

MINUTES OF
ARKANSAS RIVER COMPACT ADMINISTRATION
REGULAR MEETING

July 28, 1953

LAMAR, COLORADO

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
R. V. Smrha, Topeka, Kansas; Acting Chairman of Kansas
Representatives

For the United States:

Brig. Gen. Hans Kramer, San Francisco, Calif.;
Chairman of the Administration

Absent:

Roland H. Tate, Garden City

Others Attending:

R. J. McGrath, Water Comm. #67, Lamar
John Latta, The Garden City Company, Garden City, Kansas
Col. L. C. Barnes, Dist. Engr., C. of E. Albuquerque
James E. Bone, U. S. Engineers, Albuquerque
John T. Martin, U. S. Engineers, Albuquerque
Ross W. Moor, U.S.G.S., Lamar
Ben F. Powell, U.S.B.R., Pueblo
Francis M. Bell, U.S.G.S., Denver
F. C. Snyder, Div. Engr. #2, Pueblo
Guy M. Vincent, Kansas Water Resources, Garden City
John S. Sharer, Mgr., John Martin Reservoir, Caddoa

Others Attending, Cont'd.

Ralph Adkins, Colorado Fuel & Iron, Pueblo
H. H. Christy, Colorado Fuel & Iron, Pueblo
A. N. Dallimore, Bessemer Ditch Co., Pueblo
L. E. DesRosiers, Concessaire, Caddoa
Troy Markle, President, CAVI, LaJunta
I. R. Romer, Rancher & Business Man, Holly
George W. Colburn, Colo. Water Cons. Board, Denver

A regularly called meeting of the Arkansas River Compact Administration was called to order at 10:00 A.M. in the Court House at Lamar, Colorado, Brig. Gen. Hans Kramer, Chairman presiding.

Gen. Kramer announced that he had asked that George Colburn of the Colorado Water Conservation Board assist Secretary Nevius as recorder of the meeting. There were no objections.

Recognition was noted of the cancellation of the regularly called meeting of March 24, 1953. The cancellation of the meeting was necessitated by a lack of a quorum.

The reappointment of the various members of the Administration by their respective states was acknowledged as their credentials were filed - namely:

Colorado: Messrs. Harry B. Mendenhall (date of reappointment: May 27, 1953)
Harry C. Nevius (date of reappointment: May 27, 1953)
Kansas: Messrs. Wm. E. Leavitt (date of reappointment to June 7, 1957)
Roland H. Tate (date of reappointment to June 7, 1957)
R. V. Smrha (date of reappointment to June 7, 1957)

Representative Tate was absent due to illness.

A motion was made by Mr. Mendenhall, seconded by Mr. Crawford, that the various offices in the Administration be filled by re-election of the previous incumbents. The motion was carried. The re-elected officers are as follows: Mr. Leavitt, Vice-chairman; Mr. Nevius, Secretary and Treasurer

Chairman Kramer suggested a revised membership list for committees of the Administration as follows:

A.R.C.A. Committees, July 28, 1953

1. Standing Committees

a. Administrative and Legal:

Tate (Chairman) and Nevius; (Kramer, ex-officio)

b. Engineering:

Smrha (Chairman) and Crawford; (Kramer, ex-officio)

c. Operations:

Mendenhall (Chairman) and Leavitt; (Kramer, ex-officio)

2. Special Committee on Revision of Rules and Regulations, established December 9, 1952:

Mendenhall (Chairman), Leavitt, Tate and Ireland

No objections to the above suggested committee memberships were made and by vote on a motion by Mr. Nevius, seconded by Mr. Smrha, they were declared adopted.

Gen. Kramer took the opportunity to introduce some of the visitors present. Among these were Col. L. C. Barnes, District Engineer, Albuquerque District, Corps of Engineers; Mr. James E. Bone, newly appointed resident manager of John Martin Reservoir; Mr. Ben Powell, Area Engineer, U.S.B.R., Pueblo.

The minutes of previous meetings having been distributed in advance, were not read. The following correction was made in the minutes of December 9, 1952: On P. 7, Par. 4, the words "Review Report" are to be capitalized. The minutes were approved as corrected.

The minutes of the special meeting of April 2, 1953, were approved as presented.

Chairman Kramer presented his report and presented the following items to become a part of the record of the Administration.

(a) December 16, 1952

Mr. G. E. Kimble, Secretary
Southwestern Colorado Recreational Association
Swink, Colorado

My dear Mr. Kimble:

Receipt is acknowledged of your letter of November 24, 1952, with which you inclosed, among others, a copy of a letter to you from the office of the Colorado Game and Fish Commission under date of December 9, 1946. You indicate, on the basis of that letter of December 9, 1946, that the factual background as outlined by me for your group at the meeting of the Arkansas River Compact Administration at Lamar on October 28, 1952, was in error.

In order to clarify the point you have raised, I respectfully invite your attention to the official statements made by Mr. C. N. Feast, Director of the Colorado Game and Fish Commission, to the Colorado-Kansas-Arkansas River Compact Commission at its meeting in Denver on April 11, 1947, in connection with the consideration of a permanent fish pool at John Martin Reservoir at the time the compact was in process of negotiation. Mr. Feast's statements may be found on page 8-53 of the Record of the Compact Commission. A copy of that Record is available for public reference in the office of the Arkansas River Compact Administration in Lamar. Or, perhaps more convenient for you, Mr. Harry B. Mendenhall of Rocky Ford, who was one of Colorado's compact commissioners, has a personal copy of the Record that you may consult. I suggest that you refer to the Record, as cited above, to verify the correctness of the statement on my part that you have questioned.

Sincerely yours,

/s/ Hans Kramer

Chairman and Representative of the United States, Arkansas River Compact Administration

cc: Mr. Harry C. Nevius
Mr. Harry B. Mendenhall

(b) 1952 Report sent to:

The President
The Secretary of the Interior
The Secretary of Agriculture
The Chief of Engineers
The Director of the Budget
The Chairman, Federal Power Commission
The Commissioner of Reclamation
The Director, U.S. Geological Survey
The Division Engineer, Southwestern Division, Dallas
The District Engineer, Albuquerque, New Mexico
The District Engineer, Tulsa, Oklahoma
Officer in Charge, Arkansas-Red-White Office, Tulsa

(c)

CORPS OF ENGINEERS, U. S. ARMY
OFFICE OF THE DISTRICT ENGINEER
ALBUQUERQUE DISTRICT
P. O. BOX 1538
ALBUQUERQUE, NEW MEXICO

Refer to File No. SWKGC-2 5 May 1953

SUBJECT: Arkansas River Compact as Related to
Regulation of John Martin Reservoir

TO: Hans Kramer, Brig. Gen., U. S. A. (Ret.)
Chairman and Representative of the U.S.
Arkansas River Compact Administration
417 Montgomery Street
San Francisco 4, California

Dear General Kramer:

Reference is made to the resolution adopted by the Arkansas River Compact Administration which was shown on the last page of the minutes for 22 July 1952 meeting held in Lamar, Colorado. This resolution reads as follows: "That the future study of the problems pertaining to operation of John Martin Reservoir and Dam during periods when the reservoir is empty and Colorado is operating under decreed priorities, is referred to the Operations Committee of the Arkansas River Compact Administration, and during the interim pending adoption of additional rules and regulations relating to operation of the reservoir and dam by the Administration, all river flow up to and including 2,000 cubic feet per second shall be passed through the reservoir as expeditiously as practicable: provided that the present

status quo shall be preserved during such interim except as wherein otherwise provided."

Preparation of a reservoir regulation manual for John Martin Reservoir is in progress at this time. In the interest of simplifying the reservoir regulation instructions to be contained in this manual, certain questions have developed with regard to the above resolution and other items connected with regulation of the reservoir for optimum conservation purposes which need clarification. In order to expedite completion of the regulation manual, I should like to send a representative, Mr. John T. Martin of my staff, to the next Compact Administration meeting to discuss these questions with you and other Administration members. Will you kindly advise if this will be satisfactory to the Compact Administration.

Your cooperation in this matter will be appreciated.

Sincerely yours,

/s/ Lynn C. Barnes
Colonel, CE
District Engineer

May 7, 1953

Colonel Lynn C. Barnes, C. E.
District Engineer, Albuquerque District
P. O. Box 1538
Albuquerque, New Mexico

My dear Colonel Barnes:

Receipt is acknowledged of your letter of May 5, 1953, File SWKGC-2, regarding your preparation of an operating manual for John Martin Reservoir. The Administration will be glad to have Mr. John T. Martin, as well as other members of your staff, attend its next meeting for the purposes mentioned in your letter. The next regular meeting of the Administration is scheduled to be held on July 28, 1953 but, at the present

writing, there is some uncertainty as to where the meeting will take place. Incidentally, I would like to extend to you an official as well as personal invitation to attend a meeting of the Administration at your earliest convenience.

At its meeting on December 9, 1952, the Administration adopted the following motion, which is pertinent to the subject of your letter:

"That further study of possible amendments to the Rules and Regulations of the Administration governing operation of John Martin Reservoir be referred to a special committee to be composed of Rep. Mendenhall as chairman, Rep. Leavitt, Rep. Tate and Mr. Gail Ireland, to report its recommendations back to the Administration."

I am furnishing a copy of your letter and of this reply to each member of the special committee in order that they will be apprised of the related activity of your office.

Sincerely yours,

/s/ Hans Kramer
Chairman and Representative of the United States
Arkansas River Compact Administration

(d)

February 19, 1953

Division Engineer,
Southwestern Division,
Corps of Engineers,
1114 Commerce Street
Dallas 2, Texas

Dear Sir:

In conformity with the procedures established in Section 1 of Public Law 534, 78th Congress (Flood Control Act of 1944), you furnished a copy of a project report on Pinon Canon Dam, Trinidad, Colorado to Dan Thornton, Governor of Colorado, for comments and recommendations. The report was referred to the Colorado Water Conservation Board, which has been designated by the Governor to act in such matters.

It appears that the investigation of the project was made by the Corps of Engineers in accordance with the provisions of Section 212 of Public Law 516, 81st Congress, (Flood Control Act of 1950), which amended Section 205 of Public Law 858, 80th Congress.

It is also apparent that the project is desired as a protective measure for the City of Trinidad, since that city has agreed, according to statements of the report, to furnish free of costs to the United States all rights-of-way, assume all liability for damage to crops or improvements, or any other damage incident to the prosecution of the work, and will maintain and operate the works after completion, in a manner satisfactory to the Chief of Engineers, U. S. Army; and further, to bear all construction costs in excess of \$150,000.00, which amount is the Federal limitation on construction costs.

Informal comments relative to the project were submitted under date of October 26, 1951, by the Director of the Colorado Water Conservation Board, expressing views which were substantially as follows:

The construction and operation plan of the proposed Pinon Canon Dam and its appurtenant facilities as a flood control measure for the protection of a portion of the City of Trinidad would not adversely affect any water rights, acquired under State law, for the use of Pinon Canon stream flows or the waters of the Purgatoire River. It also appears that such construction and operation would not be contrary to provisions of the Arkansas River Compact nor interfere with the plan of operation of John Martin Dam and Reservoir.

The Pinon Canon Dam project is independent of the authorized floodway project at Trinidad, and any other proposed dams or reservoirs on the Purgatoire River.

The State recognizes that damages from flash floods in Pinon Canon should be prevented by project works which are justified as being financially feasible under applicable and accepted

standards in such cases, and which show a favorable benefit to cost ratio.

Subsequent review of the subject report has not indicated revision of these comments.

Respectfully submitted,

/s/ R. M. Gildersleeve
Acting Director

cc: Brig. Gen. Hans Kramer, Chairman
Arkansas River Compact Administration

Chairman Kramer said that the letter had not been referred to any committee and suggested that the conclusions contained in the letter be concurred in. After discussion, it was moved by Mr. Mendenhall and seconded by Mr. Leavitt to refer the Pinon Canon matter to the Engineering Committee for further study. Col. Barnes informed the Administration that funds for construction were available as soon as the City of Trinidad had completed their share of the agreement and had passed suitable resolution.

(e)

S. 1316
83d Congress
1st Session

IN THE SENATE OF THE UNITED STATES

March 13, 1953

Mr. Johnson of Colorado introduced the following bill; which was read twice and referred to the Committee on Public Works

A BILL

Relating to the release of water from the John Martin Reservoir, Colorado.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army, acting through the Corps of Engineers, shall regulate the release of the waters impounded by the John Martin Dam in Colorado so as to maintain in the John Martin Reservoir that amount of water which is necessary for the preservation of the fish and wildlife in such reservoir.

Gen. Kramer had discussions with Senators Johnson, Millikin, and Representative Chenoweth in regard to this matter while in Washington in June. He stated that he had recommended orally to Senator Johnson that the Bill be withdrawn. Mr. Christy arose to remark that the NRA Legislative Committee recommended that it be a matter for state legislation.

In addition to the above recorded communications and list, the Chairman's report contained the following items:

- (f) He announced the dissolving of the special committee on the Fountain River and said if and when the need arose, the Administration could reactivate it.
- (g) He attended the AWRBIAC Meeting in Pueblo in June, but had no detailed report other than to refer to the minutes of that organization for its activities.
- (h) He referred to a communication from Mr. Ben Powell re: the Granada Reservoir and deferred its presentation until it was brought up under new business for more detail.

Secretary Nevius reported on the following items:

- (a) Distribution of Annual Report as per mailing list.
- (b) Announced a refund of \$18.77 on bond premium for Secretary Treasurer.
- (c) He had received a letter from C. E. Sydner, attorney for the Plains Water Conservation Corporation, as follows:

6/23/53

Mr. Harry C. Nevius
Lamar
Colorado

Dear Sir;

Enclosed please find motion
I am today filing in Case No. 416,
District Court, Bent County, Colorado

Yours truly,
/s/ C. E. Sydner

State of Colorado)
County of Bent) IN THE DISTRICT COURT

No. 416

In the Matter of Supple-)
mental Adjudication of)
Water Rights for Irri-)
gation and Domestic)
Purposes, In Water) Motion in re
District No. 17, in)Petition and Statement
Irrigation Division)of Claim for the Plains
No. 2, In the State)Water Conservation
of Colorado.)Corporation.

Comes now the Plains Water Conservation Corporation and moves the Referee and the Court herein, that no findings be made under the statement of Claim of the Plains Water Conservation Corporation; except as to Unit No. 3 of the Desert Ditch, commonly known as the Adobe Creek Ditch, deriving its supply of water from Adobe Creek and for direct Irrigation.

The Plains Water Conservation Corporation

By C. E. Sydner , Its Attorney.

The Administration directed Secretary to continue to keep in contact with the situation and to report any other signs of activity to the Administration.

As Treasurer, Mr. Nevius reported as follows:

- (a) Presented Treasurer's Financial Report as of July 28, 1953 which was accepted as corrected.

ARKANSAS RIVER COMPACT ADMINISTRATION
Report of Treasurer for period October 31,
1952 to July 28, 1953

| | |
|------------------------------------|------------------|
| Balance on hand, October 31, 1952, | |
| Auditor's Report | \$3446.95 |
| Receipts, National Surety Corp., | |
| Secretary Bond Reduction | |
| (December 31, 1952) | 18.77 |
| | <u>\$3465.72</u> |

Disbursements:

| Voucher-Date | | | |
|-------------------------------|----------|-----------------------------------------------------|-----------|
| 85 | 12-19-52 | Robert W. Rollins, Audit & Service | \$ 75.00 |
| 86 | | Treasurer of U.S., Deposit F.I.C.A. | 60.00 |
| 87 | 12-31-52 | Mtn. States T & T Co., Nov. & Dec. Serv & Tolls | 37.45 |
| 88 | | Secretary Salary, Nov & Dec (less 3.00 F.I.C.A.) | 197.00 |
| 89 | | Secretary Mileage 16.10, supplies 6.55 | 22.65 |
| 90 | | Treasurer of U.S., Deposit F.I.C.A. | 6.00 |
| 91 | 3-2-53 | Secretary Salary, Jan & Feb (less 3.00 F.I.C.A.) | 197.00 |
| 92 | | Peerless Print Co., Annual Report | 500.00 |
| 93 | | Mtn States T & T Co., Jan Serv & Tolls | 9.55 |
| 94 | 3-31-53 | Secretary Salary, March (less 1.50 F.I.C.A.) | 98.50 |
| 95 | | Treasurer of U.S., (Deposit F.I.C.A.) | 9.00 |
| 96 | | Mtn States T & T Co., Feb & Mar Serv & Tolls | 23.25 |
| 97 | 6-3-53 | Western Union Te. Co. Telegram | 2.45 |
| 98 | | Mtn States T & T Co., Apr & May Serv & Tolls | 49.00 |
| 99 | | Secretary Salary, Apr & May (less 3.00 F.I.C.A.) | 197.00 |
| 100 | | Secretary Mileage | 31.50 |
| 101 | 7-15-53 | Mtn States T & T Co., June Serv & Tolls | 27.50 |
| 102 | | Treasurer of U.S. Deposit F.I.C.A. | 6.00 |
| 103 | | Secretary Salary June (less 1.50 F.I.C.A.) | 98.50 |
| | | | \$1647.35 |
| Balance on hand July 28, 1953 | | | \$1818.37 |

- (b) Upon motion by Mr. Smrha and second by Mr. Crawford duly passed, he was directed to call on the States for their assessments for the fiscal year 1953-54, in accordance with the budget adopted October 28, 1952.

Chairman Kramer then called for reports of Committees with results as enumerated below:

- (a) A Special Committee report as shown below was presented and placed on record, no objections being heard.

July 28, 1953

Report of Special Committee to Study the
Review Report on the Purgatoire River

On October 28, 1952, the Administration established the following special committee to study the Corps of Engineers' Review Report on the Purgatoire River: Kramer (Chairman), Smrha, Nevius and Gildersleeve. The committee was authorized, at the Administration's meeting on December 9, 1952, to prepare a draft of recommended comments for mail vote by the Administration.

On January 8 and 9, 1953, your committee participated in a meeting in Denver of the AWRBIAC Subcommittee on Hydrology and Sedimentation where the subject Report was carefully analyzed. This analysis revealed certain basic deficiencies in engineering data of such a nature as to make it inadvisable for your committee to prepare specific comments and recommendations for official action by the Administration. The District Engineer, Albuquerque, was informed to this effect by letter from your Chairman, January 12, 1953, copies of which were furnished to each Administration member and which, by reference, is made a part of this report. The views of the Colorado Water Conservation Board were stated by letter January 22, 1953, from the Chief Engineer to the District Engineer, Albuquerque; the views of the Division of Water Resources of the Kansas State Board of Agriculture were stated by letter January 17, 1953, from the Chief Engineer to the District Engineer, Albuquerque. These letters are made a part of this report by reference.

Your chairman participated in another meeting of the AWRBIAC Subcommittee on Hydrology and Sedimentation in Denver on April 23 and 24, 1953. At this meeting supplemental studies covering the deficiencies noted at the January session were presented and analyzed. It was agreed by the Subcommittee that the conclusions as to probable reduction of water yield were reasonable and adequate.

Inasmuch as the foregoing consideration of the subject Report was on an informal basis at the field level, no further action is required by the Administration at this time. However, formal action will be required if and when the Report is referred to the Governors of the interested states for official comment under the provisions of the Flood Control Act. In view of the uncertainty of such future action, it is believed that your special committee has served its purpose and, unless otherwise directed by the Administration, the special committee is now dissolved.

For the Special Committee:

Hans Kramer
Chairman

- (b) The Administrative and Legislative Committee had no report.
- (c) The Engineering Committee presented no report. Mr. Bell commented that the Purgatoire River gage near mouth had been rebuilt.
- (d) The Operations Committee reported as follows:

At the commencement of the irrigation season as of April the 1st there was 20,650 acre feet of water in storage in John Martin Reservoir. A special meeting of the Arkansas River Compact Administration was called by Vice Chairman W. E. Leavitt at Garden City, Kansas, on the 2d day of April for the purpose of notifying the State Engineer of Colorado under Article VF of the impending emptying of the reservoir. The reservoir was officially declared empty at 2:35 P. M. on April the 18th and the State Engineer of Colorado proceeded to administer the river under the decreed priorities of Colorado.

The first water of any consequence came down the Purgatoire River on May the 29th and the daily average through the dam was 765 c. f. s. This increased to

1,240 c. f. s. on May the 30th. May the 31st the average releases were 864 c. f. s. during which time it was not necessary to pass water by La Junta in an amount only sufficient to take care of the two ditches in the vicinity of Las Animas.

Scattered local rains tended to decrease the demand upon the river through La Junta until July the 3d when 8,400 c. f. s. came over the Highland Dam at 7:15 A. M. This flash flood spread out over a dry reservoir bed until only 1,481 c. f. s. peak reached the dam and that leveled off the following day.

Upon the night of July the 11th local rains of cloudburst proportions fell on the water sheds of the Purgatoire, a peak of 32,000 c. f. s. being reached. On Crooked Arroya an estimated peak of 14,000 c. f. s. was reached, on Timpas Creek an estimated 8,000 c. f. s.

On July the 13th the Arkansas River Compact Administration notified the State Engineer that there was 18,980 acre feet of water stored. On July the 17th again under Article VF of the Compact the State Engineer was notified that unless a change of conditions justified, that the river would go on priorities as of July the 21st and that the reservoir would be empty as of July the 24th. On July the 20th the State Engineer was again notified that the time would be extended four days or until July the 25th. At that time there was 15,720 acre feet in storage with a daily release of approximately 1,000 c. f. s. Again on July the 24th the State Engineer was notified that there was water in John Martin Reservoir sufficient to justify further modification and the time was extended to July the 27th, which would mean the reservoir would be empty as of July the 30th.

There was as of 8 a. m. this date 5,340 acre feet remaining in the reservoir.

Col. Barnes commented on the need and status of a sedimentation survey and asked that Mr. Martin be heard later on the subject. Gen. Kramer commented on Article VF of the Compact and the letter of July 13, 1953, from Secy. Nevius to Colorado State Engineer. Secy. Nevius stated that a quorum of the Administration were contacted by phone of the need of action. He requested that the Administration now by formal motion, ratify this action. Mr. Smrha made and Mr. Nevius seconded the following motion:

"The actions, by the Operations Committee and the Administration Secretary, taken on July 13, July 17, July 20, and July 24, 1953, and Findings and Notification dated July 17, 1953, copies of which are hereby appended and placed on record, are approved and ratified as actions taken by the Arkansas River Compact Administration in accord with Article VF of the Compact."

The question was made and the motion duly carried.

Chairman Kramer raised the subject regarding delegation of authority by the Administration and its ratification of any actions taken after the fact. He suggested that further action be taken by having a special meeting by telephone, the minutes of such special meeting being written up and sent to the various members for signature and insurance that a quorum is represented thereby. As a further course of action the Administrative and Legal Committee was instructed to prepare an amendment of the By-Laws to allow special telephonic meetings to authorize action under Article VF and that notice of such proposed amendment be contained in the notice of the next meeting.

Mr. John Martin of the Corps of Engineers at the invitation of the Administration, made comments regarding sedimentation of the reservoir. He said that the main concern now was the low level capacity table. On the whole, he believes that fairly accurate data are on hand for the higher elevations of water levels, but that great difficulty has been experienced in accuracy at very low levels. It appears now that the trend of the rating curve at very low levels is to reverse itself. The Corps of Engineers is continuing its study in this field and will make known the results as they become known.

Mr. Snyder commented that the need for a 3-day minimum notice of total emptying of the Reservoir is needed to eliminate injury to either upstream or downstream appropriators.

Mr. Mendenhall as Chairman of the Operations Committee took special recognition that Mr. John Sharer, Reservoir Manager, John Martin Reservoir, is leaving and requested that the Administration concur in his expression of appreciation of the cooperation and unfailing assistance that had been given in the past and that the Administration bid him Godspeed and its best wishes in his future activities. At the same time, his successor, Mr. James Bone, is welcomed and assured of the Administration's desire to continue the harmonious relationship heretofore established.

Gen. Kramer put the question and the Administration gave a unanimous rising vote of approval.

The Meeting recessed until 2:00 P.M. to reconvene in the Dining Room of the Maxwell House Hotel.

Afternoon Session

July 28, 1953

The Arkansas River Compact Administration reconvened at 2:00 P.M. of the above date.

Mr. Mendenhall, Chairman of the Special Committee on revision of the Rules and Regulations had no report.

A letter was read by Secy. Nevius as follows:

THE FORT LYON CANAL COMPANY
Las Animas, Colorado

July 28, 1953

Arkansas River Compact Administration
Lamar, Colorado

Gentlemen:

It is apparent that at the present time there is a defect in the administration of the waters of the Arkansas River which appears whenever there is a substantial flood in the Purgatoire or Arkansas Rivers above the John Martin Reservoir. The transfer of administration from the State of Colorado to the Commission, if past experience is any criterion, is, at such a time, too slow, haphazard and confusing. It has resulted in a waste of storage water, and injury to the appropriators in both Kansas and Colorado.

It is realized that there are some "borderline" instances during which it is difficult to determine whether or not there was a sufficient amount of water coming into the John Martin Reservoir to justify storage, but it would seem that if there is a reported flood of 10,000 second feet in either river about to flow into the reservoir, that a prompt change of administration would be justified, and that a wait of from 12 to 24 hours might result in a waste of storage water.

Ordinarily, after a cloudburst in either watershed, sufficient information can be obtained

within an hour or two to enable the officials charged with the administration to determine whether or not the outlet gates at the reservoir should be adjusted to a capacity which would comply with the provisions of the interstate compact.

The undersigned company is not blaming or attempting to blame anyone for the situation which developed during the last flood in the reservoir, but is calling attention to the fact that a more definite rule or regulation should be adopted and a closer relationship between the State and Commission administrations should be maintained.

It was apparent to the officials of the undersigned company, at the time of the recent flood, at least eighteen hours prior to the time that any orders were given to the authorities at the reservoir, that orders should be given immediately to adjust the gates.

It seems to the undersigned company that the burden should be put upon the Colorado administrative authorities to notify the Commission as soon as it is apparent that there will be water for storage in the reservoir and that the Commission should immediately notify the authorities at the reservoir, and that the Commission should thereupon administer the river below the reservoir under the provisions of the compact.

The present rules and regulations of the Commission, in a general way, cover a transfer of administration, but in the opinion of the undersigned company, the present provisions are too general and do not cover with sufficient particularity, the respective duties of the State officials and the Commission officials when it is apparent there is a flood in either the Purgatoire or Arkansas Rivers.

Representatives of this company will be glad to confer with the Commission at any time with reference to any of these problems and trust that this suggestion will be received in the spirit in which it is given and will be acted upon in the near future.

Very truly yours,
THE FORT LYON CANAL COMPANY
By: Arthur C. Gordon
Its Attorney

Guy Vincent arose to comment that the reference in the letter was water that originated in Kansas and that no waters from Colorado had passed Garden City.

Mr. Christy requested information as to operation of dam gates during flood and very low gage heights. Considerable discussion was held and explanation of the differences in the AVDA and CE reports. After the discussion and explanation, it was moved by Mr. Crawford and seconded by Mr. Smrha that:

Public hearings, fully reported, be held by Mr. Mendenhall's Special Committee to determine areas of conflict so that they may be resolved. Complaints should be made in writing, when possible, and their suggested remedies be given.

Upon the putting of the question, the motion was carried. The letter of Ft. Lyons Canal Company referred to above was given to the Special Committee for consideration.

Mr. Bell said that his office had done some work on indexing ratios of peaks to volume of flash floods and the time element. The Corps of Engineers has also worked to a small extent on this and Mr. Smrha requested that any information on the subject be furnished to the Engineering Committee.

The next order of business was the determination of the date for the next meeting of the Administration. On poll of the members a special meeting was set for Tuesday, October 27, 1953 at Lamar. For consideration at this meeting, the Treasurer will prepare a budget estimate for F.Y. 1954-55 and Mr. Crawford will prepare a preliminary draft of the annual report for 1953.

Mr. Crawford announced that it was imperative that he return to Denver at once and was excused. Mr. Colburn left with him.

Ben Powell, area Engineer for Reclamation Bureau at Pueblo, explained the storage possibilities of Granada Reservoir Project near the State Line.

Water available is dependent upon appraisals of State Officials, and it is estimated that at least one-half as much winter water is available as is

produced at Caddoa. Mr. Smrha suggested that as this Project will be in the A.R.W. Report, this should be referred to the Engineering Committee.

Motion by Mr. Smrha, seconded by Mr. Mendenhall, that the Granada Report be referred to the Engineering Committee, was put to vote, and carried.

John Martin, of the Corps of Engineers, Albuquerque, explained some of the features of the small Pinon Reservoir dam at Trinidad, which had been referred to earlier in the meeting.

There being no other business, the meeting was adjourned.