

MINUTES OF
ARKANSAS RIVER COMPACT ADMINISTRATION
ANNUAL MEETING
December 13, 1963
Court House
Lamar, Colorado

Attendance:

For Colorado:

Hacket Smartt, Lamar
George F. Reyher, McClave

For Kansas:

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

For the United States:

Francis M. Bell, Denver

Members Absent:

Felix L. Sparks, Denver, Colorado
Logan N. Green, Garden City, Kansas

Others Attending:

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|-----------------------|-------------------------|--------------------|
| Fred L. Boydston, Jr. | Colo. Water Cons. Board | Denver, Colo. |
| Howard Corrigan | Kansas Water Resources | Garden City, Kans. |
| Guy M. Vincent | Kansas Water Resources | Garden City, Kans. |
| R. J. McGrath | Water Comm. #66 & #67 | Lamar, Colo. |
| H. L. Bates, Jr. | Buffalo Mutual | Holly, Colo. |
| Sisto Guidotti | Amity Mutual | Bristol, Colo. |
| Harry C. Nevius | Amity Mutual | Lamar, Colo. |
| J. W. Odell | U. S. Geological Survey | Denver, Colo. |
| William Howland | Amity Mutual | Holly, Colo. |
| Leo Pollart | Amity Mutual | Holly, Colo. |
| Darrell Seufer | Amity Mutual | Holly, Colo. |
| Arthur E. Carter | Alamo Ditch | Syracuse, Kans. |
| Francis L. Carter | Alamo Ditch | Syracuse, Kans. |
| Ross W. Moor | U. S. Geological Survey | Lamar, Colo. |
| John T. Martin | Corps of Engineers | Albuquerque, N. M. |

Others Attending: (Continued)

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|--------------------|----------------------------|-----------------------|
| Robert Buchhagen | Corps of Engineers | John Martin Reservoir |
| Francis A. Switzer | Soil Conservation Service | Holly, Colo. |
| Cliff Helm | Fort Aubrey | Syracuse, Kans. |
| Art Cudworth, Jr. | U.S. Bureau of Reclamation | Pueblo, Colo. |
| Millar E. Graham | Colo. Game & Fish Dep't. | Lamar, Colo. |
| William Pattie | Ft. Lyon Canal Co.- | Las Animas, Colo. |
| P. Jess Rink | Amity Mutual | Bristol, Colo. |
| Robert R. Elliott | Colo. Game & Fish Dep't. | Denver, Colo. |
| L. R. Kuiper | Colo. Water Cons. Board | Denver, Colo. |
| George Russell | City of Lamar | Lamar, Colo. |

Chairman Bell called the meeting to order at 9:40 A. M., and introduced Mr. George F. Reyher as the new Colorado member on the Administration, replacing David Jenkins who had resigned. The Chairman also noted that Mr. Green was absent.

The minutes of July 9, 1963 were discussed, and after some minor corrections, Mr. Reyher's motion, seconded by Mr. Bentrup to approve the minutes, as corrected, was passed by vote of the States.

The Chairman said that he had no report to make and asked Mr. Smartt to give the report of the Secretary.

Mr. Smartt gave the Secretary's report as follows:

ARKANSAS RIVER COMPACT ADMINISTRATION

12/13/63

Secretary's Report

From July 9, to Dec. 13, 1963

The Secretary made a trip to the telemark station below the dam early Sunday morning, September first to investigate as to whether water was available for storage, found water had reached a height of 958 c.f.s. at one, then started receding and was down to 580 c.f.s. at 8 A. M., not being enough water in sight to consider storage.

On Sept. 22nd the Secretary was notified by the Engineers at the dam and Mr. Pattie, Superintendent of the Fort Lyon Canal Co., of some reports of high water in the Purgatoire, also some in the Arkansas. Upon driving to the gaging station on the Purgatoire where there was a considerable flood, the Secretary hurried back to the Engineer's office where a Telephonic Meeting was held, and water was declared to be available for storage. The gates were ordered closed at 5:00 P. M. to discharge 1,000 c.f.s. which amount was called for by Colorado and Kansas, the reservoir became empty at 3:30 P.M. on Sept. 26, 1963.

The Secretary made a trip to Las Animas on Nov. 4th for the purpose of securing some one to furnish the readings at the Arkansas and Purgatoire stations should it become necessary to have them. Mrs. Ellis promised to furnish the Arkansas report daily for the sum of \$1.00 per day.

The Secretary attended the Water Board meeting in Denver on Nov. 13, when legislation concerning a permanent pool in John Martin Reservoir was being discussed.

The accounts for the year have been audited, also the Treasurer's report has been prepared for the meeting both of which are here at this time.

All bills are paid to date, except the Nov. Telephone bill and the First Quarter U.S.G.S. Cooperative agreement. Vouchers are drawn and these will be paid as soon as I can get them signed and mailed out.

This concludes the report of the Secretary.

Respectfully Submitted,

Hacket Smartt, Secretary
Arkansas River Compact Administration

Mr. Smartt then read the minutes of the Special Telephonic Meetings of September 22, 1963 and September 24, 1963. Mr. Smrha moved, and Mr. Reyher seconded that the minutes of the Special Telephonic Meetings be approved as read. The motion passed by vote of the States, and the minutes, as approved, follows:

SPECIAL TELEPHONIC MEETING

September 22, 1963

The Secretary was notified Saturday evening, September 21, of some floods in the Purgatoire and, also, some water in the Arkansas at Las Animas.

On Sunday, September 22nd, the Secretary made a trip to the reservoir, and upon finding 1,000 c.f.s. being discharged at about 2:00 P. M., decided to drive on up to the gaging stations on the Purgatoire and Arkansas River near Las Animas. Found a considerable flood in the Purgatoire, also there had been some high water at the gaging station on the Arkansas near Las Animas.

With this information at hand, the Secretary decided to call a special telephonic meeting which was held in accordance with Article IV, 3B of the by-laws of the Administration for the purpose of declaring water available for storage in John Martin Reservoir. Water was declared to be available and the gates were adjusted at 5:00 P. M. to discharge

1,000 c.f.s. which was demanded by Colorado and Kansas. State Engineer J. E. Whitten, for Colorado was notified, also was F. C. Snyder, Division Engineer at Pueblo.

Members participating were:

For Kansas-Mr. Green and Mr. Bentrup
For Colorado-Mr. Smartt and Mr. Jenkins

SPECIAL TELEPHONIC MEETING

September 24, 1963

A Special Telephonic Meeting was held on September 24, 1963 in accordance with Article IV, Section 3B of the By-laws of the Administration for the purpose of declaring the reservoir to become empty. As a result of this meeting, the reservoir was declared to become empty on September 26, 1963.

Notice was given to the State Engineer of Colorado that unless a change of conditions justified cancellation or modification of this notice, priority administration of decreed rights of water users in Colorado would commence by him.

The reservoir became empty at 3:30 P. M. on September 26, 1963.

Copies sent to F. C. Snyder, Division Engineer at Pueblo.

For Kansas-Mr. Green and Mr. Bentrup
For Colorado-Mr. Smartt and Mr. Jenkins

Hacket Smartt
Secretary, A.R.C.A.

Mr. Smartt submitted the Treasurer's Report as follows:

TREASURER'S REPORT

From Nov. 1, 1962 to Oct. 31, 1963

| | |
|--|-----------------|
| Balance on Hand Oct. 31, 1962 | \$ 2,183.28 |
| Deposits Nov. 1, 1962 from Kansas | 1,980.00 |
| Dec. 8, 1962 from Colorado | 2,970.00 |
| Sept. 3, 1963 from Kansas | 1,980.00 |
| Sept. 3, 1963 from Colorado | <u>2,970.00</u> |
| Total Deposits for year ending Oct. 31, 1963 | \$12,083.28 |

| Date | Voucher No. | Payee and Purpose | Amount |
|----------|-------------|--|---------------|
| 12/12/62 | 356 | Telephone Co.--Nov. Service | \$ 43.50 |
| 12/12/62 | 357 | Hotel Broadmoor, re Warden Noe | 61.20 |
| 12/15/62 | 358 | U.S.G.S., 1st Qtr., Cooperative Agreement | 450.00 |
| 1/ 4/63 | 359 | Telephone Co.--Dec. Service | 13.95 |
| 1/ 4/63 | 360 | Marvin Strait Auditing for 1962 | 65.00 |
| 1/ 4/63 | 361 | Hacket Smartt Nov., Dec. Salary | 193.60 |
| 1/ 4/63 | 362 | Treasurer of U.S.A. O.A.S.I. Fund | 18.75 |
| 3/ 4/63 | 363 | U.S.G.S., 2nd Qtr., Cooperative Agreement | 450.00 |
| 3/ 4/63 | 364 | Telephone Co.--Jan. & Feb. Service | 22.00 |
| 3/28/63 | 365 | Peerless Printing Co. - 14th Annual Report | 625.00 |
| 4/ 2/63 | 366 | Telephone Co.--Mar. Service | 12.65 |
| 4/ 2/63 | 367 | Hacket Smartt Jan., Feb., Mar. Salary | 289.13 |
| 4/ 2/63 | 368 | Treasurer of U.S.A. O.A.S.I. Fund | 21.75 |
| 5/ 5/63 | 369 | Telephone Co.--April Service | 20.20 |
| 6/30/63 | 370 | U.S.G.S., 3rd Qtr., Cooperative Agreement | 450.00 |
| 6/30/63 | 371 | Hacket Smartt, Apr., May, June Salary plus \$12.00 mileage, \$12.00 reading gage at Lamar | 313.13 |
| 6/30/63 | 372 | Treasurer of U.S.A. O.A.S.I. Fund | 21.75 |
| 6/30/63 | 373 | Telephone Co.--May and June Service | 23.75 |
| 7/ 7/63 | 374 | Telephone Co.--July Service | 13.25 |
| 8/ 2/63 | 375 | Lamar Daily News--Letter heads | 9.20 |
| 9/ 4/63 | 376 | U.S.G.S. 4th Qtr., Cooperative Agreement | 450.00 |
| 9/ 4/63 | 377 | Telephone Co.--August Service | 19.00 |
| 10/ 3/63 | 378 | Telephone Co.--September Service | 14.50 |
| 10/ 3/63 | 379 | Valley Agency--Surety Bond | 15.00 |
| 10/ 3/63 | 380 | Treasurer of the U.S.A. O.A.S.I. Fund | 21.75 |
| 10/31/63 | 381 | Hacket Smartt, July, Aug., Sept. Salary | 289.00 |
| 10/31/63 | 382 | Hacket Smartt, Oct. Salary | 96.37 |
| | | plus 363 miles traveled at 8¢ per mile | 29.04 |
| | | Typing | 22.00 |
| | | Postage and mailing | <u>5.00</u> |
| | | | 152.41 |
| 10/31/63 | 383 | Telephone Co.--October Service | <u>26.80</u> |
| | | Total disbursements this year | \$ 4,106.27 * |
| | | Balance on hand Nov. 1, 1963 | \$ 7,977.01 |

* Note: \$0.63 difference between this and Exhibit A of the Auditor's report results from the Auditor considering accrued Social Security due the United States as being a disbursement.

Mr. Smrha's motion that the Treasurer's Report be accepted was seconded by Mr. Reyher and passed by State's votes.

The Auditor's Report was distributed to the members by Mr. Smartt, and after some discussion, Mr. Bell ordered that the Auditor's Report be accepted when he heard no objections.

The Chairman noted that since Mr. Green was not present, there would be no report from the Administrative and Legal Committee.

Mr. Bentrup gave the report of the Operations Committee as follows:

OPERATION'S COMMITTEE REPORT

From July 9, 1963 to Dec. 13, 1963

The reservoir remained empty and the river continued under the authority of the State Engineer for Colorado until Sept. 22, 1963 when a Special Telephonic meeting was held in accordance with Article IV, 3-B of the by-laws of the Administration for the purpose of finding water available for storage. Water was declared available and the gates were ordered adjusted at 5 P. M. to discharge 1,000 c.f.s., the amount being called for by Colorado and Kansas. This amount continued to be discharged until the reservoir became empty at 3:30 P. M. on Sept. 26, 1963. The State Engineer for Colorado had been given proper notice, and the rights of the water users in Colorado were administered by him until Oct. 31, 1963. The gates were ordered closed on this date, not to discharge more than 1,000 c.f.s. of river flow which was demanded by the ditches of Colorado, District No. 67. These demands were cancelled on Dec. 7, and the gates were ordered closed at 1 P. M. and storage began.

Water in storage Dec. 13, 1963 - - - - - 259 acre feet.

Respectfully Submitted,

Carl E. Bentrup, Chairman

Hacket Smartt, Member

Mr. Bell said that unless there were objections, the report of the Operations Committee would be accepted. Hearing no objections, it was so ordered.

Mr. Smrha reported for the Engineering Committee said that the Lamar Reservoir proposal had been considered and some study had been made of the project, but no conclusion had been reached as yet.

Chairman Bell asked if there was any unfinished business to come before the Administration, and on hearing none, passed on to new business. He said that the election of officers should be considered. Mr. Smrha moved and Mr. Reyher seconded the motion that Vice-Chairman Green, and Secretary-Treasurer Smartt be re-elected to the offices. The motion passed by vote of the States.

Mr. Smrha then moved that the standing committee members be reappointed with the exception that Mr. Reyher should replace Mr. Jenkins on the Administrative and Legal Committee, and Mr. Sparks should replace Mr. Kuiper on the Engineering Committee. The motion was seconded by Mr. Smartt and passed by votes of Kansas and Colorado.

Copies of the proposed Fifteenth Annual Report were distributed and discussed. Mr. Smrha then moved and Mr. Smartt seconded that the Fifteenth Annual Report be adopted subject to any revisions to be submitted by January 15, 1964. Mr. Smrha's motion that the Secretary be authorized to proceed with printing the Annual Report pursuant to the Peerless Printing Company bid with minor changes as necessary for 400 copies, Mr. Reyher seconded the motion and it was passed by vote of the States.

Chairman Bell asked if there was other business to come before the Administration, and Mr. Smrha said he wished to report that Judge Tate had passed away about one month ago at Colorado Springs. Mr. Bell took notice that Judge Tate had been on the Compact Commission as well as a charter member of the Compact Administration. He said that Mr. Green had suggested that a suitable memorial resolution should be prepared, and since Mr. Nevius had also been a charter member of the Administration with Judge Tate, he thought it only proper to appoint Mr. Nevius to draft the memorial. Mr. Nevius said he would be honored to prepare the memorial. Mr. Smrha moved that the memorial resolution for Judge Tate, as drafted by Mr. Nevius, be adopted. Mr. Smartt seconded the motion and it was passed by vote of the States. The memorial resolution is attached to these minutes as Appendix A.

Mr. Smrha said that he wished to announce that Mr. Guy Vincent, who has been attending most of these meetings, is retiring at the end of 1963. Mr. Howard Corrigan will succeed Mr. Vincent. Mr. Corrigan was introduced. Mr. Smartt said he thought Mr. Vincent should be commended for the excellent cooperation he had given the Secretary in the reservoir operation.

Mr. Kuiper said that Mr. Snyder is retiring as Division Engineer on January first. He said that Mr. John Patterson, a deputy State Engineer, will replace him temporarily. He mentioned that Mr. Patterson is well acquainted with the Arkansas River and its problems, since he spent two irrigation seasons in the valley.

Mr. Odell said that the radio gages on the Arkansas and Purgatoire rivers could not be installed until after the two State Legislatures have met and see if they make the necessary appropriations for the Administration budget.

Mr. Russell spoke for the Clay Creek Reservoir for Lamar and said the city had options which had to be taken up December 14, 1963 and reiterated his contention that the City of Lamar returns more water to the river from the power plant cooling system than would be used through construction of the reservoir. He said he wanted action on the matter by the Administration. Mr. Smartt offered to take the Engineering Committee to the reservoir site if this would assist them in reaching a decision. In the discussion which followed, Mr. Smrha said that he must know the extent of the depletion (if any) to the Arkansas River by the project and then, if the depletion is material, is the question for the Compact Administration to determine.

Mr. Russell continued by saying that this project had been under study since 1945--that all small creeks in the area flow at the same time--and there was 5,000 c.f.s. at Coolidge when Clay Creek was flowing in July. Mr. Elliott explained that it was necessary to have a report of the Engineering Committee before the Game and Fish Department can take any action. Mr. Kuiper said he thought that studies could be developed in about two months--several approaches have been considered, but it will all have to be a theoretical study since there are no records on Clay Creek. Mr. Smrha agreed that the study could probably be completed in two months. His office has been very busy this year due to the dry season. Mr. Elliott asked if the Game and Fish Department could assist in any way, and Mr. Kuiper said he thought not. A discussion followed on the depletions before and after the project.

Mr. Kuiper said he had another item that he would like for the Administration to consider. He related that he and Mr. Boydston had made a visit to the John Martin reservoir area the day before and had noticed a large number of salt cedars in the reservoir bottom. He said that there was danger of the spreading of the salt cedars and that it is much easier to eradicate them now than when they become very dense. He asked Mr. Martin if salt cedar control in the reservoir area could not be accomplished as a part of the regular maintenance of the reservoir. Mr. Martin said that he was sure such a request would be considered, but that phreatophyte eradication would not be handled usually under normal operation and maintenance. He thought that possibly a water salvage program could be proposed for the area which would include salt cedar eradication. He suggested that the Administration send a request to the Corps of Engineers for consideration of the subject. A discussion followed on channel clearing and water salvage and the importance to Colorado and Kansas. Mr. Smrha moved and Mr. Smartt seconded that the Secretary be instructed to make appropriate inquiry to the Corps of Engineers, Albuquerque District Office, on the possibility of obtaining phreatophyte control in Colorado and Kansas with a view to channel improvement and water salvage. The motion passed by vote of the States. Mr. Martin said that there is a channel improvement study now in progress for above John Martin reservoir and below the reservoir to Great Bend, Kansas. A discussion followed on the possibility of including this subject in the study.

Mr. Smartt suggested that a meeting be held in March, and Mr. Kuiper and Mr. Smrha said that they thought the next meeting should be called when the Engineering Committee had a report to make on the Lamar project. After some discussion, it was agreed to call a meeting in March or before, if conditions warrant it.

The meeting adjourned at 11:30 A. M.

Appendix A

ROLAND H. TATE

Our attention was called to the untimely passing of Judge Roland H. Tate, a former member, 1949 - 1957, of the Arkansas River Compact Administration and one of the men appointed in 1945 by the Governor of Kansas on the Commission that drafted the Compact.

Roland Tate contributed immensely from his wide experience in water matters and his knowledge of law, to the solution of difficult problems in the drafting of the Compact and in establishing the rules and regulations for its operation.

He was especially helpful during the initial stages of operation. All associates of Roland Tate recognized his ability and appreciated his painstaking, conscientious contribution to the many problems confronting the Administration.

While he had retired from the Administration, the present members deeply mourn the early passing of Judge Tate, and recognize his earnest devotion to public service.

Now, therefore, be it resolved by the Arkansas River Compact Administration that this statement be placed upon the record and a copy be sent to the family of Roland H. Tate.