

RECORD OF PROCEEDINGS

100 LEAVES

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE PUEBLO CONSERVANCY DISTRICT

March 31, 1948

A special meeting of the Board of Directors of the Pueblo Conservancy District was held at the office of the District, 113 West Fifth Street, at 2:00 P. M. o'clock on March 31, 1948.

Directors Present: John M. Holmes, W. T. Mathis and Frank Pryor

The minutes of the meeting of November 25, 1947, were read and approved.

The following Vouchers were read and approved:

11186	Elbert D. Greene	50.00
11187	Charles M. Rose (Nov.)	100.00
11188	Middelkamp Agency Co.	2.50
11189	Mt. St. Tel & Tel Co.	1.76
11190	Elbert D. Greene (Nov)	194.30
11191	Collector Internal Revenue	30.70
11192	Elbert D. Greene	50.00
11193	J. E. Creel, Co. Treas.	17.60
11194	J. E. Creel, Co. Treas.	15.30
11195	First National Bank of Pueblo	185,100.00
11196	Wilmington Savings Fund Society	1,250.00
11197	Eleanore M. Weckbaugh	100.00
11198	First National Bank of Englewood, Colo.	500.00
11199	Clerk of the District Court	5.00
11200	J. E. Creel, Co. Treas.	.60
11201	Charles M. Rose (Dec.)	100.00
11202	Mt. St. Tel & Tel Co.	1.76
11203	Elbert D. Greene (Dec.)	194.30
11204	Collector Internal Revenue	30.70
11205	Elbert D. Greene	50.00
11206	J. E. Creel, Co. Treas.	3.00
11207	J. E. Creel, Co. Treas.	.50
11208	J. E. Creel, Co. Treas.	.50
11209	Pueblo Title Guaranty Co.	275.00
11210	First National Bank	100.26
11211	J. E. Creel, Co. Treas.	327.73
11212	Sam Jones Agency	5.00
11213	J. E. Creel, Co. Treas.	1.00
11214	J. E. Creel, Co. Treas.	10.00
11215	J. E. Creel, Co. Treas.	1.30
11216	Earl H. Dunlap, Sheriff	8.20
11217	State Compensation Insurance Fund	3.00
11218	Ray H. Talbot, Postmaster	10.00
11219	Clerk of the District Clerk	10.00
11220	J. E. Creel, Co. Treas.	4.00
11221	Charles M. Rose (Jan.)	100.00
11222	Mt. St. Tel & Tel Co.	1.76
11223	Elbert D. Greene (Jan.)	194.30
11224	Collector Internal Revenue	30.70
11225	Elbert D. Greene	50.00
11226	Simon F. Elliot	150.00
11227	Charles M. Rose	150.00
11228	J. E. Creel, Co. Treas.	1.60
11229	J. E. Creel, Co. Treas.	1.00

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11230	J. E. Creel, Co. Treas.	3.75
11231	J. E. Creel, Co. Treas.	5.00
11232	J. E. Creel, Co. Treas.	1.50
11233	J. E. Creel, Co. Treas.	1.10
11234	Star Journal Publishing Corp.	17.00
11235	J. E. Creel, Co. Treas.	1.10
11236	Charles M. Rose (Feb.)	100.00
11237	Mt. St Tel & Tel Co.	1.76
11238	Elbert D. Greene (Feb.)	194.30
11239	Collector Internal Revenue	30.70
11240	Elbert D. Greene	50.00
11241	J. E. Creel, Co. Treas.	24.60
11242	Mt. St Tel & Tel Co. L-D Call	2.16
11243	J. E. Creel, Co. Treas.	.55
11244	J. E. Creel, Co. Treas.	10.00
11245	J. E. Creel, Co. Treas.	.50
11246	J. E. Creel, Co. Treas.	.55
11247	Charles M. Rose (Mar.)	100.00
11248	Mt St Tel & Tel Co.	1.76
11249	Elbert D. Greene (Mar.)	194.30
11250	Collector Internal Revenue	30.70
11251	Elbert D. Greene	50.00
11252	John M. Holmes	10.00
11253	W. T. Mathis	10.00
11254	Frank Pryor	10.00
11255	S. F. Elliot	41.50
11256	Blackburn Engineering Co.	1,117.24

Upon motion of Mr. Pryor, seconded by Mr. Mathis, the sale of Certificates listed below was approved because they were sold in a manner believed to be in the best interest of the District and the property holder:

Receipt Pages 317 -- 357 inclusive.

Certs. Nos. 2499; 2498; 56348; 56349;		
58183; 58184; 59882; 59883;		
61689; 61690; 64878; 64879;		
71033; 71034; 75435; 75436;		
75437; 78185; 78186; 78187;		
90662; 87958; 85677; 88341;		
91099; 93082; 96203; 96598;		
97810; 98949; 100152; 101216; (Partial)	69.02	E. R. Walker etal
93039; 94852; 96489; 97770;		
98913; 100122; 101185	40.03	F. B. Arthur
94853; 96490; 97771; 98914;		
100123; 101186;	43.55	F. B. Arthur
64833; 70980; 75367; 78124;		
90628; 87917; 85629; 88295;		
91056; 93040; 94854; 96491;		
97772; 98915; 100124; 101187	361.27	F. B. Arthur
85488	462.84	Verne Hyde
94585; 96230; 97509; 98648;		
99901; 100982;	29.77	Joe G. Ayala
94825	5.34	George Peic
96277	87.23	Rose E. Holloran
94725 (Partial)	25.00	Izz i-Rocco
61552; 64685	10.79	R. B. Thurman

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61565; 64705; 70768; 77860;	
90467; 83236; 85406; 88047;	
90815; 92803; 94625; 96272;	
97552; 98689; 99948; 101013;	
102318	139.98 Deikman and Katz
102436	6.61 Nick & A. Mikatich
102452	11.19 Anthony Zupancic
102437	7.36 Nick & A. Mikatich
102423	46.97 Adolph Coors Co.
102480	40.83 J. R. Britt
102361	131.08 Max Rosenblum
102321	13.56 Frank Giannette etal
102323	148.70 Jennie R. Martin
102463	30.04 Clarence Robbe etc.
102294	19.82 Ernest B. Bowman etal
77947	190.20 E. T. Pate
90932; 92922; 94738; 96380;	251.56 E. T. Pate
64745	88.28 E. T. Pate
102508	438.82 Frederick Herman
64682; 70728; 75043; 77814;	
90440; 83189; 85370	
98939	107.21 Leo Bartels
2443	13.07 Joe Ellis
102457	9.73 Pueblo Pkg. Co.
102458	14.39 Pueblo Lumber Co.
102340	8.88 Pueblo Lumber Co.
102341	21.25 Seven-Up Colorado Co.
77854; 90462; 83223; 85397;	120.37 Seven-Up Colorado Co.
88037; 90803; 92791; 94616;	
96263; 97543; 98681; 99937;	
101006; 102312 (Partial)	
61695; 64884; 71043; 75449;	12.11 Steel City Inv. Co.
75450; 75451; 78198; 78199;	
78200; 90669; 87965; 85684;	
88348; 91106; 93089; 94899;	
96539; 97817; 98957; 100160;	
101224; 102496	330.47 Torres, Serrano, etal
102515	58.63 Wm. C. Lacey
97781	18.07 Frank Herrera
83278; 85639; 88306; 91064;	
93049; 94863; 96500; 97779;	
98920; 101192; 102472	233.68 Jack Jenkins
91065; 93050; 94864; 96501;	
97780; 98921; 101193; 102473	105.59 Jack Jenkins
70732	5.39 R. B. Thurman
94725 (Partial)	25.00 Izzi - Rocco
97556	85.21 Ferd Klein

Mr. Greene reported that Charles M. Rose stated he is going to render a bill for \$250.00 for services rendered in connection with quieting the title on the "C" and Lamkin property. A motion made by Mr. Pryor, seconded by Mr. Mathis and unanimously carried, authorized the payment of this amount to Mr. Rose on presentation of his bill.

Mr. Holmes read a letter dated January 17, 1948, from Devine, Preston and Peterson regarding the acquisition by School District No. 60 of some land owned by the Conservancy District. This letter is attached hereto. The proposition of the School District was discussed by the Directors who looked over a map submitted by the School District as well as maps of the Conservancy District. All of the Directors agreed that the sale of this ground should be made in view of the fact that School District No. 60 serves the entire City of Pueblo. Mr. Mathis thereupon moved the adoption of a Resolution authorizing the sale of this property. Mr. Pryor seconded the motion which was unanimously carried. A copy of the Resolution is attached hereto.

Mr. Holmes read a letter dated February 25, 1948, from Arthur L. Allen, Chairman of the Grounds Committee of the Pueblo Baseball Club, Inc., the letter is attached hereto. Mr. Holmes stated that he had acted on his own initiative in rejecting Mr. Allen's request and both of the other Directors agreed at this meeting that he had done right in so rejecting.

Mr. Holmes read two letters from S. F. Elliot: one letter pertaining to the condition of the south levee of the river; one letter pertaining to the condition of the north levee. Elliot listed various items of repair which he deemed necessary. It was the concensus of opinion of all present that these repairs should be made. The Secretary was instructed to arrange a conference between himself, Mr. Holmes and Mr. Elliot, to discuss the best way to proceed. Mr. Holmes was authorized to use his own judgment as to making a repair to the north levee underneath the Main Street Viaduct and also other repairs as appeared to be especially important.

Mr. Holmes reported that on March 18, 1948, a meeting was held at the office of the District, the meeting being attended by Colonel Henry F. Hannis, District Engineer of the War Department, Corps of Engineers with headquarters at Albuquerque, New Mexico. Also present were three of Colonel Hannis' associate engineers and Holmes, Greene and Elliot of the Conservancy District. This meeting was held for the purpose of discussing the danger of floods in Pueblo. As a result of this meeting, similar letters were written to Senator Edwin C. Johnson and Congressman J. Edgar Chenoweth. A copy of the letter to Senator Johnson is attached. The text of this letter serves as an explanation as to what was accomplished at the meeting with Colonel Hannis etal.

Report was made by Mr. Holmes of a conference held on March 16, 1948, attended by Messrs. Beardsley and Peck of Denver and J. W. Preston and Milo Jensen of Pueblo, all of whom represented the D&RGW RR Co. Mr. Holmes, Mr. Greene and Mr. Rose represented the Conservancy District. The meeting was held for the purpose of discussing what should be done regarding the D&RGW's spur track which is on the property acquired by the District at "C" and Lamkin Street. After some discussion Mr. Beardsley offered in behalf of eh D&RGW \$1000.00 for the R/W which they need, the R/W to be 17 feet in width. Mr. Greene reported that he had seen Mr. Beardsley in Denver on March 29, 1948, and that Mr. Beardsley stated he would not pay any more than \$1000.00 for this R/W.

Mr. Holmes recommended that the offer be accepted. Mr. Pryor then moved the offer be accepted, Mr. Mathis seconded the motion and it was unanimously carried.

There being no further business, the meeting adjourned.

Read and approved:

J. M. Holmes
W. Mathis
Frank Pryor

Elliot D. Greene
 Secretary

DEVINE, PRESTON & PETERSON
ATTORNEYS
546-550 THATCHER BUILDING
PUEBLO, COLORADO

THOS. H. DEVINE
1860-1932
JAMES W. PRESTON
JOSEPH L. PETERSON
DAVID A. PRESTON

January 17, 1948

Mr. John M. Holmes,
President, Board of Directors,
The Pueblo Conservancy District,
Pueblo, Colorado.

Dear Mr. Holmes:

We represent School District No. 60, in the County of Pueblo, and State of Colorado, which District is purchasing some land lying north of West Abriendo Avenue in Pueblo, for a stadium site. We find from an examination of the abstracts of title covering said property that many years ago a small portion of one of the blocks which the District desires to acquire was conveyed to the Denver and Rio Grande Railway Company and that this parcel was acquired by The Pueblo Conservancy District by condemnation in 1926.

It is quite important to the District to acquire from The Pueblo Conservancy District this small parcel of land in order to have all of the ground needed for its proposed stadium.

The parcel is shown on your Map, Sheet 1064, as part of the old Rio Grande Railway right of way. With this letter we submit a survey recently made on which we have indicated the portion of the right of way the District wishes to acquire.

From an examination of your files and the records in the Office of The Pueblo Title Guaranty Company we have prepared the following description of the parcel involved:

All that part of Block "C" in the former City of Pueblo, now part of the City of Pueblo, according to the recorded plat thereof, embraced within the boundaries of the tract of land referred to as parcel 194 in the Decree of the District Court in and for Pueblo County, Colorado, entered September 15, 1926, in the Matter of The Pueblo Conservancy District, a certified copy of which Decree was filed for record in the Office of the County Clerk and Recorder of said Pueblo County on September 15, 1926, and recorded in Book 649, beginning at page 10 of the records in said office, said parcel being a portion of the old right of way of The Denver & Rio Grande Western Railroad Company, being the portion of said Block "C" conveyed by William Moore & James N. Carlile to The Denver & Rio Grande Railway Company by Deed dated April 1, 1881, and recorded in Book 25 at page

Mr. John M. Holmes
January 17, 1948.

-2-

556 of said Pueblo County records.

The Board of Education of said School District are confident that this small parcel of land has no value to the Conservancy District and since it is located on the bluffs south of the river and would have practically no use except as it is needed for the School District's stadium site, the Board of Education feels that you should convey this parcel to the School District in consideration of a token payment merely. We have been authorized by the Board of Education, in line with the belief of its members to offer The Pueblo Conservancy District \$50.00 for a Quit Claim Deed to this parcel.

We would appreciate receiving from you a prompt reply to this offer since the Board of Education is quite anxious to either proceed with its plans for this site or should it not be possible to acquire this parcel from you to abandon these plans and look for some other possible stadium site.

Very truly yours,

JLP:blm

Encs

RESOLUTION.

WHEREAS, School District No. 60 in the County of Pueblo proposes to acquire certain property adjoining lands of the Pueblo Conservancy District and to use same for public purposes, and requires the Pueblo Conservancy District lands in connection therewith, and

WHEREAS, It appears from the representations of the School District that such proposed uses are not inconsistent with the use for which the same property was acquired by the Pueblo Conservancy District, to-wit: the flood protection.

NOW, THEREFORE, BE IT RESOLVED BY THE DIRECTORS OF THE PUEBLO CONSERVANCY DISTRICT: That said District convey to School District No. 60 by quit claim deed, the following property, to-wit:

All that part of Block "C" in the former City of South Pueblo, now part of the City of Pueblo, according to the recorded plat thereof, embraced within the boundaries of the tract of land referred to as parcel 194 in the Decree of the District Court in and for Pueblo County, Colorado, entered September 15, 1926, in the Matter of The Pueblo Conservancy District, a certified copy of which decree was filed for record in the Office of the County Clerk and Recorder of said Pueblo County on September 15, 1926, and recorded in Book 649, beginning at page 10 of the records in said office, said parcel being a portion of the old right of way of The Denver & Rio Grande Western Railroad Company, being the portion of said Block "C" conveyed by William Moore and James N. Carlile to the Denver & Rio Grande Railway Company by Deed dated April 1, 1881, and recorded in Book 25 at page 556 of said Pueblo County records.

And the President of the Pueblo Conservancy District is hereby authorized and directed to execute and deliver said Deed for and on behalf of the Pueblo Conservancy District.

*This Resolution adopted
at meeting held March 31, 1948*

J. M. Hobbes
Frank P. Ryan
W. J. Mathis

ARTHUR & ALLEN**Contractors :: Breeders of Hereford Cattle**

P. O. Box 1432

409 GRAND AVENUE

PHONE 122

PUEBLO, COLORADO

25 February 1948

The Pueblo Conservancy District
Pueblo, Colorado

Attention: Mr. John M. Holmes, President

Gentlemen:

As you no doubt are aware, the Pueblo Baseball Club, Inc., has purchased the County Park which is located partially on property owned by you.

You have constructed a levee from the Santa Fe Avenue bridge in a northeasterly direction which ends at the A.R.T. tracks, a branch of the Missouri Pacific Railroad.

For some 500' on this levee our ball park fence has been constructed, and it interferes with making automobile entrance to the park, which is very hazardous for pedestrians.

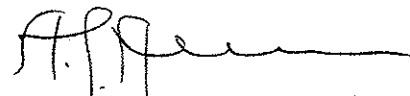
Near the southwest corner of the ball park you have a levee running east and then north, which, in its present condition, is of no protection whatsoever, and we would like your permission to raise this levee to an equal height of your present levee, and carry the same levee on the same height to the Missouri Pacific tracks just west of the concrete culvert through which the Southern Colorado Power Company dispose of their surplus water.

If we have your permission we will remove the levee running north and south on which our fence is built, using the material to fill up the low lands which we use for the parking of automobiles, make two automobile entrances into the ball park, leaving the present entrance for pedestrians only.

Time of doing this work is very essential for two reasons, one is that our ball team will be here for practice some time right after the first of April, and at the present time we have a contractor with equipment available, who is now idle, to do this work.

I want to assure you gentlemen that the proposed levee will be built in a workmanlike manner, and whether it is needed or not, it will be given my personal supervision.

Yours very truly



ARTHUR L. ALLEN, Chairman
Grounds Committee
PUEBLO BASEBALL CLUB, INC.

ALA/jdg

March 25, 1948

Hon. ES C. Johnson,
Senate Office Building,
Washington, D. C.

Dear Senator Johnson:

Re: A request for a Congressional Resolution to permit an interim report to be made on the Arkansas River at Pueblo, Colorado.

On June 3, 1921, the Arkansas River overflowed its banks in Pueblo and the resulting flood cost more than a hundred lives and did damage amounting to many millions of dollars.

As a result of this flood, a Bill was passed by the General Assembly of the State of Colorado, making possible the organization of Conservancy Districts. The Pueblo Conservancy District which was then organized employed the Dayton Morgan Engineering Company to design and superintend the construction of a flood control system for Pueblo; a system which was built at a cost of five million dollars.

The primary feature of the flood control system was the moving and straightening out of the channel of the Arkansas River. Engineers estimate the amount of water which flowed through Pueblo at the time of the 1921 flood as a 105,000 cubic feet per second.

The new channel was designed and built to have a capacity of 125,000 c.f.s. This rebuilt channel ends at the east edge of the city where the river goes under the Santa Fe Avenue bridge. East of Santa Fe Avenue the river becomes very wide, wide enough in fact to have carried a 125,000 c.f.s. at the time the flood control system was built.

The Army Engineers with Headquarters at Albuquerque, New Mexico are acquiring data for the preparation of a report to be submitted to the Congress of the United States on the Arkansas River from its source to Great Bend, Kansas. This report will include a study of the Pueblo situation with recommendations as to what corrective measures should be taken.

C
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P
Y

#2, Ed C. Johnson.

It is expected that this report will be completed by November 1948. From such data as is now available, it appears this report will say that east of Santa Fe Avenue in Pueblo the capacity of the river is but 35,000 c.f.s. This reduction of capacity from 125,000 c.f.s. to 35,000 is due largely to the fact that deposits of silt have raised the elevation of the bottom of the river. If this figure of 35,000 is correct then any water in excess of that amount will back up into the city.

The Army Engineers report will probably recommend that a dike be constructed to prevent the water from backing up thereby making it possible for this wide shallow river to carry off all of the water which the channel through the city is capable of handling, namely, 125,000 c.f.s.

Until a new dike is constructed or some other corrective measure is taken a bad situation exists. It is, therefore, the purpose of this letter to respectfully request that you endeavor to get a Congressional Resolution passed authorizing the Army Engineers to proceed without delay to complete their study of this Pueblo situation stipulating that an interim report as to their findings be filed as soon as it is completed.

Colonel Henry F. Hannis is the District Engineer of the War Department Corps of Engineers with Headquarters at Albuquerque. Colonel Hannis and three of his associate engineers conferred with officers of the Pueblo Conservancy District on March 18, 1948, at the request of the officers of the Conservancy District. And at this conference we of the Conservancy District came to the conclusion that an emergency exists in Pueblo which justifies our requesting that an expedited interim report be made possible.

Your assistance in this matter will be greatly appreciated.

Sincerely yours,

THE PUEBLO CONSERVANCY DISTRICT

By

Elbert D. Greene, Secy-Treas.

EDC/lng

A similar letter is being sent to J. Edgar Chenoweth.

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