Rules and Regulations

Republican River Compact Administration

Revised August 24, 2016

1. Pursuant to Article IX of the Republican River Compact ("Compact"), the States of Colorado, Nebraska and Kansas have the duty to administer the Compact through the officials in such States who are now or may hereafter be charged with the duty of administering the public water supplies in each of such States. Such officials shall be the members of an administrative body hereby designated as the Republican River Compact Administration ("RRCA"). The purpose of the RRCA shall be to administer the Compact. Such administration shall include but not be limited to the responsibilities as are assigned to it in the Final Settlement Stipulation dated December 15, 2002, approved by the States of Colorado, Nebraska and Kansas and filed in the case of *Kansas v. Nebraska and Colorado*, No. 126, Original, in the Supreme Court of the United States ("Final Settlement Stipulation").
2. As of the effective date of these Rules and Regulations, the officials who are charged with the duty of administering the public water supplies in each of the three States, and who therefore constitute the Members[1] are the individuals who hold the following offices: the State Engineer of the Division of Water Resources of the Colorado Department of Natural Resources; the Director of Natural Resources for the State of Nebraska; and, the Chief Engineer of the Division of Water Resources of the Kansas Department of Agriculture.
3. Each RRCA Member's term shall run concurrent with his or her term of office as the official charged with administering the public water supplies in his or her State.

[1] Reference in the RRCA records to "Commissioner(s)" refers to the Members as described in these Rules and Regulations.

4. Each State official shall be recognized as a Member of the RRCA upon furnishing to the other Members satisfactory evidence that he or she is the official in his or her State charged with the duty of administering the public water supplies in such State.
5. Any Member of the RRCA may appoint an alternate person to serve in his or her place. In the event any Member is unable to perform his or her official duties, the appointing authority of the State represented by that Member may appoint the Member's alternate to serve in his or her place. Any such alternate shall be recognized as that State's representative to the RRCA upon presentation to the Members from the other States of a written appointment letter signed by the absent Member, or, as applicable, by the appointing authority of the State involved. An appointment of an alternate shall be valid only for the period of the appointment.
6. The Chair of the RRCA shall be a Member of the RRCA. Each Chair shall serve a term encompassing two annual meetings. The Chair's term shall begin upon the conclusion of the last meeting chaired by the previous Chair and shall expire and the conclusion of the second annual meeting at which her or she serves as Chair. Unless otherwise agreed by all Members, the rotation of the Chair shall be by State in the following order beginning at the conclusion of the annual meeting in 2003: Colorado; Kansas; and Nebraska.
7. The Chair, or his or her alternate, shall preside at all meetings of the RRCA. The Chair may initiate or second motions and vote on all matters coming before the RRCA. The Chair shall issue notice of all meetings to all members as to the time, place, and agenda of the meeting at least 15 days in advance of any regular meeting, unless otherwise agreed by the Members, and as soon as possible prior to any special meeting. Any issue to be raised for dispute resolution at a regular meeting pursuant to paragraph 15 of these Rules and Regulations shall be distributed to the members at least 30 days in advance of the regular meeting. The agenda shall include all items for which a Member makes a timely request for inclusion on the agenda. The Chair or

other person designated by the RRCA shall also keep a record of the proceedings, including official meeting minutes, of all meetings and of all transactions of the RRCA during his or her term of office. The record of proceedings shall include: minutes; Annual Report; reports required by the Final Settlement Stipulation; committee and subcommittee reports; the data, computations and results required in the Accounting Procedures; and such other matters as deemed appropriate by the RRCA. Meeting minutes will not be official until approved by the RRCA. Unless otherwise agreed to by all Members of the RRCA, the Chair shall be responsible for the preparation of an electronic recording of each meeting, unless any Member requests in advance a transcript of each meeting. The Chair will be responsible for providing a copy of the record of proceedings for that year. The RRCA, through the Chair, will maintain an official repository of records of the proceedings.

8. The RRCA hereby creates a standing Engineering Committee that shall be composed of one representative from each State appointed by the RRCA Member from that State. The RRCA may create other standing, ad hoc or special committees composed of members of the RRCA and/or other persons appointed by the Members. The RRCA may assign to such committees any tasks that it determines to be appropriate.
9. The RRCA shall hold a regular annual meeting prior to September 1st each year. However, the Chair may waive an annual meeting, or hold the meeting at a later date, upon unanimous written consent of the Members. The annual meeting shall be held at a location in the Chair's State at a time and place acceptable to the other members.
10. The RRCA shall hold a special meeting, other than a meeting to address a "fast track issue" as provided for in the Section VII of the Final Settlement Stipulation, upon written request of any Member and with the concurrence of the other two Members. The Chair of the RRCA shall poll all of the Members prior to setting the meeting date, time, and place of a specially scheduled

meeting. All Members shall make a good faith effort to arrange a mutually agreeable date, time, and place for all meetings.

11. A quorum for a RRCA meeting shall be present only when all of the Members or their duly appointed alternates are in attendance. The RRCA may act only by unanimous vote of all members or duly appointed alternates. Each State shall have one vote. The Chair shall document each action of the RRCA by formal written resolution or such action shall be recorded in the approved minutes. The RRCA shall honor a request by any Member or duly appointed alternate that action on any matter be by formal resolution.
12. The RRCA shall prepare and approve an annual report that includes the official actions taken by the RRCA at the annual meeting and at any special meetings, a summary of the compact accounting for the previous year and such other matters as the RRCA may deem appropriate. The Chair shall furnish copies of the report to the President of the United States, the Governors of the States of Colorado, Nebraska and Kansas, the officials of appropriate State and federal agencies and to any other person, as the RRCA determines appropriate.
13. The RRCA may make amendments, revisions, deletions, or additions to these Rules and Regulations at any meeting of the RRCA. Unless otherwise agreed to by the RRCA, written notice and a copy of any proposed change must be sent to all Members by the Member proposing the change at least 15 days in advance of any meeting at which the RRCA shall consider such changes. Any Member may offer modifications of any such proposed changes at any time prior to the RRCA acting on those proposed changes.
14. Compact accounting and data exchanges among the States shall be done annually in accordance with the Final Settlement Stipulation, including the RRCA Accounting Procedures and Reporting Requirements, dated August 24, 2016, and the Republican River Compact Administration Groundwater Model, Version 12s2 (V12s2), dated August 6, 2010. Unless otherwise agreed to

by the RRCA Members, the annual accounting shall be completed by the Engineering Committee and submitted to the RRCA no later than June 1st of the year following for which the accounting is being done. The RRCA may modify the RRCA Accounting Procedures and the RRCA Groundwater model only by contemporaneously amending these Rules and Regulations to show the date, title or version, as appropriate, of the RRCA Accounting Procedures and/or the RRCA Groundwater model that the RRCA shall use. At the time of any modification, the RRCA shall specify the time and method for implementation of each modification.

15. Any dispute arising among the States shall be resolved in accordance with the procedures set forth in Article VII of the Final Settlement Stipulation.

Adopted by the Republican River Compact Administration this 24th day of August, 2016.

David W. Barfield
Commissioner for Kansas

Dick Wolfe
Commissioner for Colorado

Gordon W. Fassett
Commissioner for Nebraska