Wayne Aspinall and the Wilderness Act

Bill Cleary

September 3rd, 1989 marks the 25th anniversary of the Wilderness Act. On that date in 1964 President Lyndon Johnson signed into law House Bill 88-577 and Senate Bill 4 "to establish a national wilderness preservation system for the permanent good of the whole people, and for other purposes."

THE IMPORTANCE OF PROTECTING THE PRIOR APPROPRIATION DOCTRINE IN THE CONTEXT OF WATER QUALITY REGULATION

James S. Lochhead

Colorado faces growing federal regulation of water quality, and more and more permit conditions, which directly affect water resource development and, ultimately, the economy of the state. Clearly, we need to preserve and protect Colorado's water quality. It is required legally, through the Clean Water Act, the Endangered Species Act, and a host of other laws. It is required economically, in that we have now recognized the value of clean, flowing streams to our economic well-being. And it is required morally in order to preserve Colorado's environmental heritage for future generations.

Yet, we cannot and should not undertake water quality regulation with such a single-minded purpose that we sell our soul — the prior appropriation doctrine. We need to look at the overall issue of water quality regulation and ask: What's the catch? How can we integrate the preservation of water quality into Colorado's existing economic and legal systems? In order to answer that question, we must remember Colorado's unique geography and historic development. Colorado is exclusively a headwater state, is semi-arid, and, for the most part, has clean water.

In the context of that last statement, let's ignore for purposes of this discussion existing and serious site-specific pollution problems — for example, Rocky Flats, Lowry Landfill, and abandoned mines. Instead, let me focus on the impact of water quality review regulations — primarily 401 certifications, antidegradation review, and the Endangered Species Act — on the prior appropriation doctrine and future development opportunities in this state.

Water use and development is the foundation of Colorado's economy. The genesis of our legal system is an economic reality. Early water allocation practices were developed out of the local mining custom of first in time, first in right, under which the first appropriator of a mining claim had the prior right to that claim and to the water necessary to work it.

That local custom, which was foreign to the eastern United States, was specifically recognized and ingrained by the United States Congress in the Desert Land Act and other
Wayne N. Aspinall

Wayne Aspinall's knowledge of natural resource issues was typified by the list of water project authorizations that had been enacted while he was Chairman of the Subcommitte on Irrigation and Reclamation and then Chairman of the Full House Interior Committee.

The Colorado River Storage Project Act with its participating projects was certainly one of the highlights of his entire career. The Curecanti (now the Aspinall) Unit: Flaming Gorge, Navajo, and the Keystone Glen Canyon Dam Project was the largest project of its time.

Here in Colorado the Aspinall stamp is on the Frying Pan/Arkansas, the Bonticou Park with its Silver Jack Dam; the Savoyard Pot Hook; Fruitland Mesa; the Dolores, Animas La Plata, Dallas Creek, San Miguel and West Divide — those last five authorized in the 1968 Colorado River Basin Project in 1970. As you recognize, those are all authorized by Congress, but not all destined to be built.

Wayne Aspinall was a man who knew what he was doing and when he opposed the Senate-passed Bills in 1963 and 1963, it was not without reason.

Here are some Aspinall values that should be understood:

* Conservation means wise use. Wayne Aspinall was a true disciple of the Gifford Pinchot/Theodore Roosevelt philosophy that held "the fundamental idea of forestry is the perpetuation of forests by use." To lock up a land or water resource to keep it pristine for the enjoyment of our progeny was neither a use nor was it wise — in the Aspinall view. He was, and would always remain, a strong supporter of multiple use.

* Does this mean he was totally opposed to wilderness designation at any time, anywhere? Wayne Aspinall conceded — from the very beginning of the debate — that there were times a single use such as wilderness should be allowed. However, Aspinall fought stubbornly for two conditions under which those wilderness designations were to be made; one, it must be the Congress that makes the designation and not the Executive Branch; and two, Congress must set some conditions to go along with the designation so that existing uses could be protected.

* The Senate versions of the Wilderness Bill left it up to the Executive Branch — the Departments of Agriculture and Interior — to designate those lands that should be permanent wilderness areas. The House versions, which Aspinall backed and for which he was severely criticized, called for studies authorized by Congress and the designation of wilderness areas only by an Act of Congress.

* Supporters of the Senate version were arguing that the Congress was too slow and subject to special interest pressures. Aspinall, on the other hand, did not want to give the designation power to non-elected bureaucrats who, also, were subject to special pressure.

* I wondered at the time — and have wondered since — at just why the environmental organizations were supporting the Executive Branch jurisdiction over wilderness designation.

* Although they didn't know it at the time, they were saying — in effect — that they preferred to have Jim Watt in charge of wilderness designation rather than Mo Udall.

* So Wayne Aspinall held firm to those principles he felt must be observed before any bill could pass. The majority of his committee supported him in this position.

During the two-year period from 1961 to 1963 the criticism grew from individual letter writers to nationally syndicated columnists. As a young, new staff member, I was ready to dump out some really sharp replies to these critics, but Wayne Aspinall insisted on giving a measured answer that explained his position on protecting natural resource values and congressional prerogatives. Once in awhile he would suggest the critic ought to learn something about the issue before taking pen in hand.

On the matter of natural resource values Aspinall grew accustomed to being called the captive of mining and timber interests. In my opinion his position was not dictated in corporate board rooms but grew out of long held beliefs in an economic theory that gave a special importance to natural interests. In my opinion his position was not dictated in corporate board rooms but grew out of long held beliefs in an economic theory that gave a special importance to natural resources.

He recited that theory on numerous occasions. He would tell a gathering such as this one that the only new wealth in **Continued on page 7**
Wednesday, January 24, 1990

6:00 p.m. CWC Resolutions Committee Meeting

7:00 p.m. CWC Board of Directors’ Meeting

Thursday, January 25, 1990

7:30 a.m. Registration Opens

8:30 a.m. Four Concurrent Workshops (i.e., Environmental Law & Issues, Engineering, Financial & Management Developments; Public Awareness/Media Relations; and Wilderness/Reserved Rights).

10:45 a.m. GENERAL SESSION - The Keynote speaker Hubert Farbes, President of the Denver Water Board - will address the subject of “Water Issues in the 1990s.” The second speaker will be Paul Talmey of Talmey Research & Strategy, Inc., who will speak on “Knowing the 90s.”


2:00 p.m. GENERAL SESSION - A debate on the “Pros” and “Cons” of the Colorado Prior Appropriation Doctrine between Greg Hobbs, Legal Counsel of the Northern Colorado Water Conservancy District and Malcolm Murray, First Vice President of the Denver Water Board. The moderator will be David Robbins of Hill & Robbins, Denver. This debate was prompted by Mr. Murray’s recent article in the Denver Post titled “Colorado’s Venerable Water Law System Isn’t Meeting Its Modern Challenges.”

3:30 p.m. Four Concurrent Workshops (i.e., The Corps of Engineers Continuing Authorities Program; The Colorado Water Resources Research Institute Programs; FLPMA Issues, and Colorado’s Nonpoint Source Management Program).

Friday, January 26, 1990

7:00 a.m. Legislative Breakfast — Six Legislators will address the delegates. Speakers include Senator Tilman Bishop, (Invited) Representative Scott McInnis; Senator Tom Norton, Representative Chris Paulson, (Invited) Senator Jim Rizziuto, and Representative Ruth Wright.

8:45 a.m. Five Concurrent Workshops (i.e., Workshop on Urban Water Conservation; Congressional Relations; Water Conservation in Irrigated Agriculture; Engineering & Management Developments; and Three Approaches to Water Project Planning).

10:30 a.m. GENERAL SESSION — Speakers include John Fraser, Executive Vice President of the Association of California Water Agencies; Thomas F. Donnelly, Executive Vice President, National Water Resources Association, Washington, D.C.; and Steven Selbel, Managing Editor, U.S. Water News.

12:00 NOON THE WAYNE ASPINALL MEMORIAL LUNCHEON — The Honorable John M. Sayre, Assistant Secretary of Interior for Water and Science, Washington, D.C. The tenth annual “Wayne N. Aspinall Water Leader of the Year Award” will be presented at this luncheon.

1:45 p.m. Colorado Water Congress Business Meeting

— Election of Board of Directors
— President's Report
— NWRA Report
— Treasurer's Report
— Consideration of 1990 Resolutions
— Amendments to the CWC Articles of Incorporation

3:00 p.m. CWC Board of Directors’ Meeting

CWC 1990 RESOLUTIONS

Water policy resolutions will be presented to the membership at approximately 1:45 p.m., Friday, January 26, 1990. In accordance with CWC policy, no resolution will be considered by the floor unless it has been first approved by the CWC Board of Directors, which will meet Wednesday evening, January 24. Persons wishing to present proposed policy resolutions should contact Bob Fischer, CWC Resolutions Chairman, Denver Water Department, 1600 W. 12th Ave., Denver, CO 80254, phone: 303/626-6519.
AUGUST 24, 25 & 26, 1989

CWC 14th Annual Summer Meeting
& Stagecoach Reservoir Tour

STEAMBOAT SPRINGS

During the Stagecoach tour, Legislators and CWC members visited some of the "beneath" of the dam.

On the dam (left to right): Doug Kerper, Senator bitte Bishop, Paul Gristwodger and John Eichen.

The "Water Register" — (left to right): Martin Hughes, Chris Kaush, Bill Vegas, Connie King and Fred Delfino.

Well, they proved — no you don't the critics.

Senator Tom Norton speaks on legislative water issues.

Another "shower" that needs to be named!
Lochhead: Protecting the Prior Appropriation Doctrine

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laws, which severed water from the public domain and acquiesced in the development of state systems of regulation.

The doctrine of prior appropriation in Colorado was further solidified by the development of improved methods of irrigation and new agricultural segments. Colora~

Lochhead in Glenwood Springs admitted that the current overdeliveries of water from the San Juan River. The imposition without reasonable compensation.

a long line of cases culminating in the recognition of water rights have, therefore, been real and hopefully endangered species. These trends threaten the two basic Rather than the "first in time, first in right" concept of
tern is based, by severely limiting the amount of water Col- Those developers who acquire the right to develop through
regulation and oversight in the areas of water quality and new "permit priority" within the narrow band of yield.

In short, downstream states are using water quality regu-
lation to assure continued flows for consumptive use in New Mexico. The imposition of restrictions on depletions in Colorado will, as with the South Platte, "lock in" current overdeliveries of water from Colorado to New Mexico and simply make more water available for consumptive use downstream.

On the Yampa River, the state is struggling to preserve a future level of development, while assuring an adequate fish habitat.

On the mainstem Colorado, the state is working with the Fish and Wildlife Service to enhance flows near Grand Junction, through releases from Ruedi Reservoir. The state will need to go farther by imposing instream flow appropri-
tions on the lower mainstem.

In the area of salinity, Colorado has for years fought the imposition of state-line standards, and any notion that dilu-
tive flows from upper division states should be used to reduce salinity levels. The imposition of such limits threat-
ens to further reduce Colorado's developable entitlement.

Within the state, the potential imposition of restrictions on the exercise of water rights through the 401 certification and antidegradation review processes threatens to narrow further the band of developable yield. Moreover, water quality and Endangered Species Act review is creating a new "permit priority" within the narrow band of yield.

Rather than the "first in time, first in right" concept of prior appropriation, we may have a "first to permit" system. Those developers who acquire the right to develop through a 404 permit, 401 certification, antidegradation review, and 76 consultation will effectively have the right to use up a portion of the band of developable yield, regardless of the expiration of their priorities. The holder of a senior water right by priority may not subsequently be able to obtain the necessary permits and, thus, be unable to develop. As a result, the "senior" has become the "junior."

The problem is further exacerbated if the developer with the "senior permits" but the junior water rights priority has acquired access to a "fixing flow" by buying or leasing the water rights from another. Any water rights holder can be denied the ability to develop, since the use of the water is the essence of the property right. It may be possible, however, for a junior water rights holder to have access to a "fixing flow" by acquiring the water rights by deeding its proposed regulation of "hydrologic modificato-
tions."

Second, we can remove some of the burden from new dischargers and developers by developing effective pro-
grams to control non-point source pollution. On-farm and incentive programs can be used to improve agricultural effi-
ciency, and best management practices can be established to control other non-point sources. It should be noted, howev-

er, that improvement of agricultural efficiency will elimi-
nate several of these return flows which maintain late summer stream conditions.

Third, in the context of both point and non-point source regulation, we need to maintain a current dialogue on the appropriate regulation of water rights within the economic reach of the user and without impinging on the priority or ultimate beneficial use of water rights. The Colorado Water Quality Control Commission and the Colorado Water Conservation Board have had one joint meeting, and hopefully future meetings will allow both Boards to focus on this issue. In particular, the Boards will address the meaning of recently enacted Senate Bill 181, which states:

"The Commission shall consult with the Water Conservation Board before making any decisions which will have a significant impact on Colorado's entitlements and has the potential to cause material injury to water users.

Therefore, I would anticipate that the Board will discuss the Meaning of "material injury" in the context of joint 104 of the State Act and will also discuss the permissible limits of the impact of water quality regulation on the exercise of water rights.

Fourth, we must continue to work toward the recovery of endangered species in a way that does not impair the exercise of water rights or the development of the state's water resources. Specifically, we need to find local, cost-effective solutions. For example, releasing valuable water from storage in Ruedi Reservoir for the benefit of endangered species in the Grand Valley makes no sense, especially when site-specific solutions within the Grand Valley are available.

Finally, Colorado should not be responsible for water quality control outside its borders. High-quality Colorado water cannot be used for dilution of pollution or to provide minimum flows downstream of the state. If, for example, the state water quality regulation must be shared by the United States and basin states in a way that does not impact Colorado's entitlements.

Maintaining good water quality and instream flows while preserving water development opportunities will continue to present conflicts and challenges. The goal of protecting water quality and instream flows may certainly and ultimately limit development in the future. We can achieve the goal of water quality, however, without selling our soul.

James Lochhead is with the firm Leavenworth & Lochhead in Glenwood Springs.
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the water would come from the surface of the Earth, beneath the surface or from the sea. All of life's material necessities originate from one of those sources. "Look around this room," he would order, "and name me something—anything—that didn't require the disturbance of the Earth in its processing: your clothes, your watch, the furniture, the paint, the electric light—everything required a digging or a plowing of the Earth before it got here." "We take these things for granted," he would say, "and all I ask is that we think twice about locking up public lands prohibiting natural resource extraction."

While he held firm to this position, the critics lambasted him in private and public. In individual letters and big newspaper editorials he was called mean spirited, uncaring, foolish—an obvious captive of the special interests. In fact, he would have held to his position no matter what the resource industry might have done for his election campaign. In 1962, Wayne Aspinall spent the grand total of $10,000 to get re-elected.

The 1963 Senate Wilderness Bill didn't reach the floor of the House that year. Wayne Aspinall, with the support of the majority of his committee, sought to bring the House version of the bill to the floor under suspension of the rules which would have permitted no amendments. When this was denied, Aspinall took no further action on the bill.

The break in the deadlock came in the third week in November in 1963. President Kennedy made a personal call to Wayne Aspinall on a Tuesday morning. The President would leave for Dallas later that week. The conversation went something like this:

JFK: Wayne, why can't we get something done on the Wilderness Bill?

WNA: Mr. President, there are some people who just don't understand what it takes to produce our natural resources. We have ranchers and miners out West who are trying to make a living, and we've got to consider them as legitimate users of our public lands.

JFK: I understand that. Can you get together with Jack康？

WNA: I can do that, Mr. President.

Mr. Aspinall would never go back on a promise and when the second session of that Congress got underway in January, 1964, his committee staff and the people at the Bureau of the Budget began a series of meetings that led to working out acceptable language.

The first was the Hunter/Frying Pan Wilderness Area in Pitkin County. In this case the proposed wilderness boundaries would have contained existing structures that collected water for the Frying Pan-Arkansas Project. The 1964 Act provided for a presidential exception permitting the construction of a water project in a wilderness area if the need could be proven. But there was a project already in place and access for maintenance was an obvious need.

The Southwest Water Conservancy District expressed an understandable concern to Congressmen Frank Evans who, in turn, consulted with Jim Johnson. I sat in the room as the two of them—both lawyers—drafted language which made it clear the proposed wilderness area was not to diminish the project. The language was accepted by the House and Senate on August 20— the final legislative action before the President's signature turned it into law.

The same was true for the Colorado Water Quality Control Act. Congress had two instances of additions to the wilderness system here in Colorado—both in the 4th Congressional District of Western Colorado, represented by Congressman Jim Johnson, who had succeeded Wayne Aspinall.

The last was the High-Crest Wilderness Area being considered in the 1980 Colorado Wilderness Bill. In this instance the water division points necessary to the Homestake II Project were within the proposed boundaries. Congressman Johnson, using the Hunter/Frying Pan as a model, again drafted language that said you couldn't use wilderness designation to interfere with the water project to prevent the language from being inserted in the bill. Instead, interested parties in the House and Senate, indicating the only alternative he could support would be to draw the boundaries in such a manner that the diversion points would be excluded—an action that would substantially reduce the size of the wilderness area. The Johnson "no interference" language was accepted.

In each of these cases the only water rights under consideration were those of the divertors. The question of a reserved federal right was never even mentioned. Neither was it an issue during the writing of the original 1964 Act. Wayne Aspinall had died a little over a year prior to Judge Kane's decision, so one can only speculate on how he would have reacted but, knowing him as I did—and his long dedication to protecting state water rights—I cannot imagine he would not have put that protection of state rights in the clearest and strongest language if he thought there was any threat of ceding that right to the federal government.

Finally, as the 25th anniversary of the Wilderness Act is observed, everyone interested will have their own memories of how that legislative history should be written. I have just given you mine.

When all is said and done, certain facts remain—and one of the interesting ones is this: despite the criticism, despite the vilification; Wayne Aspinall did believe—despite his devotion to multiple uses that some pristine areas deserved to be designated as part of a wilderness system— as long as the rights of all public land users are considered fairly.

In the long view of history, it will be noted by Aspinall critics and supporters alike that the Wilderness Bill did become law on his watch.

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The preceding remarks were delivered by Bill Cleary, former long-time assistant to Congressman Wayne A. Aspinall, at the Colorado Water Congress' 14th Annual Membership Forum and Water Workshop. Wayne Aspinall was the chairman of the House Interior and Insular Affairs Committee from 1966 to 1972 and a member of Congress from 1949 to 1973.

S.B. 181 Provides Solutions to Colorado's Water Problems

by State Senator Tom Norton

Water has been a precious resource to Coloradans and to much of the West for hundreds and hundreds of years. How to protect its quality as well as control its quantity has been a concern debated by local, state, and federal governments for decades. With the passage of Senate Bill 181, legislation introduced by State Senator Tom Norton, Colorado has begun to find solutions to our state's very real water problems.

S.B. 181, which became law as a result of the 1989 Colorado legislative session, is the result of a renewed effort to integrate water quantity and water quality. Though the bill was controversial and many negotiating sessions and compromises were necessary to reach the final result, S.B. 181 was passed and it accomplishes three basic purposes:

1. S.B. 181 reaffirms the water quality statutes of Colorado's water law of prior appropriation by recognizing the right of appropriators to store and divert water for beneficial use.

2. S.B. 181 provides that point and non-point sources of pollution shall be considered when protecting present and future beneficial uses of water.

3. S.B. 181 requires State regulatory agencies including the Colorado Water Conservation Board (CWCB), the Mixed Land Reclamation Board (MLRB), the Oil and Gas Commission, and the State Engineering Office, with statutory water quality responsibilities to avoid duplicative and inconsistent regulations which cause unnecessary cost.

For too long Colorado's inconsistency with water policy has resulted in inefficient water management. The fundamental intent of S.B. 181 is to have an effective state program of water quality control which encourages water use for a wide variety of uses. The legislation focuses on achieving a reasonable degree of pollutant source control which is necessary to keep waters of the state in a suitable condition for protection of the uses to which water is diverted and for protection of aquatic life in the streams and lakes.

In addition, if the Water Quality Control Commission (WQCC) should desire to set a more stringent water control standard for Colorado, S.B. 181 provides a period in which a public hearing can be held so the people affected by the new standard are allowed the opportunity to make their case.

Water quality protection has always been an essential part of Colorado water law. The passage of S.B. 181 ensures Colorado greater government efficiency without threatening the state's water quality.
CWC notes the following in terms of highlights:
1. Twelve of sixteen water bills introduced in the State Legislature and supported by CWC were enacted into law.
2. Seven water bills opposed by CWC were killed.
3. Continued the major effort to address the issues in the U.S. Fish & Wildlife Service Plate River and Colorado River Threatened and Endangered Species studies.
6. Appeared before the Colorado Water Quality Control Commission on the matter of antidestination and other water quality issues.
7. Continued effort on the matter of wilderness/reserved water rights.
8. Continued a special project on the FLIPMA rules and regulations.
9. Executive Director appointed by Legislative Leadership as a member of the Subcommittee on Long-Range Planning for State Government.
10. Conducted a special project concerning a public information program on water awareness to general public.
11. Participated as an amicus curiae before the Supreme Court in State Engineer et al v. Smith Cattle, Inc. et al.

The new water laws and resolutions supported by CWC were:
SB 64 — concerning the authority for the Southwestern Water Conservation District to make use of its funds to make loans or grants to other public entities within the boundaries of the district to carry out the purposes of the district.
SB 67 — concerning the financing of small water resources projects by the Colorado Water Resources and Power Development Authority.
SB 85 — concerning projects funded by the Colorado Water Conservation Board Construction Fund, and relating to the activities of the Colorado Water Conservation Board in connection therewith.
SB 116 — concerning water conservation through the use of low-flow plumbing fixtures.
SB 120 — concerning the requirement for the augmentation of water in connection with the extraction of sand and gravel by opening mining, and making an appropriation in connection therewith.
SB 135 — concerning the continuation of certain cash funds allocated to the office of the State Engineer.
SB 166 — concerning the notice to be given in applications for changes in water rights.

SB 181 — concerning regulatory authority over water quality control.
HB 1112 — concerning the authority of political subdivision of the state to enter into cooperative agreements relating to water resources.
HB 1169 — concerning landscaping used in the construction and maintenance on public projects or facilities financed wholly or in part by the state.
SJR 5 — concerning for modifications to the project eligibility list of wastewater treatment system projects eligible for financial assistance from the Colorado Water Resources and Power Development Authority pursuant to 37-95-107.6 Colorado Revised Statutes, as amended.
HJR 1012 — concerning the Two-Forks Dam Project.

None of the aforementioned events or bill enactments would have been possible without — as already pointed out — dedicated involvement of CWC members. This involvement is translated into the following statistics as they relate to a number of CWC Board and Committee meetings:

Board of Directors — 1/25/89, 1/27/89, 6/17/89, 8/24/89, 10/19/89, and 12/13/89.
CWC Official Business Meeting — 1/27/89.
Wilderness/Reserved Rights Committee — 2/6/89, 6/5/89, 7/10/89, 8/22/89, and 11/21/89 (All were joint meetings with the Federal Affairs Committees).
Federal Affairs Committee — 2/6/89, 6/5/89, 7/10/89, 8/22/89, and 11/21/89 (All were joint meetings with the Wilderness/Reserved Rights Committees).
CWC Nominating Committee — 1/5/89 and 12/13/89.
CWC Aspenn Award Committee — 1/3/89 and 12/13/89.
CWC Resolutions Committee — 1/20/89, 1/25/89, and 12/18/89.
CWC Interview Team for Water Quality Control Commission Apointments — 4/17/89.
CWC Committee on Nonpoint Source Section 319 Task Force — 9/20/89, 9/27/89, 10/9/89, and 12/18/89.
CWC Committee on Sand and Gravel Matters — 3/1/89.
CWC Special Committee on Public Information — 3/2/89, 5/1/89, 6/2/89, 6/15/89, 7/6/89, 8/9/89, and 12/15/89.
CWC Ad Hoc on Rivers and Trails Systems — 9/2/89, 10/9/89, 10/17/89, 10/18/89, and 10/23/89.
CWC Committee on FLIPMA — 3/9/89 and 3/18/89.
CWC Special Committee on Rule 16 — 2/27/89.
CWC Advisory Committee on Gunnison Water Workshop — 4/28/89 and 12/18/89.
CWC Committee on Divergence Conditional Rights — 10/18/89.


CWC-sponsored meetings were another dimension of membership involvement activity and these were:
1. 31st CWC Annual Convention held January 26 and 27, 1989.
2. CWC Leadership Workshop held June 16, 1989.
5. CWC Workshop on Water Quality Developments held October 11, 1989.

There were a number of other actions that enhanced and assisted greatly in making CWC more effective. These actions were:
1. Secured 10 new sustaining members, nine new individual members and one new associate member during 1989.
3. Published the 1989 Directory for Colorado Water Users (77 pages).
4. Named John M. Sayre as the 9th recipient of the "Wayne N. Aspenn Water Leader of the Year Award" at the 1989 Colorado Convention.
5. Published Colorado Water Laws Enacted in 1989 of Interest to Water Users (217 pages).

In regard to CWC's written communication newsletters, the following newsletters were published during 1989:
2. Water Intelligence Report — 7/89.

Finally, in regard to CWC's financial status at the end of 1989, we are happy to report that CWC is operating in the "black" for the tenth straight year. Again, your two-member staff is, indeed, proud and honored to be associated with such an outstanding and dedicated group of people as the CWC membership.

Dick MacRae
Executive Director