

Minutes of the Meeting of the Interstate Stream  
Commission, September 5, 1957

Pending election of a Chairman, the meeting was called to order by the Secretary in the Coronado Room, LaFonda Hotel, Santa Fe, New Mexico at 10:00 A. M. Present were:

S. E. Reynolds	Secretary
I. J. Coury	Member
W. H. Gary	Member
Oscar M. Love	Member
Thomas G. Morris	Member
T. T. Sanders, Jr.	Member
Draper Brantley	Member
John H. Bliss	U. C. R. Comm.
Irwin S. Moise	Legal Advisor
Claud S. Mann	Legal Advisor
David P. Hale	I. S. Engineer

Also present were: Ralph Charles, Bureau of Reclamation, Albuquerque, Paul L. Billhymer, Special Assistant Attorney General, C. B. Thompson, Chief, Technical Division, State Engineer Office, and Philip B. Mutz, Engineer.

The minutes of the meeting of June 6, 1957 were read and approved. The Secretary stated that the next order of business was the election of a Chairman of the Commission. Mr. Gary nominated Mr. Coury explaining Mr. Coury's seniority on the Commission and other considerations. Mr. Coury declined the nomination. Mr. Love then nominated Mr. Morris. The nomination was seconded by Mr. Gary. Mr. Sanders moved that the nominations cease and Mr. Morris be elected by acclamation. The motion was seconded by Mr. Brantley and unanimously carried.

The Secretary stated that Senator Anderson had suggested that the Commission prepare the initial draft of legislation to authorize the San Juan-Chama and Navajo Irrigation Projects. The Secretary explained that it has been the State's position since Governor Mechem's letter of March 4, 1953 that these projects should be studied and planned concurrently and be submitted to the Congress for authorization simultaneously. Further, that the legislation should have as its basis the Interstate Stream Commission's Resolution on this subject adopted November 26, 1956. He explained that the legislation would ask approval of the San Juan-Chama Project at a 235,000 acre-feet average annual diversion capacity with authorization for

construction of an initial stage of 110,000 acre feet average annual diversion, and that the legislation would authorize construction of a 115,000 acre Navajo Irrigation Project with an average annual diversion requirement of 508,000 acre feet. In discussing the proposed legislation it was agreed that pertinent information would be made available to the new Commission members and that a draft of the proposed legislation would be mailed to all Commission members at the earliest possible date for their information and comments.

The Secretary pointed out that if this legislation is to be submitted for consideration in the next session of Congress time is very short. He further explained that the supplemental reports have not been released by the Secretary of the Interior for review in accordance with the Flood Control Act, that this review will take 90 days and that if the reports were released immediately it would be almost the first of next year before the reports are returned with the comments of interested states and agencies.

Also discussed was the recent action by the Department of the Interior whereby they assigned construction of the Navajo Irrigation Project to the Bureau of Reclamation.

Mr. Coury stated that the San Juan Basin interests still were concerned that a closed conduit diversion from the San Juan Basin to the Rio Grande Basin had not been made the subject of a more intensive study. The Secretary explained that the Interstate Stream Commission had worked quite closely with the Bureau of Reclamation and had thoroughly reviewed studies on both the closed conduit diversion and the gravity diversion. It was the opinion of the engineering staff of the Commission that the closed conduit system was so much more costly, on the basis of the reconnaissance report, than was the cost of the gravity diversion, that spending \$40,000 to \$50,000 for a feasibility study of the closed conduit system was not warranted. The Secretary also explained that the cost of diverting water via closed conduit to the City of Albuquerque would considerably increase the costs which have to be repaid with interest and would make the price of water to the city so high that feasibility was doubtful.

The Secretary reported that a meeting had been held on September 4, 1957 between Regions 4 and 5 of the Bureau of Reclamation, the Navajo Indian Tribe, representatives of the Bureau of Indian Affairs and the State of New Mexico relative to assigning the State's filings on the San Juan-Chama, Navajo and Hammond projects to the Department of the Interior.

The Secretary stated that assignment of the State filings to the Secretary of the Interior would give the Government the advantage of the State's priority date without prejudicing the ultimate development of either the San Juan-Chama or the Navajo Project. He explained that these filings would put the Department of the Interior in a stronger position relative to the control of the waters of the San Juan in New Mexico, but he felt that, in view of the past excellent cooperation between the Department and the State, the Department would consider the desires of the State in developing and administering these waters. For these reasons he asked the Commission's approval to assign the State of New Mexico's Notices of Intention on the Hammond, San Juan-Chama and Navajo Projects and Navajo Dam and Reservoir to the Department of the Interior. Mr. Sanders moved that the Commission authorize the Secretary to assign the State's Notices of Intention on the Hammond, San Juan-Chama and Navajo Projects and Navajo Dam and Reservoir to the Department of the Interior under the condition that they file plans reserving the water prior to the expiration date of these notices. The motion was seconded by Mr. Love and unanimously carried.

Mr. Coury suggested that the Commission meet in Farmington in the near future to consider the authorizing legislation, invite the San Juan Basin interests to attend and have the projects explained at that time. He also suggested that if several copies of the latest supplemental reports could be furnished he would circulate them to interests in the Basin in order that they would be familiar with the plans. The Secretary agreed to furnish Mr. Coury copies of the reports and it was tentatively agreed that a meeting of the Commission would be held in Farmington on October 17, 1957. The Chairman suggested that the State's Congressional representatives be invited to this meeting.

Mr. Billhymer reported that he and Mr. Hale had attended the July and August sessions of the Arizona v California hearing and that California had completed presentation of its case-in-chief and the United States Government had started presenting its case. Mr. Moise and Mr. Mann attended the last week of the August hearings in San Francisco and also participated in a conference with the Special Master regarding the Government's case.

The Secretary reported that as a part of the preparation for the presentation of New Mexico's case he had met with water users in Silver City to determine the status of water rights in the Gila River Basin in New Mexico and had found that a number of water uses in the Basin had not been filed on. He reported that a series of interviews relative to water right acreages and priorities were being held in the area, by representatives of the State Engineer office.

The Secretary brought up the question of participation by the Interstate Stream Commission in the National Reclamation Association. He discussed activities of the NRA and stated that he felt participation by the State in the NRA was worthwhile. The Secretary further explained that the State had in the past paid the expenses of the NRA Director to the various meetings. He then posed two questions to the Commission: 1) does the Commission want to recommend a man for the position of NRA Director for the State, and 2) do they want to pay the Director's expenses? The Commission's legal advisors gave their opinion that the Commission could not pay the Director's expenses unless he was a Commission member or employee.

Mr. Love moved that Mr. I. J. Coury be recommended as the State's NRA Director. The motion was seconded by Mr. Brantley and unanimously carried.

Mr. Reynolds moved that the Secretary be authorized to expend the unobligated balance of the "dues" line item in the Interstate Stream Commission budget to pay NRA dues in an amount not to exceed \$400. The motion was seconded by Mr. Gary and duly carried. It was agreed that travel expense and per diem in connection with attendance of Commission members or employees at the National meeting could be paid from Interstate Stream Commission funds.

Mr. Thompson, (Chief, Technical Division, State Engineer Office) gave a comprehensive progress report on the investigations assigned to the Technical Division of the State Engineer Office by the Interstate Stream Commission. These include investigations and construction authorized and budgeted by the Commission from the Irrigation Works Construction and Improvement of the Rio Grande funds.

Mr. Moise reported that a hearing had been held in the Costilla suit, that Judge Federici had disposed of all legal issues in favor of the State, and that the Judge would try to dispose of the remaining issues by November. Mr. Moise also reported that the defendants in this suit, the WS Ranch Company, had filed an amended answer.

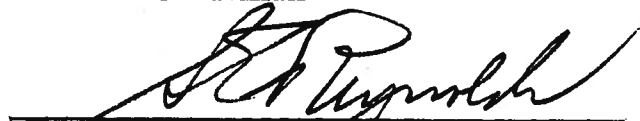
Mr. Bliss, Upper Colorado River Commissioner for New Mexico, reported briefly on the Secretary of the Interior's proposal that a meeting of the Seven Colorado River Basin States be held relative to procedures for the operation and construction of Glen Canyon Dam and Reservoir. The Secretary would give basic data relative to the operation of the subject reservoir to all states.

Mr. Bliss reported that a meeting of the Four Upper Basin States' Governors and Upper Colorado River Commissioners prior to the meeting of the Seven States is contemplated. Governor Mechem has invited the Governors of the other Upper Basin States to a conference in Santa Fe on September 24, 1957. Mr. Bliss also reported that if the Governors' conference is held in Santa Fe, the Upper Colorado River Commission's annual meeting will be held in Santa Fe on the day following the Governors' conference.

Mr. Reynolds reported that the Carlsbad Irrigation District had requested an investigation of the possibility of constructing storage facilities on Black River, and that, if there were no objections, he would have the Technical Division of the State Engineer Office prepare a reconnaissance report on the project. There was no objection.

There being no further business to come before the Commission the meeting was adjourned at 4:30 P.M.

  
Chairman

  
Secretary

Approved: Oct. 17, 1957