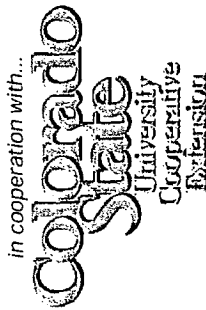




Division of Water Resources  
1313 Sherman St., Room 818  
Denver, CO 80203  
(303) 866-3581

[www.water.state.co.us/wateradmin/RepublicanRiver.asp](http://www.water.state.co.us/wateradmin/RepublicanRiver.asp)

Ken Knox  
Chief Deputy State Engineer  
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Program Coordinator

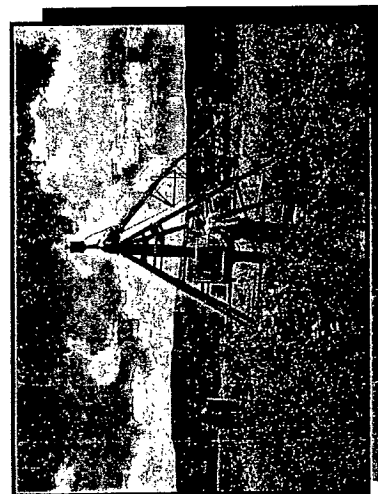
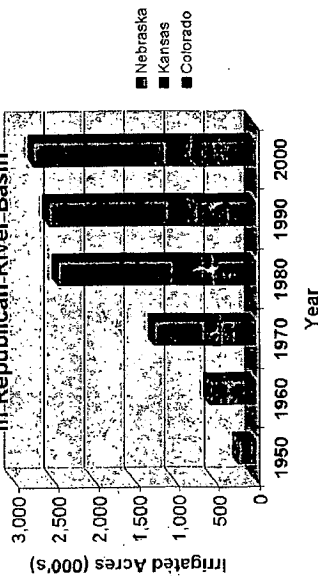


*Putting Knowledge to Work*

Colorado State University Cooperative Extension	Sedgwick County 970-474-3479
Kit Carson County 719-346-5571	Logan County 970-522-3200
Phillips County 970-854-3616	Lincoln County 719-743-2542
Washington County 970-345-2287	Yuma County 970-332-4151
	<a href="http://www.republicanrivet.com">www.republicanrivet.com</a>

Compact Sub-Basin	Avg. Annual WWS (AF)	Colorado Allocation	As % of Basin
Beaver	16,500	3,300	20%
South Fork	57,200	25,400	44%
Arikaree	19,610	15,400	79%
North Fork	44,700	10,000	22%
Total Basin	478,900	54,100	11%

**Total Estimated Irrigated Acreage In Republican-River-Basin**



# Republican River Compact Agreement



## Inside...

- The Republican River Compact
- Kansas v. Nebraska and Colorado & US Supreme Court Final Settlement
- Impact on Northeastern Colorado
- Republican River Water Conservation District
- Coloradoans working together



## The Republican River Compact

On December 31, 1942, Colorado, Kansas, and Nebraska signed the Republican River Compact in response to the flood of 1935 and to help facilitate federal storage projects for irrigation development. U.S. Congress ratified the compact and for over half a century it operated without controversy.

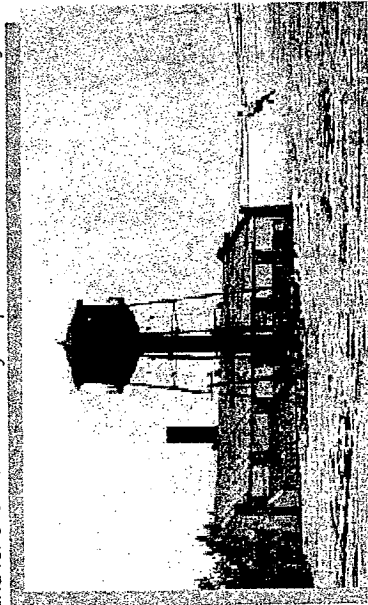


Photo: Nebraska archives

## Kansas v. Nebraska and Colorado

In May 1998, Kansas filed a complaint against Nebraska claiming that Nebraska had injured Kansas through overuse of ground water in the Republican River Basin. Nebraska countersued Kansas, naming Colorado as a formal party in November 2000.

The United States Supreme Court Special Master concurred that the compact included ground water use "to the extent it depletes Republican River Basin streamflows." Settlement efforts thus began between the three states in October 2001.

## Final Settlement Stipulation

Affirmed by the Supreme Court on December 15, 2002, the Final Settlement Stipulation included the following points:

- All claims through December 15, 2002 were waived.
- Moratorium on future ground water development.
- Ground water depletions to streamflow will be calculated through a jointly developed model.
- 2003 represents the first accounting year for determining the 5-year running average of compact compliance.
- States may pursue their own compliance actions.

## Republican River Water Conservation District

Governor Bill Owens signed into law Senate Bill 04-235, establishing a Republican River Water Conservation District in Phillips and Yuma counties, and those portions of Kit Carson, Lincoln, Logan, Sedwick, and Washington counties within the Republican River Basin.

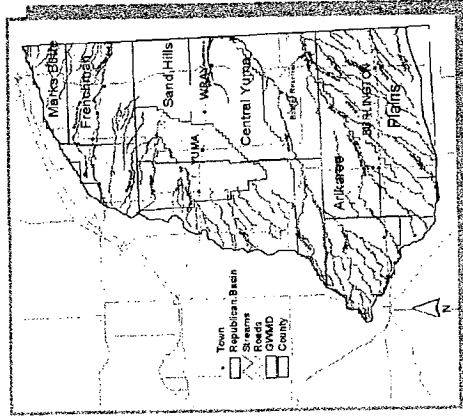
The district is empowered to take such actions as are necessary to cooperate with and assist the state of Colorado to carry out the state's duty to comply with the compact. The county commissioners of each county, the ground water management districts, and the Colorado Ground Water Commission will appoint the 15 members to the district's board. The new law authorizes several funding mechanisms to enable the district to help comply with the compact.

- Revenue bonds
- Special assessments
- Sales and use tax
- Ad valorem property taxes
- Water fees

## Your Input is Vital

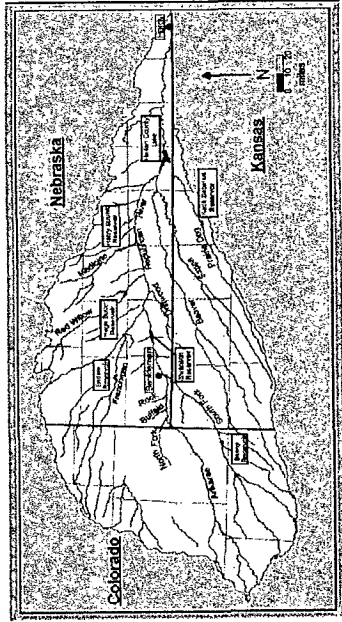
During 2003, Colorado exceeded its allocation by several thousand acre-feet of water due to

- Ongoing drought reducing streamflows since 1998
  - Improved tillage practices reducing runoff
  - Continued well pumping from 3,967 wells in Colorado
- Area residents will work with district, local, and state representatives to determine what measures must be taken to return to compliance and how to fund those measures.



## Current Status

4,763 acres irrigated by surface water in Colorado  
569,449 acres irrigated by ground water in Colorado



## Options for Compliance

- Retirement of surface water irrigated lands
- Retirement of ground water irrigated lands (adjacent to stream)
- Retirement of ground water irrigated lands (with lagged depletion)
- Interruption of water supply agreements
- Combination of the above

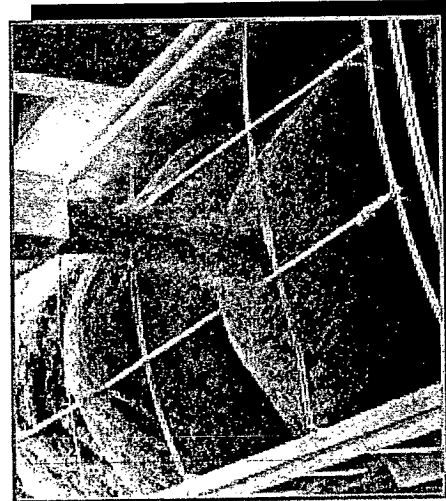
## Important Dates

- 8/10/2004 First RRWCD meeting (tent.)
- 9/21/2004 Ballot initiative tentatively due
- 11/2/2004 Election Day
- 6/8-9/2005 Republican Compact meeting
- 12/31/2007 Final day of 5-year average

**Republican River Water Conservation District**  
 505 E. 8<sup>th</sup> Ave., Building A  
 PO Box 304  
 Yuma, CO 80759  
*in cooperation with...*

Water Use	Jan. 1, 2005 Fee
Ground Water for Irrigation	\$5.50 / acre
Ground Water for Commercial or Municipal	\$4.40 / acre-foot
Post-Compact Surface Water	\$5.10 / acre-foot

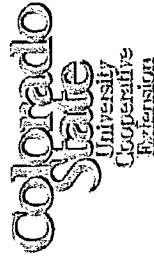
Irrigated acres are based on assessed acres per current county records. The annual use fee for diversion of ground water for irrigation use has been based on the average estimated diversion of ground water per acre for the previous ten years within the District and has been set so that the average estimated diversion of ground water per acre results in a fee of \$5.50 per assessed irrigated acre within the District.



**Republican River Water Conservation District**

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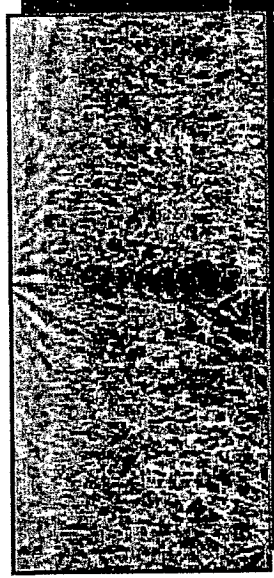
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Yuma County

970-332-4151

[www.republicanriver.com](http://www.republicanriver.com)



**Inside...**

- Republican River Water Conservation District updates
- 2005 Fee Schedule
- 2004 EQIP
- Planned 2005 CREP
- Conservation Easements
- Leasing your water to the RRWCD

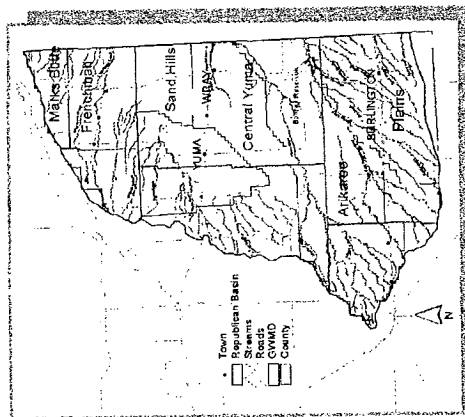
February 14, 2005



**Republican River Water Conservation District**  
 Governor Bill Owens signed into law Senate Bill 04-235, establishing a Republican River Water Conservation District in Phillips and Yuma counties, and those portions of Kit Carson, Lincoln, Logan, Sedwick, and Washington counties within the Republican River Basin.

The District is empowered to take such actions as are necessary to cooperate with and assist the state of Colorado to carry out the state's duty to comply with the Republican River Compact. The county commissioners of each county, the ground water management districts, and the Colorado Ground Water Commission have appointed the 15 members to the District's board. The new law authorized the District to form a water activity enterprise ("Enterprise") and authorizes several funding mechanisms to enable the District and the Enterprise to help comply with the Compact.

- Water use fees
- Revenue bonds
- Special assessments
- Sales and use tax
- Ad valorem property taxes



During 2003, Colorado exceeded its allocation by several thousand acre-feet of water due to ongoing drought reducing streamflows, improved tillage practices reducing runoff, and continued well pumping from 3,967 wells in Colorado.



## EQIP

The Environmental Quality Incentives Program was reauthorized in the Farm Security and Rural Investment Act of 2002 (Farm Bill) to provide a voluntary conservation program for farmers and ranchers that promotes agricultural production and environmental quality as compatible national goals. EQIP offers financial and technical assistance to eligible participants who install or implement structural and management practices on eligible agricultural land.

EQIP offers contracts with terms of three and five years as well as permanent contracts. These contracts provide incentive payments and cost-sharing to implement conservation practices. Farmers and ranchers may elect to use a certified third-party provider for technical assistance.

Producers may sign up by December 17, 2004, at their local Natural Resources Conservation Service (NRCS) offices or online at [www.nrcs.usda.gov](http://www.nrcs.usda.gov).

Additionally, the Republican River Water Conservation District Water Activity Enterprise intends to further supplement NRCS payments with incentives based on District objectives. The Enterprise plans to provide a schedule of those incentives at [www.water.state.co.us/wateradmin/RepublicanRiver.asp](http://www.water.state.co.us/wateradmin/RepublicanRiver.asp).

## CREP

The State of Colorado seeks to obtain federal funds through the United States Department of Agriculture (USDA) for the purpose of encouraging some farmers in the Republican River Basin to enroll in a voluntary Conservation Reserve Enhancement Program.

This program would provide incentives and cost sharing to participants who enter their land into eligible conservation practices such as native vegetation establishment or wildlife preservation for a period of 15 years. Of the more than 570,000 acres irrigated by surface or ground water in Colorado's region of the basin, the state will seek to enroll approximately 5% of those acres into the program over the next several years.

The USDA Colorado offices, the Colorado Divisions of Water Resources and Wildlife, Colorado State University Extension, the Republican River Water Conservation District and other agencies will work to prepare a proposal for 2005.

## Conservation Easements

Some landowners may choose to permanently donate the water rights associated with their agricultural land in order to receive tax savings. A conservation easement is a real property interest that grants the owner of the easement the right to prohibit certain acts (irrigation) with respect to the property in a manner that will preserve its value for conservation purposes.

Additional information regarding donating water rights and conservation easements can be obtained by contacting the Republican River Water Conservation District.

## Short-Term Leases

To achieve its objective of helping the State of Colorado meet its compact obligations, the Republican River Water Conservation District and its Water Activity Enterprise must begin helping agricultural producers voluntarily retire irrigated land, on both temporary and permanent bases.

This will require the Enterprise to begin leasing the water rights of some acres beginning in 2005. Based on the model governing the Republican River Compact Agreement, those acres closest to the North Fork and South Fork of the Republican River will provide the greatest benefit to Colorado compact compliance.

Surface and ground water irrigators interested in entering a lease agreement with the Enterprise should contact the Enterprise after January 1, 2005.

## Important Dates

- 1/01/2005 First fee assessment
- 2/22/2005 Special Board meeting
- July, 2005 Republican Compact meeting
- Oct., 2005 Projected CREP sign-up
- 12/31/2007 Final day of 5-year average