MINUTES OF
ARKANSAS RIVER COMPACT ADMINISTRATION
SPECIAL MEETING

October 26, 1954
DENVER, COLORADO

Attendance:

For Colorado:

Ivan C. Crawford, Denver; Director Colorado Water Conservation Board

Harry B. Mendenhall, Rocky Ford; Chairman of Colorado Representatives

Harry C. Nevius, Lamar; Administration Secretary and Treasurer

For Kansas:

Wm. E. Leavitt, Garden City.
R. V. Smrha, Topeka.

Roland H. Tate, Garden City; Administration Vice-Chairman and Chairman Kansas Representatives

For the United States:

Brig. Gen. Hans Kramer, San Francisco, Calif.; Chairman of the Administration

Others Attending:

Omer Griffin, Asst. Atty. General, Colorado, Denver, Colo.
Francis M. Bell, U. S. G. S., Denver, Colo.
R. M. Gildersleeve, Chief Engineer, CWCB, Denver, Colo.
John T. Martin, Corps of Engineers, Albuquerque, N. M.
Hatfield Chilson, Atty. Water Conservation Board, Loveland, Colo.
Bert Hanna, Denver Post, Denver, Colo.
Gordon Gauss, A. P., Denver, Colo.
George W. Colburn, CWCB, Denver, Colo.
The Special Meeting of the Arkansas River Compact Administration, called by the Administration July 27, 1954, was called to order at 9:35 A.M. by Gen. Hans Kramer, Chairman. The meeting was held in Room 228 of the State Capitol Building, Denver, Colorado.

Chairman Kramer expressed his pleasure in having Kansas Representative Judge R. H. Tate present after his unavoidable absence at several previous meetings.

Minutes of the Regular Meeting of July 27th were approved without correction.

Minutes of the telephonic meeting of August 5, 1954, were approved on motion duly seconded and passed on vote.

The minutes follow:

ARKANSAS RIVER COMPACT ADMINISTRATION

MINUTES

Telephone Meeting of the Arkansas River Compact Administration August 5, 1954.

On August 5th, water in Caddoa Reservoir had been reduced to less than 24,000 acre-feet, and since releases were being made at the rate of 2000 acre-feet per day, members of the Compact Administration considered by telephone the date of empty reservoir and notice to the State Engineer of Colorado as provided in Article V of the Compact. On the question of finding the reservoir empty August 18th and giving notice to the State Engineer of Colorado that priority administration would commence on August 15, 1954, members of the Administration voted as follows:

- Mr. Leavitt: Yes
- Mr. Mendenhall: Yes
- Mr. Tate: Yes
- Mr. Nevius: Yes

This being considered as affirmative action by the Administration under Section 3 (b) of the By-Laws, Mr. Hezmalhalch, acting State Engineer of Colorado, was notified as follows:

/s/ Harry C. Nevius
Secy.

/s/ Roland H. Tate
Vice-Chairman
FINDINGS AND NOTIFICATION
by
ARKANSAS RIVER COMPACT ADMINISTRATION

August 5, 1954

WHEREAS, Article VF of the Arkansas River Compact which became effective on May 31, 1949, provides as follows:

"In the event the Administration finds that within a period of fourteen (14) days, the water in the conservation pool will be or is liable to be exhausted, the Administration shall forthwith notify the State Engineer of Colorado, or his duly authorized representative, that commencing upon a day certain within said fourteen (14) day period, unless a change of conditions justifies cancellation or modification of such notice, Colorado shall administer the decreed rights of water users in Colorado Water District #67 as against each other and as against all rights now or hereafter decreed to water users diverting upstream from John Martin Dam on the basis of relative priorities in the same manner in which their respective priority rights were administered by Colorado before John Martin Reservoir began to operate and as though John Martin Dam had not been constructed. Such priority administration by Colorado shall be continued until the Administration finds that water is again available in the conservation pool for release as provided in this Compact, and timely notice of such finding shall be given by the Administration to the State Engineer of Colorado or his duly authorized representative. Provided, that except as controlled by the operation of the preceding provisions of this paragraph and other applicable provisions of this Compact, when there is water in the conservation pool, the water users upstream from John Martin Reservoir shall not be affected by the decrees to the ditches in Colorado Water District #67. Except when administration in Colorado is on a priority basis, the water diversions in Colorado Water District #67 shall be administered by Colorado in accordance with distribution agreements made from time to time between the water users in such District and filed with the Administration and with the State Engineer of Colorado or, in the absence of such agreement, upon the basis of the respective priority decrees, as against each other, in said District."

NOW, THEREFORE, acting pursuant to the above quoted provision of the Arkansas River Compact, and in the exercise of the powers set forth in Article VIII of such Compact, the Arkansas River Compact Administration finds;

That, based upon the present quantity of water entered in, and anticipated release of water from, and inflow to, the John Martin Reservoir, the conservation pool thereof, within a period of fourteen (14) days from this 10th day of August, will be, or is liable to be, exhausted.
NOTIFICATION: In further compliance with the above quoted provision of the Arkansas River Compact, the Arkansas River Compact Administration hereby notifies the State Engineer of Colorado as follows:

That, commencing on the 15th day of August, 1954, unless a change of conditions justifies cancellation or modification of this notice, he is required, under the terms of the Compact, to administer the decreed rights of the water users in Colorado in the manner and for a period of time determined in accordance with the provisions set forth in the above quoted Article VF of the Compact.

The above findings have been made, and notification thereof given, by the Arkansas River Compact Administration on this 5th day of August, 1954.

/s/ Roland H. Tate
Vice-Chairman

ATTEST:

/s/ Harry C. Nevius
Secretary

The minutes of the telephonic meeting of August 12, 1954, were approved on motion duly seconded and passed on vote.

The minutes follow:

ARKANSAS RIVER COMPACT ADMINISTRATION

MINUTES

Telephone Meeting of the Arkansas River Compact Administration, August 12, 1954.

By August 12th, water had again accumulated in the Reservoir approximating 36,000 acre-feet, which required an extension of time for priority administration. It was considered sufficient to justify a 12 day extension. When contacted by telephone, Mr. Leavitt and Mr. Tate for Kansas and Mr. Mendenhall and Mr. Nevius for Colorado approved such extension of time for priority administration and notice was forwarded to Acting State Engineer of Colorado, Mr. Hezmalhalch, in following form:

August 12, 1954

Mr. C. C. Hezmalhalch
Acting State Engineer
State Capitol Building
Denver, Colorado

Dear Mr. Hezmalhalch:

Reference is made to "Findings and Notification by Arkansas River Compact Administration, August 5, 1954."
Mr. C. C. Hezmalhalch (Cont'd.)

I am advising you in behalf of the Arkansas River Compact Administra-
tion that there is in John Martin Reservoir water, sufficient to justify
modification as to the date of priority administration.

The time is herewith extended for twelve (12) days from August 15,

Respectfully yours,

Harry C. Nevius
Secretary

Copy to F. C. Snyder
Irrigation Division Engineer
50th Central Block
Pueblo, Colorado

APPROVED:

/s/ Roland H. Tate
Admin. Vice-Chairman

The minutes of the telephonic meeting of August 25, 1954, were
approved on motion duly seconded and passed on vote.

The minutes follow:

ARKANSAS RIVER COMPACT ADMINISTRATION
MINUTES

Telephone Meeting of the Arkansas River Compact Administration,

Again on August 25th, inflow of water was such that it was evident
that the water would not be depleted by August 18th, so the question
postponing date of priority administration was considered in the following
manner. By reducing demands in both Colorado and Kansas, it was considered
possible to extend the time 12 days.

On the question of extending time of priority administration from
August 27, 1954, to September 8, 1954, Mr. Leavitt and Mr. Tate for Kansas
were in favor and Mr. Crawford, Mr. Mendenhall and Mr. Nevius for Colorado
were favorable, so Mr. Hezmalhalch, Acting State Engineer for Colorado,
was notified as follows:
Mr. C. C. Hezmalhalch  
Acting State Engineer  
State Capitol Building  
Denver, Colorado  

Dear Mr. Hezmalhalch:

Reference is made to "Findings and Notification by Arkansas River Compact Administration, August 5, 1954."

I am advising you in behalf of the Arkansas River Compact Administration that there is in John Martin Reservoir water, sufficient to justify another modification as to the date of priority administration.

The time is herewith extended for twelve (12) days from August 27, 1954, to September 8, 1954.

Respectfully yours,

Harry C. Nevius  
Secretary  

Copy to F. C. Snyder  
Irrigation Division Engineer  
216 Bon Durant Building  
Pueblo, Colorado  

APPROVED:

/s/ Roland H. Tate  
Admin. Vice-Chairman  

Instructions were given the Secretary and Recorder for procedural corrections for prior minutes.

General Kramer presented his report as Chairman the following items:

He had been an observer in a meeting of the Arkansas, White, Red Basin Inter-Agency Committee's Hydrology Sub-Committee in Denver on October 6th and 7th.

He had been in communication with Col. Barnes, District Engineer, Corps of Engineers, Albuquerque District, regarding channel clearing. The matter is still active and the points unresolved.
The correspondence between him and the Corps of Engineers requesting an extension of time for the presentation of the Administration's comments on the Purgatoire Flood Control Project and the reply of the Corps of Engineers were placed in the record as follows:

117 Montgomery Street
San Francisco 4, California

July 29, 1954

Brig. Gen. H. D. Vogel, U.S.A.,
Division Engineer
Southwestern Division
Corps of Engineers, U. S. Army
1114 Commerce Street
Dallas 2, Texas

My dear General Vogel:

In your letter of January 28, 1954, File SWDGW, you informed me that you would send a copy of the Purgatoire River Report to me for concurrent review by the Arkansas River Compact Administration at such time as the Chief of Engineers submits the report to the Governors of the interested States for their official comment.

I regret that the promised transmittal to the Administration has not materialized. In the meantime, the State of Colorado has submitted its official comments to the Chief of Engineers (by letter dated June 23, 1954) and the State of Kansas, I am informed, expects to make its submittal about August 9, 1954. These developments preclude the incorporation of the Administration's comments in the State reports as contemplated in my letter to you on January 20, 1954.

Because of its official interest in this matter, the Arkansas River Compact Administration at its latest meeting on July 27, 1954, deemed it advisable, notwithstanding the above developments, to proceed with its independent review after the State of Kansas has completed its official action. The next meeting of the Administration being scheduled for October 26, 1954, the Administration's action will necessarily be deferred until that date.

In view of the developments and circumstances outlined above, it would be appreciated if you would obtain the consent of the Chief of Engineers to delay until November 1, 1954, the submittal of the Administration's comments on the Purgatoire River Report.

Sincerely yours,

Hans Kramer
Chairman and Representative of the United States
Arkansas River Compact Administration.

(Copy to each ARCA member)
CORPS OF ENGINEERS, U. S. ARMY
OFFICE OF THE DIVISION ENGINEER
SOUTHWESTERN DIVISION
DALLAS, TEXAS

10 September 1954

Brig. Gen. Hans Kramer, USA-Ret.,
Chairman and Representative of the United States
Arkansas River Compact Administration
417 Montgomery Street
San Francisco 4, California

Dear General Kramer:

Reference is made to letter from this office dated 2 August 1954 in partial reply to your letter of 29 July 1954 relative to the review of the Purgatoire River Report by the Arkansas River Compact Administration.

In further reply to your letter of July 29 with particular reference to the last paragraph thereof which concerns your request for an extension of time for submission of comments by the Compact Administration, the Chief of Engineers has informed this office that the completion of action on the Purgatoire River Report is not contemplated prior to 1 November 1954. It is suggested therefore, that the Administration's comments be submitted to reach the Chief of Engineers not later than 1 November as indicated in your letter.

Sincerely yours,

L. E. SEMIAN
Colonel, CE
Division Engineer

The Chairman had received a copy of the Comments by the State of Kansas dated August 5, 1954, on the Purgatoire Project. The comments were placed in the record as follows:

August 5, 1954

S. D. Sturgis, Jr., Major General
Chief of Engineers
Department of the Army
Washington, D. C.

Dear General Sturgis:

Reference is made to your letter of 11 May, 1954, to the Chief Engineer, Division of Water Resources, Kansas State Board of Agriculture, transmitting the "Review Report on Survey for Flood Control, Purgatoire (Picket Wire) River in Colorado, June 1953," in accordance with the provisions of the 1944 Flood Control Act.
The proposed reservoir on the main stem of the Purgatoire River about four miles upstream from Trinidad, Colorado, would have a storage capacity of 140,700 acre-feet of which 46,700 would be allocated to flood control, 55,000 to conservation and 39,000 acre-feet to sediment storage.

The Purgatoire River is a tributary of the Arkansas River upstream from John Martin Dam. The interest of the State of Kansas in this matter arises from the possible effect of operation of the reservoir on the water supply of John Martin Reservoir which is administered by the Kansas-Colorado Arkansas River Compact Commission. Section D, Article IV of the Compact provides:

"This Compact is not intended to impede or prevent future beneficial development of the Arkansas River Basin in Colorado and Kansas by federal or state agencies, by private enterprise or by combinations thereof, which may involve construction of dams, reservoirs and other works for the purposes of water utilization and control, as well as the improved or prolonged functioning of existing works: Provided, That the waters of the Arkansas River, as defined in Article III, shall not be materially depleted in usable quantity or availability for use to the water users in Colorado and Kansas under this Compact by such future development or construction."

The report proposes five basic operating conditions as follows:

a. Transfer of the storage decree of the Model Land and Irrigation Company, for 20,000 acre-feet annually, from the present site to the proposed Trinidad Reservoir.

b. Storage in Trinidad Reservoir of flood flows originating on Purgatoire River above the dam site which would otherwise spill from John Martin Reservoir.

c. Storage in Trinidad Reservoir of the winter flows of Purgatoire River historically diverted for winter irrigation of project lands.

d. Regulation in Trinidad Reservoir of summer flows historically diverted to project lands provided that future stream flow records disclose such further regulation would not materially decrease depletions of that any material increase in depletions be compensated by suitable replacement to lands served by John Martin Reservoir.

e. Storage in Trinidad Reservoir of all flood flows originating on Purgatoire River above the reservoir other than those specified in condition b, provided that suitable replacement is made to John Martin Reservoir to the extent that such storage in Trinidad Reservoir would result in material depletion of the inflow from Purgatoire River into John Martin Reservoir and interfere with its operation as established by the Arkansas River Compact.
We understand that the Trinidad Reservoir would be operated initially under sections a, b, and c of this plan.

As a result of our examination of the report on the proposed project, it appears to us that:

1. The transfer of the Model storage right to the proposed Trinidad Reservoir will increase the available water storage rights and facilities.

2. The proposed reservoir being on the river instead of off-channel as in the case of the Model Reservoir will permit the storage of high peak flows which in the past have exceeded the diversion canal capacities.

3. Controlled releases of flood storage waters from the proposed reservoir will extend the duration of river flow and thereby provide additional opportunity for downstream diversions along the Purgatoire River.

4. There exists within the project area a considerable acreage of additional land suitable for irrigation.

Even the most conservation estimates indicate an increased depletion of Purgatoire River water. It is our conclusion that the operation of this project would, at times, 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.

Sincerely,

/s/ Edward F. Arn
Governor
State of Kansas

EFA:cr

cc: R. V. Smrha, Engineer
Division of Water Resources (Kansas)
Topeka, Kansas

William Leavitt, Member
Arkansas River Compact Commission
Garden City, Kansas

Finney County Water Users Assn.,
P. O. Box 622
Garden City, Kansas
The Purgatoire report had been referred to the Engineering Committee and their report is presented later in these minutes.

Mr. Nevius then presented his report as Administration Secretary as follows:

He stated he had made arrangements for the annual audit which will be presented before the annual meeting, December 14, 1954. The Secretary presented a tentative budget for the fiscal year 1955-56 for consideration. After considerable discussion regarding proposed capital outlay and other itemized expenditures and on motion by Mr. Smrha, seconded by Mr. Nevius, the budget was adopted as follows:

<table>
<thead>
<tr>
<th>BUDGET</th>
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<tbody>
<tr>
<td>ARKANSAS RIVER COMPACT ADMINISTRATION</td>
</tr>
<tr>
<td>For Fiscal Year July 1, 1955 to June 30, 1956</td>
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<tr>
<th></th>
<th>1954-55 Budget</th>
<th>Expenditures 10-31-53 - 10-26-54</th>
<th>1955-56 Budget</th>
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<td>Auditor Report</td>
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<td>Investigation &amp; Inspection</td>
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<td>$1964.85</td>
<td>$3800.00</td>
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</table>

Estimated carry-over as of 6-30-55: $1400.00
Balance to be appropriated by States: $2400.00

State proportions:

- 60% Colorado: $1440.00
- 40% Kansas: $960.00

Total: $2400.00
A motion by Mr. Nevius, seconded by Mr. Crawford, passed on vote, directed the Secretary to make a call on the states for their portions of the 1954-55 budget.

During the discussion on the budget, Mr. Bell stated that the U.S.G.S. funds for Compact gaging stations had been cut approximately 10% for this fiscal year, but that they would be able to continue until July 1, 1955, as now operated with the cooperation of the Corps of Engineers on the Compact stations. The same ceiling figure had been placed on their funds as in the past by the Bureau of the Budget, but he noted that this was no assurance that the final appropriated amount would be that high. There is no lower priority as in the past, for funds for compact stations. There have been various policies followed in the various compacts as to who maintains the gaging stations. There seems reason to believe that a definite policy may be forthcoming to insist on a cooperative basis between the Federal Government and the affected States.

The Treasurer's report was received and placed on record thus:

ARKANSAS RIVER COMPACT ADMINISTRATION
Report of the Treasurer, October 26, 1954

Balance on hand October 31, 1953, Auditor's Report $3,600.07

Reported March 23, 1954, Vouchers 111 - 120 incl. $536.85
Reported July 27, 1954, Vouchers 121 - 130 incl. $951.40

$1,488.25

Disbursements

Disbursement Date

131 10-11-54 J. L. Wade, Agt. Natl. Surety $25.00

Corp. Treasurer's Bond

132 Secretary Salary July & Aug., & Sept. (less 6.00 F.I.C.A.) 294.00

133 Deposits by States F.O.A. Ins. 12.00


135 Secy. Mileage Expense 55.30

$476.60

Balance on hand October 26, 1954 $1,635.22
The report of the Operations Committee was received and placed in the record as follows:

October 26, 1954

At the time of our last meeting held on July the 27th, there was 34,118 acre-feet of water impounded in John Martin Reservoir. On that date, 340 c.f.s. was released, the next day this release was increased to 900 c.f.s. and the next day to 1,000 c.f.s.

These releases fluctuated with practically no inflow until the 7th day of August, at which time heavy rains not only on the Picketwire watershed, but that of the main stem of the Arkansas, both above and below the dam, brought additional amounts of water into the reservoir.

As of August the 7th, the releases were down to 300 c.f.s., but on the next day, they were increased to 750 c.f.s. and were maintained upon a slightly higher figure until the reservoir was emptied at 6:30 A.M. on September the 8th.

Rains from August the 8th through August the 19th materially helped the reservoir. On August the 16th, the rains below the dam increased the flow at the State Line to 1,116 c.f.s. and on August the 28th, rains below the dam created a flow at the State Line of 4,427 c.f.s.

Since September the 8th, the water users in District 67 have reverted to decreed priorities, which have continued to the present time.

The report of the Administrative and Legal Committee took the form of a preliminary editing of a dummy copy of the proposed sixth annual report. Certain changes were noted, assignments for preparation of portions were made and Mr. Crawford's office was asked to be the coordinating and assembling agency for the report. It will be presented in its entirety at the December 14th Meeting.

Mr. Martin said he had been requested to extend the regrets of Col. Barnes and Mr. Woodson who had planned to attend.

The Engineering Committee Report on the Corps of Engineers Survey Report on the Purgatoire River was read by Chairman Smrha.

Chairman Kramer said he wanted it stated in the record that as the Ex-Officio Member of the Engineering Committee, he concurred and subscribed to the conclusion of the Colorado member as stated in the last paragraph of the report.
Gen. Kramer asked Mr. Gildersleeve to explain certain phases of the tabulation accompanying the report. Mr. Gildersleeve explained that most of the figures were from a report by the AWRBIAC Hydrology Sub-Committee. He further explained sources of data and the cooperating agencies involved in making the report of the AWRBIAC.

Chairman Kramer asked concerning the legislative status of the project. Mr. Crawford detailed the steps that had been taken by the Colorado Congressional Representative. It was explained that some other steps had been by-passed and this might be why the project did not get further in Congress.

Mr. Crawford also made a statement regarding the effect of the project on John Martin Reservoir and upon the economy of the City of Trinidad.

Mr. Smrha said that he could not subscribe to Mr. Crawford's views — he felt this because the amount of depletion involved — this is computed to be 530 acre-feet average annual depletion.

Chairman Kramer said he felt the whole question evolves from an interpretation of the language of the Compact and whether the quantity of 530 acre-feet average annual depletion is considered to be "material" as used in Article IV-D of the Compact. Colorado's position is that it is not and Kansas asserts that it is. The figures available to the Administration are extensions of those furnished in the AWRBIAC report.

After further discussion on the subject, Chairman Kramer asked that both Colorado and Kansas study their positions closely and concentrate their attention on the meaning of the word "material." At this time, he called a recess in the meeting for lunch and asked that they reconvene at 1:30 P.M.

The meeting reconvened at 1:30 P.M. Chairman Kramer stated he would like to have a full and frank discussion on the problem of the Purgatoire Report.

Mr. Tate said that the Kansas representatives had caucused during the lunch period and that Mr. Smrha would act as spokesman for them.

Mr. Smrha said that consideration had been given the tabulation and data. While it might seem that such a depletion might be negligible — because of the magnitude of some of the figures — the amounts became material and that therefore Kansas could not consider approval.

Mr. Crawford reiterated his position as expressed in the morning session.
Mr. Mendenhall said he could not give full approval to the project, for although he could see the benefits of the projects, he also could see where damage could result to the water users of Districts 17 and 67.

Mr. Nevius stated it was his view that plans were not sufficiently developed for the entire valley so that all were represented. He had in mind the diversions of the Highland and Nine Mile Dams.

Mr. Tate moved, Mr. Crawford seconded, that the Engineering Report be placed in the record. On vote, the motion carried. The report follows:

**REPORT OF ENGINEERING COMMITTEE**
**ARKANSAS RIVER COMPACT ADMINISTRATION**
**ON**
**CORPS OF ENGINEERS SURVEY REPORT ON PURGATOIRE RIVER**

Pursuant to consideration given by the Administration at its meeting on July 27, 1954, to the matter of the Corps of Engineers' Survey report on the Purgatoire River, the Engineering Committee has reviewed the proposed plan and submits its report as follows:

The proposed project is a reservoir at the Trinidad dam site on the Purgatoire River about four miles upstream from the City of Trinidad. The recommended storage capacity of the reservoir is 140,700 acre-feet, allocated to purposes as follows:

<table>
<thead>
<tr>
<th>Purpose</th>
<th>Storage Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flood Control</td>
<td>46,700 Acre-feet</td>
</tr>
<tr>
<td>Conservation</td>
<td>55,000 Acre-feet</td>
</tr>
<tr>
<td>Sediment Accumulation</td>
<td>39,000 Acre-feet</td>
</tr>
</tbody>
</table>

The conservation storage is designed for use for irrigation purposes as determined by studies made by the U. S. Bureau of Reclamation. The attached tabulation showing the effect of the project on John Martin Reservoir water supply was prepared for the Committee by John T. Martin of the Corps of Engineers, Kenneth E. Ireland of the U. S. Bureau of Reclamation, R. M. Gildersleeve of the Colorado Water Conservation Board and W. E. Steps of the Kansas Division of Water Resources.

The net depletions to John Martin Reservoir water supply during the years 1925 to 1953 inclusive by both flood control and irrigation operations of the proposed Trinidad Reservoir are indicated in Column 6 of the tabulation. In three of these years, 1928, 1942 and 1948, there would have been spills from the John Martin Reservoir. In 1943, there would have been a gain to the reservoir of 3,700 acre-feet. For all of the other years, the net depletion as computed would have ranged from 30 acre-feet in 1930 to 2,100 acre-feet in 1947, averaging 1,880 acre-feet for the entire period and 530 acre-feet for the period exclusive of the years in which spills occurred. In general, the net depletions are less than one-half of one percent of the inflow to the reservoir.
The tabulation also shows in Columns 9, 10 and 11 the probable effect of the proposed Trinidad Reservoir in trapping sediment that would otherwise reach John Martin Reservoir. It is shown as amounting on the average to 65 acre-feet annually, constituting 1.9% reduction.

From the data presented with this report, it is the conclusion of the Colorado member of the Engineering Committee that the effects of the proposed Trinidad Project, operating under conditions of the District Engineer's Survey Report on the water supply for John Martin Reservoir and on the sedimentation of John Martin Reservoir would be negligible.

R. V. Smrha, Chairman

Ivan C. Crawford, Member

Hans Kramer, Ex-Officio Member

Denver, Colorado
October 26, 1954
ESTIMATED EFFECTS OF TRINIDAD RESERVOIR
ON INFLOW AND SEDIMENT DEPOSITION
AT JOHN MARTIN RESERVOIR

(From studies of U.S. Bureau of Reclamation and Corps of Engineers)

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<th>Year</th>
<th>Flood Control Operation</th>
<th>Irrigation Operation</th>
<th>Additional Inflow</th>
<th>Channel Loss</th>
<th>Overflow Loss</th>
<th>Sediment Reduction</th>
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<tr>
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<th>Net Depletion</th>
<th>Inflow to John Martin</th>
<th>Per Cent Sediment Reduction</th>
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<th>Per Cent Sediment Reduction Due to Trinidad Res.</th>
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<td>(a)</td>
<td>Years in which operation studies indicate spill at John Martin Reservoir</td>
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<td>(b)</td>
<td>Historic flow reduced by additional upstream diversion as indicated by operation studies.</td>
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Mr. Nevius stated his desire for further study on the project operation plan. He thinks it might be adverse to lower river users.

Mr. Powell asked that he be permitted to explain and stated that the very small average depletion to the inflow at the reservoir was of such percentage to make it negligible — approximately .3 of one percent.

A lengthy discussion was held on the computed effects.

Mr. Crawford moved

MOTION

In view of the conflicting official comments on the Purgatoire River Survey Report submitted by the Colorado Water Conservation Board in its letter to the Chief of Engineers, June 23, 1954, and by the State of Kansas by letter to the Chief of Engineers August 5, 1954, the Arkansas River Compact Administration is unable to agree upon a recommendation on this report in respect to Article IV-D of the Compact. Therefore, the Administration neither approves nor disapproves the proposed project.

This was seconded by Mr. Tate and passed on vote.

Gen. Kramer reminded the Administration that the Annual Meeting was scheduled for December 14, 1954, in Lamar.

At this point, Chairman Kramer asked that Vice-Chairman Tate assume as presiding officer and recognize him as the U. S. Representative on the Administration for the purpose of making a statement as such.

Gen. Kramer said that in his role as U. S. Representative, he does not feel constrained to follow a neutral course. In his status, he feels he would be derelict in his duty to the Federal Government if he did not express his observations and conclusions on the project to the Chief of Engineers. He wants the Administration to be apprised of this fact, so that no one can say that it was concealed.

Mr. Smrha said he anticipated that the U. S. Representative will report in accordance with his comments on the Engineering Report.

Gen. Kramer said that this was not of necessity true. He stated that as an engineer, he considered the depletions as negligible, but that his report as U. S. Representative would be made in the light of Article IV-D of the Compact, which he authored at the time of the Compact negotiations. His report might take the form of a quasi-legal opinion.

At this point, Gen. Kramer reassumed the position of presiding officer of the meeting.
Mr. Tate said he concurred with Gen. Kramer on his right to express his views. However, he wanted no one to infer that his taking no action individually might mean he has no thoughts on the subject and that it does not imply that he concurs with any implied action to save hurting anyone's feelings. His action or lack of action should not be construed that he in any way is not in accord with the views of Governor Arn.

Gen. Kramer said that he has no vote as a member of the Administration and is thus forced to act independently and individually, in case of division. The views he expresses are his, individually arrived at and independently stated.

Mr. Tate said he did not think that the views of the Chairman should be in disagreement with those of the Administration's action.

Gen. Kramer reiterated his stand on making an independent official statement.

A brief recess was held at this time.

* * * * * * *

Upon recall from recess, Mr. Tate said that the Kansas representation had caucused on the motion by Mr. Crawford, which he had seconded and which passed on vote. On consideration of the remarks of the Federal Representative, he wished to reopen the discussion with the thought in mind that he might later offer a motion on that action.

Chairman Kramer acknowledged Kansas' privilege to reopen the discussion and enter a motion if desired. He further stated that he was open to questioning and was willing to answer.

Mr. Tate said he wanted it perfectly clear with no misunderstanding on anyone's part, that he is in complete accord with the views expressed in Governor Arn's letter and that he is definitely against the project.

Further discussion of the subject ensued.

Mr. Tate moved that the Administration rescind the motion previously passed at this meeting concerning the Administration's views and recommendations on the Purgatoire River Report. The motion was seconded by Mr. Mendenhall.

After discussion, Mr. Crawford offered an amendment to the above motion but lacked a second.

On call for the question to rescind previous motion, the vote by states showed Colorado voting aye and Kansas voting aye. The previous motion (page 19) was thus rescinded.
After further discussion, it was moved by Mr. Tate, seconded by Mr. Crawford, that: The Arkansas River Compact Administration defer making comments on the Purgatoire River Project until January 1, 1955, and that it request further information from the Corps of Engineers and the Bureau of Reclamation concerning depletions.

On vote, the motion carried.

Mr. Crawford said that his office would make the above request and furnish it to the Administration.

Chairman Kramer stated that he would ask the Chief of Engineers for an extension of time for submittal of the Administration's comments.

No further business coming before the Administration, after designating December 14, 1954 as the date for the Annual Meeting, the meeting adjourned at 3:40 P.M.

These minutes approved by action of the Arkansas River Compact Administration at the Annual Meeting, December 14, 1954.

Hans Kramer (Brig. Gen. U.S.A.-Ret.)
Administration Chairman

Harry C. Nevius
Administration Secretary
MINUTES OF
ARKANSAS RIVER COMPACT ADMINISTRATION
REGULAR MEETING

March 22, 1955

LAMAR, COLORADO

Attendance -

For Colorado:

Ivan C. Crawford, Denver; Director Colorado Water Conservation Board

Harry B. Mendenhall, Rocky Ford; Chairman of Colorado Representatives

Harry C. Nevius, Lamar; Administration Secretary and Treasurer

For Kansas:

Wm. E. Leavitt, Garden City

Roland H. Tate, Garden City, Vice Chairman & Chairman of Kansas Representatives

For the United States:

Brig. Gen. Hans Kramer, San Francisco, Calif.; Chairman of the Administration

Absent:

R. V. Smrha, Topeka, Kansas

Others Attending:

Francis M. Bell   U. S. Geological Survey   Denver, Colo.
R. J. McGrath     Water Comm. #67             Lamar, Colo.
F. C. Snyder      Div. Engineer #2            Pueblo, Colo.
Guy M. Vincent    Irrigation Engineer, Kansas Garden City, Kans.
L. E. Des Rosiers Self                                    Caddo, Colo.
The regular meeting of the Arkansas River Compact Administration of March 22, 1955 was called to order by Brig. Gen. Hans Kramer, U.S.A. Ret., U. S. Representative and Chairman, at 9:35 A.M. in the Court House, Lamar, Colorado. All members of the Administration were present except Mr. Smrha of Kansas who was unable to attend because of pressing official business. Others attending are shown on the attendance roster.

The minutes of the annual meeting of December 14, 1954 were corrected and on motion by Judge Tate, seconded by Mr. Crawford and vote were approved as corrected.

Chairman Kramer made his report as follows:

He stated that he had made official distribution to Federal officials of the 6th Annual Report of the Administration. He further stated, in passing, that the Report had been edited by Mr. Crawford’s office and printed in the usual good form.

He had been in communication with the Chief of Engineers, U. S. Army, with respect to the action of the Administration taken December 14, 1954 on the Trinidad Project. He gave for the Administration’s record a letter from himself to the Chief of Engineers dated December 27, 1954 and the reply dated January 31, 1955 as follows:

ARKANSAS RIVER COMPACT ADMINISTRATION
Principal Office - Court House
LAMAR, COLORADO

December 27, 1954

Major General S. D. Sturgis, Jr.
Chief of Engineers, U. S. Army
Washington 25, D. C.

My dear General Sturgis:

The Arkansas River Compact Administration at its meeting on December 14, 1954 adopted the following motion with respect to the pending “Review Report on Survey for Flood Control, Purgatoire (Picketwire) River, Colorado”:

The Administration does not at this time approve the project as proposed by the Corps of Engineers on the Purgatoire River.

The foregoing motion was favored by all three Kansas representatives and by two of the three Colorado representatives on the Administration. The Kansas position was consistent with the official comments of the Governor of Kansas in his letter to you dated August 5, 1954. The position of the Colorado representatives, other than that of the dissenting one who is also
the Director of the Colorado Water Conservation Board, was in opposition to the official comments of that Board as submitted to you in its letter dated June 23, 1954.

The main argument voiced in objection to the Purgatoire Project was apprehension regarding its possible depletion effect on the water supply reaching John Martin Reservoir for use under the Arkansas River Compact. This objection was adhered to notwithstanding the analyses contained in the Survey Report and the results of a supplemental study made by the Administration's Engineering Committee.

As Representative of the United States and ex-officio member of the Administration (without vote) I pointed out to the Administration before its action on Dec. 14, 1954, the interests of the United States under my interpretation of Article IV-D of the Arkansas River Compact (which I drafted during the compact negotiations). I also stated my official conclusion that the Purgatoire Project would not materially affect the availability of water under my interpretation of the letter and intent of Article IV-D.

I would like to express my appreciation of your courtesy in having afforded the Administration extensions of time for its consideration of the Purgatoire River Survey Report.

Sincerely yours,

Hans Kramer

cc: Division Engineer, Southwestern Division, Dallas, Texas
District Engineer, Albuquerque, New Mexico
Each Administration Member

DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF ENGINEERS
WASHINGTON 25, D. C.
31 January 1955

Brigadier General Hans Kramer, USA, Ret.
Chairman and Representative of the United States
Arkansas River Compact Administration
417 Montgomery Street
San Francisco 4, California

Dear General Kramer:

Receipt is acknowledged of your letter of 27 December 1954, concerning the motion adopted by the Arkansas River Compact Administration at its
meeting on 14 December 1954, with respect to the review report on survey for flood control on the Purgatoire (Picket Wire) River, Colorado. The referenced motion was worded "The Administration does not at this time approve the project as proposed by the Corps of Engineers on the Purgatoire River."

As indicated in your letter, the official comments of the State of Kansas, transmitted by the Governor of that State in his letter dated 5 August 1954, were unfavorable to the Purgatoire River project. The official position of the State of Colorado, however, is favorable to the improvement as proposed by the Corps, as stated in the letter from the Colorado Water Conservation Board.

It is noted that the motion disapproving the Purgatoire report was favored by the three Kansas representatives and two of the Colorado representatives, and that you, as representative of the United States without vote, have stated your official conclusion that the Purgatoire project would not materially affect the availability of water under your interpretation of Article IV-D of the Arkansas River Compact.

The Purgatoire River report is now with the Bureau of the Budget for comment as to its relationship to the program of the President. The official comments of the two States concerned were also sent to the Budget. In order that the Bureau of the Budget may be informed of the position of the Arkansas River Compact Administration, a copy of your letter, together with a copy of this reply, is being forwarded to that agency.

Sincerely yours,

S. D. STURGIS, Jr.
Major General, USA
Chief of Engineers

Jr. Nevius gave his report as Secretary by noting his distribution of the 6th Annual Report to the Governors of the respective States and other interested parties.

He presented for the record a letter from the Model Land and Irrigation Company and his reply as follows:
Mr. H. C. Nevius, Secretary-Treasurer  
Arkansas River Compact  
Lamar, Colorado.

Dear Mr. Nevius:

Our President, Mr. C. O. Cozrine, among others from Trinidad, attended your meeting last Tuesday and wishes to report to the annual meeting of the stockholders of this Company a true account of the results of the meeting as they pertain to the discussion regarding the proposed dam some few miles above Trinidad.

For the purpose of making such a report Mr. Cozrine would like to have a transcript, or copy of the minutes of the meeting insofar as the minutes pertain to the Purgatoire River dam near Trinidad.

Would you please mail a copy or transcript of the said minutes to The Model Land & Irrigation Company, Box 360, Trinidad, Colorado in time to be available before our meeting on January 8, 1955. Thank you.

Yours very truly,

/s/ S. A. Morse  
S. A. Morse, Secretary

3 January 1955

Mr. S. A. Morse, Secretary,  
The Model Land & Irrigation Co.,  
2 Colorado Bldg.,  
Trinidad, Colorado.

Dear Mr. Morse:

In response to your letter of December 20, 1954 stating that Mr. Cozrine had attended the meeting of the Arkansas River Compact Administration in Lamar and would like a complete copy of the
minutes, insofar as they pertain to the Purgatoire Dam Project near Trinidad. I have requested our recorder Mr. Colburn to furnish me with an additional copy of the preliminary minutes of that meeting which I expected to receive this morning and forward to you. This was not in the mail this morning but I fully expect it tomorrow morning and will forward it immediately for your use.

Since much of the record pertaining to action on this Project was contained in minutes of the October 26, 1954, meeting in Denver I am enclosing parts of these minutes which pertain to the Purgatoire Dam Project.

I hope that all of this material will arrive in time so that Mr. Cozrine will have the opportunity to study it fully before your meeting of January 8th.

If there is any other information that we can furnish you, we will be glad to do so at any time.

Sincerely yours,

Harry C. Nevius, Secretary.
Arkansas River Compact Administration

As Treasurer, Mr. Nevius gave his report as:

ARKANSAS RIVER COMPACT ADMINISTRATION
Report of the Treasurer, March 22, 1955

Balance on hand October 31, 1954, Auditor's Report $1514.62

Receipts

Call authorized October 26, 1954
Colorado 60% 12-31-54 1410.00 2400.00
Kansas 40% 2-16-55 960.00 3914.62

Disbursements

Voucher Date
140 12-31-54 Robert W. Rollins, Audit $65.00
141 12-31-54 Mtn. States T & T Nov. & Dec. Service & Tolls 24.10
The Operations Committee Report was given orally by Mr. Mendenhall. He said that as of midnight, March 21, 1955, John Martin Reservoir contained 5,838 A. F. The contents were approximately one-third that of a year ago. River flow was being passed thru the reservoir and amounted to about 11 c.f.s.

On question by Mr. Mendenhall, Mr. Snyder, Division Engineer, stated that present prospects for the 1955 irrigation season were very poor. The Salida gage had been estimated to be about 75% normal if the country had normal precipitation from now on. He said he had found the ground very dry and that small storms had little effect on the gages due to ground absorption.

There was a brief discussion regarding the requirements and releases for the ditches, and of the probable need for a telephonic meeting to invoke Article IV-F of the Compact.

The Engineering Committee had no report to give. Chairman Kramer asked Mr. Bell to give his ideas on the credibility of the AVDA reports on the flow at Garden City. Mr. Bell said that because of extreme shifting conditions, it was very hard to keep a rating table up to date. Mr. Snyder uses the latest one available, but because he has only a gage reading to go by, in some instances there is an erroneous report. Mr. Vincent and Mr. Snyder assured the Administration that they would attempt to remedy the discrepancies.

The Administrative Committee had no report to give.

Chairman Kramer requested Vice-Chairman Tate to assume the Chair and to re-recognize him as the Representative of the U. S. Upon such recognition, General Kramer offered his Memo dated March 22, 1955, and the draft of a Resolution attached thereto for the record as follows:

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**Disbursements (Continued)**

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Balance on hand March 22, 1955: 990.45
MEMORANDUM FOR: Members of the Arkansas River Compact Administration

SUBJECT: Purgatoire River Project

Since our meeting on December 14, 1954, I have given serious thought to the schism that has developed within the Administration in its views on the proposed Purgatoire River Project.

I believe we are all agreed on at least one fundamental point, namely, that ultimately the proposed transfer of the Model storage right will have to be thrashed out and decided in the courts of Colorado. In these proceedings our own stumbling point of possible depletion effect will necessarily be argued by opposing water users so that the court's decision will certainly give consideration to that vital issue. Hence, the cause of our own disagreement will and must be resolved in the course of the inevitable legal action. If my line of reasoning is sound, it follows that the ultimate determination of the feasibility of the Purgatoire Project will rest, not with any State executives nor with any Federal officials nor with Congress, but on the decision of the courts of Colorado.

The attached draft of a resolution for consideration by the Administration constitutes a simple attempt on my part to recognize the obvious facts of life. Its substance is not intended to modify the positions previously taken by the Governors of Kansas and Colorado, nor is it inconsistent with the Administration's previous action.

It is my feeling that adoption of a resolution of this kind would be no disservice to any one concerned. Indeed, I believe that it would clear the atmosphere by putting the Administration in a rational, unified position.

Hans Kramer

1 encl.
WHEREAS the Corps of Engineers' Review Report on Survey for Flood Control, Purgatoire River, Colorado, June 1953, recommends construction of the Purgatoire River Project subject to certain conditions, and

WHEREAS a primary requisite to the consummation of the said Project is the transfer of a decreed storage right of the Model Land and Irrigation Company from its Model Reservoir to the proposed Trinidad Reservoir, and

WHEREAS such transfer can be effected only by legal process under the laws of Colorado, and

WHEREAS the Governors of the affected states have, pursuant to the Flood Control Act of 1944, submitted comments to the Chief of Engineers with respect to the said Project, Colorado on June 23, 1954 and Kansas on August 5, 1954, and

WHEREAS the Arkansas River Compact Administration has given careful consideration to the said Project, particularly in the light of Article IV-D of the Arkansas River Compact which states:

"This Compact is not intended to impede or prevent future beneficial development of the Arkansas River basin in Colorado and Kansas by Federal or State agencies, by private enterprise, or by combinations thereof, which may involve construction of dams, reservoirs, and other works for the purposes of water utilization and control, as well as the improved or prolonged functioning of existing works. Provided, that the waters of the Arkansas River, as defined in Article III, shall not be materially depleted in usable quantity or availability for use to the water users in Colorado and Kansas under this Compact by such future development or construction."
WHEREAS such consideration has left reasonable doubt as to the ultimate effect of the said project on the water supply available to the water users in Colorado and Kansas under the Arkansas River Compact, and

WHEREAS such doubt will be resolved legally in the courts of Colorado in the adjudication of the transfer of the storage right presently decreed to Model Reservoir, and

WHEREAS it is in the public interest to have such adjudication concluded before any Federal or other funds are committed to the construction of the said Project.

NOW, THEREFORE BE IT RESOLVED by the Arkansas River Compact Administration that such adjudication be made a condition precedent to the construction of the said Project and that such condition precedent be expressly embodied in any authorizing legislation adopted by the Congress, and

BE IT FURTHER RESOLVED that the Arkansas River Compact Administration will interpose no objection to the construction of the said Project if the required transfer of the Model Reservoir's right receives approval in the courts of and under the laws of Colorado.
General Kramer moved that the Administration adopt the resolution. General Kramer then reassumed the Chair so that Judge Tate could act freely as the Chairman of the Kansas Representatives.

The ensuing discussion found Judge Tate stating personally that he, as his first reaction, could not support the resolution. Mr. Crawford spoke in the affirmative on it and seconded the adoption of the resolution.

Mr. Mendenhall said he did not think that the land under the Trinidad Project could stand his computed charge of $421 per acre if the Project were built, and he was, therefore, in opposition to the adoption of the Resolution and the Trinidad Project.

Mr. Crawford requested a copy of the above computations as he would like to have the proper governmental agencies check against the figures. Mr. Mendenhall quoted verbally his data and asked since he had assumed certain interest rates and repayment terms, what were the correct rates? Mr. Crawford suggested that this was a matter for the proper governmental agencies to compute and not a matter for the Administration to consider.

Mr. Nevius stated that he objected to the last paragraph of the resolution.

After further discussion, Judge Tate moved that the consideration and action on the resolution be postponed until the next meeting. Mr. Crawford seconded, and on vote, the motion carried.

Chairman Kramer asked, as a matter of information, as to the status of the Trinidad Project. Mr. Crawford said that on his recent trip to Washington he had been informed that it was now in the Bureau of the Budget.

Mr. Bell asked if he could address the Administration and drew its attention to the item of $500.00 carried in the budget for gaging reports. He cited additional expenses of his department due to the radio gages, and requested the Administration to enter into a cooperative agreement on a fund matching basis with the U.S.G.S. to assist in defraying the additional expense.

After a brief discussion, Judge Tate moved that the Administration authorize the expenditure of $500.00 in a cooperative agreement with the U.S.G.S. for the gaging station program ending Fiscal Year June 30, 1955. Further, that the Secretary be authorized to enter into such an agreement for the Administration.

Mr. Crawford seconded the motion and upon vote, the measure was passed.

Chairman Kramer reminded the members that the next regular meeting would be Tuesday, July 26, 1955 at Lamar, Colorado. Discussion was held suggesting alternative meeting places. Mr. Crawford moved that the July 26, 1955 meeting be held in Colorado Springs, Colorado at a place to be arranged for by Mr. Leavitt. Judge Tate seconded the motion which was duly passed.

No further business being presented, Mr. Mendenhall moved and Mr. Crawford seconded a motion to adjourn, which motion was passed at 10:40 A.M.
The attached minutes were approved by action of the Administration July 12, 1955.

Hans Kramer (Brig. Gen. U.S.A.-Ret.)
Administration Chairman

Harry C. Nevius
Administration Secretary
ARKANSAS RIVER COMPACT ADMINISTRATION

REGULAR MEETING

July 12, 1955
Broadmoor Hotel
Colorado Springs, Colorado

Attendance -

For Colorado:
Ivan C. Crawford, Denver; Director Colorado Water Conservation Board
Harry B. Mendenhall, Rocky Ford; Chairman of Colorado Representatives
Harry C. Nevius, Lamar; Administration Secretary and Treasurer

For Kansas:
Wm. E. Leavitt, Garden City
R. V. Smrha, Topeka
Roland H. Tate, Garden City, Vice Chairman and Chairman of Kansas Representatives

For the United States:
Brig. Gen. Hans Kramer, San Francisco, Calif.; Chairman of the Administration

Others Attending:
Hon. J. Edgar Chenoweth, Member of Congress
Hatfield Chilson, Attorney, C.W.C.B.
James E. Bone, Corps of Engineers
A. N. Dallimore, Bessemer Irrig. Ditch Co.
Francis M. Bell, U.S.G.S.
Guy M. Vincent, Kans. Div. of Water Resources
Charles Bentrup, Water User
F. C. Snyder, Div. Eng. I. D. #2
John P. Burns, Mgr., Trinidad C. of C.
James E. Donnelly, M. D.
S. W. Azar, President, Trinidad C. of C.
W. B. Cunningham, Sup't., Water, Gas & Sewer
Ernest G. Myers, Pres., Hoehne Ditch Co.
Robert Mariano, Water Commissioner
John Kancilia, County Commissioner
Eugene Aiello, City Manager
Ray Nixon, Chief Engineer
A. T. McCarty
George W. Colburn, C.W.C.B.
The regular Administration meeting, scheduled for July 26, 1955, was changed to this date by unanimous consent. The meeting was called to order by General Kramer, Chairman and Representative of the United States, at 9:35 A.M. in the Ballroom of the Broadmoor Hotel, Colorado Springs, Colorado.

Chairman Kramer expressed the appreciation of the Administration to Mr. Leavitt for his arranging the meeting at this time and place. He noted the presence of the Honorable Edgar J. Chenoweth, Congressman from Colorado and a number of persons from the Trinidad area.

It was moved by Judge Tate, seconded by Mr. Crawford that minutes of the Administration Meeting of March 22, 1955 be approved, subject to subsequent corrections if needed. The motion passed.

Judge Tate made, Mr. Crawford seconded, and the Administration passed, a motion to approve the minutes of the telephonic meetings of April 9, 1955 and May 19, 1955. These follow:

Minutes of Telephone Meeting Apr. 9, 1955

Since winter storage in John Martin Reservoir was extremely small, about 6000 a.f., and it was apparent that releases of even 500 c.f.s. would deplete the supply in a few days, the question of quantity of release and time of empty reservoir was discussed by telephone on April 9, and agreed by Mr. Leavitt and Mr. Tate for Kansas, and Mr. Mendenhall and Nevius for Colorado that the State Engineer of Colorado would be notified, that commencing on April 14, that he should be prepared to administer decreed rights to water users in Colorado and that the reservoir would be empty by April 17. In accord therewith the following official notice was sent to Mr. J. E. Whitten, State Engineer for Colorado.

FINDINGS AND NOTIFICATION

by

ARKANSAS RIVER COMPACT ADMINISTRATION

April 9, 1955

WHEREAS, Article VF of the Arkansas River Compact which became effective on May 31, 1949, provides as follows:
"In the event the Administration finds that within a period of fourteen (14) days the water in the conservation pool will be or is liable to be exhausted, the Administration shall forthwith notify the State Engineer of Colorado, or his duly authorized representative, that commencing upon a day certain within said fourteen (14) day period, unless a change of conditions justifies cancellation or modification of such notice, Colorado shall administer the decreed rights of water users in Colorado Water District #67 as against each other and as against all rights now or hereafter decreed to water users diverting upstream from John Martin Dam on the basis of relative priorities in the same manner in which their respective priority rights were administered by Colorado before John Martin Reservoir began to operate and as though John Martin Dam had not been constructed. Such priority administration by Colorado shall be continued until the Administration finds that water is again available in the conservation pool for release as provided in this Compact, and timely notice of such findings shall be given by the Administration to the State Engineer of Colorado or his duly authorized representative. Provided, that except as controlled by the operation of the preceding provisions of this paragraph and other applicable provisions of this Compact, when there is water in the conservation pool the water users upstream from John Martin Reservoir shall not be affected by the decrees to the ditches in Colorado Water District 67. Except when administration in Colorado is on a priority basis the water diversions in Colorado Water District 67 shall be administered by Colorado in accordance with distribution agreements made from time to time between the water users in such District and filed with the Administration and with the State Engineer of Colorado or, in the absence of such agreement, upon the basis of the respective priority decrees, as against each other, in said District."

NOW, THEREFORE, acting pursuant to the above quoted provisions of the Arkansas River Compact, and in the exercise of the powers set forth in Article VIII of such Compact, the Arkansas River Compact Administration finds;

That, based upon the present quantity of water stored in, and anticipated release of water from, and inflow to, the John Martin Reservoir, the conservation pool thereof, within a period of fourteen (14) days from this 9th day of April, will be, or is liable to be, exhausted.

NOTIFICATION: in further compliance with the above quoted provision of the Arkansas River Compact, the Arkansas River Compact Administration hereby notifies the State Engineer of Colorado as follows:
That, commencing on the 14th day of April, 1955, unless a change of conditions justifies cancellation or modification of this notice, he is required, under the terms of the Compact, to administer the decreed rights of the water users in Colorado in the manner and for a period of time determined in accordance with the provisions set forth in the above quoted Article VF of the Compact.

The above findings have been made, and notification thereof given, by the Arkansas River Compact Administration on this 9th day of April, 1955.

/s/ Roland H. Tate
Vice-Chairman

ATTEST:

/s/ Harry C. Nevius
Secretary

Minutes of Telephone Meeting May 19, 1955

ARKANSAS RIVER COMPACT ADMINISTRATION

General rains throughout the valley on May 18, and 19 caused runoff below the dam in such quantity that the gates were closed 7 A. M., May 19. Water at Highland Dam on the Purgatoire amounted to 20,000 c.f.s. At the river gage in La Junta, 7,800 c.f.s., was recorded with more water reported in the Apishapa and other streams on the Arkansas.

On the question of declaring storage in John Martin Reservoir, Mr. Leavitt and Mr. Tate were contacted in Garden City and agreed with Mr. Mendenhall and Mr. Nevius for Colorado that sufficient water was available to declare storage under the terms of the Compact, Accordingly Mr. Hezmalhalch of the State Engineer office was contacted by telephone and later the State Engineer was notified as follows:
May 19, 1955

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

Dear Mr. Whitten:

This will confirm telephone conversation with Mr. Hezmalhalch, May 19th concerning action of the Arkansas River Compact Administration regarding water stored in John Martin Reservoir and in the Purgatoire River and the Arkansas River at Las Animas guaging stations which will be available by 6 P.M. May 19, 1955.

The Arkansas River Compact Administration finds this date that water is available in the Conservation Pool for release to water users in Kansas and in Colorado water district #67 as provided in the Compact, and notice is herewith given you, the State Engineer of Colorado, under the provisions of Article V F of the Arkansas River Compact.

Respectfully submitted,

/s/ Harry C. Nevius
Harry C. Nevius,
Secretary.

cc: F. C. Snyder, Division Engineer, Pueblo, Colorado.
R. J. McGrath, Water Commissioner, District #67, Lamar, Colo.
James E. Bone, Reservoir Manager, Caddoa, Colorado.

APPROVED:

/s/ Roland H. Tate,
Admin. Vice-Chairman.

General Kramer made his report as Chairman as follows:

He had been in Washington, D. C. in June 1955 and had conferred with Congressman Chenoweth on the subject of the Purgatoire Project.

He had received from the District Engineer, Corps of Engineers, Albuquerque, New Mexico a tabulation of sedimentation in the John Martin Reservoir. He requested the Resident Engineer of the John Martin Dam, Mr. James Bone, to ask the Albuquerque District Office to send each member of the Administration a copy of the Administration a copy of that tabulation. With the approval of the Administration, he referred this subject to the Engineering Committee for study and report to the Administration.
On question by Mr. Mendenhall, regarding evaporation data, it was stated that the data would be forwarded at the end of the water year.

Mr. Bone was asked if a new sediment survey of John Martin Reservoir was contemplated as the result of the flood of May 1955. He replied he had been told that such a survey would be made if money became available.

Mr. Nevius, as Secretary, gave his report as follows:

He had received acknowledgements of the Notifications and Findings of the Administration by the State Engineer of Colorado. These are entered in the record:

STATE OF COLORADO
OFFICE OF STATE ENGINEER
Division of Water Resources
Denver 2

April 19, 1955

Mr. Harry C. Nevius, Secy.
Arkansas River Compact Administration
Court House
Lamar, Colorado

Dear Mr. Nevius:

This will acknowledge receipt of your notification in regard to operation of the Arkansas River Compact, agreeable to Article VF thereof; and please be advised that this Department will govern itself accordingly.

Very truly yours,

/s/ J. E. Whitten
State Engineer

cc Ivan C. Crawford, Dir.
Colorado Water Conservation Bd.

R. J. McGrath, Water Commissioner
Water Dist. No. 67
Mr. Harry C. Nevius, Secy.
Arkansas River Compact Administration
Court House
Lamar, Colorado

Dear Mr. Nevius:

This will acknowledge receipt of your letter of May 19, informing that the Conservation Pool at John Martin Reservoir has water available for release to water users in Kansas and in Water District No. 67 in Colorado.

I wish to thank you for your attention to this matter.

Very truly yours,

/s/ J. E. Whitten
State Engineer

Pursuant to action taken at its March 22, 1955 meeting, he had acted for the Administration by signing a cooperative contract with the U.S.G.S., a copy of which is now entered in the record with a letter of transmittal and statement, as follows:

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

Water Resources Division
Surface Water Branch

May 19, 1955

Mr. Harry C. Nevius, Secretary
Arkansas River Compact Administration
Powers County Court House
Lamar, Colorado

Dear Mr. Nevius:

For your files and records I am enclosing an approved copy of the cooperative agreement between the Administration and the Geological Survey. Also enclosed is our voucher in the amount
of $500. The white and one pink copy of the voucher are for your files. The second pink copy should be attached to the check and mailed to the address indicated.

Needless to say we greatly appreciate the cooperation of the Commission in making funds available for our stream gaging program.

With best personal regards I am

Very truly yours,

/s/ Francis M. Bell  
Francis M. Bell  
District Engineer

Enclosures

............................ Water

COOPERATIVE AGREEMENT  
FOR INVESTIGATION OF WATER RESOURCES  

THIS AGREEMENT is entered into as of the 22nd day of March, 1955, by the GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the Arkansas River Compact Administration party of the second part.

1. The parties hereto agree that subject to the availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation an investigation of the water resources of the Arkansas River Basin in Colorado and Kansas.

2. The following amounts shall be contributed to cover all of the cost of the necessary field and office work directly related to this investigation, but excluding any general administrative or accounting work in the office of either party and excluding the cost of publication by either party of the results of the investigation:

(a) $500.00 by the party of the first part during the period March 22, 1955 to June 30, 1955 of which amount a portion may be held in reserve, for later release if funds permit, in order that the available Federal funds may be distributed proportionately among the cooperating States and municipalities.
(b) $500.00 by the party of the second part during the period March 22, 1955 to June 30, 1955

(c) Additional amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.

3. Expenses incurred in the performance of this investigation may be paid by either party in conformity with the laws and regulations respectively governing each party, provided that so far as may be mutually agreeable all expenses shall be paid in the first instance by the party of the first part with appropriate reimbursement thereafter by the party of the second part. Each party shall furnish to the other party such statements or reports of expenditures as may be needed to satisfy fiscal requirements.

4. The field and office work pertaining to this investigation shall be under the direction of an authorized representative of the party of the first part.

5. The areas to be investigated and the scope of the investigation shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods of investigation shall be those usually followed by the party of the first part subject to modification by mutual agreement.

6. During the progress of the work all operations of either party pertaining to this investigation shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.

7. The records and reports resulting from this investigation shall be released for public inspection as promptly as possible. Both parties shall have the privilege of publishing the reports, provided that the reports published by either party shall contain a statement of the cooperative relations between the parties.

GEOLOGICAL SURVEY
UNITED STATES DEPARTMENT OF THE INTERIOR

By /s/ Thomas E. Nolan
Acting Director

ARKANSAS RIVER COMPACT ADMINISTRATION

By /s/ Harry C. Nevius
Secretary-Treasurer
BILL FOR COLLECTION

Bill No. 44520-28-55

Date May 19, 1955

U. S. Geological Survey
Surface Water Branch, Federal Center, Denver, Colorado

PAYER:
Harry C. Nevius, Secretary
Arkansas River Compact Adm.
Prowers County Court House
Lamar, Colorado

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<td>Expenses incurred in cooperative stream-gaging program authorized by agreement dated March 22, 1955:</td>
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I certify that the bill is correct and just and that payment therefor has not been received

/s/ Francis H. Bell
District Engineer

NOTE: Please make check payable to the U. S. Geological Survey and mail direct to: BUDGET AND FINANCE BRANCH U. S. GEOLOGICAL SURVEY WASHINGTON 25, D. C.

AMOUNT DUE THIS BILL, $ 500.00