Delph E. Carpenter, Interstate Rivers Compact Commissioner for Colorado, who recently completed the circuit of the Colorado River states in company with the Colorado River Commissioners for Utah and Wyoming, states that the Commissioners found a general outspoken opposition to the granting of licenses for any extensive power development, such as the proposed Diamond Creek project in Arizona, prior to the final approval of the Colorado River Compact and a prevailing opinion that, if license is granted the Diamond Creek project or the Flaming Gorge project in Utah, it will tend to greatly delay the final ratification of the compact and a general adjustment of conflicting interstate relations upon the Colorado River imperative to any well organized plan of development of the resources of the stream.

He calls attention to the fact that the Colorado River Commission was not authorized until the spring of 1921 and that within the surprisingly short period of four years a compact (admitted by all to be fair and just) has not only been negotiated, but has been ratified and approved by all of the states except Arizona and California, each of which have given conditional approval and whose failure to ratify has been occasioned by temporary local conditions. The compact contemplates that the three states of the lower basin will enter a separate agreement disposing of the waters allocated to the lower basin by the compact and substantial progress toward such an agreement has been made, and, if not disturbed by hasty action of the Federal Power Commission or some other agency, will probably be concluded and ready for ratification by the 1927 legislatures of the three states of the lower basin.
Six of the states of the Colorado River basin will officially protest against the granting of any permits for extensive power development, including the Diamond Creek project in Arizona, before the Federal Power Commission at the hearing set for October 20th. At the meeting of the Governors, Senators, and Congressmen of the upper states held at Denver August 28-29, it was agreed that the states of the upper basin would protest the granting of the Diamond Creek project although such action was not then given publicity. It is expected that the Governors, Attorneys General and other interested officials will appear in person before the Federal Power Commission at the hearing.

It is most lamentable that the officials of the states of the entire arid region are not awakening to the insidious and well-organized assault which is now being waged against all of the states by the attorneys for the United States Bureau of Reclamation, through the avenue of various pending suits in which the claim is being made that the United States (not the states) is the owner of all the unappropriated waters in western streams and that the same are wholly removed from state control except as specifically permitted by acts of Congress, which may be repealed or amended at the pleasure of that body. This argument was advanced before the Supreme Court by the Solicitor General in the case of Wyoming vs. Colorado, but the Court avoided expression of opinion. Since that time, in a suit before the Federal Court of Nevada, involving the waters of the Truckee river; in a recent case to enforce the collection of charges against lands in the reclamation project at American Falls, Idaho; in a suit before the Federal District Court of Colorado, involving the waters of the Fine River in the San Juan basin, and in various other quarters, counsel for the United States are urging this destructive
doctrine for the purpose of building up a line of Federal Court
decisions to be used as authority before the United States Supreme
Court in another effort to get that court to rule in harmony with
the argument of government counsel and, in the meantime, these de-
cisions are to be used as the basis of the gradual change of the
administrative measures by which bailiffs, appointed by Federal
Judges, will take supreme and permanent command of specific streams,
displacing all state water officials and taking the administration of
the streams from the states and putting it in the control of Federal
Courts. The pitiful part of the whole proposition is that the
promulgation of the doctrine emanates from the mouths of lawyers
who claim to be patriotic citizens of the western states and
particularly of Colorado. While the proposal of such a doctrine may
be excused upon the part of lecturers before law schools, in papers
before bar associations and in academic private discussions, the
attempt by the United States to put this doctrine into effect,
thereby to deprive the western states of their legitimate control
of their water supplies, commenced in 1916, under Democratic
national administration, and continued under the present Republican
national administration, is so shocking and utterly beyond belief
that state officials have not awakened to a realization of the fact
that a well-laid plan of action has been in process of execution for
the past ten years and has already met with approval before a
master in chancery of the Federal Court of Nevada, and has been
given some credit by other Federal Courts. This destructive
doctrine is said to have been first proposed by attorneys who
claim to be patriotic citizens of Colorado, one of whom has long
been a resident in this state and who has enjoyed more than the
usual measure of public confidence. It is imperative that the Governors and Attorneys General of the western states awaken to the truth and take immediate action to bring about a reversal of the present policy. If prompt action is not taken, by appearances before the Federal Courts wherever this doctrine is being urged or by persuading the Attorney General to discontinue present proceedings and to declare the doctrine unsound, the states may be placed in the position of "locking the barn after the horse is stolen", through various future state activities too long delayed.