

**THE ARCH HURLEY CONSERVANCY DISTRICT:  
A STUDY IN PERSISTENCE**

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The President told those at the signing of the authorization of the dam construction that “now those poor people in that dry area will have some water”<sup>1</sup>

**Introduction**

Tucumcari was part of New Mexico’s empty spaces until 1901, when it became obvious that the Rock Island Railroad would pass north of Tucumcari Mountain. Local entrepreneurs rushed to

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<sup>1</sup>Anonymous, “Background of the Arch Hurley Conservancy District and Agencies of the U.S. Government” (undated manuscript, Arch Hurley Conservancy District [ACHD] office, Tucumcari).

establish a town site in time for the railroad's arrival. A year later, 5 million acres of local public land were opened for settlement.<sup>2</sup>

The big problem out West is always water, and Tucumcari had almost none. The homesteaders who arrived after 1900 often staked out a piece of grassland, encouraged by high prices for farm products and a brief period of above-average rainfall. By 1920 several agricultural centers had been established in Quay County, based on small-scale ranching, and dry-farming of crops including sorghum.<sup>3</sup> Once drier conditions returned, these farming communities were abandoned. Without irrigation, farming was often impossible.

Meanwhile, as happened everywhere in the region, local boosters eyed the few permanent streams (no matter how meager) and developed plans to impound the water, store it, and divert it to previously marginal land. These individuals often saw the irrigation projects as their path to greater fame and glory—especially if they held title to lands to be irrigated. From 1911 until his

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<sup>2</sup>Moncus, Mary Lynn, and Marian Farmer Knapp, editors, *Quay County, 1903–1985* (Craftsman Printers, Lubbock, 1985), 5–18.

<sup>3</sup>Pratt, Boyd C., Charles D. Biebel, and Dan Scurlock, *Trails, Rails, and Roads: The Central New Mexico East-West Transportation Corridor Overview* (report to N.M. Historic Preservation Division, Santa Fe), 1988:155–157; discussion with David Kammer, 1993.

death in 1927, the leading local irrigation promoter was Ralph J. Freeland.<sup>4</sup> Freeland was presumably involved in obtaining the design services of William B. Freeman, who argued for a Tucumcari Irrigation District of 30,000 acres, drawing from Pajarito Creek.<sup>5</sup> Freeman's design required two large earth dams (one for diversion, one for additional storage) and 15 miles of main canal.

Nothing came of this scheme, because the costs of delivering water to the Tucumcari area were so great—relative to the economic return—that it took federal involvement to make the project a reality.

### **ESTABLISHING THE AHCD**

As the Twenties roared, a group of Tucumcari businessmen began pushing for the water that would put northeast New Mexico on the map. The “Canadian Valley (or River) Development

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<sup>4</sup>Anonymous, “History of the Arch Hurley Conservancy District” (attachment to “Program, Dedication, and Open House: Administration Building, Bureau of Reclamation & Arch Hurley Conservancy District, W.P.A. Project No. 2402, Tucumcari, New Mexico, December 21, 1940”; on file at ACHD office, Tucumcari), 1940.

<sup>5</sup>Freeman, W. B., “Report on Tucumcari Irrigation District, Quay County, New Mexico” (manuscript, ACHD office, Tucumcari), 1912.

Association” included at least three key players and was created in 1925,<sup>6</sup> though initial efforts may have begun two or three years earlier. The following information, while decidedly fragmentary, should serve as a point of departure for any future studies of the district’s history.<sup>7</sup>

*Henry Burt (“H. B.”) Jones* (b. 12/5/1877, d. 3/19/1941) was the president of the association. In a 1945 vanity publication, Jones described himself as a “pioneer banker of Eastern New Mexico, and one of the outstanding builders of the State [who] had a potent influence on the industrial development of Eastern and Central New Mexico.”<sup>8</sup>

Jones’s father was a banker in Marcelles, Michigan, but when he turned 21 the young Jones went looking for the frontier (or at least what was left of it) in New Mexico. In 1901 he found himself in the railroad boom camp of Santa Rosa and organized a bank that later became the First National Bank of Santa Rosa. In 1910 he bought the controlling interest in the First National

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<sup>6</sup>Anonymous, “History.”

<sup>7</sup>Where no citation is provided, information was culled from the ACHD files (including records cited elsewhere in this article). Many of the reports in the files were based on one another, so individual citations would be repetitive.

<sup>8</sup>Davis, Ellis Arthur, editor, *The Historical Encyclopedia of New Mexico* (New Mexico Historical Association, Albuquerque, 1945), 217–218.

Bank of Tucumcari and moved to that town. “H. B.” also established a series of banks in other towns and came to own ranches and urban property in much of the eastern part of the state.<sup>9</sup>

As a bank owner and president, Jones was certainly one of the most powerful man in northeast New Mexico. Today, it is difficult to imagine the power banks once had in rural areas, but Jones was probably the biggest player in the effort to obtain an irrigation district. For the most part, however, he stayed in the background while two other persons—J. L. Briscoe and Arch Hurley—took more visible roles in the fight.

*James L. Briscoe* (b. 8/8/1890) was the association’s attorney, and appears to have taken the lead in organizing and directing the effort. Briscoe was born in Abilene; his family moved to Dotson, near Tucumcari, in 1902. Briscoe’s father was a rancher, a Mason, and a Democrat; Briscoe’s mother served as Dotson postmistress for 20 years.<sup>10</sup>

Briscoe began practicing law in 1919, and became senior partner of his law firm. In 1933 he was enrolled to practice before the U.S. Supreme Court. In a 1945 vanity publication, Briscoe stated of himself, “He has an exceptionally large clientele with most of his activities devoted to matters

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<sup>9</sup>Davis, *Historical Encyclopedia*, 217; Clark, Mary Groom, *A History of New Mexico: A Mark of Time* (Staked Plains Press, Canyon, 1983), 251–253; Moncus and Knapp, *Quay County*, 382.

<sup>10</sup>Lewis Historical Publishing Co., *History of New Mexico: Family and Personal History* (New York, 1961):666.

of a civil nature.”<sup>11</sup> Briscoe was also active politically, having served as Quay County Assessor (in 1915 and 1916) and Mayor of Tucumcari (in 1920 and 1921).<sup>12</sup>

*Arch Hurley* (b. 2/24/1880, d. 9/6/1956) was born in St. Paul, Minnesota but spent his early years in Wichita Falls, Texas. In 1913 he moved to Tucumcari and became prominent as the operator of the town’s movie theater. During the Silent Screen era, Hurley enlisted his wife and children to provide live music for the movies. Hurley eventually owned and operated a chain of theaters.<sup>13</sup>

Running movie theaters may be an odd background for a key player in an irrigation district, but Hurley’s high profile in the community must have combined with a winning personality. Hurley may also have been a civil engineer. His local obituary claimed that Hurley had “joined the struggle [for the irrigation district] ... in 1922” (this may be a year or two too early) “and made it his life’s work.”<sup>14</sup> In the process, Hurley developed an expertise on the subject in general. In 1940 a newspaper article mentioned that Hurley was a director of the National Rivers and

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<sup>11</sup>Davis, *Historical Encyclopedia*, 276.

<sup>12</sup>Lewis Co., *History*, 666; Davis, *Historical Encyclopedia*, 276.

<sup>13</sup>*Tucumcari Daily News*, “Arch Hurley Dies at Texas Home” (Vol. 57, No. 178, p. 1, 1956); Moncus and Knapp, *Quay County*.

<sup>14</sup>*Tucumcari Daily News*, “Arch Hurley Dies.”

Harbors Congress,<sup>15</sup> and his newspaper obituary described him as a “widely-known authority on water resources.”

R. J. Freeland, who had been pushing for irrigation for years, became the secretary-treasurer of the association but died before the group made much progress.

As a whole, the group had ties, other than shared business interests, that help explain its success. All were members of the dominant ethnic group in eastern New Mexico, with strong social connections. For example, at least two of them (Jones and Briscoe) were Masons. In addition, they were well-connected with the state’s Democratic party. In other words, the project backers were a group whose common background and goals enabled them to have a decided influence on local, state, and even national affairs.

Even so, the difficulty of bringing water to Tucumcari meant government involvement on a large scale. The project thus involved sustained political efforts as well as great costs. Early on, the project backers seem to have realized that there was not enough support for a project whose sole purpose was to irrigate land around Tucumcari. Instead, they began pushing Conchas Dam as a flood control measure, knowing that once a dam and reservoir were in place, the major hurdle to completing the irrigation project would be cleared.

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<sup>15</sup>*Tucumcari Daily News*, “Reclamation Building is Dedicated” ( Vol. 39, No. 55, pp. 1, 8, 1940).



It was probably no coincidence that beginning in the 1920s, a series of studies of the Canadian River watershed was completed. The Army Corps of Engineers studied the Arkansas River Watershed under the Acts of May 21, 1924 and the Flood Control Act of May 15, 1928. Volume 3 of the published report (House Document No. 308) deals with the South Canadian River. Meanwhile, in 1925, the state of New Mexico began its own study of the South Canadian River watershed. The project was completed in 1929 under H. W. Yeo, State Engineer, and was described in the latter's *Ninth Biennial Report*, for 1928 to 1930. At this time, the U.S. Geological survey also mapped the area of the proposed irrigation system.<sup>16</sup>

During the 1920s the greatest obstacle to the project—besides New Mexico's poverty and lack of power—was Republican political dominance at the state and national levels. The balance of power shifted in 1933. The Roosevelt administration's emphasis on public works projects, along with the strong ties between Roosevelt and the state's Democrats (including Clyde Tingley), set the stage for federal backing of the local irrigation project. In 1934 the Secretary of the Interior established the Arkansas Basin Committee to study the management of the Arkansas River. Along with the earlier studies, the work of this committee was to give the backers' proposals the weight of government endorsement.

Still, the backers had a long way to go, and they began a new phase of intense political activity. During this period Arch Hurley repeatedly went to Washington, D.C. to serve as the group's

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<sup>16</sup>Anonymous, "History."

lobbyist—becoming the embodiment of their struggle for water. Hurley made 34 trips to the nation’s capital,<sup>17</sup> including an extended stay during passage of approval for Conchas Dam.

The ACHD office files include Hurley’s original letters to Briscoe, and carbon copies of Briscoe’s responses. These documents make it clear that the constant lobbying was their key to extracting what was needed from the legislative machinery. It is also clear that “appropriation,” not “authorization,” was what mattered. At various stages in the game, formal approval for the project did not equate with funding, and vice versa. If the money was in a bill, formal approval was not much of a worry. If the money was in jeopardy, having an approval in hand was cold comfort.

The first great task was to get the dam built. On November 23, 1935, governor Clyde Tingley wrote to Briscoe to state that “As a result of President Roosevelt’s personal interest in the Conchas Dam project, it was possible for me to obtain complete federal financing for purchase of the dam site.” The letter reveals a great deal about New Mexico politics. Having announced his coup, Tingley put the touch on Briscoe for a pet project of his own. Although Briscoe’s response is not preserved, today’s New Mexicans know the governor’s project as Carrie Tingley Children’s Hospital.

In January 1936, attorney Briscoe was able to write to Hurley that the first steps were being taken towards forming a conservancy district to make use of the waters from the dam. This was

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<sup>17</sup>*Tucumcari Daily News*, “Arch Hurley Dies.”

an election year, however, and Carl Hatch, U.S. Senator from New Mexico, wrote to Jones and Briscoe in February to fret that Roosevelt's defeat would set back the Conchas Dam for "years and years."

The project backers completed their first legislative march with passage of the Flood Control Act of July 22, 1936, approving construction of Conchas Dam. Although this was to be a Corps of Engineers project (given the dam's "primary" role as a flood control structure), the irrigation portion of the project would be based on a previously funded dam upstream.

Before final passage of the bill, L. H. Mitchell of the Bureau of Reclamation completed a four-day reconnaissance of the Tukumcari area. It appears that another agency also anticipated passage of this bill. On May 9, 1936, E. M. Markham, Major General, Corps of Engineers, wrote to Congressman John J. Dempsey of New Mexico, "The District Engineer, Captain Kramer ... advises me that preliminary construction operations are practically completed. The excavation of the dam site is well advanced and plans and specifications for the main structure can be advertised within a short time, after the appropriation becomes available."

As this letter predates the signing of the act, it would appear that the Corps had received executive instruction to proceed before Congressional approval.

In October 1936, the Bureau of Reclamation established an office in town and began field studies for the Tukumcari Project, the yet-to-be-approved irrigation component of the overall scheme.

The field studies were completed about April of the following year, and the report<sup>18</sup> was favorable even though some of the land was marginal. One of the authors, Harold W. Mutch, was to become the Bureau's resident engineer for the project.

On February 8, 1937, a meeting was held in Tucumcari to start the local conservancy district. Those attending included the mayor, the city council, and the directors of the Canadian Valley Development Association. The city decided to sponsor the district, to be named after Hurley. On April 21, 1937, the Arch Hurley Conservancy District was formed (under Chapter 30, NMSA 1929; Chapter 50, Laws of 1931; and Chapter 37, Laws of 1934). As required by law, the district court approved its formation on August 3.

At the same time, Governor Tingley issued an executive order appointing Briscoe, Jones, and a Mr. O. S. Greaser (of Obar) as the "Canadian River Irrigation and Flood Control Commission." The exact purpose of the commission is unclear but it may have been formed to add further official sanction to developments. With Briscoe and Jones serving as two of the three commissioners, there was little doubt how the panel would react to the Tucumcari project.

The key authorization for the Tucumcari Project was provided in the Act of August 2, 1937 (50 Stat. 557); the signing of the bill by President Roosevelt may have been the setting for the anecdote heading this essay. The initial act was later amended by the Act of April 9, 1938.

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<sup>18</sup>Keimig, J. A., and H. W. Mutch, "Conchas River Project, New Mexico: Irrigation from Conchas Reservoir" (mimeographed report, ACHD office, Tucumcari), 1937.

In October 1938, the BOR opened its project office in Tukumcari. On December 27 of that year, the federal government and the conservancy district signed a contract under which the Bureau of Reclamation would build the Tukumcari Project and the conservancy district would repay the construction costs, interest-free, over an extended period.

Even so, the project was not out of the woods. Building the irrigation system cost far more than could be recovered from user fees. The project backers took two more steps to bring the project within acceptable federal limits. First, a deal was cut with the President to provide 2.5 million dollars of WPA labor, reducing the overall construction cost. Second, the backers sought to supplement the fees to be paid by water users:

The City of Tukumcari, with a population of 4100, lies within the district. The amount of the annual charge to be borne by the City of Tukumcari is uncertain. The city could not be obligated except by vote of the people, but the property within the city might be obligated by the order of the district court after appraisal and hearings on benefits accruing from project construction.<sup>19</sup>

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<sup>19</sup>Arch Hurley Irrigation District, "History and Status of the Tukumcari Project, Tukumcari, New Mexico" (manuscript, ACHD office, Tukumcari), n.d., 88.

Deciding that local voters would not support a tax increase, the backers instead successfully amended federal law (through the Reclamation Contract Act of 1939) to allow certain districts (i.e., the Tucumcari Project) to tax non-irrigated properties.

The document just quoted also described a problem with land ownership in the proposed irrigation district: “The lands are now held in tracts ranging from 20 acres to 7,000 acres. The project includes a gross area of about 75,000 acres, 20,000 of which are owned by seven individuals exclusive of the Bell Ranch lands.” Because federal law then restricted ownership of the irrigated lands to 160 acres or less, development of the district meant that “some 500 settlers” would be needed to purchase and develop individual farms.<sup>20</sup>

The final hurdle was to acquire a right-of-way for the canal between Conchas Dam and Tucumcari, through the Bell Ranch. The quid pro quo was irrigation water for the ranch, in exchange for a right-of-way, but negotiations with the Red River Valley Co. were strained and it was a while before access across the ranch was secured.

### **Construction of the Conservancy District**

Conchas Dam, the “flood control” portion of the project, was completed by the Corps in 1939.

The Bureau of Reclamation began construction of the irrigation system in 1940, but in December

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<sup>20</sup>ACHD, “History and Status,” 92.

1942 work was halted by the War Production Board. Work later resumed after the district's backers had it declared a war priority, and water first flowed to the fields in 1946, irrigating 2,526 acres. The Bureau completed construction of the irrigation system in 1954. Stated irrigation capacity of the newly completed system was 42,321 acres.

The project also required a staging yard in Tucumcari. On October 19, 1939, H. J. S. Devries wrote to H. W. Mutch (then the Bureau's Resident Engineer) to report "a resolution passed by the city council of Tucumcari, N.M. on October 5, 1939, authorizing the lease to the United States for Bureau purposes ... of some 20 acres now occupied by a C.C.C. camp, shortly to be removed from the site." Davies again wrote to Mutch on November 7, to inform him that in place of the arrangement just made, the city had agreed to donate half of the parcel to the government for one dollar.

Based on dated photographs at the ACHD, construction of the equipment yard began by May 1940; the facility was substantially complete by April 1941. Five CCC structures were left in place and presumably were used as barracks for the WPA construction crew. To the south were newly built equipment yard structures and to the north a plant and storage area was built for concrete pipe, which was used extensively in the irrigation system.

## The District Office Building

The project backers had one more item on their wish list. On April 25, 1939, Hurley wrote to Briscoe and mentioned, “I want to see what, if anything, can be done about our Government building, and will look into the matter as soon as I can find time.” President Roosevelt approved construction of the building on May 15, 1940.<sup>21</sup>

Once the backers got approval for the building, Briscoe began a further lobbying effort—to have it built away from the equipment yard (which was literally on the wrong side of the tracks). A portion of a lot at High and Second Streets was purchased from A. T. Gordon and Helen Gordon on June 27, 1940, for \$3,000.00 and conveyed to the federal government without charge.

Construction of the High Street office building took place in the summer and fall of 1940. A photograph at the ACHD office, dated July 9 of that year, shows “Manufacture of cement cinder blocks by W.P.A. men. These blocks are to be used in the construction of the new administrative building.”

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<sup>21</sup>Anonymous, “History.”



The building was based on plan and elevation drawings dated April 9, 1940; prepared by the Bureau of Reclamation, the drawings are preserved at the ACHD. In a note that will seem incredible to today's taxpayers, the building cost \$17,472.00.<sup>22</sup>

The Tucumcari Project Office, as it was then known, was dedicated on December 21, 1940, with Arch Hurley officiating. When the scheduled speaker (Congressman Dempsey) was unable to show, Hurley also gave the keynote speech.

### **Subsequent History**

Arch Hurley was the first president of the irrigation district named after him; H. B. Jones served as a board member; Briscoe was the district's attorney. Clearly, the same alliance that worked so hard to create the conservancy district was now firmly in control of it.

In 1942 and 1943, however, Hurley and Briscoe had a falling-out. Briscoe asked the district to contribute to the National Reclamation Association, a lobbying group. Hurley declined, arguing the donation was illegal. Briscoe retorted that he (Briscoe) had arranged an equally questionable donation from the City of Tucumcari when it was needed to support Hurley in Washington. Hurley dug in his heels, so Briscoe convened the board of directors in Hurley's absence and had the donation approved anyway. It is not clear that the two former allies ever patched up their differences.

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<sup>22</sup> *Tucumcari Daily News*, "Reclamation Building."

In later years, Arch Hurley seems to have done well. He continued to serve on the board of the conservancy district until 1955, and was a ranch owner and herbicide dealer.<sup>23</sup> Photos of a roundup on the “Arch Hurley Ranch” are preserved at the district office. Hurley was living in Amarillo with his second wife when he died in 1956.

As of 1961, J. L. Briscoe was still on the scene and described himself, through a vanity publication, as “a senior member of the bar fraternity in Tucumcari ... Mr. Briscoe, whose hobby is promotion of the Tucumcari Irrigation Association, has visions of a great future for his community.”<sup>24</sup>

H. B. Jones, who may have been the real power behind the entire irrigation effort, never saw the project’s completion; he died in 1941 while in New Orleans.<sup>25</sup>

On January 1, 1954, after the BOR had completed its construction work, the Arch Hurley Conservancy District took over active management of the Tucumcari Project. Soon after, a severe drought occurred and Conchas Lake dropped below the intakes for the canal system.

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<sup>23</sup>*Tucumcari Daily News*, “Arch Hurley Dies.”

<sup>24</sup>Lewis Co., *History*, 666; see Davis, *Historical Encyclopedia*, 276.

<sup>25</sup>Davis, *Historical Encyclopedia*, 218.

Under the Act of August 9, 1955, the federal government bankrolled the purchase of emergency pumps and the payment schedule for the cost of construction was renegotiated.

The amount of irrigated land has fluctuated over the years. In 1959, for example, only about 33,700 acres were reported under irrigation. As of the end of 1975, about 41,100 acres were under irrigation; 448 landowners were irrigating an average of 92 acres apiece. In 1997, the District Manger provided this summary and somewhat plaintive assessment of the project:

For over 50 years, Arch Hurley Conservancy District has used the approximately 40 miles of main canal and 350 miles of smaller ditches and laterals constructed as part of the Tucumcari Project to deliver water, on average, to almost 700 different parcels of irrigated lands. We deliver annually about 1.33 acre-feet of low-cost irrigation water to over 42,000 acres of irrigable land. Project water is used mainly for cattle, cattle feed, wheat, and other cereal grains. The average value of these crops is 2.7 million dollars, or approximately \$80 per acre of irrigated land.

To date, this area has not realized the full economic benefit of the irrigation project's water. While the per-acre yield from these irrigated lands is markedly higher than for their nonirrigated neighbors, these irrigated lands are used basically to produce the same crops grown on a "dryland" basis on adjacent

acreage. Only sporadically over the project's fifty-year history have these irrigated acres been used to produce higher dollar value crops.<sup>26</sup>

The Tucumcari Project is an interesting study in the relationship between local leaders and the federal government. As a strict business proposition, the project should never have been built; the enormous cost of the dam and irrigation system could not be repaid. Through federal involvement, however, the water user's costs were substantially reduced. The dam was funded independently, as a supposed flood control measure; the President contributed \$2.6 million in WPA labor; and while the remaining costs were to be repaid to the government by the conservancy district, no interest was charged. Finally, to help reduce the burden on water users, the district's organizers found a way to tax non-irrigated land. Even if Tucumcari "has not realized the full economic benefit of the irrigation project's water," it has survived. In much of eastern New Mexico, farm-based communities have vanished, victims of inadequate rainfall; in Tucumcari, water still flows to the fields.

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<sup>26</sup>Geyler, James, "Persistence: Brief Development History of the Tucumcari Irrigation Project (Arch Hurley Conservancy District)" (*Proceedings of the 42nd Annual New Mexico Water Conference*, published online at [wrrri.nmsu.edu/publish/watcon/proc/proc42/geyler.html](http://wrrri.nmsu.edu/publish/watcon/proc/proc42/geyler.html)), 1997, 4.

### **Acknowledgments and Notes**

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The study was previously included in a report to the Bureau of Reclamation (Phillips, "Historic Structures Study, Arch Hurley Conservancy District, Tukumcari, Quay County, New Mexico" [SWCA, Inc., Albuquerque], 1994 and in a National Register of Historic Places nomination (Phillips, "Arch Hurley Conservancy District Office Building" [SWCA, Inc., Albuquerque], 1994). The district office building was listed on the National Register of Historic Places on December 16, 1994.