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2014 ANNUAL MEETING OF THE  
REPUBLICAN RIVER COMPACT ADMINISTRATION

August 28, 2014  
9:00 a.m. Central Time  
Auld Pavillion at Antelope Park  
1650 Memorial Drive  
Lincoln, Nebraska

MEMBERS PRESENT

FOR NEBRASKA: Commissioner Brian Dunnigan, Chairperson  
Justin Lavene  
Jesse Bradley  
Jim Schneider

FOR COLORADO: Commissioner Dick Wolfe  
Ivan Franco

FOR KANSAS: Commissioner David Barfield  
Burke Griggs  
Chris Beightel  
Chris Grunewald

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DEPARTMENT OF  
NATURAL RESOURCES

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REPORTER'S CERTIFICATE:

State of Nebraska    )  
                          )  ss.  
County of Lancaster )

I, WENDY C. CUTTING, reporter for GENERAL  
REPORTING SERVICE, certify that I reported the proceedings  
in this matter; that the transcript of testimony is a true,  
accurate, and complete extension of the recording made of  
these proceedings.

IN TESTIMONY WHEREOF, I have hereunto set my hand  
at Lincoln, Nebraska, this 3<sup>rd</sup> day of September, 2014.

*Wendy C. Cutting*  
Reporter

- - -

1 PROCEEDINGS:

2 CHAIRPERSON DUNNIGAN: Good morning and welcome to  
3 Lincoln. At this time, I'd like to call the Annual Meeting  
4 of the Republican River Compact Administration to order. My  
5 name is Brian Dunnigan and I'm the Director of the Nebraska  
6 Department of Natural Resources and Commissioner for the  
7 Republican River Compact. I'm also the Chairman for the  
8 Compact this year.

9 If you didn't pick up an agenda by the door,  
10 please get an agenda if you need one. They were on the  
11 table. There's also a sign-in sheet by the door, and we can  
12 send that around if you didn't sign in on the sign-up sheet.  
13 We'd sure like to have you sign in.

14 We are going to go around and have some  
15 introductions with everybody here today. I'll start and  
16 just introduce my team at the front table and then I'll ask  
17 each state to introduce their team, and then we'll just send  
18 the microphone around in the audience. To my left is Justin  
19 Lavene from the Attorney General's Office, far left, Jesse  
20 Bradley from the Department, and Jim Schneider, our Deputy  
21 Director from the Department.

22 Commissioner Barfield.

23 COMMISSIONER BARFIELD: Thank you, and thank you,  
24 Chairman Dunnigan. It's a pleasure to be here this morning.  
25 My name is David Barfield and I'm Commissioner for Kansas.

1 With me, all to my left here is Burke Griggs, and the far  
2 left is Chris Grunewald from the Attorney General's Office.  
3 And also with me is Chris Beightel, who is our Engineering  
4 Committee representative.

5 CHAIRPERSON DUNNIGAN: Thank you.

6 Commissioner Wolfe.

7 COMMISSIONER WOLFE: Good morning, everyone. Dick  
8 Wolfe, Commissioner for Colorado. We're kind of light here  
9 today, but with me is Engineer Advisor, Ivan Franco. Scott  
10 Steinbrecher from the Attorney General's Office was unable  
11 to join us. We're thinking of him and his family with the  
12 emergency situation that came up with his newborn daughter.  
13 So, he was unable to join us today. And then, hopefully,  
14 we'll have an opportunity to go through with the audience  
15 and introduce some of our other staff and representatives  
16 from Colorado here today.

17 CHAIRPERSON DUNNIGAN: Thank you, Commissioner  
18 Wolfe.

19 Brad, if you'd want to start, we'll just go  
20 through the audience.

21 MR. EDGERTON: I'm Brad Edgerton from Frenchman-  
22 Cambridge Irrigation District.

23 MR. FELKER: Don Felker, Frenchman Valley & H&RW.

24 MR. ALBERT: Kenneth Albert, Frenchman Valley,  
25 Director, Nebraska.

1 MR. KOTSCHWAR: Jerry Kotschwar from Frenchman  
2 Valley.

3 MR. KEELER: Dave Keeler, Colorado, Republican  
4 River Basin Water Commissioner.

5 MR. PERKINS: Sam Perkins, Kansas Division of  
6 Water Resources.

7 MR. THOMPSON: Aaron Thompson with the Bureau of  
8 Reclamation.

9 MR. SCOTT: Craig Scott with the Bureau of  
10 Reclamation.

11 MR. DELKA: Mike Delka with the Bostwick  
12 Irrigation District, Nebraska.

13 MR. THORNBURN: John Thornburn, Tri-Basin Natural  
14 Resources District in Holdredge, Nebraska.

15 MR. MERRIGAN: Bob Merrigan, Middle Republican  
16 Natural Resources District in Curtis, Nebraska.

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

19 MR. ERICKSON: Donald Erickson, Stockton.

20 MR. AMPE: Peter Ampe, Counsel for the Republican  
21 River Water Conservation District.

22 MS. DANIEL: Deb Daniel, General Manager of the  
23 Republican River Water Conservation District.

24 MR. SULLIVAN: Mike Sullivan, Colorado Division of  
25 Water Resources.

1 MR. CORYELL: Dennis Coryell, Republican River  
2 Water Conservation District.

3 MR. LAMBRECHT: I'm Jason Lambrecht with the USGS,  
4 Nebraska Water Science Center.

5 MS. EICHHORST: Jean Eichhorst, Kearney, Nebraska,  
6 and Lawrence, Kansas.

7 MR. STARK: Ken Stark, US Army Corps of Engineers.

8 MR. BOWEN: Jim Bowen, Corps of Engineers, Harlan  
9 County Lake.

10 MR. WILCOX: Dustin Wilcox, Nebraska Association  
11 of Resource Districts.

12 MR. WILMOTH: Tom Wilmoth, Blankenau and Wilmoth,  
13 Nebraska.

14 MS. FLAUTE: Carol Flaute, Nebraska Department of  
15 Natural Resources.

16 MS. SCHELLPEPER: Jennifer Schellpeper, Nebraska  
17 Department of Natural Resources.

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

19 MR. TRAMBLY: Nelson Trambly, Lower Republican  
20 NRD.

21 MR. CLEMENTS: Mike Clements, General Manager of  
22 the Lower Republican NRD in Alma.

23 MR. Groff: Marc Groff, also with the Flatwater  
24 Group.

25 MR. SCHREUDER: Willem Schreuder, Principia

1       Mathematica.

2                   CHAIRPERSON DUNNIGAN: Thank you very much.

3       Moving to Agenda Item 2, Adoption of the Agenda, are there  
4       any modifications to the proposed agenda?

5                   COMMISSIONER BARFIELD: None from Kansas.

6                   COMMISSIONER WOLFE: None from Colorado.

7                   COMMISSIONER BARFIELD: I would move adoption of  
8       the agenda.

9                   COMMISSIONER WOLFE: Second.

10                  CHAIRPERSON DUNNIGAN: It's been -- we've got a  
11       motion and a second for approval. All those in favor say  
12       aye.

13                  COMMISSIONER WOLFE: Aye

14                  COMMISSIONER BARFIELD: Aye.

15                  CHAIRPERSON DUNNIGAN: Aye. The agenda is  
16       approved and we'll move forward with the agenda as written.  
17       Agenda Item 3 is the Status of the Report of Transcripts for  
18       2013 Annual Meeting and Subsequent Special Meetings.

19                  Commissioner Barfield.

20                  COMMISSIONER BARFIELD: Thank you, Chairman  
21       Dunnigan. We are in the process of -- I believe the  
22       transcripts have been provided to the states and reviewed.  
23       It's my understanding are essentially in final form. We  
24       have an annual meeting and four special meetings to cover  
25       for the year. We have -- we're working through those right

1 now and I think we've distributed three of the Special  
2 Meetings. We're working through in chronologic order, and  
3 provided them to Colorado first. I think they've reviewed  
4 one of them, is my understanding, and passed it on to  
5 Nebraska, but we'll essentially have the -- we're going to  
6 finalize the final two and work through the review process,  
7 so that's the current status.

8 CHAIRPERSON DUNNIGAN: Thank you. Any questions?

9 (No response.)

10 Moving on to Agenda Item 4, which is the report,  
11 the Commissioners' Reports. And we'll start out with  
12 Kansas. Commissioner Barfield.

13 COMMISSIONER BARFIELD: Okay, thank you. My  
14 report this year will be fairly short. I normally report on  
15 climatic conditions. We've had a lot of extreme years in  
16 recent years. 2012 certainly was a very extreme, I think,  
17 year in all three states in terms of drought. That eased  
18 somewhat in the year 2013 that we're sort of reporting on  
19 this year and it's moderated even more in 2014, although we  
20 certainly still have areas where we're continuing to  
21 actively administer water in our state, including the  
22 Republican River Basin. One of our responsibilities is to  
23 administer for minimum desirable streamflows. And that  
24 administration continues on the Republican River this year.  
25 We administered through the first half of the year until



1 June 20, 196 water rights. Since June 20, we've actually  
2 been able to release administration of 128 files below  
3 Concordia, Kansas, so we're just administering 68 water  
4 rights, currently.

5 I don't have much of a legislative report this  
6 year. There was really no significant water legislation  
7 passed by the 2014 Legislature. This is due, in part, to a  
8 very significant ongoing effort that is going on in our  
9 state to develop a 50-year vision for the future of our  
10 water resources in Kansas. And I'm sure they're working  
11 through that process of gathering some grassroots ideas in  
12 terms of how we can afford our water management in the  
13 state. I would expect that we'll have more active  
14 legislation in the future, but nothing significant to report  
15 there.

16 Just a few brief comments on our efforts in terms  
17 of Compact activities. Kansas remains fully in compliance  
18 with the Republican River Compact. This is true with  
19 respect to all tests of compliance under the final  
20 settlement stipulation. This is also true with respect to  
21 Kansas' additional duties with respect to participation in  
22 the Compact business, as well as participating in the  
23 dispute resolution processes under the FSS.

24 I'll defer to Commissioner Wolfe to report on the  
25 RRCA's agreement reached last December with respect to

1 allowing Colorado's Compact Compliance Pipeline to operate  
2 this year, as well as the status of matters with respect to  
3 reaching an agreement on the CCP and Bonny issues, but we  
4 continue to work actively there.

5 Finally, I would note that the three states are  
6 currently engaged fully in some ongoing discussion aimed to  
7 improve our collective management of the basin's water  
8 resources and resolve pending disputes. I believe these  
9 discussions are heading in a very productive direction and  
10 we look forward to continuing in those discussions. And  
11 that's my report.

12 CHAIRPERSON DUNNIGAN: Thank you, Commissioner  
13 Barfield.

14 Commissioner Wolfe.

15 COMMISSIONER WOLFE: Thank you, Chairman. And  
16 first, I'd like to thank Nebraska for hosting the meeting  
17 this year. It's always great to get to Lincoln and see all  
18 the red again. So, thank you. The accommodations have been  
19 great. And so we appreciate it.

20 Also, I'd like to take this opportunity to thank  
21 my staff that's worked with me over the past year in our  
22 ongoing efforts for Compact compliance efforts. Ivan  
23 Franco, the Engineer Advisor; Mike Sullivan, my deputy.  
24 Dave Keeler and his staff in the basin have just really  
25 stepped it up in, not only this last year, but prior years.

1 A lot of activity ongoing in the basin in terms of  
2 enforcement efforts that I'll touch on, also, as well as a  
3 lot of the efforts that the district is doing as part of  
4 their efforts for Compact compliance. So, I appreciate  
5 that. I also appreciate the efforts of the engineer  
6 advisors who assist the commissioners. They've stepped it  
7 up this last year and have met more times, and I think that  
8 has really been productive in providing a lot of assistance  
9 to the commissioners. And you'll see that as part of their  
10 report today. I'd also like to thank Willem Schreuder, our  
11 consultant that not only assists Colorado, but also the RRCA  
12 and a lot of the modeling that's done within the Republican  
13 River Basin. I'd also like to thank the District. They're  
14 here today and they introduced themselves. And, of course,  
15 we couldn't do this without the District's help. It's been  
16 ten years now, since they've been formed. It's hard to  
17 believe how quickly that's gone. But I think Dennis Coryell  
18 will speak to the commissioners today and just kind of give  
19 you an update on some of their efforts and what they've been  
20 doing. And I'll mention some of that as well. But we work  
21 very closely with the District. It was created by the  
22 Legislature to assist Colorado in its Compact compliance  
23 efforts and they've really done a remarkable job with  
24 the -- over the last ten years in getting us there. We know  
25 we've still got some work to do, but we've come a long ways.

1           I'll just touch on the -- Commissioner Barfield  
2           had mentioned about the Compact Compliance Pipeline project  
3           that Colorado has brought forward to the Commission, and I  
4           do appreciate the approval from the commissioners this past  
5           December on that. It was a one-year temporary approval, but  
6           in accordance with that agreement, we have delivered, to  
7           date, in accordance with that agreement by April, 4,000 acre  
8           feet. We will be making a projection by September 1<sup>st</sup>, so  
9           here just within a few days, of what we anticipate we'll  
10          need to pump and deliver through the aug station into the  
11          North Fork for the remainder of this calendar year. But we  
12          look forward to working with Kansas and Nebraska over the  
13          next few weeks.

14                 As Commissioner Barfield indicated, we've had some  
15          ongoing efforts and involvement with the Secretary of  
16          Agriculture and others that we greatly appreciate and the  
17          direction that's headed. And it looks like we'll be working  
18          in the next few weeks on some temporary agreements to extend  
19          the operation of that pipeline as well as looking at a  
20          comprehensive settlement of the disputes between the states  
21          in the upcoming years. So, we're looking forward to working  
22          on that structure of that agreement here in the very near  
23          future.

24                 I'd like to just apprise everyone of some of the  
25          ongoing compliance efforts that Colorado continues to take

1 within the Republican River Basin. As you know, within that  
2 basin operates under a, kind of a set of different laws, and  
3 there are designated basin groundwater laws. And we  
4 continue as the Groundwater Commission, and I'm the  
5 Executive Director of that, to monitor and take appropriate  
6 enforcement actions on any overpumping within the basin.  
7 Now that we have metering in place, which became fully  
8 implemented with meters in 2009, we have been closely  
9 monitoring the amount of withdrawals from the wells. And in  
10 2012, as we know, was a dry year, we did have some pumping  
11 violations, which we took action on. I think in this past  
12 year, 2013, we only had three violations, and as best to our  
13 guesstimate to date, we don't anticipate any violations in  
14 2014, so we think that program is working very well.

15 The District continues to purchase surface water.  
16 There's a few left in the basin. As we know, the principal  
17 use of water in the basin is from groundwater diversions,  
18 but the District continues in their efforts -- conservation  
19 efforts on surface water buyouts, particularly on the South  
20 Fork of the Republican River Basin.

21 The District and the groundwater management  
22 districts in the basin have been working in this past year.  
23 They've established what they call a Water Preservation  
24 Partnership. It has ten members made up with representative  
25 from the management districts and the District and others,

1 representative user groups in the basin. They have made  
2 great strides. And I think in a lot of ways, have modeled  
3 some of the stuff that Kansas has done with LEMA and some of  
4 those things, and looking at conservation practices as they  
5 move forward into the future, looking at how they can best  
6 conserve and manage the limited resource. They've been very  
7 successful in their efforts in some of seeking funding for  
8 some grants from the Colorado Water Conservation Board on  
9 the order of \$450,000 -- \$458,000 (sic), approximately, to  
10 look at -- its funding for its study to look at the economic  
11 impacts as lands are taken out of production due to these  
12 conservation measures. We hope that that will not only be  
13 informative for Colorado, but others as well. And if that  
14 gets fully funded, which we anticipate it will, I think CSU,  
15 Colorado State University, will be taking the lead on that,  
16 those efforts. And Dr. Jim Pritchett has been a lead  
17 investigator in a lot of those economic impact studies in  
18 Colorado.

19 Also, the District, under Deb Daniel's leadership  
20 in working with other funding requests, they had submitted a  
21 request to the federal -- I'm not sure of the federal  
22 agency, exactly, but the Regional Conservation Partnership  
23 Program. Their proposal was submitted at -- at least passed  
24 through the first round out of several hundred that were  
25 done nationwide. If they do get funding for that, it's a

1 one-for-one matching grant of \$500,000 they're seeking that  
2 the District will match for a five-year study. And again,  
3 this is an effort in getting the conservation practices  
4 looking at fallowing, alternative cropping practices,  
5 deficit irrigation, changes in irrigation methods and so  
6 forth. So, that looks like it's on a good track and we wish  
7 them success or hope that they successfully get that  
8 approved here by the end of the year.

9 Just a quick note on some legislation that the  
10 General Assembly in Colorado passed this past year that  
11 deals with the designated groundwater basins. Under my role  
12 as State Engineer in Colorado, we've had enforcement  
13 authority and fining authority for water administration for  
14 a long time. The Legislature this year had adopted similar  
15 provisions in enforcement and fining authority to allow the  
16 local groundwater management districts to likewise seek  
17 those type of enforcement actions and fines. It was part of  
18 an effort -- it's been difficult for these local management  
19 districts to do that, because there wasn't a real funding  
20 source to do it. So, there's a mechanism now that if they  
21 were to move forward with their own respective enforcement  
22 actions to enforce their own local rules beyond what we have  
23 on the statewide level, for example, they can do that. But  
24 we are going to be working very closely with them. And to  
25 make sure we're not doing duplicate enforcement, that we

1 will coordinate, depending on who's taking the lead on any  
2 particular enforcement action. And again, it's just another  
3 recognition of the efforts that the local groundwater  
4 management districts and the Republican River Water  
5 Conservation District is doing to ensure that we live within  
6 our means and hopefully achieve Compact compliance.

7 And lastly, I'd just again like to just reiterate  
8 my appreciation of the cooperation here recently working  
9 with both Nebraska and Kansas and look forward to, in the  
10 upcoming months, trying to work through resolution on our  
11 remaining disputes that we thankfully now, hopefully have  
12 behind us through all the arbitrations. I hope that's in  
13 our past and not part of our future. And I look to work in  
14 a more cooperative manner and sitting down and rolling up  
15 our sleeves and getting these done. We know that that's  
16 kind of our responsibility as commissioners to represent the  
17 water users in the basin. So, thank you and look forward to  
18 working with you in the next year.

19 CHAIRPERSON DUNNIGAN: Thank you, Commissioner  
20 Wolfe.

21 CHAIRPERSON DUNNIGAN: The State of Nebraska is,  
22 again this year, in compliance with the Republican River  
23 Compact. Using current accounting procedures, Nebraska has  
24 had positive balances since 2007, which has led to  
25 compliance with the five-year averages. Based on



1 preliminary estimates, Nebraska will again be in compliance  
2 with the two-year and five-year period ending in 2014.

3 Furthermore, Nebraska's compliance balances would be  
4 improved substantially by implementation of the modified  
5 accounting procedures recommended by Special Master Kayatta.

6 Nebraska's compliance efforts through 2014 have  
7 been substantial, affording Kansas' water users full access  
8 to Kansas' allocations. This has occurred as prescribed  
9 through implementation of the third generation integrated  
10 management plans, which contain forecasting provisions and  
11 controls that have ensured that Nebraska would take  
12 sufficient actions for Compact compliance in 2014.

13 The basin NRDs continue to demonstrate an ongoing  
14 commitment to compliance through their significant  
15 investment in programs and projects that will reduce and/or  
16 offset depletions in the basin. These include the  
17 augmentation project in Rock Creek, which provided for water  
18 for compliance in 2013 and 2014, and the N-CORPE  
19 augmentation project in Medicine Creek, which began  
20 operations in 2014. Other programs have included permanent  
21 and temporary retirement of surface and groundwater  
22 irrigated lands throughout the basin and leases of surface  
23 water.

24 The Department continues to look forward to  
25 working to assess various water management alternatives

1 through the WaterSMART Basin Studies program and utilize the  
2 tools that have been developed as part of this study to  
3 evaluate system improvements and operational improvements  
4 that can be made throughout the basin. Implementation of  
5 these system improvements will require partnerships with the  
6 irrigation districts, natural resources districts, and the  
7 Bureau of Reclamation. I do believe that through  
8 cooperation, these partnerships can lead to a more  
9 prosperous outcome for all Nebraska water users.

10 During the course of the 2014 Nebraska Legislative  
11 Session, a new water funding process was established. This  
12 new set of laws defines governance for administering the new  
13 Water Sustainability Fund. This fund represents a  
14 significant increase in funding for water projects aimed at  
15 addressing both water quality and water quantity issues  
16 across the state. The legislation also provides for  
17 additional basin-wide planning processes, which will include  
18 the Republican River Basin. These new planning processes  
19 will not displace the most recent IMPs, but will provide for  
20 greater stakeholder participation in integrated management  
21 planning and increase the feedback loop through these plans.  
22 The Department will soon begin working with NRDs and other  
23 stakeholders to develop the basin-wide plan for the Nebraska  
24 portion of the Republican River Basin.

25 The last year has seen Nebraska bring several

1 time-critical issues before the RRCA to be addressed.

2 Nebraska's efforts to resolve these issues have resulted in  
3 arbitration hearings on three key issues. These issues  
4 include implementation of the Rock Creek Augmentation Plan,  
5 implementation of the N-CORPE Augmentation Plan, and the  
6 implementation of the Alternative Water Short Year Plan.

7 The arbitrator's ruling on each of these three issues has  
8 principally sided with Nebraska. However, subsequent to the  
9 substantial efforts invested by Nebraska in the arbitration  
10 process, Nebraska once again finds itself in a position  
11 where Colorado has supported implementation of Nebraska's  
12 proposals, and Kansas has not. Kansas' refusal to provide  
13 Nebraska full credit for its augmentation projects or to  
14 approve the Alternative Water Short Year accounting has been  
15 a burden on Nebraska water users.

16 I am hopeful that recent efforts by the State of  
17 Kansas to bring additional resources to bear on the  
18 resolution of these key issues previously brought before the  
19 RRCA will set a new path forward. As Commissioners of the  
20 RRCA, we must exercise our duties to find solutions to such  
21 issues and provide clear and transparent processes that each  
22 state can utilize and depend on to resolve the concerns.  
23 Not engaging in such efforts will likely put us on a path  
24 for further litigation and diminish opportunities that would  
25 otherwise be available to each state's water users. We

1       should be reminded of Special Master Kayatta's concluding  
2       remarks in his report to the United States Supreme Court in  
3       which he stated, "The issuance of this report also hopefully  
4       provides an occasion on which the states can resolve to  
5       proceed forward with greater consensus based on the  
6       knowledge that their interests in administering the waters  
7       of the basin will be more aligned."

8                 With that, I'll turn it over to Jesse Bradley to  
9       provide an update from the field office perspective in  
10       Nebraska.

11                MR. BRADLEY: Thank you. During the 2013 calendar  
12       year, Department field office staff completed many on-site  
13       visits throughout the basin. Field office staff conducted  
14       approximately 440 reservoir compliance visits. These visits  
15       included installation of steel posts that are used as gages  
16       for water level in the reservoir, taking pictures at each  
17       site, and measurements of outlet works and dam height. All  
18       reservoirs under NDNR jurisdiction were inspected by the end  
19       of March of 2013. Many reservoirs received additional  
20       inspections throughout the year depending on rainfall across  
21       the area.

22                Field office staff also conducted approximately  
23       410 stream gage visits throughout 2013. During such visits,  
24       stream gage measurements were performed, gage heights  
25       recorded, and various equipment maintenance was done.

1 Monthly measurements are made at each of the 21 permanent,  
2 Department-operated, stream gaging stations. The Department  
3 also performs periodic stream gage measurements at USGS  
4 stations and many other seasonal stations in the basin.  
5 Field office staff conducted approximately 320 on-site water  
6 administration investigations. Water administration  
7 investigations include reading and recording flow meter  
8 values, recording crop and irrigation type, crop and  
9 irrigation system type, and streamflow, if necessary.

10 I'll now describe the details of the  
11 administrative actions carried out in support of water  
12 administration in 2013. Bear with me on this one. On  
13 January 1<sup>st</sup>, 2013, letters were sent out to all irrigation  
14 and storage permit holders notifying that a compact call  
15 year was in effect. Again, on January 1<sup>st</sup>, 2013, closing  
16 notices were mailed to all irrigation and storage permit  
17 holders above Guide Rock Diversion Dam. On January 14<sup>th</sup>,  
18 2013, letters were sent to irrigators reminding them that  
19 the 2012 water use reports must be filled out and filed with  
20 the Cambridge Field Office or that they would be closed for  
21 the entire 2013 calendar year.

22 On April 1<sup>st</sup>, 2013, four letters were mailed to  
23 the Bureau of Reclamation notifying them that they were  
24 required to release Compact water stored in the federal  
25 reservoirs. On May 1<sup>st</sup>, 2013, four letters were mailed to

1 the Bureau of Reclamation notifying them they were required  
2 to release Compact water stored through that period. On  
3 May 1, one letter was mailed to the Army Corps of Engineers  
4 notifying them that they were required to release Compact  
5 water stored in Harlan County Reservoir.

6 On June 25<sup>th</sup>, 2013, seven opening notices were  
7 issued to irrigators. On June 25<sup>th</sup>, 2013, four closing  
8 notices were issued to storage permit holders. On June 26,  
9 2013, nine opening notices were sent to irrigation permit  
10 holders. On June 26<sup>th</sup>, 2013, 86 closing notices were issued  
11 to storage permit holders. On June 28<sup>th</sup>, 2013, three  
12 opening notices were issued to irrigation permit holders.  
13 On June 28<sup>th</sup>, 2013, four closing notices were issued to  
14 storage permit holders.

15 On July 1<sup>st</sup>, 2013, 54 opening notices were issued  
16 to irrigation permit holders. On July 1<sup>st</sup>, 2013, 79 closing  
17 notices were issued to irrigators in the Republican Basin.  
18 On July 1<sup>st</sup>, 2013, 18 closing notices were mailed to storage  
19 permit holders notifying them that they could not raise the  
20 current water level in their reservoir. On July 24<sup>th</sup>, 2013,  
21 69 opening notices were sent to irrigation permit holders.  
22 On July 24<sup>th</sup>, 2013, 79 closing notices were issued to  
23 irrigation permit holders.

24 On September 1<sup>st</sup>, 2013, 160 closing notices were  
25 issued to irrigation and storage permit holders. On

1       September 3<sup>rd</sup>, 2013, three opening notices were issued to  
2       permit holders.

3               On December 9<sup>th</sup>, 2013, water use reports were  
4       mailed to all irrigation permits in the Republican Basin  
5       with the exception of federally owned canals. That  
6       completes my report.

7               CHAIRPERSON DUNNIGAN: Thank you, Jesse.

8               Are there any questions from any of the  
9       commissioners?

10              Commissioner Wolfe.

11              COMMISSIONER WOLFE: Thank you, Chairman. Just a  
12       point of clarification in my report. I may have misspoke on  
13       a funding as I'd indicated that the Republican River  
14       District had sought for this economic study. I may have  
15       said 458,000. I meant to say 150,000 and 158,000, they've  
16       already gotten approval for 8,000 and seeking an additional  
17       150-, and if I still have those numbers incorrect, I hope  
18       the District will in their reports or statements to the  
19       Commission correct me. But I misread that from my report.

20              CHAIRPERSON DUNNIGAN: Thank you, Commissioner  
21       Wolfe.

22              COMMISSIONER BARFIELD: Nothing from me, thank you  
23       for your reports.

24              CHAIRPERSON DUNNIGAN: Moving on to Agenda Item 5,  
25       which are the Federal Reports. We'll start out with the

1 Bureau of Reclamation. Aaron Thompson, you can come to the  
2 podium, please.

3 MR. THOMPSON: Thank you very much for allowing  
4 the Bureau of Reclamation to speak here at the Annual RRCA  
5 Conference. I'm Aaron Thompson, Area Manager for the  
6 Nebraska/Kansas Area Office of the Bureau of Reclamation.  
7 I've given each of the commissioners a copy of Reclamation's  
8 Annual Report. It contains the 2013 operational data for  
9 our reservoirs and the status update for each of our  
10 reservoirs as of July 31<sup>st</sup>, 2014.

11 I'll go through a few brief highlights through the  
12 report and the 2013 operation season. The federal  
13 irrigation districts in the basin suffered severe water  
14 shortages in 2013 as a result of Nebraska's 2013 compact  
15 call water right administration. Water deliveries averaged  
16 only 2.1 inches per acre in the Frenchman-Cambridge  
17 Irrigation District and nearly six inches in the Bostwick  
18 Irrigation District in Nebraska. Frenchman Valley & H&RW  
19 Irrigation Districts did not make any irrigation deliveries  
20 in 2013. Additional water shortages have continued into  
21 2014. Reclamation is concerned that the irrigation  
22 districts' financial viability is in jeopardy if this  
23 administration continues.

24 In addition, the operation and maintenance  
25 expenses of the federal dams are seeing significant



1 increases due to aging infrastructure. The district's  
2 ability to create a consistent revenue stream to repay their  
3 share of the federal project cost is limited without a  
4 reliable water supply. To ease some of the strain in the  
5 basin, Reclamation, in coordination with the State of  
6 Nebraska, executed an excess capacity contract with the  
7 Kansas Bostwick Irrigation District to temporarily store  
8 water in Harlan County Lake so water was available to the  
9 Kansas Bostwick Irrigation District during the irrigation  
10 season. Approximately 15,600 acre feet of inflows into  
11 Harlan County Lake were stored under this contract and  
12 released to Kansas Bostwick Irrigation District. A similar  
13 contract was executed with KBID in 2014. And I look forward  
14 to the continued collaboration between the states, not only  
15 with Nebraska and Kansas, but also Colorado, as we move  
16 forward with potential options to ease the strain in the  
17 basin for our water supplies.

18 Moving on to the WaterSMART Republican River Basin  
19 Study, the three states continue to work on this study.  
20 Nebraska and Kansas are currently completing ground and  
21 surface water models in the basin. Model development has  
22 proven more complicated than originally anticipated, so the  
23 team agreed to extend the study by one year. The final  
24 report will be completed in November of 2015 instead of  
25 November of 2014. Both structural and non-structural

1 options have been formulated. A draft engineering report  
2 was completed a couple weeks ago including cost estimates  
3 for multiple alternatives. We expect the report to be  
4 finalized very soon. All of these analyses, including model  
5 runs of the alternatives, will be completed by the end of  
6 the calendar year leaving 2015 to evaluate the findings and  
7 write the report.

8 Reporting for the Conservation Committee, the  
9 study is complete. A final study report dated June of 2014  
10 was transmitted to the RRCA members in July. This report  
11 replaces the report provided to the RRCA Annual Meeting in  
12 October of 2012. Conclusions in the final report have not  
13 changed from those presented in 2012. A PDF copy was also  
14 provided to each state representative on the Conservation  
15 Committee for making available on the states' websites.  
16 Some organization of the study data is in progress for  
17 archiving on Principia's website, which contains RRCA  
18 groundwater modeling data.

19 Moving to the far west portion of the basin, Bonny  
20 Reservoir, in January of 2014, Reclamation began  
21 negotiations with the State of Colorado to resolve the  
22 contract dispute regarding Bonny Dam. Under the current  
23 contract, Colorado Parks and Wildlife pays 23.7 percent of  
24 the annual operation and maintenance cost of Bonny Dam.  
25 Colorado's position has been that the original intent and

1 purpose of the current contract no longer exists since the  
2 reservoir has been drained.

3 And finally, an update on Red Willow Safety of  
4 Dams. The modification to the dam was substantially  
5 completed in December of 2013. Construction of a filter and  
6 drainage blanket along the downstream embankment began in  
7 December of 2011. And that concludes my report to the  
8 committee.

9 CHAIRPERSON DUNNIGAN: Questions from the  
10 commissioners?

11 COMMISSIONER BARFIELD: None from Kansas.

12 COMMISSIONER WOLFE: No.

13 CHAIRPERSON DUNNIGAN: US Army Corps of Engineers,  
14 Ken Stark, please.

15 MR. STARK: Good morning. I'm Ken Stark and glad  
16 to have Jim Bowen, the project manager at Harlan County here  
17 with us today. Glad to be here. It really means that we're  
18 making progress on the repairs at Harlan County Dam. Today  
19 I'll be talking a little bit about the dam itself and then  
20 going into the repairs that we're doing. Our stoplogs I'll  
21 talk about first and then the actual tainter gates, what  
22 we're doing with those gates, the irrigation stoplogs that  
23 we'll be building, and the sluice gate repairs, and then  
24 talk about the schedule.

25 Harlan County Dam was built from 1946 to 1952, and

1 so we're looking at a facility that's 62 years old. And  
2 most of the features out there are original, the original  
3 gates, the original controls, the original brakes on those  
4 gates, the chains that you see on these pictures, that's  
5 many-decades-old lifting chains. Harlan County, itself, has  
6 nine sluiceways. I like to think of them as tunnels,  
7 tunnels through the dam that release our normal water into  
8 the Republican River. Those nine sluiceways actually have  
9 two gates through each tunnel or through each conduit. So,  
10 there's 18 sluice gates. We have two irrigation conduits,  
11 the Franklin, which is five and a half feet wide diameter,  
12 and the Naponee, that's two foot and ten inches diameter on  
13 the south side of the dam. And then we have our tainter  
14 gates, our large 40- by 30-foot gates that are in the middle  
15 of the dam used for flood releases. Those gates, all 18 are  
16 restricted right now due to conditions of the bearing arm,  
17 the struts of the arm, the lifting chains, and actual -- the  
18 controls. Many of those controls are felled where they're  
19 completely useless, where we actually have to bypass those  
20 controls to try to operate gates. I'll talk more about that  
21 here in just a minute.

22 First phase of the repairs will be the stoplogs.  
23 As you can see by this photo, the brown algae growth on the  
24 gate, that's the typical or what we say would be the normal  
25 lake pool. So, the lake itself is maybe two and a half feet

1 up on those gates. And in order to release those gates, cut  
2 those bearing arms from the dam, you would need to have a  
3 bulkhead or stoplogs in place so the water doesn't push that  
4 gate down over the dam. So, really, the first phase of the  
5 repairs will be the stoplogs.

6 You can see our record low was 20.3 feet. That  
7 was back in December of 2004. Yesterday's water surface, we  
8 were about 15.3 feet low, so we're still -- the water is  
9 still low right now at Harlan County.

10 Tainter gate stoplogs, I mentioned this was really  
11 the first phase. And this is a current photo from this  
12 month out at Harlan County. You can see the work that's  
13 being done. Not only will there be anchors on the bottom of  
14 where those sluice gates are, but in between each bay,  
15 there's anchors being placed right now. And with the  
16 anchors, there's also, it's like concrete, a grout-like  
17 mixture that's added. Those will be used for the support  
18 beams and the guides where the stoplogs will be put in  
19 place. The stoplogs are essentially just metal sheets that  
20 are -- they look like H's. Their a form there and they  
21 represent a log, but essentially it's a metal I-beam. You  
22 can think of it that way.

23 The tainter gates, this is the back side of one of  
24 the 18 tainter gates that we have at Harlan County. And the  
25 bearing itself, this piece in here, was designed back in the

1 '40s without friction. The problem at Harlan County is  
2 there's lots of friction. Even though all of our brakes,  
3 they've been disconnected, usually, you would be able to  
4 raise a gate, put on the brakes to hold it in place, well,  
5 essentially, at Harlan County, you don't need brakes,  
6 because there is so much friction it holds the gate up. So,  
7 even though the brakes have failed and we don't have them  
8 right now in place, they're not needed, because of the poor  
9 bearing design. What we'll be doing is replacing those  
10 bearings with new retrofitted -- a trunnion that the whole  
11 fixture at the bottom of the gate will be replaced. That'll  
12 allow us to have a smooth operation where the gate won't  
13 stick. Right now, as you try to operate some of those  
14 gates, they stick. You don't want them to stick. It causes  
15 much problems with operation.

16 The arms themselves will be reinforced, too.  
17 We'll put in metal sheets just to give it more strength.  
18 There's concern right now with the high friction that many  
19 of those gates, if we tried to open them, those arms would  
20 probably bend. Those gates could get lodged in place.  
21 Essentially, maybe we'd be able to open those gates, but  
22 maybe not close them. So then, you would lose the water  
23 that's standing behind the normal pool. But, that's our  
24 concern with the gates and that's why we're repairing our  
25 gates.

1           Irrigation stoplogs, we have two conduits or  
2           sluiceways, but the dam itself was built without stoplogs.  
3           These have cast iron gates in there. They have never been  
4           inspected. There's much corrosion, much erosion seen around  
5           where we can actually see, but since there's not stoplogs,  
6           there's not a way to block off the water, we're not able to  
7           go in there and do a true, thorough inspection. But most  
8           likely, there would be some need to repair those gates.

9           Sluice gates, we talked about the nine passageways  
10          through the dam. This is sluiceway No. 1, and you see the  
11          water coming through there. These gates, through our  
12          inspection reports, our engineers just note that they need  
13          to be repaired, essentially taken out of the dam, weld  
14          repaired, blasted, painted, put back in place. Last time  
15          this was done was 1983, so it's been a long process.  
16          They're just sitting there. As I was looking through our  
17          old inspection reports, even years ago, it was needed  
18          through those reports, so it's a needed item that's been  
19          waiting.

20          Timeline, as you saw the dam itself, there's  
21          currently work at Harlan County Dam with those stoplogs. We  
22          have a contract awarded in September of 2013, and that work  
23          should be nearing up by the end of this calendar year.  
24          We're getting ready to repair -- issue a contract to do the  
25          tainter gate work, the lifting beams, all the new electrical

1 controls, the brakes that don't work, all the reinforcement  
2 on those arms and the bearings themselves. That contract is  
3 planned to be awarded next month, here in September, and  
4 then that's a three-and-a-half duration contract, so the  
5 next three and a half years, we will be working on those  
6 gates. Really, I want to emphasize that the stoplogs --  
7 we're taking -- it may take us longer to do it because of  
8 the stoplogs, but those stoplogs are needed, so we do not  
9 lower the Harlan County pool to make repairs. The Corps of  
10 Engineers has no plans, will not lower or release water to  
11 make repairs. That's why we're building the stoplogs. And  
12 that's why we're doing the extra effort. Even though it's  
13 taking longer, even though it's costing more, we will not  
14 release water to make these repairs.

15 If you happen to be at Harlan County during the  
16 next couple years, you'll notice with the construction, the  
17 road across the dam will be restricted at times down to one  
18 lane. So, definitely impact to local community and the  
19 economic impact there, too. So, something to be expected,  
20 but I think long term, this will give us the ability to have  
21 normal operations during flood control, any storm events.  
22 Currently, we've lost -- because of restrictions, we've lost  
23 54 percent of our flood control pool. The Kansas City  
24 District wants to get our dam back in full operation and  
25 wants to restore that flood capacity. Thank you.



1 CHAIRPERSON DUNNIGAN: Thank you, Ken.

2 Questions from the commissioners?

3 COMMISSIONER BARFIELD: I just appreciate your  
4 report. I'd like a copy of the presentation.

5 MR. STARK: Sure.

6 COMMISSIONER BARFIELD: That'd be helpful. This  
7 is -- obviously, we support having a safe and fully  
8 functional dam. Obviously, it's coming at a very  
9 significant price tag that our district bears part of the  
10 cost of, so, appreciate you also finding the most cost  
11 effective solutions to those -- to remedy these repair,  
12 maintenance concerns.

13 CHAIRPERSON DUNNIGAN: Thank you, Ken.

14 Next, the US Geological Survey, Jason Lambrecht.

15 MR. LAMBRECHT: Good morning. I'm not a  
16 microphone guy, but I speak loudly, so you'll hear me in  
17 this thing. I'm Jason Lambrecht. I'm with the US  
18 Geological Survey. I work out of the Nebraska Water Science  
19 Center out of Lincoln here. I just had to skip across town  
20 for this.

21 The USGS operates for the Compact 15 stream gages  
22 in Nebraska currently, I'll say on that. The funding is  
23 primarily through the Army Corps of Engineers, the US Bureau  
24 of Reclamation, the Nebraska DNR, and also through the  
25 National Streamflow Information Program. That's

1 congressionally allocated funding for stream gages. I  
2 passed out a report, somewhat of a report, to all the table  
3 personnel. There's some more copies up front. I won't go  
4 through the report. I'll just point out some of the  
5 highlights of the report from a spreadsheet.

6 Nine of the 15 gages that we operate for the  
7 Compact were in the top five lowest in this past year. It's  
8 very similar to the 2012. What we're talking about is water  
9 year 2013 right now, from October 1<sup>st</sup> of 2012 until  
10 September 30<sup>th</sup> of 2013. One of these stream gages had the  
11 highest on record at Rock Creek.

12 Over the past few months, I've been speaking with  
13 the Nebraska DNR and will be assuming operation of -- well,  
14 thanks to a bump in our NSF funding over the last year,  
15 we'll be assuming operation at two DNR stream gages in the  
16 Republican Basin, one being at the Beaver Creek and another  
17 one at Guide Rock. And then, we'll also be restarting a  
18 stream gage that shut down in 1994, Republican River at  
19 Benkelman. And those will all be starting up October 1<sup>st</sup>  
20 and will be available on the USGS webpage.

21 To date so far through water year 2014, all of our  
22 stream gages are work checked and approved. The data's  
23 available on the web up to around April of 2014. And beyond  
24 that, we worked all the data up to June-July with the  
25 current corrections put into the most recent measurements,

1 even up until the first part of August here. Then, I was  
2 just jotting some notes down to point out to everyone. All  
3 this data can be found on the [USGS.water.ne.gov](http://USGS.water.ne.gov). And any  
4 USGS office can point you toward that website. The data  
5 available for all these sites is 15-minute values of data as  
6 well as daily information, statistics, and annual data  
7 reports for these sites.

8 The USGS North Platte Field Office maintains all  
9 these sites. They visit the sites at least every six weeks  
10 for calibration and maintenance of the gages and also to  
11 make discharge measurements for calibration of the state's  
12 discharge rating. They put special emphasis on high flows,  
13 the peaks of the year to assure that we adequately are able  
14 to shift to the peaks to make sure we have the right  
15 numbers, as well as the low flows of the year so that we  
16 also adequately cover the low flow range. And we make extra  
17 inspections when needed. Generally, it's around ten  
18 inspections a year, but it gets to be upwards of 14 to 16 a  
19 year.

20 Again, feel free to contact the USGS offices in  
21 your respective states to find out more information on any  
22 of the USGS stream gages in the Republican Basin. And if  
23 you have any questions, please do so. Otherwise, that ends  
24 my report.

25 CHAIRPERSON DUNNIGAN: Thank you, Jason.

1 Questions from the commissioners?

2 COMMISSIONER BARFIELD: None from Kansas.

3 COMMISSIONER WOLFE: Not from Colorado.

4 MR. LAMBRECHT: Thank you.

5 CHAIRPERSON DUNNIGAN: Thank you, Jason.

6 Moving to Agenda Item 6, Committee Reports, I'll  
7 turn it over to Jim Schneider for the Engineering Committee.

8 MR. SCHNEIDER: Thank you. We had a really  
9 productive year this year for the Engineering Committee.  
10 And we've delivered signed reports to the three states. And  
11 I will just go through the executive summary of that report.  
12 The Engineering Committee met five times since last  
13 September's Republican River Compact Administration Annual  
14 Meeting. Over the past year, the Engineering Committee  
15 completed these assignments. One, holding quarterly  
16 meetings; two, exchanging accounting data and documentation;  
17 three, discussing specific modeling and data tasks to be  
18 assigned to Principia Mathematica; four, discussing issues  
19 preventing agreement on final accounting from 2006 to 2012;  
20 five, discussing the establishment of the budget to  
21 accomplish tasks for Compact goals; and six, reviewing the  
22 task descriptions in each state's contract with Principia  
23 Mathematica.

24 Ongoing assignments include continuing efforts to  
25 resolve concerns related to varying methods of estimating

1 ground and surface water recharge and return flow and  
2 related issues; two, continuing efforts to finalize  
3 accounting for 2006 through 2012; three, discussing any  
4 accounting changes that may be needed for surface water  
5 diversion for the purpose of recharging groundwater; four,  
6 discussing developing an application and approval process  
7 for future augmentation plans; five, exploring options for  
8 sharing evaporation charges for Harlan County Lake when  
9 accounts exist separate from the project water supplies of  
10 Bostwick Irrigation District; six, exploring potential means  
11 to adjust the Compact accounting of Harlan County Lake for  
12 the mutual benefit of the states; and seven, exploring the  
13 development of an RFP to determine contractor options for  
14 the annual model update and model repository.

15 The Engineering Committee recommends discussion by  
16 the RRCA on the exchange of data and documentation in the  
17 modeling runs completed by Principia Mathematica for 2013,  
18 the establishment of a budget, the conservation terrace  
19 study, and the recommended Engineering Committee assignments  
20 for the following year.

21 That concludes my report. I'd be happy to answer  
22 any questions.

23 COMMISSIONER BARFIELD: I don't have any  
24 questions. I certainly appreciate the work of the committee  
25 and as well as your report. I think I concur it's been a

1 very productive year. For everyone else's benefit, we had a  
2 work session yesterday afternoon, where we sort of went  
3 through in detail, the committee's work and sort reviewed  
4 its assignments, and so, we're prepared to act on the  
5 report. Appreciate the work.

6 MR. SCHNEIDER: Thank you.

7 CHAIRPERSON DUNNIGAN: Thank you, Jim.

8 We'll move on to Agenda Item 7, Old Business, and  
9 I'll turn it back to Jim for a status of unapproved previous  
10 accounting.

11 MR. SCHNEIDER: Thank you. Well, as I noted in  
12 the Engineering Committee Report, one of the things we  
13 talked about are issues preventing the approval of previous  
14 unapproved accounting. We now have 2006 through 2013 that  
15 have yet to be approved. The data has been submitted and  
16 approved. We just haven't finalized the accounting. I  
17 think we've crystalized the remaining issues that need to be  
18 resolved. Several of them are involved in the Supreme Court  
19 litigation and several others are involved in arbitrations  
20 that have occurred. And there's just two other issues that  
21 the Engineering Committee will be working on throughout this  
22 year. And with resolution of the Supreme Court litigation  
23 and with the meetings that we're having and the hopeful  
24 resolution on augmentation plans and other accounting issues  
25 that have been arbitrated, we'll continue working towards

1 getting that in a final form for the RRCA to approve. Any  
2 questions?

3 COMMISSIONER BARFIELD: None from me, thank you.

4 MR. SCHNEIDER: Thank you.

5 CHAIRPERSON DUNNIGAN: Thank you, Jim.

6 Moving on to Agenda Item 8, which is New Business  
7 and Assignments to Compact Committees, I've asked the  
8 commissioners about Agenda Item (a). There are no issues  
9 that are raised at this point, so that takes care of Agenda  
10 Item (a).

11 Agenda Item (b) is Action on the Engineering  
12 Committee Report and Assignments, and I'd entertain a motion  
13 to approve the Engineering Report and assignments for the  
14 coming year.

15 COMMISSIONER WOLFE: I move that we approve the  
16 Engineering Committee Report and the associated assignments  
17 indicated therein.

18 CHAIRPERSON DUNNIGAN: Do I have a second?

19 COMMISSIONER BARFIELD: I would second.

20 CHAIRPERSON DUNNIGAN: A motion and a second. Any  
21 discussion?

22 (No response.)

23 Hearing none, all those in favor say aye.

24 COMMISSIONER BARFIELD: Aye.

25 COMMISSIONER WOLFE: Aye.

1                   CHAIRPERSON DUNNIGAN: Aye. Motion passes.

2                   Agenda Item 9 is Remarks from the Public, and I  
3 would appreciate it if you could come to the podium for the  
4 convenience of the court reporter to be able to hear you,  
5 for any public comments. Or we can try to bring the  
6 microphone out to the audience if you need, but we'll put  
7 the microphone at the podium for public comments, if there's  
8 any public comments.

9                   MR. CORYELL: I'm Dennis Coryell, President of the  
10 Republican River Water Conservation District in Colorado. I  
11 appreciate the opportunity to address the Compact  
12 Administration. First of all, I'd like to say thank you for  
13 the temporary approval to operate our augmentation plan and  
14 our Compact Compliance Pipeline for 2014. I know that these  
15 issues are not as simple as a farmer like myself would try  
16 to make them out to be. But I would just like to urge all  
17 three states to keep working in an agreeable manner and try  
18 to seek resolution of the remaining issues.

19                   I know that the subbasin impairment issue for  
20 Colorado's proposal seems to be a bit of an issue for,  
21 especially for Kansas. I would just like to say that, you  
22 know, Bonny Reservoir is dry. That was a very painful  
23 thing, maybe not necessarily for the folks in the  
24 remaining -- the other part of Colorado, Denver, but for Kit  
25 Carson and Yuma Counties, it was very painful. But it is



1 the one thing that allows us to be in compliance. So, I  
2 would just urge the three states to find a way in your  
3 accounting to represent Bonny Reservoir as dry, because it  
4 is dry.

5 We have, as mentioned from Commissioner Wolfe,  
6 we've spent a great amount of money within our district to  
7 assist Colorado in getting into compliance. Currently,  
8 we've spent over \$110 million in our district to get into  
9 compliance, and yet we do not have a permanent agreement so  
10 that we can be in compliance. We need to get past that.  
11 That \$110 million has retired over 37,000 acres, most of  
12 those permanent retirement, never to be irrigated again. I  
13 don't think that any of the other states have come anywhere  
14 close to doing that. That is our local commitment to comply  
15 with the Compact. We're truly serious, but we need  
16 approval. We've done that through CREP, EQIP, and AWEP, and  
17 now, we have a new program, the RCPP, Regional Conservation  
18 Partnership Program. We're, in the future, committing over  
19 the next five years, two and a half million dollars to  
20 partner with NRCS to do other kind of conservation programs,  
21 whether it be rotational fallowing, crops that require less  
22 water, several different methods to be able to actually  
23 conserve real water.

24 On July 28<sup>th</sup>, the Plains Groundwater Management  
25 District, one of the eight in the Republican River Basin in

1 Colorado, met to discuss with its water users, the producers  
2 in the area, what we could do to slow the decline of the  
3 Ogallala Aquifer. We basically recognized what Kansas was  
4 doing and kind of patterned our ideas and our thoughts as to  
5 what they're doing, because the reality is, other than a  
6 state boundary between us, we irrigate the same, we have the  
7 same issues, the same problems. In that meeting, our  
8 producers came up with the consensus that we do need to slow  
9 the decline of the aquifer in Colorado. We need to take  
10 steps to be able to do that. The producers said, we would  
11 rather be proactive and do that, lengthen the use of the  
12 aquifer for our irrigators within our basin and do that.

13 Now, anybody that's traveled throughout the basin,  
14 whether you're in Nebraska, Kansas, or Colorado, knows that  
15 things are greatly different from one area to the other.  
16 So, conservation in our district may look different for each  
17 groundwater management district. But the Plains District,  
18 which is probably on the southern perimeter of our basin,  
19 recognizes that at an alarming rate, our aquifer is  
20 declining. So, this is a proactive step. And there will be  
21 other meetings within our basin in the coming year or so  
22 with follow-up to be able to accomplish that goal.

23 In closing, I'd just like to say that it's great  
24 to hear Nebraska be able to say that you're in compliance  
25 for -- or you plan to be in compliance for this next year.

1 I've been attending these meetings since 1998. I want to  
2 retire. But I promised the water users in our basin that I  
3 would stay with this until we got the ship corrected. It  
4 would be nice for Colorado, in 2015, to say, "We are in  
5 compliance, and we will remain in compliance." So, I would  
6 just urge all three states -- I'm not saying you have to  
7 join hands and sing Kumbaya, but I would just urge you to  
8 keep moving forward in an agreeable manner to bring this  
9 issue to an end. Thank you very much.

10 CHAIRPERSON DUNNIGAN: Other public remarks?

11 (No response.)

12 Seeing none, that takes us to Agenda Item 10,  
13 which is future meeting arrangements. Nebraska will host  
14 next year's meeting again. We're currently planning for  
15 that meeting to be held in Lincoln, and we're looking at the  
16 afternoon of Wednesday, August 26<sup>th</sup> for the working session  
17 and the morning of August 27<sup>th</sup> for the RRCA meeting. And  
18 we'll certainly discuss that with the fellow states to make  
19 sure that we're in agreement on that, but those are the days  
20 that we put out today. Any questions?

21 (No response.)

22 Seeing none, that takes us to adjournment.

23 COMMISSIONER BARFIELD: Again, I'd like to -- as  
24 Commissioner Wolfe expressed earlier, just appreciate  
25 Nebraska hosting not only this morning's meeting but all of

1 yesterday. And I guess I would move adjournment.

2 COMMISSIONER WOLFE: Second.

3 CHAIRPERSON DUNNIGAN: Moved and seconded, no  
4 discussion. All those in favor? Aye.

5 COMMISSIONER BARFIELD: Aye.

6 COMMISSIONER WOLFE: Aye.

7 CHAIRPERSON DUNNIGAN: Meeting adjourned. Thank  
8 you very much.

9 (Whereupon, at 10:06 a.m. on August 28, 2014, the  
10 proceedings were concluded.)

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