REMARKS PREPARED FOR DELIVERY BY
GILBERT G. STAMM
COMMISSIONER OF RECLAMATION
U.S. DEPARTMENT OF THE INTERIOR
BEFORE THE MONTANA WATER DEVELOPMENT ASSOCIATION
BILLINGS, MONTANA
SEPTEMBER 27, 1976

It's a great pleasure to be in Montana again, and to take part in the annual proceedings of the Montana Water Development Association.

The State of Montana and the Bureau of Reclamation have had a long and successful partnership in water resource development. Next year the Bureau will be celebrating its 75th year of service to the Nation, and some of Reclamation's earliest projects are flourishing here in Montana.

The Sun River Project, the Huntley Project, and the Milk River Project were all authorized and constructed within the first decade of the Bureau's existence. And since the time these
projects have been planned and constructed, the Bureau has grown with an expanding nation to design and build the multiple-purpose projects that serve the West today.

Now, in this era of growing energy needs, we in the water resources business are faced with a whole new set of challenges and opportunities.

The oil embargo imposed by the OPEC countries a few years ago forced this country to take inventory of its own energy resources. But as Joe said—what has been done about it?

And in that process, one unalterable fact became most evident—that water is an essential element in energy production, not only through the use of water resources to produce hydroelectric power, but in the conversion of fossil fuels to usable energy as well and for the cooling of nuclear reactors, which doesn't pollute or produce dirty.

Clean, non-polluting hydropower has been with us a long time. The Bureau of Reclamation was
producing hydro-energy before 1910. Since that time, Reclamation's hydropower installations have produced nearly a trillion kilowatt hours of energy, returning to the Treasury of the United States nearly $3 billion in power sales revenue.

Here in the Eastern Division of the Pick-Sloan Missouri Basin Program, new all-time records for power output and revenues were established during Fiscal Year 1976. An aggregate of 14.5 billion kilowatt-hours of energy was delivered from Bureau and Corps of Engineers facilities, bringing in over $104 million in revenues. The Eastern Division is currently delivering power over a 6-state area to 235 preference customers...including 19 in Montana.

All currently authorized hydroelectric generating capacity in the Upper Missouri Region is installed and fully operational. However, there is potential for expansion and future development.
Studies underway are expected to show justification for the installation of additional hydrocapacity. Just last year, the Bureau launched a new study to identify and appraise ways to expand water-related energy production in the Western United States. That study—due to be completed by the end of this year—should point the way to specific feasibility studies on potential new hydrodevelopment, expansion of existing plants, and revised operation of the existing network of hydroplants and transmission lines.

Within the 17 Western States, the Bureau has tentatively identified 63 possible hydroprojects which through new construction, expansion, or modernization could add 34,000 megawatts to our present installed capacity and add 46 billion kilowatt-hours of annual energy generation.

The emphasis of the study will be on the use of hydropower for peaking purposes. The operation
of hydroelectric facilities for peaking in conjunction with coal and nuclear baseload energy sources is already saving significant amounts of costly oil and has reduced the need for installing alternative high-cost generation sources.

Of course, increased use of hydro for peaking purposes will affect stream fluctuations and stream fisheries, and we will have to work these problems out with the States and other interests.

The most promising hydropower potential in Montana under this program includes the Fort Benton Project on the Missouri River below Great Falls and the installation of additional generating capacity at Canyon Ferry and Yellowtail.

Concurrently, a study is being pursued by the Corps of Engineers to determine the feasibility of additional peaking capacity at its existing main stem Missouri River hydropower plants.

I can say that the prospects for additional capacity at Fort Peck look quite favorable, possibly
boosting the capability from 165 to 350 megawatts.

In recent years, water resources of the West, and particularly those of Montana, Wyoming, and North Dakota, have been subjected to other demands relating to the development and utilization of the vast coal deposits contained in the Fort Union coal fields. As we move into development of these energy resources, water requirements are one factor which will influence both the location of development and the pace at which it will proceed.

Water will be required for the mining operation itself and also for restoration of the surface. Significant quantities of water would be needed for the various forms of coal conversion. Population growth brought about by development will create additional municipal water requirements. Water could also be utilized to export coal to other areas of the Nation to supplement present transportation methods.

A closer look at potential energy-related water demands shows, for example:

--A coal-fired generator, producing 1,000
megawatts will utilize between 12,000 and 15,000 acre-feet of water per year.

--A coal gasification plant producing 250 million cubic-feet of synthetic gas per day will use about 9,500 acre-feet of water annually.

--A population increase of 50,000 in Montana over the next quarter century will require upwards of 35,000 acre-feet of additional municipal water per year.

Let's see how these potential demands fit into the "big" picture.

The historic average annual flow of the Missouri River, with no depletions, exceeds 28 million acre-feet. Under conditions in 1970 annual depletions totaled 6.5 million acre-feet.

But let's bring that down into a little sharper focus for this area. The Yellowstone River's annual flow is 11 million acre-feet; however, we must of course, admit, in dry years it could be considerably less.
Even so, the 1970 annual depletion in the Yellowstone was only 2.4 million acre-feet.

Looking far enough down the road, we can see that future requirements for all purposes may add an additional 1.3 million acre-feet to the Yellowstone depletions and deplete the Missouri River by another 4 million acre-feet per year. Thus, under normal circumstances it would appear that the volume of water available currently and in the long run is more than enough, if properly developed and managed. But in order to plan adequately and wisely, there are other factors that must be considered. One is the location and amount of water available in relation to the energy resources.

Western water rights are basically administered by the States. The Bureau of Reclamation applies to the States for rights to divert and store natural water streamflows for its Congressionally authorized projects.
Where interstate streams are involved, the usual practice is for the States to enter into compacts which allocate and divide flows among the partners in the compact. The right to store water in a Federal reservoir, pursuant to the filing date, and stream flow that is excess of usually carries the right to store only those waters that are surplus to prior downstream uses.

Thus, by a combination of compacts and water right filings, it is possible to determine the amount of water available at any given time to the Federal Government under its filings, and the amount of Federal water that can be marketed, or D&D under valid contractual arrangements.

The Missouri River is the one major river without a clear delineation of State rights to the natural flow and Federal rights to store water. As long as there are still surpluses in the Missouri Basin, I agree that we can blend all waters and contract water with the States for marketing privileges. But I personally also believe that eventually, Missouri River water may need to be allocated by compacts and water rights.
right filings like other major streams.

A judicial determination is necessary in the future, but I think the compact/water right approach is likely to be preferable, less time consuming, less costly, and more satisfactory to all parties. This procedure, nevertheless, is bound to be time consuming.

In the interim, I certainly favor a cooperative arrangement between the States and the Federal Government that will permit immediate use of some water for energy development. The present Memorandum of Understanding with the Army, as you know, deals only with marketing water that is eventually earmarked for irrigation, but which will not be needed for that purpose for 40 or 50 years.

The States of Montana, North Dakota, South Dakota, and other Basin States have been offered the opportunity to contract for blocks of this stored water for subcontracting directly to potential industrial users. Montana and the Bureau are very close to executing such a contract that will give the State
direct contracting responsibility for 300,000 acre-feet of water annually from Fort Peck Reservoir. South Dakota has indicated the same desire to market water from Oahe Reservoir, and that contract is in preparation.

Other existing project purposes will not be adversely affected because of this industrial water marketing program. For example, any loss in hydropower generation revenues will be offset by revenues from the sale of water to the industrial users. Rates will not be increased to the Bureau’s power customers because of industrial water diversions.

Thus the financial integrity of the repayment schedules under the Pick-Sloan Missouri Basin Program will not be put in jeopardy through water depletions for industry. We have also determined that existing, as well as future irrigation developments will not be adversely affected.

Intermeshed into the total water picture in the
West, however, is the question of Indian water rights. They have never been adequately quantified, but need to be. This is a more difficult problem, and one, I think, that is being addressed reasonably by the Department of the Interior, is giving this subject much attention looking toward equitable solutions.

The Indian tribes of the West are advancing proposals to develop the natural resources of their respective reservations, including their cropland for agricultural production. We are working diligently to arrive at a fair and equitable solution to this very complex problem.

There is one other point I would like to touch on today...that of transportation and specifically the use of water to transport coal from one place to another...the slurry pipeline.

The Missouri River Basin Commission has underway the Yellowstone Level B Study. That study is delving, in depth, into all the potential demands and uses of the waters of the Yellowstone Basin and adjacent river basins. As you can imagine, energy development in the Yellowstone Basin and the
adjacent coal areas is one of the most vital elements in that study.

The study managers found that changes in the existing or projected price of energy from pre-1973 levels indicated a new supply-demand interrelationship needed to be developed. An independent engineering company, which is studying energy aspects of the Yellowstone Level B Study, has completed a report which is undergoing review at this time. No precise figures are available, but some general conclusions can be drawn from the findings.

The report concludes that:

--The existing rail network, even with extensive improvements which should double existing capability by 1985, and additional improvements to provide a fivefold increase over the existing capacity by the year 2,000, will be inadequate to handle the projected demand for the movement of coal.

--Other forms of energy transport, including slurry pipe for coal and transmission lines for electricity, will be needed by 1985.
Much of the conversion of energy from coal to electricity will be accomplished in North Dakota because of its comparative advantage in water availability and closer proximity to energy load centers.

Montana and Wyoming will export much of their coal with less local conversion. Based on studies by reputable firms, slurry pipelines to export coal have significant advantages. I can understand the opposition to the slurry concept in regions where water is in
short supply. However, a slurry pipeline would export annually only about one-fifth of the water that would be used by a coal-fired generating plant and only about half that used by a comparable coal gasification plant. And also, the water needed for a slurry pipeline need not be of high quality. But, we could only support the slurry pipeline concept if States' water rights have been fully and adequately protected.

On my last trip here to Billings, I spoke to the Western Governors Conference on Agriculture, and I said at that time that I had seen evidence that some people would like to build fences around their States and not share their natural resources with others. I'm glad to see the Montana Water Development Association does not fall into that category.
On the contrary, it is groups like yours that see a need to develop the natural resources of this State, but to see them developed with extreme care.

In closing, I would like to say that we at the Bureau of Reclamation see the possibility of great things for the Northern Great Plains States and for Montana. The contract for industrial water, when executed with Montana, will be a landmark, the first of its kind. It will enable the State to go forward in helping our Nation meet its energy goals of self-sufficiency and at the same time, through proper use and planning will assist the agricultural community as well.

I'm told that there are plans to add irrigation to the water diversion from Fort Peck for the Dreyer Brothers Project at Circle West. It is just this kind of industry-agricultural partnership that will produce increased independence for all of us. I firmly believe that we must have a willingness to
accept justifiable trade-offs between total development and total preservation of our resources. But along with that goes a responsibility for a comprehensive planning and research program followed by orderly implementation of adopted policies.

Over 200 years ago, our forefathers took on the task of creating a new Nation, of settling and making a life for themselves on the frontiers. They did so by overcoming great obstacles. Certainly the obstacles we face today are much different, but we can solve them in the same way as our forefathers—through cooperation and interdependence. We can do no less, if we are to meet our obligation today and leave an appropriate legacy to future generations.
September 23, 1976

To: Commissioner, LBR, Washington, D.C.
    ATTN: 100

From: Regional Director, LBR, Billings, Montana

COMPLIANCE WITH EXCESS LAND LAWS—UM REGION

Upper Missouri Region irrigation districts have not furnished written confirmation of compliance with the law during the 1976 irrigation season. This information will probably not be made available prior to February 1977 (1976 Summary of Landownership Report). However, during the 1975 irrigation season, water users' organizations reported project water deliveries in violation of the law to 20,785 acres of land of a total irrigable area for service of 658,700 acres.

In March 1975, as in previous years, irrigation districts were formally requested to take the necessary steps to comply with the law and terms of their repayment and water service contracts.

All districts were invited to participate in a special meeting in Billings on December 16, 1975, to discuss legal and administrative aspects of the law and methods of compliance.

A letter was sent to all water users' organizations on December 30, 1975, briefing them on the discussions of the December 16 meeting since most of the districts were not represented at the meeting. In particular, the purpose and objectives, history of pertinent legislation, and methods of compliance were addressed. A response in terms of action taken to assure legal water deliveries during
the 1976 irrigation season was also requested from the irrigation districts at that time.

On March 12, 1976, all Upper Missouri Region water users were furnished an approved form of recordable contract providing for temporary (3-year) water service to excess lands. General explanation of contract terms was given. It was also reiterated that project water deliveries in violation of the law would not be permitted beginning with the 1976 season. On September 17, 1976, irrigation districts were advised that the provisions of the recordable contract form relating to the Secretary's approval of sale prices would not apply in their instances because construction obligations were more than half paid out. To date, none of the excess landowners have expressed a serious interest in executing a recordable contract.

On June 22, 1976, we corresponded with irrigation districts once again, expressing disappointment in their general lack of response to earlier inquiries (December 30, 1976, and March 12, 1976). Confirmation was requested that only qualifying lands were being served. It was explained that further noncompliance would require consideration of appropriate legal measures. Of the 39 irrigation districts contacted, 20 have responded; 7 of which were indefinite as to compliance. Legal procedures will be initiated as necessary to enjoin appropriate boards of directors from any further delivery of project water to excess lands.
DISTRIBUTION LIST

September 17, 1975, Letter

Belle Fourche Irrigation District
Newell, South Dakota

Huntley Project Irrigation District
Billings, Montana

Intake Irrigation District
Sidney, Montana

Alfalfa Valley Irrigation District
Chinook, Montana

Fort Belknap Irrigation District
Chinook, Montana

Harlem Irrigation District
Harlem, Montana

Zurich Irrigation District
Chinook, Montana

Fort Shaw Irrigation District
Fort Shaw, Montana

Savage Irrigation District
Savage, Montana
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Annual Meeting
Montana Water Development Association

Ramada Inn
Billings, Montana

Sept. 26, 27 and 28, 1976

OFFICERS

PRESIDENT
M. E. Eddleman
Worden, MT 59088

VICE PRESIDENT
Jerry Bryson
Burlington Northern
Sec. Bank Bldg.
Billings, MT 59101

VICE PRESIDENT
George Pehl
Whitehall, MT 59759

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101 Front Street
Townsend, MT 59644

EXECUTIVE SECRETARY
C. R. Beitman
Billings, Montana

MONTANA WATER DEVELOPMENT ASSN.
P.O. BOX 1574, BILLINGS, MONTANA 59103
Program

SEPTEMBER 26
9:00 am - Colstrip Tour
7:00 pm - Board Meeting

SEPTEMBER 27
9:00 am - Invocation, Dr. Vern Klingman, First United Methodist Church
Panel "Economic and Financial Outlook"
Mark Etchart, MWDA Director, Glasgow, Mt.
Warren "Buck" Jones, Rancher, Twodot, Mt., Member Federal Reserve Bank
Dr. Helmer Holje, Agriculture Economics, Bozeman, Montana
10:45 am - Coffee Break
11:00 am - Panel "The Energy Future"
Ken Byerly, Editor Lewistown Argus News, MWDA Director, Moderator
Dudley Faver, Regional Administrator, Federal Energy Administration, Denver, Colorado
12:00 noon - Luncheon
John Morrison, Consulting Engineer, MWDA Director, Helena, Montana
D. W. Angland, Vice President, Northern States Power Company, Minneapolis, Minnesota
1:30 pm - Continuation Panel "The Energy Future"
E. R. Craven, Assistant Vice President, Coal Operations, Burlington Northern, St. Paul, Minnesota
J. A. McElwain, President, Montana Power Company, Butte, Montana
2:30 pm - Coffee Break
2:45 pm - Continuation Panel "The Energy Future"
Gil Stamm, Commissioner, Bureau of Reclamation, Washington, D.C.
Robert N. Helding, Executive Director, Montana Wood Products Association, Missoula, Montana
7:00 pm - No host social hour
8:00 pm - Banquet
M. E. Eddleman, President MWDA, Rancher, Worden, Mt.
Jack Horton, Assistant Secretary, Department of the Interior, Washington, D.C.

SEPTEMBER 28
7:30 am - Business Meeting
9:00 am - Hubert White, NWRA Vice President, MWDA Director, Townsend, Montana
Ed Southwick, Vice President, NWRA, Ogden, Utah - "Point Source Discharge"
9:45 am - Panel "Water Rights and Permits"
Al Kersich, Consulting Engineer, Moderator, Billings, Montana
John R. Scalzo, District Counsel, Corps of Engineers, Omaha, Nebraska
Orin Ferris, Administrator, Water Resources Division, DNRC
10:30 am - Coffee Break
10:45 am - George Jennings, Acting Water Rights Officer, Bureau of Indian Affairs, Billings, Montana
Henry Loble, Attorney, Western States Water Council, Helena, Montana
Al Bielefeld, Field Solicitor, Department of the Interior, Billings, Montana
Don Smith, Attorney, Montana Attorney General Office, Helena, Montana

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Montana Water Development Association
Ramada Inn
Billings, Montana
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See originals in folder