

**RESOLUTION
TO AMEND
THE OFFSET ACCOUNT RESOLUTION**

WHEREAS, the Arkansas River Compact Administration and the duly authorized representative of the Chief of Engineers of the U.S. Army Corps of Engineers jointly approved a storage account in John Martin Reservoir known as the "Offset Account in John Martin Reservoir for Colorado Pumping" [hereinafter the "Offset Account"]; and

WHEREAS, the Resolution Concerning an Offset Account in John Martin Reservoir for Colorado Pumping [hereinafter "Offset Account Resolution"] requires that 500 acre-feet of fully consumable water be delivered by the State of Colorado or Colorado water users to the Offset Account by April 1 of each year as a prerequisite for Colorado's right to deliver or permit the delivery by Colorado water users of up to 10,000 acre-feet of water (including the said 500 acre-feet) to the Offset Account pursuant to the Resolution during the period until the next succeeding April 1 [hereinafter "Initial Storage Charge Water"]; and

WHEREAS, the conservation pool in John Martin Reservoir is currently full, the contents of the Offset Account have been spilled, and water is currently being spilled from accounts granted in the Administration's Resolution Concerning an Operating Plan for John Martin Reservoir as revised through December 11, 1984;


WHEREAS, the States of Colorado and Kansas believe that greater flexibility is needed with regard to the timing of the delivery of the Initial Storage Charge Water;

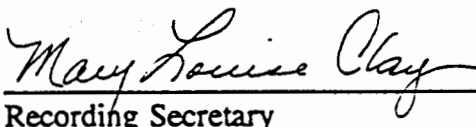
NOW THEREFORE BE IT RESOLVED that the Administration and the Chief of Engineers of the Corps of Engineers, or his duly authorized representative, jointly approve the following amendment to the Resolution Concerning An Offset Account in John Martin Reservoir for Colorado Pumping:

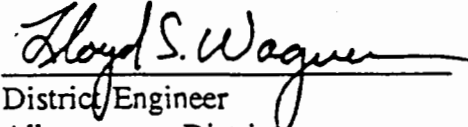
The first sentence of paragraph 9 of the Offset Account Resolution is amended to read as follows:

9. Notwithstanding other provisions of this Resolution, 500 acre-feet of fully consumable water shall be delivered by Colorado or Colorado water users to the Offset Account by April 1 of each year, or at a later time in any one year if agreed to by the Colorado State Engineer and the Kansas Chief Engineer, ~~or within two weeks after this Resolution becomes effective,~~ ~~whichever is later~~, which delivery shall be a prerequisite for Colorado's right to deliver or permit the delivery by Colorado water users of up to 10,000 acre-feet of water (including the said 500 acre-feet) to the Offset Account pursuant to this Resolution during the period until the next succeeding April 1.

JOINTLY APPROVED:


Chairman
Arkansas River Compact
Administration


Recording Secretary
Arkansas River Compact
Administration


District Engineer
Albuquerque District
Duly Authorized Representative of
the Chief of Engineers
U.S. Army Corps of Engineers

30 March 98
Date