

Bitter Fight Raged Over Building Dam

(EDITOR'S NOTE — With Boulder dam now one of the most widely known wonders in the modern world and a "must" for nearly 3,000,000 visitors annually, it seems unusual that only 30 years ago such a bitter fight raged over construction of the forerunner of all the world's present high dams that Congress voted down a bill to make it possible. The fight had raged for a decade at that time. Today, with Glen Canyon dam under construction and the Bridge Canyon structure looming next on the program, the states, including Nevada, are still fighting in the courts over division of the Colorado's waters. Because so many here know so little of the early history of the dam, two abridged articles which appeared in the December, 1927, Review of Reviews, one of the most respected magazines of the day, will be re-printed here — the first this Sunday and the other next Sunday. The old magazine was furnished to us by Josephine Ellis, Las Vegas pioneer, of 207 North Seventh St. The initial article setting forth Arizona's stand follows. — DA).

By DWIGHT B. HEARD
(Advisor, Arizona's Colorado River Commission)

Twenty years ago, Theodore Roosevelt said that one of our greatest national duties was changing the waste of the Colorado River into controlled use. Ever since then far-seeing men, in increasing numbers, have been trying to put the vision of Roosevelt into action.

The sessions of the Colorado River Conference, held in Denver in August and September this year, lasting over a month, illustrate the new movement in the seven Colorado River basin States to unite on a plan of action for promptly harnessing the Colorado. Such a plan should be based on just cooperation among all basin States and the federal Government, and should remove the Colorado River or Boulder Dam controversy from the twilight zone between State and federal rights. To succeed, the plan necessarily, must admit the sovereign rights of the States to use their lands and water and the right of the federal Government to control interstate navigation on the stream.

While public attention has been focused on the very important feature of flood control, the underlying reason for the fierce controversy that has waged around Boulder Canyon has been over the millions of horsepower, or "white coal," involved in the canyons of the Colorado, mostly in Arizona. At seven carefully studied power sites in Arizona, and at one partly in Arizona and partly in Nevada, practically 4,000,000 firm horsepower can be developed, equal to 80 per cent of the hydro-electric power used in the United States last year. These figures are obtained from recent publications of the Geological Survey. These same reports show that in the last four years the use of power in the United States has increased 40 per cent, and that 35 per cent, of the power used was hydro-electric, which is holding its own despite the tremendous increase in the efficiency of steam-generated power.

The Colorado River Conference is composed of the Governors of the seven Colorado River basin States, the official Colorado River Commissioners and other advisers of these States, a group of Senators and Congressmen from that region.

To put a constructive development plan into effect it is essential not only that the seven States and the federal Government agree on the plan, but that all the basin

States approve the Colorado River Compact, adopted at Santa Fe, New Mexico, on November 22, 1922. This Compact was well described by Herbert Hoover, who presided at the meeting, as a "forty-year vacation from litigation."

Five Years of Disagreement

The Compact was never officially approved by Arizona, only conditionally approved by California, and Utah has refused to accept the Compact unless all the basin States approve it. One of its fundamental principles was protection of the Upper Colorado River Basin States, which supply most of the water, from the establishment of priority rights to the use of water by the more rapidly developing lower basin States. It is this same principle that Arizona has stood for in her efforts to obtain a tri-State treaty with California and Nevada (the other lower basin States) to protect Arizona's future development against the acquirement of adverse prior rights by California or the Republic of Mexico.

This controversy over Colorado River development and the approval of the Compact has raged for five years. Last March it resulted in the defeat in Congress of the Swing-Johnson bill, now generally regarded as an invasion of State sovereignty, and a bill which included at least the possibility of the federal Government enter-

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ing the power business.

Realizing that it was nothing short of an economic crime for one of the nation's greatest resources, the Colorado River, to remain longer undeveloped, George H. Dern of Utah, after a careful personal study last summer of conditions in Arizona and California underlying the dispute between these states instituted a movement which resulted. . . in the call for the Colorado River conference. . . .

It became manifest in the discussions of the Denver conference that to bring about Colorado River development free from litigation and controversy it was necessary not only to secure cooperation between the basin States and the federal government and the approval of the Colorado River Compact by all the basin States, but it was equally essential to obtain an agreement, under the provisions of the Colorado River Compact, among Arizona, California and Nevada. . . . It became evident that such supplementary compact should cover not only division of the average amount of 7,500,000 acre feet of water turned down by the upper basin States, but also should provide for a distribution of power benefits to Arizona and Nevada for their contribution of natural resources in the production of power, largely to be used in the development of Southern California. . . .

(Note — C. P. Squires of Las Vegas represented the governor of Nevada at most of these conferences. Arizona battled California for a larger proportion of the water rights than the latter was willing to concede. The article continues with Arizona's stand.)

Arizona bases its position on definite principles and rights involved in State sovereignty; the same principles upon which New York insists in controlling the use of the waters of the St. Lawrence River for the benefit of its people. These rights on which Arizona insists are:

A. The constitutional right to the use and disposal of the waters of the Colorado River as it flows through Arizona's borders.

B. The ownership of the stream bed of the Colorado River within Arizona.

C. The right to a revenue in lieu of taxation for the use of the fall of the huge flow of the Colorado, which fall within Arizona amounts to 2,369 feet.

D. The right that no dam or dams wholly or partly in Arizona shall be constructed without the consent of the State.

Without unfairness to California it may be here observed that the official records of stream measurements show that Arizona contributes over 17 per cent. of the total Colorado River water supply and California contributes no water except an insignificant amount at infrequent periods.

Arizona contains 45 per cent of the drainage area of the Colorado, California less than 2 per cent. Of Arizona's total area 97 per cent is in the drainage basin of the Colorado, which stream with its opportunities for development Arizona regards as her greatest natural resource. .

(Note — The battle continued with probably the outstanding feature being the adoption of the Pittman report, which outlined State sovereignty and co-

ordination of State and Federal rights. Senator Key Pittman of Nevada introduced his resolution at the first session of the conference, protecting the States in their sovereign rights to the use of the water of interstate streams, subject only to the right of Congress to control navigation in the interest of interstate commerce. This important resolution, early in the second session, was referred to a committee of the conference composed of representative members from all seven States. This committee, on September 23, 1927, made its report endorsing the report.)

While this report was not signed by California's representative nor voted upon by her representatives in the conference it was otherwise unanimously adopted.

On Oct. 22 (1927) Gov. George H. Dern of Utah, in a conference with President Coolidge, obtained from the President his expression of good will for the success of the work under way.

(The article next week shows the federal stand on the project. It was written by F. H. Newell, former chief of the U. S. Reclamation Service.)