

MINUTES OF
ARKANSAS RIVER COMPACT ADMINISTRATION
SPECIAL MEETING

April 2, 1953

Garden City, Kansas

Attendance -

For Colorado:

Harry B. Mendenhall, Rocky Ford; Chairman of Colorado
Representatives
Ivan C. Crawford, Denver; Director Colorado Water
Conservation Board
Harry C. Nevius, Lamar; Administration Secretary and
Treasurer

For Kansas:

Wm. E. Leavitt, Garden City; Administration Vice Chairman
Roland H. Tate, Garden City.

Absent:

Brig. Gen. Hans Kramer, San Francisco, Calif.;
Representative of the United States and
Chairman of the Administration
R. V. Smrha, Topeka; Chairman of Kansas Representatives

Others Attending:

Guy M. Vincent, Garden City, Kansas State Division of
Water Resources
John Latta, Garden City; Garden City Company
Frank Kasper, Rocky Ford.

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A special meeting of the Arkansas River Company
Administration was called to order at 11:20 o'clock A.M.
on Thursday, April 2, 1953, in the office of the Garden City
Company in Garden City, Kansas, by Vice Chairman Wm. E. Leavitt.

The special meeting resulted, after the demands for
water became known both in Colorado and Kansas, and an emergency
call issued by telegram and telephone by the Secretary, for the
purpose of analyzing the depletion of storage in John Martin
Reservoir and the necessity of invoking the provisions of
Article VF of the Arkansas River Compact.

Vice Chairman Leavitt took charge of the meeting in the absence of Chairman Kramer and announced that the object of the meeting was the consideration of the short water supply and the time of Notification of the State Engineer of Colorado under Article VF. No other business to be considered.

The Secretary noted for the record that he had received a telegram from Chairman Kramer stating he could not attend on account of the short notice and asking that a date be set at this meeting for the regular spring meeting which had been postponed.

R. V. Smrha had been in telephone communication with the Kansas representatives but was unable to attend.

Mr. Ivan C. Crawford was in attendance as a member of the Administration for the first time and was welcomed by Mr. Leavitt. Mr. Crawford stated that he would mail credentials showing his appointment by the Governor as Director of the Colorado Water Conservation Board, and a member of the Administration.

Mr. Mendenhall, Chairman of the Operations Committee, reported that there was in storage at John Martin Reservoir 20,650 acre feet at midnight April 1, and that the release had now been established at 1350 acre feet daily which would indicate an empty reservoir by April 16, 1953. It was generally agreed that water in the reservoir would be depleted by that time unless some unforeseen supply came from floods, which were very unlikely at this time of year.

The Secretary prepared notification similar to that used during 1952 as follows:

FINDINGS AND NOTIFICATION
April 2, 1953.

WHEREAS, Article VF of the Arkansas River Compact which became effective on May 31, 1949, provides as follows:

"In the event the Administration finds that within a period of fourteen (14) days the water in the conservation pool will be or is liable to be exhausted, the Administration shall forthwith notify the State Engineer of Colorado, or his duly authorized representative, that commencing upon a day certain within said

fourteen (14) day period, unless a change of conditions justifies cancellation or modification of such notice, Colorado shall administer the decreed rights of water users in Colorado Water District 67 as against each other and as against all rights now or hereafter decreed to water users diverting upstream from John Martin Dam on the basis of relative priorities in the same manner in which their respective priority rights were administered by Colorado before John Martin Reservoir began to operate and as though John Martin Dam had not been constructed. Such priority administration by Colorado shall be continued until the Administration finds that water is again available in the conservation pool for release as provided in this Compact, and timely notice of such finding shall be given by the Administration to the State Engineer of Colorado or his duly authorized representative. Provided, that except as controlled by the operation of the preceding provisions of this paragraph and other applicable provisions of this Compact, when there is water in the conservation pool the water users upstream from John Martin Reservoir shall not be affected by the decrees to the ditches in Colorado Water District 67. Except when administration in Colorado is on a priority basis the water diversions in Colorado Water District 67 shall be administered by Colorado in accordance with distribution agreements made from time to time between the water users in such District and filed with the Administration and with the State Engineer of Colorado or, in the absence of such agreement, upon the basis of the respective priority decrees, as against each other, in said District."

NOW THEREFORE, acting pursuant to the above quoted provision of the Arkansas River Compact, and in the exercise of the powers set forth in Article VIII of such Compact, the Arkansas River Compact Administration finds;

That, based upon the present quantity of water stored in, and anticipated release of water from, and inflow to, the John Martin Reservoir, the conservation pool thereof, within a period of fourteen (14) days from this 2nd day of April 1953, will be, or is liable to be, exhausted.

NOTIFICATION: In further compliance with the above quoted provision of the Arkansas River Compact, the Arkansas River Compact Administration hereby notifies the State Engineer of Colorado as follows:

That, commencing on the 13th day of April, 1953, unless a change of conditions justifies cancellation or modification of this notice, he is required, under the terms of the Compact, to administer the decreed rights of the water users in Colorado in the manner and for a period of time determined in accordance with the provisions set forth in the above quoted Article VF of the Compact.

The above findings have been made, and notification thereof given, at a special meeting of the Arkansas River Compact Administration held at Garden City, Kansas, on the 2nd day of April, 1953.

/s/ W. E. Leavitt
Vice Chairman

(SEAL)
ATTEST:

/s/ Harry C. Nevius
Secretary

It was moved by Mr. Tate and seconded by Mr. Mendenhall that text of the Finding and Notification, as reviewed and discussed, be adopted by the Arkansas River Compact Administration.

Both Kansas and Colorado voted in the affirmative, and the motion was declared unanimously carried.

It was agreed that should additional water arrive in the reservoir or it became necessary to extend time of Notification for any reason, procedure similar to last year should be followed.

Official delivery of Findings and Notification was to be made by the Secretary to M. C. Hinderlider, Colorado State Engineer, by registered mail and copies to the Division Engineer Forest Snyder, R. J. McGrath, Water Commissioner District 67 and to Reservoir Manager John Sharer.

Mr. Mendenhall reported that he had been in correspondence with Gail Ireland regarding meeting of the special Committee for consideration of revision of the rules and regulations. Mr. Ireland has been asked to make suggestions, and he expected to meet Mr. Ireland in Denver soon and report.

The date for the postponed regular meeting was discussed. Mr. Leavitt and Mr. Tate stated that it would be some time before either would be able to travel. It was pointed out that should the need arise the date for this meeting could be arranged by the Chairman. Such meeting would probably be held in Garden City.

Meeting adjourned 12:10 P.M.