

MINUTES OF THE FIRST (ORGANIZATION) MEETING

OF THE UPPER COLORADO RIVER COMMISSION

HELD AUGUST 5 and 6, 1949

AT SALT LAKE CITY, UTAH

The first meeting of the Upper Colorado River Commission was held, beginning August 5, 1949, at 11:45 a.m. in the Conference Room of the Region IV office of the Bureau of Reclamation at Salt Lake City, Utah.

Commissioners present were:

Harry W. Bashore, Commissioner for the United States of America
Clifford H. Stone, Commissioner for the State of Colorado
John H. Bliss, Commissioner for the State of New Mexico
Harold A. Linke, Commissioner for the State of Utah
Earl Lloyd, proxy for L. C. Bishop, Commissioner for the State of Wyoming

Others present were:

Charles A. Carson, Counsel, Arizona Interstate Stream Commission, Phoenix, Arizona
O. C. Williams, Land and Water Commissioner, Phoenix, Arizona
R. Gail Baker, State Reclamation Engineer, Phoenix, Arizona
Ralph I. Meeker, Engineer, Phoenix, Arizona
R. J. Tipton, Consulting Engineer, Colorado Water Conservation Board, Denver, Colorado
Jean S. Breitenstein, Attorney, Colorado Water Conservation Board, Denver, Colorado
F. C. Merriell, Member, Colorado Water Conservation Board, Grand Junction, Colorado
Glenn G. Saunders, Attorney, Water Department, Denver, Colorado
T. I. Moore, City Manager, Grand Junction, Colorado
Fred E. Wilson, Attorney, Interstate Stream Commission, Albuquerque, New Mexico
Martin A. Threet, Attorney, Interstate Stream Commission, Albuquerque, New Mexico
I. J. Coury, Member, Interstate Stream Commission, Farmington, New Mexico
John R. Erickson, Engineer, Interstate Stream Commission, Santa Fe, New Mexico
Clinton D. Vernon, Attorney General, State Capitol, Salt Lake City, Utah
C. O. Roskelley, Assistant State Engineer, State Capitol, Salt Lake City, Utah
Wm. R. Wallace, President, Utah Water Users' Association, Salt Lake City, Utah
Thos. W. Jensen, Utah Water Users' Association, Salt Lake City, Utah

R. D. Goodrich, Engineering Consultant, Laramie, Wyoming
Ernest B. Hitchcock, Assistant Compact Commissioner, Rock Springs, Wyoming
David P. Miller, Assistant Compact Commissioner, Rock Springs, Wyoming
Joe L. Budd, Assistant Compact Commissioner, Big Piney, Wyoming
J. G. Will, Assistant Chief Counsel, Bureau of Reclamation, Washington, D. C.
J. R. Riter, Chief Hydrologist, Hydrology Division, Bureau of Reclamation, Denver, Colorado
H. P. Dougan, Engineer, Hydrology Division, Bureau of Reclamation, Denver, Colorado
E. O. Larson, Regional Director, Region IV, Bureau of Reclamation, Salt Lake City, Utah
Reid Jerman, Planning Engineer, Region IV, Bureau of Reclamation, Salt Lake City, Utah
Cecil B. Jacobson, Chief, Hydrology Division, Region IV, Bureau of Reclamation, Salt Lake City, Utah
F. M. Warnick, Acting Area Engineer, Region IV, Bureau of Reclamation, Salt Lake City, Utah
Clyde H. Hardy, Engineer, Region IV, Bureau of Reclamation, Salt Lake City, Utah
Carl G. Paulsen, Chief Hydraulic Engineer, Water Resources Division, U. S. Geological Survey, Washington, D. C.
M. T. Wilson, District Engineer, U. S. Geological Survey, Salt Lake City, Utah
Francis M. Bell, District Engineer, U. S. Geological Survey, Denver, Colorado

The meeting having been called to order by Chairman Harry W. Bashore, the Commissioners of each state presented their credentials.

It was moved, seconded, and carried unanimously that, until further action by the Commission, Mrs. Lois P. Crowder be designated as the Official Reporter of the Commission.

It was moved, seconded, and carried unanimously that the Upper Colorado River Commission assume any outstanding obligations of the Upper Colorado River Compact Commission.

It was unanimously agreed that the Commission should adopt a formal set of by-laws to govern its proceedings.

It was moved, seconded, and carried unanimously that, at the appropriate time, the Commission would select a Treasurer, who need not be a member of the Commission, and who would not be Secretary of the Commission.

It was moved, seconded, and carried unanimously, that the Commission would, in due course, select a Vice-Chairman from the membership of the Commission.

It was moved, seconded, and carried unanimously that Mrs. Lois P. Crowder be selected as Treasurer pro tem; that there be paid to the Treasurer pro tem a total of \$5,000 to be paid by the States in proportion to the percentage allocations of water to each and that the bond of the Treasurer pro tem be fixed at \$7,500.

It was moved, seconded, and carried unanimously that the by-laws should provide for the establishment of certain committees to perform certain functions set forth therein, the membership of which may or may not be members of the Commission.

It was moved, seconded, and carried unanimously that there be appointed a committee of four, who may or may not be members of the Commission, to draft, for submission to the Commission, a set of by-laws to govern its proceedings.

An offer having been made by the City of Grand Junction, Colorado, through its City Manager, to provide free office space for the use of the Commission, motion was duly made, seconded, and carried unanimously to accept the offer and select Grand Junction, Colorado, as the site of the Commission's headquarters.

It was moved, seconded, and carried unanimously that the by-laws of the Commission provide for a regular meeting of the Commission on the third Monday in March and an annual meeting on the third Monday in September of each year at the permanent office of the Commission, and special meetings at the call of the Chair or on the written request of two or more States, with not less than ten days' written notice.

It was moved, seconded, and carried unanimously, that the by-laws provide for the establishment of a standing Engineering Committee and such other standing committees as are deemed advisable and necessary.

The Commission recessed at 4:45 p.m. until 9:30 a.m. August 6, 1949.

Honorable Clifford H. Stone, Commissioner for Colorado, was duly elected Vice-Chairman of the Commission.

The membership of the Committee to draft the by-laws of the Commission was named by the states as follows:

Jean S. Breitenstein, Chairman
Fred Wilson
Clinton D. Vernon
Norman Gray
J. G. Will

The membership of a committee to draft a program and budget for the Commission was named by the States as follows:

C. O. Roskelley, Chairman
Earl Lloyd
John R. Erickson
Frank C. Merriell
J. R. Riter

It was moved, seconded, and carried unanimously that the Chairman and Vice-Chairman constitute a committee to interview applicants and others for the position of Secretary, determine their qualifications, and report back to the Commission at its next meeting.

It was moved, seconded, and carried unanimously that the next meeting of the Commission be held on September 19, 1949, at Grand Junction, Colorado. Whereupon, at 12:20 p.m., August 6, 1949, the Commission adjourned.

John Geoffrey Will
Secretary
Upper Colorado River Commission

MINUTES
OF
UPPER COLORADO RIVER COMMISSION

Grand Junction, Colorado
September 19 - 20, 1949

The First Annual Meeting of the Upper Colorado River Commission was held in Room 321, Post Office Building, Grand Junction, Colorado, September 19 - 20, 1949.

The meeting was called to order by Harry W. Bashore, Chairman, at 10 o'clock A. M. The following Commissioners and their respective states represented were:

Clifford H. Stone, Colorado
John Bliss, New Mexico
Harold A. Linke, Utah
Earl Lloyd, Acting for L. C. Bishop, Wyoming
Harry W. Bashore, U. S. of America
Mrs. Lois P. Crowder, Treasurer pro tem, and
Official Reporter

A list of all those present, including engineering and legal advisors, will be found in the official transcript of this meeting.

Mr. Frank C. Merriell, member of the Colorado Water Conservation Board, Grand Junction, introduced Mayor Hoisington who welcomed the Commission to Grand Junction and expressed the hope that deliberations and work of the Upper Colorado River Commission might be "harmonious and successful in all ways".

The Chairman called upon the Committee appointed for drafting the by-laws for its report.

Mr. Jean S. Breitenstein, legal advisor to the Commissioner from Colorado, read the proposed by-laws. They were discussed article by article, amended in certain particulars, and adopted as follows:

BY-LAWS
OF
UPPER COLORADO RIVER COMMISSION
ARTICLE I.

THE COMMISSION

1. The Commission shall be composed of one Commissioner representing each of the States of Colorado, New Mexico, Utah and Wyoming, designated or

appointed in accordance with the laws of each such State, and if designated by the President, one Commissioner representing the United States of America.

2. The credentials of each Commissioner shall be filed with the Secretary of the Commission.

3. Each Commissioner shall advise in writing the Secretary of the Commission as to his address to which all official notices and other communications of the Commission shall be sent to him and shall further promptly advise in writing the Secretary of the Commission as to any change in such address.

ARTICLE II

OFFICERS

1. The officers of the Commission shall be:

Chairman
Vice-Chairman
Secretary
Treasurer

2. The Commissioner representing the United States of America shall be the Chairman of the Commission. The Chairman shall preside at meetings of the Commission. His duties shall be such as are usually imposed on such officers and such as may be assigned to him by these by-laws or by the Commission from time to time.

3. The Vice-Chairman shall be one of the Commissioners representing a State. He shall be elected at each annual meeting of the Commission and shall hold office until the next annual meeting and until his successor is elected. In the case of a vacancy in the office of Vice-Chairman, the Commission shall at its next meeting, whether regular or special, elect a Vice-Chairman to serve for the unexpired term. The Vice-Chairman shall perform all the duties of the Chairman when the Chairman is unable for any reason to act or when for any reason there is a vacancy in the office of Chairman. In addition the Vice-Chairman shall perform such other duties as may be assigned to him by the by-laws or the Commission from time to time.

4. The Secretary shall not be a member of the Commission, or an employee of any state signatory to the Upper Colorado River Basin Compact or of the United States of America while acting as Secretary. The Secretary shall be selected by the Commission. He shall serve for such term and receive such salary and perform such duties as the Commission may direct. In the case of a vacancy in the office of Secretary the Commission shall proceed as expeditiously as possible to select a new Secretary. The Secretary shall furnish a bond for the faithful performance of his duties if the Commission shall so direct. The cost of such bond shall be paid by the Commission.

5. The Treasurer may or may not be a member of the Commission. He shall be elected at each annual meeting of the Commission and shall hold office until his successor is elected and shall have qualified. The Treasurer shall receive, hold and disburse all funds of the Commission. The Treasurer shall furnish a bond for the faithful performance of his duties in such amount as the Commission may direct. The cost of such bond shall be paid by the Commission. In the case of a vacancy in the office of Treasurer the Chairman shall appoint a new Treasurer to serve for the unexpired term, or until such time as the Commission shall elect a successor at a regular or special meeting, and the person so elected shall have qualified.

6. The Commission may employ such engineering, legal, clerical and other personnel as, in its judgement, may be necessary. They shall receive such compensation and perform such duties as may be fixed by the Commission.

ARTICLE III

PRINCIPAL OFFICE

1. The principal office and place of business of the Commission shall be located in the City of Grand Junction, Colorado.

2. The principal office shall be open for business on such hours and days as the Commission may from time to time direct.

3. All books and records of the Commission shall be kept at the principal office of the Commission. Except as otherwise provided in the Compact or herein, all records of the Commission shall be open to inspection by the public during the hours the principal office is open for business. Whenever the Commission believes that the purposes and objects of the Compact will best be served by reserving certain of the records from public inspection, it may so order.

ARTICLE IV

MEETINGS

1. The annual meeting of the Commission shall be held on the third Monday of September of each year.

2. The Commission shall hold a regular meeting on the third Monday of March of each year,

3. Special meetings of the Commission may be called by the Chairman, or in the case of vacancy in the office of Chairman, or inability of the Chairman to act, by the Vice-Chairman. Upon written request of two or more Commissioners it shall be the duty of the Chairman to call a special meeting.

4. Notice of all meetings of the Commission shall be sent by the Secretary, or in the case of a vacancy in the office of Secretary or the inability of the Secretary to act, by the Chairman, to all members of the

Commission by ordinary mail at least ten days in advance of each such meeting. The notice here required may be waived by unanimous consent of all members of the Commission.

5. Unless otherwise agreed to in advance by not less than four members of the Commission, all annual and regular meetings of the Commission shall be held at the principal office of the Commission. Special meetings shall be held at the office of the Commission unless the notice of any such special meeting shall designate some other place for the meeting. No meetings of the Commission shall be held other than in an Upper Colorado River Basin state or in Washington, D. C. unless at least four members of the Commission have consented in writing to the place for the meeting in advance of the transmittal of notices of the meeting. The Commission shall hold no meetings outside of the United States of America.

6. The Commission shall employ a qualified Reporter to record and transcribe the proceedings of meetings of the Commission. The transcript and the approved minutes of the Commission shall be preserved in a suitable manner. Minutes until approved by the Commission shall not be official and shall be furnished only to members of the Commission, its employees and committees.

7. Any four members of the Commission shall constitute a quorum: provided that, when a quorum is present, an absent member may be represented by his proxy and such proxy shall have all of the powers of a member at such meeting.

8. Each member of the Commission shall have one vote.

9. Except as otherwise provided in the Upper Colorado River Basin Compact or herein, the concurrence of four members of the Commission shall be required in any action taken by it.

10. At each meeting of the Commission, the order of business, unless agreed otherwise, shall be as follows:

- Call to order;
- Reading of minutes of last meeting;
- Approval of minutes of last meeting;
- Report of Chairman;
- Report of Secretary;
- Report of Treasurer;
- Report of Committees;
- Unfinished business;
- New business;
- Adjournment.

11. All meetings of the Commission, except executive sessions, shall be open to the public. Executive sessions shall be open only to officers and members of the Commission and two advisors designated by each member: Provided, however, that the Commission may call witnesses before it in such sessions.

12. Any meeting of the Commission may be adjourned or continued from time to time and from the place set for the meeting to another place: provided that, without the written consent of four members of the Commission no adjournment or continuance shall be for more than thirty days or to a place other than that set for the meeting so adjourned or continued.

ARTICLE V

COMMITTEES

1. There shall be the following standing committees:

Engineering Committee,
Legal Committee,
Budget Committee.

2. The standing committees shall have the following duties:

(a) The Engineering Committee shall advise the Commission on all engineering matters that may be referred to it.

(b) The Legal Committee shall advise the Commission on all legal matters that may be referred to it.

(c) The Budget Committee shall prepare the annual budget and shall advise the Commission on all fiscal matters that may be referred to it,

3. Members of committees may or may not be members of the Commission. The number of members of each committee shall be determined from time to time by the Commission. Each member of the Commission shall designate the member or members on each committee representing his government. In all committee action the vote shall be taken by governments with each government having one vote.

4. The Chairman and Secretary shall be ex-officio members of all committees.

5. The Chairman of each Committee shall be designated by the Chairman of the Commission from the members of the committee.

6. The Commission may from time to time create special committees, composed of such members and others and assigned such tasks as the Commission may determine.

7. Formal Committee reports shall be made in writing and filed with the Secretary of the Commission.

ARTICLE VI

RULES AND REGULATIONS

1. So far as consistent with the Upper Colorado River Basin Compact, the Commission may adopt Rules and Regulations.

2. All proposals for Rules and Regulations or for changes in Rules and Regulations must be presented to the Commission in writing and shall not be acted on at the meeting when first presented but shall go over for action at a designated subsequent meeting of the Commission.

3. Following presentation to the Commission, public notice of all proposed Rules and Regulations and changes in Rules and Regulations shall be given by two publications, at least one week apart, in some newspaper of general circulation in each of the member states. The Commission member from each state shall designate the newspaper in his state in which such publication shall be made. No Rule or Regulation and no change in any Rule or Regulation shall be effective until a date specifically stated in the published notice, which date shall be at least ten days after the last publication. It shall be the duty of the Secretary to see that the necessary notices are published as herein required.

4. The Secretary shall compile the Rules and Regulations of the Commission and shall prepare copies for distribution to the public under such terms and conditions as the Commission may prescribe.

ARTICLE VII

FISCAL

1. All funds of the Commission shall be received by the Treasurer and deposited by him in a depository or depositories designated by the Commission.

2. Disbursements of Commission funds shall be made by check by the Treasurer upon vouchers approved by the Chairman, the Vice-Chairman, or the Secretary.

3. On or before December 1 of each year, the Commission shall adopt and transmit to the Governors of the four states and to the President of the United States a budget covering an estimate of its expenses for the following year, and of the amount payable by each state under the provisions of the Upper Colorado River Basin Compact.

4. The payment of the expenses of the Commission and of its employees shall not be subject to the audit and accounting procedures of any of the four states.

5. All receipts and disbursements of the Commission shall be audited yearly by a qualified independent public accountant to be selected by the Commission and the report of the audit shall be included in and become a part of the annual report of the Commission.

6. The Secretary shall prepare and keep up to date an inventory of all of the property of the Commission.

7. The fiscal year of the Commission shall begin July 1 of each year and end June 30 of the next succeeding year.

ARTICLE VIII

ANNUAL REPORT

1. The Commission shall make and transmit annually on or before April 1 to the Governors of the states signatory to the Upper Colorado River Basin Compact and to the President of the United States a report covering the activities of the Commission for the water year ending the preceding September 30.

2. The annual report shall include among other things the following:

- (a) The estimated budget;
- (b) All hydrologic data which the Commission deems pertinent;
- (c) Estimates, if any, of the Commission forecasting water run-off;
- (d) Statements as to the cooperative studies of water supplies made during the preceding water year;
- (e) All findings of fact made by the Commission during the preceding water year;
- (f) Such other pertinent matters as the Commission may require.

ARTICLE IX

SEAL

1. The seal of the Commission shall be a circular seal with the words "Upper Colorado River Commission" imprinted around the border and the word "Seal" in the center thereof.

2. The Secretary of the Commission shall have custody of the seal of the Commission.

ARTICLE X

MISCELLANEOUS

1. The Commission and its Secretary shall on request make available to the Governor of each of the states signatory to the Upper Colorado River Basin Compact any information within its possession at any time, and shall always provide free access to its records by the governors of such states, or their representatives, or authorized representatives of the United States of America. The cost of making information available shall be borne by the person or government requesting such information.

2. All contracts or other instruments in writing to be signed for and on behalf of the Commission, except matters relating to the receipt or disbursement of funds, shall be signed by the Chairman or Vice-Chairman and the Secretary. When necessary the seal of the Commission shall be affixed thereto.

3. Except as otherwise provided by the Compact or herein, meetings of the Commission shall be in accordance with Robert's Rules of Order.

ARTICLE XI

AMENDMENTS TO BY-LAWS

1. Amendments to the By-laws may be made at any meeting of the Commission provided notice of the proposed amendment shall have been given in the notice of the meeting.

2. Unless a proposed amendment to the By-Laws is unanimously agreed to by all five members of the Commission, action on the proposed Amendment shall go over to a succeeding meeting of the Commission at which meeting the concurrence of four members of the Commission shall be necessary to the adoption of the amendment.

The Commission extended official thanks to the Committee on By-Laws for its splendid job and the Committee was discharged.

Mr. Frank C. Merriell then introduced Mr. Ray Boggs, President of the Grand Junction Chamber of Commerce, who offered the Commission the facilities of the Chamber of Commerce as its headquarters until such time as the City Hall facilities become available. Mr. Boggs also invited members of the Commission and their advisors to a 6:45 dinner at the Legion Hall as guests of the Grand Junction Chamber of Commerce.

The Chairman called for the report of the Committee on Budget and Programs, whereupon Mr. C. O. Roskelley, Chairman, read the Program Report of the Committee. After discussion and amendment, the report on the program was adopted, as follows:

Inasmuch as the program outlined by this Committee is based in part upon a continuance of certain work started by the Engineering Advisory Committee to the Upper Colorado River Basin Compact Commission and since that Committee was instructed to prepare an Inflow-Outflow manual which would constitute the basis for commencement of administrative calculations on the Upper Colorado River, this Committee feels that it is necessary for the Upper Colorado River Commission to adopt for its use and guidance the material prepared by the Engineering Advisory Committee including its final report to the Compact Commission and the Inflow-Outflow Manual and any other material prepared by the Upper Colorado River Basin Compact Commission which may be pertinent to the administration of the Compact.

This Committee proceeded on the premise that there is a definite program which should be established and carried out in accordance with the provisions of the Upper Colorado River Basin Compact and in accordance with the ideas set forth by the Commission at the meeting of August 5 and 6, 1949, irrespective of any present apparent financial limitation. The Committee recommends that the Commission adopt the following Program which, in the opinion of this Committee, is a minimum requirement for carrying out the objectives of the Compact and the Commission:

1. Set up the Secretary's office and develop office procedure including engineering and accounting;

2. Develop methods for carrying out basic procedure outlined in the Inflow-Outflow Manual.

3. Set up the machinery for continuing studies started by the Engineering Advisory Committee looking toward compliance with Article VI of the Compact.

4. Establish cooperation with the U. S. Geological Survey for the purpose of constructing and operating the gaging stations listed in B.2 and B.3 of the recommendations in the Inflow-Outflow Manual.

5. Instigate reconnaissance looking toward investigations which would add to the present knowledge regarding stream depletions, consumptive use of water and any other phase of water losses and other technical studies considered necessary.

6. Establish liaison with the proper officials in each of the Upper Basin States for the purpose of keeping a complete file in the Secretary's Office of the activities of the states in the Upper Colorado River Basin and for any other purpose consistent with the Compact.

7. Establish liaison with the proper officials in the Federal agencies concerned with Colorado River development for the same purposes enumerated in Item 6 above.

8. To take action to secure the expeditious agricultural and industrial development of the Upper Basin, the storage of water to protect life and property from floods and otherwise to carry out the objects and purposes of the Compact.

9. Keep complete information, insofar as possible, with regard to the activities in the Lower Colorado River Basin and establish liaison with Lower Basin States at the discretion of the Commission.

10. Prepare an annual report to be submitted to the Commission at its annual meeting and a progress report to be submitted at the semi-annual meeting.

The Committee also recommends that the Commission request of the Secretary of the Interior and the Chief of Engineers that any material submitted to the states under the 1944 Flood Control Act be submitted also to the Secretary of the Upper Colorado River Commission.

The Commission, in accordance with the recommendation of the program and budget committee, adopted the report of the Engineering Advisory Committee of the Upper Colorado River Basin Compact Commission, including the Inflow-Outflow manual.

The budget report of the committee was then presented by Chairman Roskelley. Following full debate, and in consideration of Wyoming's limited appropriation, it was moved, seconded, and unanimously carried that the Commission adopt a budget of \$30,000 for the fiscal year ending June 30, 1950 - this to include the \$5,000 voted at the Salt Lake meeting August 6, 1949.

The Commission met in executive session and reviewed the report of the Committee appointed to interview applicants for the position of Secretary. No action was taken thereon.

The Treasurer pro tem. (Mrs. Lois P. Crowder) gave her report as follows:

The Treasurer pro tem was bonded in the amount of \$7,500. She made request upon, and received from Grover A. Giles, Secretary of the Upper Colorado River Basin Compact Commission, the funds of that Commission held by him. She also requested of the states of Colorado, New Mexico, Utah and Wyoming the payment of their respective portions of the \$5,000 authorized by the Commission, August 5, 1949. Her receipts are listed as follows:

Grover A. Giles	\$ 417.32
State of Wyoming	700.00
State of Utah	1,150.00
State of New Mexico	<u>562.50</u>
Total receipts	\$2,829.82

The State of Colorado on August 25, 1949 acknowledged receipt of the request for Colorado's portion of the \$5,000, which amounted to \$2,587.50, and stated that the claim was in the process of being paid.

The Treasurer pro tem stated that the First Security Bank of Utah, Main at First South Branch, Salt Lake City, Utah was temporary depository of the Commission's fund.

The Treasurer pro tem presented the following bills:

U. S. Fidelity and Guaranty Company	
\$7500 bond of Treasurer Pro Tem.	\$ 22.50
Lois P. Crowder, Official Reporter,	
Expense of reporting Final Meeting of the	
Upper Colorado River Basin Compact	
Commission at Salt Lake City,	
August 5, 1949	79.20
Lois P. Crowder, Official Reporter,	
Expense of Reporting Organization	
Meeting of the Upper Colorado River	
Commission at Salt Lake City	
August 5 and 6, 1949	311.45
Lois P. Crowder, services as Treasurer	
Pro Tem, and handling miscellaneous	
correspondence for Commission	<u>12.54</u>
Total	\$ 425.69

She stated that Commissioner Stone, as Vice-Chairman, had approved these bills for payment.

Commissioner Stone reported that he had corrected and was having reproduced the record of the last meeting of the Upper Colorado River Basin Compact Commission.

A temporary committee, consisting of John H. Bliss and Harold A. Linke was appointed by the Chairman to edit in the absence of a permanent secretary, the transcript of the first meeting of the Commission and the annual meeting of September 19 and 20, 1949.

The meeting was adjourned to Salt Lake City October 29, 1949 at 9 O'clock A. M. at a place to be designated by the Chairman.

John Geoffrey Will
Secretary
Upper Colorado River Commission

MINUTES OF AN ADJOURNED REGULAR MEETING

OF THE

UPPER COLORADO RIVER COMMISSION

October 29 - 30, 1949
Salt Lake City, Utah

An adjourned regular meeting of the Upper Colorado River Commission was held, beginning at 9:00 a.m. October 29, 1949 in the Conference Room of Region IV, of the Bureau of Reclamation, Salt Lake City, Utah,

Commissioners present were:

Harry W. Bashore, Commissioner for the United States
of America, and Chairman
Clifford H. Stone, Commissioner for the State of
Colorado, and Vice-Chairman
John H. Bliss, Commissioner for the State of
New Mexico
Harold A. Linke, Commissioner for the State of
Utah
L. C. Bishop, Commissioner for the State of
Wyoming

Others present were:

Charles A. Carson, Legal Counsel, Arizona Interstate
Stream Commission
Wayne M. Akin, Chairman, Arizona Interstate Stream
Commission
Dr. Alfred Atkinson, Member, Arizona Interstate Stream
Commission
J. H. Moeur, Attorney, Central Arizona Project
R. Gale Baker, Reclamation Engineer
R. J. Tipton, Consulting Engineer, Colorado Water
Conservation Board
Jean S. Breitenstein, Attorney, Colorado Water
Conservation Board
Frank Delaney, Attorney, Colorado River Water
Conservation District
Harry L. Potts, Engineer, Denver Water Board
Roger Ernst, Executive Secretary, Water Development
Association of Southeastern Colorado
Fred E. Wilson, Legal Adviser to Commissioner for
the State of New Mexico
I. J. Coury, Member, New Mexico Interstate Stream
Commission
John R. Erickson, Engineer, New Mexico Interstate
Stream Commission
Clinton D. Vernon, Attorney General of the State of
Utah

C. O. Roskelley, Assistant State Engineer for the
State of Utah
Wm. R. Wallace, President, Utah Water Users'
Association
Thomas W. Jensen, Utah Water Users' Association
B. H. Stringham, Mayor of Vernal, Utah
Frank Ward, Secretary, Chamber of Commerce, Vernal, Utah
R. D. Goodrich, Engineering Consultant, Laramie, Wyoming
H. Melvin Rollins, Assistant Compact Commissioner,
Cheyenne, Wyoming
N. B. Bennett, Jr., Assistant Director, Branch of
Project Planning, Bureau of Reclamation
J. R. Riter, Chief Hydrologist, Bureau of Reclamation
E. O. Larson, Regional Director, Region IV, Bureau of
Reclamation
Cecil B. Jacobson, Chief, Hydrology Division, Region IV,
Bureau of Reclamation
Reid Jerman, Regional Planning Engineer, Region IV,
Bureau of Reclamation
M. T. Wilson, District Engineer, United States
Geological Survey, Salt Lake City, Utah

The meeting having been called to order, Mr. Mills E. Bunker, Consulting Engineer, Ford, Bacon and Davis, Inc., discussed the purpose and scope of the synthetic liquid fuel survey being made by his firm under a contract with the Corps of Engineers, U. S. Army.

Senator Arthur V. Watkins, of Utah, addressed the Commission.

It was duly moved, seconded and carried unanimously that the Commission express its appreciation for the fine work done by Senators and Representatives from the Upper Basin States in obtaining Congressional consent to the Upper Colorado River Compact.

Thereupon, Mr. Breitenstein read to the Commission the revised proposed by-laws of the Commission. The by-laws, as read, are set out at pages 30 to 41 of the transcript.

It was duly moved, seconded and carried unanimously that the by-laws, as read, be adopted.

It was duly moved, seconded and carried unanimously that Clifford H. Stone, Commissioner for the State of Colorado, be elected as Vice-Chairman of the Commission.

It was duly moved, seconded and carried unanimously that Mr. Barney L. Whatley be elected as Treasurer of the Upper Colorado River Commission.

Mr. Harry E. Polk, President of the National Reclamation Association, addressed the Commission.

Mr. William E. Welsh, Secretary-Manager of the National Reclamation Association, addressed the Commission.

It was duly moved, seconded and carried unanimously that the Engineering Committee consist of not more than two members from each of the four States of the Upper Division, and not more than two members designated by the Commissioner for the United States of America; and that each Commissioner as well as the Commissioner for the United States reserve the right to change its member or members on the Engineering Committee. Whereupon, the following were named for membership on the Engineering Committee:

John R. Erickson	- New Mexico
Royce J. Tipton	- Colorado
Frank Merriell	- Colorado
J. R. Riter	- Federal
R. D. Goodrich	- Wyoming
H. T. Person	- Wyoming
C. O. Roskelley	- Utah

The Chairman designated J. R. Riter as Chairman of the Engineering Committee.

It was duly moved, seconded and carried unanimously that the Legal Committee consist of one representative designated by each of the four States and one designated by the Chairman of the Commission. Whereupon, the following were named for membership on the Legal Committee:

Frank Delaney	- Colorado
Norman B. Gray	- Wyoming
Clinton D. Vernon	- Utah
Fred E. Wilson	- New Mexico

The Chairman announced that he would advise at a subsequent date regarding his selection for membership on the Legal Committee and his selection of a Chairman for that Committee.

It was duly moved, seconded and carried unanimously, that the Budget Committee consist of one representative designated by each of the four States and one designated by the Chairman of the Commission. Whereupon, the following were named for membership on the Budget Committee:

John H. Bliss	- New Mexico
Clifford H. Stone	- Colorado
C. O. Roskelley	- Utah
J. R. Riter	- Federal
L. C. Bishop	- Wyoming

Mr. C. O. Roskelley was designated as Chairman of the Budget Committee.

It was duly moved, seconded and carried unanimously that the Commission's Treasurer furnish a corporate surety bond in the amount of \$40,000.

It was duly moved, seconded and carried unanimously that the tentative report of Ford, Bacon and Davis be referred to the Engineering Committee with the request that such Committee report back to the Commission at its next meeting.

It was duly moved, seconded and carried that the First National Bank of Grand Junction, Colorado, be designated as the depository of funds of the Upper Colorado River Commission; that the Treasurer be directed to make such arrangements as may be necessary to adequately protect the funds of the Commission; and that the Treasurer be authorized to draw checks on such funds.

The Commission recessed at 5:00 p.m. until 9:00 a.m. on October 30, 1949.

At 9 o'clock a.m., on October 30, 1949, the Chairman called the meeting to order, whereupon the Commission went into executive session. The Commission recessed at 11:30 a.m. It reconvened in executive session at 12:30 p.m., during the course of which it was advised of the result of balloting on candidates for the office of Secretary of the Commission. Thereupon, it was duly moved, seconded and carried unanimously that the Chair appoint a committee of two to advise J. G. Will of his selection as Secretary of the Upper Colorado River Commission and to discuss with him the terms of his employment, and that thereafter the Commission meet with him and determine the conditions of employment.

The Commission recessed at 1:25 p.m. It reconvened at 5:45 p.m., whereupon it was duly moved, seconded and carried unanimously that the Commission adjourn and meet in special session on December 12, 1949, at 10 o'clock a.m. The Commission adjourned at 5:52 p.m.

John Geoffrey Will
Secretary
Upper Colorado River Commission

MINUTES OF A SPECIAL MEETING
OF THE
UPPER COLORADO RIVER COMMISSION

December 12, 1949
Denver, Colorado

A special meeting of the Upper Colorado River Commission was held on December 12, 1949, at the Argonaut Hotel, Denver, Colorado.

Commissioners present were:

Harry W. Bashore, Commissioner for the United States of
America, and Chairman
Clifford H. Stone, Commissioner for the State of Colorado,
and Vice-Chairman
Harold A. Linke, Commissioner for the State of Utah
L. C. Bishop, Commissioner for the State of Wyoming

Others present were:

R. M. Gildersleeve, Engineer, Colorado Water Conservation
Board, Denver, Colorado
Fred E. Wilson, Legal Advisor for New Mexico
M. A. Threet, Attorney, New Mexico Interstate Stream
Commission
I. J. Coury, Member, New Mexico Interstate Stream Commission
John R. Erickson, Engineer, New Mexico Interstate Stream
Commission
Clinton D. Vernon, Attorney General of the State of Utah
C. O. Roskelley, Assistant State Engineer of the State of
Utah
R. D. Goodrich, Engineering Consultant for the State of
Wyoming
Austin P. Russell, Assistant State Engineer of the State
of Wyoming
J. G. Will, Assistant Chief Counsel, Bureau of Reclamation,
Department of the Interior
H. P. Dougan, Engineer, Hydrology Division, Branch of
Project Planning, Bureau of Reclamation, Department of
the Interior
Francis M. Bell, District Engineer, United States Geological
Survey, Department of the Interior
M. T. Wilson, District Engineer, United States Geological
Survey, Department of the Interior

The meeting having been called to order at 10 o'clock a.m., Mr. Bell presented a memorandum on the subject of the need for the establishment of stream gaging stations necessary for Compact administration. Commissioner Bishop moved that such memorandum be referred to the Engineering Committee.

Commissioner Stone seconded the motion; and, the question being put, the same was adopted unanimously.

Motion was made by Commissioner Linke that the Engineering Committee be requested to prepare a report on the subject of Mr. Bell's memorandum by the 15th of January, 1950. The motion was seconded by Commissioner Bishop. The question being put, the motion was carried unanimously.

Adoption of the following resolution was moved by Commissioner Stone, seconded by Commissioner Bishop, and carried unanimously:

"WHEREAS the Upper Colorado River Basin Compact among the States of Colorado, New Mexico, Utah and Wyoming became effective on the 6th day of April, A.D. 1949, and the Upper Colorado River Commission, a body set up by the Compact, has been organized to perform its administrative functions; and

WHEREAS the Colorado River is an interstate and international stream, and the use and control of the waters thereof are affected by the Colorado River Compact, the Upper Colorado River Basin Compact and the Treaty between the United States and Mexico of 1945; and

WHEREAS the establishment, maintenance and operation of gaging stations is of interest and concern to the United States of America in view of the national and international aspects involved in determinations relating to the flow, control and use of waters of the Colorado River System and the discharge of international treaty and of compact obligations connected therewith; and

WHEREAS it is the desire of the Upper Colorado River Commission that gaging stations required for compact administration and for meeting international obligations be operated by a disinterested agency using modern equipment and methods and capable of obtaining records of highest accuracy; and

WHEREAS the United States Geological Survey is recognized as the official Federal agency for collecting, publishing and disseminating stream flow records; and

WHEREAS the Upper Colorado River Commission will be in a position from time to time to make recommendations as to the number and location of gaging stations required to meet the purposes herein above mentioned; and

WHEREAS the Federal Government has heretofore initiated and prosecuted a policy for the installation, maintenance and operation of gaging stations on interstate streams and particularly to aid in the administration of compacts on such streams:

NOW, THEREFORE, BE IT RESOLVED that the Upper Colorado River Commission recommends to the President, the Secretary of the Interior and the Congress the prosecution of a broad and comprehensive program for the establishment, operation and maintenance of gaging stations to these ends in the Colorado River Basin and the provision of adequate funds therefor."

Mr. Dugan, for the Engineering Committee, presented a report and comments by that Committee on a tentative report entitled "Water Supply in Upper Colorado River Basin Available for Synthetic Liquid Fuel Plants-- Upper Basin States, Colorado, New Mexico, Utah, Wyoming, portion of Arizona, dated October 6, 1949, by Ford Bacon and Davis". Copies of the report were distributed. The report and comments were critical in a number of respects of the conclusions reached by Mr. Bunker and of the reasons for arriving at the same. It was moved by Commissioner Stone, and seconded by Commissioner Bishop, that the Engineering Committee's report and comments on the tentative report, above described, be approved; that the Commission concur in the conclusions and recommendations contained in the Engineering Committee's report; and, that Lieutenant Colonel McCarty, Corps of Engineers, Synthetic Fuel Division, Washington, D. C., be furnished with a statement of the action taken thereon by the Commission, as requested by Colonel McCarty. The motion carried unanimously. On further consideration, it was moved by Commissioner Stone, and seconded by Commissioner Linke, that the letter to Colonel McCarty include a paragraph to the effect that the States participating in the Upper Colorado River Commission are keenly interested in the investigations being currently made with respect to synthetic fuel production and will appreciate being kept currently advised in accordance with the recommendation of the Engineering Committee, which is quoted in part, as follows:

"In order that the forthcoming report on liquid fuel production will be useful to the States and the Federal Government in planning for the future use of the Upper Colorado River Basin water resources, it is urged that the report estimate the amount of water needed in each sub-basin of the Upper Colorado River for a reasonable program of synthetic fuel production".

The motion was carried unanimously.

At 3:20 p.m., the Commission recessed.

At 3:45 p.m., the Commission reconvened in executive session. At 5:15 p.m., the Commission recessed. At 8:30 p.m., the Commission reconvened in executive session. At 12:15 a.m., December 13, 1949, the Commission adjourned without date. During the executive session in question, a motion was made by Commissioner Linke, seconded by Commissioner Bliss, that the Commission offer J. G. Will a contract to serve as Secretary of the Commission, for an indefinite period, beginning January 1, 1950, at a salary of \$13,750 per annum, subject, however, to the right of either party to cancel the same upon the giving of three months' notice of such intention to cancel. The motion was carried by a vote of 4 to 1, the Chairman voting "Aye", and Mr. Russell, recognized as proxy for Commissioner Bishop, of Wyoming, voting "No".

Commissioner Stone moved that the Commission reimburse Mr. Will, in the amount of \$198.20, for travel expenses incurred by him in proceeding to Denver, Colorado, to confer with the special committee appointed by the Commission to interview him respecting a contract for the position of Secretary of the Commission. The motion was seconded by Commissioner Bliss, and was carried unanimously.

Motion was made by Commissioner Bliss and seconded by Commissioner Linke that the Commission reimburse Mr. Will for his expenses in moving from Washington to Grand Junction. The motion was carried by a vote of 4 to 0, the Chairman voting "Aye", and Wyoming abstaining.

Mr. Will was thereafter called in and announced his acceptance of the offer made by the Commission. Thereupon, the Chairman designated Judge Wilson and Judge Threet to confer with Mr. Will and to prepare a contract to cover his employment.

Upon motion by Commissioner Stone, seconded by Commissioner Linke and carried unanimously, Mrs. Lois P. Crowder was elected Secretary pro tem, to perform such functions as are required of a Secretary until Mr. Will had assumed his position pursuant to the contract authorized by the Commission.

Motion was made by Commissioner Stone, seconded by Commissioner Linke, and carried unanimously, that the Secretary be authorized to incur the obligations necessary for the acquisition of the furniture, equipment, and supplies required for setting up the Grand Junction Office.

Motion was made by Commissioner Stone, seconded by Commissioner Linke, and carried unanimously, that the Commission instruct the Secretary to see that the Annual Report of the Commission, provided for by Article VIII of the Upper Colorado River Basin Compact, be prepared, and that he be authorized to call upon any committees or members of the Commission, or advisors, for such assistance as may be necessary in the preparation of the report.

Motion was made by Commissioner Stone, seconded by Commissioner Bliss, and carried unanimously, that the Secretary be authorized to call upon any committee, or members thereof, for any information and assistance necessary in the preparation of regular or special reports to the President and the Governors of the signatory States, or to committees of the Congress, in the handling of important correspondence, or in other matters.

John Geoffrey Will
Secretary
Upper Colorado River Commission

ERRATUM SHEET

Please attach to minutes of meeting of the Upper
Colorado River Commission, held on December 12, 1949,
at Denver, Colorado.

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Add to list of Commissioners present -

John H. Bliss, Commissioner for the
State of New Mexico.