MEMORANDUM

TO: Members, Colorado Water Conservation Board, Colorado Water Investigation Commission and Executive Committee of the Colorado Water Congress.

FROM: L. R. Kuiper, Acting Director.

SUBJECT: Statement of Dallas E. Cole, Chief Engineer, Colorado River Board, Resources Agency of California, before the Senate Subcommittee on Irrigation and Reclamation, in Testimony on the DIXIE PROJECT, UTAH.

If any justification is needed to support the statement by Mr. Sparks at a recent Board meeting that immediate action is necessary to determine questions and answers relating to the Colorado River Compact, this document appears to be it.

Examination of the tabulation contained on page 10 of the attached enclosure certainly points out the wide variation in interpretations of Compact provisions. Needless to say the staff of this Board disagrees with each and every one of the 16 items presented in this tabulation. A thorough analysis of items 9 and 10 (Lower Basin Use, Existing and Committed; Lower Basin Tributaries, Use on Safe Yield Basis) has not been made by the staff of this Board. It should be pointed out, however, that if we accept these figures, which at present we do not, the sum of these two items added to the Lower Basin evaporation indicates that uses in the Lower Basin already exceed our interpretation of the Colorado River Compact by at least 1,000,000 acre-feet per year.

Chart 1 is worthy of our attention and concern, particularly as it relates to the Lower Colorado River Basin use. As I interpret this chart the dotted line at the right hand side of the chart between the years 1980 and 2000 (immediately above the words "Conflicting Demand") indicate the extent to which Mr. Cole apparently feels the Lower Basin is entitled to deplete the river. I have projected this line, for ease of reading, back to the left hand
side of the chart and indicated by the "x" mark where this line intercepts the quantity in millions of acre-feet per annum. This would indicate to me that in Mr. Cole's opinion the Lower Basin is entitled to deplete the river approximately 10.4 million acre-feet per year. In even our wildest interpretations of the Compact such a depletion has never been considered.

You will note also from the shaded triangle on the chart starting with 1962 (corroborated by the written testimony) that in Mr. Cole's opinion the Upper Basin share of the Colorado River will be completely used up before full use is realized on the Savery-Pot Hook, Bostwick Park, Fruitland Mesa, and Animas-La Plata Projects, now under immediate consideration.

It is not my feeling that the California Congressional delegation shares the pessimistic views set forth in this enclosure by Mr. Cole. However, the continual reiteration of this position by the Colorado River Board of California is bound to have some effect on the California delegation. This tactic was proposed in Mien Kampf and was effectively used by the author of that book. Obviously the procedures suggested by Mr. Sparks at the recent Board meeting were not only extremely pertinent, they are long overdue.

LRK:lk
Enclosures