"We dedicate ourselves to the complete abandonment of our State's past leisurely attention to and consideration of its water problems, and in lieu thereof, the adoption of the strongest possible program, to the end that the fullest development of our water resources shall become the first order of business of the entire state and of all its people." (Constitution of the Colorado Water Congress)

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THIS 70th ISSUE of the Colorado Water Congress Newsletter will take a long look back over some of the roads that it has traveled during the past six years. This hindsight view may be helpful as Colorado water users pause momentarily in the midstream of serious interstate water controversies, interslope water wars and political realignments affecting the politics of water in Colorado.

TAKE TIME TO REAPPRAISE your Colorado Water Congress. What's it all about? What has it wanted to achieve? Where has it been and where is it going? Quotations from past newsletters may add perspective to today's water problems. Possibly they might recapture some of the zeal and dedication that propelled the Colorado Water Congress through its early, formative years. This issue will be devoted to quotations of editorial comment from past Water Congress Newsletters.
"Picture this: partisans of Colorado's past internal water wars, sitting side by side in an atmosphere of mutual respect and confidence, constructively working on state-wide water problems. There have been water men in Colorado who would shed honest tears of joy at such a sight. Does this mean an end to Colorado's internal water wars? Certainly not. But this spirit of cooperation is already forestalling some unnecessary skirmishes which could cost the participants dearly in time and dollars." (8-15-58)

"At last, Colorado is alert. Through your efforts in backing the Water Congress, Colorado's water law and water engineering talent are being brought together in a common attack on common problems for all Colorado water users." (9-19-58)

"Glen Canyon is the latest chapter in a long and disappointing story about Colorado's Grand River...Colorado's River? It used to be. But not anymore! And that is the story...a difficult story to tell in understandable language. Yet it should be told, over and over again, to the water users of Colorado." (9-19-58)

"Your Water Congress hangs its hat on this peg: No good purpose is served by public controversy over matters that have not been given enough preliminary investigation to assure constructive approaches in public expressions of view. In other words: Water Congress members work together on things they can agree upon. They leave matters of disagreement to solution by normal procedures...compromise or litigation. They avoid like the plague the trying of internal water controversies in the court of public opinion." (10-17-58)

"Is your Water Congress different? Is it a talker or is it a doer? It has to be different. But it can't be all things to all people. It can't put any more water past the headgate for a while because it has to put first things first. It can't worry about the condition of the lawn when the house is on fire. Right now, your Colorado River house is on fire...The entire strength of your Water Congress has been directed toward saving the Colorado River for Colorado water users, while there is yet time to do it." (10-17-58)
"Lawyer talk? No! Straight from the shoulder water user talk aimed right at the man who uses the shovel and wears the boots. Your Water Congress will try to bring the interstate water scene into focus for Colorado water users. But remember: This is a tough row to hoe. More erroneous information, more misunderstandings and more confused, prejudicial thinking are expended on water problems than on any other field of human activity except religion and politics." (1-9-59)

"Colorado's unpreparedness was frightful...frightful to the degree that Colorado water men decided to take matters into their own hands and do something about it. This was the impetus that gave birth to your Water Congress." (1-9-59)

"Two philosophers stopped by a remote mountain stream. One spoke: 'Ah, Wilderness! You wild, beautiful virgin. Let me protect you from those who would exploit your beauty. Come with me to a far away place where your untouched beauty will be preserved forever for people like me who truly appreciate you.'

"'Wait', said the other philosopher. 'Do not take Wilderness away. I can't go to that far away place. Neither can my friends. I love the beauty of Wilderness...but in a different way. Is not beauty where you find it? I see the beauty of Wilderness in her water, in her timber, in her soil, in her minerals...in food on the table, in security for my family and in security for my nation.'

"Many know the first philosopher as the great protector of our dwindling wilderness lands...the roadless, uninhabited and beautiful backwoods country of our nation...the priceless heritage for millions of future Americans who will inhabit concrete jungles and smog-filled city canyons. Others know him as an exponent of emotion and fantasy.

"Many know the second philosopher as a spokesman for facts and reality who believes that the real definition of conservation is wise use. Others know him as the spokesman for economic interests who have dollar signs for eyes." (2-13-59)
"So what? Let the lawyers and the engineers take care of it?... They can't do the job by themselves. There has to be informed public opinion to translate technical knowledge into action, if Colorado's dwindling water supply is to be protected and utilized. ...Busy friends, take time to look at our interstate water problems. See how we have backed into these problems...stumbling at times over complex interstate relationships that were too difficult for us to handle with merely good intentions." (3-17-59)

"What can be done about these water problems in the San Luis Valley? Your Water Congress believes that there may be adverse interpretations of the Rio Grande compact which are subject to correction, and which have been applied for years to the detriment of Colorado. Some feel that the short history of the compact included so many serious mutual mistakes of fact that the compact schedules cannot be enforced in court. A joint engineering-legal investigation should be made for the purpose of collecting information. Find out how the compact provisions have been applied, why the compact hasn't worked, and what can be done about it. If nothing can be done, Colorado can use the results of the study to prepare for a lawsuit in the U. S. Supreme Court--with the hope that it never happens." (3-17-59)

"Water and politics: Do they mix? They seem to...especially at this time of year. Quite a mixture is being brewed in Washington by the 86th Congress. At the top of the list for western water users: States' water rights legislation. There is probably no question today of greater importance to the western half of the United States than that of preserving the integrity of state water laws. The economy of the entire West is dependent upon water rights established in accordance with state law. And these water rights are in trouble." (4-24-59)

"Terror gripped discerning water men when it was realized that hundreds of water rights acquired under state appropriation law and utilizing water coming from government reservations might be subjected to a future government use because of an over-riding federal right never before known to exist. In one stroke of its Pelton pen, the Supreme Court deprived western states of effective control over waters on most of the public domain. Some way the Supreme Court, in its Pelton decision, reverted to the federalism evident in the first years of the Court's history." (4-24-59)
"Most water problems now-a-days are like an iceberg...nine-tenths submerged and one-tenth exposed. The exposed part is current activity that you read about in today's news sources. The submerged part is background information on what has happened before today, the various plays on the water development chessboard." (4-24-59)

"The Colorado River Compact, born of hope and fear, was signed in 1922. Hope: Southern California. Fear: Other basin states. The idea was that California could have her high dam (Hoover) if the other basin states would be protected for future development. ...Your Water Congress is not crying wolf, when there is no wolf. It is later than you think on the Colorado River." (6-25-59)

"The State Engineer of Colorado...middlemen in complex water controversies...police officer on Colorado streams. Is he the strong-armed administrator of the appropriation doctrine in Colorado, as intended by the 1879 Colorado General Assembly? Or is he a traffic cop moving along Colorado's crowded 1959 waterways in an administrative Model-T trying to enforce the law with a Justice of the Peace warrant in his hip pocket?" (8-27-59)

"Colorado is making admirable progress under the leadership of CWCB Director Felix Sparks, when viewed against the background of past CWCB performance. But try using the California and Texas yardstick...the yardstick of action related to future needs...and Colorado's water development program appears woefully inadequate. Colorado has nothing even remotely resembling a bold, imaginative program to plan, protect and develop her water supplies on an integrated, state-wide basis. Colorado has no state water plan and she seems to be in no hurry to develop one. Colorado has no self-financing ideas on water development. She has exhibited little enthusiasm for fielding a big league technical water team. Colorado hasn't informed the public on interstate water problems and the need for state water development money." (10-16-59)

"Don't sell this water code revision idea short. The time has come to do something about the State Engineer's outmoded water administration machinery." (11-16-59)
"The times demand more than a business-as-usual, leave-it-to-the-government attitude toward Colorado's dwindling water supplies. Interstate pressures on Colorado's water resources are increasing, somewhat geometrically like the population curve. Time may be running out on Colorado's opportunity to plan and construct water projects on an integrated, state-wide basis." (12-14-59)

"What lies ahead for Colorado water interests in the decade of the sixties? It's anybody's guess. But the future reveals her secrets first to those who understand the present." (1-20-60)

"Water rich, energy rich Colorado...what a combination. What a potential! Colorado's vast energy reserves are sidelined by cost competition. But they are staying put. In contrast, Colorado's once vast water reserves are slipping away to permanent downstream commitments. Why? There are reasons, some good, some inexcusable. Much of the trouble can be boiled down into one word...attitudes. Example: Colorado's leave-it-to-uncle attitude. This results in endless delays and unnecessary interstate water give-aways...concessions to California here, New Mexico or Arizona there. It's the price that has to be paid for congressional authorization and project appropriations in a give and take political situation. Another source of Colorado's water troubles has been her attitude of extreme preoccupation with water law and a lack of aggressive water development leadership based upon imaginative, sound engineering planning. Intra-state court battles over water have been fascinating treadmills to participants and observers alike. But they don't develop much water." (3-23-60)

"Eyebrow-lifter on SCS's reservoir construction program...No water rights! When is an SCS dam retarding floods and when is it depriving the holder of a senior water right of his water?" (4-21-60)

"There is more to water in Colorado than fight, fight, fight! There is, for example, the quiet country of water research. It isn't glamorous...no headlines, no personality clashes, no maneuvering for political advantage. It's a high plateau of thoughtful concentration on water fundamentals...The water research window is wide open for those with the time and the inclination to look. The view is quite different than Colorado water users are used to seeing. The climb to the window isn't easy. But those who get there will ponder as to why it is taking us so long to solve our water problems when the means of solution are virtually at hand." (5-20-50)
"Rifkind's draft recommendations to the U. S. Supreme Court came on May 9th. They burst over Southern California like an unexpected nuclear bombshell. In California there was shocked disbelief, bitter disappointment, outcries of 'dire consequences', agonizing reappraisals of monies spent, commitments made. It was the worst jolt California has received in many years. In Arizona: Sunlight, peace and understanding, green light visions for the long-proposed Central Arizona Project...a probable $1 billion a year shot in Arizona's economic arm. The special master ruled against California! He fooled the crystalballers and gave Arizona and the United States virtually everything they wanted. It was a far-reaching decision...a significant cornerstone in the law of the river for generations to come." (6-17-60)

"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." (8-29-60)

"An eventual major lawsuit between surface appropriators and well owners in Colorado on a test case basis appears probable to most water people...unless problems can be resolved through legislation. The proposed program for clarification and improvement of the Colorado water code will be a big step in the legislative direction. Colorado water users on both sides of the ground water fence should become informed on the progress of the water code program and alert to the opportunities which this program will present." (9-26-60)

"The water code job will have to be done right. This means ample time...at least two years of intensive effort. And ample money...whatever it takes to do the job. Plus dedicated service of the highest quality. And information of sufficient depth, scope and understanding to convince Colorado water users and Colorado legislators that their interests are protected. It's a job that will challenge the water people of Colorado." (10-24-60)

"The glamour boys of water research...salt water conversion, nuclear power, evaporation control, cloud seeding...They're slowing down a bit, allowing time for scientific facts to catch up with promotional high hopes. Meanwhile, bread and butter researchers are pushing steadily forward, using new ideas to develop new techniques. Their efforts are usually not startling enough to occupy eye-catching space in public print. But their findings are significant to western water users." (11-25-60)
"Glen outlook: Not good. Lower basin men occupy Interior's policy making jobs. Also, there is not complete agreement within the four states of the Upper Colorado River Commission regarding a firm Glen Canyon stand...Ramifications of current Colorado River problems extend far beyond the Upper Colorado River Storage Project. Never has there been a greater need for an informed and united group of water users in Colorado." (1-23-61)

"Colorado water problems aren't all big, aren't all involved in legal battles, interstate intrigue and congressional politics." (2-20-61)

"Your Newsletter...attempts to interpret the changing water scene for Colorado water users on a non-partisan basis. Your Water Congress is trying to develop real understandings of what is happening to Colorado's most important natural resource...water. It's not an easy thing to do." (3-27-61)

"Colorado doesn't have all the water fights. Other states have them too. That's part of water life in the West, where water is everybody's business. But many western states are realizing the need for tough minded pulling together for the common good...before it is too late." (4-27-61)

"Colorado's water warriors, banded together in common purpose, are a potent force both as individuals and as representatives of organizations. Their combined influence can effectively promote statewide water user interests before the Colorado Legislature, congressional water committees, national water organization and the federal government. Tough Water Congress job: Keeping veteran water warriors hitched on water matters of mutual acceptance and statewide concern." (7-28-61)

"It's later than you think on federal-state jurisdiction conflicts over water rights. Sweeping claims have been made by the Department of Justice that the federal government has proprietorship and overriding paramount rights. It's the old problem of whether ownership of land by the federal government carries with it ownership of water rights. Justice Dep't says it does, western states say it doesn't. Legislation clarifying federal-state water rights is difficult to enact. Meanwhile, the issue is being fought in the courts on many fronts." (10-23-61)
"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." (11-24-61)

"Remember this: Your Water Congress has no axes to grind, no crusades to sponsor. It seeks one objective: Promotion of Colorado's grassroots water interests through a unified, informed water user organization capable of providing constructive guidance and support to the Colorado Water Conservation Board and to the State Legislature." (12-26-61)

"These are critical times for Colorado water users. Serious problems confront your state water policy board and major water interests. Each problem is big, difficult to handle, mostly submerged in controversy and complexity. Take time to become informed about Colorado's water problems. Take a quick highlighting trip around Colorado's water front with your Water Congress Newsletter." (1-26-62)

"The Rio Grande problem emphasized the point stressed so often by your Water Congress: We're all in these interstate water fights together. What happens to Coloradans in one river basin vitally affects Coloradans in other river basins." (2-26-62)

"Remember this: It was the Glen Canyon filling criteria bombshell in 1957 that stirred Colorado's water warriors into united action, started the Colorado Water Congress and led to Colorado Water Conservation Board staff changes of the greatest significance... Give credit to your Water Conservation Board for effective, vigorous leadership since 1958 on the long struggle for favorable Glen Canyon filling criteria. This effort has saved untold millions of power revenue dollars for use by Colorado in building participating projects on the Western Slope." (4-27-62)

"Federal trends: Bureau of Reclamation's historical image as an agency for reclaiming and irrigating arid lands of the West is fading fast. The changing times are identifying USBR with hydroelectric power and municipal water supply. Power involvement is widely recognized and highly controversial. USBR's longrange interest in municipal water supply is probably not yet generally understood in the West." (11-26-62)
"The federal-state water rights controversy is getting hotter. And more complex. Water leaders throughout the west are deeply concerned with the problem. Coloradans should be concerned. The problem is difficult and involved. Understanding of basic issues is hard to come by. It's all mixed up in constitutional law, plus social, economic, political views and philosophy of government. Basically, it is not a political party question. It doesn't seem to make much difference which political party is in power, or what your political views are, providing you live in the West. The problem marches on, getting bigger all the time. It is big enough now to threaten our way of water life under the hundred-year-old appropriation doctrine." (7-29-63)

"Where does the Supreme Court decision leave Colorado ground water users? The court did not specify a reasonable use doctrine for non-tributary ground water. It did not specifically recognize that ownership of such underground water went with ownership of the land above it. By implication, the high court handed these problems to the Colorado legislature for resolution. This may lead to one of the bitterest legislative controversies over water in the state's history. If the legislature fails to act, it is inevitable that the legal void will be filled by law established by the Colorado Supreme Court as the end result of litigation." (9-25-63)

"Your Water Congress has long advocated a complete recodification of Colorado water laws...surface water, ground water, the complete package. Water Congress leaders have stressed that this recodification job should be undertaken by a working task force which includes Colorado's best qualified water lawyers and water engineers. Task force members should be paid enough to permit them to devote the time required to draft a workable revision of Colorado water laws. Once drafted, the revised water code should be thoroughly discussed in local meetings throughout the state, with your Water Congress taking a leadership role. Following grassroots consideration and discussion, the proposed revision of Colorado water laws should be vigorously presented to the Colorado legislature. This type of effort would take time, probably several years. But this is the type of all-out effort required if we are not to fall tragically short of the requirements of our times." (9-25-63)

"If the lower basin contends that tributary consumptive use is not charged against it and is outside of the compact, then we're in for big trouble on the Colorado River. Colorado River water users in Colorado could be adversely affected to a serious degree." (11-28-63)