

ARKANSAS RIVER COMPACT ADMINISTRATION

REGULAR MEETING

JULY 17, 1956

The regular meeting of the Arkansas River Compact Administration will be held at the Broadmoor Hotel in Colorado Springs, Colorado, on Tuesday, July 17, 1956, 9:30 A. M.

ARKANSAS RIVER COMPACT ADMINISTRATION

MINUTES OF
ARKANSAS RIVER COMPACT ADMINISTRATION
REGULAR MEETING

July 17, 1956

Broadmoor Hotel
Colorado Springs, Colorado

Attendance -

For Colorado:

Ivan C. Crawford, Denver, Director; Colorado Water
Conservation Board

Harry B. Mendenhall, Rocky Ford; Chairman of Colorado
Representatives

Harry C. Nevius, Lamar; Administration Secretary and
Treasurer

For Kansas:

Wm. E. Leavitt, Garden City

R. V. Smrha, Topeka

Roland H. Tate, Garden City, Vice-Chairman and Chairman
of Kansas Representatives

For the United States:

Hans Kramer, (Brig.Gen.Ret.), San Francisco, Calif.;
Chairman of the Administration and
U. S. Representative

Others Attending:

James E. Bone	Corps of Engineers	Caddoa, Colo.
Guy M. Vincent	Kans. Div. Water Resources	Garden City, Kans.
F. C. Snyder	Div. Engineer	
	State of Colorado	Pueblo, Colo.
Ralph Adkins	Colo. Fuel and Iron	
	Corp.	Pueblo, Colo.
John B. Barnard, Jr.	Attorney General's	
	Office, State of Colo.	Denver, Colo.
Philip B. Mutz	C.W.C.B.	Denver, Colo.

This regular meeting of the Administration was called to order by Chairman Kramer at 9:35 A. M.

The Chairman noted that illness among the membership has precluded attendance at previous meetings, and this was the first meeting that all the regular members had been able to attend in some time. Also, he expressed regret to hear of the illness of George Colburn and expressed the best wishes of the group to Mr. Colburn.

The Chairman announced that this is officially the postponed meeting scheduled for March 27, 1956 when a quorum was not present. Also that this is a regular meeting of the Administration, and is the first meeting held in 1956.

It was moved by Mr. Tate, seconded by Mr. Crawford, that the minutes of the Administration meeting of December 13, 1955, as corrected, be approved. The motion passed.

The Chairman noted that a summary, prepared by Mr. Colburn, of the discussions held in Denver in March, when no quorum was present, did not constitute an official record. It was moved by Mr. Tate, seconded by Mr. Nevius, that the summary of discussions held in March be made a part of the record of this meeting. The motion passed. The summary follows:

ARKANSAS RIVER COMPACT ADMINISTRATION

Summary of discussions held in Denver on March 27, 1956, by Members of the Administration.

The business of the regular meeting of the Arkansas River Compact Administration scheduled for March 27, 1956, was deferred until the next regular meeting. This deferrment was occasioned by the lack of a quorum present on this date.

General Kramer noted with regret that Mr. Mendenhall had been unavoidably detained by the death of a family member. He further expressed the concern of the Administration and forwarded its well wishes to Dean Crawford who was preparing for surgery in a Boulder hospital. It was announced that Mr. Smhra was recuperating from surgery and was absent on that account. It was the sense of those present that telegrams be sent to the hospitalized members.

General Kramer officially stated that the State of Colorado was not represented by two of its members and that the Administration was therefore without a quorum to conduct business under the provisions of Article VIII-D of the Compact.

General Kramer expressed his appreciation of the sentiments sent to him by the Administration at the time of his hospitalization in December 1955, which had occasioned his first absence in ten years of service.

A general discussion between the members of the Administration and others present ensued. Mr. Bell introduced Mr. Frank Stermitz, District Engineer of the U.S.G.S. at Helena, Montana, and the Federal representative on the Yellowstone River Compact Commission. Mr. Stermitz requested information on, and General Kramer outlined certain procedural functions of the A.R.C.A. Later he was furnished a complete file of the reports of the Administration by Mr. Crawford's office.

Informal reports were made by members and associates of the Administration regarding the storage in John Martin Reservoir (44,083 A.F.); the new capacity table of the Reservoir dated March 1, 1956, and the outlook on the headwaters of the Arkansas and Purgatoire Rivers which vary from 97% to about 50%, but on the whole much better than in recent years.

Continued discussion brought out that the Reservoir sedimentation was about that predicted as an average over a period of years.

General Kramer commented concerning the Seventh Annual Report. Certain printing errors were commented upon.

During the discussion it was pointed out that the next regular meeting was scheduled for Tuesday, July 24, 1956. Mr. Leavitt, on recommendation of the members present, agreed to arrange, to best advantage, a meeting in Colorado Springs and as near that date as possible.

Comments asked for by General Kramer indicated that soil and moisture conditions of the next few weeks would govern the starting date for release of water in the Reservoir to comply with demands by Colorado and Kansas.

The discussion broke up at approximately 10:30 A. M.

* * * * *

The minutes of the Telephonic Meeting of the Administration of April 21, 1956 were submitted by Mr. Nevius. The Chairman requested that he and other members of the Administration be notified of the results of future telephonic meeting in order that they could keep a current record.

It was moved by Mr. Tate, seconded by Mr. Crawford, that the minutes of the telephonic meeting of April 21, 1956, as corrected, be approved and inserted in the record of this meeting. The motion passed. The minutes follow:

MINUTES OF TELEPHONE MEETING APRIL 21, 1956

Since the demand for irrigation water in both Colorado and Kansas was near the maximum release permitted from John Martin Reservoir under the Compact and the inflow was negligible, it was evident that the Reservoir would soon be empty.

The question of releases in relation to the revised capacity tables of the reservoir and the time of empty reservoir was discussed by telephone April 21, and it was agreed by Mr. Leavitt and Mr. Tate for Kansas and Mr. Mendenhall and Mr. Nevius for Colorado, that the State Engineer of Colorado would be notified this date that commencing April 27, 1956, that unless a change of conditions justified cancellation or modification, that he be prepared to administer decreed rights to water users in Colorado.

Mr. Whitten, State Engineer, was immediately notified by telephone of this action, also Mr. Forest C. Snyder, the Division Engineer at Pueblo and the following Official notice was mailed to Mr. J. E. Whitten, State Engineer of Colorado.

FINDINGS AND NOTIFICATION

by

ARKANSAS RIVER COMPACT ADMINISTRATION

April 21, 1956

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

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

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

That, based upon the present quantity of water stored in, and anticipated release of water from, and inflow to, the John Martin Reservoir, the conservation pool thereof, within a period of fourteen (14) days from this 21st day of April, will be, or is liable to be, exhausted.

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

That, commencing on the 27th day of April, 1956, unless a change of conditions justifies cancellation or modification of this notice, he is required, under the terms of the Compact, to administer the decreed rights of the water users in Colorado in the manner and for a period of time determined in accordance with the provisions set forth in the above quoted Article VF of the Compact.

The above findings have been made, and notification thereof given, by the Arkansas River Compact Administration on this 21st day of April, 1956.

/s/ Roland H. Tate
Vice-Chairman

ATTEST:

Harry C. Nevius
Secretary

Mr. Smrha asked if approved minutes of the Administration meeting of October 28, 1955 had been distributed. It was ascertained that only Mr. Crawford had a copy of the approved minutes, and the Administration ordered that the minutes be distributed.

General Kramer made the following report as Chairman:

Copies of the Annual Report were sent to the President and other Federal Agencies. He stated that reproduction of the Report was good with only a few errors.

He had attended a meeting of the Arkansas-White-Red Basins Inter-Agency Committee in Colorado Springs during the past week, and had extended invitations to various members of that group to attend this meeting of the A.R.C.A.

The Chairman noted a letter from the District Engineer, Corps of Engineers, Albuquerque, N. M., under date of February 10, 1956, concerning the new Area-Capacity Table for John Martin Reservoir. This Table was effective as of March 1, 1956. General Kramer noted that the new Table showed a loss of 15,000 acre feet of capacity due to sedimentation. He asked Mr. Bone if a physical sediment-survey of the Reservoir is contemplated by the Corps. Mr. Bone replied that it may be done. General Kramer requested that Mr. Bone convey to the District Engineer the sentiment of the A.R.C.A. is that a physical sediment-survey of the Reservoir should be made.

Further discussion among the group about sedimentation ensued. It was brought out that the rate of sedimentation of the Reservoir is about as originally predicted.

Mr. Nevius gave the following report as Secretary:

Since the December meeting of the Administration the Annual Report has been distributed to the Governors, ditch companies and others.

The U.S.G.S. contract for the past year has been completed.

The Administration had received from the Corps of Engineers the "Flood Report, Arkansas River Basin Flood of May 1955" dated November 1955. Receipt of HB 295, Omnibus Flood Control Bill, containing authorization for the Trinidad Project, had been acknowledged.

The Administration had received acknowledgment from the State Engineer of Colorado of the Findings of the Administration. The acknowledgment follows:

State of Colorado
OFFICE OF STATE ENGINEER
Division of Water Resources
Denver 2
April 24, 1956

Mr. Harry C. Nevius, Secretary
Arkansas River Compact Administration
Lamar, Colorado

Dear Mr. Nevius:

This will acknowledge receipt of notification by the Compact Administration that it is presumed that the John Martin Reservoir will be empty on or about April 27th, following which, in accordance with Article VF of the Arkansas River Compact, ".....Colorado shall administer the decreed rights of water users in Colorado District #67 as against each other and against all rights now or hereafter decreed to water users diverting upstream from John Martin Dam on the basis of relative priorities in the same manner in which their respective priority rights were administered by Colorado before John Martin Reservoir began to operate and as though John Martin Dam had not been constructed....."

Unless further notification from the Commission is received, this Department will begin administration agreeable to the above Section, quoted in part, on or about April 27th.

Very truly yours,

/s/ J. E. Whitten
State Engineer

JEW:L
cc: Mr. F. C. Snyder

Mr. Nevius next submitted his report as Treasurer:

ARKANSAS RIVER COMPACT ADMINISTRATION
Report of the Treasurer, July 17, 1956

Balance on hand October 31, 1955, Auditor's Report \$1251.63

Receipts:

Call authorized October 28, 1955			
Colorado	60% 12-16-55	\$1440.00	
Kansas	40% 12-31-55	960.00	2400.00
			\$3651.63

Disbursements:

Voucher	Date			
166	12-31-55	Secretary Salary, Nov & Dec (less \$4.00 F.I.C.A.)	\$196.00	
167	1 -8-56	H. R. Meininger Co. Supplies	4.50	
168		Mtn. States T & T Co Nov & Dec Service & Tolls	25.95	
169		Robert W. Rollins, Audit & Service	65.00	
170		Treasurer of U.S. Deposits by States	12.00	
171	3- 8-56	Peerless Printing Co. Charts	46.00	
172		Secretary Salary, Jan & Feb (less \$4.00 F.I.C.A.)	196.00	
173		Mtn. States T & T Co. Jan & Feb. Serv.	16.90	
174		Peerless Printing Co. Printing Annual Reports	476.00	
Total Disbursements				1038.35
Balance on hand March 27, 1956				\$2613.28

175	4-30-56	U.S. Geological Survey, Cooperative Stream Gaging	346.25	
176		Secretary Salary March & April (less \$4.00 F.I.C.A.)	196.00	
177		Treasurer of U.S. Deposits by States	4.00	
178		Mtn. States T & T Co., March & April Service & Tolls)	35.73	
179	6-30-56	U.S. Geological Survey, Bal. Cooperative Stream Gaging	153.75	
180		Mtn. States T & T Co., May & June Service and Tolls	26.40	
181		Secretary Salary, May & June (less \$4.00 F.I.C.A.)	196.00	
182		Harry C. Nevius, Stamps 12.00 Mileage 52.80	64.80	
183		Treasurer of U.S., Deposits by States	16.00	
Total				1038.93
Balance on Hand July 17, 1956				\$1574.35

Discussion of the report, State budget amounts and requirements followed. It was brought out that due to a larger carry-over, the financial status of the A.R.C.A. is better than it was at this time last year.

Mr. Tate said the Administrative Committee had nothing to report at this time.

Mr. Smrha reported that the Engineering Committee had been given the following assignments.

1. Review of data submitted by the Corps on sedimentation of John Martin Reservoir.
2. Review of Corps Report on the Purgatoire River flood.

He noted that Mr. Crawford's office was to provide the review of the Flood Report. Mr. Crawford said that such review will be made when data on the flood obtained by the U.S.G.S. has been submitted.

Mr. Smrha gave some preliminary figures concerning the sediment data report.

Mr. Mendenhall reported as follows for the Operation's Committee.

At the commencement of the summer storage period there was 44,144 acre feet impounded. The first release of the season was requested as of 8:30 A. M., April the 2d, in the amount of 450 c.f.s. On April 3d at 3:30 P. M. the release was increased to 750 c.f.s. On April the 5th at 9:30 A. M. it was increased to 850 c.f.s. On April the 11th at 10:00 A.M. to 950 c.f.s. On April the 15th at 10:20 A.M. to 975 c.f.s., which release was maintained until 4:40 A.M. on the morning of April the 30th, at which time the reservoir was declared empty and the water users reverted to decreed priorities in Water District No. 67. On the morning of May the 24th there was a crest passing Nine Mile Station of approximately 5,000 c. f.s. A similar crest passed the Highland the same afternoon. This flash caused a peak of 1,900 feet through the reservoir on the morning of May the 25th, which was only temporary. No part of which reached the state line. On June the 4th, 9th and 12th various creeks below the dam had short flash floods into the river with only approximately a little less than 300 feet of which ever reached the state line at any one time. The week of July the 3d there were three or four small flash floods, none of which created enough inflow to meet the decreed priorities below the reservoir.

At the conclusion of Mr. Mendenhall's report the group discussed the drought situation, river flows and water supply prospects.

Under old business General Kramer read from the By-Laws the section concerning standing committees. Accordingly, he designated the membership of the standing committees to remain as at present, and suggested that these committees retain their respective chairmen.

It was moved by Mr. Crawford, seconded by Mr. Nevius that the chairmanship of the standing committees remain as at present. The motion passed.

The committees are:

Administrative and Legal Committee:
Roland H. Tate of Kansas (Chairman)
Harry C. Nevius of Colorado

Engineering Committee:
R. V. Smrha of Kansas (Chairman)
Ivan C. Crawford of Colorado

Operations Committee:
Harry B. Mendenhall of Colorado (Chairman)
William E. Leavitt of Kansas

Chairman Kramer is ex-officio member of these committees.

Mr. Crawford was asked to report on the status of legislation now before Congress relative to the Fryingpan-Arkansas and the Trinidad Projects. Mr. Crawford replied that he had called Congressman Chenoweth Monday and that Mr. Chenoweth thought there would be no House action on the Fryingpan-Arkansas until the Senate acted on Hells Canyon. Also Mr. Chenoweth said that the Trinidad Project was in the Omnibus Bill and that the City of Trinidad would have to provide some moneys as their share of flood protection costs of the Project under this bill. Further discussion of the Trinidad Project ensued.

General Kramer noted that the next scheduled meeting of the A.R.C.A. should be a special meeting to be held in October to consider the budget and Annual Report. Needed at this meeting are the Treasurer's report on the budget, and dummy forms for the Annual Report; the dummy forms to be furnished by Mr. Crawford's office.

Mr. Crawford moved that a special meeting of the Administration be held in Denver on Tuesday October 30, 1956. The motion was seconded by Mr. Tate and passed. Mr. Crawford's office will arrange this meeting.

General Kramer called on the visitors for comments.

Mr. Crawford introduced Mr. John B. Barnard, Jr. of the Colorado Attorney General's Office to the Administration.

A discussion about the evaporation station at John Martin Reservoir, and reservoir evaporation was participated in by visitors and members of the Administration.

There being no further business, Mr. Crawford moved for adjournment. The motion was seconded by Mr. Tate, passed, and the meeting was adjourned at 10:50 A.M.

The above minutes were approved by action of the Administration on October 26, 1956.

_____, Secretary

_____, Chairman