

**ORAL HISTORY INTERVIEWS
ANN M. BALL**



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OPEN FOR RESEARCH**



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- “Up until this time, I probably always thought I was a fraud and kind of faking it. (chuckles) Until I went to Washington! . . . Because I was asked to do things . . . I knew totally nothing about, and I had to learn about it (snaps fingers) like that. . . . I couldn’t believe some of the things I did. Then that feeling of being a fraud . . . went away during those six months. . . .” 57
- “My lifeline was the phone, and having contacts throughout Reclamation, and people who had expertise. When you work for a senator, everybody’s willing to give you information. . . . We had the Congressional Research Service too, that I could give them a call, and within a day they’d have an answer to my question. It was just remarkable, it was unbelievable. It was just having that access to information—and you needed it to be able to make quick decisions. . . .” 57
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- “We kept the roles pretty separate, because it was important for me to do that, because I was on detail there, I was an employee of the Federal government, and in many cases, the Department’s position may be different than the Senator’s position, and I wasn’t there to advance a specific position. I was there to provide technical data, and to say, ‘This is the way it is.’ So I tried very hard to keep that role distinct. . . .” 59
- “I was really on my own, I didn’t have anybody kind of micro-

managing me. . . . There were people that I talked to on a regular basis, because I needed to get information from them, and I needed to relay information to them as part of *my* job, but mostly I was *getting* information from people, not giving information to people. I didn't report to my boss back in Boulder City, or to my regional director. I did not report to the commissioner. . . .”

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- Senator Bill Bradley Held a Hearing in San Francisco about the Central Valley Project Improvement Act, Which Was Opposed by Senator Seymour, at a Very Inconvenient Time with Little Notice 66
- “. . . the objective was to pass the bill . . . it wasn’t to come to an agreement, it wasn’t to come to compromise, it wasn’t to come to consensus—it was to win. And I very definitely got that attitude. . . .” 68
- “. . . I think I came away with some confidence in my ability to be a quick study . . . I learned how to have to trust my intuition a lot more than my intellect, because I didn’t have much time to study things to death—I had to figure things out real quickly. . . .” 69
- “I didn’t have time to worry! . . .” 69
- “These are *real* frauds! These people are making monumental decisions on such flimsy information! . . .” 69
- “. . . the importance of the constituents. I mean, how things are political. It doesn’t matter what’s right, wrong, what makes sense, what really matters are the politics. There is a steady stream of constituents coming all the time, asking for favors. And it doesn’t matter how absurd the favors are, they really think that they’re entitled to them. Dealing with that on a day-to-day basis was quite interesting for me . . .” 69
- “The one thing that I didn’t get to participate in, which I regret, but . . . I was personally needing to go back to my real job, was I never got to participate in a conference between the Senate and the House when they were marking up, finally, the Central Valley Project Improvement Act. . . .” 70
- “I got a better appreciation for our folks that work in Washington and deal with the congressional people, and when they have a request, that we need to just drop everything we’re doing and help them out . . .” 71
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- “Not too many people within Reclamation can shift fields so totally.
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- “This was something totally different. This involved Reclamation law,
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how my role had to be different than their role, because they
needed me as well, but we needed each other for different things
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you always have to be in a safe environment, that you know
everything . . . you can’t go very far.” 74
- “Actually, Reclamation traditionally doesn’t get real high marks on the
compliance side. We spent a lot of time putting together the
contracts. We don’t spend a lot of time in compliance, and that’s
where we get in trouble all the time—that’s why we’re in trouble
here, and that’s why we were in trouble in Central Valley Project.
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- “. . . the [Reclamation] Reform Act of ‘82 focused attention . . . we
always had plenty of money and nobody ever cut money out of
our budget for RRA compliance, and so . . . I think we did that
-

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Chief of Repayment Contracts, Compliance and Economics Branch in the Lower Colorado Region 77

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“ . . . I needed to step back and provide the big picture type of—was what we were doing consistent with our broader policy objectives . . . and I had a wonderful staff and I had to learn each of them individually—what their strengths and weaknesses were, and I had to learn how to manage. . . .” 78

“ . . . there were certain . . . certain projects that seemed to linger on and on and on and never got resolved and trying to reorient our focus so that we could get things done. . . .” 78

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“We had a *major* program to create a contract database—because we had a lot of contracts in that region that we were supposed to

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person who worked directly for me in my office, and she was acting, and technically she knew the stuff backwards and forwards, but from a management perspective and getting things done she wasn't . . . I advertised, and I did not select her. And, I mean, that was a very difficult decision because there was <i>nobody</i> could touch her on the technical aspects of the stuff. And the person that I selected worked for her and I selected her because she had better ability, she was more flexible and better able to get along with people, and she would buy into the program that we finally agreed on—or I guess I had finally decided on . . .”	83
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**STATEMENT OF DONATION
OF ORAL HISTORY INTERVIEW OF
ANN M. BALL**

1. In accordance with the provisions of Chapter 21 of Title 44, United States Code, and subject to the terms, conditions, and restrictions set forth in this instrument, I, Ann M. Ball, (hereinafter referred to as "the Donor"), of Reno, Nevada, do hereby give, donate, and convey to the Bureau of Reclamation and the National Archives and Records Administration (hereinafter referred to as "the National Archives"), acting for and on behalf of the United States of America, all of my rights and title to, and interest in the information and responses (hereinafter referred to as "the Donated Materials") provided during the interview conducted on July 31, and August 14, 1995; February 14, 1997; June 29, July 7, and July 13, 1998, at Carson City and Reno, Nevada, and prepared for deposit with the National Archives and Records Administration in the following format: cassette tapes and transcripts. This donation includes, but is not limited to, all copyright interests I now possess in the Donated Materials.
2.
 - a. It is the intention of the Archivist to make Donated Materials available for display and research as soon as possible, and the Donor places no restrictions upon their use.
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4. The Archivist may dispose of Donated Materials at any time after title passes to the National Archives.

Date: 5/13/09

Signed: Ann M. Ball
Ann M. Ball

INTERVIEWER: _____
Donald B. Seney

Having determined that the materials donated above by Ann M. Ball are appropriate for preservation as evidence of the United States Government's organization, functions, policies, decisions, procedures, and transactions, and considering it to be in the public interest to accept these materials for deposit with the National Archives and Records Administration, I accept this gift on behalf of the United States of America, subject to the terms, conditions, and restrictions set forth in the above instrument.

Date: _____

Signed: _____
Archivist of the United States

Introduction

In 1988, Reclamation began to create a history program. While headquartered in Denver, the history program was developed as a bureau-wide program.

One component of Reclamation's history program is its oral history activity. The primary objectives of Reclamation's oral history activities are: preservation of historical data not normally available through Reclamation records (supplementing already available data on the whole range of Reclamation's history); making the preserved data available to researchers inside and outside Reclamation.

In the case of the Newlands Project, Reclamation designed a special research project between 1994 and 2008 to take an all around look at one Reclamation project. Professor Donald B. Seney of the Government Department at California State University - Sacramento (now emeritus and living in South Lake Tahoe, California) undertook this work. The Newlands Project, while a small- to medium-sized Reclamation project, represents a microcosm of issues found throughout Reclamation: transportation of water over great distances; three Native American groups with sometimes conflicting interests; private entities with competitive water rights; many governmental entities with basic water concerns; Fish and Wildlife Service programs competing for water for endangered species in Pyramid Lake and for viability of the Stillwater National Wildlife Refuge to the east of Fallon, Nevada; and Reclamation's original water user, the Truckee-Carson Irrigation District, having to deal with modern competition for the water that originally flowed to farms and ranches in its community.

The senior historian of the Bureau of Reclamation developed and directs the oral history program. Questions, comments, and suggestions may be addressed to the senior historian.

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Oral History Interviews
Ann M. Ball

Today is July 31, 1995, my name is Donald Seney, and I'm with Ann M. Ball, the project manager of the Lahontan Basin Area [Office] for the Bureau of Reclamation, in the Bureau Offices in Carson City, Nevada. This is Tape One.

Seney: Good afternoon, Ann.

Ball: Hi, how are you?

Mother and Father Immigrated from Italy and Settled in Chicago

Seney: Good, thanks. I want you to start by telling me something about your mother and father and where you grew up.

Ball: Okay, I was born in Chicago and my parents were both Italian immigrants from Italy. They emigrated from Northern Italy and moved to Chicago because relatives were there, and opened up a business, a butcher shop.

Seney: What is your family name?

Ball: Lagorio.

Seney: Lagorio? Spell that.

Ball: L-A-G-O-R-I-O.

Seney: Had your father been a butcher in Italy?

Ball: No, actually, he was a policeman. He was one of these policemen that rode on a horse. (laughs) There's probably a word for it, but I wouldn't be able to pronounce it. Caballero or something.

Seney: Carabinieri?

Ball: Yeah, maybe cabonñeri. Something, a horse.

Seney: Carabinieri, I think there's an "R" in it.

Ball: Uh-huh.

Seney: Go ahead.

Ball: And so he came to America.

Seney: What year was that?

Ball: He came I have in my mind 1929. He came first and he set up business with

his brother-in-law and then he went back and married my mother and brought her over. She was one of thirteen children, she lived up in the mountains of Northern Italy, and he was from that area as well. They settled in America.

Seney: What is your birth date?

Ball: April 18, 1949.

Seney: You have brothers and sisters?

Ball: Uh-huh, yeah, I have a brother who's a doctor. I have the two sisters, one is deceased, and one is an executive secretary. I was the baby, a baby-baby, a surprise to the family. My father was in his fifties when I was born, and my mom was in her late thirties.

Seney: What difference did that make, do you think?

Ball: Oh, I think it made a lot of difference. I had a lot of parents, and in a way I had none. (laughs)

Seney: How do you mean?

Ball: Because my parents were older, I think they allowed my older brothers and sisters to raise me. And so I had a lot of influence by especially my older sister who's deceased, and then when she got married, her husband kind of took me under their wings and exposed me to a lot of things, a lot of travel. I was allowed to travel with them, they liked to travel, and I got to do all sorts of things that I probably would have never been able to do otherwise.

Seney: What was the age difference between you and your sister?

Ball: Between my *next*¹ sister, it was eleven years, and between Let's see, oh, I think fifteen, sixteen years. I mean, it was a big difference.

Seney: Between the one who had so much influence on you. (Ball: Yeah.) Where did you get to go?

Ball: Oh, I went to South America and Russia and all sorts of places, traveled within the United States. They had no children so when she and her husband got married, I was a teenager, pre-adolescent, and they took me a lot of places. So I got to do

1. Note that in the text of these interviews, as opposed to headings, information in parentheses, (), is actually on the tape. Information in brackets, [], has been added to the tape either by the editor to clarify meaning or at the request of the interviewee in order to correct, enlarge, or clarify the interviews as originally spoken. Words have sometimes been struck out by editor or interviewee in order to clarify meaning or eliminate repetition. In the case of strikeouts, that material has been printed at 50% density to aid in reading the interviews but assuring that the struckout material is readable.

The transcriber and editor have removed some extraneous words such as false starts and repetitions without indicating their removal. The meaning of the interview has not been changed by this editing.

quite a few things that I don't think I would have been able to do with my parents. I think because I had so many, quote, "parents," [unquote], and I lived in a community with a very large extended family—I had aunts and uncles and everybody had an opinion of what I should do or should not do, I think I had to learn how to cope with working with people and trying to influence people to get support for what I wanted to do. (laughter) I knew if I could get certain people to agree to what I wanted to do, then my parents would say yes. It was usually if my brother agreed, it was a go. So I would have to work on my brother or certain people would have to work on my brother. And if he didn't agree on some other issues, it would be my uncles who had influence. And if *they* agreed, then I could do what I (laughs) wanted to do, so it was always kind of trying to figure out where I could get support for what. (laughs)

Seney: Well, that sounds like a useful skill to acquire.

Ball: Yeah, I think it was. And it was also really a matter of . . . I also had to learn how to be pretty independent, because I had a lot of people telling me what to do all the time.

Seney: A little bit assertive, you mean, stick up for yourself?

Ball: Yeah. So it was kind of fun.

Seney: You went to school, I take it, in the City of Chicago itself where you lived?

Attended Northwestern University

Ball: Yeah, I went to grammar school and high school in Chicago, and I went to college at Northwestern University in [Evanston], Illinois.

Seney: Anything about grammar school or high school stick out in your mind?

"I never felt pressure to have good grades, I just always felt pressured to be good. . . ."

Ball: They were parochial schools, Catholic schools, all-girl schools. No, the only thing I really remembered was that what was important for me to do was to be obedient, listen to the nuns. I never felt pressure to have good grades, I just always felt pressured to be good. And so my report card was never an issue, and I always got good grades, but I never felt that that's what I *had* to do. I always *knew* that I had to obey the nuns and not get into trouble. That was always clear to me.

Seney: The citizenship marks were the important ones.

Ball: Yeah.

Seney: When did you graduate from high school and start to go to Northwestern? What

year was that?

Ball: I'm going to have to check, but I think '67. I was in college '67 or '68, so the late 60s, early 70s. It was a real turbulent time.

Seney: What do you remember about that, in the sense you mean "it was a turbulent time"?

Ball: College?

Seney: Yeah.

"I remember that people were polarized . . .and I remember being very confused because I never knew which camp I should be in, because I never felt that I had enough information . . ."

Ball: I remember that people were polarized, that people had very strong opinions, one way or another, and I remember being very confused because I never knew which camp I should be in, because I never felt that I had enough information, and there was always something in between, and I could never align myself with any one group.

Seney: So this was a period, of course, a lot of anti-Vietnam War agitation.

Ball: It was anti-Vietnam. I had friends who were very opposed to the war, I had friends who were very right-wing conservative. I had friends on both sides, and I always felt that I didn't know enough to commit to either side. I just was unable to do that.

Seney: So you didn't?

Ball: No, I didn't. (laughter) I felt guilty about that, but I just didn't.

Seney: Well, that was a hard thing to do in those days. People's feelings ran pretty strong, and you were able to maintain your friendships with these diverse groups without committing one way or the other?

Ball: Uh-huh.

Seney: What did you study at Northwestern?

Ball: Chemistry.

Seney: Why Chemistry? I mean, why not? But why chemistry?

Ball: For some reason, when I was in high school, I developed the notion—I really admired Nobel Prize Winners in science and I thought the pursuit of science would be interesting. And this is a very anti-feminist thing to say, but at that time,

I thought I'd like to *marry* a scientist. (laughter) I mean, I really, even in high school I wasn't thinking in terms of a career. I mean, the idea was that I'd go to a good college and find myself a good husband. And so I thought, "Well, if I got married, I'd like to marry a scientist, and I'd like to marry a Nobel Prize Winner." And so I gravitated toward the science. I dabbled in biology and biology seemed to be pretty soft science, and physics seemed to be too hard, and chemistry was right in the middle.

Seney: Did you like it? Did you do well at it? Enjoy it?

Ball: Oh yeah, certain parts of chemistry I really liked. I liked theory, and chemistry has a very strong theoretical base, in that if you understand the theory, you could generally solve problems. And that's what attracted me to chemistry as opposed to biology, when everything seemed to be isolated facts that you had to memorize, and I could not cope with that. And then physics was way too abstract. So yeah, I liked it. Certain parts of it I liked better than other parts.

Seney: You didn't need to work, did you, when you went to school? You were able to go through without working pretty much straight through the four years?

Worked During the Summer While in School

Ball: I always worked in summertimes, but I didn't have a scholarship, my parents were able to afford to send me, and I didn't have to work.

Seney: What did you do in the summers?

Ball: Oh, sometimes I worked in offices, whatever jobs, just summer jobs, office-type work.

Seney: Your parents expected you to work, you wanted to work?

Ball: No, I don't think they ever expected me to work. I wanted to work, it was an element of independence, it was an element of getting my own income and having control over that. I remember the day I turned sixteen, I walked out and found myself a job at the local hamburger stand.

Seney: What was your parents' reaction, do you remember?

Ball: Well, I don't remember my parents so much, but my older sister was just abhorred at it, because she didn't want me to work, and I wanted to work, because I wanted to have my own money, and I didn't want to be beholden to anybody to always ask for money for everything I wanted to do. (Seney: Sure.) And so they coped with it, but they weren't real pleased with the idea that I was working.

Seney: When did you graduate, '71, '72?

Ball: In '71, '72, yeah. I took four years.

Seney: Did you find your scientist to marry in college?

Ball: I found an engineer.

Seney: So you got married, did you, while you were in college?

Ball: No, but we got married several years after.

Seney: What did you do when you got out of college?

“At one point I thought I wanted to be a veterinarian, and that was the first time I think I came to grips with the idea that there were limitations on women. . . .”

Ball: I searched for myself for a while. At one point I thought I wanted to be a veterinarian, and that was the first time I think I came to grips with the idea that there were limitations on women.

Seney: How did you come up against that?

Ball: When I applied to veterinarian schools, especially in agricultural areas, the University of Illinois, the feedback I got back was that they only allow a certain number of women in, it was basically a man’s field.

Seney: They didn’t make any bones about that.

Ball: No, they didn’t. That there were only so many women could enter into the field, because there were only so many jobs for veterinarians who were going to take care of cats and dogs. They had a more of an ag orientation—big animals, horses and cattle and stuff like that.

Seney: So the women veterinarians were expected to take care of domestic pets (Ball: Uh-huh.) as opposed to working in the agricultural field.

Ball: Uh-huh. And then I had some conflict because of my husband-to-be. I didn’t know where we were going to go, and I wanted to hang around and not just take off and do something on my own.

Seney: He had been a fellow student at Northwestern? (Ball: Uh-huh.) And he graduated the same time?

Ball: A year later.

Seney: And then began to work doing

Ball: He got his MBA [Master’s in Business Administration].

Seney: Also at Northwestern?

Ball: At Loyola, but in the Chicago area—we stayed in the Chicago area. So what I did, I just . . . That was the time where I was finding myself, I guess, where I really realized . . . (Seney: You're kind of smiling when you say that.) Well, I realized that, you know, you're supposed to go to college with an objective, and a career in mind, and I went with the idea that everybody expected me to get a husband. And I didn't reject that idea, but I didn't embrace it either. But it was kind of just unconscious that I did what I wanted to do because I liked it. It wasn't because I had an real objective. And all of a sudden I got *out* of college, and it was like, "Oh my God, what do I do with my life now?" And that's when I first started questioning "What do I do with my life?" and started probing and searching. All the time prior to that, when I probably *should* have been, so that I could have made the most productive use of my college career, it was just . . . something that was expected of me, and I didn't question it at all.

Seney: This would not have been unusual for a young woman in your situation to be somewhat at loose ends, would it, do you think, during this period of time? I mean, this was socially kind of unsettled times.

Ball: It was unsettled time. I think there were some women who embraced the feminist movement wholeheartedly that probably came to grips with those issues earlier on, and probably in college decided "I want to be a lawyer or doctor, this or that," and committed to that. But I didn't commit to that, I didn't really start thinking of it until after I graduated. And so I did a variety of things: I mean, from working in an animal shelter to—I went back to school to get an education degree so I could teach.

Seney: Did you get that degree?

Offered a Teaching Job in a Catholic School

Ball: Yeah, I got that degree, and I was qualified to teach junior high and high school science, and I actually even got offered a job. I got offered a job at an all-male school, Catholic school in Chicago, and boy was that kind of intimidating for me, the thought of that. (sigh)

Seney: You didn't take that job?

Ball: No, I didn't take that job. At that time then my husband and I, we had just gotten married, and we decided we wanted to move out west, so we just picked up roots and came out west.

Decided to Move to Seattle

Seney: What did he do, what did you do when you came out west?

Ball: We searched some more for jobs. He was searching, doing his own internal searching, and I continued on mine. We went to Seattle and for a year neither of

us were able to get a job. We were living on unemployment comp. actually for a while. It was very depressed in Seattle. I found that I was overqualified for most jobs, which was interesting, to be overqualified. You know, there were jobs as lab technicians, but they didn't want me because I had a degree, and they felt that I would just come in and then as soon as I got a better job, leave. My husband tried to be a stock broker, and that didn't really work out very well. And then during that period, I think was when I got sick. I got sick, I ended up in the hospital.

Seney: Seriously ill?

Ball: Yeah. Yeah, I had a ruptured cyst on my ovary and got very, very sick.

Seney: Life-threatening, I take it.

Ball: Oh, I don't know if it was life-threatening. I know I had to go to the emergency room, they had to pump me out and all that. So I was sick that year, and I didn't realize that I was weak and I was sick, and it was just dragging on me. But I thought the turmoil I was going through was what-do-I-do-with-the-rest-of-my-life type turmoil, and my husband and I, you know, when we got married we never even talked about children. We got married because we liked being together, and we never thought of that future. So we didn't get married and have children right away, and that wasn't part of the future either. I mean, getting married didn't give me a nice picture, either, of what my life should be like.

Applied for and Received a National Science Foundation Grant for Women in Engineering and Science to Spend the Summer at Notre Dame Becoming Acquainted with Engineering

And during that time I remember reading the newspaper, and I saw an ad in the newspaper that had an ad for advertising National Science Foundation [NSF] Grants for women in engineering and science. And it was a grant to go to Notre Dame for a summer and get exposed to engineering, and to give women an opportunity to kind of make that bridge into an engineering field. And so I looked at my husband and said, "I'm going to apply for this." He looked at me and said, "Oh, okay." (laughs) And I applied for it and I got it! And as a matter of fact, the night before my ovarian cyst ruptured, that was the night before I was going to leave on a Greyhound bus to go back to the Midwest. So I think "What timing!" because I would not have liked to have been sick on the bus. So I went to the hospital, I got better, and then I went to Notre Dame and I did my little thing at the University.

Decided to Move into Engineering

I got to know some of the professors in engineering and civil engineering, and I stayed there all summer, and I decided, I came back and said, "I'm going to be an engineer."

Seney: . . . workshops and things had introduced you to and exposed you to the concepts of engineering, the practice of engineering?

Ball: They had workshops in computer science, and in civil engineering; they had research projects; they kind of paired you up with graduate students; and it was kind of a fun way to spend the summer, and most of the people in that program were teachers, science teachers. I don't know what the eventual outcome of that program was. I used it to say I wanted to be a civil engineer.

During that same time that I was off at Notre Dame my husband decided that Seattle probably wasn't going to be the place where he was going to find his job. So he sent out hundreds of résumés and he got offered jobs in three locations: He got offered a job in Houston, a job in Detroit, and a job in Salt Lake City. And he was trying to decide which job he wanted to take, and I was looking at those three cities in terms of, well, which university did I want to go to?—because wherever we went, I had decided that I was going to go back to school and get my master's. And so Salt Lake City was the compromise and we went there and then I got busy and tried to get into the University of Utah to get my master's degree. They accepted me, even though I didn't have an engineering degree, undergraduate, with the condition that I pass and that I make up a few undergraduate courses. So that was the beginning of my engineering career.

Went to the University of Utah and Received a Master's Degree in Engineering

Seney: And you, I take it, completed that degree and got a master's degree from the University of Utah.

Ball: Oh yeah, and I did a thesis and I finished that.

Seney: How'd you like it? Did you think "This is it, I like this"?

Ball: It was fun. I didn't know exactly where it was going to go. At that time point I was being more pragmatic than anything else, because I wanted a job. Having an experience of not being able to get a job for a year had a great impact on me, and I wanted to have a job that was transferable, that I could go anywhere I wanted to go, and I had a certain set of skills. Just before I decided on civil engineering, before I got that NSF grant, I remember telling my husband, "Well, I want to do something. I want to go back to school and get something that I could get a job with." And at that point I said, "It's either going to be computer science or engineering." And he said, "Well, you don't want to be a computer scientist, that'll get boring—be an engineer." I said, "Oh, okay," and I opened up the paper and (laughs) there's that NSF. It's like it fit. Okay, so this is what I'm going to do.

Yeah, it was fun. As a matter of fact, I remember my first quarter I had to take a lot of undergraduate courses, and I remember coming home every evening and asking my husband to help me with my homework (laughter) because he was

an engineer.

Seney: Was he helpful?

Ball: Oh yeah, he was very helpful. And then after a few months, I stopped asking him, and he asked me, "Well, how come you're not asking me to help you with your homework anymore?" (laughter) And I said, "Well, I can do it myself now." (laughter) So that was fun. I liked (sigh) . . . I'm trying to think what courses I liked the best, but I think I liked hydrology the best, because it wasn't so formula-laden. I didn't like the hard engineering, I didn't like the structural engineering, per se. But I liked things like designing wastewater treatment plants or getting problems like, "Well, what if you have a hundred-head feed lot and you have all this solid waste. How are you going to dispose of it?" I mean, I liked those types of problems, those more open-ended problems. And I liked doing my thesis. That was kind of challenging, because I had to write up my own proposal.

Seney: What did you do it on?

M.A. Thesis Was on Arsenic Deposition from the Kennecott Copper Smelter on the West Side of the Salt Lake Valley

Ball: I did it on arsenic deposition from a copper smelter. There was a copper smelter on the west side of the Salt Lake Valley, Kennecott, and arsenic is linked with certain diseases. One of my professors had done some epidemiological work and had found a high correlation between copper smelting and certain lung diseases, everywhere except Salt Lake City area, and he wanted to find out why. And so my thesis was to kind of map the concentration of arsenic in the soils around the copper smelter and try to formulate some kind of theory as to what was different about that area. And what was different was the way the winds came in, the downsloping winds from the mountains disbursed the arsenic in different patterns, away from the population centers. So that's what I did. I had to get a grant and I was on a shoestring, and I had to go around and get all sorts of people to support me.

I remember there were two different ways I could analyze arsenic in soils: one was through a chemical process, and I can't even remember that; and the other one was doing nuclear activations, . . . with. And we had a little reactor at the University of Utah. So that was my other way of doing it. So I had to go to both professors and talk them into letting me use their facilities or some way of doing it for free, because I didn't have any money. (sigh) The guy who ran the nuclear reactor lab was willing to [let me] use it for research purposes, as long as I didn't interfere with his time, which meant that I had to go overnight and sleep there overnight and do my experiment. He would have one of his technicians there, engineers there, actually operating the lab, but I had to be there. The only thing they taught me how to do, they said, "Look at that red button there." (laughs) "When we say 'scram,' push it!" (laughter) I said, "Okay."

But I did my thesis on that, and surprisingly enough, my data turned out really good, it just supported the hypothesis, to my surprise.

Seney: That's nice. The project works and you can write it up without great difficulty.

Ball: Yeah, and I wrote it up without great difficulty, so that was kind of a major accomplishment.

Seney: How long did it take you to get your master's degree? Is that a one-year or two-year program?

Masters Took Three Years Because of Some Required Undergraduate Work

Ball: It took me three years because I had to do a lot of undergraduate work too. I had some makeup work, so it took me about three years.

Seney: What did you do after you finished your degree?

Went to Work for Reclamation Part Time as an Engineering Technician While a Student

Ball: Then I went to work for the Bureau of Reclamation. Actually, while I was doing my degree, I had a friend who was also a civil engineering student, working for Reclamation, and he gave me a call and said, "There's a part-time job. Why don't you come down and apply?" At that very same time, I had one of my professors offer me a job to be a lab assistant. And so what I did was accept both of them! (chuckles) So for a while I was doing two part-time jobs, which equaled a full-time job, plus taking my course work. But that's where I got introduced to Reclamation. They hired me on as an engineering technician and I was working part-time.

Seney: What did you do? What were your duties?

Worked on Computerizing the Biannual Colorado River Salinity Report

Ball: I was working on the biannual salinity report. It was a report required by the Colorado River Project Salinity Act. And it was a progress report, and what I ended up doing was computerizing a lot of the reports. It was basically my suggestion to do it. You know, once I got in there, I realized how they did stuff. I said, "Well, why don't I computerize it?" and they let me do it.

Seney: What do you recollect about going to work for the Bureau?

Sexism among Reclamation Engineers

Ball: My very first? (Seney: Yeah.) Well, when they hired me on, I remember the engineer who hired me, he kind of had a smirk on his face, and he said, "I'll introduce you to the people you're going to be working with." (laughs) And I worked for one old-time engineer. He was a Japanese engineer, Jimmy Yoka [spelling], a real nice fellah. And he kind of looked at me like, "Who did Jerry bring down the hall?!" (laughter) But I worked with him. When my appointment there, when my time ended, it was the 1040, it was to put in 1040 hours. At that

point I wanted to stop, because I wanted to work on my thesis full-time. He looked at me and said, “Well, you know, when Jerry brought you down, I was pretty skeptical, but you’re okay, for a woman.” (laughs)

Seney: Did you run into a lot of that at the Bureau?

Ball: Yeah, my first years, and especially in Salt Lake, because Salt Lake is so dominated by Mormon men. They’re not only engineers, but they’re also Mormon, and their idea of the role of woman . . . But they pretty much took me under their wings. I had several experiences like that. Even some of my professors at college, I remember one college professor . . .

Seney: They must have been Mormon too, were they . . . ?

Ball: Many of them were. One came up to me and said, “I don’t know why you’re working so hard on this. You could just go home and have children and learn how to play a piano.” (laughter) So I had a few. My first year there I remember being given a project to coordinate the water management and conservation program in the region. Then I went to visit all the offices, and when I went down to Provo, the guy down there who was operating the program made it really clear to me, he said, “These farmers aren’t going to listen to you.” And I just looked at him and I said, “Well, I don’t expect them to. I’m not going to tell anybody what to do, *you* are!” (laughter) Something like that. But it was just . . . Yeah, I did run into it, and I just let it roll over. I never took it real personally, and I never got upset about it. It was just . . .

Seney: That didn’t surprise you, did it?

Ball: It didn’t surprise me, and I found it amusing. And it’s just one of those different things to deal with, and it was just more amusing or interesting to me than something I would get personally upset about. Because as I said, “I never had a goal in my life. I never identified myself as a feminist, per se. I mean, that wasn’t the reason I was doing the things. I wasn’t there to be a role model.

Seney: You could have taken offense at these things, couldn’t you, and made an issue of them.

Ball: Yeah, I could have, I never did. It just never bothered me. I just found it more interesting than anything else. And I know other women would have taken offense, and it would have been a big deal.

Seney: Don’t you think maybe your instinct might have been, in terms of a future with the Bureau, the better instinct—that is, to not take these seriously, maybe handle them with a little humor and not let them bother you?

Ball: It may have been an instinct. You know, I didn’t think a whole lot about it. I didn’t strategize about it, what I did came naturally to me. And even at that point, I didn’t have a big career ambition, either.

Seney: Let me turn this over, Ann.

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Ball: I didn't have a big career ambition, I didn't have this future goal. I mean, I still wasn't thinking in terms of a career or future goal. To me this was a job that was fun, I got to stomp around in the country, I got to meet interesting people, do interesting things, I got paid a good salary, and I was able to go skiing on weekends without feeling guilty that I wasn't studying. I mean, to have a job instead of go to school. When you go to school you always feel that there's one more thing you need to do. (chuckles) One more problem, one more something. But this was totally liberating.

Seney: At what point did you go to work full-time for the Bureau?

Spent a Year Working on Thesis and Then Returned to Work Full Time at Reclamation

Ball: Right after I graduated, right after I got my master's. I had a break of one year. I did my part-time job, and then I said, "I'm leaving, I'm working on my thesis." I was in the master's program already. And at that time I started interviewing for jobs and Reclamation was hiring engineers noncompetitively.

Seney: That means?

Ball: Well, you didn't have to be on the Register. They were going out because they had some kind of authority to go out and just hire engineers off the street. And so since they knew me and they knew I was at the university, they interviewed me and offered me a job. I interviewed several other places, but we decided we wanted to stay in Salt Lake.

Seney: Did you like Salt Lake City, by the way?

Ball: Oh yeah, quite a lot, it was beautiful.

Seney: It *is* a beautiful city, yeah.

Ball: It was great for two young people with no kids. It was like a playground. And my husband had a really good job too.

Seney: What was he doing by this time, by the way?

Ball: He was working. I told you he got a job and that's what brought us to Salt Lake.

Seney: Right. You didn't say what that job was.

Ball: He was an engineer with a pipeline company. He designed gas transmission facilities in Wyoming, and he oversaw their construction.

- Seney: So he must have traveled a fair amount? Or was he on-site to do that some?
- Ball: He traveled some, not a whole lot.
- Seney: Well, what was the difference going to work full-time for the Bureau as part-time? Was there a difference?
- Ball: Well, when I was part-time I was a student technician, I was off in a little corner, punching my numbers and doing my little computer thing. When I was full-time I had some limited program responsibility that enabled me to interact with people and meet people and get things done.
- Seney: What was your first assignment, your first task when you became a full-time employee?

Worked on Operation of the Upper Colorado River

- Ball: I worked on operations of the Upper Colorado River and one of my very first assignments was to go off and work at the Weather Service Office. So they hired me and sent me away for three months.
- Seney: What were you doing there?

Worked at the Weather Service Office for Three Months

- Ball: I was trying to help them develop forecast models and understand how they do forecasts, runoff forecasting for the reservoirs. They had just signed a Memorandum of Understanding with—there was an interagency, six Federal agencies signed a memorandum of understanding to work together to improve data collection and improve forecasting methods for the Colorado River. And part of this Memorandum was the Bureau's commitment to provide up to a third FTE [full-time equivalent] to actually do some developmental work. So instead of going to the Bureau Office, I went down the road and I went to the Weather Service Office, and I spent about three months out of the year, three or four months out of that first year, working with them.
- Seney: Was that interesting?
- Ball: Oh yeah. And they put me on the committee right away, to oversee the whole process. So that was kind of interesting for me, because the other agencies put higher-level people on, and so I got to interact with managers right away on this committee.
- Seney: Obviously the Weather Service is involved, the Bureau of Reclamation. Would the Army Corps of Engineers have been involved in that?
- Ball: They were involved, and Western Area Power Administration. There were two Offices of the Bureau of Reclamation: the Upper Colorado and the Lower Colorado. And then the Soil Conservation Service. And the idea here was all

these agencies were doing all their own forecasting for their own purpose, and somebody smart enough figured out that at one of these times we were going to run into a problem, we were going to have a major mess-up and everybody's going to point fingers at who had the best forecast, that it was better that we all agree on one forecast, and we all work together on data collection. And so we agreed that it would be the Weather Service forecast with Soil Conservation Service input, and that's the relationship they now have with the Weather Service. I think what we did in the Colorado River was the prototype. (sigh) And so I got in kind of at the ground level of that process. The memorandum of understanding had just been signed, and so that was my job, to meet that commitment.

Worked on Standard Operating Procedures, Emergency Preparedness Plans, Operating Plans for the Colorado River, and the Water Management and Conservation Program

I also had other responsibilities. I was responsible for putting together the standard operating procedures and the emergency preparedness plans. And I also did operating plans for the Colorado River under the guidance of a higher-graded engineer. Then they gave me the Water Management and Conservation Program as well, after some time.

Seney: Let me go back to this business with the Weather Service. Obviously, you have not been in the Bureau very long as a full-time employee. (Ball: No.) You've got some experience as a part-time employee. (Ball: Yeah.) Could you see differences between how the Bureau operated and how the Army Corps operated, the Soil Conservation Service [operated]? Could you see a difference in those other organizations, between the way in which the Bureau worked as an organization? Is my question clear, do you think?

Differences Between Reclamation and the Weather Service and How it Operated to Forecast Runoff

Ball: Yeah, it is, because I know later on in my career I noticed a difference. I'm not sure that I noticed a difference then. I noticed some difference with the Weather Service and Reclamation because I worked at the Weather Service. I was probably a little bit more oblivious to how the other agencies operated.

The Weather Service was a much bigger bureaucracy—you know, national. And the forecasting function was an orphan. I could see that they were always on a shoestring.

Seney: That seems odd to me that the forecasting function would be an orphan. What in the world were they doing if they weren't . . .

Ball: Well, they do weather forecasting, but this is runoff forecasting.

Seney: (with understanding) Oh.

Ball: It was very specialized. And I'm not sure they really felt that they should be doing

that as an agency, that it was just there—somehow it got there. And so that group was, oh, I guess they called themselves the orphans of the organization. I never felt that in Reclamation, at least in the area that I was in, that we ever considered ourselves orphans. So I noticed that change, but nothing significant. Later on in my career, I noticed changes between us and other agencies that we worked for.

Seney: Okay, we'll get to that. As you finished the responsibilities with the Weather Service, is this when you began to get operating responsibilities on the Colorado River?

“ . . . the job at the Weather Service was for three to four months a year, every year. . . . ”

Ball: It was all simultaneously, because the job at the Weather Service was for three to four months a year, every year. So I needed to spend time there whenever it was the most advantageous, when it was mutually agreed upon. There were certain times of the year when the forecasts were more critical. There were other times of year when it made more sense to do developmental work, but I had a schedule four months out of the year to be at the Weather Service.

“That's what I really loved. I loved the politics of the river. . . . ”

Then during the other times I worked on operating plans. That's what I really loved. I loved the politics of the river.

Seney: When you say “operating plans,” what do you mean? And “the politics of the river”—tell me what that means too.

Ball: The Colorado River is run by a body of law that's called the Law of the River. When we developed operating plans, it was basically, “Well, how are we going to operate this year?” It had to be consistent with the law and it had to be in consultation with the seven Basin States. And I remember just about my first week there, one of the engineers—there were a few that just kind of took me under their wing, and I'm really grateful that they brought me along, they brought me to meetings where we were doing the consultation with the Basin States, and all the governors' representatives were there, and some had their attorneys next to them, and it was just really . . .

Seney: These were important matters.

Ball: Uh-huh, and this was the regional directors of the Upper Basin and the Lower Basin. I just came and watched and I just thought it was fascinating, and I just loved that from “day one.” I remember going to that meeting, the very first week I was there they said, “C'mon Ann, there's this meeting down the way. Come and join us.” I remember that all the Basin States, they were all there, and the only one that had an attorney with them was California. (laughs)

Seney: Why was that, do you think?

Ball: Probably because what they had at stake was the most, they were the most dependent on the water, and they were the most dependent on (sigh) the unused part of everybody else's entitlement, and they wanted to make sure the [operating] plan was just right. So I got introduced to the politics right away. And I loved that, that was the most fun of anything I did.

Seney: Did this whet your ambition, do you think, your appetite for ambition? Did you have any idea when you got the job "How high up the Bureau am I going to go?" Did you think about that?

"At this time it was just really having a job, having fun, making money, going skiing, having interesting work. . . ."

Ball: Not at this time. At this time it was just really having a job, having fun, making money, going skiing, having interesting work. And the only thing that really motivated me, the only thing that I wanted to make sure was being fulfilled in my life, was that I was having fun, and that I was doing interesting work—that was the only criteria. And I always felt, well, once it stops being interesting, I'll leave. Well, it never stopped being interesting.

Seney: That's good!

"And I did love the politics, I really loved the Colorado River Operations. . . ."

Ball: So I hung on. So they kept giving me more and more challenging projects, and I kept on getting more and more responsibility. And I did love the politics, I really loved the Colorado River Operations.

Seney: When you say "the politics of it in these meetings," give us a sense of what you mean would be some of these issues that would qualify.

Ball: Well, the idea that here we are trying to put together a plan to operate a river system that includes multiple uses, and the secretary is the watermaster. The law is real clear that the secretary could just make decisions on what to do, and yet, it's clear that even though the law gives them the authority, the politics drove the decisions because unless you had these seven people agree, you were going to have a real political problem.

Seney: The seven governors, in other words.

Liked the Process of Improving and Doing a Better Job of Management on the Colorado River

Ball: Well, the governors' representatives. And so that to me was very interesting. And the interesting [thing] is, how do you work through this process to make improvements and to do a better job? And it wasn't technical, it wasn't engineering per se, it was process. And I liked that. I was just drawn to that. So it was that operations part of my job that kept me interested.

Chaired the Interagency Committee That Worked with the Weather Service

And even the Weather Service part of my job was interesting, because I got to serve on the committee right away, to set the direction, and before I knew it, I was the chairperson of the committee. And I guess it was probably remarkable, considering I was a GS-9 engineer (laughs) and everybody else was a manager or was a GS-11 by that time. But they entrusted me to be the chair and to help to set the direction and make decisions, and I think we made some progress. We did things that were different than we used to do things in the past, and again, it was a lot of coalition building, deciding where should we be going and who will support this? Who won't support it? how do you get the people who don't support it to support it? Who do you need to have behind you in order to make it work? Who are the important players who are not so important? So, you know, starting to strategize in those terms, I was able to do that in my small little world—but they let me do it, I mean, because I didn't have a whole . . . This was my little world, and I was able to operate in it, and there weren't a whole lot of constraints on me and my supervisors just, "Boy, Ann's taking care of it!" And they were happy *they* didn't have to take of it.

In 1983 and 1984 There Was Enormous Error in the Runoff Forecasts for the Colorado River

The only time it became a political issue, a high visibility issue, is when we had the flooding of '83 and '84, when all of a sudden we had a forecast that [had] enormous error in it, and wiped out spillways at Glen Canyon, destroyed the spillways, and even at Hoover Dam. And all of a sudden the focus was on the forecast and this committee and everything. And at that time I was the chair, so all of a sudden that kind of put me in the spotlight.

Seney: A little heat there too?

Ball: No, I never felt heat.

Seney: They didn't feel as though the committee had made a mistake?

Ball: No. But the pressure was because all of a sudden the Congress was real interested, and all of a sudden it was like, "Well, what can you do to *improve* forecasts? What are your proposals?" And it was like the focus was what should we do? And all of a sudden it was my recommendations. (chuckles) And so yes, so then I started to get some attention.

Seney: That must have been fairly heady, I would think.

Ball: Yeah, it was. It was interesting, starting to analyze and kind of defining strategy and putting together position papers. I remember going home one night and coming in on weekends, putting together, kind of trying to get it all in my mind, "Well, what does this all mean, and what should we be doing?" I recommended the Bureau position. Nobody asked me to do it, I just did it, because I needed to make sense out of it all, and all of a sudden it became accepted by the

commissioner. It was like, (shouting) “Oh, good, somebody has a position!” (laughter) It just . . . right up like that, and I realized that, boy, it’s just a matter of being at the right place at the right time.

Seney: And being a little assertive maybe too, and showing some initiative?

Received a Lot of Recognition Because She Recommended a Position for Reclamation to Take

Ball: I thought, “Gee whiz, all of a sudden . . .” The commissioner then took up this proposal and he had assigned somebody in Washington who worked with me, and this guy in Washington was so happy that there was somebody in the field who had an idea of where to go, and he just grabbed onto anything I said. (laughter) And before we knew it, we had an interagency committee established by the commissioner of Reclamation as . . . agency to look at placing other stations in wilderness areas. It was like Forest Service, and I got to go on this committee. (laughs) And pretty soon I was even with *upper* upper management! Just because I was at the right place at the right time, and I took the time to put together a recommended Bureau position. It just filled a void, and it just (shoomp!) went up.

Seney: Does that help you later on? I mean, do they remember Ann Ball later on as a result of this incident? Does this get your name in front of the regional directors and the deputy commissioner and the commissioner? You’re shaking your head “yes.”

“. . . the Flood of ‘83 helped my career a lot! . . .”

Ball: Yeah. And not only within our agency, within other agencies too. I started to establish a reputation with other agencies as well. And my reputation was that I could work on committees. (Seney: A problem-solver.) And chairing committees, problem-solver, and then I was starting to be asked to be on committees, or on special committees where foreign people would call my boss or my boss’ boss, or my boss’ boss’ boss, and my name would be dropped, “Do you think Ann could work on this committee?” So yeah, it did—that was very helpful. And the Flood of ‘83 helped my career a lot! (laughter)

Seney: Thank God for the Flood of ‘83, huh? You know, when you were talking about this before you got to the flood and the implications of it—building coalitions and talking to people and so forth—it sounded very much to me like what you were saying about your uncles and your brother and your sisters, and dealing with this large family full of “extra parents.” Obviously that was a very important training ground for this kind of ability, do you think?

Ball: Yeah, I think so. And I also think, when I started with Reclamation, I wasn’t fresh out of school.

Seney: How old were you, by the way?

Ball: I was thirty, so I was kind of seasoned by then. I had tried all sorts of things. I

brought with me, I think, a greater maturity than I would have if I had been, you know, a twenty-two, twenty-three-year-old engineer fresh out of college.

Started with Reclamation Part Time in 1979 and Full Time in 1980

Seney: So this was 1979 when you went to work for the Bureau?

Ball: Yeah, 1979-80. Yeah, '79 I started officially as the student, and then 1980 full-time. I took about six months off to finish my thesis.

Seney: So tell me, now we're up to about the Flood of '83, right? This fortuitous (chuckles), thank God, Flood of '83. (laughter)

"Then all of a sudden I was on all these interagency committees. . . ."

Ball: Then all of a sudden I was on all these interagency committees. I mean, everywhere I turned. And at that time I changed jobs as well, and I was able to negotiate bringing my pet projects with me.

Seney: "Changing jobs," meaning?

Moved from the Upper Colorado Region to the Lower Colorado Region

Ball: I went from the Upper Colorado Region to the Lower Colorado Region. At that time I started getting interested, thinking about career. That's when I started thinking about it.

Seney: Looked pretty good, obviously, to you at this point, right? You were doing pretty well, and it's exciting to be at these higher levels?

Ball: Yeah, I liked that. And so I was a GS-11 and I wanted to get my twelve, and there was a job down in the Lower Basin, some of the same people I worked for on these committees and all that, they all knew me, so I was a known quantity. I applied for the job and I got it, and I brought all my pet projects. Part of it was that I bring my pet projects where I was on these interagency committees but didn't really matter, because they knew me in the Upper Basin, they knew me in the Lower Basin, so they said, "Well, why don't we just let Ann represent both of us at these meetings?"

Seney: Is that fairly unusual?

Ball: I don't know. I think at that time it was.

Seney: Because these were two different regions.

Ball: They were two different regions, but they had enough trust in me in both to just let me, in the upper region they had enough trust.

Seney: The upper region headquarters is Salt Lake City? (Ball: Salt Lake City.) Lower

region is?

Ball: Boulder City, Nevada.

Seney: Boulder City, so you had to move to Boulder City, Nevada, at this point. (Ball: Uh-huh.) When did you move to Boulder City?

Ball: In 1984.

Seney: And what did your husband do then?

Ball: Just before then, he took a parachute out. His company got merged into a larger company and he took a golden parachute out, and he went through another kind of what-do-I-want-to-do-with-my-life thing. He realized that he didn't like the corporate world that much, he didn't really feel comfortable with it, and he wanted to try some other things.

Seney: Did the golden parachute, was it golden enough to give him pretty good opportunity to do that?

Ball: Yeah, it was pretty good. I mean, he had a real good stock option and some cash. It was good.

Seney: And of course you're making a good salary by this time.

Ball: We never got used to two salaries. It was kind of a conscious decision, because having freedom and flexibility, I think neither of us like to be in a corner where we don't have options open. That's really important to me, is to have my options open. So I didn't want to become dependent on having the two incomes, because you know, if I wanted to quit, *I* wanted to quit! (laughs) (Seney: Sure.) You know, that wasn't the reason I wanted to work. I didn't want to work to make money. I wanted to work because it was challenging and I was having fun. And as long as I was having the fun part, and being challenged, then everything was okay.

So I went down to the Lower Basin, even though the Upper Basin would have given me my twelve, I just said, "No, I need to branch out, I need to do something different."

Seney: Now, is this part of your thinking about your career in the Bureau, that you'd better go work in the Boulder City Office for a while and not stay?

"That's the first time I started thinking in terms of my career, that even though I could have gotten the same grade where I was, it would be better for me to branch out. . . ."

Ball: That's the first time I started thinking in terms of my career, that even though I could have gotten the same grade where I was, it would be better for me to branch out. Part of it, I remember thinking in terms of, "Well, I know I could do it here, because everybody knows me and likes me. Can I establish a relationship in a

brand new place?” That, to me, was the challenge. You know, can I just uproot myself and then develop the same type of reputation that I had up there, in a totally different place.

Seney: Before we get to that part, I want to talk a little bit about the difference between Salt Lake City and Boulder City, because I’ve interviewed others who’ve worked in Boulder City. You must have known what Boulder City was and where it was before you took the job there.

Ball: Yeah, I told my husband I’d be there for three to four years, that was the promise. Nine years later and two children later, we were still there! (laughs) So that’s how much But it was *three* jobs later there.

Seney: Oh, I see, so you were moving up the ranks in the organization there. (Ball: Yeah.) How did you like Boulder City?

Ball: The city itself, I didn’t like it at all. I didn’t like Southern Nevada, I didn’t like Boulder City. But after nine years, we decided that if we were going to stay there, we needed to move to Las Vegas or Green Valley.

Seney: That’s the options, if you’re going to work in Boulder City, is Green Valley

Ball: Or Boulder City itself. Boulder City was a very small, homogenous community. (Seney: Right.) And people go there to retire.

Seney: It’s a kind of Bureau town, company town, isn’t it?

Ball: Yeah, and we found it kind of boring. It was okay for three to four years, as long as that’s what was in our mind, but when it started to seem like we were going to be there for a long time, we were starting to think of other places to live. You know, we just liked more diverse areas.

Seney: Did you live in Boulder City all the nine years you were there?

Ball: Uh-huh.

Seney: What was your husband doing at this time, by the way?

Ball: In the beginning he was doing some consulting and he was going back and forth. He found himself this little company in Salt Lake City that was having financial trouble, and they hired him on as the business manager, and he worked with them for a couple of years and we commuted. He came to Boulder City on weekends, we still didn’t have any children. And that worked well because I was a workaholic, he was a workaholic, and we’d meet on weekends, we’d have fun—I mean, it worked. (Seney: Sure.) It worked for us.

Had Two Children in Boulder City

Seney: When were your children born? Which gender are they and their names?

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- Ball: I have a six-year-old son whose name is Andrew, and a four-year-old son named Stephen. When I was in Boulder City, I think, after I turned thirty-five, all of a sudden I started looking at kids, and all of a sudden they looked cute. (laughs)
- Seney: They hadn't looked cute before then. (laughs)
- Ball: No! I mean, we never *talked* about children! And all of a sudden I'd be at the airport, going to Denver or going to Salt Lake City or something, and I'd be looking at these kids and they were looking cute to me. I said, "Well, something's happening here, and I'd better think about it." So I went home and I announced to my husband that (laughs) you know, "I'm off The Pill!" (laughter) He said, "Oh! Do you want to discuss it?" I said, "No!" (laughter) And so he kind of said, "Well, I guess." And at that point, though, because I had had some medical problems, you know, that cyst and everything, the doctor had told me that I probably would never have children. And so I wasn't thinking, I said, "Well . . ."
- Seney: Did it take very long?
- Ball: It took a couple of years. But the main reason I went off The Pill was after thirty-five, there's medical complications. (Seney: Sure, of course.) And I was using The Pill to control this other medical problem I had, which the doctor told me because of that medical problem I'd probably never get pregnant, so I guess I just wrote it off. I didn't put a lot of thought into it, and I never thought it would be worthwhile going through extraordinary means to get pregnant. So yeah, it took two or three years. I had my first son when I was thirty-nine, and my second one when I was forty-one. And during *that* period we had to do a lot of soul-searching again as to what do we do with his career and my career, how are we going to handle children? And it was a matter of coming to grips, doing a lot of values clarification for us. He quit his job, he came home. Well, he finished up his job after Andrew was born, and I took about four months' maternity leave. I had all this annual and sick leave accumulated, and so we all lived together for four months. I mean, my husband and I and this little baby, trying to figure out *What is it that we want to do with our lives now?*
- Seney: Must have been an awfully big change.
- Ball: Yeah, it was. It was. So we made some decisions.
- Seney: Did you say, by the way, . . . , "Maybe this wasn't the right decision"? or did it always seem right to you, once you'd made it?
- Ball: No, it was right. It was right, he was wonderful.
- Seney: Talk a little bit about motherhood.
- Ball: Being pregnant, my two pregnancies were the most wonderful times of my life, I enjoyed every minute of being pregnant. I would sit at meetings sometimes with all these men with suits and have my hands on my stomach and know that I was there with the baby, I wasn't alone. I felt good, it was a good time, I was healthy,

and they were good pregnancies, they went up to the last day on both of them. (sigh) They changed my life because I realized I was a workaholic, and I began to understand that about myself and decided that I needed to change. They put a different perspective on your life: Certain things that seemed *immensely* important to you before children just don't seem important after children. They bring emotions that you don't even know you have, right up to the surface, and I think that's what I liked the most, is feeling these emotions that you never even knew you had. And now, even looking at *any* child kind of engenders that type of emotion. So I can't imagine—I know that I would have missed a lot, had I not had children. And again, it wasn't a real conscious decision like (raps table for emphasis) "Now we're going to have children." It was like, "Let it happen. If it happens, then we live with that." And number one was so wonderful during that first year, we decided—or *I* (chuckles) decided—that there was going to be two. My husband kind of just . . . He never really caught up with these decisions. (laughter) I said, "We need to have two." He went along with it. Number two was totally different from number one, much harder in many respects. But I think having these two different personalities is a challenge for us. And I think number two, as difficult as he is, is probably going to end up bringing us a lot of joy, you know, when he grows up, his personality. My first one is very focused and determined and smart, precocious, and he analyzes things and understands the consequences, and he's very measured with what he does. And my second one is just totally spontaneous, impulsive, lovey, huggy, and it's harder as a parent to deal with a child like that, because you can't discipline them! Number one, he understood cause and effect real soon in life. You know, he understood consequences and he was able to sort them out in his head, and he started negotiating back right away! Stephen, he just doesn't get it, and he doesn't get discipline.

END SIDE 2, TAPE 1. JULY 31, 1995.

BEGIN SIDE 1, TAPE 2. JULY 31, 1995.

Today is July 31, 1995, my name is Donald Seney, I'm with Ann M. Ball, the project manager of the Lahontan [Basin] Area [Office], in her office in Carson City, Nevada. This is Tape 2.

Seney: Ann, you were talking about your youngest son and his spontaneity and the difficulty of disciplining him when the tape clicked off on us.

Ball: All I was going to end up saying was they present different challenges. They're just two different, unique people, and we can't treat them the same way. How we (sigh) try to discipline one child doesn't work with the other child. How we motivate one doesn't work with the other. So it just presents a challenge.

Seney: You said that it's changed your view in terms of what's important and what isn't important. I take it you're not so much of a workaholic now as you were?

Works Long Days but Reserves Weekends for the Family

Ball: No, I don't work on weekends, ever—*ever!* I'll work late into the night on

weekdays, but weekends are for home.

Seney: How is it, do you think, and I don't want to focus this in a pedestrian fashion, but how do you think it's changed your approach to work, having these boys? I mean, apart from not working on the weekends.

Ball: Well, okay, the problem about being a workaholic and being a supervisor at the same time is that you expect other people to have those same values, so you're always expecting people to do much more. You expect people to live up to whatever standards you set for yourself. And most people don't do that, because most people have more balanced lives. So having children helps me to understand that, and to understand that people need to take care of other aspects of their lives as well, because *I* need to take care of other aspects of *my* life, so it makes me more understanding and more flexible.

Seney: Better supervisor?

Ball: Yeah, I think so. Yeah.

Seney: Let's go back to Boulder City. What did you do when you got there? What were your official tasks and duties? And mention the year, too, if you would.

Worked on Operating Plans in Boulder City

Ball: [It was] 1984, right after the floods. My official task was to work on operations, operating plans. I introduced special studies.

Seney: Explain a little what you mean about "operating plans."

Ball: Well, taking the forecast and taking the Law of the River, the [gearing out?] schedules of releases through the year, to meet demands.

Seney: A lot of people in the Bureau will read these some day, but a lot of people who aren't in the Bureau are going to read them, and they're going to wonder—what means so much to *you*, when you say those very few words may not mean much to them. Can you give us a little longer explanation of an example of what that might mean in terms of releases and operating the river and meeting the legal demands and water rights in various areas as you release the water?

Ball: Yeah. Okay, the reservoirs on the Colorado River are operated for a variety of purposes: one for agriculture, municipal, and industrial demand. In certain [clip?] cases, hydropower—those were the predominant ones during those years. Now there's others like recreation and fish and wildlife benefits, endangered species concerns. At that time we weren't too concerned with those aspects. Recreation was an aspect that would create some problems in some areas. The taking of the runoff . . .

Seney: I'm going to interrupt you to ask you, What do you mean when you say "recreation would cause some difficulties"?

Ball: Well, that there would be outside interests that would have a concern about how we do something, so we would have to be accountable, as opposed to us being a little office and just kind of cranking out . . .

Seney: So these might be some of the recreation interests. (Ball: Yeah.) The people, for example, who live off the fishing or the rafting on the river, that kind of thing? (Ball: Uh-huh.) Okay.

Each Year Reclamation Had to Make a Multitude of Decisions about Managing the Colorado River Based on the Runoff Forecast

Ball: So we would, ever year, take the runoff forecast, how much water is projected to come off the snowpack, and the timing of that, and kind of tried to run it through the system and try to generate all the benefits, the maximum benefits we can, out of the reservoir system, knowing that there were multiple reservoirs on the system, and this is just one, so we could take water from here and send it down there, or keep water up here. So there were a multitude of decisions to be made every year concerning, well, what are the demands going to be, what are the *laws*, how do we meet the objectives of the law and how do we maximize power and water conservation and whatever. So those types of decisions are all embodied in an operating plan. And the operating plan was always developed in consultation with the seven Basin States.

The Number of Parties Reclamation Consulted with Grew over the Years

During my years in the Lower Basin, the consultants began to become more inclusive of others as well. For the early years, it was just these seven people. (raps table for emphasis) If they liked it, then it would go. (Seney: The governors' representatives, yeah.) Yeah. And our assumption was that the governors' representatives represented the various interests within the states. Well, you know, as time went on, it became apparent to me that they weren't, and then the public was demanding more accountability from us directly.

Seney: I can imagine, for example, in the case of the governor of California, would largely represent agricultural interests, and M&I [municipal and industrial] interests, but maybe not so much fisheries and maybe not so much recreation interests.

Ball: Yeah, and the Native American interests weren't represented by *any* of the states.

Seney: And that began to be a factor in this nine-year period that you worked in that office, I take it.

Native American Consultation Expands

Ball: Yeah.

Seney: Talk a little bit about that, how the interests of the Native Americans emerges while you're there.

Ball: I think during that time there was a lot of activities going on, legislative settlement activities, especially in Arizona. The tribes on the Colorado River started becoming more active. We became aware that when we used to think if we coordinated with the BIA [Bureau of Indian Affairs] we were taking care of all of our Native American things. Well, the tribes made it very clear that they wanted to be dealt with directly, and not through BIA. So that was an adjustment for us. During this time we were putting together rules and regulations for how to administer the contracts, during this nine-year period. And we discovered that we needed almost separate rules and regulations to deal with Native American water rights, because there were a whole series of different issues, and state law didn't necessarily apply. We also started being more inclusive in how we developed the operating plan. One of the problems we had right after the flooding of '84-'84, we had spillways that were in disrepair, so we had to modify our operation, our flood control. We wanted to build in more protection, because we had inoperable spillways. And we put together a working group, a technical work group that encompassed all the seven Basin States. Well, pretty soon more and more people started coming to these meetings, including the Native Americans. They started to educate themselves and become directly involved. It was very impressive, I thought, how they recognized water was an important commodity for them. They can either use it, or many of them wanted to sell it. And in that respect, they wanted to have more direct influence and control.

Issues That Arose as Indian Water Rights Settlements Occurred

Seney: Secure their rights . . . so they *could* sell them, in some cases?

Ball: Well, actually they had to fight for their right to be able to sell it. I mean, the interpretation of law, I mean, this was in such flux—do they have a right or do they not? Can they only sell the consumptive use, the portion that had been put to consumptive use? Or can they sell any portion of their entitlement? Can there be interstate transfers? Inter-basin transfers? So these were all kind of legal debates that were ongoing at the same time that we were trying to operate the river.

Seney: And those began to emerge as you

Ball: During those nine years, yeah.

Seney: Describe to me what you did over that nine-year period—sort of go through for me.

Ball: Step-by-step?

Seney: Yeah, please.

Adjusting to the Office in Boulder City Took a While

Ball: The first year in Boulder City was not a happy year for me.

Seney: Why was that?

Ball: The culture in Boulder City was different.

Seney: Talk a little about that. You mean in the office itself?

Ball: The office itself is a very hierarchical organization. So I went from an office where I had established a reputation and everybody knew me, and sometimes the regional director would call me, or sometimes the division chief would call me directly and ask my opinion—to going into an organization where it was very hierarchical. One of the reasons why I wanted—one of my challenges for myself was, “Can I be as successful if I transplant myself and go into a totally different organization, totally different people who don’t know who I am and what I can do, and establish myself, my reputation, once again?” And I guess when I first went to Boulder City, just *losing* that sense that people knew who I was and what I could do, and people wanting to know my opinion on things—not only my supervisor, but my supervisor’s supervisors would often just come in and talk to me, having that loose organizational structure . . .

Seney: This was in the other office.

Ball: In Salt Lake. Going down to Boulder City was extremely hierarchical, chain of command. And so at the level I was at, even though I got a promotion (chuckles) to a GS-12, I felt that I had less responsibility. It was really weird. And with the exception of the projects that I brought down with me, which were fun projects and I really enjoyed, I didn’t feel that I had responsibility commensurate with my grade level, compared to what I had up in Salt Lake City. That was really bothersome, and I thought, “Gee whiz, I made a mistake. Well, I’m here, I gotta figure out how to cope with this.”

Sought out Collateral Assignments

One of the things I started doing right away was looking for opportunities for collateral assignments.

Seney: What does that mean, “collateral assignment”?

Ball: You do something that’s outside of your job description. I became the EEO [equal employment opportunity] counselor, and that started getting me introduced to other people, I started interacting—because I didn’t go to a lot of the meetings that I went to when I was up in Salt Lake. It was always my boss. I’d do work for my boss, give it to him, and then he’d go report the results, as opposed to when I was in Salt Lake, they said, “Well, this is Ann’s stuff, let *her* do it.” You know, I had written that Bureau position (laughs) that kind of So

Seney: How do you account for the difference? I mean, it’s the Bureau of Reclamation, and it’s the Upper Colorado and the Lower Colorado. How do you account for that difference in culture in those two offices?

Ball: I think one of the major differences, one office was lean and the other one was fat.

Seney: Which was which?

The Salt Lake City Office Was Lean and Mean in Comparison to the Boulder City Office

Ball: Salt Lake was lean, lean and mean, and we had a manager, a division chief, who intentionally liked to run lean and mean. I think when you run lean and mean, responsibility just goes (schoop!) down. When you run fat, you end up getting this hierarchy and people get away with not doing as much, or assuming as much responsibility. It's easier to hide in little nooks and crannies. I think that was probably the major difference between those two organizations. And just kind of the focus in Salt Lake. Salt Lake had a more traditional Reclamation view that the real work gets done in the area offices or the project offices, and the regional offices should be lean and mean. Our division chief came from that background. In Boulder City, because of the nature of the river and the role of the secretary, everything tended to be consolidated in the regional office, and the area offices did very little. So it was just a different thing. Because of that consolidation, I think there was a lot of top-heaviness. There was just not that vitality and the managers there, you know, the assistant regional directors, had spent their whole *careers* in that office. You know, you could start off as an engineer and become an assistant regional director, and all you do is stay in Boulder City. So that was very typical for years and years. And when I was there, that's the way it was.

Seney: Well, that is a large project, isn't it, the Boulder-Hoover Dam Project?

Ball: Well, yeah, they've got Hoover Dam and we always had secure funding sources, and we had a major construction project going on with Central Arizona Project, so you could bury your overhead and all that stuff in there. So yeah, I would say we were pretty—you know, had a lot of people. Just a fat organization as compared to Salt Lake, which was lean and mean.

Seney: Yeah. Well, go through your assignments for me and tell me

Ball: I'm trying to think if there's any other differences, but I can't. I really think that was it.

Seney: Well, if people stay in an office their entire career, the culture there becomes far more ingrained, I would think, and more conservative than if there's some turnover.

Ball: And I think there was probably more turnover in Salt Lake, although I can't tell you that for sure, I wasn't there long enough.

So I went down, I brought my pet projects. I was on several interagency teams, I continued on with the forecasting service and was chair of that. And then I was on this wilderness committee that the commissioner set up because I had this recommended proposal. (laughter) And so I got to work with Forest Service and Weather Service and a bunch of other people. And I took on collateral duty assignments, which helped me too. Because otherwise, you don't meet anybody!

Became an Equal Employment Opportunity Counselor

Seney: EEO assignment, that's equal employment opportunity.

Ball: Uh-huh. So I became a counselor.

Seney: What were you doing then? What does that mean?

Ball: If somebody had a complaint, they would call me and I would investigate it.

Seney: What kind of complaints would come to you?

Ball: Complaints about non-selection for a job, age discrimination, sex discrimination, that type of thing. And I would investigate it according to the procedures, write up a report, talk to people, if possible try to resolve the problem. If not, bring it through to its conclusion to the point that I could bring it to, and elevate it up. So that allowed me to meet a lot of people, a lot of the other supervisors, and to get out of my office. (laughs) Get out of my office, actually.

At that point, too, was I think another breakthrough in my career, was, as long as we had a spillway that was broke, it was easy for us to say, "Well, we have to operate different, because our spillway won't handle it. We have to operate with the reservoirs lower than they normally are under flood control." The whole push of the governors of the seven Basin States was to keep the reservoirs as full as possible. Well, that wasn't really the best *management* scheme, because you ended up spilling a lot and losing power. It's really better to keep them down a little bit lower and take a little risk there. So the very first time in '83—following '83, actually in 1984, it took a real long time for Glen Canyon to spill, to fill to the top. It took seventeen years. So the culture of "you can never store enough water," I mean, that became ingrained in the operation. But once we *did* fill in 1980, we started thinking, "Well, we shouldn't be trying to fill every year, because that's stupid. We should figure out where we should be." And then we got caught in the flood of '83 because we were essentially full to start with. The technical people had wanted to have the reservoirs lower, going into the year, just to be able to handle more variation in the flood and inflow.

Seney: But Glen Canyon was full, then the '83 flood damaged the spillway?

Ball: Uh-huh. The spillways were damaged at Glen Canyon, they were also damaged at Hoover. We had two dams that had damaged spillways. Well, that gave us the excuse to bring the reservoirs down way lower, but we knew that as we were moving along and fixing our spillways, that the pressure would again be to keep those things full. And so we were trying to figure out a way of dealing with how are we going to operate the system when we have, quote, "excess flows," [unquote] when we knew we were *relatively* full and there were high probabilities that we were going to make flood control releases, but making flood control releases in strict accordance with the flood control plan wasn't best for power generation, wasn't best for recreation. And how do we deviate from the flood control plan that tends to push, give the *minimum* requirements, to doing better

with the system? And how do we get the Basin States to all agree to the plan? And so (sigh) I had a boss who basically gave me and another engineer the same assignment and didn't tell us. (chuckles)

Seney: Why would he do that?

Proposed a Way to Obtain Political Buy-in of the States for Management of the Colorado River

Ball: I don't know. He probably figured he'd pick the best of the two solutions. (laughs) But, you know, he said, "Well, how do we approach this problem?" Well the other engineer approached the problem from a technical perspective and trying to figure out, well, the optimal space to be at a certain time. I kind of approached it from a process problem, "How do you get people to agree?" And having seen, up in Glen Canyon, where we dealt with the spillway problem and fixed the spillway problems before Hoover Dam, I knew the exact number, getting to that perfect number, doesn't work, because I could see that the technical person could come up with the perfect number based on a gazillion computer runs, but you could always throw holes at it. (Seney: Yeah.) People don't buy-into the technical answer. And so I saw us kind of force ourselves into a corner, trying this approach in Glen Canyon, and I said, "Well, I know that doesn't work. I'm not sure what *does* work, but I know that *doesn't* work." So I started developing a concept, a procedural concept. Well, you need to get people together, we need to form a work group, we need to come up with some procedural way of looking at the problem that people could agree [upon], and then once we could agree on the parameters, then we could crank out the numbers and maybe people will buy-into the number. And that was the extent of my concept. I mean, it wasn't very detailed.

Seney: But essentially a political solution.

Ball: Yeah. More of a political solution, a process solution.

Seney: Getting consensus on how much water you really need that everybody can live with, so that you don't have to deal with problems from Congress or headlines in the paper here, there, or elsewhere.

Ball: Uh-huh. I remember (chuckles) when we both realized we were doing the same problem! (laughter) "Did Aldon ask you to do that?!" "Well, he asked *me* to do that!" And then we talked about it, and it was clear that he was insistent on going *his* way, and I was insistent on going *my* way, and I said, "Well, let's not work together, let's just do our different approaches, and let's see which one sells." (laughs) And so we went to our boss, and we had our different proposals, so he took us both with him to brief *his* boss, the division chief, and I could tell that my boss was leaning toward the technical solution side, because you could crank out, and you got one number, and you operate to that number, and then you do your thing. And somehow I got in there and I started talking about *my* solution, *my* proposal, and all of a sudden I could see little wheels going around, and he wasn't really sure. And then we all went to *his* boss, the assistant RD [regional director]

and then he started listening to me, and I remember telling him about the analogy of painting ourselves in the corner if we try to technically defend the one number. (laughs) I saw these little wheels. Then he [took] me to the RD. (laughter) And all of a sudden I got noticed. (laughter) And the RD at that time, we had just a new RD, Ed Hallenback who was very different than any RD that region had ever had. He was kind of anti-hierarchical, very conceptual, and he just thought, "Yeah!" And then I ended up briefing *two* RDs, not only my RD from the lower, but the RD from the upper, because we needed to present this proposal to the secretary, and they *both* liked it, and they *both* wanted to sign the letter that I wrote. (laughs)

Seney: How long had you been in the Lower Basin Office when you finally got some recognition here?

Ball: It wasn't that long. I know the first year was kind of boring. It probably was the second year. By the second year, things started picking up, second or third—probably the second year, because if it had been the third, I probably would have I remember thinking, "If this lasts much longer, I really need to get out of here, because I'm not happy, I'm feeling stifled." And so then this proposal And I remember writing the memo for the secretary's signature, and I remember the secretary, because what the secretary was going to do was invite the Basin States to join with us in this work group to help develop this. And little did I know, this probably happens all the time, but a GS-12 engineer usually doesn't come up with this idea. But anyway, it presented the political solution to a sticky-wicky problem. And so I wrote the letter and I remember going to my division chief. He wanted to change one word. I said, "We *intend* to do something," and he changed it to "propose," and I remember getting it back and saying, "But that really changes the meaning." This was the letter-of-all-letters that I ever wrote, for the secretary's signature, and one word (laughter) was being proposed to be changed. And I remember going back to him and I said, "Are you sure you want to do this? This really changes the meaning." And he said, "I *know* it does." And I said, "But I think it's really important that we write 'intends' rather than 'proposes.' Would you just please think about it." Then I went back to my office, "Oh my God, what did I just do?!" And he finally called me back. He said, "I won't change it, but I will note it for *my* boss that he might want to change it to "propose." And it went up with "intends." (laughter) But I really got into it.

Had to Stand up to Her Boss to Be Put on the Work Team for Colorado River Management

And then so we started this work group and we put together a Reclamation team. And at that point, my boss was about to put this *other* guy on the team, because the other guy was this real computer whiz. And I remember having to assert myself and saying . . .

Seney: The other one who'd been working on the other technical plan, you mean?

Ball: Yeah, because he's thinking, "Well, now you're on the team, and we've got to generate a lot of computer runs." And that wasn't my forte.

Seney: So instead of *you*, you mean, being on the team, he was going to put the other guy on?!

Ball: Uh-huh, and I had to go in and I said, “Oh no you don’t! This was *my* idea, I want to be on this team, I want to do this work!” And then he backed off, he said, “Okay.” And I said, “If I need computer runs, we have Dave.”

Needed to Learn More Details of the River Operations from Her Boss

And realized that in being on this team, I was stepping into a whole new world of things I didn’t know, but I needed to get more into grips with a lot of the detail of the operations, a lot of the detail that my boss held onto himself, because I had a very hands-on boss, who there were certain things he just didn’t share with his staff. He would let me go off and do my interagency group things, and he loved me to do that, because he didn’t want to do it, so he gave me total freedom to do it. But on the things that *he* wanted to do, nobody learned. And I remember having to learn that in order to function on the team, and I remember sitting down with him one day and saying . . . I got one of the other engineers to collaborate with me. (chuckles) I said, “I need an hour of Aldon’s time, undisturbed, no phone calls.” And so he went in and offered to take all the phone calls, and I went in and said, “I need to pick your brain. I need to know your thought process when you put that number down in that column, and that number down in that column, what are you thinking about? because it’s not written down anywhere. I need you to share that with me, otherwise I can’t do what I need to do on this team.” And so he started to share.

Seney: Was he reluctant?

Ball: No. No, I don’t think he was reluctant in sharing, I don’t think he was afraid in terms of losing power or losing control—I don’t think that was the issue. I think it was just that it was easier for him to do it because he always did it, it was easier for him to do it than to explain. He was always very receptive when I became assertive like that. He actually liked it, I think, because it made it easier for him. He was basically a conflict-avoider.

Seney: So if you’d go in and insist, he’d generally let you have what you insisted upon.

Ball: Yeah. And I mean, I didn’t pound fists or anything. I insisted in a very nice way. I just said, “You know, I really want to be on this. This is kind of my idea . . .” (laughs) “. . . and I would be very disappointed if you don’t let me be on this committee!”

Seney: Is that kind of how it works, if you come up with an idea, then you get to pursue it? I mean, this certainly happened with this business on the wilderness weather stations and the other business in the aftermath of the ‘83 Flood. (Ball: Uh-huh.) So it would have been unusual if he hadn’t let you do this.

Ball: Well, this is how it worked for me in several instances. I don’t know how it works for other people. I would assume that if you come up with an idea and generally

you sell it, that you'd be the person to see it through. Now I wasn't the chair, we went to somebody who was much more experienced than me to head up the committee, a person from Denver, and then there was an Upper Basin representative and a Lower Basin representative, and I was the Lower Basin representative.

Seney: So you were part of the Bureau team on the committee.

Ball: On the committee.

Seney: Then who else was on this committee?

Committee Met Regularly and the Process Was Very Interesting

Ball: Representatives from the seven Basin States, but this was the first that we would meet on a regular basis, other than in the past we would meet once a year to approve an annual operating plan. This was the first time we were meeting on a regular basis to develop criteria or a thought process or procedures to deal with excess flows that deviated from established flood control criteria. So we had established a year deadline for us to come up with some procedures, but it took a year just to educate people. The first year was just educating, people coming up to speed, "Well, what do these models mean? What's the equation? How does this work? What does this mean?" And it was important to bring people up to a certain level of education because these people had really important responsibilities. I mean, they were representing their state's interests and their entitlement to Colorado River water, and they couldn't afford to make a mistake. So they really needed to know what they were recommending. And because they really needed to know, their tendency was to recommend the status quo, because that was the tried and true as opposed to something different, because that was risky. So if we were to expect them to buy-into something risky, they really needed to understand in total detail. So that first year I found that I spent a lot of time holding hands and just walking through equations, walking through process, sometimes one-on-one. I remember being on the phone sometimes for two hours, walking through equations and putting this number in that parameter, or this one and this one in that one. And it was just a very, very interesting process. Then we wrote down our thought concepts in words, before we even did model runs. And so if we could agree on certain concepts and we put it down on paper in the words, then we . . .

END SIDE 1, TAPE 2. JULY 31, 1995.
BEGIN SIDE 2, TAPE 2. JULY 31, 1995.

Seney: You explained the equations, then you began to put it into words?

Ball: Not the equations per se. The equations are models. Then we needed to say, "Well, how are we going to operate different?" Then we would start talking conceptually. "But what is the name of this water that we're trying to release early?" Well, it's not excess water, because excess water has a certain connotation in the Law of the River in legal terms. Well, it's not surplus water, because

surplus had . . . So we had to call it “Z” water, just to get something to talk about that was different here and different there. I mean, it was just a process of how do you describe in words what it is you want to do and what goals you want to achieve. It took a year to bring everybody up to a common understanding, I think, so we could even talk to each other about what it is we wanted to do, how the system operates under current scenarios, and how changes might work. And you know, I knew things were working. I remember one day sitting—our proposal was basically very simple—and was saying, “Well, if you can anticipate you’re going to make a flood control release, I mean, you could see it, the forecast is this, you crank through your numbers and you’re going to make 19,000 acre-feet release in January, and you can see that in November, why don’t we start making some of those releases in November and December, and make fewer releases in January?” Well, the risk, of course, ~~being~~ is that the snow doesn’t materialize. You always take some risk, but it’s a minimal risk. And so you have this volume of water . . . I mean, it wasn’t brain surgery! It was simple! It wasn’t stochastic hydrology, it wasn’t computer models, it was bonehead! You got a block of water, let’s spread it out. We called it “Z” water. I remember briefing the RD on what we were doing, I almost felt apologetic because it wasn’t, you know, a statistically and probabilistically complex solution. I said, “This is really bonehead, but it works, because people could understand it.” (laughs) Throw all the models out! (laughter) I mean, you needed the models too, because we were spending gazillions amount of dollars to develop stochastic models, this and that, and this and that. Well, nobody understood them. But they could understand a two-year projection and a yearly projection, and they could see, “Oh, yeah, 19,000 cfs [cubic feet per second] going out in January, let’s put some of that in November and December,” and they could explain it to their bosses. (chuckles) And I remember one state representative called. We had come to a meeting and we agreed that this is actually what we were going to represent, we were going to make pre-releases. Not brain surgery, just very simple concept, but very radical from the way of thinking that had occurred for the previous twenty years, and the safe and sure, conservative way of thinking. And I remember one of the state representatives called me just before he was about to brief his boss, and he said, “Can you tell me again, Ann, why we should be doing this?” (laughter) I just remember I could feel the tension he was having to have to go to his boss who was the state representative, and recommend something new, and to say with confidence that this was not going to harm the State of Nevada, for instance. And understanding the pressures *they* were under to adhere to the status quo was safer for them, that we needed to make it safer for them to deviate. We needed to really help them to do that, and give them the tools. And even if it was, “Okay, this is what you say, Jerry . . .” (laughs) “Okay.”

Seney: In a way, it’s kind of providing the background, in a sense, the political cover to do things differently, more sensibly, but differently. (Ball: Uh-huh.) Because again, all these seven governors and their representatives and the interests in these states depends so heavily on this water that I can understand why this guy’s calling in and saying, “Tell me again how do I explain this.”

Ball: Uh-huh, “Did we really agree to that at the last meeting?!” (laughter)

Seney: I mean, I can understand that as a perfectly reasonable reaction when you're dealing with this highly-charged issue, and getting them to do something different. And I can also understand why it would take a *year*, as you say, of hand-holding, to get them to come to some understanding of what this means and having to label things "Z" water, because it's not really surplus and it's not really excess, which again are *legal* terms that have a meaning that everyone understands and are things they understand. It must have been an interesting assignment—was it?

Changing Operation of the Colorado River Did Not Occur as Quickly as Had Been Hoped

Ball: It was, and we had some setbacks during it. Our setbacks had mostly to do with our expectation that we would do this quicker. So the first year we really didn't get to where we wanted to be, and it was almost as if it was a defeat. Then it was like, well, the setback energized us to even try harder the next time. I mean, the people I worked with (raps table for emphasis), the Bureau team, you know, all dedicated—I mean, dedicated to the mission. And the (raps table) operation of the Colorado River, I mean, we were dedicated to the goal, and it was a very satisfying relationship, and satisfying to work together for a higher goal. And so we all took the setback in terms that really energized us. We kind of were defeated, and I remember then we started talking, "Well, we can't let this defeat [us]. We gotta go back, we gotta do this, we gotta do that!" And we started getting informed, and we went back for the second attack.

Seney: One of those things, you probably underestimated the difficulty, I suppose.

“. . . it's not so easy for them either, and our job now needs to become to make it easier for them to change. . . .”

Ball: Yeah, I think so, and I think we always do. We always think things are going to happen quicker, we don't allow process enough time, and we don't understand. (sigh) We don't put ourselves in the other person's perspective. And that's when I really started recognizing what a hard job this technical person from the state, you know the technical guy who was making technical recommendations to the governor's representative, what a hard spot *he* was in, and how he really needed to know everything in complete detail, because they can't tolerate any mistakes. And it was very educational to me to see it from their point of view, and saying, "Well, it's not so easy for them either, and our job now needs to become to make it easier for them to change. And what can we do to make it easier for them to change or to accept something new, rather than to dictate or to direct change, or force it upon them?" So that was probably a real critical thing in my career.

Working with Dennis Underwood, Director of the California River Commission

And another thing that really helped me was the representative from the State of California, the governor's representative, when I first started working on this project—he wasn't the representative, but he was the technical staff member, Dennis Underwood, who eventually became the commissioner of Reclamation.

Dennis Underwood “. . . could see a bigger vision, he could see why it was important for all the seven states to be a little bit ahead of the curve. He saw that they weren’t ahead of the curve, then things would be forced on them. . . .”

So I got to work with him on a technical level, you know, just (choo, choo, choo) and with his staff person, and then he became the director of the California River Commission during this time, and his leadership, because he could see a bigger vision, he could see why it was important for all the seven states to be a little bit ahead of the curve. He saw that they weren’t ahead of the curve, then things would be forced on them. So he felt that if they were just a little bit of a step ahead of the curve, they could control the process. So I developed a good working relationship with him, and he turned out to be the commissioner.

Seney: When you say “ahead of the curve,” do you mean political pressure for change?

Ball: Yeah, ahead of the political curve. See, if the states take control and try to manage the change, they could always say, “Well, we *are* changing. It may not be as fast as some people like, but we’re changing.” So Congress will leave them alone. They’ll go to the places where there *is* no change, where there is intransigence, where people are digging in their heels. (laughter)

Seney: That says it just as well.

Having Dennis Underwood as Commissioner Was Helpful to Career

Ball: Just as well, that’s right. These are things that have been helpful to my career, now having him as the commissioner during the time when I was starting to get more noticed and get more responsibility on Colorado River issues, and as commissioner, he was totally interested, so all my projects, there was always a need to brief the commissioner.

Seney: Now this is two, three, four years down the road from what we’re talking about.

Ball: Uh-huh.

Seney: But again, I mean obviously he knows who you are and has come to rely on you, and respect what you’ve done. That *is* very helpful, isn’t it?

Ball: Yeah, it was real helpful.

Seney: How much of your time of your assignment did you spend on this?

Once the Colorado River Management Committee Got Going it Consumed Virtually All Work Time

Ball: Once I got on it, it was a hundred percent, it was all-consuming.

Seney: That was your job?

Got off Runoff Forecasting Altogether

Ball: That was my job. I still did my little interagency things, some of those were starting to wind down. I got off of the forecasting stuff altogether. I recommended that we recommend a full-time person that represents . . . interests, that spends all their time. And that got accepted. I just got off the committee. Once I served as the chairman, then it was like, "Okay, well, I did it all." And so there was really nothing more than the same stuff. Then I got off, and then the Wilderness Committee thing had a natural phase-out. So then this other thing became my full-time job.

Seney: When did you start this assignment? Do you remember the year?

Ball: I think it was in '85.

Seney: And how long did it last?

Ball: Probably about two years.

Seney: And after that, what did you do? Unless you need to say something more about this assignment.

The Colorado River Work Group Still Exists

Ball: No, no, that assignment lasted about two or three years. Then it became routine. This work group is still in existence. It became the mechanism or the forum in a group. Now *lots* of interests come in. And I think it may be the same Reclamation person in Denver heading it up. I don't know, maybe he's changed, I've lost track of what's happening.

"But it kind of developed a life of its own and it continues on and on. I started losing interest when it started becoming repetitive . . ."

But it kind of developed a life of its own and it continues on and on. I started losing interest when it started becoming repetitive, and "Oh, it's the same old stuff," type stuff.

Seney: This is an aspect of your character, I suppose, isn't it? You've said before that you were willing to work with the Bureau as long as it was interesting and you were having a good time. So you want . . . I suppose if someone from Denver is still working on it after all these years, that would not be . . .

Ball: I wouldn't do that.

Seney: You're sort of shaking your head, that that's not your thing. (Ball: No.) So we're talking about an aspect of your character here—and it's a good one, I expect—that as it becomes routine, then you want a *new* task (Ball: Yeah.) and some new kind of challenge.

Began Looking for a New Job in or Outside Reclamation

- Ball: I was remembering then the next year I was really seriously looking for other jobs. I had been in this job four to five years.
- Seney: Looking around within the Bureau you mean?
- Ball: And outside. I was starting to put together I was doing my SF-171s.
- Seney: An SF-171 is?
- Ball: My job application, my résumé, the Federal résumé, and I was applying for any job, anywhere.
- Seney: Within the Federal but outside the Bureau? (Ball: Yeah.) Or even outside of the Federal service?
- Ball: No, not outside the Federal service—mostly within the Bureau. Where I was looking outside were agencies I had worked with on interagency teams, and I kind of knew what I'd be getting into. I didn't want to go into something that was totally new, totally unknown. I think I enjoyed being able to capitalize on my reputation and have that follow, [not] having to kind of start from scratch. It wasn't a real good feeling for me to sit in an office in a corner and not have anybody pay attention, or think that I have anything to offer. So I started actively, and that's the time I also got pregnant, so that was kind of a fun diversion too. And at that time . . .

“We had this new regional director, Ed Hallenback who was just so *different* than any other regional [director]. I mean, he was kind of this visionary, and he saw changes were in the wind, and he was taking action before any other region to accommodate change, and he was looking at the organization, trying to move things out into the field, really shaking up the establishment. . . .”

Oh, okay, this is what was important: We had this new regional director, Ed Hallenback who was just so *different* than any other regional [director]. I mean, he was kind of this visionary, and he saw changes were in the wind, and he was taking action before any other region to accommodate change, and he was looking at the organization, trying to move things out into the field, really shaking up the establishment.

“I mean, he came, and all his assistant RDs left. (laughs) . . . every so often he would just call me and say, ‘I need to do some brainstorming, Ann, and I'd like you to help me with it.’ . . . I mean, this was unheard of, it drove my boss crazy. . . . because they were used to the hierarchy. . . .”

I mean, he came, and all his assistant RDs left. (laughs) They just up (shoop!), you know? (laughter) So I mean there was a real big shift of thinking. And because he came when I first made this proposal, every so often he would just call me and say, “I need to do some brainstorming, Ann, and I'd like you to help me

with it.” You know, he’d bring some people. I mean, this was unheard of, it drove my boss crazy. I’d have to come back to my boss and say, “I don’t want you to have anxiety about this, but I’m not going to say no when he calls. I’m going to tell you what happened, so you don’t think I’m doing anything,” because they were used to the hierarchy. And to have the regional director to call me and ask about

Seney: Because you’re pretty far down the organization.

Became an In-house Facilitator

Ball: Sure, I was still pretty far down, I wasn’t even a supervisor. So just to be in there to brainstorm. And at that point he started a program. He was one of the first to start these regional management teams where all the managers come together and look at organizational culture and change. I mean, this was *years* ago—we’re doing this *now*, in *this* region, but I’ve already been through that once before. And his assistant had proposed developing a cadre of in-house facilitators. Well, I was one of the very first ones. I was in the first group. My name came up as a possibility, even before my boss’ boss asked me if—you know, before he could get the whole sentence out, I said, “Yeah! That’s exactly what I want to do, because this whole concept of interpersonal relationships and group dynamics is so interesting.” You know, how do you get people to do what you want them to do, or what you think they should do? Or how do you get people to do something different than they’re doing? And so I got some really intensive training as a facilitator. And I was in the first group, so I got the full set of training, then the funding started to dry up, and the people that came then, after me, didn’t get all the . . .

Seney: Who did the training? Was it outside people who came in . . . ?

Ball: (sigh) It was an outside consultant who did the training, and we were a group of facilitators and we all got trained together, and part of the training was to experience this team-building experience among ourselves, and to talk about change, and to get group skills. You know, just the meeting skills of facilitation, the recording, to understand the interactions among people and the different types of people and how people react to different things in different ways. So I guess that became my collateral duty. So this project ended, but then I became a collateral duty facilitator. So I was being trained, and then I was being called upon to facilitate groups. Okay, so that filled my void. I was getting dissatisfied with the work part, but I had this collateral duty.

Seney: So you’re sort of merging into this set of duties now.

Ball: Yeah, and that was starting to take a lot of my time. But that was okay, because my other job was done, and we were still a pretty heavy, fat organization.

Seney: Tell me what it means when you go in and you do one of these facilitations in a group setting. Choose any example you’d like to illustrate.

Ball: There were two different types that I had: One was a management team down in

Yuma, and I would go down there once a month where they would meet, and would help them to facilitate their problem-solving meetings. And then every so often we would all go *off* campus, and with the professional facilitators and do team-building.

Seney: What does it mean when you do team-building?

Ball: Well, when you do the team-building, I think what it means is that you try to connect with the individuals of the group at a personal level and try to understand what their skills are, and what their contributions could be. And try to appreciate that as how they could contribute to the solution of a problem.

Seney: And better suit their assignments to this understanding?

Ball: Uh-huh. So I think it's kind of understanding differences, and dealing with that. We call it "understanding difference," now: (laughter) how people are different and bring different skills to different problems. So the facilitation filled a void for me. And I started applying for jobs.

Seney: What year would this be, when you began to apply for jobs? I want to get some sense of the time frame.

Ball: I'd say '86-'87, maybe '87, probably doing this in '86-'87. In '87 I started looking. I was there from '84 . . . Yeah, I was starting to get three to four years.

Seney: You know, when we began to talk about your beginning with the Bureau and your working with the Weather Service business and the other agencies, and I asked you about your views and you said, well, you didn't have enough experience with them then. I take it by now, do you have more experience with other bureaus within the government? I don't know who you're applying to, but you said you had some sense of what might be in store for you. So you must have begun to learn about the other bureaus.

Ball: Yeah, I applied with SCS [Soil Conservation Service], I applied for the job that was vacated by one of the people on the wilderness team, and he was also on the forecasting service team. The job was in Portland, and I wanted to go back. I mean, I really wanted to live in Portland, we both did, my husband and I.

Seney: Had you lived in Portland before?

Ball: We lived in Seattle, it was close enough. I mean, that's kind of where we'd like to live. And I had some qualms about the job, because it was a highly technical job—data collection, data manipulation, computers and stuff—and I said, "Well, I could do it. I mean, if it's important, then I could do it." They didn't accept me because they had a rule of so many people from their own agency applied that they wouldn't consider outside applicants.

Seney: That seems kind of odd.

Applied for GS-13 Branch Chief Jobs

Ball: Yeah, I thought it was pretty odd. Probably in the long run it turned out okay, because I probably wouldn't have liked that job. (laughs) (Seney: They did you a favor!) But you know, I got called from the selecting official and some other people that said I should have gotten that job. I started applying for area manager jobs—no . . . GS-13, so branch chief jobs.

Seney: Within the Bureau?

Ball: Within the Bureau. I got pregnant, and when I was pregnant, I had three applications in, and two were for jobs in the Upper Colorado Region. One was for kind of a special assistant for FERC [Federal Energy Regulatory Commission] licensings, it wasn't a supervisory, it wasn't a line job, it was just a staff position. And then the other one was the branch chief of operations or the 430 branch chief, and that was the branch I used to work in. And then the other one was the 430 branch chief in the Lower Colorado.

Seney: What is "430 branch?"

Becomes Branch Chief in 430—Operations and Maintenance

Ball: Four-thirty [430] means operations and maintenance. And (sigh) quite frankly, I think I was in a position that I would have, at that time, been offered all three of them, because I know the selecting officials started talking to each other. Then I got offered the job in the Lower Colorado Region, so I decided to stay. So I went over to another job there.

Seney: Which job is . . .

Ball: I became the branch chief of the 430 branch which was called the Water Management Branch, but it didn't do operations, per se. It did everything else. It had to do more with the physical facilities and with some special projects. And so I had my baby, and then I got promoted.

Seney: Promoted to?

Ball: To that 430.

Seney: At a GS-13 level?

Ball: Yeah, GS-13.

Seney: Is that a big jump?

Ball: From a twelve to a thirteen? (Seney: Yeah.) Yeah, I think breaking the twelve is a big barrier in Reclamation. You know, I think it's easy to get twelve for technical people, because you could get a twelve based on technical expertise, but breaking into that thirteen is a big step.

Seney: Can we talk for just about another five, ten minutes? Okay. Why don't you tell me about that job, and what that one was like.

“The challenge in that job . . . was [that it was] the first time I had to be a supervisor. . . .”

Ball: The challenge in that job, I think, was the first time I had to be a supervisor. That was my first supervisory experience.

Seney: How many people did you have under you?

“. . . three of the people that I supervised also applied for the same job. So I had to deal with that as well. . . .”

Ball: About eight. And three of the people that I supervised also applied for the same job. So I had to deal with that as well. That was one of my interview questions, how was I going to deal with that?

Seney: That must have been a challenge.

Ball: That was a challenge, although remember that guy that had the same problem that *I* did? Well, I ended up supervising him. (laughing) He finally decided he didn't want to be in that branch anymore. He moved over to this branch and then I ended up supervising him. Well, he left, but I helped him to leave. As he wanted to advance his career, and you know, [it] wasn't going to work with both of us, because we just both were very strong opinioned, we usually thought different ways. That wasn't going to work, but I really respected him and I knew that these engineers also respected *me*, because even though I was a woman, I don't think it entered into . . . (sigh) With engineers, they kind of really respect what you do and the product you produce. And if you could do the good work and contribute to the team, that's all that really matters. And so I had established a track record, so it wasn't going into someplace without a track record. It was just I was being promoted and everybody knew who I was and there was no question that I had the ability or the skills.

Seney: Did having an advanced degree help?

Ball: No, I don't think so. That's been totally (Seney: Discounted, yeah.) The advanced degree is my engineering degree. My chemistry degree would get me nowhere in Reclamation. But the fact that it was a master's in engineering I think is really irrelevant. I don't think that has any more significance than having a bachelor's. Nobody really asks. I never thought that my education was really a prime factor, other than I had the credential of being an engineer, which was the important thing, but that it was a master's was irrelevant. And a Ph.D. would have probably been even more (chuckles) irrelevant.

Seney: Maybe a burden!

Ball: It may have been a burden. So dealing with supervisory problems was my biggest

challenge there. And they weren't problems, just challenges, the different personalities.

Seney: How did you think you did? Did you feel like, "Gee, I could do this," or . . .

“. . . I think I'm able to figure people out, and to adapt how I relate to them to suit their needs. I don't have 'one size fits all' approach. . . .”

Ball: Yeah. Yeah, I thought I was (Seney: Pretty good supervisor?) Yeah, because I think I'm able to figure people out, and to adapt how I relate to them to suit their needs. I don't have "one size fits all" approach. And with Dave, we were just very honest and open, and I respected him tremendously for his technical abilities. We acknowledged that we had some philosophical differences, how to approach problems, and "Yeah, I will help you get out of here," (laughter) "if that's what your career desires are."

"One of the other guys I had was a *real* challenge. He was extremely bright, but he liked to do whatever he wanted to do, and he wouldn't stay focused. . . .”

One of the other guys I had was a *real* challenge. He was extremely bright, but he liked to do whatever he wanted to do, and he wouldn't stay focused. And the way I dealt with him is, I couldn't have him go to any meeting he wanted to go to because he found it interesting, because we had product to produce. I mean, we had things we needed to get done. And so the way I dealt with him is, I rewrote his performance standards. And I said, "I don't care what you do, you're master of your own time, and if you want to go to all these meetings, you can, but this is what I'm going to rate you on." He stopped going to meetings, he started telling people he was unavailable, and he started to focus in.

Seney: Well, you may have done *him* a favor too, do you think?

Ball: Well, possibly. I think he was where he was going to be in his career, because of his personality.

An Engineer Hired to Do O&M Inspections Turned out to Be Claustrophobic

I had another challenge. I had made my very first selection of an employee to go out and do operation and maintenance reviews, and he had credentials as an engineer. He had his professional engineering degree. I knew that he was having troubles where he was. He was in Design and Construction and they were kind of happy to get rid of him—not because he wasn't technically good, he just didn't have an assertive type of personality. And I remember I had two applicants for this job, and I never viewed doing operations and maintenance, going out and inspecting facilities, as a real difficult job. It's kind of once you get the hang of it, it's the same thing over and over and over again. I thought, well, maybe the problems he's having there, he won't have with me, with this job. So I took the risk and I hired him. Well no sooner than I hired him, I came to work one day, and he was standing at my door literally shaking. He said, "Ann, I've got to tell you something." And I said, "How come you're not down at Buckskin Tunnel?"

And he said, "That's what I've got to talk to you about, I'm claustrophobic." (laughter) And I said, "I can't talk to you now, somebody's got to *be* down there. I'm going to go home and get my boots on and go down there. We'll talk tomorrow." And I said, "Oh my God, my very first selection as a supervisor and I really messed this one up! How am I going to tell my boss?" Because part of his job is to inspect small spaces.

Seney: Yeah, the bottom of dams and looking around.

Ball: I thought, "Oh my gosh!" I said, "We can't talk now, I've got to go down and be there. Somebody's got to be at that inspection that represents the regional office." I went home, I got my boots on, and I got all my stuff, I took the car, and I drove down thinking, "Oh my God, what am I going to do? I'm a flop as a supervisor already!"

Seney: Well, if for no other reason than the tape is about to run out, why don't we leave it there. And we'll talk some more . . .

END SIDE 2, TAPE 2. JULY 31, 1995.
BEGIN SIDE 1, TAPE 1. AUGUST 14, 1995.

Today is August 14, 1995, my name is Donald Seney, and I'm talking with Ann Ball, the area manager of the Lahontan Basin [Area Office], in her office in Fallon, Nevada. This is our second session, and this is Tape 1.

Seney: Good afternoon, Ann.

Ball: Hi, Don, how are you doing?

Seney: Good. When we finished last time—although when we see the transcript, it'll just be seamless, kind of—we were talking about your first supervisory position, and your hiring a gentleman who had claustrophobia. I think you'd said all you wanted to maybe about that, but go on from there and tell me about your experiences as a supervisor.

Ball: Well, anyway, at that point, that was my very first selection I made as a supervisor, and I was convinced I was a failure! (laughter) because the advice that seasoned supervisors always give is that what will make you or break you is the quality of the selections you make. (laughter) And so I said, "Uh-oh, I blew that one." We were able to pull that one out.

Seney: What did you do with this person, transfer him to other functions?

Ball: No, I didn't. That's what he wanted me to do. He claimed that his job was too stressful and that he wanted another job. I told him there *wasn't* any other job, and that I wasn't under any obligation to create another job for him, and that being able to inspect tunnels and close places were a requirement of *this* job, and I couldn't change that.

Seney: Should he have known that when he applied for the job?

Ball: Yeah, he knew it, he was fully aware of it, because he had done some research into what that job was, and I had talked about it as well, although I didn't ask him if he had claustrophobia or anything like that. I wasn't in that type of detail. But the job requirements were pretty specific and I offered as much support as I could give, I told him I would support him, but that I was under no obligation to find him a new job. And in fact, the office that he came from, they were kind of happy to get rid of him, because there were some problems there, and I knew that as well. So he didn't have a job to go back to, and so I extended whatever support, and we talked about counseling, and he started using the employee counseling, and he worked through the issue with me and with his wife. I know she was awfully supportive. She came up to me once and thanked me for helping him out. And he turned out to do a real good job in that position.

Seney: So in the end, you probably did the right thing with him—do you think?

Ball: Oh yeah, I think I did the right thing. It was probably a little tough, initially, but I think he had a large family to support, and he understood that he needed to come to grips with this if he was going to continue on with the job. I think the consequences for him were unacceptable and I was just real clear that I was under no obligation to find him a new job or to modify his job or to do anything except give him the support he needed to try to work out the problem he had with this particular situation. And he went to counseling and they offered him some suggestions, but in the final analysis, he just worked it out with himself. And actually, some of the qualities he had because he was claustrophobic and because he had a fear of being in dangerous places made him very good at this job, because safety was of paramount importance, so he would think of things (chuckles) that many other engineers may have been more reckless. And he was just very, very safe, and he was an excellent engineer, and he did a real good job. He wrote real well, and he turned out to work out really well on the job. And there weren't really that many. Once I came back with photographs of this tunnel, I mean, this tunnel was *not* a small tunnel, it was *big*, you could drive a pickup truck through it. And then he realized that maybe it wasn't . . .

Seney: You went to the trouble of bringing back photographs to show him that this was not . . .

Ball: Oh yeah. Well, I had to go on the inspection. Somebody had to go, and when he was standing there at my doorstep, I realized that I needed to go and meet the group, because they were expecting somebody from the regional office. And yeah, I brought back photographs and I showed him, and then he realized he needed to get more facts. And there weren't really that many close places that he had to go, and he always managed to find ways of working around the issue. If he knew it in advance, he could find a way of meeting his responsibility and not putting himself in a position that he was uncomfortable with. And he was very, very safe—very, very safe. I have never run into anybody that was more safety conscious, especially when it came to himself. And that's what I wanted, I was pleased with that.

Seney: Do you feel this worked out pretty well then?

Ball: Yeah, I think so. I think it worked out for him and me and for the organization.

Seney: Is that your objective, when you're thinking about these things? I mean, you've obviously got responsibility for a number of employees and have had for a period of time, and some are going to have these kind of quirks and difficulties and so forth, and I suppose there are times when you just have to transfer people or get rid of them or so forth, but barring that extreme situation, do you make an effort to take the person's views into consideration and to try to . . . I mean, I think you probably *helped* this individual overall, by helping him come to terms with his claustrophobia. Do you think in those terms as you manage people?

“. . . my primary concern was not to make my problem somebody else's problem, and to deal with my problem directly. . . .”

Ball: Well, I do, but my primary concern was actually in that case the job and the organization, and not creating a problem for somebody else. I didn't want to make my problem somebody else's problem, and I saw that happening way too many times within Reclamation, where you just move the problem people around, and I didn't want to do that as a supervisor. And of course this was my very first difficult situation as a supervisor, and I wanted to do the right thing. And so that was probably my primary concern. It *happened* that it helped him out, it *happened* that it worked out well for the organization, but my primary concern was not to make my problem somebody else's problem, and to deal with my problem directly.

Seney: Sure. I'm just trying to get what your instinct might be here as a manager. I mean, if I come to you as one of your employees and I have kind of a personal problem that may be to some extent interfering with the discharge of my duties, as clearly was the case here, are you likely to think, "Well, let me see, can I help this person maybe overcome that difficulty and become a more productive member of the organization"? or do you think just "Gee, this guy isn't doing the job, how can I manage to get it done"?

“. . . the primary consideration for me was getting the job done. The secondary consideration was helping the individual. . . .”

Ball: Well, I would try both. I mean, I think in this situation I tried both, but the primary concern was the requirement of the job. That was my responsibility to get the job done, if, in helping the employee I could help the employee *plus* get the job done, when I did offer a helping hand, saying, "Hey, I can't do what you want me to do, but this is what I *can* do, and if this is going to work for you and it's going to work for me, then it's fine." But the primary consideration for me was getting the job done. The secondary consideration was helping the individual.

Seney: Okay. Well, go ahead, what were your responsibilities as you're dealing with this situation? You were in O&M, right, at this point?

Issues with the Yuma Desalting Plant

Ball: Operations and maintenance. It was kind of a fun job. I got to go out into the field whenever I wanted to. It wasn't quite as highly political, high priority issues, as my previous job or my subsequent jobs. I had a few hot issues—or actually, one hot issue, and that was the Yuma Desalting Plant, the policy issues were under my jurisdiction, and just when I got that job we had an IG Report, Inspector General Report, come out, criticizing Reclamation on this, and so I had to come up to speed very quickly on the issues and represent Reclamation's views and respond.

Seney: What was the problem there?

“We turned out to have more water in the system that was able to dilute the salinity at Imperial Dam more than was expected, so the need for the desalting plant wasn't really as imminent as we had anticipated. It was very costly, and the operation and maintenance cost of bringing it on-line was very costly as well. . . .”

Ball: Oh, I think the problem with the desalting plant was the cost and the perceived lack of benefit that was going to result in whether we really needed this desalting plant at this time. The future projections of the need for the plant turned out to be not very accurate. We turned out to have more water in the system that was able to dilute the salinity at Imperial Dam more than was expected, so the need for the desalting plant wasn't really as imminent as we had anticipated. It was very costly, and the operation and maintenance cost of bringing it on-line was very costly as well.

However, politically speaking, there was a lot of political pressure to proceed with the desalting plant and to bring it on-line as soon as possible.

Seney: Who would have been exerting the pressure? I suppose downstream users?

Ball: Well, the governors of all seven [Colorado River] Basin states.

Seney: This is on the Yuma River?

Ball: It was on the Colorado River, the Lower Colorado River. The desalting plant is in Yuma, and Yuma is on the Lower Colorado.

Seney: So the water runs through, and the salts are removed.

Ball: Well, it was desalting the drainage from Wellton-Mohawk Irrigation District—was being diverted into the Yuma Desalting Plant and then that water was being dumped back into the Colorado River. It was very pure water.

Seney: Once the plant got through with it.

Ball: Yeah.

Seney: So the plant worked.

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- Ball: Yeah, it worked, but it was very, very, very expensive.
- Seney: Is it still working? Are they still using it, do you know?
- Ball: Well, when I was the 430 branch chief, we were just transitioning from a construction phase to an O&M phase. I can't tell you, I don't know, I think it's partially being operated now, but I don't know the status of it, I've been away from it for some time.
- Seney: But it really turned out that there was enough water flowing in the Colorado to dilute this drainage water without the need for the plant?
- Ball: Yeah, as it turned out, because the Upper Basin states have not yet developed their full entitlement, and so there's excess water more frequently than had been anticipated in the early 70s when the desalting plant was authorized and conceived.
- Seney: So it's possible at some point when the Upper Basin states are drafting the water they're entitled to, the plant may then be necessary?
- Ball: It's possible. I'm out of the desalting issue right now. (laughter) I really don't know what the status is of it.
- Seney: Sure, okay. Alright. What else were you doing?

Trying to Measure the Return Flows on the Colorado River

- Ball: Another major technical problem/issue/program that I inherited as 430 that was really quite interesting was the issue of trying to measure unmeasured return flow and calculating it. And also the issue of trying to define the extent of Colorado River water in terms of underflow. You know, if somebody put in a well and they were within a mile of the river, was it really Colorado River water they were pumping, and we need to account for it pursuant to the decrees and the law? Or was it some other source of water? And technically, those two issues were very complex and very difficult. We were talking about small quantities of water, but in order to try to come to grips with those small quantities of water, we were advancing technology, using satellite imagery and remote sensing and all sorts of things.
- Seney: How would you decide if that water coming up from that well a mile from the river was river water? How do you do that?
- Ball: Well, that's a good question. I mean, technically, it was a very difficult question. We were looking, we were doing surveys, and we were looking at water quality, we were looking at the geohydrology, and we were spending many millions of dollars funding USGS [United States Geological Survey] to do studies.
- Seney: Can you take a sample of water out of the river and a sample of water out of the well and analyze them?

- Ball: The quality, uh-huh, that was one way of doing it. Technically, that was a very challenging problem and got me exposed to some technical issues that were interesting, probably not of major political significance, however the reason why we were doing it had to do again with pressure from the seven Lower Basin states to quantify precisely, because each Basin state had an entitlement to Colorado River water consumptive use, and they wanted to make sure that they didn't get charged for a drop in excess (chuckles) of what they used, because they wanted to be able to use every drop they were entitled to. And attempts to address these technical problems from a more empirical perspective—you know, let's agree to an equation or something—never led anywhere. So we kind of made decisions to go ultra-technical, and these decisions had been made, oh, I'd say twenty years before. (chuckles) I kind of was just inheriting the final implementation of this, final stages of implementation.
- Seney: You know, one of the aspects that the senior historian asked me to ask people like you about, is that the Bureau gets itself into situations where it *does* have to innovate and try new approaches in order to measure the kinds of things that we're talking about here. So he said, "Make sure you get these people to talk about these things. They may think, 'well, this is not important,' or 'other people know about this,' but this *is* important to the history of the Bureau, how the technology evolves, and what are the pressures for technological innovation, say, in something like this." And when you said "satellite imagery," that sort of piqued [my interest]. How in the world would satellite imagery be involved in measuring what needed to be measured here?
- Ball: Well, the entitlements, the three Lower Basin states have a consumptive use entitlement to the water—not what's diverted, but what the plants and irrigation, when you irrigate with the plants actually evapotranspire. And then of course a lot of water in the Colorado River went to LA [Los Angeles] so the diversion equaled the consumptive use, because nothing returned back to the river. But the issue of how much water gets returned back to the river in unmeasured return flow is important for allocating the water to the various Basin states. And also, how much land is in irrigation? And the only real source of water in this area was Colorado River water, so we would take satellite imagery and see what's being irrigated, and then we would correlate it by—you could do it by intensity of the color on the photograph.
- Seney: Thermal mapping kind of?
- Ball: Yeah, the thermal mapping, what kind of crops and what kind of ET [evapotranspiration] so we could identify how many acres and specific crops and define how much water was consumptively used. And we developed models to do this. We also would put in actual precipitation, because that gets subtracted out. We figure out how much water was diverted, and then we'd have a mass balance. We had good numbers of how much water was being released from the dams, and we knew how much water was getting to Mexico, so by using all this information we could do a water balance in the area in the Lower Colorado River, and (sigh) attribute to each Basin state—Arizona, California, Nevada—that portion of consumptive use. Actually, Nevada was a little bit easier, because there wasn't

very much in irrigation, it was mostly diversion from Las Vegas and the return flow was predominantly measured. But between Arizona and California and how we allocated between the two.

Seney: Those do sound like interesting problems, actually, even for someone like myself without an engineering background or any real knowledge of those things.

“So during the time I was there, going from technology development to pure implementation, was a real challenge, because the tendency for the technical people, my staff, was, ‘Well, we just don’t have it quite right, let’s study one more thing, let’s do one more thing, let’s spend another (chuckles) million dollars. . . .”

Ball: Yeah. They were interesting problems. I think the challenge for me as a manager in these problems was to get focused and get results, because we had been studying this for years and years and years and years and fine tuning, and one of my high priorities, which was very clear to me is, we need to implement it. We’ve got to stop studying it, we’ve got to stop talking about it, we’ve got to stop improving it, but we need to implement it. So during the time I was there, going from technology development to pure implementation, was a real challenge, because the tendency for the technical people, my staff, was, “Well, we just don’t have it quite right, let’s study one more thing, let’s do one more thing, let’s spend another (chuckles) million dollars. You know, do that.” And I felt that I was under—and it was appropriately so—I agreed with the subjective, that by a certain time we needed to have implemented this. It didn’t have to be perfect, but we needed to say, “Hey, this is how it’s working, this is how it’s going to be implemented. And so that was a management challenge for me, keeping my staff, who were very highly technical, and they knew a lot more about this stuff than I did—keeping them focused on what it would take to actually implement this technology and to use it operationally. And for years and years and years it had been in the developmental stage.

Seney: Did you get it done, did you get it implemented, get it started at any rate?

Ball: We got it started, yeah. We got it started, we had people focused on that.

Seney: I suppose as long as the organization is studying it and not implementing it, it’s a little easier politically, isn’t it, than administratively? I mean, once you’re implementing it, you’ll have to say to someone, “You’re using a little too much water.” Would there be that problem?

“ . . . I also think there was a problem, if you study things too long you lose credibility. And I think we were studying this one way to long, and spending a whole lot of money on it. . . .”

Ball: Yeah, there was that problem. But I also think there was a problem, if you study things too long you lose credibility. And I think we were studying this one way to long, and spending a whole lot of money on it. I mean, we were spending millions of dollars to go after drops of water. Not a whole lot of water, and way back when, when the decision to go ultra-technical was made, it could have been just as

easy to have—technically supportable to have made a decision that was less technologically intense, but just more of an empirical type—let’s all agree to an equation. You know? But politically, nobody would allow that to happen, and so we kind of got . . . I guess I would say the path of least resistance was to go ultra-technical.

Seney: To see if you couldn’t develop methods that were unambiguous and nonpolitical therefore . . .

“ . . . I found I was forming a work group of the states and the technical people . . . so they could understand it, because they won’t accept numbers that they don’t understand, so they had to buy-into the model. . . . but we weren’t talking to the people who were going to be impacted by the use of these models and the use of these technologies so *they* could understand it and buy-into it. . . . ”

Ball: And precise. But even these precise methods, you can’t just apply them without having people buy-into them, without having people understand what you’re doing, and so very similar to the Colorado River operations work group, I found I was forming a work group of the states and the technical people to explain to them what we were doing, so they could understand it, because they won’t accept numbers that they don’t understand, so they had to buy-into the model. And this was pretty lacking over the years. We were often then in isolation, developing technology, and generating reports, but we weren’t talking to the people who were going to be impacted by the use of these models and the use of these technologies so *they* could understand it and buy-into it. And so I guess what I had to do, one of the very first things I did was form another technical work group, and we started discussing, started talking about the implementation and figuring out, “What do people really need to know about how this is going to work?” in order to make it acceptable.

“Because that’s kind of the bottom line, it has to be accepted. . . . you might have the best technology, but if people don’t understand it, if people don’t accept it, it’s worthless. . . . ”

Because that’s kind of the bottom line, it has to be accepted. Otherwise you still haven’t achieved anything, you’re still fighting, you’re still arguing, and you might have the best technology, but if people don’t understand it, if people don’t accept it, it’s worthless. So that process—I focused my attention more on process than technical development, I really have. I let the technical people worry about that, but I was more concerned [with] How do we implement it? How do we get people to understand it? How do we get people to buy-into it?

Seney: Did that work out, that work group?

Ball: When I left—I wasn’t in this job very long—so when I left, I think they were still moving forward with this. I didn’t accomplish the total implementation, I know we moved further along and we had implementation plans and timetables and I had my staff built up and people really knew what they were supposed to do, and by which time, which was absent. Before I came there was just more ambiguous,

amorphous—you know, people were just kind of going along, doing their thing, and pursuing the scientific.

Seney: Sort of like a think tank, it sounds like.

Ball: Yeah. And so I kind of interjected a little bit more focus, and a little bit more results orientation, I'd say, to the process. By the time I left, I know that we had specific work plans, specific timetables, and specific people responsible for specific things. Whether they followed through on it or not after I left, I can't tell you that, I really don't know, I lost track.

Seney: What else did you do in this job?

Ball: Well, basically what I've described was the responsibility of the job.

Seney: And that sounds like quite a bit, as a matter of fact, what you've just described.

Was Still Called upon to Brainstorm about Colorado River Operations Though She Was Running the O&M Functions of the Region

Ball: Yeah, I guess so. But because I also had been involved in Colorado River operations, and I was still there, I was often asked to participate on brainstorming discussions, technical groups related to Colorado River, so I didn't quite shed all my Colorado River operations stuff, to the extent that I was available. I was also doing some facilitating still at this time. But I limited my time on that.

Because O&M Had the Biggest Budget in the Division Became Involved in Budget Issues

And I found that I got more involved in the budget, basically because my programs were the high-tech programs, and they were the bulk of the O&M budget for the division, and I found that I started to become more involved in budget issues and being the one to be back-up for the division chief on budget issues, because mine was the biggest budget. Everybody else just really had personnel costs, but I had these humongous service agreements with others, and the . . . and the imagery and all—you know, the high-tech stuff. So I got more involved in budget issues as well.

Seney: How many people did you have working for you in this job?

Ball: I think I started off with about five and ended up with about ten during the time I was there.

Seney: What were the years, do you remember?

Ball: I think I was there about two years, it was right after my first son was born. I got promoted—when I came back from my maternity leave, shortly after that I got promoted to this position.

Seney: What level is this, by the way?

Ball: A GM-13. And then I had my second son while I was still there, and shortly after that I went to Washington. They're about twenty-six months apart, so about two years. It wasn't real long-lived.

Seney: And where were you living at this time, in Boulder City still?

Ball: In Boulder City.

Seney: And then you go to Washington.

Ball: Then I went to Washington.

Seney: How did that happen?

Offered the Opportunity to Go to D.C. to Work on Senator John Seymour's Staff

Ball: Oh, it was an opportunity. For some time I had wanted to go to Washington. There were two programs that I wanted to be involved in and I had applied for, and didn't get accepted. One was the Departmental Management Program, where you actually spend a year or so in Washington, doing different things, and the other one was a program developed in our region by Ed Hallenback. Our regional director was a congressional liaison where if a congressman or senator needed somebody on staff for a specific project, some technical expertise, he had a program whereby he would match up the need with the congressional person. I had applied for that twice and never got on the list. And what had happened was, because he had this program in place and no other region had, and because Dennis Underwood was the commissioner and was aware of the program, and he was the commissioner at that time, and he knew about the program, and because there was a specific need that was considered to be a Colorado River issue need, there was a new senator from California, Senator John [F.] Seymour, and he replaced Pete Wilson in mid-term. When Pete got elected Governor and left a two-year term back in Washington, and John Seymour was named to replace him, John Seymour had no background on water issues, and I think it was perceived at that time that he could really use somebody from Reclamation. So I *think* what happened was that between the senator's office, somehow there was a connection made with the commissioner, and the commissioner made the connection with the regional director. And my name came up, even though I wasn't on the list! My name came up as one of the people to at least be considered. I know I wasn't the only one that was considered, there were others considered. But I think it was perceived at that time that Colorado River issues would be high on the list of things that Senator Seymour would be dealing with.

END SIDE 1, TAPE 1. AUGUST 14, 1995.

BEGIN SIDE 2, TAPE 1. AUGUST 14, 1995.

Ball: The Colorado River issues. Well anyway, they wanted somebody that had a background in Colorado River issues, and preferably somebody who had a

background in contracting. I didn't have a background in water contracting, but I did in the Colorado River issues. But there were other people who were also on the list, and when I was approached as being interested, I remember saying "yes" even before the question fully came out of this person's mouth, and it was because for two years I was looking for something like this.

Husband Had Family Back East Also

I had already talked about it with my husband, and he wanted to go Back East because he had family Back East.

Seney: Was he retired by now?

Ball: My husband? No. And the only complication was I had just come back from a maternity leave and I had a two-month-old son, but that wasn't too much of a complication, because he was very mobile too. And so I said yes, I was interested, but I needed a little bit more time to get my act together and actually move out there. They needed somebody right away, so they sent one of my coworkers back there, another Branch Chief, LeGrand Neilson, who was head of the contracting water supply, Water and Repayment Contracting Section.

Seney: So you were a branch chief.

Ball: I was a branch chief at this time. They sent another branch Chief there for a month until I could get my act together and figure out how I was going to get somebody to rent my house and be out there. It was for up to a six-month detail.

Seney: How does that work with the Bureau, by the way, just in terms of . . . Obviously they pay your rent while you're in Washington, D.C.? Did you have a living allowance? Talk a little about that too, as you talk about the other things, how that works when you transfer in this way.

Ball: Okay, well anyway, I said yes before the question even came out, and even before I went and asked my husband—I knew he'd say yes. I found an apartment by phone, and I got a per diem, one year there—more than a month, though, the per diem is a reduced rate, which was okay. I mean, living expenses were very high in Washington, and I used all my per diem for rent. I didn't have anything left over for food or other expenses, but my thought was, "This was an opportunity of a lifetime," and I'd have to eat anyway, no matter where I was, so I mean that was a cost I was willing to incur. Also, I had incurred moving costs, and I was fortunate enough to find somebody to rent my house for six months, because as it turned out, I had an engineer detailed to my branch from Denver that was coinciding with the same time I was going to be back. The only casualty that I felt was that all my tropical saltwater fish died in the six months I was there.

Seney: That sounds like no small matter, really.

Ball: Well, it was something we expected to happen.

Seney: You had to pay your own expenses back? The Bureau didn't take care of that for you?

Ball: No. So we rented a U-Haul and we rented a house. I had my children, I had an infant that was just born. My other son was a year-and-a-half, and basically the U-Haul was filled with cribs and Swangos and baby stuff, because the house we rented was furnished. Yeah, I had to pay for that, I had to pick that up, and coming back.

Seney: Your husband is doing engineering consulting? Do I remember that right?

Ball: At that time he wasn't. At that time he was spending full-time taking care of the children.

Seney: So you get back to Washington, and how was it working for Senator Seymour?

The Issues Turned out to Be on the Central Valley Project Improvement Act

Ball: It was great, I loved it. It was very exciting, it was very interesting. As it turned out, the issues were not Colorado River issues, they turned out to be Central Valley Project Improvement Act [CVPIA]² was just introduced in the Senate. Senator Seymour was on the Energy Committee, which dealt with water issues and Reclamation, and he was also on the agricultural committee. So the two committees that he was on were very relevant to what I did. When I went to Washington, he had literally just been there for several months, and he was just staffing up his regular staff. The person that he brought over to handle ag and water issues had worked for . . . a senator from Mississippi.

Seney: [William Thad] Cochran?

Ball: Yeah, Senator Cochran, who was the chairman of the ag committee, so he had a real good background in ag issues, but he had no background in water and Reclamation and water in California per se. So we were kind of a good match on those issues. It was hot and heavy and very intense, and exciting and I really loved it. And I thought if I had been younger and fresh out of college, maybe this is something I should have done *then*. It's not the life for a mom.

Seney: Long days?

“Oh, very long days. Yeah, twelve hours, minimum. And you never could plan, you could never expect what was going to happen. . . .”

Ball: Oh, very long days. Yeah, twelve hours, minimum. And you never could plan, you could never expect what was going to happen. It was a very important learning experience for me.

2. Public Law 102-575 is the Reclamation Projects Authorization and Adjustment Act of 1992. Title 34 is the Central Valley Project Improvement Act.

Seney: What are you smiling about?

“Up until this time, I probably always thought I was a fraud and kind of faking it. (chuckles) Until I went to Washington! . . . Because I was asked to do things . . . I knew totally nothing about, and I had to learn about it (snaps fingers) like that. . . . I couldn’t believe some of the things I did. Then that feeling of being a fraud . . . went away during those six months. . . .”

Ball: Up until this time, I probably always thought I was a fraud and kind of faking it. (chuckles) Until I went to Washington! I knew what faking it really meant. (laughter) Because I was asked to do things, write letters, give briefings on issues I knew totally nothing about, and I had to learn about it (snaps fingers) like that. I’d be on the phone talking, and I’d do it. I couldn’t believe some of the things I did. Then that feeling of being a fraud and kind of faking it, that kind of went away during those six months. I figured if I could survive this, and if I could do some of the things I did while I was there, you know, come up to speed on the issues, sufficient enough to brief a senator of the United States, prior to him voting on something on the floor of the Senate, and giving him briefings at a maximum that were fifteen minutes (laughter), and writing two-page issue papers and recommending how he should vote, I thought, “Well, hm”

Seney: Things probably happen a lot more quickly there than they did in the Bureau.

“My lifeline was the phone, and having contacts throughout Reclamation, and people who had expertise. When you work for a senator, everybody’s willing to give you information. . . . We had the Congressional Research Service too, that I could give them a call, and within a day they’d have an answer to my question. It was just remarkable, it was unbelievable. It was just having that access to information—and you needed it to be able to make quick decisions. . . .”

Ball: Oh yeah, nanoseconds. My lifeline was the phone, and having contacts throughout Reclamation, and people who had expertise. When you work for a senator, everybody’s willing to give you information. I mean, I could call the highest-paid lawyers in all of California, and say, “What’s your opinion on this?” and they would drop everything they’re doing. We had the Congressional Research Service too, that I could give them a call, and within a day they’d have an answer to my question. It was just remarkable, it was unbelievable. It was just having that access to information—and you needed it to be able to make quick decisions.

Seney: What were some of the things you worked on?

Worked on Central Valley Project Improvement Act, Reclamation Reform Act Amendments, and an Emergency Drought Relief Act

Ball: Well, the Central Valley Project Improvement Act was introduced and being debated quite heavily in the Senate, as well as in the House. Also Reclamation Reform Act amendments were being discussed and debated. There was also an

Emergency Drought Relief Act that I worked on as well. And there was another piece of legislation that I worked on—it had to do with research in desalting technologies, but that was just minimal. My major emphasis was on the Central Valley Project Improvement Act.

Seney: This is a very complicated subject, and I should know or about which I don't, but give me a little sense of what was in that act, and some of the specifics.

Ball: Well, this act kind of . . . changed the purpose of the project. It made fish and wildlife objectives a valid purpose of the project. It reallocated water from existing uses to fish and wildlife uses. It put restrictions on how long we could contract for water supply. It placed a limitation that contracts could only be for three years, and then followed by two-year contracts, until all sorts of other objectives of the act were being fulfilled. There was a programmatic EIS, big EIS [environmental impact statement]. There were fish and wildlife objectives, water for refuges . . .

Seney: And this act passed, didn't it?

Ball: Yeah, it finally passed, but not that year. When I got there, it had just been introduced on the Senate, so it was the beginning of the debate on the Senate floor. A different version of the act had been introduced the previous year on the House side by George Miller, and on the Senate side it was just that year I was there, and it was introduced by Senator [William (Bill) Warren] Bradley [of New Jersey]. And of course the debate of the act was occurring in the committee, initially, and Senator Seymour was a member of the committee, so I was involved. I was kind of sitting right behind him, you know when you have these committee hearings and the senators sit at the table and then the staff is right behind them—you see it on C-SPAN [television cable news network] I was right there. I was right there, right behind him.

Seney: Senator Seymour was a *southern* Californian, from Orange County.

Ball: Right, Anaheim. He was Mayor of Anaheim at one point.

Seney: Right. So did he know much about the Central Valley problems and the legislation? Or was a great deal of this on your shoulders?

“ . . . he had a staff member. I wasn't his staff member, per se, I was there for technical assistance. But my job was really to educate or bring *his* water person up to speed on these issues, but oftentimes I briefed him directly. More often, I prepared the briefing materials that his staff member did. . . .”

Ball: Well, a great deal of it was on my shoulders, but through his water person. I mean, he had a staff member. I wasn't his staff member, per se, I was there for technical assistance. But my job was really to educate or bring *his* water person up to speed on these issues, but oftentimes I briefed him directly. More often, I prepared the briefing materials that his staff member did. Because he was unfamiliar with the water issues and things were happening so fast, there wasn't

time to get up to speed. The bill was introduced, the debate was on the floor, and so I was involved all the briefings. I mean, I was just there “just in case.”

Seney: Were there times when you’d say, “Well, Senator, this is probably the way you should vote,” without being able to explain it to him? I mean, did you make recommendations?

Ball: No, not directly like that. That wasn’t my job, to tell him how he should vote.

Seney: I understand, but in the practical operation of things, he’s likely to come to rely on you, as is his water person.

“We kept the roles pretty separate, because it was important for me to do that, because I was on detail there, I was an employee of the Federal government, and in many cases, the Department’s position may be different than the Senator’s position, and I wasn’t there to advance a specific position. I was there to provide technical data, and to say, ‘This is the way it is.’ So I tried very hard to keep that role distinct. . . .”

Ball: Well, no. We kept the roles pretty separate, because it was important for me to do that, because I was on detail there, I was an employee of the Federal government, and in many cases, the Department’s position may be different than the Senator’s position, and I wasn’t there to advance a specific position. I was there to provide technical data, and to say, “This is the way it is.” So I tried very hard to keep that role distinct.

Seney: Were you reporting to people in the Bureau during this period?

“I was really on my own, I didn’t have anybody kind of micro-managing me. . . . There were people that I talked to on a regular basis, because I needed to get information from them, and I needed to relay information to them as part of *my* job, but mostly I was *getting* information from people, not giving information to people. I didn’t report to my boss back in Boulder City, or to my regional director. I did not report to the commissioner. . . .”

Ball: No. I was really on my own, I didn’t have anybody kind of micro-managing me. It was a little scary in that regard, but in a way, it probably was best. There were people that I talked to on a regular basis, because I needed to get information from them, and I needed to relay information to them as part of *my* job, but mostly I was *getting* information from people, not giving information to people. I didn’t report to my boss back in Boulder City, or to my regional director. I did not report to the commissioner. No.

Seney: Did that seem odd to you?

Ball: Well, I don’t know how else it could be, because I think there were . . . (sigh) It did seem odd, because there were times when I thought, “Oh my God, what if I’m doing something that’s totally (Seney: At odds with the Bureau’s position?) with the Bureau’s position or the Department’s position?” And that’s why it was really

important for me to define what *my* role here in this job was, as opposed to the water person's role. And my role was to explain to *him* what was going on, and to make sure that he had all the facts and he understood all the constituent point of view. And it wasn't that I didn't get into describing the politics and where people would be coming from, and alerting him that this would be a politically hot issue, or this wouldn't, and why. But I never went as far as saying, "This is what the Senator's position should be." I don't think that was my role.

Seney: You know, I worked for the Colorado Legislature many years ago, and there was a member who was *very* influential in education matters—probably *the* most influential member in the legislature. And I remember him on the floor saying to members, "You know, I'm in favor of this bill, but if you vote for it, it'll get you in trouble in your district, so you should bear that in mind." And I think that was the basis of his influence, was that everyone knew that he spoke about matters in this way. Did you find yourself kind of having to make recommendations and say, "Well, you know, this might be what I'd like to see you do, but if you do this . . ."

Ball: No, I was able to keep my personal position, my personal philosophy out of it. It was just "these are the issues, this is where people are coming from, these are politically hot issues . . ."

Seney: "Be careful here, there might be trouble here . . ."?

Informed Senator Seymour That Water Transfers Could Be Politically Difficult with Some of His Constituents

Ball: Yeah. For instance, one of the issues that was politically hot, that I was concerned that the senator might not recognize, was the issue of water transfers, because on the surface of the issue, it made a lot of sense. However, his constituents where he was being largely supported by the agricultural interests—he was being supported by the agricultural interests who were very *afraid* of water transfers, and I needed to alert him. I didn't tell him that he should be in favor of it or against it, but he needed to be aware that his municipal constituents would be highly in favor of it, but his agricultural constituents would be highly opposed to it, and these are the reasons why. I don't think I ever got into a position, nor did I *want* to get into a position saying, "This is what *Ann* thinks, and this is how you should," because I didn't think that was an appropriate role for me. But I did think it was an appropriate role to say, "Your various constituents will be coming from different positions on this, and unless you understand the distinctions here, you're likely to say something, because . . ." You know, he was a free marketplace type guy. He was a Republican and he believed in the free market, which would just lead him to support a free-market-based water transfer scenario, so I had to say, "Wait a second, now. I know this is from your perspective, but you need to understand if you start talking about that, these guys are going to get really nervous," without saying what's right or what's wrong, but saying, "This is just the way it is, this is the political landscape out here."

Seney: What was his reaction to that, do you remember?

Ball: I didn't brief him directly on that, I briefed his water person who briefed him. And I explained to him that I had a concern that he might be out there and somebody would stick a microphone in his face, and that he needed to understand this. I think he was able to kind of come to grips and a middle-of-the-road [stance]. He was able to understand why his municipal constituents would be in favor of it, but he was also willing to see why his ag constituents And he was then able to strike a middle-of-the-ground road that perhaps these should be allowed, but under certain conditions that would protect third-party interests and other interests and so he was able to see that as a middle ground, which was a position, by the way, that the Department probably supported! (chuckles)

Seney: Yeah, so it worked out in that case.

Ball: It worked out.

Seney: But you did feel obliged to tell him that "there are mine fields here, that you should be aware of."

Ball: Yeah, I felt that that was part of my job, to help him, through his water person, see where the constituents would be coming from, because that was *my* expertise, was water. Now, I didn't know anything about the Central Valley Project when I went. I was a Colorado River expert, everybody thought Colorado River was going to be the hot issue. And so I mean I had to come to speed on Colorado River California issues very quickly, and I was totally reliant on establishing a network of experts that I could bounce ideas off of. Of course I understood in general, western water. I mean, that was pretty general. And I understood the history, and what some of the . . . You know, I had read about California more generically, but I didn't know anything about the CVP when I went there, I didn't know anything about Reclamation Reform Act.

Had to Brief Senator Seymour and Draft a Letter on the Reclamation Reform Act and "I knew nothing about it."

My very first letter that I drafted when I was there—first I had to give him a briefing on Reclamation Reform Act in fifteen minutes. I knew nothing about it.

Seney: (chuckles) How'd you do?

Ball: I think I got it to the point that he understood what he needed to understand, and somehow I must have gotten ahold of somebody that explained it to me in a very simple term. But I explained it, it's like doing your taxes. You know, part of the conditions of getting this water is you've got to fill out forms (laughter), and if you don't fill out the forms, you're in trouble. Now the issue is how onerous does filling out the forms have to be? And so I related it to something he understood, taxes, and that was a briefing I *did* give. And I remember identifying people The problem of course too, is when you're limited to fifteen minutes, you could give too much information, you could get confused yourself. So possibly not knowing a whole lot (chuckles) was to my advantage.

But I remember there was a particular lobbyist in Washington at the time who had been monitoring the history of Reclamation reform over the years, and he had binders that he lent to me. And I remember on my long trips back and forth from Chevy Chase to The Hill, that I would be reading all this stuff. I just read and read and read and talked to people and put together a briefing and it worked. And then I had to write a letter for his signature to John Sununu and Darman.

Seney: Richard Darman?

Ball: Yeah, Richard Darman.

Seney: Budget Chief.

“You know, this issue about being a phony and a fake. I said, ‘Oh my God.’ And quite frankly, I had more background and expertise than anybody else in his office who would have been advising him anyway, because most of the staff people working on The Hill are very young and very inexperienced and they rely almost totally on the lobbyists from the outside and trying to figure out where politically the senator or congressman should stand. On the Senate the staff was a little bit older. There was also a very heavy reliance on committee staff . . .”

Ball: Yeah, OMB [Office of Management and Budget]—basically stating his position on proposed amendments, specifically Department of Interior proposed amendments to the Reclamation Reform Act. And I did that within the second week I was there! And after I did that, it was like . . . (laughter) You know, this issue about being a phony and a fake. I said, “Oh my God.” And quite frankly, I had more background and expertise than anybody else in his office who would have been advising him anyway, because most of the staff people working on The Hill are very young and very inexperienced and they rely almost totally on the lobbyists from the outside and trying to figure out where politically the senator or congressman should stand. On the Senate the staff was a little bit older.

Senators and Members of Congress Rely Heavily on Committee Staff

There was also a very heavy reliance on committee staff, because they provide the continuity, so they were also a very important source of information as well, and person to critique. They went even so far as to write speeches for the senator, if that’s what you wanted them to do.

Seney: The committee staff would to this?

Ball: Yeah, the committee staff. Working with the committee staff was really interesting too as well.

Seney: How do you mean?

Ball: The role that they play, the important role that they play, because they provide the continuity.

Seney: And the institutional memory?

Hearings on the Central Valley Project Improvement Act

Ball: They provide the institutional memory. I guess you could almost say they run the place, but they don't because the senators are way too individualistic to let staff run the place, but they exert quite a lot of influence.

Committee Staff Often Wrote Speeches, Opening Statements, and All the Questions for Hearings

We had several hearings on the Central Valley Project Improvement Act in Washington and throughout California, and just preparing for those hearings, the committee staff, if you asked them to, would write the senator's opening statement, write speeches, they wrote all the questions to ask the people who were testifying—all the questions. They had a list of questions: the ones that were intended to totally embarrass people to the ones . . . And they didn't tell the senator which ones to ask, but they had a range of questions that they provided to the senators.

Seney: From complimentary to devastating, you mean?

Committee Staff Determined Who Would Testify

Ball: Yes, yes, yes. They determined who would even testify, the format, when and where. So they have quite a lot of influence, quite a lot of power. Of course at that time we had a Democratic Congress, so it was Senator Bradley and *his* staff [who] determined when the hearings would be and who would be on, who would testify. And I worked with the Republican side of the House, because Senator Seymour was a Republican, so I worked with those staff members. But, you know, we stayed up long hours, writing up questions and just preparing—it was fascinating.

Seney: Did your boss—and forgive me, I've forgotten his name now, the regional director.

Ball: At that time, there was a different . . . Ed Hallenback left and there was a new regional director came into the LC [Lower Colorado] Region when I went to Washington.

Seney: But he continued this program, I take it?

Ball: Yeah, they continued to support me.

Seney: What were your instructions when they sent you off? Just, "Have a good time, Ann, we'll see you in six months"?

Reclamation Did Not Give Instructions, Directives, Agenda When on Detail with Senator Seymour

Ball: I had absolutely no instructions, I had no directives, I had no agenda. They just said, “Go, do your thing, do whatever.”

Seney: So when you got to the office they said, “Oh, good, you’re the person from the Bureau. Here, we need an answer to this. Can you do that?” And of course you say, “Sure, I can do that. What is it?” Right?

Ball: Yeah.

Seney: Fascinating.

Reclamation’s Objective Was Training

Ball: I had no . . . I think that was probably the appropriate thing to do, because if I had any direction, I don’t know that I could have been totally impartial and totally doing just what my job was there at that time. And there were times I think I was a little—especially initially—I said, “Shouldn’t I be reporting to somebody?!”

Seney: What was the objective of this, from the Bureau’s, from Mr. Hallenback’s point of view, do you think?

Ball: The objective was developmental, it was training.

Seney: For *you*.

Ball: Yeah. It was training for me to learn how things really happen on The Hill, to make contacts, but basically to see how things work. It was excellent training. I think it met that objective very well.

Seney: And did you chose this, I take it, as a kind of career-enhancement move?

“ . . . even if I didn’t have career opportunities resulting from it—and you never know for sure whether you are—I would have done it, because it would have been too fascinating to say no. . . .”

Ball: Yes. But it was more than career enhancement. I mean, even if I didn’t have career opportunities resulting from it—and you never know for sure whether you are—I would have done it, because it would have been too fascinating to say no. I mean, it was something I knew I would have done if that opportunity ever presented itself to me, whether or not it was career advancing.

Seney: Has it been, do you think, career advancing?

Ball: Yeah.

Seney: I’m not sure I want to ask you how so now. Maybe I should. Should I ask you that now?

Ball: It’ll probably come up.

Seney: Okay, good.

Ball: It'll come up in my story.

Seney: Okay, great. Because I want to ask you to talk a little bit about Senator Seymour, who was, of course, appointed by Mr. Wilson to take his place when Mr. Wilson became Governor in 1990. Then Mr. Seymour was defeated in 1992, and I can't remember now—I think Senator [Dianne] Feinstein defeated him, didn't she? She ran for that seat.

Ball: Yes.

Seney: Talk a little bit about Senator Seymour. What was he like, what was your impression of him?

Ball: I was very totally impressed with him. He worked very, very hard. He had to work hard, he was transposed from an environment, the [California] State Legislature, which had different rules and different ways of doing business than the [U.S.] Senate. He didn't inherit a lot of expert staff. I mean, he brought some people with him. There were a few people he inherited from Senator Wilson, but not a whole lot. He worked. I mean, he was such a work horse: he worked and he worked and he worked, and he was a quick study. I mean, to be able to capture the nub of an issue in a fifteen-minute briefing, maybe followed by fifteen minutes of questions and answers—some of those briefings actually went a half an hour. (laughter) And I knew things were good. I would have been concerned if he didn't ask some questions—that he could grasp the issues. The commute back and forth from Washington to California is grueling, the hours that he worked were grueling. And I think he had certain values, core values about “What is the right thing to do about people?,” that would always kind of come out, irregardless of politically where he should have been, or somebody thought he should have been.

Seney: Did you find that positively impressive?

Ball: Yes, I did, I did. I think he cared about people. And I think he wanted to do the right thing.

Seney: What kind of person is he? How is he to work for, a sense of humor? What's he like?

Ball: He had weekly staff meetings with staff and interns and he wanted to know what's going on, and he also was very clear with his expectations where I think he was very demanding. He had high expectations of people. He was demanding of himself. I think he was a warm person. He knew everybody's name, he knew who I was. I mean, I wasn't just stuffed in a corner, and “Oh, by the way—. . .” He knew who I was. His wife was there, he had a young son. It was just a very grueling experience, I think, and I was very totally impressed at the energy and the commitment. I mean, it's not something for everybody—it really isn't. It's just grueling work. And you know, coming to the Senate . . .

END SIDE 2, TAPE 1. AUGUST 14, 1995.
BEGIN SIDE 1, TAPE 2. AUGUST 14, 1995.

Today is August 14, 1995, my name is Donald Seney, and I'm with Ann Ball, the area manager of the Lahontan Basin, in her office in Carson City, Nevada. This is Session II, Tape 2.

Seney: We missed a little bit. You were saying it's a very grueling job.

Ball: It's a very grueling job, and I mean, it's a thankless job.

Seney: The senator's job, that is.

“People play hardball on The Hill. . . . I came from an engineering organization and an organization where we tried to solve problems . . . But up there, winning is the game. And . . . basically he was on his own. And . . . I think he always chose to play the rules of the game the way he wanted to play it, rather than perhaps the way that (sigh) the tradition would tell you to play in order to win. . . .”

Ball: The senator's job. And it's kind of a rat race too. I mean, it's not . . . (sigh) People play hardball on The Hill. I mean, it's not the type of environment—I think that's the one thing that really struck *me*. I came from an engineering organization and an organization where we tried to solve problems, come to consensus, et cetera, et cetera. But up there, winning is the game. And so I don't think anybody really extended, brought him under their wings and said . . . There were a few people. I mean, because he had a few supporters. But basically he was on his own. And even though—I think he always chose to play the rules of the game the way he wanted to play it, rather than perhaps the way that (sigh) the tradition would tell you to play in order to win. And I can't be real specific about that, it's just a sense that I got that he had a sense of his own values and what he wanted to do, and maybe that was part of his downfall, I don't know, that he didn't play the game the way he should have. Maybe he wasn't as deferential to key people that he should have, I don't know. But I got the sense that he was doing it his way, the way he thought was right, and what was best for him, and he took the consequences of that.

Seney: When you say that they played to win and played hardball, can you give us a couple examples of that maybe?

Senator Bill Bradley Held a Hearing in San Francisco about the Central Valley Project Improvement Act, Which Was Opposed by Senator Seymour, at a Very Inconvenient Time with Little Notice

Ball: Yeah. The setting of dates for hearings, for instance. Congress had just gone on recess, it was just leaving, and I was about the only staff member left, and got a call from the Energy Committee, Senator Bradley's staff person on the Energy Committee saying, “We're going to have a committee hearing in San Francisco on dah-dah-dah-dah-dah-dah-dah-dah.” There was no discussion about it, it was just, “We're going to do it.” And it was at a time that wasn't really conducive for the

senator. I remember scrambling to try to get ahold of him to let him know. And then I know he called, I believe it was Senator [Malcolm] Wallop—my mind is Or Senator [John] Bennett Johnston to see if he could (Seney: He was chairman of the full committee?) He was the chairman of the full committee at the time—to see if he could intercede. “Nope, nope, nope. This is what Senator Bradley wants, this is what he gets.” And it was at a real difficult time to prepare, and it caught us all by surprise.

Seney: Do you think they might have done it on purpose?

Ball: Oh yeah, absolutely, no question about it! (laughs) It was, quote, “on enemy territory,” [unquote]. I mean, everything was set up to put him at a maximum disadvantage.

Seney: To help whomever the Democrat might be, who might be running against him, do you think?

Ball: That, or to promote the bill. You know, Senator Seymour was in general opposed to Central Valley Project Improvement Act as it was proposed by Senator Bradley. So yeah, everything was to his disadvantage. And I remember, I was there. I mean, I was there by myself, and I went to talk to Senator Bradley’s staff person at that time.

Seney: Is this Tom Jensen?

Ball: No, actually it wasn’t, it was general counsel of the committee. It was Ben Cooper. And I remember going in and talking to him, because there was something that he wanted from me as well, and I can’t remember what it was, but I remember saying something—I think, oh my God, I was so naive—I said, “Well, you mean we could come to a consensus on this?” (laughs) And he looked at me like, “What are you talking about, lady?!” (laughter) Consensus isn’t in the vocabulary. I know he looked at me like I had about ten heads. (laughter) So I think I needed to discuss format, and who should be, because I was the only one there. The water guy had gone—he took off and went on vacation, and I was just the only one there. And so I had to carry the ball in coordinating with the senator and figuring out how this was all going to happen at that time. So that was something that I got personally involved in. There were probably many, many, many, many . . .

Seney: Did you feel that most of the things that went on were kind of that sort of decision? That they were political decisions meant to put the other party on the spot and enhance your own position?

Ball: Absolutely. That’s just how people think there.

Seney: Didn’t necessarily have anything to do with the merits of the bill, or what was being done—I mean, it *might*, to some extent.

“. . . the objective was to pass the bill . . . it wasn’t to come to an agreement, it

wasn't to come to compromise, it wasn't to come to consensus—it was to win. And I very definitely got that attitude. . . .”

Ball: Well, it might, to the extent that they—obviously, I mean, the objective was to pass the bill, and they must have thought that it was . . . But it wasn't to come to an agreement, it wasn't to come to compromise, it wasn't to come to consensus—it was to win. And I very definitely got that attitude. It was just a whole different environment. I remember the first time meeting Tom Jensen, who brought him up. I mean, I was there one week or two weeks, and the water guy had just come on, and obviously we needed to get introduced to Tom, and that interaction was quite shocking to me in terms of how quickly Tom got to a position of threatening, of “This is the way it is, and this is what's going to be,” and just dah-dah-dah-dah. And *nothing* friendly about it, nothing cordial, nothing conducive to discussion or trying to understand different points of views. It was pure threat. I thought, “Oh boy!”

Seney: So he was making it clear from the git-go that the situation was . . .

Ball: That he was on top of the issue, he had the upper hand, and there was nothing to discuss.

Seney: Yeah. And I'm sure that must have been part of his objective in the meeting, don't you suppose, is to put a minority member's staff people in their place, and let them know which way the cats are skinned in this place.

Ball: Oh, absolutely. So that was just a whole different environment. And I remember, a lot of the briefings that you give, because everything's so fast-paced, is that I would get grabbed by the senator's water guy, or sometimes even by the senator.

Seney: Why don't you mention his name, by the way.

Ball: Rich Golb. I would get grabbed by Rich, and he would say, “Come and brief me on dah-dah-dah-dah-dah” as we're walking down to this place or that place. And he goes scurrying down those hallways that are as slippery as all get-out, and you'd be trying to brief him, and the minute that you come to an elevator and the elevator door opened, you'd stop talking. Then the elevator door opens, and then you start walking, you're scurrying, and (skitch, skitch, skitch, skitch!) (laughter)

Seney: And talking again.

Ball: Because you never knew who was in the elevator with you! You never know when you go to a restaurant who's at the next booth. It was just a whole different atmosphere. It was something that was so totally foreign to the way I was used to working. And just so unbelievable. And that was a real learning experience for me. It was amazing.

Seney: What *did* you learn, do you think, from that experience? What did you come away with?

“ . . . I think I came away with some confidence in my ability to be a quick study . . . I learned how to have to trust my intuition a lot more than my intellect, because I didn’t have much time to study things to death—I had to figure things out real quickly. . . .”

Ball: (sigh) Well, I think I came away with some confidence in my ability to be a quick study, to get up to speed on issues very quickly, and to make the right call. I learned how to have to trust my intuition a lot more than my intellect, because I didn’t have much time to study things to death—I had to figure things out real quickly.

Seney: Did you ever feel like, “Gees, I shouldn’t have said that! Aw, that was a big mistake!” Or did pretty much all these things go pretty well, that you had to come to grips with so quickly?

“I didn’t have time to worry! . . .”

Ball: I didn’t have time to worry! (laughs) I didn’t have time to worry. Up until that time, you know—and I think this might be an issue that’s common to women in professional positions, about feeling like you’re a fraud. I don’t know if you’ve ever read about that.

Seney: Not really, no.

“These are *real* frauds! These people are making monumental decisions on such flimsy information! . . .”

Ball: Well, I always kind of thought I was a fraud and I was just acting, and playing this game that someday I was going to be uncovered as the fraud that I really am. When I went to Washington, I guess I thought, “I’m not a fraud!” (Seney: These are *real* frauds, huh?) These are *real* frauds! These people are making monumental decisions on such flimsy information! So I guess I gained a lot of self-confidence in that, in addition to seeing how The Hill really works, and maybe that was secondary.

Seney: When you say that, how *does* The Hill really work? I mean, what general things would you say about that?

“ . . . the importance of the constituents. I mean, how things are political. It doesn’t matter what’s right, wrong, what makes sense, what really matters are the politics. There is a steady stream of constituents coming all the time, asking for favors. And it doesn’t matter how absurd the favors are, they really think that they’re entitled to them. Dealing with that on a day-to-day basis was quite interesting for me . . .”

Ball: Well, the importance of the constituents. I mean, how things are political. It doesn’t matter what’s right, wrong, what makes sense, what really matters are the politics. There is a steady stream of constituents coming all the time, asking for favors. And it doesn’t matter how absurd the favors are, they really think that

they're entitled to them. Dealing with that on a day-to-day basis was quite interesting for me, because I oftentimes was the person that had to meet with the constituents if I was the only one there and the issue was water. The role of the committee and committee staff as being really critical, important.

“The one thing that I didn’t get to participate in, which I regret, but . . . I was personally needing to go back to my real job, was I never got to participate in a conference between the Senate and the House when they were marking up, finally, the Central Valley Project Improvement Act. . . .”

The one thing that I didn’t get to participate in, which I regret, but I needed to go back to work, I was personally needing to go back to my real job, was I never got to participate in a conference between the Senate and the House when they were marking up, finally, the Central Valley Project Improvement Act. I never got to be involved in that, however I established a good relationship with Rich, and he often called me, even though I was back in Boulder City, to let me know how things were going. And sometimes he called me and asked me my advice. So that relationship persists even to this day. Of course he’s not on The Hill anymore, but he’s off doing other things. But during the senator’s full term, I was a contact person, even though just to bounce ideas off of, and that was a pretty unofficial type of relationship.

Let’s see, what else did I learn?

- Seney: How about dealing with other Federal agencies? Did you have to do that? Did you call other agencies, Army Corps of Engineers, Bureau of Reclamation, on behalf of the senate office, or any of the other . . .
- Ball: No, not too much. There were maybe a few issues that involved the Army Corps. It seemed to me that certain agencies were more politically astute and paid more attention to the congressional people than other agencies.
- Seney: The Army Corps would probably be in that category, wouldn’t they, the more astute?
- Ball: They were very astute. Also Department of Agriculture. Department of Agriculture really briefed. And other agencies, you never saw them, so they weren’t attending to the relationships on The Hill.
- Seney: What about the state agencies in California that dealt with water?
- Ball: The Department of Water Resources, Dave Kennedy, we were in constant contact with that office, we were in constant contact with . . .
- Seney: You must have known some of *them*, though, from your experience?
- Ball: No. No, because Central Valley and Colorado River water were two different set of characters, they were totally different, so everybody I met, they were all new people. His resources office, Doug Wheeler, and people that worked for Doug

Wheeler.

Seney: From the [Water] Resources Agency in California?

Ball: Yeah, the resources agency. And they were a prime source of information.

Seney: You mentioned the one lobbyist who was kind enough to loan you the book full of all the information. You must have dealt with the other lobbyists too, in the water field.

Ball: I dealt with quite a lot of lobbyists.

Seney: What was your overall impression of them?

Ball: They knew their stuff.

Seney: Influential?

Ball: Certain ones more than others, depending on the issues and the constituents they represent.

Seney: Could the place have run without them, do you think? Or were they essential to the process?

Ball: You know, I don't know if they were essential to the process. I think their role was to provide information, to provide it in a way that it was easily digestible and useful, to articulate various points of views. During the time I was there, I saw some lobbyists get fired from their—lose their influence with their own constituents. I saw some lobbyists who had conflict of interests that were getting in the way in this law.

Seney: How would they lose influence with their constituents? How did that happen?

Ball: They didn't get the results.

Seney: They didn't deliver?

Ball: They didn't deliver. I saw some lobbyists who were highly regarded, and their opinions were sought after on certain issues.

Seney: That's good enough. What else do you think you might have taken from that experience?

“I got a better appreciation for our folks that work in Washington and deal with the congressional people, and when they have a request, that we need to just drop everything we're doing and help them out . . .”

Ball: I got a better appreciation for our folks that work in Washington and deal with the congressional people, and when they have a request, that we need to just drop

everything we're doing and help them out, because I was in that position, and people did that for me. And so I'm very sensitive to our folks back in Washington who need information really quickly. Those were the main things.

Seney: Then you spent six months there?

Region Wanted to Put the Former Head of the 430 Branch, Operations and Maintenance, Back into His Old Position

Ball: Yeah, I spent six months there. During the time I was there, the person who previously had my position as the 430 branch chief came back from his foreign assignment. Of course he wasn't guaranteed the job, it was still my job, but they wanted to offer it to him, and I had a choice between two other jobs in the division: the 440 branch chief who is contracts and repayments, was just promoted to division chief, so there was a vacancy there; and then there was also a vacancy in the Power Branch, which is also part of the division.

Seney: The division of?

Ball: Division of Water, Land, and Power. And I told, at that point it was the assistant regional director who kind of asked me, "Well, which one do you want, Ann?" And I told him which one I wanted.

Seney: Which one did you want?

Went Back to the Region as the Head of 440—Contracts and Repayment Branch

Ball: I wanted the 440, I wanted Contracts and Repayment.

Seney: Why did you want that?

Wanted 440 because "It was much more political, those issues are always the hot issues, the highly visible issues, and I felt that my experience . . . it made sense to me as opposed to going off into Power. And Power is not mainstream to this organization. . . . It's an incidental benefit. Water is really what we're about . . ."

Ball: Because after having gone through the Central Valley Project Improvement Act, that was the whole focus of this law, was contract reform, or quite a bit of it, contracting policy reform. It was much more political, those issues are always the hot issues, the highly visible issues, and I felt that my experience back in Washington, in addition to my *previous* experience of being involved in operating the river, and knowing the law of the river from that perspective, and knowing all the characters, it made sense to me as opposed to going off into Power. And Power is not mainstream to this organization.

Seney: It's kind of a stepchild now, isn't it?

Ball: It's an incidental benefit. Water is really what we're about, and I wanted to still be in the mainstream and have a pretty visible, and not only visible, but interesting.

My motivation is to have work that interests me, and Power just doesn't. And so I got a phone call saying I got the job, that they were transferring me into that position.

Seney: Did you get another promotion at this point?

“Not too many people within Reclamation can shift fields so totally. And making that move really rounded out my background. . . .”

Ball: No, it wasn't—it was a lateral. But it was kind of unique. Not too many people within Reclamation can shift fields so totally. And making that move really rounded out my background.

Seney: So again, from a career point of view, this was a smart thing to do.

“I needed to learn a whole different set of skills there, however, because now I was supervising a group of people, and I wasn't the technical expert anymore. . . .”

Ball: Yeah, I think so. It was what I wanted to do. I felt that that's where I could do the best. I needed to learn a whole different set of skills there, however, because now I was supervising a group of people, and I wasn't the technical expert anymore. I mean, when I was 430 branch chief, it was basically engineering and technical stuff, and I knew if any of my staff members, if they had an assignment and they couldn't carry the ball, that I could always step in and do it.

Seney: You can go out and inspect that tunnel if you had to.

“This was something totally different. This involved Reclamation law, it just involved a whole set of issues that I wasn't an expert in. And I think what I learned in that job, more than anything else, was how to trust subordinates . . .”

Ball: Yeah. I mean, I could just substitute for anybody, even though there were a lot of technical things I didn't know anything about, I was confident of my ability to figure it out. This was something totally different. This involved Reclamation law, it just involved a whole set of issues that I wasn't an expert in. And I think what I learned in that job, more than anything else, was how to trust subordinates, because I had to, and that my role as supervisor was different than being the technical expert, or being able to substitute myself, or being able to tell them what to do. My role was basically—and I had learned this before—was to set priorities and focus and make sure that we were working on the important things to work on and ignore the things that we didn't have time to work on at any particular time, but also to critique. You know, they would give me stuff, they'd give me their product, which was generally a contract or a “basis of negotiation,” or something, and I really needed to rely on them that they were following the regulations, because I certainly wasn't going to look at the regulations and make sure that they did everything. But what I would look at, what they were doing was from a more global perspective, and how did it make sense from our policies, and what we're trying to achieve and where we were heading, and just to provide critique. You

know, does this make sense? Why are you saying this? Well, dah-dah, and trying to make connections. And so my role changed, and it was scary at first—I was very scared.

“ . . . the relationship then between me and them became different. I really understood how I needed my staff, and I really understood how my role had to be different than their role, because they needed me as well, but we needed each other for different things . . . that was a very liberating thing for me, in terms of career progression and where you go from here, because if you feel that you always have to be in a safe environment, that you know everything . . . you can’t go very far. ”

And to recognize that I really had to rely on other people—I totally really had to rely on them. And the relationship then between me and them became different. I really understood how I needed my staff, and I really understood how my role had to be different than their role, because they needed me as well, but we needed each other for different things, and that I didn’t have to be the technical expert, and that was a very liberating thing for me, in terms of career progression and where you go from here, because if you feel that you always have to be in a safe environment, that you know everything (Seney: How far can you go, yeah.) . . . you can’t go very far. And so that was probably what I learned most, and getting to appreciate the different skills. And I had a lot of different people in that. A group of basically very competent—I just had one or two people with performance problems.

Seney: This is Contract and Compliance?

Ball: It was water contracts and compliance, yeah. No, Repayment Contracts and Compliance [Branch] was the name. *And* economics. Boy, this job had a title that could not fit (Seney: On a business card?) on a business card! It was Chief of Repayment Contracts, Economics, and Compliance. It was a long name, and I couldn’t even remember it.

Seney: Repayment Contracts being?

Ball: Contracts that we have with the water districts for repayment of the project.

Seney: And in this case, how many water districts are we talking about?

Ball: Oh, lots.

Seney: Dozens? Hundreds?

Ball: Hundreds, probably.

Seney: And so you had people on your staff who were monitoring the contracts and how the repayment was going on those contracts?

“Actually, Reclamation traditionally doesn’t get real high marks on the compliance side. We spent a lot of time putting together the contracts. We don’t

spend a lot of time in compliance, and that's where we get in trouble all the time—that's why we're in trouble here, and that's why we were in trouble in Central Valley Project. . . .”

Ball: Actually, Reclamation traditionally doesn't get real high marks on the compliance side. We spent a lot of time putting together the contracts. We don't spend a lot of time in compliance, and that's where we get in trouble all the time—that's why we're in trouble here, and that's why we were in trouble in Central Valley Project. Yeah, I did have people that were kind of monitoring, but we weren't spending a lot—most people were busy doing contracts or solving contractual issues. The compliance part was Reclamation Reform Act, RRA. I finally got RRA. (laughs) You know, my expertise was writing that letter—for the *least*, I could talk the language. I had read those two volumes of [binders?] and I could talk with my compliance experts, so I at least knew the acronym.

“ . . . the [Reclamation] Reform Act of '82 focused attention . . . we always had plenty of money and nobody ever cut money out of our budget for RRA compliance, and so . . . I think we did that quite well, but the other types of compliance associated with the specific terms of these contracts, we weren't doing a good job in that, but it wasn't being done anywhere within Reclamation. . . .”

But we did, we spent a lot of time and effort on acreage limitation compliance, but not compliance of the terms of the contract, per se, the other terms of the contract. Acreage limitation was a high priority, but that's because it was politically very visible, and the [Reclamation] Reform Act of '82 focused attention, so that elevated to high priority with the agency, and we always had plenty of money and nobody ever cut money out of our budget for RRA compliance, and so I had a big staff on that. So we did that compliance, and I think we did that quite well, but the other types of compliance associated with the specific terms of these contracts, we weren't doing a good job in that, but it wasn't being done anywhere within Reclamation.

Seney: So were you redoing the contracts at this time? These were fairly long-term contracts, probably.

Ball: Yeah, most of our contracts, or just about all of our contracts on the Colorado River are perpetual contracts, but there were some new contract amendments that we were doing.

An Early Issue Was Contracting with the Southern Nevada Water Authority for the Last of Nevada's Entitlement Water on the Colorado River

When I first came on board, the hot issue that we had is we were contracting with Southern Nevada Water Authority, which was a consortium of various water agencies in Southern Nevada for the last of the State of Nevada's entitlement for Colorado River water, so that was a highly visible political thing.

Seney: So they were beginning to take that water, in other words.

Ball: Yeah, we were contracting for the last dribbles of water that the State of Nevada—I mean, the *very* last. I mean, after this contract, there was no more contracting in Nevada, it was gone, nobody else could get any water. And that was, I kind of walked in in the middle to tail-end of that. It was quite interesting, because when I came in, the people who were the constituents, who were negotiating, especially they had a lot of high-powered attorneys, kind of thought, “Oh, no, a new person.” They immediately called my boss and my boss’ boss and said, “We don’t want anything to get screwed up here!” (laughter) By having a new person on board, you know. But the staff person, or the person who had been acting in my position prior to my coming, had thirteen years of experience, very good employee, and he was pretty much guiding the effort from the background, but he had another job to do. And when I came in I said, “You’re not doing this anymore. This is my responsibility, I’ll do it. You go off and take care of the Central Arizona Project,” that was having major problems, “and we’ll just sort it through.” And that gave our constituents a little concern, but I got support from my boss, my boss’ boss, and I had to directly confront one of the attorneys because his attitude was, “Well, I don’t know. I mean, I want somebody here with the authority”—I mean, this was very . . . —“I want somebody here with the authority to make decisions.” Their push was to have an assistant regional director at the table, and not just a branch chief, and now there wasn’t just a branch chief, it was a branch chief that was brand new and didn’t know all that preceded. And so I had to take him aside and say, “Hey, listen, you got me, and this is the way it is. If you have a problem, you’re going to have to deal with me. And if you think there’s an issue that’s going to be hot, give me a call and I’ll make sure that I come with the agency position.” But I had to just really confront him and say, “You know, you got *me*.”

Seney: Any more trouble with him after that?

“. . . you know, what happened was, because I came to the issue fresh, there were some sticky issues that I came up with some real creative solutions on, and after that, they kind of said, “Well, maybe she’s not so bad.” . . .”

Ball: No, not really, but you know, what happened was, because I came to the issue fresh, there were some sticky issues that I came up with some real creative solutions on, and after that, they kind of said, “Well, maybe she’s not so bad.”

Seney: (laughs) Because you had a new look at things.

Ball: Yeah, kind of. And I tend not to be bureaucratic, and lower graded, and some other people tend to be, “Well, we can’t do this, because this is the way we’ve always done it, dah-dah-dah-dah-dah-dah.” And I tend to look at it differently. There were some sticky issues, especially one sticky issue.

Seney: Do you remember what that was?

Dealing with the Issue of Reviews of the Contract Each Five Years

Ball: I’d have to think about it for a little bit. It had to do with the contract term. The Southern Nevada Water Authority was a brand new entity, and they were made up

by six other water districts, and we were combining and amending— who also had contracts with us, for specific allocations of water, but the Water Authority was going to have the last dribbles, and disburse it among the six. And they had all sorts of rules. I mean, they had formed themselves under a joint power authority. And I think the issue had to do with, we wanted to subject them to some kind of five-year review, or something or other, and they were contending . . . I don't know, they were arguing that they shouldn't be subject to some kind of five-year review. And our concern was "What if the Southern Water Authority disbanded and was not a viable entity, and what would happen?" And basically the resolution, I said, "Well, why don't we have it the way *they* want it, and then just say, *if* this other Nevada Water Authority is no longer, then the way *we* want it will prevail." And I don't know why that was so radical of an approach, but it solved the whole problem, because it also gave Southern Nevada Water Authority more reason to stay together, because if they fell apart, (Seney: Yeah, an incentive.) some terrible thing was going to happen to them, because they would be subject to this other criteria that *we* wanted.

Seney: That would be imposed on them by the Bureau . . . , yeah.

Ball: Yeah. And so it was like, (gasp). It wasn't brilliant, it wasn't brain surgery. It's just I sat there at a meeting listening to this, and I said, "Well, why don't we just combine the two? (laughs) And I remember making the recommendation to my boss, and my boss' boss, and they thought that was brilliant. (laughs) And so then the water users talked to the attorneys, who *also* thought that it was brilliant, and after that I was accepted as being an okay person, and

END SIDE 1, TAPE 2. AUGUST 14, 1995.

BEGIN SIDE 1, TAPE 1. FEBRUARY 14, 1997.

Seney: Today is February 14th, 1997, my name is Donald Seney, and I am with Ann Ball in her office at Carson City. Ann we are talking about your being chief of contracts . . .

Chief of Repayment Contracts, Compliance and Economics Branch in the Lower Colorado Region

Ball: Repayment Contracts, Compliance, and Economics Branch in Boulder City.

Seney: Right. One of the things that I want to get at, and you were addressing this before—the sort of things you learned as you progressed your way up in Bureau. And one of the things that you mentioned about this job is how for the first time you really had to rely on your staff, and how supportive your staff was, and you had to learn to manage that sort of thing, now. Now the contract you were discussing when we ended last time—that all got resolved, I take it, and you move on to something else. (Ball: Yeah.) But as you talk about this, can you kind of focus on that aspect—what you learn and how you progress and in terms of your understandings.

“ . . . the most valuable lesson I learned during that assignment was how to trust

my staff and to know when to step in and when to stay out because I didn't have the technical knowledge . . ."

Ball: OK, well, I think as far as the most valuable lesson I learned during that assignment was how to trust my staff and to know when to step in and when to stay out because I didn't have the technical knowledge—I didn't have the nuts and bolts how to put together contracts, what our policies were, etcetera.

" . . . I needed to step back and provide the big picture type of—was what we were doing consistent with our broader policy objectives . . . and I had a wonderful staff and I had to learn each of them individually—what their strengths and weaknesses were, and I had to learn how to manage. . . ."

But I needed to step back and provide the big picture type of—was what we were *doing consistent with our broader policy objectives, and at first it was a little scary, but then I started to enjoy that, and I had a wonderful staff and I had to learn each of them individually—what their strengths and weaknesses were, and I had to learn how to manage.

" . . . there were certain . . . certain projects that seemed to linger on and on and on and never got resolved and trying to reorient our focus so that we could get things done. . . ."

One of the things that I had to do in this job was—there were certain things that were kind of certain projects that seemed to linger on and on and on and never got resolved and trying to reorient our focus so that we could get things done. And that meant group prioritizing and just not trying to do everything at once but picking the few things that we wanted to get done, work on them until they got done and then working on the next set.

One Issue Was Office Practices Which Resulted in Uneven and Inflexible Workload Distribution

And so that was another thing that I had to learn how to do and help facilitate the group to set those priorities and to make the assignments. The assignments were a little bit haphazard. They were, in general, people were assigned to states, and if an issue came up and was in the state of Nevada it went to one person. Well, that kind of was good because each state had particular things, but it might be that nothing was happening in Nevada for a year or two, and everything was happening in California so it didn't give a whole lot of flexibility and there was another norm in the branch at that time was that whoever answered the phone got the problem. So, if you were in the office and somebody called with a problem and you wouldn't want who answered it, you kind of got stuck with the problem. So, we got together on a regular basis to make sure that everybody was working on what they should be working on and the workload was more evenly divided.

Seney: Were those kind of challenges as big as the substantive ones. In other words, this kind of changing around the work flow and the habits of the office, and I take it maybe the office had sort of a tradition of letting some of these problems hang around for a long period of time, and did you have to change the thinking in terms

of “We have to get these things taken care of within a reasonable period.

“ . . . I just had a wonderful response from staff knowing that there was a focus, knowing that there was a priority, knowing that it was OK to put something aside for now. The feeling of accomplishment. I mean we also thrilled when anybody was able to cross off a project. . . .”

Ball: Everybody liked the focus. I mean I just had a wonderful response from staff knowing that there was a focus, knowing that there was a priority, knowing that it was OK to put something aside for now. The feeling of accomplishment. I mean we also thrilled when anybody was able to cross off a project. I mean it was almost group accomplishment although not everybody worked on that particular project. And . . .

Seney: So you didn’t get a lot of resistance or really *any* resistance to these changes you tried to put in?

Ball: No, not on that particular change. I think everybody was really supportive, and they really liked . . . and that’s . . . I involved people in the decisionmaking and the priorities, etcetera. So, no, that was good and I enjoyed that, and I think my facilitator training up to that point helped me do that because I wasn’t making all the decisions. I didn’t have to know everything, but I at least needed to try to get the discussion going in such a way so we could have a collection or a consensus on what was the priority.

There Were Several Levels of Priorities in the Office

Of course, a lot of the priorities were established by my boss. I mean, it was clear what the priorities were in some cases. So we had several levels of priorities.

We had priorities that were imposed upon us by either Washington or my boss, the regional director, because they were hot political issues that we had, and we had no choice about that.

But there was also another level of priorities that I think we got a little bit more satisfaction in—the types of things that came from bottom up were the staff said “You know, we really should be doing this,” or “We should really be doing that.” In terms of long term—putting together as database, doing this, and doing that. That would never get to the attention of Washington or the regional director, but unless we really scheduled time and consciously devoted resources to it they wouldn’t get done. So those were the sort of things that were sort of staff directed, and we did some of those things.

“We had a *major* program to create a contract database—because we had a lot of contracts in that region that we were supposed to administer, and staff in general felt that we were doing good at negotiating contracts but then the follow-up, the administration, we weren’t so hot at . . .”

We had a *major* program to create a contract database—because we had a lot

of contracts in that region that we were supposed to administer, and staff in general felt that we were doing good at negotiating contracts but then the follow-up, the administration, we weren't so hot at, and developing a database would be a tool—but that was an enormous effort. But people were willing to work overtime to do that because it was so important to the staff . . .

Seney: Let me ask you. When you say overtime, would that be uncompensated overtime, you mean?

How Overtime Was Handled Administratively

Ball: No, it was compensated, but they were willing to come in on weekends and that because they felt that this was such an important thing, and they were willing to do this over and above the stuff that they had to get done day-to-day. There was another . . .

Seney: Let me stop and ask you there. When you wanted to do something like that in your office and you need to pay overtime. Do you need to clear that with the regional director or someone in the regional director's office?

Ball: No, I had my budget, and I had certain flexibility within my budget, and I had a certain amount of overtime, usually, built into it.

Seney: What about when you wanted to do these things in your branch, did you have to clear it with the higher ups or were they *always supportive*—they would say “Do what you think is right.” We like changes. I guess what I'm trying to get at a little bit is—what is the culture of the Bureau in terms of changing things around.

Ed Hallenbeck Believed in Participative Management

Ball: Well, at that time in the region we were going to—the emphasis in that region—our regional director believed in participative management, and that's why I got training as a facilitator. Several years earlier he had approved a program of developing in-house facilitators and even several years before that he had put teams together to try to look at the organization so there was a support there in that type of management—participative management although we never got removed from the culture of getting the job done that was important and politically hot. I mean, you know, getting the product done was always the *paramount*.

A New Regional Director Wasn't as Supportive, but as Long as the Priorities Were Taken Care of He Didn't Care How it Was Done

And, so, that follow-through, well when I was the chief of this branch there was a new regional director, but he didn't change that course of direction. He maybe wasn't as supportive of it, but as long as the priorities were getting done he really didn't seem to care how we were doing it, and so ~~it was supportive~~ the organization was supportive, and, quite frankly, we were getting things done and it was a change. The feedback that I got back is “Gee you're getting things done.” And seeing that we were getting things done, you know, I was often in a position

that a client, an external customer, would say, “Well, you know, we want to start negotiating our contract now its been hanging around and dah, de dah, dah dah . . .” And I said, “Well we just can’t, we’ve got to finish this one. Once we finish this one, we’ll pay our full attention to yours,” and they seemed to accept that. As long as they were going to *get* our attention when we said we were going to give them the attention, they seemed to see things were getting done and we were kind of ticking things off.

Seney: An these would be the various water districts that . . .

“Another thing that was really important to my staff . . . was the filing system. They wanted to change the filing system . . . because the way everything was filed was by project. Well, we had one project that about encompassed the whole region, and that was the Boulder Canyon Project. So, . . . everything was filed under Boulder Canyon Project, and you couldn’t find anything. . . .”

Ball: The various water districts, yeah. (Seney: Yeah.) Another thing that was really important to my staff, and it was kind of—it was such a little thing—and I laugh about it because it was kind of funny, was the filing system. They wanted to change the filing system, and there was widespread support for changing the filing system because the way everything was filed was by project. Well, we had one project that about encompassed the whole region, and that was the Boulder Canyon Project. So, everybody—everything was filed under Boulder Canyon Project, and you couldn’t find anything. And so we had some people who were really organized, they just wanted to tackle our filing system.

“I said ‘Well, go ahead.’ And then all of a sudden . . . they felt they needed to warn me about something. . . . we really need to warn you that . . . your predecessor, had very strong feelings about how things should be *filed*, and we made this proposal to him, and he said ‘No!’ And we just want to let you *know* because the predecessor was my current boss. So . . . that was a difficulty for me . . .”

And so they made a proposal, and there seemed to be a fair amount of concurrence that was the way to go, and people were willing to do it! And work over time, and they thought it was important, and then, you know, I said “Well, go ahead.” And then all of a sudden I saw a little sheepishness in some of them, and they felt they needed to warn me about something. Said “Well, Ann, you know, we are happy that you are allowing us to go ahead, but we really need to warn you that the *previous*, your predecessor, had very strong feelings about how things should be *filed*, and we made this proposal to him, and he said “No!” And we just want to let you *know* because the predecessor was my current boss. So I finally . . . that was a difficulty for me having my boss, the person who used to have my job, (Seney: Right, I can see that.) that was more difficult than I *thought* it would be. I thought it would be really *nice*, but that person had been in the job for, oh, I don’t know, fifteen- seventeen years, and he knew where everything was, and he had all the answers, so that his approach was totally different, and he had a tendency to come down the hall and go directly to certain people and say “This is how I want something done,” and then they would come to me and I said “Well, I’m not sure I

agree with that approach.” So it created some conflicts, and they realized it was creating some conflicts and so they felt that they really needed to warn me that this might be an issue, and I said “Well there is a place we gotta draw the line, and we’re going to change the filing system.” (Seney: What was his reaction when you let him know however you did it?) You know I don’t even know he cared, but they thought he would.

Seney: Well it was very thoughtful of them to warn you.

Ball: But, I mean, we went through *all* these discussions and meetings where they *led* me to the conclusion that “Yeah, OK.” And then they said, “Oh, we better tell you about this . . .”

Seney: Well its interesting. Yeah. And I take it you implemented the changes in the filing system.

Ball: We were in the process of doing that before I left.

Seney: What were the years that you were in that job as a branch chief there? ‘91 you said when you returned from Congress, that was your assignment.

Spent a Year and a Half as Branch Chief Before Moving to Fresno

Ball: I was there for about a year and a half. It was a very short assignment.

One Issue Was a Clash Between the Regional Office and Project Office over Policy Implementation

Then I went to Fresno. Another *major* thing that I needed . . . we were having a real big clash between my office and similar staff in the project office. And the way we were pretty much organized was that the regional office was policy oversight and the area office, at the time we called them project offices, were to implement the policies, and there was a clash in implement . . . I mean I had two people who were head of certain functional areas—their approach just clashed and we had to deal with that because things weren’t getting done.

Seney: The two people shared authority in the same area?

Ball: Yeah. The one person had it from the regional perspective and had the policy overview. The other one had to do on-the-ground implementation.

Seney: How do you handle something like that when you get a conflict of that kind?

Ball: Well, what we did was we had a team-building session with the staff, both staffs, and we went in an kind of took an approach of looking at what we do and how we do it and what we think we need to do and coming to consensus about some things.

Seney: Do you remember any of the specifics about that?

There Was a Backlog, and One Faction Wanted to Deal with the Backlog and the Other Wanted to Ignore the Backlog and Deal with Current Issues

Ball: I remember that one of the things that we did was try to identify the backlog, and there was a faction that felt dealing with the *backlog* was the most important thing to do. There was another faction that felt like well, to hell with the backlog it's been there for so long that it doesn't matter. Let's make sure we stay up on the new stuff coming. There was concern about our procedures. There was one faction that wanted to develop some new technology that in the *long* run would enable us to get the work done quicker and there was the other faction that's saying we don't have time to develop the technology because we got all this backlog.

“ . . . I was new and so I didn't have an opinion at that time so I was listening to it all and finally . . . we had gone off-site to have this two- or three-day retreat . . . I just kind of, after listening to both sides, I said “Well, we're going to go this way.” And the people that didn't like it, one left (chuckle) and the people that liked it—the one key person, well, I had an opportunity at that time to make a selection, the person that wanted to do *backlog* was the person who worked directly for me in my office, and she was acting, and technically she knew the stuff backwards and forwards, but from a management perspective and getting things done she wasn't . . . I advertised, and I did not select her. And, I mean, that was a very difficult decision because there was *nobody* could touch her on the technical aspects of the stuff. And the person that I selected worked for her and I selected her because she had better ability, she was more flexible and better able to get along with people, and she would buy into the program that we finally agreed on—or I guess I had finally decided on . . . ”

So there was a real split in philosophy there, and we kind of laid it out, and I was new and so I didn't have an opinion at that time so I was listening to it all and finally I had to kind of—and we had gone off-site to have this two- or three-day retreat—we had a professional facilitator that helped us through it, and we had, you know, some structure, you know, we had structure in how we were going to conduct these meetings and what we wanted to accomplish. We wanted to get *out* of that meeting with some concurrence as to what our priorities were and how we were going to proceed. So that was our goal. And, in that area, I just kind of, after listening to both sides, I said “Well, we're going to go this way.” And the people that didn't like it, one left (chuckle) and the people that liked it—the one key person, well, I had an opportunity at that time to make a selection, the person that wanted to do *backlog* was the person who worked directly for me in my office, and she was acting, and technically she knew the stuff backwards and forwards, but from a management perspective and getting things done she wasn't, I mean the tension was so great that nothing was getting done. I had a selection . . . (Seney: So you had to move her out?) Well, I didn't move her out . . . well, she was acting, I advertised, and I did not select her. And, I mean, that was a very difficult decision because there was *nobody* could touch her on the technical aspects of the stuff. And the person that I selected worked for her and I selected her because she had better ability, she was more flexible and better able to get along with people, and she would buy into the program that we finally agreed on—or I guess I had

finally decided on (Seney: You couldn't come to a consensus on . . .) No, it was too . . . so I had to make a call and say "This was it."

Seney: When you advertise for a position like that, do you get to define what you want and lay out what you are looking for. So did you have this person, this subordinate (Ball: She left.) in mind or . . .

Ball: No, no, I didn't have (Seney: Just the way it came up.) You see the people who applied. I did not know that I wasn't going to select this person. I might have selected her if she had been the only one, but I think that it was with risks. So, . . .

Seney: That sounds to me as an outsider like a kind of , I'm not sure how to characterize it, but here you are obviously, you've got a person that's not working out in this position, and she's an acting, that means she's doing the job though it's not hers permanently, I take is what that means. (Ball: Yeah.) And so now you say, "Well I better advertise for this." This person's still sitting there all the while doing this. I mean, that sounds like kind of a *bold* thing to do, it seems to me.

Ball: Well, no, I had to advertise. The reason why she was acting because it takes a long time to advertise and get things out and I needed somebody in that position, and it was a temporary promotion. I mean, I had to advertise, you can't just promote a person without a competitive [process] . . . So she knew that there was the anticipation, the expectation by everybody was that she had it in the bag because she had been the acting and she had previous positions that gave her the experience to do the job and then she was good technically—she knew the stuff just backwards and forwards. (Seney: Did that seem to resolve it then, once you made that personnel change?) Yeah, yeah, then she left. And I was fortunate she was acting because if she wasn't acting then I would have had a real problem. (Seney: Would have been easy if you'd want to get rid of someone in a position like that is that pretty hard to do?) Yeah. Yeah. (Seney: I mean you've really got to prove incompetence or its not just disagreements. It probably has to be pretty serious sort of things to remove someone. [Ball: Yeah its pretty difficult.] Probably not done very much because it's so difficult.) So that was another thing. Actually I enjoyed that job. I enjoyed that job quite a bit.

Seney: What was enjoyable about it?

Ball: I enjoyed the focus on management issues and I . . .

Seney: Did you find that's what you ended up pretty much doing—leaving the technical things to your staff and focusing on how you manage the work and the priorities of the office and so forth.

Needed to Make Sure Office Actions Conformed to Reclamation's Big Picture Policy

Ball: And the big picture policy stuff. I still needed to pay attention to the policy.

Seney: What would that be, can you give me an illustration when you say the big picture

policy stuff, what that would mean.

Ball: Well, I'm renegotiating a contract and the terms and conditions—are they consistent with our overall policy objectives and so I need to pay attention to that but not necessarily the detail. In that job I found that I was getting a lot of special assignments as well to have chair committees to resolve this issue or that issue. Though I kind of ended up getting into other areas as well, which I enjoyed also.

Seney: You didn't try to avoid that—that would be the regional director would call you up as say “Ann I need you to look into, to chair a committee on this problem . . .”\

Ball: No, I enjoyed doing that and it kept me involved in a lot of different things.

Seney: `What occasioned you to move. Now, you moved to Fresno next.

Ball: Yeah. Well, I moved to Fresno.

Seney: What's the timeframe.

Moving from the Lower Colorado Region to the Project Office in Fresno

Ball: '93. At that time I was making . . . well, my involvement in Washington . . . when I was in Washington for six months and involved in the development and the political debate on the Central Valley Project Improvement Act, my interest was really piqued as to, and then it finally got enacted, my interest was really piqued now—how do you implement a law like this.

Seney: And you'd be pretty knowledgeable about the mechanics and the politics of it, too, at this point.

Interested in How the Central Valley Project Improvement Act Would Be Implemented

Ball: Well, yeah, fairly knowledgeable. It was a complex law, but I probably ahead of most people who were just looking at it for the first time. So that piqued my interest.

Several Factors Influenced Decision to Move to Fresno

I was thinking in terms of my career if I stayed in Boulder City—what could my expectations be? And they were good expectations. I was doing well in Boulder City, but my husband didn't especially like living in southern Nevada. When we had moved there now I had said “Now this is only going to be a three year thing.” And now . . . its nine years later. He wasn't too enthralled with southern Nevada. We had two children. We weren't really crazy about Boulder City and raising them there.

Living in Boulder City

Seney: What's it like living in Boulder City? That's kind of a company town isn't it?

Ball: It's a company town, and there's a very homogenous thinking. Very little diversity. It was a town—it felt like everybody there was retired.

Seney: What was your husband doing at this point?

“ . . . we just didn't like southern Nevada, and I was looking at where I was going if I stayed in the region. . . . ”

Ball: Well, at that point, when we had our children he was at home taking care of them. And, I think it was just he needed more of an outlet, a creative outlet for himself. He found that he was always going to Las Vegas to do other things. (Seney: How big a drive is it to Las Vegas?) It was a twenty-five mile drive. (Seney: Oh that's not that *far* then.) Its not too far. It was becoming burdensome that every weekend you'd feel you had to go to Las Vegas to do something. But we just didn't like southern Nevada, and I was looking at where I was going if I stayed in the region. It was like I had a fair expectation that I could get promoted to a division chief at some point. You know seeing who was going to retire, when, and all that stuff. It wasn't that I didn't think I had career opportunity.

“ . . . I was becoming one of the old timers in that office, and that . . . was *not* consistent with what I enjoy. I enjoy being in a learning phase more than being the one that all of a sudden now is the expert. . . . ”

I felt that I did, but I also started looking around me and realized that I was becoming one of the old timers in that office, and that kind of . . . It didn't scare me, but it was *not* consistent with what I enjoy. I enjoy being in a learning phase more than being the one that all of a sudden now is the expert.

“I felt that I was starting also to get a little stale—that I could go to meetings, and I could write the script of not only what I would say, but also of what everybody else around the table would say, and I was just getting tired of it. . . . ”

I felt that I was starting also to get a little stale—that I could go to meetings, and I could write the script of not only what I would say, but also of what everybody else around the table would say, and I was just getting tired of it. And I thought I was probably losing my effectiveness because of that.

Seney: You felt like you were getting a little stale, maybe?

Applied for Jobs

Ball: Yeah. And so, for all those reasons, I thought a move was appropriate. I had been applying for various jobs before I went to Washington. I applied for an area manager's job in Albuquerque. I didn't get it. No, when I came back I applied for an area manager's job in Albuquerque. I knew that I was one of the two or three who were considered the top three, but I didn't get the job. But, because I applied for that job the commissioner at that time, Dennis Underwood, knew I had applied,

and he knew that because, I would assume, that the selection was discussed as to who would be the person, he kind of (Seney: At the commissioner level.) yeah, at the commissioner level, he knew me because when I had worked with him before he became the commissioner he was the director of the Colorado River Commission in California and I had worked with him, and, of course, when I went back to Washington, it was with his concurrence, he kind of said, well, here is somebody who wants to be an area manager who is interested in moving on. What kind of experiences . . . and at that time . . . this is what I think happened, but I can't tell for sure. I think he talked to Roger Patterson who was the regional director in Mid-Pacific Region, who was looking for people as well.

Roger Patterson Queried Her about a Move to Fresno

Then Roger gave me a call and says "You know I have this big law out here." (Seney: Looking for people because of the new law on the Central Valley Project. Would he need more staff to take care of the changes?) Well, I don't know he'd need a whole lot more staff, but he needed some people in key positions. And he was doing some reorganizing, and he asked if I'd be interested in coming to Fresno—it'd be a lateral, wasn't a promotion—and to broaden my experience. The idea was to broaden my experience and make me more ready to be an area manager at some time.

Seney: Did you know Roger at this point—had you met him and dealt with him and . . .

Selected for Departmental Manager's Training Program

Ball: I had met him, but I hadn't really worked with him, but I knew him more by reputation, and he had really good reputation, people wanted to work . . . (Seney: He's well-liked in the bureau isn't he, and highly thought of . . .) Yeah. Yeah. And that time, also, I had just been selected to undergo some pretty intensive training at the departmental level. The Department Advanced Management Program. I had gotten selected into that, by our region.

Mid-Pacific Region Was Willing to Support Participation in the Departmental Manager's Training Program

They were willing to support me in doing that, and so when Roger called and asked if I'd be interested in going to Fresno, I said "Yeah, but I'm also interested in pursuing this advanced management. I got selected. And he said, "That's OK, you can do that over here too." And it wasn't really long. I consulted with a few people, after obtaining their advice, but I pretty much knew that I was going to go because of these other factors that were in my mind—it was ready for a move. And so, then, within a couple of months I was in Fresno.

Seney: And what was your assignment there?

Chief of the Contracts and Natural Resources Division in Fresno

Ball: My assignment there, I was the Chief of the Contracts and Natural Resources

Division, and basically I had repayments contracts, repayment and water service contracts, I had environmental, NEPA [National Environmental Policy Act] compliance, I had lands management, and possibly a few other things that I can't remember right now. It was a very broadening experience in terms of . . . (Seney: Different than what you'd been doing in Boulder City.) *many* more functional areas. Some the same but others were different.

1994 Reorganization and Effects on Project Office

And the other thing that was on the horizon was the reorganization that was going on was the idea that the regional office was going to divest itself of certain authority, put it into the area offices, and to kind of accomplish that change and that was kind of intriguing to me as well because that's is the facilitative management role—to kind of not only deal with the technical issues of new functional responsibilities but also deal with the change issues associated with a certain set of people losing responsibility and a certain set of people gaining *new* responsibility and how to integrate that and change the way an organization thinks and behaves. And that was in line with my management training and some of my objectives to understand how to do that.

Three Reasons the Job Intrigued Her

So, the job intrigued me from those two perspectives. Actually three—the opportunity to work for Roger [Patterson]; the opportunity to see how this law was going to be implemented at the ground level, and because I was *interested* in it—I had a high level of interest in the law and various aspects of the law; and the idea of dealing with the organizational change issues and that opportunity as well.

Seney: Let me ask you about all three of those. How was Roger to work for, and how is his different, or maybe the same, as other regional directors you've worked for. He's great to work for. I have never worked for him directly.

END SIDE 1, TAPE 1. FEBRUARY 14, 1997.
BEGIN SIDE 2, TAPE 1. FEBRUARY 14, 1997.

Roger Patterson Has an Ethical-Based Leadership Style

Ball: I think he has an ethical-based leadership. You know, you do the right thing for the right reason—what makes sense. Do the right thing for the right reason.

Seney: Is he typical or unusual in a regional director in your experience?

Ball: Well, there's been a big turnover in regional directors over the last five years or so, and I don't think he's unusual given the current people we have as regional directors. He might be unusual given the regional directors that I may have experienced then years ago, but I think the organization has gone through some really major changes. Whereas before everything was very hierarchical, I don't think things are like that as much. So, my exposure to the other regional directors—I mean, there are a few that I would really be willing to work for (Seney:

Yeah.) as well.

Seney: Roger's relatively young, is he not. (Ball: Yeah.). I mean I have no idea what his age is, but I would doubt that he is fifty, is he? (Ball: No, I think he's forty-seven.) Yeah, I mean, he's been a regional director for some time.

Ball: Yeah, he had a very rapid career, and, you know, he obviously was chosen for this job in Sacramento because people thought—I mean it was a *hard job*. (Seney: Right—very political, the Central Valley Project.) Yeah, and so . . .

Seney: Let me ask you about the second point you made, and that was this interest in wanting to hear, getting to know the Central Valley [Project] Improvement Act in Washington, D.C., from the Senate perspective, working for Senator Seymour, and then you wanted to see, if you could, what it would look like on the ground being implemented. What was that like. Did the two bear any relation to one another or what was—how would you evaluate that?

Implementation of the Central Valley Project Improvement Act Was Hard

Ball: The implementation was hard.

“It's hard because there are all sort of technical nuances that might not have been apparent to the legislators. . . .”

It's hard because there are all sort of technical nuances that might not have been apparent to the legislators. When they enacted the law they might have had a vision of “this is the way things are,” but things were really a little bit different. And then you needed to figure out how to reconcile that.

Seney: It's typical of this kind of legislation that there will be a fairly detailed amount of direction from the Congress. Will there not be? Not only the statute itself, but then a report that will accompany it to try to spell out what the Congress had in mind with each section. Am I right in thinking that that was also available to you?

Ball: Actually there was very little congressional—the congressional report was very meager on this law. So there wasn't a whole lot of guidance. However, our commissioner was Dan Beard who was intimately involved in the House side, I mean he was the . . .

Seney: Was he chief of staff of the interior committee under Congressman [George] Miller.

Ball: He brought in Ed Osann, who was very involved in aspects of development of the law, and, of course, there had to be a lot of—because *that* administration was still in power in Congress for at least the first two years. (Seney: The Democrats were still in power.) Democrats, um-hmm. (Seney: Til '94.) You know, those folks were also interested in how it was implemented. Now, this is a big political thing that Roger needed to handle. You know, I didn't get involved in that part.

“ . . . the region that was pretty set in doing business certain ways for so many years. And most of the people in that region had never worked in another region. . . . ”

But, you know, just organizationally, what do you do to mobilize the region that was pretty set in doing business certain ways for so many years. And most of the people in that region had never worked in another region. I mean they were just Central Valley Project orientation people the way the things were done. And to mobilize them and to accomplish the things that were directed by Congress—a *multitude* of things.

“ . . . there must have been a *hundred things* that the Secretary had to do through the Bureau of Reclamation, through the regional director. And many of these things had to be done in coordination and consultation together with Fish and Wildlife Service which is an agency *up to this point* we had been enemies with. . . . ”

I mean *there were*—I mean it wasn’t just one thing, there must have been a *hundred things* that the Secretary had to do through the Bureau of Reclamation, through the regional director. And many of these things had to be done in coordination and consultation together with Fish and Wildlife Service which is an agency *up to this point* we had been enemies with. I mean, so, it was an enormous task. An enormous task. And it was just mind-boggling *to me* to just imagine doing that—and that somebody could do that—and to see how that could be done.

Seney: Can you think, maybe, of a couple of examples of things that fell into your hands to do that you had to implement and kind of difficulties and challenges that those represented?

One of the Difficult Tasks Was Facilitation of Water Transfers

Ball: Relative to Central Valley Project. (Seney: Yeah, right.) One of the things, one of the major provisions of the Central Valley was facilitation of water transfers. And, we were in the process in the region of developing the *guidelines*, but while we were developing the *guidelines*, people were making proposals to transfer *water* and so we had . . .

Seney: I’m sorry let me ask you—transferring water from whom to whom?

Ball: Well, it would be transferring water from one district to another district, from one use to another use, it could be transferring water from, let’s say, and agricultural user in the San Joaquin Basin to MWD in Los Angeles, and so we were (Seney: Metropolitan Water District.) yeah, and so we had clear congressional direction that we were not to stand in the way of water transfers—if they met certain criteria they were to *go*. On the other hand, we needed to make sure that we considered third party impacts and all these other things. We were developing guidelines in the regional office to help us implement, but yet we were getting *proposals* almost “*day 1*” to say “okay, now [that] its allowed by law we want to do it.” And knowing that it was a hotly debated issue, I mean a *very* sensitive issue, that people

would be watching *very* closely how we implemented it (Seney: I know that the farmers were particularly anxious about the idea of transferring ag water down to the Metropolitan Water District of Los Angeles [Southern California]. That would certainly be one species of conflict, huh?) Um-hmm. Another species of conflict was the transfer from one irrigation district to another irrigation district, you know, kind of facilitating the movement of water and making sure that the water that was being transferred was really “wet” water and not “paper” water. Because there was a perception that certain districts had more water than they needed and this law would just allow them to transfer unused water to another district whereby . . . and that would result in increased water use and less water use and the environmentalists would be looking at *those* type of transfers very carefully. So, I mean, it was, depending on the nature of the transfer, and without real procedural guidelines, and dealing with them at the same time the regional office was developing guidelines, (Seney: Well that sounds like a nightmare to me, actually. Was it?” Or was it doable and did it look doable to begin with or did you say “Oh, my God. What the . . . The political pressure’s just going to be too great?” I mean, how did it seem to you?)

Working out the New Relationship with the Fish and Wildlife Service Was Difficult

Well, we did it. I mean we did the best we could knowing that that first year we were likely to make mistakes, but the idea was, I guess I made a conscious choice that if we were going to err, we were going to err on the side of facilitating the transfer rather than *stopping* it. And if guidelines came down later that were more *restrictive* then we’d say “Oops, well we did the best we could, and now we know better.” That was kind of that first year—that was the approach I took that first year, and people were *fairly* satisfied, but working out the relationship with the Fish and Wildlife Service, who wanted to be intimately involved in every approval, and yet we had very tight time line constraints—that was difficult. We had to develop some technical criteria. (Seney: Did you work directly with them on these things?) Um-hmm. Yeah. (Seney: How were they to work with? What was your . . . You’re smiling and shaking your head [No] at the same time, which the tape won’t pick up.) I know. How were they to work with, (Seney: Well, bureaus of the same department of the same government see things differently. They have different interests and they’re aggressive in protecting those interests as they see them. I mean, conflict’s inevitable. I mean, that’s not a surprise. I’m just curious how you characterize this.) I think we acknowledge that there are major cultural differences in the organizations, and that was, I think, the major source of our clashing and just seeing problems differently. And possibly the history of, and perhaps the lack of trust. I didn’t understand that really fully—because when in Colorado River we’ve really never worked very much with Fish and Wildlife Service or any other agency—the secretary acting for the Reclamation had a whole lot of discretion and control and fairly rigid rules. So, anyway, my awareness of dealing with Fish and Wildlife Service, dealing with endangered species issues, was certainly heightened with that experience. It was frustrating.

“Things tended to be slow. There was a lot of lack of trust. . . .”

Things tended to be slow. There was a lot of lack of trust. (Seney: For years the

Bureau of Reclamation had really been in the superior position.) Yeah, and I think that was part of it. And because of that the Fish and Wildlife Service developed tactics that worked for them—I mean tactics that may have involved just digging in your heels and holding to your ground and just opposing, opposing, opposing.

“ . . . those tactics don’t really work when you want to get something done. . . . And, I think we are of a more pragmatic nature, and we want to get things done. We pride ourselves in getting things done. We’re engineers. . . . Yeah, completing things. . . . It doesn’t have to be perfect. . . . ”

And those tactics don’t really work when you want to get something done. And I think *we* finally said “OK, we know. We know we’ve got to do this stuff. We’ll do it. Let’s get the job done.” And, I think we are of a more pragmatic nature, and we want to get things done. We pride ourselves in getting things done. We’re engineers. (Seney: Yeah. Right. Building things. Doing things. Completing things.) Yeah, completing things. Seeing it done. It doesn’t have to be perfect. We’re not going to know all the answers, so we have to make assumptions. They may be gross assumptions. Let’s do it, get on, and move on. And so there were real different cultural clashes, and another thing with Reclamation people—cultural thing that I perceived is that, you know, we’ll have internal debate among ourselves as to the right direction, and that’s acceptable and that’s allowed, but when a decision is made by managers we kind of line up, and we do it. It’s like, “Oh, OK, we had our chance. We had our input. We argued, and we debated. Here’s the decision, let’s go.” We follow our marching orders. They don’t do that in Fish and Wildlife Service. (Seney: Do they continue to quarrel?) They, you know, when we would have meetings with managers at Fish and Wildlife Service, and we thought their manager and our manager were clear, and we get the marching order, somehow *staff* said well, they didn’t acknowledge it. It was like a lone wolf mentality. I mean each person *there* was kind of an independent agent, with their own philosophy and view and idea of protecting the resource, and but your manager just said . . . I mean, that just blew our minds. How could that be? We were just sitting at a meeting where their assistant regional director and *our* assistant regional director sat and they both said “Go forth and do this,” and then we’re still having *problems*. And so I could have characterized it as part of *my* training—you know training that I was doing simultaneously [for] the department. I did a six month detail in the Fish and Wildlife Service office in Sacramento, and . . . (Seney: Was this later?) No, this was simultaneously—this was *all* together. I was doing two things. I was adjusting to a new job, and a new place, new issues, the management changes, and also was doing this departmental development program which required taking courses as well as reading and doing details.

Went to the Fish and Wildlife Service on Detail as Part of the Training Program

So I went to the Fish and Wildlife Service, and part of my (Seney: As part of this management training program you were now in through the Department of the Interior, OK.) Yeah. So my observation was that—and these people were brilliant, I mean there were people with Ph.D.s, and low graded jobs, and they were smart, and they knew what they were doing, I mean, and they were dedicated, but it didn’t seem to matter what was coming down. They had their own opinion. It

was like a bunch of lone wolves—is what I called them. I said, “boy, this is really different.” I mean Reclamation people would never, if you had a really *major* problem, with the direction coming down from management you *leave*. *We leave*. We say, can’t stand it here any more, and we go. But we don’t ignore it, and we don’t try to subterfuge it, and it seemed to be just a different culture. And that all was . . .

Seney: I would think that was—would be useful to serve a detail in something like Fish and Wildlife Service. [Ball: It was.] Given how—and we’ll get to how you rub up against them in this position that you have now. But you deal with them now. And you had to deal with them then. So I would think that, apart from the frustrations, it would be very useful to you to maybe you’d get to know some of them personally. Does that help that you can call them up on the phone and say “Gees, what the hell’s going on, how does this work, why am I getting *nowhere* with this.)

Ball: The personal relationships were essential. (Seney: You’re kind of smiling a little bit. You want to say more?) No. No they were essential. They were very helpful. (Seney: There were people you could do that with. There were people you could call and get a little background on maybe why something was working or wasn’t working and give you an insight into how you might handle a problem.) Well, yeah, but the most—that was important, I mean, developing the trust that, “Hey we weren’t going to go off and do something that was inconsistent with the law, that was in violation of the Endangered Species Act—we just weren’t going to do that. We may be a little bit more lenient; we may, maybe, cut some corners, but you know we were going to do what we think the law has directed us to do. I think on the issue of water transfers that maybe the Fish and Wildlife Service was philosophically against them, as well. You know, from a philosophical point of view, my view was that I might be philosophically against it, I might be for it, but it’s not my position to place judgement on it. There was a public debate on this issue and Congress made a decision, and that’s what we do. And I didn’t want to engage in “is this the right thing to do or the wrong thing to do.” Congress directed, and I think we can deal with that in Reclamation. I felt that Fish and Wildlife was more ideologically oriented. I mean, they had a cause—and a very important cause, and a cause that had been neglected for years. And, I mean, I could understand that type of zealotry. (Seney: My understanding is there are splits within the Fish and Wildlife Service. The refuge people, the bird people essentially, and the fish people don’t necessarily see eye to eye on matters.) Yeah, that true I observe that too. (Seney: Did the Fish and Wildlife Service construe the Central Valley [Project] Improvement Act as in some way a political defeat or comeuppance for the Bureau of Reclamation, do you think. And were they, then, more aggressive, a little bolder than they had been, in asserting themselves.) You know, that’s not the way I saw it. As opposed to defeat for Reclamation, I would have said they saw it as a victory for them. And maybe that’s because—and maybe that’s kind of the flip side of what you said, but I wouldn’t have said it that way. And I think they were relishing in this victory and kind of not allowing the political realities, the pragmatism, [that] you can take anything too far. You could become too arrogant. You know, all the stars were aligned politically for at least two years, and you had to know it wasn’t going to last forever and that it was

important to get things done. And if we weren't going to get things done, within this two year "frame" it might slip away. But they didn't have the political understanding. So we really did have a two year time frame when we knew we could of push the envelope, but if the next election could change things—not totally, you never go back, you never roll back, but it does influence, and they didn't seem to understand that there was a timing issue here and we needed to make decisions. And we needed to move on—it might not be perfect, but let's get going. (Seney: They wanted more of a loaf than half, probably.) Well, see, I don't perceive it that way. (Seney: Oh, OK, I guess we're saying the same thing. [Ball: Well I'm not sure we're saying the same thing.] Well let me try it and see if we are. They were not willing to be as pragmatic as you think they should have been during this two year period. They wanted more than they reasonably should have expected to get. And in *wanting* more they may have gotten less than they could have. Am I making sense?) Maybe. Maybe that's another way of looking at it. I don't think it occurred to them there were political constraints and there were timing constraints. I just don't think it's within their cultural way of thinking, their mentality, their way of thinking.

Seney: Yeah. I think we are saying the same thing here. Tell me a little about the training program that you were involved in at this time. What is that all about. And, I take it, that's a career plus to be invited to take part in that and to have that on your résumé.

The Departmental Training Program

Ball: Yeah, I perceived it as a plus. It was a program—a longstanding program within the department. The year I was in, they kind of changed the format a bit. But, traditionally you went to Washington for a year and you just did various assignments, but you *create* your opportunities and then you go and convince people that you should work for them and why it would fit in, and that part was the same, except when I did it I didn't have to go and physically be in Washington. I could be in Fresno and then take a six week detail and go to Fish and Wildlife Service, take another six week detail during the year and go someplace else, but I had a certain amount of work experiences that I had to do. I had certain readings, and I had certain course work. And then I had to write up reports, and I structured it the way *I* felt to meet the objectives that I set for myself, and I had a mentor, and worked through things with my mentor. (Seney: Who was your mentor?)

Mentor Was Walt Fite

My mentor was Walt Fite. He's in the Pacific Northwest Region now, but at that time he was the assistant regional director in Boulder City. That's where I started off. I mean, that's the region that sponsored me *initially*, and I got accepted then Roger said I could continue on and Mid-Pacific Region paid for my training. (Seney: What were you trying to accomplish? What were your objectives in doing this?) I was interested in the issues of organizational change and developing my truly managerial skills. I was interested—I think that was my primary objective. I was also interested in understanding, you know, the political influences and the interplay between changing social values and how the agency is affected and

reacts to those things—those big picture type things—policy. You know, I became acutely aware of the social-political debates on the Central Valley Project when I was in Washington for six months. Although I had always been interested in that type of thing anyway. Those were my two main objectives.

Seney: Is part of it, too, to meet people and make contacts and . . .

Ball: You know, there might have been, but it wasn't . . .

Seney: That wasn't in your thinking—it was a result of what you were doing, though.

Ball: Yeah, that was a result, but I wasn't thinking of that. I guess I don't tend to think in those terms as much as I probably should. (Seney: Cynically, you mean?) You know, the way I viewed it was more altruistic. I felt that I wanted to do this even if the result of this program was not a promotion—because this was something that I *personally* wanted to do—was a personal growth and things that I wanted to understand. And, I know when I went to the training, you know when I went to the *class*, where everybody congregated, that my motivations were *different* than the majority of the—the majority of the people, especially the women, were to get that promotion. And that wasn't my objective. My objective was, if I never even got a promotion, I wanted to get certain things out of this. I wanted to learn things. I wanted to understand things better. And, the promotion, if it came it came, if it didn't come it didn't come, that was *fine* if I just left Reclamation the day after the training this was good too because it was an opportunity for me to intellectually explore certain things and to come to better understanding. So I don't perceive myself as a really ambitious person and trying to climb the career ladder. I mean, even when I wrote the reason why I should be in this program, I *knew* that the politically correct thing to write was “I want to be a regional director.” (Seney: Did you write that?) *I wrote it, but it was hard.* I mean I remember, and I said “I really don't want to be, but why should they even *bother* with me if I don't want that.” Well I want to be an assistant regional director—and I said well that's namby pamby. If you're going to go for it you got to go for it. And so it was like, OK so this *might* come out of it, but if it doesn't, that's OK because that's *not* what I'm focused on. And, so, kind of . . . (Seney: Was it valuable do you think? Did you gain from it?) I have to think about that. Yeah, I gained from that. I don't think I gained from that experience as much as I gained from my six months in Senator Seymour's office. I learned a *lot* more in a shorter period of time there, but . . . (Seney: But, I mean, my God, here you are doing all these other things at the same time. You're not really concentrating on this 100 percent, or are you?) Yeah, I think you're right because I probably—the details that were maybe not quite as challenging and maybe were more in line with the here and now, for instance, going to Fish and Wildlife Service in Sacramento was clearly something that I thought would help me do my job in Fresno better—as opposed to opening up my world view and doing Fish and Wildlife Service in Washington or something else. So, clearly, I structured the job to enable me to handle the demands of a brand new job.

Seney: How did they treat you when you came to Fish and Wildlife Service. I mean, I can imagine them kind of viewing you as a Trojan Horse, or almost. Did they?

- Ball: There was a little concern. I remember being in staff meetings where every so often they realized they had a Reclamation person there and they were saying things negative about Reclamation, and then they would come and apologize. Yeah, there was some of that.
- Seney: Yeah. I mean I can understand that. I can understand why one agency would be suspicious of someone from another agency. Yeah, yeah, that seems *natural* to me. The other thing that you said was the . . . the changes that Roger was making—the shifting of authority down to the area manager’s offices. Was it project manager at this time and not yet area manager. Or was that change coming about too.
- Ball: That change was coming about. I don’t know what the title was, but anyway . . .
- Seney: What was happening there. What was happening in that . . . (Ball: With my staff?) yeah, in terms of now Roger saying “Now I want to devolve some of this management responsibility.” How did that hit you?

Reorganization Affected People in Different Ways

- Ball: Well the way it hit staff. For me, it was quite a natural thing. You know, I felt comfortable because that is the orientation we had in Boulder City—somewhat that orientation—and in other regions I worked with. It was a change for my staff, and there was conflict—it was difficult for people in the regional office who, you know, you either had . . . the ones who were losing power and the ones who were gaining power. The people who were gaining power were euphoric—it was kind of fun for them. But it was also scary because all of a sudden they had the responsibility where before they always sent things up to the regional office. So it was a mixed bag. It was a mixed blessing.

“Some people embraced it. Some people really wanted to flee from it. . . .”

Some people embraced it. Some people really wanted to flee from it. And *knowing* where you fit in in the scheme. There were people who left.

- Seney: There tend to be a kind of generational or age cut off? Some of the older people wanted to leave things the way they were. The younger one being more enthusiastic, or did that cut one way or the other?
- Ball: I had a pretty young staff relatively speaking. I had a few, I mean I had a person who was there for . . .

END SIDE 2, TAPE 1. FEBRUARY 14, 1997.
BEGIN SIDE 1, TAPE 2. FEBRUARY 14, 1997.

- Seney: Today is February 14th, 1997; my name is Donald Seney and I’m with Ann Ball in here office in Carson City.

Ann you were saying that some of the people, when these changes came

down, had been there so long they just left, and one of them was a woman who had been with the Bureau fifty years . . .

Reorganization in Her Division Resulted in Mixed Feelings among Staff

Ball: Yeah, and I'm not sure she left because of the changes that were coming down. She left because of a reorganization I did. And I guess indirectly it was because of the changes . . . (Seney: You mean a reorganization you did in the office?) Yeah, she reported directly to me although her job was basically a technician, and it ~~was~~ part of the reason it occurred that way was because of personality conflicts that existed. But because the nature of *my* job was changing over my *predecessor*, I mean he was in the office, and he was able to take care of details and having the technician report to him was acceptable, I realized it wasn't going to work for me because I could not spend time to get detailed in the day-to-day issue of water ordering. That I *didn't want that* and that she had to be someplace else in the organization. Well, the division chief was a big status thing for her. When I moved her under another branch chief, which was perfectly legitimate and it makes sense organizationally that became difficult because in her mind she lost status. And it also put her working among certain people that she had personality conflicts with before. And I said "Well, that's they way it's got to be," and I wasn't real sympathetic to those other issues because I clearly had a need for *somebody* to be paying attention to her issues—but not *me*. And so she left. And, yeah, indirectly [it] had to do with the organizational change because I needed to make the change, and that was one of the very first things I did. And that was before a *lot* of the work came down from the regional office. It was just because of how I perceived my job differently than my predecessor. My predecessor was involved in day-to-day decisionmaking, and I didn't want to get involved in that. I didn't see that as my job. So one of the first things I did was delegate more authority to my branch chiefs, and they *really liked* it.

Seney: Yeah, so I take it this gets pushed all the way down, does it. You're going to get some more from the regional office, but you're going to give up some to your branch chiefs as well.

“ . . . there are people that embrace change and there are people that could deal with ambiguity better than other people. . . . ”

Ball: You bet. That's the only way you could do it. So she left. There were a few other people that left, and yeah maybe it was around age although I didn't notice it. You know, it wasn't something that kind of clicked in my mind. It also had to do with personality. I mean there are people that embrace change and there are people that could deal with ambiguity better than other people. And I thought that was probably more significant factor in whether the change was accepted or not.

Seney: Have you had a chance to observe other agencies, bureaus, to know whether or not Reclamation has a harder or easier time, or about average, in terms of these kind of changes as an organization goes?

“ . . . I think Reclamation, as a whole, and the people in Reclamation *are* adaptable. ”

. . . I think as an organization we have had to adapt to political influences because we work in a political arena and it changes with time. . . so if there's little changes in the wind we have to be able to sense those and adapt to them. . . ."

Ball: I've observed conscientious organizational change occurred in two regions in the Lower Colorado Region at least five years before, and I went through it with Ed Hallenbeck as the regional director and the facilitator training. (Seney: Well, he quite an enlightened fellow isn't he?) Yeah he was five years ahead of all this stuff, and we were *doing* this stuff, and then when I came to Mid-Pacific [Region] they were doing things that we had done—I mean, they were even way behind there even in thinking to things that we had done in the Lower Colorado. I think Reclamation, as a whole, and the people in Reclamation *are* adaptable. One of the reasons being is that we have this orientation that this is what needs to be done; we will do it; and once the decision is made that this is the way it is we kind of expect it. I'm not saying we're all sheep, but I think as an organization we have had to adapt to political influences because we work in a political arena and it changes with time. And we just have had to deal with . . . (Seney: Does this go back to what you were saying in contrast to the Fish and Wildlife [Service] that when a management decision is made and the argument stops and the decision is made that the people in the Bureau tend to line up and say "All right, we've had our say, we'll go along with it." You're shaking your head yes.) Yeah. But I also think it's the experience of dealing, working in a fish bowl. From the political, I mean, Reclamation is a very political agency, and, you know, our success in a large part depends on being adept to the politics of what's going on, and so if there's little changes in the wind we have to be able to sense those and adapt to them. But then, sometimes it hard, sometimes it easier, but I think we understand the nature of politics as a whole and understand that we have a role in this whole scheme of things. I mean, this is the constituents, this is the agency, [this] is Congress. Kind of working in a give and take, and we take more than we give. We give our services, but we take a *lot too*.

Seney: Taking, by that you mean . . . (Ball: Abuse, and praise, when it's coming, but understanding that, you know, we aren't in total control.) But over the years the Bureau has been in pretty good shape politically, has it not? It been funded fairly decently and supported fairly decently and when it's had quarrels with other bureaus its authority has generally been upheld. I mean, on the whole, it's done pretty well is my impression. (Ball: Yeah.) Can you be specific about some of these things that got transferred from the regional office to you, and then some of the things you, yourself, gave down to your branch chiefs—so people who aren't familiar with the bureau can get a flavor of what specific changes were made.

Division Chief Job Was Vacant for Three Years Before She Took the Job

Division Chief Job Advertised Two or Three Times Before She Took it

Ball: Okay, before anything happened, I mean, one of the first things I did was—the way the office was structured and my predecessor, now my predecessor had been gone for three years before I came, but his legacy lived on, and for three years they had had my two division chiefs had been acting on and off, and they had advertised the

job two or three times, and they just didn't get anybody that they wanted to fill the job. And my two division chiefs had applied all three times and got—that was the problem.

At First She Signed Every Piece of Correspondence out of the Division

But, anyway, *every* piece of correspondence that came out of that office was signed by *me*. And all of the correspondence came to *me*—during the acting phase the two division chiefs managed to affect some changes. That was one. They managed to get the correspondence that the incoming letters directed to the appropriate person first. They managed to affect that. But I was signing everything, and I have to tell you that I don't like signing things I don't *understand*. And this was technical *stuff*, and *I* didn't want to put my signature on it.

Delegated Signing Authority When She Arrived

So the first thing I did was delegate signing authority. And, you know . . . (Seney: Is that difficult to do administratively or is that within your authority to do.) You know, it was funny because I said "I want to do it," and my boss said "We can't do that." And I said, why not, I did it in Boulder City—I mean, I *did* it before. And then he's just kind of "Ohhh." And then he said, "Well, let's just do it and see what happens." Yeah, OK. And so he let me do it, and it *worked*, I mean there were some mistakes kind of on some things, but on the whole I *reviewed* the outgoing after it went out, so that I said, "Oh well, this probably shouldn't have been done this way." But we picked it [up] after the fact, and we used it as a learning experience. But on the whole it was great, and people really, you know the staff, really responded to that, on the most part, there were some people that just didn't like signing letters. They didn't want to put their signature on that letter—to me indicating that they didn't want to be the one personally responsible for the content of this letter. It was kind of cute when one person would write the letter and sign the letter and in the letter we usually have a—oh, protocol is to put a contact person in every letter so, you know, if there is questions or anything you have somebody to contact. So this one person was writing these letters, and I picked it up and she would say "and if you have any questions about this issue please contact " and she put her bosses name in. (Laughter) Well this was a fine [way] of delegating up, but that's not the idea *here—you're* the contact person, that's why you're signing the *letter*. [And so there was] a little, "Oh, oh, I understand what we're doing here."

Some people really felt uncomfortable. By and large most people liked it, and it eliminated bureaucracy. Letters were getting out quicker, and the quality was pretty good because I had really good competent division chiefs, and they weren't willing to relinquish *their—and* it was OK. I didn't demand. I wanted them to make the decision. If they felt comfortable with delegating further that was their choice—but that was *their* choice. I didn't mind if they do. And so they kept control, and they were really good, and they were really [knowledgeable]—I had good, it really nice when you have good people.

Seney: And you could pretty quickly size that up. That these were good division chiefs that knew their stuff. (Ball: Yeah.) Now some of these division chiefs had been acting, right?

Ball: They had been acting [in] my job, but they had been full time division chiefs for their various positions for, oh, fifteen-, seventeen-, twenty-five years, and they really knew their stuff. And so that really wasn't an issue.

Seney: Was it difficult in this office to establish yourself, or when you came in to have the first staff meeting were they glad to see you, helpful from the very beginning or was there a kind of period of testing and . . .

Didn't Have a Problem Moving into the New Job in Fresno

Ball: I felt very accepted. I did, I think, for several reasons. The very first day I showed up to work the area manager wasn't there so I just kind of went in and got to my room and I just started going out and talking to people. And the feedback I got back was that the previous guy had never done that. I mean he just stayed in his room, and the feedback was that this was really totally refreshing—somebody who'd go out and *talk* to people . . . (Seney: Yeah.) I think because of the difficulty of having filled the job and they advertised two times and then made a selection and I came in from nowhere went an aura of maybe a little mystery. I mean that I was handpicked for something or other.

Seney: Did they know that Roger had called you?

Ball: I don't know if they knew. You know obviously my boss did because he had to concur with that, and I came and talked to him. And that was OK, but I don't know. I think—I don't know if the people, my staff, knew I was selected for a certain reason and then when they saw, understood, my boss shared my SF-171, which is the equivalent of a resume with the other division chiefs and the people whom I selected (Seney: So they knew who you were.) They had a sense of who I was, what I did, what my experience was, and I clearly had ample experience to do the job. So that wasn't an issue. No, I felt very accepted and my division chiefs were *relieved* not to have to act any more—and that a decision was made and they didn't want to go on in this limbo where they were half doing the job but half not. And, you know, it's a strain. (Seney: Right. And it was clear they weren't going to be selected. They had tried several times. Yeah.)

It was clear they weren't going to do it, and they were doing two jobs, and they didn't like it. They wanted to go back to the normalcy of ~~doing~~ focusing and what they were doing. So they were very accepting, and I guess I got clued in to the culture. You know, I made a few *faux pas*, right up front, and I apologized when I realized before I realized they were *faux pas* initially. (Seney: What did you do?) Oh there was . . . (Seney: It's tough to ask when you say that.) one situation where, you know, something came up, and I can't remember what it was, and I guess functionally it went with this guy, but this [other] guy wasn't busy and I said "Well why don't you just do it?" And, I mean it just was, oh I got *both* of them angry. I mean I could tell that I was kind of there was this real clear

division, and I said let somebody else do [that the other had done] traditionally. And I apologize—I apologize, sometimes I get carried away, and I am just interested in getting the job done. And I forget about the hierarchy, and I forget about the organization, and I apologize—I’ll never do it again. I see that this is really important to you. But, I mean, I could see their faces when I even suggested *you* do the NEPA and *you* do this. It was like—uhhhhhh. I probably did *other* things I wasn’t even aware of, but that one I kind of knew I stepped into it right away. (Seney: Of course that’s not so bad. You handled it properly. That is if you back off, apologize, and make a joke of it and then they realize that you’ve got a sense of humor and you can be dealt with. Who knows, in the end, that may be helpful. To reveal something about yourself to them that they like.)

I had two divisions under me. That’s the way it was organized when I came, and they were both wonderful. They were both very different, and they were both wonderful, and they both accepted me and they were both honest with me as to what their expectations were and how they behaved, and I think they really appreciated that I honored their expertise, I recognized it and didn’t want to micromanage them because their previous supervisor did. As a matter of fact, the previous supervisor micro managed one and let the other one alone. The supervisor before that micro managed the other one and let the other one alone. So they *both* had the experience which is that—and they told me these things. I spent a lot of time with them on my mini-travels up and down US99 to Sacramento. So we talked a lot about how we needed to be. And, quite frankly, when they saw me in other interactions with the water users and the regional office, one of the branch chiefs says “You know, I can see now why they selected you. I couldn’t have done what you just did.” And so there was an acknowledgment there. (Seney: Was he maybe alluding to a personal skill in dealing with a difficult situation.) Dealing with a conflict because they both were kind of conflict avoiders. And they both could have done the job as it was, but they probably could not have done, and would not have wanted to do the job as it was becoming. (Seney: And you wouldn’t describe yourself as a conflict avoider more a conflict resolver.) No. Yeah, well, I’m not a conflict avoider. (Laughter.) (Seney: Are you a conflict resolver.) I hope so, I mean I try to, but—the conflict resolver is the facilitator. There are times when I fall into that facilitative role because I don’t have a vested interest or real deep ideological interest in the outcome. And that’s the conflict resolver. You help facilitate the resolution. But then there are times when you’re not the conflict avoider. You feel strongly in this issue and you have to *fight* for it—where you’re not really, maybe necessarily, *resolving* things because you feel very *strongly* that your position is [correct], and you have to take that stand. So I don’t think it’s an either/or [situation]—and I think sometimes . . . (Seney: It depends.) I’m a fighter and sometimes I’m a resolver. But its different roles on different issues. So I don’t think I’m always one way or the other. But I know I’m not a conflict avoider.

Seney: You know, we’re here in your office, and when I was waiting for you, I noticed there were several signs around, nicely lettered signs, quotations from various people. Will Rogers, “Even if you’re on the right track, you get run over if you just sit there,” is one of them. What’s the one I can’t read? The craps one. (Ball: “You can’t win if you don’t roll the dice.”) And bridges instead of walls Kenny

Rogers, the great philosopher, “You’ve got to know when to hold them and know when to fold them.” What’s with these signs.

Ball: I guess because I think they’re right on. (Seney: Do they kind of summarized about how you fell about conflicts are made or resolved.) Yeah, how to get things done and how you should, what kind of *principles* you should have—bridges instead of walls. I mean, I think we should work *towards* resolving conflicts, but you have to kind of know.

“You got to do the right thing, at the right time, for the right reason.’ You got those three things lined up, you’re OK. . . .”

I mean I think timing is a very critical—there are times you need to know that you’re not going to win it now. That you need to hold the—maybe then you push so you have to assess the situation. I guess Walt Fite, I’ll credit him for saying this, and I think it’s true—“You got to do the right thing, at the right time, for the right reason.” You got those three things lined up, you’re OK. Now it’s not easy to line all those three things up—knowing what the right thing is, for the right reason is something that comes internally, and then at the right time is the hard question. (Seney: Timing is . . .) Yeah, timing is everything. (Seney: I think several of those imply that. That’s interesting, the comment that when you dealt with the water users they could see why you were chosen instead of them.) Well it wasn’t the water users it was my employees. (Seney: That’s what I mean. When they had seen you deal with the water users. Then they had commented that now I see why.) Even with folks from the regional office, there were times that I just held my ground and I said, “Well, I don’t know the rules here, but this the way I see this going.”

Seney: What were the things—you mentioned what you transferred down to your branch chiefs. What came into your lap from the regional office.

Ball: Having responsibilities for approving water transfers that originated in my area of responsibility. Having the responsibility of negotiating contracts—so the repayment contracts. Having the responsibility for doing EISes. We had *never* done an EIS in my office. And some other programs started coming down over time. I mean, it got to the point that it was more than anybody could handle. It was like the (unclear) just kept on coming down.

Seney: You know, Roger called you on the phone and talked to you about the job, right, to begin with and asked you to apply, I take it?

Roger Patterson Made the First Approach about the Job in Fresno, but after That Contact Was Minimal

Ball: Actually I think he sent me an e-mail. No, no, that’s right. He called me on the phone.

Seney: And once you were hired, did he meet with you and say “This is . . . this is what I have in mind.” Give you any indication of what he wanted, or that you would

know and he could trust you to do what he wanted you to do.

Ball: I didn't get any marching orders from Roger. I really didn't even talk to him as to "why do you want *me*" or anything like that. Actually my encounters directly with him were quite minimal because I had two levels of management between him and me.

Seney: And the protocol is you deal with them.

“. . . there weren't too many people that came in. I mean Mid-Pacific Region are people that have been there are worked there—that you don't get new people in. . . .”

Ball: Yeah, I deal with them. I wasn't going to go run to the regional director. I mean, I understand the culture of our agency you just don't do that. But it was *clear*, and I think it was helpful for me in getting integrated into the region was that I think at least there was a perception or an understanding or a knowledge by people in the regional office or by key managers that Roger did bring me in. Because there weren't too many people that came in. I mean Mid-Pacific Region are people that have been there are worked there—that you don't get new people in. And my sense is . . .

Seney: Did you ever find out why? What brought you to his attention? Did you ever get a sense of why he hired you, and . . .

Ball: Well, I think the commissioner at that time might have said something. I think he had known about me because several of his other close friends within Reclamation had supervised me. He knew I was in Washington because when he became the regional director I gave him a call and I said "Here I'm in Washington. I'm dealing with these issues that I'm . . ." Other than that, I really don't know. I mean I don't know what he knew about me. And maybe he was taking a risk, and maybe he was doing it because the commissioner told him to do it—for all I know. You know, I *really* don't know. I don't know, and I never asked.

Seney: Did you like the job?

Ball: Oh yeah, very much. Very much. Yeah, it was very interesting. It was very challenging.

Seney: Did you feel, even though it was a lateral move, that you'd made the right decision in leaving Boulder City and coming to Fresno?

Moving to Fresno Was a Personal Growth Issue

Ball: Yeah. Because of the other reasons. (Seney: The other reasons?) Well, the family reasons, the feeling that I was starting to get stale and becoming the old timer there. And just my intellectual curiosity about certain things I was doing. I mean, you know, I had a real intellectual curiosity about these things that I wanted to pursue. So it was a personal growth issue for me. (Seney: And you found it

energizing and . . .) Um-hmm.

Seney: When did you get contacted about this job here as area manager for the Lahontan Basin?

“ . . . Roger said something cryptic to me . . . something to the effect ‘Well you better keep your running shoes on.’ . . . And then shortly after that my, the assistant regional director called me in and asked if I wanted to come up here. . . ”

Ball: Well Roger said something cryptic to me when I was up in the regional office one day. He said something to the effect “Well you better keep your running shoes on.” And I said, “Oh, something’s brewing.” And then shortly after that my, the assistant regional director called me in and asked if I wanted to come up here.

Frank Dimick Was Assistant Regional Director

Seney: Was that Frank Dimick?

Ball: Frank Dimick. And I’m not even sure if he asked if I wanted to.

“ . . . one of the entitlements I got from this departmental training program was I was entitled to a non-competitive promotion . . . but it’s a benefit to the agency as well. . . . It is an advantage to the agency to be able to *put* people where they need them very quickly. . . . ”

At that time, one of the entitlements I got from this departmental training program was I was entitled to a non-competitive promotion within a certain timeframe. So they could promote me without competition. (Seney: Oh, I see. This is one of the bennies then of, one of the benefits of doing this.) Yeah. It was very hard to get into it, and you had to . . . (Seney: That’s an interesting benefit. I mean, is that unusual or is that always go with one of these training programs?) I don’t think it always goes, but it’s a benefit to the agency as well. (Seney: How do you mean?) Because its able to do an organizational move very quickly—without going through a competitive process. I mean you could do it through a reassignment. But you could also—it opens up a group of people that you could move around very quickly without having—and filling certain jobs—without having to go through a six month period of—and these are people you have theoretically identified with leadership potential. It is an advantage to the agency to be able to *put* people where they need them very quickly. (Seney: Do you think that’s . . .) Where they perceived they needed them.

Seney: Do you think that’s one of the reasons you might have been selected? This flexibility aspect of it. That now they’d have you waiting in the wings when and if they needed you? Was that in Mr. Fite’s thinking or whoever sponsored you down in Boulder City? I mean, I can imagine it would be.

Ball: Yeah, I think *that* is one of the reasons why agencies would sponsor somebody to be—I mean you wouldn’t, theoretically, sponsor somebody that you didn’t think

had the potential to at least function at the *next* higher grade and *theoretically* I should have potential I should have potential to function at even higher grades. So yeah, it is. (Seney: And its something the bureau paid for, right? I mean, you said the money eventually came out of Mid-Pacific.) It's costly. (Seney: Have, any idea what it costs to do that.) I would think it costs about \$20,000. I mean with all th per diem and training and travel. (Seney: And then somehow replacing you from time to time, I suppose, when you had to be off training. Would that be part of it? So Frank gives you a call. What do you think when you hear from him? Do you know anything about the Lahontan Basin and the Newlands Project.) No. (Seney: Its not particularly notorious or noteworthy throughout the Bureau.) Well, I knew a little. What I knew about it was very minimal, but it was intriguing. (Seney: What was that, can you remember?) I remember knowing that we had a reservoir that was dedicated solely to fish. Boy how interesting that is. I knew had tribal issues. I knew that there was a lot of litigation and conflict. But, that was really about all I knew. And I knew there was an interest by the department. (Seney: Had Ed Solbos, he had been removed by this time and transferred back to Sacramento. Well, it kind of happened almost simultaneously. He ended one day, and I came the next day. But when I first came, I was acting. The announcement had not been made that I would be the area manager here. (Seney: Were you aware that—or when did you become aware that the assistant secretary for water and science had actually engineered the removal of the area manager.) I didn't tell you that, somebody else did. (Seney: Betsy Rieke did—I have it right from the horse's mouth.) I'm . . . (Seney: Let me say I'm asking that because . . .) Well, I'm trying to think when because I didn't ask a whole lot of questions. Maybe I should have. (Seney: Maybe you shouldn't have.) I wasn't aware until after I came here, I think. (Seney: Yeah, I guess my feeling would be, and maybe yours would too, egads, I mean this has gotten attention awfully high up.) I think if I had been aware, I might have asked a few more questions. Maybe again, I wouldn't, because I was intrigued with the little I knew.

Seney: You know, I'm almost out of tape, and I need to go see Jeff Zippin. So, why don't we begin with Newlands the next time we talk?)

Ball: Okay.

Seney: Great, thank you Ann.

END SIDE 1, TAPE 2. FEBRUARY 14, 1997.

BEGIN SIDE 1, TAPE 1. JUNE 29, 1998.

Seney: My name is Donald Seney. I'm with Ann Ball, at the University of Nevada, Reno campus. This is our fourth session, and this is our first tape.

Good afternoon Ann.

Ball: Hi.

Background on Her Selection for the Job of Area Manager in the Lahontan Basin Area Office

Seney: Well, when we finished a year ago February talking, we were talking about you coming to the Newlands Project, and had just begun to talk about how you were selected for that. Why don't you give me the background on how you were selected for that job?

Went to Departmental Manager Training Program

Ball: Well, I don't know how I was selected. There wasn't a competitive vacancy announcement, or anything like that. I recall in November, or around November or December of 1994, Roger Patterson gave me a cryptic message and said, "Keep your running shoes on, Ann." And so, I suspected that they were going to ask me to go somewhere, but I wasn't sure where. And, there were certain things happening organizationally. And, I guess at that time I had the assumption it would be here in Carson City, or to Redding, because things were changing in the organization, so that didn't surprise me. I had gone through a departmental management [training] program and that departmental management program, attached to it was the ability for a manager, my boss to give me a non-competitive promotion. So, it was really a benefit to management. So, if they had to make a quick change or fill a position quickly they could do it without advertising with this pool of people. (Seney: Right.) And so, at that time he just gave me a cryptic message.

Assistant Regional Director Frank Dimick Talked to Her about Going to Carson City

And then shortly thereafter I recall talking to—Frank Dimick called me in, and he was my—no, he wasn't my immediate supervisor, because my supervisor's supervisor. He was the assistant regional director. And, he talked to me about going to Carson City, and taking on this job.

Seney: He had been regional director, or been the area manager?

Ball: He had been area manager. I believe he was the area manager immediately before Ed Solbos.

Seney: Do you remember what he said about the job, or how he characterized it to you?

Ball: I recall there wasn't a whole lot said. Let me think a moment, because maybe it will come to me. I remember it was in his office in Sacramento, and I remember it was late in the day. I was just getting ready to go back to Fresno, and he called me in and he said that they would like me to go to Carson City because they needed somebody with my skills there. And, other than that, I don't, he didn't ask, he didn't offer a whole lot, and I didn't ask a whole lot.

Seney: When you say "your skills," in the last interview you described your work as a Facilitator, and in training, and that sort of thing. Is that what you're alluding to when you say "your skills?"

Ball: Yeah, I think, uhm, and again, you know, you'd have to ask Roger and Frank what they were looking at. But, I assumed what they were looking at was my experience in negotiating contracts, and my experience in river management and facilitation.

Seney: And, at that point he offered you the job, did he, or . . .

“ . . . my sense was that it was more like a directed reassignment. . . .”

Ball: Well, (Laugh) yeah. I guess “offered” might not be the right word. I mean, I, (Seney: Ah. Okay.) Of course, I could have said “No”.

Seney: As in he said, “We want you to go to Carson City”?

Ball: “We want me” I mean, (Seney: Yeah.) it wasn't that I applied for the job. (Seney: Right.) I had never applied for the job. I didn't even know it was open (Seney: Right.) at that time. Ed Solbos was still the area manger. And so, you know, I asked a few questions about like, “When?” And, he gave me a little background about what was going on with the second level of negotiations and that they were winding up. And, but not a whole lot. No. I wouldn't say I got a whole lot of information.

Seney: How did you prepare yourself for the job? What did you, before you got to Carson City?

“ . . . they wanted me to start right away. I mean, right away. And, I felt that I needed some time to wrap things up in Fresno . . . So, what we did was I was on a detail to Carson. And, I would go up every two weeks or every other week, and Dave Overvold who was acting at the time also, we kind of shared that position. And that occurred for about two months . . .”

Ball: I didn't do very much. The way we did it was, they wanted me to start right away. I mean, right away. And, I felt that I needed some time to wrap things up in Fresno, and to get things a little organized. So, what we did was I was on a detail to Carson. And, I would go up every two weeks or every other week, and Dave Overvold who was acting at the time also, we kind of shared that position. And that occurred for about two months, and that gave me, gave me some time to get acquainted with the issue. But, at that time, you know, I already was on my way. I mean, the decision had been made.

Seney: Did you talk to Ed Solbos at all?

Ball: No. No. No. As I said, I'm not sure that I felt that I had a choice to say “No.” I had been through this management program and part of the understanding is that you go where you're asked to go. And so, I'm not sure that I really felt that I had the option of saying “No.” It was more like a directed reassignment.

Seney: I'm not thinking so much in terms of whether or not you would take the job, (Ball: Uh huh.) but just simply to get the background from Ed.

- Ball: The background? I talked to Ed a little bit, but this was after. I talked to Frank. I talked to Betsy Rieke. I talked to Dan Beard. I talked to people who had been, who had worked in the office previously. My then-current supervisor had worked in Carson City for a year or so.
- Seney: You know I, ~~as you know~~ I know Ed, and I've interviewed Ed, and I like him. He's always been very kind to me. And, after he was removed from Carson City he was transferred to Sacramento. And, one day I was down at the Bureau Headquarters on Cottage Way, and I wanted to say "Hi" to him, and I asked in the office where he was, and the secretary directed me, from the regional director's office, how to reach him. He was the furthest office away from the regional director's office. And, I'm smiling when I say this, because I don't know if this has a political meaning or not. And, I guess I'm suggesting it, but I'm wondering would there be a kind of stigma attached to Ed that you wouldn't have talked to him about these matters, or that he had just been replaced, you were replacing him and it isn't done?
- Ball: I think . . .
- Seney: Or, is there anything like that?
- Ball: No. Well, I, the first opportunity I really had to talk to him was at an area managers meeting that we both went to, and I talked to him, you know, in the hallway. And . . .
- Seney: At which time he knew he was leaving and he knew you (Ball: Yeah.) were coming?
- Ball: As a matter of fact, yes. Yes. He knew that. And, I knew I was coming. He knew he was leaving. It wasn't a real, I mean, it wasn't done in a way that was very supportive. I mean, it wasn't talked about. And so, when things aren't talked about openly people assume . . . So, no. As a matter of fact, I mean nobody ever said that "Ed was screwing up," to me, (Seney: Right. Right.) or anything like that. (Seney: Yeah.) But, and well--well, let me take that back. I think I did, I think somebody told me--it was explained that Betsy wanted Ed out.
- Seney: She has said that to me.
- Ball: Yeah. Okay. (Seney: Yeah. Right.) That's right.
- Seney: Yeah.
- Ball: That's what I was told. And, I didn't ask any reasons. I mean, I didn't ask a lot of questions. (Seney: Sure. Okay.) Yeah, but I was told that Betsy wanted Ed out, for whatever reason. And so, (Seney: But . . .) yeah, I think it was perhaps a stigma attached. I mean, I would not have liked to have been in Ed's position, because I think it would have been very uncomfortable. And, it wasn't discussed openly. Maybe it was in some venues, maybe in an area manager's meeting, but I don't think so. (Seney: Yeah.) Because, you know, at one meeting Ed was there.

At the next meeting I was there. And, there was never any explanation. And, I could tell that the other area managers in the regional office were uncomfortable (Seney: Right.) you know, like, “What’s going on here?” Even when I went to the area manager’s meeting, you know, nobody would talk about it. So, it wasn’t, you know, it was like a taboo, (Seney: Yeah.) in a way you don’t want to air your dirty laundry, or whatever it was. But I did, I mean, I decided, I mean I thought it was in my self interest to talk to Ed. (Laugh) Even though, you know, there was something that had happened (Seney: Yeah.) or things that had happened. I certainly wanted to get his perspective. And, having gone up to the office several times, things seemed a little strange to me. I mean, it wasn’t normal operating procedure, so to speak.

Seney: At the Carson City Office?

Ball: Yeah, at the Carson City Office. So, I kind of asked Ed for his insight on various things. And I also, I mean I didn’t want to be on a bad footing with Ed. I didn’t have anything personally (Seney: Sure.) against him. And I, you know, there are a variety of reasons that Betsy could have wanted Ed out.

Seney: Are you familiar with the one that seems to bring it to, brought it to a head?

Ball: The delivery of water to the Fallon tribe?³

Seney: Yeah. The late water delivery to the tribe.

Chains of Command and Staff Reactions Were Not Normal in the Area Office

Ball: The late water delivery, yeah. I was told about that from quite a few people. And, I don’t know that I got the complete story, or the full story, from anybody. And perhaps Ed is the only one that knows. (Seney: Yeah.) I never asked Ed, (Seney: Yeah.) what the details were. But, I know that seemed to be the precipitating incident, and it occurred at a time—well, the day before a negotiation session, in Fallon, and so it created quite a bit of anxiety and tension in the community.

Seney: Yeah. When you say that when you went into the Carson City Office that “things seemed unusual” to you, what did you mean by that?

Ball: From an organizational point of view the typical procedures, the typical ways of doing things within Reclamation did not seem to apply. One of the things, too, that seemed unusual, but I didn’t talk to Ed about it, and but staff was very reticent, and I pretty much got statements like, “Well, what do they want? We’ll give them whatever answer they want,” type of thing. And, I, you know, that’s, was foreign to me. (Seney: Yeah.) I said, “No. You tell me. You’re the technical experts, and then I have to sift through the policy and all that other stuff.” And, you know, when I would go and give an assignment they’d say, “Well, what do they want?”

3. The Fallon Paiute-Shoshone Tribe.

Seney: They seemed gun shy to things?

People Were Contacting Field Staff in Fallon and Receiving Information That Might Involve Privacy Act Issues and Management Policy Issues

Ball: Gun shy, and reticent, and wanting to know (Laugh) what the answer should be before coming up with it. And so, I thought that was a little unusual from that perspective because I had never been in an office like that. The other perspective was just, you know, the reporting structures, and how decisions were made, and the relationship with Justice, Justice Department. You know, I would have people from the Justice Department call staff out in Fallon, you know, GS-9 staff and ask for information. I'd have, I'd have the consultant from the tribe, the tribe's consultant call the office in Fallon and ask for data.

Seney: That'd be Ali Scharoodie [spelling] would it?

Ball: Ali, or Ali's staff. (Seney: Yeah.) And, it was like, you know, it was not how we do business. I mean, we have, especially when we're dealing with Justice we have, you know, a real more formalized relationship with Justice. And, you know, I've been in places where we've had lawsuits before, and it wasn't foreign to me. It wasn't that I had never been in a place with lawsuits and with touchy issues, it just seemed that the relationships were strange and almost too close, you know, that you couldn't—all the distinctions were just blurred or nonexistent.

Seney: And, that was difficult as an area manager to cope with?

Ball: Well, it was, well not to cope with. It wasn't an issue of coping. I didn't think it was right. I mean, I was concerned about issues such as Privacy Act. I was concerned, you know, the appropriate relationship.

“ . . . I'm a bureaucrat . . . there's distinctions among departments and between agencies, and those distinctions have a purpose . . . we've set up a way of doing business that acknowledges and recognizes it, and conforms to those distinctions. . . . I knew what the rules are. . . . I had experienced a wide variety of real complex issues, and this is the way, you know, we deal with them, you know? And, none of the rules seemed to apply here. . . . ”

I mean, you know, I guess I'm a bureaucrat, (Laugh) and these, I mean I'm kind of steeped in the philosophy that there's distinctions among departments and between agencies, and those distinctions have a purpose, and a reason, and we've, we've set up a way of doing business that acknowledges and recognizes it, and conforms to those distinctions. And, when you blur it all, it's like you don't know what the rules are. You don't know how to operate. And so, I think that was—oh yeah, maybe “coping” was the right word. That was difficult. It's like, “What are the rules here?” And so, what are the rules? The rules didn't seem to apply, but then when I started figuring out the rules they didn't seem right. So, it was more than just coping, it was a matter of whether they were appropriate or not. And, and so it, yeah, it was a little bit like being a little bit on quicksand, you know, or on a, you know, a shaky surface, liquefaction, (Laugh) you know, “Ooh. Okay, what

are the rules here?” you know. I knew what the rules are. I mean, I was a bureaucrat (Seney: Yeah.) and I came up through the agencies, the agency, and I had experienced a wide variety of real complex issues, and this is the way, you know, we deal with them, you know? And, none of the rules seemed to apply here. They were just all, all broken.

“ . . . once I figured them out I really had concern that they weren’t appropriate, that the relationships was too close and we were kind of fuzzing the distinction between policy and legal . . . I was especially concerned when the tribe’s consultant was calling my staff directly and they were exchanging information, and providing information freely . . . without any checks: names, addresses, telephone numbers of people. . . it wasn’t only Fallon. . . it was also in my office . . . ”

And, but it wasn’t that insofar, because once I figured out the rules, you know, I could accommodate. (Seney: Yeah.) That wasn’t really the issue that I was inflexible in dealing with that. But, once I figured them out I really had concern that they weren’t appropriate, that the relationships was too close and we were kind of fuzzing the distinction between policy and legal, between, between whatever. And, I was especially concerned when the tribe’s consultant was calling my staff directly and they were exchanging information, and providing information freely without any, without any checks: names, addresses, telephone numbers of people. And so, I didn’t, you know, that gave me concern. And so, I had concern over the legality of some of this coziness.

Seney: This is the staff in Fallon who manages the OCAP⁴ compliance, among other

4. The Operating Criteria and Procedures for the Newlands Reclamation Project, Nevada (OCAP) of 1988 is a Federal rule guiding operation of the Newlands Project. Previous operating criteria went into place in October of 1967 and various forms of the criteria existing until the 1988 version went into effect. According to Reclamation’s Mid-Pacific Region website, the intention of the OCAP is to:

- Limit diversions to Lahontan Reservoir from the Truckee River through the Truckee Canal, in order to maximize flows to Pyramid Lake. The lake is the river’s terminus and is located on the Pyramid Lake Indian Reservation. The lake is home to two fish species listed under the Endangered Species Act: a large sucker fish, the cui-ui (commonly pronounced “cwee-wee”) that is listed as endangered, and the Lahontan cutthroat trout that is listed as threatened.
- Provide criteria specifying whether Truckee River diversions to Lahontan Reservoir are allowed in a given month, and the allowable diversion quantity.
- Set criteria for determining an annual maximum amount of water that can be released to serve Newlands Project purposes. Water is released from the Truckee Canal to serve the Truckee Division, located in and around the City of Fernley, Nevada. Most water to serve the Carson Division, is released from Lahontan Reservoir. The reservoir is located on the Carson River; the Carson Division is located in and around the City of Fallon, Nevada.
- Specify a procedure under which Truckee River water, that is allowed to be diverted to Lahontan Reservoir, is instead credit-stored in Stampede Reservoir for later release to the Project, if needed. The purpose is to prevent water from being diverted to Lahontan Reservoir and then spilled when unanticipated flood or large runoff events occur. The diversion is delayed, and if no unexpectedly large flow events occur, the water can be brought over to Lahontan Reservoir.

(continued...)

things?

Ball: It was Fallon, but it wasn't only Fallon. So, it was also in my office too. For instance, we were busy doing, doing, right when I came, one of the big emphasis was the revised OCAP [see page 111]. And, my staff in Carson City was, did the runs. And, I had to specifically tell them not to share that information with the tribe's consultant. He was about ready to send it to him, you know, and we were doing runs because—we were doing internal work. I mean, and we were doing the internal business, but he was so accustomed to, to—and the tribe's attorney, not the attorney, but the tribe's consultant, Ali, called and said, "Yeah. We want to see the runs as you do them." And so it was like a blurring of even internal stuff.

Seney: Yeah. What was the problem with doing that, do you think? I mean was it, were they getting information they shouldn't have?

Concerned about Two Issues: That Everyone Wasn't Receiving the Data at the Same Time and That the Data Was Still in Process of Development and Outside Pressures Might Try to Influence the Final Data

Ball: I think until—well, two problems I saw. One is that you share with one without sharing with all. Okay? If we're going to give data (Seney: Yeah.) let's give data to all and let's have the process nice and open, and not provide any preferential treatment. But also, the second, which was probably more important is that there needs to be a time of internal deliberation, where the agencies, that we can talk among ourselves and develop our policies and develop our positions without having influence from the outside, undue influence from the outside. Those were the two: undue influence from the outside.

"When information is given out prematurely . . . it creates a situation where

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4. (...continued)
- Protect fish in the Truckee River below Derby Dam, when the river flows there are less than 100 cubic feet per second, by prohibiting increased diversions into the Truckee Canal diversion that would significantly change those flows. The purpose is to avoid sudden flow decreases that could strand fish
 - Set a target Newlands Project conveyance system efficiency in non-drought, non-spill years to encourage good management of Project water.
 - Penalize the irrigation district (with water) for failing to meet the target efficiency; reward the irrigation district (with water) for exceeding the target efficiency.
 - Annually adjust Lahontan Reservoir storage targets, which affect the allowable amount of water diverted from the Truckee River to the reservoir via the Truckee Canal, based on the anticipated irrigated project acreage, and other factors.
 - Allow Reclamation to develop criteria under which Lahontan Reservoir precautionary drawdowns can occur to limit potential flood damage along the Carson River.
 - Prohibit Newlands Project water deliveries to ineligible lands or in excess of established water duties.
 - Direct the Project operator, the Truckee-Carson Irrigation District, to maintain records of water-righted lands and water deliveries.

people could create a problem, create an end-run. . . . run to their senator . . .”

When information is given out prematurely, you know, when it really isn't fully developed, it creates a situation where people could create a problem, create an end-run. Say, "Oh my god, look at what they're looking at. Look at what they're doing." (Seney: Yeah.) They could run to their senator and they could do an end [run]—and it's not conducive to good, effective government.

Seney: What was the regional headquarters' view on sharing this kind of information? Did they, did you have any communication with them on that?

Keeping the Solicitor's Office Informed and in the Loop

Ball: There was nobody in the region that really understood what was going on. Well, Frank was there. Frank was there, and he was my immediate supervisor. He supported my decisions. And, what I did with Justice is I got that a little bit more formalized. And, I said, "We'll respond to requests, written requests, through our solicitor's office." And, that's the way it's done (Seney: Yeah.) Reclamationwide, agencywide. So, Justice would write to our solicitor's office and ask for information and they would make the determination if it was appropriate, and so advise me and ask for it. And, we would go this way, the solicitor's office stays informed, I know what's going out, (Seney: Yeah.) I have some assurances that my attorney, who is the solicitor, has looked at it from a legal perspective, Privacy Act, whatever.

Seney: Would this have been Lynn Collins?

Ball: It would be Lynn Collins or it could have also been Jim Turner. I mean, that wasn't quite clear (Seney: Yeah.) which office was handling it.

Seney: Jim Turner . . .

Ball: Out of Sacramento.

Seney: And he's the solicitor for the Bureau of Reclamation? Within the Bureau of Reclamation?

Ball: Well, the solicitor is – no.

Seney: It's the Department of Interior?

Ball: The Department of Interior and the Office of the Solicitor is an office within the Department. And, I don't think any of the attorneys are an attorney for any specific agency. (Seney: Okay.) Some of them might be assigned Reclamation issues, or Fish and Wildlife Service issues, but they work for the Department.

Seney: Okay. All right. What did the, did you have any dealings with Fred Disheroon at the Department of Justice over this issue? Did he—he's the long-time Justice Department attorney who probably initiated these requests, I would think,

someone working for him would have?

Ball: Yeah. And, I guess when I talked to Lynn and I said, “This is the way I would prefer doing it,” then the procedure changed.

Seney: And, you didn’t have any particular difficulty with Fred Disheroon over that?

Ball: Not personally. I don’t know how he felt about that. I’m sure that might have been perceived as being a little bit obstructionist, or whatever. I mean, it added, it added, well more bureaucracy or paperwork involved in it, but I think it was the appropriate way of doing it.

Seney: Right. Right. Well, the . . .

Ball: And . . .

Seney: Go ahead.

“ . . . one reason being is that the staff is intimidated. I mean, you get someone from the Department of Justice calling staff, and it’s like god is calling them. . . . and you can’t expect them to have the type of judgment that a higher-level person might have, a manager might have on certain of these issues. . . .”

Ball: Oh, and one reason being is that the staff is intimidated. I mean, you get someone from the Department of Justice calling staff, and it’s like god is calling them. I mean, they got a direct line to heaven. I mean, (Laugh) and they’re very easily intimidated, (Seney: Yeah.) and you can’t expect them to have the type of judgment that a higher-level person might have, a manager might have on certain of these issues.

Seney: Let me go back and ask you, what was your general impression of the Carson City office staff when you came to take over? Able? Competent?

Staff in Carson City Were Nervous about the Way Ed Solbos, the Previous Area Manager, Was Removed Without Any Explanation

Ball: Well my, I had to get to know them before I made that type of a decision. (Seney: Right.) At first, first of all they were pretty much in a state of shock because of the way Ed–Ed’s departing was very sudden and they were without explanation.

Seney: I’m told Ed was actually informed at an area managers meeting, that the change would be made?

Ball: Well, I don’t know when he was informed. I don’t know that his staff was informed, or he gave anybody advance notice. What I was told was that he came in one day and just started packing up. And so, nobody knew what was going on. Nobody from the regional office had come to explain what was going on, and he seemed to be angry and bitter. So, they were a little, you know, uneasy about that. They seemed to be unaware of the bigger, bigger issues, the bigger policy issues,

uninformed, unaware and uninformed about what was going on. They seemed to, well the example of, you know, well, “What do they want? What do they want to prove?” you know. (Laugh) (Seney: Yeah.) Like, “Tell me what you want. I could make the data (Seney: Yeah.) show what you want me to show. So, what are we trying to prove here?” Those are the two major impressions that were initial, before I got to know people, and I tried to change the culture too.

I heard a lot of complaints that, from them, that they had been micro managed and they didn’t know what, I mean, they didn’t feel like any, they didn’t feel like they could make any decisions. Almost, you know, almost stymied.

Seney: Do you recall your impressions when you began to learn about the substance of the issues on the Truckee [and] Carson River[s]?

Felt the Situation on the Newlands Project Was Dysfunctional

Ball: Well, I remember wondering how it got to be so bad. I remember one of my very first feelings was that everything was dysfunctional. Relationships were dysfunctional. You know, “dysfunctional” was the word that I remember using to describe it, and how it had gotten so bad, so terrible, and—and, I remember also feeling that I was in this very confined box, and feeling that we created this big, this complicated legal interpretation that prevented us from moving this way or that way, and that if we could just get people to talk and to relate to each other as people, and deal with smaller issues first and then build on that, that maybe there was some hope. But, as long as we were entwined in this inflexible legal interpretation and theory that we would just continue on. And, I felt like I was in just a tiny little box, and I couldn’t move this way, and I couldn’t move that way because of this legal theory or that legal theory, and we had set up that legal theory so we’d have a better chance of winning in court. And, you couldn’t move this way and you couldn’t move that way. You just couldn’t function. (Seney: Yeah.) You couldn’t talk to anybody. (Laugh) You couldn’t even bring people together to talk without this complicated and burdensome bureaucratic arrangement. It was, it was, yeah, just . . .

Seney: There were no informal mechanisms that were available to you, do you think?

Ball: There were informal mechanisms, but there were so many people, and so many institutions. And I guess I don’t know what you mean by “informal mechanisms”?

Seney: I guess just calling up and talking to people and trying to resolve something with one party and then dealing with another party?

Ball: No, because . . .

Seney: Did you always feel you had to gather everyone together in the same room or whatever you did would be misinterpreted and misunderstood?

“ . . . the lack of trust was unbelievable. . . . ”

Ball: Well, it was set up, you know, with the Truckee-Carson Coordinating Office was there. Yeah. If anybody thought—I mean, you almost had to broadcast to the world (Laugh) everything, because even if they thought you were thinking something before and they found out somebody else had an inkling that you even had a thought in your head before somebody else did, I mean, it was a riot. (Seney: Yeah.) It was a riot. I mean, it was just totally dysfunctional. The trust level was just, the lack of trust was unbelievable.

Truckee-Carson Irrigation District Wanted Ed Solbos out of the Area Office as Did Betsy Rieke

Seney: You know, I've had people in the Truckee-Carson Irrigation District say to me that they felt the only thing they got out of the Settlement II negotiations was the removal of Ed Solbos, that they felt that somehow that he had, he wasn't on their side, and that they were effective in encouraging Betsy Rieke to get rid of him, and they felt good about that. Did you have that feeling? Did you have a sense that when you came that that you were kind of their prize, in a way?

Ball: No. I never got that sense. I knew that the only thing that I was told was that Betsy wanted Ed out. I didn't know, at that time, I didn't know why.

END SIDE 1, TAPE 1. JUNE 29, 1998.

BEGIN SIDE 2, TAPE 1. JUNE 29, 1998.

Gave Awards to Ditch Riders on the Newlands Project for Dealing with a Difficult Transition from Drought to Flooding on the Project

Seney: That you gave out some awards to ditch riders, (Ball: Um-hmm.) which I thought was very nice, that, you know, they work hard, they're an integral part of the way the system works out there. And, you gave out some awards. Was that misunderstood by any of the elements that here, maybe you were favoring TCID [Truckee-Carson Irrigation District] and going out of your way to build bridges? And, was there misunderstanding over that gesture, do you think?

Ball: I don't know. I didn't get any comments or feedback about that. Actually, the idea for the awards for the ditch riders came from Chuck Vincent who worked in the Fallon Office. He's a hydrologic technician, and I guess he had that idea and he suggested it to me. And, I just thought it was a great idea, because they had gone through a very difficult time dealing with the excess water. And, you know, coming out of the drought and then into (Seney: Sure.) flooding conditions is difficult, working a lot of overtime. And, I thought that recognition was appropriate. I didn't do it in a, with a conscious desire to build bridges or to show favoritism. Perhaps it got—I don't even know how wide—well, I guess if it was in the TCID newspaper the world knew about it, (Laugh) because the world (Laugh) ...

Seney: Right. Right.

Ball: You know, I didn't give it a second thought. I thought it was a nice gesture. And, my "basis" for comparison was, "If I were in a different location, if I was working with a different district, would I be doing the same thing?" And, I would have. (Seney: Yeah.) And so, I didn't think anything of it. I thought it was fully appropriate.

Seney: Well, I do too. I agree with you. I'm just, you know, (Ball: Yeah.) in such a politicized and sensitive environment I'm must wondering if when you say nothing happened that you know of, that people got concerned that you were showing (Ball: Nobody . . .) favoritism somehow?

Ball: Nobody mentioned anything.

Went out to Various Interested Parties to Let Them Know She Was in the Lahontan Basin Area Office

Seney: Did you go around to the various groups, when you arrived, and introduce yourself?

Ball: Yes.

Seney: Talk to the tribes?

Ball: Yes.

Seney: And, how did that work out? What was your impression when you—I take it you would have gone to what, probably Sierra Pacific Power, to City of Reno, Sparks, and Fallon tribe, Pyramid. You're shaking your head "yes" at all. (Ball: Yeah.) The Pyramid Lake tribe?⁵

Ball: I went to the watermaster. It went to the state engineer, and to Pete Morris, and talked to Sierra Club. I, yeah, I made my rounds. If I didn't call them they called me. (Laughter) I mean, I was out within the first week or so talking to everyone. I recall that there was a—well, I can't generalize. I mean, I could remember talking with Bob Pelcyger, and Norman Harry who was the chairman of the tribe at that time. I remember, and I think Ali Scharoodie [spelling] might have been at the meeting, but I don't recall. No, I don't think he was there. There was another tribal member, I guess, vice chairman at the time.

Seney: Mervin Wright?

Met with Representatives of the Pyramid Lake Paiute Tribe and Explained She Didn't Want to Move Too Quickly on the Issue of Thirty-One Corp.

Ball: You know, I'd have to look at my notes. At that time I don't think it was Mervin. I think there was somebody else there. Mervin was the head of the Water Resources. (Seney: Right.) And, I remember Norman talking in terms of good

5. The Pyramid Lake Paiute Tribe.

feelings of the post negotiations. There was a lot of good feeling generated immediately after that. I remember talking about Thirty-One Corp, Corporation. I remember . . .

Seney: Which is? Explain that to me.

Thirty-One Corp., a Land Holding in the Fallon Area That Uses a Lot of Water and Reclamation Might Have Moved Against

Ball: That was the issue of the Thirty-One Corp. It's a land holding out in the Fallon area that was identified as being, taking an extraordinary amount of water to deliver water to the field. There was a lot of waste associated with it. It came out in the efficiency report. I remember talking about the Thirty-one Corp and being very candid about my, my not wanting to move on the Thirty-One Corp immediately because of the O&M [Operations and Maintenance] negotiations. You know, I didn't think that it was smart. (Seney: Yeah.) I guess this was strategy or tactical. I didn't think that it was smart that the first action out of the gate for me should be to terminate deliveries.

Seney: This is, if I remember the order of magnitude, it's something like 12,000 acre-feet required to deliver 5,000 acre-feet? (Ball: Well . . .) Something on the order of . . .

Ball: I can't, I can't tell you what the numbers are because they're disputed.

Seney: Yeah.

Three Reasons Wanted to Move Slowly on the Thirty-One Corp. Issue

Ball: And, and there were several reasons I didn't want to move on Thirty-One Corp. One was I didn't think the timing was right. If my biggest job there was to negotiate this O&M Agreement I needed to spend some time in developing a rapport, developing some trust in the community. Also, I didn't feel that I understood the issue well enough. (Laugh) And, that was probably more of a factor if anything, because if I was going to make a decision or if my signature was going to go on something I wanted to understand it. I wasn't happy or willing to have somebody write a letter for me and say, "Ann, will you sign this?" So, that was probably equally as important for me to understand the issue. And thirdly, which was very important to me, is if I were going to do something that would have a negative consequence I would want to personally be assured that I had tried everything possible to find a solution, and not have somebody else say, "Well, they did everything." I mean so, that was probably a part of my style was not very accepting of—but, I don't do things blindly. As I say, I don't do things because somebody tells me to do them. (Laughter)

Seney: Were you aware of this Thirty-One Corp issue (Ball: No. No.) before you went out? They just brought it up to you?

“. . . Thirty-One Corp, the O&M Agreement, Recoupment, and the Revised OCAP

were four issues that the tribe wanted to move swiftly on. . . .”

Ball: Oh, I was aware that there were several issues that Bob Pelcyger had talked to Betsy Rieke on. And, Thirty-One Corp, the O&M Agreement, Recoupment, and the Revised OCAP [see page 111] were four issues that the tribe wanted to move swiftly on.

Seney: And, Betsy had told you that when you talked to her?

Conference Call with Betsy Rieke and Frank Dimick Regarding the Tribal Issues and Agreement Not to Proceed with a Letter Cutting off Water to Thirty-One Corp.

Ball: She listed them, yeah, that those were the issues that – or else there was a letter or something like that. I think Bob had written a letter. And, yeah. So, I was aware (Seney: Yeah.) that those were the issues that the tribe wanted to move swiftly on. Concerning Thirty-One Corp, even before I was the area manager I recall I was down in Fresno and Dave Overvold sent me a fax, and it was a letter that was drafted up, I believe, by Lynn Collins, directing TCID to terminate deliveries to Thirty-One Corp. And, Dave sent me a fax with a copy of the letter and said, “Who should sign it, me or you?” And, I looked at that and not really being aware of the issue but understanding western water and understanding Reclamation in general, I knew that it was a highly-charged issue. (Seney: Yeah.) And, I said, “Well, neither of us.” And, I talked, I sent it up to Frank Dimick, and Frank didn’t want to go forward with that. He wasn’t convinced that that was the appropriate way to do at that time either. And so, we called Betsy. Frank, and I and Betsy had a conversation, and at which time I think Betsy did most of the talking, and explained, you know, how she had come out here, and had come and visited Fallon, and did everything that she thought was reasonably possible to establish a rapport, and to move forward. And, and we ended up talking about this specific letter, and the Thirty-One Corp. And, I remember saying to Betsy, “Well, I’m glad that you understood how important it was for you personally to establish that rapport. I feel the same way for me.” And then she said, “Oh yeah. I can see what you’re saying.” And so she backed (Seney: Ah.) off on the letter.

Seney: Because she was favoring the going forward (Ball: Yeah.) with this?

Ball: She was favoring going forward with it. And so, she understood that basically I compared my situation to her situation when she just entered (Seney: Uh huh.) the negotiations. And, I said, “I’m in exactly the same spot you were in. And so, I trust you can understand my position (Seney: Yeah.) from a tactical perspective, as that, regardless of the merits of the action,” and I had not, you know, I didn’t know what the merits were. I didn’t know the contents of the issue, “But regardless of the merits of the issue, from a tactical perspective, it would make it almost impossible for me to establish the rapport necessary to negotiate the O&M Agreement.”

“There were also some pragmatic issues involved as we were on the verge of having a flood. . . .”

There were also some pragmatic issues involved as we were on the verge of having a flood. (Laughter) We're talking water all over the place. I mean, my staff was advising me that it looked like we might, you know, (Seney: Yeah.) might be filling reservoirs, and that the Indian lakes were already all filled. You know, the wasteful part of the action was already, had already occurred. We wouldn't be saving any water that year. So, I had some other arguments, but my major argument with her was, I aligned myself, I compared my situation to her situation and it was, she says, "Oh, I see what you're saying. No, don't do it." (Seney: Yeah.) "Hold off on it."

Seney: Yeah. Did the meeting go well with the tribe, did you think?

Ball: Well, I think so. I mean, I basically listened. (Laughter) I mean I'm a good listener.

Seney: Who'd you take with you? Did you take Dave Overvold⁶ with you?

Gene Harms

Ball: No. On this meeting I took Gene Harms⁷ because earlier that day we were out in Fallon and doing something out there that I needed him. I can't remember exactly what we were doing, but I had Gene Harms. It's possible that he took me up to—he might have been taking me around that day. I think we went up to Rye Patch, and then he took me out to the dam. And so, I was just getting a feel of the lay of the land (Seney: Yeah.) from Gene. So, he was at the meeting with me.

Seney: Right. He left the office, hasn't he? He's gone to Nebraska? What's he doing back there?

Ball: He's the O&M chief in Nebraska, in a little area office. Actually, it's not even an area office. It's a field office.

Seney: Why did he leave?

Ball: Personal reasons, and professional reasons. You're going to have to ask him. I mean, the reasons he told me were he felt that he wasn't going to move forward any further in his career staying in Carson City. That was probably—it may have been an accurate assessment, I don't know. He also felt that going to Nebraska would put him closer to one of his daughters, and grandchild, and his wife was—but he also was very fearful that we were going to take over the project. And he was fearful that if that happened he'd be the one in charge. (Laughter) And, I don't know to what extent any of, you know, (Seney: Yeah.) what were his primary motivations, but he was convinced that the O&M negotiations were not going to be successful and that we would be taking over the project. And, you know, he told me that. I mean, he was upright, you know, very forthright with me on that. He said, you know, "The Department will never let you. You know, even

6. Professor Seney interviewed Dave Overvold as part of the Newlands Project oral history interviews.

7. Professor Seney interviewed Gene Harms as part of the Newlands Project oral history interviews.

if you were able to strike an agreement with them, there will be people in the Department that will not let this happen.”

Seney: The O&M Agreement?

Ball: Yeah.

Seney: Yeah. Well, I did interview him, and he was very forthright with me too. Very, very much so.

Ball: Oh. Okay.

Seney: Yeah.

Ball: So, you know the reason why he left? (Laugh)

Seney: No. No. No. This was before he left. (Ball: Oh.) So, I don't know the reason. No. I'm not trying to trap you. I wouldn't, (Laugh) I wouldn't do that to you.

Ball: I really don't know. (Seney: Yeah.) But, I know, I know that he had, had real concern.

Seney: Well, he was from that part of the country, as well. His family was from there, were they not? I seem to recall South Dakota, North Dakota, somewhere in that area?

Ball: Well, yeah. I guess if Nebraska's close to the Dakotas? (Laughter)

Seney: I think it is. (Laugh)

Ball: Maybe a little bit closer. I know he had one daughter that lived in Nebraska, (Seney: Yeah.) and that was a reason for them to go.

Seney: Do you recall your [Inaudible]?

Ball: He also, he also, he felt that he came to the office to be the O&M Chief, and over the years, through accretion duties, he ended up doing a bunch of other things that were never part of his job. And, getting involved in all the conflict. And, he didn't like the conflict. He didn't like the conflict. As a matter of fact, I would say most people don't feel very comfortable in conflict situations, and he was quite uncomfortable with it. And, he was drawn into the negotiations. So, and I relied on him quite heavily. He was very important to me. He had . . .

Seney: In the O&M negotiations?

Ball: Oh yeah. (Seney: Yeah.) Because of his institutional knowledge.

Seney: And, he was very articulate, I thought, in terms of . . .

Ball: He wrote very well, (Seney: Yeah.) and he could explain himself very well.

Seney: Yeah. Yes. Yes. I can understand why you would call on him.

Placed Gene Harms in Charge of the O&M Negotiations Full Time

Ball: Yeah. As a matter of fact, what I did, and maybe this drove him out, (Laughter) I don't know, was because I really needed him so much, the O&M negotiations turned out to be just such a big deal, that I removed him temporarily from his position and created a special projects officer position, and put him in temporarily. So, all he did a hundred percent of his time was work on the O&M negotiation. It was like a year or two-year detail. And so, I had people acting for him as O&M Chief. So, and you know, that could have possibly evolved into a more permanent position with a higher grade, (Seney: Yeah.) you know, a special projects manager, or something like that. But I'm, I don't know that he especially liked that either. But, I really, I needed his full-time attention to get it done. (Seney: Yeah.) And he was, he was drawn in many different directions in his then-existing position.

Seney: Do you recall your first meeting with the people at TCID?

Ball: Um-hmm.

Seney: Tell me about what happened there? You're smiling as you're recalling this. The tape won't see that, but I do.

First Meeting with the Truckee-Carson Irrigation District

Ball: They had a reception, and then they took me out. They had a reception. They invited people. It was very informal. And, we went on a tour of the project. And then I remember going out to lunch. They were very, you know, very friendly, very hospitable. Lynn, Lynn Hartung, very warm. The Board, Ted DeBraga very friendly. Lyman, on the other hand, was very distant and didn't say much.

Uncomfortable with the Way Lyman McConnell Acted at Their First Meeting

Seney: The project manager (Ball: Yeah.) of that?

Ball: Yeah. He didn't say much to me. And, I remember even going to lunch—maybe I shouldn't even be telling you this. (Laugh)

Seney: Sure you should.

Ball: I remember going to lunch and he, he had his back to me. I mean, he was kind of turned around talking to somebody. And fortunately, two people who were really trying to make me feel comfortable (Laughter), but I remember thinking or already kind of processing this information and thinking, "Oh my gosh, this isn't going to work, you know, I need to have a relationship with this man (Seney: Yeah.) for by hook or by crook." (Laughter) And so, after the end of the day I said, "Well, I

can't leave without having some kind of direct eye-to-eye personal contact with him." So, it was at the end so I kind of went into his office and I says, "You know, we're going to have to work together." (Laugh) And, and . . .

Seney: Did that approach work with him, do you think?

“. . . I think it kind of startled him. . . . I said, ‘We’re going to have to meet real soon and talk about Thirty-One Corp.’ So, so I left thinking at least I made contact. . . .”

Ball: Well, I think I kind of startled him. I mean, I was real direct, (Seney: Yeah.) and it was like in his face. And, I said, I, you know, this is not, I'm not usually like that. (Laugh) But, I really thought that this (Seney: Yeah.) took something drastic, because he didn't talk to me, he had his back turned to me. And, you know, almost his body language (Seney: Yeah.) was like, "I don't want to have anything to do with you." And, so, so then, yeah, I think it kind of startled him. And, he says, "Yeah, well," he told me that he was introverted and so it was hard for—I guess he realized that, (Seney: Yeah.) I was maybe challenging him or confronting him on his behavior. (Laugh) And he acknowledged that he was shy, and shy or introverted. He didn't say introverted, and that it was unlikely that he'd be initiating, (Laugh) be the initiator on contacts. And, you know, I said, "Well, we need to talk real soon about Thirty-One Corp." I decided that was the issue that was the one I knew most about, (Seney: Yeah.) and knew that it was there in the offing. And so, it gave me my excuse. I said, "We're going to have to meet real soon and talk about Thirty-One Corp." So, so I left thinking at least I made contact. (Laugh)

Seney: Yeah. What was your relationship with him subsequently?

“. . . I needed to initiate most of the contact. . . . I think . . . in the two years I was there he probably initiated calls to me five times, but each time they were really important. . . .”

Ball: Well, I think it was okay. I, I needed to initiate most of the contact. He has a reputation of being difficult. You probably have heard that from a variety of sources. I think, in the five years, in the two years I was there he probably initiated calls to me five times, but each time they were really important. (Laughter) I mean, so there was an advantage to that, (Seney: Yeah.) that when he called me I knew this was really important. (Seney: Yeah.) He had, you know, there was substance to that.

“. . . I was transposed into this situation where things were so dysfunctional, but I kept on acting as if I was in a more normal situation in terms of my dealings with people. . . .”

I think we were, we were very direct. I was very open with him when he did things, when the District did things that I didn't like. I didn't, I mean I would deal with issues right away. And, I think he respected it. I think he felt that—well, I don't know, I probably shouldn't tell you what I think he felt about me. You need

to ask him. I know that I was very disarmed by certain things that he said that really—because I had been transplanted from situations and, that were contentious but people didn't personalize, you know, where you, I could disagree with you (Seney: Yeah.) totally, but we never got personal about it. And, I was transposed into this situation where things were so dysfunctional, but I kept on acting as if I was in a more normal situation in terms of my dealings with people. And so, I remember being disarmed by certain things that he said. I remember after, after that first meeting then I made a point, I called him up and I said, "We need to go to lunch and talk about Thirty-One Corp." And, I remember at the end of that meeting, you know, we were leaving and I, you know, we'd shook hands and he said, "You know, we really are good people." out of the clear blue. And, I hadn't been there more than a couple of weeks.

And, that was really very disarming to me, that he felt compelled or moved to say that. (Seney: Yeah.) There were certain other things, even in the tone of letters that he wrote, thanking me for the respectful manner in which I was treating them. And I, and it was like, you know, I'm just treating you like I would treat Westlands, (Laugh) or I would treat any other district that I might be working with. I mean, I didn't feel that I was doing anything special, yet it was being perceived by them that I was being—well, it was appreciated by them. (Seney: Yeah.) But he was . . .

Seney: Different than they were accustomed to, maybe?

Ball: Yeah.

Seney: From someone in the Bureau?

Ball: Yeah, I guess so.

Seney: In your position?

TCID's Newsletter Had a Glowing Editorial about Her Arrival

Ball: I guess so. He also, there was that, the newsletter. And, I mean I was there a month and there was this glowing editorial.

Seney: Yes there was. I recall that.

Ball: And I mean I was, I read it . . .

Seney: "We're so glad to have Ann here. She seems like a breath of fresh air in this."

Ball: And I, I mean it went even more than that.

Seney: Yes it did. Yeah.

Ball: I was a little bit embarrassed. (Seney: Yeah.) And I have to admit, I was a little suspicious of that, thinking "Okay, he's got an agenda here too." (Seney: Yeah.)

“And, maybe he’s setting the stage for something too.” I mean, that was my mind. It was like, “This is just so totally (Seney: Yeah.) over-reactive.” And maybe, maybe I was right. Maybe it was reactive, and he had his agenda that he had to set the stage too. On the other hand, maybe (Laughter) I don’t know. On the other hand, maybe it was. I don’t know.

Seney: Did that, and this gets back to something I tried to get earlier, did that, when you read that—this is the project manager sort of column, (Ball: Yeah.) you’re alluding to in their newsletter, which I think they don’t publish anymore?

Ball: No, they stopped publishing it.

Seney: And, did that concern you that maybe this would complicate your relationship with the Fallon tribe, or the Pyramid Lake tribe, or some of the other interests, to see this kind of flattery and so forth?

“Aggravation” Display in TCID Offices with Portraits of Senator Harry Reid, Reclamation Commissioner Dan Beard, and Congresswoman Barbara Vucanovich

Ball: Yeah. I had a little concern about that too. And, as I said, I didn’t think that I had done anything that called for that type of reaction. Another thing that happened too, when I first went over to that office, I recall that they had a display right above the receptionist’s office, receptionist’s desk, and they had a, I don’t know, there’s that board game called “Aggravation.” They had the cover of that up, and around that they had positioned three photographs. One was of Senator [Harry] Reid, one was of Dan Beard, and one was of Barbara Vucanovich. And, I mean, you know, it was a political statement there. (Seney: Yeah.) That was the first day. The second time I went, they took it down. Now, I didn’t say anything about it, (Seney: Yeah. Huh.) and they took it down. And so, you know, I thought—I took it as symbolism that they were looking for a better relationship as well.

Seney: Did the other people you talked to, either of the tribes or Sierra Pacific, did they couch things in so personal a way as the Irrigation District people did, or was that unique to them?

Ball: When you say “personal way,” what do you mean?

Seney: What you alluded to when Lyman McConnell said, you know, “We are good people.” And, you know, did others use that kind of (Ball: No.) terminology? They were the only ones?

Other Parties Tended to Threaten to Try to Get What They Wanted

Ball: Yeah. No, the other conversations were more normal, more business-like. Actually, I often, I usually got threats from the other people. (Laughter) You know, and that’s what I was accustomed to, (Laugh) to tell you the truth, from other places, that people have a tendency to want to push, push themselves around and, you know, let you know that they have means of getting their way if I’m not

cooperative. (Seney: Yeah.) So, I would say the other, some of the other interactions were more threatening in nature, insofar as, you know . . .

Seney: Would that include the Pyramid Lake tribe?

Ball: Yeah, eventually, yes. Bob, Bob was threatening on many occasions.

Seney: Yeah. Yeah, that's something of his style, isn't it?

Ball: Yeah.

Seney: Yeah. Right. What about the meeting with the Fallon tribe, do you remember that?

Ball: The first meeting that I had with the Fallon tribe, actually, I think was the first week I was there. There was a tribal council meeting and TCCO [Truckee-Carson Coordinating Office]. There was, I went along with a lot of other people. I wasn't, I didn't meet with Alvin Boyle.

Seney: James?

Ball: No, it was Alvin Boyle.

Seney: Alvin James – that's right.

Ball: Boyle.

Seney: James is with the Pyramid Lake tribe?

Ball: Right.

Seney: Yeah.

Ball: I didn't meet with Alvin personally, one-on-one, until sometime later.

Seney: Did you get a contrasting picture of the two tribes?

Impressions of the Two Tribes

Ball: Yes. I had to think about it, but I think their difference is reflected in the styles of their attorneys as well. Steve Chestnut, who is the attorney or the Fallon tribe, is very, very cordial, very soft spoken, doesn't resort to threats, is more of—I mean, she stands firm, but it's in a cordial way. And, I felt the tribe was friendlier in the sense that they didn't, they didn't ascribe to the tactic of engaging in conflict as readily as the Pyramid Lake tribe. And, I think their style is so very—it was expressed in the choice of their attorney. Anything else?

Seney: No. (Ball: Did you want . . .) Any other impressions of the Fallon tribe? Maybe you've said enough. I mean, you've said quite a bit with a few words.

Ball: Well, I remember, I remember—because the Fallon tribe is right there in Fallon, I mean they truly are neighbors and part of the Newlands Project. I felt that the tribal members, at least the people that I heard speak when I attended the tribal council meetings, I'm not sure, you know, I can't say that, I don't know for sure whether they're reflective of the whole. But, the people there were more concerned about relationships and doing what made sense, and preserving relationships. They were more concerned about that than the Pyramid Lake tribe would be. And I have, since then, have come to the conclusion that although I know I didn't recognize this initially, because I, you know, I have this faith in people being people first and, you know, getting them together people will be reasonable, but there's really not very much reason for the Pyramid Lake tribe to be neighborly to the folks in Fallon.

END SIDE 2, TAPE 1. JUNE 29, 1998.

BEGIN SIDE 1, TAPE 2. JUNE 29, 1998.

Seney: My name is Donald Seney, and I'm with Ann Ball at the University of Nevada, Reno. This is our fourth session, and this is our second tape. Go ahead, Ann.

It Was Hard to Establish Neighborliness and Interdependence among the Parties

Ball: Okay, I'm talking about the issue of both neighborliness and interdependence. Even though there's a lot of lip service that was given to me, and I was sucked into it too, but after the negotiations at, you know, this is a big basin and we're all connected by this river course and we're all really neighbors, the huge distances that separate the people in Truckee, versus the people in Pyramid Lake, versus the people in Fallon versus—I mean, those are huge geographic distances in terms of day-to-day contact. And, unless there's really a mechanism to have people interact on the day-to-day they have no reason to be neighborly. (Seney: Yeah.) And, when I first got there I kept on thinking, "If I could only get people together on a day-to-day basis, you know, talking to each other, you know, solving problems together," but it was very difficult and there was a lot of good feelings at the end of the second-level negotiations about neighborliness and relationships. But on the other hand, the actions didn't indicate there was the desire to establish neighborly relationships.

I mean, you look at Public Law 101-618 basically says, "The Truckee River is the domain of five signatories, not including TCID." So, that was a severing of interdependence. In the negotiations, the second-level negotiations, several of the parties—and I think the tribe's position right out the gate was that, their position was a severance of the connection between the Truckee and the Carson Rivers. Well, that's the severing of interdependency.

“. . . what the official positions were, and the law itself, are attempts to sever the interdependency . . .”

And, so to me those actions probably speak louder than words. Although people were saying, "Yeah, we're neighbors, and we want to, we want to get neighborly," what the official positions were, and the law itself, are attempts to

sever the interdependency, which in essence is saying is, “We don’t want to be neighbors.” (Laugh) (Seney: Yeah.) And, that was something that probably, a realization I came to. And probably after I left, and after I started reading a lot of stuff on conflict management. (Laughter) Yeah, one of the reasons to get people, (Seney: Yeah.) I mean one of the motivators for people to, to agree and to compromise is because relationship is important to them. (Seney: Yeah.) We do it all the time. But, if relationship isn’t important, then why? (Seney: Yeah.) And, I don’t really think relationship is important to the tribe, or to others, because the distance is so far, and the very proposals that are advocated for the solution to the problem is to sever the relationship totally. So, if that’s your solution how can I trust that your words, that if you say, “Yeah, we’re interested in being good neighbors,” “Well, your proposal doesn’t reflect that.” (Seney: Yeah.) And, it was just recently that I was able to conceptualize that. And I didn’t, I really didn’t understand it, but it’s just kind of, “Shew, of course. That’s what they’re saying, but that’s not what they’re meaning.”

Seney: You know, one of the things in interviewing all these various interests, that I’ve perceived is that people, including the Truckee-Carson Irrigation District have seen a change in the political environment, in the river system, where pretty much the Truckee-Carson Irrigation District and the Bureau of Reclamation called the shots for many years. And, on the same side with them was Sierra Pacific Power, which is of course always a big player here in northern Nevada. And since the defeat of the Interstate Compact in ‘86, and especially with passage of Public Law 101-618, and the prevailing and certain lawsuits by the tribe, but the political dynamic has shifted where the tribe and the power company are now bound together. Reno and Sparks, of course, is going to see their interest in the same way, and TCID is left out in the cold. Do you see this as part of it, too, that the other parties have just perceived a political shift? That, the Bureau is no longer, let me add to that, is no longer the advocate of the District so much, nor is the Bureau so powerful within Interior as it used to be, and that Interior’s sentiment has somehow shifted away from the Truckee-Carson Irrigation District? Does that play into what you’re talking about as well? If I’ve got it right?

Ball: Well, I don’t see it as that simplistic, because I believe that Reclamation has changed with the changing time and has . . .

Seney: I’m just choking that you’re characterizing my long statement.

Ball: I’m sorry. (Laugh)

Seney: Don’t worry about it. Don’t worry about it.

Ball: I’m sorry. (Laughter)

Seney: No. No. No. It was fun.

Ball: See how, (Laugh) . . .

Seney: How relaxed you are, right?

Ball: (Laughter) Yeah. I'm not on guard at all.

Seney: Yeah. No, go ahead. Simplistic, that's fine.

Sees the Situation as Complex

Ball: Well, I don't think it's really as simplistic. (Seney: Okay.) I mean, I think, first of all I don't think it's fair to characterize Reclamation as being an advocate of the water, (Seney: Okay.) of the water users. I think Reclamation, since probably the '80s, has been struggling with the issue of dealing with multiple and conflicting constituencies. I mean, we have been struggling. I've been with the organization and I've been aware of this conflict and we've been trying to struggle with this. And, I don't think we see ourselves as the advocate of—others do, because of the history—but, I think we've internally been struggling with it. And we see ourselves, at least what's emerging, as more in a facilitative role. And, that's how I saw myself, quite frankly, (Seney: Yeah.) as someone who could get people together, "Let's talk it out. Let's see if we can reach consensus." And I would prefer not making a decision if I could get everybody to agree, then that makes my job easier. So, I think Reclamation has been moving in that direction for some time. So, I don't see that simplistic thing that Reclamation is no longer, you know, an advocate. I mean, that's an easy picture to paint. Yeah, I think in terms of the politics and the alignment of interests, I mean, that's natural. And, that's what has happened and that's why, you know, the farmers out in Fallon, or the Fallon community—and as a matter of fact I viewed the issue more as a community issue, maybe more than just the farmers out in Fallon. We use the term "farmers in Fallon" as kind of a buzzword (Seney: Right.) to mean a lot of stuff, a lot of different things. So, I don't know where I'm going with this, (Laugh) other than I don't, I think that's part of it, but I think where we started off was the difference between the Fallon tribe (Seney: Right.) and the Pyramid tribe. And, I guess, in a rather long-winded and philosophical way, I believe that the major difference is one, the Fallon tribe are neighbors with the people in Fallon and live there, and the Pyramid Lake tribe are not neighbors and they don't see their future as being interdependent as the Fallon tribe does. And, I don't think that is probably a major difference between the two tribes. And, perhaps that is why they selected lawyers with such different (Laugh) styles.

Seney: What about Sierra Pacific Power, as I said and I'm sure you'll concur is a major player, how did you get, what was your meeting like with them, and how would you characterize them as an interest in all of this?

Sierra Pacific Power Wanted Whatever Was Agreed upon to Be a Permanent Agreement

Ball: Well, I met with several people. My first meeting was with Sue Oldham. At that time she was still with Sierra Pacific.

Seney: She's not any longer (Ball: No.) is she?

Ball: No. She's, she is their attorney on several, on water issues. They still – she works

with them as an attorney, a private attorney. I remember meeting with Sue, and I remember her explaining Sierra's position. I remember her giving me a lot of information, technical information and background information, and some historical information as well.

Seney: How would you describe their interests? How would you assess them (Ball: Well, I think . . .) from the point of view of area manager?

Ball: They were very interested in getting the drought storage in Stampede. I mean, that was the goal [Inaudible]. (Laugh) This whole 101-618. And, as any utility I think their very major concern was cost, and they let me know in no uncertain term that cost was a big issue and it could make or break the deal.

Seney: The deal being that . . .

Ball: Well, when we started negotiating storage contracts they also, another big issue for them was the "forever" contract that whatever got settled now would be forever. I mean, I'm just telling you (Seney: Sure.) their position, as I understood it.

Seney: Yeah. Were they effective, did you think, in their, in securing their own interests?

Ball: Effective?

Seney: Yeah.

Ball: Effective? Yes.

Seney: You seem more reticent to talk about it.

Ball: Well, I am because the things that I could tell you about, I mean the personal, are really—I believe that Sierra was very used to getting their way. I believe that they had an expectation that the Department of the Interior would develop policies that would help them to get their way. I believe they had that expectation. I believe, in fact, there may have been, that may have been occurring. I had one very candid conversation. It was candid in so far as I think this person didn't mean to say what he said to me, and other people were there, but I think when people blurt things out that somehow that's the real truth. (Seney: Yeah.) I remember having a meeting with some of the power people and they were very concerned with the power at the Lahontan, their contract with TCID, the leasehold agreement that was expiring, and they were anxious to get that issue resolved. And, they wanted to (Sigh) brief me and engage me in working on the solution. And, I told them that I'd be willing to facilitate. (Laugh) And, I remember, at that time, it was holding up—I was in the midst of the O&M negotiations and one of the issues that kind of related to the power issue was the issue of miscellaneous revenues. Are you familiar with that?

Seney: No.

Issue of Miscellaneous Revenues

Ball: Well, this is a provision in law that allows certain revenues to, that are derived from project facilities, notably the power plant, project power plant, to be used by the District to cover O&M costs. So, it's a subsidy. And . . .

Seney: I'm aware of it in that way, right. Not as a miscellany, not as the term you used (Ball: Okay.) it in. But, go ahead. Just go ahead. Don't worry about saying too much.

Ball: So, so Sierra Pacific and TCID had an agreement that expires this year. Sierra paid TCID a half million dollars annually for leasing the Lahontan, the old Lahontan Power Plant for the distribution system on this leasehold. I guess the question, I mean there were several legal questions that were at stake, or at issue, and were in the Solicitor's Office when I started off the negotiations, and had the potential of bearing on Sierra's position, negotiation, negotiating position vis a vis TCID, was how we would characterize this half a million. Would that be a miscellaneous revenue or not? And, if it were a miscellaneous revenue, then what kind of control would the federal government exercise over it, you know, dictate its use? And, I recall being at a meeting with Sue, and the Power Manger of TCID—not TCID—Sierra Pacific's—can I say those names?

Seney: Sure.

Ball: Bob Rodowski [spelling]. And, I remember the, the opinion from the Solicitor's Office had just come out on miscellaneous revenues, and basically it, you know they're never, they're never simple. They're complicated. But the gist of it was the revenues from the power production itself would be considered a miscellaneous revenue, which by law had to first go to pay O&M and then secondarily if that, if that was all covered then the water users could use it they wish. But the revenues generated from the lease of the distribution system, electrical transmission system, was not considered a miscellaneous revenue. It was a miscellaneous revenue, but it wasn't subject to the same law. I mean, there's different laws and different treatment of miscellaneous revenues, which really meant—no, it wasn't even a miscellaneous revenue—which really meant that it was revenue that TCID was getting that didn't have any strings attached to it.

Seney: Ah. So, it was even more advantageous to them, then?

Ball: Well, it was more advantageous to TCID.

Seney: That's what I mean, yeah.

Ball: Yes. Very much more advantageous to them, because, you know, the O&M negotiations I might have some moral or legal ground to say, "Well, you know, these revenues that go back into O&M," at least from a policy perspective, I might say, "Well we could insist that they go into doing measurement devices, or this, or this, or that." Well, the way that the contract was constructed though, between Sierra, you couldn't tell, which, I mean wasn't that neat. It was just a lump sum. But, I had my technical people and people in Washington and people in

Sacramento, the power people, trying to sort it out. Well, as it turned out the value of that leasehold was in the transmission of the electrical, the transmission system not in the power plant. And so, only a small fraction of that half a million was really a “miscellaneous revenue.” But anyway, I was explaining the gist of the solicitor’s opinion, the person from Sierra just kind of said, “But you were supposed to have kept, you were supposed to,” I mean he was just didn’t like that decision, and said, “You were supposed to have kept the hammer over their head.” And he, just like that. And I just, you know, I looked at him. And Sue came in and said, “No. He didn’t really mean what he said.” (Laugh) And I said, “I heard what he said,” and I said, “You know, I didn’t make the decision, this is it.” But, what I’m saying was that there was an expectation that we would have a policy that would give them an advantage in their negotiation with TCID. (Seney: Oh.) As it turned out this really wasn’t a policy matter. It was a legal matter. And, I’ll tell you when the Solicitors were formulating that opinion, they were as tight as could be. (Laugh)

Seney: They didn’t come and ask you?

Ball: Oh, I . . .

Seney: Yeah.

Ball: No. They didn’t ask me. (Seney: Yeah.) They didn’t ask me, but they weren’t letting it out in Washington either. I mean they were keeping it real tight. (Laugh) I didn’t have an opinion. (Seney: Yeah.) I mean, my opinion is, “Whatever the law says you guys are,”—I didn’t have an opinion.

Seney: When he said “a hammer over them,” he meant you should put pressure on them to “do this is a way that we want”?

Ball: Yeah. And, I think the feeling was that Sierra didn’t want to have to pay TCID any more than half a million. And, they figured that if the federal government was going to put a requirement that this half a million had to be spent [Inaudible] there wasn’t any real incentive for TCID to negotiate much higher.

Seney: For more? Oh. But if most of it was to be used any way they wanted, then they would have an incentive for more money? And, you’re shaking your head “Yes.”

Ball: Yes.

Seney: Yeah. Ah. You know, it’s very interesting. When I brought up Sierra Pacific Power, your face changed and you became more reticent, and almost angry in a way.

Ball: Well, no, I’m not angry, but I . . .

Seney: I don’t know if that’s the right word.

Ball: No, “angry” is not the right word. I think—I mean, I had several conversations

through the two years with several people that indicated that Sierra had expectations of things happening a certain way, you know.

Seney: And, you weren't delivering?

Ball: Well, you know, it wasn't really even my issue to deliver. (Seney: Oh. I see.) And, I would—no, I don't think they were unhappy with me, but I do believe that they had the expectation that, at least on this one issue, that Reclamation, or the Department, that Reclamation's policy would be one that would give them an advantage in the negotiations, and it was, and not only did I believe they had the expectation I believe that they were told that that was how it was going to come out. (Seney: Oh.) And, when they heard from me that it wasn't that way—I mean, I was just the messenger. I wasn't the person making the decision. I don't think they held me personally, (Seney: Yeah. Yeah.) but yeah, there were just a few. I mean, most of my dealings with Sierra were fine.

Seney: Yeah. Yeah. But, there's no question that they're a powerful entity and they're accustomed to getting what they want? I mean, I don't think there's any—I've interviewed two of the former presidents, and they were very congenial but they certainly had the expectation of access, and useful access, not just access. But, what about Reno-Sparks' interests, did those diverge from Sierra Pacific Power or were they same? Or, how would you characterize those, and the meetings with them?

Ball: Well, I would characterize them as the same. They were looking at storage, and they were looking at cost, and they were looking at forever. And, so their interests were fairly well aligned.

Seney: Who did you deal with mostly on Reno-Sparks issues?

Ball: Okay, just to give you some background (Seney: Thanks.) is that there were a lot of things going on, and at the time I was the area manager. The major activity that was occurring with Reno-Sparks was in negotiation of the Water Quality Agreement. For some reason they were always scheduled to occur at the same time I was having my O&M negotiations (Laugh) out in Fallon. So, I wasn't at very many of them. I don't think I was at any of them, to tell you the truth. So, I didn't have day-to-day. I didn't have a lot of contact with anybody at Reno, Reno and Sparks. But, the main contacts were Bill Isaiah and Mahan, Tom Mahan?

Seney: That may be right. I'm not sure.

Ball: Tom or Tim. I think it's Tom. Were the major, major contacts. So, I did have several meetings with them in preparation of the Storage Agreement because I'd been negotiating those. And, we had technical meetings where we sat down and I explained process and policy, and they explained, you know, how they understood what their interests were. And, they were very clear that they had people in high places and they would get—I mean it was all probably just shy of threatening, I'd say. But, I would . . .

Seney: Maybe your fingers are less than an inch [apart].

Ball: Yeah. This shy of threatening. I mean, going over the threatening line, but I was, I mean I've been used to that before. But that, and they've, you know, they weren't happy with many of the, several of the departmental policies. And, again they weren't my policies. They were departmental policies.

Seney: What weren't they happy with, do you know?

Reno-Sparks Also Wanted "Forever" Contracts for Water and Wanted Approval of Their Water Conservation Plan with a Commitment Never to Change the Requirements in the Future

Ball: Well, the departmental policy is that we don't do contracts forever. We don't do perpetual contracts anymore. We may acknowledge that you may have a right to something forever, but we want to have the, we want to have the opportunity and the flexibility to renegotiate the terms from time to time. We believe that's in the public's best interests. We've learned, over time, that long-term and forever contracts are not in the federal—in the public interest. And, they didn't like that at all, because they want a long contract now and forever. And, that was one issue. The other issue was also involving water conservation requirements, because they wanted us to approve their water conservation plan and say that we would never require them to do an iota more in the future. And, I said, "We can't do that. That's not consistent with the policy. I mean, you know, things change. Values change."

Seney: That's right. Yeah.

Ball: And, they weren't happy with that. But that, I think that was, there might have been one or two other issues that were departmental issues. And at the meeting I was with them at, I explained the departmental issues and I said that, you know, "If this is your position this will be our position and I think, you know, these are the issues." I think I identified, two, three, or four issues that I thought would be significant. The other one would be the cost. And, they felt that because they were doing a public good, you know, that the cost would be negligible, or free storage.

Seney: This is storage at Stampede?

Ball: Storage at Stampede.

Seney: For M & I?

Reno-Sparks Also Tried Intimidation

Ball: Yeah. And, I didn't think that was, you know, that was something that we could negotiate around. It wasn't a kind of a fundamental issue. But, there were several issues like that. And, I remembered Bill Isaiah just kind of leaning across the table at me in what I would perceive as a threatening way and saying, "You know

we have, we have influence through people in high places.”

“ . . . I just let it roll off my back . . . I’m simply the messenger, and whatever the policy is is the policy. I don’t make the policy. . . .”

You know, it was kind of—and so I just let it roll off my back, because I’ve been accustomed to that (Seney: Yeah.) over the years, and most of the water users—I mean, it doesn’t matter whether you’re Westlands, or MWD [Metropolitan Water District] in Los Angeles, or whatever, I’ve always, I mean there’s always that veiled threat, (Seney: Right.) and that’s fine. I’m simply the messenger, and whatever the policy is is the policy. I don’t make the policy. But, I found it interesting that even in the first or second meeting with them that they felt compelled to make these threats.

Seney: Maybe letting you know who they were and how you ought to react?

“Well, obviously there was, I believe, an element of intimidation there, that perhaps I shouldn’t raise the policy issues. However, it was my job (Laugh) to raise the policy issues. . . .”

Ball: Well, obviously there was, I believe, an element of intimidation there, that perhaps I shouldn’t raise the policy issues. However, it was my job (Laugh) to raise the policy issues. And, you know, and my personal, my personal beliefs don’t really enter into it. I mean, you know, whether I agree with them or not isn’t the issue. (Seney: Yeah.) It’s that, really, the policy is pretty clear on some of these matters, especially on the contracting issues. That was one of Dan Beard’s major initiatives was to set forth some pretty strong and new policy directives. And, Patty Beneke was, one of her major policy initiatives was water conservation. And, you know, it doesn’t make sense to do it everywhere else but here. (Seney: Yeah.) At least, I can justify that. And, I would not have the authority to say, “We’re going to deviate from policy.” (Seney: Yeah. Right. I understand.) But, other than I felt, I mean, I wouldn’t characterize the relationship as bad or strained, or anything. I would just say that they wanted to make sure that I knew that they had, they had ways of influencing things, and they had connections with people of influence.

Seney: Were they specific about that, or just . . .

Ball: Well, yeah. (Laugh)

Seney: Well, tell me.

Ball: Well, there was Senator Reid. (Laugh) I mean, that’s no secret.

Seney: Right.

Ball: Yeah.

Dealt with Mary Conelly in Senator Harry Reid’s Office

Seney: That's who I thought you'd say. Yeah. Yeah. Did you deal with Senator Reid's office much?

Ball: I dealt with them, yes.

Seney: Who did you deal with in his office?

Ball: Mary Conelly.

Seney: She's the local person here, right?

Ball: Yes.

Seney: Would you have much contact with her?

“ . . . when the miscellaneous revenues decision came out, I gave all the congressional people a call. . . . When issues came up, [where] I thought that the constituency would call, I would try to anticipate that. . . . ”

Ball: I didn't have a lot of contact. Whenever I felt a significant issue, I would contact—like for instance when the miscellaneous revenues decision came out, I gave all the congressional people a call. And, as a matter of fact, I wrote a little one-page explanation page that I gave to them too, because it was really complicated. When issues came up, [where] I thought that the constituency would call, I would try to anticipate that.

Seney: But, your experience with Senator Seymour's office made you more attuned to that, do you think?

Ball: Maybe. I'm not sure.

Seney: Yeah. What would they call you about? What would she call you about?

Ball: She didn't call that often. I mean, it was mostly me calling over there to let them know what was going on.

END SIDE 1, TAPE 2. JUNE 29, 1998.

BEGIN SIDE 1, TAPE 1. JULY 7, 1998.

Seney: At the University of Nevada, Reno Campus. Today is July 7, 1998, and this is our fifth session. I think that's right. Number five?

Ball: Four or five, yes.

Seney: Five, I think. And, between this, our session last week, and this one Ann, we've talked, and you said a number of things came to mind, more details in terms of what we talked about last time. So, why don't you just go ahead and start wherever you like, and add those matters.

“ . . . it’s understood that you may be asked to go where the agency needs you. So, I didn’t really feel that I had a whole lot of choice. I was being assigned . . . there. . . .”

Ball: Okay, well one of the questions that you seemed to be interested in was why I was selected, or what was said to me, (Seney: Right.) concerning my selection as the area manager. And, again, I told you that Roger said something very cryptic to me in November or December of ‘94, and then I met with Frank, and he told me that he wanted me, they wanted me to go. They needed somebody with my skills in Carson City, without any very specific—that wasn’t a very long conversation, but I was already primed that they were going to ask me to go somewhere, and I had been part of the Departmental Management Program, and when you sign up for that—I had graduated from that—it’s understood that you may be asked to go where the agency needs you. So, I didn’t really feel that I had a whole lot of choice. I was being assigned (Seney: Right.) there.

“Frank [Dimick] and I went to meet TCID . . . early on. . . . The type of meeting, that he was bringing me to them to discuss issues. And, just to let them know that I was being empowered. It’s kind of . . . traditional . . . to let them know . . . that he selected me, and he had confidence in me. . . .”

Other than that, there was a meeting. Frank and I went to meet TCID, some of the folks at TCID, early on. And, it was pretty much a—oh I would say kind of a showing of support for me. The type of meeting, that he was bringing me to them to discuss issues. And, just to let them know that I was being empowered. It’s kind of pretty much, pretty traditional (Seney: Yeah.) an approach to let them know pretty much I was a good guy, in his eyes, and that he selected me, and he had confidence in me. The meeting was with Lyman [McConnell], and Ted [DeBraga], and several of the board members. It wasn’t a full TCID meeting, and it was me and Frank.

Frank Dimick’s Comments at the Meeting Surprised Her

And, at that meeting Frank said a few things that really surprised me. A lot of people said things that surprised me in those first few months. But, when he shared with them why he selected me. And this, he did not share this with me prior, so I was kind of—I sat and listened. And, he said first of all that he thought that I was a person that would get engaged in the issues, that I’m a problem solver and I like to get engaged, and I’d dig into it. The second thing that surprised me was that he said that I was willing to stand up to authority. And, he specifically indicated a situation where I stood up to Dan Beard. (Laugh) And, I remember being kind of surprised by that, because . . .

Seney: Dan Beard was the commissioner, right?

Commissioner Dan Beard Was Concerned about the Direction Taken with the Newlands Project

Ball: Dan Beard was commissioner and there was an issue that just, you know,

previously where I was called on the carpet to justify, you know, where I was headed.

Standing up to Authority to Justify Your Actions Is a Recurrent Theme at Reclamation

Dan was concerned that perhaps we were going in the wrong direction, and I stood pretty firm with him, and at the end of that, that session, he said, “Well go ahead Ann, continue on, but make sure that in April, (Taps table) such and such doesn’t happen.” (Laugh) And I said, “Okay.” But so, I guess I was surprised that he said that, and he was so open and honest. But, I also felt that it was indicative of a value of Reclamation that, that of being open and being honest and standing up to authority when you needed to, being challenged, and being challenging. And, it was an aspect of my experience with Reclamation that I really valued because that was a recurrent theme for me (Seney: Right.) throughout my career.

Had Known Frank Dimick a Long Time

As a matter of fact, Frank was probably one of the first managers I stood up to in my very earlier career. Frank and I – my career, our careers intertwined at various levels. I first knew him when I was a young Engineer in Salt Lake, and he was the O&M Chief in Provo. And, he was proposing to do something that I didn’t think was the right thing to do. In terms, I didn’t think the office had the capability. And so, I brought it up to my supervisor. We had a meeting. And, I may have gone over that situation before. But anyway, so (Seney: Yeah. That’s fine.) that theme of feeling that my opinion was valued, and that it was safe to present an alternative view, or another view to management. And, you know, at least have a hearing, has always been important to me. And, that was something that Frank valued in this situation as well. And, so that was . . .

Seney: That would have been a strong send off, wouldn’t it, for you with the TCID people?

“ . . . you know, I think they [TCID] were very jaded and very skeptical. I mean, they really felt that nothing would change. . . .”

Ball: It may have been but, you know, I think they were very jaded and very skeptical. I mean, they really felt that nothing would change. It may have been.

“ . . . having Frank give me his support was very strong, because they respected him. And, in fact, I think he was probably, within the Department, considered an advocate of the District . . .”

I’m sure that having Frank give me his support was very strong, because they respected him. And, in fact, I think he was probably, within the Department, considered an advocate of the District itself.

Seney: He had been a project manager?

“ . . . so that’s when I found out, at least that’s the best glimpse I have as to why I was selected and what Frank, at least, was thinking when, when he selected me. . . ”

Ball: He had been a project manager and they liked him. Yeah. I thought it was a pretty—and he surprised me. I didn’t know he was going to do that. I didn’t know he was going to do that. And so I just, so that’s when I found out, at least that’s the best glimpse I have as to why I was selected and what Frank, at least, was thinking when, when he selected me. And, that being able to challenge authority was just significant to me. And, it made sense, because I do, since I was a little girl. (Laugh)

Seney: (Laugh) You know, also before we started to talk today you mentioned we talked a little bit about your preparation, which I had asked you about before. And, you’ve reflected on that too, and maybe you could talk a little bit about that?

“ . . . in another way, the problem, there may not have been any way to prepare effectively for this job. . . . ”

Ball: Yeah. I was taken a little off guard, because I thought the correct answer should be that I was really prepared, and I studied. But, I really didn’t I didn’t do anything to prepare. I came totally unprepared, and perhaps that was a mistake. I really don’t know. And, in another way, the problem, there may not have been any way to prepare effectively for this job.

At the Time She Started Going to Carson City on an Acting Basis She Was Also Finishing Negotiations on a Contract Renewal for the Cachuma Project out of the Fresno Office

At the time, for about two or three months, I was really doing two jobs. I was continuing negotiations, leading negotiations out of the Fresno Office, of the Cachuma Project, a contract renewal. And, it was major. I mean, we were kind of getting to the end where all the nitty gritty tough issues remained, and we had to figure out some creative solution of getting to the end that would meet the, you know, all the, the two parties. And, as well as becoming familiarized with the issues that were going on here.

“So, I was going back and forth, and doing both [jobs]. . . .”

So, I was going back and forth, and doing both. Also, my previous experience, I’ve always been able to enter into a new situation and to figure out what was going on, on the ground.

“ . . . sometimes it’s helpful not to know too much, because it’s helpful to be able to have an open mind and spend a lot of time listening, and really listening deeply before you formulate any opinions. . . . ”

And, sometimes it’s helpful not to know too much, because it’s helpful to be able to have an open mind and spend a lot of time listening, and really listening deeply

before you formulate any opinions. (Seney: Right.) So, I didn't do any. I didn't read the Orr Ditch Decree. I didn't pickup and read all the history. I didn't do any of that. Although, I did seek information and was offered information about relationships, about people. And, I was very interested in making sure that I understood what was expected of me, (Seney: Yeah.) as much as I could. So, I did seek out information. And, I sought out advice from Dan, and Betsy, and of course Frank was my supervisor, and he had been the previous area manager, and I felt comfortable that he was there. So, if I needed on-the-spot briefing (Seney: Yeah.) I could just give him a call and he could bring me up to date on what was going on. But, other than that, I really did not prepare. I just came with . . . (Laugh)

Seney: From this vantage point, do you think you might have been better off had you been better prepared, or knew more? I mean, I know what you're saying about coming without biases but (Ball: I, I don't know.) [Inaudible] now?

Ball: Because I probably did come with a few biases based on the information that I was given by certain people. I did have biases already just based on very limited information.

Seney: How do you mean?

Ball: Well, I could give you the flavor of some of the advice I was given.

Seney: All right that would be great.

The Flavor of Some of the Advice Given Regarding the Newlands Project

Ball: I was given the advice—and this advice was given from people fairly high up in authority, within Reclamation and within the Department—I was given the advice that I was “walking into a snake pit,” and “everybody was up here trying to use me,” “going to try to use me,” and certain people were “snakes.” I mean, even within the Department, and that I “should watch out for them.” I mean, I'll be real candid. Bill Bettenberg and, was identified as a snake to me, (Laugh) (Seney: Yeah.) right from the beginning, that he was the problem, and that Fred Disheroon was the problem.

Seney: From the Justice Department?

Ball: Yeah.

Seney: Yeah.

Ball: So, I came, I also came—the, with the, the direction from Betsy was—and you know I didn't spend a whole lot of time with her, but when I spent time with her I took just about every word she said very seriously. (Seney: Yeah.) And, one of her advice, her direction to me was she felt that the situation out in Churchill County was very explosive, and she said to me, and I believe these are pretty close to the words she used, is “Don't let Churchill County turn into another Nye County.”

Uh, and . . .

Seney: Nye County was where there was a strong . . .

Ball: Anti-government sentiment over, especially over land issues.

Seney: Yeah, with the BLM [Bureau of Land Management] in that case?

Ball: With the BLM. (Seney: Yeah.) And, a militancy.

Seney: Yes. Bulldozing roads?

“ . . . this was on the heels of . . . the incident where we took over and delivered the water to the Fallon tribe, and we actually took over that operation. And, she [Betsy Rieke] felt that that whole situation was very explosive. And, so she, you know, very clear direction, ‘Don’t let Churchill County turn into another Nye County.’ . . . ”

Ball: Bulldozing roads, guns, (Seney: Yeah.) whatever. And, this was on the heels of, you know, the incident where we took over and delivered the water to the Fallon tribe, and we actually took over that operation. And, she felt that that whole situation was very explosive. And, so she, you know, very clear direction, “Don’t let Churchill County turn into another Nye County.”

“She also said not to let Bill [Bettenberg] influence the day-to-day operation of the dam. . . .”

She also said not to let Bill influence the day-to-day operation of the dam. “Don’t let Bill overly influence that.” And, that, “Use him as a resource person,” but as a policy person that he hasn’t, you know, “He doesn’t have good instincts. He doesn’t, you know, he’ll get you in trouble.” And, you know, I equated that with Bill pretty much directing what I understood directing Ed. (Laugh) And, Ed, and what happened to Ed was, you know, was he was out. And, I’m pretty sure that Bill, that Ed was following Bill’s directive on that matter. And so, and I also, she also told me that—and it wasn’t only me in a setting. I was reviewing my notes when we were preparing for the O&M negotiations. And, in a setting with Bill Bettenberg, and other, and other Interior people, she mentioned that the Justice Department was not sensitive to the dynamics out there and to be careful. So, already, you know, I was kind of (Seney: Yeah.) based on this information.

“ . . . Frank [Dimick] was very . . . very open about his perception that a major part of the problem was Bill and Fred [Disheroon], and the micro management of the project. . . . ”

Of course, Frank was very, you know, very open about his perception that a major part of the problem was Bill and Fred [Disheroon], and the micro management of the project. And, as a matter of fact, at that meeting with TCID he also mentioned to TCID—and he surprised me because he turned to me and said, “Well, Ann, tell them what I told you about what I expect of you.” (Laughter) And, I was taken by surprise, because I had heard a lot of different things. And so

he then answered his question, and he said, “I expect Ann to take over control of the project,” meaning the day-to-day decision making, that I would be making those decisions and that it would not be coming from Washington. So, that was kind of the environment in which I was walking in, and kind of the nuance or the painting—well, the landscape, (Seney: Yeah.) so to speak.

There Was Sentiment at the Region and Assistant Secretary That Decisions Needed to Be Made at the Local Level and Not in Washington, D.C., but That Approach Wasn’t Institutionalized

I was also, in terms of lack of preparation, comforted by the fact that Betsy was putting in place, at least theoretically, a mechanism to deal with the issue of that dominant control from Washington by establishing the Truckee-Carson Coordinating Office. And, the idea being that we would be making our decisions locally. If we all agreed locally then we could move forward, and it was only if we could not agree locally then the idea—and there was actually a memorandum or secretarial directive, draft—it never got finalized. It kind of pffft, and [when] she left it just (Laugh) (Seney: Yeah.) just disappeared. But anyway, I saw that, that it would, if we were not in agreement then we would elevate the issues according to normal bureaucratic, hierarchical procedures, and we would elevate to the, our respective regional directors. And, Jeff Zippin, as head of the Truckee, would elevate it to Bill Bettenberg. And then, those people would resolve it before going further. So, it established, you know tried to bring back into a more normal hierarchical setting, that influence of, oh I guess I would say debate or discussion of issues, full discussion of issues, before a decision would be made. And so, that was another thing that kind of comforted me, that there were these mechanisms in place. So, we’re going to, okay, well I know what was going on may not have been ideal, (Seney: Yeah.) but I had Frank there and I had this mechanism in place that I could work through, and I was comfortable with because it was pretty traditional way of doing business.

Seney: Did it trouble you at all that Jeff Zippin, who probably is a very able fellow, who is head of the Truckee, was head of the Truckee-Carson Coordinating Office, was a kind of, of protege of Bill Bettenberg’s?

Ball: Not initially. Not initially. It did become a problem – I realized that in time that it did influence his decisions. Initially, my understanding was that Bill, that Jeff was going to be reporting to the assistant secretary, or whoever had the policy decision making, not to Bill. And, that, but that never happened. This Executive Order, or I think it was called an executive order, or a secretarial directive maybe, this draft that I saw. And I thought, “Boy, this is going to be good.” (Seney: Yeah.) It never got . . .

Seney: Any insight in to what happened to that?

Ball: It disappeared shortly after Betsy left. It kind of went into the black hole of bureaucracy. And, you know, my feeling is that, you know, Bill wasn’t too pleased with it, and never pushed it forward, because he was the one back in Washington. But I, I don’t know for sure. (Seney: Yeah.) There was just no

champion back there for that, that issue. In that Executive–secretarial directive is really the right term—it very clearly identified Bill’s role as a technical advisor, policy advisor, and somebody who could help us with the budget issues, because he seemed to have his fingers—and was very helpful with getting the money, (Seney: Yeah.) and using his influence there in that. So, ~~and~~ I may not have been aware, totally, of Jeff’s relationship, previous relationship with Bill. But, no, it really didn’t—I, Jeff came across to me as very open and honest, and had the values of openness and honesty, and good government, and you know, carrying on. But, in the vacuum (Laugh) that eventually happened because he had nobody else to report to but Bill, he, that office essentially became Bill’s office. (Seney: Right.) And, that was not the intent. So, rather than neutralizing Bill, in a way, and kind of putting him here in a place where he was an advisor, it strengthened his position, because now he had a whole office, with staff, to do as he directed. And, even though I may not be doing what he directed he had a whole other office that was able to keep things moving, and going, and whatever.

Seney: Yeah. So, the purpose was really defeated in a sense?

Ball: Yeah. Immediately.

Seney: Yeah. Yeah.

Ball: Yeah.

Glaser Report

Seney: Do you want to talk about the Glaser Report now? Would that be convenient, since it deals with these matters?

Ball: Well, yeah, I think the Glaser Report kind of gets us back to which I think where Betsy was headed, (Seney: Yeah.) but probably in a little bit more direct way. I mean, I think—do I need to explain what the Glaser Report—do we need to give some background here?

Seney: Yeah. We do. And, what I want to ask you about, too, you mentioned to me before, I think once in one of our several phone conversations, that you actually helped to draft the work order for the Glaser Report (Ball: Um-hmm.) when you were still area manager? So, what I’m curious about is—and apparently this was through, the now Assistant Secretary [Patty] Beneke was involved in this. And so, I’m interested in the background, and especially in terms of what purpose was this for? I mean, I never think—perhaps I’m cynical here, but I never think these reports are neutral, that there’s perhaps some sort of motive behind them.

“ . . . when it became clear that I needed to leave, that Patty needed, wanted me to be moved out, Roger was in a very difficult position. This is the second area manager—this is traumatic stuff . . . that he had to get rid of. . . . ”

Ball: Well, yeah. The motive was, the motive was to get to the bottom of the problem as perceived by certain people. At that point, when it became clear that I needed

to leave, that Patty needed, wanted me to be moved out, Roger was in a very difficult position. This is the second area manager—this is traumatic stuff (Laugh) (Seney: Yeah.)—that he had to get rid of. And, basically, you know, to his credit, I believe he argued as far as he could, keeping me in, and you know, “Let’s try to work within the system.” But, the pressure was really too, too heavy to move me out. So, I think what he said, “Well, okay. I’ll do that. But,” so he used it to say, “But, we need to find out what’s going on there. There’s been five area managers in thirteen years, and they all had to leave. There’s something fishy going on here.” (Seney: Yeah.) “And, they’ve all been capable people, so we can’t assume that it’s—five people in thirteen years there’s something wrong with how we’re doing business out there. There’s something major wrong. And, I’m not going to fill that position again” This is what Roger said, “until I understand, until we have something in place to be sure.” So, he took a pretty strong stance, from what I understood. And, that was probably, his stance was very important to me, that he took that stance, and my willingness to leave gracefully. (Laughter)

Seney: And, he’s very influential within the Bureau, isn’t he? I mean he’s well regarded.

Ball: Well, within the Bureau, but also he was very influential with Patty. And, he was very influential with Betsy. (Seney: Yeah.) I mean he, within the department he—yeah. (Seney: Yeah.) So, [Patty] Betsy said, “Okay.”

Seney: Patty said “Okay?”

“Patty agreed to bringing Don Glaser onboard to take a look at how we do business out in the Truckee-Carson area in terms of our organizational . . . structure. . . .”

Ball: Yeah. Patty said, “Okay.” I’m sorry. So, Patty agreed to bringing Don Glaser onboard to take a look at how we do business out in the Truckee-Carson area in terms of our organizational. It wasn’t as much, well in terms of, you know, how we do business, our organizational structure. Does it support achieving the goals of the department? And so, yeah, I put together—I probably—I put together what has become the work order. I put together the letter that went to Don Glaser that outlined the objectives. I put together the draft. And, that went forward fairly unchanged, I think. Bill [Bettenberg] had a chance to interject, and he added a thing or two. But, that came pretty—and, that letter, I put a lot of thought in that letter, because it kind of reflected my feeling of what needed to be looked at from an organizational point of view, the issues of communications, the issues of accountability, the issues of authority, the issues of who should be making decisions. And so, I felt pretty good about what he was being asked to do. I felt very comfortable with that.

Seney: Why Don Glaser? I know he’s a former Bureau person. How was he and why was he selected?

Ball: He was selected because Roger had a lot of trust and confidence in him, that Don had been involved in many organizational, analysis of organizational issues with Reclamation, had been instrumental in many organizational changes, downsizing.

So, that was his field. I mean, he was kind of an—he, you know, as a matter of fact, Don worked, Don is unique in Reclamation in terms of working himself into high management position and not being from that engineering genre. He was really an administrator, and organization was his bag. And, he was also well familiar with the water issues, and western water policy. He had been directing the—concurrently as a matter of fact, I think, or maybe after. I can't remember the time sequence of the—concurrently, or maybe this was after—the Western Water Policy Review Committee. So, he was very familiar.

Seney: Yeah. You know, I'm, you see I'm thumbing through his report here, which is brief, but it says in one part—and I'm looking for the quote—that “He's never happy, as a rule, with organizations like the Truckee-Carson Coordinating Office.” That, I take it his view would be, you know, you work these things out through each of the Bureaus and the Services, and then when there are differences those are then resolved at the highest level. And, you're shaking your head “Yes.” (Ball: Yeah.) You think that was his . . .

Ball: That is his. And, I would agree with that. My feeling was, and I had it initially, and I shared this feeling with Jeff, is that the reason why they were out there was because we were dysfunctional, and they were a band-aid. And, I accepted that (Seney: Yeah.) as being needed, but I would much prefer dealing with the issues head on. I'm much more, “If there's a problem, let's fix the problem rather than band-aiding it.” And so, I viewed them more as a band-aid than a long-term organizational change that made sense. (Seney: Yeah.) Because if we were doing our jobs correctly, that the communication among the agencies and the consultations and everything would be happening and would be working, and we have mechanisms that were clear, we'd have clear policy, we'd have clear accountability, and everybody would know what their roles were. And, yeah, I agree with him that, yes, that's what he . . .

Seney: Yeah. Let me actually—I did manage to find it on Page 8 of his report where he says, “The Truckee-Carson Coordination Office goes against most of my better judgment and experience related to organizational theory and dynamics. I am not a fan of offices to solve relationship problems, (Ball: Um-hmm.) but it is clear that there is a legitimate role for this office for the next two or three years.” You know, I guess what I'm wondering here is I'm thinking about, obviously Roger wants, as you indicate, something done here. There's something wrong out here.

Ball: He didn't want to go through this again. (Laugh)

Seney: Yeah. I can't blame him. Nor put someone through it, I'm sure, like yourself, or Ed Solbos, or the others. And, at this point, did Assistant Secretary Beneke agree with him, do you think, that the problem was this (Ball: I don't . . .) interference from the top?

Ball: I think she had suspicions that there were problems, and even when I was the area manager and would brief her on occasion, on the O&M Agreement, I remember once she said to me, “It must be very difficult to have Bill Bettenberg around trying to micromanage you all the time?” So, I think there was that recognition

that things weren't normal. She was especially concerned about the relationship with Justice, having been, prior to becoming the assistant secretary she was in the Solicitor's Office. And so, that relationship between the Solicitor's Office and Justice was very clear and set in her mind, and kind of consistent what I understood to be normal practice, that Justice defends us in litigation, but they are not to be setting policy. And, even within the Department there's a distinction between the Solicitor's Office and the policy people. The Solicitor's Office is to give us advice. (Seney: Yeah.) "Is what we want to do legal?" (Seney: Yeah.) They're not to give us, tell us whether it's good policy or not. That's to be done by the line organization directed basically by the political appointees. I mean, they're the policy setters. And, they're the ones who are accountable. And so, that distinction is very clear in how the organization runs. And, it seemed to me that Patty, after I left, supported that separation notion.

Seney: And, she was, just to clarify, she was in the Solicitor's Office within the Department of the Interior.

Ball: Yes.

Seney: Yeah. Okay. You know, one of the things that, you know, comes out of this report, he submits this report which is, you know, only about ten or so pages long, is that, you know, he wants to phase out, or thinks that the Truckee-Carson Coordinating Office should be phased out. And—let me turn this over.

END SIDE 1, TAPE 1. JULY 7, 1998.

BEGIN SIDE 2, TAPE 1. JULY 7, 1998.

Seney: Yeah. We're back in business again.

Jeff Zippin has been moved back to Washington D.C., hasn't he?

Ball: Well, he moved back for personal reasons. When his assignment was made out here it was a three-year assignment. The Truckee Office, in fact, was envisioned to be out here for three years to do a comprehensive EIS [Environmental Impact Statement] on Lower Basin. I mean, they had a very clear, clear task that was envisioned for them, and that that would end in three years. And his intent was always to move back to Washington. That's what he planned. I believe he had personal reasons. I think his father was ill, and he wanted to be back there. (Seney: Sure.) And, I believe, you know, his children preferred being back there. And so, that was always the intent. That was, nothing changed. It wasn't that he was actually physically moved against his will. What was decided at that time was that since these projects were ongoing, and since he assumed many more responsibilities as Bill's person out here, you know, monitoring TROA and doing other things, that he would operate the Truckee-Carson Coordinating Office out of Washington. So, the office would still be here locally, but he'd just commute back and forth. And, my understanding was that ~~Betsy~~—not Betsy—that Patty was not totally happy with that, but after reading Glaser's report her reaction was that Jeff would need to spend at least a minimum of, about fifty percent of his time out here to be effective. I don't know if he has. I haven't followed that. (Seney: Yeah.

Yeah.) But yeah. So, he wasn't moved as a result of the report. In fact, he left before Glaser did the report.

Seney: You know, what I, what I sort of see in this, the, what's perhaps behind this report is the attempt by the Bureau of Reclamation to reassert its authority in this area, and to try to limit or reduce the authority of Bill Bettenberg and Fred Disheroon, perhaps?

Ball: Well, I don't think I would characterize it that way.

Seney: Okay. How would you characterize it?

Ball: Uhhh I'd characterize it—the purpose of the report was not necessarily with a directed outcome to put Reclamation back in the driver's seat. Another recommendation that could have easily come out of it was that, you know, the normal hierarchical thing isn't going to work, so therefore let's legitimize all the informal relationships that occur, and make that—I mean, there was another outcome (Seney: Yeah.) that could have come, and when we went into this, requesting Glaser to do it, I mean, I thought that that was another legitimate outcome. I mean, you either had to go back to traditional or you need to formalize and legitimize the relationships so that it was clear. You needed to know who was accountable. You needed to know how it was going to work. So, I, going into it, I think either outcome was equally probable. (Seney: Yeah.) You could go either way. And, I remember being, you know, when I'd talked to Don I said, "Hey, you know, if the traditional isn't going to work, for any reason, because it's going to take a lot of energy to make that work, that it would be best in the long run to formalize this informal relationship for the good of everybody, (Seney: Yeah.) even though it might not be ideal organizationally it may be better in the long run." So, I, so I don't think, you know, I don't think that we had a set outcome here. (Seney: You didn't . . .) We just wanted something that was going to work.

Seney: Okay. You didn't, in other words, you didn't have, you didn't think you knew what Mr. Glaser's conclusions would be when he was given the task of doing the report?

Ball: I didn't. No. No. I didn't.

Seney: Okay.

Ball: Roger may have had a different perspective on it, but I, I felt that either conclusion was equally likely, and I didn't know Don enough to know where he might be coming from.

Seney: Okay.

Ball: And, in, quite frankly, having gone through this Western Water stuff, I mean the emphasis within the department, I mean the current emphasis was looking basin-wide, and having the agencies be able to talk to each other. I mean, it seemed to me very possible that, you know, a visionary-type person might say, "Hey, this is

an opportunity to change the way we do business altogether, and kind of just collapse all the distinctions among the agencies, and have a seamless office. I thought that was equally as (Seney: Okay.) probable an outcome of this report, because that was kind of an idea being toyed with (Seney: Yeah.) in other basins, and within the Department as part of the vice president's performance–reinventing government. I mean, you know, that was, to me, something that could happen.

Seney: Yeah. Uhm – I had a question and then listening to you answer, it flew away. So, let me ask you about the–it was a good question too. (Laugh)

Ball: I'm sorry.

Seney: No. (Laugh) No. It's not your fault. It's my fault. Let me ask you then, and perhaps it will come back to me, about the recommendations that Assistant Secretary Beneke then puts out here. I guess it's, this is really the subject of this December 22, 1997, memo, is the implementation of recommendations from the Glaser Report. And, she talks about doing the things that he suggests here, that "The regional directors are going to be the one for Reclamation, Fish and Wildlife, Indian Affairs, regional solicitor, and Bill Bettenberg should form a regional management team to provide programmatic direction to the field and resolve questions, or conflicts"—this is from page two—"or conflicts in the program direction, policy guidance, and program priorities, which could not be solved at the field level." And that was what you kind of mentioned before, wasn't it, that, how you thought it should work (Ball: Yes.) and people chat among yourselves, and if you can't resolve a problem here locally, then it would go to this kind of a committee, which would include Mr. Bettenberg?" (Ball: Um-hmm.) Did that, did that strike you as appropriate that Bettenberg should be on this committee? Or, should it have just been the regional directors of the various—why Department of Interior on this?

Thought That Ideally There Shouldn't Be a Departmental Person Equivalent to a Regional Director on the Management Team

Ball: My preference, ideally, is that there would not be a departmental person on this regional management team who had equal status as regional director. Quite frankly, they're not accountable. They're not accountable for program accomplishment. Not accountable. I could understand the desire to have someone physically in the department, physically in Washington, being knowledgeable of the issues so that if a question comes up there would be somebody there that you'd walk down the hall, but that also defeats the purpose. The communication should be more directly. So, I don't think it's appropriate from an organizational point of view. I think it's a way it had evolved with this administration of doing business of having a person there in Washington. I think the danger there is that person gets focused with too much power if the other people kind of slack off.

"I believe that when Glaser was writing this report, certain of his recommendations were politically motivated. I mean, he was being a political pragmatist, in so far that this report could create a lot of concern in certain people that things would be changed dramatically and all the relationships

changed, and I don't think he wanted to do that. . . ."

I believe that when Glaser was writing this report, certain of his recommendations were politically motivated. I mean, he was being a political pragmatist, in so far that this report could create a lot of concern in certain people that things would be changed dramatically and all the relationships changed, and I don't think he wanted to do that. I don't think he wanted the report scuttled, (Seney: Yeah.) so to speak. And, it could have been very easily by, you know, certain forces (Laugh) in action. So, I think he gave deference to Bill's position, and to Bill's history, and the fact that, you know, Bill [Bettenberg] was the person here that many people had developed a relationship, especially with TROA, and with Senator Reid's office, and that to pull him out all together would be very alarming. And so, I think that from—I think that was more politically, pragmatically motivated a recommendation than purely organizational. And, I think that Don probably thought with time that it would all work out anyway because Bill's not going to be there forever.

Seney: Who were some of these forces that could have scuttled it if he had not been as politic?

“. . . we needed not to set up a red flag. . . . there was no need to do that. And also, Bill's cooperation was required to make this work. I mean, at that time it wasn't known that Betsy Rieke would apply for the job and get it. I mean, this was also, I mean, this, whether this was going to work was very iffy. . . ."

Ball: Well, I think Sierra, Senator Reid. Senator Reid would be very concerned. Bill had a very close relationship with Senator Reid's office. And, we needed not to set up a red flag. I mean, I think there was no need to do that. And also, Bill's cooperation was required to make this work. I mean, at that time it wasn't known that Betsy Rieke would apply for the job and get it. I mean, this was also, I mean, this, whether this was going to work was very iffy. I mean, they tried once and it just (Seney: Yeah.) fell flat on its face. And, I know that I was very skeptical. I mean, I thought that from an organizational point of view it was the right recommendation. On the other hand, I felt that if there wasn't a will to implement it, and that immense, the energy, immense energy (Seney: Yeah.) to change the status quo, that we would all be better off going to formalizing the existing.

“. . . I remember once saying to Kirk Rodgers that the only, the only person that could pull this off is Betsy. . . ."

I mean that's, where I came from that, you know, let's not play games here anymore. I mean we've, if we really do it, and we're really committed, and commit the energy, it's not anybody that could just walk in and make these changes occur and from a very realistic point of view Roger was spread—you know, he's doing Bay-Delta, he's doing Klamath Project. I mean, and he was being pulled, and for him to expend the level of energy required to come up to speed (Seney: Yeah.) and to have a new area manager, I mean, the probability of success in my view is very low. So, getting that right person, and I wasn't sure. I mean, it was funny because my, I remember once saying to Kirk Rodgers that the

only, the only person that could pull this off is Betsy. And, that was just . . .

Seney: Yeah. Little did you know, huh?

Ball: (Laugh) Yeah.

Seney: (Laugh) Let me, you know, as I read over the secretary's, [Assistant] Secretary Beneke's implementation of this it looked to me like this might be regarded as a victory, almost, for Mr. Bettenberg, (Ball: Um-hmm.) in a sense, and let me read what this other part says. They're not numbered, but it's third or fourth on the list. "Mr. Bettenberg," this is a quote, "Mr. Bettenberg? will serve as a member of the regional management team. In that capacity he will be the day-to-day staff contact for the Department in Washington, D.C. I anticipate that Mr. Bettenberg will continue to lead the Truckee River Operating Agreement negotiations, through their completion, hopefully in 1999, oversee development of the Fallon Tribe Agreement on the TJ drain closure, and oversee the operation of the TCCO," that the Truckee-Carson Coordinating Office, "during its two-year extension. He also is the team leader for the Pyramid Lake and Fallon tribe implementation teams, and in this role he will continue to advise the Indian Water Rights Settlement Office of developments in the Truckee-Carson Basin. Mr. Bettenberg will work in cooperation of these efforts with the regional management team." So, you're kind of smiling, but that sounds to me like, whatever Glaser recommended that Bettenberg was able to sort of blunt it.

Ball: Well, no. I think that very clearly identified what arenas. (Seney: Ah. Okay.) And, I think—and also the idea that he's not going to be there forever. And, I don't know, he has thirty-five years in service. He's not going to be there forever. And, TROA was really a major thing, and to pull him out of TROA at this point, that makes sense. These implementation teams, the—the only thing in there that really concerns me that he would be the day-to-day contact. And, that could be problematic. On the other hand, I think being the day-to-day contact, but making sure that he has the concurrence of the region and they know he needs to make sure that the regional directors are briefed and that he has—I mean, that, that was different than what it was before. (Seney: Yeah.) And you know, Patty would ask Roger, I'm sure, "What do you think about this?" And, I mean, probably the communication between Patty and Roger would be more frequent than between Bill and Patty, even though Bill was physically there. Because Roger had numerous opportunities to talk to Patty on a variety of issues and things would come up. I believe that that was put there to make sure that there wasn't going to be any political upset. (Seney: Uh huh.) And, you know, from a purely theoretically purist sort of view, I think it's inconsistent with the rest of the report. On the other hand, I think it reflects political pragmatism, and the objective was to get to where we needed to be, where Reclamation needed to be, or where organizationally the department needed to be. You know, committing hari-kari wasn't really the objective here. (Laughter) (Seney: Yeah. Yeah.) You know? So, I think that that's reflected, and that probably was written by Bill himself as his condition to support this. And, my understanding is he did support the report.

Seney: That's interesting. That's interesting. And, I wouldn't be surprised if he did write

this.

Ball: Oh, I'm sure that he wrote that part, but the rest of it is probably Don Glaser and Roger. (Laugh)

Seney: Was this a success, then, do you think, this report and the recommendations that came out of it?

Ball: I viewed it—the way I would characterize it, I would say the proof is in the pudding. The report in and of itself is neutral. I think it came to reasonably good management recommendations, but pulling it off was a whole other matter, and so, yeah, yeah I think it was a fairly good report. I, you know—on the other hand, pulling it off, you know, making those things happen was really the important thing.

Seney: And so far there's not evidence that any of that has occurred?

Ball: I don't know, you know, I haven't been on any . . .

Seney: Right, you're not . . .

Ball: I haven't been around, so everything I would say is what, you know, what I've heard from other people.

Seney: And, what have you heard?

“I've heard that Patty is committed to following through on this report. I think that Betsy's selection as the area manager is indicative. . . .”

Ball: I've heard that Patty is committed to following through on this report. I think that Betsy's selection as the area manager is indicative. I mean, I understand that she read the report, and that that was kind of, you know, one of the conditions was that, “Hey, this is what we're going to do, are you comfortable with that?” I would expect to see a phasing out of TCCO very soon.

Comprehensive EIS the Truckee-Carson Coordinating Office (TCCO) Was to Prepare

I, at, now the comprehensive EIS that they originally intended to do has been changed to just a very little minor thing to do an environmental assessment on one little federal action, and that it hardly seems reasonable to have a whole office for an environmental assessment. I mean I had, I had GS-11s doing that. And, you know, Jeff is a fifteen, and he has thirteens and fourteens working. I mean, it seems a bit of overkill if you ask me. (Laugh) So, I don't think that will go unnoticed. (Seney: Yeah. Yeah.) That they really have, haven't, don't have a charter anymore. I think, with TROA gone, even that, I mean Jeff could continue to assist Bill in TROA and those, but I don't, I think that'll become very self-evident, that there's not a role for TCCO. I think phasing Bill out is probably a little bit more problematic. (Seney: Yeah.) I mean, he's there. He has

institutional memory and he has the support.

Seney: Of the key senator's office?

Ball: Yes.

Seney: In this matter?

Ball: Yes.

Seney: You know, let me ask you about this programmatic EIS being downgraded to an environmental assessment.

Ball: Let me call it a comprehensive EIS.

Seney: Oh. I'm sorry. I'm sorry.

Ball: That's because programmatic—the programmatic has another, when we're being sued that we're not doing a programmatic.

Seney: Oh. All right.

Ball: And, we didn't call it programmatic for that reason. It's a comprehensive EIS.

Seney: Oh. Okay. All right.

Ball: In the Lower Basin.

Seney: That's what I wanted to get to. And, as you know, I haven't worked on this project for a while, so I'm a little bit out of the information loop here. And, that is a political legal question, isn't it? The district wants (Ball: Well, actually. . .) a broad EIS done?

City of Fallon Is Suing Reclamation Because We Aren't Preparing a Programmatic EIS

Ball: Well, actually it's not the district, and I think that this is an important distinction that needs to be understood. (Seney: Okay.) The City of Fallon in Churchill County brought suit.

Seney: Oh. Okay. All right.

The Issues Are Viewed as Community Issues Rather than Just TCID Issues

Ball: And, that these issues are viewed as community issues, and not just TCID issues.

Reclamation and the Department Have Trouble Understanding the Issues as Community Ones

And, I think that is a difficult concept for the folks in the Department and Reclamation to understand. I mean, this was something different for me, very different than any other situation that I had ever been in that wasn't, we're not just working here with a water user group, a district. We're now talking about a whole community and it kind of brings the complexity of the issues to another level. It kind of, in effect I believe the level of conflict got escalated (Seney: Yeah.) to now you got counties suing the government, and counties against counties, and it's not just, you know, the tribe and the water users any more. It really has become an issue that's been crystallized and elevated to a community issue.

Seney: So, my mistake. This was the . . .

Ball: Well, and it's people still (Seney: Yeah.) do not recognize this as a community issue.

Seney: Yeah. Well, I know that there's some people on the, within the Bureau and the Department of the Interior who think that Churchill County is simply a stalking horse in this case for the district itself. I know there's that view. You were both smiling and shaking your head "No." So . . .

Doesn't Believe Churchill County and Fallon Are Simply Stalking Horses for TCID

Ball: Yeah. I heard that too. (Seney: Right. And you don't . . .) I don't think so because I think, think it's, there's complexity in that community and I don't think that those county commissioners and the mayor of Fallon are going to deal with—I don't, no. TCID does not—I mean, they are certainly influential, but they don't control the show out there and I think this is one of the fallacies. I think it's easy to come to that conclusion if you're in Washington, kind of, you know, handling the controls from back there because you don't get into that community and understand that, (Seney: Yeah.) there are, there are conflicts within that community and differences of opinion. So, I don't think so. I think that would be a gross simplification, and an inaccurate assessment.

Seney: And, I take it that would be another part of your argument that the decision should be made here more locally by the federal apparatus, because the people further away won't see that kind of thing?

People Farther Away from the Local Scene Miss the Nuances of the Situation

Ball: No, the nuances just aren't captured. The nuances aren't captured. And even—yeah.

Seney: Let me just go back so this point gets made more clearly than my question tried to apply. That is, there was this larger EIS, what do they want to call it, "programmatic," or "comprehensive?"

Ball: We called it a comprehensive EIS (Seney: Okay.) to look at activities that were

focused in on the Lower Truckee River. Specifically it was the Cui-ui Recovery Plan, a revised Cui-ui Recovery Plan. It was a revised OCAP [see page 111], which was different than the interim OCAP that we just implemented. It was the Refuge Acquisition Program, and then later the Water Quality Agreement all got—we were going to look at that from a comprehensive. So, integrate those activities. What has happened is that Stillwater—I mean, they completed their EIS. They’re moving forward. The policy decision’s been made in Washington, that we’re now going to move forward on a revised OCAP, that the new OCAP—I mean, when you look at it, I mean, I think, think that we were doing an interim OCAP, and then we later called it an “adjusted OCAP” because “interim” was a problematic term. And then we’re doing a revised OCAP simultaneously. I mean, it made no sense. (Seney: Yeah.) That just made no sense. Well, anyway somebody finally said, “Well, what are they doing out there? This makes no sense.” (Laugh) And so I believe that there is wisdom in Washington. (Laughter) And so, we decided, the Department decided, “Well, we’re not going to do that.” And, then the Cui-ui Recovery Plan is kind of on its own track because of all the internal reviews that have to occur, that that’s just not going to be done in a timeframe. So, no, it’s just this Water Quality Agreement, it’s on the federal action of the Water Quality Agreement. We’re not looking at the City of Sparks, and Washoe County’s acquisition. We’re just looking at the federal acquisition in the Water Quality. (Seney: Uh huh.) And, it’s likely not going to be an EA [environmental assessment], which is a couple of pages. It could be, I mean, (Seney: Yeah. Oh.) as short as a couple of pages. So, this thing that started off, you know, a commitment to do, and this commitment to do a comprehensive evaluation, I think, was being sensitive to the community’s desire. (Seney: Right.) And, it was at the heels. I mean, it made sense to do that, but it just, it just all fell apart.

Seney: Now, the community wants—and that’s the objective of the Churchill County suit. The community wants—what is the proper term?

Ball: They want a programmatic.

Seney: Programmatic?

Ball: They want to include all of the activities, and envisioned in Public Law 101-618. Not only these things that were being considered in the comprehensive, but also TROA as well, and everything else that may be included as a programmatic EIS. And, we said, “No. TROA’s on its own track. We’re not going to combine that.”

Seney: Yeah. That’s essentially Upper Basin stuff, isn’t it? TROA?

Ball: Yeah.

Seney: Yeah.

Ball: Yeah. But it does have impact (Seney: Right.) on the Lower Basin. I mean, you can’t say it doesn’t.

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- Seney: Yeah. (Ball: Um-hmm.) Yeah. And, I guess the objective, perhaps, of Churchill County in this is to, dare I say “muddy the waters,” (Laugh) and complicate matters, and perhaps try to defeat parts of Public Law 101-618, do you think?
- Ball: Well, you know, I don’t know that I’m the right person to ask what Churchill County’s objective is. (Laugh) I can only speculate.
- Seney: Well, speculate. I mean, you’re a knowledgeable speculator. I mean, that would be, you know, looking at this and knowing what little I do about these matters, and looking at Churchill County, bringing this matter up before the courts, it would seem to me that they’re not looking to further the objectives of Public Law 101-618. They’re looking to frustrate them in some way. And, I can understand that. If I were them I would be doing the same thing.
- Ball: I don’t think they’re looking to frustrate Public 101-618. I think they’re looking to their own objectives, and I believe they believe that Public Law 101-618, that they should have been consulted. And, I believe that they believe that they are going to be impacted. They are impacted, in fact, by all these federal activities, and they have not been given the time of day by the federal government. And, this is their way of asserting and saying, “Hey, we’re out there, here we make a difference, and we need to be at the table.”
- Seney: Yeah.
- Ball: I don’t think they have an intrinsic desire to frustrate Public Law 101-618, or to, to interfere with TROA. I just think that they decided to play the game on the “basis” that everybody else is playing the game out here, and to get into court and establish their standing, and saying, “Hey, we’re here. We’re an entity, and we need to be at the table and start negotiating with us. Start talking to us.”
- Seney: Yeah. Yeah. Is this going anywhere, do you think, this suit?
- Ball: I don’t know.
- Seney: Any sense of what it . . .
- Ball: No. I haven’t kept track of that.
- Seney: Yeah. Yeah. All right, do you want to go back and talk about some of those things that—here we’ve spent a whole hour, all of a sudden. There’s so many things to talk to you about (Laugh) Ann. About the things that you left out last time, that are—not left out, but I should say “came to mind” after we had finished talking?
- Ball: Okay.
- Seney: And, I appreciate you’re making notes and, on what comes to mind. That’s helpful to us.
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Ball: I guess one of the things that I wanted to get back to is that you asked me what my initial impression of the staff in the office was when I first got there?

Seney: Right.

Ball: And, I didn't want to leave that hanging without kind of saying, after a time my impression did change.

Seney: Good.

Ball: And, I think that was important to note my initial impression was that they were confused, left in the dark, reticent, kind of feeling that, that wanting to be politically correct in the answers they provided, and politically correct means pleasing the tribe. I can give you an example (Seney: Sure. Please.) if you'd like one?

Seney: Yes.

Ball: In April, ~~the very~~, when I first—I don't even know, I might have been officially the area manager. I know I was still going back and forth.

Seney: That would be April of '95?

“In April of '95 all of a sudden it became clear that instead of drought we might be facing flooding, (Laugh) and it kind of took everybody by surprise. . . .”

Ball: In April of '95 all of a sudden it became clear that instead of drought we might be facing flooding, (Laugh) and it kind of took everybody by surprise. And, I remember . . .

Seney: Let me change this tape, Ann.

END SIDE 2, TAPE 1. JULY 7, 1998.
BEGIN SIDE 1, TAPE 2. JULY 7, 1998.

Seney: Ann Ball at the University of Nevada, Reno campus. Today is July 7, 1998. This is our fifth session and our second tape. Go ahead Ann.

Ball: Well, I recall in April, we needed to, we became aware that we had a potential flooding danger down below Lahontan, and that we needed to start making precautionary releases.

Seney: To provide for storage in Lahontan?

In Her Early Days as Area Manager Potential Flooding Required an Operation Plan to Avoid the Dangers but the Tribe Was Recommending a Complex Plan That Went Against Her Instincts for Dealing with Flooding—Ultimately, Even Though They'd Been Told to Give the Pyramid Lake Tribe Whatever it Wanted, Worked with TCID to Develop a Different Operation Plan

Ball: To provide the storage for the runoff. There was more snow up there than had been forecasted, more runoff that had been forecasted. I remember flying into—we had a meeting set up with TCID that day to, one day to discuss the Operation Plan. And, I remember flying into Reno from Fresno, driving up to Carson City, picking up Dave, and rushing off to Fallon. In that hour trip Dave was going to brief me (Laugh) on what was going on. He handed me a pack of briefing materials. We got in the car, went and grabbed something at Taco Bell, and he ate and briefed. And, I was going through the briefing materials, and looking at the Operation Plan, and thinking to myself that this seemed to be a very difficult plan to follow in a flooding situation, kind of recalling my previous experience with flooding you know is that, you know, you play it kind of simple and you play it safe, and usually you kind of decide, you figure out how much you can get safely out of the reservoir and kind of go until you feel you're out of danger, and you know, it's kind of straight line, and shoo, and up. Well, this we had to curve, and it was all up and down, and up and I was looking at this and trying to understand it, and then I finally asked, didn't realize that this was the plan that was being suggested by the tribe. Dave said, "Well, this is what the tribe wants us to do. This is what their consultant recommends we do." And there was just a lot of control and fine tuning. And, perhaps that would have worked. And, I mean, perhaps theoretically, from my experience though when you're facing a flood you want to be safe, (Seney: Yeah.) and that you don't fiddle around a lot you just get it out until you feel that the danger has passed. (Seney: Right.) And, I remember then finally realizing, "Okay, now I understand that this is what the tribe wants." And I asked Dave, "Is this what you would recommend?" He says, "Oh no." (Laugh) And so, all the handouts we had to bring to the meeting was basically the tribe's proposal. And I said, "Well," (Laugh) and so talking to Dave I discovered that he felt similarly to me, (Seney: Yeah.) and so we went into that meeting—and so, I'm just explaining that the sense—I mean, there was an absolute sense that if the tribe wanted something we had to deliver. Absolute. (Seney: Yeah.) And, the way Frank described it to me is if the tribe says "Jump" we ask "How high?" That's the attitude (Seney: Yeah.) in the office. (Seney: Yeah.) And so we went to the meeting, and with Dave telling me, "Oh yeah, and by the way TCID is going to videotape the meeting and have the press there." (Laughter) I was going, "God." I mean this is, you know, these were very early. (Seney: Yeah. Yeah.) These were very early meetings with them, and this was a potentially very confrontational setting, and they were probably expecting us to come in and dictate some kind of operation that they didn't feel comfortable with. Well, anyway, so I had to figure out how to do with the briefing materials, which wasn't our proposal, but was a proposal, and certainly I do want to say was the tribe's proposal. (Seney: Yeah.) And so, we kind of sat down and we started saying, "Well, here's one way of looking at it, but what are your ways of looking at it?" (Seney: Yeah.) So, I kind of said, "Here's one way," shoved it aside, (Seney: Yeah.) and "Let's open this up for discussion on how, and we agree that we need to be on the safe side, and we agree that we need to assume that, you know, the upper end of the forecast to be, be more on the safe side, (Seney: Yeah.) and that we needed to get out." So, we agreed conceptually and it turned into a good meeting, and it played out well. But it, and there were similar situations like that, and there were similar situations where in doing operations . . .

Seney: Let me just stop so I can say, ask you, in terms of the tribe's recommendation, I would take it the effect of that would have been simply to put more water in Pyramid Lake and that would have been their major interest? No?

Ball: No. At this time we're talking about flooding in the Carson River.

Seney: Oh. Okay.

Ball: We're talk--this wasn't even Truckee River water anymore. We're talking about flooding in the Carson River. (Laugh)

Seney: And, the tribe still had a part in this?

Pyramid Lake Tribe Wanted to Retain as Much Carson River Water as Possible in Lahontan Reservoir in Order to Reduce Subsequent Water Demands on the Truckee River, Thus Increasing Flows into Pyramid Lake

Ball: Oh, absolutely, (Seney: Oh.) how we should operate. Absolutely. Now, how you ended up in that operation, I mean, obviously you wanted to end up that operation with Lahontan is full as possible, so that the next year you didn't have to bring as much water.

Seney: Ah. Okay. So, they wanted maximum carryover in Lahontan so that you didn't have to drain out of Truckee for that?

“ . . . we wanted that too, I mean, to tell you the truth. . . . But, how to achieve that and what level of risk, and when you assume the risk it was a different question. . . . ”

Ball: Uh huh. And, we wanted that too, I mean, to tell you the truth. (Seney: Yeah.) But, how to achieve that and what level of risk, and when you assume the risk it was a different question. (Seney: Yeah.) Yeah.

Seney: Yeah. Okay. I'm sorry. Go ahead.

“ . . . that was an example of the attitude there was if the tribe wanted it, we had to deliver. And . . . there was a lot of direct contact between my staff and Bill Bettenberg and later through Jeff Zippin often about particular studies that they wanted done. And, I felt that my staff wasn't engaged in problem solving . . . We were given very specific directions as to, you know, what numbers to look at . . . what numbers to put in the model. And so that was a little strange to me, to say the least, because I, you know, I had a staff of professional people . . . who were kind of being told what numbers to put in the model rather than to be presented with a problem and some perhaps desired global outcomes . . . ”

Ball: So, well anyway, that was an example of the attitude there was if the tribe wanted it, we had to deliver. And, also there was, you know, in doing studies there was a lot of direct contact between my staff and Bill Bettenberg and later through Jeff Zippin often about particular studies that they wanted done. And, I felt that my

staff wasn't engaged in problem solving, per se, rather than saying, "Here's the problem, will you come up with solutions?" We were given very specific directions as to, you know, what numbers to look at, (Seney: Yeah.) what numbers to put in the model. And so that was a little strange to me, to say the least, because I, you know, I had a staff of professional people (Seney: Yeah.) who were kind of being told what numbers to put in the model rather than to be presented with a problem and some perhaps desired global outcomes, and to come up with several solutions. And that was, that was that micro management, I think, from the Washington office. And so, at time, and over time staff got used to me. I mean, they told me they were pretty forthright with me that it was gong to take some time getting used to me, (Laugh) because I was kind of changing their whole paradigm (Laugh) there. (Seney: Yeah. Yeah.) It was like (Laugh) . . .

Seney: But once you discovered all of these things it didn't surprise you that they were timid and anxious to please the higher ups?

“ . . . I said, ‘But that’s not how we’re going to do business. We’re going to do business the way we should do business. And so we’re going to keep people informed, and we’re going to keep everybody informed. We’re going to—I want to know all the facts. . . . I want to know the options. I don’t want to be given an answer. . . .’ ”

Ball: Yeah, no. Not at all, and I said, “But that’s not how we’re going to do business. We’re going to do business the way we should do business. And so we’re going to keep people informed, and we’re going to keep everybody informed. We’re going to—I want to know all the facts. (Seney: Yeah.) I want to know the options. I don’t want to be given an answer. I just, let’s, let’s try to figure out what the right thing to do is given every situation and not kind of try to second guess who we need to please.” But that was the impression I had, over time, and after they got used to me—and it took them, I mean, I was asking them a lot, a lot of them too. Because I think Ed had a more micro management style, and I was more into, I’ll use the buzzword, “empowerment,” but I delegated a lot. (Seney: Yeah.) And, I didn’t not want to micro manage. I wanted to deal with the broader issues. And, after time I discovered that they were very capable technically, extremely capable. There were some people in that office that had fabulous institutional memory and knowledge of what was going on, and very creative engineers, and others. And so, they finally opened up to me and were more forthcoming with their opinions and their recommendations.

Seney: And then you thought they were a pretty good staff after they got used to you?

The Staff in Carson City Was Good and Generally on Their First Job with Reclamation

Ball: Yeah. Sure. Yeah. They were functioning very well in very difficult situations, had to function, and they were very adaptable, and how many area managers did they have to go through (Laugh)? Quite a lot of them were new. I mean, well, several moved. I get amused that they’re characterized as “Old Reclamation,” because by in large none of these people have had previous Reclamation

experience. There may have been two or three people in that entire office that had come up through Reclamation, (Seney: Yeah.) but we got people from all, Park Service, Mining and Minerals, and OPM [Office of Personnel Management]. I mean, we have a variety of people on that staff and none of them, very few of them, the majority of them their first experience with Reclamation was that office, their first and only experience with Reclamation. So, it has always been amusing that they're characterized as old-time Reclamation.

Seney: Well, that's kind of the reputation they have among all the other interests (Ball: Yeah. I know.) in the Basin isn't it?

Ball: Yeah.

Seney: Because I hear that too from people.

“ . . . to me it was a little bit of a handicap because they didn't know what normal procedures were. For instance, how to deal with the Solicitor's Office. . . . They didn't understand what the normal hierarchy that I was trying to bring things to, because they never experienced it. . . . Their experience was all this informal stuff, and nothing ever really written down as to procedures. . . . ”

Ball: Yeah, I know. (Seney: Yeah.) And, in a way it was, to me it was a little bit of a handicap because they didn't know what normal procedures were. For instance, how to deal with the Solicitor's Office. They weren't aware. They didn't understand what the normal hierarchy that I was trying to bring things to, because they never experienced it. (Seney: Yeah.) Their experience was all this informal stuff, and nothing ever really written down as to procedures. And, “Oh. This is the way we've always done it,” kind of thing. So. So, that just amused me. I don't think, I don't think that our, I don't think that's a valid characterization. There may be certain people that are, that have that view. But, I think that that was a label and it's easy to label, (Seney: Yeah.) very easy to label.

Seney: Yeah. Right. Okay. Go right ahead with the other points that you wanted to.

Ball: Well, one of the things that you asked me, I related the story about speaking to Lyman [McConnell] and Lyman saying that . . .

Seney: At the first meeting that you had with him?

Ball: Well, it wasn't the first meeting. No, it wasn't the first meeting. The first meeting I had, probably with Lyman alone, where we kind of ended the meeting in saying that “We are, we really are good people here, (Seney: Yeah.) and I want you to know that.” And I was a little surprised, unexpected. It didn't seem to be the type of thing in a normal business relationship I would hear. Another thing that I was thinking through that also surprised me, and I think—and I'm sharing this because I think it's reflective of the atmosphere there—but he used the word “respectful” a lot, in his written correspondence with me, thanking me for the respectful manner in which I was dealing with the problem. That word came up a lot so I took that as meaning that dealing with the issues and dealing with them respectfully,

whichever that meant, because I didn't know that I was doing anything different than I would treat anybody else, (Seney: Yeah.) but it just created this contrast for me that if they were thinking that I was not, that I was treating them respectfully, how did they feel like they were being (Laugh) treated before? And, that was the only thing that had come to my mind. (Seney: Yeah.) But, that was something that, that took me by surprise. You also asked then if other people revealed things and you characterized it as personal, and I don't know that that's the right word, (Seney: Okay.) but things that were, were very open, almost too open for somebody that was so new. And, in a sense, maybe, that two years was a very intense time. But yeah, other people did tell me. I remember a conversation with Sue Oldham. My first meeting with her, we met over lunch in Reno and she started talking about "doing the right thing." And, "Sometimes you have to put your job in jeopardy in order to do the right thing." And I, and I know she was talking to me about that. And, I also felt that perhaps she was also sharing a little bit of herself and her experience. And I, that was just, and I was like "Wow. First meeting somebody saying something like that (Seney: Yeah.) to me." (Seney: Yeah.) It was just, it was just wild. It was wild. And so there were other experiences. People were very, I guess, very open, very personal in that respect of sharing their opinions. I probably, personally, would have been more guarded, (Seney: Yeah.) in that respect.

Seney: Do you think it's a kind of Nevada culture? I've found people here to be quite (Ball: It might be.) open.

Ball: It might be.

Seney: Yeah. Uh huh.

Ball: There might be a whole culture. I think it might be of the nature of the conflict out here, that that openness is prevalent.

Seney: Well, Sue Oldham no longer has the job with Sierra Pacific Power that she had when you came. (Ball: That's right.) And, that was director of water?

Ball: That's right.

Seney: I don't know anything about the change that went on there. Do you, do you understand anything about that?

Ball: No, I don't understand it either. There was some reorganization going on. And, she left and she still was retained by Sierra to deal with water issues. As an attorney.

Seney: So, as a private attorney now she's doing that? Yeah.

Ball: Um-hmm.

Seney: Well, she has a tremendous fund of knowledge (Ball: Um-hmm.) and is of course well known amongst all the players. And, I think respected. I mean, that's

certainly my opinion. I mean, people aren't mislead as to who she represents but, and she doesn't make any bones about it. But—you're sort of shaking your head "Yes," in a funny kind of way.

Ball: Well, yeah. (Seney: Yeah.) I agree. (Seney: Yeah.) That's true.

Seney: Right.

Ball: Yeah. So, so there were other instances and it . . .

Seney: Well, go ahead and illustrate some things. Just, let me . . .

All right, you want to talk some more about the, whatever you like.

Ball: Yeah, the openness issue and my first meeting with Pete Morris. I mean, he was very blunt as to who I should trust and who not to trust. I mean, names and everything. It was, yeah. I, that did surprise me.

Seney: I mean, I would be interested if you thought it were appropriate, if—maybe not necessarily names. You might not be comfortable with the names, but sort of the interests that you should be wary of and the ones that you could, you needed to be wary of, in his terms.

Ball: Well, he said not to trust Sierra. Not to trust Sierra.

Seney: That's interesting.

Ball: Yeah, that was kind of interesting. I was taken aback. I thought, I had this image of the snake that Dan Beard presented to me. (Laughter) That was it.

Seney: It was Dan Beard who said that?

Ball: Oh, yeah. Yeah.

Seney: Among others?

Asked Dan Beard's Advice on How to Deal with the Situation on the Newlands Project

Ball: Yeah. And Dan, yeah, he, he was on his way out and I said, "Hey, before you leave give me some advice." I sent him a mail message. (Seney: Yeah.) And, I said "I need all the help I can get here."

And, his advice was basically, he explained what he felt the situation and he talked about Pelcyger too. He said, "Pelcyger's an advocate. (Seney: Yeah.) Treat him as an advocate, and not as a person to direct you, but understanding that he had a point of view and that was not necessarily the Department's position." And, he also said, his advice to me was, you know, I remember that he said, "Pick a strategy and stick with it." (Laughter)

It was plain and simple and basically that's what I did. I decided that I'm not Machiavellian, (Seney: Yeah.) and that my strategy would be pure, and simple, and innocent. (Laughter) And that I would just try to deal with the issues here as I would anywhere else, recognizing all the dysfunctional relationships, that there was nothing that there was nothing that I could do to control that. There were things that I wasn't going to be able to control. I was just such a minuscule part of this history of things that I wasn't going to be able to control it and I just needed to try to determine what was the right thing to do at any point in time. And, be plain and simple about it, be open, and be forthright, (Seney: Yeah.) and not be sneaky at all. So, anyway that, so I decided, well, to follow his advice. Now I should probably have asked, "Well, what strategy should I pick?" (Laughter) May have been more appropriate but yeah, he did, he gave me advice on how to handle Bettenberg. This might be some [Inaudible]. He said, "Play to his vanity." I couldn't do that. I found it impossible to do that.

Seney: Huh.

Ball: He said, "Bettenberg has an enormous ego, play to it." And, the problem I had in dealing with it, I thought about it a lot, but the issue was the O&M Agreement, and I just took that so seriously that I thought if I opened the door a little bit I wouldn't be able to push him back out. So, I kept that door real closed.

Seney: In other words, if you had stroked him by calling him and saying . . .

Ball: "What's your thoughts on it?" that then I would be stuck. I mean, how would I be able to say, "No." You know, it's kind of that image of the camel's nose under the tent. You let him in a little bit and all of a sudden you find the camel in the tent. And, I didn't know a safe way of doing that, vis a vis the O&M Agreement. I just didn't know how to do that. (Seney: Yeah. Yeah.) And, I thought about it. Mostly what I did was conscious. (Seney: Yeah.) I have to admit, and I have to take responsibility for any bad consequence that occurred to me as well, because my strategies were all conscious. I just couldn't do it. And, I felt that the formation, at least theoretically, the formation of TCCO [see page 126] was that my coordination needed to be with Jeff, because that was the way it was set up, and I was following that, the secretarial directive even though it wasn't finalized, and I viewed it that it was Jeff's responsibility to keep Bill informed. So, I limited my contact with Bill quite a bit.

Seney: And that maybe wasn't the wisest policy with him, do you think? You should have . . .

Ball: I think that it was wise if the objective for me was to get the O&M Agreement in place. I don't know if my objective was to hold onto my job at (Seney: Yes.) at all costs.

Seney: I understand.

Ball: So, it depends on what your objective was.

Seney: Yes. Including one of your objectives was to kind of reassert the project, (Ball: Oh . . .) the area manager's authority over things?

“ . . . I had a directive from my supervisor and a recommendation, you know a fairly strong message from Betsy [Rieke] not to let Churchill County turn into Nye County and not allowing Bettenberg to influence the day-to-day operations. . . . ”

Ball: Absolutely. (Seney: Yeah.) I mean, I had a directive from my supervisor and a recommendation, you know a fairly strong message from Betsy not to let Churchill County turn into Nye County and not allowing Bettenberg to influence the day-to-day operations. So, I felt that that was the message that came to me strong and clear. I mean, I didn't get a whole lot of preparation for the job, but kind of that broad general directive of what Betsy wanted, what Frank wanted, (Seney: Yeah.) was fairly clear.

“ . . . how I interpreted it, and now how I played it out I may have not done exactly what they had in mind, but I did it my own way. I wasn't given step-by-step instructions . . . ”

Now, how I interpreted it, and now how I played it out I may have not done exactly what they had in mind, but I did it my own way. I wasn't given step-by-step instructions, (Seney: Yeah.) how to play out those objectives.

Seney: Right. Right. I'm sorry. I wanted to go back to Pete Morris' sort of admonition about Sierra. Did he, was he specific at all about that or did he just give you that . . .

Ball: No, he was specific about a name.

Seney: Oh. Okay.

Ball: Is that what you wanted?

Seney: Well . . .

Ball: I'd rather not name names here.

Seney: No. No. No. I, no. I said you can just say the interest. (Ball: Yeah.) because I understand why you don't necessarily want to name names, and frankly that's good enough. Because I think probably the name wouldn't matter in a way because the, it's the institution that's relevant here maybe?

Ball: I don't know.

Seney: You don't know?

Ball: See, I don't know. And, perhaps it's the institution, but I think one thing that's very unique out here, and maybe this explains the culture of being personal, I think it's the person. (Seney: Ah.) I think it's very much the person and they dictate the

course of events, whether things are successful or not. It is very personal and it's not merely the institution.

Seney: Okay. Okay.

Ball: Maybe the institution does influence the type of person. I don't know. But, things are very personal. Very, very (Seney: Yeah.) very personal.

Seney: What else did Pete Morris tell you that might be useful for us to know?

Meeting with Pete Morris

Ball: That's the only thing I can recall. I might think of something else tonight.

Seney: Okay. All right.

Ball: But my, uh, huh. (Laugh) Now I recall the meeting a little bit more clearly. When I walked in he was on the phone with—this is stuff that I probably don't want revealed. He was on the phone with Senator Reid's office. And, he didn't care what I heard. I heard the whole conversation. And, he was talking to Larry Warner. You know, he told me that's who he was talking to when he hung up. And . . .

Seney: You're gesturing that he hung up hard.

Ball: Well, no. (Taps table)

Seney: Oh.

Ball: Well, yeah. He hung up. Yeah. No, I think he was a little frustrated, and his major frustration was with Fred Disheroon, and he was just saying, "This man, I mean, he's the problem." And, I mean, I'm sitting here hearing him. He didn't care I was there. (Laugh) And, he was just bad mouthing Fred saying, "This is the person who is blocking, will be blocking TROA because of his inflexible attitudes and positions." And, he was just unabashed about that. And I was kind of like, I mean, I was only there for, I mean I, this was my first meeting with Pete. I was coming in to introduce myself and say, "Hey, I'm the new area manager down the road." (Seney: Yeah.) "And, I want to make sure that . . ." (Laughter) And so, that was pretty—I just remembered that. (Seney: Yeah. Yeah.) It just came. And, so that was probably enough. That was a meeting I went "Wow." And, I went back and called Frank, (Laugh) and I said, "You won't believe. . ." and he said, "No, I believe it." (Laughter) There were a few more that I don't really comfortable with. [Inaudible].

Seney: Yeah, I can tell you were thinking about it.

Ball: Yeah. There is.

Seney: Yeah. That's all right. Well, again, these things help us to illuminate things.

Because certainly, you know, Mr. Disheroon is a controversial personality amongst the interests and is often seen as a roadblock. He sees it quite differently of course. He sees himself representing the judiciary, the Justice Department's point of view on these matters. But, I mean, I can understand. I'm not surprised by Mr. Morris's frustration, (Laugh) and expressing his views vigorously. I've met him several times, and he does that. He strikes me that way.

Who else can you remember giving you, when you met them, an initial impressions? What about either of the tribes?

Mervin Wright

Ball: Mervin. Mervin Wright, one of his very initial conversations with me, he was director of water resources at the time, and—well two incidences. One was the very first session of the O&M negotiations. He was in the audience of this public meeting, and he came up to me afterwards and said, “You know, I'm not really sure this is a tribal issue, but if you, this whole O&M negotiations.” I mean that was kind of, I mean just based on the verbiage and the voluminous letters I got from Bob Pelcyger, this was very certainly a tribal issue. And, I thought it was quite amazing that he would come to me and say that. That was very open. I made the mistake, however, to share that with Jeff, in confidence, and he shared it with Bill, and pretty soon he came back and Mervin wrote me a letter to say that he misspoke, and to put it on the record. And so, that was an early experience. That was a very early experience that probably started to erode my trust in Jeff. I mean, I was very open, very, very open. (Seney: Yeah. Yeah.) I felt like we were directed to function as a team, and as a team I'm very open. I'm used to that environment. I'm a facilitator. I've been trained as a facilitator. And so I did that. So, I trust until I find a reason not to trust. Other people thought I was crazy. They said, “You should treat them all as enemies,” and maybe that's what I should have done, and Dan Beard's advice, “They're all snakes.” (Laugh) But I didn't, I didn't attribute that to Jeff. (Seney: Yeah.) I didn't think he was in the pit as well (Laughter) (Seney: Yeah.) with me.

“ . . . then another situation came up very early on and it confirmed to me Dan's image of a snake pit and people wanting to use me. That came across to me over, and over, and over again. . . . ”

And then another situation came up very early on and it confirmed to me Dan's image of a snake pit and people wanting to use me. That came across to me over, and over, and over again. Some people were devious about it, and some people were forthright saying “We want to use you.” (Seney: Yeah.) And, I appreciated that. And, I came to grips. “Well, yeah, okay. Everybody wants to use me. I need to just choose (Seney: Yeah.) how I'm going to be used.” (Laughter) But, but an issue came up concerning the implementation of a temporary storage agreement, because now in Stampede the tribe, and Sierra, and Reclamation had negotiated a contract to allow for temporary storage of water in Stampede prior to the TROA being implemented, the long-term agreement. And, I guess the situation was such that they wanted to call for the storage of water. Sierra ~~was~~ requested the watermaster to cut back on Floriston rates and to store

that water in Stampede, and Bob Pelcyger called me—and it seemed very reasonable from a water management perspective—he was telling me, he said, “Well, TCID won’t agree with it.” I mean if somehow we needed—he seemed to say that this was going to be an issue with TCID. And, you know, my limited understanding at the time, of the legalities and the . . .

END SIDE 1, TAPE 2. JULY 7, 1998.

BEGIN SIDE 2, TAPE 2. JULY 7, 1998.

Seney: What you said about your knowledge of legalities, and precedent setting.

“ . . . the name of the game out there was litigation. And so, many of the actions were predicated on trying to shore up any potential legal arguments you may have in the future, rather than pure water management. . . . ”

Ball: Okay. Based on my limited knowledge of the legalities, the history of litigation on the project and the real concern that everybody—I mean, the name of the game out there was litigation. And so, many of the actions were predicated on trying to shore up any potential legal arguments you may have in the future, rather than pure water management. He says, “Well, in one way, you know, for some reason he said that TCID would object to this.

“ . . . I said, Well, ‘It just doesn’t make sense that they would object to it, because it makes perfectly good water management decision . . . ’ and that I would go and talk to TCID. I would carry the banner for the tribe on this one. . . . And, I didn’t realize how strong of an issue it was. . . . ”

I said, Well, “It just doesn’t make sense that they would object to it, because it makes perfectly good water management decision, and makes sense, water management sense,” and that I would go and talk to TCID. I would carry the banner for the tribe on this one. He didn’t really offer me, to explain to me why TCID would object, and I guess I probably should have probed a little bit deeper. (Seney: Yeah. Yeah.) If I had been, you know, (Laugh) wiser. But anyway, I kind of walked into this one. And, the mission for TCID was one predominately precedent setting, and not agreeing to that this could actually be done without their concurrence and without modification to the Truckee River Agreement. And, I didn’t realize how strong of an issue it was. I remember going and talking to Lyman, and I remember having a meeting with the watermaster, and the Truckee-Carson—what was the other irrigation district? The one up on . . .

Seney: The Tahoe—or the Truckee Meadows Conservancy?

Ball: No, the Carson Truckee.

Seney: Conservancy?

TCID and the Pyramid Lake Tribe Were Unwilling to Do Anything Good for the Other Party

Ball: No the—it wasn't Conservancy. It was the Carson Truckee Water District. There's both. The one that has its headquarters here in Reno that does the, (Seney: Yeah, that's right.) part of the Orr Ditch, and having a meeting and arguing that it made sense. But Lyman, of course, was concerned about the legality of the issue, and the precedent setting, and saying, and I was offering that we could make it clear that none of us view this as precedent setting. And, you know, and I actually, I took on that issue and then Lyman, at this meeting, exploded. I mean, you probably have heard about his famous explosions. And, we had to pull him off the wall and get back to thinking about it. And then he finally agreed to let me go and talk to the board. He said, "Yes." He told me that he didn't feel comfortable bringing this issue, discussing this issue with the board, that he wasn't going to make that decision. This was something that would be more appropriate, and that he would let me go and speak to the board. And, it was a very open and very—and of course it was a public meeting so people were watching, and arguing. I found myself that it was appealing to the Board's sense of doing the right thing. I mean, their first reaction, "Well, why should we do anything good for the tribe? They never do anything good to us." Quite frankly, whenever I went and talked to the tribal council they said, "Well, we don't want to do anything for Truckee." (Seney: Yeah.) So, it was, you know, it was true. And so . . .

Seney: You're throwing your arms up in frustration a bit.

“ . . . I don't want the federal government to do something that's going to benefit you . . . even though it doesn't harm me. . . .’ Now, that's going across a line of propriety in my view. . . .”

Ball: (Sigh) Yeah, because it went beyond what was normal, you know. It was revengeful, I would categorize it. I mean, it wasn't that, "I don't want you to do something that's going to harm me. I don't want the federal government to do something that's going to benefit you irregardless of whether it harms me or not, even though it doesn't harm me." (Seney: Yeah.) Now, that's going across a line of propriety in my view. (Seney: Yeah.) And so, and actually the board was kind of opening up to this and we were talking and, and they did decide, ~~and it wasn't~~, but we were still talking and, you know, the watermaster was in a dilemma as to what to do. And, the tribe was putting on pressure. Pelcyger and then the Department was getting involved. And, I remember just at the point where I thought I was making some good inroads with, with the [TCID] board. Because, they responded to arguments of doing the right thing. (Seney: Yeah.) They really did respond to those arguments. But, as soon as I felt that I was getting close—as a matter of fact I remember after that meeting I—Jeff Zippin was there, and Jeff's remark to me was, "Ann," after he left he said, he said, "Ann. If this job doesn't work out for you, you know, you should be a car salesman." (Laughter) Because he said, "There were several times I was going to interject myself but, boy, I mean, you were doing a great job in there."

Bob Pelcyger Letter Attacked Lyman McConnell Even Though He Knew the TCID Board Was Coming Around to the Tribal Position

Well, we went back to Reno and there was a Water Quality Agreement

meeting and I, Pelcyger was there, and we briefed Pelcyger on what was going on, and that they were coming, and that maybe they were—maybe some softening of the position. (Seney: Yeah.) I told him that. Well, no sooner than I told him that that he issued this incendiary letter bad mouthing Lyman and calling him names. And so, so I went, “Duh, (Laugh) what does this mean?” I mean, he wanted me to do this. I’m getting close, and now I’m almost there and he sabotages it with this letter. And so at the next meeting, I had a meeting with him, and I, and he and Mervin was there, and in my office, and Bob kind of came in and said, “Well, what did you think of the letter?” with a little smirk. And, I remember just, I didn’t care whether Mervin heard. (Laugh) I just said, “You know Bob, I’ll talk about that letter after we get our business done, but I have some real strong feelings about that letter.” And, so, we did our business and I told him, “Bob, I question your motives here. I really have to question. . .” And, Mervin was like all (sound)] (Laughter) listening to this because I think there was going on internally, and I really wasn’t aware of this was that there’s stuff going on in the tribe too, and Mervin is in a faction that isn’t quite sure that Pelcyger’s interests, and the tribe, that Pelcyger is leading the tribe in a way that meets the tribe’s long-term interests. So, Mervin had a reputation of being a little bit of a renegade too. And, I remember him just going, poing. (Laughter)

Seney: His eyes popping open wide? Yeah.

Ball: But, I would say that I was, I mean I was very direct. But, there were several instances like that where I thought I was getting close. And then, pang, this letter would come. So . . .

Seney: You’re feeling must have been he didn’t want an agreement with them?

“ . . . I believe that he wanted to create a situation whereby they would not agree so that we could point our fingers at them again and say, ‘See, there they go again.’ . . . ”

Ball: Well, that’s another thing I could conclude is that he wanted to, I believe that he wanted to create a situation whereby they would not agree so that we could point our fingers at them again and say, “See, there they go again.” (Seney: Ah.) That’s, that was (Seney: Sure.) the conclusion I drew. And that was very early on. And, there were other examples where the exact same thing happened. As soon as I was close, as soon as I was close. Because it wasn’t, I mean, bringing, bringing them along—that was really the right term—but you know negotiating with them and talking to them.

Seney: Meaning TCID?

Ball: Yeah. Yeah. I mean, it wasn’t easy. It wasn’t easy at all. They, I mean there’s strong feelings there. There’s strong values.

Seney: My understanding is that the, and I think last time I said something about this to your rewards to the ditch riders and so forth, and you had a, you had a fund of good will out there to begin with. Did you feel that that was the case? That’s my

understanding.

During Flood Control Discharges the Issue Arose of How to Charge the Releases to OCAP

Ball: Well, actually, I mean if, I had some very tense situations out there that preceded that award, or that recognition. As a matter of fact, when we dealt with that water spreading, releasing, well we finally got to the point that we agreed that we needed to release water from Lahontan, then the next issue was, "What do we do with it?" Well, we were going to spread it. Well then, "How do we charge it vis a vis OCAP?" [See page 111 for an explanation of OCAP.] That became the next issue.

Seney: This is the flood control?

Ball: Yeah, the flood control. So, I mean there was kind of these series of issues, and kind of step by step having to deal with them. And, of course I had learned it kind of on the spot. I mean I was I just very, I mean it was just a situational thing to me. But, there was a conference call and Fred Disheroon interjected and said, "Well, Ann, you don't have the authority to do that. Allow the water spreading." And I said, "What do you mean? If I don't there's going to be flooding. That's crazy. That, that position flies against reason." (Seney: Yeah.) And then it's "Well, you got to go to the court. You got to go get permission from the court to do that."

Seney: The Orr Ditch court or the Alpine Court, one of those?

Ball: Well, I said, "That's crazy." (Taps table) So, I was going back and forth from Fresno and here and trying to figure out, "Well, to what extent do I listen to Justice, or not listen to Justice? To what extent do I exert myself? To what extent do I try to work it through, you know, all the agencies, and TCCO [see page 126], and everything?" Well, in the meantime TCID decided they weren't going to take any chances so they petitioned the court and, to allow the waterspreading to be without charge to the irrigators, because this wasn't a time they would normally take, (Seney: Right.) take their water. And, there was a conference call that I could not be part of. Dave Overvold and Lynn, and Disheroon, and Lyman, and some other people.

Seney: Lynn Collins [Inaudible]?

Ball: Lynn Collins, and basically the court said, "Go back and figure it out you guys." (Laugh) I think. Well, anyway, so we went back. There was a meeting, and I wasn't at it. And, it probably was against my better judgment. I should have made sure that I was at that so I could have heard what was going on. And, I find what happens a lot is that people walk away from these meetings or these conference calls with a different understanding of what is being said. And, that my role often not knowing and not having a position per se myself could often ask the clarifying questions, and do the interpretations sometimes. I found that I did that a lot, especially between TCID and the feds. But anyway, so I went back out to Fallon and had this very tense meeting of "How are we going to deal with the

accounting, vis a vis OCAP now that the water was released, it was spreading?" We got through that. The accounting was the issue. And, of course the press was there. It was an open meeting, very contentious. Lyman exploded again at that meeting. He, because what had happened, what came down to it is that there was Lyman, the tribe represented by Mervin, and Ollie Scharoodie [spelling], and Dave Overvold, who was on the conference call, they didn't agree to what the judge said. (Laugh) Oh, and Garry Stone.

Seney: The watermaster?

Ball: Yeah. The watermaster. So, they all came away from—so it was almost like we were at square one. But, Garry was under the pressure that he needed to go back to the judge with the plan. And, I was there, and Lyman said, "Well, if that's what I thought was being said, I would have never agreed to water spreading in the first place." The tribe wanted this to be accounted against the water users' entitlement, as part of their 3.5. And, Lyman was adamant that this wasn't going to be. And, there had been precedent several times before in the past where the judge allowed the water spreading without accounting. And this, he was just adamant about that. And, I remember agreeing with the tribe that the OCAP required an accounting of the MAD [Maximum Allowable Diversion], that this needed to be part of the MAD (Pounds table). That was my interpretation.

Seney: MAD meaning?

Ball: The maximum allowable diversion.

Seney: Diversion?

Ball: And so I agreed with that. I didn't think Lyman liked that. But I also agreed with Lyman that, that perhaps that using this against people's entitlement was not necessarily the fair and wise thing to do, and the numbers would be pretty screwy anyway because we wouldn't be able to tell how much of this water would they have normally taken, versus how much they were taking voluntarily to spread.

Seney: So, when you say spreading it, you don't mean just running it down the Carson. You mean, (Ball: No.) running it down the T and J lines?

Ball: Yeah, because the Carson . . .

Seney: Onto the fields?

Ball: Yes. And even on water-riighted fields, because the Carson has very limited capacity to carry water. The capacity is increased tremendously by moving it through the system. We could not have handled a flood. And, we would have created a flood moving it down the Carson.

Seney: Just in Fallon, you mean? If you had tried. (Ball: Yeah.) Without spreading it over the fields?

Ball: Below Lahontan, yes. (Seney: Yeah.) And, so where was I going with it? Anyway, it was a very, it was a very tense meeting and I remember agreeing with the tribe on one part and agreeing with Lyman. That was where I was coming from. I remember Lyman exploding and threatening, walking out, and just, you know, just hell. (Laugh) And, I remember finding out my, (Laughter) “Oh my god, what am I going to do now?” No, I remember saying, saying to Lyman, ~~saying~~, you know, “You can’t walk out of this now. This is important. This is the right thing to do.” And, I used that appeal a lot. It seemed to work. “And, we all know this is the right thing to do. We’re going to stay here until we hash out an agreement, and it’s going to be,” you know, and it was a written agreement (Seney: Yeah.), one paragraph long, but it was a written agreement. And, he did it. (Laugh) I mean, he stayed. I thought after that meeting, “Boy, what would have happened to me if he had really walked out?” (Laugh) And, I’m there holding the bag. But anyway, I stayed pretty firm on that, that we can’t walk away from this and we’re going to, you know, even work through lunch. I mean, we’re not even going to break for lunch until we get this done. And then Mervin sat there and he was listening to all, and Mervin gave. He gave. He said, “Okay.” So, we got one part of what the tribe wanted was accounting to the MAD, and there be some sort of an accounting. And then, what TCID wanted was that it wouldn’t be charged against the individual allotments. It would be charged against the project but not the allotment. But anyway, that was, you know, Mervin kind of departing, and exerting his own . . .

Seney: Was Pelcyger there?

Ball: No. (Seney: Yeah.) Ollie was there. Ollie Scharoodie [spelling] is the technical advisor. (Seney: Right.) And, I think there, I don’t know to what extent that was Mervin exerting his, his own independence, or to what extent, possibly, the feeling of good will that was flowing still from the second level of negotiations. There was still some good will flowing, (Seney: Yeah.) to be a little bit more accommodating. But, I think also the intensity, the passion. I mean, they were right across the table from each other. And, he could see how intense. I mean, it wasn’t being filtered through legal (Seney: Yeah.) stuff. But, you could see, “Hey, there was passion around this issue.” (Seney: Yeah.) This was important. And also, I think, the tribe didn’t want to—I mean he recognized the tribe didn’t want to be the one accused of creating a flood. (Laughter) I mean all those things. (Seney: Yeah.) But anyway, that was—I don’t know where this started.

Seney: I don’t either, but it was excellent. (Laugh) It was a good illustration of—I think it started with Pelcyger asking you to go out to TCID and then sabotaging it. And, whatever it was it doesn’t matter. The, it’s interesting information and perspective on, you know—was Mervin chairman at this time (Ball: No. He was not.) of the tribal council? Still director of water?

Ball: He was the director of water.

Seney: Yeah. But, must have been deputized by Norm Harry, I guess, to go down and reach an agreement?

Ball: Well, I don't know, maybe he didn't have the authority. I don't know. (Seney: Yeah.) Maybe. I mean, the idea was, the idea of this meeting, or the purpose of the meeting was to reach an agreement, (Seney: Right.) and to present so that Garry Stone would have something to present to the Orr Ditch Court, saying "This is how we all agreed to operate."

Seney: Ah. I see. I see.

Ball: "And to administer OCAP under these conditions."

Seney: Garry Stone's fairly influential on these matters, is he? Or is he not? That is, with the court itself?

Ball: Yeah. He's, he's an employee of the court. He's the. . .

Seney: And you had a fair amount of contact with him, I would think?

Ball: A fair, not day-to-day. I didn't do any of the day-to-day stuff. Dave Overvold and other people on my staff did. I only got involved when there were problems.

Seney: I know some people thought in the past that Garry Stone's view was kind of pro-irrigator. Did you get that sense?

The Situation Was So Polarized That You Were Perceived as Having to Be on One Side or the Other—there Was No Neutral Ground

Ball: Well, you know, I'm going to resist that temptation of labeling, of taking sides, (Seney: Okay.) and pro-this and pro-that. I think that's one of the problems here. That if you're not on my side you must be on their side. And, if you're not on my side on every issue you must be on their side. I think there's a middle ground, and I think that's neutral, and I think it's fair. And, I think that there are people that try to achieve that. It's just that the perception really is that if you're not on my side all the time, (Seney: Yeah.) you must be on their side. And, I don't think it's very constructive to do that type of labeling. I think, I think Garry tried to be fair. I think, I'll be very honest, I think the pendulum has shifted so far to the tribe's side, I mean to the extent that my office felt that if the tribe wanted, irregardless of what they were asking, that we had to do it, is indicative of how far we shifted, and that certainly isn't fair. (Seney: Yeah.) And, I think the position that we should strive for, and the federal government should strive for, my job was to strive for, was that element of fairness. But, moving that, the pendulum to that middle ground was perceived, I think, as being on a side, or advocacy, which, and maybe, maybe I moved it, and maybe Garry moved it.

“. . . it wasn't all a bed of roses, my initial contacts with TCID. . . .”

But, I don't know. I think it was more a matter of perception that ~~there wasn't~~, there wasn't a concept of middle ground. (Seney: Yeah.) There was always "your side versus my side." The reason—okay, let me get back to the story. The punch line. (Seney: All right.) I forgot the punch line. Well, the punch line

was, I was trying to explain that it wasn't all a bed of roses, my initial contacts with TCID. This was actually very tense. And, as a matter of fact, the Lahontan Valley press came out with an editorial putting, naming me a liar. "Ann Ball Liar!" (Laugh) you know. And, it's, you know, I was there one month. Not even. Maybe two weeks. Maybe one week. Maybe I wasn't even official yet. I mean, this was in April. And so, I don't know that it was all hunky-dory. (Seney: Okay.) I don't want to leave you that impression that they received me with open arms, and that there wasn't conflict initially, and that we dealt with that conflict. ~~There were, there was. And, so it wasn't—yeah.~~ So, I didn't attach as much significance to the recognition of the ditch riders as you seem to attach, (Seney: Okay.) because there were other things that happened at the time that may have been more significant. And, to me that giving recognition to a job well done is neutral. It didn't benefit TCID. Nobody benefitted from that action. (Seney: Yeah. Yeah.) Certainly there was an element of good will. And, certainly that was one of the things I was trying to achieve, given Betsy's directive. But, I didn't do it for that purpose. I did it because it just seemed like a reasonable—these people were working twenty-four hours around the clock to control the flood. They had gone through seven years of drought, and most of them had never experienced flooding conditions. I mean, it was a little different ball of wax. And, they were very adaptable and did a good job. And, I viewed it as just a neutral action.

Seney: Yeah. And when you say Betsy's directive, you go back again to diffusing the potential hostility out there in the Nye County comparison?

Ball: Yeah.

Seney: Okay. Well, shall we end it there for today?

Ball: Okay.

Seney: Okay. Great. Thank you, Ann.

END SIDE 2, TAPE 2. JULY 7, 1998.

BEGIN SIDE 1, TAPE 1. JULY 13, 1999.

Seney: Ann Ball at the ~~University of Colorado~~—University of Nevada, rather, in Reno. And, today is July 13, 1999, and this is our sixth session Ann, and our first tape. And, as you were saying, we started this in 1994?

Ball: 1995–July.

Seney: 1995. That's right. We began talking shortly after you came to the (Ball: Right.) to the Carson City Office? And, one of the major responsibilities I know you had there, and maybe you'll comment on whether or not you expected to have it or were, how you were briefed on it, was that the new contract for, between the Bureau and the TCID for the operation of the project. Why don't we start off with some background as to why this new contract was necessary?

O&M Contract Negotiations with TCID on the Newlands Project

- Ball: Well, the original contract with TCID was [signed] in 1926, and hmm. I should have looked at the years more closely. It was, it was cancelled by the federal government, and I can't remember . . .
- Seney: It would have been in 1974, maybe, '75?
- Ball: Yeah, 1974 or '75. TCID challenged the federal government's ability to cancel the contract, and that went into court and the court decided that the federal government indeed ~~had a~~, had the right to cancel the contract, and then in 1984—so it must have been about ten years this was in litigation. In 1984, there was a temporary contract, that was a very brief contract that allowed TCID to continue operating and maintaining the project, until a new permanent, a new more permanent contract would be negotiated. (Seney: Yeah.) And then in 1995, when I became the area manager at that time, negotiating the new contract became a high priority for the administration.
- Seney: Perhaps we should say that the reason that the Bureau and the Department of the Interior canceled the contract was that TCID had violated the court orders issued by Judge Geselle [spelling] in the Morton case?
- Ball: The OCAP [see page 111].
- Seney: Right. Right. And, were diverting more water from Derby Dam through, to the Truckee Canal in the Lahontan Reservoir (Ball: Yes.) than the judge said they were allowed to do. Essentially, I suppose from the federal government's point of view, although the farmers would have quite a different view. From the federal government's point of view they were sort of flouting the, the court's regulations, (Ball: Yeah.) and had been warned by letter that if they did this they would cancel the contract.
- Ball: Right.
- Seney: Right. Did you expect, when you were, when you came here, was this one of the things that you were told that you would be responsible for.

Meeting in D.C. about the O&M Contract Negotiations

- Ball: Yes. I knew that this would be one of my main responsibilities, if not the main responsibility of—in May, in May of 1995, before I became the area director, the area manager, there was a meeting in Washington and I attended that meeting to discuss the “basis of negotiation” for the O&M Agreement. And, the meeting was with Betsy Rieke and some other Department of Interior people.
- Seney: John Leshy was he there?
- Ball: No. (Seney: [Inaudible]) No. John Leshy was not involved directly in this issue at that time. He was, because Betsy was the assistant secretary. John Leshy did

not become involved in the policy issues until after Betsy left.

Seney: Okay.

Ball: Although Betsy knew she was leaving at that time too, and she was leaving in June. And, she wanted to get all the ducks, you know, as to where the Department was heading, (Seney: Yeah.) all the ducks in order. And so, we had a meeting and ...

Seney: Do you remember who else was there? Was Bill Bettenberg there?

Ball: Bill Bettenberg, Steve Magnusson, Frank Dimick. Probably Jeff Zippin, Jeff Zippin, Tom Streckle, some other Washington office people.

Seney: Was Fred Disheroon there from the Department of Justice?

Ball: No. No. It was the--no.

Seney: It was all the Interior people?

Reclamation Preparation and Approval of the “Basis of Negotiation” for Contract Negotiations

Ball: Interior people. Yeah. Interior people. And, I think the issue at that time was the way Reclamation goes forward with contract negotiations is we write what’s known as a “basis of negotiation.” It’s a document that comes up through the ranks and gets approved by the commissioner, and it basically puts forth what our position’s going to be in the negotiation, what our position is, what the contractor’s position is, potential contractor’s position is. Kind of our range of where we can negotiate. And, the proposal comes from, generally from the field, from the regional, up through the regional director to the commissioner. Then the commissioner reviews the “basis” to make sure it’s consistent with policy, where we want to go, and will write an approval memo back saying, “Yes, you are authorized to do this, or else, “Yes, you are authorized to, to negotiate with the following changes.” So, when a Reclamation person goes into negotiations they have a pretty clearly defined area of what’s negotiable, what’s not negotiable, and what issues they are allowed to negotiate. If the negotiations go beyond, outside the issues, they have to go back to Washington and get clarification. Or, if it looks like the range isn’t going to work, if there’s any deviation whatsoever, you need to go back to Washington and get approval. Of course, this, this one, because of the interest in the department, Betsy was very involved in the “basis of negotiation,” (Seney: Right.) in at least approving the concepts that were to go into the “basis”.

Seney: Right. You said, “when the contract comes up from the field it’s approved by the commissioner? But, this was an unusual situation. Isn’t that the Newlands Project unusual in the sense that the commissioner was almost bypassed, and it went up to the assistant secretary for approval? That is the negotiating parameters? I assume it was Betsy who chaired the meeting?

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- Ball: Yes, Betsy chaired the meeting.
- Seney: Was the commissioner there?
- Ball: At that time I think—let's see. No. Yes, Dan Beard? Yes. He was there.
- Seney: Yeah.
- Ball: Yes. He was there.
- Seney: But, it was really . . . ?
- Ball: It was Betsy who was going to be (Seney: Who's calling the shots?) making the decisions.
- Seney: Okay. Right.
- Ball: And, of course, Betsy was the commissioner's supervisor.
- Seney: Right. Right. All I'm trying to do is point out that this has been the practice with the Newlands Project for a number of years, that is that the commissioner's role is less in this project than it is maybe in some of the others. And, the decisions are made at a higher level in this project than they are in some of the others? (Ball: Um-hmm.) Okay. You're saying yes?
- Ball: Yes.
- Seney: Okay.
- Ball: Yes. So, where was I going? So, I was just trying to explain (Seney: The process?) this concept of a "basis of negotiation," because the "basis of negotiation" was, was the roadmap for the negotiations, and that was the topic of this meeting. Evidently there had been a basic, "basis of negotiation" that had gone up through, through when Ed Solbos was the area manager, and that "basis" was—or some of the terms in that "basis" was being, were being rejected by Betsy and so that "basis" pretty much—although Ed put it together, the policy driving that "basis" came out of Bill Bettenberg's office. (Seney: Okay.) And, when it went up through, through the organization, I think, Frank Dimick, and it had to go across Frank Dimick's desk, because he was the [acting] regional director. And, he kind of looked at it and some of the things in there were, in his view, pretty austere, some of the demands.
- Seney: Austere meaning "tough on" the . . .

The Acting Regional Director Felt the Original "Basis of Negotiation" Went Outside Reclamation Policy, Contained Bad Policy, and Possibly Contained Illegal Provisions

- Ball: A condition. Tough on the district. (Seney: Okay.) Outside of Reclamation
-

policy, traditional policy with other districts, and in some cases he felt bad policy, all together, and possibly illegal.

Seney: Can you think of any examples of what you're talking about?

“Basis of Negotiation” Originally Called for TCID to Accept a Provision That Would Prohibit Them Again Suing the Federal Government over Operation

Ball: Yes. One that was very striking was that there was a provision that would, that TCID would have to accept, that would prohibit them from ever suing the federal government again (Laugh) on, you know, on operation, (Seney: Oh.) and concerning the contract. And, he thought that that was going beyond.

Seney: That was not only going beyond, but maybe illegal? Did it meet [Inaudible] criteria here?

“ . . . the policy philosophy behind that was that if TCID would stop suing and just spend the money and improve the project, then we wouldn't have all this problem. But, the issue of, you know, 'Is it really constitutional to deprive . . . an entity of their right to sue?' . . . ”

Ball: Yeah. I think he probably thought and was—the philosophy, of course, behind that was if the—the policy philosophy behind that was that if TCID would stop suing and just spend the money and improve the project, then we wouldn't have all this problem. But, the issue of, you know, “Is it really constitutional to deprive (Seney: Right.) an entity of their right to sue?” (Seney: Right.)

“ . . . another issue was the term of the contract would be two years . . . ”

The other, another issue was the term of the contract would be two years, a two-year term. Although that, right now, under—I think he felt that that was extreme. There were probably a few others. There were probably a few others.

Seney: We should probably say that Frank Dimick was at one time the area manager at Lahontan. (Ball: Right.) So was very familiar with the district and its operations, (Ball: Um-hmm.) and the problems, and whatever.

Ball: Um-hmm. So, so Frank intercepted this. As far as I could tell, and talked to Betsy about some of these issues personally. And the, we, Reclamation was on track, the department was on track to do the O&M negotiations before the second-level negotiations started. And, that kind of put all, all our activities kind of on hold until the outcome of, of the negotiations that (Seney: Settlement II negotiations?) that were mediated by Gail Bingham. (Seney: Right.) And so, now this was kind of putting it back on track so they were revisiting the “basis” (Seney: Right, because that . . .) of negotiation.

Seney: You're talking about May 1995, attending this meeting, and it had only been a month or two since the collapse, then, of the Settlement II negotiations, (Ball: Right.) hadn't it?

“So, everything that had been put on hold, like the O&M negotiations, recoupment, a new OCAP, and several other issues, were now getting put back on the front burner. . . .”

Ball: So, everything that had been put on hold, like the O&M negotiations, recoupment, a new OCAP [see page 111], and several other issues, were now getting put back on the front burner. And so, this was one of the issues. But, what was happening at this time was kind of a visiting of the “basis of negotiation” that had been out on the table that had come basically from Bill Bettenberg’s office, and through the ranks of Reclamation. And, the purpose of this meeting was to kind of get our marching orders, (Seney: Yeah.) get our marching (Seney: Yeah.) orders. And, since I was brand new—I mean, I came and I took a lot of notes although I knew—I listened very carefully because I knew this was going to be my (Seney: Yeah.) my highest priority in a really difficult assignment.

“ . . . my job was to take what I heard at this meeting, go back and then rewrite the “basis”, and you had to go through and get it approved by the commissioner, based on what had been discussed at that meeting. . . .”

So, I sat there taking notes, listening very carefully, and then my job was to take what I heard at this meeting, go back and then rewrite the “basis”, and you had to go through and get it approved by the commissioner, based on what had been discussed at that meeting.

Seney: I take it when Ed Solbos drew up this preliminary document, it didn’t have in it the prohibition against suing the federal government?

Ball: Oh, yes it did.

Seney: Oh, it did?

Ball: Oh. It did.

Seney: Oh, he wrote that? Okay. All right.

Ball: It was, this “basis” had gone forward. (Seney: Right.) There was a “basis” that had gone forward, (Seney: Okay. Right.) and this was the one that was intercepted and was discussed, and we were revisiting all these issues.

Seney: I guess what I was trying to ask you is whether or not Bill Bettenberg had added that? And, I guess not. He may have supported that?

“ . . . my understanding was that the policy ideas in that “basis” that Ed put together pretty much derived out of Bill Bettenberg’s office. . . .”

Ball: Well, I believe, my understanding was that the policy ideas in that “basis” that Ed put together pretty much derived out of Bill Bettenberg’s office. (Seney: Okay.) So yes, Bill Bettenberg and—that one was one that was supported by Fred Disheroon, that particular article. So, the team that existed, that was putting

together the “basis”, and I don’t know if it was a formal team or not, probably not formal was, you know, Ed Solbos, Bill Bettenberg, (Seney: Okay.) you know, the federal team.

Seney: Right. Fred Disheroon.

“ . . . I didn’t know this at the time, was that there had been public meetings on what should be in the “basis”, and there were threats of taking over the project out in Fallon. . . . And, there were leaks as to what types of provisions might be required in the new contract. ”

Ball: There was Jeff Zippin, and all those guys were involved in putting together the “basis”. My understanding, though I didn’t know this at the time, was that there had been public meetings on what should be in the “basis”, and there were threats of taking over the project out in Fallon. Ed was out in Fallon, and there were threats that if you don’t do what we want you to do we’re going to take over the project.” And, there were leaks as to what types of provisions might be required in the new contract. And, I wasn’t aware of that at the time. I only found that out afterwards. (Laughter) That it was that tense.

Seney: Yeah. It might have been useful to you to know that to begin with, right?

Ball: It might have been. Yes. (Seney: Yeah.) It might have been. On the other hand, I don’t know that I would have done any—I just would have been aware that I was getting into something that was stickier than even I thought. (Seney: Yeah. Yeah.) So, that was a meeting. And, so at that time, what I think came out of it, and largely because of Frank Dimick’s involvement and interception, and discussion with Betsy, and saying “Hey, you know, I don’t know that this is right that we should require a prohibition against lawsuit. I don’t know that, ~~you know,~~ we should be demanding this and that. It’s not consistent with Reclamationwide policy.” And so, so I think she basically said to Bill and Frank, “You guys go work it out,” and they did work it out and they came to the meeting, and the new “basis” was laid out.

Seney: What happened to that prohibition against lawsuits?

Ball: There was not—that was not in the “basis”. We just said that that was an inappropriate thing to ask.

Seney: And the two-year limitation, was that also settled?

Ball: The two years was changed to a five-year contract that was extendable for up to four—no. That wasn’t even in there. That was extendable based on performance. So, it was possible to continue extending on five-year increments. The other thing that Betsy took out of the original “basis” was the requirement of us dictating how the TCID board should look. There was some discussion that the TCID board should have a member of, you know, different, different representation, and it did.

Seney: The Indian tribe . . .

“ . . . what came out of that [meeting], I thought, was a ‘basis’ that was very Draconian [changing] to a ‘basis’ that I thought was reasonable. . . .”

Ball: The Indian tribe, et cetera, et cetera, and Betsy said, “No. That’s not appropriate.” (Seney: Yeah.) And, you know, we may, you know, the idea—that’s not the right way of seeking additional input. So, she kind of kiboshed that. And, what came out of that [meeting], I thought, was a “basis” that was very Draconian [changing] to a “basis” that I thought was reasonable. (Laugh)

The Original “Basis of Negotiation” for the O&M Contract Had Been Discussed in Public and There Were Those Who Expected Negotiations to Go Forward on Those Terms

And, so that was a big change. That was a really important meeting to set down the criteria or my marching orders. Although, what I didn’t know was that, what was in the original “basis”. I mean, these concepts had been talked about publicly, and there was that expectation that we would go forward with these.

Seney: Meaning the no lawsuits and the two-year term and all that?

Ball: And all that stuff that really tough hard-handed approach. And, knowing that there was a, there had been public meetings (Seney: Yeah. Yeah.) about this. I didn’t realize that there had been probably an expectation created. Usually we don’t discuss our “basises.” Those are internal documents that we keep pretty close to ourselves, because they are our negotiating document. (Seney: Yeah.) And . . .

Seney: What would have been the purpose of the public meetings in leaking the information, do you think?

Ball: Oh, I don’t know if the purpose of the public meetings was to leak the information, but I think the (Sigh) . . .

Seney: I guess I meant “and” leaking it to . . .

Ball: Yeah, uhm . . .

Seney: And, who held the public meetings? Would this have been Interior?

“ . . . what I think we came out with, in the “basis”, was a very reasonable “basis”. Although TCID hated that anyway, too, but at least it was a “basis” that I felt comfortable . . . that I could . . . defend. . . .”

Ball: It was Reclamation that held the meeting. Ed Solbos led them. And, I only—I can’t talk directly about these meetings. I only kind of read about them after the fact, after I got into the O&M negotiations, and then looked at, looked through the files and tried to figure out what was going on here. (Seney: Yeah.) But there was an expectation that we would be coming out with a great big hammer. And, what I think we came out with, in the “basis”, was a very reasonable “basis”. Although

TCID hated that anyway, too, but at least it was a “basis” that I felt comfortable (Seney: Yeah.) that I could (Seney: Yeah. Yeah.) defend.

“ . . . in the former “basis”, there was a very absolute requirement that there be a measuring device on each turnout. . . .”

One of the other things, in the former “basis”, there was a very absolute requirement that there be a measuring device on each turnout. And, this one was more give and take. I think the wording was that they would have to have a measuring program that significantly improved. So, there was a lot of wiggle, there was wiggle room there. (Seney: Yeah. Yeah.)

Pricing Provisions of the “Basis of Negotiation” Did Not Have Much Wiggle Room

The only thing that, there wasn’t very much wiggle room was in the pricing. The pricing there needed to be a pricing mechanism based on quantity of water delivered. There was no, no wiggle room in that.

Seney: That meaning, what does that mean? The pricing?

Ball: But it also . . .

Seney: So, that was sort of a backhanded way of getting at the measurement question, maybe?

Ball: That’s one way of getting to the measurement question. (Seney: Yeah.) I mean, if I’m being charged based on how much water is being delivered to me, I as a water user want to know how much.

Seney: Right. Exactly.

Ball: I mean, I don’t want to be (Laughter) I don’t want to be overcharged. The other thing was to encourage water conservation, was the primary objective.

Seney: Okay. Had—you know, I know that you had negotiated contracts in the other place that you had been, right? (Ball: Um-hmm.) Down in Boulder City and so forth? Had you ever been to one of these meetings before where the “basis” was worked out and hashed out?

Ball: By the Department?

Seney: Yeah.

Ball: No.

Seney: This—how about at the commissioner level or somewhere below the commissioner where the parameters were worked out?

Ball: Well, I have been involved in contracts where we proposed a “basis”, and changes

were made in Washington before it came back, (Seney: Okay.) and there was involvement between us and the Washington office. (Seney: Yeah.)

Seney: That would be mostly memos, I would take it, and phone calls and maintenance base rates?

Ball: It was memos and phone calls.

Seney: Okay. This was significantly different, though, I take it from your previous experiences with contracts?

The Meeting in Washington, D.C., to Work on the Basis of Negotiation Included Representatives from Other Interior Bureaus

Ball: I think it was significantly different in so far as you had representatives there from all the Interior agencies, BIA, Fish and Wildlife Service, as well as Reclamation. Up until then I've never experienced where they would be involved in a meeting to discuss the "basis". Although, I mean, it does make sense that there are situations where they're abused and inputs would be very important, and especially specific provisions, for instance. We, one of the provisions in the O&M negotiations, O&M contract, was delivery of water to the Fallon tribe. Of course, the BIA would have a very direct and very legitimate interest, but on some of the other issues they were more Reclamation-wide policy and derived from Reclamation law.

Seney: And, I suppose the impact on the wetlands would be of interest to the Fish & Wildlife Service?

Ball: And, that would be of interest to the Fish and Wildlife Service, right. (Seney: Right.) So, it was a little bit, it was more complicated. This was more complicated in so far as how TCID operated and managed the project, had impact on the wetlands and on the Fallon tribe. So, I didn't think it was unusual that they would be there.

Seney: Okay. Now, this meeting, then, resulted in giving the marching orders?

Ball: It resulted in conceptually the marching orders. I had to go back and I had to put them all together and coordinate with TCCO [see page 126], and all that, you know.

Seney: The Truckee-Carson Coordinating Office?

Ball: Yeah. And, then it went up through, through the chain. And, I eventually got my marching, my approval memo from the commissioner.

Seney: Yeah. How long did that take from the time to review it?

Ball: Well, okay. This was May 5th that we met, May 3rd, and my first negotiation session was scheduled in anticipation of receiving the approval memo, in earlier,

mid-July. I had to cancel that because I still didn't have the approval memo and I didn't want to go out (Seney: Sure.) and start negotiating, because anything could change. (Laugh)

Seney: Absolutely right. Right.

Ball: Anything could change. And, so it was by the end of July that I had an approval memo in hand and was able to go out and negotiate the O&M Agreement.

Seney: You must have had to start, though, out in your office in Carson City getting your staff ready for these negotiations, before the final memo comes down, (Ball: Oh yes.) even if you won't go out and meet, for understandable reasons, with the other party? How did that, what would you do there? What was the process?

Ball: Well we, we put together, typically we put together a draft contract, a preliminary contract that we believe reflects our position, and it might reflect the high-end position to give us some negotiating room. Sometimes it did—[sometimes it] doesn't. In this case, I guess, my strategy was to play it straight. Well, I didn't want to do, go high and low. I could have went in there with, "This is what we want," and stayed pretty persistent, and tried to flesh out the concerns and deal with the concerns.

Seney: You didn't throw things in there that you were, knew you were going to throw out as bargaining points and all that?

Ball: No. You know, no. I really didn't. And, I . . .

Seney: Should you have, you think?

“ . . . TCID charged the individual water users . . . based on acreage. And, the pricing mechanism that we were advocating was one based on the amount of water delivered—which required that they measure the amount of water delivered fairly accurately. . . . ”

Ball: No. No. I, the way I prepared myself, and this is the honest to god truth, (Laugh) is I, whenever I go into negotiations I read "Getting to Yes" by Fisher and Ury, which is the, you know, standard negotiation text of intra space negotiation. And, The pricing, the way TCID charged the individual water users was based on acreage. And, the pricing mechanism that we were advocating was one based on the amount of water delivered—which required that they measure the amount of water delivered fairly accurately. I believe in it. (Seney: Yeah.) So, doing this high, and going in high and coming down low is not my style. So, I would feel very uncomfortable with that.

Seney: Not what this particular book recommends, I take it?

Ball: No. No. (Seney: Yeah.) And so, I would feel very uncomfortable with doing that. Although, I did leave room in the draft for ideas to come up that, that I thought were good ideas. But I thought, "Well, maybe they'll come up with it,

and I'd rather that they come up with it than me propose it." And, there were some instances where that did happen.

Seney: Do you remember any specifics?

TCID Proposed Conflict Resolution Wording for the Contract

Ball: Yeah. Conflict resolution, dispute resolution procedure. We were, we talked about it internally, my staff and I, and I said, "Well, you probably should have one, but let's not put it in the draft. Maybe they'll come up with it."

Seney: Did they?

Ball: Yeah. They did. (Seney: Yeah.) They did, and it was a real turning point, I think, in the negotiations, (Seney: Yeah.) because they came up with an idea and we worked real hard at getting the language just right. And, although it may not have been—yeah. Yeah. I guess that's all I really wanted to say on that.

Seney: What aren't you telling me?

Ball: Well, I'm saying that we negotiated this procedural thing about negotiation, conflict resolution and how to resolve the conflict, but the bottom line is the commissioner makes the decision. (Laugh) So I, I don't know that, that they really got a whole lot out of that. But, you know, I don't think the department, Reclamation gave up a whole lot on having a conflict resolution other than it takes a lot of time, time, time, time. But, when you're talking about something like taking over a project, (Seney: Yeah.) you know, maybe the time isn't a bad idea.

Seney: You know, this would strike me as in the same league with, if not exactly the same as sort of a throw-away, that is something that you put in to give up knowing that it's going to come up, but is you leave a blank hoping that they'll fill it in. And, that that's, turns out, I suspect what you wanted is what you got out of that and that is a kind of confidence building exercise with the District, where it looked as where the negotiations were more open and flexible than they may have thought that they were going to be to begin with. Was that your thinking? Was that the outcome? Do I have it. . .

Ball: Yeah. I think that's my thinking. And, it sounds a little manipulative, but I think it's good strategy. (Laugh)

Seney: Yes. Well, I mean some manipulation is good. I mean, it's not all bad.

Ball: And, I was, and actually I was very open as to how it would look. I mean, I had no idea. It was just the idea that maybe we should. And, this was not in the "basis" either. (Seney: Yeah.) So, this was kind of going outside the "basis" and kind of thinking of "How should a contract be structured and what kind of things should we have in it?"

Seney: How, how did this conflict resolution mechanism work? What did they come up

with, and what did you finally decide on?

Disputes Were Divided into Minor Disputes and Major Disputes

Ball: Well, either party could initiate a dispute procedure. There's two types of disputes, a minor dispute or a major dispute. A minor dispute is—well a major dispute is that, if it's not resolved in a very short time it could lead to canceling the contract, terminating the contract.

Seney: This would be things like water deliveries to the Fallon tribe?

Ball: It could be that. Things like that.

Seney: It could be—what else might it be? Did you have some things in mind, what might be on that list? Or that would be case by case?

Ball: Well, it would be case by case. (Seney: Okay.) We did not—oh, it could be something like a safety issue. You know, they're not repairing, they're not repairing, maintaining Derby Dam and Derby Dam could fail, you know (Seney: Okay.) something like that. The other type of dispute was a minor dispute that, you know, we can't come to an agreement on it at the local level. The contracting officer, which is now, which is the regional director, and TCID. And, a minor dispute, if it's a minor dispute a representative from TCID and a representative from Reclamation get together and they decide on a procedure. They might decide to get a third party arbitrator. They might decide to get a mediator. Whatever. (Seney: Yeah.) They might toss a coin. (Laugh) (Seney: Yeah.) You know, whatever they agree to resolving the dispute so they can move on. (Seney: Right.) The other type of dispute, a major dispute, the procedure was there'd be a neutral person from Reclamation. And, I don't know. (Laugh) That might not even exist. But, a neutral person selected to be a hearing officer. And, we would follow pretty formal hearing procedures, and both sides would give evidence to this neutral Reclamation person that was agreed to by both parties. And, that person then would make a recommendation to the commissioner, and the commissioner then would make a final decision.

Seney: Yeah. Yeah. Would Frank Dimick be someone, do you think, that might fit that bill? I think the farmers had some confidence in him, did they not? And that the Bureau did too?

Ball: Possibly.

Seney: Yeah. I mean, it might be possible to find someone. I know why you're raising the question, it's hard to think of.

Ball: Well, it's kind of hard (Seney: Yeah. Yeah. Sure.) because. . .

END SIDE 1, TAPE 1. JULY 13, 1999.

BEGIN SIDE 2, TAPE 1. JULY 13, 1999.

“Now, the purpose of this dispute resolution from TCID’s perspective is they felt that they had arbitrary and capricious area managers, and strings were pulled by Bob Pelcyger and other people, and at least they’ll have an opportunity . . . to talk to the commissioner, let’s say, and provide their side of the story. And, they were satisfied with that. . . .”

Ball: Before, ~~before the regional~~, a smart regional director before he would declare a major dispute would consult with the commissioner to begin with, and say, “Hey, this is something that I’m doing, and if we don’t get a resolution here, (Seney: Yeah.) the outcome is that we take over the project.” Well, that’s a major issue. (Seney: Yeah. Yeah.) So, I can’t imagine, I can’t imagine even declaring a major dispute without first having, going up through the hierarchy. (Seney: Right.) Now, the purpose of this dispute resolution from TCID’s perspective is they felt that they had arbitrary and capricious area managers, and strings were pulled by Bob Pelcyger and other people, and at least they’ll have an opportunity to talk to somebody up (Seney: Yeah.) in the command, and a direct opportunity to talk to the commissioner, let’s say, and provide their side of the story. And, they were satisfied with that. But, in normal procedures, I mean, it, what it comes down to is the commissioner still makes the decision. (Seney: Yeah. Yeah.) So, but from ~~her~~, their perspective they were trying to protect against an arbitrary and capricious area, area manager, who was taking marching orders—I mean, that’s the image that they had (Seney: Right.) in their minds. (Seney: Yeah.) So, this was fulfilling their need. And, on the other hand it really came down to the commissioner was making the final call. So.

Seney: Okay. Were there other areas that you left open to be filled in?

Ball: I can’t remember off the bat. There were other areas that, that emerged, but I may not have anticipated them. (Seney: Okay.) That, that emerged (Seney: Okay.) and we . . .

Seney: You may think of them as we talk. And, if you do, just . . .

Ball: Okay.

Seney: We’ll add them in. Going back to your office, ~~who~~, who worked in the area office on this project?

Ball: Gene Harms and he was my right-hand person. He had all the technical knowledge, and the institutional knowledge about the project. And, he was my technical expert on O&M issues. And Jerry Banks, who did the, was repayment and contract specialist who, you know, put together the documents and made sure that procedurally we were having, we had our public notices, and that we were staying within our procedural guidelines. All the meetings were open to the public. We negotiate our contracts in public.

Seney: That’s Bureau policy?

Ball: That’s a Bureau policy. Um-hmm, so our repayment contracts, our O&M

contracts, our water service contracts are all done in public, which creates a lot of administrative work.

Seney: How do you mean?

Ball: Well, because we have to notice the meetings, and to the best extent possible, of course, you know, sometimes you might be at a negotiating table and decide to work until midnight. I mean, the public notice might not say we're going to work until midnight. (Seney: Yeah.) There's that type of flexibility. So, so basically then, that's my office. Then we had an attorney from the Solicitor's Office.

Seney: The Salt Lake City Office?

Ball: Yes. Jim Turner. And then we had a contract & repayment person from Sacramento who kind of from a broad policy perspective, you know, the Bureauwide policy perspective, would give guidance in that. And then Frank Dimick was on the team, from the regional office. He was the assistant regional director at that time. So, that was my team. And, I was the team leader.

Seney: You were the team leader?

Ball: I was the team leader. (Seney: Yeah.) It was my responsibility to . . .

Seney: What was your relationship like with Mr. Dimick? What did – did he play a strong role, or advisory role? How was that?

Ball: Well, I, I would say an advisory role. He let me take the lead, and he was there for most of the meetings, initially. And, he would step in every so often here and there, but he let me pretty much take the lead. (Seney: Yeah.) And, we would have our sessions, you know, our caucuses, and we would have our pre-meeting negotiation sessions where, you know, I would lay out where I was going and what I wanted to do. (Seney: Yeah.) And . . .

Seney: Give me a sense of one of those? Can you—what would it be like if we're sitting here with Mr. Dimick, and the people from the solicitor's office, the contracts person, the region in Sacramento, your own Mr. Harms, and the other contract person? What might we be talking about in advance of that negotiating session?

Ball: Well, we might be talking about making sure that where we're headed is consistent with the "basis". We might pull up the "basis" again and reread it, and make sure that there's no ambiguity there. And, yeah, make a determine—"Yeah, we think that maybe this is a way of going." We might be talking about language, the exact language, what kind of language we might propose, or what kind of language we might accept, things like that.

Seney: Can you remember any specifics?

Ball: Can I time out and go to the bathroom?

Seney: Sure. Of course. Anytime.

Ball: I want to go back to who else was on the team.

Seney: Sure.

Ball: There were two other people on the team. One was Lynn Collins, who was a solicitor out of Salt Lake City, and very involved working with the Justice Department, although he did not attend, physically attend many of the negotiation sessions but I, we would invite him to participate in our conferences by phone, and send all our material to him, all the drafts.

Seney: He's very knowledgeable about the project, isn't he, and has worked on it for some time?

Bill Bettenberg Wanted Lynn Collins, from the Solicitor's Office in Salt Lake City, to Lead Negotiations

Ball: He's knowledgeable about the legal issues and (Seney: Yeah.) the legal, the court cases surrounding it. He doesn't have very strong background in Reclamation, and Reclamation law. As a matter of fact, I think one of the, the disputes between Bill Bettenberg and Frank Dimick, you know at that ~~February~~—no, May meeting—was Bill was proposing that Lynn Collins lead the negotiations, actually be the chief negotiator, and Betsy and Frank was adamant that it be Reclamation, and Betsy sided with Frank.

Seney: What do you think was Bill Bettenberg's motive in, or objective in having Lynn Collins lead the negotiations?

Ball: You're probably as good as I to (Laugh) suggest. Probably control.

Seney: Yeah. The tape won't show that smile you've got on your face. (Laugh) But . . .

Betsy Rieke and Frank Dimick Insisted That Negotiations Proceed with Reclamation in Control and Using Reclamation Procedures and Policy

Ball: (Laugh) I was in control. I mean, you know, once (Seney: Yeah.) that whole thing, that whole issue was—I mean, I guess if you look at the pattern of Reclamation's role had been usurped over the years, basically by Bill's office, (Laugh) and you know, Bill and Disheroon. And, they would have more control if they were doing the negotiations. Betsy came down very strong, "No. This was going to be, this was a Reclamation thing." And, lucky me, (Laughter) I was the Reclamation person chosen. So, this was a significant, I think, victory in that term was that "No. Reclamation was going to do this negotiations according to Reclamation procedures, and policies," etcetera. Another person we had on the team . . .

Seney: But, that did put a lot of pressure on you, did it not? To put up, to come up with a good deal from the Bureau's and the Department's point of view, I mean . . .

Ball: Well, I felt under a lot of pressure, (Seney: Yeah.) but I always do feel under pressure when I negotiate a contract. I mean, this is high pressure stuff. (Seney: Yeah. Sure.) I don't know that I—yeah, perhaps I did feel a little bit more pressure, but I'm not sure that at that time I knew enough to even feel more pressure. (Seney: Okay.) You know, it took me a while to get into it before I realized that things were a lot different. (Seney: Yeah.) As I told you before that if anybody had told me, I would have thought they were crazy, I would have thought they were crazy, you know, what things were like. (Seney: Yeah.) So, so I don't think—I think it was kind of an unveiling for me, and at that point I, yeah I was confident I could do it. (Seney: Yeah.) Because, you know, I was nervous. I'm always nervous, and I always—the nervousness makes me prepare myself. The stakes were high. I mean, I never—the stakes are always high. If a contract negotiation fails, I mean, you might not have timely delivery of water, you know, on a water-service contract. And it usually, it gets real political real fast. (Seney: Right.) And, if you're not delivering water, let's say, to Santa Barbara, that was the one contract I just came off of. ~~And, you know.~~ (Laugh) (Seney: Yeah.) So, I mean there's, the stakes are high.

“The stakes on this one, if we failed, was that there'd be a federal takeover of a project, and this was precedent setting. . . .”

The stakes on this one, if we failed, was that there'd be a federal takeover of a project, and this was precedent setting. There would be a federal takeover of a project if we could not come—I mean, this was kind of like where the rubber met the road, here, and if we couldn't get—I mean, we had been operating under this temporary contract for so long. I mean, it was like if we, who'd do it now? We'd have no choice but to take over the project. (Seney: Yeah. Yeah.)

“. . . superimposed on that was Betsy started off the meeting and said that 'It's a political decision. We will not take over the project. Reid does not want it at this time.' That's how she opened the meeting. . . .”

Okay, superimposed on that was Betsy started off the meeting and said that “It's a political decision. We will not take over the project. Reid does not want it at this time.” That's how she opened the meeting. So, (Laugh) so yeah, was I under pressure? Yeah, I was. (Seney: Yeah.) Reclamation didn't want to take over the project. We'd never take—I mean, that, that (Seney: Yeah.)—this was 1995, where there's a presidential election (Seney: Yeah.) coming up. (Seney: Yeah.) And, this could be, you know, the lightning (Seney: Yeah.) rod for, you know, federal (Seney: Right. Right.) whatever.

Seney: Right. Right. The Congress had just been taken over by what I suppose would be regarded part as a smaller government faction, and this was no time to be . . .

Ball: No time to be messing around with taking over a project. And, I mean she started the meeting. (Laugh) I've got quotes.

Seney: So, Senator Reid said, “We don't want to take it over”?

Ball: “We don’t want to take it over,” and the, “at this time.”

Seney: Yeah, “At this time.”

“The [Pyramid Lake] tribe would have been thrilled to have us take over the project. And, I believe there were people in the Department that would have wanted us to take over the project. . . .”

Ball: “At this time.” And, I didn’t pick up on that until I went back and read my notes. I don’t know why I, and I wrote down pretty verbatim, (Seney: Yeah.) verbatim because (Seney: Yeah.) I didn’t have (Seney: Sure.) anything to offer. I was, just had big ears (Seney: Sure.) (Laugh) at the meeting. (Seney: Yeah.) So, the stakes were, were very high. (Seney: Yeah.) Were very high. Now, there were people within the department, I think that would have been very happy to have us take over. The tribe would have been thrilled to have us take over the project. And, I believe there were people in the Department that would have wanted us to take over the project.

Seney: Let’s see, probably Bettenberg, or . . . ?

“I think there are people that had the expectation that we would take over the project. And, I think, looking at the “basis” that originally came out was almost a guarantee that TCID would never agree . . . to these provisions. . . .”

Ball: You know, I don’t, you know, I don’t know. (Seney: Yeah.) I can’t say that definitively—I think there are people that had the expectation that we would take over the project. And, I think, looking at the “basis” that originally came out was almost a guarantee that TCID would never agree (Seney: Ah.) to these provisions.

Seney: The things we’ve talked about a few minutes ago, I think?

Ball: Yes.

Seney: The no right to sue, and two-year contracts, and . . .

Ball: Yeah.

Seney: Did, later did you think, and as perhaps you do now, that, that was done so that TCID would not agree, and then perhaps the project would be taken over?

Ball: Well, I believe later, I believe when we finally did come to an agreement I had some very surprised people, that up until the very end thought that TCID would not even ~~agree the modified~~, agree to the (Seney: Yeah. Yeah.) modified “basis”. And . . .

Seney: Well, practically speaking, this, this must have been drafted by Solbos before the November 1994 elections, I would think, which, in which the, again the smaller government faction takes over in the Congress? Don’t you suppose?

- Ball: Well, I believe it was probably way before that. (Seney: Yeah.) It was probably before the—it was probably before the second level generation negotiations, because they were on track. They'd done the public meetings, and they were on track. (Seney: Yeah.) Solbos was preparing himself, (Seney: Yeah.) to negotiate the contract.
- Seney: Yeah. Right. You said that there were two other people, and you mentioned Lynn Collins ?
- Ball: Well, Lynn Collins . The other person was Tom Crawford , he was a TCCO [see page 126] member. And, although he wasn't—I guess we invited him. I mean, this is not traditional to, you know, because I'm doing that.
- Seney: Yeah. But I appreciate that. Yeah.
- Ball: It's not traditional for Reclamation to invite people from other agencies onto the, you know, core negotiating team. We would consult with other agencies on their issues, ~~and~~ but to have them ~~in~~ in the session where we strategize we usually don't. But, I invited TCCO representative Tom Crawford and he never, you know, was an active participant. He didn't sit at the table, when we negotiated, as a formal member of the team, but I always invited him. I said, "We're having a session, you know, to discuss where we are on the contract. We're having our . . ." and he came into all our caucuses. So, he was always there. (Seney: Yeah.) And, I felt that that was necessary because of the need to keep the Department, you know—we had that structure with TCCO. And, what Tom said to me was that he was there also representing, in a way, BIA.
- Seney: [Inaudible]. Don't forget.
- Ball: Okay. BIA, because they didn't have time to come to the meetings and Fish & Wildlife Service, and so he would keep them informed as well.
- Seney: Okay. Now he's, my understanding is he comes out of the Mineral Management Service, (Ball: Um-hmm.) which Bill Bettenberg headed just as Jeff Zippin does. (Ball: Um-hmm.) And that both Zippin and Crawford are kind of protégés of Bill Bettenberg ?
- Ball: Yes.
- Seney: Yeah. You must have known that?
- Ball: Oh yes.
- Seney: Did you know that at the time? So, was this a way of keeping Bettenberg informed as well, (Ball: Well, I felt . . .) knowing—I mean, you must have known that Tom Crawford would, was going (Ball: Yes.) to go let Bettenberg know what was going on. I mean, I assume you did?
- Ball: Well, you know, it wasn't, I wasn't trying to keep anything from Bettenberg.

That was not my intent. (Seney: Sure.) I felt that I had very clear marching orders, and I thought that as long as I stayed with the “basis”, within the “basis”, that things were okay, and that if somebody felt that I was deviating from the “basis” ~~that~~, that they should let me know. And so, this was an opportunity, so that if Tom was there he understood. He understood what went up previously, what the policy objectives were prior that were overturned by Betsy. And, (Seney: Yeah.) and he understood what the existing “basis” was. So, I wasn’t trying to keep anything secret, it’s just that (Seney: Yeah.) it’s nontraditional. I got some flack internally from Reclamation people, saying, “Why are you inviting those, you know, (Laugh) why are you inviting people?” Because it’s a bad precedent, because then (Seney: Ah.) other, in other places—for instance, this is in the CBP [Columbia Basin Project], the Fish & Wildlife Service wanted to have more direct involvement in the negotiation of the Water Service Contracts. And so, the regional office—and those contracts took a strong stand that they would not be part of the negotiating team. “We will consult with them.” And, here I invited. (Seney: Ah.) So, I was deviating from the norm. But, I felt it was important because of how things were set up here, (Seney: Right. Right.) with a stronger degree of interagency coordination. And, I didn’t have anything to hide. I had my “basis”. (Seney: Yeah. Yeah. Right. Right. Yeah.) So, so I invited him. And, although he wasn’t at the table he was at every, he was at every meeting. And, when we would break up and have our caucuses he would attend the caucuses. And, when we would have strategy meetings, I let him know and he would come and attend those as well. So, you know, nothing was hidden.

Seney: Right. Right. Yeah. What about on the other side of the table? Who represented TCID?

Negotiations for the TCID O&M Contract Were with Lyman McConnell, the Manager, and the Full Board

Ball: It was Lyman [McConnell] and the full board of directors. And, then they had . . .

Seney: Did that strike you as odd that the whole board would come?

Ball: Yes. Well, it did because in my experience I usually negotiated with a, would negotiate in other contracts, with the attorney. So, here I had not only the manager . . .

Seney: Who is an attorney?

“ . . . I think this was a significant, it signified how important this was to them. . . . ”

Ball: Who ~~is~~, happens to be an attorney. (Seney: Yeah.) And, the full board. I mean, most districts I didn’t even know who the board of directors were. (Laugh) But, I think this was a significant, it signified how important this was to them. (Seney: Yeah. Yeah.) This O&M Agreement was very important to them. So, they were there at every meeting. Then we had . . .

Seney: Was Ted DeBraga still the president?

Ball: Yes.

Seney: He would have been. So, I take it Ted was probably—was he more vocal than the others? Did he speak up more than the others? Or did they all seem to?

Ball: Well, Ted kind of chaired the meeting on their behalf. Lyman usually did most of the direct negotiation. Although, I mean at any one time anyone could chime in, (Seney: Right.) ask questions, put forth an idea.

Seney: What are you smiling about? You're smiling when you say that.

Ball: Well, you know, it's, you know they had their team. They had their team. And I think sometimes they kind of got a little out of control too, you know, usually when you have a negotiating team the leaders, there's only one person supposed to be doing the talking. (Laugh) (Seney: Yeah.) And, there were times when things possibly, when Lyman lost control of that, and I was able to engage with the board more directly.

Seney: What kind of issues would stimulate the board to speak up more?

“ . . . a high priority for them, of course, was the cost. . . . and how are they going to contain what they saw as skyrocketing costs? . . . ”

Ball: Oh, every issue. (Laughter) Every issue. I mean, one issue—I mean, a high priority for them, of course, was the cost. I mean they were, I mean that had to be the most significant issue to them. Although, you know, philosophically there might be other issues of government control, da, da, da, da. (Laugh) (Seney: Yeah.) The cost. The cost and how are they going to contain what they saw as skyrocketing costs?

Seney: What kind of things were in that contract there were going to add to their financial cost?

“ . . . we wanted a better measurement program, project improvements, you know, water conservation, administrative fee. . . . ”

Ball: Oh, everything. Everything. You know, we were ask—we were—we wanted a better measurement program, project improvements, you know, water conservation, administrative fee.

Seney: An administrative fee meaning?

Ball: Where they would pay Reclamation a fee for our work in overseeing the contract.

Seney: Including the OCAP Office, I would take it? [See page 111 for an explanation of OCAP.]

Ball: No. I, no. I didn't include the OCAP office because I view that differently. OCAP was separate from the O&M Agreement. (Seney: Okay.) If it's the OCAP

office and everything Reclamation did it would be our entire budget. (Laughter) But, just, the administration fee wasn't ~~very, wasn't a big, wasn't~~ as big of an issue. Oh yeah, it was. Everything that involved money was a big issue. (Seney: Yeah.) And, that, that was their responsibility to keep costs down as far as they can to the farmers.

Seney: Sure. How were these particular issues resolved in the measurement question?

Ball: The measurement question was resolved by getting a [neutral] third party ~~neutral~~.

Seney: You couldn't come to grips, come to terms with that one?

“ . . . negotiated in the [O&M] contract that we would go to Cal Polytech and have a professor there, his name's Charles Burt, do a study and come up with a . . . very discreet measurement plan . . . ”

Ball: Well, we did. We negotiated in the contract that we would go to Cal Polytech and have a professor there, his name's Charles Burt, do a study and come up with a plan, a measurement plan, a very discreet measurement plan, you know, (Seney: Yeah.) as to where, where instruments, you know, what the . . .

Seney: Very detailed, you mean? Exactly where these instruments would be needed to measure the flow [Inaudible]?

Ball: Actually it was more, it was detailed in terms of an approach, and then the details would be worked out in the Water Management Plan with Reclamation, and Reclamation's concurrence of the Water Management Plan was required.

Seney: What was there about this particular professor that, that made you agree on him?

Why TCID Trusted Him

Ball: Well, because Reclamation had a contract with him to do water conservation stuff in the Central Valley Project. So, we already had a contract with him. He's world-renowned. And, I believe TCID trusted him that he would not be influenced ~~by~~, (Seney: Okay.) by political forces.

Seney: Right. Even though he'd been, had a contract with the Bureau, they didn't see that as soiling him, or sullyng him in some way?

Ball: No. They felt that he would be very technical, and not be influenced by political decisions.

Seney: Okay. So, that one, in other words, your agreement there was . . .

Ball: Was on how we were going to approach.

Seney: Okay. And then that was to engage professor Burt?

Ball: Yes.

Seney: Is it B-U-R-T, or B-E-R-T?

Ball: B-U-R-T.

Seney: Okay. Professor Burt to conduct a study, which would then be the “basis” for measuring?

Ball: Yes.(Seney: Okay.) Yes. As a matter of fact his study, or his study is part of the . . .

Seney: Addendum to the contract is it?

Ball: Not to the contract, but it would be part of the Water Management Plan, which is part of the contract.

Seney: Okay. All right. What about the rehabilitation of the canals and that kind of thing? How did that work out?

O&M Contract Required a Project Improvement Plan Which Would Include Rehabilitation of Canals on the Project

Ball: Well, we, there was a requirement for a project improvement plan, and that would be taken care of there, and the project improvement plan would be approved by Reclamation.

Seney: So, in the contract—again, I suppose, under the subsection would be the Water Management Plan. One element of that would have to be project improvements devised by the project, by TCID, and approved by the Bureau? Do I have that right?

Ball: Well, yeah. Yeah. It’s not in the Water Management Plan, (Seney: Okay.) but that’s a detail. The Water Management Plan, the way it was structured—I don’t know if you really want to get into this type of detail?

Seney: Sure. Absolutely. Absolutely.

Reclamation and the Department Were Interested in Two Major Issues While Negotiating the O&M Contract—Water Measurement and Water Pricing

Ball: There were two issues that were of supreme interest to Reclamation and the Department. That was measurement and that was pricing. And so, we, we kind of separated those out and said, “On the Measurement Plan you will do this, based on the study by Cal Poly,” and it talks about what kind of accuracy, you know, a proven accuracy of instrumentation, and certain volume of water needed to be accurately measured by a certain time, based on that. Then the other one was the pricing study, the pricing mechanism, and that one, taking—what was happening simultaneously was Reclamation, or the Department was putting out regulations

on water conservation, as part of the Reclamation format. And so, we took the language directly out of those regulations that said that “The district shall have a pricing mechanism in place that is based, at least in part, on the volume of water delivered by a certain date, unless, unless they are able to demonstrate, through technical study, and by a study done at UNR [University of Nevada-Reno], that an alternative not based on volume of water delivered.” (Seney: Yeah.) Because that was TCID’s contention, was that it wasn’t going to. And, I said, “Well, we believe it is going to. You say it’s not. We don’t have data, but until you prove that we’re wrong (Laugh) you’re going to have it based on volume.” And so, it said, “Unless a mutually agreeable alternative is developed based on technical and analytical information provided by UNR.” And then, then the big picture is a water conservation plan that would be consistent with the guidelines set forth for the Central Valley Project, except these two components were the water measurement and the water pricing were kind of fixed within the contract. So, they were not really subject to the guidelines for the CVP [Central Valley Project] criteria. So, that was the big picture. (Seney: Yeah.) Now, the project improvement plan was a different provision, but we acknowledged that that also could contribute to water conservation.

Seney: Okay. All right. The more detailed the better, really. Yeah. So, there were a number of issues on which you’d have to say, as you did, that “We think this will work. You don’t think it will. You’ve got to do it our way, perhaps, until you show us through a study by UNR that it won’t work.” I mean, that was one approach? Others were, getting it turned over to Professor Burt? “Well agree this is our resolution of that question, the measurement question, is to let Professor Burt do a study (Ball: Um-hmm.) and then go along with whatever he recommends”?

The Basis of Negotiation Did Not Require That TCID’s O&M Contract Call for a Measurement Device at Every Turnout

Ball: And the reason being is going back to the “basis”. My basis of negotiation on water measurement said that they would “have a program that significantly improved.” My “basis” did not commit me to a measurement device at every turnout. (Seney: Uh huh.) Although, that’s what . . .

Seney: Was in the initial one?

Ball: That was in the initial one, (Seney: Yeah.) and that was what was expected, and that’s what the tribe wants. My “basis” did not have that. My “basis” gave me a great deal of latitude there. (Seney: Yeah.) And, going to a renowned thirty-party neutral expert was really . . .

Seney: Sure. I can understand that. Right.

Ball: A good solution. On the pricing study—not the pricing, but on the pricing mechanism my “basis” said that gave me very little flexibility, that there will be a pricing mechanism in place based on volume of water delivered. And, I had to go to Washington to seek, to be able to deviate and even put that “unless” part.

(Seney: Ah.) So, when I, during mid-, half-way through the negotiations I did go back to Washington saying, you know, that “this pricing stuff is going to really, I mean everything is—we’re going to be able to get there on everything except this pricing study.” And, I went back to Washington to seek permission to explore some way of . . .

Seney: Kind of finessing that?

Ball: Finessing that. (Seney: Yeah.) And suggesting. So, I had to go back. That was outside of my “basis”.

Seney: Well, who did . . .

Ball: And so I could not, I could not agree to that. I had to go to Washington.

Seney: Who did you meet with in Washington?

Had to Talk to John Leshy and Patty Beneke to Obtain Permission to Deviate from the “Basis” for the Water Pricing Provisions

Ball: When I went back to Washington I met with John Leshy and Patty Beneke.

Seney: Okay. John Leshy being the solicitor who was then involved in the policy part?

Ball: Right. And Patty.

Seney: Patty Beneke, the Assistant Secretary for Water and Science (Ball: Right.) who was part of it? But, I guess Leshy was really the lead person at this point, wasn’t he, had taken Betsy Rieke’s policy (Ball: Right.) responsibilities. (Ball: Right.) Right? Which are now back in Beneke’s hands, and Leshy is no longer involved (Ball: Right.) as I understand?

Ball: Right. But at this time, Leshy was doing the policy as well as the legal matters on the Newlands Project. So, I went back and briefed them on where I was in the contract and, you know, asking for permission to explore, you know, some other avenues on this pricing, because this was, this was going to be a drop-dead thing, it appeared.

Seney: Right. And they gave you that flexibility?

Ball: Um-hmm. Yes.

Seney: Yeah. Did you have any specifics to suggest to them how this might be handled, or did you say that “Unless we can be more flexible here it . . .”

END SIDE 2, TAPE 1. JULY 13, 1999.
BEGIN SIDE 1, TAPE 2. JULY 13, 1999.

Seney: . . . University of Nevada in Reno. This is our sixth session, and this is our

seventh tape. These tapes have no leader run out on them, so I think it got everything I said, but what I was interested in getting to was, when you went back to talk to Mr. Leshy and Mrs. Beneke about this did they just say, "Well, you can have more flexibility," or did they want more specifics about it? How did that work?

Ball: Well, they did not give me carte blanche. (Seney: Okay.) I needed to stay coordinated with them directly (Seney: Right.) on the language of that as that evolved.

Seney: Right. And, as it evolved they were happy with it and willing to accept it, obviously?

Ball: Well, obviously they eventually accepted (Laugh) it. They got, they got very involved in the end.

Seney: Way up at that level? And, not the commissioner? Was Bill Bettenberg there at the meeting too?

Ball: At the meeting? I don't think he was. I don't think he was at that meeting. It was—and I can't remember if he was out of town, or if it was considered just pretty much an internal meeting. (Seney: Right.) I can't recall at this point.

Seney: Right. Right. You know, when I interviewed Bill Bettenberg, I think the second time, we met in Reno because he was out, as he frequently is, on business. (Ball: Um-hmm.) And, he had to call John Leshy before we began the interview. And, I asked him, "Would you like me to step out of the room?" And, he said, "No. No. That's not necessary." And, he proceeded—and I don't remember what exactly was said, I don't remember the substance of it—but to brief Leshy in great detail about what he'd been doing that day on these Newlands related matters. I mean, he was really reporting to Leshy, and clearly he was taking notes on the conversation, and clearly getting some guidance from Leshy on what was going on. It was a very interesting—again I don't remember what was said, and I wouldn't repeat it anyway, but it was very interesting the dynamic between the two of them, that I observed watching one end of this telephone call. They seemed to be quite sympatico, and Mr. Bettenberg was, was very much the subordinate. I don't want to suggest groveling, or anything like that, but saying, "This is what I've done. Is there anything you want to add to that, or should I take a different approach?" And, I thought it was quite an interesting conversation to overhear. I don't know why I bring that up. (Laugh) But, maybe I'll cut it out of here. I'm not sure. But, I thought that was quite interesting. And, who knows, Mr. Leshy may have called him after this meeting, and let him know what had happened. I mean, we can only speculate, I suppose. Did you get the feeling he knew what was going on? That . . .

Ball: John Leshy ?

Seney: Bill Bettenberg?

Ball: Well, there wasn't, I mean, there was nothing secret (Seney: Yeah.) because I had Tom Crawford in all my meetings. So I, uhm, I don't know, I don't know if he did. I mean, I don't know to what extent Tom, through Jeff, briefed Bill. I did not brief Bill directly (Seney: Yeah.) on what was going on in the negotiations.

Seney: Well, I'll be interviewing Mr. Crawford so I'll ask him.

Ball: Uh huh.

Seney: Yeah. I'll ask him what the situation was.

Ball: Yeah.

Seney: I mean, I could understand why Mr. Bettenberg would want to stay informed.

Ball: Well, and this meeting with John, John Leshy and Pat—actually, I'm trying to think if John Leshy was—it might have been—no, John Leshy was there, and Patty Beneke on the contract. I mean, I did not feel that John or Patty felt obliged to have Bill—as a matter of fact, I, I don't think I even specified who should be at the meeting. (Seney: Yeah.) I called somebody in Washington and said, "I need to come up and brief on the O&M Agreement. There's some issues." And, whoever was pulling it together, it probably was Dana Cooper decided who should be there.

Seney: Dana Cooper was the administrative assistant to the assistant secretary, right?

Ball: To Patty Beneke .

Seney: Right.

Ball: Yeah.

Seney: And had she not had that job with Betsy Rieke as well?

Ball: No.

Seney: No?

Ball: Steve Magnussen had that job.

Seney: I'm trying to think where Dana Cooper was?

Ball: Dana, well Dana was, worked for Senator Bradley .

Seney: That's right. That's right.

Ball: On The Hill, in the committee. And so I, yeah. (Seney: Yeah.) That's where I met Dana.

Seney: Right. Right. That's right.

Ball: On The Hill.

Seney: I knew I knew that name from somewhere else. Right.

Instructed to Have a “Takeover Plan” in Place

Ball: Um-hmm. (Seney: Well . . .) So, I think she—and I never got the sense—well, at this meeting also I, well I recall having, being requested to have a “takeover plan.”

Seney: At this meeting?

Ball: Yeah. (Seney: Yeah.) I mean, this was, you know, this was (Seney: Sure.) getting toward the end of the contract and we needed to, to say “Well, if we weren’t going to get agreement, what was going to happen?” And, I had to have a “takeover plan” in place. So, my staff had been working on that.

Seney: Yeah. Did you mention this to the TCID negotiators at any point that, “Well, you know, I’ve had this meeting and one of the things I’ve been asked to do was make sure we have a “takeover plan” in place”?

Ball: No. I didn’t use that (Sigh) as part of my negotiation strategy, (Seney: Right.) because I wanted my—I didn’t want to get into that. Now, I didn’t have to do that (Seney: Yeah.) because Ed Solbos had been out there (Laugh) in these public meetings, you know, threatening takeover, (Seney: Yeah.) and takeover was on everybody’s mind. I didn’t want, I did not want it (Seney: Okay.) to be associated with me.

Seney: They knew it was in the background?

Ball: Uh, so, uh, no, (Seney: Yeah.) I didn’t tell them that. (Seney: Okay.) They knew I was going to Washington because at the negotiation—when we came to discussing the pricing structure I said, “I simply don’t have authority (Seney: Yeah.) to make a decision like this. This is outside my “basis.” I need to go back to Washington.” At that time we were also negotiating a few other things, and I said, “You know, I have to really believe that we have something here to go back to Washington to ask for a deviation on the ‘basis.’” (Seney: Yeah.) You know, I mean, (Seney: Okay. All right.) for me to go to Washington is to say that “I’ve thought this through and I think it’s an appropriate thing,” because I’m supposed to be the first line of defense (Seney: Right.) here. (Seney: Right. Right.) And so, I’m, if they suggest things outside of the “basis” and I, you know, I would say “No.” But, if they suggest things outside of the “basis”, if things come up—and I also feel that there might be an opportunity for some flexibility, but I, you know, I’m going forward making the recommendation. (Seney: Sure.) I’m not just carrying TCID’s, you know, saying “He said, they said.” (Laugh)

Seney: Right. Right. Sure.

Ball: You know, then . . .

Seney: So, that was a notice to them, I guess. On saying . . .

The Water Conservation Plan Was an Issue for TCID

Ball: So I, so they—and as a matter of fact it was a very tense meeting because they weren't giving me anything on the water conservation plan, on the conservation plan. And I, you know, I, they had a caucus, we had a caucus, and I came back and I said, "You know, I was planning to go to Washington. I said, "Based on this I'm canceling that meeting. I'm not going back." (Seney: Ah.) And then they [sound] and they went back. We had another caucus and then, and so we moved forward.

Seney: Forward on the conservation plan?

Ball: Yeah. On the conservation plan.

Seney: What did they come back – do you remember what they came back with?

Ball: Oh, they came back, I think, with some proposal of dedicating a certain amount of money for water conservation and then having a matching of, if Reclamation put in a certain amount they would match something. It didn't turn out to be that, but at least (Seney: Yeah. It got some movement on it?) other than saying, "No. No. No. We won't agree to anything." (Seney: Yeah. Yeah.) So, then I went back to Washington to discuss where we were headed on water management, the pricing structure, having a contingency plan in place. But, that wasn't, you know, it was always in the background. (Seney: Yeah.) It was always in the background, and talking about time line.

Seney: Time line meaning?

Ball: When we would have the negotiations wrapped up.

Seney: Okay.

“. . . if we weren't going to have the negotiations wrapped up, when would we be able to take over the project, and how would that fit in with all the elections? . . .”

Ball: And, also the time line like if we weren't going to have the negotiations wrapped up, when would we be able to take over the project, and how would that fit in with all the elections? (Laugh) That, you know, all that stuff.

Seney: They were serious about that, then, taking over the project if the negotiations collapsed?

Ball: That was, to me that was always – how could we not? (Seney: Yeah.) I mean, with all this hoo rah rah that we had created with these public meetings, and (Seney: Oh. Yeah.) all this stuff. (Seney: Right. Right.) I didn't see how, how we could not have taken over the project.

Seney: Yeah.

Ball: And so, we needed. And so, I think there was resolve to do it if we had to. (Seney: Yeah.) On the other hand, I don't think there was desire to do it, which is different.

TCID Felt Reclamation Couldn't Manage the Project Without Costs Going up

Seney: You know, certainly when I went out and interviewed Lyman McConnell and Ted DeBraga, and Ernie Schank, they brought up to me these threats to take over the project. And, it was always their view that the federal government didn't understand what they were getting into, that the costs would be much, much higher than the District was running it for. They would mention specifics like the ditch riders, for example, that, who would work round the clock really and, you know, who were not really paid much in terms of overtime. They got a good steady job out of it, and they were very reliable, but "Oh my god these federal government bureaucrats would never work that way. You'd have to have three shifts of them, and so for every one ditch rider there'd have to be three." And then they had a number of other examples of that. And, was it your feeling that taking over the project, forgetting the political restraints and whatnot, was it fiscally possible to run that project, assessing water charges and making it pay itself, for itself, if the Bureau took it over?

Ball: We would, if we took it over the prices certainly would have gone up. And we . . .

Seney: The price of water to the farmers?

Ball: The price of water would go up to the farmers.

Seney: Because it's, let me interrupt just to ask, it's their arrangement with the district that they pay all the O&M costs, right? That whatever, if it's "x" amount of dollars it's divided in some way, and each of them pays their share? So, if it's now "x" times two, under the federal government that would again would be divided and they would pay their share, and it might be twice what they were paying for? You're nodding your head "yes"?

Ball: Yeah. No, (Seney: Okay. All right.) we anticipated that it would be more costly because we would do things. Probably we, you know, we would probably be more aggressive on project improvement, and measurement, and conservation, and things like that too. So, the cost would be higher. So, that was all incorporated into, into the plan. Now, when I did meet with, with Leshy and Patty, I mean, I set up the agenda for the meeting because it was my meeting (Seney: Right.) and I set it up, and I briefed them, and then at the end, "By the way, here's the plan and here's the time line," but we didn't focus in on that. (Seney: Yeah.) Because it was—you know, I tried to keep it on the back burner. (Seney: Right.) I did not want it to be an issue in the negotiations. I mean, I was very concerned. I mean, that negotiation was so sensitive. Every word I said (Laugh) I chose (Seney: Yeah. Yeah.) very precisely and with thinking. And, you know, I was, a couple of times—I mean just, just the suggestion of that would put the, would, if I

suggested it would make the negotiations something different than I wanted to have it. Now, I tried to frame it that what this negotiation was about was defining our respective relationships, and how to operate the project. And, we had certain interests that were similar. (Seney: Right.) And, not to come with a big hammer with heavy threat because, you know, once you come with that threat you can't go back. (Seney: Yeah. Yeah.) And, it was just always there. So, I never did it, said it, but in the end I think they knew it, and they knew it. And, I think that threat that was in the background probably was a factor in them agreeing to things that they may not have agreed to. But, I think if I had it in the foreground it would have just changed the whole character (Seney: Yeah.) of the negotiation.

Seney: Yeah. They would have felt threatened and (Ball: Yeah.) gotten their backs up, do you think? And . . .

Never Told TCID the Government Might Have to Take over the Project, but Did Get the Point Across

Ball: Well, and then, then I ran the risk of being foolish. I mean, first of all it wasn't my decision to make. (Seney: Right.) A decision to take over would have to be at the highest levels of the government, at least at the secretary level, and I would suspect that they would consult with the President's office, (Seney: I would think.) although I, you know, I don't know for sure. And, I wouldn't be out there threatening if I couldn't carry something through. (Seney: Right.) And certainly I couldn't carry something through. I mean, that's just dumb. (Seney: Sure. Sure.) So, I wasn't going to utter those words out of my mouth, that "We will take over the project." I just thought that was a foolish thing for (Seney: Yeah.) Ann Ball (Seney: Right.) to be saying as area manager, engaged in O&M negotiations. (Laughter) I mean so, (Seney: Yeah.) so I never said that, but it was certainly in the background.

Seney: Well, they must have understood what it meant, though, when you said, when they came back with nothing on the Water Conservation Plan and you said, "Well, if this is the way it's going I'm canceling the trip to Washington." I mean, that must have gotten the point across, I would think. You're not saying, "By god, we'll take you over," but they've got to understand what it means if you're not going to go and get more flexibility on this issue that must be resolved. That means that it looks like their going to collapse. And if they collapse, we know what the outcome is going to be, right? You're smiling and putting your hands (Ball: Well, I . . .) out like you're so innocent. (Laugh)

Ball: I, you know, I could presume that that's what they were thinking. (Seney: Yeah.) I don't know what they're thinking. (Seney: Yeah. Yeah.) And so, I don't know what went on when I said, "Hey. Forget it. This is nothing you're giving me."

Seney: Well, I want to give you, I'm trying to give you points here for subtlety, (Laugh) and yet, for getting across to them without having to say, (Ball: Yeah.) as you say, these words coming out of your mouth.

Ball: Yeah. I never said it.

Seney: Thank god for Ed Solbos, I suppose, right, who put it on the table, and you could profit from it without (Ball: I didn't have to say it.) getting your hands dirty?

Ball: And, actually, in the end, when there were public meetings, Lyman was the one who told his constituents out there, you know, the farmers out there at that public meetings we had to discuss the contract, and I was there, and he said, "Well, you know, the federal government will take over the project," you know . . .

Seney: If we don't have a contract?

Ball: If we don't have a contract. That's, you know, that's one of the options. And then they asked me, "Well, what's going to happen." I said, "Well, you know, this is not a decision that I would make, but it's certainly one of the, not a decision that I have the authority to make, but it's certainly one of the options. The way I see it, the options are, you know, maintain the status quo, try again, renegotiate again, or taking over the project. Those are options, but I don't make that decision. (Seney: Yeah.) So, I'm not going to sit here and tell you that's what we would do." (Seney: Yeah.) So, it was there but I did not want to go into the negotiations with a big, (Seney: Sure. I understand. Right.) club like that because it was unnecessary.

Seney: Do you think you would have made much headway, if Ed hadn't taken a club out and put it on the table?

Previous Manager Hadn't Helped the Situation by Threatening the Government Could Take over the Project

Ball: I think that threat was always there, whether it was there because Ed put it. As a matter of fact, I think Ed (Slaps table) putting it on the table, and with a big club, did not help me at all, because he had everybody all riled up.

Seney: Yeah. Yeah. They were. When they talked to me they were very upset and indignant, and what not.

Ball: So, no, this didn't help. I think that threat was always there whether anybody put it out on the table or not, because it's always been there.

Seney: Right.

Ball: And they may have, I don't know how seriously they took the threat. They may, they could have just as easily in their caucus say, "It'll never happen. They don't have the guts to do it." (Seney: Yeah.) So, I don't know what they were thinking.

Seney: Yeah. No.

Ball: I don't know what they were thinking.

Seney: Well, I . . .

Ball: But, I know that what I, there was that, “We had no choice.” Because we had painted ourselves into that corner (Seney: Yeah.) that there was no place else to go and be credible anymore.

Seney: I don’t know what they said in their caucuses either, but certainly when I interviewed them, the tone of their remarks was that this was just not going to happen, it was too expensive. And you know, there wasn’t really the will on the part of the Department to do it. Now, I don’t know if that’s, again, what they were saying in their meetings.

Ball: Well, you talked to them after Ed.

Seney: After Ed, right.

Ball: Yeah, well see, this was then after a really facilitated negotiations, (Seney: Right.) and some other things, and there was a greater resolve by the Department to get some things moving. (Seney: Right. Right.) So, I don’t know.

Seney: Yeah. I don’t know either. I can’t, yeah, I can’t . . .

Ball: So, the timing might have been different. (Seney: Yeah.) I think Lyman [McConnell] knew that I had a plan, (Seney: Yeah. Yeah.) I mean that I had a plan.

Seney: Well, they’ve told me they knew that it was being studied and put together (Ball: Um-hmm.) over at the Carson City Office, but they don’t know what they’re talking—they don’t know what the,—you know, you can imagine the tone and substance of what they were saying, having dealt with them as much as you have on something like this.

Cost Wouldn’t Have Been a Factor If the Government Decided to Take over the Newlands Project

Ball: But, see the cost would not have been a factor for the federal government, (Seney: Yeah.) I mean that’s true, it wouldn’t have been. But you know that’s part of doing business. We’re spending millions, and millions, and millions of dollars to do all sorts of things out there.

Seney: That’s right. That’s right.

There Were Legal and Political Issues That Had to Change

Ball: So, I don’t think the cost would have been (Seney: Yeah.) a factor, a significant factor, because, so if it costs too much people go out of business. (Laugh) I mean.

“The federal government’s interest was not in necessarily maintaining the status quo in that . . . project. . . .”

The federal government’s interest was not in necessarily maintaining the status

quo in that (Seney: Right.) project. So, I don't think cost. I think there were concerns. I mean, there were all sorts of legal concerns, you know, ramifications. But, the big issue is political, whether we take it over or not. (Seney: Right.) The political ramifications would be the overriding ramification. Not cost. Cost would be not our concern. It would be their concern, but not our concern. (Seney: Right. Right.) I think we had somewhat a technical concern as to whether we could actually operate the project and meet OCAP efficiencies, (Laughter) you know, (Seney: Yeah.) and I think there'd be a startup. You know, you'd have, you know, how many people, how many of the ditch riders would stay, (Seney: Yeah.) the existing people, how many would leave? (Seney: Yeah.) You know, you don't know. (Seney: Yeah.) And if you bring in all new people, there has to be a learning curve, (Seney: Sure. Sure.) and all that stuff. But, you know, I think we could have done it. We might not have done it, you know, (Seney: Yeah.) well initially, but I think we could have done it. Now, I tell you I didn't want to do it, personally. (Laughter) I did not want to go down in history as being the first area manager to take over a (Laughter) Reclamation project. And, I don't think Gene Harms wanted to do it either. (Seney: Yeah.) I mean, we would joke about it, and I think he was serious. He didn't want to be around if he thought the negotiations were going to fail. (Seney: Yeah.) And, not because TCID wouldn't agree. He thought that the Department would never accept, would want more stringent requirements, and that he, he had images of him being out there, (Laughter) being the project manager, and he didn't want anything to do with it.

Seney: That would have been a very, what is it, unattractive position in that community, I would think?

Ball: I think so.

Seney: You wouldn't be able to live there, I don't think. One of the other issues you mentioned was the administrative fees, how much the Bureau would receive for overseeing the project. What happened to that issue?

Ball: We agreed upon a cost. We, I think it's about \$20,000 or something a year, and it might escalate based on some kind of index.

Seney: Was that a difficult one to resolve?

Ball: Well, yeah, it was because they—I mean, in a way it seemed like a small issue. But, every issue was big and we started with the small ones. And, it kind of seemed like we practiced on the small (Laugh) ones. And, it was, it was because they were concerned about, you know, who decides who was going to do what? And, how do you contain the costs?

Seney: And, you were able to come up with some mechanisms?

Ball: We did. I can't remember what, but obviously we did.

Seney: Yeah. Right. Right.

- Ball: But, yeah, we spent a lot of time on that. We spent a lot of time on that.
- Seney: Can you give me a kind of sense of what these negotiating sessions were like, how you would present an idea, what they would come back with? I mean, obviously you would have an agenda which would precede each meeting so that you know what was going to be discussed at that meeting so both sides could be prepared. But, can you give us a kind of, maybe even a distillation of several meetings to kind of capture the tone of what went on?

What Went on at the Negotiation Meetings

- Ball: Okay. The first meeting we – well, I, to me the first meeting was going to be the critical meeting of setting the tone. And, in preparation for that I wrote up a one-page thing as to what this might be Reclamation’s view that this negotiation’s about. (Seney: Right.) I shared that with Lyman [McConnell] so he wasn’t surprised, and he wrote up one too. So, he took that lead and he (Seney: Yeah.) wrote up one, so that was there. It was on the table for anybody to (Seney: Yeah.) have, because we knew the press would be there.

Negotiation Meetings Were Formal and Open to the Public

The meetings are formal. We open them up with our standard things that Reclamation says. “It’s open to the public, but we ask the public not to,”—that they’re there as visitors. The negotiation is between TCID and Reclamation, and that there would be a question and answer period, an open period at the end of the negotiations for the public to make comments, and we would take their comments. Actually, only take their comments. I would engage in conversation, if I felt it was appropriate, with the public. And then . . .

- Seney: At the end of the meeting, perhaps, (Ball: Yeah.) if someone came up with a question?
- Ball: Yeah. So, what we do at the end of the meeting we would say, “Okay, the negotiation session has ended. It’s now open to the public.” And then we would turn around—the public was usually behind me—and we’d turn around and people would, you know, raise their hand and make a comment, or ask a question. Now I . . .
- Seney: Were those valuable? Did you come away from any of those contacts with anything useful, or were you trying to build a consensus, because I would think most . . .
- Ball: No, we’re not trying to build consensus. That was not (Seney: Okay.) the idea. The idea for these meetings, these were not consensus building meetings. The reason why we have these meetings open is to have our negotiations transparent to the public. That whole idea originated from the idea of, you know, these water contracts being done behind closed doors, smoke-filled rooms, and there are third parties out there that might be impacted, (Seney: Yeah.) and can have a chance. So, we have this very formalized—I mean this is, I think, a reform that is very

important. I believe that government activities should be transparent to the public (Seney: Right.) to the extent possible. And, so the purpose of this is to make it transparent. We also, I made a decision that the negotiation session should be held in Fallon. I mean, I could have demanded that they be in Carson City. (Laugh) (Seney: Yeah.) I mean, and that would be the traditional way, you know, (Seney: Yeah.) “Come to the area office, and come in and negotiate.” But, I wanted them to be in Fallon to (Seney: Right.) so that the people impacted by the agreement would, would have an opportunity to sit in and listen.

Seney: Let me turn this over. Oh, go ahead Ann, there’s more than I thought.

“ . . . TCID still had to sell the contract to their constituency. . . . And to me, having the meetings open was part of that so that they could see what the issues were, you know, how issues were resolved, the give and take, so it could be covered thoroughly by the media. . . . ”

Ball: Okay. Another reason for the negotiations, and this was unique, in my experience, to Fallon was that even after, you know, TCID represents their constituency. I represent the federal government. It’s, TCID still had to sell the contract to their constituency. (Seney: Right.) And to me, having the meetings open was part of that so that they could see what the issues were, you know, how issues were resolved, the give and take, so it could be covered thoroughly by the media. And there’s, every day, every day I mean, there’s, in the Lahontan Valley news this was the main article, (Seney: Yeah.) the headline, (Seney: Yeah.) whenever there was a negotiation session, for a year and a half. So, that was part of a public, public education, public education thing. But, no, my marching orders were on that “basis”, (Seney: Yeah.) you know. I had my—decisions had been made at this time that this is where we were going. This is what would be acceptable to us. Now, of course, somebody could, may bring up a legitimate issue, a legal issue or something, and if we couldn’t answer, I mean, I want to go back and check it out because it might have been (Seney: Yeah.) something we didn’t think of. And, we need to always be open to that. But, for the most part this was not a public involvement meeting. (Seney: Yeah.) It was just simply open to the public so they could see their government at work.

Seney: I’d get—maybe I used the wrong word in terms, terms of using the term “consensus building.” I guess what I’m suggesting or asking you is when you turned around to the audience, and hands went up, and I take it you would call on them? You’re still in charge of the session. Then, you’re able to ask, to answer their questions, and portray to them the kind of attitude that the federal government had, and I would think just as well as meeting in Fallon, habitually, that doing this the intent, certainly if it were me, the intent would be to kind of try to blunt any of the fears and anxieties they might have, and to make the contract more palatable. I guess that’s what I’m suggesting.

Ball: I would, I think that is a positive outcome, but in our procedures we are not obliged to answer questions, (Seney: Yeah.) we just take comment. (Seney: Right.) I mean, that’s the way the meeting is. I elected to engage, because I felt that it was important to do that. But, I did not have to. I mean, and sometimes,

sometimes some questions came up at the first meeting, there were people there, you know, there was all that simmering going on in Nye County (Seney: Right.) and I had somebody that I didn't recognize, nobody knew who he was, and he pulled out the Constitution from his shirt pocket and started reading it to me. And, you know, (Laugh) . . .

Seney: This is Nye County?

Ball: I don't know if he came up from Nye County or what, but you know, (Seney: Yeah.) that was the background, this anti-government (Seney: Yeah.) thing. And, you know, our negotiations was wide, they were widely publicized. (Seney: Yeah.) So, so there was a person in the first meeting who, you know . . .

Seney: There was a Nye County commissioner who was, who would do this, and he cut a road across BLM land, (Ball: Uh huh.) and—did he tell you it wasn't in the Constitution, nothing about the Bureau of Reclamation?

Ball: I can't remember what, but I mean it was a little tense because, you know, they certainly had very negative attitudes about the Constitution and questioning our authority to be there, and all that type of thing. And quite frankly, I mean there was really nothing for me to respond to. (Seney: Sure.) I said, "You know, your comments are taken." I guess (Seney: Yeah. Yeah.) that's what I did when I could not respond. (Seney: Yeah.) But that's what I really (Seney: Yeah.) had to do (Seney: Right.) to fulfill our procedural requirements.

Reclamation's Draft Contract Was Not Put on the Table

Okay. So, so the first meeting was, was I laid out a, our position. Lyman laid out their position. We just put it on the table. I had a draft contract. I had a draft contract but decided not to . . .

END SIDE 1, TAPE 2. JULY 13, 1999.

BEGIN SIDE 2, TAPE 2. JULY 13, 1999.

Seney: That contract, (Ball: Yeah.) but not, decide not to focus in on that?

Ball: Yeah, not to focus in on that, because I want to talk big picture, and a lot of times when you have a document people will start picking away at it. (Seney: Right.) And, I think Lyman had expressed concern, too. He called me before the negotiation session and says, "You know," because I shared the draft contract (Seney: Right.) with him. (Seney: Right.) And he says, "You know, if we focus in on this we'll never get anywhere." (Laugh) And, I said, "Well, that wasn't my intent. I mean, I just wanted to give that to you (Seney: Yeah.) so you'd know where we're headed, and I needed a draft document to circulate internally to make sure that people are comfortable (Seney: Right.) with, you know, how I was translating the "basis" into contract articles." I said, "We don't need to talk about that at all, so maybe we'll just set it aside, but we'll just have it available for people to pick up." (Seney: Right.) And so that first meeting was basically a dialog between me and Lyman about objectives, roles, how we're going to do

business.

Seney: The objective being to come to a mutually agreeable contract that will facilitate it?

Ball: Uh huh. And but also broader objectives that we shared about operating the project. And . . .

Seney: Can you be more specific? Can you recollect what you were saying then?

Ball: Well, the premise was that there was a shared interest here, with Reclamation and the District, to operate and maintain a project, to assure that it would continue in operation for the long run, and that it would be reliable, and deliver water, and provide a certain service to the water users. I felt that that was a shared interest. And so, trying to focus in on some shared interests, and then overall goals and objectives that, “What is the contract about?” is defining our relationship. Over the years it’s gotten pretty fuzzy. (Seney: Yeah.) We don’t know anymore. (Seney: Yeah.) So, here’s an opportunity. (Laugh) So, you know, trying to frame it in a positive light, rather than come in with a club and say, “Hey, here it is. (Slaps table) Do what I say.” (Seney: Yeah.) “If you don’t do it we’re going to take over the project.” So, I was very conscious about trying to frame it, and shared objectives, mutual goals, opportunity to define relationships because instead of ambiguity now that was creating so much tension, so there’s an opportunity to get clarity, and to at least, you know, eliminate some of that conflict (Seney: Right.) that exists. So, that was the nature of the very first—also I explained my role, and I explained the “basis”, and I explained that “Within this framework, you know, I have flexibility. But, if we go outside of this framework I need to get (Seney: Yeah.) my authority from Washington.” I also explained that whenever we come to agreement here will eventually have to go back to Washington.” I mean, they’re going to have to, there’s going to be a public comment period. It’s typically thirty to sixty days, depending on the nature of the conflict. And we, the government cannot make a commitment, absolutely, until after the public comment period, because again something might come up that we haven’t anticipated. (Seney: Yeah.) Now, we think that we thought of everything, and we think that we’re on the right path, and unless something comes up this is where we’re headed. But we can never—and that creates a problem with negotiations, you know. (Laugh) (Seney: Yeah. Right.) Because you’re not the person there that can say (Taps table), “This is it.” (Seney: Yeah.) But, there isn’t anybody. (Seney: Yeah.) I mean, so trying to explain that role. So, that was kind of the, trying to set up the tone of the negotiations.

Then, a typical day would be I would generally consult with . . .

Seney: By the way, before you go on with that, what was, do you recall Lyman’s statement at that meeting?

TCID “. . . interpreted the, the ‘84 temporary contract to basically be a continuation of the 1926 contract. . . .”

Ball: Lyman’s statement was, “Although they felt that they did not need a new contract,

that they had a valid contract, and the new contract was not important. They welcomed an opportunity to clarify roles, and to eliminate ambiguity. And, if we could come up with something mutually agreeable,” da, da, da. (Seney: Yeah.) So he wouldn’t, you know, my position was we needed a new contract (Seney: Yeah.)—I mean, but that wasn’t something that we needed—I didn’t want to debate that. (Seney: Yeah. Yeah.) You know, there was an issue whether they, a new contract was needed or not. We said definitely there was, “One was needed, otherwise, you know, we didn’t have one.” And they said, “No,” you know, because they interpreted the, the ‘84 temporary contract to basically be a continuation of the 1926 contract. (Laugh) (Seney: Yeah.) You know. And so, it was a legal issue there. (Seney: Yeah.) And, I didn’t want to debate that issue. (Seney: Yeah.) We’re not going to—I mean, we know that we have opposing views on that. (Seney: Yeah.) So, if we could put it on, on a basis where we could come to some understanding and have agreement that, yeah, it would be good to understand our relative roles a little bit better, (Seney: Right.) and to eliminate some of the ambiguity, and to work together to get some of these issues solved. So, so he, that was his position. Okay? That was the first meeting. (Laugh)

Seney: Okay. (Laugh)

There Were So Many Documents and Issues That Keeping Track of Them Required Effort

Ball: And, then the first month or so the meetings were a little chaotic, because we had to get into the flow. Things were a lot more difficult than I had ever experienced before, in terms of making progress. We, we, I finally did present the draft and we started deciding what articles to talk about first. I think Lyman kind of pushed that one aside and he presented another draft. And then we pushed both drafts aside and we decided, well, let’s—we agreed that these are the issues that we have to talk about. And so, we basically took the headers from there too, and we just started picking out, (Seney: Yeah.) “What issues do we want to do?” and then there was documents going back and forth. So, we had to create a, a mechanism to keep track. And that’s what Jerry did. We started labeling, you know, USBR-1, TCID-1. So, we had documents. I mean, by the time we were done we had, you know, binders full of documents that had been passed around. (Seney: Yeah.) But, it took about a month to get into the flow. I had difficulty at first, you know. If they didn’t like what I was presenting to make a counter offer, or try to (Seney: Yeah.) at least articulate the “Why?” Because if I could understand the “Why?” then I could, you know, see what I could do. (Seney: Yeah.) Maybe there’s nothing I could . But maybe, like the dispute resolution, they were terrified of a crazy area manager. Well, I could deal with that because area managers aren’t supposed to have that type of authority anyway. (Seney: Yeah.) (Laugh) So, so just kind of getting into flow. It took a couple of months to have an organized procedure, (Seney: Yeah.) and that’s what Jerry did. Boy, she just kept track of all the documents that were flying. So, at any one time we could say, “USBR,” you know, whatever number, or “TCID,” whatever number, and we knew what document we were talking about. We also created a matrix of issues so that we could keep track of where we were on the issues. So, we had maybe about, oh

about thirty issues, and so we had the matrix, and we updated that every time, and it would show whether we were on agreement, agreement in principle, some kind (Seney: Yeah. Yeah.) of status. (Seney: Right.) With the acknowledgment up front, we kept on emphasizing that the contract was a total package. So, my agreement on this here, or their agreement, was condition that everything would fall into place, you know, (Seney: Yeah.) so we moved along very methodically, very slowly. Probably boring as all get out, (Laugh) because I mean you go after each little word, (Seney: Yeah.) and “What does that mean?” and da, dah. And, “What’s the legal background for that?” And so it was very slow, very methodical. (Seney: Yeah.) A lot of opportunity to discuss things.

Seney: Were the major issues the ones that you’ve mentioned already, the payment, the business, or was that, as I think you responded, what was more important to the board members? You responded, when I said, “What would the board members get involved about?” And you said “It was things like cost control,” then you mentioned the fees, and the Conservation Plan, and what not. What about it to you was most important?

Ball: Okay. From the federal government’s perspective?

Seney: Yeah.

Ball: The price, the water management, absolutely the most important. Term, and . . .

Seney: What did the term finally work out to be?

The Contract Negotiated Was for a Five Year Period Extendable for Four Renewals

Ball: The term was, it was a five-year contract that was extendable as long as they were fulfilling, automatically extendable, (Seney: Okay.) up to a maximum of four more five year additional periods. (Seney: Right.) So, it could be a twenty-five year contract if they, (Seney: Right.) if there’s no problems.

Seney: If they met the targets on conservation, (Ball: Uh huh.) and that kind of thing?

Ball: And, “extendable” means under the same terms and conditions (Seney: Right.) as opposed to renewing it, which you sit down and (Seney: Yeah.) renegotiate again. When I said, when you asked me the question, “What was, what issues did the board chime into?” (Seney: Right.) I was talking in terms of, there were issues when Lyman just spoke. And, he was the team leader, clearly. And, he took, you know, took the lead with the language and asking the questions. (Seney: Yeah.) But when they would break ranks and kind of just chiming in, it was usually fiscal matters (Seney: Yeah.) that they wanted to know, (Seney: Yeah.) real specific things. Other issues emerged toward the end, because it took so long. (Laugh) That, toward the end there were other issues that evolved, that became important to the Department. And, it was a real . . .

Seney: Those were?

- Ball: One had to do with take, Reclamation operating Tahoe Dam. The other one had to do with . . .
- Seney: Which TCID has been operating under the contract?
- Ball: Um-hmm. Well, okay, what happened was kind of half way through, maybe not quite halfway through, but a little bit more than halfway through the negotiations, Washington got more directly involved in the negotiations, and certain issues got reversed. Positions got reversed. Certain new issues emerged.
- Seney: Which ones got reversed and which ones emerged?
- Ball: I think the one that got reversed, that I remember, was land management. I think we were going to be okay with them operating, continuing to do the leasings, not the leasings but the permits and stuff.
- Seney: Grazing permits and that kind of thing?
- Ball: Yeah, and managing the pasture, but we were going to have . . .
- Seney: Carson pasture?
- Ball: Yeah, but we had a, I mean, we had an article that was about three pages long, you know, detailed what they would do, and you know da, da, da, da. I think that got reversed, that we decided that Reclamation should do all of the land management. (Seney: Okay.)

Tahoe Dam Emerged as an Issue

New issues that emerged were Tahoe Dam. Although that was an original issue in Ed Solbos's was that we would operate—maybe it wasn't an original issue. It was certainly one of the things that the tribe wanted, and one of the things that Disheroon wanted, was that we would operate and maintain Tahoe Dam. And, it was not in my "basis". In my "basis" they would continue to (Seney: Yeah.) operate. And, I don't know if that became more of an issue because TROA was more along, and now it was more apparent that they would not be part of TROA. I don't know if that was the reason why that became more of an issue, and wasn't an issue way back then. I really don't know.

Issue of Shortages Arose

The other issue had to do with shortages, and there was a supreme court case. *Winstar*?⁸ Did you hear about that?

- Seney: No.

8. *United States v. Winstar*, 518 U.S. 839 (1996).

The Winstar Supreme Court Decision

Ball: Winstar, where the Supreme Court basically concluded that the federal government has to live by their contracts. (Laugh) And, what was, what happened was there was a savings and loans organization that made some business commitments based on regulations that emanated from the government, and with some promises that certain things would happen. And, they made a big financial decision based on that. Well, then the rules changed and they lost a bunch of money, and they sued the government, and they won. Well, that lawsuit, when the Supreme Court made that decision, I mean, that kind of just reverberated through, “What is the ramifications?” Well, here I am in the middle of a contract, (Seney: Yeah.) and the very, probably the very first contract to be executed after the Winstar—so, there might be some precedent setting thing going on here. So, the Winstar case was basically we said that it was a shortage provision, and we said, as a result of Winstar we said we wanted TCID, we wanted to prohibit TCID for, from being able to sue us for financial, to sue us for money. So, we didn’t want to be financially liable to them if there was a shortage.

Seney: Which they might claim was created by the government’s management of the river system?

Ball: Right. Exactly.

Seney: That’s the Truckee River?

Ball: And so, so that became a very sticky issue because Fifth Amendment Constitutional rights came in, (Seney: Yeah.) and you know, and but the department was very adamant that if we didn’t cover ourselves that we would be open to all sorts of financial liability. And, I think the way it was explained to me, because, I mean they were discussing this and it was all this constitutional stuff. And, I said “Somebody has to explain this to me so I can go out there in public and say what this is about.” (Laugh) And, the way it was is that, “Well, we want, we want them to use the water to farm. We don’t want them to farm the treasury.” (Laugh) And, that’s basically what it was about, (Seney: Yeah.) was to limit the financial responsibility that might occur. They could sue us for water. They could sue us for anything, except for money. (Seney: Yeah.) And so, that was new, and that was really evolving issue that had nothing specifically to do with the Newlands Project. It was more of a broader issue that would have ramification on all Reclamation contracts, upcoming contracts. And, this just happened to be the one that was in the hopper. And so, we were kind of testing it out here. (Seney: Yeah.) So, that was a whole new issue and we were almost done with the contract and this issue came up. And, it was like, (Laugh).

Seney: Did TCID really object to that?

Ball: Oh, absolutely.

Seney: I’m sure they did.

Ball: Absolutely.

Seney: Because they've used the term to me, you know, sort of "false drought." That's not quite it. Meaning that, you know, it's not the fact there isn't enough water there it's the way the system's managed that they're not getting enough water. So, I can imagine under a precedent like Winstar they would be motivated to try to make up their, what they perceived as losses, through mismanagement?

Ball: Well, the way we finessed it was that TCID is not allowed to sue us, but any individual water user can.

Seney: Ah.

Contract Stated That TCID Could Not Sue the Government for Money, Though Individual Water Users Could Sue

Ball: So, we made it very clear in the contract that this does not impact any individual's, water user's, ability to sue the federal government. So, we, you know, maintained that, their constitutional right to sue. But, TCID would not sue, but they could sue for more water. (Seney: Yeah. Yeah.) Say, "Okay, you deprived (Seney: But not money?) us," – but not money. Well, the tribe didn't like this (Laugh) because they said, "Oh gosh, they're going to come after you for water, but we want the water. We'd rather you pay them money." (Laughter)

Seney: Sure. Right. Right. Yeah.

Ball: But, what was driving the Department, especially John Leshy and, you know, his staff (Seney: Right.) was the precedent and what was the ramification of the Supreme Court ruling in the Winstar case? (Seney: Yeah. Yeah.) And, so, so that was less than fun.

Seney: These begin at the end of July 1995 and end . . .

Ball: October 1996.

Seney: October 1996 is when you initialed the contract on both sides, and they sent it up to be reviewed by the, by Leshy and by Beneke?

Ball: Well, whenever, yeah. Well, by this time Leshy was almost directly involved, from about June or July of 1996, through the end. And the solicitor's office in Washington was very involved in every single word. I mean, there were a gazillion lawyers all over this thing. And, so by the time we came to the end, you know, I knew. I mean, in a way it was difficult for me on the ground, but in a way I knew that I wasn't, there wasn't going to be this uncertainty period where you send it up, and then this is the first time everybody's seen it. I mean everybody, really . . .

Seney: Knew what was in it? Yeah.

-
- Ball: There was a real intense effort to wrap that up. And so, by the time, you know, we said, "This is it," we literally had a five-day—well, a five-day public, we only had a five-day public comment period because the election was November 5, and TCID wanted to have, in order to—they needed their users to vote on the contract.
- Seney: And, this would have been on the ballot, the regular schedule election ballot?
- Ball: It would have been, otherwise they would have had to do a special election, and then they would, you know, it was tied up. And, they could have done it, but it . . .
- Seney: Cost them money? They'd have to pay for it?
- Ball: Yeah. Exactly. And other things. And, I think they . . .
- Seney: And other things?
- Ball: Well, I'm sure that they had an interest in getting this resolved and having a little leverage on their side too. But, we were happy to take that leverage because we wanted to end it up, end it. (Laugh)
- Seney: And the two sides agreed to reduce the comment period? You said normally there's a thirty to sixty day comment period?
- Ball: That's a Reclamation [guideline], and that's for Water Service contracts. But, this was an O&M contract. (Seney: Okay.) We didn't need to do it.
- Seney: Oh. Okay.
- Ball: But, in general we go into this assuming that we're going to follow these procedures. (Seney: Okay.) That was my intent (Seney: All right.) was that we would follow that.
- Seney: But they were, TCID was happy to keep it at five days, and you were too, your side was too?

Washington, D.C., Was Closely Involved with Changes to the O&M Contract

- Ball: At this point, yeah. (Seney: Yeah.) Yeah, I think so. So, by the time we had it wrapped up, I mean, it was pretty clear that unless something, you know, really unusual came up that Washington was pretty bought into it because they were practically at the table (Seney: Right.) you know, through me, because I mean every little word change (Seney: Yeah.) was that closely involved. And, this was Leshy and his staff. And, Patty Beneke and her staff, some of her people.
- Seney: So, it gets approved and signed, and everybody's happy?
- Ball: Well, no. Not everybody's happy. (Laugh)
- Seney: Who's not happy?

The Pyramid Lake Tribe Wasn't Happy and Tried to Get the Secretary to Block the Contract

- Ball: The tribe wasn't happy at all. They went back to Washington and tried to meet with the secretary to . . .
- Seney: Secretary Babbitt, in this case?
- Ball: Yeah. And to have him not agree.
- Seney: They didn't like this last provision you talked about resulting from Winstar?
- Ball: Well, they didn't like the other provisions either because their expectations had been raised by the previous. I mean, you know.
- Seney: They were looking forward to a takeover of the project?
- Ball: Well, it's not a takeover. They were looking forward to a more harsh and directive type of a contract. So, they were not happy. They, they thought that the water management part of the contract was not in their best interest, and some other provisions. So, they were not happy with the contract.
- Seney: Yeah. Okay. Anybody else not happy?
- Ball: I don't know.
- Seney: Not that you're aware of directly?
- Ball: I mean, anybody else—we did get comments. And, actually we did make changes based on public comments. We had an NRDC [National Resources Defense Council], and the Sierra Club commenting, and some others.
- Seney: Before the Sierra Club you said . . .
- Ball: NRDC.
- Seney: The National Resources Defense Council?
- Ball: Yeah.
- Seney: Yeah.
- Ball: It was either NRDC or EDF [Environmental Defense Fund]. NRDC. NRDC.
- Seney: Okay. Do you remember what those were?

The Sierra Club Wanted TCID to Expand its Board—which it Attempted to Do, but the Invitees Weren't Interested

Ball: Well, Sierra Club wanted an expanded board. That was their position. And, so I, and I responded to every single comment (Seney: Right.) before we even made the decision, was that we considered it, and felt that it was an appropriate requirement, and that public involvement could be done in other ways. Also though, I mean, interestingly enough, or curiously enough, TCID ran with that. They thought that that was coming down the pipe and they actually went to the state legislature to get authorized to expand their board.

Seney: Right. I'm aware of that. Yeah.

Ball: And, they invited people, but nobody wanted to participate. They invited the Fallon tribe. (Seney: Right.) I mean, who would want to? (Seney: Yeah.) (Laugh) So, I mean, it was like, you know, we thought about it. We didn't think, as a policy matter it was a good idea and appropriate thing. And, even, even if it were nobody—people were invited and they didn't want to come. (Seney: Yeah.) So, that was an easy matter to put aside.

Seney: I know that, certainly the Fallon tribe felt—first of all there was a sovereignty issue for them, whether or not they would be sort of stepping down a bit to take part on it, and that somehow qualifying their sovereignty. Another view expressed to me by the Fallon tribe was, “Well, this, we're going to have one vote. The farmers are still going to have the vast majority. All now we're going to have is a sort of accusation from the farmers, ‘Well, you know, you took part in these decisions. You really can't gripe about them.’” So, their feeling was that they weren't being given anything worth having here.

Ball: No, it wasn't, it wasn't a logical, I mean, (Seney: Yeah.) it wasn't really a well thought out suggestion that to expand the board (Seney: Right.) to be more representative. I don't know, I mean I really don't know where that came from, but it doesn't really make a whole lot of sense. (Seney: Right. Right.)

I don't know that—the Justice Department wasn't happy, because there were things in the end that they brought up. The issues that—there was kind of a breakdown in the negotiations, kind of, around July or June of 1996, where it was like all hell broke loose and there was a real concerted effort to—I'm going to say “external effort” to raise issues that had already been put aside, and bring them up again.

Seney: This is what you mean by they nearly broke down because of this outside hell raising, in a way, that came from the outside?

Ball: Well, the internal. I mean the internal stuff (Seney: Ah.) really broke down.

Seney: Things like . . .

Bob Pelcyger Was Unhappy with the Way the O&M Contract Went

Ball: Well, let me, let me just chronologically what happened. (Seney: Okay.) I think we were getting close, close to coming to agreement. Well, it was probably about

June of 1996. And then, at that time interestingly enough too, was just right around when Frank Dimick retired. The tribe, Pelcyger did not like where we were headed on some of the issues. I mean, he was not happy at all because it was not, to him, as strong as he wanted.

Seney: Was he normally at the meetings?

Ball: No. But there was usually a tribal member there. (Seney: Yeah.) He, he sent a letter to John Leshy saying that we needed to put a deadline on this and, you know, get resolution on it. It was a real nasty letter. It was a real nasty letter. I'm trying to think now the sequence of events, and all that happened. I mean, there were a lot of things going on in—I mean, there was that whole issue of the miscellaneous revenues was getting decided simultaneously with negotiating the contract. And, that came down in a way that was, that the tribe wasn't really happy with.

Seney: Miscellaneous revenues being—I think we've talked about this before haven't we?

Ball: Yes, it's those revenues that derived from project land and project power plants.

Seney: Right.

Because of Pelcyger's Letter Washington, D.C., Became Much More Involved and it Appeared the Area Manager Lost Authority in the Negotiations

Ball: Well, anyway, he wrote a letter—and now my mind, I don't know, it's maybe repressing bad memories. (Laugh) But, Washington got very involved. (Seney: Uh huh.) You know, there were accusations that, you know, I wasn't—I don't know. I think there, what happened was, I think, that Frank left. There was an opportunity here for people within the Department, and I think Bill, to get—Bill, because Bill was not very involved in them, (Seney: Yeah.) directly. He was not directing. I was using the "basis". And, although the "basis" was approved by Betsy, Betsy was gone. (Laugh) So, there was, the contract wasn't going where their, where he had hoped it would go, as reflected in that very first "basis". And, even though I had a "basis", there was nothing to prevent me from going, you know, (Seney: Yeah.) moving more in that direction (Seney: Right.) especially now (Seney: Right.) that Betsy wasn't there. But, I didn't. I stuck, literally, to the letter of the "basis". And, with that letter from Pelcyger it was an opportunity to kind of open this up and question the whole contracting process. And, the whole thing opened up again, almost as if, you know, they're re-questioning the whole "basis". And, Leshy came in, and I think even Senator Reid was involved, and being not happy with where the contract was going, and talking to—oh yeah. Oh yeah, that's right. I forgot the meeting with Senator Reid. (Laugh) Yeah. Senator Reid wasn't really happy with it. (Laughter) Okay. But, primarily because the tribe wasn't happy. (Seney: Yeah.) And, you know, we were going to be tougher here. So, (Seney: Tell me about . . .) so, Washington got more involved.

Seney: Tell me about the meeting with Senator Reid.

Ball: Can I finish telling you this one?

Seney: Sure. Of course. Yes, please.

Ball: I could tell you, I could tell you the other one.

Seney: Either way. Either way that makes more sense to you.

Ball: Okay, so Washington got more involved directly and basically, I mean the whole thing could have fallen apart. The whole negotiations could have fallen apart. What it appeared was that I lost my authority to negotiate, and everything I agreed to or everything had to go through Washington before I could say “Yes.” So, I became kind of a pass through. And, what happened were all the issues that . . .

END SIDE 2, TAPE 2. JULY 13, 1999.

BEGIN SIDE 1, TAPE 3. JULY 13, 1999.

Seney: . . . Ann Ball at the University of Nevada at Reno. It’s July 13, 1999. This is our sixth session and our third tape. Go ahead Ann.

Ball: Well, the issues kind of came, and Disheroon wrote a letter bringing up the issue of, you know, “Why don’t we prevent TCID from . . .” I mean just tearing apart everything (Laugh) that we had come to and bringing up all the issues. And so, in one way it was good, because I was really afraid of coming to a local agreement and then sending it up to Washington, and having this, in two months and things were going to change anyway. (Seney: Right.) In a way I was kind of happy that it was going like this. As a matter of fact—okay, I met with Bob Pelcyger, and he told me he was going to send the letter, and I told him, “Thank,” I said, “Thank you. As a matter of fact, it would probably be helpful.” (Laughter)

Seney: What was his reaction to that? (Laughter) He wasn’t trying to be helpful, was he?

TCID Wanted John Leshy as the Decisionmaker at the Table and Pelcyger Opposed That Because it Tended to Foreclose Public Comment

Ball: I thought it’d be helpful, because at least I would have them. (Seney: Yeah.) And when we got to the end he was going to—I mean, it was hell for me, I have to admit, (Seney: Yeah.) but it was helpful to getting, getting (Seney: Yeah.) at the thing. From a strategic point of view it probably was not the best decision to have made to get Washington that directly involved. As a matter of fact, he probably recognized it partway through it. He sent a letter because the people, local people, TCID was demanding that John Leshy come to the table since I couldn’t say anything. (Seney: Yeah.) You know, I was like on the line with Washington. (Seney: Yeah.) And, Pelcyger sent a letter to Leshy saying, “Don’t. Don’t go. Because if you’re there you’re the final decision maker, then there’s no opportunity for public comment.” (Laugh) I mean, what was happening was the direct involvement of Washington makes that opportunity for public comment less meaningful. (Seney: Right.) Really. Because you’re getting closer and closer to the decisionmaker, and he recognized it. Well, anyway, so, so it was, I mean

everybody was up in arms in Fallon because it seemed like all the rules had changed. There were new issues, and reversals of issues, and just you know, trying to keep that. And, there were people internally trying to, to bring up issues that I thought had been laid to rest with “basis”. And, pretty, I have to give John Leshy a lot of credit. When I would point it out to him that that issue was discussed previously and Betsy made thus and so a decision, that he would stick with it. (Seney: Yeah.) But, there were other issues that came up with certain, you know, Disheroon argued that from a legal perspective that if there was a challenge to TROA he would be in a better legal standing if we were physically operating and maintaining Tahoe Dam. And, Leshy did not want to make a decision that would jeopardize TROA. (Seney: Sure.) And, that was, that was a new issue. There was the Winstar issue, there was the lands issue, and I don’t know why all of a sudden lands issue became—because I had been coordinating very closely with the Solicitor’s Office, and Washington on the lands issue. But, the Person who I was coordinating with went on maternity leave during this time period. So, it was like this vacuum. (Laugh) (Seney: Oh.) And then there was the issue of the power plant, because—I mean, we were negotiating this, this contract, and there were certain issues that the federal position wasn’t even clarified with, as to what extent did the federal government own the transmission lines? And, there was one faction saying, “We own them.” There was another—you know, and wanting to look at that ownership as a way of bringing in more revenues for water conservation. It was really crazy. So, there were a whole bunch of things, and I still had not yet negotiated the provision on the Fallon tribe. So, where was I going on this? There was, I mean, there was a lot of internal breakdown (Seney: Right.) at first. So, it wasn’t that it just went do, do, do, do, do. (Laugh) So, (snap) up against a wall internally. (Seney: I guess is . . .?) Trying to keep this thing together.

Seney: I guess as it looked as though you were going to succeed that would stimulate Pelcyger and Disheroon, and others (Ball: Well.) to become involved?

When Interested Parties Began to Realize the Talks Were Working, Then They Tried to Intervene and Make Sure the Effort Was Unsuccessful

Ball: Yeah. And, I think this is exactly how I would interpret it. As long, they, as long as the attitude was “They’ll never agree. They’ll never agree. So, there’s nothing to worry about. (Seney: Yeah.) It’ll just fail. You know, so the house of cards will just fall under its own weight.” But, when it started to appear like we were really kind of tying up all the loose ends, then it’s like everybody came out to try to intervene, and to either make sure it wasn’t going to succeed, or to try to—well, that, that was the only interpretation, (Seney: Yeah. Sure.) that’s the only thing I can conclude.

Seney: Right. It makes sense to me. That if they think you’re not going anywhere, let them talk.

Ball: Yeah, let them talk. (Seney: Yeah.) You know, because they’re wasting their time.

Seney: Yeah. What about the meeting with Senator Reid? Tell me about that.

Interactions with Mary Conelly

Ball: Okay. That occurred—well, before I tell you the meeting with Senator Reid I need to tell you about my interactions with Mary Conelly. (Laugh)

Seney: Okay. Mary Conelly is Senator Reid's person here?

Ball: Yeah. Can I take a little break?

Seney: Oh, absolutely.

Okay, we were talking about Mary Conelly?

Ball: Okay. Well, now, getting back to the initiation of the O&M Agreement. Of course, because it was a high priority thing, and because I had been informed by Betsy that Senator Reid was interested that we do not take over the project at this time, (Seney: Yeah.) and I, because it would be a normal—if it was a high thing, I did my Congressional briefings, you know, right up front. (Seney: Right.) I visited with Mary Conelly and Senator [Richard] Bryan and Barbara Vucanovich's staff. And, the message, basically, that I wanted to convey . . .

Seney: Who'd you deal with, by the way, in Senator Bryan's office?

Ball: Tom Baker.

Seney: Go ahead.

Ball: The message I had, you know, I had my little briefing stuff, my little paper about what this contract's about. And, the message that I had in mind was to share then that I understood the gravity of the situation, that this was, you know, serious, kind of high risk, high consequences (Seney: Um-hmm.) if it failed, and that this would be true negotiations. And, it seemed like Barbara Vucanovich's people were happy about that, and Senator Bryan's people—it would be true negotiations, as I understood it, and they, you know, as true negotiations there'd be some level of give and take. Obviously, I had my "basis". I mean, I can't deviate from marching orders. (Seney: Right.) And, that was about it. And, at that time too Mary said, "Well," and I had my first session, this was a day or two before my first session was scheduled, and she said she had decided that she wasn't going to be there. And, I thanked her. (Laugh) I said, "Well, you know, you have every right to be there, because they're open, but I understand." (Seney: Yeah.) I thanked her for making that decision because I didn't need things to be even more politicized. (Seney: Right.) I didn't say that, but I just thanked her. What happened was, because I had to eventually cancel that first session, Bob Pelcyger intended to go to that first session. Well, because I canceled it . . . (Laugh)

Seney: You canceled it because, you mentioned earlier, they hadn't . . .

Meeting with Senator Harry Reid

Ball: Because I didn't have my, my approved "basis" in hand. (Seney: Right.) And, the folks in Washington, in Reclamation, were nervous about me going out. And so I agreed to (Seney: Sure.) cancel it. And, they were happy with that, but, you know, the people that had to get the approval. Well, because I canceled it at the last minute, and it was truly at the last minute, Bob Pelcyger had planned to come, and be at that first, and he couldn't make it because of other, you know, because it was canceled he was planning to be there. (Seney: Right.) I didn't know that and I don't know why I was so naive to not think that he would want to be there, but I hadn't even called him to tell him that I was canceling, because we sent out our public notices to cancel. But, (Seney: Yeah.) you know, well anyway, so that happened. And, oh, and then Bill Bettenberg went to John Leshy and said that I canceled on purpose. (Laughter) I mean because all of a sudden I got a phone call from the commissioner or somebody going, "What's this about?" And I said, I, you know, "I canceled because, because I, you know"—Pelcyger was unhappy that he didn't get to that meeting—"I canceled because I didn't have the 'basis', the approval memo." Well, anyway then the first meeting did occur, and Mary wasn't there, and Bob Pelcyger wasn't there, and Lynn Collins wasn't there. (Laugh) Actually, it was just me, it was just me and Frank, and Jim Turner and Kay. And, the draft, you know, I had the draft available. Well, when they saw, when Pelcyger saw the draft he just said, "Hey, this isn't anything about like what we were talking about." Also Pelcyger had called the office and asked for a draft, prior to the first session, and I said, "No. Because this isn't customary. You know, I'll give it to the contractor to give them [the] idea, but it'll be available." And so, it kind of got started off on a rocky road, and then I had phone conversation—oh, and at that meeting with Mary Conelly you know, when I started talking about understanding the significance, and I'm not really trying to talk directly about a takeover, I felt that I wasn't getting—I mean, the response seemed inappropriate. You know, when you're talking to somebody (Seney: Yeah.) and their body language or something doesn't seem to be (Seney: Yeah. Yeah.) like what you would expect? And, we somehow got to, I felt like, "Well, you know, maybe I better clarify." I said, "Senator Reid does not want a takeover? It's my understanding that Senator does not want us to take over the project." Something to that effect. And she said, "Yes. Well, that's his public position." And, my first thought was, "Huh?" (Laugh) And so I said, "Okay. Well, I'm going to leave this at that." Well, anyway, Senator Reid called Dan Beard too saying that I told Mary Conelly she couldn't come to the meeting. I mean, it was, oh, I mean it was just like, it was like everything was covering, either covering themselves because Pelcyger was angry. Or what, I was like, what, this is like a nightmare. (Laughter) And then that same week, at the first meeting I talked to Mary [Conelly] Reid on the phone, and she called me and she was, about something else, and I said, "Well, you know, what is this about, why . . ."

Seney: You meant Mary Conelly? You said "Mary Reid."

Ball: Yeah, I'm sorry. Mary. "You know, I got this phone call from Dan Beard saying that he said that you said, or through Reid, that you said . . ." and I said, "You know, can we talk about that?" And her whole demeanor changed and she was,

you know, she said, “Well, you should have given Senator Reid a copy of the draft contract before it ever went public.” And that, “He would have reviewed it, and he would have had comments on it,” and blah, blah, blah, and things like that. And, I’m sitting here thinking, “Uh . . .”

Seney: And her whole demeanor changed in the sense she became more . . .

Ball: She became very antagonistic. (Seney: Uh huh.) She was very friendly on the topic that we originally started. And I said, “Hey, what is this? You know, (Seney: Yeah.) I can’t imagine that you would have said this, Mary.” (Seney: Yeah.) (Laugh) “You know, so there must have been some communication (Seney: Yeah.) mishap. Can we get to the bottom of this?” Well, the whole thing changed. And, and so we talked and she didn’t like the draft that I had sent out, and she said something to the effect, “You know, everybody knows you have to start high and go low.” (Laughter) And I said, “Well, you know, that’s not the way I do business.” (Laugh) You know, and I said, “What difference what strategy that it is that I take as long I get to where we want to be?” (Seney: Yeah.) You know, and I said, “Well,” and so she wasn’t happy with that. She wasn’t happy that she didn’t have a chance, and Senator Reid, personally, didn’t have a chance to see the draft. And, I’m thinking in my mind is, “This is, this is a little bit too involved here, (Seney: Yeah.) because . . .” for a senator, I mean, I couldn’t imagine that he would want to sit there and read (Seney: Yeah. Right.) the draft contract and make comments on it. That, I mean, he’s got busier things to do. (Seney: Yeah. Yeah.) And, I mean, I’m thinking this. And, I’m thinking, “Well, she’s just, I mean, she’s just blowing off. I’m not going to take this seriously.” (Laugh) And then she again said, said to the—I said, “Well,” I mean, “The issue of takeover, that’s an important issue isn’t it?” She said, “Well,” and I said, “Senator Reid does not want to take over the project. Is that correct? I mean, that’s my understanding.” And she said, “Well, that’s his public position.” And then I said, “Well, and his private?” And she just stopped. So, I mean, that was my beginning of this whole thing, and I hung up and I thought, “Oh no. What am I into here?” So, I just, so that was, shortly thereafter, after we had gotten into the negotiations it was in February. Okay, then at least in July it started, July or August. Okay, well in February. Oh no, even before that. It was probably in around November or December. I got a call from Mary and she said Senator Reid wanted to see me, and she had arranged a meeting in his office here in Reno. And, I asked her, “Well, what is it about? I’d like to be able, you know, does he want a briefing on something?” (Laugh) “I want to be prepared.” She said, “No. No. No. He just wants to see you.” And, she made a point, she said, “He wants to see you alone.” So, I wasn’t to bring anybody. At this previous meeting with her I had some staff with me. (Seney: Yeah.) And I said, “Okay. But can’t you at least tell me what it’s about?” “No. No. He just wants to see you.” And, well what happened then, there was a farm bill vote and Senator Reid had to go to Washington, (Laugh) because it was a critical vote, (Seney: Yeah.) and I didn’t get to meet with him, but as it turned out I saw Patty Beneke at a conference in San Diego. And I said, “Oh, by the way, Senator Reid, for some reason Senator Reid wants to meet me.” And at this time, Patty’s my boss now. (Seney: Right.) And I thought, and she, her political antenna (Seney: Yeah.) goes up in the air, “What’s this all about?” (Seney: Yeah.) So, she takes the initiative and calls Reid’s office in Washington,

to make sure that, you know, things are okay. And, before I knew it there, Patty initiated, because of this call that Patty made to Washington office, there was a meeting in Washington with Senator Reid and me. I went to Washington to meet with him. Patty Beneke attended, and then so did Roger Patterson. And, still did not know. Did not know what the subject—although the rumors were that he was really angry, and that I was going to get a shaking out, and but, you know, I asked Bill Bettenberg, you know, Patty and I asked Bill Bettenberg, “Well, what kind of things do you think Senator Reid might be . . .?” And, what I was getting, this impression was that the O&M Agreement was a critical component of the Public Law 101-618. And, I was scratching my head, because there’s nothing in 101-618 that talks about the O&M Agreement. (Seney: Right.) And, at that point I said, “Well, how does this relate?” (Laugh) So, at the meeting he knew who I was. He had heard of me. And, well he just, he just started chewing me out, and saying that he was hearing that I was a roadblock to the implementation of 101-618. He had heard that I was an advocate of the District, of the farmers, TCID. He used some derogatory terms to describe the folks out there, including Lyman and . . .

Seney: What sort of things did he say?

Ball: Well, he called them “scumbags,” and “rats.” I mean, he was worked up. I mean I—at first, I mean, I’m listening, you know, I’m reading my book (Seney: Yeah.) on how to negotiate and one of things is, you know, go to the balcony when you’re starting to get (Laugh)—well, I prepared myself for this. I wasn’t going to say anything, right? (Seney: Yeah.) And this was, and I’m just sitting here listening, and he, he just went into this irrational tirade, from my perspective. Now, I had heard people tell me “He hates these people,” et cetera, et cetera. But, I could never really believe, could capture the intensity of this until I faced him and he was, you know, as close as we are together here. (Seney: Right.) And he just leaned over and says, “You are being an advocate for these people. They’re scumbags and rats, and that’s just not allowed. That’s not appropriate,” da, da, and he just went on like that. And he said, he is hearing that I am holding up TROA, and I’m, things are aligned—I mean. So, that was kind of an interesting meeting, and interesting meeting and so the upshot was that I was to keep his office more informed. And I said, “That’s fine.” you know. (Seney: Yeah.) That was my intent, anyway, to keep him of anything significant coming up. But, there was not any real specific, you know, like exactly what, “How am I holding up?” But, he also made the connection that the O&M negotiation was a critical part.

“And now, and in retrospect I see that certain policy objectives, that . . . the tribe didn’t get in the law . . . they could get through a policy. . . .”

And now, and in retrospect I see that certain policy objectives, that perhaps were not specifically in the law could be had through, you know, certain things that the tribe didn’t get in the law, and basically TCID, and the Newlands Project they could get through a policy.

Seney: Those things being?

“. . . so those things that the O&M Agreement I saw, now, was the vehicle to push

these policy, enforce these policy objectives. And, if it wasn't through the O&M Agreement there wasn't another opportunity. . . ."

Ball: Well, the water conservation, the pricing. I mean, those were the policy things (Seney: Yeah.) that the tribe had been going after for years, and years, and years, believing, and it's probably true, that either it'll the additional costs will run people out of business and then they'll have more water for Pyramid Lake. (Seney: Yeah.) And, water conservation. If they're more efficient, there's more water to go—I mean, you know, they have legitimate interest in that. (Seney: Yeah.) So, so those things that the O&M Agreement I saw, now, was the vehicle to push these policy, enforce these policy objectives. And, if it wasn't through the O&M Agreement there wasn't another opportunity. (Seney: Ah.) And, of course, this type of stuff was not dealt with in the law.

Seney: Yeah. Right. Right.

Ball: You know, TROA they're going to get their one set of things, but they want more water. (Seney: Ah.) So, I finally made the connection. But, that meeting was an interesting meeting. It was an eye opener, and now I understood what everybody had said, that he was emotional. And, the term I would use was "irrational," or seemed irrational, the type of commotion that was made. (Seney: Yeah.) And then I confronted Mary Reid—Mary Conelly again. (Laugh) And, I said, "You know, he's getting information, you know, obviously he's getting information about me from somewhere." (Seney: Yeah.) And Mary Conelly said, she said, "Well," and she wasn't at the meeting. And she said, "Well, that meeting got out of hand. This wasn't what my intent," her intent was just for me to meet with her, and you know, to get a little shaking down, but not beheaded. (Laugh) She didn't say it in those words, but that's what I (Laughter) but to have it more private, you know. (Seney: Yeah.) But, you know, I had the assistant secretary there and my regional director. And, as it turned out, evidently, Reid's staff had been calling around because people then finally told me. Sue Oldham said that Reid's staff called her and asked about me. And, he had called Pete Morris. I mean they were kind of (Seney: Yeah.) checking me out. And, this was fairly early on, you know, in this . . .

Seney: What did Roger Patterson or Patty Beneke say after this meeting with Reid?

Ball: Well, I think after we walked out Patty made some suggestion that it seemed like a setup. And, she wanted to get down to the bottom of it. Because it was not a comfortable meeting for her, (Seney: Sure.) either. And, so. So.

Seney: Setup in the sense?

Ball: (Sigh) I don't know how to answer that.

Seney: That he was chewing you out in order to impress on Roger Patterson and on her what he wanted done?

Ball: No. I think she meant a setup in terms of somebody's been feeding him some

information.

Seney: Ah. Okay.

Ball: About, somebody is unhappy with me. (Seney: Yeah.) That somebody's unhappy with me, and they're going to get me through Reid.

Seney: Would that suspicion fall on Bob Pelcyger do you think?

Ball: Well, it could be him, but it could also be internally too. (Seney: Yeah.) And, it could be both. (Seney: Yeah. Right.) You know, because there was that dynamic that was occurring that was trying to bring the day-to-day decision making, and you know, that usurpation of authority of Reclamation or influence of Reclamation in the basin was being drawn away from Washington, and I was trying to exercise that more.

Seney: Ah. I see. I see.

Ball: So, things, things were different. I mean, I wasn't, you know, taking commands from anybody in Washington. I mean, I was listening to what they had to say but making my own decisions. (Seney: Yeah. Yeah.) And sometimes I'd question things. Say, "Why are we doing this?" Or sometimes I'd raise an issue to the solicitor's office, or maybe even to Washington. So, things weren't as nice and cozy (Seney: Yeah.) for some people. (Seney: Yeah.) And clearly, that nice and cozy arrangement, you know, helped.

Seney: Yeah. The tribe?

Ball: Helped the tribe.

Seney: You should have, in other words, given that contract to Bob when he asked for it?

Ball: Maybe.

Seney: The draft contract? I mean, is this, do you think, what Reid was doing was telling you, warning you, telling you that, you know, "Be more cooperative here," or let you draw that conclusion?

Ball: Well, I don't think it was, there was any ambiguity in what he was saying. He said that there, he said that I was being an advocate, and that had to stop. And, that I needed to let his office know more about what was going on. (Seney: Yeah.) You know, in more detail. (Seney: Yeah. Yeah.) And that the O&M negotiations, the O&M Agreement, in fact, was related to Public Law 101-618, and had a kind of relationship with the whole settlement.

Seney: Yeah. What was your personal feeling about all that?

Ball: My personal feeling? I was—I wrote it down. I wrote it down right afterward. I think I was I was at a loss for words. And my first reaction was "This isn't what I

expect a senator to be like.” (Laughter) I mean, that was my first impression, is . . .

Seney: Well, you had experience with Senator (Ball: Yeah. Yeah.) Seymour?

Ball: You know, I’m expecting a statesman. (Seney: Yeah.) And when that, this is not what I’m expecting. And, I guess that was my first—I said, “This, this is irrational. This is not letting your head think. This is coming from somewhere deep inside, this vindictiveness that people told me about” but that I couldn’t really comprehend (Seney: Yeah.) or that I couldn’t believe. And then I had to kind of come to a resolution with myself. “Well, how was it going to change what I was doing?” And I decided I was still going to do what I thought was right. (Laugh) I mean, you know, I’m going to still, I mean—at that time the coordination with Reid’s office, what we decided was that Dana Cooper who worked for Patty, would do the coordination and I would stay coordinated with Dana, which I tried to do. (Seney: Yeah.) And, but I never really got any feedback. So, I don’t know. And, you know, the O&M moved at a snail’s pace. I mean, it wasn’t like there was something to talk about, significant. (Seney: Yeah.) And, I certainly wasn’t looking to Reid’s office for policy direction. I felt that was wrong. I mean, I kind of naively believe that there is supposed to be some separation between the branches (Laughter) although I know, you know, in effect there’s not a whole lot. (Seney: Yeah.) But, theoretically at least, there should be and that I should not be going to Reid’s office for policy advice. Uhm, I also kind of, yeah, yeah, that’s the message I got.

Seney: Yeah. Yeah.

Ball: So, I don’t really know who was all behind that. Certainly Bob Pelcyger and then perhaps Mary was caught off guard because that first O&M session was supposed to be (Pounds table) pounded in with a hammer, and I didn’t come in with a hammer, and so Bob Pelcyger was all upset. And so he said, “Well, why wasn’t ~~Mary Reid there?~~” I mean Mary Conelly there. (Seney: Yeah.) And so he probably pushed on Reid that “She should have been there. And, there should have been more presence.” So, who knows? (Seney: Yeah. Yeah.) I mean, who knows. I mean, that was just all around the beginning, the initiation of that, that happening. And then I was accused of intentionally postponing the meeting to inhibit Pelcyger from being there, and to inhibit Lynn Collins from being there. And, I only know that because John Leshy when Bill went to talk to John, John called Roger Patterson and asked, “Well, what’s going on here?” And, Roger called me. (Laugh) And it just was crazy. And, I, you know, and people, you know, telephoning other people and asking about me. It was like—and to a certain extent, you know, it’s important that I maintain a good relationship with the constituents, but to have the (Seney: Yeah.) senator’s office (Seney: Yeah.) going out and seeking that information like, that to me seemed real excessive. So, I, I finally, I did come to a conclusion that I couldn’t act any differently than I had been acting (Seney: Yeah.) and that I would continue and let the chips fall where they may. I, everybody knew about this meeting, before I even, before I even came home, before I even got to my hotel. Roger and I went to dinner. Before I got to my hotel to call my husband, I called my husband, he said Sue Oldham had

already called him because she had heard that I had really gotten a dressing down from Senator Reid. She didn't even know my—I mean, this is how crazy it was. So, everybody heard, and everybody—and I think people knew. And then there were some people that were relishing the thought. But it was, it was just crazy. It was just absolutely crazy. So I, I knew I was sitting on something that was bigger than me, (Laugh) way bigger than me, (Seney: Yeah.) [Inaudible]. And then I said, “Well, I'm not Machiavelli.” you know, “I'm not . . .” (Seney: Yeah. Yeah.) I can't be anybody but who I am so I'll just continue to be who I am (Seney: Yeah.) and do what I think is the right thing. So, if anything that meeting did not induce me to be more . . .

END OF SIDE 1, TAPE 3. JULY 13, 1999.

BEGIN SIDE 2, TAPE 3. JULY 13, 1999.

Seney: And you said it was . . .

Meeting with Senator Reid “. . . made me more resolved to try to figure out what the right thing to do was in any one situation. . . .”

Ball: It just And so, I didn't have, I mean I already was off on the wrong foot. And then I started questioning what Betsy had told me about Senator Reid not wanting, about his political position. So, I didn't know where he stood, if he wanted it, if he didn't want it, if what he wanted was not now, but in two years? It's a two-year term. I mean, maybe this is all planned? And then I thought, “Boy, I could get real paranoid here if I think to much about this.” (Seney: Yeah. Yeah.) And so, I stopped thinking about it. (Laugh) (Seney: Right.) I said, “I just need to do, you know, what I know is the right, you know, policy procedures, and how we do it to the best of my ability.” And, trying to dissect, you know, what that was. But, there was certainly, to me an inconsistency with what Betsy said, and what I was getting from Mary Reid [Conelly], and then this meeting with Senator Reid, suggesting that this O&M negotiation was a real big deal.

Seney: Yeah. Yeah. I'm smiling because I'm delighted at all these interviews that we've done, because you really have helped lay out sort of the configurations of power that you found yourself in here, you know, in terms of who, who calls the shots, and who talks to whom, and the rapidity of all of the kind of information that will get out. I mean, do you have any idea who let Sue Oldham know that you had been dressed down by Senator Reid?

Ball: Well, no. I don't. No, I don't. (Seney: Yeah.) I talked to Pete Morris and because he's, because Senator Reid—and when I, “Well, can you give me any specifics?” I wanted specifics. I was being accused of all these generalities, (Seney: Right.) and . . .

Seney: You told that to Reid?

Ball: And I said, “It can be the,” “Well, Pete, we talked to Pete Morris. Pete Morris says,” da, da, da, da, “that you're holding up TROA, or something.” So, I called Pete and he says, “Oh yeah. I think that Larry Horner was calling around,” you

know, as checking up on me. And, you know.

Seney: What was Pete's . . .

Ball: Well, Pete, Pete says, "Just don't worry about it. Just lay low for a while. It's Pelcyger again. Just lay low for a while and it'll all blow over." (Laugh) That was Pete's advice. (Laugh) (Seney: Yeah. Yeah.) (Laugh) Yeah.

Seney: But, it finally gets approved, the contract does?

Ball: Yes.

Seney: And, we were talking about who was unhappy, and all of this?

O&M Contract Accepted in Spite of Bob Pelcyger's Opposition

Ball: Well, Bob Pelcyger was the most unhappy, and I don't know to what extent Reid was personally unhappy, or if he's only unhappy because Bob's unhappy. I don't know. (Seney: Yeah.) And, I have no way of knowing that. Bob went—I mean, he flew off to go to see the secretary, and the secretary wouldn't see him. Then he tried to see Leshy. Leshy wouldn't see him. (Laugh) Then he ended up in Bill Bettenberg's office, and Leshy sent a letter and said, "Hey listen, we've made this decision. You've had, we've consulted with you. I've had at least two personal meetings with you, where we've discussed the issues on this contract. And, we've got it, and this is it. We're signing it." (Seney: Yeah.) You know, "We've made our decision and we're going forward with it." And so, the letter that Leshy sent back was, I thought, very strong saying, "Hey, you know, I've met with you (Pounds table) personally and discussed the legal issues involving this contract. Specifics, you know, on a bunch of issues. You've had ample opportunity for your input, and I've considered your input, and this is our decision now. We're moving forward." So, he wasn't really happy. I mean, the tribe wasn't happy.

“. . . I guess nobody was really happy because it happened. I mean, it happened beyond people's expectations that it would happen. . . .”

It was like—and I guess nobody was really happy because it happened. I mean, it happened beyond people's expectations that it would happen. I recall, I mean I was—I think there was a time when I was the only one in the world, in the federal government, who thought that we could get an agreement. (Laugh) Because even Jim Turner and my negotiating staff said, "This is never going to happen," (Seney: Yeah.) and Jim didn't think they were going to agree. And, oh gee whiz, yeah. Even, I think, Lynn Collins was continually advising Leshy that TCID will never agree. (Seney: Yeah.) Now, getting, being in Leshy's position, and getting that information, that TCID's never going to agree, if you think the other party's not going to agree you're not going to want to soften your position because then you will look soft to your constituency. (Seney: Yeah.) And, the same thing. So, he was getting this information from Lynn. Lynn was advising him.

“ . . . all these meetings went through conference calls. It was horrible. I was in Carson City and I had to call into Washington, and there were . . . at least twenty people you know, briefing on the contract. . . . It was really bloody. I felt pretty battered as we left. . . .”

And, I remember at one, at one meeting, and maybe I was a little persnickety, or maybe, whatever. I remember, you know, I was telling John, I said, “I don’t know where you’re getting your information but this is the way it really is out there.” And all these, all these meetings went through conference calls. It was horrible. I was in Carson City and I had to call into Washington, and there were, I mean there were, oh at least twenty people (Laugh) you know, briefing on the contract. It was really, it was really bloody. It was really bloody. I felt pretty battered as we left.

Seney: You mean in Leshy’s office there’d be twenty people?

Ball: Well, yeah. Wherever they were meeting (Seney: Yeah.) probably a conference room. (Seney: Yeah.) And . . .

Seney: They’d all be chiming in, would they?

Ball: Yeah. Yeah. Yeah.

Seney: And that would include Bettenberg and Lynn Collins?

Ball: Uh huh.

Seney: Yeah.

Ball: Yeah. But never Disheroon. Disheroon was never involved in those meetings.

Seney: Yeah.

Ball: But, his input came in through Bill and through Lynn.

Seney: How frequently would this happen?

Ball: Well, this is toward the end, (Seney: Yeah.) and it happened quite frequently because I was trying to wrap it up and keep everything, you know, pulled together internally.

Seney: When you say “It got quite bloody,” what do you mean by that?

“ . . . it was just ugly. . . . Like, like when issues would rise that were already settled, you know. I mean, people would rush in and try to get those issues back in on the table. . . . And, I’d have to fight or else they would make assertions. And, policy assertions, and language, and at this time we were at nitty gritty on language, the language that we would accept. And, I know what TCID would accept or not accept or, you know, what I could work with. . . .”

Ball: Well, it was just ugly. I mean, it was just ugly. I felt that first of all what I was doing, I mean, was not being—well, it, well okay. Like, like when issues would rise that were already settled, you know. I mean, people would rush in and try to get those issues back in on the table. And, I'd have to fight or else they would make assertions. And, policy assertions, and language, and at this time we were at nitty gritty on language, the language (Seney: Yeah.) that we would accept. And, I know what TCID would accept or not accept or, you know, what I could work with. But, our positions on some of, on some of the issues—I mean it just, it was just bloody. I felt like in some ways I was being personally attacked, and, my motives were being attacked, and questioned, and my abilities were being questioned. I had even heard that John Leshy, at one point, called Jeff Zippin and said that he wanted me off the contract at this point. And, Jeff told him that, and asking Jeff, “Well,” you know, and I think suggesting that maybe Jeff take it over. And, Jeff supposedly, well what Jeff told me he said was, “No,” that you know I was “the only one at this point that could pull it off.” And, it was just, it was just a nightmare. It was a nightmare.

Seney: But you . . .

Ball: But nobody, you know, nobody ever asked me, “Well, what’s going on here? What’s going on here?” (Seney: Yeah.) It was assumed, and they kind of had to come in and take control. And, I don’t know if—and there was a meeting with Senator Reid, with Mary Conelly, and Patty Beneke. Patty Beneke was in town and I was showing her around. And then there was a meeting with, down at one of the hotels and it was, she was meeting with Women in Water, something like that, so all the women around that. And, Mary Conelly and Larry Werner were waiting to talk to her. And, Jeff, because he wasn’t a woman, wasn’t in with this meeting. So, he sent Mary Conelly—and Mary Conelly was in and out—and Larry. And, Jeff told me that they were really pissed. I mean, they were really steaming about the O&M Agreement. And, I’m sure that they let Patty know. But, they were really wanting to tell what was going on there. So, they were not happy with the direction.

Seney: Do you think it’s because you were actually succeeding? That there was, again, this what you now infer from your meeting with Senator Reid and others that they didn’t, the two-year term limit, in other words they didn’t want it to succeed? Maybe postpone it for a while, and then take over the project? You’re, putting a [Inaudible]?

Some Players Apparently Thought the O&M Contract Negotiations Would Revert to the Original “Basis of Negotiations” Once Betsy Rieke Left as Assistant Secretary

Ball: I don’t know because, because at that point I was cut off from, you know, I could not get Dana to tell me what was going on with Reid’s office. I mean, I was pretty cut off. It got pretty tight, pretty political. (Seney: Yeah.) I could only, you know, infer from, infer from what I was seeing that first of all it wasn’t going in the direction that, that they wanted it to go. (Seney: Yeah.) Go into. To what extent they were expecting that previous set of policy to be pushed forward, and

then it got changed, and actually Betsy was the one who changed it. (Seney: Yeah.) And, that, [Inaudible] didn't go back, because they figured once Betsy was gone they could probably pull it in that direction.

Seney: Put back in the time limit and all that?

"I don't know to what extent it was internal, to what extent it was solely external. . ."

Ball: Anyway, yeah, get that back, and to pull it back into that direction. Or, whether it was just, it just was Pelcyger was unhappy and this was what Pelcyger could do. (Seney: Yeah.) I don't know. I don't know to what extent it was internal, to what extent it was solely external.

Seney: So, in October of '96 is when the, the contract is finalized, or everything is taken care of on the contract?

Ball: Yeah. The end of October I called TCID and said, "Washington's approving it to go out for a vote."

Seney: How long after that did they tell you they were going to be making a change in the area manager's position over at Newlands?

Soon after Signing of the O&M Contract it Became Apparent That Ball Would Have to Leave as Area Manager

Ball: Oh, it was very closely afterward. (Laugh) I have to, I mean, I got a phone call from Roger Patterson and he said that Dan Beard had called him. And, at this time Dan Beard is, you know, head of the [Inaudible], region [Inaudible], and he was in Boulder Colorado. (Seney: Yeah.) And, I guess said that I "better watch my back because Pelcyger is out to get me." So, that might have been, oh, maybe December.

Pyramid Lake Tribe Informed Assistant Secretary Beneke They Could Not Work with Ball

I think about February it was clear that I needed to go, that the decision was made for me to go. I met with the commissioner, and he said, "The tribe's been back," right after the O&M Agreement to talk, to brief, talk to Patty about some other things, and they made some comments about not being able to work with me. Yeah, I'd have to look in my calendar. Probably, probably around December, January, I would say, the first noise that I, because I was out by May and I spent several months kind of laying some foundation with the Glaser Report and all that because Roger wanted to get something moving (Seney: Right. Right.) in that direction.

Seney: And the . . .

Ball: So, I knew, I mean I knew for months.

Seney: Yeah. Well, I remember you told me that because I came and interviewed you at some point in this. I can't remember. We had a number of sessions and there was, I guess, later you told me about when it was you knew. That's in another one of our conversations. And, the brunt of the Glaser Report was to devolve more authority back to the Bureau over these matters, right? Yeah. And, you don't have much doubt that it was Pelcyger and the tribe, probably, who . . .

“ . . . I suspect that I was threatening Bill Bettenberg as well. . . .”

Ball: Well, I, I know that they were the external. To what extent there were internal forces as well, I can't. I mean, I suspect that I was threatening Bill Bettenberg as well. I mean, that's my suspicion. But to what extent, you know, Pelcyger—all that needed to be done to grab somebody's attention in Washington was for Pelcyger to write a letter. That gave Bill something in his hand to go running to Leshy and saying, “See what Ann's doing?” That was usually the mode, *modus operandi*. (Seney: Oh.) So, a letter—I mean, you needed to have—I mean, Bill can't just go and talk to John and say (Seney: Yeah.) you know, “Ann's really screwing up out there.” (Seney: Yeah.) So, you know, he went and told him about the O&M Agreement, you know, that day I canceled.

“I saw e-mail messages that said that I was trying to give TCID veto power over requests from the Fallon tribe, that went to everybody but me. . . .”

I saw e-mail messages that said that I was trying to give TCID veto power over requests from the Fallon tribe, that went to everybody but me. And when we, I was negotiating, working with the solicitor's office, the BIA in Washington. And, I mean, so I, there was a lot of, I think there's some of that—and, they didn't know me from Adam, (Seney: Yeah.) back in Washington, you know, Leshy and these guys. And so, it was—so, I think there was an involvement there. To what extent I don't know. (Seney: Yeah.) Maybe it was very little. Maybe it didn't have to be there. But, I think there was some internal stuff going on that was very threatening. (Seney: Yeah.) Uh huh. And, I certainly was possibly jeopardizing, you know, I mean it's possible the, you know, Fred Disheroon's legal position. I don't know.

Seney: Over the Tahoe Dam business?

Ball: Yeah.

Seney: Yeah.

Ball: So. And, I don't know. I don't know. I don't know if I'll ever know. You might find out.

Seney: I might. I might. Yeah. And, it looks pretty clear from what you've been saying, what the [Inaudible] was against you. I mean, clearly – you know (Ball: Well.) one of the things that, let me say, that has impressed me is Bill Bettenberg's ability to make sure his authority and control over things out here remained. I mean, the Truckee-Carson Coordinating Office was, I think, designed to limit his influence.

But, I think the affect has been to maintain his influence, (Ball: Um-hmm.) when you look at who has run, who runs the office there [Inaudible]. Bill has nominated and put in those positions. And, so I think from his point of view any one who comes out here and doesn't, you know, do as he wants is likely to incur his opposition and enmity. I mean, I don't, I don't have any doubt about that. I'm sure that he would say that too. You know, he, he would put it up, put it in different terms, that we need consistency out here we need the Department view represented. And, you know, clearly there are issues going beyond Reclamation. I mean, I'm sure he would have a lot of explanations or rationalizations depending upon a point of view, but I, that would not surprise me. I mean, he wanted Lynn Collins out here. I mean, the lead person and not you. I mean, he knew Lynn. You were an unknown to him. So, I mean that doesn't surprise me given what I've, you know, what I've heard, and what people have said to me. You're kind of smiling at me. Why? (Laugh)

Ball: I'm wondering what your next question will be, [Inaudible]. (Laughter)

Seney: Well, I'm not sure what my next question will [Inaudible].

Felt Several Factors Contributed to Her Removal

Ball: I think though that my removal was a multifaceted issue (Seney: Yeah.) too, because I think that also with Reid's election very close, and because of my ties—I mean, when I was up on The Hill I was in an office right across the way from Dana Cooper, and I was in Senator Seymour's office, (Seney: Right.) a Republican, and she was working for Senator Bradley. And I think Reid knew, at that time, that he was going to have a tough election. (Seney: Yeah.) So, I don't think, I don't think they wanted to take any chances. (Seney: Yeah.) I think that probably entered into, into the (Seney: Yeah.) configuration. I think if it were just the tribe it would have been chalked up as, "Oh, that's Pelcyger, and we'll be able to handle that." (Seney: Yeah.) I don't think the tribe in and of themselves have enough power to do that. I really don't. (Seney: Yeah.) I think, but I think with other factors, possibly leading in that it created the critical mass.

Seney: Right. Right. I mean, the meeting you described with him, laying down the law to you is I've got to think most unusual. I mean for him to reach so far down into the bureaucracy, to want to take the time.

Ball: Well, it seems to strange to you, doesn't it? (Laugh)

Seney: Yeah, it . . .

Ball: I'm thinking it was just me.

Seney: No. No.

Ball: And, you know, once, you know, once I was out here everything's so strange it's like all the rules had been turned upside down, (Seney: Yeah.) and nothing, nothing was what they appeared to be or what you would expect them to be.

(Laugh)

Seney: Well, I think, you know, one [Inaudible] for what was going on out here was he thought there was someone here he couldn't and his staff couldn't control, as they had in the past and had become accustomed to in this very important area. You now, I'm sure he wanted to run, as he did, on the success of 101-618, and didn't want anybody to interfere with that and couldn't be sure, perhaps, of what you might do on other matters. Then, I suspect that your having worked for Senator Seymour wasn't a plus.

Ball: No, I don't think that. I think in the long run it was a detriment (Seney: Yeah.) from that perspective because they did not know, you know, where my loyalties (Seney: Right.) would be. And, it was kind of funny. I have, I, when I worked for Seymour I was a registered democrat. They never asked me that. (Laugh) That was not part of the job criteria. (Laugh)

Seney: Yeah. Right. Right. Yeah. Yeah.

Ball: And, I was a registered democrat (Laugh) so, but . . .

Seney: Yeah. Yeah.

Ball: So.

Seney: Any other comments you want to make on the contract?

Ball: Well, no.

Seney: On any of these other things that we talked about?

Ball: I don't know. What do you want to know about?

Seney: Well, I think that's all the questions I have for today.

Ball: That's good.

Seney: Okay.

Ball: Because I think I'm worn out.

Seney: I think I am too. All right. Well, thank you Ann. As always I appreciate it.

END SIDE 2, TAPE 3. JULY 13, 1998.
END OF INTERVIEWS.