

MINUTES OF
ARKANSAS RIVER COMPACT ADMINISTRATION
ANNUAL MEETING

Court House

Lamar, Colorado
December 21, 1965

Attendance:

For Colorado:

Ernest Hofmeister, Lamar
George F. Reyher, McClave
Felix L. Sparks, Denver

For Kansas:

Robert V. Smrha, Topeka
Carl E. Bentrup, Deerfield

For The United States:

Francis M. Bell, Denver

Absent:

Logan N. Green, Garden City, Kansas

Others Attending:

| | | |
|---------------------|------------------------|----------------------|
| Howard C. Corrigan | Kansas Water Comm. | Garden City, Kansas |
| Lane L. Hackett | Water Comm. Dist. #67 | Lamar, Colorado |
| Robert A. Buchhagen | Corps of Engineers | Hasty, Colorado |
| | John Martin Reservoir | |
| J. W. Odell | U.S. Geological Survey | Denver, Colorado |
| Ross W. Moor | U.S. Geological Survey | Lamar, Colorado |
| Harry C. Nevius | Amity Mutual Canal | Lamar, Colorado |
| Harry Bates Jr. | Buffalo Mutual Irr. | Holly, Colorado |
| Harry J. Figge | Colo. G. F. & P. | Denver, Colorado |
| Thomas G. Burbey | U.S. Bureau of Recla. | Pueblo, Colorado |
| Francis L. Carter | Pres. Alamo Ditch Co. | Syracuse, Kansas |
| Arthur E. Carter | Secretary-Treasurer, | Syracuse, Kansas |
| | Alamo Ditch Co. | |
| William Pattie | Water Comm. Dist. 17 | LaJunta, Colorado |
| Carter Hutchinson | C. W. C. B. | Denver, Colorado |
| Sisto Guidotti | Amity Canal | Bristol, Colorado |
| William Howland | Amity Canal | Holly, Colorado |
| Leo Pollart | Amity Canal | Holly, Colorado |
| J. G. Shoun | Hydraulic & Oil Creek | Canon City, Colorado |
| F. L. Boydston, Jr. | C. W. C. B. | Denver, Colorado |

MEETING CALLED TO ORDER:

Chairman Bell called the meeting to order at 9:45 A.M., noting that this was the 17th Annual Meeting, and the meeting had been postponed from its regularly scheduled date of December 14th.

The Chairman welcomed Mr. Hofmeister as a new member of the Administration, and requested that his credentials be filed with the Secretary. He also noted with regret that Mr. Green was absent from the meeting due to an illness.

Mr. Bell said that since a quorum was present the meeting could be held.

The Chairman called for approval of the Minutes of July 23, 1965. Numerous corrections were proposed. After some discussion the Chairman declared that the Minutes would be approved as corrected.

REPORTS:

Mr. Bell stated that the Chairman had no report to make, with the exception that a University of Colorado student was apparently making a study of the Arkansas River Compact, and wanted copies of all the Annual Reports of the Administration. The reports had been furnished to him. The Chairman suggested that the Administration receive a copy of the student's thesis when it is finished.

Mr. Smartt gave the report of the Secretary as follows:

SECRETARYS REPORT

July 23, 1965 - December 21, 1965

On July 30, 1965 the Secretary mailed requests to the two states for funds which were appropriated to meet the expenses of the Administration for the Fiscal Year of 1965-1966. Budget requests for 1966-1967 Fiscal Year, adopted by the Administration at the July 23, 1965 meeting in Lamar, were mailed July 30, 1965 to the Governor of Kansas and to the Governor of Colorado.

The Colorado voucher was received and deposited in the First National Bank of Lamar on August 25, 1965. The Kansas voucher was received and deposited in the First National Bank of Lamar on August 30, 1965.

The Secretary continued answering calls, keeping in touch with the Engineers at the dam and ordering the gates at the reservoir adjusted to supply the demands by Colorado and Kansas. The gates were ordered closed at 8:00 A.M. on November 1, 1965 when the irrigation year for 1965 ended. Up to 100 c.f.s. of river flow was ordered at this time by Colorado.

The Secretary has paid all outstanding bills to October 31, 1965, and has made arrangements with the Marvin Strait Agency to audit the 1965 accounts. Copies of the Audit will be presented today for your approval. All bills to date

have been paid except for the Auditor and the Secretary's salary for the quarter ending December 31, 1965.

Respectfully Submitted,

/s/ Hacket Smartt
Secretary-Treasurer A.R.C.A.

Mr. Smrha moved to approve the report of the Secretary. The motion was seconded by Mr. Reyher and passed by vote of the states.

Mr. Smartt then gave the Treasurer's Report as follows:

TREASURERS REPORT

Disbursements by the Administration - 1965 Fiscal Year

| Date | Voucher No. | Payee and Purpose | Amount |
|----------------------------|-------------|---|-------------------|
| 1-2-65 | 416 | Telephone Co. --Nov. & Dec., 1964 Telephone Bill | \$ 29.70 |
| 1-4-65 | 417 | Social Security for Quarter ending 12-31-64 | 21.75 |
| 1-11-65 | 418 | Lamar Daily News - Printing 500 Letterheads | 9.20 |
| 1-14-65 | 419 | U.S.G.S. Second Quarter Cooperative Agreement | 2,450.00 |
| 12-31-64 | 420 | Hacket Smartt, Salary for Quarter ending 12-31-64 less \$10.88 Social Security | 289.12 |
| 2-11-65 | 421 | A. Marvin Strait -- Auditing 1964 Accounts | 75.00 |
| 2-23-65 | 422 | Peerless Printing Co.--Printing 1964 Annual Report | 648.00 |
| 2-23-65 | 423 | Telephone Co.--Jan. & Feb. Telephone Bill | 26.91 |
| 4-5-65 | 424 | Telephone Co.--March Telephone Bill | 13.95 |
| 4-5-65 | 425 | Hacket Smartt, Salary for First Quarter, 1965, less \$10.88 Social Security | 289.12 |
| 4-5-65 | 426 | Treasurer of U.S., First Quarter Social Security | 21.75 |
| 4-20-65 | 427 | U.S.G.S. Third Quarter Cooperative Agreement | 2,450.00 |
| 5-3-65 | 428 | Telephone Co.--April Telephone Bill | 21.42 |
| 6-30-65 | 429 | U.S.G.S. Fourth Quarter Cooperative Agreement | 450.00 |
| 6-30-65 | 430 | Treasurer of U.S. Second Quarter Social Security | 21.75 |
| 6-30-65 | 431 | Hacket Smartt - Salary for Second Quarter less \$10.87 Social Security | 289.12 |
| 6-30-65 | 432 | Telephone Co.--May and June Telephone Bill | 41.39 |
| 6-30-65 | 433 | Hacket Smartt - cash paid by Secretary to Merchants Office furniture for filing cabinet for Administration office in Lamar. | 75.00 |
| 8-1-65 | 434 | Telephone Co.--July Telephone Bill | 20.11 |
| 9-10-65 | 435 | Telephone Co.--August Telephone Bill | 29.50 |
| 10-7-65 | 436 | Milne-Hill Agency, Inc.--Treasurer's Bond | 15.00 |
| 10-7-65 | 437 | Telephone Co.--September Telephone Bill | 25.26 |
| 10-7-65 | 438 | Treasurer of U.S. Third Quarter Social Security | 21.75 |
| 10-7-65 | 439 | Hacket Smartt - Salary for Third Quarter less \$10.87 Social Security | 289.12 |
| 10-24-65 | 440 | U.S.G.S. First Quarter Cooperative Agreement | 500.00 |
| 10-31-65 | 441 | Telephone Co.--October Telephone Bill | 18.88 |
| 10-31-65 | 442 | Hacket Smartt-Typing & Postage \$15.00, Mileage \$12.25 | 27.25 |
| TOTAL DISBURSEMENTS | | | \$8,170.05 |

| | |
|----------------------------------|-----------------|
| Balance on hand October 31, 1964 | \$8,885.30 |
| Deposit August 25, 1965 | 4,332.00 |
| Deposit August 30, 1965 | <u>2,888.00</u> |
| | \$16,105.30 |

Balance on Hand October 31, 1965 \$7,935.25

Mr. Bentrup moved that the Treasurer's Report be approved. Mr. Reyher seconded the motion and it was passed by vote of the states.

Mr. Bell asked Mr. Reyher to report for the Administrative and Legal Committee and Mr. Reyher replied that there was no report for this Committee.

Mr. Smrha reported for the Engineering Committee. He said that the Committee had no pending assignments, and therefore had no report. Mr. Sparks concurred.

Mr. Bentrup submitted the report for the Operations Committee as follows:

OPERATIONS COMMITTEE REPORT

From July 23, 1965 to December 21, 1965

The gates at John Martin were closed at 8:00 A.M. on July 24, 1965 by agreement of Colorado and Kansas in order to reduce the river flow at the X Y Canal to permit headworks repairs to be made.

The gates were reopened at 8:00 A.M. on July 25, 1965 to discharge 1200 c.f.s. being called for by Colorado and Kansas. On August 19, 1965 Kansas reduced their request to 400 c.f.s., and on August 21, 1965 at 10:30 A.M. cancelled their call for reservoir releases. Kansas did not call for reservoir releases again during the balance of the irrigation season.

Colorado's demand was never cancelled, but it was met by water released from the flood pool by order of the Army Engineers from August 21, 1965 to September 7, 1965. Colorado reduced their demand to 550 c.f.s. September 7, 1965.

After September 7, the calls by Colorado varied from a high of 550 c.f.s. to a low of 50 c.f.s. The call was for 125 c.f.s. from September 19th until the gates were closed at midnight October 31st. River flow was called for at 8:00 A.M., November 1, 1965, to a maximum of 100 c.f.s., and was continued until cancelled at 8:00 A.M., December 19, 1965.

Approximately 211 c.f.s. average flood pool releases have been made since the gates were closed October 31st.

Total releases December 1, 1965, through December 20, 1965, were 8,676 acre-feet, and the total in storage in John Martin Reservoir at 8:00 A.M. December 21, 1965, was 375,000₅₀₀ acre-feet. Inflow to the reservoir on this date is 216 c.f.s.

Respectfully submitted,

HACKET SMARTT, Secretary-Treasurer
CARL BENTRUP, Chairman

Mr. Sparks questioned the present status of repairs to the ditches below John Martin. Mr. Lane Hackett was asked to report on this, and he said that the ditches are all repaired with the exception of the XY Ditch which has not been quite completed, and the Sisson Ditch which is reported to be a complete loss.

Mr. Bell said that if there were no objections, the report would be accepted.

NEW BUSINESS:

There being no unfinished business, the Secretary presented the Annual Audit under new business. He presented a copy of the Audit to each member. Some discussion was held on items contained in the Audit. Mr. Smrha then moved that the Auditor's Report be accepted. Mr. Hofmeister seconded the motion, and it was passed by vote of the states.

Mr. Boydston was then asked to present the Annual Report and it was explained that all parts of the report had not been received. Mr. Odell questioned if a table showing the peak discharges of the river during the flood should be contained in the report. After some discussion on the preliminary nature of the records, it was decided to include these figures in the Report and also in the Table of Contents. In further discussing the report, Mr. Boydston requested that corrections be handed in to him no later than January 6, 1966, in order to give the printer time to prepare galley proofs and the final copy. Mr. Smrha presented a resolution regarding the passing of George S. Knapp. He then moved that the resolution be passed, and it was seconded by Mr. Bentrup and passed by vote of the states. The resolution is attached to these minutes as Appendix A.

Mr. Sparks moved that a memorial and resolution be prepared regarding Mr. Mendenhall's passing, and that the resolution be drafted by Mr. Sparks and included in the Annual Report. Mr. Smrha seconded the motion and it was passed. The resolution is attached to these minutes as Appendix B.

Mr. Bell then presented a bid by Peerless Printing Company to print 400 copies of the Annual Report. After some discussion, Mr. Bentrup moved that the bid of the Peerless Printing Company be accepted for printing 400 copies. Mr. Reyher seconded the motion and it passed by vote of the states.

After a five minute recess, Chairman Bell called for election of officers. Nominations for Vice-Chairman were requested, and Mr. Sparks nominated Carl Bentrup, after stating that Mr. Green wished to be relieved of the duties of this office. Mr. Smrha moved that nominations be closed and that Mr. Bentrup be unanimously elected Vice-Chairman. Mr. Reyher seconded the motion and it was passed by vote of the states.

Nominations were opened for Secretary and Mr. Smrha explained that the Secretary's position does not necessarily have to be filled by one of the Administrators. He went on to explain that the Water Commissioner employed in Water District 67 has duties that are quite closely related to the duties of the Secretary of the Administration. He said he would like to nominate Mr. Lane Hackett for the position of Secretary, and it was his understanding that

this matter had been discussed with the Colorado State Engineer and was agreeable with him. He stated that Mr. Hackett would be employed at \$100.00 per month, which is the customary salary, and that the election of Mr. Hackett would be subject to written confirmation by the Colorado State Engineer.

Mr. Hackett was asked if he would be willing to accept the position of Secretary and he replied that with written confirmation from the State Engineer he would be glad to accept the position. Mr. Sparks said that he would get confirmation, and seconded the nomination of Mr. Hackett. It was moved by Mr. Sparks, and seconded by Mr. Smrha that the nominations be closed. Mr. Hackett was unanimously elected Secretary by vote of the states.

Nominations were opened for Treasurer, and Mr. Bentrup nominated Mr. Hofmeister as Treasurer. The nomination was seconded by Mr. Reyher. Mr. Smrha moved, and Mr. Sparks seconded that the nominations be closed. Mr. Hofmeister was unanimously elected Treasurer by vote of the states.

Mr. Sparks then moved that the Administrative and Legal Committee be reelected as presently constituted. Mr. Smrha seconded the motion and it was passed by vote of the states. Mr. Logan N. Green will be Chairman and Mr. George F. Reyher will be a member of the Administrative and Legal Committee. Mr. Reyher's motion seconded by Mr. Hofmeister that the Engineering Committee be reappointed with the same members as last year was passed by vote of the states. Mr. Robert V. Smrha was named Chairman, with Felix L. Sparks named member of the Engineering Committee.

Mr. Sparks moved that Mr. Hofmeister be Chairman of the Operating Committee and Mr. Bentrup be a member of that Committee. Mr. Smrha seconded the motion and it was passed by vote of the states.

Mr. Smrha stated that he felt that suitable notice should be taken of the retirement from the Compact Administration of Mr. Hackett Smartt. He moved that Mr. Sparks draft a suitable resolution thanking Mr. Smartt for his dedicated service to the Administration. Mr. Reyher seconded the motion and it was passed. The resolution is attached to these minutes as Appendix C. Mr. Smartt said that he wished to express his appreciation for the indulgence of the Administration and the members. He felt that the Administration had been effective during the time he had been with it, and that he appreciated the help he had been given from the other members. He said that he would cooperate with Mr. Hackett and Mr. Hofmeister in transferring the records of the office, and that he would still be available to answer any questions. He said his interest in the water of Colorado and Kansas would continue, and he especially wanted to complement the Kansas members on their cooperation.

Mr. Sparks said that he had several items under old business to discuss, and the first was in regard to Clay Creek Reservoir. He said that some time ago a copy of a letter from the State Water Conservation Board to the Director of the Game, Fish & Parks Department had been sent to each of the Compact Administrators. In this letter he recommended that the reservoir not be reconstructed. He said that the design of the reservoir was insufficient for flood water retention and that action to rebuild the dam should be deferred until the Corps of Engineers finish their study of the entire basin. He estimated that the study would be completed in about two years. Upon being questioned, he stated that there had been no reply to his letter from the Game, Fish & Parks Department.

Mr. Figge was asked to give the position of the Game, Fish & Parks Department. He said that the Department concurred with Mr. Sparks' facts and wished to wait until they had an opportunity to review the report of the Corps of Engineers.

Mr. Sparks said that secondly, the permanent pool legislation had passed Congress and that Colorado did not have any operation plans as yet; but they will work out whether water rights are to be bought or other water purchased to replace evaporation losses. This is a complicated matter, and meetings will have to be held with people in the area and the Water Conservation Board. As soon as the plans are available, they will be presented to the Administration. He requested that a copy of this legislation be included in the Minutes. This is as follows:

April 6, 1965

Mr. Evans of Colorado introduced the following bill; which was referred to the Committee on Public Works

A BILL

To authorize the modification of the John Martin Reservoir project, Colorado, in order to provide a permanent reservoir pool for recreational and fish and wildlife purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the John Martin Reservoir project (formerly known as Caddoa Reservoir), Arkansas River, Colorado, as authorized by the Act of June 22, 1936 (49 Stat. 1570), is modified to authorize and direct the Chief of Engineers, United States Army, to use not to exceed ten thousand acre-feet of reservoir flood control storage space for the purpose of establishing and maintaining a permanent pool for fish and wildlife and recreational purposes, at such times as storage space may not be available for such permanent pool within the conservation pool as defined in article III F, Arkansas River Compact (63 Stat. 145): Provided, however, That---

(1) The State of Colorado shall purchase and make available any water rights necessary under State law to establish and thereafter maintain the permanent pool.

(2) The rights of irrigators in Colorado and Kansas to those waters available to them under the terms of the Arkansas River compact and under the laws of their respective States shall not be diminished or impaired by anything contained in this Act.

(3) Nothing in this Act shall be construed so as to give any preference to the permanent pool over other project purposes.

(4) No permanent pool as herein defined shall be maintained except upon written terms and conditions acceptable and agreed to

by the Chief of Engineers, United States Army, in the interest of flood control; and by the Colorado State Engineer, the Arkansas River Compact Administration, and the Colorado Water Conservation Board, in the interest of establishing, maintaining, and operating the permanent pool for recreational and fish and wildlife purposes.

(5) Nothing in this Act shall be construed so as to limit the authority of the Chief of Engineers, United States Army, to operate John Martin Reservoir for the primary purposes of the prevention of floods and the preservation of life and property.

* * * * *

The third subject that Mr. Sparks brought up was that the Buffalo Canal Company had abrogated their agreement made in 1950 with the other ditches in Water District #67. He wished to include the letter of the Buffalo Canal which is as follows:

THE BUFFALO MUTUAL IRRIGATION COMPANY
HOLLY, COLORADO
November 12, 1965

Colorado State Engineer
State Services Building
Denver, Colorado

Dear Sirs:

At a regular Board of Directors meeting on Oct. 11, 1965, the Directors of the Buffalo Mutual Irrigation Co. passed a resolution asking for a revision of the division of Colorado's share of water released from the conservation pool behind John Martin Dam.

Therefore, until an agreement containing a more equitable division of said waters in regard to prior rights can be reached, the Directors of the Buffalo Mutual Irrigation Co. will demand such amounts of water that are needed, up to the priority right of 67.5 CFS decreed on Jan. 29, 1885.

By this resolution, the Buffalo Mutual Irrigation Co. gives notice to the parties listed below that we hereby revoke the agreement entered into in the year of 1949.

Sincerely,

/s/ H. H. Bates, Secretary
The Buffalo Mutual Irrigation Co.

cc: Colorado Kansas Compact Administration
Colorado State Engineer
Lane Hackett, Dist. Water Comm.
Fort Bent Ditch Co.
Keesee Ditch Co.
Amity Mutual Irrigation Co.
Lamar Canal
Hyde Ditch Co.
Manvel Ditch Co.
X Y & Graham Ditches
Sisson - Stubbs Ditch

Mr. Sparks said that since there is no agreement of the ditches, the water will have to be distributed by the Colorado State Engineer according to the decrees of the State Courts. Mr. Nevius said that the agreement of the ditches had been based on the historic diversions of each ditch and suggested that the division of the small ditches be studied before a new agreement be drawn. Mr. Sparks said that under Article V F, of the Compact, it is necessary to make a finding that no distribution agreement exists in Water District #67, and request the State Engineer to administer the ditches on a priority basis. He therefore moved that the Administration find that no valid agreement exists between the ditches in Water District #67 for division of reservoir water, and request the State Engineer to distribute the water according to priorities; and that such distribution involve only Colorado's share of water released from John Martin Reservoir. A discussion ensued on the status of the other ditches, if one ditch withdraws its agreement; and on the percentage basis of the distribution and how such distribution will affect stateline flows. Mr. Lane Hackett said he had worked out a table based upon releases of 1,000 c.f.s. from the reservoir, giving the decreed amount of each ditch and the amount that they would get under the Compact. They are as follows:

| <u>Ditch</u> | <u>Decreed</u> | <u>Compact</u> |
|--------------|----------------|----------------|
| Keesee | 14 c.f.s. | 14 c.f.s. |
| Lamar | 101 c.f.s. | 127 c.f.s. |
| Buffalo | 67 c.f.s. | 36 c.f.s. |
| Fort Bent | 60 c.f.s. | 60 c.f.s. |
| Amity | 284 c.f.s. | 301 c.f.s. |
| Hyde | 23 c.f.s. | 8 c.f.s. |
| X Y | 69 c.f.s. | 31 c.f.s. |

Note: Manvel and Sisson would get no water from the 1,000 c.f.s. release of a priority system.

More discussion followed and Mr. Bates was asked to explain the history prior to the revocation of the agreement. Mr. Bates replied that he thought the table submitted is rather self explanatory, and that they are not getting the water that is rightfully theirs. He said that the ditch company is open for negotiations at any time. He continued that the only time they do not get the water they need is at times when there is a small amount of water in the reservoir and the releases do not get to them. He said that it was probable that they would not divert more than the agreement this summer since there is water in the reservoir; but that on a two or three day run, they do not get sufficient water, and that they considered that the other ditches were taking the Buffalo water.

Mr. Sparks told the Administration that he felt it necessary that a finding be made. Mr. Smrha questioned if the distribution contained in the agreement with the other ditches is still in effect. Mr. Nevius said that this is a problem of the State Engineer, and involves winter storage. An effort should be made to work out an agreement with the State Engineer and the local ditches. Mr. Sparks said that the Administration could no longer honor the agreements, and reworded his motion that the State Engineer be advised that the Buffalo Canal has revoked its agreement, and accordingly he is instructed to distribute the water on the basis of priorities.

A discussion ensued on whether the State Engineer should be notified or not, and whether the revocation is in agreement with the original contract. Mr. Sparks said that the letter is in accord with everything necessary to the agreements and that the Compact is clear on the subject as to what must be done.

Mr. Bell concurred. Mr. Sparks then reworded his motion to read: Moved that the Administration finds that a proper request by the Buffalo Irrigation Company had been made to revoke the agreement on reservoir water distribution, and that the State Engineer be so notified of this action. Mr. Bentrup seconded the motion and it passed by vote of the states.

Mr. Reyher said he had a couple of items to bring to the attention of the Administration. The first was that releases are now being made of flood water from John Martin Reservoir, and that this seemed to be a waste of water. He submitted a resolution of the Ft. Lyon Irrigation Company as follows:

RESOLUTION BY FORT LYON CANAL COMPANY

WHEREAS There is an excess of water available over and above the conservation pool of the John Martin Reservoir, and said excess water is being wasted by being permitted to flow down the Arkansas River, working great loss and hardship in the Arkansas Valley.

AND WHEREAS said excess water should be impounded and a beneficial use made thereof during the irrigation season, now therefore, be it

RESOLVED that request be made of the Corps of Engineers which administers the John Martin Reservoir that there be impounded not to exceed a total of 475,000 acre-feet of water during the winter of 1965-1966 for the purpose of preventing waste and to accumulate a supply of water for irrigation for the spring of 1966; and that excess waters over and above the Conservation Pool level be released in an orderly manner beginning March 1, 1966, to be completed by May 15, 1966 in time to provide a margin of safety during flood periods.

* * * * *

Mr. Reyher moved that the Administration endorse the Resolution and forward a copy of it to the Corps of Engineers. Mr. Sparks seconded the motion. In the discussion which followed, Mr. Bell asked where the 475,000 acre-feet came from and Mr. Reyher said that was just a figure arrived at which appeared reasonable, and further discussion brought out that the Compact is clear on the release of flood waters from the reservoir and such releases are entirely at the discretion of the Corps of Engineers. Mr. Bentrup remarked that he was in accord with the resolution and that he also had considered bringing up a similar subject in that the ditches in Kearney County wanted to have the releases discontinued so that repair work to their headgates could be completed. It was brought out by Mr. Reyher and Mr. Buchhagen that both Prowers County and the Colorado Highway Department might wish to have the release cut off so that they could make necessary bridge repairs. A lengthy discussion ensued in which Mr. Sparks said that he wished to have the conservation capacity of

the reservoir increased after Pueblo and Trinidad reservoirs are built since much of the presently required capacity for flood detention in John Martin Reservoir would be accomplished in those projects.

Mr. Sparks then made a substitute motion that the Administration prepare an appropriate resolution concerning retention of flood releases this winter and that the resolution be distributed to the Corps of Engineers, the Chief of Engineers, the Governors of the two states and to the Congressional Delegations of the two states. Mr. Reyher seconded the motion and it was passed by vote of the states. Mr. Sparks agreed to prepare the resolution and contact the other members immediately regarding it. A copy will be sent to each member. A copy of the resolution is attached to these minutes as Appendix D.

Mr. Reyher said that he felt that a study should be made on the possibility of diverting Caddoa Creek into Rule Creek and thus into John Martin Reservoir as a flood control measure. After some discussion, Mr. Sparks moved and Mr. Hofmeister seconded that the Administration request the Corps of Engineers to study the possibility of diverting Caddoa Creek into Rule Creek and into John Martin Reservoir. The motion passed.

Mr. Reyher said that another item of concern to him was the gage at Las Animas. He said he did not think the water is accurately measured in the Arkansas River at that point and that most of the water goes in another channel than the one in which the gage is located. It was his opinion that the gage should measure all the water passing that point.

Mr. Sparks said that they had wanted to include in the Las Animas Floodway Project a new gaging station, but that it had not been included by the Corps of Engineers. He asked Mr. Odell what the status was. Mr. Odell said that a control section had been requested at the new Highway Bridge and that a webbing could have been constructed easily at that time. It can still be put in at any time, but it will be slightly more expensive. He said that it would be necessary to move the gage eventually, but he did not think the present time was suitable. He said the records are not as bad as Mr. Reyher seems to think and that the rating table is good. He said the construction of the bridge has helped the gaging and that until floodway construction has been completed and the channel stabilized, the gage should remain where it is. On being questioned, Mr. Odell said that the control section would cost about \$20,000 to \$25,000, and that moving the gage would be about \$1,500. He said that the Corps of Engineers would probably contribute to moving the gage, in that they needed the records for operation of John Martin Reservoir.

Mr. Moor said that the same trouble will occur at the gage on the Purgatoire since there is going to be a new bridge put in there at the same site, but that the channel would be changed upstream so that the stream will enter the bridge at right angles. He said that they only have a temporary gage there at the present time and that reinstallation of the radio gage would have to wait until the new bridge was completed.

Mr. Hofmeister questioned if the release from the reservoir could be restricted to only such times as the irrigators might need it, rather than having the states call for water as soon as the other one did. Mr. Sparks replied that the Compact was difficult to administer, and was originally created in the best way possible under the circumstances. A formula for releases is needed;

but so far it has been impossible for anyone to devise a method. Kansas would enjoy having a credit at times in John Martin Reservoir to be called for when they wanted it.

Mr. Hofmeister said that he was not being critical, but merely wanted to improve the situation. A discussion ensued on more efficient operation of reservoir releases, and Mr. Sparks pledged that his staff would be willing to study any suggestion which would make the work of water more beneficial. Mr. Sparks then introduced Mr. Carter Hutchinson of his staff, who he said, was working with Mr. Boydston on the Arkansas River.

Mr. Howland suggested that it would be advantageous to explore limited irrigation practices above the dam so that more water might be stored. A discussion of winter irrigation practices ensued.

Chairman Bell adjourned the meeting at 12:35 P.M. subject to call.

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APPENDIX A

R E S O L U T I O N

BE IT RESOLVED BY THE ARKANSAS RIVER COMPACT ADMINISTRATION.

As members of the Arkansas River Compact Administration, we note with sorrow the death of George S. Knapp who passed away on September 20, 1965, at an age lacking three days of 81 years.

He is remembered by the Administration as one of its first members appointed on June 7, 1949, and serving until 1951, when he elected to retire as Chief Engineer, Division of Water Resources, Kansas State Board of Agriculture.

Prior to the establishment of the Administration, Mr. Knapp was a member of the Colorado-Kansas Arkansas River Compact Commission and participated in all of its deliberations beginning with his appointment on March 7, 1945 and continuing to the signing of the Compact on December 14, 1948.

In his work, as a member of the Commission and subsequently during the early period of establishment of the Administration, he applied himself diligently to the solution of numerous complex problems which were encountered. He was truly a gentleman and a scholar attaining eminence in his profession as an engineer and held in high esteem by all who had the privilege of knowing him.

Members of the Arkansas River Compact Administration herewith extend their deepest sympathy to the family of George S. Knapp. It is directed that this resolution be spread upon the minutes of this Administration and that a copy thereof be sent to them.

APPENDIX B

R E S O L U T I O N

Harry B. Mendenhall, one of the first members of this Administration, served as Commissioner from Colorado from the period 1949 to 1957.

One of the leading citizens of the Arkansas Valley, Mr. Mendenhall was a substantial force in the negotiation and subsequent adoption of the Arkansas River Compact between the States of Colorado and Kansas.

For over a half century, Mr. Mendenhall was a respected and revered citizen of the Arkansas Valley of Colorado. With very little formal education he became a successful banker, cattleman and rancher, while at the same time devoting a great amount of attention to community betterment.

Born at Fairbury, Nebraska, on February 24, 1888, he moved to Rocky Ford, Colorado, in 1908 and resided in that community until his death on September 13, 1965.

Surviving Mr. Mendenhall are his widow, Evelyn C. Mendenhall, two sons, Cover and H. H. Mendenhall of Rocky Ford, Colorado, and a daughter, Mrs. Virginia Pennella of Redlands, California.

WHEREAS, the State of Colorado has lost one of its foremost citizens in the death of Harry B. Mendenhall; and

WHEREAS, both the states of Colorado and Kansas are greatly indebted to him for his outstanding contribution in the successful negotiation of the Arkansas River Compact and for his subsequent services as a member of the Compact Administration,

NOW, THEREFORE, BE IT RESOLVED by the Arkansas River Compact Administration in annual session assembled at Lamar, Colorado, this 21st day of December, 1965, that it expresses its deep regret at the death of Harry B. Mendenhall and directs that a copy of this Resolution be spread upon the minutes of the Administration and that a copy be sent to his widow, sons and daughter.

APPENDIX C

RESOLUTION OF THANKS

TO

HACKET SMARTT

WHEREAS, Hacket Smartt has served as a Colorado Commissioner on the Arkansas River Compact Administration from July 16, 1957 to October 3, 1965, and as Secretary-Treasurer of the Commission from December 10, 1957, to December 21, 1965; and

WHEREAS, Hacket Smartt has conscientiously devoted his ability and energy to the administration and conservation of the water resources of the Arkansas River; and

WHEREAS, Hacket Smartt by his devotion to duty and his good judgment has earned the respect and affection of all members of the Arkansas River Compact Administration; and

WHEREAS, Hacket Smartt has relinquished his position as commissioner and officer of the Arkansas River Compact Administration,

NOW THEREFORE BE IT RESOLVED by the Arkansas River Compact Administration that the said Administration desires to express its thanks and gratitude to Hacket Smartt for his loyal and faithful service, his fine cooperation, and his aid in solving the administrative problems confronting the Administration during his tenure as commissioner and officer, and that the Administration sincerely wishes him the best of everything and continued health and happiness in all of his future endeavors;

BE IT FURTHER RESOLVED, that the Secretary of the Arkansas River Compact Administration is hereby directed to forward a copy of this said Resolution to Mr. Hacket Smartt.

APPENDIX D

ARKANSAS RIVER COMPACT ADMINISTRATION

Lamar, Colorado
December 21, 1965

R E S O L U T I O N

WHEREAS, water is currently being released from flood control storage in John Martin Reservoir, Colorado, pursuant to instructions issued by the Corps of Engineers, United States Army; and

WHEREAS, the probability of damaging floods occurring in Colorado and Kansas during the winter months and until late spring is negligible, and

WHEREAS, current releases from John Martin Reservoir are interfering with efforts to repair the damages along the Arkansas River in Colorado and Kansas occasioned by the floods of June, 1965, and

WHEREAS, current releases from John Martin Reservoir constitute the waste of a resource upon which the economy of the Arkansas Valley in Colorado and Kansas is almost wholly dependent,

NOW, THEREFORE BE IT RESOLVED by the Arkansas River Compact Administration in annual session assembled at Lamar, Colorado, this 21st day of December, 1965, that the Corps of Engineers be requested to terminate further releases from John Martin Reservoir through February 28, 1966; and, that beginning March 1, 1966, reasonable uniform releases be made from the reservoir in order to make available adequate flood control space by May 15, 1966.

BE IT FURTHER RESOLVED, that copies of this resolution be immediately dispatched to the proper offices of the Corps of Engineers, to the Governors of the states of Colorado and Kansas, and to the members of Congress from the states of Colorado and Kansas.

/s/ F. M. BELL
F. M. BELL
Chairman

ATTEST:

/s/ LANE HACKETT
LANE HACKETT
Secretary