MINUTES OF ARKANSAS RIVER COMPACT ADMINISTRATION MEETING

COM PALACE MOTEL Lamar, Colorado December 10,1974



ATTENDANCE:

For Colorado:

Robert R. Tempel, Wiley Harry Bates, Jr., Holly

For Kansas:

Carl E. Bentrup, Deerfield Guy E. Gibson, Topeka

Secretary:

Lane L. Hackett, Lamar

OTHERS ATTENDING:

Duane D. Helton Duane E. West William L. Lindsey Harry C. Nevius Floyd F. Higbee Jake O. Broyles Leo Pollart William Howland Charles L. Thompson. Francis M. Bell Howard Carrigan Loroy Nickelsen Peyton O. Abbott O. James Taylor William Pattie Gaster Hutchinson Robert McCabe Anthony Martinez Al Putnam Arthur Esgar Claire Stafford Balvey Gray

C.W.C.B Chairman C.O.D.A.R Corps of Engineers Amity Canal Manual Canal Kessee Amity Canal Amity Canal S.E.C.W.C.D Retired Kansas Water Resources Fort Bent Ditch Fry-Ark Project U.Š.G.S. Water Commissioner #17 C.W.C.B. C.M.C.B C.W.C.B Ft. Lyon Canal Tt. Lyon Canal KLMR Radio Pueblo Chieftan

Denver, Colorado Garden City, Kans. John Martin Dam Lamar, Colorado Lamar, Colorado Lamar, Colorado Holly, Colorado Holly, Colorado Pueblo, Colorado Denver, Colorado Carden City, Kans. Lamar, Colorado Pueblo, Colorado Pueblo, Colorado La Junta, Colorado Denver, Colorado Denver, Colorado Denvez, Colorado Las Animas, Colo. Wiley, Colorado Lamur, Colorado Lamar, Colorado

THETING CALLED TO ORDER

Mr. Bentrup called the meeting to order at 9:40 a.m. He introduced two new members of the Compact representing Colorado, Hr. Harry Bates and Mr. Robert Tempel and announced that Mr. Reeve, the other member from Kansas, was unable to be present.

Mr. Bentrup called for consideration of the minutes of the last meeting. Mr. Hackett asked for an amendment to the minutes at pages six and seven correcting the Special Telephonic Meeting report by eliminating Mr. Green's name and substituting Mr. Reeve's names. The minutes were approved.

Mr. Bentrup called for the secretary's report. Mr. Hackett presented the following report:

SECRETARY'S REPORT November 1, 1973 to October 31, 1974

Colorado representatives to the Administration, Mr. Robert Tempel, replacing Mr. George Reyher from Water District No. 17, and Mr. Harry Bates, Jr., replacing Mr. J. T. Reedy in Water District No. 67, were appointed by the Governor January 15, 1974, for terms expiring August 16, 1977. An appointment by the president for federal representative and chairman of the Administration has not been made to fill the vacancy created by Col. Seligmann's resignation effective November 29, 1973.

The Administration's 25th annual report was delivered to the printer in January. Four hundred and fifty copies were printed, most of which have been distributed to fill the current mailing lists and other requests.

Copies of the F. Y. 1975-76 budget as adopted by the Administration were transmitted to the governors of both states in August.

A call for F. Y. 1974-75 funds was made to the states in late August, Colorado's share of sixty percent or \$5,022.00 and Kansas' share of forty percent or \$5,348.00. Warrants for the same were received and deposited in the First National Bank of Lamar in Suptember and October.

In cooperation with other state and federal agencies a request for any available funds for the relocation of the gaging station with a concrete control below John Martin reservoir was node to the Colorado Water Conservation Board for \$8,000.00 May 15, 1974. This was approved and a warrant received for the same

June 1, 1974. This amount is shown in the financial statement as restricted equipment Liabilities.

Fourteen change-in-release orders were made to the Resident Superintendent at John Martin Dam and one telephonic meeting held during the year.

Contact with local, state and federal agencies has been maintained by correspondence or as necessary otherwise.

All current bills are paid to date.

Respectfully submitted,

Lane Hackett.

Mr. Gibson moved that the secretary's report be accepted and Mr. Tempel seconded the motion. The states approved the motion.

Reference was made to the treasurer's report and the following report was presented:

TREASURER'S REPORT Year ended October 31, 1974

(a) (b)			hand November 1, 1973	\$	9,992.95
(2)			olorado		5,022.00
		e of K			3,348.00
			Equipment Colorado		8,000.00
(c)			s available		16,370.00
				\$	26,362.95
(d)	Disb	urseme	nts by the Administration:		
12/9	/73		Mountain Bell, November service	\$	18.75
-12/9		197	Federal Reserve Bank-FICA		52.65
-12/9		198	Joetta Hackett-Typing		30.00
	/74	195	Strait,Crimond & Čo., audit		125,60
		200	El Mar Mestauvant-moeting room		19.15
		201	Normitain Bell, December service.		19.70
2/3	/74	202	Lane Hackett, Salary \$423.68		
			Mailing 24.00		
0.10	1	0.00	Travel 152.76		600.44
	/14	203	Mountain Bell, January service		21.55
	/74	204	Sears Roebuck, office supplies		25.00
	/74	205	Mountain Bell, February service		18.95
	/74	206	Lamar Daily News, printing		474.56
	/74	207	Federal Reserve Bank-FICA		52.63
617.2	/74	208	U. S. Geological Survey, cooperative		1 000 00
7. / 1	174	209	agreemen	Ľ	4,000.00
4/30		210	Mountain Bell, March service Mountain Bell, April service		18.85
5/31		211	Lane Hackett, Salary \$423.68		75.17
٦٢ /١٠	/ / * t	ن بلياس	Mailing 20.00		
			Travel 157.44		371.12

5/31/74 6/29/74 6/29/74 7/31/74 8/30/74	212 213 214 215 216	Mountain Boll, May service Foderal Reserve Bank, FICA Mountain Bell, June service Mountain Bell, July service Lane Hackett, Salary \$423.68	\$ 15.95 52.65 17.29 15.95
A/30/74 9/30/74 9/30/74 9/30/74 10/30/74	217 216 219 220 221	Mailing 20.00 Travel 152.64 Mountain Bell, August service Minle Agents, treasurer's bond Mountain Bell, September service Federal Reserve Bank, FLCA Mountain Bell, October service	596.32 15.95 25.00 20.52 52.65 15.95
		Total Disbursements	\$ 6,941.84
(e) Bala	nce on	hand October 31, 1974	\$19,421.11

Mr. Bentrup asked Mr. Hackett to explain the term "restricted equipment". Mr. Hackett replied that the \$8,000 that was mentioned in the secretary's report was for the concrete control below John Marcin Reservoir. Funds had been received from the Water Conser-Nation Board. Wr. Hackett recommended that this sum should perhaps be handled in a special account.

Mr. Grozier, U.S.G.S., explained that the money that was made available from Colorado could be matched with money from the U.S.G.S funds and a total of \$16,000 had been received for the construction of the concrete control and for moving the gage. At the present time \$20,000 has been spent and the survey is \$4,000 short, but no money has been received from the Corps of Engineers. He stated the gage would probably be in operation later this month and both the new and old gages will be operating for two or three months in order to get a comparison of the low flow and it will be completed and fully in operation by the time the irrigation season starts next year.

Mr. Tempel moved that the treasurer's report be accepted and Mr. Gibson seconded the motion. The motion passed a vote of the stries,

Mr. Beatrup called for consideration of the Auditor's Deport. Ur. Dates stated that the report was somewhat confusing in that too different fiscal years were involved, one of the appropriations # I one of the River Compact Administration. The each balance on head was \$9,992.95; receipts from Colorado \$5,022; receipts from Kansas, \$3,348, total receipts \$8,370.00. Other appropriations included the \$8,000, making a total of \$16,370.00. Mr. Bates gave a quick rundown of expenses amounting to \$6,941.84 leaving a cash balance of \$19,421.11, which includes the \$8,000.00.

Mr. Gibson moved that the auditor's report be accepted. Mr. Tompel seconded the motion. The motion passed a vote of the states.

Mr. Bentrup called for consideration of the Operations Committee's report. Mr. Hackett submitted the following report:

OPERATIONS REPORT November 1, 1973 - October 31, 1974

Minter storage season began with the reservoir copty and the gates being closed at 12:01 a.m. November 1, 1973.

A river flow call was made by Colorado and released at the same time as storage began for 40 cfs. Blowing show and freezing temperatures caused Colorado to cancel this call Hovember 20, 1973, at 9:30 a.m. Storage to this time had accumulated to 1,865 acre feet. March 7, 1974, storage was 26,335 acre feet and on this date a Colorado river flow of 15 cfs was released. Ten days of 15 cfs for Colorado was run in March.

Conservation storage April 1, 1974, was 31,274 acre faet. High winds and deficient moisture conditions during the late winter and spring months caused both states to call for release of reservoir water April 1, 1974. Near maximum releases were maintained for each state until the reservoir was emptied April 18th.

The Purgatoire River ran two small freshets during the season, June 24, 1974 a peak flow at Las Animas station of 1,370 cfs and 400 cfs August 17th. Considerable loss through the reservoir on these two runs was found when inflow was compared to outflow below John Martin. With the above exception and two small runs from Cheyeune and Horse creeks near the state line, tributary flows for the season was nil. The gates remained open and the river was administered according to the Colorado priority system until winter storage began October 31, 1974, at 12:00 p.m.

Compact measuring stations continue to be a problem and a major factor in the differences in releases made to meet the daily demands by Colorado and Kansas.

Storage in John Martin Reservoir on December 10, 1974, was seven hundred sixty-two acre feet.

Respectfully submitted,

TAME L. HACKETT Secretary

For Operations Committee: Harry Bates, Jr., Chairman Carl E. Bentrup

Mr. Bentrup commented that this was the least amount of water ever reported at an annual meeting during the seventeen years he had been a member.

Mr. Gibson moved that the operations committee's report to accepted and Mr. Tempel seconded the motion. The states approved the motion.

, Mr. Gentrup asked for a repert from the Administrative and Legal Committee. Mr. Helton stated there was no report from that committee.

Mr. Bentrup asked for a report from the Engineering Corps Committee. Mr. Cibson stated these was no report from that Committee.

Mr. Nackett presented the minutes of the special telephonic meeting as follows:

SPECIAL TELEPHONIC MEETING

April 16, 1974

A special telephonic meeting was held on April 16, 1974, in accordance with Article V F of the Compact, for the purpose of declaring that the reservoir would become empty April 18, 1974. Mr. C. J. Kuiper, Colorado State Engineer, and Dr. Rudy Styduhar, Division Engineer, were notified of the action and that administration of decreed water rights for Colorado would commence on April 18, 1974, unless a change of conditions justified cancellation or modification of this notice.

The reservoir became empty at 12:01 a.m. April 18, 197/.

Participating members: For Colorado, Mr. Bates and Mr. Tempel For Kansas, Mr. Bentrup and Mr. Reeve.

Mr. Tempel moved that the minutes of the Special Telephonic Meeting be accepted; Mr. Gibson seconded the motion. The motion passed a vote of the states.

The next item to come before the Administration was the Amoual Report. For Helton stated there would be a complete final draft available in a few weeks for the administration.

Hr. Beatrup asked for suggestions on changes to be made on committee assignments and Mr. Gibson moved that Mr. M. P. Reeve be appointed a member of the Administrative and Togal Committee replacing Mr. Green. Notion was seconded by Mr. Tempel. The states approved the motion.

Mr. Bates moved that Mr. Tempel be appointed on the Engineering Committee to replace Mr. Reyer. Mr. Gibson seconded the motion. The states approved the motion.

Mr. Temped made the motion that Harry Bates be appointed to the Operations Committee to replace Mr. Reedy. Motion was seconded by Mr. Gibson. Notion carried the vote of the states. Mr. Gibson asked if Mr. Bates would serve as chairman of the Operations Committee and Mr. Bates responded that he would.

Mr. Bates moved that the officers remain the same as they are at the present time except for the treasurer, Mr. Bates having replaced Mr. Reedy. The motion was seconded by Mr. Gibson. The motion passed a vote of the states.

Mr. Bentrup stated that the Corps of Engineers would not be represented at the meeting.

Mr. Bentrup called for a discussion on the Kendall Lake and the Lamar projects and asked what the Corps of Engineers wanted from the Administration at this meeting. Mr. Helton stated that the Water Conservation Board was asked for a comment on these projects and they felt that before the state of Colorado would commit themselves they should invite the local people to respond.

Mr. Duane West, Chairman of the CODAR Committee, was introduced and talked about the Kendall Lake project. The Kendall Lake project is the outgrowth of the study which the Corps has been making at the direction of the USGS for a number of years. Mr. West became involved in the project in 1970 and an organization was formed call the Committee on Daming the Arkansas River. The committee received \$17,000 in 1970 in support of the dam on the Arkansas River. The Corps of Engineers at that time promised to get busy and get the report out which they did in 1972. Last month they recommended to the Board of Rivers and Harbors that the Kendall project be built. The structure would be built on the county line between Kearny county and Hamilton county in Kansas. The structure would contain total storage capacity of 238,000 acre feet of which 120,000 acre feet is allotted for flood control; 18,000 acre feet for recreation, fish and wildlife; 50,000 acre feet for irrigation water, and 100,000 acre feet joint use for sediment reserve and irrigation storage. The Corps advised the Committee after they got the report that it would take approximately six to nine months for their office in Washington to review the project and make a determination and recommendation to the Secretary of the Army so no whether or not the army would be recommended for authorization. The Committee was recently advised that this will be done on a quicker schedule. Much time has been spent getting additional assurances from the ditch associations in Kansas regarding the irrigation portion of the project, and the staff of the board will make a decision on this date as to whether or not they are going to recommend the Kendall project to the board for recommendation to the Secretary of Army and subsequent recommendations to Congress for authorization. Because of the new interest rates that will go in effect July 1st the Corps and staff are making an effort to get the project out of the hands of the Executive Department and into the Legislative Department and are working very hard to get this done immediately. Mr. West asked that the Arkansas River Compact to

go on record in support of this project and send telegrams on this date to the proper authorities.

Mr. Bates asked if the different irrigation companies had formed an organization of the total group to sponsor this, and Mr. West responded that they are not joined together but all five of them have indicated to the Corps of Engineers that they were interested in the possible sponsorship of the irrigation portion of the project with the cost to be determined at a future date.

Mr. Helton stated that if the Administration decides to endorse the project what they will be endorsing is the authorization of the project rather than the construction.

Jim Taylor asked if the irrigation water in the reservoir would be mostly water to be released from John Martin Reservoir, and Mr. West replied that there was a large amount of drainage area downstream from John Martin Reservoir and that a considerable amount of water ould come from the downstream tributaries in western Kansas.

Mr. Bates asked if, in regard to the Kansas share of the John Martin Reservoir storage water, there was anything under the Colorado-Kansas Compact that would prevent the storage of the Kansas portion of the water at John Martin Reservoir when there are flows from the tributaries below John Martin Reservoir that supplied water to Kansas, consequently leaving a portion of the water behind John Martin Reservoir that Kansas would otherwise have drawn, and Mr. Bentrup replied there was no anticipated change in the Compact, at the time Kansas would call for the water it would be sent through immediately. Mr. West stated it would seem that this would be something that should be looked into at the time the dam is built.

With reference to the Manvel Canal, Mr. Highee stated that one key point on the Compact and also with respect to the Kendall Dam was, in his opinion, that the ditch companies with the lowest priority never get any benefit and this is important because of the recharge, that there was no devise where the canals could build a storage area in the Compact and as a result this would be storing water in Kansas rising in Colorado without the communities and irrigation companies in Colorado being able to store additional water for themselves in the area. Mr. Higbee also recommended that the Compact Administration study the necessity of modernizing the Compact, particularly if Kendall Lake is being built and taking water from the tributaries of the rivers and the lakes and creeks in Colorado.

Mr. Leo Pollart spoke with regard to Pueblo Dam and stated "We should back up and take a real stiff look at the river from top

to bettom and adjust our principles of procedure to coincide was a broader space..."

Mr. Tempel stated he viewed the Kendall Dam as a project who might cause the Compact to pull together in a closer unity because the status, that as the municipalities take more and more form the irrigation systems in Kansas and Colorado are going to have to work together to utilize the efficiency of irrigation.

Mr. Higher stated that he wasn't against the Kendall Dam but was for the modification that would permit the Arkansas Valley to obtain the water that was needed. He also suggested that the secretary and district commissioner be separated so the secretary could "search out some of these various things and make some recommendations to the Compact."

Mr. Bentrup stated: "We will take the suggestions for improvement under advisement. I would like to defend the secretary in his administration."

Mr. Bates moved that the Compact Administration support the present endeavors of getting the Kendall Dam built at this time, and Mr. West asked if this motion would also include sending a telegram to the Board of Rivers and Harbors on this date in support of the project. Mr. Tempel seconded Mr. Bates' motion.

Mr. Bentrup questioned the Kansas vote on the projects and the meeting was recessed for an executive session meeting.

MR. GIBSON: Kansas would like to offer a substitute motion as follows: The Arkansas River Compact Administration is vitally concerned with the Kendall Reservoir and endorses the authorization of the Kendall Reservoir as long as allwater rights of involved irrigators and existing terms of the Arkansas River Compact are recognized.

Mr. Bates withdrew his former motion and Mr. Tompel whiledrew his second to the motion. Mr. Tempel seconded Mr. Cibson's towled. The scates approved the motion.

Mr. Bentrup called for a discussion of the Lamar project.

Francis Hijgel, administrator for the city of Lamar, stated that in 1965 after the Willow Creek flood the Corps of lighters came to the city and asked if the city would be interested in a dam on Willow Creek. They have been working on several different plans, one of putting in a small dam on Willow Creek and making

a large channel from the city limits to the river; one of taking the water south of Lamar across Clay Greek. The last plan preseated is a dam off Highway 20% on the Hiskon-Eddleman property at a point of a deep cut which entails about a mile and a half, of either dike or dam, dirt filled, with gates and spillways that will release a maximum of 3,500 cfs of water, which is the figure used to meet the Colorado-Kansas Compact. Their request from the city of Lamar is that the city have protection of 3,500 cfs through Lamar, which can be handled by the city. The plan includes a recreation area which they have talked about as three to five thousand for permanent recreation. The city has signed with the Corps of Engineers requesting that they go ahead with the engineering on it and the city hopes it will be in a position to furnish the land and the maintenance of the project, which is estimated will cost the city about \$30,000 a year. Another part of the project is a dike along the Arkansas River and they are trying to work this out on the basis that it will damage as little land as possible in the construction.

Mr. Tempel stated that the Corps recognizes that the project is very much needed for the protection of residents of the city of Lamar and that the County Commissioners of Prowers County had endorsed the project and sent telegrams to the Corps.

Mr. Hackett stated he had received information from the Corps that the total acre feet capacity of the project is 17,230. 1,500 of that is for recreation, 2,000 acre feet for sediment and 13,730 for flood control, and that would be released through the spillway and through a five foot control tube down to the 900 second feet after top had gone off the flood, that the release would be 1,800 acre feet a day. He further stated that the slow-up of water in Willow Creek would benefit the underground recharge.

Mr. Tempel moved for the Compact to approve the proposal by the Corps of Engineers for the Lamar Equal Protection Project.

Mr. Gibson referred to a report from the Department of Army dated November 1, 1973, which referred to the channel down through Lamar and questioned whether or not Mr. Tempel's motion could be construed as having only to do with the channel project and not include the Willow Creek Reservoir project.

Mr. Tempel amended his motion that the Lamar Protection Project include the Willow Creek Dam project. Mr. Bates seconded the motion. After further discussion, Mr. Tempel withdrew his motion and Mr. Bates withdrew his second to the motion. Mr. Tempel proposed a new motion: The Arkansas River Compact Administration is vitally concerned with the Willow Creek Reservoir and the Lamar Protection Project and endorses these projects as long as all water rights of involved irrigators and existing terms of the Arkansas River Compact are recognized. Mr. Bates seconded the motion. The states approved the motion.

Mr. Bentrup called for discussion of the Compact gaging station.

Mr. Grozier presented photographs of the construction of the station and stated that the concrete control had been completed as far as pouring the concrete. The gage is not installed nor is the table for measuring flows. The project will give a very accurate outflow reading from the Reservoir. The gage will be installed this month or next month. Both stations will be operated temporarily until a relationship between the two can be obtained. The telephone will be moved up to the new gaging station and a remote sensing gage will be installed. The capacity will exceed the maximum release for the Compact but Mr. Grozier did not have the exact figures.

Mr. Bentrup called for consideration of the proposed budget for F.Y. 1976-1977. There was a discussion on the dates of the fiscal year budget coinciding with the government's F.Y. Mr. Bentrup requested that the Administrative and Legal Committee study the problem. Mr. Hackett stated that the budget was higher in several instances than the previous budget.

Mr. Hackett stated that at the time he received the \$8,000 amount there was an indication that there would be other funds available from the Corps or USGS or other agencies. Mr. Tempel suggested that the \$8,000 be removed from the budget and placed in a special project budget for the continued construction of the gaging station. Mr. Bates moved that the \$3,000 be withdrawn from the proposed budget and that the secretary consult with the accountants and see how this matter should be handled and that an effort be made to get Kansas involved in the payment. Mr. Tempel seconded the motion. Motion was approved by the states.

Mr.Hackett recommended that the budget be changed setting up \$100.00 for the services of a court reporter at the annual meeting who would prepare the minutes of the meeting. Mr. Batus made the motion that the budget be increased under Professional Services to include \$100.00 for the services of a court reporter at the annual meeting. Motion was seconded by Mr. Jempel. The beates approved the motion.

The following proposed budget was approved:

PROPOSED BUDGET

Fiscal Year July 1, 1976-June 30,1977

Personal Service -------\$2,250.00
Sucretary's salary \$1,800.00
Social Security 210.00
Professional Services (Audit) 140.00
Court Reporter 100.00

U. S. Geological Survey \$4,000.00	\$4,000.00
Office Equipment 190.00	100.00
Maintenance and Operation	2,050.00
Total Budget 1976-1977	\$8,400.00
Estimated Carryover June 30, 1976	100.00
To be appropriated	\$8,300.00
Colorado (60%) \$4,980.00	
Kansas (40%) 3,320.00	

Mr. Tempel moved that the budget be accepted. Mr. Gibson seconded the motion. The states approved the motion.

Mr. Bates moved that the secretary be instructed to contact the federal services and get the item of \$8,000.00 set up and inform the State of Kansas of this situation and request a like appropriation on a 60-40 basis proportionate share. The motion was seconded by Mr. Tempel.

Mr. Gibson advised that Kansas had been through their budget session with the governor and there was little possibility of getting the amount in the coming year's budget but they would try for the following year.

Mr. Bentrup called the motion and it was approved by the states.

Mr. Bentrup called for discussion on the Federal Representative. Nr. Francis Bell suggested that the secretary be directed to write a letter to the President of the United States sending a copy to the Director of the U.S. Geological Survey requestion that the President appoint a Federal Representative.

Mr. Bates moved that this be done and that the letter be signed by the Chairman. Mr. Gibson seconded the motion. The

motion passed the states.

Mr. Tempel made the motion that Mr. Helton be instructed to write a resolution commending the retiring Colorado members, Mr. George F. Reyher and Mr. J. T. Reedy, and Col. Gustav L Seligmann. Mr. Gibson seconded the motion. The states approved the motion.

Mr. Lee Pollart referred to a report in his possession from the Colorado Water Conservation Board recommending a permanent pool at John Martin Reservoir of 15,000 acre feet. He asked for an explanation as to why this had been changed from 10,000 acre feet, saying this is the first time anybody had mentioned the increase and he felt it had not been submitted to the Compact Commission and that there would be opposition to the 15,000 feet.

Mr. Helton stated there had been meetings with the irrigators of Colorado and a study had been made and their discussions indicated that as long as they didn't invade the flood control in excess of 10,000 acre feet there would be no objection to allowing the permanent pool to go as high as 15,000 acre feet. Mr. Bentrup stated that this is not ready to be brought before the Compact. Mr. Helton stated that a trial date had been set in the case for the latter part of February and they expected to have a formal report ready by that time.

Mr. Harry Nevius asked if there had been any study made of loss of transportation of water, and Mr. Helton replied there had not been but there had been a request for a study of transportation loss and travel time from the Pueblo Reservoir to John Martin Reservoir, and Jim Taylor added that they were beginning to look into the transit losses in the Arkansas River between Pueblo and the Kansas state line and they do not have an answer yet but will have in the future.

The meeting was adjourned at 12:15 p. m.