FREDERICK W. PADDOCK
IRRIGATION DIVISION ENGINEER
P. O. BOX 15

Nov. 30, 1959

SUBJECT:

ANNUAL REPORT

Mr. J. E. Whitten,

State Engineer.

Denver, Colo.

Dear Sir:

I herewith submit my annual report.

The irrigation season of 1959 was somewhat unusual in that the expected drouth condition for August and September did not occur. We did, however, have a severe water shortage take place in July. It happened in such a time that there was no apparent crop damage. It did, however cause some problems to arise, whichin some instances could not be disolved immediately, as we shall state in the District paragraphs following. With the exception of July, water supply was adequate and evenabundant and the growing season was unusually good. Crops yields appear excellent in quality and quanity. Livestock is reported excellent in weight for market.

Water District 28

Mr. Hicks averaged about ten days each month from May through September. We are therefore going to furnish him books and sheets for the 1960 season. Mr. Hicks is probably the commissioner with the most tenure of office in the State of Colorado. He was appointed Water Commissioner by Gov. Peabody in 1902. He actively managed a cattleand hay ranch until 1958. This the first season since I have been Div. Engineer Mr. Hicks has worked this much. While he submitted no written report, we are able to give some or most of the statistics for his district.

Water District 40

Toward the end of the season, there was some repair or rehabilitation work done on several dams. The Vela Reserving Dam has been brought up to its original height, we are informed. We were resent during installation of portions of the new outlet conduit. We are very happy to see

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this done as in times past there was some question as to whether or not with inadequate freeboard, a poor spillway located inlight sand, and a pipe which could carry about 40% of the diurnal peak flow the the structure would stand up or fail. As we understand it, There is some work to be done yet, however the important and major portions are done.

The Beaver Dam Reservior Dam remains untested as it only filled to about 45 feet in depth. Expected leakage in the West abutment took place, with no apparent damage or trouble occuring. Storage will be held to a gage height of 75 or 80 feet next season with an inspection during the fillingseason when the water is approaching maximum storage point.

The Granby # 11 Reservoir Dam was breached and a new conduit layed. A large body of peat or muck was removed across the front or upstreamsection and replaced with sound earth. Due to the lateness of the season, work was suspended before completion. Water which would normally fill their reservoirs will be stored in Granby # 12.

The Kiser Reservoir Dam was rebuilt during the season, and is in good shape for storage next year.

The Big Battlement Reservoir Dam was repaired under very adverse conditions. Fortunately, frost was not one of them. Engineer Morrill and his assistant, Mr. Cannon supervised the work. A core trench was excavated down into impervious material in the foundation and sloped and backfilled with oil well bentonite and earth mixed together. We will fill with caution this next year. However we believe that no further trouble should develope at this point.

The above paragraph pretty wellcovers repair work on storage dams in Water District 40.

In regard to ditches and flow, we experienced little trouble except on two creeks. On Oak Creek two sets of water users have, it appears, more or less changed the course of either Oak Creek or of Doughspoon Creek. Both parties worked on the junction point with axes, shovels and rock work. Since the original channel is the creek, and the other an undecreed diversion

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and we were not present prior to the appropriation, we asked the parties to go to court and get a decree of some sort to settle the matter.

The other flow question was on Young's Creek and involved the question of getting natural flow past the reservoirs. This same question and the same people go to bat every second or third year. We will presume that in 1961 or 1962 it will come up again, and that time we intend to jump with one foot instead of two into the middle of the situation.

Water District 41

In this District there was a good supply of water except for a three_week period in July. From about the tenth of July to the thirty first, we had some shortage due to the Uncompangre River falling of in flow. Late in July and during August, sufficient rain fell to alleviate any real harm.

The Uncompanier Valley Water Users Association had a critical period for some two weeks in was raised to 100 percent, and reached a minmum of 60 percent on July 17. When the rains fell, they were general after which and flow increased, and delivery were increased to 95 percent on Aug. 6 and they raised on Syst. 8 it was necessary to cut to 80 percent and finally on Syst. 17 were cut back to 160% of delivery.

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The Big and Little Buckhorn Reservior Dams were inspected and it was found necessary to recommend that after 1960 repairs be made on the Big Buckhorn Dam. The Little Buckhorn is still in good shape. We presume that with a little prodding the planswill be sent to your office this winter.

Water District 42

Some work has been done on several reservior dams, and the inspect of the Thompson #2 Reservior Dam Enlargementon Pinon Mesa, at the request of Mr. Spannagle from the Glenwood Soil Conservation Office. He had a copy of the plans with him. Measurements and inspection revealed the structure to have been built quite at variance with the approved plans. While we recommended testingthe structure by storage, we canonly say that while it may prove safe for storage, it was not built according to the approved plans.

The Town of Palisade has rebuilt their Cabin Reservior Dam to approved plans and to date has given notrouble that we are aware of, and at present we do not anticipate further trouble.

The Vega Reserver is approaching completion and the delivery works are progressing nicely and may possibly permit some water deliverys to be made in 1960.

The Coon Creek # 3 Reservir Dam Rehabilitation has been completed. It was completed how ever, just prior to the second snow storm, and I was not notified until afterward. With the exception of the walkway to the outlet valve control, the project appears to comply with the plans. We now recommend full storage.

Work is uncompleted on the Long Slough Res ervoir Dam, but progressing.

We had one unusual problem on Lower Coon Creek. A man who owns no intrest in a Junior ditch; and uses no water from it, dammed off the creek a few feet above the shut and locked headgate

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and hand dug a ditch around the headgate, diverted the entire flow of the creek into the ditch. He did this in front of Deputy Commissioner Bieser, who did his very best to talk the party out of committing the act. The Commissioner filed a complaint with the help of the District Attorney. The Sheriff served the warrent. The man hired a rather competant attorney and was let on \$350. bail. To make a long story short, he still is. The resolution of the problem is not in sight at the present. A civil action on the part of the senior user who was deprived of his water is the probable or eventual answer. About all we can say is our Criminal Procedure in such a case is not only very unsatisfactory, but very poor.

Water District 59

Due to Commissioner Koch taking X-ray treatments in Denver during the month of July, Commissioner Glendenning, (District 41) and myself worked out a method of substituting for Mr.

Koch. We made quite a discovery; that is, one must regulate water by starting at the downstream end of the section to be worked and move upstream, making such regulations as needed.

Not following such procedure merely adds to Junior Appropriators between the point where needed and where turned downstream. Mr. Koch has installed several new flumes and headgates on East River and Slate Creek, between Almont and Crested Butte.

Water District 60

Each year a few more persons ask for administration in this District. Commissioner Sullivan had a bad time with Maverick Draw this year. In August the stream simply dryed up and was so short of water that it was not possible to help any decree out. We received one complaint and met the man complaining and went over the system with him in person. The man was satisfied when our survey was over, that (he had almost no water because that was the way it really was. The Commissioner took a dim view of having a young man about one half his age questioning his judgement. How everyone cooled off when it rained. That ended the trouble.

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Discontinuing the two gages above and below the Gurley removed two bad problems for us. It has also cut down on a lot of local discontent. The lawsuit has bogged down and the chances are it will be settled. (Office it became clear that the water officials were not interested in dividing water below the headgate and that the measuring devices installed under our advise work, a great deal of intrest was lost.)

Water District 61

Only 427 acre feet of storage were acquired by the Buckeye Reservoir. This is approximately 20% of its storage capacity. Flow was not a great deal better. We recommended a Parshall Flume to solve the only measuring problem in this district this year. The flume, duly installed is about three miles over in Utah in what we locally call the lap land. This particular problem involved an appropriation in Utah, delivered via Paradox Creek in Colorado.

Water District 62

Due to a protest about Mr. Koch's administration of Pine Creek, we find that we have an entire priority list in the 1913 general Adjudication to revise. For some reason, not clear to us, the Court did not list the prioritys in order reported by the Referee, Although the Court approved his findings and report and made them specifically part of the adjudication decree. It is quite possible that an appeal may be made with your office for a hearing before this is over. It is further possible a suit may result, although we believe we may be able to hold it off by presenting a more attractive alternative.

Water District 63

This is a very small district and is being well taken care of with a minimum of time. The Commissioner is doing the work in 50 to 55 days per annum. Once Parshall flumes were installed on West Creek, there were no serious problems.

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Water District 68

There is a Trans-mountain Diversion from District 60 into District 68, which will necessitate some administrative work on the part of the two Commissioners and myself next year. This area became snowed in before the three of us could get together and throughly investigate it. There are two ditches immediately involved in district 60.

Due to rain this district came out in good shape, with high crop yield and good quality.

In a change of point of diversion action, the court restricted the use of the water to its original acreage; and specified that a measurating device would be placed at a specified point under the supervision of the water officials. The courts findings were that the water had to be used on a specified piece of ground and in fairly clear language that the water officials would not permit an enlargement in the use of the water. Since this was all done in a general adjudication proceeding it left the local water officials somewhat dizzy, but we found we could live with it.

This district which needs a storage project badly. 5,000 acre feet, or possibly 10,000 acre feet would fix this area up in excellent shape. (Such a project which incorporated users in district 41, and went to 30,000 or 40,000 acre feet would take careof both districts.)

In conclusion, we will say that we believe that a study should be made of the criminal aspects of theft of water. We believe that the time has come when theft of water should be based on the value taken as well as the fact that an unlawful appropriation is made to some one else's detriment. We believe and recommend that theft of a specified number of acre feet should be called a felony, and that our citizens should be educated into considering a serious hardworking water thief in the same light as a bank robber. In a moral sense, there is not one iota of difference. Practically, however, theft of money is a felony at a certain point, while theft of water is a misdemeanor in any amount of value.

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We enjoyed the work a major portion of this year, and feel we have made some improvements. We hope to continue.

Very Truly Yours,

Frederick W. Paddock

Annual Tabulation of Water Commissioner Reports for Irrigation Division No. 4
State of Colorado Reservoir Report

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Annual Tabulation of Water Commissioner Reports for Irrigation Division No. 4 State of Colorado Ditch Report

| | | | | | <u> </u> | | |
|----------------------------|--------------------------|--------------|------------------------|--------------------------------|------------|-----------------|--|
| Water | No. of | No. of | Amount of | Daily | No. of | No. of | |
| District | Ditch decrees | Ditches | Water in Acre | Amount of | Days water | Irrigated Acres | |
| Number | in the | Acministered | Feet delivered | Water run in | Was run | in the | |
| | Water District | | | Second feet | | Nater District | |
| | 3 | | | | | | |
| | 8 | 11 | | | 9 | 200 08 | |
| 28 | 439 | No report | of amount of water run | ter run | 001 | 90,000 | |
| 40 | 1,520 | 482 | 809,608 | 848 | 365 | 152,600 | |
| 41 | 222 | Ø | 648.213 | 888 | 365 | 97.594 | |
| | | | 31,396 | 43 | 6 | | |
| 77 | 1.434 | 206 | 1,117,373 | 1521 | 366 | 117,4861 | |
| 69 | 635 | 09 | report incompl | report incomplete at this date | 9 245 | 39,204 | |
| 09 | 454 | 24 | 62,300 | 122 | 214 | 41,386 | |
| 61 | 59 | 14 | 4,490 | 6.15 | 365 | 5,934 | |
| 29 | 332 | 42 | Report incompl | Report incomplete at this date | 365 | 21,687 | |
| 63 | 114 | 21 | 2,044 5,288 | 2.80 | 365 | 885 | |
| 89 | 380 | 138 | 95,790 | 239 | 200 | 25,943 | |
| Total for Division Ng.4 | r Ng•4 5 <u>,5</u> 97 | 1,086 | 2,266,493 | 3,687 | 365 | 555,646 | |