Colorado's horse and buggy water laws received a good working over at the annual meeting of the Colorado Water Congress. Over a hundred Colorado water people braved snow and icy roads to hear a panel discussion by the water law recodification committee.

Modernization ideas are beginning to take shape. Good prospects: More authority and bigger staff for the state engineer . . . Creation of a water rights board with state-wide representation, through which the office of state engineer would function . . . Elimination of the 70 water districts, with their functions consolidated in seven beefed-up irrigation division offices . . . Provision for initiating general adjudication proceedings, similar to quiet title proceedings, to determine ownership of water rights.

. . . Requirement that all conveyances of land and water rights contain specific descriptions so that a written chain of water rights will exist for the first time . . . Rule that no decree could be entered until the state engineer's office had provided certain technical information (such as ditch carrying capacity) . . . Procedures for determining decree abandonment . . . Creation of a combined permit system and court adjudication system for granting new decrees.
Water waste was hit hard by the recodification committee.

Charles Beise: "We do not buy the concept that administration of irrigation water stops at a farmer's headgate. We all agree that as the density of our population increases, waste of water can no longer be tolerated; and that applies to municipalities as well as to agriculture."

Committee proposal that ground water should be administered in the same manner as surface water is sure to stir up a fuss. So will many other water law revision proposals that hit close to home. But have faith in your recodification committee. They were a carefully selected group. They're dedicated to the job of doing something about Colorado's archaic water laws.

Local meetings will be held by the recodification committee in each of the state's seven watersheds, after recommendations jell. Grassroots support for proposed water law changes will be vigorously sought before any proposals are presented to the Colorado legislature. Help your Water Congress develop grassroots interest and support for needed water law modernization proposals. Plain fact is, neither the Colorado Water Congress nor the recodification effort can go anywhere without substantial grassroots water user support.

Water users in other states are developing strong organizations. North Dakota water users association's third annual convention last month was a big affair. Directors (24) from throughout the state held a pre-convention evening dinner meeting. All next day, and on into the evening, big name speakers talked to North Dakotans about western water problems . . . NRA's Bill Welsh, Interior Dept.'s Bill Palmer and Harrell Mosbaugh, SCS'S Lyness Lloyd, U. S. Senators Milton Young and Quentin Burdick, U. S. Representatives Short and Nygaard, Governor Gay of N.D. and Governor Morrison of Nebraska.

Utah water users' 1962 budget is nearly $20,000. Oklahomans recently held their sixth annual water conference. Conference speakers included U. S. Senator Monroney and a farm equipment executive from Illinois . . . Nebraska Reclamation Assn. and Nebraska State Irrigation Assn. will hold a big, 2-day joint session later this month. Main speakers will include Governor Morrison and NRA's Welsh.
Idaho State Reclamation Association's recent 25th annual (2-day) convention produced 17 significant water policy resolutions. Idaho water users rededicated themselves to full accomplishment of their water objectives. They vowed to "give wide publicity to (these objectives) throughout the State of Idaho and the Northwest, and solicit the cooperation and support of all kindred organizations in the attainment of said objectives."

Idahoans, incidently, were more aware than Coloradans of proposed Snake River diversions into the Colorado River Basin. A strongly worded resolution expressed "unalterable opposition" to investigation of such diversion possibilities. IRA referred to "reports emanating from certain Colorado River states, particularly the State of Colorado, of investigation of the feasibility of diverting waters of the Snake River into the Colorado River Basin."

Colorado Water Congress grassroots problems were frankly described in the Grand Junction Sentinel recently by William C. Nelson, member of the Colorado Water Conservation Board and associate editor of the Sentinel.

Nelson: "The Congress swallowed the Colorado Watershed Conservation Assn. but it has not stepped in to fill the place the association was beginning to fill . . . The association was composed of water users, and the Congress leaders are engineers, lawyers and other professionals. The users and professionals just don't get along for any appreciable length of time. They will tolerate each other during an emergency, after which they go their separate ways."

COLORADO WATER PEOPLE: William S. Eakes of Durango is the new chairman of the Colorado Water Congress. Vice Chairman: Charles Boustead of Pueblo. Secretary-Treasurer: Jack Ross of Denver. Executive Committee members: Amos Horn of Granby (Colorado River), Clarence Burr of Walden (N. Platte and Laramie), Jack Hughes of Montrose (Gunnison), Eakes (San Juan, Dolores, San Miguel), Clarence Quinlan of Antonito (Rio Grande, including closed basin), Boustead (Arkansas), J. R. Barkley of Loveland (S. Platte) and Glenn Saunders of Denver (Denver).

John Barnard, Jr., former chairman and executive director of the Colorado Water Congress, has been named to the position of vice chairman of the water rights committee
of the American Bar Association. He will work closely with national chairman Northcutt Ely on states water rights legislation and other water matters of national significance. John has resigned from his position as first assistant attorney general, which he held for 6 years. He will devote full time to private law practice (Barnard and Broadstreet) in Denver's Majestic Bldg.

Riney F. Wilbert, former Delta City Manager, will become manager of Ute Water Conservancy District in Grand Junction . . . Ted Gill, State Senator from Hillrose and member of the Senate water resources committee, attended the Colorado Water Congress annual convention in Denver and participated in the discussion . . . Felix L. Sparks, Colorado Water Conservation Board director (now on active duty with Hdg. 169th Artillery Group at Fort Sill, Oklahoma) was honored recently by a CWCB resolution which referred to "The aggressive, diligent and extremely competent nature of his services (that) has resulted in a marked acceleration of the water resource development of the State of Colorado and a marked increase in the stature of the Colorado Water Conservation Board in the eyes of the people of the State, the West and the Nation."

COLORADO COMMUNITIES: Pueblo voters rejected (3 to 1) a charter amendment which would have abolished the independent water board and transferred its policy making functions to city council. Following the election, Pueblo Water Board embarked on a long-range program designed to improve efficiency and to familiarize consumers with water district operations. . . Cortez voters narrowly approved fluoridation of the municipal water supply, after two fluoridation defeats in the past two years. Clifton water supply and distribution system was described in nationally circulated Public Works magazine (9/61) in an article by V. A. Vaseen. . . Eagle water problems were also mentioned recently in Public Works magazine (10/61).

Rural domestic water supply in northern Colorado is being aided by U. S. Farmers Home Administration loans and by Colorado-Big Thompson project water. Foothills Water Users Assn. will receive a $740,000 loan to build treatment and distribution facilities to supply C-BT water to rural areas around Niwot. Left Hand Water Supply Co. will receive
a $660,000 loan to build facilities to supply C-BT water to areas from the foothills highway (State Highway 7) near Boulder east to Erie . . . Tentative FHA loan approval has been given to two Las Animas County water projects, a $60,000 loan to 50 farm families comprising the Sunflower Valley Pipeline Assn. and a $112,500 loan to 69 families who have formed the El Moro-Hoehne Pipeline Assn.

Crowley Water Association has completed a 57-mile pipeline from Fowler Springs to 130 homes in the Crowley-Ordway farming area. It's one of the longest water lines in Colorado . . . Trinidad has applied for federal area redevelopment administration grants which include $1,731,000 for water system improvements. A 20-foot section of Trinidad's 4 mg reservoir collapsed recently, sending water cascading down State Highway 12 . . . Walsenburg has applied for area redevelopment funds for construction of water and sewage facilities . . . Montrose has let contracts for water system improvements costing over $200,000.

Fifteen Colorado communities were said to have domestic water that is saltier than minimum standards recommended for human consumption by U. S. Public Health Service (1,000 parts per million). Sayer: Charles F. MacGowan, director of Interior Dept.'s Office of Saline Water, in a recent Denver speech. Names of communities weren't specified, by MacGowan. Names probably came from Colorado Health Dept. report which listed Iliff, Las Animas, Firestone, Wiley, Hudson, La Junta, Milliken, Merino, Crook, Rocky Ford, Derby, Kit Carson, Dacona, Fowler, Fort Morgan, Eads, Gilcrest, Sugar City, Limon and Manzanola. Senator Gordon Allott has telegraphed MacGowan for more facts. Allott: "Also explain why, as a member of the Senate Interior and Insular Affairs Committee having Congressional supervision of your office, I was not provided with this information."

Kremmling is still hopeful that Crown Zellerbach Corp. will build a paper mill nearby. But CZ and the Bureau of Reclamation have been unable to reach agreement on purchase of water stored in Green Mountain Reservoir . . . Colorado Springs population will increase from present 116,000 to 180,000 by 1970 and to 250,000 by 1980, according to forecasts by a San Francisco firm making a land use study of the Springs' metropolitan area.
WATER DISTRICTS: Jackson County Water Conservancy District was organized on November 7, 1961. Petitions have been circulated to create the proposed Eagle Water Conservancy District (Eagle County and parts of Routt, Pitkin and Garfield counties), the proposed Battlement Mesa Water Conservancy District in the Plateau Valley (Mesa County) and the Vineland Watershed District (SCS) near Pueblo. Petition to create the Dolores Water Conservancy District (Montezuma and Dolores Counties) was heard recently in district court. Orchard Mesa Irrigation District's $750,000 rehabilitation project (USBR) is getting underway.

WATER LITIGATION: Colorado Supreme Court refused to reconsider its Eagle River decision but made one clarifying change. Denver was given the right to store Eagle River water outside of Water District 37, so long as points of diversion are located in the district. Senate Document 80 origins and meanings were aired recently in Grand Junction federal court when a deposition was taken from Attorney Silmon Smith. Current interslope litigation involving SD 80 relates to interpretation of Blue River decree and stipulation.

In the White River Water Rights hassle, District Judge Clifford Darrow of Glenwood Springs granted a change in point of diversion to White River Electric Assn., after ruling that only persons or organizations actually putting water to beneficial use were eligible to protest the change. Darrow ruled that holders of conditional decrees or those seeking such decrees were not eligible to protest. Transferred decree hadn't been used since about 1948. Diversion point change would probably block diversions planned by Rocky Mountain Power Co. and by Yellow Jacket Water Conservancy District, unless Darrow's decision is over-ruled by Colorado Supreme Court. RMPCo is expected to appeal.

Sanitary sewer suits: $17,800 damages are sought from Arvada, $40,000 from Aurora and $35,000 from Grand Junction. Troubles: Sewer backup, alleged city negligence. Claim against Grand Junction includes alleged property value loss due to sewer smells. General adjudication proceedings in Water District 40, opened in Delta District Court last August, are continuing. Over a hundred statements of claim have been filed.
Legality of a power line already built is the puzzling decision confronting Colorado Public Utilities Commission. Colorado-Ute Electric Assn. has built the line from Cameo to Montrose, wants to buy power from Collbran reclamation project powerplants now nearing completion. Public Service Co. of Colorado is opposing Colorado-Ute. Colorado River Water Conservation District is considering making filings on direct flow water for fish preservation on streams within the district.

Ground water litigation is underway on three widely separated Colorado fronts. Precedent setting Grand Valley underground water case is headed for the Colorado Supreme Court. Arkansas Valley litigation now getting underway may involve wells along tributaries of Horse Creek, if the judge rules in favor of an amended complaint. Akron is defendant in a lawsuit over groundwater. Allegation is that a municipal well dug by Akron dried up pond, springs and wells belonging to a nearby rancher. Suit seeks to restrain Akron from appropriating water which had theretofore been appropriated, also seeks to recover damages.

It's going to be race against time to determine whether underground water law in Colorado will be established by litigation or by legislation. Theodore Roosevelt:

"Nine-tenths of wisdom consists in being wise in time."

COLORADO WATER RUNDOWN: The story of water conservation in Colorado is told with 12 large color photographs now being displayed by U. S. Soil Conservation Service in the 3rd floor gallery of Denver's Museum of Natural History in City Park. Award-winning Glen Canyon Dam Film is available for public showings (28-minute, 16 mm, color and sound, free loan available from Chief Engr., USBR, Bldg. 53, Federal Center, Denver 25).

Growing scientific importance of Denver-Boulder-Fort Collins is recognized in Denver's hosting of the annual meeting of the American Association for the Advancement of Science, Dec. 26 to 30. This is the largest, most influential scientific organization in the world. Underground hydroelectric powerplant is under study for the proposed
Crystal Dam of the Curecanti project on the Gunnison River . . . Fate of the proposed Azure Dam and powerplant in Gore Canyon on the Colorado River may depend on whether a coal burning, thermal generating plant is built by Tri-State G & T (REA) near Craig . . . "Sand and Gravel Resources" is a new 28-page report by Inter-County Regional Planning Commission . . . Irrigation well registration deadline is Dec. 31 for wells drilled before May 1, 1957 . . . Water market competition: Consumption of beer, liquor and wine in Colorado jumped to 27.8 million gallons last year, an all-time high . . . Rip-snortin' old-fashioned winter is predicted by John Baer's 1962 Agricultural Almanac.

Unique Gunnison River planning program with urban area emphasis is being started by Colorado Planning Commission. Regional planning group will assist in preparing detailed surveys of existing land use, population trend analysis and facility need projections. It's "the first program of its type in the state and the first extensive study of a drainage area in the nation." Financing: 1/3 state, 2/3 federal grants . . . Progress in improving Colorado's water and sewage treatment facilities has been reported by Roy L. Cleere, state health director. Five-year expenditures: $39 million for 303 water treatment projects, $26 million for sewage treatment.

Colorado's oil shale prospects have brightened with word that the demonstration plant near Rifle (Closed since 1956) will be put back in operation. Interior Dept. will operate the plant on a contract basis through Bureau of Mines. Reactivation of oil shale research may bolster feasibility of Fryingpan-Arkansas project's proposed 100,000 acre foot Ruedi replacement reservoir on the Western Slope . . . 10 to 3 odds that Fry-Ark authorization will pass Congress by May 1, 1962 have been offered by the man who should know: Colorado Congressman Wayne Aspinall.

Colorado River transmission line problems are looking much better. Upper Colorado River Commission's engineering committee is reviewing new proposals being offered by the Bureau of Reclamation and by private utilities. Committee will report back to UCRC by January 15, 1962. Current negotiations seem to be bringing both sides closer
together on lines outside of the (still undefined) backbone system. The White House Regional Conference in Denver was attended by about 750 (mostly water resource people) from Colorado and 11 other western states. In give and take discussion, westerners had a valuable opportunity to give the administration their views of what is needed.

Denver Post: "The Kennedy administration has not created the impression of intimate knowledge of western problems. Seemingly, until it gets its feet on the ground, it has talked in terms of long-range plans rather than immediate and specific actions.

"But as long as it shows its intention of getting the show on the road—soundly rooted in improved philosophies—there can be no quarrel. Westerners should support such planning enthusiastically."

Wilderness Bill hearing at Montrose was attended by nearly 600 persons. Registering against the bill: 401. Favoring the bill: 23. Passage of a wilderness bill appears inevitable. Problem is to attach amendments that will adequately protect western water interests.

Pueblo Chieftain: "The issue is not whether there should be a wilderness area designated as such. Sen. Allott and other western congressmen and senators agree to the desirability of setting aside some areas so they will be guarded against intrusion and exploitation to the disadvantage of residents of the United States in the future. But the Senate method for setting up such a system to determine the areas is arbitrary and without adequate legislative consideration and public hearing . . .

"We feel that the people of the West who are interested in protecting the lands within their state borders, which happen to belong to the federal government and pay no taxes for the support of state government, should look closely at the Senate-approved measure. It is a great stumbling block in the way of full development of the western states in their own right as other states have developed throughout the rest of the nation."
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