

ARKANSAS RIVER COMPACT ADMINISTRATION

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KANSAS

GUY E. GIBSON, Topeka
CARL E. BENTRUP, Deerfield
Vice Chairman
W. F. STOECKLY, Garden City

FRANK G. COOLEY
Chairman and Federal Representative
P.O. Box 98
Meeker, Colorado 81641

COLORADO

FELIX SPARKS, Denver
KENT A. REYHER, Las Animas
LEO IDLER, Lamar
Treasurer

NOTICE OF SPECIAL MEETING

ARKANSAS RIVER COMPACT ADMINISTRATION

March 30, 1979 - 10:00 A.M. (M.D.T.)
Kit Carson Hotel
123 Colorado Avenue
La Junta, Colorado

AGENDA:

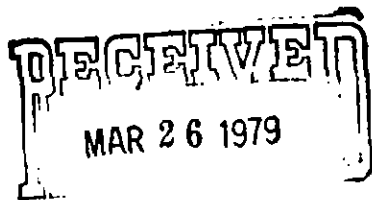
A. M.

1. water storage accounts in John Martin Reservoir.
2. 1978-1979 Amity-Great Plains winter storage.

P. M.

Field tour of inflow measuring stations and additional new site locations.

Lane L. Hackett
Lane L. Hackett
Secretary



COL.
CONSERVATION BOARD

MINUTES OF

ARKANSAS RIVER COMPACT ADMINISTRATION
MEETING

Kit Carson Hotel
La Junta, Colorado

March 30, 1979

Attendance:

For Colorado:

Duane Helton, Denver
Kent A. Reyher, Las Animas
Leo Idler, Lamar

For Kansas:

Guy E. Gibson, Topeka
Carl E. Bentrup, Deerfield
W. F. Stoeckly, Garden City

Chairman:

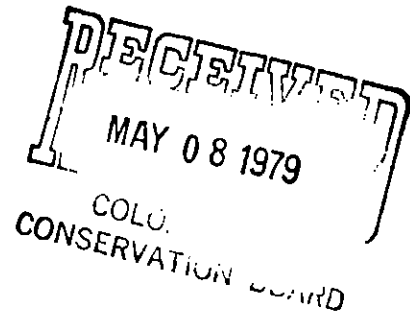
Frank G. Cooley, Meeker, Colorado

Secretary:

Lane L. Hackett, Lamar, Colorado

Others attending:

Paul Weimer	Fort Lyon Canal Company	Wiley, CO
John S. Lefferdink	Fort Lyon Canal Company	Lamar, CO
Don Taylor	Fort Lyon Canal Company	Las Animas, CO
Leroy Nickelson	Fort Bent Canal	Lamar, CO
Gene Cruikshank	Lamar Canal	Granada, CO
John Roth	XY Canal	Granada, CO
Jerry Hughes	U S Geological Service	Pueblo, CO
Richard Grozier	U S Geological Service	Denver, CO
Ronnie D. Steger	U S Geological Service	Pueblo, CO
Alfred L. Fuller	Corp of Engineers	John Martin Dam
Clifford Verhoeff	Amity Mutual Irr Co	Holly, CO
Lewis Davis	Amity Mutual Irr Co	Holly, CO
Leo J. Pollart	Amity Mutual Irr Co	Holly, CO
F. W. Easton	Public Service Co of CO	Denver, CO
Al Hogan	Wheeler & Associates, Inc	Englewood, CO
Robert W. Jesse	Division Engineer	Pueblo, CO
Jim Kasic	Division Engineer Office	Pueblo, CO



Bill Howland	Div of Water Resources	Las Animas, CO
Gerald Hilmes	Div of Water Resources	Topeka, KS
Charles L. Thomson	SE Colo Water Cons. Dist.	Pueblo, CO
P. O. Abbott	U S Bureau of Reclamation	Pueblo, CO
Bill Pattie	Colo Canal & Fort Lyon	Ordway, CO
Harry Bates	Buffalo Mutual Irr Co	Holly, CO
Alvin Spady	Fort Lyon Canal Company	Las Animas, CO

MEETING CALLED TO ORDER

The Meeting of the Arkansas River Compact Administration was called to order at 10:00 A.M. by Chairman Frank G. Cooley, who introduced members of the Compact Administration, Secretary Lane Hackett and Ina Groomer, who will be recording minutes.

Discussion was held on the minutes of the last meeting and the matter of recording their minutes on reel to reel recorder, which was done at the last meeting. These minutes are on file and Mr. Bentrup and Mr. Reyher are to consider whether there is a need for a reel to reel recorder for future meetings. The minutes of the last meeting were approved as there were no objections or corrections.

Duane Helton and Leo Pollart presented a plan for storing water in John Martin Reservoir for use by the water users in District 67, with water being distributed to accounts for each ditch. This would better utilize the water for these companies, instead of having to take the water when they really didn't need it or couldn't use it and having it released at a time it was beneficial to them. Mr. Pollart of Amity Mutual Irrigation Company explained that this Resolution was a result of a get together by the ditch companies in District 67 after the Compact Meeting of December 12. At this time, the following resolution was presented for approval of the Administration:

RESOLUTION

CONCERNING

THE OPERATION OF JOHN MARTIN RESERVOIR

WHEREAS, the Arkansas River Compact Administration (Administration) recognizes that the present operation of the conservation features of John Martin Reservoir does not result in the greatest possible utilization of the water under its control; and

WHEREAS, the Administration believes that implementing

the operating plan contained herein would improve the utilization and beneficial use of the water subject to its control; and

WHEREAS, the Administration believes that provisions of the operating plan contained herein are in compliance with the Arkansas River Compact (Compact) and the Rules and Regulations adopted by the Administration; and

WHEREAS, the operation plan contained herein has received the approval of the ditch companies in Water District 67, witnessed by the agreement dated March 26, 1979, attached hereto.

NOW THEREFORE BE IT RESOLVED that the Administration approves and adopts the operating plan consisting of the following provisions:

1. The historic practices of storing conservation water during both the winter storage and summer storage seasons shall not be modified.

2. Whenever, during the summer storage season, water is in conservation storage, the Secretary of the Administration shall commence immediately its release, at the maximum rates prescribed in Article V/D, into the following accounts and apportioned amongst the accounts using the following percentages:

Kansas.....	40.00 percent
Fort Bent.....	5.94 percent
Keese.....	1.38 percent
Amity.....	29.70 percent
Lamar.....	11.88 percent
Hyde.....	0.78 percent
Manvel.....	1.44 percent
X-Y & Graham.....	3.06 percent
Buffalo.....	5.10 percent
Sission - Stubbs.....	0.72 percent

3. Kansas and the ditches may demand the release of the water contained in their respective accounts at any time at whatever rates they desire. All such releases are subject to transit losses between John Martin Dam and the point of diversion from the Arkansas River, as determined by the Division Engineer, or in the case of Kansas, between John

Martin Dam and the stateline as determined by the Division Engineer and a representative of the Kansas Division of Water Resources.

4. Evaporation charges shall be made against water stored in the accounts using formula and procedures approved by the Division Engineer and a representative of the Kansas Division of Water Resources. In the event water is stored in more than one account, the evaporation charges shall be prorated amongst the accounts according to amounts stored in them.

5. For purposes of Compact Article V F, the conservation pool shall be considered empty whenever it is completely released into the accounts. During such times when the conservation pool is empty, the ditches in Water District 67 may make river calls under their decreed water rights; however, during these times storage may not accrue in either the conservation pool or the accounts, except as delivered from other sources with prior approval of the Administration.

6. All "Amity-Great Plains" water stored in John Martin Reservoir, under the authority of the agreement dated December 12, 1978, shall be stored in the Amity account. This water is in addition to water released into the account from the conservation pool under paragraph 2 herein.

7. If, at any time, the physical water supply at John Martin Reservoir, exclusive of any permanent recreation pool water, is exhausted, then all accounts are cancelled.

8. In the event that runoff conditions occur in the Arkansas River basin upstream from John Martin Reservoir that cause water to spill physically over the project's spillway, then water stored in the accounts shall spill before permanent recreation pool water and before conservation pool water, and the amount of spill shall be prorated amongst the accounts according to the amounts stored in them at the beginning of spill.

9. Adoption of this resolution does not supersede, contradict, nor interfere with the intents and purposes of either the Administration's resolution of August 14, 1976 (concerning the establishment and maintenance of a permanent recreation pool in John Martin Reservoir), nor the agreement of December 12, 1978 (concerning storing "Amity-Great Plains"

water in John Martin). Nor does this resolution preclude the Administration's adopting other resolutions or agreements dealing with the operation of John Martin Reservoir.

BE IT FURTHER RESOLVED that the Compact Administration recognizes the compact year 1979 is a test year for this operating plan and that if it is successful it may be continued in future years, but only upon a subsequent resolution. In the event this operation plan or some modification of it is not continued, by March 31 of a succeeding compact year, then all water stored in the accounts established herein shall revert to the conservation pool.

BE IT FURTHER RESOLVED that the Compact Administration heartily endorses the intent of this change in operation and encourages all water users in both Colorado and Kansas to initiate other proposals to improve irrigation efficiency in the Arkansas Valley.

AGREEMENT

This AGREEMENT entered into this 26th day of March, A.D. 1979 by and between the below signed owners of surface water rights diverted from the Arkansas River in the State of Colorado,

WITNESSETH

WHEREAS the following named ditches or canals, towit:

Ft. Bent Ditch
Keesee Ditch
Amity Canal
Lamar Canal
Hyde Ditch
Manvel Ditch
XY & Graham Ditches
Buffalo Canal
Sisson-Stubbs Ditch

are the only ditches or canals with decreed surface priority rights diverted out of the Arkansas River in the State of Colorado within the Water District No. 67, the headgate of each of which is located downstream from the John Martin Dam located on said river; and

WHEREAS all of said ditches have received a copy of a Resolution concerning the operation of John Martin Reservoir,

a copy of which Resolution is hereto attached, and marked Exhibit A; and

WHEREAS, the undersigned ditches desire the Resolution to be passed by the Arkansas River Compact Administration and to be implemented thereby,

NOW THEREFORE, it is hereby agreed between the undersigned ditches as follows:

1. That each supports the passage of the above described Resolution, and urges the compact administration to pass the same.

2. That each ditch agrees to be bound by the Resolution during the compact year of 1979.

IN WITNESS WHEREOF the parties have hereunto affixed their signatures, and, in the case of corporate entities by their officers thereunto duly authorized.

FORT BENT DITCH COMPANY

By Leo Idler, President

Attest: Nellie A. Deeter, Secretary.

Jake O. Broyles

Mary A. Broyles

(Keesee)

THE AMITY MUTUAL IRRIGATION COMPANY

By Leo J. Pollart, President

Attest: Carl M. Shinn, Attorney for Amity

LAMAR CANAL & IRRIGATION COMPANY

By Gene Cruikshank, President

Attest: Ernest Hoffmeister, Secretary

MUTUAL HYDE DITCH COMPANY

By James G. Rogers, President

Attest: B.R. Hatchett, Secretary

THE MANVEL CANAL & IRRIGATION CO

By Michael K. Higbee, President

Attest: Clyde B. Kennedy, Secretary

CONNECTICUT GENERAL INSURANCE CO.

By John L. Roth

Attest: Carl F. Winsor, Secretary

(XY & Graham)

BUFFALO MUTUAL IRRIGATION COMPANY

By Gene Hammitt, President

Attest: Larry Stutler, Attorney for Buffalo

Larry Stutler, Attorney for
Sisson - Stubbs Ditch

This resolution was mailed to members of the compact earlier and then a revised copy was mailed to members shortly before the Compact meeting date. The Agreement had been signed by all water users in District 67 in support of the resolution. It was noted that the Resolution and Agreement were only for a one year trial basis, effective only during the Compact year of 1979. In the event it is not extended by March 31, 1980, all water in accounts would revert back to the conservation pool.

Chairman Cooley asked if there was anyone who had signed the agreement who had anything to say on their behalf. There was no statement from any company who had signed the agreement.

Mr. Bentrup stated Kansas objection to the agreement. There is no provision for the transit losses to be figured. It appears that Kansas would be asked to take the entire transit loss. He pointed out that the compact rules are interpreted to mean Colorado receives 60%, measured below the Dam and Kansas is to be delivered 40% at the stateline. Kansas main objection is in regard to the method of determining transit losses in delivering this water.

Discussion of the transit losses was gone over in detail. It was suggested that the transit losses should be determined jointly by members of the Colorado Engineers office and Kansas Engineers office, the only problem being if a representative of Kansas would be available on a daily basis. The losses involved in the Colorado ditches would make a lot of difference in what water would be left for Kansas. Mr. Jesse, Division Engineer from Colorado stated that once the water is in the pool, transit losses would be assessed on conditions when released. Kansas could see no other reason for objection as long as Kansas water users are kept informed and Kansas is getting the same amount of water they are now receiving. Mr. Jesse pointed out that all losses are made up by the conservation pool in the delivery of 60% water to Colorado and 40% to Kansas. This agreement and resolution would not make any difference in this.

Mr. Reyher stated he would like to express his concerns for the Ditches in District 14 and 17 if the resolution is approved. If there is any changes in the handling of the water at the dam, it could affect the ditches upstream from the reservoir. There are times when the gates are closed because of streams coming in above the dam and

at these times the ditches in District 67 cannot put a call on the river. It is during these times that the upstream rights are able to call out their junior priorities.

After much more discussion, Chairman Cooley called for a switch in the Agenda, stating they would get back to the Resolution later.

At this time Mr. Cooley introduced Dick Grozier, Chief U. S. Geological Engineer, Jerry Hughes, Sub District Chief Engineer, Fred Eastom, Public Service Company of Colorado, and Al Hogan, Engineer with Wheeler and Associates, Inc. Mr. Eastom talked to the group explaining the proposed power plant being planned for the valley. No definite site has been selected, however there are three sights under consideration in this area. Plans call for two 500 megawatt units. One to be built in 1983-84 and the second in 1984-85. Option has been signed on water from Las Animas Consolidated and Consolidated Extension Ditch. Public Service Company is now in the process of applying to water court for change in use.

Al Hogan of W. W. Wheeler and Associates spoke to the group about how much water would be needed. Only consumptive use can be removed by the Public Service Company which would be only about 85% of the water by the shares on which they have options. The water in the plant will be used to extinction. Anticipated source of coal is not known at this time as coal has not been contracted. Mr. Hogan also explained the sources of storage of water and the disposal of impurities.

Mr. Cooley thanked the men for their presentation.

Discussion was held on the 'slug' of water to be released from the Pueblo Dam for a transit loss study from Pueblo Dam to John Martin. Ditches in District 67 would like the transit loss to continue past John Martin to the stateline, but it was pointed out that they were not sure how much of the water would even get to John Martin Dam, and the necessary preliminary studies of sediment and discharge data have not been made for the area below John Martin.

Mr. Cooley commented on the "Water Resource Investigation 78-75" Report which is a very good implement for every water user since it contains antecedent conditions with respect to speed of crests, from 7 mph at high to .7 mph at low end and working tables of transit losses and travel time. These booklets are available and can be ordered from Jerry Hughes.

Chairman Cooley asked for approval to appoint Duane Helton to replace Felix Sparks as Colorado Representative on the Administration board. Mr. Stoeckly made such a motion, which was approved by all members

Mr. Bentley moved the Resolution on storage which had been presented earlier be adopted with the following addition:

PROVIDED, however, that all activities and operations under this resolution may be terminated and deemed to be at an end upon twenty days notice in writing to the Secretary of the Compact Administration from the Division of Water Resources, Kansas State Board of Agriculture.

Motion was seconded by Mr. Idler.

Mr. Reyher stated that it would be in the interest of the ditches above John Martin to see that no water be transferred into the accounts when water rights below the dam are being satisfied. If this happens, consolidated pool water cannot be penciled into accounts during high water. This would greatly affect upstream users.

Mr. Lefferdink, Attorney for Fort Lyon Canal Company, pointed out that the compact provided that if lower ditches are being satisfied, if there were a sudden rainfall, they could shut the gates to the Dam and priorities above John Martin could take the river. With the resolution they would be able to pencil the water into the accounts and therefore empty the reservoir and would affect the upstream users even tho the ditches in District 67 were not using the water at that time. Since none of the ditches in District 14 or 17 received copies of the resolution in advance of the meeting, Fort Lyon Canal Company wanted to go on record as objecting to the Resolution.

Vote on resolution was as follows: Colorado - Aye, by Majority, and not unanimous; Kansas - Aye, unanimous. The Resolution was passed by the Compact Administration.

Chairman Cooley pointed out that the Government wishes to rid themselves of the snow survey. Kansas said they had no strong feelings on this. Colorado delegation felt it should be continued.

A motion was made by Mr. Idler that the Compact endorse the retention of the snow survey. Motion was seconded by Mr. Stoeckly and voted unanimously by both Colorado and Kansas.

A report was given on the Amity-Fort Lyon storage program by Mr. Jesse. Daily account sheets for water run thru Amity are available to anyone who wishes. Mr. Cooley asked if anyone from either Amity or Fort Lyon wished to make any comments. There were no statements from either company.

Mr. Idler asked for authority to go to the Corp of Engineers in Albuquerque for information to straighten out river from John Martin

to the stateline. Mr. Bently made a motion that the Compact authorize Leo Idler to contact the Corp of Engineers and any other parties that might be helpful, from Pueblo to Garden City in the matters of the Arkansas River. Motion was seconded by Mr. Reyher and had a unanimous yes vote from both states.

The next meeting of the Compact Administration will be held in the area of Twin Lakes, possibly at Copper Mountain, on August 14 & 15. There will be a business meeting and tour of Bureau of Reclamation facilities.

The 1980-81 Budget, which was tentatively adopted at the December meeting was adopted as final pending availability of funds.

Meeting adjourned at 2:25 P.M. and the members of the Compact and other interested persons went on a tour of gauging stations in the area.

Respectfully submitted,

Ina Groomer, Recording Secretary