

Steamboat Springs, Colorado
November 24, 1958

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

Dear Mr. Whitten:

I herewith present my annual report for Irrigation Division No. 6 for 1958.

Attached hereto are tabulations of water commissioner's ditch and reservoir reports.

First use of water recorded for direct irrigation was April 1; the last day, November 1. The irrigation season extended over a period of 214 days. The average number of days water carried however in the several districts varied from 60 to 110 days. This large variation is accounted for by insufficient water supply for many of the ditches. The supply held up fairly well in all areas the early part of the season but due to lack of late spring and summer precipitation and otherwise heavy demand by senior priorities many junior ditches were without any water starting early in July.

The past season so far as precipitation is concerned through the spring and summer months has been the driest since 1934. From several precipitation stations spread throughout the division the total maximum recorded over a five-month period starting April 10 was at the Steamboat Springs station, 4.31 inches. The minimum for the same period was recorded at the Rangeley station for a total of .65 inches.

There was not sufficient rain fall at any time or location in the entire area during the time stated that ^{was} were of any benefit to growing crops.

Temperatures which averaged above normal were not particularly advantageous, days, hot and dry, nights cool.

Have received some very reliable reports that the dry land winter wheat is approximately 50% of the average production, most cases a good quality but just too dry for full production, coupled with wind and rotted roots made harvesting difficult.

Don't know of any spring planted grain, aside from small irrigated areas that came up at all.

The fall harvesting condition for hay ^{was} were very good with many good reports regarding quality and production. Yet many complaints were heard of shortages in hay production even though some were located in areas where irrigation water was plentiful. The explanation being given in most such cases were that this was due to continuous hot and dry weather during the growing season. It is apparent the total production per acre for the entire area ^{was} were below normal.

All useable reservoirs both irrigation and domestic were easily filled to capacity by May 1. The Stillwater and Allen Basin Reservoirs in Water District No. 58 finished ^{the} season with some hold over storage.

As per water commissioners reports the total storage in all reservoirs reported on May 1, was 18,150 acre feet. 14,463 acre feet is reported used, hold-over storage reported November 15, as 2,900 acre feet.

Distribution of irrigation water, although many shortages were experienced, were carried on very successfully, except for the flare-up of a couple of water users on the lower Trout Creek in Water District No. 57.

Page 3
November 24, 1958

These users signed a complaint to the District Attorney, charging criminal neglect on part of the water commissioner, in which it was claimed he refused to turn what they considered their priority in certain ditch or ditches.

Trial was set in J. P. Court on August 26; and upon listening to the complaint and charges without any defense testimony from the water commissioner being asked, the Judge dismissed the case, pronounced the water commissioner not guilty as the prosecution failed to prove any of the charges.

Mr. Goree is the regularly appointed water commissioner of Water District No. 57, and upon the resignation of Si Hansen, water commissioner of Water District No. 44 there was no successor named or recommended by the county commissioners, primarily because no one could be found to take the job who would be both willing and meet other qualifications. It was therefore recommended that Mr. Goree be appointed to act in Water District No. 44 in addition to handling Water District No. 57. He has taken care of both jobs now for several years by working 12 to 15 hours per day for about three months out of the approximate seven months of employment. This past season this whole territory was too large and the demand for services too great, (due to lack of water supply) that he could not at 24 hours per day give the services demanded by the water users.

Mr. Goree suffered a heart attack and was hospitalized on September 29th, is still in the Veterans Hospital at Grand Junction, and is reported showing some improvement.

Regardless of his recovery and ability to continue it is going to require the appointment of a water commissioner for Water District No. 44 prior to next seasons activity, and the county commissioners of Moffat County

Page 4
November 24, 1958

have been requested to send in a recommendation. It may also require that a deputy be appointed to assist in District No. 57. From past experience, it is found these appointments take time and can not be made to cover immediate emergencies.

Although water distribution was nearing an end when Mr. Goree became ill, all matters that required attention were handled by this office and with assistance of Mrs. Goree and her daughter, quite complete reports were worked up from his book entries for both Water Districts No. 44 and 57.

Inspections were carried on during the season on several reservoir dams.

It is evident no attempt has been made by owners of the Sage Creek Reservoir to correct weaknesses and make improvements as previously recommended, and the storage in said reservoir is still restricted and required to be held at elevation several feet below spillway level.

A new concrete structure was placed in the spillway of the Trull Creek Reservoir which they hope will eliminate further erosion in the future. This was neglected last year when it should have had attention; consequently, a further erosion this year resulted in it cutting back to the reservoir water line, lowered the water level in the reservoir several feet before it could be checked. The spillway was re-filled with well-packed material in front of the concrete control which has about 12-foot drop in the structure. This should eliminate further difficulties, as further cutting below this point can be controlled.

Inspected the Fish Creek Reservoir spillway condition District 58, at request of Steamboat Springs town board and was accompanied by members of said board and local forest officials, the latter complaining that spillway

Page 5
November 24, 1958

might start cutting back and eventually endanger the reservoir. This ~~said~~ spillway is located about 2000 feet from the dam and near the upper end of the reservoir at a low point in the divide between the reservoir and another branch of the creek through which the overflow is easily carried off. A slight spillway cut was made to width specified and a rock-filled trench crest placed at point where overflow starts down the natural slope, over a very thin grass covered top soil under which is an almost solid rock formation which can not be disturbed to any extent, if and after the top soil is washed away. I could not find any indication for being disturbed about endangering the storage in the reservoir.

The town does, however, have a problem that will eventually have to be worked out in connection with this spillway.

The dam as planned and constructed has about a seven foot freeboard above spillway crest. When the storage level is around two feet below spillway crest, it is approximately 300 feet or more from the crest to the water line. In the early spring the reservoir fills with the outlet open, while there still remains several feet of hard packed snow in ~~said~~ spillway, ~~which~~ results in the water line in reservoir to rise dangerously high on the dam before forcing an outlet through spillway. This situation has been handled up to the present by the town sending some one up at about the right time to blast a channel through this packed snow to give the water a start in cutting its own channel. If the dam can be properly raised to provide ten to twelve-foot freeboard, it might take care of this situation.

In response to a letter received from your office under date of October 14, I made an inspection of the McChivvis Reservoir Dam located on Watson Creek in Water District No. 58. Said inspection was made on October 20, at which time was accompanied by Mr. R. V. Adolphson, Forest Engineer, and

Page 6
November 24, 1958

Mr. Robert W. Gardner, Supervisor of the Routt Forest, together with the present owners of said reservoir, Mr. Thomas Russel and Charles de Ganahl.

I made an inspection of condition^s as they were at the ~~present~~ time as completely as possible under adverse weather conditions, including several inches of new snow cover. Learned considerable regarding former construction, repairs that had already been made the past summer, and what was yet needed and hoped to be completed this fall if weather remained favorable. It seemed the owners were having trouble obtaining the proper engineering services needed and contractor to do the work.

Following the termination of all work that can be completed before winter, a complete separate report on the McChivvis Reservoir will be prepared and forwarded to you with recommendation on what further repairs may be necessary, and recommended limited storage. The owners have been given notice to expect a limited storage order if certain repairs could not be completed.

A new dam was constructed the past summer on Willow Creek in Water District No. 44, Hahns Peak Basin area, by Game and Fish Department for recreational purposes and according to newspaper item, has a 40 foot dam, and reservoir area of 37 acres. This dam was visited during the latter part of September and appeared to be about completed except rip-raping face of dam and completion of concrete spillway lining. Learned this construction was entirely completed by November 1.

This reservoir will most likely fill during early spring run-off and is not expected to be a problem with water distribution for irrigation on Willow Creek later in the summer.

A new dam was found to be in process of construction near head of Grouse Creek in Water District No. 58. This may be an enlargement of an old

Page 7
November 24, 1958

filing called Grouse Creek Reservoir. Understand plans and specifications were prepared by and the construction under supervision of Soil Conservation Service. It is a do-it-yourself construction job carried on by the owners, Henderson Brothers. The dam was not quite completed this fall, probably three to four feet short of what I am told is intended to be a 30 foot dam.

The Burnt Mesa Reservoir Dam in Water District No. 58 has had an entire new re-construction job started and completed this year under new plans prepared by and under supervision of the Soil Conservation Service. This re-construction restores the said reservoir to its original claimed capacity. There was not much left of the original dam and no storage to amount to anything has been ^{un}used for thirty or more years.

All the old fill was removed and re-construction is entirely new throughout, including spillway and all appurtenant works.

~~Respectfully submitted,~~

~~Irrigation Division Engineer~~
~~Division No. 6~~

~~Continued~~

POT CREEK - DISTRICT NO. 56

Utah-Colorado memorandum of understanding regarding administration of waters of Pot Creek during 1959. A meeting was attended at Vernal, Utah, on March 19, 1958, which had been called by the Utah water officials to discuss final arrangements to put into operation the provisions contained in the memorandum of understanding and for a discussion of said operation with the water users on Pot Creek in both states. A special report was made regarding this meeting on March 24.

This office did not receive any information following said meeting relating to any further developments in connection therewith. It was not known if the memorandum of understanding had been finally approved and signed by the proper authorities of both states--or if it had or had not been put into operation for 1958 season.

On October 8th I visited the area, contacted the Colorado water users, and learned from them that a water commissioner had been assigned to administer the Pot Creek water as per the ~~tentative priority~~ ^{agreement adopted} ~~Schedule as~~ ^{to last year} previously adopted.

The Colorado users expressed disappointment in the results this year. It appears the water commissioner did not start operating until late in June and he did get some water down to them for about two weeks or until the normal stream flow was inadequate to reach the state line.

Was informed locally that a man by name of Joe Murray of Jenson, Utah, was employed by Utah as commissioner on Pot Creek. Mr. Murray could not be contacted at this time. Met with Ray Nash of Vernal, Utah, the attorney representing Colorado water users, and discussed the situation on Pot Creek

with him and Mr. Nash stated in his opinion the distribution was started too late in the season ~~and inadequate and properly located~~ ^{WITHOUT ADEQUATE} measuring devices. This can be contributed to various reasons. The remoteness of the area, inability to find a qualified man any sooner and willing to act as a commissioner, insufficient time to prepare and locate proper measuring devices, and etc. Some temporary measuring devices were set that it is understood will be replaced before another season. We feel that the present plan properly carried out, will be of great benefit to the Colorado users as well as the majority of Utah users.

The Pot Creek water to reach the Colorado line must be passed through reservoirs located in Utah, the combined storage of which will as has been demonstrated in the past store the entire seasons run-off from the creek.

October 17th in company with Mr. Burgess of your office, we visited the Pot Creek area in Utah. Again were unable to contact the man that was acting as water commissioner the past season, so tried to find our way around without any help. Mr. Burgess undoubtedly has made a report on this visit. However, we located a recently installed U. S. G. S. gaging station on Pot Creek which would be below the upper reservoir and a short distance above the middle reservoir. Pot Creek was otherwise dry, except from water being released from middle reservoir. A make shift temporary weir has been placed in the creek below the last ditch division point in Utah at which point it was evidently intended to measure the water turned down for Colorado rights. This weir is located in Utah near the Colorado line. We were also informed that another U. S. G. S. station was located on the creek in Colorado, this station we did not locate.

In regard to such necessary measuring devices as may be necessary to the Colorado users (perhaps at the Utah-Colorado line in the creek or at their points of diversions), these users have agreed that when they are informed by the proper authority ^{where} and what is needed and how to place such device ~~that~~ they will pay the costs of same.

Included with this report you will find attached a copy of the minutes of the Pot Creek water users meeting held last March 19th of which you may not have received a previous copy.

Distribution of water on Little Snake River in the compact area under the plan now in effect the past three years under the joint and cooperative control of the water commissioner of Water District No. 54 and the Wyoming water commissioner, are continuing with no complaints registered.

Respectfully submitted,

B. T. Chase
Irrigation Division Engineer
Division No. 6

TABULATION OF WATER COMMISSIONER'S ANNUAL DITCH REPORTS
FOR IRRIGATION SEASON OF 1958

DISTRICT NO.	NO. OF DITCHES REPORTED	AMOUNT OF APPROPRIATION CUBIC FEET PER SECOND	CAPACITY OF DITCHES SEC. FEET	FIRST DAY WATER WAS USED	LAST DAY WATER WAS USED
43	63	753.41	1054.00	4-1	10-1
44	94	513.56	807.00	4-1	9-13
54	33	117.17	223.50	5-7	10-24
55 & 56	NO WATER	COMMISSIONER OR REPORT. - -	- -	- -	- - -
57	50	333.72	435.00	4-7	9-25
58	309	1543.57	1644.00		11-1
TOTAL	549	3261.43	4163.50	4-1	11-1

DISTRICT NO.	AVERAGE NO. DAYS WATER CARRIED	AVERAGE DAILY AMOUNT CARRIED IN SEC. FEET	NO. OF ACRE FEET USED	TOTAL NO. ACRES IRRIGATED
43	110	559.90	148,841	21,061
44	70	503.01	75,393	24,018
54	69	237.80	20,986	6,185
57	94	238.22	46,610	13,647
58	60	1068.86	154,331	53,057
TOTAL	403	2607.79	446,161	117,968

TABULATION OF WATER COMMISSIONER'S ANNUAL RESERVOIR REPORTS
FOR IRRIGATION SEASON OF 1958

DISTRICT NO.	WATER USED FOR	NO. OF RESERVOIRS REPORTED	AREA OF H. W. L. ACRES	CAPACITY IN CUBIC FEET
43	NO REPORTS FROM WATER COMMISSIONER			
44	IRRIGATION	7	240	75,276.962
	STOCK WATER	4	135	12,524.000
	NOT USED	4	135	
	TOTAL	15	510	87,800.962
54	IRRIGATION	1	22	17,345.000
	STOCK WATER	2	11	3,136.000
	TOTAL	3	33	20,481.000
55-56	NO RESERVOIRS			
57	IRRIGATION	4	175	66,539.368
	STOCK WATER	5	142	50,639.494
	DOMESTIC	1	50	30,975.295
	NOT USED	3	60	21,887.680
	TOTAL	13	427	170,041.837
58	IRRIGATION	9	477	488,408.833
	DOMESTIC	2	120	68,436.160
	TOTAL	11	597	556,844.993
TOTAL ALL DISTRICTS	REPORTED	42	1567	835,168.792

RESERVOIR TABULATION (CONT.)

DISTRICT NO.	QUANTITY OF WATER IN RESERVOIR MAY 1, CU. FT.	QUANTITY OF WATER IN RESERVOIR NOV. 1, CU. FT.	FIRST DAY WATER USED FROM RES-ERVOIR	LAST DAY WATER USED FROM RES-ERVOIR	AVERAGE NO. DAYS WATER CARRIED
44 IRRIG.	68,620.962	00	5-19	8-31	63
STOCK	12,524.000	00	--	--	-
TOTAL	81,144.962	00	--	--	-
54 IRRIG.	17,345.000	00	7-5	7-29	24
STOCK	3,136.000	00	--	--	-
TOTAL	20,481.000	00	--	--	-
57 IRRIG.	50,743.390	00	5-7	9-19	104
STOCK	50,639.494		--	--	97
DAM	30,975.295		--	--	-
TOTAL	132,358.179	00	--	--	-
58 IRRIG	488,408.833	126,974.786	6-1	10-2	48
DAM	68,436.160		8-9	11-1	
TOTAL	556,844.993	126,974.786	--	--	-
TOTAL ALL DISTRICTS	790,829.134	126,974.786	5-19	11-1	-

RESERVOIR TABULATION (CONT.)

DISTRICT NO.	AVERAGE DAILY AMOUNT CARRIED CUBIC FEET	NO. OF ACRE FEET RESERVOIR WATER CARRIED	TOTAL ACRES IRRIGATED	REMARKS
44	16.75	2745	1240	PART OF THIS ACREAGE IS REPORTED UNDER DITCHES.
54	5.00	225		SUPPLEMENTAL TO ACREAGE REPORTED UNDER RILEY LIVESTOCK DITCH.
57 IRRIG.	10.50	2190		
DAM ^{est.}	3.00	582		
TOTAL	13.50	2772	1250	ALL IRRIGATED FROM STORAGE.
58 IRRIG.	90.70	7171	IRRIGATION	ALL SUPPLEMENTAL TO DITCHES REPORTED.
DAM	17.70	1550	DOMESTIC	SOME DOMESTIC STORAGE RELEASED TO IRRIGATION DITCHES.
TOTAL	108.40	8721		
TOTAL ALL DISTRICTS	143.65	14,463	2490	TOTAL ACREAGE ENTIRELY IRRIGATED FROM STORAGE.

MINUTES OF THE POT CREEK WATER USERS MEETING

Held at the Vernal Courthouse on March 19, 1958 at 7:30 P.M.

A meeting was held with the Pot Creek water users of both Colorado and Utah for the purpose of: (1) Selecting a suitable and competent water commissioner, (2) Adopting a budget to cover distribution costs for the coming year, and (3) Determining the proper assessment to be made against each water user. Those attending the meeting were:

Water Users

John Siddoway
Ben T. Chase
William Allen
Bud Phelps
Lloyd Stevens
Zelph S. Calder
Leo Calder
Leaon Ainge
Raymond Siddoway
Robert Shiner
Hugh W. Colton

Clifton W. McCoy
Neldon Shiner
William H. Karren
M. Clark Felch
Ray E. Nash
Julian Massey
Floyd Massey
Ed Lewis
Ralph Siddoway
Whitney D. Hammond
Loran Hatch

Utah State Engineer's Office

Wayne D. Criddle
Donald C. Norseth
Hubert C. Lambert
Robert B. Porter
Jerry Tuttle
Harold Donaldson

Utah Water and Power Board

Jay R. Bingham

Wayne D. Criddle opened the meeting. He introduced the members of the Utah State Engineer's Office, Jay R. Bingham of the Utah Water and Power Board, and Ben T. Chase of the Colorado Irrigation District No. 6, who represented the State Engineer of Colorado at the meeting. He then explained the items of business to be taken up at the meeting and gave a brief summary of the conditions and problems facing the water users on Pot Creek. It was explained that this was an unusual problem involving distribution in the early part of the season during which time this remote area is not easily accessible. It was explained that Colorado was in full accord with this program and that they had agreed to assume their share of the financial burden. The irrigated acreage claimed was approximately 1260 acres of irrigated land in Utah and 160 acres in Colorado. It was then explained that the total cost to the Utah water user would be in the neighborhood of 20 cents per acre of irrigated land.

As there is no one living on Pot Creek who is available for the position of water commissioner, it is felt that this is the minimum budget that could be set.

Question: John Siddoway asked for clarification as to how the water measurements and the distribution was to be carried out.

Donald G. Norseth then explained this was primarily a matter of storage regulation of the reservoirs and the flow rights from the natural channel of Pot Creek. It would be necessary to measure all diversions, the water above the Matt Warner Reservoir, below the Matt Warner Reservoir, above the Crouse Reservoir, and below the Crouse Reservoir. It was felt that water to meet the Colorado rights could be measured at the point below the Crouse Reservoir and,

by utilizing the gaging station established near the Colorado line, proper transmission charge could be established for future distribution.

Measuring devices were then discussed. The users were informed that ultimately each diversion would require a measuring device. The State Engineer's Office recommended that Parshall flumes be installed.

A discussion of possible candidates for the position of water commissioner was carried on. Ralph Siddoway asked the State Engineer for a brief description of the necessary qualifications. Mr. Criddle then outlined the qualifications as follows:

1. A knowledge of water problems and the ability and knowledge necessary for proper measurement of water.
2. The water commissioner should be a man with dignity and ability to make decisions on water problems.
3. The commissioner must be impartial.
4. Must be able to keep good records.
5. Must be of good health and physically able to cope with the rigors of distribution.

The cost of distribution was then further discussed. The users were informed that the cost put forth was an estimate for 1958 only. Future administration could actually be higher or lower.

The method of water division under the distribution system was discussed. It was decided that the water would be divided on a priority schedule that was to be submitted to the court within 30 days. John Siddoway then explained that in certain peak years there was more water than could be stored in the reservoir. He wished to know what would happen to any excess water. It was pointed out that seldom, if ever, would all the rights be fully satisfied.

Jim Briggs of Manila was proposed by the State Engineer as a possible candidate for commissioner.

The water users were requested to express their feelings on the matter for a commissioner. The following opinions were expressed and discussed:

Zelph Calder stated that everyone had gotten along satisfactorily and there was no need for a commissioner.

John Siddoway then stated that he felt it was necessary that the water be measured and distributed according to the rights in the proper priority.

William H. Karren then stated that there was a great need for a commissioner—that the lower users hadn't received any water in the past.

Bill Allen then stated that there was a need for a commissioner but before distribution was put into actual practice the water users would have to be informed of their water rights. Few had any idea as to where their rights were situated in the priority schedule.

Wayne D. Criddle advised the users that the schedule would be ready in the next few days and submitted to the court within thirty days, at which time the State Engineer would have the legal right to enter into active distribution of the waters of Pot Creek.

Discussion was held on the recognition of the stock rights and whether or not the stockmen could vote at the water users meeting. A basis for assessment was then discussed and the part the stockmen would play in the assessment. It was decided that the irrigators would be assessed on the basis of the irrigated acreage and that a minimum assessment of \$1.00 be set on all rights under 20 acre feet which include the stockwatering rights.

John B. Siddoway then made a motion that the State Engineer appoint a commissioner and assess on an irrigated acreage basis. The motion was seconded by Ralph Siddoway. It was decided not to vote on this motion and it was set aside.

Ralph Siddoway then made a motion that the minimum assessment for all stockwatering rights be \$1.00 and that they have the right to vote. The motion was seconded by Robert Shiner. The motion carried 11 for and 3 against--two in attendance and a proxy vote held by Zelph Calder for Leon Green.

A motion was then made by William H. Karren that a commissioner be appointed to administer Pot Creek, seconded by Bill Allen. The motion carried 11 for and 3 against.

It was explained to the users that due to the acceptance of a minimum assessment for stock rights and the inclusion of these rights under the distribution system, that it would be advisable to raise the total budget to \$275. A motion was then made by John Siddoway that a total budget of \$275 be assessed, irrigated lands to be charged on an acreage basis and a minimum assessment to all stock rights of \$1.00. This was seconded by Bill Allen. The motion carried 7 for and 3 against.

Zelph Calder then stated that he wished an objection to be placed in the minutes to the appointment of a commissioner and to the inclusion of the stock rights as having a bonafide right to vote.

A discussion was again held on possible candidates for water commissioner and the following two men were proposed: David Rasmussen and J. Gill Murray. It was decided that no definite action would be taken at this meeting to appoint a commissioner but time allowed for contacting possible candidates and the making of recommendations to April 5, 1958. If at that time the users had not taken any definite action, the State Engineer would consider Mr. James Briggs, Mr. J. Gill Murray and Mr. David Rasmussen and upon analyzing the qualifications of the three men, appoint a commissioner. It was also decided that if any other candidates were proposed, that these also be considered on the basis of their qualifications.

Questions as to the position of the Federal judgment against the Matt Warner reservoir were raised. Mr. Robert B. Porter answered that we would not at this time consider this question as we had no legal right to do so.

As there was no further business to be discussed, the meeting was adjourned.