

MINUTES OF  
ARKANSAS RIVER COMPACT ADMINISTRATION  
ANNUAL MEETING

Court House

Lamar, Colorado  
June 8, 1966

Attendance:

For Colorado:

Ernest Hofmeister, Lamar  
George F. Reyher, McClave  
Felix L. Sparks, Denver

For Kansas:

Robert V. Smrha, Topeka  
Carl E. Bentrup, Deerfield  
Logan N. Green, Garden City

For the United States:

Francis M. Bell, Denver

Others Attending:

Robert A. Buchhagen	Corps of Engineers	
	John Martin Reservoir	Hasty, Colorado
Ralph L. Strother	Corps of Engineers	Albuquerque, N.M.
J. L. Redmond	Corps of Engineers	Albuquerque, N.M.
R. M. Gildersleeve	C. W. C. B.	Denver, Colorado
J. W. Odell	U. S. G. S.	Denver, Colorado
Glenn G. Saunders	Purgatoire W. C. Dist.	Denver, Colorado
John W. Patterson	Division Engineer - Colo.	Pueblo, Colorado
Ross W. Moor	U. S. G. S.	Lamar, Colorado
Howard C. Corrigan	Div. of Water Resources	Garden City, Ks.
Fred M. Betz, Sr.	Lamar Tri-State Daily News	Lamar, Colorado
Jim Ogilvie	U.S.B.R. Fryingpan Ark. Proj.	Pueblo, Colorado
Leo Gamble	U.S.B.R. Fryingpan Ark. Proj.	Pueblo, Colorado
Leo Pollart	Amity Canal	Holly, Colorado
William Howland	Amity Canal	Holly, Colorado
Floyd Thompson	Amity Canal	Holly, Colorado
Sisto Guidotti	Amity Canal	Bristol, Colorado
William Pattie	Water Comm. Dist. 17	Lajunta, Colorado
Mike Steward	KLMR	Lamar, Colorado
C. E. Keliher	U. S. G. S.	Lamar, Colorado

Attendance continued:

Guy M. Vincent	Retired	Garden City, Kansas
Anthony G. Ciantlone	U. S. B. R.	Pueblo, Colorado
John J. Lefferdink	Ft. Lyon Canal Company	Lamar, Colorado
Hacket Smartt		Lamar, Colorado
J. G. Shoun		Canon City, Colo.
F. L. Boydston	C. W. C. B.	Denver, Colorado
Lane Hackett	Secretary, A.R.C.A.	Lamar, Colorado

MEETING CALLED TO ORDER:

Chairman Bell opened the meeting at 9:50 A. M. and noted that this was a special meeting of the Administration called at the request of the Colorado Delegation. Since one of the projects to be discussed at the meeting was the Trinidad Project, he noted that the United States Bureau of Reclamation and the Corps of Engineers had representatives present to explain the facets of the Trinidad Project.

Chairman Bell then called for consideration of the Minutes of the meeting held on December 21, 1965. Minor corrections were suggested and the Chairman ruled that the minutes would be approved as corrected unless there were objections.

REPORTS:

Mr. Bell then gave his report as Chairman. He stated that he had three things to report. Number one was the approval of Lane Hackett as Secretary of the Administration and he presented a letter from the State Engineer which authorized Mr. Hackett to take the position. The letter is attached as Appendix A to these minutes. Second was that the resolution of December 21, 1965 sent to the Division Engineer, the District Engineer and the Chief of Engineers in Washington and a copy of the reply from the Chief of Engineers which was made a part of the minutes. The letter is attached as Appendix B to these minutes. Third, he had distributed the Annual Report of the Compact Administration to all federal agencies to which he usually made such distribution.

The Chairman then asked the Secretary for his report, and Mr. Lane Hackett read the following report:

SECRETARYS REPORT

December 21, 1965 - June 6, 1966

An orderly change over in the Secretarys office has been obtained through Mr. Smartt's fine cooperation and assistance.

A new diversion agreement was drawn up and agreed to by all ditches in Water District No. 67, replacing the 1949 agreement which was abrogated November 12, 1965 by the Buffalo Canal. The Amity, Lamar and Manvel Canals are supplying the deficiency asked for by the Buffalo. Copies of signed agreements are on file and one copy included herewith for the record if desired.

Mr. Jesse Davidson, Court House Custodian, has notified the Secretary that present office space occupied by the U. S. G. S. and Compact Administration would

be needed by the District Judges and Court Recorders by June 1st. The storage cabinet and desk presently used by the Compact Administration was also Prowers County property and would be needed. Office space has been assured but storage cabinet and desk may have to be obtained by the Administration. No action has been taken as of this date.

The Seventeenth Annual Report has been received and distributed as requested.

The Secretary has answered all correspondence, telephone calls, and kept in touch with the Corps of Engineers at John Martin; and ordered adjustments of gates to supply Kansas and Colorado demands since initial opening of irrigation release April 5th to meet Colorado's demand of 350 c.f.s. Since the F.M. receiver for Las Animas, Purgatoire and state line gauge heights quit working in March, some driving has been necessary to these stations.

All outstanding bills have been paid to date except the Secretary's salary for the quarter ending June 30, 1966.

Resptfully submitted,

/s/ Lane L. Hackett  
Secretary, A.R.C.A.

Mr. Smrha's motion to accept the report of the Secretary was seconded by Mr. Hofmeister and passed upon vote of the states.

Mr. Smrha then brought up the question of the distribution of water to the ditches in Water District 67. After some discussion it was suggested that one copy of the agreement would be included in the minutes and indicate that all ditches have signed such report. (See Appendix C).

Chairman Bell then asked the Treasurer to give his report and Mr. Hofmeister read the following report:

#### TREASURERS REPORT

Disbursements by the Administration - November 1, 1965 to May 31, 1966.

Date	Voucher No.	Payee and Purpose	Amount
12-21-65	443	Mountain States Telephone - November 1965 service.	\$ 18.45
1-6-66	444	U.S. Treasurer - Fourth Quarter Social Security 1965.	21.75
1-6-66	445	Hacket Smartt - Fourth Quarter salary 1965.	289.13
1-6-66	446	A. Marvin Strait - Audit & Financial Statement for 1965.	75.00
1-6-66	447	Mountain States Telephone - December 1965 Service.	19.44
2-7-66	448	U.S.G.S. - Second Quarter Cooperative Agreement	500.00
2-7-66	449	Mountain States Telephone - January 1966 Service.	12.48
3-7-66	450	Mountain States Telephone - February 1966 Service.	3.20
3-7-66	451	Lamar Typewriter Co. - Office Supplies.	31.00
4-4-66	452	Mountain States Telephone - March 1966 Service.	25.29
4-4-66	453	U.S. Treasurer - First Quarter Social Security 1966	25.20
4-4-66	454	Lane L. Hackett - First Quarter salary 1966	287.40
4-18-66	455	U.S.G.S. - Third Quarter Cooperative Agreement	4,500.00
4-18-66	456	Lane L. Hackett - Postage	6.20
5-7-66	457	Mountain States Telephone - April 1966 service.	22.16
5-7-66	458	Peerless Printing Co. - printing annual report	748.00
Total Disbursements			\$6,584.70

Balance on hand November 1, 1965  
Disbursements

\$ 7,934.25  
6,584.70

Balance on hand May 31, 1966

\$ 1,349.55

After some discussion, Mr. Bell said that he would instruct the Secretary to send bills to the states for their annual payment sometime soon after the 1st of July.

Mr. Smrha's motion that the Treasurer's report be accepted was seconded by Mr. Green and passed on vote of the states.

Mr. Green, reporting for the Administrative and Legal Committee, said that there was no assignment to this committee, and therefore no report.

Mr. Smrha, reporting for the Engineering Committee, said that his committee also had no report to make since there was no assignment.

Mr. Hackett reported for the operations committee and his report is as follows:

#### OPERATIONS REPORT

December 21, 1965 - June 8, 1966

The Army Engineers continued the flood pool releases from the reservoir. The Lamar Canal, the only Colorado ditch diverting during December, 1965, January, 1966 and March, 1966.

Gates were ordered opened April 5, 1966 0800 M.S.T. to supply a Colorado demand for 350 c.f.s. Reservoir storage 374,225 Acre-Feet.

April 8, 1966 Colorado reduced demand to 250 and Kansas placed a call for 500 c.f.s. Kansas reduced demand April 19 to 425 and Colorado increased to 325 c.f.s.

The following releases have been ordered to date:

April 20, 1966	Colo. 175----	Kansas 425	=	600	c.f.s.	Release
April 22, 1966	Colo. 275----	Kansas 425	=	700	c.f.s.	Release
April 26, 1966	Colo. 350----	Kansas 425	=	775	c.f.s.	Release
April 27, 1966	Colo. 425----	Kansas 350	=	775	c.f.s.	Release
May 2, 1966	Colo. 500----	Kansas 0	=	500	c.f.s.	Release
May 7, 1966	Colo. 450----	Kansas 550	=	1000	c.f.s.	Release
May 12, 1966	Colo. 600----	Kansas 500	=	1100	c.f.s.	Release
May 27, 1966	Colo. 500----	Kansas 500	=	1000	c.f.s.	Release
June 1, 1966	Colo. 400----	Kansas 500	=	900	c.f.s.	Release

Return flow to river has been exceptionally good, enabling releases from reservoir to be reduced some and still meet Kansas demands. During the month of April, Amity Canal carried a good portion of Kansas water to the state line. A total of 92,354 A.F. released for irrigation during April and May, 1966. Arkansas inflow at Las Animas for April and May has been 2380 A.F.

Storage as of midnight 0001 at this date is 265,453 Acre Feet.

Respectfully submitted,

Lane L. Hackett  
Secretary

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Mr. Bentrup's motion to accept the report of the Operating Committee was seconded by Mr. Hofmeister and passed upon vote of the states.

Mr. Sparks then said that since last year the agreement for distribution of water below John Martin Reservoir had been abrogated and in light of the findings that had been made at that time, he wished to make the following motion: Moved that the Administration shall make a finding that an agreement now exists in Water District 67 in accordance with Article V F of the Compact and that a copy of the agreement be attached to the minutes of this meeting and a copy sent to the Colorado State Engineer for his records and also that a copy be published as an appendix to the next Annual Report. Mr. Green seconded the motion and after some discussion it was passed by vote of the states. (See Appendix C)

Mr. Reyher said that in the minutes of the last meeting he noted that the proposition of diverting Caddoa Creek into Rule Creek had been suggested and that Mr. Sparks had agreed to propose this to the Corps of Engineers. He asked what had been done in this respect. Mr. Sparks replied that this had been mentioned informally to the Corps of Engineers at a basin-wide flood control meeting in Pueblo. Mr. Redmond concurred that this had been proposed at the meeting, and it would be considered in the flood control report.

#### NEW BUSINESS:

Mr. Bell asked if there was any new business to be brought before the Administration and Mr. Sparks said that in the call for the meeting, it had been suggested that the Trinidad Project be discussed. He recalled that about two years ago the finished report of the U.S. Bureau of Reclamation with the operating principles in the back of the report had been distributed. He said that by its action in 1965 the Administration had approved the Trinidad Project subject to review of the operating principles. He explained that some funds are available and construction could start on the Trinidad Project in the next fiscal year. He said that the Bureau of Reclamation and Corps of Engineers had qualified representatives here today to answer questions about the project and to discuss it with the Compact Administration. He said that proceedings had been held in Las Animas County, Colorado, District Court and a conditional decree had been awarded to the Model Reservoir for transfer of its storage right. The transfer of this decree contained certain restrictions and provided for gaging stations to be installed at certain points along the river to measure the return flow and to study the effect of the project on the downstream water rights in Colorado.

He then called upon Mr. Ogilvie of the U. S. Bureau of Reclamation, to give his analysis of the operating principles of the project.

Mr. Ogilvie said that he would be glad to answer questions and review the operating principles; but to facilitate matters, he had with him a screen and projector and would like to project the principles upon the screen and discuss them in this manner. Mr. Ogilvie then showed some charts on the reservoir illustrating how the 114,000 acre-foot reservoir would be distributed into flood control, conservation, sediment and recreation space. Other charts were shown to illustrate water utilization with and without the project, crop requirements, shortages and reduction of shortages. Other graphs showed that with historic distribution of the water crop requirements were oversupplied in the early part of the irrigation season and undersupplied in the late season, but that with storage the crop requirements could be met most of the time.

Mr. Redmond then said that he wished to bring out that the annual recreation benefits of the project would be about \$138,000, flood control benefits more than \$500,000, and the irrigation benefits about \$275,000 annually. Total project benefits would be in excess of \$900,000 per year.

Mr. Ogilvie then read the operating principles as he projected them on the screen.

Mr. Sparks then reviewed some of the past history of the project. He said that originally the project report recommended 50,000 acre-feet of conservation storage. After some study it was determined that there was not that much storage water available for the conservation pool. Therefore the State of Colorado limited the storage to that in the Model Reservoir plus some small winter storage. Colorado's comments were subsequently adopted by Kansas and the Compact Administration. He said that there have been eight years of working toward the completion of this project and it now appeared that it would be a reality. He continued that in 1961 the Bureau of Reclamation had presented a plan which was not satisfactory and that this had been reviewed and changes made at the request of Colorado to protect the downstream water users and meet some of their objections to the project. About two years ago a new report had been submitted and there had been some changes made, and this report showed that there would be no depletion to the flow of the Purgatoire River. The Las Animas County District Court had subsequently entered a conditional decree for the change of place of storage for Model Reservoir with certain limitations and now virtually all effected people in Colorado agree that there would be no adverse effect to the irrigators in Colorado. The Model claims that they have diverted more historically than is shown in the report as having been diverted by them but the records do not back up these claims.

He said that under the court decree the Model Reservoir has abandoned their tributary storage decree. He also said that some claims for various water rights had been made in the 1930's but these had been disallowed and all filings subsequent to the project were disallowed.

His conclusion was that the people in Colorado have approximately the same interest as the Kansas water users. He said that all possible has been done to insure that the project would not damage the users in Colorado and Kansas and that there would be no violation of the Arkansas River Compact and that after eight years they are on the verge of construction and construction funds have been appropriated.

Mr. Saunders said that he wished to state that since the principles involved had been explained, that originally more water had been wanted and dissident elements had tried to upset the plan and get more water prior to the transfer of the decree. He said the district would not go for anything that would steal water from any others and that the judge of the court would see that the decree is lived up to. The decree protects both Colorado and Kansas.

Mr. Redmond was questioned about the outlet works and said that they were of 10 foot diameter and would pass almost 5,000 c.f.s.

Mr. Smrha said that he isn't quite sure what question is to be discussed. He said that he thinks we are now concerned with the position of the Compact Administration as adopted in 1955. He read the action as follows:

"That the Arkansas River Compact Administration approves the flood control project on the Purgatoire River subject to an operating

procedure to be approved by the affected water users in Colorado and Kansas, the State of Kansas and the Administration."

He said that the matter has not been officially put before the Compact Administration up until now, nor to the State of Kansas, nor to the water users in Kansas.

Mr. Green said that he did not have a copy of the report. Reports were therefore distributed to all members desiring them. A discussion ensued on what distribution had been made of the report and where the appendices could be obtained.

Mr. Sparks said that the appendices contained records and water supply studies. He showed where the operating principles were contained in the back of the report.

Mr. Bell said that the court decree changing the Model storage has certain protective features. He read from the decree wherein the Model Reservoir right shall be regulated in such a manner that the quantity of water occurring in the Las Animas or Purgatoire River at a gaging station on said river below Von Bremer Arroyo shall remain and be the same as determined by the State Engineer during any period of ten consecutive years reckoned in continuing progressive series beginning with January 1, 1954, as it would have been if the Model Reservoir right had not been transferred to the Trinidad Reservoir.

Mr. Sparks said that three gaging stations were also called for in transferring the decree.

Mr. Saunders then explained that the additional gages were designed to permit operation of the reservoir without damage to the water users. He wished to emphasize that what Mr. Bell had read was the real protection to the river.

Mr. Sparks said that since the report had been sent to Kansas in December of 1964 and since funds have been appropriated for construction of the project and Kansas has had an opportunity to review the operating principles, he therefore moved that the Administration go on record that the report is in conformity with the principles announced by the Administration in 1955.

After an interval, the Chairman ruled that the motion had died for lack of a second.

Mr. Smrha said that the proposal had not been officially put before the state of Kansas or the Kansas water users. Mr. Bell asked Mr. Smrha if there was an official organization of Kansas water users that could consider the project, and Mr. Smrha answered that there was. In the discussion that followed, he was asked how the Kansas water users could be notified of this project and a copy transmitted to them. Mr. Smrha suggested that a copy of the report be sent to the Governor with a request that it be presented to the Kansas water users. Mr. Bell questioned how the present report varied from the original one.

Mr. Sparks said that the irrigation report of the U.S. Bureau of Reclamation was the only thing of concern to the Administration and to Kansas and the water users in Kansas.

After further discussion, Mr. Gildersleeve recalled that the original report of the Corps and the Bureau of Reclamation had contained estimates of depletions which would result from the project. The period used in the report was 1925-1949. The administration appointed a committee with representatives from the Corps of Engineers, the Bureau of Reclamation and the States to review these estimates and bring them up to date as far as the records would allow. The committee did this and reported back to the Administration.

Mr. Bell said that this report showed a minor depletion; in fact, that there may be some sediment benefits to John Martin Reservoir.

Mr. Redmond said that the study was made by a coordinating committee and that the original study showed there would be very slight depletions to the river but that the recent report had been greatly refined and showed that there would be no depletions. He emphasized that this is the best study he has ever seen made on any project.

Mr. Sparks then asked what would be the best procedure for submitting this project to the State of Kansas. Mr. Smrha replied that if possible the operating principles and the project report should be submitted to the Governor of Kansas with a request that he notify the Kansas water users of the project. Mr. Sparks then explained that he thought that he had submitted it to Kansas when he sent Mr. Smrha a copy of the project report. He thought that Mr. Smrha was an official of Kansas and would take the necessary steps to place it before the proper state agencies and the water users in Kansas. Mr. Sparks also said that there is no law requiring that this report has to be sent to Kansas or any other state for review but it had been sent as a matter of courtesy. He said that in 1955 the Corps of Engineers had sent the report to Kansas and Kansas made a reply. He said that the Secretary of the Interior can submit the present report to Kansas but that it is not a requirement by law. He continued that since he had sent a report to Kansas in December of 1964 that he considered that this is all that is necessary. He declared that this report has been before Kansas for two years and that Colorado is not willing to wait longer. He said that he would like to receive the comments of the State of Kansas as soon as possible and to receive the approval of the Administration for the project. He emphasized that this project has been under consideration too long already. He said that Trinidad has suffered great damages from floods in the past and would have suffered a great deal more damage last June but they had been in a more fortunate position with regard to precipitation than other parts of the Arkansas Basin. He said that he will ask the Secretary to transmit a copy of the report to the Governor of Kansas as soon as possible and he would like for Kansas to consider this as rapidly as possible.

Mr. Saunders then said that the Conservancy District has tried to keep all people concerned informed and wished that by July 15th the project approval could be obtained. He thought that if they had approval by July 15th the project would not be impaired but otherwise it might be. He does not want anyone to have any misgivings about the operation of the project but he would like to get approval by July 15th.

Mr. Smrha then read an excerpt from a letter contained in House Document No. 325, 84th Congress, 2nd Session:

"At their meeting on July 12, 1955, the Arkansas River Compact Administration adopted the following motion:

'That the Arkansas River Compact Administration approves the flood control project on the Purgatoire River, subject to an operating procedure to be approved by the affected water users in Colorado and Kansas, the State of Kansas, and the Administration.'

I concur in the action taken by the Administration and hereby modify the position of the State of Kansas with respect to the proposed Purgatoire River Project to conform to the views of the Arkansas River Compact Administration as expressed in the motion quoted above.

Sincerely yours,

FRED HALL  
Governor of Kansas"

Chairman Bell then asked Mr. Smrha if the original project report had been



sent to the State of Kansas. Mr. Smrha answered that it had been sent in 1954 and that Governor Arn had answered by letter contained in the same document. He read an excerpt from the letter as follows.

"Even the most conservative estimates indicate an increased depletion of the Purgatoire River water. It is our conclusion that the operation of this project would materially deplete the water supply which would otherwise be available to Kansas water users through the John Martin Reservoir.

Under these conditions the State of Kansas at this time is opposed to the project as proposed."

Mr. Smrha said that Mr. Sparks seemed to think there was something special about having sent a copy of the report to him in December of 1964. He said that he considered this an informal submission for his information only and had not taken it as an official submission, since there had been no letter of transmittal with the project report, nor a request for any action.

Mr. Sparks then replied that they had not received a formal transmission of the report to Colorado either; that several copies had been sent to the Colorado Water Conservation Board by the Bureau of Reclamation and the copies were distributed to interested parties. Mr. Sparks continued that he had announced from that very room that the report was available and would be sent out to all those interested and to anyone who would request a copy. He said that the Colorado ditch companies had held meetings to discuss the project and some had passed resolutions concerning it, and some had even appeared in the court hearings, but that there is no formal way that the water users can be presented with the project report. Upon being questioned by Mr. Bell if there was any way of presenting this to the water users in Colorado, Mr. Sparks said that there was no way that it would be done formally.

Chairman Bell said he wondered whether the resolution made in 1955 was appropriate. Mr. Sparks then continued that we were all working under no law and that the submission of the project report was on a very informal basis.

Mr. Bell then asked Mr. Smrha if, in view of Mr. Saunders statement, Kansas could have their comments available by the middle of July. Mr. Smrha replied that he doubted if they could. He said that it would take a certain amount of time to submit this to the water users for their consideration. He said that there are eight ditches concerned and they would therefore need several copies of the report and wanted to know where he could get them. Several copies were given to Mr. Smrha and Mr. Ogilvie promised that he would send others immediately.

Mr. Green then questioned if the principles are up-to-date. Mr. Sparks said they are except for a copy of the decree. It was brought out that a copy of the decree had been sent to each of the Compact Administrators.

Mr. Green said that it seemed to him the Kansas members of the Administration were being put in a bad light. He did not think that they were being dilatory and, although the project had been discussed from time to time in the Compact Administration meetings, they had never had a report to consider before. He said he thought the fault was on the other side. He also thought that the report should have been submitted to the Administration a long time ago. He never saw the operating principles

before and he thought it unfair to be asked to consider the operating principles after having seen them only just this once.

Mr. Sparks said that he agreed with Mr. Green and that if there was any fault it was his and his only; that he took full responsibility for it. He thought that by sending the report to his counterpart in Kansas he was fulfilling his responsibility.

Chairman Bell said that he may have been somewhat dilatory himself in that he had received a copy of the report but had not taken it before the Administration.

Mr. Sparks said that he would take immediate steps to see that sufficient copies are sent to Mr. Smrha and that he will ask Mr. Dugan, Regional Director of Region 7, to send a copy to the Governor of Kansas with a letter of transmittal, and certain requests as to the desirability of getting comments back as soon as possible.

Mr. Bell then said, as the federal representative, he had no vote but he felt that he must comment that this project will not deplete the flow to the Arkansas River.

Mr. Sparks then asked if Kansas would be able to take action by September 1, 1966. Mr. Saunders then asked permission to interrupt and said that he thought that that would be a very late date. He said that his district was particularly anxious to get something done during July. He therefore would like to make a special plea to see if Kansas could not get something done during the month of July. Mr. Sparks then explained that his idea was that since the Corps has money to start, the appropriations bill would be before the Congress about the 1st of September.

A general discussion ensued upon the legal requirements of receiving comments, and also of construction contracts and Mr. Saunders concluded his remarks by saying that he wanted the blessing of the Administration for the project and wanted to know what would be a realistic time table to set for such comments.

Mr. Smrha replied that he could not give any definite time limit but suggested that a meeting of the Compact Administration could be tentatively set for about August 1st. Mr. Sparks said he will have Mr. Dugan request an answer by August 1st in his letter to the Governor. He said he felt sure the Appropriation Bill would be before the Senate and House in August. He therefore wanted to know if the Compact Administration could set a meeting about the 1st week in August. Upon consultation with the calendar, a tentative meeting date of the Compact Administration was set for August 2, 1966.

Mr. Smrha then said that in reviewing the project, he would want to get together with the water users and also might want to meet with the Bureau of Reclamation or the Corps of Engineers to answer some of the questions that may arise. Mr. Ogilvie said that he will be glad to meet with Kansas at any time and that he could be in Kansas for consultation usually within a days' notice.

Mr. Bell said that this apparently concluded consideration of the Trinidad Project and that he wished to thank all interested parties for their contribution to this meeting.

Mr. Smrha then suggested that the budget be considered and discussed at the August meeting.

Mr. Hofmeister submitted a proposed budget for 1967-68 fiscal year and Mr. Boydston said that he would reproduce it and distribute it to the Administrative members.

Mr. Sparks then asked if the U.S.G.S. could report on the stream gages at the next meeting and also if the Corps of Engineers could report on the flood control project studies to Great Bend, Kansas. Both agencies said this could be done.

Mr. Smrha then asked what was the status of the radio gaging station on the state line, and how they could get the signal at Garden City. Mr. Odell was called on to explain and he said that there would need to be two or three relays between the state line and Garden City in order to get the signal there. Upon being questioned, he estimated that the relay stations would cost about \$4,000 apiece. He suggested that the most practical way to get reports would be by telephone communication. A discussion ensued as to why the transmission was changed from AM to FM and what had happened to the old transmitter sets.

Mr. Hackett asked if the Compact Administration is required to furnish the information to Kansas and if so, this could be quite a factor in that the telephone bill would probably be quite large. Mr. Sparks said that he was of the opinion that some water might be saved if Kansas had information on the state line flow readily available. He therefore suggested that Kansas should study their requirements and tell the Administration how often reports are needed and it might be determined that the Administration should bear the cost to install the communication devices. A discussion on the costs of the communication devices ensued and it was decided that the costs would be considered at the August meeting and perhaps put in the budget for that fiscal year.

Mr. Sparks said he had talked with Mr. Reyher before the meeting and Mr. Reyher said that he wanted to get the maximum benefits of the water and suggested that, if possible, he would like to see the calls on the river made as closely as possible to what was the exact necessary diversions. Mr. Reyher remarked that now when they had water available was the only time to save it. Mr. Bentrup said that he knows of no waste of water in Kansas. A discussion on river flows and precipitation ensued and Mr. Smrha said that on the Arkansas in Kansas the precipitation was about 42 percent of normal. Mr. Sparks said that in Colorado precipitation in the Arkansas Basin is about 30 percent of normal.

Methods were discussed on how the ditches could make the most economical use of water and it was generally conceded that releases have not been greatly in excess of demands.

Upon Mr. Sparks motion the meeting adjourned at 12:25 P.M.

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Appendix A

DIVISION OF WATER RESOURCES  
232 State Services Building  
1525 Sherman Street  
Denver, Colorado 80203

December 28, 1965

Mr. Francis M. Bell, Chairman  
Arkansas River Compact Commission  
Building 25, Denver Federal Center  
Denver, Colorado 80225

Dear Mr. Bell:

In visiting with Mr. Sparks of the Colorado Water Conservation Board Yesterday, he informed me that at the last meeting of the Arkansas River Compact Commission it was voted to appoint our Water Commissioner in Water District No. 67, Mr. Lane Hackett, as Secretary of the Commission.

This will entail a little extra work for Mr. Hackett; but, in our opinion, it need not interfere with his regular duties as a State Water Commissioner, and permission is hereby granted for Mr. Hackett to officiate as the Secretary of the Compact Commission.

Very truly yours,

A. Ralph Owens  
Acting State Engineer

ARO:L

cc: Mr. Larry Sparks  
Mr. Lane Hackett  
Mr. John W. Patterson

APPENDIX A  
(Continued)

January 3, 1966

Chief of Engineers  
Corps of Engineers  
U. S. Army  
Washington, D. C.

Dear Sir:

Enclosed is a copy of a resolution adopted at the annual meeting of the Arkansas River Compact Administration held in Lamar, Colorado, December 21. Should you find it possible to comply with the request of the Administration, prompt action will be necessary if there is to be any material savings of water before the beginning of the irrigation season.

Sincerely yours,

Francis M. Bell  
Chairman

Enclosure

FMBell:mhh

APPENDIX B

DEPARTMENT OF THE ARMY  
Office of the Chief of Engineers  
Washington, D.C. 20315

In Reply Refer To  
ENGCW-OM

8 February 1966

Mr. Francis M. Bell, Chairman  
Arkansas River Compact Administration  
U. S. Geological Survey  
Federal Center  
Denver 2, Colorado

Dear Mr. Bell:

This is in reply to your letter transmitting a resolution adopted by the Arkansas River Compact Administration at its meeting on 21 December 1965. The resolution requested a seasonal operation of John Martin Reservoir up until 15 May 1966 for increased conservation use.

The Federal Government in constructing the project provided some 385,000 acre-feet of conservation storage to help the states of Kansas and Colorado solve their water right problems. At the same time the Government assumed an obligation to provide flood control protection in the area below John Martin Dam. Of the present capacity of the reservoir, 267,000 acre-feet are allocated to the latter purpose. However, three floods in the period of record, those of 1921, 1942 and 1965, would have filled completely the allocated storage and would have necessitated releases greater than channel capacity. Since the existing flood control storage in conjunction with downstream channel capacity is inadequate, little or no latitude exists for adjustment of operating schedules.

The resolution assumes that full flood control space will not be needed before 15 May 1966. However, this is not a safe assumption as the flood with the second greatest volume of record occurred in April. Flow at the damsite was 433,900 acre-feet in April 1942 and 373,800 acre-feet in May 1942. If all space allocated to flood control had been available at the beginning of that flood it would have been filled and releases exceeding downstream channel capacity would have been necessary. A similar flood could occur this year. If it did, all of the 267,000 acre-feet now allocated to flood control would be needed in April, 1966.

Basically, climatic conditions in Arkansas River Basin above John Martin Dam are so erratic and overlapping in the possible times of occurrence of wet and dry periods that a seasonal variation of flood control storage allocation is not practicable.

Runoff during the first three months in several years has been so great that if it were stored for concentrated release in the month of March, there is no assurance that the flood control space could be evacuated without adding to spring rises in the streams below the dam. Similarly in winters of moderate inflow, increased releases would have to be made in March if all inflow in excess of 100 cubic feet per second were stored until 28 February. Incidentally, a greater amount of ground-water recharge to the alluvium in the valley below the dam will

result from sustained uniform flows than if the water were released at greater rates concentrated into the month of March.

With regard to the claim that releases are interfering with repairs of flood damages, releases during December 1965 averaged 280 cubic feet per second which were about ten percent of the channel capacity. Flows of this magnitude would not appear to interfere unreasonably with repair crews protecting their operations against such flows.

The matter has been reviewed by the District Engineer, Albuquerque District; by the Division Engineer, Southwestern Division; and by my staff. For reasons summarized herein the reviews have all resulted in recommendations that no reduction in the flood control storage capacity at John Martin Dam be permitted in any season of the year. The Chief of Engineers has approved this recommendation.

At this time the only basis for possible adjustment of storage allocations at John Martin Dam would be development of additional flood control storage or other protection measures. These matters are currently under review in two studies of the Arkansas River, one covering the area from Great Bend, Kansas, to John Martin Dam and the other extending from John Martin Dam to the headwaters near Leadville, Colorado.

Sincerely yours,

/s/ JACKSON GRAHAM  
Major General, USA  
Director of Civil Works

APPENDIX C

A G R E E M E N T

WHEREAS, the following named ditches, to-wit:

Fort Bent Ditch	Manvel Ditch
Kessee Ditch	X Y and Graham Ditches
Amity Canal	Buffalo Canal
Lamar Canal	Sisson-Stubbs Ditch
	Hyde Ditch

heretofore entered into a distribution agreement pursuant to Paragraph V F of the Arkansas River Compact; and

WHEREAS, pursuant to the provisions of said Agreement, same heretofore has been terminated and no longer exists; and

WHEREAS, it is the desire of all of said ditches to enter into a new agreement;

NOW, THEREFORE, the undersigned, in consideration of the execution of agreements by all the other ditches above named, identical in content to the within agreement, does agree as follows:

(1) That at such times as the maximum withdrawals permitted Colorado under said Compact have been reached, then the total water to be delivered from such withdrawals and releases shall be distributed and delivered as follows:

Fort Bent Ditch	9.9%	X Y and Graham Ditches	5.1%
Kessee Ditch	2.3%	Sisson-Stubbs Ditch	1.2%
Hyde Ditch	1.3%		

(2) As to the remaining ditches, to-wit, the Buffalo Canal, Amity Canal, Lamar Canal and Manvel Ditch, said distribution and delivery shall be as follows:

To the Amity Canal	50.2%	To the Manvel Canal	2.9%
To the Lamar Canal	21.1%	To the Buffalo Canal	51 c.f.s.

It is agreed that at anytime Colorado reaches maximum withdrawal permitted under the above circumstances, when the Buffalo Canal is receiving less than 51 c.f.s. and demanding the full 51 c.f.s., then in that event, said deficiency will be supplied solely by the Amity Canal, the Lamar Canal and the Manvel Ditch, as hereinafter set forth, and none of the other ditches herein named will in any way be reduced below the percentages set forth in Paragraph (1) herein, at any time when they are demanding such percentage.

Should said deficiency exist, then in that event in order to supply same, the Amity Canal agrees to decrease its demand from 50.2% to no lower than 49.5%; the Lamar Canal agrees to decrease its demand from 21.1% to no lower than 19.8%; and the Manvel Canal agrees to decrease its demand from 2.9% to no lower than 2.4%. Provided, however, should the maximum decrease by the three decreas-



ing ditches not be required to satisfy such deficiency of the Buffalo Canal, then the required decrease shall be made pro-rata between the three decreasing ditches in the same ratio as the maximum decreases set forth above bears to each other.

The undersigned further agrees that the Compact Administration and the State Engineer shall administer this agreement, according to its terms, when such agreement has been duly signed by all the ditches named herein.

This Agreement shall be in full force and effect until revoked by written Notice by the undersigned, which said written notice shall be given to the Arkansas River Compact Administration, the State Engineer, and each Ditch Company first named herein, not later than 30 days after the end of the summer irrigation season, that is to say, December 1st of any year; and nothing herein shall be construed so as to permit the revocation of this agreement after said date for the next succeeding irrigation season.

Dated at \_\_\_\_\_, Colorado this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
By \_\_\_\_\_ \* \_\_\_\_\_  
President

Attest:

\_\_\_\_\_  
Secretary

\* This agreement was signed by all of the ditch companies concerned.

December 6, 1965

NOTICE OF ANNUAL MEETING

ARKANSAS RIVER COMPACT ADMINISTRATION

December 21, 1965  
Court House  
Lamar, Colorado

By agreement with the Representatives of the Administration, the Annual Meeting of the Arkansas River Compact Administration will be held on Tuesday, December 21, 1965 at 9:30 A.M. in the Court House at Lamar, Colorado.

AGENDA

1. Auditor's Report.
2. Preparation of Annual Report.
3. Election of Officers.
4. Such other Business as may come before the Administration.

ARKANSAS RIVER COMPACT ADMINISTRATION