  
8           agreement on final accounting for those -- that time period  
9           of 2006 or 2014. There are -- the committee identified  
10          three issues in our report last year that we needed to  
11          resolve. We did resolve one of those, and we're continuing  
12          to work on the other two. And the fourth ongoing  
13          assignment, discussing any accounting changes that may be  
14          needed for surface water diversions for the purpose of  
15          recharging groundwater.

16                 There are a couple of additional assignments that  
17                 we added to the list that you'll see, and there are a couple  
18                 of assignments that we received last year that we did not  
19                 complete, and we are not recommending those for assignment  
20                 for this year.

21                 To conclude, the Engineering Committee recommends  
22                 discussion by the RRCA on the exchange of data and  
23                 documentation and the modeling runs completed by Principia  
24                 Mathematica for 2014, discussion of Nebraska's proposal to  
25                 revise the RRCA accounting procedures and reporting

1 requirements and RRCA rules and regulations documents, and  
2 the recommended Engineering Committee assignments for the  
3 following year.

4 With that, I will be glad to answer any questions.

5 COMMISSIONER BARFIELD: No questions from Kansas.  
6 You know, we'll act on the report and the assignments later  
7 in the agenda.

8 MR. SCHNEIDER: Absolutely.

9 COMMISSIONER WOLFE: Thank you for your efforts  
10 again this year. We greatly appreciate the Engineering  
11 Committee's work.

12 MR. SCHNEIDER: Yep. It was, again, I think, a  
13 very good year in terms of getting things done.

14 CHAIRPERSON FASSETT: Okay. Moving along, Item  
15 No. 7, under old business. We do have just a couple of  
16 items here on the agenda that we approved, status of  
17 unapproved previous accounting.

18 Maybe, Jim, do you want to just sort of quickly  
19 touch on that issue and --

20 MR. SCHNEIDER: Certainly. In terms of unapproved  
21 accounting, we have the accounting for 2006 through 2014  
22 that the Engineering Committee is still working on. I think  
23 we made great strides in that effort in terms of identifying  
24 all the final data. You know, through the period of the  
25 litigation, there was not a uniform set of data being

1 maintained within the Engineering Committee. Each state  
2 kind of had their own data, sometimes several versions of  
3 it, that was being used. So -- and, actually, Willem  
4 Schreüder assisted the Engineering Committee greatly in  
5 putting together a single set, and that's nearly finalized.  
6 So, at a minimum, I anticipate next year we'll have all of  
7 the final input data ready, and then it will just be a  
8 matter of whether or not we work through those issues that  
9 are preventing approval of the final accounting.

10 So, with that, are there any questions?

11 COMMISSIONER BARFIELD: No. No questions.

12 COMMISSIONER WOLFE: (Shakes head in the  
13 negative.)

14 CHAIRPERSON FASSETT: The new guy's dying to ask,  
15 but I'll pass.

16 (Laughter.)

17 Sometimes it's not helpful to talk about history.

18 (Laughter.)

19 COMMISSIONER WOLFE: We can't change it.

20 CHAIRPERSON FASSETT: I was interested in that  
21 whole topic, going back so far. So, anyway, no. I  
22 appreciate that. I know there's been an awful lot of work  
23 put into these things, and I suspect we're all greatly  
24 looking forward to the point where all of those past  
25 accounting things can be behind us. So, I'm glad, like --

1 as you said, Commissioner Wolfe, appreciative of the  
2 Engineering Committee's work to really grind through really  
3 the minutia that is ultimately very important for all of us.  
4 So, we do appreciate that.

5 COMMISSIONER BARFIELD: And as Jim has said, even  
6 though we have -- we're not ready to approve those yet, we  
7 are making progress toward the goal.

8 CHAIRPERSON FASSETT: Okay. Very good. The next  
9 item under old business was to approve the annual report  
10 from '13.

11 Commissioner Barfield, did you want to comment on  
12 that?

13 COMMISSIONER BARFIELD: Yes. We did prepare an  
14 annual report. We had four special meetings that year, plus  
15 the annual meeting. Each of those has transcripts the  
16 states have approved. We prepared summaries for each  
17 special meeting and the annual meeting that were drafted and  
18 distributed and approved by each state. We compiled all of  
19 that. It's a record of over 800 pages this year. It  
20 smashes the old record of 535 pages and, hopefully, will  
21 never be repeated again. I think we're in agreement. We  
22 distributed the report on some CDs. I think there may be a  
23 couple of changes we need to note for the record.

24 Is that true?

25 MR. SCHNEIDER: I think it was just a couple of

1 duplicate pages that they sorted out.

2 COMMISSIONER BARFIELD: All right. So, anyway, I  
3 think, with that, I would move that we approve the annual  
4 report that was distributed minus the duplicate pages that  
5 were found.

6 COMMISSIONER WOLFE: Second.

7 CHAIRPERSON FASSETT: Motion and second to approve  
8 the 2013 Annual Report with some very minor modifications.  
9 All in favor, signify by saying aye.

10 COMMISSIONER WOLFE: Aye.

11 COMMISSIONER BARFIELD: Aye.

12 CHAIRPERSON FASSETT: Any opposed?

13 (No response.)

14 Very good. Thank you. Yeah, I hope a record  
15 number of pages is not the goal.

16 (Laughter.)

17 I have to admit, I didn't -- I only got through  
18 800. I didn't get to 830 in my own review of that report.

19 (Laughter.)

20 Okay. Very good. Thank you. Let's move on.

21 Agenda Item 8, new business. We got the first action here  
22 under Item, sub, (a), is action on the Engineering Committee  
23 reports. Commissioners, is there some direction or motion  
24 you want or need in that regard?

25 COMMISSIONER WOLFE: Mr. Chairman, I move that we

1 approve the Engineering Committee report and the associated  
2 assignments for the upcoming year.

3 COMMISSIONER BARFIELD: I would second.

4 CHAIRPERSON FASSETT: Motion and second. Any  
5 discussion?

6 (No response.)

7 All in favor, signify by saying aye.

8 COMMISSIONER WOLFE: Aye.

9 COMMISSIONER BARFIELD: Aye.

10 CHAIRPERSON FASSETT: Any opposed?

11 (No response.)

12 Very good. Go forth, Engineering Committee.

13 (Laughter.)

14 Item (b), this is a resolution approving the  
15 updated accounting procedures that we've been working on  
16 collectively here for a while. I'll call on Mr. Schneider  
17 to give a quick update regarding that resolution that's  
18 pending before us.

19 MR. SCHNEIDER: Certainly. This resolution would  
20 approve, essentially, two changes to the accounting  
21 procedures. The first change would implement the Court's  
22 ruling regarding the matter of consumption of imported water  
23 by Nebraska. And the second is a change to Table --  
24 Attachment 7 of the accounting procedures, that now utilizes  
25 a column that was formerly un-utilized, which is the data on

1 wasteway spills and some associated changes in the  
2 computations within that table so that those spills are  
3 recognized and properly accounted for.

4 Any questions on that resolution?

5 COMMISSIONER BARFIELD: No questions. We  
6 discussed this at length in our work session yesterday. I  
7 think we're all in agreement. We're ready to move forward  
8 with it.

9 CHAIRPERSON FASSETT: Commissioner Wolfe?

10 COMMISSIONER WOLFE: Mr. Chairman, I move adoption  
11 of the referred-to resolution that Mr. Schneider has just  
12 introduced before us.

13 COMMISSIONER BARFIELD: I would second.

14 CHAIRPERSON FASSETT: A motion and a second to  
15 approve the resolution associated with the updated version  
16 of our accounting procedures and the new attachment. Any  
17 further discussion?

18 (No response.)

19 All in favor signify by saying aye.

20 COMMISSIONER WOLFE: Aye.

21 COMMISSIONER BARFIELD: Aye.

22 CHAIRPERSON FASSETT: Very good. Motion passes.

23 The issue for our consideration under Sub-item (c)  
24 is not really a resolution, as Commissioner Wolfe pointed  
25 out, but really the suggestion and the drafting of some

1 revised -- excuse me -- some minor revisions to our rules of  
2 the RRCA to deal with this matter of accounting. Again,  
3 I'll ask Mr. Schneider to maybe comment briefly on what's  
4 before us.

5 MR. SCHNEIDER: Sure. The rules and regulations  
6 specifically point to accounting procedures that are to be  
7 utilized by the Compact Administration, so with the update  
8 of the accounting procedures, we need to update the rules  
9 and regulations to reflect that. And we almost have three  
10 commissioners with the middle initial W, but Dick's had been  
11 put in there inadvertently. He doesn't have a middle name,  
12 I think.

13 COMMISSIONER WOLFE: My last name starts with a W.  
14 That's --

15 MR. SCHNEIDER: So, one minor typographic  
16 correction as well.

17 CHAIRPERSON FASSETT: Very well. Any questions  
18 about the rule changes? We're now updating ourselves to, I  
19 think, there was some suggestions and discussion at our  
20 meetings about maintaining dates so that we can keep track  
21 of the right versions of all these various changes over  
22 time. This will now be the August 27<sup>th</sup>, 2015, version of  
23 our accounting procedures. So, any other comments or  
24 questions?

25 Yes, Commissioner Wolfe.

1                   COMMISSIONER WOLFE: Yes, thank you, Mr. Chairman.  
2                   I think, as we had discussed yesterday in the work session,  
3                   just for the record, wanted to highlight in regards to  
4                   paragraph 14, where it refers to the Groundwater Model,  
5                   Version 12(S)(2). That particular version is being used  
6                   through accounting year 2011 for that purpose, and, as Mr.  
7                   Schreüder had indicated to us -- Dr. Schreüder -- that we  
8                   are now into Version 13 that will potentially be used for  
9                   water years -- or calendar years 2012 and onward. But just  
10                  wanted to reflect that we'll probably have to be making some  
11                  future amendments to this to reflect as we evolve into that  
12                  next version of the model. So, I just wanted to get that on  
13                  the record, so in case there's any question as we move  
14                  forward on what version that accounting -- what model  
15                  version that'll utilize.

16                 CHAIRPERSON FASSETT: Okay. Very good. Yeah, I  
17                 thought we had some good discussion about that issue.

18                 COMMISSIONER WOLFE: I was also just informed that  
19                 there's -- that that may be Version 12(S)(3), instead of  
20                 12(S)(2). I guess I just want to make sure --

21                 MR. STEINBRECHER: No, instead of 13 -- the new  
22                 model.

23                 COMMISSIONER WOLFE: I'm sorry. Instead of  
24                 Version 13, it's 12(S)(3) as for 2012 onward.

25                 CHAIRPERSON FASSETT: Oh, okay.

1                   COMMISSIONER WOLFE: I misspoke in terms of the  
2 version number, so --

3                   CHAIRPERSON FASSETT: But, for our purposes today,  
4 what's here in the modification to the rules is correct?

5                   COMMISSIONER WOLFE: Yes.

6                   CHAIRPERSON FASSETT: Okay.

7                   COMMISSIONER WOLFE: Thank you.

8                   COMMISSIONER BARFIELD: So, with that, I would  
9 move that we adopt the rules and regulations, as revised,  
10 for August -- dated August 27<sup>th</sup>, 2015.

11                   COMMISSIONER WOLFE: Second.

12                   CHAIRPERSON FASSETT: Motion and a second to  
13 approve the rules, as revised through today, August 27<sup>th</sup>,  
14 2015. All in favor, signify by saying aye.

15                   COMMISSIONER WOLFE: Aye.

16                   COMMISSIONER BARFIELD: Aye.

17                   CHAIRPERSON FASSETT: Any opposed?

18                   (No response.)

19                   Hearing none, they are approved.

20                   COMMISSIONER BARFIELD: Mr. Chairman, I probably  
21 should have done this earlier. In the past, as we -- we  
22 basically assign exhibit numbers to each exhibit we're going  
23 to attach to the report. I wonder if we can just go  
24 through, for the purpose of the court reporter and I think  
25 the record, just, you know, establish which of these things

1 in front of us we're going to attach to the annual report  
2 and give them, you know, exhibit numbers or attachment  
3 numbers.

4 MR. SCHNEIDER: You mean for the transcript?

5 COMMISSIONER BARFIELD: Well, for the annual  
6 report, ultimately. I mean, for the transcript, but,  
7 ultimately, for the annual report as well. I think we've  
8 done that in each case.

9 CHAIRPERSON FASSETT: Yeah, I'm familiar of the  
10 past practices of how that's handled.

11 COMMISSIONER BARFIELD: Right. So, we could just  
12 go through right now and say the Bureau of Reclamation's I  
13 think was the first report that came before us, and that  
14 could be Attachment A to the transcript and, ultimately, to  
15 the report.

16 MR. SCHNEIDER: I mean, we can probably handle  
17 that as we type up the meeting --

18 COMMISSIONER BARFIELD: We could.

19 MR. SCHNEIDER: -- minutes and we'll -- and  
20 circulate that. We'll assign attachment variables to those  
21 and --

22 CHAIRPERSON FASSETT: Yeah, if you -- I think we'd  
23 like to have the discretion while we're putting the report  
24 together, if that's okay, instead of labeling things now.  
25 When you get that first package, you'll see the connections

1 that you're suggesting.

2 COMMISSIONER BARFIELD: Sure. Okay. We can do  
3 that.

4 CHAIRPERSON FASSETT: The next item, Sub-item (d),  
5 8 (d), is a resolution honoring my predecessor, Brian  
6 Dunnigan, as the Director of the Department of Natural  
7 Resources and a member of this Commission. If -- I think  
8 it's appropriate, if you'll bear with me, I'd like to sort  
9 of read that resolution into the record on behalf of  
10 Nebraska.

11 Again, the resolution that we're circulating for  
12 action today is a resolution of the Republican River Compact  
13 Administration honoring Brian P. Dunnigan. "Whereas Brian  
14 Dunnigan of Lincoln, Nebraska, has resigned his position as  
15 Director of the Department of Natural Resources and, thus,  
16 the Nebraska Commissioner of the Republican River Compact  
17 Administration, after having served faithfully in that  
18 position for six years and served the people of Nebraska  
19 through his continued committed public service at the  
20 Department for 32 years; and, whereas, as the Nebraska  
21 Commissioner to the RRCA and the Director of the Nebraska  
22 DNR, Brian has diligently and considerately represented the  
23 Compact interest of the State of Nebraska and the residents  
24 of the Republican River Valley in Nebraska, utilizing  
25 science-based information and utilizing his genuine high

1 regard for water users; and, whereas, while consciously  
2 representing the State of Nebraska and its constituents,  
3 Brian exhibited professionalism, integrity, and provided  
4 leadership and guidance toward addressing the complexities  
5 of water administration and the Compact's compliance issues,  
6 continually reaching out to the States of Colorado and  
7 Kansas to compile the most accurate accounting possible of  
8 the waters of the Republican River, and to reach fair and  
9 reasonable solutions to many issues associated with the  
10 Republican River Compact; and, whereas, Brian carefully and  
11 successfully guided the Department of Natural Resources  
12 through major river management issues with his years as  
13 Director that he referred to as 'the highlight of my  
14 career'; and, whereas, with more than a hundred employees,  
15 DNR manages the state's rivers, reservoirs, and flood  
16 plains, along with the interstate water agreements; and,  
17 whereas, Brian consistently led the DNR in his  
18 straightforward and honest way, always listening carefully  
19 and thoughtfully to the various competing interests for  
20 Nebraska's water, as well as with our water partners in the  
21 surrounding states; whereas, former Governor Heineman, whose  
22 administration Brian served, considers Brian an outstanding  
23 Director and that, under his leadership, Natural Resources  
24 had many successes, most notably the spirit of cooperation  
25 that basin (sic) has supported -- has fostered with the

1 water users across our state and with our friends in the  
2 neighboring states; now, therefore, be it resolved that the  
3 Republican River Compact Administration does hereby express  
4 its sincere gratitude and appreciation to Brian P. Dunnigan  
5 for his dedicated service to the RRCA in his position of  
6 Nebraska Commissioner and others and extends its best wishes  
7 to Mr. Dunnigan for all his future endeavors. Be it further  
8 resolved that the RRCA honors Mr. Dunnigan's service by  
9 including this resolution and appropriate dedicatory remarks  
10 in their RRCA Annual Report of the Compact for 2014 and  
11 hereby instructs the Nebraska Commissioner to send copies of  
12 this resolution to the Dunnigan family and the Governor of  
13 the State of Nebraska."

14 I can tell you, as a personal note, I've had the  
15 pleasure of meeting all of the former Directors as I've  
16 engaged in my new position. I had lunch with Brian just  
17 last week. He was giving me some sympathies, as well as  
18 congratulations. But he did speak, as this resolution  
19 suggests, quite passionately about his service to the State,  
20 to the Department that I now have the pleasure of leading,  
21 but to the work of this group through some, obviously, very  
22 difficult times. But those truly were a good part, an  
23 important part, of his life, and he was more than honored to  
24 pass that along to me. So, with that, the -- I would  
25 request consideration of this resolution.

1                   COMMISSIONER BARFIELD: I would have the pleasure  
2 of just moving the adoption of the resolution recognizing  
3 Mr. Dunnigan's achievements and his work with us on these  
4 important issues.

5                   COMMISSIONER WOLFE: I second that motion.

6                   CHAIRPERSON FASSETT: Motion and a second to  
7 approve the resolution honoring Mr. Dunnigan. All in favor,  
8 signify by saying aye.

9                   COMMISSIONER WOLFE: Aye.

10                  COMMISSIONER BARFIELD: Aye.

11                  CHAIRPERSON FASSETT: Aye.

12                                 Thank you very much.

13                   Lastly, we have a resolution before us approving  
14 accounting adjustments and agreements related to the  
15 operations of Harlan County Lake. Again, I'd like to ask  
16 Mr. Schneider to sort of quickly touch on the background and  
17 in presenting this resolution for our consideration.

18                  MR. SCHNEIDER: Sure. We discussed this at great  
19 length yesterday, both in the morning and also in the  
20 afternoon in the working session. And the states have  
21 worked out an agreement related to Compact compliance  
22 efforts by Nebraska through augmentation, pumping, as well  
23 as the methods of accounting for that water and ensuring its  
24 delivery to Kansas water users. It's fairly similar to the  
25 agreement that we reached kind of in combination in November

1 and, also, March previously for 2015. I think I would just  
2 like to note that I think we're all very glad of the fact  
3 that we were able to come to this agreement at a much  
4 earlier date so that we can go forward and tell our water  
5 users how things are going to be working this year. The one  
6 caveat I will mention is that it is contingent on successful  
7 execution of an amendment to the MOA between the Bostwick  
8 Irrigations Districts that will effectuate the way that this  
9 agreement seeks to allocate inflows to Harlan County Lake in  
10 2016.

11 Any questions?

12 COMMISSIONER BARFIELD: No questions here. Again,  
13 as you said, we've worked through this. I think it's a good  
14 agreement. It's, as you said, very similar to previous.  
15 The big difference here is that it allows Nebraska to  
16 provide any augmentation deliveries needed in two parts,  
17 one, to provide a full supply for this year and the rest  
18 later in the year, which I think is a good move forward.  
19 Again, like you said, it requires an MOA. But, again, part  
20 of our moving forward, in terms of how to marry compliance  
21 activities with needs. And, again, we need another year to  
22 get to the long-term agreements and work all of that out,  
23 but this certainly moves us forward.

24 MR. SCHNEIDER: And, I'm sorry, I might add that  
25 we certainly look forward to working with the districts and

1 the Bureau on what's necessary to make sure this works out.

2 CHAIRPERSON FASSETT: Yeah. It is, as Mr.  
3 Schneider indicated, a one-year agreement. It sort of  
4 builds on our past experience. I think that momentum is  
5 important. There's still some complexities and some  
6 difficulties in the details of these things, but we think  
7 this is nudging things in the right direction. We do  
8 appreciate greatly the dialogue and the action here today.  
9 We think it is important to provide as early a notice about  
10 these matters for the water users. And so, doing it under  
11 this time frame we think is very, very beneficial. So, we  
12 appreciate your consideration and the work that goes into  
13 this.

14 Any other questions?

15 COMMISSIONER BARFIELD: No. I would move adoption  
16 of the resolution that we've mentioned here approving the  
17 accounting adjustments and agreements on the operation of  
18 Harlan for Compact year 2016.

19 COMMISSIONER WOLFE: Second.

20 CHAIRPERSON FASSETT: Motion and a second to  
21 approve the resolution associated with Harlan County Lake.  
22 All in favor, signify by saying aye.

23 COMMISSIONER WOLFE: Aye.

24 COMMISSIONER BARFIELD: Aye.

25 CHAIRPERSON FASSETT: Aye.

1                   Motion carries. Thank you very much.

2                   Then to Item 9, remarks from the public. Those  
3 that are with us today are free to come forward. I would  
4 ask you to come to the table and use the microphone. It  
5 helps with our court reporting accuracy and, also, so we can  
6 hear. But if there's anybody here today that would like to  
7 make some comments to the Commission, we'd appreciate it.

8                   Brad.

9                   MR. EDGERTON: My name is Brad Edgerton. I'm the  
10 Manager of Frenchman Cambridge Irrigation District, and we  
11 serve 45,600 acres in the Republican River Basin and have  
12 contracts with the Bureau of Reclamation to take storage  
13 water out of three reservoirs in the basin.

14                   So, I'd like to thank the Compact Administration  
15 for the work they've done this last spring to allow Nebraska  
16 to open up our permits that were closed in January. That  
17 was very beneficial for the water users of Frenchman  
18 Cambridge. Based on those agreements that we had back then,  
19 we were able to allocate eight inches to Cambridge Canal and  
20 six inches to Meeker Canal. And the, also, we operated the  
21 Bartley Canal with whatever water was available in the river  
22 to make that available to whoever could use it. You know,  
23 we would have liked more time to plan on how to use that  
24 water, but it still served the district well to have those  
25 permits opened in March. So, we appreciate that.

1 I'd like to also point out one aspect that's  
2 important to the Board of Directors for Frenchman Cambridge  
3 Irrigation District that's in the IMP, and that's the  
4 pumping standard volumes or requirement to reduce pumping by  
5 25 percent by 2015. And I'd like to ask this Administration  
6 to make sure that all aspects of the IMP are adhered to.  
7 You know, we're concerned about pumping above our federal  
8 reservoirs that provide water to our systems. So, we'd just  
9 ask that you'd be aware that it's important to us that those  
10 compliance standards are adhered to going forward.

11 And on behalf of the Board of Directors for  
12 Frenchman Cambridge Irrigation District, we look forward to  
13 working with you in the future to ensure that Nebraska is in  
14 compliance with the Compact. So, thank you.

15 CHAIRPERSON FASSETT: Thank you very much.  
16 Appreciate that.

17 MR. DELKA: My name is Mike Delka, and I'm the  
18 Manager of the Bostwick Irrigation District in Nebraska. I  
19 have not seen the resolution yet, so I don't know exactly  
20 how it fits into it, but I'm pretty sure that we're in the  
21 middle of it. But I would appreciate having more knowledge  
22 of it. I think to -- for my board, to make an informed  
23 decision, we would probably like to see some model runs to  
24 know the impacts, both with and without these augmentation  
25 programs. We'd like to see the augmentation programs try to

1       replace some of the depletions, not just to meet that  
2       minimum requirement of the Compact. And we'd like to see  
3       that be a benefit to all the surface water users.

4               Also, there's -- to us, there's -- if we're  
5       opening up the MOA with Kansas Bostwick, if the supply is  
6       not sufficient to support an ability to pay and repay the  
7       federal government, then that would also become a burden  
8       then to Kansas Bostwick.

9               So, I think there's a lot of work to be done in a  
10       very short period of time, and we would have appreciated  
11       probably having that -- a lot of that done prior to today,  
12       so that we were more aware of the volume of water being  
13       anticipated and the way that it's to be held away, if that's  
14       the case.

15               But we do appreciate the hard work that has gone  
16       into it, and we look forward to having a resolution, to get  
17       these issues resolved in a constructive manner. Thank you.

18               CHAIRPERSON FASSETT: Thank you. Appreciate your  
19       comments today.

20               MR. GILES: I'm Pete Giles, Assistant  
21       Superintendent, Kansas Bostwick. I'm going to kind of  
22       reiterate what's been spoke here today. But thanks to the  
23       continued efforts from the whole Compact Administration, and  
24       we look forward to, hopefully, getting a more long-term  
25       agreement. And, obviously, that'll take some work with

1 Nebraska Bostwick and amending our MOA, but we look forward  
2 to working with you folks and the Bureau and Nebraska  
3 Bostwick through that process.

4 CHAIRPERSON FASSETT: Good. Thank you.

5 MR. CORYELL: Yes. I'm Dennis Coryell, President  
6 of the Republican River Water Conservation District in  
7 Colorado. I'd like to kind of reiterate some of the things  
8 that Commissioner Wolfe said earlier. Our district's  
9 efforts toward Compact compliance and our fulfilling our  
10 obligations primarily lie in three areas. One would be in  
11 conservation. We have, over the last nine years, entered  
12 into contracts for conservation reserve enhancement program  
13 retirements. We've now -- we did a water enhancement  
14 program through NRCS. We've, most recently, done the  
15 Ogallala Aquifer Initiative. Last year, we applied for the  
16 RCPP, the Regional Conservation Partnership Program. We got  
17 down to the last step and did not make it, but we will be  
18 reapplying this year for that.

19 All of these programs would offer permanent  
20 retirements. That's where we're funding our money within  
21 the district. And I might add that all of our money is from  
22 local water users. The State of Colorado has chosen to put  
23 this in the hands of local water users to solve our Compact  
24 obligations, and we take that very seriously.

25 The second area that we've focused on is accuracy

1 of our meter-reading program and enforcement of our  
2 groundwater irrigation and large-capacity wells. The  
3 groundwater management districts, there are seven of them in  
4 our basin. Each one of those districts has worked closely  
5 with the commissioners for the Republican Basin in Colorado  
6 in enforcing those permits and the conditions on those. And  
7 we work closely with the Colorado Groundwater Commission, as  
8 well as the state engineer's staff, to coordinate that and  
9 achieve, not only intrastate, but interstate permits that we  
10 have for individuals.

11 The third area would be our Compact compliance  
12 pipeline, our augmentation program. This is the second year  
13 that we have operated it. Although it being a temporary  
14 agreement, RRWCD is committed to fulfilling Colorado's  
15 obligations on an annual basis and, eventually, our five-  
16 year running average.

17 But I do have a question for you, as  
18 Commissioners. Why not a permanent agreement? I want to  
19 point out a few things. We have, just this year, completed  
20 another \$825,000 purchase of surface water within the basin.  
21 We've previously purchased over \$3 million of surface water  
22 purchases. And these are all on the South Fork Basin, and  
23 we still have allocated \$3 million for future purchases. We  
24 have retired nearly 32,000 acres of irrigation within our  
25 basin overall. And, gentlemen, that's not temporary

1 retirement. That's permanently retired. Of that 32,000,  
2 almost 20,000 acres of that is in the South Fork Basin  
3 alone. If you associate each large-capacity well as using  
4 15 inches of allocation, or one-and-a-quarter acre feet,  
5 that's 25,000 acre feet per year since those acres were  
6 retired. Most of those were retired in 2007, so over nine  
7 years, we've retired and saved the basin nearly 225,000 acre  
8 feet of water that would previously have been consumed. And  
9 it was not merely for Compact compliance. Those efforts are  
10 to ensure the continued use of the Ogallala Aquifer and to  
11 help to sustain it. Altogether, our district has committed  
12 over \$100 million by the time we pay out all of the  
13 obligations under those programs to reach Compact compliance  
14 and help to sustain the Ogallala Aquifer.

15 So, in closing, I just would urge you as three  
16 states that -- I commend you for your renewed spirit of  
17 cooperation, and I would just ask that, rather than putting  
18 a band-aid on it each year, give us a permanent agreement.  
19 Thank you.

20 CHAIRPERSON FASSETT: Very good. Thank you very  
21 much.

22 Any others like to comment to the Commission?

23 (No response.)

24 Very good. Appreciate that. Input is important.

25 Future meeting arrangements. If I understand the

1 sequencing, it's -- Nebraska's term is ending. And we work  
2 counterclockwise?

3 Is that correct, Commissioner Wolfe?

4 COMMISSIONER WOLFE: Yes.

5 CHAIRPERSON FASSETT: All right. So, you'll be  
6 assuming the chairmanship and the host for the next two  
7 years. Is that the practice of the Commission?

8 COMMISSIONER WOLFE: Yes. And maybe if I could,  
9 Mr. Chairman, just briefly comment on that? It will be our  
10 pleasure to host the RRCA annual meeting in Colorado the  
11 next couple of years, 2016 and 2017. We'll -- tentatively  
12 right now, we've identified August 24<sup>th</sup> and 25<sup>th</sup> of 2016 as  
13 for the workshop and the annual meeting. We will circulate  
14 amongst the commissioners those dates and make sure that  
15 that works. And we're anticipating that -- to either have  
16 it in Burlington, Wray, or Holyoke. Each of those  
17 communities can support that meeting on those dates. But  
18 we'll talk amongst ourselves and coordinate with the -- both  
19 of you and see if we can finalize those dates soon so we can  
20 get that on everyone's calendars. And we will also be  
21 celebrating the 135<sup>th</sup> anniversary of the State Engineer's  
22 Office next year, so, hopefully, we can do a little bit of  
23 celebration as part of our annual meeting to recognize that  
24 anniversary as well. So, that's all I have, unless there's  
25 any questions?

1 COMMISSIONER BARFIELD: No questions.

2 CHAIRPERSON FASSETT: Okay. Sounds good. Any one  
3 of those locations would be a new stop for me, Commissioner  
4 Wolfe.

5 COMMISSIONER WOLFE: All right.

6 CHAIRPERSON FASSETT: So, that would be good.

7 Any further business to come before the  
8 Commission?

9 (No response.)

10 All right. Thank you. Very well. I appreciate  
11 the meeting, getting to reengage with you all. I've known  
12 both Commissioners for a long time, even though I was  
13 wearing a different hat, and I really and truly believe  
14 we're on a great path, and I look forward to injecting  
15 myself into more of the details as I mature in this  
16 position.

17 So, thank you very much for a nice meeting and  
18 I'll call for adjournment.

19 COMMISSIONER WOLFE: So moved.

20 CHAIRPERSON FASSETT: Thank you.

21 (Whereupon, on August 27, 2015, at 10:36 a.m., the  
22 meeting was adjourned.)

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