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COLORADO DIVISION OF WATER RESOURCES

DIVISION III ANNUAL REPORT - 1979

I. INTRODUCTORY STATEMENT

The first step in the preparation of each annual division engineer's report is a review of the previous year's edition. This is done with the fond hope that some of the past problems might have been resolved, mitigated or obviated in the intervening year. It is painfully evident that the major problem issues raised in the 1978 report are still with us as we conclude 1979 (and likely to still be around at the conclusion of 1980).

The "big story" in the Division for 1979 was the snow pack/water content accumulation which appeared to be at or near record levels on the surrounding watersheds. This alarming picture posed several problems for the Division III staff.

Preparations for possible flood conditions on all the major streams were begun early in March and brought to a fairly high level of preparation by the early part of May.

A "mock flood disaster" scenario was planned by the Governor's office for the Alamosa area. The thrust of the drill was to assess the capability of the State's disaster headquarters to respond to such a disaster. Denver's Channel 9 News was on hand in Alamosa and provided extensive coverage. They were apparently unaware of the purpose of the drill since their report dwelled on the deficiency of the local efforts.

The actual runoff, however, was well regulated by Mother Nature, and no serious problems were encountered. Thanks to the advanced measures undertaken under the general supervision and direction of the Corps of Engineers, and the cooperation of work crews for the Valley's cities and counties, the potential danger spots were eliminated. Peak flow passing the Alamosa gage was approximately 3000cfs.

The efforts by all during this trying period must be considered as well worthwhile, since it laid the foundation for an ongoing organization which will provide capable leadership if a real disaster should occur.

In addition to the flood potential, we were concerned about our high delivery requirements under the terms of the Rio Grande Compact and the terms of the Supreme Court Stipulation. The problems encountered will be detailed under the Rio Grande Compact, Section V, page 18.

In addition to our "high water" efforts, we were also involved in 10 weeks of litigation on our infamous "Rules and Regulations" trial, W-3466. Details will be covered under Section VII, (C), page 24.

The rest of our time was spent in routine administrative matters, water meetings, compact meetings, and more routine court matters.

WATER RESOURCE RELATED PROJECTS

8. ONGOING

<u>Sponsor</u>	<u>Owner/Project</u>	<u>Status</u>	<u>Remarks</u>
Rio Grande Water Conservation District (RGWCD) Colorado Water Conservation Board (CWCB)	Flowing well control program	Over 3077 wells now have controlled heads installed. 2651 valved 2" thru 12". 426 plugged 2" thru 10".	
RGWCD	Norton Drain	Maintenance to improve access, water delivery, and monitoring.	
RGWCD, USGS (United States Geological Survey)	Develop digital computer to replace analog model	Digital model has been verified.	
RGWCD, USGS	Observation well network Exploration holes (Costilla)	Added 10 new wells to network total now 66 wells. One piezometer installed in Death Valley well, 3 more + water table piezometers to be installed.	
RGWCD, USGS, CWCB, WPRS (Water and Power Resources Services formerly Bureau of Reclamation)	Closed Basin Project	See Underground Water. III, E, Page 10	
San Luis Valley Irrigation and Well Owners Association (SLV Irr. Well)	Well Augmentation Plan	Meeting scheduled with SLVWOW engineer to discuss annual credit computations.	
San Marco Pipeline	Water supply for Coal-Slurry Pipeline	See Underground Water. III, E, Page 10	

<u>Sponsor</u>	<u>Owner/Project</u>	<u>Status</u>	<u>Remarks</u>
SCS (PL 566)	Trinchera Watershed ditch lining and structure	Phase 4, holding-waiting on funds.	
RGWCD	San Luis Valley Water Resource Committee	4 meetings on recharge investigation. West side of SLV.	Colorado State University, Colorado School of Mines, DWR, SCS, Agronomist, water users and RGWCD board members.
RGWCD	Well monitoring with permanent recorders. Rio Grande fan .	See Underground Water 111, E, 10	Records (obsolete) furnished by USGS and CSU. Additional recorders expected.
<u>NEW PROJECTS</u>			
Colorado Geological Survey (Funded by the US Dept. of Energy)	Drilling Geothermal Gradient Holes (28 sites)	Work in progress	No open hole logs run due to lack of communication between concerned agencies.
RGWCD, SLV Cog	Rock Creek Salvage Plan	See Underground Water 111, E, 10	
DWR, CWCB, RGWCD, United States Corps of Engineers (USCE)	Snag and Drag on Main		
USCE	Advance Measures	See Floods 111, C, 8	

II. PERSONNEL

(November 1, 1978-October 31, 1979)

<u>Name</u>	<u>Position 1/</u>	<u>District</u>	<u>No. Worked 2/</u>	<u>Mileage 3/</u>
McFadden, D. H.	Supr. WRE	Div	FTE	1180*
Waddington, L. A.	Sr. WRE	Div	FTE	500*
Tipton, C.	Admin. Clrk. Typist B	Div	FTE	0*
Alspaugh, L. R.	Wtr. Comm. C	20	FTE	556*
Nash, M. E.	Wtr. Comm. A	20	FTE	9658
Smith, T.	Wtr. Comm. A	20	4 mo. (6)	4002
Gonzales, L. B.	Wtr. Comm. B	21	9 mo. (8)	9867
Morch, K. S.	Wtr. Comm. A	21	11 mo. (9)	8893
Parker, E.	Wtr. Comm. C	Div	FTE	4119*
Sorensen, D. M.	Wtr. Comm. B	22	FTE	14,278
Simons, L.	Wtr. Comm. C	22	FTE	17,748*
Hamilton, J.	Wtr. Comm. A	22	4 mo. (2)	5231
O'cana, G.	Wtr. Comm. B	24	7 mo. (8)	8558
Lamm, H.	Wtr. Comm. B	25	12 mo. (6)	11,801
Lovato, T.	Wtr. Comm. B	26	10 mo. (8)	10,049
Alspaugh, P.	Wtr. Comm. B	27	8 mo. (6)	8675
Escherman, C.	Wtr. Comm. B	35	10 mo. (8)	5230
Vandiver, S.	Sr. WRE	Div	FTE	0*
Davidson, S.	WRE A	Div	FTE (Began-3/3/79)	0*
Haubenreiser, D.	WRE A	Div	FTE	0*
Cotton, T.	Engr. Aide A.	Div	3 mo. (3)	0*

1/ Working force as of November 1, 1978.

2/ Working months - November 1, 1978 to October 31, 1979. Months reported for Water Commissioners include annual leave taken and work in office on the data bank. Numbers in parentheses show funded months.

3/ Asterisk indicates complete use of State vehicle. Mileage shown for private vehicles. Mileage and asterisk show mileage in private vehicles, and also that they used State vehicle part time.

Todd Cotton was again appointed to this 3 month position as Engineer Aide A.

Steve Davidson, WRE A, was appointed to replace Ken Beegles, who transferred to Division 7, Durango.

III. A. SNOW PACK

The snow pack/water content measurements through the 1979 spring months indicated an expected annual of approximately 199% of the 15 year average, as of May 1, 1979.

COMPARISON OF ANNUAL YIELD FORECASTS FOR 1979
(Thousands of Acre - Feet)

<u>Index Station</u>	<u>May 1</u>	<u>June 1</u>	<u>July 1</u>	<u>Est. Nov 30</u>
Combined Conejos Index	600	550	505.7	475
Rio Grande @ Del Norte	1200	1100	1030	955

B. PRECIPITATION - SUMMER

The period reported is the summer growing season from May 1 through September 30. Normal precipitation (1931-1960 averages) for the period, at National Oceanic and Atmospheric Administration reporting stations, is 6.28 inches.

The average annual precipitation is approximately 7 inches on the Valley floor.

PRECIPITATION AND DEVIATION FROM NORMAL (FROM NOAA REPORTS)
(Inches of precipitation)

Station	May		June		July		August		Sept	
	1	2	1	2	1	2	1	2	1	2
Alamosa	.94	.32	.72	.20	.19	-.98	1.61	.46	.22	-.49
Blanca	1.21	.34	1.06	.35	.80	-.61	1.16	-.50	.09	-.64
Center	.58	-.13	1.57	.96	.76	-.24	1.48	.22	.31	-.38
Del Norte	1.86	1.10	.53	-.21	1.08	-.40	1.75	.06	.47	-.39
Great Sands Dunes	1.38		.69		.29		1.37		.42	
Hermit	1.80	.68	.25	-.63	.95	-1.18	1.55	-.64	.45	-.91
Manassa	.62	-.02	.80	.16	.51	-.65	1.46	.01	.31	.40
Rio Grande Reservoir	1.62		.50		1.55		2.02		.88	
Saguache	.87	.12	.10	-.61	1.65	.12	1.00	-.53	.14	-.70
Wolf Creek	7.21		2.43		3.47				1.60	
Average	1.81	0.91	0.87	0.10	1.13	-.55	1.49	-.33	0.49	-.62

1/ Column 1 - Precipitation.
Column 2 - Deviation from normal.

Data from the table indicate about 92% of normal precipitation for the period. A major hail and rainstorm occurred August 10, 1979 over part of the San Luis Valley. Over one inch of precipitation fell in about 20 minutes in Alamosa, ruining many gardens and field crops.

C. FLOODS

Because of our unusually record high snowpack this year, we did have some flooding along the mainstream of the Rio Grande and Conejos Rivers.

Many meadows and several farmhouses did get some flood damage. None of the major towns in the Valley were threatened.

The weather cooperated beautifully and when the river was about to leave its' banks, it would cool off and shut the river down.

D. GENERAL

WATER BUDGET - DIVISION 3
Water Year 1978-1979

WATER YIELD:

<u>Water Source</u>	<u>Yield A.F.</u>
1. Inflow from gaged and estimates on unged streams. <u>1/</u>	1,905,000
2. Valley floor precipitation not accounted for in previous item.	<u>1,350,000</u>
Total	3,255,000

DIVERSIONS AND DEPLETIONS:

<u>Item</u>	<u>Diversion (1000AF)</u>	<u>Depletions (1000AF)</u>
Directflow diversions	1244	622.0
Wells	1200	840.0
Non-beneficial (E.T.)		800.0
Municipal <u>2/</u>		4.0
Stateline delivery		646.0
Underflow leaving division		<u>55.0</u>
Total		2967.0

SUMMARY:

<u>Item</u>	<u>AF</u>
Total water yield	3,255,000
Total water depletion	<u>2,967,000</u>
Change in underground storage	Total 288,000 +

1/ Estimated at entrance to Valley floor.

2/ Estimated for towns in the Valley on the basis of withdrawals from Alamosa municipal wells.

E. UNDERGROUND WATER

Conjunctive administration of surface and underground water is still the big unknown as to its ultimate form and time of implementation. Underground water administration continues to be restricted to curtailment solely on the basis of waste of water.

The 1978 report expresses the fears of all concerned about the continuing lowering of the water along the western edge of the Valley. The decline was thought to be a result of less recharge from two dry years and heavy stress from the heavy concentration of center pivot sprinklers in this area. There are approximately 1325 sprinkler systems, mostly center pivot, now installed in the Valley.

Water not needed for our 1978 Compact obligation was made available for recharge after the irrigation season (in November and December). Additional recharge was anticipated from the well above normal 1979 spring runoff. Well observation network headings to date have not indicated any drastic recovery.

Recharge water was again available in November and December of 1979. This recharge effort was monitored by representatives of CSU and Mines members of the San Luis Valley Resource Committee. They appear to conclude that a more controlled project is necessary before any definite quantification of recharge benefit is possible.

There is a growing feeling in the Valley that without a persistent wet cycle, we can not hope to reverse the declining water levels. An expanded recharge program is planned, but again, availability of sufficient available water will require an extended wet period.

Questions have been raised about the effect of a lowering water table on the Closed Basin Project. No

significant declines of water levels in the project area have been shown to date. Sprinkler density is much less around the project, and it is logical to assume that project water levels are mainly supported by recharge from the Sangre De Cristo Mountains on the east. These two positive factors may tend to support the ongoing viability and feasibility of the Closed Basin Project.

The Environmental Impact Statement and the Definite Plan Report for the Closed Basin Project have now been accepted by Washington, and the WAPRS staff is now waiting only for the Commissioners' authorization to proceed with the construction phase.

The San Marco Coal Slurry Pipeline investigations have now been finalized and reduced to final report, according to their representatives. A ten day pump test was conducted at the project site, with a sustained yield of 3200gpm. The operator reported that the extensive observation well network indicated no significant drawdown, but only slight cyclic changes in water levels, which they attribute to variations in barometric pressure. Preliminary hearing dates have been continued until June 1980, and trial date set for November 1980 for the San Marco application W-3665.

An A-95 review for approval of a feasibility study of a water salvage plan for the Rock Creek area is in progress. This plan, originally conceived and prepared by the Davis Engineering Service for the Rio Grande Water Conservation District, is now being sponsored by the San Luis Valley COG.

The plan was among those presented in Durango to the engineers representing the litigants in the Rules and

Regulations, Case W-3466, at the request of the Court. The plan is similar in concept to the Closed Basin, and would require the construction of a series of wells, both unconfined and confined, and development of the Rock Creek Drain Channel as a conveyance channel for delivery to the Rio Grande.

The wells would be turned on during the non-irrigation season, and water would be salvaged by the unconfined wells. The confined aquifer wells would be used only as necessary to assure acceptable quality of the water delivered to the Rio Grande.

The plan appears to be feasible from an economic and water management standpoint. From comments made to this office, however, it seems likely that the same legal and political problems which were raised at the Durango meeting will be an issue when the plan comes before the Water Court.

F. TRANS-MOUNTAIN DIVERSIONS (November 1, 1978 - October 31, 1979)

<u>Ditch</u>		<u>Source</u>	<u>District</u>		<u>Acre Feet</u>
			<u>From</u>	<u>To</u>	
Don La Font No. 1	<u>1/</u>	Piedra R.	78	20	45
Don La Font No. 2	<u>2/</u>	Piedra R.	78	20	148
Pine River Weminuche Pass	<u>3/</u>	Pine R.	31	20	207
Tabor Diversion	<u>4/</u>	Spring Cr.	62	20	1452
Treasure Pass Diversion	<u>5/</u>	San Juan R.	29	20	389
Weminuche Pass	<u>6/</u>	Pine R.	31	20	1244
Williams Squaw Pass	<u>7/</u>	Williams Cr.	29	20	0
Tarbell	<u>8/</u>	Cochetopa Cr.	28	26	294
Medano and Judson Ditches	<u>9/</u>	Medano Cr.	35	16	1000 <u>10/</u>

Recipient

- 1/ Colorado Division of Wildlife
- 2/ Colorado Division of Wildlife
- 3/ Paul Weaver, L. B. McClung, Bill Buttman
- 4/ Colorado Division of Wildlife
- 5/ Falk Brothers
- 6/ Leon Raber
- 7/ Seaborn Collins
- 8/ Mel Coleman, George Ward, Jerry Denton
- 9/ Cuerno Verde Ranch, Gardner, Colorado
- 10/ Water exported to Division 2, District 16

G. RESERVOIR STORAGE

<u>Name</u>	<u>Capacity in A. F.</u>	<u>Water District Number</u>
Alberta Park	598	20
Beaver Park	4,434	20
Big Meadows	2,437	20
Big Ruby	94	20
Bristol Head No. 1	121	20
Bristol Head No. 2	804	20
Continental	22,679	20
Cove Lake	6,380	22
Downing	30	20
Eastdale No. 1	3,519	24
Eastdale No. 2	3,041	24
Fuchs	238	20
Goose Lake	232	20
Grace	-	20
Hay Press Park	200	20
Hermit No. 1	385	20
Hermit No. 2	407	20
Hermit No. 3	192	20
Hot Springs	3	20
Humphreys	842	20
Hunters Lake	39	20
Jumper Creek	38	20
La Jara	14,056	21
Loch Haven	24	20
Lost Lake (Lower)	966	20
Lost Lake (Upper)	68	20
Love Lake	24	20
Meadow Lake (McCrone)	174	20
Meadow Lake (Wright)	115	20
Metroz (Lower Basin)	396	20
Metroz (Upper Basin)	84	20
Mill Creek	43	20
Mountain Home	18,595	35
Platoro	60,000	22
Poage	261	20
Regan's Lake	823	20
Rio Grande	51,113	20
Rito Hondo	561	20
Road Canyon No. 1	1,367	20
Road Canyon No. 2	84	20
Saguache	294	26
Salazar No. 1	234	24
Salazar No. 2	35	24
Sanchez	103,155	24
Santa Maria	45,070	20
Shaw Lake	681	20
S. Lazy U. Dude Ranch	106	20
S. Lazy U. Dude Ranch No. 2	42	20
Smith	5,651	35
Sowards No. 1-A	8	20
Sowards	35	20
Sowards No. 3	19	20
Sowards No. 4	45	20
Spring Creek	97	20
Spruce Lake No. 1	98	20
Spruce Lake No. 2	105	20
Squaw Lake	162	20
Stabilization (Head)	260	24
Streams Lake	41	20
Terrace	17,233	21
Trout	198	20
Troutvale No. 1	201	20

<u>Name</u>	<u>Capacity in A. F.</u>	<u>Water District Number</u>
Troutvale No. 2	257	20
Trujillo Meadows	913	22
Wee Ruby	186	20
Willow Creek	-	24

IV. AGRICULTURAL SUMMARY FOR THE SAN LUIS VALLEY - 1979

A near normal growing season length and good water supplies contributed to average yields of all crops grown in the San Luis Valley of Colorado. The 1979 growing season of 87 days was slightly below normal duration.

Moderate wind damage occurred to crops as a result of early May wind storms. Frost damage was observed on potatoes and some grain due to low June temperatures.

Soil moisture conditions was good to excellent in the spring resulting in good range conditions and good native hay yields.

The 1979 growing season was characteristically cool and wet during the spring giving crops a slow start but favorably improved for harvest.

<u>Crop</u>	<u>Acres</u> 1/	<u>Yield</u> 1/
Barley (malt)	89,000	65 bu.
Barley (feed)	11,000	72 bu.
Wheat (spring)	12,500	77 bu.
Alfalfa hay	110,000	2.0 T.
Grass hay	95,000	0.6 T.
Oats	7,800	72 bu.
Lettuce	5,400	550 ctn.
Potatoes	39,500	280 cwt.
Spinach	900	400 bu.
Cabbage	200	205 cwt.
Carrots	150	230 cwt.

1/ Estimates

This report was submitted and compiled by Jack Skwara, San Luis Valley Area Extension Agronomist.

V. COMPACTS

A. COSTILLA CREEK COMPACT

The annual meeting of the Costilla Creek Compact Commission was not held this year. These meetings are usually held during the month of May, at a time convenient for all concerned. Because of the high runoff and possible flooding potential in both Colorado and New Mexico, we were unable to work a meeting into this rather hectic period. Setting a later date was impossible due to the heavy Water Court load facing the Colorado Compact officials.

It has been suggested at the last two or three meetings that regular annual meetings are not necessary and cannot be cost justified. It now appears possible that, in the future, formal meetings will be held only as really needed.

Thanks to a more than ample supply of water during the past year, there were no administrative problems or complaints from the Costilla Creek users. We assume that the computations on the distribution of Costilla Creek water, including the Costilla Reservoir complement have been made, and will be reviewed along with the Watermaster's Annual Report, at a future date.

B. RIO GRANDE COMPACT

Administration of the Rio Grande Compact in high yield years has always posed real difficulties for those of us responsible. Early 1979 estimates were for record flows on the Grande and Conejos, and curtailments were imposed to provide sufficient water to meet the extremely high Compact requirements. Further complications arose in our attempts to reduce the flow at Del Norte for flood control purposes.

Compact water stored as "out-of-priority" water served to reduce the Del Norte Index as well as the obligation at Lobatos. We were again caught in the dilemma of how to handle the so called "out-of-priority" storage of Compact water. Such storage can not be considered as a useful tool in more closely meeting our obligation in high water years where the incremental delivery requirements at Lobatos approach or equal 100% of the Del Norte Index. (90% in the 900,000 to 950,000 increment). Reducing the Del Norte gage by storing water also has an injurious effect on certain decrees, since a Compact curtailment must come from water actually reaching Del Norte. With a given percentage curtailment, the amount of water stored can thus actually deny water to direct flow rights in an amount equal to 100% of the stored water less the curtailment percentage.

There is no doubt that such storage does reduce our overall obligation, and that the stored water benefits the direct flow rights and reservoir storage rights at some future time, but it does alter the priority system at the time of storage.

Reservoir administration as affected by the Compact is complex and a recommendation that the entire matter be reviewed will be made in that portion of the report.

The annual Compact meeting was held in Pagosa Springs on March 29th and 30th. In spite of some testiness on the part of the principals, there were no serious controversies and a pleasant time was had by all. The general feeling at this meeting was that the Rio Grande system could be looking at a record year, and all expressed concern about possible flooding. This concern was expressed most strongly by the Corps of Engineers.

As the runoff season passed and no serious flooding occurred, our concerns then shifted to internal administrative problems. It soon became quite clear that we were in trouble in trying to deliver the high flows of water required for Compact due to the poor condition of our main channels.

We were constantly criticized for allowing lowland flooding in trying to deliver the water to Lobatos. However, our decision was that we might get a good percentage of this water back, whereas putting the water out for use (particularly into the Closed Basin) would mean that we would receive little or no return flow. This would, of course, require higher curtailment at lower stages later on. It was another conflict between the priority system, which demands full protection of the senior rights, and a more efficient water management system where junior rights would derive the most benefit.

As the runoff began to subside, we began to revise the estimated annual yields' downward, but we were still looking at a rather heavy delivery at Lobatos. Our records indicated that high runoff years usually result in significant precipitation during the summer and fall. 1979 was an exception, with practically no precipitation received after July.

As of November 1, we felt that the Compact delivery was in a relatively safe status, and we permitted diversion for recharge through some of the larger canal systems on the Rio Grande.

Preliminary data indicate an overall margin of Compact delivery at 12,200 acre feet. Considering all the factors, this amount with the adjustments made at the Engineers Advisors meetings should be considered as more than acceptable to all concerned.

CURTAILMENT SCHEDULE FOR 1979

<u>Rio Grande</u>		<u>Conejos</u>	
<u>Date</u>	<u>% Curtailed</u>	<u>Date</u>	<u>% Curtailed</u>
April 23	35% and return flows	April 4	50% for Compact
June 20	20% Compact, with direct delivery 15% for Compact & return flows.	July 7	Increased to 65%
July 7	45% + return flows Out-of-priority storage of reservoir flow.	August 10	Decreased to 60%
July 15	Increased curtailment to 55%. Stopped out-of-priority storage.	September 5	Ceased Curtailment
August 10	Curtailment 45%		
August 25	Curtailment removed		
September 5	Allowed return flow diversion.		

VI. DAMS

A. State and Federal Dam Roster

Roster available in Data Bank.

B. Inspections, Failures, Restrictions and Stop Orders

The recommendations made by the Corps of Engineers in the 1978 series of inspections resulted in rather extensive remedial work to several of the larger structures during 1979.

The crest on the Rio Grande Reservoir was raised and modification to the spillway were completed just prior to the heavy runoff period.

As a matter of record, the reservoir's engineer recommended that they not store for a period of approximately one week when water was available. Reasoning for this decision not to store was professed to be from a dam safety-flood storage aspect. Storage at this time was approximately 7000 AF, and the reservoir's capacity at spillway elevation is 51,113 AF.

The situation at Terrace Reservoir has gone from bad to worse. In November 1979, the operator found that the newly installed righthand valve could not be fully shut but was leaking an amount of water which made it unwise to enter the discharge tunnel. A team of divers were brought in, and determined that the newly installed valve seat had separated. Parts of the valve seat were found downstream from the valve chamber.

Due to discovery the whole project to bring the reservoir and dam up to an acceptable operating condition is now back to square one. The owners are now planning a complete review of the situation and hope to receive technical input from the Corps of Engineers, Division of Water Resources as well as from their own engineers as to how to proceed.

VII. WATER RIGHTS

A. DATA BANK ENTRIES

The updating of the water rights data base is an ongoing procedure with many court actions completed and adjudicated in the past year. Approximately 550 new items and 150 corrections to existing items are ready for entry into the data base.

B. REFEREE'S FINDINGS AND DECREES

SUMMARY OF WATER COURT DECREES

<u>Category</u>	<u>1969 thru Oct 1972</u>	<u>Nov 1, 1972 thru Oct 31, 1978</u>	<u>Nov 1, 1978 thru Oct 31, 1979</u>
Underground Water Right	110	11,217	659
Change of Water Right	1	307	N/A
Plan of Augmentation	0	12	3
Surface Water Right, Ponds, and Springs	6	184	40
Diligence (Conditional Decree)	0	29	2
Water Storage Right	<u>0</u>	<u>82</u>	<u>1</u>
Total Decrees	117	11,831	705
Applications rec'd by the Water Court	2,914	959	120
Number of referee consultations	62	11,845	692

Total W-cases received 1969 thru October 31, 1979 is 4050.

Total W-cases terminated 1969 thru October 31, 1979 is 3767.

In 1979, Joe Clark was appointed field investigator by the Water Court, and a steady "speed up" progress has since been seen.

C. UNRESOLVED COURT LITIGATION

It has been said that the wheels of justice grind slowly, but exceedingly fine. We are not so sure about justice, but water litigation is exceedingly slow.

Of the cases mentioned in last year's report only one has been terminated. The terminated case W-3542, People vs. De Herrera, was settled by stipulation. Several filings just at the end of 1979 will create a lot of interest, and will undoubtedly make this section on next year's report.

A brief update of the major unresolved cases follow:

W-3038 Application for Water Rights of the Rio Grande Water Conservation District, in the Closed Basin, San Luis Valley in Alamosa and Saguache Counties

This matter was re-referred to the Referee by the Water Judge. A Referee's Report and Ruling was issued on August 23, 1979, granting the conditional rights. Protests were filed, and an Order Setting Motions for Hearing was issued by the Water Judge, which set the hearings for March 15, 1980.

W-3394 Middlemist/San Luis Valley Irrigation Well Owners, Plan of Augmentation

No further action in this matter. A meeting between the engineer for the SLVIWO and this office is tentatively set to discuss the matter of accounting for the credit for 1979.

W-3466 Proposed Rules and Regulations for Division III

A full ten weeks of trial were held in this matter during 1979, beginning in late spring and continuing thru the end of July. Breaks in the trial were officially called in order that all concerned could take care of other matters, but in reality, they may have been called to prevent various attorneys, engineers,

court reporters, and the judge from suffering complete mental and physical breakdowns.

The testimony is estimated to consist of between six and seven thousand pages of testimony. It has been reported that Judge Eakes has indicated that he will render his decision before the end of January (1980, we assume). This decision will certainly unleash a flood of protests, appeals, and a new round of bills for legal fees. Hopefully, the case will go to the Supreme Court prior to the end of 1981.

W-3560 People vs. Mogote-Northeastern Consolidated Ditch

This matter still in continuance pending a final decision on the Rules and Regulations case.

W-3894 People vs. Reed

The State's Motion for Declaratory Judgment case was resumed on August 13th thru 17th. After several delays, the trial is to continue with the period January 14th thru 31st (1980) blocked out by the Court.

It has been increasingly difficult to remain philosophical and unemotional about this case. This case, from its beginning in 1973, should have been limited to a determination by the Court as to the meaning of the various related degrees entered. Because of directions taken by the various attorneys involved, and the Court, this case has assumed a "Jaws II" posture, with an appalling cost in time and money to people already on the verge of bankruptcy!!

VIII. ORGANIZATIONS

A. Water Conservation and Water Conservancy Districts

Rio Grande Water Conservation District
Mr. Franklin Eddy, Manager
Alamosa, Colorado 81101

Conejos Water Conservancy District
Mr. Leland Holman, Secretary
Manassa, Colorado 81141

San Luis Valley Conservation District
Mr. William DeSouchet, Attorney
Alamosa, Colorado 81101

Trinchera Water Conservancy District
Mr. Carl Escherman, Secretary
Blanca, Colorado 81123

Costilla Water Conservancy District
Mr. Maclovio Martinez
San Luis, Colorado 81152

B. Water Users Associations

Alamosa-LaJara Creeks Water Users Protective Ass'n.
Mr. John Shawcroft, President
Alamosa, Colorado 81101

Association of Senior Water Rights
Mr. James Higel, President
Alamosa, Colorado 81101

Monte Vista Water Users Association
Mr. Leland Ullstrom, President
La Jara, Colorado 81140

Rio Grande Canal Water Users Association
Mr. John Wright, President
Monte Vista, Colorado 81144

C. Ditch Companies and Irrigation Districts

The listing of ditch companies and irrigation districts is no longer a part of this report. All of the information carried under this heading is in the data bank and will be available in the printout of the district summaries.

1979
ANNUAL SUMMARY - DIVISIONS
ACRE FEET (11-1-78 thru 10-31-79)

Div 3 Districts	Non-Exempt Wells #	Ditch Structures Reported	Direct Diversions To Irrigation	IRRIGATION		Storage To Irrigation	CURRENT YEAR Acres Irrigated	TRANS MOUNTAIN	
				Diversions To Storage	Diversions To Storage			Export	Div to Div Import
20		240	622,612	-----	27,292	344,416	-----	3485	
21		76	119,632	-----	10,400	46,987	-----		
22		101	219,956	-----	-----	99,653	-----		
24		67	64,632	31,610	5,178	32,897	-----		
25		89	95,426			15,849	-----		
26		72	39,168			18,536	-----	294	
27		24	24,276	-----		5,356	-----		
35		49	58,018		13,542	14,560	1,000	-----	
Total		718	1,243,720	31,610	56,412	578,254	1,000*	3779	

* No recording device or check by water commissioner.

Districts	MUNICIPAL			INDUSTRIAL		RECREATION		ACTUAL STORAGE		# Decree Appl.	# Water Court Appl
	Direct Diversions	Diversions To Storage	Storage Releases	Direct Diversions	Diversions To Storage	Hydro-Power	Storage - Wild Life Parks	For Year All Reservoirs			
20	510	-----	-----	364	-----	---	9,813				
21	---	-----	-----	---	-----	---	-----				
22	84	-----	-----	---	-----	---	913				
24	---	-----	-----	---	-----	---	-----				
25	---	-----	-----	---	-----	---	-----				
26	---	-----	-----	---	-----	---	-----				
27	---	-----	-----	---	-----	---	-----				
35	---	-----	-----	---	-----	---	-----				
Total	594			364			10,726				120

X. CONCLUSIONS AND RECOMMENDATIONS

Conclusions

1979 can be most accurately characterized as a year of uncertainty. Early on, we were uncertain about: (1) the effect of the record snowpack on our operation as regards (a) the flood potential, and (b) the Rio Grande Compact Administration. Had Mother Nature not cooperated so well on item (a), item (b) might not have been of much concern.

Uncertainty (2) was in the matter of the Rules and Regulations case. There was some real concern that (1) (a) might have caused yet another delay in getting on with the case. As to the case, there was some uncertainty because of a faint hope that some compromise might be reached before or at some point during the trial. This faint hope was kept alive until after the trial, but finally died in Durango on the first of August.

Uncertainty (3) was brought on by the resignation of Kupe as State Engineer, and the subsequent period of waiting for the appointment of the new State Engineer.

The interrelation of these uncertainties made for a difficult year, and we trust that we will not be concerned with their likes in 1980.

Recommendations

The recommendations made last year can essentially be carried over this year. Fish ponds, extended use, waste of water, particularly by flowing artesian wells in the non-irrigation season, are still issues that need addressing and policies adopted.

It is too early to say, but there seems to be reason to expect some improvement in our legal representation problem. Due to the efforts of Bill Paddock of the Attorney General's office, we appear to be moving to the establishment of a

operating criteria on the "beaver dam" problems with the Division of Wildlife.

Reservoir operation during 1979 became a great big headache for us, and we have some internal differences as to how best to proceed. We will attempt, in the near future, to discuss this matter at this level to come up with a plan, or alternative plans, which we would then present to the State Engineer for his review.

As we begin a new era, we earnestly hope that we can look forward to better communication with the Denver office. We will present some recommendations along this line at the Division Engineers' meeting.