

AR 100-10000

MINUTES OF
ARKANSAS RIVER COMPACT ADMINISTRATION
MEETING

Stagecoach Inn
Lamar, Colorado

December 9, 1969

Attendance:

For Colorado:

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

For Kansas:

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

For the United States:

Wilbur L. Heckler, Albuquerque, New Mexico

Secretary:

Lane L. Hackett, Lamar

Others Attending:

Howard C. Corrigan	Kansas Div. of Water Res.	Garden City
Rudy Styduhar	Colo. Div. Engr's 2	Pueblo, Colo.
Tom Kelly	Colo. Div. of Water Res.	Pueblo, Colo.
Robert Jesse	Div. Engr. Office	Pueblo, Colo.
William Patti	Water Commissioner	La Junta, Colo.
Charles E. Keliher	U.S.G.S.	Lamar, Colo.
Harry C. Nevius	Amity & AVDA Ditch Ass'n.	Lamar, Colo.
LeRoy Nickelson	Fort Bent Ditch Co.	Lamar, Colo.
C. L. Nickelson	Fort Bent Ditch Co.	Lamar, Colo.
Leo Pollart	Amity Canal	Holly, Colo.
Wm. Howland	Amity Canal	Holly, Colo.
Al Putnam	Ft. Lyon Canal Co.	Las Animas, Colo.
Ross W. Moor	U.S.G.S.	Lamar, Colo.

Others Attending, Continued

E. J. Tripp	U.S.G.S.	Denver, Colo.
E. A. Moulder	U.S.G.S.	Denver, Colo.
William L. Lindsey	U.S. Army Corps of Engrs.	John Martin Dam
Leo J. Gamble	U.S. Bur. of Recl.	Pueblo, Colo.
Anthony G. Cianflone	U.S. Bur. of Recl.	Pueblo, Colo.
Ralph L. Strother	U.S. Army Corps of Engrs.	Albuquerque, N. Mex.
F. A. Metsger	Div. of Game, Fish & Parks	Denver, Colo.
Francis M. Bell	Colo. Water Cons. Bd.	Denver, Colo.
Carter Hutchinson	Colo. Water Cons. Bd.	Denver, Colo.
Duane D. Helton	Colo. Water Cons. Bd.	Denver, Colo.
C. V. Mills	Ark. Valley Journal	Lamar, Colo.
Fred Boydston	Colo. Water Cons. Bd.	Denver, Colo.

MEETING CALLED TO ORDER

Mr. Heckler opened the meeting at 9:30 A.M. and explained to the Administration that his resignation had been tendered to the President, but that he had agreed to remain on as the chairman until his replacement could be named.

Mr. Smrha said that the Kansas members had been reappointed and that the necessary papers for their appointments would be filed with the Secretary.

Mr. Heckler asked for consideration of the minutes of the last meeting. Mr. Hofmeister moved that the reading of the minutes be dispensed with and that they be approved as submitted. Mr. Bentrup seconded the motion and it was approved by vote of the states.

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

SECRETARY'S REPORT

November 1, 1968 - October 31, 1969

All the necessary reports, graphs, etc. for the Twentieth Annual Report were assembled and furnished to the Lamar Tri-State Daily News for printing. Five hundred copies were printed, received by your secretary and mailed to fulfill all requests. Several copies were left over for the office files and future needs.

Confirmation of the 1970-1971 budget, as tentatively approved at the Dec. 10, 1968 meeting, was received from each board member in July. The states were mailed their copies of this budget July 29, 1969.

A call was made to both states for 1969-70 funds July 30, 1969. The vouchers for these funds were received and deposited in August.

The monitor radio purchased for Mr. Corrigan, Water Commissioner at Garden City, was installed and in operation after several trips to accomplish desired results during January. Your secretary's monitor radio has been switched to the office and the print-out receiver is being used at home which works more efficiently for reservoir operations.

A total of 61 changes in release orders were issued during the Compact year. Due to short storage in the reservoir and a very erratic river above and below John Martin your secretary was kept pretty busy April through October.

Eight telephonic meetings were called for the purpose of declaring the reservoir to become empty or water being available for storage.

All bills of the Administration have been paid, correspondence taken care of and contact with the Corps of Engineers and the state officials has been maintained as required.

Mr. Smrha moved and Mr. Hofmeister seconded that the Secretary's Report be accepted. The states approved the motion.

The Treasurer's Report was given by Mr. Hofmeister and he also submitted copies of the Auditor's Report. The Treasurer's Report follows:

ARKANSAS RIVER COMPACT ADMINISTRATION
Treasurer's Report
Year Ended October 31, 1969

<u>CASH IN BANK - NOVEMBER 1, 1968</u>	<u>\$ 10,045.19</u>
<u>FUND BALANCE, NOVEMBER 1, 1968</u>	\$ 10,045.19
<u>RECEIPTS:</u>	
<u>Revenue from Assessments:</u>	
Colorado	\$ 4,014.00
Kansas	<u>2,676.00</u>
<u>TOTAL RECEIPTS</u>	<u>6,690.00</u>
<u>TOTAL AVAILABLE</u>	<u>\$ 16,735.19</u>

DISBURSEMENTS:

Surface Water Investigations, Cooperative Gage Replacements and Rehabilitations, U. S. Geological Survey	\$ 2,200.00	
Secretary's Salary	1,500.00	
Printing	500.00	
Travel	285.48	
Telephone	253.68	
Legal and Audit	100.00	
Payroll Tax	70.50	
Typing and Mailing	30.00	
Insurance	25.00	
Office Supplies	11.18	
Capital Outlay - Equipment	<u>503.25</u>	
TOTAL DISBURSEMENTS		<u>5,479.09</u>

FUND BALANCE, OCTOBER 31, 1969

\$ 11,256.10

Mr. Green moved that the Treasurer's Report and the Auditor's Report be accepted and that the Auditor's Report be published in the Annual Report. Mr. Hofmeister seconded the motion and it was passed by vote of the states.

Mr. Green reported for the Legal Committee that they had no assignment and therefore no report to submit.

Mr. Smrha reported for the Engineering Committee that this committee also had no assignments.

Mr. Hofmeister submitted the Operations Committee Report as follows:

OPERATIONS REPORT

November 1, 1968 - October 31, 1969

At close of irrigation season, October 31, 1968, John Martin Reservoir was empty. During the winter storage season, river flow releases for Colorado water users were made in varying amounts from 15 to 50 cfs. under Article V-a of the Compact. The conservation pool had acquired 21,813 acre-feet through winter storage by April 1.

A release of 25 cfs. to satisfy Colorado demand was made April 1. No demands were made to change this release by either state until April 28. Colorado called for 400 cfs. which was ordered out at 0830; Kansas made initial demand for 500 cfs. May 2. Due to both states holding off demands storage had

reached 22,422 acre-feet on this date. Inflow for April was very low.

An average of 450 cfs. daily release was made to meet both states' demands for the month of May.

On June 14 the reservoir became empty and the river went under the Colorado State Engineer's administration of decreed rights. On the 17th of June water became available for storage, mostly through the Purgatoire River. By June 28 the conservation pool had reached about 21,000 acre-feet.

Demands by both states were nearly maximum the first part of July and the reservoir emptied at 2100 MDT. July 13. With a short run of water in the Purgatoire River on the 21st of July the gates were closed for storage at 0800. A release of 800 cfs. was made to meet both states' demands until midnight July 27 at which time the reservoir became empty. River flow was distributed for Colorado users until August 22 when rains above and below John Martin caused tributaries to run sufficiently to close the gates for storage. Releases for Kansas and Colorado were made up to 600 cfs. until empty at midnight September 1.

Rains September 8 on the Purgatoire created a run of 5,000 to 6,000 cfs. at the Las Animas gaging station and the gates were ordered closed at 1500 MDT. Rains below John Martin during September kept Colorado's demand from nothing to 300 cfs. Kansas never demanded release during this period as tributaries below the reservoir maintained a good flow at the state line. A total of 12,950 cfs. was discharged at the state line for the month of September, mostly out of Cheyenne and Horse Creeks near Holly.

Snow and cold weather October 12 canceled all demands for releases and the gates were closed at 0900. By the end of irrigation season, October 31, 20,420 acre-feet were in storage. Including river flows for Colorado, 134,102 acre-feet were measured at the gaging station below John Martin. Nearly 160,000 acre-feet were measured for state line flow.

The several runs of flood water through the Compact stations and periods of low flows kept the station channels either sanded up or moss problems which threw gage heights in error until new measurements could be taken by the U.S.G.S. and new shifts obtained for the channels. With the excellent cooperation of Mr. Pattie, Water Commissioner, District 17, we were able to

manage until U.S.G.S. could measure and furnish corrected data applying to each station.

The fine cooperation of Colorado ditches in Water District No. 67 and the State of Kansas in mutual oral agreements to hold off demands for releases was the major factor in satisfying all users when irrigation demands were needed in a very short and erratic water year.

Storage December 9, 1969 was 30,720 acre-feet.

Mr. Smrha moved acceptance of the Operations Committee Report. Mr. Bentrup seconded the motion and it passed by vote of the states.

Mr. Heckler asked for consideration of Item 6 on the agenda - Operation of Gaging Stations. Mr. Hackett stated that if he had had additional measurements on all of the Compact stations during the past season that he could have operated the reservoir much more efficiently and saved water for use of the irrigators. In the discussion that followed it was estimated that about 50 additional measurements were all that would be required.

Mr. Tripp estimated that the total cost of making such additional measurements would be about \$1,000 which would be \$500 from the Administration and \$500 from the U.S.G.S.

After discussing the cooperative agreement with the U.S.G.S. Mr. Smrha moved that the fiscal 1970-71 agreement be increased by \$500 to provide for the additional measurements. Mr. Hofmeister seconded the motion and it was passed by vote of the states.

Mr. Heckler then asked Mr. Boydston to present the mock-up of the Annual Report. Mr. Boydston presented the report noting three appendices were missing but would be supplied later. A discussion ensued as to a deadline for receiving corrections to the report and it was decided that January 31, 1970 would be the deadline for receiving any corrections.

Mr. Hackett read the bids for printing the Annual Report and said that the Lamar Tri-State Daily News had offered to print 400 copies for \$422.50 or 500 copies for \$452.50. He noted that Robinson-Merrill Printing Company had refused to bid on this, but had submitted a bid for printing the Rules and Regulations. Mr. Hackett also said that the supply of the 1957 Annual Report was nearly depleted and that some thought should be given to reprinting.

Mr. Smrha moved and Mr. Hofmeister seconded that the bid of

the Lamar Tri-State Daily News for printing 500 copies at \$452.50 be accepted. The states voted to accept this bid.

Printing of the Rules and Regulations was discussed at length and it was agreed that they would not be reprinted at this time but they will be revised and submitted for consideration at the next meeting of the Administration. Mr. Sparks said that his office would take the initiative in proposing a new set of Rules and Regulations and submit them to the other members for their thoughts in time for the next meeting. Mr. Bentrup moved and Mr. Hofmeister seconded that the Administration and Legal Committee study the Rules and Regulations and submit new ones for action at the next meeting. The motion passed by vote of the states.

Mr. Heckler called for the election of officers. After some discussion Mr. Smrha's motion that the present officers be re-elected for the coming year was seconded by Mr. Green and passed by the states.

Mr. Heckler read the list of the present members of the committees and Mr. Hofmeister moved that the present committee members remain the same for the coming year. Mr. Smrha seconded the motion and it was passed by the states.

Mr. Heckler asked for consideration of Item 7 on the agenda - Resolution Concerning a Permanent Pool in John Martin Reservoir. Mr. Sparks explained that this resolution had been prepared jointly by the staffs of the Water Conservation Board, the State Engineer's office and the Colorado Game, Fish and Parks Department. He explained that the Game, Fish and Parks Department needs the assurance that the Compact Administration will consider a permanent pool if and when sufficient water rights are obtained and an operating procedure defined which would be acceptable to the Administration.

Mr. Smrha remarked that he could see no point in making a commitment by the Administration in advance of receiving a proposal for operating the permanent pool.

Mr. Sparks stated that the permanent pool authority was defined in the act passed by Congress and that the Game, Fish and Parks Department wanted assurance that if they expended money for water rights that the Administration would go along with the provisions of the act.

Mr. Smrha then said he thought that it was up to the Game, Fish and Parks Department to submit a plan for operation and then the Administration would be willing to consider it. He thought that a

package deal showing where the water would be available and how the reservoir would be operated under all conditions should be submitted and not a piecemeal resolution as was herein indicated.

Mr. Sparks remarked that the Game, Fish and Parks Department would probably spend in excess of \$1,000,000 in obtaining water rights and that they were anxious to know that such funds would not be spent in vain.

A discussion ensued on how a permanent pool could be operated under various conditions. Mr. Sparks then moved for adoption of the following resolution:

PROPOSED
RESOLUTION
FOR
PERMANENT POOL - JOHN MARTIN RESERVOIR

WHEREAS, the sovereign states of Colorado and Kansas entered into the Arkansas River Compact to settle disputes and remove future controversy between the States, which might arise over the waters of the Arkansas River; and

WHEREAS, said compact specifically provides for the equitable division, apportionment and utilization of the waters of the Arkansas River between the aforesaid states, as well as the benefits arising from the construction, operation and maintenance by the United States of John Martin Reservoir Project for flood control and water conservation purposes; and

WHEREAS, Public Law 89-298 authorizes the establishment and maintenance of a permanent pool for fish, wildlife and recreational purposes, not to exceed 10,000 acre-feet of the reservoir flood control storage space; and

WHEREAS, benefits to the people of the States of Colorado and Kansas and generally the people of the United States can arise by the Compact Administration approving a permanent pool for recreational purposes sufficient in size to justify continued stocking of said pool with fish and the building of recreational features; and

WHEREAS, the basic guidelines for the operating criteria for the permanent pool must assure the rights of irrigators in the States of Colorado and Kansas to those waters available to them under the terms of the Arkansas River Compact and under the laws of their respective states;

NOW, THEREFORE, BE IT RESOLVED that it is the intent of this Compact Administration to assure the Colorado Game, Fish and Parks Division of the right to establish said permanent pool subject to the acceptance of operating criteria; and

BE IT FURTHER RESOLVED that upon proof presented to this Compact Administration by the Colorado Game, Fish and Parks Division of ownership or control of sufficient good and valid water rights to establish the permanent pool and maintain evaporation losses, it is the intention of this administration, with the concurrence of the Chief of Engineers of the Army Corps of Engineers, Colorado State Engineer and the Colorado Water Conservation Board, to review and establish such specific operating criteria as may then be warranted and needed.

Entered this _____ day of _____, 19 ____.

Chairman,
Arkansas River Compact Administration

Attest: _____
Secretary,
Arkansas River Compact Administration

The motion failed for lack of a second.

Mr. Heckler then asked for a proposed budget and Mr. Hofmeister presented a suggested budget which after some discussion and change was submitted as follows:

PROPOSED BUDGET		
Fiscal Year July 1, 1971 - June 30, 1972		
Personal Services		\$ 1,675.00
Secretary's Salary	\$ 1,500.00	
Social Security	75.00	
Professional Services (Audit)	100.00	
U. S. Geological Survey		4,000.00
Cooperative Services	4,000.00	

Capital Outlay		\$ 500.00
Office Equipment	\$ 500.00	
Maintenance and Operation		2,115.00
Bond (Treasurer)	15.00	
Printing	700.00	
Official Publications	100.00	
Travel Expense	500.00	
Typing and Mailing	100.00	
Investigation and Inspection	100.00	
Telephone and Telegraph	300.00	
Office Supplies	300.00	
		<hr/>
Total Budget 1971-1972		\$ 8,290.00
Estimated Carryover June 30, 1971		<u>3,000.00</u>
To Be Appropriated		\$ 5,290.00
Colorado (60%)	\$ 3,174.00	
Kansas (40%)	<u>2,116.00</u>	
	\$ 5,290.00	

Mr. Smrha moved that the proposed budget for fiscal year 1971-1972 be approved by the members of the Administration not earlier than July 1, 1970. Mr. Hofmeister seconded the motion and it was passed by the states.

Mr. Hackett then submitted the minutes of the special telephonic meetings which were read. These minutes follow:

SPECIAL TELEPHONIC MEETING
June 10, 1969

A special telephonic meeting was held June 10, 1969 in accordance with Article V, paragraph F for the purpose of declaring the reservoir to become empty. The reservoir was declared to become empty June 14, 1969.

Mr. C. J. Kuiper, Colorado State Engineer and Mr. Rudy Styduhar, Division Engineer, were notified of this action and administration of decreed water rights for Colorado would commence on June 14 unless a change of conditions justified cancellation or modification of this notice.

The reservoir became empty 2200 MST. June 14, 1969.

Participating members:

For Kansas - Mr. Bentrup and Mr. Green.

For Colorado - Mr. Hofmeister and Mr. Sparks through
Mr. Boydston.

SPECIAL TELEPHONIC MEETING

June 17, 1969

With the knowledge of 8,000 to 10,000 cfs. of water in the Purgatoire River above Las Animas and some excess water in the Arkansas River from Nepesta to La Junta, along with one to four inches of rain below John Martin to Garden City, a telephonic meeting was called for the purpose of declaring water available for storage in John Martin Reservoir. The gates were adjusted for storage with a 150 cfs. release for Colorado water users at 1100 MDT.

Members participating:

For Colorado - Mr. Hofmeister and Mr. Reyher.

For Kansas - Mr. Green and Mr. Bentrup.

SPECIAL TELEPHONIC MEETING

July 10, 1969

In accordance with Article V-F, a telephonic meeting was called for the purpose of declaring the John Martin Reservoir to become empty.

The reservoir was declared to be empty July 13, 1969. The State Engineer for Colorado was notified, as was the Division Engineer of Pueblo.

The reservoir became empty at 2100 MDT. July 13, 1969.

Participating members:

For Colorado - Mr. Hofmeister and Mr. Reyher.

For Kansas - Mr. Green and Mr. Bentrup.

SPECIAL TELEPHONIC MEETING

July 21, 1969

Rains occurred south of La Junta and created some river flows in the Arkansas and Purgatoire Rivers as well as on Rule Creek. A meeting was held for the purpose of declaring that water was available for storage.

The gates were ordered closed and storage began at 0800 MDT.

Participating members:

For Colorado - Mr. Hofmeister and Mr. Reyher.

For Kansas - Mr. Green and Mr. Bentrup.

SPECIAL TELEPHONIC MEETING

July 25, 1969

A special telephonic meeting was called for the purpose of declaring the reservoir to become empty.

John Martin was declared to become empty July 26, 1969 as a result of this meeting.

Mr. Kuiper, Colorado State Engineer and Mr. Styduhar, Division Engineer were both notified of this action according to the provisions of Article V-F.

The reservoir became empty 2400 MDT. July 27, 1969.

Members participating:

For Kansas - Mr. Green and Mr. Bentrup.

For Colorado - Mr. Hofmeister and Mr. Reyher.

SPECIAL TELEPHONIC MEETING

August 22, 1969

With rains above and below John Martin Reservoir, a meeting was called to declare water available for storage.

The gates were ordered closed and storage began 0830 MDT.

The State Engineer of Colorado and Division Engineer were sent copies of this action.

Members participating:

For Kansas - Mr. Green and Mr. Bentrup.

For Colorado - Mr. Reyher and Mr. Hofmeister.

SPECIAL TELEPHONIC MEETING

August 29, 1969

A special meeting was called for the purpose of declaring the reservoir to become empty. As a result the reservoir was declared to become empty September 1, 1969.

Mr. C. J. Kuiper, State Engineer for Colorado and Mr. Rudy Styduhar, Division Engineer, were sent notices to this effect and the administration of Colorado water would commence unless conditions justified a cancellation or modification of this notice.

The reservoir became empty at 2400 MDT. September 1, 1969.

Members participating:

For Kansas - Mr. Bentrup and Mr. Green.

For Colorado - Mr. Reyher and Mr. Hofmeister.

SPECIAL TELEPHONIC MEETING

September 9, 1969

A special telephonic meeting was held to declare water available for storage as the Purgatoire River was running between 5,000 and 6,000 cfs. at Las Animas.

The gates were closed and storage began at 1500 MDT.

The State and Division Engineers of Colorado were notified.

Participating members:

For Kansas - Mr. Bentrup and Mr. Green.

For Colorado - Mr. Reyher and Mr. Hofmeister.

Mr. Green moved and Mr. Bentrup seconded that the minutes of the telephonic meetings be approved. It was passed by vote of the states.

Mr. Bentrup's motion to adjourn was seconded by Mr. Hofmeister and the meeting adjourned at 12:12 P.M.