ORAL HISTORY INTERVIEW

DAVID OVERVOLD

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STATUS OF INTERVIEW:
OPEN FOR RESEARCH

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Interview Conducted and Edited by:
Donald B. Seney in 1998
California State University-Sacramento
For the Bureau of Reclamation's
Newlands Project Oral History Series

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DAVID P. OVERVOLD

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INTERVIEWER: DONALD B. SENEY

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Editorial Convention

A note on editorial conventions. In the text of these interviews, 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 interview as it was 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 also 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.

While we attempt to conform to most standard academic rules of usage (see *The Chicago Manual of Style*), we do not conform to those standards in this interview for individual's titles which then would only be capitalized in the text when they are specifically used as a title connected to a name, e.g., "Secretary of the Interior Gale Norton" as opposed to "Gale Norton, the secretary of the interior;" or "Commissioner John Keys" as opposed to "the commissioner, who was John Keys at the time." The convention in the Federal government is to capitalize titles always. Likewise formal titles of acts and offices are capitalized but abbreviated usages are not, e.g., Division of Planning as opposed to "planning;" the Reclamation Projects Authorization and Adjustment Act of 1992, as opposed to "the 1992 act."

The convention with acronyms is that if they are pronounced as a word then they are treated as if they are a word. If they are spelled out by the speaker then they have a hyphen between each letter. An example is the Agency for International Development's acronym: said as a word, it appears as AID but spelled out it appears as A-I-D; another example is the acronym for State Historic Preservation Officer: SHPO when said as a word, but S-H-P-O when spelled out.

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, the senior historian consulted the regional director to design a special research project to take an all-around look at one Reclamation project. The regional director suggested the Newlands Project, and the research program occurred between 1994 and signing of the Truckee River Operating Agreement in 2008. 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: water transportation over great distances; three Native American groups with sometimes conflicting interests; private entities with competitive and sometimes misunderstood water rights; many local governments with growing water needs; 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 some of the water supply that originally flowed to farms and ranches in its community.

Questions, comments, and suggestions may be addressed to:

Andrew H. Gahan
Historian
Environmental Compliance Division (84-53000)
Policy and Administration
Bureau of Reclamation
P. O. Box 25007
Denver, Colorado 80225-0007
FAX: (720) 544-0639

For additional information about Reclamation's History Program see:
www.usbr.gov/history

Oral History Interview
David Overvold

Seney: My name is Donald Seney. I'm with David Overvold in the board room of the Truckee-Carson Irrigation District (TCID) in Fallon, Nevada. Today is July 17, 1998. This is our first session and our first tape.

Good morning, Dave.

Overvold: Good morning. How are you?

Seney: Why don't you tell me a little bit about your family? We want a sort of brief biography, not too brief, the important details, where you were born, where you grew up, what your parents did, that kind of thing.

Early Life

Overvold: Okay. I was born in South Africa. I'm an African American.

Seney: [Laughter] Dave's smiling, because we would call him a Caucasian, which the tape won't see. Overvold is Dutch?

Overvold: Norwegian. My dad was born in Velva, North Dakota. After he had graduated from college, he went down to South Africa and worked for ten years as an agricultural engineer, as a missionary for the American Lutheran Church. So while we were there–

Seney: A combination of missionary and agricultural expert?

Overvold: Well, yes. He's an agricultural engineer and he ran the farm for the church there in South Africa. And so we were–a number of my siblings were born in South Africa.

Seney: How many children in your family?

Overvold: There's five of us. The oldest one, Judy, was born in Fargo, North Dakota, I think it is, in 1948, and then the rest of us were born in South Africa.

Seney: But you didn't stay there? You have no memories of it, I take it.

Overvold: Oh, yes. I was about eleven years old when I left.

Seney: What are your memories of South Africa?

Overvold: Oh, I remember living in Oontoon-Jabeeli. It was a little small town. When I was five years old I was sent to boarding school. It was an all-white British school, British school system, more or less, and all the other kids, the Zulu kids, they weren't there. They had a separate school on our mission area there, and they were educated there, but the rest of them were not. It was separate, totally separate.

Seney: Very segregated society.

Overvold: Very segregated. Apartheid is what was going on there.

Seney: I take it the church had to go along with that, obviously.

Overvold: Well, no, not really. Yes, I guess so. They educated the black students separately, and so it was separate, but at least they were educated.

Seney: Exactly.

Overvold: So that's where I was born, and then after–we came back in one year, 1957, for one year of furlough in that period.

Seney: Give me your birth date.

Overvold: I was born July 21, 1950.

Seney: So it's almost your birthday.

Overvold: Right. Let's see. In 1957, we came back to the United States for a while, got a chance to see television and a few things like that. It was interesting.

Seney: Then you went back to South Africa for a period of time?

Overvold: Yes.

Seney: When did you finally come back to the United States?

Overvold: It was in 1961, I believe, or '62, somewhere in that area.

Seney: Big change, coming back to the United States?

Overvold: It was a big change, yes. I didn't know too much about United States history, so I had to catch up on that. As far as the other classes, I was pretty well up to speed.

Seney: What about the cultural differences?

Overvold: Well, every place I lived, I was teased about my accent, because it seemed like I had a different accent all the time. In South Africa, it was an American accent, you know, and when I came back to the States, I had a British accent. I've tried to learn to adapt to the accent of the area, but I don't know if I've done a very good job or not.

Seney: You sound like you have a western Nevada accent.

Overvold: Do I? [Laughter]

Seney: Then where did you live when you came back?

Overvold: We came back to the farm up in Velva, North Dakota, where my folks still have their farm. We lived there till '63, and then my dad got a job with the federal government, the Soil Conservation Service, I believe it was at the time, and then he worked for the Bureau of Indian Affairs after that. So in '63 we moved from Velva, North Dakota, the farm, to New Town, North Dakota, and that's where I graduated from high school in '68.

Seney: Where did you go to college?

Overvold: At North Dakota State University in Fargo.

Seney: Taking, I take it, civil engineering.

Overvold: Civil engineering. Then I graduated from there in July of '72. In '69 I got married to my wife, who was my high school sweetheart, I guess, and we had our first daughter in 1970.

Seney: What's her name?

Overvold: Genae.

Seney: Spell that.

Overvold: G-E-N-A-E. And she's married now, lives in Corvallis, Oregon, and has a six-year-old son. So I have one grandson. Then I have two other kids. Thea, T-H-E-A, was born in 1973, and then my son Michael was born in 1979.

In 1970, we were still in Fargo, when Genae was born. I was going to college still at that time.

Seney: So you graduated in '72.

Overvold: '72, yes.

Seney: Did you have to go to Vietnam?

Overvold: No, no, I didn't. I had a real low draft number. I think it was like 27 or so, when they had those draft numbers. But once I graduated and my college deferment was up, I thought, "Well, here I go," so I went down and I was ready to sign up for Officer Candidate School, and I failed my physical. [Laughter] So that was the end of that.

Seney: How so?

Overvold: I had high blood pressure.

Seney: Worrying about having to go in the military, perhaps.

Overvold: Maybe so. I don't know. But they were about ready to start winding down, I guess, at the time. They didn't take me.

Seney: Is this a problem that's bothered you since?

Overvold: No. I've had some high blood pressure medication that I took in the seventies, early seventies, but it hasn't been a problem since. I don't know.

Seney: What did you do then?

Overvold: Well, once I graduated, I was waiting around. I had gone to Minneapolis, Minnesota, to look for a job, and I just scoured all the different consulting engineering firms. I had found a job over in Hutchinson, I think it is, Minnesota, which is about fifty miles or seventy miles west of Minneapolis. They indicated that they would like to hire me, so I was over there. I went back to college and I was waiting, and I was about ready to get booted out of college, because it was married student housing, and once you graduate, they want you out.

So I was about out of time there, and I was waiting. The engineering firm that had hired me was supposed to get back to me pretty quick and let me know if they were going to pay for our moving expenses, and just getting confirmed about hiring, and they took a long time. In the meantime, I got a letter from the Bureau of Reclamation [BOR] saying I had a job in two places. One was in Huron, South Dakota, and the other was in Salida, Colorado.

Coming to Work for Reclamation

Seney: You'd obviously applied?

Overvold: I had applied there, too, yes, under a scientific application, scientific jobs. And they pre-qualified me, so I came up as a candidate for different engineering jobs.

Seney: This was before you graduated, even, or about to graduate?

Overvold: Yes, about the time that I was graduating, yes. I started looking for jobs and I sent out applications, and one of them was to the government.

Seney: Based on your application, your transcript, they offered you two positions.

Overvold: Yes, and it was a GS-7 level because I had had a pretty decent grade-point average and stuff.

Seney: So that was a good job offer.

Overvold: It was a pretty good job offer. So I was sitting here waiting and deciding, and they needed to know pretty quick. I hadn't heard yet from the consulting engineering firm, so finally I said, "Okay, I'm going to take the government job." And so I took it.

Then a couple of days later, I heard from the Hutchinson job, and they said, "Well, we'll take you."

I said, "I'm sorry, I've already committed myself to this other one." And so I went to Salida, Colorado, and that was in July of 1973.

Seney: To do what?

Overvold: In '72, I guess it was. August '72. I was a starting civil engineer and I was doing steel detail drawing, checking. So all the construction drawings for the Mt. Elbert Powerplant on the Fryingpan-Arkansas Project and the Pueblo Dam, those two projects, those two features, I was responsible for making sure that the reinforcing steel was placed accurately and documented accurately.[1]

1. The Fryingpan-Arkansas Project is a multipurpose transmountain, transbasin water diversion and delivery project in Colorado. It makes possible an average annual diversion of 69,200 acre-feet of surplus water from the Fryingpan River and other tributaries. Water diverted from the western slope, together with available water supplies in the Arkansas River Basin, provides an average annual water supply of 80,400 acre feet for both municipal/domestic use and the supplemental irrigation of 280,600 acres in the Arkansas River valley. For more

Seney: So, in other words, you had plans that been approved, and you took those to the job site to make sure they were putting in what the plans called for and the way the plans laid it out?

Overvold: Well, I was in a construction section in the office, in the estimate section. What I would do is, it was mostly in the office, and I would make sure that all the drawings that the contractor submitted, that showed each construction pour, had the right amount of reinforcing steel in it.

Seney: Who would actually make sure they had put that in there?

Overvold: That would be the responsibility of the inspectors out in the field. So my job was to mostly make sure that they had it detailed correctly and calculate the quantities for paying the contractor.

Seney: Make sure it was strong enough and would hold, in layman's terms.

Overvold: That was already done by the designers, and so I would interpret the specifications, the design drawings, and then I would look at the contractor's submittals and make sure that they were accurate.

Seney: Was that interesting?

Overvold: It was interesting, but it got boring after a while. There were three engineers that started at the same time with the Bureau, and each one of us was doing the same routine job, different aspects of it, but routine job, and it would have been good had we been able to rotate and see each other's jobs. The other two left the Bureau and I stayed on.

Seney: How long did this task last?

Overvold: Well, it could have kept on going. [Laughter] But after a year, I got tired of that and I started looking at other jobs.

Seney: Tell me about that. How do you search for other jobs when you're in the Bureau?

Working in the Construction Office

Overvold: Well, there's an advertisement–there's a bulletin board that has all the advertisements. Back then, they used to publish them all. I mean, that was the only

information, see Jedediah S. Rogers, "Fryingpan-Arkansas Project," Denver: Bureau of Reclamation History Program, 2006, www.usbr.gov/projects/pdf.php?id=120.

way to do it, was to post them all on this bulletin board so you could go and look at it every once in a while. I saw one that looked appealing and I applied for it.

Seney: Let me ask you, too, because [Senior Historian of the Bureau of Reclamation] Brit [Allan Storey] is after me to ask about the satisfactions and reactions to the Bureau and the job. What was the office like? How would you describe the office?

Overvold: It was an interesting office. I liked it there. The Construction Engineer was usually quite a–he ruled with an iron fist. It was Howard McGuinness. He was one of the old-style construction engineers, and what he said went. And that was the way it was.

Seney: So he would have been the head of the office?

Overvold: He was the head of the office there, yes.

Seney: What did he tell you when you came in, do you remember? Did he meet with you when you came in, welcome you to the office?

Overvold: No, no. He was above all that. But he had an Office Engineer who–I can't remember what his name was. Onstead. No, not Onstead. I don't remember his name.

Seney: Maybe when you review the manuscript you will, and you can slip it in there.

Overvold: I still have the list of all the employees from back then when I first started. I saw it just as I was packing to move from Carson City. I found a photo from my first day at work. [Laughter]

Seney: What was your reaction to it, do you remember? Did you look at it for a moment?

Overvold: Yes. I remember I had striped pants on, you know, and those kind of fruity shirts and stuff. [Laughter]

Seney: From the seventies. [Laughter]

Overvold: From the seventies. Black glasses, you know, pocket protector. Looked like a real engineer. [Laughter]

Seney: What other reactions did you have to the photo, do you remember? Because you have retired now from the Bureau, and that may have meant something to you. Did it? Here's the first day of the–

Moving the Family to Salida

Overvold: First day of my career. It was interesting, yes. Well, I remember it pretty well, going there. It was interesting. My wife was really disappointed to leave. She cried when she came to Salida, you know, so it was a real tough thing. She has always regretted not staying there with the consulting engineering firm in Minneapolis. That would have been real nice. It was green up there. All my career, I've always been going from a dry place to another dry place. So she hasn't been happy. [Laughter] And I always wonder what it would have been like to have been a consulting engineer all this time.

Seney: Yes. It would have been a very different path.

Overvold: It would have been, yes.

Seney: Probably more travel.

Overvold: Maybe.

Seney: More exotic places, perhaps.

Overvold: Yes. Could have been.

Seney: Is that a big firm, Hutchinson, a big firm?

Overvold: Well, that was the name of the town. It was Ellerbee Architects, I think, was the name of it. It's a pretty good-sized architectural firm over in the Minneapolis area.

Seney: So you might have stayed working–

Overvold: I would have been in that area.

Seney: That's a lovely area. There's no question about it. People enjoy Minneapolis very much, and Minnesota is an enlightened and pleasant place, apparently.

Overvold: Yes.

Seney: But again, back to your–so, moving to Salida. You must have driven, right?

Overvold: We drove down there, yes.

Seney: You're smiling now. Tell me why you're smiling.

Overvold: Well, you drive through North Dakota and then you get on Highway 85, and you drive south on Highway 85, through Wyoming. You go past Devil's Tower and you go through the Black Hills of South Dakota. Then you get out there in Mule Creek Junction and places like that, Sundance and New Castle. It's really barren.

Seney: When did she start crying?

Overvold: Just as we drove into town. It's a beautiful place, it really is. It's in the heart of the Rockies, it's up in the mountains. The elevation is 7,000 feet. But I don't know, I guess it was just sort of stark to her. A lot drier and a lot browner. It was August.

Seney: Hot?

Overvold: It was hot and all the grass had turned brown. So I guess she just didn't like that area compared to what she was brought up in.

Seney: Sure.

Overvold: But we enjoyed it there. After we left, we realized that it was a real nice place to live. [Laughter]

Seney: Tell me a little bit more about the office. What did the Office Engineer tell you when you came in the first day?

Working Conditions

Overvold: I don't remember. I don't remember much about that. But Curtis George Williams was my boss, immediate boss. Curt Williams. He was a pretty nice guy. He was a GS-9. The construction folks had moved around a lot. They went from one dam project to the other, you know, and they were construction people. A lot of them were from Nebraska. So some of the people had had some bad experiences with buying houses, and so they rented, and they rented all the time that they were there. Some of the other people thought, well, that's the dumbest thing in the world, to rent and not have any money to show for it afterwards. One guy, Pete Peterson, he was a real conservative guy, and he just didn't believe in buying houses. But some of the other folks, they were nice. I liked them. They were good people.

Seney: Anything else about the office that's sort of illustrative of the Bureau or that might help someone who's not part of the Bureau culture understand what a first job is like, an engineering job of this kind is like?

Overvold: Well, we were in this big bullpen. We must have been in an office as big as this,

and there were about ten people in there.

Seney: And this [room] is maybe twenty by forty.

Overvold: Twenty by forty, yes. And each person had one of these high desks with a stool. It was like a drafting desk. We all sat there crunching away at numbers. Back then they had these Fredan calculators, you know, where you push a button and they'd just go rattle, rattle, rattle, rattle, rattle. And each one of these guys was responsible for calculating quantities, computing volumes of earth moved and stuff like that.

It was just a real tedious job, and these guys had been working for the Bureau for twenty, thirty years, you know. Some of them, they didn't have much hope or future. They were stuck in a GS-7 job. They had maxed out on their salaries, and some of them were just kind of coasting, and they were impressed with us engineers that came in and came up with new solutions. [Laughter]

Seney: They were not engineers.

Overvold: No, they were not. They were technicians.

Seney: So it didn't look gloomy to you, because you had come in with an engineering degree and presumably a brighter future than they had.

Overvold: Right.

Seney: And after a year, then, you decided to look for something else?

Overvold: Right.

Seney: What did you apply for, do you remember what it was and what you finally got?

Overvold: I applied for different jobs. They weren't all with the Bureau of Reclamation. I had seen other jobs, too, back in North Dakota and stuff like that.

Seney: Would those be posted up there, say, a Bureau of Indian Affairs?

Overvold: I don't know.

Seney: B-L-M [Bureau of Land Management] or something?

Overvold: Yes, I think other [Department of] Interior agencies were probably posted. And I think I also inquired of consulting engineering firms up in North Dakota, too, but I wasn't successful in that.

Seney: Well, there probably weren't a lot of opportunities in North Dakota, were there, for someone with your education.

Overvold: No, there weren't. But I did check on those.

Seney: I take it that was to keep a happy home.

Overvold: Yes. [Laughter] That's right. And I guess I was maybe a little frustrated with the job, because they wanted me there, they gave me a promotion within a year, you know, to keep me on.

Seney: To a GS-8?

Overvold: To a GS-9.

Seney: Well, that's a good promotion, from a 7 to a 9, isn't it?

Overvold: Yes.

Seney: How much money would that have meant?

Overvold: When I first started, I got $9,053 a year.

Seney: You remember. [Laughter]

Overvold: I remember. [Laughter] And then I got a promotion to GS-9 right away, and that's what they usually do, you know, is they have to almost promote everybody, mostly engineers, within a year, as soon as they can, until they're about a GS-12 or so.

Seney: In order to keep them.

Overvold: In order to keep them.

Seney: How much salary difference, do you remember that, between the $9,053 and what you–

Overvold: And a 12 level?

Seney: Well, I'm thinking of the 9.

Overvold: The 9. Oh, that must have brought it up to 11, 12,000 or so.

Seney: So that would have been a decent salary.

Overvold: Oh, yes. So, let's see. Where were we?

Seney: What did you apply for, then, within the Bureau?

Transferring to Boulder City

Overvold: I think I must have applied for a number of jobs, but the one that I was accepted for was down in Boulder City, Nevada, in the O&M [Operation and Maintenance] Division, and it was a Water Management Branch in the Regional Office.

Seney: What did your long-suffering wife think of this move?

Overvold: Well–

Seney: This had to be even drier, I would think, than Salida.

Overvold: Yes, it was, and so as we were driving from Salida to Boulder City, we crossed the dam, you know, and came up the hill into Boulder City, and that's just a real bleak side to come up. You're going up a hill. It's just stark, it's just rocks. It's nothing. And she was crying then, too. [Laughter]

Seney: [Laughter] Bless her heart.

Overvold: And we came around the corner and then it opened up into almost like you're going into the Wizard of Oz, into the land of Oz, it turns green and is really beautiful.

Seney: Boulder City is a pretty place, I think, the town. It's a nice little town.

Overvold: It is.

Seney: And I would think that–you and she went to high school together, so obviously she was in the–remind me of the town.

Overvold: New Town.

Seney: And that must have been small, I would think.

Overvold: Oh, yes, it was a population of about 1,800 people.

Seney: Did she have a preference for small towns, too?

Overvold: I think so, yes. She'd grown up in small towns.

Seney: Did she like Boulder City?

Overvold: Yes. Oh, yes. We lived there for ten years. But when we first came, it was so expensive we couldn't live there, so we had to go on down the road to Henderson and find a house. We lived in a small town in Henderson, a little small area.

Seney: It's a little bleaker, isn't it?

Overvold: It's very bleak, and we lived in the bleakest place. We bought a house in the bleakest place in Henderson, called Pitman. [Laughter] It was the armpit of Nevada, we thought. We lived there for four years and then finally were able to sell that house and buy one in Boulder City. We really enjoyed living in Boulder City.

Seney: Again, it's a very pleasant little town. I was very surprised when I drove through there on my way to have a look at the [Hoover] dam. Tell me what you did, how you progressed up the ladder at Boulder City.

Boulder City Personnel

Overvold: In Boulder City, I worked for a fellow named Mike Clinton, whose father was a Regional Director in Salt Lake City, and he had moved down from Salt Lake sometime earlier, a couple of years earlier, I guess. He was the one that hired me there.

Seney: He's now head of the Imperial Irrigation District, isn't he?

Overvold: Right. He's General Manager of the Imperial Irrigation District, yes. He was a very good person to work for. There was a branch chief above him, whose name was John McKuen, and Tom Steele was the Branch Chief who hired Mike Clinton. When Tom Steele retired, Mike had every expectation to get the job, but they had a shakeup in the organization and brought this John McKuen in, and John McKuen was an old guy that was real set in his ways, and he didn't have the fire that Mike Clinton did, you know. So Mike was really frustrated, and he left pretty quickly after that and went to Washington, D.C.

Seney: To Bureau headquarters.

Overvold: Yes. He's very capable.

Seney: He had a successful career within the Bureau, did he not?

Overvold: Yes, but he left early. He took an early out.

Seney: And he's done consulting work.

Overvold: Right.

Seney: Now this job with the Imperial Irrigation District, that's a very big job in the water world, is it not?

Overvold: Oh, yes. He was a consulting engineer with Bookman-Edminston when he was– must have been vice president or something like that.

Seney: It's not unusual, is it, in the Bureau to run into people–let me kind of phrase it this way. Isn't it more typical perhaps to run into the sort of person that kind of forced Mike Clinton out, than it is to run into someone like Mike Clinton?

Overvold: Yes. There's a lot of dead wood in the Bureau, in my opinion. And there has been a lot more in the past than there is now. I think with leaner times, you have to get rid of that stuff.

Seney: Do you think that this being an engineering organization plays into this a little bit?

Overvold: Yes. Well, it used to be a whole lot more of an engineering organization than it is now.

Seney: People accuse you people, you engineers, you know, of being kind of narrow-minded.

Overvold: Oh, yes.

Seney: And rule-bound.

Overvold: We were focused. [Laughter]

Seney: That's a nicer way to put it, yes. [Laughter]

Overvold: We had blinders on. We were doing what we were told. We were building dams, and it was the best thing in the world to do. And it was an era that was winding down. There aren't too many people in the Bureau anymore that were building dams.

Seney: Well, by the time you came, it was winding down, wasn't it?

Overvold: Sure.

Seney: The last of the construction projects were being finished.

Overvold: Yes. Fryingpan-Arkansas was one the last ones. Central Arizona Project was going. Central Utah Project. There weren't too many other major construction projects going.

Seney: Tell me about what you did in Boulder City and what your reactions to it were when you arrived, and how maybe it was different than Salida.

Regional Leadership

Overvold: Salida was a construction field office, so they were working on construction, and then this was a regional office and it was water management branch.

Seney: This is the Lower Colorado Region.

Overvold: Lower Colorado Regional Office, yes. Roy Gear[2] was the Chief of the Water and Land Division at the time, and Arleigh West was the Regional Director, and he was a dynamic guy, too.

Seney: You're smiling when you mention his name. Why is that?

Overvold: Oh, they were unique individuals.

Seney: Talk a little about them.

Overvold: A.B. West, Arleigh West.[3] He was really powerful, and he would jerk people around, you know, real easily. Then he got jerked around.

Seney: What do you mean by that, when he would jerk people around?

Overvold: Well, I don't know exactly what all happened, but people would get in trouble under him. He would lay down the law and he would jump on people. He was feared,

2. Roy Gear was a long-term Reclamation employee, who spent most of his career in multiple position in the Lower Colorado Region eventually ending up as Assistant Regional Director. Mr. Gear also participated in Reclamation's oral history program. See Roy Gear, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interviews conducted by Brit Allan Storey, senior historian, Bureau of Reclamation, in Boulder City, Nevada, edited by Brit Allan Storey, and desktop published by Andrew H. Gahan, 2014, www.usbr.gov/history/oralhist.html.

3. Arleigh B. West was the Regional Director for Reclamation's Lower Colorado Region from 1959 to 1970.

you know.

Seney: Would this mean being called into the office for a tongue-lashing with the door open?

Overvold: Oh, no, you'd get fired. You'd get fired easily.

Seney: And that would certainly send a message.

Overvold: And there would be a lot of tongue-lashing and stuff, too, yes. There was one fellow, he was the budget person in the region, and he died the day after he retired. It was just the pressure. He had so much pressure. And then all of a sudden it was relieved, and I guess he didn't know what to do, and it just killed him.

Seney: I mean, everyone must have known this, obviously. The man must have lived in Boulder City and everyone would know within minutes. It must have sent a shiver through the office, I would think.

Overvold: Sure. Yes. So he got crosswise with the Washington Office.

Seney: Let me turn this tape.

END SIDE 1, TAPE 1. JULY 17, 1998.
BEGIN SIDE 2, TAPE 1. JULY 17, 1998.

Overvold: Yes, he got crosswise with the Washington Office and ended up getting sent back there, and he was just given a desk and said, "Okay, you've got nothing to do. Here's your desk." I don't know why they didn't fire him. I guess they didn't do things like that back then, or maybe it's just because of his stature. But he retired then shortly after that.

Seney: Well, that's almost worse, in a way, isn't it?

Overvold: Sure. Oh, yes. Somebody who has had that much power and then to get it all taken away is pretty tough.

Seney: And then again, everyone's going to know this, are they not?

Overvold: Oh, yes. Sure.

Seney: And what about the other individual you mentioned?

Overvold: Roy Gear. I really admired him. He was able to survive under West. [Laughter]

He was very calm, and he was demanding, but he was able to keep his cool and not get angry at people. I admired him quite a bit.

Seney: How frequently would someone at your level come in contact with these people, as you began in the office?

Overvold: He was like a–let's see. What was he? Like a GS-14, I think, and then the Branch Chiefs were GS-13s, and I was a 12. I started out as a 9 there, you know. I lateraled as a 9. I wasn't at staff meetings, but I'd meet them in the hall, of course, all the time, but for work we'd probably meet once or twice a week, I suppose.

Seney: But they would certainly set the tone of what your office would be like.

Overvold: Yes.

Seney: When West left, do you remember who replaced him?

Overvold: No, I can't remember his name. He was the engineer.

Seney: The Regional Engineer?

Overvold: He was the Regional Engineer. I can't remember his name. He didn't stay very long. But then there was another fellow that came in, Manny Lopez.[4] He was a pretty dynamic individual. He didn't stay very long. He was really good. He'd been involved in the Office of Saline Water, and came in and got things moving. I was working on the Yuma Desalting Plant at the time down there.

Seney: Tell me what you were doing when you went to work there.

Unmeasured Return Flow Program

Overvold: When I started, I was working on the Unmeasured Return Flow Program. That was one of the projects.

Seney: Explain that. What does that mean?

Overvold: Well, the lower end of the Colorado River, there's not much water. The Colorado River is apportioned very carefully.

4. Manuel Lopez Jr. served as Regional Director of Reclamation's Lower Colorado Region from 1975 to 1979 and participated in Reclamation's oral history program. See Manuel (Manny) Lopez, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interviews conducted by Brit Allan Storey, senior historian, Bureau of Reclamation, in 1995 and 1996, in Jefferson County, Colorado, edited by Brit Allan Storey, 2008, www.usbr.gov/history/oralhist.html.

Seney: Below the dam, below Hoover Dam.

Overvold: Frugally. Yes. Well, there is a lot of water released, you know, but every drop is accounted for. And during that time, in the early seventies, they had just installed the big dam up there at Lake Powell, and they were filling that. So it took a lot of water to fill that Lake Powell.[5]

Seney: That's above Hoover Dam.

Overvold: Above Hoover, yes. So the only water that was coming into Hoover was what the minimum allowed by the seventeen Western, or fourteen–what was it? I don't remember.[6]

Seney: The basin states, whatever is needed to meet their decreed water rights.

Overvold: Right. So that's all that was coming in, and everybody was on shortage. I think there was a couple of years earlier that they had a shortage, so they went to the water users. Arizona and California were convinced that there was some return flow was coming back to the river that was unaccounted for, and then arrived at Morales Dam, where it was delivered to Mexico.

So in that last section from Imperial Dam, which was the last diversion point for the United States users, to where it was delivered to Mexico, was a stretch of land that had some return flows back to the river. They couldn't account for it by the measurement differences, but they wanted to try to quantify it so that they could get credit for it. And this amounted to about 75,000 acre feet a year. In a stream that has seven and a half million acre feet a year coming into Lake Mead, it was just 1 percent, but there was an interest in that.

Seney: And that's what you were involved in.

Overvold: That's what I was working. I was working with the U-S-G-S [United States Geological Survey].

Seney: Is that a difficult problem to try to–

Overvold: Oh, yes, it's quite difficult.

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5. Lake Powell is the reservoir behind Glen Canyon Dam, which was completed in 1963. Glen Canyon Dam is a major component of the Colorado River Storage Project. For more information, see Jedediah S. Rogers, "Glen Canyon Unit," Denver: Bureau of Reclamation History Program, 2006, www.usbr.gov/projects/pdf.php?id=5.

6.Colorado River water allotments among the seven basin states–Wyoming, Utah, Colorado, New Mexico, Arizona, Nevada, and California–that share the watershed was agreed to in the signing of the Colorado River Compact in 1922.

Seney: Explain a little how you'd go about doing something like that.

Overvold: Well, what we did was, we just kept pouring money to the U.S. Geological Survey. [Laughter] And they'd go into this elaborate groundwater study, and they're so scientific, you know, and meticulous, that they won't commit themselves to any kind of a quantity unless they're very sure about things. So they'd always want more money to do more studies and more and more. Groundwater is not a real accurate science, you know, so all you know when you drill a hole is what's going on in that hole. Then you have to drill another one close by so you can get a feel for it. We spent a lot of money studying that. What they did, they put groundwater wells close to the river and then they'd branch out beyond in about like ten different cross-sections.

Seney: Moving back from the river.

Overvold: Moving away from the river. And what they discovered was that a lot of the return flows come back to the river almost immediately under the river, and so you almost have to have wells in the river to get these measurements accurately, or as close to the river as possible.

Seney: So it wouldn't flow on the surface back, in other words.

Overvold: No, this is subsurface.

Seney: And into the riverbed underneath.

Overvold: Yes.

Seney: Did you ever figure out how much water was going back in?

Overvold: No, not in the ten years I was working there. [Laughter]

Seney: And I take it the interest on the part of the people in the United States was, they wanted to be able to divert more.

Overvold: Yes. If you had credit for return flows, then you could divert more at the head end of the system.

Seney: In other words, at the dam previous to where these inflows were coming back, you could divert more because you were putting some back in.

Overvold: Yes. On the Colorado River, the consumptive use is equal to diversion minus

returns. So, if you can get more returns, you can divert more.

Seney: I see.

Overvold: If consumptive use is fixed.

Seney: Of consumptive use of 200,000 acre feet and you were returning 50,000, then you could actually take 250,000 at the headgate because the 50,000 was coming back in.

Overvold: Yes.

Seney: Well, I can see why they'd be interested in doing that and putting heat on you all to try to prove they're right about that.

Overvold: Yes.

Seney: Was that interesting?

Overvold: No, not real interesting. [Laughter] That was a loser job.

Seney: [Laughter] Was it?

Overvold: I thought, yes. It would have been better use of money to just say, "Okay, we'll give you 75,000 acre feet a year," and just forget about measuring it, because it was a waste of time to try to measure it. It's just a scientific exercise.

Seney: Would the Mexicans have objected to that? Or could they have done anything about it?

Overvold: Well, it wouldn't have been the Mexicans that would have been injured by this at all, because their diversion was downstream, and it didn't affect the Mexican diversion at all. It just affected the accounting of the water in the United States side.

Seney: But politically you couldn't do that. You had to try to measure it.

Overvold: I think you could have swung it somehow politically, but you still had to go through this exercise.

Seney: How long did you work on this?

Overvold: Let's see. For six years, I guess.

Seney: On this one project?

Overvold: No, no. That was just one of many projects.

Seney: What else did you do there? By the way, did you learn anything from this that was useful, about groundwater? Did you know about groundwater flows and returns?

Overvold: Yes, I learned a lot about modeling and groundwater. I took classes and stuff in groundwater.

Seney: And about the U-S-G-S, I take it, too, how they work.

Salinity Surveillance Program

Overvold: Right. Also I was working on–let's see. They had a salinity study, where they were trying to determine where sources of salinity were occurring in the lower Colorado River, from Hoover Dam all the way down to the Mexican border. It was a study of intensive–they called it the Intensive Salinity Surveillance Program. That was something that had been established by somebody before me, a predecessor, and then I just maintained that and kept track of the data.

Seney: Were there points at which the water was sampled and evaluated?

Overvold: Yes.

Seney: Was it getting more saline?

Overvold: Oh, yes. A lot of the return flows had high salinity quantities in it, yes. There was an increase in salinity, and they were trying to evaluate where it was coming from and if there was something that could be done to fix that.

Seney: How long did you work with that?

Overvold: The same six-year time period.

Seney: Did you ever come to any conclusions on that, where it was coming from and being able to do something about it?

Overvold: Well, we monitored it and we came to the conclusion, or we determined where the major sources were, and then there was a Colorado River Water-Quality Improvement Program that came along and authorized construction of projects to fix some of these things.

Seney: Was it just from natural sources?

Overvold: Yes, and just the concentrating effect of irrigation that brought that on.

Seney: As it continued, you mean, and dissolved more salts?

Overvold: Yes. You evaporate or consumptively use the water, and then the return flows are just that much more saline.

Seney: Concentrated, in other words.

Overvold: Concentrated. And it also picks up salts from the soils naturally, as a result of irrigation.

Seney: What else did you work on? These sound interesting to me, by the way. [Laughter]

Overvold: As a whole, very interesting.

Seney: Was this one?

Salinity Problems along the Lower Colorado River

Overvold: That was interesting. That was mostly data collection and monitoring. And then there was also the Yuma Desalting Plant[7] sizing study that I worked on, and we were developing this model to determine how big a desalting plant we should build down there. That was a real–this was at the beginning. This was a real boondoggle that I could see. This desalting plant was going to be very expensive to treat the water, to squeeze this water through these membranes to keep the salt on one side and pure water goes through the membranes. And it was going to take one big huge powerplant, almost the entire production from the powerplant, just to keep the desalting plant operating.

Seney: And the purpose was water-quality improvement on the lower Colorado?

Overvold: The purpose was to salvage the water that was being produced from a groundwater well field in the Wellton-Mohawk Irrigation District. These were all pumped into a drain channel, and that drain channel went down and bypassed the Mexican

7. Completed in 1992, Reclamation constructed the Yuma Desalting Plant to reduce the quantity and improve the quality of irrigation drainage pumped from the shallow aquifer beneath the farmlands of the Welton-Mohawk Division of the Gila Project. The purpose of improving the quality of the drainage water is to make it usable as part of the deliveries to Mexico in accordance with the treaty of February 3, 1944. For more information on the Gila Project, see Tina Marie Bell, "Gila Project," Denver: Bureau of Reclamation History Program, 1997, www.usbr.gov/projects/pdf.php?id=121.

diversion, and it was just being wasted down to the river–"wasted," in quotes, in the perception of the time.

Seney: Yes.

Overvold: And back in 1969, I think, or the early sixties, there was a Brownell Task Force that was formed, because Mexico was threatening to take the United States to International Court, claiming that the United States was damaging the water to such a level that they were unable to produce crops in the area.

Seney: Was this named for Herbert Brownell, the former U.S. Attorney General?

Overvold: Yes. And President [John F.] Kennedy was involved in that, too.

Seney: Why were they pumping the water out of these well fields? Were they irrigating with it first and then letting it flow down?

Overvold: Yes. They were irrigating that area, and as a result of the irrigation, the water table came up and so they started pumping some of the wells to try to keep the water table down. They pump the wells into the Gila River, which was sort of a side river from the Colorado River, and after a while they had so many wells installed that they decided, "Well, let's put a conveyance facility to capture all this groundwater and convey it out of here," because the salinity was really high. It was like 6,000 parts per million.

Seney: And that's high?

Overvold: Pretty poor. Yes. The typical inflow quality was around 800 parts per million.

Seney: And this is 6,000.

Overvold: This is 6,000. It's unacceptable for irrigation.

Seney: And undrinkable, I'm sure.

Overvold: Yes. So that was running in a channel down and it was discharged into the river just upstream from the Mexican diversion point, so here's this one single point that was a source of water, that was going into the Mexican supply, it was used as part of the treaty obligation to Mexico, and Mexico said, "We don't want this stuff."

Seney: You mean to meet their water flows.

Overvold: Yes.

Seney: In other words, water was being taken out of the Colorado, irrigating this area, raising the water table. They're now drilling wells to get this used water, so to speak, and convey it down to the Gila River.

Overvold: Yes.

Seney: I can understand why the Mexicans were complaining.

Overvold: Yes. Mexico got a million and a half acre-feet of entitlement out of the Colorado River. So here's this discharge of about 200,000 acre feet that was going in, and it was 6,000 parts per million. And the T-D-S would go from 800 at the United States end, to 1,200 or 1,300, 1,400 parts per million, so the T-D-S was almost doubled.

Seney: T-D-S meaning?

Overvold: Total dissolved solids. The quality doubled in that short distance. And so it deteriorated, I should say, as total dissolved solids content increased.

Seney: So they were getting something just above brine.

Overvold: Yes. Well, no, not that bad. You could still irrigate. It was marginal for agriculture.

Seney: So the plan was, then, to put this desalinization plant astride this conveyance.

Problems with the Yuma Desalting Plant

Overvold: The solution to the problem that Mexico filed the complaint was to just waste that water, dump it down the river below their diversion point, and that was unacceptable to the seven basin states. They said, "You can't waste this water, United States. You caused this problem. You built all these Bureau projects. You made this treaty with Mexico." It was Herbert Hoover at the time. "And so you have to clean it up. Doesn't matter what it costs."

So we built this desalting plant, and I was responsible–I was one of the group that worked on this model to determine how big it ought to be, because we didn't want to build it too big. So that was the job. That was the major job that was most exciting to me.

Seney: But did you, from the very beginning, think this was a boondoggle?

Overvold: Yes, we all–

Seney: You all did?

Overvold: We all concluded, yes, this is a waste of money. It's going to bankrupt the Bureau. Here are these projects that the Bureau is doing, and it was getting into the business of–we could build a project. At the time, we had to build projects that had a return on them. There was a beneficial return on these projects.

Seney: They had to pay back somehow.

Overvold: Yes, you had to pay it off. It had to be a beneficial return. And this one was just a total loss, right from the beginning. The cost of water was going to be over 100 dollars an acre foot, 200 dollars an acre foot.

Seney: And could you clean it? If you spent enough money on this, would it have cleaned it up?

Overvold: Yes, and then you would have had to worry about the brine from the desalting plant, because you'd still have a stream of water that was even more concentrated, that you had to get rid of, and that was going to be just discharge down to the ocean, which could have been done.

Seney: Feasible.

Overvold: Yes. So they built it and they decided, "Whoa! This is too expensive. Forget it." And then also the river system got to a point where there was so much water in the river that once Lake Powell was filled and the demand for the upper basin–the upper basin states never did develop to their full consumptive-use allocation. And we all knew that, that they weren't going to, but they kept telling us, "Oh, yeah, we will."

So they didn't ever get that way, and so we had a lot of surplus water. And our model studies showed that there would be spills and there would be high flows. And whenever there's high flows, you can easily meet this requirement in Mexico. So there was no point in building the desalting plant.

Seney: But you went ahead and did it anyway.

Overvold: That's right. It wasn't at *my* insistence. [Laughter]

Seney: I understand. [Laughter] I understand.

Overvold: But they didn't listen to us.

Seney: This is all going on while Lake Powell is being filled, as you mentioned earlier. So the flows were minimal to meet the consumptive use.

Overvold: Yes, and then once it was built, then you had lots of surplus water.

Seney: The river then starts flowing faster again and fuller, so you're diluting this stuff.

Overvold: Yes, and it's not a problem anymore.

Seney: So is there a desalting plant sitting down there?

Overvold: It's sitting in mothballs, yes.

Seney: What did it cost, do you remember?

Overvold: Hundred million. It was a lot. Over a hundred million, I'm sure.

Seney: Never been operated?

Overvold: Yes, it was operated and tested.

Seney: How did it work?

Overvold: I don't know if it worked up to what it was advertised, but it worked. [Laughter]

Seney: [Laughter] The way you smiled when you said that, I think you know more than you're telling me. What aren't you telling me here? You promised this time you were going to be forthcoming.

Overvold: Okay. The Project Manager down there got in trouble with procurement. He got fired. He was asked to step down. He got in with some other contractors and made some sweetheart deals, I guess, or something. He got caught.

Seney: So, among the other problems, it had a kind of corrupting influence, perhaps.

Overvold: Yes, there was some corruption, because there was so much money involved.

Seney: And it must have been a different kind of project without the same kind of controls on it, maybe?

Overvold: There's a lot of lack of control. [Laughter]

Seney: What do you mean?

Overvold: Well, look at the Hoover Dam Visitor Center, you know, where 150 million dollars was spent putting that in. Look at–

Seney: And you're not buying the argument that they had to go through the stone and all of this?

Overvold: Oh, yes, sure, it's nice and all that stuff, but–

Seney: A little expensive.

Overvold: There's just no oversight. That's the problem. Commissioners come and go, and they want to try to blame other people.

Seney: But that was an interesting project to work on, wasn't it. You learned something from it.

Overvold: Sure.

Seney: But it's always exciting to build things, isn't it. [Laughter]

Overvold: Oh, yes. [Laughter]

Seney: Whether they're going to be used or not.

Overvold: Right.

Seney: To see something go up. How long did you work on that?

Overvold: The Yuma Desalting Plant study?

Seney: Yes.

Overvold: That was during the six years I was there.

Seney: So, all this was going on during the same six years. This is the water branch?

Overvold: Water Management Branch.

Seney: So all of these things, the salinity, the return flows, the Yuma business, all of that came under this.

Overvold: Right.

Seney: What else did you do? Any other tasks?

Overvold: No, that was about it. And then after that, I stayed in Boulder City and got a job in the Planning Office, and I started working on a study. That was a single study.

Seney: Let me ask you, why did you switch?

Overvold: I just got tired of doing it.

Seney: What were you by this time, a GS–

Overvold: I was a GS-12.

Seney: Which was as high as you could go, maybe, was it, in that office?

Overvold: Yes. That's like a journeyman engineer before you move into the management–

Seney: So then you moved over into the Planning Office.

Overvold: I moved into the Planning Office at a 12 level. I moved because there was this new study coming up, a water conservation study, to look at ways to save water in the Imperial Irrigation District. So I took that on and I worked on that for four years.

Seney: Tell me what you were trying to do. The Imperial Irrigation District gets an allocation out of the Colorado River.

Imperial Irrigation District

Overvold: Yes. It's the biggest project around. It's quasi-federal. There's some federal project, federal involvement in that. But most of it was private development.

Seney: How much water did they get?

Overvold: They get about 3 million acre feet a year, that they divert.

Seney: That's a lot of water, isn't it?

Overvold: Yes. And then there's the drain flow from that project goes into the Salton Sea, which is a separate sink. It's a low point in the whole valley.

Seney: Man-made lake isn't it?

Overvold: Well, yes.

Seney: One of the canals ruptured.

Overvold: No, the river itself, the Colorado River, was following–there was a flood, and instead of going down the river into the ocean, it followed one of the canals that was constructed, and turned and headed straight into the Salton Sea, and filled up the Salton Sea in 1906 or '07.

Seney: It was the All-American Canal it went through, didn't it?

Overvold: Yes. And the Southern Pacific [Railroad] came in and they tried to block it, and they couldn't, so they had to bring in the United States. It was a big effort to turn it around, turn the river around.[8]

Seney: Oh, it was. That would have been its course then if you hadn't come in and tried to–

Overvold: To reroute it again. Yes. It would have just filled up the whole area, and finally found an outlet back to the sea after it was filled. So anyway, I was looking at ways to–well, the Salton Sea was rising as a result of this irrigation. Three million goes into Imperial Valley and about a million goes into the Salton Sea as drainage flows, and the consumptive use is about two million. And it's about 500,000 acres of land. It's a big area. Must be like twenty miles across and forty miles up and down.

Seney: This is the irrigation district.

Overvold: The irrigation district. It's a massive project. So I was working on that, and we were looking at ways to reduce the diversions or find opportunities to save water, and that would then lower the rise of the Salton Sea.

Seney: What's the evaporation off the Salton Sea?

The Salton Sea

Overvold: Off the Salton Sea, it must be about a million, close to a million acre feet.

8. There is a little confusion here. There was a break in an Imperial Valley diversion dam in Mexico, which caused the Colorado River to jump from its bed and flow into the Salton Sink. It took three years for Imperial Valley residents and the Southern Pacific Railroad to return the river to its normal bed. The resulting flood created the Salton Sea. Part of the Boulder Canyon Project, construction of the All-American Canal began in 1934, following the construction of Hoover Dam, and completed in 1940. For more information, see Eric A. Stene, "All-American Canal: Boulder Canyon Project," Denver: Bureau of Reclamation History Program, 2009, www.usbr.gov/projects/pdf.php?id=80.

Whatever is going in has got to go. Since the evaporation wasn't as great as what was going in, it was starting to rise a little bit. And some of the landowners around the sea filed suit against the Imperial Irrigation District, saying, "Hey, look, you guys are wasting water and you're making the sea go up and I'm getting flooded out." So they are suing their own–the hand that feeds them. Anyway, so we did this study, and I was real happy with getting that out.

Seney: Tell me about the substance of it. What was the methodology? How did you do it?

Overvold: We looked at all the records that the district had, flow records, and looked at canal lining, are there any losses in the canals. We looked at on-farm measures. Is there a lot of lateral waste? At the end of the canals there's a lateral coming off of a main canal every half a mile, and it flows towards the center and then there's wasteways at the end of each lateral. So we thought, well, maybe we could get a conveyor, a collection system at the end of these laterals to collect the water and put it into a pond or something and then make it available for reuse later in the system.

Seney: Was it pretty decent-quality water?

Overvold: Well, it was 800 parts per million arriving at Imperial Valley, at Imperial Dam. There's no degradation in the quality until you get down to the farm and then it's poor quality, or the return flows from the farms.

So we proposed–one item was to propose this collection system, and the other was to line canals. So Metropolitan Water District came in and said, "Hey, we'll line these canals if we can get to save water," so they did that and they came up with some schemes to do that.

Seney: So they reduced the amount of return flows out of the laterals, took that return flow and put it into the Metropolitan Water District in Los Angeles' system.

Overvold: Yes.

Seney: Just to sort of jump ahead, some of that's going on now, isn't it, with the San Diego water people?

Overvold: Right.

Seney: They want to do the same thing. Apparently the whole system is not yet lined. There would be more water saved. And the Metropolitan Water District of Los Angeles won't permit them to convey that water at this point in their canals, right?

Overvold: I haven't been keeping up with–

Seney: Something like that, yes.

Overvold: But anyway, once I had left Boulder City, I was invited by Imperial Irrigation District. They found me when I was in El Paso, and said, "Hey, why don't you come over and attend the dedication of this conveyance system," that they had constructed. So that was nice. I was glad to go there. I got to go there and see the dedication, see some of the old folks.

Seney: Let me put a different tape in.

END SIDE 2, TAPE 1. JULY 17, 1998.
BEGIN SIDE 1, TAPE 2. JULY 17, 1998.

Seney: My name is Donald Seney. I'm talking with David Overvold in the conference room of the Truckee-Carson Irrigation District in Fallon, Nevada. Today is July 17, 1998. This is our first session and our second tape.

So this was a satisfying study, then. You enjoyed this one?

Overvold: Yes, I did enjoy this.

Seney: How long did it take to do it? Were you in charge, by the way?

Overvold: I was in charge of the study, yes.

Seney: Was this one of the first times you were in charge of something, your project?

Overvold: No, I was in charge of that measured return flow program study, too. But this was a planning study and I was in charge of the whole budget for it. It was a four-year project, and we got it done and issued a report. So after that was done, I went on to another job.

Seney: And you felt like maybe you stimulated something useful when the Metropolitan Water District came in, on the basis of your report.

Overvold: Yes.

Seney: So they invited you to come to the dedication.

Overvold: Right.

Seney: That's nice.

Overvold: Yes.

Seney: How long did you stay in the Planning Office?

Overvold: Four years.

Seney: This would have been your ten years in Boulder City, wouldn't it, the six and the four.

Overvold: Right.

Seney: What else did you do during this period? Was this the only thing you worked on?

Overvold: The only thing I worked on.

Seney: Because that was a big job.

Overvold: Yes.

Seney: How many people were you managing for that?

Overvold: Oh, there was about five people, I think. Some hydrologic technicians and people like that.

Seney: Is the way you do this pretty standard and understood, or did you run into some unique problems that you had to take into consideration?

Overvold: No, I think that was a fairly standard study. Water management is kind of a new thing, or it was at that time, you know. We were just getting into the business of trying to take water from farmers and give it to a higher and better use, supposedly.

Seney: Try to squeeze a little more use out of it.

Overvold: Yes, out of the turnip. So it was interesting.

Seney: So, after ten years you were tired of Boulder City, or you felt like you had gone as far as you could? Why did you apply then for another job?

Reclamation's Planning Process

Overvold: Well, I wanted to get into management. There was a lot of talk about reducing the planning staff and getting rid of planning and consolidating it in Denver, and so it appeared that sometime soon the Planning Office was going to be reduced

significantly. So I started looking for other jobs. And planning is kind of a different business, you know. It's a lot of process, and I don't like process. [Laughter]

Seney: How do you mean?

Overvold: Well, there are all these rules about how to conduct a study. You know, it was a lot of paperwork and stuff that I just didn't like to do. I like more to do the work and do things.

Seney: I'm trying to get you to give me a grasp of what you mean by rules. Can you remember any examples?

Overvold: Yes, they switched from–let's see. In the seventies there was a change in the planning process, where we went from feasibility studies. There was an appraisal-level study and then a feasibility study, and then a definite plan report was published, and then construction. It was a fairly long process. So they wanted to speed that up, and they came up with this two-stage planning process, where you could look at something and come to a decision point fairly early, to decide whether to go into construction or not. So we had to change our whole perception or process of doing these studies, and it was difficult to go through that.

Seney: A lot of meetings about what do we do?

Overvold: Yes. What are we doing? How do we do it? There was a lot of confusion about how we do it.

Seney: Rather than getting on with it.

Overvold: Yes.

Seney: Yes, I see what you mean. Okay. So when you looked around for other jobs, what did you find?

Resettling the Family in El Paso

Overvold: Well, I found a job in El Paso. [Laughter]

Seney: Was that the only one you applied for?

Overvold: No, probably not. I don't remember. I think I applied for a number of jobs.

Seney: Is that typical? I suppose it is.

Overvold: Yes. Once you decide, "Maybe I'll look around," then you start applying for jobs, and it sort of gets to be inevitable that you're going to get a job. So I took that job. It was a GS-13 job. It was Chief of a Water and Land Division, so it was more into the operation and maintenance.

Seney: I'm bound to ask here. You drove again, I take it?

Overvold: Oh, yes.

Seney: And as you're driving from Boulder City to Arizona–

Overvold: Through Arizona.

Seney: New Mexico, into Texas, it's getting drier and drier, is it? I'm thinking of Mrs. Overvold again.

Overvold: We did a house-hunting trip that time, I think, and I know we looked around.

Seney: What was her reaction to El Paso?

Overvold: Oh, she was pretty well used to deserts by then. [Laughter] So it wasn't a shock.

Seney: [Laughter] It dried her tears. Because this, I think, is a factor to what, again, Brit is interested in, and that is that the Bureau is located in isolated and sometimes difficult terrain, and it does have an impact on Bureau families as well. No question about it. It's often hard for the wife if she's inclined to do something on her own, to have a business or a career or something of that sort. Of course, you had three children by now. Or your boy was born in El Paso?

Overvold: The boy was born in Henderson.

Seney: So you've got all three of them now.

Overvold: Wait. No. We were already in Boulder City when he was born, but he was born in Henderson because the Boulder City Hospital was just getting started and their maternity ward wasn't really that hot.

From Salida, we moved to Boulder City. That was in October of '73. We had a one-month-old daughter and a three-year-old, so that was pretty tough. We moved to this area that was–oh, the air quality was terrible, because every night these–

Seney: This is El Paso?

Overvold: No, this is in Boulder City, or in Henderson. They have these big industrial places. I don't remember the names of them, titanium metals, and some other places where they dump chlorine in the atmosphere at night, and they got away with it, but every morning or every–sometimes they'd say, "Well, we had an accident," and there's this big cloud of chlorine gas sitting up there, just smells awful. And they discharged poor-quality water down in some ditches, just eat up your bicycle tires if you ran through them, you know. Bad stuff. The p-H was 9, you know, or 7. High. Seven is normal, I guess. p-H's of 1 and 14. Really high acid, really high base. It was really poor quality. All of that would go running down into the Las Vegas Wash, into Lake Mead. But anyway, that was not a very pleasant place to live. We lived there for four years and then got out and moved to Boulder City, and that was a nice area.

Seney: How was El Paso?

Overvold: El Paso–

Seney: I take it you're one of those who buys wherever you go, as opposed to renting.

Overvold: Yes. We lived there for nine years.

Seney: So that would have been from '83 to '91?

Overvold: '83 to '92. '92, yes, '91. December '91. I moved into Carson City in January '92. It was difficult on the family there in El Paso, because you're in the minority there. My son was a blond-haired kid and he was pretty large for his class, and he was picked on quite a bit, a whole lot more than I realized. Now that I look back on it, he's told us a lot about it. But he was persecuted quite a bit.

Seney: Because it's mostly Latino population.

Overvold: Yes, about 80 percent Hispanic. It was difficult for him. The two girls graduated from high school there, and it was real close to the border. They used to go across the border and play in high school, you know, and it was scary to me. They'd go to these bars and stuff. It was a popular thing to go do that stuff. We had a hard time accepting that.

Seney: [Laughter] I'm sure.

Overvold: But, you know, our second daughter, she came out of it real well. I mean, she

turned out real well. She thinks it was because she had a chance to go out there and experience these–

Seney: Temptations?

Overvold: –temptations early and get over it. When she went to college, it wasn't as big a deal.

Seney: She is the one in Corvallis now?

Overvold: No.

Seney: That's your older one.

Overvold: She's in Dallas right now, suffering through the heat wave. [Laughter]

Seney: Oh, no.

Overvold: She got a master's degree and she's doing very well.

Seney: What is she doing in Dallas?

Overvold: Well, she was working for this Mary Kay Cosmetics Cancer Research Lab that's there, and she has a degree in diseases of the fish that she got from University of Auburn in Alabama. But what she was doing was working on human cancer research. She got fed up with that because they were just getting some radiation equipment and she knew that some of the people that she worked with were incompetent, so she quit.

Seney: So she was concerned about safety matters.

Overvold: Yes.

Seney: I can't blame her.

Overvold: Her own health.

Seney: Sure.

Overvold: So she got a job as a nanny, better pay, taking care of this one little kid. The previous nanny, I guess they'd just moved into town, they're really rich people, they were looking at these houses, $600,000 houses, and thought they were all junk. She's an orthopedist, just setting up her practice, and her husband is doing

something that's making big bucks, too, and so the previous nanny had a master's degree as well, and it's a little girl. I don't know, she's probably two years old, Tatiana, and she takes care of this little girl. That's all she does.

Seney: Good for her.

Overvold: Yes. It's sort of a break from what she'd been doing before. She's been getting a lot of other job offers, too.

Seney: Sure.

Overvold: But the first daughter, she had a tough time. She got into drugs, I think. We had a tough time with her in college.

Seney: It's not unusual. Almost every family has that, you know. Is she doing better now?

Overvold: I think so, yes. We don't get to see her very often. She doesn't make a whole lot of effort to see us.

Seney: Well, that's tough, too.

Overvold: It's real tough.

Seney: What did you do in El Paso? You were in management, a 13 now.

Working in Reclamation's El Paso Office

Overvold: Yes. Roger Patterson, who is now currently the Regional Director in Sacramento, was the Project Manager at the time. He's the one that hired me.[9] We were like Frick and Frack. [Laughter]

Seney: How do you mean?

Overvold: Well, two blond guys, you know, from out of town, in a Hispanic culture. We kind of stood out. We did a lot of things, got into a lot of new–tried to do a lot of new things there.

9. Roger Patterson served as Regional Director in Reclamation's Upper Missouri Region from 1988 to 1991, and went on to become Mid-Pacific Regional Director from 1991 to 1999. Mr. Patterson also participated in Reclamation's oral history program. See, Roger K. Patterson, *Oral History Interviews*, Transcript of tape-recorded Bureau of Reclamation oral history interviews conducted by Brit Allan Storey, senior historian, Bureau of Reclamation, from1994 to 2000, in Sacramento, California, and Lincoln, Nebraska, edited by Brit Allan Storey, 2011, www.usbr.gov/history/oralhist.html.

Seney: Make changes, you mean, in the office?

Overvold: Changes, yes.

Seney: Did the office reflect the ethnic makeup of the community? Was it a largely Latino office?

Overvold: Yes, very much.

Seney: What was that like? Did that create problems or make differences? That must have been unusual for you, wasn't it? I would think Boulder City and Salida would be– perhaps not everyone looked like you, but many of them would.

Overvold: Sure.

Seney: I know a lot of Bureau people come from North Dakota, South Dakota, Nebraska. A lot of them come out of that area that I have interviewed.

Overvold: No, I don't think I had a problem. There was a lot of animosity, I think, amongst some of the Hispanics because they saw white folks come in to the high-level jobs and get promoted out, and that's all they saw. And they felt oppressed that none of the people that are in the office got the chance to move up. So that's being changed now. There are some that have moved up.

Seney: The current Commissioner [Eluid L. Martinez] is a Latino.

Overvold: Yes, and he was from New Mexico. I knew him when I was working there, when he worked at the State Engineer's Office before he became State Engineer.[10]

Seney: What did you do in El Paso? What was your job?

Chief of Water and Land Division

Overvold: I was the Chief of the Water and Land Division, which is in charge of operation and maintenance. We set up a program of taking care of the diversion dams.

Seney: Tell me what projects are there. As you know, I've been focusing on the Newlands Project, so I don't know a lot about other Bureau projects.

10. Eluid Martinez was the Commissioner of the Bureau of Reclamation under the Clinton administration from 1995 to 2001. Mr. Martinez also participated in Reclamation's oral history program. See Eluid L. Martinez, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation oral history interviews conducted by Brit Allan Storey, senior historian, Bureau of Reclamation, during 1996 to 2001, in Washington, D.C. and Sante Fe, New Mexico, edited by Brit Allan Storey, 2006, www.usbr.gov/history/oralhist.html.

Overvold: This is the Rio Grande Project.

Seney: Say a little bit about that, what it does.

Overvold: Okay. The Rio Grande Project has two different irrigation districts in it. There's an irrigation system in New Mexico, and that's the Elephant Butte Irrigation District, and then the other portion of it is in Texas, and that's the El Paso County Water Improvement District. There's also a delivery to Mexico that's done, and that's under the auspices of the International Boundary and Water Commission, which is headquartered in El Paso. So we dealt with them a lot in making sure that Mexico got their allocation of 60,000 acre feet a year. It's a smaller-scale project there.[11]

Seney: That is a small project. Mexico got 60,000.

Overvold: Right. Out of the Rio Grande.

Seney: And what was the flow that you were parceling?

Overvold: We were dealing with a million and a half acre-feet, I think it was, so it was almost about a tenth the size of the Colorado River system up at this end. Now, our project, the Rio Grande Project, pretty much dried up the river, and then down below our project there was hardly ever any water, and then the Pecos River came in, and there was another river that came in from Mexico. Then down in the lower end of the Rio Grande, as you get into the Big Bend National Park, you know, and on down, there's a lot of water down there. And there's a big project down there, too, the Rio Grande Valley, lower Rio Grande Valley.

We worked with those irrigation districts, and we had a major reservoir, Elephant Butte Dam and Reservoir, and then another regulating reservoir downstream, Caballo Dam and Reservoir. Those were the main supply reservoirs and we operated those. There was a powerplant on one of them and there was a Power Division up there. My responsibility was to make sure that the structures were safe and deliver the water to the irrigation districts and manage the lands.

Seney: What difference did it make that you were messing with a river that sits astride an international border, as opposed to, say, when you're working up in Hoover Dam?

11. Rio Grande Project lands occupy the river bottom land of the Rio Grande valley in south-central New Mexico and west Texas. Physical features of the project include Elephant Butte and Caballo dams, six diversion dams, 141 miles of canals 462 miles of laterals, and a hydroelectric powerplant. For more information, see Robert Autobee, "Rio Grande Project," Denver: Bureau of Reclamation History Program, 1994, www.usbr.gov/projects/pdf.php?id=179.

Overvold: Well, it's almost the same.

Seney: I guess it would be. It empties into that, doesn't it. How do those sort of international pressures play themselves out? Did you have to go meet with Mexican water officials?

Relations with Mexico

Overvold: When I was in Boulder City, I did meet with the Mexican water officials, because we were working on building a well field right along the border on the United States side, as a retaliation for the well field that had been built on the Mexican side. So we were going to pump all those wells to intercept the groundwater before it got to Mexico, and stabilize it.

But my experience with the International Boundary and Water Commission and relations with Mexico is that it's all one-sided. The United States did everything for Mexico, bent over backwards for them, and spent all kinds of money, you know, and never expected Mexico to live up to its duties.

Seney: Why had they built this well field on their side of the border? To intercept the ground flows?

Overvold: Yes. They needed water. They didn't care if they stole it from the United States. They wanted to deplete their supply. And if it takes water from the United States, so much the better, you know. They didn't care. But when the United States does something like that, oh, they scream bloody murder and they threaten. And, you know, I suppose there is some merit that we appear to be the rich people exploiting the small–

Seney: Sure. Sure. We might look at it the same way if we were them. So they're intercepting water–

Overvold: But it isn't fair.

Seney: No. Right. I'm not saying it is. People see things very differently, obviously, depending on where they are. So the Rio Grande is going through here, or the Colorado is going through?

Overvold: This is the Colorado River.

Seney: And the water's seeping out of the Colorado, and they're going to take it from underground, that they don't have a right to take out of the river itself.

Overvold: Yes. There was a large mound of water that had built up on the Yuma Mesa as a result of the irrigation, and it built up this groundwater supply. So it started flowing in that direction towards Mexico.

Seney: Underground.

Overvold: Underground. So they started putting a well field in, and that just made it even steeper and then made more water flow that way. So the United States said, "Well, okay, we'll build a well field, intercept it, and then deliver it as part of the treaty."

Seney: And is that what happened eventually?

Overvold: Right. The well field went in. So we went over across the border and met with the Mexican officials, to look at their irrigation system, the well field system, to see if we could configure ours the same way that theirs was.

Seney: So you could intercept the water first. But not so much on the Rio Grande.

Overvold: Not so much on the Rio Grande. But in the Rio Grande, now, what Mexico would do is they would discharge their untreated sewage effluent from the city of Juarez, which is a real big city, must have been over a million people–

Seney: And that's across the river from El Paso.

Overvold: Across the river from El Paso. And they didn't have any sewage-treatment plant system, so here's this *Acequia*–what was it called? Black ditch.

Seney: *Negro*.

Overvold: *Negro*. Yes. *Acequia Negro* or something like that. It wasn't *acequia*, though. But it was bad stuff, you know, really bad stuff.

Seney: Untreated raw?

Overvold: Untreated raw sewage coming into the river, and then the United States users had to use that water, untreated.

Seney: And that would be not only human waste, but that would probably be the waste from their manufacturing plants, rendering plants.

Overvold: Everything.

Seney: All the rest of it.

Overvold: It was bad stuff.

Seney: And there was no way to get them to treat it?

Overvold: Well, sure, there was a way. Make them, you know. Threaten them somehow. You could do it. But the United States and the Boundary Commission wouldn't do it. They'd come in and they'd say, "Oh, we'll build a plant for you and we'll treat it for you," you know.

Seney: Wouldn't that be, in a way, a solution, though?

Overvold: Sure.

Seney: It was cheaper than–treat it before it got to the river rather than treat it after it got into the river.

Overvold: But is that fair? [Laughter]

Seney: No, probably not.

Overvold: And then also, going back to the Colorado River system, Mexicali is just south of the border of Imperial Valley, Imperial Irrigation District, and that Mexicali Valley drains, some of it drains into the Salton Sea, and they discharge raw sewage right into the United States waters there, too.

Seney: Well, that's true in San Diego, from Tijuana and Ensenada. The currents bring it right up onto the beaches of San Diego.

Overvold: And nothing is done.

Seney: Right.

Overvold: And Mexico comes to the United States and says, "Hey, could you bail us out of this economic mess that we're in?"

Seney: Yes.

Overvold: Well, why don't we just say, "Sure we will, as long as you clean up your sewage"?

Seney: You're right, it's not fair, but it's part of what economists call "negative spillover," another wonderful term. [Laughter] When you're on the border like that, you can

force costs on someone else. I mean, and if I were a Mexican official, I'd say, "To hell with them. If they don't want it that way, let them build us a plant." And that would be their strategy, I'm sure, and it's a very tough nut to crack.

Overvold: Yes. And then there's this NAFTA [North American Fair Trade Agreement]. That happened while we were there. They had these twin plants going on when we were in El Paso, where a United States company would come in, they'd have a plant on the United States side, and then on the Mexican side would be the high labor-intensive jobs for the same company, like Mattell Toys or Tonka Toys. They'd come in, right out of Minnesota.

We had some good friends in our Lutheran Church who were from Minnesota, and they looked as out of place as we did, you know, and they were operating this system where they would hire the cheap Mexican labor to build these Tonka Toys, and then they'd bring them across the border and package them.

Seney: Because the law required part of the work be done here in the United States, just a small part. Then that would be done and they would be, without duty, put into the United States market.

Overvold: Yes. So all these Minnesota Minnetonka people, they got laid off so that we could hire these Mexicans.

Seney: I know. I know.

Overvold: We saw a lot of that. We were not in favor of NAFTA when it came along.

Seney: Did you enjoy living in El Paso? You've mentioned there were negative effects. Was there anything enjoyable you liked about it?

Elected to the School Board

Overvold: I don't know. I got on the school board for two years, and that was–

Seney: The El Paso school board?

Overvold: Ysleta School District, yes, which is part of El Paso.

Seney: That was an elected position?

Overvold: Elected position, yes.

Seney: Overvold for school board?

Overvold: Overvold for school board. I was elected the year that a majority of Hispanics were elected to the school board, and they cleaned house. They fired the white superintendent and they brought in a Hispanic superintendent. There was a lot of turmoil going on.

Seney: So you were the minority.

Overvold: I was one of the three.

Seney: Seven-member board?

Overvold: Seven-member board.

Seney: Four Hispanics and three–

Overvold: Three Anglos.

Seney: What motivated you to run for the school board?

Overvold: Well, there was an article in the newspaper that said there was nobody that had applied to run for the school board. I thought, that's ridiculous. I told Roger [Patterson] that, and Roger said, "Well, why don't you apply." [Laughter] So I went down there about the last day. "If nobody's interested in running for the school board, I'll do that." And they said, "Sure!" [Laughter] Well, there was one other person that had the same idea as I did and applied on the last day, put their name on the ballot. I didn't know that at the time.

Seney: How many names were on the ballot for this? All seven seats were open? Or probably not.

Overvold: No, I don't think so.

Seney: Either four or three, probably, would have been open?

Overvold: Yes. Well, let's see. I think there were like three or four new positions that came open.

Seney: And how many were on the ballot? Four? Or just one more than the number of positions?

Overvold: Well, they were from districts, specific districts. So in my district there were two

that were on the ballot, me and somebody else. And as soon as I saw that there was somebody else, I said, "I'm not going to mess with this." So I went down and I said, "I withdraw." They said, "Well, okay."

So here comes the ballot time, my name's on the ballot, and I get elected. I didn't run.

Seney: You didn't do anything?

Overvold: Didn't do anything.

Seney: No Candidate Night appearances?

Overvold: No.

Seney: No yard signs?

Overvold: No.

Seney: Nothing?

Overvold: No.

Seney: How much did you win by?

Overvold: Quite a bit.

Seney: You may have missed your calling here. [Laughter]

Overvold: But it was just a matter of being first on the ballot. I remember the lady that was in charge of voting, Ellen Richards or something like that, she called me up and she said, "This is highly irregular." [Laughter] "This can't happen." And the night that it happened–

Seney: You mean she called you up after the election?

Overvold: After the election. She thought it was terrible that I had–after I accepted it, what happened was, I got the highest number of votes, and I knew the other guy. I mean, I got to know the other guy, and he's a real jerk. Once the election night happened, I got a call from the superintendent of schools and I told him, "What should I do?" He says, "You ought to take it."

Seney: [Laughter] He knew the other guy, too, huh?

Overvold: He knew the other guy, too. So I said, "Okay, I will." And then he was gone the next day.

Seney: The next day?

Overvold: Yes.

Seney: You mean as soon as the board was sworn in, he was out of there.

Overvold: He was out of there.

Seney: Tell me a little bit about this experience.

Overvold: Well, so I got elected, okay? The guy that ran didn't win. He sued me and the school board.

Seney: For what?

Overvold: For–I don't know, for accepting it, I guess.

Seney: For not campaigning.

Overvold: Yes. So that was a civil matter. The school board refused to support me, so I had to hire–or get a lawyer of my own to protect myself. And I was deposed, and they had a deposition. I gave a deposition for this lawsuit, and that was the end of it. Nothing ever happened. So the guy, he just didn't pay his attorney for the cost of doing whatever it is. So that was the end of that.

Seney: I can't imagine what the grounds for a lawsuit would have been, but that must have been an unhappy moment when you realized that was going to happen.

Overvold: It was a troubling experience.

Seney: Let met turn this over.

END SIDE 1, TAPE 2. JULY 17, 1998.
BEGIN SIDE 2, TAPE 1. JULY 17, 1998.

Seney: What was it like serving on the school board? You look kind of nervous about it. Is it bugging you to talk about it, or was it a nerve-wracking experience? No? Okay.

Serving on the School Board

Overvold: It was nerve-wracking. It took all of my time. I mean, that was a major job. There's five thousand employees and 50,000 students, you know, and I don't know how many millions of dollars was in the budget, 100 million-dollar budget. It was a real chore. Then there was this racial overtone stuff, you know, going on. I finally think I was accepted as someone who contributed quite a bit.

But then two years later, I was going to run again. I don't know why I did that. I shouldn't have. But there was another person that was highly organized, and he ran. It was a woman, and it was the wife of a principal in the school district, which I thought was highly irregular, but she got it. They pushed real hard to get her.

Seney: Teachers' organization maybe was behind her?

Overvold: The principal of that one school, he pushed.

Seney: Was she also Latino?

Overvold: She was Hispanic, but he was not. She was an old family resident there.

Seney: Give me a sense of what you were doing on there and how it was frustrating. Give us an example or two of what–

Overvold: Well, the Hispanic group, they were accused of meeting together and planning things without–on their own, without calling a board meeting.

Seney: Does Texas have an open-meeting law?

Overvold: Yes. And they did that. I know they did. And I was invited to some of those and I showed up, and there they were, there was four of them. So I participated in it, just to see what was going on, but they did do that.

Seney: This is by the time they thought you were an "all right" guy and they'd include you?

Overvold: Yes. Well, they were trying to see where I was. And they were accused of being "the gang of four." That's what their title was. They had these pictures and they made t-shirts, "the gang of four." It was kind of comical to them, because they were getting a kick out of it because they were in charge. They looked at all these gross injustices that they thought were going on, where money was being spent north of the freeway in the predominantly white area, and less interest was going on, or less–they weren't keeping track of what was going on in the lower valley.

Seney: Is that true, do you think?

Overvold: Oh, it was, yes. I'm sure it was. So we straightened that out. We fixed that.

Seney: Once you got on the inside and saw that that was going on, you must have thought their complaints had some merit.

Overvold: Yes. And so we went in and we set up a system of hiring all these architects and going in and refurbishing a lot of the schools, and that happened. So it was good to get a lot of that done. So, interesting. I should have spent my time getting a master's degree. [Laughter]

Seney: [Laughter] Did this help you with the Bureau? Did they like that you–did it make any difference?

Overvold: I don't think so.

Seney: Did Roger like it?

Overvold: A little bit, yes. His wife was a teacher. He used to tell me she used to complain about all the things that were going wrong.

Seney: So he'd blow in your ear.

Overvold: Yes. It would help me a little bit to get some insight. But I don't think it made much difference.

Seney: Did you enjoy it?

Overvold: It was enjoyable, yes. Oh, yes, they treat you like kings, you know. And my kids got special treatment because of it. There were some pleasant things about it. You got a lot of notoriety and you were invited to all these school functions, and it was nice to be there and be recognized as a pillar of the community and all that jazz.

Seney: And you felt you had the abilities and so forth to make a contribution?

Overvold: Yes.

Seney: Once you got in there.

Overvold: Worked on the construction and stuff. One of the first things, as this new board came on, one of the first things that had to be done was to–they were facing this salary problem with all the employees, and somehow, I guess, what I said at that

one meeting was enough to swing the vote for the whole board to accept this new salary proposal, and that just thrilled all the employees, you know, to have that settled. So I immediately gained all their respect. [Laughter] It was kind of a shock to me, but they were thrilled about that, so they–

Seney: So you felt you made positive contributions.

Overvold: Yes.

Seney: Were you really disappointed when you lost?

Overvold: No, I wasn't. I was relieved, basically, but, you know, it's kind of tough to–

Seney: Sure. Who wants to lose? Did you lose by much?

Overvold: No.

Seney: Did you campaign at all?

Overvold: Yes, a little bit. I mean, he had a really organized campaign and mine was just me and that was it. I should have probably spent a little more time on campaigning, but I just couldn't see–[Laughter]

Seney: Energize those teachers who were so happy with you, right?

Overvold: Yes.

Seney: What were you supposed to be doing for the Bureau during this time you were helping to run the school system?

High Flows on the Rio Grande

Overvold: Well, yes, I was working–we had high flows on the Rio Grande and we had spills and stuff, so it was really an intense time there, too.

Seney: High flows as a result of weather, lots of rain?

Overvold: High runoff, yes, and spills for the first time since 1942. Really eventful stuff.

Seney: Spills meaning there was more than the dam could accommodate?

Overvold: Right. Usually the farms could use more water than what the project could yield,

and so there had been shortages, a lot of shortages in the past. So now after we came, the water started showing up, and these debts that the lower basin owed to the upper basin, you know, were paid off.

Colorado and New Mexico, the upper end of New Mexico is the–there's a New Mexico Compact Commissioner and a Colorado Compact Commissioner and a Texas Compact Commissioner. So the Texas portion of it finally got rid of its debt that they owed to Colorado with the spill, and the Colorado Commissioner, he accused me of finagling it, you know, finessing it. [Laughter]

Seney: Let me see if I can understand what you're saying. This is the Rio Grande we're talking about, which originates in Colorado.

Overvold: Originates in Colorado.

Seney: Flows through New Mexico.

Overvold: Up around Alamosa, you know, and then flows through New Mexico. There's a lot of other tributaries in New Mexico, and then it flows into Elephant Butte Reservoir, and that's where Texas starts, essentially, for the compact purposes. It releases out of Elephant Butte Dam, which are up in Truth or Consequences, New Mexico.

Seney: You were in charge of that part of it?

Overvold: Yes.

Seney: But that's regarded as the lower?

Overvold: No, that's the upper Rio Grande. There's an upper Rio Grande which is in Albuquerque, New Mexico, and up into Colorado. And then we were in the–still in the Rio Grande Project. The Lower Rio Grande Project is way down past Big Bend, Texas.[12]

Seney: Okay. So you all owed some water further upstream.

Overvold: Yes. What would happen is that Texas would deliver more water out of the reservoir than they should have, and so they accumulated these debits based on the calculations that they made, the compact as it was developed. They were limited to how much water they could take out of Elephant Butte Dam, and they took more.

12. Authorized in the late 1950s, the Lower Rio Grande Rehabilitation Project in southern Texas rehabilitated the diversion, distribution, and drainage systems of La Feria and Mercedes divisions to permit more efficient operation and maintenance of works. For more information, see Jedediah S. Rogers, "Lower Rio Grande Rehabilitation Project," Denver: Bureau of Reclamation, 2009, www.usbr.gov/history/projhist.html.

So they had these debits. The only way they could wipe out those debits is if there was a flood and it spilled, Elephant Butte spilled. Then those debts are gone.

Seney: You mean if it spilled over.

Overvold: Physically filled up and overtopped and spilled, then the debt is wiped out, because they couldn't have stored it anyway. Had they not taken so much the lake would have been higher and it would have spilled earlier.

Seney: Oh, I see.

Overvold: That's how the debt was wiped out.

Seney: But the Colorado guy claims you're finagling here.

Overvold: Yes. The Colorado guy claimed that what we were doing was, we were releasing more water out of Elephant Butte, preventing it from spilling so that for some–I don't know what reason. I can't remember the details of it, but anyway, they thought that we were cooking the books or something to do this.

Seney: Were you?

Overvold: No.

Seney: Well, I've got to ask, you know. [Laughter]

Overvold: No.

Seney: And so the farmers now get their whole entitlement.

Overvold: Right.

Seney: And that must have been unusual.

Overvold: It was a fantastic, significant event.

Seney: So that was kind of a nice time to be there, I suppose, when you could satisfy everyone and not have to say no.

Overvold: Yes, and they had a big celebration up there at the dam. Colorado folks came down and the Texas Compact Commissioner brought cases of tequila in, and everybody had a good time. [Laughter]

Seney: [Laughter] And this must have helped some of your water-quality problems below Juarez as well with the excess flows.

Overvold: Yes. There was flooding down there, a lot of flooding problems.

Seney: But it scoured everything out good, I would think. How many years did this go on? You were there for how long?

Overvold: I was there for nine years, from '83 to '91. Roger left, I think, about four years into that, I guess.

Seney: To come out and head the Mid-Pacific Region?

Overvold: No, he went to be an Assistant Regional Director up in Billings, Montana, I think it was.

Seney: How long has he been head of the Mid-Pacific Region?

Overvold: He's been there for–

Seney: Quite a while.

Overvold: Quite a while. Seven years, maybe. He was Regional Director, I think, in Billings before he left there, then went to Sacramento.

Seney: How did you like the job in El Paso?

Family's Experience in El Paso

Overvold: I liked it. I really enjoyed that. That's, I think, why I stayed so long. The family suffered, I think. The school system was not good. They didn't learn much. So that was unfortunate.

Seney: Did your wife have difficulty, too? I mean, she would have if the kids were having difficulty, of course.

Overvold: Not too much.

Seney: More worrying about the kids?

Overvold: Yes.

Seney: Kids are for worrying, right? [Laughter]

Overvold: Yes.

Seney: That's what they're for.

Overvold: We tried to do a good job with them.

Seney: Sure. Sure. A lot of things out of your hands, unfortunately, you know. There's a lot of things you can't control, which is difficult, too, to realize.

Overvold: See, Patty had never learned how to drive.

Seney: Your wife?

Overvold: Yes. When she was in high school, fourteen years old or so, her cousin died violently in a car accident, and there was somebody else who died in a car accident, so at the time she was supposed to learn how to drive, she just didn't want to do it.

Seney: Sure.

Overvold: And so that was a burden sometimes, you know, that she couldn't drive. So when we came to El Paso and we got kids involved in activities, it became imperative, and so she learned on the freeways in El Paso. [Laughter] Baptism by fire. And we had this old 1990 Subaru, that didn't work very well, had some electrical problems, and she had a terrible time with that. One time she just left the car on the freeway and walked away from it. She calls me up and says, "You'd better go get your car if you want it." And I went down there and it wasn't there. They'd impounded it. [Laughter] I tried to have it get stolen, but it never did get stolen. So many cars get stolen in El Paso.

Seney: Crime rate pretty high?

Overvold: Yes.

Seney: I would think. It's easy to commit crimes and scoot across the border, isn't it?

Overvold: I lost my toolbox there, yes. And a quarter of the people in our office lost their vehicles.

Seney: Wow. So if you had anything that was at all desirable, it was gone real quick. They must have known about these 1990 Subarus, huh? [Laughter]

Overvold: [Laughter] That's right. They're dogs. Lemon yellow is what it was.

Seney: So you managed the dams. What else did you do as head of the Water Branch? Head of the Water Branch, right?

Activities in Water and Land Operations

Overvold: Water and Land Operations. Well, we had to take care of land problems. There was a lot of problems with that–encroachments, you know. All the irrigation ditches were federal property.

Seney: So you had to make sure that the rights-of-way were being respected and all that?

Overvold: Right. And they weren't. And the irrigation districts were upset about that, and we couldn't do anything about it. The federal government didn't do a good job to protect their rights-of-way, because if there was an encroachment, we could write letters to them, we could threaten them and all this stuff, but we'd never follow through because we had to turn it over to the Justice Department, and they had bigger fish to fry. They were fighting crime, you know, and they were fighting drugs.

Seney: What would these examples of encroachment be?

Overvold: Well, like we were going to build an All-American Canal over there, too, and there's this one guy that had his land abutting our rights-of-way, and he'd just go out there and he'd put stuff out there. He'd put all his cars and trucks and equipment and stuff out there, and we couldn't kick him off. And that would be mostly the case. They'd just put their stuff on it or build a house on it, you know. And I've always told our lands guys that when I retire, I'm going to find a nice Reclamation project and I'm going to build a house on Reclamation land.

Seney: [Laughter] And ignore the letters.

Overvold: Yes.

Seney: Because they knew. They obviously knew that even though you threatened them, that nothing would come of it, that there were these other priorities in the local federal attorney's office.

Overvold: Well, I don't know if they knew that, but they certainly didn't worry about our letters. [Laughter]

Seney: [Laughter] So that must have been mostly a frustration, I take it, that part of the job.

Overvold: Yes.

Seney: Well, why don't we take a break.

END SIDE 2, TAPE 2. JULY 17, 1998.
BEGIN SIDE 1, TAPE 1. JULY 17, 1998.

Seney: My name is Donald Seney, and I'm with David Overvold in the conference room of the Truckee-Carson Irrigation District in Fallon, Nevada. Today is July 17, 1998. This is our second session and our first tape.

Looking for Another Position

Dave, what made you decide to make a shift from El Paso and begin looking for another position?

Overvold: Well, I had been acting for a while after Dan Page–let's see. I was acting for a while.

Seney: Acting Project Manager.

Overvold: Acting Project Manager. And I was acting for six months and then I thought I was doing a pretty good job, but evidently not.

Seney: You hoped to be selected.

Overvold: I hoped to be selected, and I wasn't, so I thought, well, okay, I'll see if I can find other stuff.

Seney: Who makes that selection? The Regional Director?

Overvold: Regional Director, yes. And the selection was made because the other person was going to be out of a job, so they moved him in, and he might not have been as capable, but, you know.

Seney: You mean it was either this or he was out of the Bureau?

Overvold: Well, he would have had to–they would have had to find something for him to do, and so–I don't know. I've been unfortunate, being at the wrong place at the wrong time a number of times. [Laughter]

Seney: I understand. So you began to look for other positions in the usual way, seeing what was available?

Overvold: Right.

Seney: And besides Carson City, do you remember what you applied for?

Overvold: Yes, I applied for the Regional Supervisor of Water and Land Division up in Salt Lake City, 400 Division Chief, and I was interviewed for that. Also up in Billings, the same position, I applied for that one and was interviewed there.

Seney: Billings is also a region, isn't it.

Overvold: Right.

Seney: Would that have been a GS-14 job?

Overvold: Yes.

Seney: From a 13 to a 14.

Overvold: Yes. So I didn't get those, and then I decided, well, okay, I'll lateral to Carson City.

Seney: So what was the job that you lateraled to?

Overvold: I also applied for the project manager job down here in Carson City, the one when Ed was selected at that time.

Seney: Ed Solbos.

Overvold: Yes. So I went down to Sacramento and interviewed for that, too.

Seney: But then you lateraled out here as head of–what did you become in the Carson City office?

Becomes Assistant Project Manager at Carson City

Overvold: I applied for the Assistant Project Manager job at the time. Then when I got here to Carson City, I was in charge of a number of things, but the job was kind of restructured to be Chief of Special Studies Division, rather than Assistant Project Manager.

Seney: Why was that done?

Overvold: I don't know. Ed did it.

Seney: I see. The new Project Manager decided he would prefer to have it that way. And he has that kind of latitude?

Overvold: Yes.

Seney: Traditionally within the Bureau, the Regional Directors and the Project Managers have a fair amount of latitude, do they not?

Overvold: Oh, yes.

Seney: In organizing their own offices.

Overvold: Yes.

Seney: What had you heard about the Newlands Project, if anything, before you came here?

Overvold: Well, I was in Washington Office for about three or four weeks.

Seney: Is that one of those assignments that people get in the Bureau to go back to Washington to kind of get familiar with what's going on there?

Overvold: Yes. It was just sort of filling in for some position that had been vacant for a while, and it was an important position and they wanted to have somebody in there just to keep things going.

Seney: Tell me, what were you doing?

Introduction to Public Law 101-618

Overvold: Well, I was working on a number of activities. One of them was the Newlands Project. The negotiations and stuff for Public Law 101-618 were going on at the time, and so I was back there.[13] When I came out here, I noticed that there had

13. Public Law 101-618 became law on November 16, 1990. The law contains two acts: The Fallon Paiute-Shoshone Tribal Settlement Act and the Truckee-Carson-Pyramid Lake Water Rights Settlement Act. The main topics of the legislation are:

- Fallon Paiute-Shoshone Tribal Settlement Act
- Interstate allocation of waters of the Truckee and Carson rivers.

been a couple of faxes sent back and forth that I had authored while I was there.

Seney: This would have been, what, in 1990 as the legislation was winding its way through the office, or prior to that?

Overvold: No, I think it was about '85 or '86, sometime around then. Yes, I think it was.

Seney: When the negotiations were beginning over what became Public Law 101-618.

Overvold: Right. Yes. It might have been later than that.

Seney: It probably was, because the negotiations really started in '87, '88, after Senator [Harry] Reid is elected in '86.[14] He was the one who put those negotiations together.

Overvold: Brenda Washington was back there at the time and so was Doug Olson, in Washington, while I was there.

Seney: And they are?

Overvold: Brenda Washington was an attorney that was working as Special Assistant to the Commissioner's Office, and Hal–well, I don't remember the specific position. And Doug Olson was the Project Manager here in Carson City at the time, and he was back in Washington helping to prepare this legislation. Hal Furman, I think, was involved back there, too.

Seney: What was your impression? Do you remember any first impressions when you began to find out about the project here?

Overvold: Well, it sounded like it was a pretty complicated project and there were endangered

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- Negotiation of a new Truckee River Operating Agreement (TROA)
- Water rights purchase program is authorized for the Lahontan Valley wetlands, with the intent of sustaining an average of about 25,000 acres of wetlands.
- Recovery program is to be developed for the Pyramid Lake cui-ui and Lahontan cutthroat trout.
- The Newlands Project is re-authorized to serve additional purposes, including recreation, fish and wildlife, and municipal water supply for Churchill and Lyon Counties. A project efficiency study is required.
- Contingencies are placed on the effective date of the legislation and various parties to the settlement are required to dismiss specified litigation.

Source is: http://www.usbr.gov/mp/lbao/public_law_101-618.html (accessed December, 2011).

14. Senator Harry M. Reid served as U.S. Senator for the state of Nevada from 1987 to 2017 and participated in Reclamation's oral history program. See Harry Reid, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interview conducted by Donald B. Seney, edited by Donald B. Seney and further edited and desktop published by Brit Allan Storey, senior historian, Bureau of Reclamation, 2013, www.usbr.gov/history/oralhist.html.

species involved and there were American Indian concerns, you know. So it sounded like it was a pretty hot topic.

First Impressions of the Area Office

Seney: What was it like when you first came to this office? What were your first impressions? Was Ed Solbos the new Project Manager and you were the new Special Projects head at the same time you arrived?

Overvold: Yes. He came in–I don't remember, maybe August or September. I'm not sure exactly when it was, but I came in January of '92, and we hadn't sold our house yet, so my wife and family stayed in El Paso and got the house sold. So I was on my own for four months, probably, before they came.

My impressions were, there's the green area and there's the brown area, and this Newlands Project was the area that was more difficult to operate.

Seney: How do you mean? There's more to say there when you sort of threw that line away, but I know there's more. Tell me what you mean.

Overvold: Well, there's a lot of friction and historic animosity between Pyramid Lake Tribe and the Newlands Project, the farmers here out in the Fallon area. And so there's lots of history of fighting.

Seney: When and how did that become apparent to you?

Overvold: Well, during some of the negotiations, I was involved in the TROA, the Truckee River Operating Agreement negotiations, developing that new operating agreement, and I could see a lot of disparate or different perspectives at that time.[15]

Seney: Tell us a little more about that. How did they differ? Let me say I've attended a TROA meeting and I've read some of the TROA documents, and I need to review

15. "More than 27 years in the making, the Truckee River Operating Agreement (TROA) now guides use of the river that winds nearly 120 miles from the mountains of Lake Tahoe to Pyramid Lake and is the primary water source for Reno and Sparks. The long-pursued plan brings the Truckee River's management into modern times, protects the area from protracted droughts and offers a promising future for the region as a whole....

"The agreement brings an end to historic uncertainty between Nevada and California over distribution of the river's water, allocating 90 percent to Nevada. Beyond enhanced drought storage for the Truckee Meadows community, it modifies the operation of federal and selected non-federal reservoirs in the river system to protect and improve water quality and enhances conditions for the endangered Pyramid Lake cui-ui and the threatened Lahontan cutthroat trout. By retaining more water in upstream reservoirs, TROA also expands the range of recreational opportunities, including boating and fishing." See, Truckee Meadows Water Authority, "Truckee River Operating Agreement," https://tmwa.com/water_system/settlement/ (Accessed 2/2016)

them probably more. They don't really jump out at me, what all of it means. It's kind of complicated, to say the least. But what do you mean when you talk about the differences in perspective on the TROA? Because actually under Public Law 101-618, the irrigation district is not a signatory to the TROA, although the tribe is.

Overvold: Yes.

Seney: How do you mean, the differences in perspective?

Different Perspectives on the TROA

Overvold: Well, Pyramid Lake Tribe has their attorney, Bob Pelcyger, who has been very active and very vocal in this whole operation, and he's been tenacious for the tribe.[16]

Seney: Go ahead.

Overvold: Well, it appeared that the Pyramid Lake Indian Reservation representatives, they had an inside track with the federal government. They would talk freely with their attorneys privately, and–

Seney: "They" being?

Overvold: United States attorneys.

Seney: This would be, say, Fred Disheroon from the Department of Justice.

Overvold: Fred Disheroon.[17]

Seney: Bob Pelcyger?

Overvold: Bob Pelcyger and Lynn Collins, who is the Regional Solicitor's representative.[18]

16. Robert S. Pelcyger participated in Reclamation's oral history program. See, Robert (Bob) S. Pelcyger, *Oral History Interviews*, Transcript of tape-recorded Bureau of Reclamation Oral History Interviews conducted by Professor Donald B. Seney for the Bureau of Reclamation, in 1995 and 2006, in Reno, Nevada, and Boulder, Colorado, 1995 interviews edited by Donald B. Seney and all interviews further edited by Brit Allan Storey, senior historian of the Bureau of Reclamation., 2013, www.usbr.gov/history/oralhist.html.

17. Fred Disheroon, *Oral History Interviews*, Transcript of tape-recorded Bureau of Reclamation Oral History Interviews conducted by Donald B. Seney, edited by Donald B. Seney and desktop published by Brit Allan Storey, senior historian, Bureau of Reclamation., 2010, www.usbr.gov/history/oralhist.html.

18. Lynn Collins, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interview conducted by Donald B. Seney, edited by Donald B. Seney and desktop published by Andrew H. Gahan, historian, Bureau of Reclamation, 2013, www.usbr.gov/history/oralhist.html.

Seney: From the Department of Interior.

Overvold: Department of Interior. And Bill Bettenberg.[19]

Seney: Right.

Overvold: I mean, just about everything went their way, and Pelcyger had an inside track with them all the time.

Seney: How do you explain that? From your observation point, how do you explain that?

Overvold: Well, I think Pelcyger has Senator Reid's ear. And they're together all the time. I'm sure they coordinate things, and lots of money has been flowing their way towards Pyramid Lake.

Seney: Could you see evidence of that, that, say, the relationship between Bob Pelcyger and Senator Reid's office? Mary Conelly[20] represents Senator Reid locally in water matters, does she not?

Overvold: Yes.

Seney: So you must have dealt with her a good deal.

Overvold: Sure.

Seney: Could you see that in dealing with Mary Conelly or with Larry Werner, perhaps, who's in his D.C. office?

Overvold: Yes. Larry Werner and–I mean, they would meet frequently with Bob Pelcyger, and even during the deliberations on the adjusted OCAP [operating criteria and procedures], there were statements made by the United States, "This is rule-making. We cannot consider discussions with other people," and so they deny access to the Truckee-Carson Irrigation District, but they would meet with the Pyramid Lake Tribe representatives.

Seney: You were aware of that?

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19. William Bettenberg, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History Interview conducted by Donald B. Seney, edited by Donald B. Seney and desktop published by Brit Allan Storey, senior historian, Bureau of Reclamation., 2009, www.usbr.gov/history/oralhist.html.

20. Mary Conelly, *Oral History Interviews*, Transcript of tape-recorded Bureau of Reclamation oral history interviews conducted by Donald B. Seney, edited by Donald B. Seney and further edited and desktop published by Brit Allan Storey, senior historian, Bureau of Reclamation, 2013, www.usbr.gov/history/oralhist.html.

Overvold: I was aware of those meetings, yes.

Seney: You're shaking your head in frustration. Why?

The Endangered Cui Ui

Overvold: Well, because it's just not right. It isn't fair. And a lot of this is based on the Endangered Species Act that says that the *cui-ui* are in danger.

Seney: Right.

Overvold: Well, everybody knows they're not now. There's millions of them. And the Fish and Wildlife Service is reluctant to convert or to change the designation of them to threatened or something.

Seney: Yes. I know that there's common belief among the people here on the project, both the irrigators and the people who work for the district itself. Lyman McConnell [Project Manager, TCID], for example, has said this to me, and I know he's said it to others, so he won't mind my saying it to you. I'm sure you've heard it from him. He doesn't believe that they're an endangered species any longer. I mean, that's the general opinion here around the irrigation district, and I take it would that be within the Bureau, too, when you were there, at least in the Carson City office?

Overvold: Sure. Yes.

Seney: You people would generally agree this is no longer–

Overvold: Right.

Seney: Why, then, is the Fish and Wildlife Service reluctant to reclassify the *cui-ui* as threatened?

Overvold: Because Pelcyger is telling them, "Don't reclassify it. We need to get this process moving along further. We need to get what we want out of this before we reclassify them."

Seney: And his hammer on them would be his relationship with Senator Reid's office.

Overvold: And Indian trust assets. He just says, "You've got to worry about your Indian trust responsibilities."

Seney: Explain that. What do you mean when you say that?

Overvold: Well, that's a term that's very nebulous, and it's never been quantified. The United States attorneys are very reluctant to quantify what is the Indian trust. And that's something that has to be done, because it's just been a moving target in history here on this project.

First they set up a limitation. They said, "We need at least 400,000 acre feet a year going into the Truckee River, into Pyramid Lake." And then they say, well, the existing OCAP, the final OCAP, which was 1988 OCAP, was put into place because that would limit the diversions and the use of the irrigation district to 320,000 acre feet a year. And that would prevent jeopardy on the *cui-ui*.

It's based on modeling that has been proven to be erroneous. The theory was that the fish could not move up the delta unless the [Pyramid] lake level was above elevation 3,812. Well, for years now we've had *cui-ui* spawning that has happened before that elevation, so we know the model is flawed.

Seney: And that happens because during the period of time the *cui-ui* are spawning, the river is higher, isn't it, so that there's a continuous flow from the lake into the lower Truckee?

Overvold: The dam down there, Marble Bluff Dam[21] as it was installed or constructed for the purpose of preventing head cutting upstream on the Truckee River, to protect the Pyramid Lake Reservation lands–

Seney: Head cutting. What does that mean?

Overvold: That means as the lake level is dropping at Pyramid Lake, the change in elevation, the slope of the water in the river channel gets to get so steep that the river starts to eat away at the river channel and move upstream, and cutting the head, you know, cutting down the channel as it moves upstream.

Seney: And the dam succeeds in blocking that process?

Overvold: Yes, it succeeds in stopping that from going up any further, and if it continued to go up further, it would just eat away the area that the tribe is irrigating in the Nixon area. So they'd lose their irrigated agriculture. And so as this head cutting is going up the river, the theory was that it blocked off the channel so much that the fish

21. The Marble Bluff Dam and Pyramid Lake Fishway, Washoe Project, was constructed between 1973 and 1975. Marble Bluff Dam is located on the Truckee River approximately 50 miles downstream of Reno, Nevada and approximately 3 miles upstream of Pyramid Lake. For more information, see Carolyn Hartl, "Washoe Project," Denver: Bureau of Reclamation History Program, 2001, www.usbr.gov/projects/pdf.php?id=208.

wouldn't go up the channel, and that was not true in a number of years that it had happened already. Even though the lake level was below this magic 3,812, they still–I mean, our modeling is still assuming that at the erroneous perception.

Seney: So that erroneous model is what's telling–

"There's a Big Taking of Water"

Overvold: That's the thing that's driving all this taking of water. There's a big taking of water going on, and it's for the purpose of filling Pyramid Lake. And I don't understand what the purpose of filling Pyramid Lake is. I mean, it's certainly not to solve the *cui-ui* problem, because that's already been solved. And I mean, so what if Pyramid Lake gets full? What do you do then? When it gets too full, then what do you do? When you flood out the Pyramid Lake's new marina that was built for 13 million dollars, why is this big quest to take water?

Seney: What do you think is going on here? What is your judgment?

Overvold: I think that Pyramid Lake Tribe is going to turn around, and once they get rights to all this water, then they're going to turn around and sell it. And I think that's wrong.

Seney: In your judgment, that's what's going on here?

Overvold: Yes.

Seney: They want these water rights, to be able to sell either upstream to Reno-Sparks or maybe to Fernley?

Overvold: What other sense is there? I don't understand.

Seney: I don't know either. That's why I–

Overvold: I don't understand what their position is.

Seney: I saw in the newspaper that the *cui-ui* run was very good this year.

Overvold: Oh, yes. Outstanding.

Seney: Four hundred thousand or something was the count at Marble Bluff, or wherever they count.

Overvold: The Bureau put in this new lock system and it worked very well. But it's frustrating to the Fish and Wildlife Service, because now they can't count their little fish and

they don't know how many fish are going up, and they don't get to fondle them like they used to. [Laughter]

Seney: [Laughter] You're smirking when you say that, David. How did they know there were 400,000? They must have counted them at some point.

Overvold: Yes. They've got a guy that sits down there and uses a little clicker counter and clocks them just like at Disneyland, counts them as they come in. It's kind of a guess.

Seney: Yes, but probably fairly close.

Overvold: Fairly close. Oh, I'm sure.

Seney: I've been told that Public Law 101-618 is going to guarantee water to the lake no matter what the status of the *cui-ui* is in terms of an endangered species. Is that true, do you think? Is that how you see it?

Overvold: Yes.

Seney: So it's no longer really a question of whether or not it's an endangered species.

Overvold: Well, that's the thinking now, but at the time that they passed it, they thought that, well, once the *cui-ui* are off the endangered list, we can go back to some–we don't have to be as frugal with our water, perhaps.

Seney: I'm not sure where to go back and ask about this, whether it makes more sense to ask you about how the Carson City Office operates or maybe what you were doing on TROA first. If you're explaining all this to us, you go back to where you think we should be.

Overvold: Well, when Ed was there, he played a fairly important role in the negotiations there.

Seney: The TROA negotiations.

Carson City Office

Overvold: The TROA negotiations, yes. He was in there, and I think he was emphasizing the Pyramid Lake Tribe's perspective in going in that direction, and he got yanked, you know, rather suddenly, without any real understanding on his part why he was–

Seney: Dismissed as Project Manager.

Overvold: Right. And that was during some of those negotiations when Betsy Rieke came in.[22]

Seney: What's your understanding of the reasons for his removal?

Overvold: [Pauses] I still don't know why. I think it must have been–well–

Seney: It was very sudden, wasn't it?

Overvold: It was sudden. It was more sudden than Ann's [Ball]. I mean, I can understand Ann's now, in retrospect, but I don't understand Ed's. Ed was emphasizing–he was leaning towards the Indian tribe a little more than he was the district, and Ann was perceived as leaning towards the irrigation district.

Seney: And that's what caused her problems?

Overvold: Right.

Seney: We'll get to that, maybe, a little bit later on. But what was Ed like to work for? What kind of a Project Manager was he?

Overvold: Well, he was kind of domineering, I guess I'd have to say, but he was–

Seney: He looked over your shoulder a lot, didn't he?

Overvold: Yes. He was well spoken and he was quite capable in meeting with people and talking with them, and well read, too, you know.

Seney: Were you frustrated, though, by your role in the office? Did you have a clear definition of what Special Projects Manager meant?

Overvold: Well, yes, I think so, it was fairly clear.

Seney: Tell us what that meant.

Overvold: I was working on a number of projects. There was a global climate change study, which I thought was a waste of time, and then there was the irrigation drainage

22. Elizabeth Anne Rieke served as Assistant Secretary of the Interior for Water and Science from 1993 to 1996 and participated in Reclamation's oral history Program. See, Elizabeth (Betsy) Rieke, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation oral history interview conducted by Donald B. Seney, edited by Donald B. Seney and further edited and desktop published by Brit Allan Storey, senior historian, Bureau of Reclamation, 2013, www.usbr.gov/history/oralhist.html.

program, and there was the Operating Criteria and Procedures, OCAP, and there was TROA. Those were the four main projects.

Seney: Why don't we go through those, even the global warming one, which you thought was–what would you say–a lot of crap?

Global Climate Change Study

Overvold: Waste of time.

Seney: Waste of time. Maybe the "crap" is mine–but you won't quarrel with me.

Overvold: No. [Laughter]

Seney: Okay. What was that all about and what did you do in regard to that?

Overvold: Well, that was one of those special initiatives that was brought in, and U-S-G-S [United States Geological Survey] was involved as well. Sort of a cooperative venture between the Bureau and G-S, and they worked on developing some kind of a model that would simulate runoff. Then we were going to try to use that to help project what future–if changes in the global climate occurred, what would we do to manage. What are we going to do? Are we going to go out there and say, "Okay, farmers, you'd better take a shortage this year because we think that the global climate's going to change here in the next 200 years, so let's cut back on your diversions today. Hold that water"? It doesn't make sense.

Seney: It was too far off, do you think?

Overvold: Too far off. There's no basis for it.

Seney: We're dealing, are we not, with–and I don't know if it's true historically in terms of weather patterns, but there seems to be a lot of hand-wringing and wondering about this El Niño, that supplied so much water. I mean, as I came by Lahontan Reservoir today, it looked full to me. Is it full?

Overvold: It's quite full, yes. It didn't quite get to the top of the flashboards, but it's very close.

Seney: Top of the flashboards is 305,000 acre feet?

Overvold: Three hundred and sixteen thousand.

Seney: What did it get to, 310, maybe?

Overvold: Three-fifteen.

Seney: [Laughter] That's close enough.

Overvold: There's about a half-inch short.

Seney: And how full is it today?

Overvold: I think it's around 310,000.

Seney: What's it going to be like when irrigation season's over?

Overvold: It'll be down around 200,000. A good carryover.

Seney: Yes, absolutely. Are you drawing out of the Truckee at this point?

Overvold: No. All year long we have not.

Seney: You really have not needed to because it's all come out of the Carson watershed.

Overvold: Right.

Seney: Just enough out of there for the Fernley Division?

Overvold: Right.

Seney: Anyway, now we're looking at–you mentioned your daughter in Dallas and how hot it is. It's record heat in Dallas and around the country.

Overvold: We've had four wet years in a row here, which is–

Seney: Very unusual.

Overvold: –unusual, but it's happened historically. So it isn't anything, to me, that is anything unusual.

Seney: That's what I'm trying to drive at. Even though recently we've had what appeared to be anomalies and some people suggest they appear to be because there's so much more television coverage of them and it's so much more intense.

Overvold: But it happened back in the teens. People just forgot about it.

Seney: Well, that was one of the problems, wasn't it, that it happened then when they were projecting what water would be available for the Newlands Project. Those were heavy water years, and that was one of the problems overall with the district, is the expectations were too high. But you didn't see any sense in that project. Was it a serious one, did you think, or did you spend much time on it?

Overvold: No, I didn't. I had hired somebody to work on that project itself.

Seney: Some outside person, you mean?

Overvold: Well, Tom Scott. He's in our office, and he was the one who was supposed to be taking care of the global climate change study.

Seney: So you were also working on the drainage problem?

Irrigation Drainage Program

Overvold: Yes, the Irrigation Drainage Program. That's the study of looking at–it's an Interior-wide initiative to look at Reclamation projects that might contribute high T-D-S or cause water-quality problems to Fish and Wildlife Service refuges. And there are a number of those all around the United States. So there was a screening study that looked at a lot of them, all of them, and then tried to narrow down into some significant ones. And they selected four significant projects. One of them was Stillwater Project.

At the time there was a whole bunch of hype with this 101-618. There was a drought going on here. The water that was traditionally going to the Stillwater Refuge was cut off. OCAP was put in place. That further exacerbated the problem of getting water to the refuges. They hadn't purchased the water rights that they needed to get water there.

Then also there was this drain, the T-J Drain, that was dug without a whole lot of permission by the Bureau of Indian Affairs, and it–

Seney: On the Fallon Reservation.

Overvold: The Fallon Indian Reservation. And it was real salty stuff. Like a lot of drains, any new drain that is built around here would have real bad-quality water.

Seney: And part of the background of this might have been what happened in the Kesterton

Wildlife Refuge in California.[23]

Overvold: That was the outbreak of it. That's how it started. So they were looking to see, well, maybe there could be some other problems like that, other potential Kestertons around. And so this was one of them; Stillwater was one of them. So we went out and we've done some collecting of data and we've collected data for about six years now, and we find that, yes, it's marginal, the quality of the water is not that good, and there's a lot of mercury problems that were a holdover of the Virginia Range the gold-mining and all that, but maybe not anything that can be definitely pinpointed as Reclamation project-induced. And also we felt that the water rights acquisition program would ameliorate most of that.

Seney: Because that would be fresh water coming in.

Overvold: That would be fresh water. So, problem solved.

Seney: And you're talking more about tailwater here, are you?

Overvold: Well, drain flows, yes. Not necessarily tailwater, but–

Seney: Might be spills, too, and mismatches?

Overvold: Well, there's some spills and there's some mismatches, but that was largely cleaned up with the Operating Criteria and Procedures that was put in place and tightened up. Operations have tightened up a lot.

Seney: How did you test this? You must have put out things to collect water and then evaluate that water.

Overvold: Yes. U.S. Geological Survey installed a lot of measuring locations.

Seney: You always depend on them for this kind of thing, rather than the Bureau doing it itself? That's their expertise?

Overvold: That's their expertise, yes. That was the approach nationwide, was that the Geological Survey would go out and do the water-quality testing. The Bureau's role would be to go in and fix the problem.

23. "Completed in 1971 by the Bureau of Reclamation, Kesterson included 12 evaporation ponds for irrigation drainage water. The reservoir, a part of the San Luis National Wildlife Refuge, was an important stopping point for waterfowl. In the 1960s officials proposed a 290-mile drainage canal to the ocean known as the San Luis Drain. Only 85 miles were completed, however, and work on the drain halted in 1986 after scientists discovered bird deformities due to drainage at Kesterson." For more information, see Water Education Foundation, "Kesterson Reservoir, www.watereducation.org/aquapedia/kesterson-reservoir. (Accessed 5/2016).

Seney: Was this maybe to make sure that the study had more credibility?

Overvold: Yes.

Seney: Might there be suspicions if the Bureau was collecting the data, too?

Overvold: Could be.

Seney: Was this an interesting study?

Overvold: Yes, it was. I got a chance to meet with the National Academy of Sciences. They had a group that was put together to look over the Department of Interior's shoulder.

Seney: To set standards on what was acceptable levels of water quality?

Overvold: Well, just to monitor the process that we were doing and trying to determine what had to be done to fix these problems. So that was interesting. The project leader has a lot of conferences and scientific knowledge is passed around, so there were a lot of interesting get-togethers involved in that study.

Seney: In working on something like this under Ed Solbos, did you have a lot of autonomy? Did you meet with him constantly to go over things with him?

Overvold: No, I was pretty much on my own. What was happening on the TROA was, I was busy working on the E-I-S [Environmental Impact Statement].

Seney: The E-I-S on the TROA?

Environmental Impact Statement for the TROA

Overvold: Yes, the E-I-S for the TROA. We were trying to write an E-I-S for a TROA that hadn't been written yet, and the TROA was being negotiated as we were writing, and Ed was on the negotiation committee, doing the negotiations. So he understood what was being put on the TROA, and I had a little bit of knowledge of that, but not very much.

Seney: I remember seeing you at a TROA meeting that I went to.

Overvold: Yes.

Seney: Did you go to those?

Overvold: I did go to a lot of them, just about all of them.

Seney: I'd expect you'd have to, to be doing this. And I remember at that meeting that the question was discussed, of trying to do an E-I-S at the same time you're writing the regulations and you don't know what the final form of the regulations will be.

Overvold: Right.

Seney: Talk about how you do that.

Overvold: They had lots of versions of TROA, and they've been adding meat to the bones, but what we had was a bare-bones concept. It was basically just the P-S-A, the Preliminary Settlement Agreement, which was hammered out between Pyramid Lake Tribe and Sierra Pacific.

Seney: And really deals with storage and–

END SIDE 1, TAPE 1. JULY 17, 1998.
BEGIN SIDE 2, TAPE 1. JULY 17, 1998.

Preliminary Settlement Agreement

Overvold: Preliminary Settlement Agreement was put together by Sierra Pacific and Pyramid Lake Tribe, and they figured out how to divide out the waters and come to a settlement, using our reservoirs, and muscling out anybody else who wanted anything in there. And I guess that's sort of payback for the United States denying Sierra Pacific the use of Stampede [Reservoir] early on.[24]

Seney: The courts did that, didn't they, and the Secretary of the Interior.

Overvold: Yes, Judge Solomon's decision to dedicate Stampede exclusively to *cui-ui*.

Seney: Right. And prior to that, the Secretary of the Interior had decided that it would be for fish restoration. A court case is brought, *Davis v. the Subconservancy*, I think it is, and in that decision the result was not what Sierra Pacific thought it would be. The judge confirmed the Secretary's decision. So now you've got a tribe with a reservoir and no water, and a power company with water and no reservoir, right?

24. Completed in 1970 and a feature of the Washoe Project, Stampede Dam is a rolled earth and rock-filled structure is 239 feet high and 1,511 feet long. The water storage capacity is 226,500 acre-feet which is reserved by court decree for fishery enhancement, primarily for the spawning of the endangered cui-ui, along the Truckee River downstream from Derby Dam and facilities operation of the Pyramid Lake Fishway.

Overvold: Yes. I don't know if it's the tribe. It was Fish and Wildlife Service that had the reservoir, and any yield was going to be dedicated to the fish. The tribe had an interest in the fish, you know.

In my perspective, the tribe has no interest in *cui-ui* whatsoever. Maybe there's some traditional sacred stuff, but they're just using that as an excuse to get water, and I don't know what they're going to do with the water since Pyramid Lake is full. I don't understand that.

Seney: But the TROA, you say, begins really with the Preliminary Settlement Agreement.

Overvold: Right.

Seney: The new TROA that's got to be negotiated under Public Law 101-618.

Overvold: Yes, and then the state of California is involved in that because there's California water issues there.

Seney: Yes, interstate allocation under the law.

Overvold: Interstate allocation, yes.

Seney: What were those meetings like that you went to?

Overvold: Well, it's interesting. They set up one of these big tables that is like seventy, eighty people around this one big table. I mean, a number of tables. It's so big, so many people, that it's just difficult to talk and it's difficult to hear other people talking, trying to agree to anything like that. Those were more or less those what they called the plenary sessions, and what they did was they developed these committees, like the Drafting Committee, to actually draft the document, and Policy Committee. Those were reduced down to some of the more primary constituents, the people that were more involved in things. That's where a lot of the decisions were made.

Seney: In the smaller committees.

Overvold: The smaller.

Seney: That's what I attended one day. Sue Oldham from Sierra Pacific was there, Gordon De Paoli[25] also from Sierra Pacific was there, Bob Pelcyger from the Pyramid Lake

25. Gordon De Paoli, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation Oral History

Tribe was there, Bill Bettenberg from Interior Department, Fred Disheroon from Justice, Lynn Collins from the Department of the Interior, John Kramer from the state of California. I can't remember. Pete Morros, I think, representing the state of Nevada. I think that was–

Overvold: And maybe Roland Westergard or Christine Thiel.

Seney: Yes, maybe one or both. Right. And that would have been one of the subcommittee meetings to discuss something.

Overvold: Yes, sounds like it was probably a drafting committee. And T-C-I-D [Truckee-Carson Irrigation District] has been fairly–or has been represented to a small degree by Russ Armstrong.

Seney: Yes, he was at this meeting. He was not at the table, but he was at the meeting.

Overvold: But he didn't get a chance to at least speak his mind, I mean, to present T-C-I-D's position and to relay information back to the board. He didn't have a whole lot of authority, I don't think, so set T-C-I-D's decisions or set their positions, to negotiate, really.

Seney: That's something the board has, over the years, guarded fairly jealously, isn't it, the authority to make those kind of decisions?

Overvold: Well, I don't know. I think the board just sort of ignored what was going on, and when T-C-I-D had an opportunity to negotiate in TROA, they were not there. I don't know if that's neglect on the district's part or what. That's the way it happened and turned out, I think.

Seney: Although again, under the law, they're not signatories to the agreement. They could have, do you think, had their interests more clearly taken in mind if they had pushed a little?

Overvold: Yes. I think the district felt that all they're going to do is lose, you know, so maybe it's best to not participate and fight it later in court or something like that.

Seney: TROA is, I find, a fairly complex piece of business. Do you find it that way or have you had so much experience with it now that it doesn't seem very complicated to you?

TROA Complications

Overvold: Yes. Well, it's become very, very complicated. There's all these different levels of creditable storage and–

Seney: Can you give us some examples of–

Overvold: The attorneys have just–[Laughter] made it so difficult to understand. But it's really a basically simple concept.

Seney: Give us the basically simple concept.

Overvold: Well, there are times when water is being released out of the reservoirs to fulfill an historic agreement, the Truckee River Agreement, which sets up 500 c-f-s [cubic feet per second] minimum flow on the river during the summertime and then like 400 c-f-s in the wintertime.

Seney: That's the old Floriston rates.

Overvold: The old Floriston rates. And what they wanted to do was reduce those rates to just demand. So T-C-I-D's demand is a demand on the system so they'll respect that, and then the difference between what is being released for Floriston rates and what the demand is would be saved upstream in the reservoirs for other purposes later on and carried over. So that sounds real simple.

Seney: That could be M&I [municipal and industrial] water, it could be fish credit water.

Overvold: Right. First it's accumulated as fish credit water and then–no, first as M&I water, I guess, and if the following spring, if it appears that it's going to be a wet year that year, then that M&I credit water is converted to fish water.

Seney: To use to supplement the *cui-ui* runs in May and June.

Overvold: Yes.

Seney: And that's fundamentally what they're trying to do.

Overvold: Right. So in the drought years, this water will go to supply the needs of the city of Reno and Sparks, and in wet years it goes down as a *cui-ui* spawn. The *cui-ui* are such a long-lived fish that it was felt that you could forego some years of *cui-ui* spawning and be better off because you're not using the water during the wintertime.

And also the OCAP was structured under that, too. They said, "Okay, in the wintertime let's let T-C-I-D take the water, because it's less damaging to the fish in the wintertime. We don't need the water in the wintertime. And then in the summer we'll cut them off because they'll have filled up the reservoir early." So that sounds like a good plan, too.

Seney: Sure.

Overvold: But then it turns out, I think, in reality that it's good to have water in the wintertime for the fish, instead of shutting it down to zero.

Seney: You're smiling when you say that. Do you not accept that? Or you think this is part of what you were talking about before, the ploy to fill the lake to then subsequently be able to sell the water?

Sport Fishing Becoming the Pyramid Lake Tribes' Focus

Overvold: Yes. I don't know. There's been an effort. I think the tribe is now changing their direction and they're focusing more on the Lahontan cutthroat trout [LCT]. They see that as big-dollar signs in economic value to them.

Seney: Sport fishing.

Overvold: Sport fishing, yes. Harvesting of that fish. There's been some Truckee River chronicles in the newspapers these days, you know, two or three days a week, and they've been talking about the history of the fishing in the Truckee River and how around the turn of the century the fish were almost gone. They went almost extinct. There was problems with sawdust from the mills upstream, they choked the river, and then the city of Reno had raw sewage going into the river, and the Pyramid Lake Tribe fished the river so hard that they almost killed all the fish.

And what do you know from history? What I hear and what I read in the papers is that it was Derby Dam that caused the demise of Pyramid Lake and killed off all the *cui-ui* and the L-C-T, because the L-C-T can't spawn anymore. Well, Derby Dam hadn't even been built yet, before that was almost gone.

Seney: And it was the trout that were nearly gone.

Overvold: Yes.

Seney: Rather than the *cui-ui*.

Overvold: And there was no discussion of *cui-ui* at the time.

Seney: Yes. That's interesting. Well, again, you've made it sound simple enough. Now what have the lawyers done to TROA? Give us an example of some of the complexities that have been introduced into it.

TROA Complexities

Overvold: Well, a lot of it is with Sierra Pacific coming in and making–they want to get lots and lots of the water, and they're making it complex with whose priority is–whose water spills first and making sure that California doesn't take too much water under the compact. There's just a lot of intricate, very difficult stuff to understand and to implement out there. Pyramid Lake Tribe has insisted on a lot of really stringent things in there as far as California's future development, and how to keep track of that.

Seney: How to credit their water allocation. Because they have a water allocation.

Overvold: Yes.

Seney: If I read these things right, Nevada gets about ninety percent of the Truckee River water, and the rest goes to California.

Overvold: Right. But just quantifying how much California can take, you know, is it diversions or is it a percent of the return flows, it's getting so complicated in that area. And wells. How many wells can they put and how far away from the river can these wells be before they're not interfering with the river system? There's a lot of those complications.

Seney: So it's taken years and will probably take another year or so to complete the TROA negotiations.

Overvold: Sure. And the complaints during the E-I-S process, when we were hearing the comments on the draft E-I-S, which was just as recently as May, the comments from the California interests was, "How in the world can you write an E-I-S on something that we haven't even negotiated out? There are still some pieces of the TROA that have not been negotiated that are outstanding, and might have significant impacts, and you've already written a draft."

Seney: How did you do that?

Overvold: Well, we just took some basic assumptions and said, "That will be determined later." We did some sensitivity on what if the decision is made this way versus that

way. But other ones, we just felt, well, that probably won't have an environmental impact, so it doesn't matter how that turns out.

Seney: What were you required to do in this E-I-S? What are the environmental impacts of this TROA going to be? What were the categories that you were looking at?

Overvold: We were looking at effects on fish, effects on the plant species.

Seney: What were some of the things you found along those lines?

Overvold: Well, one thing we found was that–and we relied a lot on model results comparing what the river system would be operated like if you have the same historic hydrologic inflow with the existing system in place, how would you operate the system. And we compared it with and without TROA. So, with TROA, we found that there would probably be a little bit higher storage in Lake Tahoe. So that could result in some impact on the Tahoe yellow cress, which is a state endangered plant up there. But we know so little about it that we don't think it is a significant impact.

Seney: [Tape recorder turned off.] As we were talking during the break, what I wanted to get from you is kind of your evaluation of where the players stand on these things as you see them, especially, again, the power company and the tribe, who, I suspect, you think, would be the biggest antagonists of the district, of the irrigation district?

Competing Interests

Overvold: The power company wants as much storage as they can so that they can market water. The TROA does not generate water; it firms up water supply. The water comes from agriculture that's converted from ag to M&I. But storage helps to firm up that supply and carries it over from the lean years to the wet years. So they have this motive to get this storage.

But the tribe, I don't know exactly what their angle is. I sometimes feel that it's just to punish the irrigation district for taking that water in the past. There's opportunities–I mean, they talk about the *cui-ui*, but they don't do anything to grow *cui-ui*.

Seney: You said they have fish hatchery capacity for *cui-ui*, but they don't spawn them.

Overvold: There are fish hatcheries that are available, that they could grow *cui-ui* in and produce tremendous amounts of them. They don't grow them.

Seney: Why not? What is your fix on that?

Overvold: I don't know. I really don't know. They concentrate a lot more on the L-C-T. They grow those because there's some economic value to those. The *cui-ui*–maybe they just feel that the *cui-ui* are doing great now, and so there's no real need to it, but they still hide behind the E-S-A [Endangered Species Act] and they say, "Well, this has to be protected, and we don't want to have it downlisted until we get what we want out of this project first."

I see the United States and everybody conspiring to take the water. The water belongs to the Newlands Project farmers. That's where the biggest source of water is. And they're just working to get that water any way they can.

Seney: And this is a perspective you developed during your period in the Bureau office?

Bureau Discriminating Against the District

Overvold: Yes. I mean, there are things that the Bureau's doing to discriminate against this district that are not done anywhere else in the whole Bureau.

Seney: Give me an example of that.

Overvold: An example is the water right allocations. On the Rio Grand Project, the water right allocation was based on irrigated acreage, and they get their allocations based on how many acres–no, on their water-righted acres. Even if you didn't irrigate it, you'd get a water right for it. Here, it's based on irrigated acres. If you don't irrigate it, you don't get an allocation. So that reduces your allocation significantly.

Seney: Let me ask you. On the Rio Grande Project, is it like the Newlands Project? Do the irrigators own their water rights there as they do here?

Overvold: Yes.

Seney: Is that the only two projects that the Bureau has where that's the case?

Overvold: Oh, no.

Seney: No? There are a lot of them that way?

Overvold: Oh, yes. Most all of them have that. There are some in California where the Bureau has the water right, but that's the exception. Mostly it's the irrigation district or the farmers that have the water right.

Seney: So you're saying the Rio Grande–

Overvold: The water right is appurtenant to the land, generally.

Seney: If I own 80 acres of water rights and I'm only irrigating or farming 60, I still get my 80 acres.

Overvold: No, you only get 60 acre feet, acres of water rights.

Seney: In Arizona.

Overvold: In this project.

Seney: No, I'm talking about in the Rio Grande.

Overvold: In the Rio Grande, yes. If you have 80 acres of water rights, you get 80 acres' allocation, even if I'm only irrigating 60 of them. I can stack it.

Seney: But here I can have 80 acres irrigation rights, but if I'm only farming 60, I get 60.

Overvold: Here we'll take that 80 acres and we'll say, "Okay, you've got one ditch here. We'll slice that out from you. You've got a house over here. We'll slice that away from you. You've got a road on there. We'll slice that away from you." You know. "Oh, you curved the corner of your field. There's a little triangle or a circle out there that you don't irrigate, so we're going to take that way from you. There's some furrows between the rows of corn. I think we ought to take that away from you." Now, that's an extreme. They don't do that. But that's where it's getting to, almost.

Seney: And this is under the abandonment and forfeiture laws of the state, that they can do this.

Overvold: Yes.

Seney: That you haven't irrigated it for five years, what the law states, and then it's abandoned, forfeited.

Overvold: Yes. That's the concept, but a farmer never does state, "Hey, I'm going to abandon this water right." You have to intentionally go out there and do something. Now, forfeiture may be something a little bit different, but I claim that forfeiture does not apply to this Newlands Project whatsoever, because all the water rights were allocated in 1906 when the project first came out. That pre-dates this 1913 law.

Seney: Nevada law, the forfeiture and abandonment comes in in 1913. Right.

Overvold: Yes. So every single acre out here will never be abandoned or forfeited.

Seney: Because they were perfected before the date of that law. I know there's a legal controversy over that. Has that been resolved yet?

Overvold: No.

Seney: It has not, has it?

Overvold: No. The United States has this lawyer, Fred Disheroon, who's got a vendetta against the district, I think, and he wants to punish it. And they go to extreme lengths all the time to try to pick and just nit-pick the district all the way.

Seney: Give me some more examples.

Overvold: Well, irrigation ditches. These are unlined canals. The state of Nevada recognized that as a water right. It should be water-righted lands. It's part of the 80 acres or the 40 acres. They run cattle in them, and horses. The horses, whenever there's not water running in that ditch, the horses are out there eating and it's used as pasture.

Seney: Keeping the weeds out of them.

Overvold: It's producing something. It's part of agriculture. So it should have a water right. But the Bureau says, no, if it's a ditch, it doesn't have a water right.

Seney: But they don't do that to any other–

Overvold: They don't do it other places. This harassing the district on the water rights, anything that doesn't show up on this one particular map that was a composite of satellite photos for the last five years, they use satellite photos and they determine some areas to be green, you know. There's a greenness threshold and stuff like that. But there are some areas like pasture that were irrigated, but didn't show up as green on that map, the satellite photo map, and so therefore they can be contested. What they've accepted is that this map, if the water rights are on the map–I mean, if it shows that it was irrigated on that map, then they have a right to take water.

Seney: And if it's not on that map?

Overvold: Then you're out of luck. Then you have to prove somehow, prove that you had water there. But now the tribe is changing their position on this now and saying, "Well, even though it did show up on that map, it doesn't look like it's ever been irrigated, so we're not going to let you do it."

And a farmer can take water and he might put a little bit more water on one particular field than he needs to–not than he needs to, but that is allowed by law. The state law is three and a half acre feet per acre. Okay. So he puts four acre feet on there, maybe accidentally, okay. I mean, it's just the last irrigation and it might turn out to be higher.

So the thinking is, okay, take that top half and charge them. So the district gets charged for that extra half an acre foot on that one particular field that he exceeded his allocation.

Seney: And that comes out of the allowable diversions under OCAP.

Overvold: Right. And yet a farmer might have been under in a lot of other fields that he owns.

Seney: And there's no credit.

Overvold: And there's no credit for that. What's the sense of that? I mean, that's ridiculous.

Seney: And what you see as the motive lying behind this?

Overvold: Harassment to just take every, every single opportunity to chisel their water rights down. The tribe's stated goal is to shut down Derby Dam and prevent any further diversions from the Truckee River.

Seney: I know that we no longer would use the term "Project Manager" to describe the person in charge of the Lahontan Basin Office. It's now Area Manager. And that terminology is supposed to suggest something, isn't it?

Role of the Area Manager

Overvold: There's multiple numbers of projects in a certain boundary.

Seney: And the question is, too, in a sense, what do you do with Bureau of Reclamation water projects and how do you use those, and it might be that you do shift it away from agriculture to M&I or fish restoration or recreation.

Overvold: Yes. But, still, any existing water right that's actively being used for agriculture ought to be preserved for that or bought out. Either compensate the guy to–

Seney: I'm just suggesting that this–

Overvold: –take his water, or else you keep it going.

Seney: Right. Does this change in terminology and sort of mission suggest to you this

change to one–

Overvold: No.

Seney: It doesn't?

Overvold: No, not to me. No. There's a lot of water on any project that is wasted, and most irrigation systems are, at best, under gravity systems, 70 percent efficient. So that means 30 percent of the water is not necessarily wasted, but not being used as a beneficial–to produce crops. Okay? So there's an opportunity to come in here and take the 30 percent water and apply it or assign it to some different uses. If an irrigation system is only 50 percent efficient, you can go in there and line it or do something to raise it to 75 percent efficiency. So with that saved water, you ought to be able to use it for some other purpose, such as wildlife or cities. And there's no problem with that.

Seney: That's what that change in terminology means to you, that now the Bureau would be interested in doing that kind of thing.

Overvold: Sure. Yes. Right.

Seney: Saying, "Let's meet our water right obligations to the irrigators, but let's do something with this 30 percent, 50 percent, whatever, that is being wasted on the project."

Overvold: Right. But don't go in there and chisel these guys, you know, picking at them and making it so expensive for them to operate that they have to go out of business.

Seney: And, again, the motive, you think, for this is?

Overvold: Payback for taking all this water in the early years.

Seney: And the Bureau now acting, say, on behalf of the tribes and interests that are sympathetic to the tribe?

Bureau Sympathetic to the Tribe

Overvold: Yes. I mean, in the past, this project was built in 1906, you know, and it seemed like a good idea at the time to build a project and irrigate the West and bring people out here and settle the West, and we did a good job of it. But some people suffered. Pyramid Lake Tribe feels that they suffered. The lake level went down. Okay. What's the impact of that?

Around the turn of the century, everybody said, "Well, Pyramid Lake, any water that gets to Pyramid Lake is a waste, because it's a terminal sink."

Seney: Is it just the tribe or since the Preliminary Settlement Agreement should we say the tribe and Sierra Pacific Power?

Overvold: Well, Sierra Pacific, you know, they're trying to acquire as much water right as they want. I don't know if they're really after Newlands Project water per se. I think they're interested in letting T-C-I-D get the water they're entitled to. But I think it's the tribe that's after punishing the district.

Seney: They must have a mixed motive, don't you suppose, because they now control and hope to continue to control the electrical power generated at Lahontan and the local electrical system. Is that likely to confuse their motives, do you think?

Overvold: Maybe so. I don't know.

Seney: Let me put in another tape.

END SIDE 2, TAPE 1. JULY 17, 1998.
BEGIN SIDE 1, TAPE 2. JULY 17, 1998.

Seney: My name is Donald Seney. I'm talking with David Overvold in the conference room of the Truckee-Carson Irrigation District in Fallon, Nevada. Today is July 17, 1998. This is our second session and our second tape.

Dave, why don't we talk a little bit about the OCAP, because I know that was one of your responsibilities, wasn't it?

Overvold: Yes.

Seney: When I first came to interview you as my first interview years ago on this project, I wasn't even sure what OCAP meant. Now I am sure. It means Operating Criteria and Procedures. And it really begins, what, with the 1967 OCAP that was not perhaps a very stringent one. Why don't you go ahead and talk about the history of the OCAPs as you see them.

OCAP History

Overvold: Okay. Yes, the earlier OCAPs were brought about as a result of some of the–like the Pyramid Lake Task Forces and the concern about the *cui-ui*, and there was an observation that a lot of water was being diverted for other purposes than for

irrigating the agriculture. There was a lot of water that was running through the system for power generation, and the end result was that it was promoting wetlands out here, much more than they used to.

Seney: Let me just stop you to talk about winter power generation for a moment, because it very much depends on who you talk to, how that's viewed. Obviously the Pyramid Lake Tribe has one view of that, and that is that the district was taking water beyond what it was allowed to take, whereas the district had another view, and that is that the federal government had done it, and when the T-C-I-D took over under contract in 1926, they just continued the federal practice of what was so-called winter power generation.

Overvold: Yes, that's true.

Seney: How do you see that?

Overvold: Well, and it was condoned by the federal government, even, you know, because it was done prior to 1926 when the government was doing it. Again, the theory or the thinking was that there's not any impact on Pyramid Lake, and what's the harm.

Seney: Was there anything in the Orr Ditch Decree or the Alpine Ditch Decree[26] that allowed the winter power generation rights for that?

Overvold: I don't know.

Seney: I think there wasn't.

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26. The Orr Ditch decree was entered by the U.S. District Court for the District of Nevada in 1944 in United States v. Orr Water Ditch Co., et al. The decree was the result of a legal action brought by the United States in 1913 to fully specify who owned water rights on the Truckee River and had rights to storage in Lake Tahoe. The Orr Ditch decree adjudicated water rights of the Truckee River in Nevada and established amounts, places, types of use, and priorities of the various rights, including the United States' right to store water in Lake Tahoe for the Newlands Project. The decree also incorporated the 1935 Truckee River Agreement among Sierra Pacific Power Company (now Truckee Meadows Water Authority), TCID, Washoe County Water Conservation District, Department of the Interior, and certain other Truckee River water users. See Truckee Carson Irrigation District, "What is the Orr Ditch Decree and why is it important?" http://www.tcid.org/support/faq-detail-view/what-is-the-orr-ditch-decree-and-why-is-it-important. (Accessed 5/2016); The Alpine Ditch decree is the Federal Court adjudication of the relative water rights on the Carson River which is the primary regulatory control of Carson River operations today. The decree is administered in the field by a watermaster appointed by the federal district court. The decree, initiated by the U.S. Department of the Interior on May 1, 1925 through *U.S. v. Alpine Land and Reservoir Company, et al.*, to adjudicate water rights along the Carson River. The decree was finally entered 55 years later on October 28, 1980, making it the longest lawsuit undertaken by the federal government against private parties over water rights. The decree established the respective water rights (to surface water only) of the parties to the original lawsuit, both in California and Nevada to Carson River water.

Overvold: I'm not sure.

Seney: It was silent on that.

Overvold: Right. But it's also silent on Pyramid Lake. I mean, there is no required water right for Pyramid Lake.

Seney: There is not. That's right. Outside of agriculture.

Overvold: Right. And claims one and two are the primary claims, Pyramid Lake Tribe's water right claims, and they've never been shorted. They never will be shorted. They're the primary rights.

Seney: What was that first OCAP like? Are you aware of the history of it so you know what was required under that first one?

Overvold: No, I don't know too much about the old OCAPs. It was fairly–I guess it was fairly open. It was 406,000 acre feet, I think, diversion per year.

Seney: Right.

Overvold: And then in 1973, the [Judge Gerhard] Gessell opinion or Morton decision that resulted in a 288,000 swing the other way–

Seney: The judge said that's not nearly strict enough, the OCAP that was put in my Interior.

Overvold: Yes. And then 288 is totally unreasonable, too, or was at the time, and the basis for how it was derived was pretty stringent.

Seney: By the time you come in '92, December '91, the so-called permanent OCAP, the 1988 OCAP–

Overvold: The final OCAP.

Seney: Yes. Final, I guess I should say, right?

Overvold: That's what they called it, yes.

Seney: Rather than permanent, because nothing's permanent. [Laughter] It may be final.

Overvold: Nothing's final either. [Laughter]

Seney: I guess. Tell us, what was that OCAP like? Is that OCAP still in place?

Overvold: No, that's been superseded by this adjusted OCAP now.

Seney: Okay. Tell us about the '88 OCAP and the adjusted OCAP.

Overvold: Okay. The '88 OCAP allows–

Seney: In great detail.

Overvold: In great detail?

Seney: Complete detail.

Overvold: I don't know if I can do that.

Seney: [Laughter] You know what I mean. Somewhere in between what you're going to tell me in every detail, okay?

Overvold: It was set up so that you could divert water in the fall and winter, because that's the time when the *cui-ui* don't need water. And it was recognized that that water could possibly be over-diverted and would have to be spilled out of Lahontan, but so be it. It still was better for the *cui-ui* not having them divert that.

Seney: And let me say, that being because you have that carryover in Lahontan, where you wouldn't need to divert during the period of May, June–

Overvold: Later on, yes.

Seney: Right. When the fish were running.

Overvold: Right. But that meant also that if you took this water over and you had a real good year on the Carson River, that you could end up spilling this water.

Seney: Sure. And that happened.

Overvold: And that happened in several years. We were following OCAP strictly by the letter of the law, and Fred Disheroon comes and he nails us and he says, "You guys are wasting water. You are violating OCAP." And we were doing exactly what OCAP intended to do. And he says, "No, we have the discretion of holding it on the Truckee side." Well, I didn't see that in the OCAP. I asked for it. We asked Lynn Collins to give us an opinion on that, and we never got one.

Seney: He just didn't give you an opinion?

Overvold: No. We asked for Lynn Collins to give us an opinion on this question about taking away water from the lined canals or the unlined canals, and he never got us one on that.

Seney: What is the issue there?

Overvold: Well, that's reducing all the farmers' entitlements by the surface area of the ditches in the canals, in their water-righted fields.

Seney: Oh, I see. Okay.

Overvold: What we talked about before.

Seney: What we talked about before. Okay. I understand now.

Overvold: Because that's unusual and that's not practiced anywhere else. He thought that that was just standard practice, or he felt that, but he never did put it in writing and tell us that. So you know there's something fishy when they won't do it in writing. Maybe somebody up the line said, "We don't want that answer."

Seney: That would be something he would take up the line, don't you suppose?

Overvold: Oh, yes. And he probably wouldn't be successful, and so that's probably why he didn't pursue it.

Seney: The OCAP in '88, what was the maximum allowable diversion to the project in the '88 OCAP?

Overvold: Well, it depends on acreage, but the intent was to have it around 320,000 acre feet.

Seney: Total–

Overvold: Total diversion.

Seney: –diversion from the Carson and the Truckee.

Overvold: Yes, total release out of the Lahanton Reservoir.

Seney: With the objective–

Overvold: There was about 100,000 acre feet a year that was diverted from the Truckee River.

Seney: The idea being that as much as you could get out of the Carson [River] is what you would take, and then you would supplement it with the Truckee River water.

Overvold: Right.

Seney: Keeping that down to about 100,000 acre feet?

Overvold: Yes, on the average, and there were some storage targets in Lahontan Reservoir that were fairly liberal in the fall and winter, that would allow for diversion.

Seney: This is something that the tribe has argued about, isn't it? That is, what's going to be the storage carryover allowed in Lahontan.

Controversy Over Storage Carryover

Overvold: Yes, and Fred Disheroon's opinion is that the Orr Ditch does not provide for any carryover storage.

Seney: You see it differently?

Overvold: Yes. I mean, it's silent on that. And why would you build a reservoir is you weren't intending to have carryover?

Seney: Yes. Well, the state of Nevada has a minimum-pool objective.

Overvold: Yes.

Seney: Which is quite small, 4 or 5,000 acre feet, somewhere in that range.

Overvold: Right.

Seney: Just to keep the fish alive so you don't have a complete die-off of the fish. Because Lahontan is not only of great benefit to the farmers, but, of course, it's a major recreational area in northern Nevada.

Overvold: But the recreational minimum is around 150,000 during the summertime, that they would like to see. Nothing lower than 150,000. Because 100,000, I think, is when some of the boating goes out.

Seney: Yes. What's the defined recreational season for the Nevada Department of Natural

Resources, is it? Which one is oversees that? Recreation? Parks and Recreation?

Overvold: Parks and Recreation Division of the Department of Conservation and Natural Resources. But I think they go to Labor Day.

Seney: Because there's a good deal that comes out of that after Labor Day for the last–there is generally another–

Overvold: Month or two.

Seney: Yes, of irrigation, isn't there, after Labor Day, because not only are you likely to have another of alfalfa cut, but people will want water if they're replanting their fields, then to flood them at that point, too. But the tribe wants the minimum carryover in there so that most of the water will flow out of the Carson Basin into it, and the Truckee will only be used to supplement it, right?

Overvold: It's not only the tribe, it's the United States, too.

Seney: Whereas the irrigation district's viewpoint is to hedge against drought, because we don't know what next winter's going to be like.

Overvold: Exactly. This could be the beginning of the drought right now.

Seney: Absolutely. We never know. Right. So the farmers are always going to want the maximum carryover in there, and I can certainly understand it.

Overvold: Here's another example that has come up, too.

Seney: Okay.

Overvold: Sierra Pacific has always been worried about Lake Tahoe and causing damage to the lake owners around there by going too full. This year they were able to convince the Federal Watermaster to hold the lake level a tenth of a foot lower than maximum allowable, and they got away with it for some reason. I don't know why. But we lost some water. We lost 12,000 acre feet of water that is not going to be carried over this year because of that decision. I don't know why they do that, but they're saying, "Well, we can't stand the political pressure." But it's the law that they should be allowed to store up to the top.

Seney: Certainly if it's full to the top, there's no question that the beaches then are shrunk and compromised. There's no question. I can understand that they're going to be getting pressure, but there is, again, the Orr Ditch Decree, isn't there, that that should be filled to–I can't remember what the number is. Do you remember what it

is?

Overvold: It's 6,229.1.

Seney: That's right. [Laughter] I'm sure you're right. I can't remember. What else does the OCAP do besides talk about maximum diversions and when the diversions can be made?

Diversions under the OCAP

Overvold: It says that you cannot deliver water to non-water-righted lands, that there's a penalty if you over-divert or if you don't meet your efficiencies. There's a standard for what the minimum efficiency is, depending on what percent of the entitlement is delivered to the farmers. So if you release more than what you're entitled to release, then you're going to have to pay that back next year. Also, if you're over, you get two-thirds of the savings. I mean if you're more efficient than you have to be. So there is some incentive, I guess, there. I can't think of what else is in there.

Seney: What is in the new adjusted OCAP? How is it different than the '88 OCAP?

Overvold: Yes. In the old OCAP, there's a period of time from April through June–June, I believe it is–where if it is determined that it would be beneficial to keep the water on the Truckee side, you can keep it there and then deliver it later on after July, after July 1st, and store it in Stampede.

Now with the adjusted OCAP, it lengthens that period to start January 1st, so that you can store water on the Truckee side and hold it there and then determine whether or not you're going to have a wet year, and then bring it over if you need it.

Seney: Did that make more sense, do you think?

Overvold: It does make more sense. Sure.

Seney: Because you will know by January whether or not you're going to have a wet year. Should.

Overvold: Well, it might even make more sense to bring it even earlier than January and hold it over there.

Seney: What are some of the other differences between the two?

Overvold: The other differences are, if they're lowering the target storage levels in Lahontan

so that there's less carryover.

Seney: What are the storage levels going to be now?

Overvold: Well, for example, I think in December it goes from 210,000 acre feet down to 100,000 acre feet, so it's a significant reduction. And in the summertime it drops from 215,000 acre feet down to 150,000 or 145,000 acre feet.

Seney: So the tribe and the government were pretty much able to prevail on what they wanted in terms of the targets' carryovers on this.

Overvold: Sure.

Seney: That shouldn't surprise you, does it?

Overvold: No.

Seney: Whether you like it or not, I mean, it's not–

Overvold: There wasn't an open discussion about it. The Bureau and the government said, "We're going to do this," and didn't reveal it to anybody or ask for an opinion about it until it was a rule.

Seney: Under Public Law 101-618, the Secretary was allowed, in his discretion, to make any changes in the OCAP that they saw fit, right?

Overvold: Yes.

Seney: So that obviated any necessity for public hearings and comment periods that would likely occur if it were done in the usual way?

Overvold: No, I don't think so. That didn't give them license to make a change unilaterally without any kind of public comment at all. It just said that they could do it if they wanted to before that deadline. And that was strictly related to the rule that said you cannot sue until–

Seney: T-C-I-D cannot sue.

Overvold: Yes. T-C-I-D can't sue until–

Seney: December 31, 1997, I think.

Overvold: Or earlier if the United States changes it earlier. But that doesn't mean that the

United States can make a change without any kind of public comment.

Seney: I guess as I read it in the law, I think the phrase is that "the sole discretion of the Secretary." But that doesn't mean that you still shouldn't have public comment and public input. Do you have to have it or just do you think it's right to do that?

Overvold: I think law requires that you have to have it. And it's right to do it.

Seney: I don't think you were around during the period when the district complained bitterly that it seemed like the OCAPs were being changed almost on a daily basis, that faxes would arrive, messages would arrive, that this little change and that little change would be made. Were you in the office when all that went on?

The OCAP Appeared to Continually Change

Overvold: No. No, I wasn't.

Seney: But you're aware of that?

Overvold: I've seen a lot of letters in the files about requests.

Seney: From the Bureau's end?

Overvold: Well, and responses, but, yes.

Seney: So that went on?

Overvold: There was certainly a lot of control and micro managing from the Carson City Office. But I don't know if they changed the OCAPs daily with those letters. I don't know if that necessarily changed the OCAP. I think they were still looking at the overall objective that was established. But they were changing the OCAPs year by year, and so there was that.

Seney: One of the things under the OCAPs, under the legislation, there's the efficiency targets for the project. Explain to us how that's gone on and how that's changed.

OCAP Efficiency Targets

Overvold: Well, the efficiency is calculated as the delivery to farms, as measured by the Truckee-Carson Irrigation District, the delivery to farms divided by the releases out of the reservoir, and that efficiency has to be a certain level. In the '88 OCAP, it's relaxed a little bit from what it was–I mean, in the adjusted OCAP, it's relaxed from

what it was in the '88 OCAP.

Seney: What was it in the '88 OCAP?

Overvold: Well, it varies, but with 100 percent delivery to farms, it was 68.4 percent efficiency. Then with the adjusted OCAP, it dropped it down, and I don't remember how far it dropped it down to, maybe two points.

Seney: Did the district ever meet those efficiency–

Overvold: No. Never had. And the basis for developing those efficiencies was very skimpy.

Seney: The efficiency study, you mean, that was done?

Overvold: Yes. They went out with a survey and asked a bunch of irrigation districts, and really they just found information on one or two or three different other projects that were fairly closely resembling this, and used that as a basis.

Seney: To establish that 68 percent.

Overvold: Yes. That's very poor. It was very arbitrary.

Seney: Am I thinking that this is about 59 percent of what it measures out or did measure out when the OCAP started, the efficiency rate?

Overvold: Yes, 59, 60. They can get up to around 62 percent, yes.

Seney: And one of the problems that the local people talk about is the problem of seepage, is what recharges the groundwater for this area.

Overvold: Right.

Seney: Talk a little bit about that and how the district and the Bureau view that, what their different positions are on that.

Seepage and Recharge

Overvold: Well, the seepage just goes in and recharges the groundwater, and in this area alfalfa can use a lot more than 2.99 acre feet per acre, like the Alpine Decree says. So the 2.99 is the consumptive use limit.

Seney: Because some has to be returned.

Overvold: No. With the three and a half acre feet per acre allocation at the farm headgate, some of that is going to be lost getting it to the field, and so the Alpine Decree says that the average field uses 2.99 acre feet per acre, when reality that's not true; it's a range, you know. If you gave it more water, if you gave alfalfa more water, it would grow more, produce more. So it's kind of an antiquated number, you know. Yes. So a lot of the seepage is making water available in the ground that the crop can consume, too.

Seney: Because the roots are quite deep and the water table is relatively high around here.

Overvold: Fairly shallow, yes. But then any unused water ends up feeding some of the other canals downstream and is beneficial to the wetlands downstream as well, so that isn't necessarily a waste of water.

Seney: That's certainly the argument made here, isn't it, that if you didn't do that, you'd have to have some kind of municipal water system, and what you're really getting is a double use out of it, in a sense. It's watering the crops, then it's leaching into the aquifer and it's supplying M&I water.

Overvold: Right.

Seney: Although the tribe would say, well, that's not what you have a right to, you have a right to agricultural water. Wouldn't that be their point of view?

Overvold: Yes, I imagine.

Seney: And that's a very difficult T to cross, isn't it? And isn't this the problem with, say, lining the canals to improve the efficiency, is then that you compromise the domestic water supply.

Overvold: Right. The city of Fallon has some of these deep wells to go down into the basalt aquifer, and they're fairly much independent of the shallow aquifer system. But there's a lot of wells out here.

Seney: That's right.

Overvold: For domestic supply.

Seney: What, about half the population lives outside the city and in county?

Overvold: Something like that. More than half, probably.

Seney: Is that the case with your house? Are you outside the city?

Overvold: Inside the city. On city water.

Seney: So you get city water.

Overvold: Yes.

Seney: Good water, is it? How is it to drink?

Overvold: I drink it. I don't know how good it is. It's fairly soft. It's nice to shower in, feel clean.

Seney: I know there are questions of water quality that people like Mary Reid and others have worked on when you get into some of these wells. In some of the areas it's sulfur in them, and depending upon where you are–

Overvold: And iron and a lot of contaminants.

Seney: Yes, they can change considerably.

Overvold: And arsenic, too. Arsenic is fairly high, I guess, especially in this basalt aquifer. The city water has a high arsenic content. It's above the health standard.

Seney: Does the latest OCAP seem fair to you now that you're here with the district?

Adjusted OCAP Unfair to the District

Overvold: The adjusted OCAP?

Seney: Yes.

Overvold: No, I don't think so. I think the storage targets are way too low. I think that prevents carryover to prevent–I mean, it reduces carryover so much that you are losing your effectiveness of the reservoir to protect yourself in dry years.

Seney: How long has this OCAP been in force?

Overvold: Since December.

Seney: Just this last December.

Overvold: The adjusted OCAP, yes.

Seney: So you really haven't had enough experience with it to know. But there's certainly going to be dry years. What can be in the reservoir on January 1st, 115,000?

Overvold: Yes, it's somewhere close to 100,000 acre feet. When I review the tape, I'll put the right number in.

Seney: Okay. So, in other words, if on January 1st we're down to 100,000 acre feet, no matter what the winter looks like, right, it doesn't–

Overvold: You don't know.

Seney: It doesn't say unless we've had so much moisture.

Overvold: No.

Seney: So you could be talking about, then, carrying only that 100,000 acre feet–

Overvold: That could be it.

Seney: And laying on top of it.

Overvold: And another thing that we could do to improve the adjusted OCAP some more is to key it on what's happening in Lake Tahoe. If there's a lot of water in Lake Tahoe, you could maybe get by with a little less, but if Tahoe is almost empty, you ought to be storing some water in.

Seney: Was that argument made in the–

Overvold: No, that was an afterthought, after we got the '88 OCAP.

Seney: After the adjusted OCAP.

Overvold: After the adjusted OCAP. Because there's nobody sitting there in the Carson City Office thinking, "Now, how can we get more water for the farmers out here?" They're looking at, "How can we take more water out of this and get more water in Pyramid Lake?" That's the goal.

Seney: Yes. So they're not even thinking in terms of the ups and downs of Lake Tahoe and Lahontan or–

Overvold: It used to be, with the Bureau, that we were looking at what's the best for the *cui-ui*.

How do we get the *cui-ui* number up to the highest number? That's changed now. Now our perspective is, how do we get the most water to Pyramid Lake? Forget about the *cui-ui*. That's a side issue. So this is this moving target of Indian tribes.

Seney: I've interviewed several people in the Carson City Office, and one of the things that I've been told is that in recent years the office–and maybe this is exactly what you're saying here, is that the first thought of the people in the office is what is the impact on Pyramid Lake and what do these people want to hear–that is, people like Fred Disheroon, Bill Bettenberg, Bob Pelcygar, and the tribe.

Overvold: Yes.

Seney: Would that be your feeling?

Bill Bettenberg

Overvold: Well, yes, it's Bob Pelcyger. Bill Bettenberg is looking at this as what is the impact on Pyramid Lake. He's changed his perspective, too, from *cui-ui* numbers to how much is going to Pyramid Lake.

Seney: Bill Bettenberg, of course, is a high person in the Department of the Interior. He's not Deputy Director of the Office of Policy Analysis. The titles have changed a bit, but it's essentially what he is, the number-two person in the Office of Policy Analysis, and he's been in the Department of Interior his whole career.

Overvold: He was in minerals management for a while.

Seney: Right. He was head of that. He's been Deputy Assistant Secretary of Indian Affairs. He's been head of the offshore oil drilling and numerous things. He's one of these Senior Executive Service people. As I'm sure you know, he was brought in by Interior after the very disastrous testimony by then Assistant Secretary for Water and Science, John Sayre, before Mr. [Senator Bill] Bradley's committee in February of 1990, when the Interior Department people were arguing among themselves, were unprepared. Apparently it was a disaster. I don't know if you ever read the testimony or not.

Overvold: No. I guess I'm not familiar with that.

Seney: Mr. Bettenberg is brought in at that point to kind of unify the Department of the Interior's approach to this. Comment a little bit about what you think his role is and what it's been in all of this.

Overvold: Okay. Well, he brought in this Truckee-Carson Coordinating Office, which was

supposed to consolidate Interior's perspective or the public's perspective of Interior to consolidate us so that we were all kind of going in the same direction. And I think what happened was that–I know Jeff Zippen was in that position. He was very good. But what he did was he became the center of power and he took away any decision-making that was done by Reclamation and all that. And I think it's good to have a balance and a different perspective of things. What happened was, that was all taken away and there's just one congealed decision-making. He took away a lot of Reclamation's decision-making and authority.

Seney: How did that work for you, practically, in the responsibilities you had?

Overvold: Every decision we made was second-guessed and turned around all the time. So, any decision we made was turned around, overturned.

Seney: Did you get in the habit, maybe, of calling Jeff Zippen before you made a decision, even?

Overvold: Well, yes, sure. And we got concurrence for everybody ahead of time before we went out to the public, and then we'd still get overturned because Pyramid Lake Tribe didn't like it, and so they'd go up the line and then come back down and make everybody reverse their decision.

Seney: When you say clearance by everybody, you're talking about Fish and Wildlife Service, B-L-M [Bureau of Land Management]?

Overvold: B-L-M doesn't have a real big role in here, but Fish and Wildlife Service, Bureau of Indian Affairs, Bureau of Reclamation, Truckee-Carson Coordination Office. I would get clearance from all those different agencies before I'd go out with something and still it would be overturned–

Seney: If Pyramid Lake did not like it.

Overvold: Yes.

Seney: Did you call the tribe? Did you get a hold of either Norm Harry or Mervin Wright, his successor, and talk with them about these things?

Overvold: Yes, and John Jackson, yes.

Seney: John Jackson is–

Overvold: He's in charge of the water resources.

Seney: That's right. He took Mervin Wright's place when Mervin became Tribal Chairman.

Overvold: Yes.

Seney: Would you draw any distinction between Norm Harry as Tribal Chairman and Mervin Wright? Is there a difference between the two?

Tribal Politics

Overvold: Yes, I think Norm Harry wasn't as–I think Mervin is–

Seney: More zealous?

Overvold: Yes, that's probably it.

Seney: Now, come on. Remember what we said here. [Laughter] And he would say so, too. I've interviewed him, and I think he'd say that proudly, don't you think?

Overvold: Yes, I think so.

Seney: I don't think he makes any bones about it. Isn't that, don't you suppose, the basis on which he sold himself as Tribal Chairman?

Overvold: Yes. But he's also–there's a group of Indians there–

Seney: Let me turn this tape.

END SIDE 1, TAPE 2. JULY 17, 1998.
BEGIN SIDE 2, TAPE 2. JULY 17, 1998.

Overvold: I should say he's being accused of doing the same kind of thing as his predecessors, like Joe Ely[27] and them have done, and that is, keep information, withhold information, and not tell the rest of the tribe what's going on, just to benefit him and to make it beneficial to him.

Seney: Well, there is this kind of permanent dissident group, isn't there, within the tribe, that argues with leadership about these things.

27. Joseph (Joe) H. Ely, *Oral History Interview*, Transcript of tape-recorded Bureau of Reclamation oral history interview conducted by Donald B. Seney, edited by Donald B. Seney and further edited and desktop published by Brit Allan Storey, senior historian, Bureau of Reclamation., 2011, www.usbr.gov/history/oralhist.html.

Overvold: Probably so, yes. And that's true of any government.

Seney: Did you find that particularly frustrating, to have to clear all these things in this way and still have them come back on you?

Overvold: Yes. In the water business, when you're trying to fill Lahontan or making decisions, you have to make them pretty quickly, and you can't wait for this committee discussion. It is frustrating.

Seney: I know when there was flooding in 1995, it looked like there was going to be flooding, that the question was then of spreading water here in the project for flood control purposes, and there were arguments about whether or not that should be charged against the farmers, whether it should be charged against the maximum allowable diversion, and that initially the tribe had a position on that, that looked like it was going to be the position that was going to be accepted. I don't know that it finally worked out that way, but the tribe, in other words, took an interest in that matter, even though perhaps it only peripherally concerned them, because they take an interest in all these matters that go on.

Overvold: Yes. Well, filling Lahontan Reservoir to the brim and taking all these risks over here, with the public–with the city downstream, we're taking a massive risk when we fill Lahontan up to the top and there's still flood water coming down that could flood out, and we could wipe out or cause damage to these communities.

Seney: Sure. If you have to make massive releases to save the dam.

Overvold: Right. Yes. And for what purpose? It doesn't benefit the farmers whatsoever, because they get that water supply next year anyway, generally. All the model runs show that this risk strictly benefits the Pyramid Lake Tribe. That's why they take an interest in filling Lahontan Reservoir, and that's why they say, "It doesn't matter what it does to recreation. Recreation is secondary. What matters is water supply for us."

I was convinced, after we had that–we went through a session of developing this criteria for spreading water, and originally it was based on 100 c-f-s at Bafford Lane , and anything above that, we could spread. Then it was changed to 500 c-f-s this last time around. And all that does is just promotes more waste down the river, and that's a matter of perspective, you know, what is waste. But that's just another one of those ratcheting things; you just keep on clamping it down tighter and tighter.

Seney: And that is the feeling out here, isn't it, that the hope is that you keep tightening the

screws and people will say, "To hell with it. I don't want to farm anymore," and sell their water rights and move on. The water rights will go to the wetlands, they'll go upstream to Sierra Pacific Power.

Uncertainty within the District

Overvold: And there's a lot of people selling land out on the Truckee Bench right now, for the water-quality settlement agreement.

Seney: That would be people in Fernley?

Overvold: Yes.

Seney: What's the price of the water out here, the acre foot of water, do you know?

Overvold: I don't know. It's pretty high. The thing is, there's a lot of agriculture money out there that would want to come in and buy up water rights, but they don't want to touch this area because of this perception and this realization that it's all going to get taken.

Seney: Too much uncertainty.

Overvold: The recoupment. You know, they know the government is out to take this water any way they can.

Seney: Did you work on the recoupment issue at all?

Overvold: Not too much, no.

Seney: Because that's a whole different complication and tough nut to crack. I don't know what's going to happen with that.

Overvold: I think the government is wrong there, too. I've read all the stuff in the files, and I don't see where there was an OCAP in place, but that's–

Seney: The issue is the '73 Gessell OCAP established this 288,000 acre feet. The district simply wouldn't go along with it, nor would the Federal Watermaster.

Overvold: Nor could they.

Seney: Yes.

Overvold: And they were taken to court.

Seney: And they continued to divert over the amount, and the Secretary of Interior wrote a letter saying, "You'll have to pay that back."

Overvold: I don't think they wrote a letter.

Seney: You've never seen it?

Overvold: I don't know of a letter like that.

Seney: Well, it's quoted in a number of–

Overvold: Have you seen a letter like that?

Seney: I've never seen it, but–

Overvold: There's no such letter like that.

Seney: You've never seen it?

Overvold: No.

Seney: Well, this is maybe one of the myths, that they were warned by Secretary [of the Interior, Rogers] Morton that they would have to pay it back. There's, what, a million and fifty-eight thousand acre feet is generally the number.

Overvold: There's fifteen letters in the file that say, "We don't have an OCAP in place now, but we think we need to get one." There's a letter from Bob Pelcyger in the file that says, "We need an OCAP in place. There's no OCAP in place. We need one." How do you explain that?

Seney: I don't know. This is something the lawyers fight about, isn't it.

Overvold: That's right.

Seney: What is the status of that lawsuit now? I know the federal government has filed one against the district.

Overvold: Yes, and all sides have filed a motion for summary judgment.

Seney: So we'll see what happens. Any idea when the court might entertain that?

Overvold: No, I don't know. But in my mind, it's clear to me that there wasn't any OCAP in place.

Seney: It's still a nasty issue, right?

Overvold: It's nasty.

Seney: A very divisive one and a very difficult one to solve. I know both sides take it very, very seriously.

Overvold: Yes. The United States has a tremendous amount of capability to fight lawsuits and initiate lawsuits and stuff, and the farmers are limited in their resources.

Seney: They've spent a lot of money on–

Overvold: And they're spending money, yes. They're spending about seven dollars an acre to fight all these lawsuits.

Seney: Any idea how much over the last ten years? A couple million, at least.

Overvold: Oh, yes, $700,000 a year, more or less.

Seney: Is that what it's been? Yes, I know it's been very–

Overvold: Five hundred thousand.

Seney: And this is done based on assessments, right, against the farmers?

Overvold: Yes.

Seney: Right. Well, one thing we haven't said, I think we hinted at a little bit, is that you're no longer with the Bureau of Reclamation, you're now a retiree, I guess.

Leaving the Bureau of Reclamation

Overvold: Right.

Seney: And it was suggested to me that you got–that they sweetened the pie a little bit or something?

Overvold: No. No sweetening. It was an effort to push me out the door.

Seney: I wasn't aware of that. Tell me about that. And remember, David, you are no

longer a Bureau employee. [Laughter] Why would they shove you out the door, and who? Who did it?

Overvold: I think it was John Davis and–

Seney: Who was Acting Area Manager.

Overvold: Yes. But before that, he was Special Projects Officer down there in Sacramento while I was Acting Area Manager. It became apparent to me, after about six months of being acting, that I wasn't going to get the job, and so I started searching for other places to work. I started being bothered by some of these things that are going on here, and how there's such disparate treatment and how–it just doesn't make sense, what's going on. So I became a burden to them, I think.

Seney: You couldn't be an enthusiastic team player any longer.

Overvold: I was not perceived as a team player.

Seney: When did you make contact with T-C-I-D about a job?

Overvold: January. It was sort of a mutual contact, I guess, because they were out looking for an engineer, and I started thinking, "Well, maybe I could do that." So we started–I found out what the price range, what they were going to pay, and decided, well, I can't do that, because it was too low. And then later on, after they had known that I was interested, then they said, "Well, maybe we'll change the price of the pay," and so they did. Then I started thinking seriously about it. That was about in March.

Then that was about the time that Betsy Rieke was going to be coming in, and I asked her about it. I thought I'd talk to her about it. She said, "Well, you know, I really question your ethics, and I don't think there's a place for you here." And she didn't know me from Adam. Somebody must have primed her on this, you know. I mean, it just floored me that she was questioning–you know.

Seney: Did you suggest that you were talking to T-C-I-D, you mean, or you didn't say anything to her? Or you did?

Overvold: Yes, she knew. But somebody had primed her.

Seney: But you were saying to her, essentially, "What's going to be my place in the office? And by the way, I'm also–"

Overvold: "Is there a place for me here, or should I look elsewhere?" And she says, "I don't

have any place for you. You'd better find another place to go. You're not welcome here."

Seney: She was pretty blunt about it?

Overvold: Yes.

Seney: Well, I suppose that's better than beating around the bush, in a sense.

Overvold: Sure. And so that's when I decided I'm outta here.

Seney: Did you retire?

Overvold: I retired, yes. There was an early-out opportunity Bureau-wide and I took advantage of that.

Seney: So you have a retirement income plus your T-C-I-D salary.

Overvold: Yes.

Seney: How nice. Good. That's nice. That must feel good.

Overvold: Well, not when I have two house payments, but–

Seney: It's a lot easier when you've got two salaries, isn't it? [Laughter] Just think, soon you'll have only one house payment and then you'll be able to enjoy it.

It was Good to Leave Reclamation

Overvold: I'm glad I left.

Seney: Are you?

Overvold: Yes.

Seney: Tell me why.

Overvold: Because the government has run amuck. [Laughter] It's wrong. What's happening here is wrong. I guess I just want to do what I can to help the district fight being dragged down and beaten up here by an overzealous federal government.

Seney: You think you bring something valuable to them, not only your engineering qualifications, but your experience with the Bureau?

Overvold: Yes, I think so. Yes. Yes.

Seney: Let me ask you about Ann Ball, who was the last Area Manager.[28] I think, what, Ann was there maybe from March of '65 to–when did she leave, January of–

Ann Ball as Area Manager

Overvold: '95. March of–

Seney: Did I say '65? I'm sorry, I meant '95.

Overvold: '95 until–must have been March of '97.

Seney: Yes. You got along well with her?

Overvold: Yes.

Seney: You liked working for her?

Overvold: Right.

Seney: What's she like to work for?

Overvold: She was good. She let you do what you wanted to do, and she held people accountable, but still–

Seney: More latitude than Ed Solbos gave you?

Overvold: More latitude, yes.

Seney: In your perspective, what was the reason for her removal?

Overvold: She was perceived as having become too one-sided, too far into T-C-I-D's court or side of things.

Seney: Is there truth to that, do you think?

28. Ann M. Ball, *Oral History Interviews*, Transcript of tape-recorded Bureau of Reclamation Oral History Interviews conducted by Donald B. Seney, from1995 to 1998, in Carson City and Reno, Nevada, edited by Donald B. Seney with final editing and layout by Brit Allan Storey, 2009, www.usbr.gov/history/oralhist.html.

Overvold: Well, her assignment was to negotiate an O&M [operating and maintenance] agreement, and she did that. She got that done.

Seney: A new contract.

Overvold: A new contract, yes.

Seney: Did you take part in that, in those negotiations?

Overvold: No. She got that done. And I think the Pyramid Lake Tribe, Bob Pelcyger, was very upset about the contract, and he wanted lots of other things, and he went to John Leshy, Solicitor [of the Department of the Interior], and pushed his case very strongly, so much so that he got tired of hearing him and then finally they settled and agreed. But Ann wouldn't have been able to pull that off without support from John Leshy and Roger Patterson and Justice Department, you know. But it was in spite of Fred Disheroon and in spite of Bill Bettenberg that that contract went through. And Harry Reid wanted to see it fail.

Seney: So, by succeeding in that, she had made some powerful enemies.

Overvold: Powerful enemies.

Seney: Because I expect it wouldn't just be Pelcyger talking to Mr. Leshy, but it would be Mr. Bettenberg as well, do you think?

Overvold: Sure.

Seney: Disheroon, probably. I don't know if Disheroon would reach up that high. Certainly Bettenberg does. And maybe Senator Reid's office.

Overvold: Yes, and also the attorney in Sacramento. What's his name?

Seney: Girard ?

Overvold: Dave. No, not Girard, but the one–the Solicitor. I'll have his name written.

Seney: The Department of Interior Solicitor that's in Sacramento?

Overvold: Yes.

Seney: I can't remember.

Overvold: He was also helpful in doing this. And Ann got the support of all those people to

get this contract agreed to. It wasn't just Ann that did this on her own. But she took the hit.

Seney: Yes. And did the tribe perceive this as a sweetheart deal or something?

Overvold: Yes, definitely.

Seney: What was it they objected to, do you know? What part of it did they look at and see–

Overvold: They wrote lots of articles, and they wanted it to be really tight. And they wanted it to fail so that they could bring in another agency either to have the Bureau take it over or something. They wanted it to fail.

Seney: You know, there was feeling, I think, that the farmers here on the district were instrumental in getting Ed Solbos removed because the catalyst issue was that late water delivery. Remember? Out to the Fallon Tribe.

Overvold: Yes.

Seney: And that Ed was a friend of the tribe more so than the district as Area Manager, and that in comes Ann.

Overvold: Goes the other way.

Seney: Right. Did you see some of that?

Overvold: Sure.

Seney: That the tribe then–its payback time, even just to get rid of her, just to make sure they've demonstrated their power?

Pushed Out for Favoring the District

Overvold: Yes.

Seney: So she gets caught in the middle of this.

Overvold: Right. And me, too.

Seney: And you feel you got caught there, too.

Overvold: Sure.

Seney: In the same vice?

Overvold: Yes. I felt like I was capable of doing a job. I thought I was capable of doing the job when they brought Ann in, because I was acting then, too.

Seney: What do you think kept them from making you permanent? The politics out here on the project? I mean out here on the Newlands Project.

Overvold: I don't know. I don't know what it was. I didn't have the backing, so I figured, "My future with the Reclamation is over. I don't need to be here anymore."

Seney: That must have been disappointing to be twice caught in that kind of a position.

Overvold: Yes.

Seney: Would you have wanted to be Area Manager here?

Overvold: Yes, I was ready to do it. I felt like I could do it. Everybody wondered why. [Laughter]

Seney: Well, I wonder, too. [Laughter] It seems to me to be an impossible job.

Overvold: Yes, yes, but I just wanted to move on up in Reclamation. I had a goal of getting at least to be an Area Manager or at least a Water and Land Division Chief.

Betsy Rieke

Seney: Sure. A lot of expectations have been laid at Betsy Rieke's feet, former Assistant Secretary [Of Water and Science], now the Area Manager. How do you see her possibilities? I mean, obviously she has not endeared herself to you, but I know you're objective enough to lay that aside and–are you? [Laughter] He's laughing. The tape won't see that he's smiling broadly. But what do you think her realistic possibilities are? I know the people out here on the project like her. Right?

Overvold: Well, they don't know her very well yet. There's nothing that's happened yet to–I mean, they like her because she came in and she had kind of an open mind and she talked and visited with the farmers.

Seney: Prior to the Settlement II negotiations.

Overvold: Yes. And so they're hoping that they'll get a fair shake from her. I don't see that. I

mean, in her dealings with me, she didn't give me a fair shake. She didn't even know who I was, and she already had formed an opinion that I was dishonest. And if you talk to anybody, you'll find that I'm fairly honest. So, I don't know. I mean, she doesn't have any Reclamation experience. So we'll see.

Seney: Any idea who primed her on you?

Overvold: Yes. John Davis. She said that Kirk was in line with it, and also Roger Patterson. But when I talked to Patterson, he said, "Well, that's not right." So I don't know what that means.

Seney: Kirk meaning–

Overvold: Kirk Rogers, the Assistant Regional Director.

Seney: And Roger would give you a straight answer, wouldn't he?

Overvold: I would think so.

Seney: He has that kind of reputation, doesn't he, of being a–

Overvold: Yes.

Seney: And you've known him.

Overvold: I worked with him for four years in the Rio Grande Project. I thought he'd give me a straight answer. But he didn't. He just said, "Well, that's not right." And I don't know how to take that. Does that mean it's not right to do something like that, or does that mean that what happened is not the way it happened?

Seney: You're right. I don't know how to interpret that either.

Overvold: But I know that Roger is a political animal and he'll do what it takes to stay in power or stay where he is.

Seney: Did she [Betsy Rieke] do you a favor, do you think?

Overvold: Getting rid of me?

Seney: Yes.

Overvold: Didn't do me any favor, no. I don't think he's helping me. I'm glad I did it, but it

wasn't a favor that he did me.

Seney: No, I'm talking about her more than him. Betsy Rieke.

Overvold: Did she do me a favor?

Seney: Yes. Going to be happier here?

Overvold: I'm happier here. I'm happier to be out of the government, yes.

Seney: Well, then you might–

Overvold: But it isn't her decision, it's mine. [Laughter]

Seney: Well, you might write her a thank-you note. [Laughter]

Overvold: Oh, yeah.

Seney: But it must have hurt your feelings and offended you professionally.

Overvold: Yes.

Seney: I can certainly understand that.

Overvold: Here I was, I had worked for the government for twenty-five years, and they're questioning my veracity. It's just–

Seney: On what?

Overvold: On what basis?

Seney: Did she say?

Overvold: Yes. Well, she talked about the two instances. One was on this recoupment thing where I questioned the Justice Department's pursuit of this in light of records that show information to the contrary, and all the records that show all of this have been destroyed, you know, in Sacramento. They were shredded.

And then on another instance, which was where the adjusted OCAP was being prepared and the E-I-S for that, or the environmental assessment, I felt that the environmental assessment should be changed to an E-I-S because it had some significant impacts. And the assessment was written very poorly and it was not a very adequate job of disclosure. It was stretching the truth, hiding the truth.

And I elevated our concerns to the Regional Office, and then it appeared to me that the Regional Office was just going to scuttle this, our concerns, and so when I had a chance to present this information to–what's the name?

Seney: Patty Benecke?

Overvold: Patty Benecke, yes.[29] I provided that to them just so they could make an informed decision, at least, and that was supposedly going over people's heads, I shouldn't have done that, I should have just backed off.

Seney: So when you asked her, "What do you mean?" these are the examples she gave you?

Overvold: Yes.

Seney: How do you assess those examples?

Came Out on the Wrong Side of the Tribe

Overvold: I brought this question up about the recoupment issue because I honestly believe that we were not being very honest about it in our lawsuit, and that there's evidence in the files that shows that even Pelcyger recognized that there was no OCAP in place. And all I wanted to do was tell the Regional Director that maybe we ought to reassess where we are. That's all I did. And I should have done it verbally rather than in writing. But I don't think that's a wrong thing to do.

Seney: It seems to me, in both of the cases that you're giving me, that you came out on the wrong side of the tribe.

Overvold: Absolutely. Oh, yes, definitely. And there were a number of other incidences where I came out on the wrong side of the tribe in the past while Ann was around, such as this water-spreading question. I felt like, well, here's free water. I mean, here's a whole bunch of water. Let's make some beneficial use out of it rather than just running it down the river.

Seney: And it might have flooded the Fallon area had you run it down the Carson Channel.

Overvold: That's right, yes. But the tribe fought that. They were really upset about it. And we had worked it out. All I was doing was following the procedure that we had

29. Patricia Beneke served as Assistant Secretary of the Interior for Water and Science from 1996 to 2001.

worked out the year before. So, I don't know. Can't win.

Seney: Anything else you want to say?

Overvold: You've got to kowtow to everything that the tribe wants or else you're outta here. And I think Betsy knows that by now.

Seney: I may want to come back and talk to you again for a few minutes, because I want to go over that TROA stuff again and see if I can't get some more specifics out of you on the TROA and help explain it, because you imagine these volumes up on the shelf, we hope, 100 years from now, and people are trying to understand what all of it means. I haven't asked you very good questions on that, so I may come back if that would be all right.

Overvold: Okay.

Seney: Why don't we leave it there, then?

END SIDE 2, TAPE 2. JULY 17, 1998.
END OF INTERVIEW.