"Today we stand at the crossroads of development of a great river basin. Active authorized construction in the partially developed lower basin has reached a plateau. Construction is proceeding at a fast pace in the initial stage of the upper basin development, but the vitally important second stage development in both Basins will require much toil, sweat, tears ... and dollars." (Floyd Dominy, Commissioner of Reclamation at Colorado River Water Users Association Meeting, Las Vegas, Nevada, December 1, 1960).

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**COLORADO WATER CONGRESS NEWSLETTER**

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Change is in the air on Capitol Hill.

What does it mean to Colorado water users?

Which way is the wind blowing on water?

It's anybody's guess. But some signs are readable ... mostly in key appointments and in congressional committee changes.

Key resources appointment: Stewart L. Udall as secretary of interior. Udall will head a department with more than 50,000 employees and a spending program of more than $800 million annually. Interior agencies include the Bureau of Reclamation, Geological Survey, Fish and Wildlife Service, Bureau of Land Management, National Park Service.

Udall is being described in these words: Lean, tanned, crewcut, well-conditioned 169-pounder, dedicated, energetic, unafraid, aggressive, courageous, astute, politically adept, athletic, thorough-going, intense, quiet, flexible (not dogmatic), dedicated responsible progressive, liberal, young Turk, inveterate reader, active member in the Mormon church.

Udall's background: From a famous pioneer family which has held more public offices in Arizona than any other family. Son of a late Arizona Supreme Court Justice. Raised in a small town in east-central Arizona. Worked on a farm. High school basketball star. Varsity basketballer at Arizona U. Enlisted
B-24 gunner in Italy during the war. Law degree from Arizona U in 1948. Elected to House of Representatives in 1954, re-elected three times. First Arizonan to hold a cabinet position.

More about Udall: Helped Colorado's Aspinall get House-Senate agreement on upper Colorado River Storage Project. Voted for Fryingpan-Arkansas project. Member of House Interior Committee. Particularly aggressive member of House Labor and Education Committee. Reported to have deep-rooted sympathy for the underdog, especially the Navajo Indian. Wants to be fair to the upper basin.

Udall says Kennedy's aim is to surpass the great record of the two Roosevelts in natural resources and conservation, and that the Department of Interior "will do everything it can to fulfill this great ambition." Udall has been described as a man on the go. Some say he may have moved too fast and too powerfully.

Grand Junction Sentinel: Udall's biggest problem is that he is not popular with the House Democratic leadership, and that he is not on intimate terms with most of his colleagues from the West. For the past four years Udall has been bucking the leadership of House Speaker Sam Rayburn . . . Rayburn has been offended at this challenge.

"So has Rep. Michael Kirwan, the colorful and highly influential chairman of the Democratic Campaign Committee, who just happens to be in charge of the Interior Dep't. appropriations annually in the House Appropriations Committee. This leadership resentment was one of the reasons why Udall lost his bill in the House this past year to make the Hubbell Trading Post an historic site."

Cross-section of Colorado opinion on Udall's appointment . . .

Denver Post: "He has the makings of an excellent secretary of the interior . . . (Udall) knows the problems at hand, is unafraid to try new ways to solve them, and has the political know-how and the contacts to persuade Congress to follow the Kennedy administration's lead."

Grand Junction Sentinel: "Udall will probably make at least an average secretary of the Interior. We have found little enthusiasm for the appointment, but there is also little opposition. Most Colorado residents do not know enough about him to be sure whether to be happy or sad."
There much behind-the-scenes maneuvering for the other top Interior positions. Sen. Clair Engle and Gov. Pat Brown are reported to have applied tremendous pressure on Udall to appoint a Californian as undersecretary. Rumor has it that Brown tried to talk Kennedy out of the Udall appointment and that Kennedy probably has made some concessions to Brown on appointment of a Californian as undersecretary. California's man: James K. Carr, chairman of the California Water Commission. Carr's background: Assistant general manager of Sacramento Municipal Utility District (1954-59), former USBR engineer, former engineering advisor to the House Interior Committee when Engle was chairman.

Upper Colorado River basin water men are deeply concerned about the combination of an Arizonan and a Californian in Interior's top two jobs. Upper basin political strength is going all out to put an upper basin man in the number three position ... assistant secretary for water and power. The upper basin man? Much speculation. Opinions of Sen. Anderson (NM) and Rep. Aspinall are expected to carry much weight on this appointment. IvaI Goslin of Salt Lake City, secretary-engineer for the Upper Colorado River Commission, was recommended by Colorado's Upper Basin Commissioner Ed Johnson during a big pow-wow of upper basin political brass in Denver on December 15.

It was the biggest gathering of upper basin water politicians in some time. Meeting was called by Upper Colorado River Commission to achieve interstate harmony on legislative programs for the upper basin. Coloradans included Johnson, Gov. McNichols, and Representatives Aspinall, Chenoweth, Dominick. Udall and Commissioner Dominy attended. Also governors, congressmen, senators, and key water people from Utah, New Mexico, Wyoming. Conference air was charged with the political dynamite of pending Interior Dep't. appointments.

California, Arizona, Colorado, New Mexico, Utah, Wyoming, Nevada have big stakes in the development of the Colorado River's water resources. There are
many problems. Decision on operating criteria for Glen Canyon Reservoir (Lake Powell) may be one of the new administration's first Colorado River hot potatoes. Glen is the upper basin's power cash register. Colorado gets nearly half of Glen's power credits for financing participating irrigation projects in Western Colorado. These credits would be reduced if unfavorable criteria were established by the secretary of interior. Some Washington observers have expressed the opinion that Udall was apparently not aware of the many ramifications of the fuss over filling Lake Powell.

Other Colorado River problems: Public-private power controversy over transmission lines . . . power market controversy . . . secretary of interior's awaited decision on CRSP power rates . . . project authorizations, including Colorado's Fryingpan-Arkansas and Animas-LaPlata projects . . . project appropriations, including an acceleration of Curecanti appropriations . . . Green Mountain Reservoir power pool operating problems . . . encroachment of Lake Powel backwater on Rainbow Bridge Monument.

Retention of Floyd Dominy as USBR Commissioner is reported to be looking better because of the fuss over balance of Interior power on Colorado River controversies. Dominy is non-controversial, capable, well-liked by Aspinall.

Tom Kimball, former director of the Colorado Game and Fish Department, is being considered as director of Interior's Fish and Wildlife Service. Kimball is an Arizona native, a Mormon, long-time friend of Udall's.

Gov. Ribicoff, new head of Health, Education and Welfare Dep't. (parent agency of Public Health Service and river pollution control activities) is regarded as a middle-of-the-roader who will follow a moderate course while awaiting a vacancy on the U.S. Supreme Court.

In the 87th Congress: More power for the West. Congressional power on western water problems centers around two upper basin men . . . Wayne Aspinall
of Colorado, chairman of the House Interior Committee and Clinton Anderson of New Mexico, new chairman of the Senate Interior Committee. Other key people: Mansfield of Montana, majority leader ... Hayden of Arizona, chairman of Senate Appropriations Committee ... Chavez of New Mexico, chairman of Senate Public Works Committee.

Colorado has her share of congressional influence on federal water matters. Only California has larger representation on key water committees. Aspinall's chairmanship of House Interior Committee during the 86th Congress is regarded as highly successful. He's well-liked, effective. Aspinall moved up from 5th to 3rd in party seniority on the Joint Atomic Energy Committee.

Gordon Allott and John Carroll are on the Senate Interior Committee. J. Edgar Chenoweth is on the House Interior Committee. Carroll moves up from 7th to 4th party position on the Senate Interior Committee. This entitles him to an Interior subcommittee chairmanship. Openings: Subcommittees on minerals, public lands. But Carroll is also member of the Senate Judiciary Committee, where he is chairman of the Subcommittee on Administrative Practice and Procedure. Carroll's subcommittee has started inquiries into "the complaints and criticisms directed against some of the commissions and agencies of the federal government."

Arizona is potent on Capitol Hill, with Udall ... the colorful young conservative, Sen. Barry Goldwater ... and quiet, old, highly influential Sen. Carl Hayden.

Fryingpan-Arkansas Project authorization hopes are hitched to the 87th Congress. It may be now or never. When the 88th Congress assembles in January 1963, Los Angeles County will have at least 4 additional representatives, possibly more. Los Angeles alone will have nearly twice as many House members in 1963 as the four upper basin states combined. Arizona's representatives will go from two to three in 1963.
Fry-Ark's operating rules are being revised again. Now: A switch of repayment responsibility for $3.5 million of Ruedi Reservoir cost from CRSP basin fund to Southeastern Colorado Water Conservancy District. This raises SEWCD's Ruedi repayment obligation to $11.1 million. Western Colorado will contract with SEWCD for Ruedi water when ready to use it.

Animas-LaPlata Project in SW Colorado got a boost towards feasibility recently when USBR experts became convinced that there is enough water available for both A-LP and Navajo-San Juan Chama projects. USBR's study supports CWCB's position, developed last spring after a hotly contested difference of opinion with the Southwestern Water Conservation District. USBR's findings will help Navajo-San Juan Chama authorization, which New Mexico desperately seeks.

It's a sticky situation in SW Colorado. SWWCD apparently isn't convinced about water availability for both A-LP and N-SJC . . . would like New Mexico to wait for A-LP feasibility report expected in 6 months, so that A-LP and N-SJC could go for authorization together . . . doesn't want to be left holding the San Juan water bag. New Mexico doesn't want to wait . . . is likely to play rough with Colorado on Fry-Ark authorization plans if Colorado footdrags on N-SJC . . . has power on Capitol Hill.

The Kennedy-Johnson Natural Resources Advisory Committee, headed by Congressman Smith of Mississippi, includes three Coloradans on water resources (Felix Sparks, David Miller, Phillip Danielson), three on conservation and recreation (Mrs. Ava Humble, J. Selby Young, Roscoe Fleming), one on pollution (Chas. Boustead), five on minerals, two on public lands, one on energy. Smith is getting policy recommendations from each member, plans a committee meeting late in December.

President-elect Kennedy is described as attracted to the engineering approach, interested in fact finding, specifics, measurables . . . not much interested in
the social service approach. He's said to be more interested in practical applications of an idea than in its social and philosophical aspects, a doer and not a theorist.

But the presidential ear is said to be readily accessible to the idea man. College professors appear to be coming back strong into positions of influence. Influence, but not power this time. The professors will stay at home, won't take key administration jobs, won't staff a formal presidential brain trust. M.I.T. professors currently seem to carry much weight. Also the Harvards. Views of Harvard's Prof. Arthur Maas on natural resources are expected to reach the White House.

This general shaping of people, attitudes and approach may suggest a trend for federal water resource policy, water research, water project development during the next four years.

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Special Master Simon Rifkind has formally submitted his Colorado River recommendations to the U.S. Supreme Court. He made no significant change in his May 5 preliminary draft of over 400 pages. California reaction is bitter.

William Peterson, General Manager and Chief Engineer, L. A. Dep't. of Water and Power: "... will dry up an existing economy in Southern California in order to create an expanded economy in Arizona ... It would take water from people in our state. This water would be used to grow hay, grain or cotton in another state."

Northcutt Ely, California's Special Counsel: "The Southland will be living on borrowed water and borrowed time."

James H. Howard, MWD's Special Counsel: "We consider it extremely vulnerable and subject to attack in the Supreme Court and we will make such an attack."

Chances of overruling Rifkind appear to be very slim. But Ely says "in previous cases, where a special master was involved, the Supreme Court has either modified the master's decision or overruled it in one out of three instances." Supreme Court probably won't schedule a hearing on the case before next October.
Meanwhile, Sen. Kuchel is warning Californians of a threat even more ominous than Rifkind and Arizona.

Los Angeles Times: "The state must also prepare itself for another, and now even more ominous, threat: The federal government's claim to all unappropriated water in California and the other western states.

"The latest of these claims was made last spring and could upset the entire Feather River and future development projects if successful. Government lawyers somehow based their case on the provisions of the Treaty of Guadalupe Hidalgo by which the United States acquired California in 1848.

"The spider web --- spun in typical bureaucratic style --- attempts to spell out federal ownership of all unappropriated western waters', Sen. Thomas Kuchel said last week as he sounded a new warning and call to action.

"... Kuchel points out that not only the Treaty of Guadalupe Hidalgo, but also the Louisiana Purchase of 1803 and the Spanish Cession of 1819, are being studied as the basis for federal grabs in other areas."

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PEOPLE: Harold Lathrop, Colorado's director of State Parks and Recreation received national recognition recently when awarded a silver medal by American Scenic and Historic Preservation Society ... Dr. William Rense, CU professor, won a second major grant ($51,000) from National Science Foundation to study upper air and solar atmosphere (weather research) ... Pete Dana of Cody, former oil company geologist, will make a 10-month ground water investigation for the Wyoming Natural Resources Board ... Wayne Aspinall recently returned from a two-week European tour of nuclear power reactors and military installations with members of Joint Committee on Atomic Energy ... Wayne Chiesman (manager of Grand Valley Water Users Association) and Mrs. Chiesman celebrated their 50th wedding anniversary last month ... John Barnard Sr. and Phil Smith succeed R. B. Williams and Amos Horn as Colorado directors of the Colorado River Water Users Assn. ... Dr. A. L. Miller, director of Interior's office of saline water is resigning ... Dr. Tel Ertl, former oil shale geologist on the Western Slope, is now with a Denver consulting firm.
Cal Queal (Denver Post) puts these nine men at the top of a 27-man applicant list for Colorado G & F director: Robert Elliott, Laurence Riordan, Richard Teague and C. E. Till of Colorado G & F dep't. . . . Cleland Feast, former Colorado G & F director . . . Pete Greene, former Wyoming G & F director, now with USFS in Denver . . . and these present G & F dep't. directors: Ross Leonard of Idaho, M. O. Steel of Nebraska, Frank Groves of Nevada. One of the seven members of the Colorado Civil Service Commission's selection board for the G & F directorship is a Colorado water man. Other committee members include representative of state sportsman groups, stockgrowers and the Colorado Legislature.

Denver Chamber of Commerce has gone on record favoring "a thorough review and revision of the Colorado water code." Board of Director's action came after V.A. (Bud) Vaseen, chairman of the Chamber's Water Committee, submitted a 4-page report on the water code. Vaseen noted that a thorough job of water code revision "will achieve the protection and development of the water rights of our citizens by the creation of a clear, simplified and improved body of water law which, when applied, and administered, will result in maximum beneficial use of all water to which Colorado and its citizens are entitled."

Status of water code revision: Sparks of CWCB has asked Colorado conservancy districts to suggest names of persons to serve on code revision task force. Proposed budget of Resources Director Ed Clark includes money for financing water code revision work. Clark may need Water Congress help in selling water code revision budget items to the Colorado Legislature and in distributing information on the water code program.
Crown Zellerbach: USBR is preparing a contract for the secretary of interior on purchase of water stored in Green Mountain Reservoir for the proposed paper mill near Kremmling. Probably a maximum of about 5,000 acre feet per year is involved. Meanwhile, CZ indicated in a recent letter to Middle Park Times that "we are in no position to tell you whether we will go ahead with a pulp and paper mill at Kremmling."

Wyoming might need $2 million to $4 million in CRSP credits to start construction of the Savery-Pot Hook Project in fiscal year 1963. Wyoming would repay before Colorado needed to use these credits. Savery would irrigate land in both Colorado and Wyoming.

Montana's aging James E. Murray, retiring after a quarter-century in the Senate (including current chairmanship of Senate Interior Committee), is reported to have accused the Corps of Engineers and USBR of cheating upper Missouri Basin states of their legal water rights. He uses strong words (arrogant Corps, uninterested Bureau, flagrant violation of the law) in a report on water supply, power marketing problems and reservoir management problems in the basin. Murray's current whipping boy: Navigation water requirements on the Missouri River.

Colorado Supreme Court has reversed a district court order entitling the Granby Ditch and Reservoir Co. to store water indiscriminately in any of several reservoirs having different priorities. Downstream junior appropriators were dependent on exact administration of a limited water supply to give value to their decrees. The Court remand required imposition of specific conditions on any decree for change of place of storage, in order to protect other appropriators. Supreme Court found a basic fault in the "blanket character" of the decree and stated that "injury to junior right holders was threatened."