

MINUTES OF
ARKANSAS RIVER COMPACT ADMINISTRATION
REGULAR MEETING
March 22, 1960
Court House
Lamar, Colorado

Attendance:

For Colorado:

David Jenkins, Las Animas
Hacket Smartt, Lamar

For Kansas:

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

Members Absent:

Carl G. Paulsen, Washington, D. C.
Logan N. Green, Garden City, Kansas
Felix L. Sparks, Denver, Colorado

Others Attending:

F. C. Snyder & wife	State Engineer's Office	Pueblo, Colo.
Ross W. Moor	U. S. G. S.	Lamar, Colo.
Guy M. Vincent	Kansas Water Comm.	Garden City, Kans.
James E. Bone	U. S. Engineers	John Martin Dam
J. M. Barrett	U. S. B. R.	Pueblo, Colo.
R. W. Adkins	C. F. & I.	Pueblo, Colo.
Wallace A. Doe	S. E. Colo. Water Cons. Dist.	Pueblo, Colo.
Harry Bates, Jr.	Buffalo Mutual Irrig. Co.	Holly, Colo.
W. E. Hartshorn	Buffalo Mutual Irrig. Co.	Holly, Colo.
Taro Hiram	Manvel Canal Co.	Granada, Colo.
Harry C. Nevius		Lamar, Colo.
John T. Martin	Corps of Engineers	Albuquerque, N. M.
F. N. Leatherwood	Ft. Lyon Canal Co.	Las Animas, Colo.
H. D. Amsley		" " "
R. J. McGrath	Water Comm. #66 & #67	Lamar, Colo.
Fred L. Boydston, Jr.	Colo. Water Cons. Board	Denver, Colo.

Noting that both the Chairman and Vice-Chairman were not present for the meeting, the members present decided to hold the regular meeting as scheduled, and requested Mr. Smrha to call the meeting to order. Mr. Smrha called the meeting to order at 9:40 A. M. Mr. Bentrup then moved that Mr. Smrha become acting Vice-Chairman for this meeting, and the motion was seconded by Mr. Smartt and passed by vote of both states.

Mr. Smrha observed that although Chairman Paulsen, Mr. Green and Mr. Sparks were absent, there was a quorum present with two representatives from Kansas and two representatives from Colorado

The minutes of the meeting held December 8, 1959 were discussed and Mr. Bentrup's motion, seconded by Mr. Jenkins, to dispense with the reading of these minutes, subject to any corrections, was passed by vote of the states. After further discussion and inspection of the minutes, Mr. Bentrup moved that the minutes of the December 8, 1959 meeting be accepted as written. Mr. Smartt seconded the motion, and the motion was then passed.

Mr. Smrha said that since the Chairman was not present and no report had been received from him, there would be no report of the Chairman. He then asked Mr. Smartt for the Secretary's report, which is as follows:

Secretary's Report

December 8, 1959 to March 22, 1960

In compliance with the Resolution adopted by the Administration at its July 28th, 1959 meeting whereby the Secretary was authorized to communicate to each State official regarding the measuring devices required by law for all ditches taking water from the Arkansas River and its tributaries, the Operations Committee reports, adopted by the Administration at its December 8, 1959, meeting, were submitted on December 11, 1959 to Mr. J. E. Whitten, State Engineer, Denver, Colorado, and Mr. R. V. Smrha, Chief Engineer of Water Resources, Topeka, Kansas.

Letters have been received from both Mr. Whitten and Mr. Smrha. These are at hand and will be read if the committee so desires.

On March 9th, 1960, annual reports were received from Mr. Sparks' office. Some have been distributed, but distribution has not been completed at the present time.

Vouchers have been drawn for the payment of all bills which are due to date.

Respectfully submitted

/s/ Hacket Smartt
Hacket Smartt, Secretary

The members of the Administration expressed their desire to have the letters from Mr. Whitten and Mr. Smrha read which was done, and are as follows:

STATE OF COLORADO
OFFICE OF STATE ENGINEER
Division of Water Resources

Denver 2,
March 8, 1960

Mr. F. C. Snyder, Division Engineer
Irrigation Division No. 2
301 Bon Durant Building
Pueblo, Colorado

Dear Mr. Snyder:

We are enclosing herewith a copy of the findings and recommendations of the Arkansas River Compact Administration Operations Committee in regard to the conditions as they were found on the Colorado canals diverting below John Martin Reservoir.

The letter enclosed is self-explanatory, and from their report it appears that the Manvel Ditch and the X. Y. Ditch should construct rating flumes in their respective canals for the proper measurement of their water, and that the measuring devices in the Buffalo Canal should be adequately repaired for the same purpose.

Will you, therefore, notify the proper officials of the Ditches above-noted, advising them of the findings and recommendations of the "Operations Committee" and instruct them to take steps to provide adequate measuring devices.

We are also enclosing a copy of the resolution adopted by the Compact Commission at its meeting on July 28, 1959.

Very truly yours,

/s/ J. E. Whitten
J. E. Whitten, State Engineer

JEW:L
Enc.
cc: Arkansas River Compact Admr.

KANSAS STATE BOARD OF AGRICULTURE

March 16, 1960

Mr. Hacket Smartt, Secretary
Arkansas River Compact Administration
Court House
Lamar, Colorado

Dear Mr. Smartt:

Reference is made to your letter of December 11, 1959, advising me as to the action of the Arkansas River Compact Administration regarding measuring devices on ditches diverting water from the Arkansas River and its tributaries. I wish to acknowledge receipt also of a copy of the Operations Committee report as to measuring devices on Kansas Ditches.

We have noted the recommendations made in the Operations Committee report and also have made a review of our records of diversions during recent years. We feel that some improvement in the degree of accuracy of these records with presently installed measuring devices can be obtained with some adjustment in the method of operation. We plan to give this matter attention during the coming irrigation season to the end that the quality of records of diversions may at least approach, if not equal, the quality of records of discharge of the Arkansas River at the Kansas-Colorado Stateline.

Yours very truly,

/s/ R. V. Smrha
R. V. Smrha
Chief Engineer

RVS:ch

cc: Mr. Logan N. Green
Mr. Carl E. Bentrup
Mr. Guy M. Vincent

It was moved by Mr. Bentrup, seconded by Mr. Jenkins, and passed, to accept and record the Secretary's report.

Mr. Snyder was asked what was being done by the State Engineer's office relative to the reports on measuring devices by the Operations Committee. He replied that the ditch owners had been notified and are in the process of meeting the requirements. Mr. Bates, representing the Buffalo Canal Co., explained that they had considered their flume to be adequate, but that they plan to meet the demands of the

State Engineer. He said that in his opinion the X. Y. Canal should also be required to install a flume and recorder. Mr. Jenkins then read the part of the Compact relative to ditch measuring devices, and said that he thought that the ditches above John Martin also need such measuring devices. He gave illustrations of where such devices are necessary and said that he felt the Administration needs this information. A discussion followed on whether or not the Operations Committee needs a special directive to inspect the ditches on the Arkansas River and tributaries above John Martin reservoir. As a result of the discussion Mr. Smrha said that it was apparent that the previous directive to the Operations Committee was sufficient and the Committee will, therefore, accept the authority to inspect and report on the condition of measuring devices in ditches above John Martin. Mr. Bentrup observed that the Committee would be able to inspect those ditches diverting directly from the Arkansas River, but not those diverting from tributaries before the irrigation season starts. Mr. Smrha suggested that the Committee could rely heavily on reports by the U. S. Geological Survey and the State Engineer's Office. Mr. Snyder answered Mr. Bentrup's question on how the Administration can compel the ditches to comply with the request that they install proper measuring devices by stating that the ditches can be shut off unless the measuring devices are installed as ordered. Mr. Bates then said that, although the X. Y. Canal had been notified, they were still diverting water. Mr. Snyder replied that he will continue to pursue the plan of action and shut off the water if the order is not complied with.

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

March 22, 1960
Treasurer's Report
December 8, 1959 to March 22, 1960

Voucher No.	Date	Payee & Purpose	Amount
		Balance on Hand, December 8, 1959	4,610.94
282	1-4-60	R. W. Rollins Auditing 1959 Accounts	65.00
283	1-4-60	M.S.T.&T. Co., Telephone Services for Nov. & Dec.	24.95
284	1-4-60	U. S. Treasury, Deposits by States	15.00
285	1-4-60	Hacket Smartt, Secy.-Treas. Salary, Nov. & Dec. 1959	195.00
286	3-5-60	U. S. Geological Survey, 2nd Quarter	725.00
287	3-5-60	M.S.T.&T. Co., Telephone Services for Jan. & Feb.	22.40
288	3-21-60	Peerless Printing Co.-- Printing 500 copies of 11th Annual Report	605.00

Treasurer's Report (Continued)

Total Disbursements	\$1,652.35	
Balance Funds Available, March 22, 1960		\$2,958.59

Mr. Bentrup's motion, seconded by Mr. Jenkins, to accept the report of the Treasurer was passed.

Mr. Smrha called for the report of the Administrative and Legal Committee, and Mr. Jenkins replied that the Committee had nothing to report.

Mr. Smrha said that the Engineering Committee had no report, but called on Mr. Moor to report on the status of the U.S.G.S. installation plan. Mr. Moor said that the cableway on the Purgatoire at Las Animas was virtually complete. Mr. Smrha then asked Mr. Boydston to report on any studies being made by the Colorado Water Conservation Board. Mr. Boydston said that Mr. Sparks wished to inform the Administration that legislation proposed for a permanent pool in John Martin is being pursued, and that a controversy on the quantity of water required would probably be reconciled soon. Mr. Boydston then introduced Mr. Wallace Doe as the resident engineer that Mr. Sparks had previously promised to place in the Valley. He also explained that Mr. Doe was under contract to the State Water Conservation Board, but working for the Southeastern Water Conservancy District, with headquarters in Pueblo. Mr. Smrha asked Mr. Doe if he had any comments to make at this time, and Mr. Doe said that the Conservancy District has commenced a study of upstream and downstream water rights and measuring devices. He said that it may be necessary for the District to subsidize installation of measuring devices for some of the smaller rights. He suggested that cooperation of efforts was desirable with the Operations Committee. He remarked that he and Mr. Adkins were on an A.V.D.A. committee about three years ago, and had made a report at that time on the measuring devices from Pueblo to the State Line, and he was certain that this report could be made available to the Operations Committee. Mr. John Martin was asked if he had any engineering report to make for the Corps of Engineers, and he replied that he had none at this time.

Mr. Bentrup gave the Operations Committee report as follows:

OPERATIONS COMMITTEE REPORT

MARCH 22, 1960

Operations Committee has nothing to report other than that the water in Storage on December 8, 1959, was 6,548 Ac. Ft. In Storage today 43,848 Ac. Ft.

/s/ Carl E. Bentrup
Carl E. Bentrup, Chairman

Mr. Jenkins moved that the Operations Committee report be accepted. Mr. Smartt seconded the motion, and the motion was duly passed.

Mr. Jenkins said that under "unfinished business" he would like to explain about some of the misunderstanding with regard to "winter irrigation". He read a clipping from a newspaper and explained how winter water was used from the Fort Lyon Canal. Mr. Leatherwood then said that the term "winter irrigation" is misleading; that very little water is used in the winter, fall irrigation is practiced during the months of October, November and December. In fact, he said, there were record diversions in the fall of last year. He said he had to admit there was some waste in this practice, but it was not more than was normal for any irrigation system. He maintained that the relationship of winter diversions to the State line flow was not indicative of waste. Mr. Jenkins and Mr. Leatherwood then discussed briefly the diversions practiced under the Fort Lyon Canal and a dam at the end of this canal used for regulation and to keep from wasting water. Mr. Amsley was called on for any information he had on the diversions, and he said that he had not kept in touch with the ditch for the past five years, but that when he had been operating it, he had always tried to turn the excess diversions back to the river. Mr. Jenkins observed that winter storage is needed for the water. He declared that ground storage is beneficial and that there is no other way to farm except with winter irrigation. He discussed irrigation and farming practices. Mr. Smartt referred to a newspaper clipping about winter irrigation wasting water when ice was on the ground, and remarked that Mr. Sparks is evidently not the only one that realizes the wastes of winter water. Mr. Jenkins said that the waste of water is reduced whenever possible, and that the waste water is very often reused.

Mr. Smartt then read the following letter:

March 10, 1960

The Hon. Stephen L. R. McNichols
Governor of Colorado
State Capitol
Denver, Colorado

Colorado State Conservation Board
Denver, Colorado

Mr. J. E. Whitten
State Engineer
Denver, Colorado

Arkansas River Compact Administration
c/o Hackett Smartt
Lamar, Colorado

Gentlemen:

The undersigned ditch companies, below John Martin Reservoir, would like to take this opportunity to make known to each of you their opposition to the creation of a permanent pool in the John Martin Reser-

voir and do oppose any and all pending Legislation designed to create such a pool and any proposed Legislation designed for the same purpose.

Very truly yours,

Graham Ditch Co.
/s/ By R. Romer

The Fort Bent Ditch Co.
/s/ By G. L. Carrico, Pres.

Sisson-Stubbs Ditch
/s/ By B. R. Vorenkamp

Amity-Mutual Irr. Co.
/s/ By Harry C. Nevius, Pres.

Mutual Hyde Ditch Co.
/s/ Gail Rogers, Vice Pres.

Granada Irrigation Company
/s/ Taro Hiram, Pres.

Manvel Canal & Irrigation Co.
/s/ Taro Hiram, Pres.

Buffalo Mutual Irr. Co.
/s/ H. L. Bates, Jr., Pres.

Lamar Canal
/s/ R. C. McMillin, Pres.

In 1952 a fish pool was tried on a voluntary basis and found to be entirely unsatisfactory for the 1630 c.f.s. of Arkansas River priorities below John Martin Dam.

Sportsmen and wildlife alike use this fine reservoir when there is water available, the same as irrigators.

Mr. Smrha said that the Secretary should acknowledge receipt of the letter.

Mr. Smartt then read the following letter addressed to Mr. Paulsen.

March 19, 1960
Lamar, Colorado

Carl G. Paulsen, Chairman
Arkansas River Compact Administration
Lamar, Colorado

Dear Mr. Paulsen:

When John Martin Reservoir was emptied September 14th 1959, irrigators were subjected to severe criticism and ridiculed in the press because of the loss of fish trapped in the Stilling Basin below the dam. Numerous pictures showing these fish have appeared on occasions since, and irrigators have been charged either directly or indirectly with the loss of millions of game fish.

Because of the repeated charges in regard to this loss, the Colorado Game and Fish Department was asked for a statement in regard to their salvage operation at the Stilling Basin of John Martin.

The following is taken from Evaluation Report State of Colorado, Project No. 16A, 1959, John Martin Reservoir Fish Loss, written by T. Lynch and B. Jones of the Colorado Fish and Game Department.

Objectives: To determine the number of pan and game fish lost from John Martin Reservoir when it was drained. To salvage all live game and pan fish species for transplanting in other waters.

Techniques Used: Observations of the reservoir area, stilling basin and down stream pools were made by different individuals of the department, during the outflow period. Seines of various sizes were used to remove game fish from the stilling basin and the down stream pools. The fish were then transferred to Hasty Lake or the Las Animas Fish Hatchery.

Summary: Buck Rose Fish Culturist from the Las Animas Hatchery was on hand on the day that the final water was drained from the reservoir. An estimated crowd of between 200 to 500 people were also on hand. As the water in the reservoir dwindled large numbers of fish began to leave the reservoir and concentrate in the stilling basin.

On Monday, September 20, 1959, Mr. Rose of the Las Animas Hatchery and a few of the local sportsmen using a 125 foot seine, hauled in about 2 tons of fish at a time and sorted the game fish from the rough fish. They made about 25 hauls to get a total of 400 pounds of walleye and channel catfish. The fish were transplanted into Hasty Lake. "- - - -"

"During 1958 and 1959, a total of 182 yearling white bass and 696,187 walleye fry were planted in John Martin. The value of the fish at the time of planting would not exceed \$500.00, however at the time the reservoir was drained the value of the fish exceeded \$25,000.00."- - - -

According to the above, the Colorado Game and Fish Department during 1958 and 1959 had an investment of \$500.00 in fish stocked in John Martin. Considering the proportion of 400 pound of game fish obtained in 25 seine hauls of 2 tons each, 50 tons or 100,000 pounds shows that 99.6% of the fish lost in the Stilling Basin were carp, a rough fish that is destroyed whenever possible.

The above shows that statements made before the Arkansas River Compact Administration and in the press are grossly exaggerated and confirm reports received from ditch riders and irrigators that the fish found were more than 99% Carp.

Evaluation Report, Project 16A, 1959 John Martin Reservoir Fish Loss is available if desired.

Respectfully yours,

/s/ Harry C. Nevius
Harry C. Nevius

Mr. Nevius was asked if he wished to make any further comments, and he said that he had none since the letter was self explanatory. Mr. Bates said that he had conducted a survey of fish trapped in his ditch when it was closed, and out of 105 fish trapped, there were two catfish and the rest were carp. Mr. Smrha told Mr. Nevius that he would like to obtain a copy of the Fish and Game Evaluation Report, and he felt there should be a copy in the files of the Administration. Mr. Nevius furnished a copy of the Evaluation Report to Mr. Smrha.

Mr. Smartt asked how the reading of the Lamar gage was to be handled, and Mr. Moor explained the present operation. Mr. Smartt said that he read the gages only when necessary, and Mr. McGrath said that no daily readings are made except by himself or Mr. Smartt, and that a \$15.00 per month salary for reading the gage was not sufficient for the old gage reader, and he had requested \$1.00 per day. A discussion was held of the benefits of having a daily reading of the gage, and it was decided that daily readings are necessary for the period April 1, through October 31. It was decided that Mr. Smartt should contact Mr. Burgess for cooperation on daily readings. Mr. Bentrup's motion, seconded by Mr. Jenkins, was passed to authorize Mr. Smartt to make daily readings of the Lamar gage and be compensated therefor at the rate of \$1.00 per day plus mileage expense until other arrangements can be made.

Mr. Smrha said that Mr. Vincent had received a letter stating that the A.V.D.A. daily report will be discontinued. Mr. Vincent said that the letter also stated that the report will be available through the Pueblo newspapers. Mr. Adkins explained the reason for discontinuing the distribution of the report is that it would represent a saving of about \$1,100 per year to the Association. He also explained that the ditches now get their information from the paper, and publication in the newspapers would be the official report. He said the information through the newspaper would be quicker and the Pueblo Chieftain would give the information of the previous day, while the Pueblo Star Journal would be more current and report conditions as of the morning of the day it was issued. A discussion was held on the compilation and mailing of the report.

Mr. Smrha asked for any remarks from the audience, and Mr. Vincent said it looked as though Kansas will probably not call on reservoir water for several weeks, since every thing was pretty wet at present.

Mr. Bentrup moved that the meeting adjourn, and Mr. Smartt seconded the motion.

The meeting adjourned at 11:30 A. M.