"I believe the Colorado Constitution is clear and that passage of H.B. 1066 was not absolutely necessary. In any event, we should not let the well versus ditch situation get out of hand and permit the vast amount of water stored in basin alluviums to go unused." (Colorado Governor John A. Love, July 19, 1967)

SENATE PASSES CAP BILL

THE CONTROVERSIAL Central Arizona Project bill which was introduced by Senator Carl Hayden of Arizona, passed the U.S. Senate on August 7 by a voice vote. Senator Gordon Allott (Colo) opposed the measure to the last rap of the gavel. He was joined in his efforts by Senators Clifford Hansen (Wyo) and Thomas Kuchel (Calif). All voted against the bill as it does not include provisions for Hualapai Dam or for water import studies.

Senator Allott contended that the bill as written "would do grave injury to the upper basin of the Colorado River, and that the project is predicated upon the use of water apportioned to the upper basin states which is yet unused." Citing Section 1 of the Colorado River Storage Project Act, he questioned the wisdom of a later Congress enacting legislation which would authorize a project where feasibility is based upon the upper basin states not putting their water to beneficial use at an early date.

Ed C. Johnson, former governor of Colorado and Colorado's member
on the Upper Colorado River Commission, blasted the Senate version of
the bill as a "fanatic passion to grab water apportioned to the upper
basin states by the Colorado River Compact."

Other opponents sharply criticize Interior Secretary Stewart
Udall for his so-called "flip-flop" in recommending the new Senate ver-
sion of the project. Last year Udall came out in support of the basin-
wide concept which was agreed to by all the states in the basin.

Felix L. Sparks, director of the Colorado Water Conservation Board,
in a report to the Board and to the members of the Colorado River Advisory
Committee, gave this analysis of the Senate Bill:

MERITS

- Authorizes construction of five reclamation projects in western
  Colorado: Dolores, Animas - La Plata, West Divide, Dallas Creek and San
  Miguel.

- Provides an equitable operational criteria for Lake Powell and other
  upper basin reservoirs.

- Provides for reimbursement to the upper basin fund for revenues
  diverted to pay for power deficiencies at Hoover Dam.

- Settles the controversy pertaining to the interpretation of Senate
  Document 80.

- Creates a lower basin development fund which would be established by
  surplus revenues from CAP and Hooker - Parker - Davis power plants.

DEMERITS

- Authorizes the Central Arizona Project on an insecure water supply
  which will begin to diminish as soon as the project is constructed.

- Does not offer any solution to the Mexican Water Treaty problem.

- Authorizes an oversized Central Arizona aqueduct.

- Fails to recognize the position of California.
Fails to consider the necessity of augmenting the flows in the water-short Colorado River.

In his concluding remarks, Sparks recommended that the Colorado Water Conservation Board take no further action in connection with its already established policy position.

The Central Arizona Project has on two previous occasions passed the Senate, each time to be killed in the House. Rep. Wayne Aspinall (Colo), chairman of the House Interior Committee, says the same will happen this year. Aspinall said that he has no desire at the present time to take up consideration on the bill. "I will not support any legislation which does not benefit the entire 7-state Colorado River Basin," he said. Most leading water authorities in Colorado agree with Aspinall.

NEW WATER CONSERVATION DISTRICT UNDER WAY

DISTRICT COURT IN THE SAN LUIS VALLEY set September 12 as election date for creation of the Rio Grande Water Conservation District. The area embraced in the proposal includes Rio Grande, Alamosa, Conejos, and that part of Saguache and Mineral Counties lying within the Rio Grande River Drainage. Main objectives of district formation are to set up water management on a single-entity valley-wide basis, and to assist in Colorado's defense in the lawsuit brought against Colorado by Texas and New Mexico over alleged water deficiencies according to the Rio Grande Compact.

Glenn G. Saunders, Denver water attorney, representing those interests pushing for district formation, said in a Newsletter interview,
"The future salvation of the San Luis Valley may rest in the formation of this district, and everybody who makes his living in this area will have a definite interest in the outcome of the election."

Saunders pointed out that the district will also be a valley-wide spokesman in support of the San Luis Valley Closed Basin Project which proposes a series of underground water wells which would pump water into the Rio Grande River at the lower end of the Valley to meet Compact commitments. The project would be operated by the Bureau of Reclamation in cooperation with the district. Project proposals include a pumping plan which would be operated so as to not adversely affect irrigation well use.

Quincy Cornelius of Hooper, member of the Colorado Water Conservation Board, and Felix L. Sparks, Board director, have been the main proponents of the project on the state level since it was first conceived.

Legislation authorizing the creation of the Rio Grande Water Conservation District was passed by the 1967 General Assembly. The bill was sponsored by Rep. Clarence Quinlan of Antonito. Co-sponsors included the other Assembly members from the San Luis Valley.

TEXANS Await Well Decision

THE CASE OF SUN OIL COMPANY v EARNEST WHITAKER now before the Texas Supreme Court and scheduled for a hearing on October 25 will be of interest to many water-well users in the High Plains closed basins. Earnest Whitaker, the defendant, is a Hockley County farmer living in the Texas Ogallala ground water area. The suit was brought by the
plaintiff against the alleged efforts by the defendant to prevent Sun
from using the water under Whitaker's land for water-flooding and oil
recovery purposes.

Plaintiff argues the right to use the water under mineral right
leases which were obtained from the party who sold the land to the de-
fendant. The final verdict is viewed with interest. Irrigation well
operators in the area believe if the court holds that Sun Oil Company
has free and uncontrolled use of the water, underground storage will
be seriously diminished and land values in the area will be adversely
affected.

ITEMS IN BRIEF

U.S. Corps of Engineers announced a plan for an $83 million project
in the Arkansas River Basin which would include river channelization from
Pueblo to John Martin Dam and for flood control on all of the river below
Cotopaxi. Of the $83 million cost, $65 million would be borne by the
federal government and $18 million by local communities benefited, accord-
ing to Col. J. H. Hottenroth, district engineer, Albuquerque, N. M. "It
is primarily a series of flood control projects which would improve
the economy of the area by reducing flood damage," Hottenroth said.

Corps officials said the channelization program would damage fish
and wildlife resources, and as a step toward mitigation the plans pro-
pose 18 ox-bow excavations along the river to provide equivalent habitat.

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R. A. Nielson Company of Denver submitted the low bid of $310,088
for construction of an addition to the Pueblo sewage control plant. The
project which includes installation of recirculation and chlorination
equipment will be supported by a federal grant paying about one-third
of the cost.

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U.S. House of Representatives approved a $54,476,750 water develop-
ment program in Colorado for fiscal year 1967-1968. Major appropria-
tions include: Fryingpan-Arkansas - $21,015,000; San Juan-Chama - $12,862,000; Chatfield Dam - $10,725,000; Curecanti unit - $6,000,000; and Trinidad Dam - $1,000,000.

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Fred P. Dunlap resigned his position as water resource development officer with the Pueblo Water Board on July 27.

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Bureau of Reclamation gave this report on the progress of proposed Western Slope projects: Battlement Mesa - feasibility report is ready for review; Yellow Jacket - completing designs and estimates; Bluestone - project data submitted for review; Grand Mesa and Upper Gunnison - reports hoped for in 1969 and 1970 respectively; Basalt - studies underway; Fruitland Mesa - construction may start in 1968; Savery-Pot Hook - advance planning and pre-construction work is underway.

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Colorado River Water Conservation District gave this report on the progress of its proposed projects: Bearwallow Reservoir in the Flattops Project - geological report favorable - Edwards Reservoir on Eagle River - test drilling continuing; Iron Mountain Reservoir near Red Cliff - test drilling continuing; Red Cliff Project - an interim report has been sent to the Federal Power Commission pending a full report and filing on May, 1968; Flattops Project - an opening brief has been filed contesting the senior priority granted to the Rocky Mountain Power Company.

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"Wells in the South Platte Basin will not be shut down if the ditch owners get together and parcel out the available river water without placing a call on the river for the balance of the 1967 irrigation season." So decreed Ralph Owens, state engineer, at a meeting of well and ditch owners in Fort Morgan on August 1, 1967. State Senator Frank L. (Ted) Gill of Hillrose presided at the meeting. William Mattern, division engineer, reported that the idea worked out fine "with no sweat."

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Frank Milenski of La Junta, member of the Board of Directors of the Southeastern Colorado Water Conservancy District, suggests that the study to be made under the provisions of S.B. 407 passed by the last session of the Legislature determines those water decrees which are not or have not been diligently used. Milenski said, "A great deal of confusion could be eliminated if the proposals in the study be limited only
to those working ditches and decrees which are identifiable, and which will play a part in the future activities."

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Southwestern Colorado Water Conservation District moved against supporting the U.S. Senate version of the Central Arizona Project Bill. Consensus was to support legislation agreed upon by a 1966 seven-state Colorado River Basin agreement.

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The Bureau of Reclamation awarded a $400,000 contract to Iowa State University to make a 5½ year study of the productivity of 8 million acres of irrigated land in the West. Floyd Dominy, Reclamation commissioner, said data from the study will be used to plan and evaluate new Western irrigation projects. Officials from many Western states, including Rep. Wayne Aspinall, have criticized the grant, noting that there is virtually no irrigated farmland in Iowa.

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A joint Litchfield, Minnesota firm of Johnson Brothers Highway and Heavy Constructors and D. R. Blattner and Sons Inc., submitted the low bid of $1,034,792 for excavating the foundation and placing a core-wall in the Chatfield Dam on the South Platte River above Denver. The project involves 500,000 cubic yards of earth-work. Work is expected to be completed by November 1, 1968.

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Penrose voters approved the formation of Penrose Water District by a 229-56 margin which will administer the construction and operation of water supply and treatment facilities and new distribution lines. The project will be financed by a $472,000 Farm Home Administration loan, according to Vernon Estes, district chairman. Directors elected to the Board were Orlin Fields, Albert Molelo, Henry McCallister, Francis Hollifield and John Oliver.

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Mayor Tom Currigan reappointed William G. Temple, Denver pipe manufacturer, to a six-year term on the Denver Water Board. The Board, at its August 8 meeting, elected Gerald L. Stapp, Denver attorney, as president, succeeding R. S. Shannon, Jr. Temple was elected first vice president, succeeding Stapp.
Nelson, Haley, Patterson and Quirk, Greeley water engineers, have added a new electric and gamma well logging unit to their line of professional services. The unit is used to assist in the interpretation of geologic conditions encountered by exploratory holes and underground water wells.

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A bill to create a National Water Commission passed the House by a vote of 368 to 19. Because of House amendments which put a limit on commission expenses and included a provision that commission appointments require Senate confirmation, the bill must receive Senate concurrence before it goes to the President.

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A construction schedule which places a June 1, 1969 completion date on the Greeley-Loveland water project was formally approved by Greeley City Council. Project facilities to be built include a filter plant, storage lake and a raw-water line, all to be constructed in an area east of Loveland and a 10-million gallon per day transmission line from the filter plant to Greeley. Estimated cost of the facility is set at $2,750,000.

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B. H. Baker, Inc. of Colorado Springs submitted the apparent low bid of $2,524,644 for the construction of a water filtration plant northwest of Colorado Springs as a part of the Homestake Project, according to an announcement by Raymond Nixon, city director of public utilities. The facility, to be known as the Pine Valley Plant, will be built on land at the west edge of the Air Force Academy and will have an initial capacity of 40-million gallons of filtered water per day.

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Colorado-Ute Rural Electric Association and Public Service Company of Colorado settled their differences over the $30 million steam generating plant at Hayden which the Colorado Supreme Court ruled was illegally constructed. The agreement which is subject to approval of the Colorado Public Utilities Commission contains these terms:

- Colorado-Ute will retain ownership of the plant and will continue to operate the facility and serve its present members.

- Colorado-Ute will buy power from Public Service Company as necessary to serve increased loan requirements. An exchange agreement is provided.
Public Service Company transmission lines will be used to move Colorado-Ute power to the San Luis Valley and Holy Cross Rural Electric Cooperatives.

Public Service Company will buy 75 million kilowatt hours of surplus energy from the Hayden plant each year from 1968 through 1974, except in those years when Colorado River runoff is below average. In those years the Bureau of Reclamation will buy the first 75 million kilowatts of surplus power, and Public Service Company will buy the second 75 million as available.

From 1975 through 1985, the Bureau of Reclamation will have first rights to buy any surplus power available.

The agreement has the blessing of Norman Clapp, REA administrator.

THROUGH THE WATER METER

William A. Newton, geologist and president of the Rocky Mountain Natural Gas Company, told a group meeting in Aspen on July 30 that geological conditions at the Ruedi Dam site may cause large water losses. Charles Hall, geologist for Region 7 of the Bureau of Reclamation, disputed Newton's opinion and said high adjoining water tables may actually increase the water available. Stockholders of the Paradox Valley Canal and Reservoir Company in western Colorado turned down a joint federal and Game, Fish and Parks proposal to raise the height of the company's Bukeye Reservoir to provide a 400 acre-feet minimum fishery pool. Opposing forces: pressed opposition about guaranteeing any other water rights. La Plata County Commissioners approved a $110,000 county-wide fire protection district. The money would be raised by a 2.5 mill levy for the district. The ten Colorado counties named in a revenue study by the Public Land Law Review Commission include Fremont, Grand, Gunnison, Las Animas, Mesa, Moffat, Montrose, Rio Blanco, Rio
Grande and Summit... The Southeastern Colorado Water Conservancy District will pay $6,500 toward the cost of a water plant feasibility study for the Arkansas Valley communities... Cyrus L. Colburn, Jr., of Denver was named to a full year term to head up the Metropolitan Denver Sewage District No. 1... Six more counties have been named drought, flood and hail damage disaster areas eligible for 3 percent FHA loans. These counties are: Elbert, El Paso, Kit Carson, Lincoln, Washington and Yuma... Spring and early summer rains in Denver cost the Denver Water Board $1.4 million in revenue... Game, Fish and Parks Director, Harry Woodward, says the recent raise in license fees is not yet providing the necessary money to do a complete job in raising trout... U.S. Department of Housing and Urban Development approved a $165,000 public facility loan to the Winter Park Water and Sanitation District to finance construction of new water facilities... Soviet scientists claim that pulp-mill wastes are polluting Lake Baikal, one of the world's largest fresh water lakes... Federal Power Commission has ordered further hearings on the controversial High Mountain Sheep Dam on the Snake River bordering Idaho and Washington. The hearings will be held to conform to a U.S. Supreme Court directive which ordered the commission to delve further into the question of public interest... City Council of Delta adopted an ordinance approving the issuance of $650,000 in revenue bonds for improvements in its municipal power system... Many landowners who will be displaced by the building of Chatfield Reservoir are complaining that the Corps of Engineers is not offering what their
land and property is worth . . . **U.S. Sen. Gale McGee** (Wyo) announced that the Wyoming’s Green River will not be included in the Wild Rivers Bill, now before the Senate . . . **Stearns-Roger Corporation** of Denver received a $1.1 million contract to build a water desalting plant on the Island of St. Croix in the Virgin Islands. The plant will have a capacity of one-million gallons per day. This firm also will be awarded a $464,125 desalinization contract at the Clair Engle water plant in California . . . **Grand Junction city officials** have proposed a 33 percent increase in water, sewage disposal and trash removal rates to pay for a $5 million bond issue to finance water and sewage improvement facilities . . . **Western Governor's Conference** held at West Yellowstone, Montana in June adopted a resolution asking for a halt in the classification of public domain land until the Public Land Law Review Commission which is headed by Rep. Wayne Aspinall (Colo) makes its recommendations on the future use of these lands . . . **Bureau of Reclamation** reports the completion of Rifle Gap Dam, a phase of the Silt Project on Rifle Creek in Western Colorado. Full completion of the project is expected in 1968 . . . **Colorado State University** reports the completion of a new fishery research facility constructed under a joint federal and Game, Fish and Parks grant. The unit will study methods of rearing bait-fishes used by Colorado fishermen . . . **H.E. Lowdermilk Company** of Englewood, Colorado has been awarded a $2,956,000 contract by the Bureau of Reclamation to relocate a 16 mile stretch of the Denver and Rio Grande Railroad around the projected Pueblo Reservoir, a phase of the Fryingpan-Arkansas Project
U.S. Department of Housing and Urban Development announced a $1,150,500 grant to the City of Fort Collins for the construction of new water facilities.

PUBLICATIONS

FRESH WATER FROM SALTY. By David O. Woodbury. Dodd, Mead, $3.50. The book is a short exposition of current methods and rates of progress in desalting sea water.

1001 QUESTIONS ANSWERED ABOUT WATER RESOURCES. By Floyd E. Cunningham. Dodd, Mead, $6.50. The question-and-answer book asks questions about water and water-related activities and gives a 1-paragraph answer to each.

COMING EVENTS

Colorado Water Conservation Board meeting, Rifle, Colorado, September 7 and 8. A feature of the meeting will be a tour of the Silt Project which includes the newly completed Rifle Gap Dam built by the Bureau of Reclamation.

Federal-State Water Resources Conference, a joint meeting on water resources planning - September 6 to 8 inclusive, Denver, Colorado, Hilton Hotel. The conference is co-sponsored by the National Water Resources Council and the Interstate Conference on Water Problems.

WATER ATTORNEY DIES

Duane L. (Dewey) Barnard (46) died at his home in Granby on August 9, 1967. He was the son and legal partner of the late John B. Barnard, prominent Middle Park attorney. He was born in Pueblo in 1921, was a graduate of the University of Colorado Law School, and was a member of the Northwest Colorado, the Colorado and the American Bar Associations. At the time of his death, he was attorney for the Jackson County Water Conservation District and the Towns of Dillon and Granby.