

Minutes of the Meeting of the New Mexico  
Interstate Stream Commission - November  
26, 1956

The meeting was called to order by the Chairman in the Corporation  
Commission Hearing Room at 10:00 A. M., November 26, 1956.

Present were:

J. D. Atwood	Chairman
I. J. Coury	Member
R. H. Westaway	Member
W. H. Gary	Member
Oscar Love	Member
S. E. Reynolds	Secretary
John H. Bliss	Consultant
Fred E. Wilson	Legal Adviser
Claud S. Mann	Legal Adviser
Irwin S. Moise	Legal Adviser
David Hale	Assistant Inter- state Stream Engineer

Others present were: Murray L. Crosse, Department of the Interior; John C. Thompson, Ralph Charles and Rowland Fife from the Bureau of Reclamation, Albuquerque; G. B. Keesee and David E. Walker from the Bureau of Indian Affairs; Paul Jones, Chairman, Navajo Tribal Council, and Lawrence Davis, Attorney from Window Rock, Arizona; Tom Bolack, Representative-elect from San Juan County, John Murphy, Middle Rio Grande Flood Control Association, Albuquerque; Hubert Ball, Chief Engineer of the Middle Rio Grande Conservancy District, Albuquerque; Col. H. F. Hannis, Sandia Conservancy District; and Lewis Seward and Philip B. Mutz, engineers of the Interstate Stream Commission. A number of representatives from the community of Dixon were also present.

The minutes of the meeting of October 5, 1956 were read and approved as amended.

Mr. Alex Martinez, spokesman for the delegation from Dixon, New Mexico advised the Commission that the people of the community are

willing and ready to form an organization to initiate the preparation of a program for the repair and consolidation of their several community ditches to conserve their limited supply of water. The Commission agreed that the State Engineer should proceed with a reconnaissance study of the Dixon area using money previously authorized by the Commission from the Irrigation Works Construction Fund for statewide reconnaissance studies.

The San Juan-Chama and Navajo Irrigation Projects were discussed.

The meeting recessed at 11:45 A. M., and reconvened at 1:30 P. M. in Mabry Hall.

Discussion of the San Juan-Chama Project was resumed and Commissioner Coury made the following statement:

"In the event the initial phase of the San Juan-Chama Project, of a diversion not to exceed 110,000 acre feet, proves to be more feasible than the investigation report of a closed conduit diverting waters from the Navajo Reservoir to the Rio Grande Basin, no official opposition will be taken from the San Juan Basin to the proposal of the initial phase of diverting 110,000 acre feet per annum through the San Juan-Chama Project, as prepared by the Bureau of Reclamation. During the interim the San Juan group will support the initial phase proposal to divert 110,000 acre feet per annum through the San Juan-Chama Project as prepared by the Bureau of Reclamation."

Mr. Coury then moved that the Commission authorize an investigation of a plan to divert waters from the Navajo Reservoir to the Rio Grande Basin through a closed conduit, such investigation to be of the same grade as the San Juan-Chama report made by the Bureau of Reclamation. The motion was seconded by Mr. Gary but failed to carry by a vote of four to two.

Commissioner Love then offered a resolution regarding the size of the two projects. Commissioner Coury offered a number of corrections, which were incorporated in the resolution. Commissioner Coury then moved that Item No. 3 of the three major uses of the San Juan-Chama Project water, "Supplemental Irrigation," be stricken from the resolution. The motion was seconded by Commissioner Gary but failed to carry by a vote of four to two.

Mr. Love moved that the resolution as corrected be adopted. The motion was seconded by Mr. Reynolds and carried by a vote of four to two. The adopted resolution follows:

RESOLUTION ON NAVAJO IRRIGATION  
AND  
SAN JUAN- CHAMA PROJECTS

WHEREAS the initial phase of the Colorado River Storage Project and Participating Projects was authorized by Public Law 485, 84th Congress, approved April 11, 1956, and

WHEREAS this law authorized the construction of the Navajo Storage Reservoir and provided for priority completion of studies of the Navajo Irrigation Project and San Juan-Chama Project, and

WHEREAS the State of New Mexico by action taken by the Governor in a letter to the Secretary of the Interior dated March 4, 1953 stated the principle of concurrent planning and authorization of the Navajo and San Juan-Chama projects and established a 630,000 acre-foot diversion capacity for the Navajo project and 235,000 acre-foot diversion capacity for the San Juan-Chama project for the purpose of studying the feasibility of each, and

WHEREAS preliminary reports on both of these projects have been submitted to the Secretary of the Interior who, after careful study, has returned the reports to the State of New Mexico with the request that certain matters of policy be determined by the State before the project reports are completed and sent to the interested State and Federal agencies for comments under the terms of the 1944 Flood Control Act prior to submission to the Congress for authorization, and

WHEREAS the tentative size of the Shiprock Division of the Navajo Irrigation Project comprises not to exceed 115,000 acres of irrigated land, and

WHEREAS it is apparent that an initial phase of the San Juan-Chama project capable of diverting an average of 110,000 acre-feet of water per annum is feasible, and

WHEREAS at least that quantity of water is urgently needed in the Rio Grande Basin above San Marcial and in the Canadian River Basin for the following uses with the priorities indicated:

- 1) Municipal and industrial supplies, and
- 2) Development of water supplies for tributary irrigation units in depressed areas in northern New Mexico.
- 3) Supplemental irrigation, and

WHEREAS the provisions of Public Law 485 state that the Shiprock Division of the Navajo Irrigation Project shall be nonreimbursable insofar as the Indian users under the project are unable to repay the costs of such project, and therefore, construction of the Shiprock Division can be undertaken as soon as the project may be authorized by Congress and appropriations made available for construction, and

WHEREAS the provisions for power revenue credits under Public Law 485 make it possible to undertake construction of a 110,000 acre-foot per annum Initial Phase project of the transmountain project as soon as it may be authorized by Congress and appropriations made available for construction, and

WHEREAS available power revenue credits anticipated under the provisions of Public Law 485 are such that additional phases of the project cannot be constructed for a period of about 20 years from the date the

first power revenues become available under the storage project, and

WHEREAS before additional phases of the project can be financed, much additional data and information will become available permitting a wiser decision on whether the public interest will be better served by a diversion of 235, 000 acre-feet per annum or by diversion of a lesser quantity of water, and

WHEREAS the additional costs which may be incurred by constructing the main diversion tunnel of the Initial Phase of the project to such a capacity that the project may be later expanded to divert a total of 235, 000 acre-feet per annum rather than limiting its capacity to a lesser amount are commensurate with the advantages gained,

NOW THEREFORE BE IT RESOLVED that the Interstate Stream Commission hereby requests the Secretary of the Interior to complete the studies of the Navajo Irrigation and San Juan-Chama Projects using the study size determined in 1953 with the understanding that the Shiprock Division of the Navajo Irrigation Project to be authorized will not exceed 115, 000 acres in size and that the Initial Phase of the San Juan-Chama Project to be authorized will not exceed 110, 000 acre-feet average diversion per annum, and with the further understanding that the authorizing legislation will provide that in the event of water shortage the diversion to the two projects shall be in proportion to their diversion requirements as provided therein.

Adopted November 26, 1956  
New Mexico Interstate Stream Commission  
Santa Fe, New Mexico

The Secretary read an inquiry relative to the purchase of State lands located in Sections 21, 22, 23, 6, 9, and 33, Township 3 South, Range 9 East. It was unanimously agreed that no decision would be made relative to the sale of this land until formal request has been received from the Commissioner of Public Lands.

Mr. Wilson, as State Director of the National Reclamation Association, outlined for the Commission the need for continuance of the State's membership in this organization. Mr. Love moved that the Commission be authorized to contribute \$300 toward the National Reclamation Association work. The motion was seconded by Mr. Reynolds and duly carried.

Mr. Wilson gave a brief outline of the present status of the Texas v New Mexico suit and the Arizona v California suit. He stated that hearings on the Arizona v California suit will be resumed in February at San Francisco, California, and that he will, in preparation for that meeting, require the services of the other legal advisers, Irwin Moise and Claud Mann.

A request for payment to Mr. Wilson for legal services in connection with the Arizona v California suit and the Texas v New Mexico suit was made. It was unanimously agreed that the statements for legal services in the total amount of \$1800 be approved and paid.

The Secretary read a letter of appreciation from the relatives of the late Commissioner Arch Hurley in reply to the Resolution adopted by the Commission at the September 14th meeting.

The Secretary stated that the State is seeking authorization from Congress for the Pecos River Water Salvage and Salinity Alleviation Programs. The costs of rights-of-way and bridge relocations in the proposed Water Salvage Program in McMillan Delta is \$290,000 which cost will be borne by the State if the project is constructed. The Commission agreed that the Secretary should request the legal advisors to draft State legislation requesting the appropriation of funds for the State's contribution to this program.



Following a discussion of a verbal opinion from the Office of the Attorney General relative to the purchase of bonds by the State Treasurer for water development projects, it was agreed that the Secretary should discuss with the Attorney General the bearing which the Hosdreg Company case at Deming, New Mexico has on this matter.

It was unanimously agreed that before a decision could be reached relative to the size of the Navajo Dam, the State Engineer should arrange a meeting with Mr. J. R. Riter of the Bureau of Reclamation, Denver, to discuss studies of the proposed use of water.

The Secretary outlined for the Commission the work thus far completed on the proposed 200,000 acre foot storage project on the Canadian River and referred to the State's investment of approximately \$18,000 in this study. It was agreed that the Commission would await the appointment of a Commissioner from the area before filing a Notice of Intention to appropriate waters of the Canadian River below Conchas Dam for this project.

Mr. Bliss advised the Commission that the Bureau of Reclamation had made reconnaissance studies regarding the salinity alleviation program on the Pecos River which show that neither the Carlsbad Irrigation District nor the Red Bluff Water Control District can contribute any payment toward the costs of that project. Members of the Pecos River Commission have scheduled an appointment with the Hon. Fred E. Beaton, Secretary of the Interior, for December 3, 1956 to discuss the project and ways and means of obtaining authorization for the project.

There being no other business to come before the Commission the meeting adjourned at 3:30 P.M.

  
\_\_\_\_\_  
Chairman  
  
\_\_\_\_\_  
Secretary

Approved: \_\_\_\_\_

1/31/57