

Colorado, Nebraska and Kansas hold Annual Meeting of the RRCA

Submitted by Deb Daniel, RRWCD General Manager

On September 11, 2013 the Republican River Compact Administration met in Colby, KS for an informal work session, followed by the RRCA annual meeting on September 12. The purpose of the work session was to discuss issues and to exchange information between Colorado, Kansas and Nebraska in advance of the annual meeting.

Work Session of the RRCA

During the work session Aaron Thompson from the Bureau of Reclamation reported on the progress being made on the Water Smart Study being conducted within the Republican River Basin in CO, KS and NE. They are collecting data and should have a completed report on the study available in September 2014.

Over the past few years, the RRCA has been working to complete past annual reports and get those reports and data up to date. That has now largely been accomplished.

The next issue was how to publish those reports. In the past, that has been done by printing the reports, but the more recent reports contain a lot more data and information and printing could be very expensive. After some discussion, it was decided that the states would exchange past and future RRCA annual reports via CD ROM disc or other electronic media rather than paper copies.

Colorado's member of the RRCA, Dick Wolfe brought up for discussion that based on a new survey, the area capacity curve for Bonny Reservoir needs to be changed for RRCA reporting purposes. The last time the curve was updated was 1950.

There was some discussion whether the change should apply retroactively as well since there are still several years of RRCA accounting that has not been finalized. After some discussion the States agreed that revising the data set containing the area capacity curve for Bonny Reservoir back to 2007 made sense and that Colorado would propose such a resolution at the Annual Meeting the next day.

Kansas then brought up another pending matter: during the 2012 RRCA informal work session, Kansas stated that they did not want to continue the RRCA's contract with Principia Mathematica to keep and maintain the RRCA ground water model. At that time, the States did not make any final decision on the issue.

At this year's Work Session, Kansas again brought up the issue, David Barfield, RRCA Member from Kansas stated that Kansas believed they could do these calculations in-house and decided to not sign a 2013 contract with Principia Mathematica.

It was brought to the attention of the RRCA that in January 2013, Kansas asked Principia Mathematica to compile modeling computations. Mr Schreuder delivered this information to all three states and yet Kansas did not feel obligated to continue the contract with Principia Mathematica. Therefore one-third of Principia Mathematica's invoice for 2013 has not been paid.

This was not acceptable to Colorado or Nebraska. This situation was discussed at length and it was decided to table this conversation until the Annual Meeting the following day.

RRCA Annual Meeting

During the Annual meeting on Thursday each state reported on actions taken in their State.

David Barfield, stated that "Kansas has participated and has experienced significant legal and engineering expense" regarding each of the proposals from Colorado and Nebraska. According to Mr. Barfield, "Kansas has met every deadline and has spent significant time on each of these issues".

During the Colorado report, Dick Wolfe thanked the Republican River Water Conservation District for building the Compact Compliance Pipeline. Mr. Wolfe reported that well owners in the Republican River Basin in Colorado have worked hard to solve the problem of compact compliance. He also thanked Willem Schreuder of Principia Mathematica for all of his work for the RRCA.

Brian Dunnigan, Nebraska's RRCA Member, reported that even though 2012 was the warmest and driest year in the last 180 years, Nebraska was able to continue to remain in compliance with the Republican River Compact. It had been forecasted that 2013 could be just as hot and dry. Mr. Dunnigan stated that Nebraska took actions early in the year to ensure they would continue to be in compliance with the compact.

Tom O'Connell of Nebraska's Lower NRD reported on the Medicine Creek pipeline proposal and Jasper Fanning of Nebraska's Upper NRD reported on the Rock Creek pipeline. Concluding his report Mr. Dunnigan declared that in his opinion Kansas has not put forth the effort to negotiate resolutions that had been presented by Nebraska and Colorado. Mr. Dunnigan stated that he feels Kansas is in violation with the Final Settlement Stipulation by not working on the resolutions presented to the RRCA.

Mr. Thompson reported on the reservoirs in the Basin and on the progress of the Water Smart Study. Dick Wolfe thanked the Bureau for their efforts in working with Colorado during the draining of Bonny Reservoir.

John Miller of United States Geological Service reported on the compilation of readings of Compact measurement points throughout the Basin. His report also evaluated how this year's readings ranked to all the previous readings.

RRCA Engineering Report

Scott Ross, Kansas's representative to the RRCA Engineering Committee reported for the committee. Mr. Ross reported the committee had discussed how the 3 states decided to enter into a contract with Principia Mathematica for 2012-2013 during the RRCA annual meeting in October 2012. The committee recommended the RRCA retain the services of Principia Mathematica again for 2013-2014.

The committee continues to work on approval of augmentation proposals, the 5 year rolling average calculations and the revision of the representation of Bonny Reservoir through the RRCA Groundwater Model and Accounting Principles. Mr. Ross reported the engineering committee suggests they plan to meet quarterly and establish an annual budget for the RRCA. Dick Wolfe presented the resolution revising the area capacity curve for Bonny Reservoir and to apply that to the official accounting from 2007 forward. A vote was taken and this resolution was approved.

Mr. Wolfe also proposed the RRCA have a special meeting on December 15, 2013, to discuss and resolve the issue of the contract with Principia Mathematica. Mr. Wolfe stated all states should continue using Dr. Schreuder – and that each state should share equally in this expense. Mr. Dunnigan agreed with Mr. Wolfe's remarks and he requested the RRCA continue using Principia Mathematica.

Mr. Dunnigan from NE again stated that it appears KS is unwilling to negotiate with Colorado or Nebraska to resolve issues in accordance with the Final Settlement Stipulation. Mr. Dunnigan declared that the proposals brought to the RRCA are time sensitive and Kansas continues to delay in properly evaluating Nebraska and Colorado's proposals.

According to Mr. Dunnigan it appears Kansas will not exert the resources necessary to make these evaluations to allow the States to find mutually acceptable solutions.

Mr. Barfield stated that he disagrees with Nebraska's accusations of Kansas not abiding with the requirements of the Final Settlement Stipulation. Mr. Barfield claimed Kansas continues to be prepared to work through these issues.

Dick Wolfe agreed with Nebraska. Dick stated that "resources have been spent – sacrifices have been made – Colorado presented the proposal of the Compact Compliance Pipeline almost 6 years ago – and Kansas continues to delay approval of this important project."

"Resources from each state should be applied when issues are brought forward. Delaying the resources only leads to dragging out these proposals for years. When requests are brought forward each state should dedicate the resources needed to resolve issues at that time."

During public comments David Robbins, counsel to the Republican River Water Conservation District, stated that he requests that if Kansas decides to not continue to use or will not pay Principia Mathematica for their services, that Kansas not be allowed access to the proprietary information held by Principia.

Mr. Robbins stated that, in his opinion, Kansas is making a mistake if they decide to not contract with Principia Mathematica.

Dennis Coryell, President of the Republican River Water Conservation District commented on the efforts of the RRCA in finding resolutions for proposals brought to the organization.

"Five and-a-half years ago, I stood before this commission and presented a plan for Colorado to achieve compliance" declared Mr. Coryell. "My first inclination would be to lock the three states in a room, let me have the key, and I'm not going to let you out until you get it settled."

"Actions speak louder than words," continued Mr. Coryell. "Please get together. I don't know what process has not been working, but it needs to change! We need to get this done! And we need to have a process in the future, when issues like this come up, they get settled, and not just talked about for years!"

With that, the meeting adjourned.

The next work session and the annual meeting of the RRCA will be held on August 27th and 28th, 2014 in Lincoln, Nebraska.