

MINUTES OF  
ARKANSAS RIVER COMPACT ADMINISTRATION  
MEETING

Cow Palace Inn  
Lamar, Colorado

December 12, 1978

Attendance:

For Colorado:

Duane Helton, Denver  
Kent Reyher, Las Animas  
Leo Idler, Lamar

For Kansas:

Guy E. Gibson, Topeka  
Carl E. Bentrup, Deerfield  
W. F. Stoeckly, Garden City

For the United States:

Absent  
~~Bob Masley, Albuquerque, New Mexico~~

Secretary:

Lane L. Hackett, Lamar

Others attending:

Jerry Hughes	U. S. Geological Survey	Pueblo, Colo
Ron Steger	U. S. Geological Survey	Pueblo, Colo
John Little	U. S. Geological Survey	Denver, Colo
George Reyher	Fort Lyon Canal Company	McClave, Colo
John J. Lefferdink	Fort Lyon Canal Company	Lamar, Colo
John Dumeyer	Hydro Engineering	Pueblo, Colo
Rene' A. Barker	U. S. Geological Survey	Garden City, Kans
Lynn Miller	U. S. Geological Survey	Garden City, Kans
Charles L. Thomson	Southeast Colorado Water Conservancy District	Pueblo, Colo
Robert W. Jesse	Division Engineer Office	Pueblo, Colo
Jim Kasic	Division Engineer Office	Pueblo, Colo
Bob Masley	Corp of Engineers	Albuquerque, N.M.

Bill Howland	Div of Water Resources	Las Animas, Colo
Clifford Verhoeff	Amity Mutual Irrigation Co	Holly, Colo
Edward Smartt	Amity Mutual Irrigation Co	Holly, Colo
Alferd Putnam	Southeast Colorado Water Conservancy District	Las Animas, Colo
Don Taylor	Fort Lyon Canal Company	Las Animas, Colo
Michael Higbee	Manvel Canal	Lamar, Colo
Harry Bates, Jr.	Buffalo Mutual Irrigation Co	Holly, Colo
Leo J. Pollart	Amity Mutual Irrigation Co	Holly, Colo
Don Miles	Colorado State University Extension Service	Lamar, Colo
Patty Wood	Pueblo Chieftain	Lamar, Colo
Alfred L. Fuller	Corp of Engineers	Caddoa, Colo
P. O. Abbott	U. S. Bureau of Reclamation	Pueblo, Colo
Howard C. Corrigan	Division of Water Resources	Garden City, Kans
Gerald E. Hilmes	Division of Water Resources	Topeka, Kans
Leland E. Rolfs	Division of Water Resources	Topeka, Kans
C. V. Mills	Daily News	Lamar, Colo
James Daber	Colorado Water Conserancy	
Lewis Davis	Amity Mutual Irrigation Co	Holly, Colo
Paul Pierson	Prowers SCS and Amity	Lamar, Colo
R. E. Northrup	Lamar Water Board	Lamar, Colo
Francis L. Heigel	City Administrator	Lamar, Colo
Al Hogan	W. W. Wheeler & Assoc, Inc	
David Harrison	Moses, Whitmeyer, Harrison and Woodruff, P.C.	Boulder, Colo
Joseph H. Garborz	Mayor of Lamar	Lamar, Colo

MEETING CALLED TO ORDER

Mr. Bentrup opened the meeting at 9:15 A.M. and explained to the Administration and guests that Mr. Frank Cooley, Chairman, had heart surgery and was unable to attend the meeting, asking him to chair it in

his place. He then introduced Ms. Ina Groomer who had been secured by Mr. Kent Reyher to take minutes of the meeting. The Administration members agreed that the minutes should be basically the same format as had been used in the past. The chairman had no report on Mr. Cooley's condition other than that Mr. Cooley was doing very well after his surgery.

Mr. Hackett read the Secretary's Report as follows:

#### SECRETARY'S REPORT

November 1, 1977 to October 31, 1978

All pertinent reports and data required for the Twenty-Ninth Annual Meeting were prepared and assembled for presentation at the meeting held in Lamar, December 13, 1977. This material, as approved by the Administration, was to the printer in final form and distribution of this annual report were being distributed in March.

Detailed arrangements were completed for the Special Compact meeting held in Pueblo, Colorado on May 11 & 12, 1978, which was to include a tour of the Fryingpan-Arkansas features this side of the Continental Divide. Due to the distance and time involved it was agreed on the 11th to observe only the Pueblo Reservoir and related structures.

The 1979-1980 budget as adopted by the Administration was transmitted to the Governors of both States in July. A call on the States was also made in July for 1978-79 funds which were received and deposited in August of this year. As of December 1, all bills are paid.

Meetings of the Division No. 2 Winter Storage Program have been attended through the year. A four month Storage Program was approved by the Board of Trustees and storage began in the Pueblo Reservoir November 15, 1978, with some final details to be resolved this Friday, December 15th.

Four telephonic meetings were held this year.

Communications and contact with Local, State, and Federal agencies has been maintained throughout the year.

At the request of the Prowers County Commissioners, the Compact office

was moved to the Maxwell Annex Building, 1000 South Main Street, in November.

Mr. Helton moved the report be accepted, seconded by Mr. Gibson. The states approved the motion.

The Treasurer's Report was given by Mr. Idler as follows:

ARKANSAS RIVER COMPACT ADMINISTRATION

Treasurer's Report

July 1, 1977 thru June 30, 1978

BALANCE ON HAND - JULY 1, 1977 \$ 5,392.00

RECEIPTS:

Revenue from assessments:

Colorado	\$ 9,217.00
Kansas	12,889.00
Interest (Pass book savings)	<u>622.00</u>

TOTAL RECEIPTS 22,728.00

TOTAL AVAILABLE \$28,120.00

DISBURSEMENTS:

Cooperative Agreement	\$ 4,400.00
Salary, Secretary	1,695.00
Office Supplies & Copies	139.00
Postage	165.00
Telephone	967.00
Payroll Taxes	267.00
Travel	728.00
Meeting Expenses	66.00
Audit Expenses	199.00
Insurance and Bonds	125.00
Printing	679.00
Court Reporter	615.00
Savings Account	<u>14,800.00</u>

TOTAL DISBURSEMENTS (Expenses)		<u>10,045.00</u>
FUND BALANCE - JUNE 30, 1978 (including Savings)		<u>\$18,075.00</u>
Current Year ----- JULY 1, 1978 thru DEC. 1, 1978		
<u>BALANCE ON HAND - JULY 1, 1978</u>		\$18,075.00
<u>RECEIPTS:</u>		
Colorado	\$11,019.00	
Kansas	7,346.00	
Interest (Pass book savings)	213.00	
Annual report sales	<u>2.00</u>	
<u>TOTAL RECEIPTS</u>		<u>18,580.00</u>
<u>TOTAL AVAILABLE</u>		\$36,655.00
<u>DISBURSEMENTS:</u>		
U.S.G.S. Cooperative Agreements	\$19,400.00	
Station Agreement	4,400.00	
Radio Equipment	10,000.00	
Flood routing	5,000.00	
Secretary Salary	564.00	
Telephone	234.00	
Audit and Copies	281.00	
Payroll taxes	73.00	
Office supplies and postage	80.00	
Moving expenses	27.00	
Travel	<u>200.00</u>	
<u>TOTAL DISBURSEMENTS</u>		<u>20,859.00</u>
FUND BALANCE - December 1, 1978		<u>\$15,796.00</u>
CHECKING ACCOUNT	\$ 1,739.00	
PASS BOOK SAVINGS	<u>14,057.00</u>	
	<u>\$15,796.00</u>	

Mr. Gibson moved that the Treasurer's Report be accepted, seconded by Mr. Reyher. The motion passed by vote of the states.

Mr. Helton reported for the Legal Committee that they had no assignments and therefore no report.

Mr. Gibson reported the Engineering Committee also had no report.

A report was given by Mr. Helton on the meeting of the Special Engineering Committee on the matter of Kansas water deliveries and a report of their findings. No action was taken on special committee assignments.

Matter of River channel improvements was brought up. Mr. Stoeckly is to contact division agencies and arrange a meeting with the Compact Commission. No report on this matter.

Mr. Hackett submitted the Operations Committee Report as follows:

#### OPERATIONS REPORT

November 1, 1977 - October 31, 1978

The winter storage season for John Martin Reservoir began at 12:00 P.M. October 31, 1977 with the reservoir being empty since August 26, 1977.

The first call for river flow by Colorado was made at 12:01 A.M. November 1 and maintained until 8:30 A.M. December 9, 1977. The gates remained closed until March 20, 1978 when they were opened to satisfy a Colorado river flow demand. This held through to April 13, 1978.

Initial release of conservation water was made with 6,970 acre feet in storage at 8:00 A.M. April 10, 1978 to honor both States call, Kansas 400 and Colorado 600 plus 10 cfs river flow. Both States sustained their demand until the reservoir emptied at 6:30 P.M. April 13, 1978.

Storm activity in late April through June 4, 1978 created minor tributary freshets occurring above and below John Martin Reservoir. Flows were not sufficient to justify storage until 8:30 A.M. June 5, 1978, when the gates were regulated for storage. Colorado called for 360 and Kansas

240 cfs to supplement some tributary flows below John Martin. Both states canceled their calls June 6th as rain activity continued and tributary flows were exceeding demands. Storage accumulated to 11,052 acre feet by June 13th at 8:00 A.M. at which time a release of 1000 cfs was made to fill a Colorado demand of 600 and Kansas 400. June 18th Colorado placed a call for 300 cfs river flow to make a combined release of 1300 cfs until the reservoir emptied at 5:00 P.M. June 19th.

Combined flows of the Arkansas & Purgatoire rivers were sufficient to begin storage June 28, 1978 at 7:00 A.M. when Colorado demanded 600 plus 250 cfs river flow and Kansas 400. This demands were maintained until the reservoir emptied at 9:30 P.M. July 2, 1978.

High tributary flows below Pueblo into the Arkansas River justified storage to begin at 3:00 A.M. July 11, 1978 and a release was made for 1250 cfs to satisfy a Kansas demand of 400 and Colorado 600 plus 250 river flow. The reservoir became empty at 8:30 P.M. July 15th.

Three summer storage periods occurred and 19 days of storage water was run this year.

With the exception of June and July, river flows were at critically low stage through the year. Tributary flows below John Martin were similar and very little benefit was received in the administration of storage water.

The gates were closed October 31, 1978 at 2400 hours for winter storage. There are 1061 acre feet in storage to date.

Installation of the new station radio transmitters and print out receivers began in late March by the U. S. Geological Survey with completion and satisfactory operation in early May 1978. Minor parts and adjustments kept the system operational except for lightning burning out the relay unit at John Martin and a malfunction of the Lamar printout receiver which is at the factory for repairs. This new equipment is definitely an asset to the administration and operation of John Martin Reservoir. The telemark and gaging station below John Martin has required

constant attention through out the year for desirable gage height information and stage-discharge relationship.

The transfer of the Frontier ditch and the Arkansas river gaging stations to the Kansas District, U.S. Geological Survey in October 1977, worked smooth and no problems have been encountered.

Mr. Gibson moved acceptance of the Operations Committee Report. Mr. Idler seconded the motion and it passed on vote of the states.

New Business was brought up by Chairman Bentrup. First item on the agenda of new business was the pending agreement of City of Lamar with Iowa Beef Producers, Inc. Iowa Beef Producers are interested in purchasing some land and water rights in the Lamar area with the idea of establishing a new meat packing plant in the area. The Compact Administration was concerned that there might be more wells drilled and thus further deplete the river water. After much discussion, Mr. Gibson moved that the City of Lamar and Iowa Beef Producers, Inc., submit detailed construction plans, design criteria, and specifications to the Compact Commission for their approval before any construction is started. Mr. Reyher seconded the motion and it was approved by a vote of the states.

Mr. Gibson made a motion that no construction be started on the proposed dam on Clay Creek in connection with the Iowa Beef Producers proposal until the Compact Commission approves the plans. Mr. Idler seconded the motion after it was pointed out that a special meeting could be called by the commission so as not to delay the progress. The motion was passed by a vote of the states.

Discussion was held on the leasing of water rights from canal companies in connection with the Iowa Beef Producers plans. Mr. Bentrup was concerned about the possible drilling of supplemental wells for use in irrigation. It was explained that applications would have to be made to the Water Court for permit of augmentation. Mr. Jesse, Division Engineer, does not anticipate any new wells being drilled. The Compact

Administration went on record as favoring the location of Iowa Beef Producers, Inc. in this area and will be willing to work with the City of Lamar to insure this.

Sale of Consolidated Canal water rights to Public Service Company was discussed. The main concern over this matter was if this water is sold from the land, would this increase the pumping of wells for this land. Attorney Lefferdink of Lamar pointed out that the purchase will include surface rights and well water, so all water would be involved. Mr. Reyher pointed out that 80% of the shareholders have agreed to sell to PSC. Public Service Company is not sure how much water is needed. No decision has been made by Public Service Company as to the location of the plant and purchase of water as yet.

Mr. Hackett read a letter from Frank Cooley concerning water cases and well permits in Baca County. It was decided that this was in District No. 66 and was no concern of the Compact Administration.

Mr. Bentrup asked if the U.S.G.S. had made any further studies this year relative to improved measuring sites and devices. ~~yearx~~ Mr. John Little, from the Survey office in Denver, reported that a tour of the area had been made and some recommendations had been made. However nothing had been done. Mr. Bentrup suggested that a tour be made and something done, since money was appropriated. He suggested that it might be in the interest of the Commission to have a Special Meeting one day next spring with U.S.G.S. and tour these possible sites where improvements might be made.

Mr. Lefferdink told the Administration that some gaging devices had been installed on some of the creeks above John Martin Reservoir by Fort Lyon Canal Company in connection with the Division Engineer's office.

Mr. Bentrup asked if anything had been done in regard to the permanent pool at John Martin Reservoir as requested by the State Division of Wildlife. Mr. Helton reported that no new developments had been made, pending a meeting of the stockholders of Fort Lyon Canal Company on a

contract proposed by the Division of Wildlife.

Question regarding releases of only 5000 feet from Pueblo Reservoir was asked. Mr. Thomson reported that a study by the Conservative District and Corp of Engineers had been delayed and hoped that the information would be available early next year. Study as to the maximum amount that could be released through the dam is being made.

A request from Amity Mutual Irrigation Company for storage in John Martin Reservoir was received from Mr. Leo Pollart. A short recess was called so that members of the Administration could read the agreement. After reading the agreement, several changes were suggested by members of the compact.

Mr. Higbie of Manval Canal stated that Manval Canal is interested in percentages of water stored in the dam and their distribution as proposed by Amity.

Mr. Harry Bates from Buffalo Irrigation Company does not feel it is Compact business as far as division of Colorado Water is concerned. Further, the ditches have not agreed upon any percentages and it would have to be on a priority basis.

Mr. Lefferdink stated that Fort Lyon Canal Company wished to go on record objecting to the Agreement of Amity to store in John Martin Reservoir until an agreement can be worked out between Fort Lyon Canal Company and Amity in regard to the 5483 acre feet of water covered by a court decree in 1944. (A copy of this court decree was presented to Chairman Bentrup.)

Mr. Gibson felt that internal problems of ditch companies were not the responsibility of the Compact Administration.

After all the corrections were made in the agreement, it was to be retyped and presented again later for action of the Compact Administration.

Mr. Harrison, an attorney with the firm Moses, Whitymeyer, Harrison and Woodruff, P.C., in Denver was present and explained the basic concepts of the plan of Iowa Beef Producers, Inc., and City of Lamar.

Mr. Harrison went into quite a bit of detail in explaining the situation and assuring the Compact Administration that their operation will not increase the stream depletion. Also present were Al Hogan, representative of W. W. Wheeler and Associates, the engineering firm, and Mayor Joe Garborz and Francis Hiegel from City of Lamar.

Mr. Bentrup directed the Secretary to forward a copy of the motion passed earlier in regard to the Iowa Beef Producer, Inc., - City of Lamar proposal to Attorney Harrison and the City of Lamar.

Mr. Bentrup informed the persons attending the meeting of the passing of Mr. Logan Green, former member of the Commission. Mr. Gibson introduced the following resolution in regard to Mr. Green and moved that it be made a part of the minutes and be made a part of <sup>THIS</sup> next years annual ~~meeting~~ <sup>REPORT.</sup> Motion was seconded by Mr. Helton and passed on a vote of the states.

#### RESOLUTION

(Resolution <sup>attached,</sup> ~~to be inserted here when a copy is available.~~)

Mr. Gibson announced that another former member of the Commission, Mr. Robert Smrha, also passed away during the past year. Mr. <sup>STOECKLY</sup> ~~Schoeckly~~ made a motion that Mr. Gibson be allowed to submit a resolution in regard to Mr. Smrha, and that it be made a part of these minutes and also a part of the annual <sup>REPORT.</sup> ~~meeting~~ next year. Mr. Idler seconded the motion and it passed on a vote of the states.

#### RESOLUTION attached

(Resolution to be ~~inserted here~~ when received from Mr. Gibson.)

Mr. Bentrup read the following letter from Mr. <sup>STOECKLY</sup> ~~Schoeckly~~ regarding release of water in April, 1978, and asked that it become a part of the minutes.

Mr. Carl E. Bentrup, Vice Chairman  
Arkansas River Compact Administration  
Deerfield, Kansas 67838

Dear Carl:

When water was released from Storage in April, 1978, Kansas Members of Administration were not notified that two of the ditches in District 67 refused to comply with an order from the Water Commissioner to refrain from diverting water for 24 hours.

This procedure has been used for several years to expedite the delivery of water to the state line.

The refusal to comply with this order contributed to Kansas not receiving its demand at the state line, and was a violation of Article V-C of the Compact.

This violation should have been reported to the Operations Commission immediately, as provided in Paragraph 2, Section D of the Rules and Regulations.

This should have been called to the attention of the Administration and been placed on the agenda of the May 11 Meeting.

It is my recommendation that Kansas withhold any further action at this time until the Colorado Water Court has made its ruling.

W. F. Stoeckly  
Kansas Member

ARKANSAS RIVER COMPACT  
ADMINISTRATION

Mr. Gibson introduced the following resolution:

RESOLUTION

WHEREAS, on April 1, 1978, a Water Commissioner of the State of Colorado issued an order to all ditch companies of Water District No. 67 to pass water down river for a 24-hour period at each headgate structure during the initial release of compact conservation water from John Martin Reservoir;

WHEREAS, the order was issued pursuant to the terms and the provisions of C.R.S. 1973, 37-92-502(2) and of the Arkansas

River Compact, C.R.S. 1973, 37-69-101 et seq., especially Articles V-C and VIII-H of said compact;

WHEREAS, under the terms and provisions of the Arkansas River Compact releases of water stored in John Martin Reservoir shall be made upon demand by Colorado or Kansas;

WHEREAS, it is the intent of the compact that enforcement of its terms and provisions shall be accomplished through state agencies and officials charged with the administration of water rights;

WHEREAS, on or about April 10, 1978, Amity Mutual Irrigation Company and Buffalo Mutual Irrigation Company did each divert water from the Arkansas River between John Martin Reservoir and the Kansas-Colorado border in defiance of the order of the Water Commissioner dated April 1, 1978;

WHEREAS, each defendant's conduct has disrupted the orderly administration of the terms and provisions of the Arkansas River Compact and frustrated and impeded the State of Colorado in making full compliance with the terms and provisions of such compact and in meeting its obligations to the State of Kansas thereunder;

THEREFORE, let it be resolved that the Commissioners of the Arkansas River Compact unanimously voice their support and approval for the action taken by the State of Colorado in seeking to permanently enjoin the defendants from diverting water in a manner contrary to the terms and provisions of the written order of the Water Commissioner of the State of Colorado and the terms and provisions of the Arkansas River Compact.

Mr. <sup>STOCKLY</sup>~~Schoeckly~~ moved that the Resolution supporting the State of Colorado in its efforts to permanently enjoin Amity Mutual Irrigation Company and Buffalo Mutual Irrigation Company from diverting water released for the State of Kansas from John Martin Reservoir under the

terms and provisions of the Arkansas River Compact be adopted. Mr. Helton seconded the motion and it passed by a vote of the states.

Chairman Bentrup asked for election of officers. Mr. Gibson moved the present officers be re-elected and present standing committees be retained. The motion was seconded by Mr. Helton and approved by a vote of the states.

Mr. Jack Little gave a report on the Routing Study being made from Portland to John Martin Reservoir. The study should be done with the technical writing by the first of the year and the commissioners should have the written report soon after. Mr. Helton felt the compact should be consulted before the study is finalized.

Introduction of the following guests was made: Mr. Leland Rolfs, Attorney from Kansas; Jim Dazer, member of Water Commissioner Staff of Colorado; and Bill Howland, member of the Colorado Water Resources Staff stationed in Las Animas.

Mr. Harry Bates informed the commission that he is disturbed about action taken by Compact Administration regarding action taken against Amity and Buffalo Canals in the distribution of water. He feels that trouble in supplying 40% at State line is because of wells and feels that the decision by the compact is wrong. Mr. Bentrup stated that Kansas was disturbed by the fact that 2 ditches were allowed to ignore orders from the Water Commissioner and felt if it was allowed to continue, more ditches would follow suit.

Mr. Hackett noted that the Audit Report was pretty well covered in the Treasurer's Report. Mr. Helton moved that the Audit Report be accepted, seconded by Mr. Gibson and passed by a vote of the states.

Mr. Hackett presented the proposed budget and a few changes were made. Mr. Gibson moved that the following Proposed Budget be tentatively adopted for the fiscal year 1980-1981, subject to approval by letter ballot, not later than June 1, 1979. Mr. Reyher seconded the motion and

it was passed by a vote of the states.

PROPOSED BUDGET

Fiscal Year July 1, 1980 - June 30, 1981

Personal Services . . . . .	\$ 4,570.00
Secretary's Salary.....	\$3,600.00
Social Security.....	220.00
Professional Services.....	750.00
U. S. Geological Survey . . . . .	4,900.00
Cooperative Agreement.....	4,900.00
Data Acquisition Improvement Plan . . . . .	5,000.00
Maintenance and Operation . . . . .	3,925.00
Bond (Treasurer).....	75.00
Printing.....	1,000.00
Travel and Meetings.....	1,350.00
Telephone and Telegraph.....	1,000.00
Office Expense.....	500.00
Contingency . . . . .	<u>2,000.00</u>
TOTAL BUDGET 1980-1981. . . . .	<u>\$20,395.00</u>
To be appropriated . . . . .	\$20,395.00
Colorado (60%).....	\$12,237.00
Kansas (40%).....	\$ 8,158.00

Mr. Hackett was instructed to send a copy of minutes to Mr. Frank Cooley and a letter expressing hope that he is progressing well.

Water tables for printing in Annual Meeting booklets were discussed. Mr. Helton suggested that tables and preliminary draft of booklet be sent to members of the Compact for reviewing and approval before printing.

Mr. Leo Pollart presented the following revised Winter Storage Agreement for compact approval.

AGREEMENT

This AGREEMENT, entered into this 12th day of December, 1978, by and between the ARKANSAS RIVER COMPACT ADMINISTRATION, hereinafter called "Administration", and THE AMITY MUTUAL IRRIGATION COMPANY, hereinafter called "Amity",

WITNESSETH:

WHEREAS Amity is in the process of negotiating with the Southeastern Colorado Water Conservancy District, the office of the State Engineer of the State of Colorado, and other water right owners with regard to a so-called "Winter Storage" program on the Arkansas River relating to water storage in its Great Plains Reservoir System; and

WHEREAS Amity desires to store any water belonging to its Great Plains Water Storage System in the John Martin Reservoir; and

WHEREAS the Administration is willing to permit said Amity to store its Great Plains water in the John Martin Reservoir,

NOW, THEREFORE, in consideration of the premises it is hereby agreed between the parties hereto as follows, to wit:

1. That the Administration does hereby consent that Amity may store in John Martin Reservoir so much water as is allowed to it and charged against its storage decree of August 1, 1896, commonly referred to as "Great Plains' Decree, as is allowed by the State Engineer of the State of Colorado.

2. That said water, so stored to the account of Amity, shall be designated "Amity-Great Plains" water, and record shall be kept entirely separate from the "Compact" water that is normally stored in the John Martin Reservoir and from any permanent recreation pool water that lawfully shall be delivered

to John Martin Reservoir. The "Amity-Great Plains" water shall belong to Amity, and will be released from the John Martin Reservoir upon the call of said company, which call may be made at such times and in such amounts as it desires, including before, during or after the time the "Compact" water is released. In the event the "Amity-Great Plains" water is not released by the end of the "Compact" year in which it was stored, then it becomes "Compact" water.

3. In the event the John Martin Reservoir is filled to capacity, so that its safety requires a release of water from it, the "Amity-Great Plains" water shall spill before "Compact" water and before permanent pool water.

4. After the "Compact" water is exhausted, the John Martin Reservoir shall be considered empty for the purposes of the Arkansas River Compact Administration, even though Amity may have some "Amity-Great Plains" water still stored therein.

5. The Amity shall have the "Amity-Great Plains" water decreased only for losses for transportation and evaporation as finally shall be agreed upon by representatives of Amity, the Colorado State Engineer, the Chief Engineer of the Kansas State Board of Agriculture, Division of Water Resources, and the Arkansas River Compact Administration prior to release.

6. That this Agreement shall be and continue in force and effect from this date until October 31, 1979, and year to year thereafter unless either of the parties signatory hereto give written notice of its termination at least 90 days before November 1 of each year, commencing November, 1979.

IN WITNESS WHEREOF the parties have hereunto affixed their signatures by their officers thereunto duly authorized.

ARKANSAS RIVER COMPACT  
ADMINISTRATION,

By Carl E. Bentrup, Vice Chairman

ATTEST:

Lane Hackett, Secretary

THE AMITY MUTUAL IRRIGATION  
COMPANY,

By Leo J. Pollart, President

ATTEST:

Lane Hackett, Secretary

Mr. Helton made a motion that the Compact Administration approve the agreement with Amity, subject to Amity reaching an agreement with The Fort Lyon Canal Company. Mr. <sup>STOCKLY</sup>~~Schoeckly~~ seconded the motion and it was approved by vote of states.

Mr. Higb<sup>ee</sup> of Manvel Canal and Mr. Buchanan of Lamar Canal both requested to go on record opposing the Amity Agreement.

Meeting adjourned at 2:30 P.M.

Respectfully submitted,

Ina Groomer, recording secretary

# ARKANSAS RIVER COMPACT ADMINISTRATION

Post Office Box 1156  
LAMAR, COLORADO 81052

## KANSAS

GUY E. GIBSON, Topeka  
CARL E. BENTRUP, Deerfield  
Vice Chairman  
W. F. STOECKLY, Garden City

FRANK G. COOLEY  
Chairman and Federal Representative  
P.O. Box 98  
Meeker, Colorado 81641

## COLORADO

FELIX SPARKS, Denver  
KENT A. REYHER, Las Animas  
LEO IDLER, Lamar  
Treasurer

Because of the many years of loyal service performed by Logan Green for our Administration, it is fitting and proper that we honor his memory with a lasting tribute. Therefore--

Be it resolved by the Arkansas River Compact Administration that a tribute be paid to Logan N. Green who passed away on June 2, 1978.

Whereas, Mr. Green was a member of the Arkansas River Compact Administration from July 23, 1957 to September 19, 1973.

Whereas, we the members of the Administration, being mindful of the many years of untiring service which Mr. Green gave to this Administration desire to pay this final tribute to his memory.

Logan N. Green had a deep understanding of the varied problems connected with water management. This Commission, for many years has depended upon him for his wise counsel and invaluable guidance in the affairs of this Commission, not only during the years he served on the Commission but for the years that followed when he was no longer a member.

He was a man respected by all who knew him. To have held his friendship and enjoyed his association was indeed a rare privilege. He will be sorely missed by all who knew him.

Now, Therefore, Be It Resolved, that this Administration take this means of expressing their deep appreciation for the years of service of Logan N. Green, and their profound sorrow as his passing.

## RESOLUTION

BE IT RESOLVED by the Arkansas River Compact Administration in annual meeting assembled that the following memorial be and the same is hereby adopted:

It is with deepest regret that this administration has learned of the death of R. V. Smrha who departed this life on the 18th day of October, 1978.

Mr. Smrha was for many years Chief Engineer of the Division of Water Resources, Kansas State Board of Agriculture. He was intensely interested in the conservation and beneficial use of the waters of the Arkansas River Watershed in the states of Colorado and Kansas.

He was a member of the Arkansas River Compact Administration from 1951 to 1971 during which time he contributed invaluable professional knowledge and services to the Administration.

R. V. Smrha was a friendly, kind and considerate man and always a gentleman in all of his endeavors. He will be greatly missed by all who knew him.

BE IT FURTHER RESOLVED that this resolution be entered into the records of this Administration.