

1963

Day 4

1963 has been the most unusual year we can recall, not only during the period of our tenure of office, but also covering a period more or less of twenty-two years, when we first got into the active work of water measurements and records.

First, we started the season with no low altitude snow and only a meager supply at high altitudes. During the first week of July when the situation became extremely serious and grim, it commenced to rain.

Second, we had neither snow runoff flood water, nor rainfall flood water. However, we had one of the best seasons from an agricultural production viewpoint I have ever seen in our local agricultural industry.

After it became apparent that there was a serious shortage of water, I saw less water in the borrow ditches and arroyos and gulches than I have seen in the past fifteen years. People took better care of their water in 1963 than I have ever seen. It appears that this is a major reason that we had such a good crop year.

We had a very cool spring. Much of our snow evaporated it appeared, rather than melted and run off. The cool weather,

while permitting evaporation, tended to hold back and equalize the runoff of May and June. Runoff of sufficient volume to afford a full supply of water did not occur until about May tenth to fifteenth in most streams. As usual in a year of short water supply, many of the small streams furnished inadequate supplies.

Range conditions never appeared good this season, but both cattle and sheep appeared to do well.

Quality of sugar in the sugar beets is reported high. Potato yield was high for the type used in the potato chip plant in Montrose. Moravian barley yielded well, although there were some losses due to hail and wind storms. Hay crops were heavy, but some was lost and damaged in rainstorms in July and August as the second and third cuttings of hay lay in the fields curing.

While noting some of the gloomy aspects, we will rate the year as one of our best years of production. We are happy to also report that no serious or big administrative problems arose. People on the whole spent their time on the problems of production and not on useless quarrels.

By individual ^{water} Districts, we report, as follows:

District No. 28 - We regret very much the retirement of Commissioner J. Roy Hicks during the season as he had earned the respect of the majority of the water users in the District. His career with the State was a long one, having been appointed by Governor Peabody in 1902.

This office had to act as Water Commissioner several times in the early spring, principally on Cochetopa Creek. On

our first trip, we had to turn down some water. On our second trip, we found two headgates (such as they were) molested, but apparently only one by its owner. A downstream user by his own story changed the other one. On the third trip, we shut off the Cochetopa Creek transmountain diversion to Saguache Creek. Flows in Cochetopa Creek being so low, this ditch should never have run any water as it is undecreed (to the best of my knowledge) and we never did exceed much over a 35% supply of flow in Cochetopa Creek for the early priorities. We had the poorest supply of water for Cochetopa Creek known to me. One ditch in particular had to be left shut off because they had no headgate, only a box with loose flash boards. This ditch has a decree for 35 cubic feet per second and will carry perhaps 50 cubic feet per second. At one time, we could have delivered them 7 cubic feet per second for a couple of weeks. This spot will be called to the new Commissioner's attention and he will be encouraged to improve this, if possible.

On Main Tomichi Creek, there will be a section from Parlin upstream that will require some adjustments in the administration, which will be worked out as the problems become apparent. This District is somewhat analogous to Water District No. 41 and Water District No. 68 in which, during the first adjudication, the direct flows of the streams were heavily over appropriated. For this reason, construction of the electric generating facilities downstream will probably have small effect, if any, upon the water users of District No. 28.

Mr. Arlyn Davison (successor to Mr. Hicks) and I set up the field books for the entire file. However, next year revisions will be necessary, and the three books we used this year may be only two next year. We would like to commend Mr. Davison for the energy and hard work he has expended. Considering that he had to assume his duties in the middle of the season, he has done an excellent job.

District No. 40 - In my notes for this year, I find very little of an unpleasant nature in this District involving the Water Commissioner or me.

During the season, Deputy Water Commissioners Frank Hart of Eckert and John Crouch of Lazear were retired under the new Retirement Act.

The Overland Reservoir Dam had a properly designed spillway installed this summer; and, from inspection, it appears to have been put in as provided by approved plans. Complaint was made that there was either no gage rod or an improperly marked gage rod. We found the gage rod still in place and freshly re-marked. The original marking was done by Commissioner Robinson and the last job by Engineer ~~Robert~~ McDermith of Paonia. With the new spillway in place and at the lower elevation, we anticipate and hope that very little movement takes place in the foundation. With a safe spillway and a re-marked gage rod, our problems should be over at this reservoir for a while.

An engineer has been retained to repair and enlarge the Knox Reservoir Dam, which had a severe slide in the foundation and the backslope. Restricted storage for 1963 will, of course, be resorted to until the structure has been rehabilitated.

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The Kiser Reservoir Dam is still in bad shape, as no adequate work based on sound plans has been done.

A new Parshall flume was installed below the Trickle Park Reservoir Dam which was equipped with two still wells, one on each side of the upper gaging section. It is the best such installation we have observed on Grand Mesa to date. Flow into the device is, for all practical purposes, almost perfectly streamlined. Such installations certainly cut down measuring problems on a stream as a whole.

We have a request for an order for a Parshall flume installation by a Reservoir-Ditch Company in one of its own ditches. We have not issued the order to date. We can find no valid reason to order in a measuring device not needed by the Water Officials. It appears it might be to the Ditch Company's advantage to put it in; however, in such cases we feel that such problems should be decided by the Board of Directors involved and not by our Department.

On Leroux Creek, we find things improving in general. The Court entered a decree for the exchange of water by the direct flow users of the Conservancy District and the reservoirs upstream with the Fire Mountain Ditch Company, which Company, in turn, supplies the principal downstream users. Basically, it is a proposition that North Fork River direct flow and storage is introduced downstream, and like amounts are then taken out upstream. Because it is a decreed proposition, we have had almost no trouble with it, as the water users appear unwilling to complain to the Court, if they have such complaints, and they realize the officials cannot proceed contrary to the decrees.

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We permitted additional storage in the Beaver Dam Reservoir on Minnesota Creek with no reported increased leakage. We are under the impression from oral reports that additional plating of the leaky west natural embankment has been done. The work done so far has decreased leakage.

In September of 1963, the Brennan Reservoir Dam on Anthracite Creek was rebuilt and raised about five feet. The outlet valve works were repaired, and a new valve house was built. The work was inspected on completion by Mr. Jack Simson, of the State Game, Fish and Parks Department, and me. The local Forest Service Ranger was present, as were several other people and the contractor. The contractor appeared quite proud of his job and I will say it appeared that he had such a right. The object is to provide better summer fishing and retain sufficient storage for domestic and municipal water for Crested Butte.

It appears negotiations are under way by the City of Delta to buy up the land and water rights of the early or senior water rights on Oak Creek. Last spring they bought up the secondary rights. This should eliminate one of our troublesome areas, as the City will control all senior storage and direct flow rights, all secondary storage and direct flow rights, leaving one very small junior reservoir and a ditch with a very junior flood water right. It is an extremely difficult area to reach and administer.

We assisted the Commissioner in an hydrographic study of Surface Creek, attempting to find a water shortage in the upper section. We were unable to find any ditch with an over supply or one running when it should have been off.

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We note some improvement in this District and see signs of more to come. Should the Bureau of Reclamation report favorably on the Grand Mesa Project and build it, the critical areas should have plenty of water.


District No. 41 - This was the principal District to be in trouble in 1963 in our Division. Statistically, we find that this District ran more water than usual. In the end, the Creeks having watersheds mainly under 10,000 feet sea level elevation were the ones short of water. Horsefly Creek falls in this category. It has a very open watershed with no timbered slopes and is a small shed not much over 10,000 feet in elevation. In a good year, it will run flow for sixty days, which is adequate for the two senior ditches. About one week before the Creek runs dry, it begins falling off sharply; and usually in about five days it is then dry.

A newly built reservoir in District No. 60 partially fills from a new ditch from the eastern side of Horsefly Creek. As it turned out, through a series of errors both on the part of the water users and of the water officials, about forty acre feet of water was run from District No. 41, none of which should have been run to Water District No. 60 users, as it was needed by the first adjudication water users on the Uncompahgre River. After everyone helped himself, we were called in to regulate. Our usual policy is not to regulate until called; however, the secondary water users are suing the undecreed user over the water that should have gone to the senior users. Possibly had we moved in sooner, there would have been no litigation.

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District No. 42 - The principal important action taken this year in District No. 42 was to attempt to devise a new set of forms and administrative procedures to assist in keeping the records more accurate and current. The Collbran Project has made this necessary as we are having to keep our own records in our regular field books and in addition attempt to keep sufficient additional records so that we can say this was flow, this was storage, and this was project water. In our oral discussion of this report, we will ask for the views and recommendations of other members of the Department outside of the Division. It appears at present we are on a pretty good course to solve our daily problem of distribution.

It was necessary to ask for a new headgate, resetting of the Parshall flume, and that an automatic register be installed in conjunction with the measuring device on the Palmer Ditch. This became necessary because this one ditch is the only ditch on the stream not tied in with the Collbran Conservancy District by contract. In other words, all other ditch owners on the stream, as well as all the reservoir owners, entered into a contract with the District to use Vega Reservoir Storage to replace their direct flow and storage from their own creek. At present, our difficulty seems to be that the number one ditch owners are rather dilatory in maintenance and repairs and our local Deputy Water Commissioner and Commissioner seem to encounter difficulty in realizing that the water officials have no interests in enforcing or administering contracts. In another year or two we hope to smooth out our administration around Collbran. At the request of the U. S. Forest Service Engineer in Delta, we inspected the DeCamp Reservoir Dam,



which has been rehabilitated by the U. S. Bureau of Reclamation. The spillway has been concreted and the freeboard increased.

Construction was started for the replacement of the headgate and extension of the outlet by one joint of pipe on the Bull Basin Reservoir Dam. Our inspection on the second or third day after construction started showed that a low embankment was being started on the north side of the reservoir to prevent overflow on that side at conclusion of the filling.

All reservoir deliveries of water are now confirmed by written orders in this District. While it has added some work to our Deputies and Water Companies' personnel, it has stopped much of the complaints heretofore made to the Commissioner and our office. As we predicted, the Water Companies are pleased with the results and are at this time stating they would not wish to go backward.

Lastly, on Kannah Creek, we had a good season with only a small amount of illegal storage.

Grand Junction retired our old friend, John Burton, who headed the water department for many years. We are sorry to see him leave, as he was a good water man. It appears that Mr. Davis C. Hickman, City Engineer, will replace him. We look forward to working with him as he is a long-time acquaintance.

District No. 59 - Considerable time had to be spent by the Commissioner and his Deputy in the western and northern portions of this District this year. The building of the hydroelectric plants

downstream are slowly making an effect on the Gunnison and its tributaries as the U. S. Reclamation Service takes over and abandons land and old water rights in the reservoir area of the Curecanti Unit at Sapinero.

Records are up-to-date and completed from Mr. Hofmann and his Deputy, William Rhodes.

District No. 60 - Mr. Sullivan, Commissioner of this District, was slated for retirement due to age. On account of circumstances peculiar to his case and District, we recommended that he be allowed one more year, which was granted.

Last spring, a Supreme Court decision reversed a group of District Court Decrees which will make some of our work easier there than it has been in the past. The principal law in this instance involved the fact that the lower Courts had paid no attention to the constitutional provision that the County Commissioners shall set the rates of a water carrying company, not the District Court, and, second, that all water users in a canal and reservoir system must pay their proportionate part of the cost of operation and maintenance. For over fifty years, the Plaintiffs had been paying twenty dollars per cubic foot per second for delivery in approximately a sixty-mile ditch and reservoir system. The problem began about fifteen years ago when the reservoir was enlarged and the direct flow users could not participate in the water from the enlargement.

We received one request for water supply to the power plant at Nucla. At my request, Mr. Sullivan investigated and found a reservoir possibly being filled for a second time. The service of an hydrographer will be needed in this District on

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occasion from now on to watch the use of flows and obtain necessary hydrographic records.

District No. 61 - We made a couple of trips to this District this year. The important one is the later, which was made in October. The problem encountered was one involving leakage losses from the Buckeye Reservoir and also springs in or along the stream channel. We found the losses quite heavy, but the water at the first diversion just about equals the flow in the creek below the Buckeye with the valve shut. The real problem, of course, is the valve leaks and is apparently one of a type (Butterfly valve) that is difficult to keep in perfect repair. The leakage, of course, accrues to the stream.

The first trip was one for the purpose of metering some Parshall flumes and checking several points of administration for the Commissioner. We had no complaints from users in 1963.

Notwithstanding almost no snow, our records show the usual supply of water for the season.

District No. 62 - This District is handled entirely by Commissioner Hofmann. His biggest problems in a short water year are the Cimarron River, Little Cimarron River, and Blue Creek. This year he had a short water supply; and, yet, like Districts Nos. 41 and 68, the rains took quite a load off him. Crops were very good.

We had somewhat of a problem getting the Cerro Reservoir filled, which is owned by the City of Montrose.

The Cimarron Ditch and Reservoir Company's measuring device (a ten-foot Parshall flume) was found to be off level,

transversely as well as longitudinally. The last time this happened, it took quite some time to remedy it, so we expect completion of remedial measures in 1965 or 1966. A large Parshall (steel) flume is difficult to level, so the company is presented with a problem.

As in the past three or four years, we had no trouble over the Spring Creek Pass Diversion to the Rio Grande. The Fish, Game, and Parks Department is very cooperative in regard to this.

Mr. Hofmann and I were called to Lake City in regard to Devil Creek Ditches. There was not much we could do, as there was only water for one ditch, not two; so it went to number one decree.

District No. 63 - Mr. Saunders had little trouble in this District, although this is one of those "dry" Districts every year.

He did one thing for which I would like to commend him, as it resolved a bad situation and helped out the Highway Department Engineers, and it kept a road job going without litigation or quarreling. What happened was that the Contractor's Engineer and the State Highway Department's Engineer came to see him when a user demanded that they pay for water or shut down the road construction. Mr. Saunders explained that he could not order anyone to release water to them, but he recommended that they enter into a contract with the number one priority user to recompense him for the damage (for the crops he could not grow) as he would suffer for the loss of about .15 cubic feet of water per second per day. His advice was followed and a great deal of satisfaction came out of it. The last contractor lost \$7500 in a suit in this District over the same thing, which he probably should not have had to pay had he followed some such plan as Mr. Saunders conceived.

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District No. 68 - So far as I can tell, Commissioner Noble had the toughest time of all the employees, as he had to make two trips per day for over a month on Dallas Creek until June. There was insufficient water to fill the first adjudication decrees.

The County Commissioners abandoned some roads in this District, and we have encountered some trouble with locked gates. This has become quite a problem as there have been times when the Commissioner has been denied a key and has had to walk from ten to thirty miles. Possibly a suit would solve this situation, or perhaps an opinion by the Attorney General would suffice.

In conclusion, this year we could have used an hydrographer in Gunnison, Paonia, Collbran, Placerville, Ophir, Colona, and Surface Creek at Cedaredge had we had one. By separate letter, I am urging that this be done, with detailed reasons.

Notwithstanding our unusual year, aside from being pushed with a heavy work schedule, we conclude we had a successful year. ~~Because of the favorable weather and through the~~ efforts of the men under us, we had a very productive year.

I would like to personally thank you and the staff on behalf of the Commissioners, Deputies, and me for the help and assistance we received from your office.

Very truly yours,

FWP

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