"The gullibility of the great masses of people in accepting without question the unsupported statement of almost anyone that almost anything is good for wildlife, or Mother Nature, is amazing. That is what we are up against in such matters as the Wilderness Bill. That is what we are up against in this proposed constitutional amendment. And make no mistake. The people who flock to the crusading banners of these movements are not frivolous, nor radical, nor selfish, nor insincere. The vast majority are honest, sincere men and women of substance.

There is only one weapon with which to fight a situation of this kind. And that weapon is not name-calling, nor threats of retaliation, nor slanted, inaccurate, misleading reporting. That weapon is information—honest, truthful, unvarnished information." (David Wood, Jr., in address at Montrose, Colorado, March 22, 1960)
of the U. S. Fish and Wildlife Service.

F&WL consults with the Colorado Game and Fish Department. Together they cook up bad medicine for the water project developer in the form of extremely adverse stipulations on minimum releases from reservoirs and minimum bypasses at diversion dams.

BLM is caught in a power squeeze play and doesn't like it. But it has to include the F&WL stipulations as conditions for granting the rights of way.

Wildlifers want much more than minimum flow stipulations. They want total exclusion of all uses, including water project facilities, from vast wilderness areas. They're pushing federal legislation known as the Wilderness Bill. Your Water Congress has played a leading role in the all-out fight on Capitol Hill over wilderness legislation.

The Colorado Game and Fish Department is currently seeking permission from the Interior Department to withdraw 18,615 acres of federal land in Colorado for fish and wildlife purposes. BLM is considering the request, along with similar requests in 11 other western states.

The Colorado Game and Fish Department fought hard against the Curecanti Project on the Gunnison River, major Colorado feature of the Upper Colorado River Storage Project. The Game and Fish Department's policy making body, the Game and Fish Commission, supported Curecanti.

Thomas L. Kimball, director of the Colorado Game and Fish Department, has been blamed for much of the trouble over fish water in Colorado. Kimball came to Colorado in 1952 from Arizona where he was G&F director. Recently he resigned to become executive director of the National Wildlife Federation in Washington, D. C., at $20,000 a year. NWF is the nation's largest conservation organization.
During the fifties, the Colorado Game and Fish Department was reorganized, regionalized and Kimballized. The dedicated, capable and aggressive Tom Kimball pushed hard and stepped on many Colorado toes. Biggest gripes: Poor public relations, strong arm methods.

Much of the trouble over fish water in Colorado can probably be credited to pressures of the outdoor recreation movement: . . . a strong backwash of the massive, mushrooming population wave which is moving millions into the metropolitan areas. Some call it the eternal law of balance . . . the reaction of human beings to the hectic complexity of modern occupational activities, helped along by affluence and leisure time.

Dimensions of the crisis in outdoor recreation are indicated by imposing statistics. Americans rich and poor are taking to the outdoors in increasing numbers each year. Boats and cabins are replacing cars as status symbols. Colorado's Game and Fish Department issued 791 boat licenses in 1957, 1066 in 1958 and 2,132 in 1959. Nationally, 38 million people spent $2.5 billion on pleasure boats last year. Game and Fish Department income from hunting and fishing licenses, fines and permits has more than doubled in ten years . . . from $2.2. million in 1949 to $4.6 million in 1959.

The Colorado Game and Fish Department is big business. Ten years ago, its annual expenditures totaled $1.96 million. Next year's Game and Fish budget: $6 million . . . about one-sixth of Colorado's school aid appropriation. Salted away in the G&F Dept bank account: $4 million surplus in unbudgeted funds which can't be touched by the legislature for other purposes.

Big money and big ideas. The G&F Dept refused to join with other agencies in the new state office building. Instead it has budgeted $585,000 for a new headquarters building of its own. Hitch: The expenditure must be approved by the next Colorado legislature. Meanwhile, a $165,000 G&F department laboratory under construction in Fort Collins, adjacent to the CSU campus.
Many of the G&F Dept's ideas have been cold shouldered by the **Colorado legislature**. This has irritated some G&F enthusiasts.

*Elmer Cogburn (Denver attorney)*: "Under the present system it takes a lot of political maneuvering to get a game and fish measure through the legislature. Every cent the Game and Fish Department spends now must be approved by the legislature."

One **legislative cold shoulder** apparently cut deep. A legislative committee appointed in 1957 reported that some 259 landowners or lessees were blocking access to nearly 1,500,000 acres of public hunting and fishing lands. A bill was introduced in the 1959 General Assembly to give the G&F Dept the right of **eminent domain** to acquire reasonable access to such lands. The bill was defeated. One reason: Withholding of information about the 259 offenders.

The legislature passed a **resolution** directing the G&F Dept to prepare a report for the 1961 General Assembly listing specific detailed information about each unsuccessful attempt to acquire an access right of way to federal lands by purchase.

**G&F enthusiasts** decided to bypass the legislature and go straight to the people by the constitutional amendment route. **Colorado Conservation Council** was incorporated last October to do the job. **Prime movers**: James Brown, engineer at the Martin Plant near Denver ... Ed Hilliard, Jr., managing partner of the Redfield Gunsight Co. in Denver ... Elmer Cogburn, Denver attorney ... Eldon Cooper, president of the Denver Area Labor Federation ... George Jackson, Colorado Springs trucking firm owner and national president of the Izaak Walton League ... K. A. McCaskill, retired Denver insurance man who has been devoting full time to promoting the amendment.

CCC drafted the proposed constitutional amendment to establish a Colorado **Wildlife Management Commission**. It secured 50,000 petition signatures ... 18,000 more than required. This put the controversial amendment on the November 8th ballot.

A new corporation, called **Coloradans for Sound Government**, has been organized ...
to fight the game and fish amendment. President: Ed C. Johnson. Manager: Lyle Mariner, Denver public relations firm executive. Board members: 32 prominent Coloradans representing sportsmen's groups, farm and ranch associations and West Slope newspapermen. Objectives include an effort "to acquaint the public with true aims and purposes of the small group attempting to place this serious affront to democracy into the constitution of Colorado."

The proposed constitutional amendment re-enacts much of the existing law of Colorado which created the Game and Fish Commission and which was passed by the legislature in 1937. It has stirred up a hornets nest of opposition. Seldom has any ballot issue in Colorado united so many organized opposition interests.

Announced opponents to the proposed G&F constitutional amendment include the following:

Colorado Game and Fish Commission
League of Women Voters of Colorado, Inc.
Coloradoans for Sound Government
Western Colorado County Commissioners (24 counties)
Tri-County Water Conservancy District (Montrose)
Colorado Farm Bureau
Colorado Grange
Cattle Feeders Association
Cowbelles
Colorado Cattlemen's Association
Holy Cross Cattlemen's Association (Garfield County)
Club 20 (20 Western Colorado counties)
Colona Grange (Montrose)
Uncompahgre Pomonia Grange
Delta Chamber of Commerce
Blue Valley Sportsmen's Club
Ouray Herald
Grand Junction Daily Sentinel
Steamboat Pilot
Montrose Daily Press
Rocky Mountain News
Glenwood Springs Sage
State Senators Fay DeBarard (Kremmling), Wilkie Ham (Lamar), Carl Fulghum (Glenwood Springs), L. T. Skiffington (Manitou Springs), Roy McVickers (Wheat Ridge), James Mowbray (Delta).
Colorado Conservation Council hopes to draw voting strength for the amendment from sportsmen in Eastern Slope population centers. Help is expected from the organized labor movement in Denver. The Denver Post has editorialized in favor of the amendment but is now reconsidering its position. The Denver Chamber of Commerce board of directors voted down a motion to approve the G&F amendment.

What are the issues? Start with eminent domain. The present G&F Commission has no really effective eminent domain powers. Present statutes purport to grant this power, but actually don't do it. The present grant of eminent domain power is made ineffective by a provision permitting the land owner to dismiss an action when he feels the amount of the award is unjustified.

The constitutional amendment would provide the necessary power to acquire rights of way to and from the public domain, but it would not provide the power to condemn rights of way for hunting and fishing on private lands.

G&F Commissioner Pat Griffin of Fort Collins has said there are 10,068 miles of trout stream in Colorado, of which 7,200 miles are good for fishing. Some 4,530 good fishing miles are on privately owned land, of which only 1,700 miles are posted. Only 522 miles of trout stream are located on public lands which can't be reached because of private land posting. Griffin fears that if the right to condemn access to these 522 miles is voted, many of the 2,830 miles of non-posted private land will be closed.

Opponent's question whether a state should take property belonging to its citizens for the purpose of recreation and sports. Proponents say it's being done by at least 15 other state game and fish agencies and should be done in Colorado.

But eminent domain is not the dominant issue. The most disturbing constitutional amendment proposal is to set up a small independent commission free from legislative control. All of the legislative powers of the state relating to fish and wildlife
resources would be removed from the elective legislature and transferred to a five-man appointed Commission which would be under no legal or political obligation to consider the wishes of the legislature. The proposed Commission could, by issuing regulations, repeal any or all of the one hundred pages of state G&F statutes now in force.

**Commission membership:** Reduce present 8 voting commissioners to four . . . plus a non-voting fifth, the Director of Natural Resources. One commissioner from each congressional district, two from each political party, appointed by the Governor. Only one vote for Colorado's vast Western Slope. Proponents want more emphasis on state-wide problems, less local emphasis.

**Money:** The new Commission would be empowered to budget and control the expenditure of all moneys in the game and fish cash fund, without appropriation by the legislature. Under present laws, from one-third to one-half of the money collected from game violations goes to the county where the violation occurred. Under the constitutional amendment, the counties wouldn't get any of the money from fines. It would all go into the game cash fund.

Proponents claim that about twenty state G&F agencies spend their own funds without legislative control. But opponents are apprehensive about what might happen in Colorado if the G&F Dept's millions are unleashed, without responsible checks, in support of new crusades. Some say the constitutional amendment would make Colorado ineligible to receive nearly half a million federal aid dollars annually for the restoration of game and fish. Reason: The reorganized G&F Dept would pay the state for general services which it receives. This might violate federal rules on use of aid money.

*Agriculture and Livestock Council of the Denver Chamber of Commerce:* "It appears that the philosophy behind this entire amendment is to gain all of the advantage of state law in requiring hunting and"
fishing licenses and the collection of fees thereon, but then to live apart from the state government and even pay the state government on the basis it bills itself for state government. The amendment thus sets up a little dictatorship instead of a democratic form of government to which most citizens are dedicated."

Jack Ross, Denver Water Board Attorney: "As a matter of good government our historic philosophy has been to separate the Legislative, Administrative and Judicial functions of the Government so that no single group of men could exercise all the sovereign powers of the state without some responsible check on their actions. Yet, in this instance, the people of the State of Colorado are asked to concentrate Legislative, Administrative and Quasi-Judicial functions of the State in a single entity.

"Moreover, not only would there be a concentration of these hitherto separate powers in one agency, the entity exercising the powers would be completely free of political responsibility to the people of the State since the members of the proposed Commission, once appointed for their respective terms, could be removed from office only for inefficiency, neglect of duty, or misconduct in office.

"The basic question which the proposed Constitutional Amendment really poses to the people of the State of Colorado is whether, if legitimate reforms in the administration of the State's wildlife resources are needed, those reforms should be adopted within the framework of a traditional time tested democratic pattern of government or whether they should be adopted within the framework of an autocratic pattern of government which is totally alien to our way of life."

Dave Wood, Jr. (retired former employee of U. S. Fish & Wildlife Service): "It is seldom indeed that a reform measure of this kind, conceived by honest men, no matter how ill-advised, does not have some merit. I cannot, however, find a single point to recommend this proposed amendment. It is poor in concept and worse in context. IT MUST BE DEFEATED."

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Colorado Water Congress news: John B. Barnard Jr. is resigning as Executive Director of the Water Congress, effective September 1, 1960. He plans to open a law office in Denver and he will continue as First Assistant Attorney General. Dan Holmes, Assistant Executive Director, will continue to serve the Water Congress for the balance of the year. Dan is spending nearly full time travelling the state in an effort to obtain additional Water Congress sustaining memberships. Mrs. Kitty Richardson, Water Congress office secretary, is leaving September 1st.

Saturday, October 1st ... That's the date of the third annual meeting of the
Colorado Water Congress. Place: Denver. The agenda will include discussion of the game and fish constitutional amendment and its effect on Colorado's water problems and also a discussion the proposed study to clarify and improve the Colorado water code.

The Colorado Water Investigation Commission has prepared a statement of the program proposed for clarification and improvement of the water code of Colorado. Chairman J. R. Barkley submitted it to Dr. Clark for use in preparing the budget of the Department of Natural Resources.

Purpose of the water code program: "The protection and development of the water rights of our citizens by creation of a clear, simplified and improved body of water law which, when applied and administered, will result in maximum beneficial use of all waters to which Colorado and its citizens are entitled."

Suggested program: Legal review of present surface water laws and administrative statutes . . . Technical studies to develop facts on surface water and ground water . . . Preparation of laws to govern the acquisition, the nature, the use and the administration of water rights, with consideration given to the relationship existing between the uses of surface water and ground water. Recommended budget: Minimum of $50,000 a year for a period of not less than 2 years.

Water user interests are expected to have opportunities through the Colorado Water Investigation Commission to obtain information and discuss problems during progress of the water code program. CWIC is a volunteer group appointed by the Colorado Water Conservation Board for advisory services at the suggestion of your Water Congress.

Your Water Congress will probably play a leading role in encouraging the Colorado legislature to adopt the improved water code, if the Water Congress membership approves it.
People: Judge Clifford H. Darrow of Glenwood Springs has written a book on Abraham Lincoln, the result of many years of concentrated effort during holidays and evenings. Eighty three-year old Mike Hinderlider, former State Engineer of Colorado, was this year's recipient of the Four States Irrigation Council's "Headgate Award." Recent appointments to the Water Committee of the Colorado Chamber of Commerce's Natural Resources Council include Carl Breeze, Kremmling rancher and banker, William Nelson, CWCB member and Grand Junction newspaperman, and Cran Rader of Glenwood Springs. Judge Hume S. White has retired from the board of the Colorado River Water Conservation District because of ill health after serving since the district was created in 1937. Tel Ertl, the Western Slope's internationally-known authority on shale oil, is currently in Brazil. Union Oil Company's shale plant on Parachute Creek north of Grand Valley, where Ertl was employed, is being dismantled because Union's research program is finished.

Dr. Walter Orr Roberts, dynamic director of Colorado U's High Altitude Observatory, has been chosen to be director of the new national atmospheric research center. The facility will do pure research for a corporation representing 14 U. S. universities. Dr. Ayers Brinser, from Harvard University, will be director of a new graduate program at Colorado U on management and development of natural resources. This is the only graduate program designed to train government employees for administrative positions in the resources field.

Harry D. Strunk, Nebraska's "Father of Waters", died recently at the age of 68. The controversial newspaperman from McCook was one of the Rocky Mountain Empire's foremost reclamation proponents. E. O. Larson, an old-timer in reclamation and former USBR regional director at Salt Lake City, is now with Berger Associates, Inc, Salt Lake City consulting engineers. Dr. Hugh H. Bennett, crusading first chief of the U. S. Soil Conservation Service, died recently. General John S. Bragdon's job as White House coordinator of public works planning is quietly being liquidated.