

ARKANSAS RIVER COMPACT ADMINISTRATION

Lamar, Colorado 81052

For Colorado

Chairman and Federal Representative

For Kansas

Jennifer Gimbel, Denver

Vacant

David Barfield, Topeka

Colin Thompson, Holly

Randy Hayzlett, Lakin

Matt Heimerich, Olney Springs

David A. Brenn, Garden City

RESOLUTION 2012- 01

AMENDMENTS TO THE OPERATING PRINCIPLES TRINIDAD DAM AND RESERVOIR PROJECT AMENDED 2004

EXHIBIT

WHEREAS, the Purgatoire River Water Conservancy District (“the District”) on behalf of the City of Trinidad (“the City”) has requested the consideration of amendments to the Operating Principles of the Trinidad Dam and Reservoir Project as last amended in 2004 (“Trinidad Operating Principles”); and

WHEREAS, the Trinidad Operating Principles presently limit the use of water to uses within the District; and

WHEREAS, the City is within the boundaries of the District; and

WHEREAS, the City may store water that is fully consumable in its storage account in the joint use capacity, among other water; and

WHEREAS, the City has requested to use water that is fully consumable and stored in the City’s account on lands within the Purgatoire River basin at or above Trinidad Reservoir, but outside the boundaries of the District; and

WHEREAS, to supply water that is fully consumable outside the boundaries of the District, an amendment to the Trinidad Operating Principles is necessary and appropriate as stated in Exhibit A; and

WHEREAS, the amount of water attributable to the historic consumptive use on acreage removed from irrigation that may be stored in the City’s account in the joint use capacity is limited by Article IV.B.4 (a) (1) of the Trinidad Operating Principles; and

WHEREAS, the number of historically irrigated acres removed from irrigation that the City can obtain and use is also limited by Article IV.B.4 (a) (1) of the Trinidad Operating Principles; and

WHEREAS, the City has acquired additional water rights and, as a result, the limits contained in Article IV.B.4 (a) (1) of the Trinidad Operating Principles should be adjusted as indicated in Exhibit B; and

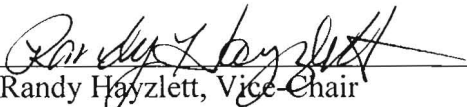
WHEREAS, the Arkansas River Compact Administration (“Administration”) is a signatory to the Trinidad Operating Principles and all signatories must approve amendments to them; and

WHEREAS, the amendments proposed by the District and attached hereto have been reviewed by the ARCA Engineering Committee and recommended for approval by the Administration.

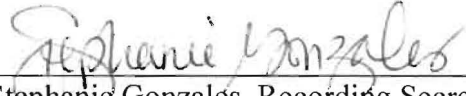
NOW, THEREFORE, BE IT RESOLVED that the Administration hereby approves the amendments to the Trinidad Operating Principles, as set forth in Exhibits A and B.

AND BE IT FURTHER RESOLVED that the Administration authorizes its Chairman to sign the Trinidad Operating Principles as amended by Exhibits A and B, once all other signatories have approved the same.

ADOPTED by the Administration at its 2012 Annual Meeting on December 6, 2012 in Garden City, Kansas.



Randy Hayzlett, Vice Chair
Arkansas River Compact Administration



Stephanie Gonzales, Recording Secretary
Arkansas River Compact Administration

3 of 6

New Proposed Article IV.B.4.a.(5)

Trinidad Project Operating Principles

- (5) Notwithstanding any other provision herein, any fully consumable water stored in the City of Trinidad's account in the joint use capacity, as authorized in the Agreement between the City of Trinidad and the **District** dated April 20, 1966, pursuant to water rights acquired or owned by the City of Trinidad may be used within the Purgatoire River basin at or above Trinidad Reservoir. Water stored in the City of Trinidad's account may also be used within the **District**.

Amendment to Article IV.B.4.a.(1)
Trinidad Project Operating Principles

- (1) Only water attributable to the historic consumptive use on acreage **removed from irrigation**, limited to 9481171.7 acres under the Johns Flood Ditch system and 373.7 acres under the Model Land & Irrigation Company system may be made available for M&I storage or **permanent fishery pool** storage. Water deliveries shall be limited to the following volumes, which shall not include the volumes retained in storage for later release to maintain historic delayed return flow patterns to the Purgatoire River:

	Maximum Monthly Water Deliveries (acre-feet)
Apr	<u>220257</u>
May	<u>345403</u>
Jun	<u>565661</u>
Jul	<u>685801</u>
Aug	<u>620725</u>
Sep	<u>345403</u>
Oct	<u>160187</u>
Nov - Mar	0
Annual Total	<u>2,8023276</u>