

125 Years of Administering Wyoming's Water

By John Shields
Interstate Streams Engineer
Wyoming State Engineer's Office



Wyoming State Historical Society Member
and 2007, 2009 & 2011 Homsher Endowment Grant Recipient



June 26, 2013





Pathfinder Dam Spilling. Photograph taken in 1928.

(Smaller sign below says: "Danger. Please hold on your children. This means y o u.")

The Wyoming State Engineer's Office takes this opportunity to again thank our sponsors whose contributions have allowed us to host yesterday's tour and reception; and this evening's reception. We greatly appreciate and gratefully acknowledge their financial support!





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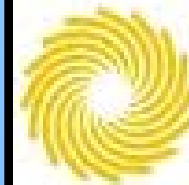
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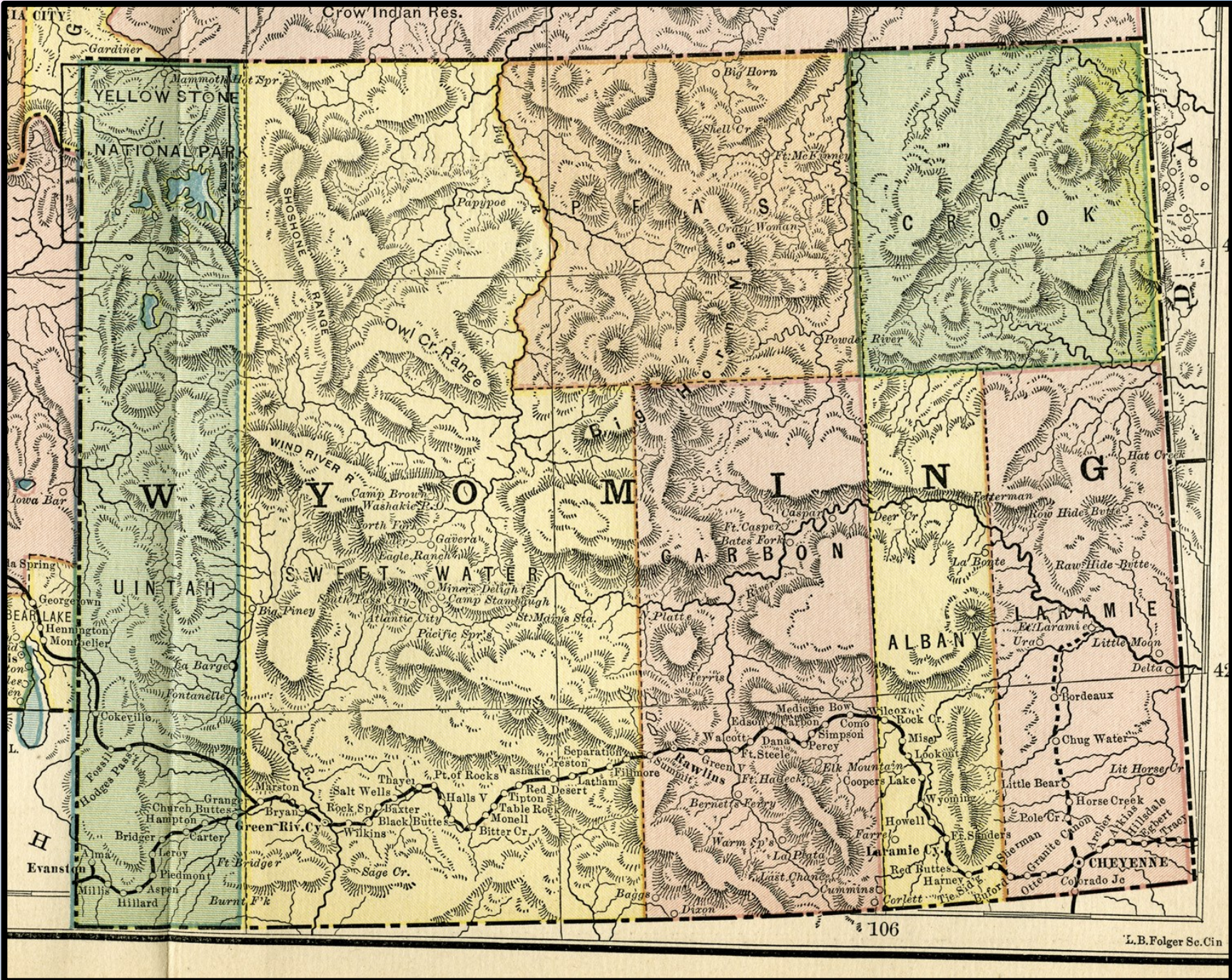
**NELSON
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**Construction of the first railroad bridge
over the Green River in 1868, Citadel Rock
appearing prominently in the background**



**Union Pacific's locomotive No. 3985
climbs Sherman Hill West of Cheyenne**



Wyoming Territory, about 1882. Detail from map of Montana, Idaho, and Wyoming in People's Cyclopaedia of Universal Knowledge (New York: Phillips & Hunt, 1882). Map from collection of Michael Cassity.



Elwood Mead
Mar. 31, 1888 to Jul. 15, 1899



Fred Bond
Jul. 15, 1899 to Aug. 25, 1903



Clarence T. Johnston
Aug. 25, 1903 to Feb. 1, 1911



Adrian J. Parshall
Feb. 1, 1911 to Feb. 20, 1915



James B. True
Feb. 20, 1915 to Jun. 30, 1919
Apr. 1, 1933 to Jul. 1, 1933



Frank C. Emerson
Jun. 30, 1919 to Jan. 3, 1927



John A. Whiting
Jan. 3, 1927 to Apr. 1, 1933



Edwin W. Burritt
Jul. 1, 1933 to Jul. 27, 1936



John D. Quinn
Jul. 27, 1936 to Apr. 1, 1939



Loren C. Bishop
Apr. 1, 1939 to Apr. 1, 1957



Earl Lloyd
Apr. 1, 1957 to May 1, 1963



Floyd A. Bishop
May 1, 1963 to Dec. 1, 1974



George L. Christopoulos
Dec. 1, 1974 to Mar. 15, 1987



Gordon W. Fassett
Mar. 15, 1987 to Jun. 15, 2000



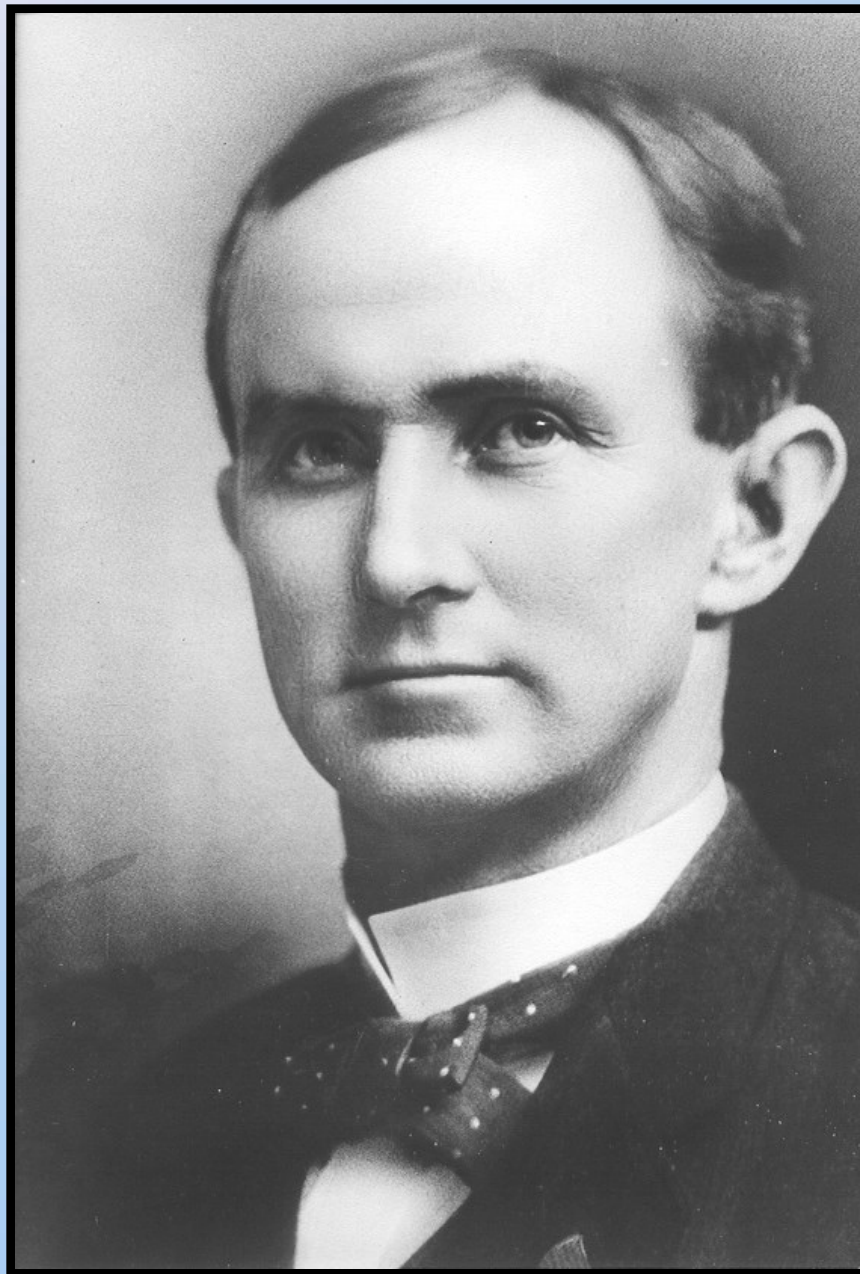
Richard G. Stockdale
Jun. 15, 2000 to Jan. 15, 2001



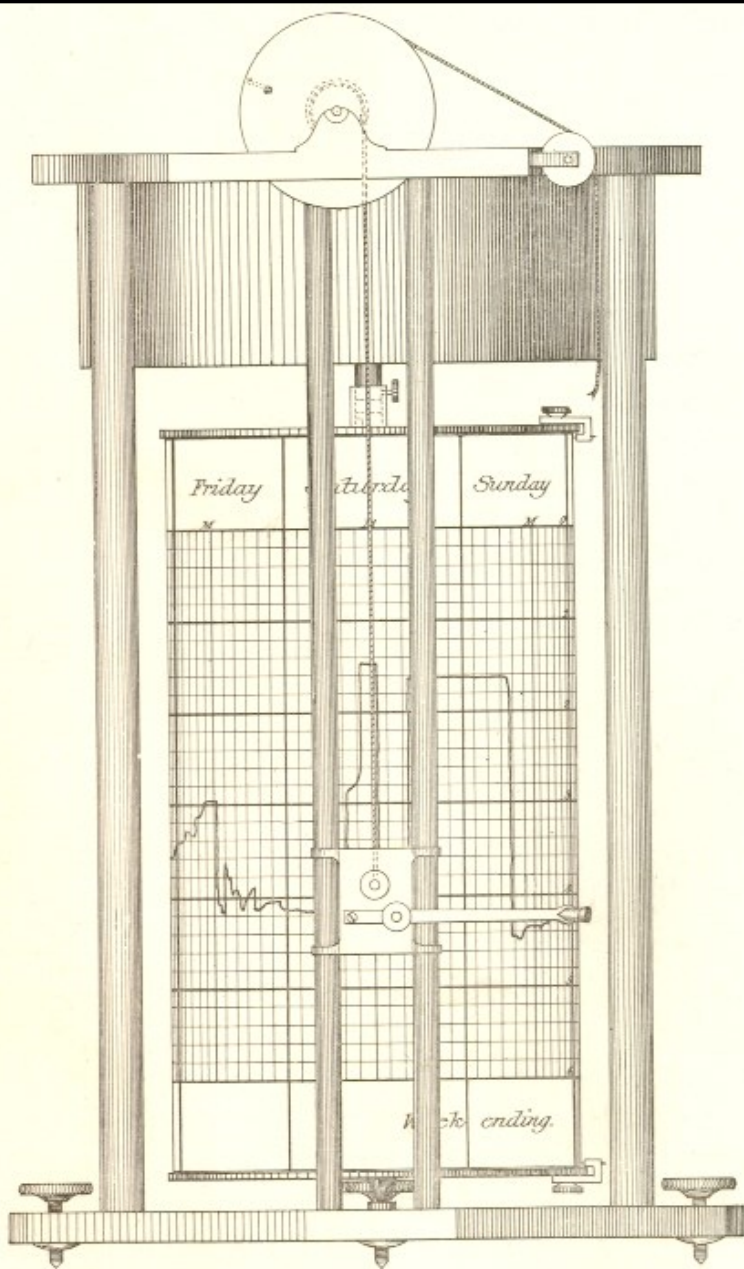
Elwood Mead (1858-1936) was an engineer who pioneered western water law and worked tirelessly for over fifty years to ensure that water went to its best use. He was a preeminent champion of the conquest of arid America.

Ever an idealist, Mead consistently held to his view of agrarian life based on individual farmers living on small irrigated plots. Mead's career spanned irrigation's history from 1880s corporate ditch enterprises in Colorado through the construction of Hoover Dam (and Lake Mead, named for him) a half century later.





Elwood Mead while Wyoming State Engineer.



WYOMING NILOMETER.

Designed by Elwood Mead, Territorial Engineer.

FRANK BOND, D.C.

Mead included in his 1889 Territorial Report to the Governor of Wyoming this drawing of the “Wyoming Nilometer.”

The drawing includes an annotation: “Designed by Elwood Mead, Territorial Engineer.”

- **The Wyoming Constitutional Convention's Committee on Irrigation and Water Rights' report first reached the convention floor in Sept. 1889.**
- **Convention Delegate Charles H. Burritt stated the report “in some respects . . . is radical and different from anything that any state or territory in the union now has.”**



Charles H. Burritt

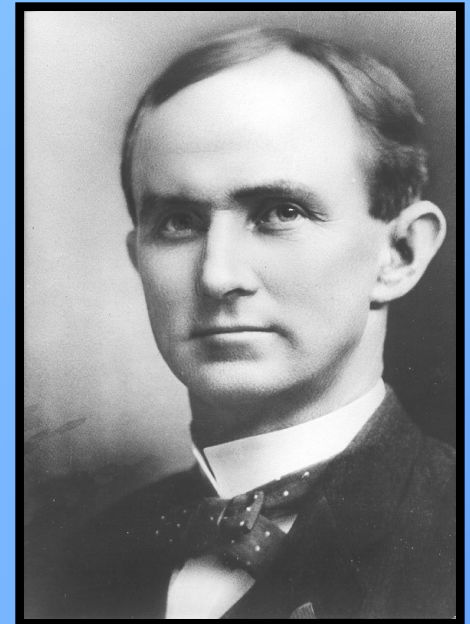
The **Wyoming Constitution** is the basis of the State Engineer's powers and duties – the office has general supervision of all waters of the State. Elwood Mead was the author of these concepts and of the words themselves as they appear in the State's Constitution:

- *Article 1:* **“Water being essential to industrial prosperity, of limited amount, and easy of diversion from its natural channels, its control must be in the state, which, in providing for its use, shall equally guard all the various interests involved.”**
- *Article 8:*
- *Section 1* – **All water within the boundaries of the State is declared to be the property of the State.**
- *Section 2* – Creation of the Board of Control, composed of state engineer and four water division superintendents; to supervise the waters of the state and their appropriation, distribution and diversion.
- *Section 3* – Priority of appropriation gives the better right. “No appropriation shall be denied except when such denial is demanded by the public interest.”
- *Section 4* – Creation of the Four Water Divisions and the Superintendent positions.
- *Section 5* – Creation of the post of State Engineer.

The State Constitution was ratified by the Wyoming Territory's voters by the Nov. 5, 1889 general election and became effective with the Act of Admission into the Union signed into law on July 10, 1890.

Dr. T. A. Larson, in his *History of Wyoming*, states: “What little originality there is in Wyoming’s constitution is mainly concentrated in Article VIII (Irrigation and Water Rights).”

It was no overstatement when, in discussing Mead in his book, Larson suggested, “this outstanding state engineer brought order out of the chaotic water-rights situation.”





Above, Elwood Mead, *right*, in his office in the Wyoming State Capitol Building in Cheyenne ca. 1895. In 1899, he left his State Engineer position and became the first Irrigation Engineer at the U.S. Department of Agriculture in Washington, D.C. (American Heritage Center photo, ah002551)



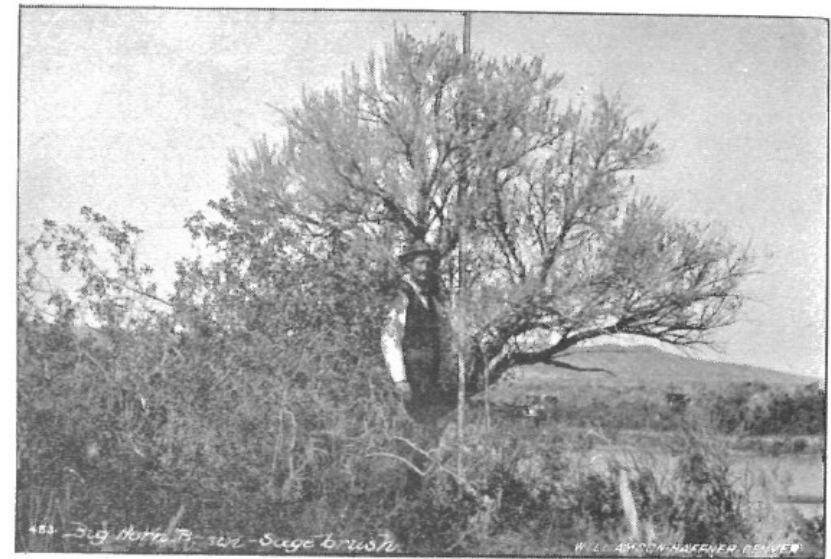
FORD ON GREY BULL RIVER AT OTTO.



WATER WHEEL ON BIG HORN RIVER.



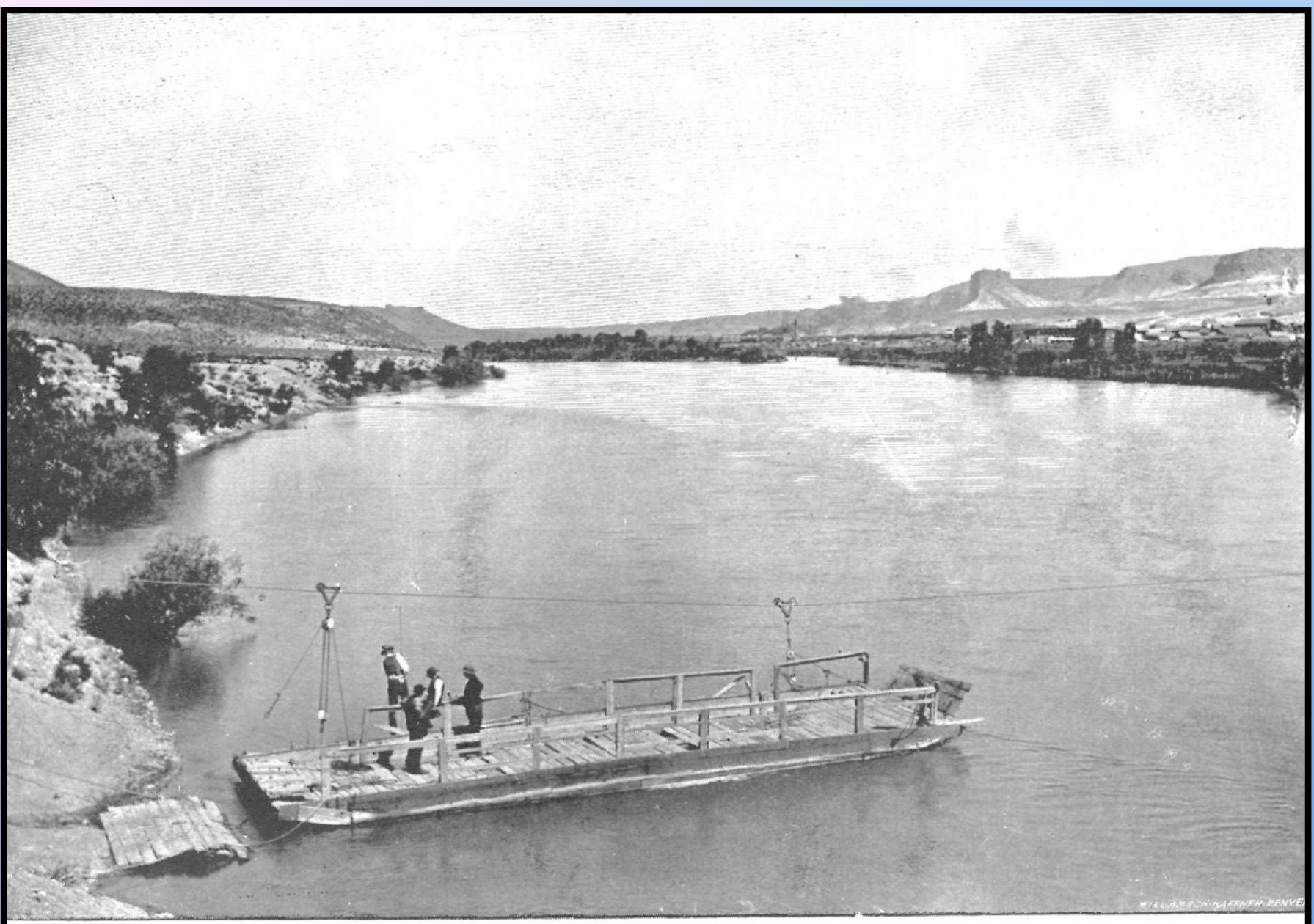
GAUGING LARAMIE RIVER AT UVA.



SAGE BRUSH, BIG HORN BASIN.

From Photo

Photographs from the 1895-1896 edition of the Wyoming State Engineer's Biennial Report prepared by Elwood Mead



METHOD OF GAUGING GREEN RIVER.

Photograph from 1895-1896 Wyoming State Engineer's Biennial Report



James B. True, *left*, served as the Wyoming State Engineer twice: from Feb. 20, 1915 until June 30, 1919 and again during the months of April and May in 1933.

Allen Tupper True, *right*, was James' older brother. Allen was a prolific muralist of the Expansion era's biggest monuments — Denver's Civic Center, the capitol buildings of Wyoming, Missouri and Colorado, the Brown Palace Hotel and Hoover Dam.

**True drew the
bucking bronco and
rider design on
Wyoming's license
plate (June 1935) –
earning \$75.00 for his
drawing.**



The Colorado River Commission met at Bishop's Lodge in Santa Fe, New Mexico in November 1922. They successfully negotiated the terms of and signed the landmark Colorado River Compact.



Left to right: Winfield S. Norviel of Arizona, Delph Carpenter of Colorado, U.S. Secretary of Commerce and Chairman Herbert Hoover, R.E. Caldwell of Utah, Clarence Stetson - Commission Secretary, Stephen B. Davis, Jr. of New Mexico, Frank C. Emerson of Wyoming (39 yrs old), Wilbur F. McClure of California and James G. Scrugham of Nevada



The Compact was signed during an evening ceremony on Nov. 24, 1922 at the historic Palace of the Governors building in Santa Fe, New Mexico.

The Paid Circulation of THE DENVER POST Yesterday Was 247,501

Sunday paid circulation of The Denver Post 100,000 greater than total paid circulation of all seventeen other Sunday papers printed in Denver and Colorado, Wyoming and New Mexico combined.

Daily The Denver Post Sunday
159,249 Paid Circulation 245,030
for July
Denver's Population, 1925, Over 325,000

THE DENVER POST

2c by Newsboys
5c on Trains

THE BEST NEWSPAPER IN THE U. S. A.

DENVER, COLO., TUESDAY, SEPT. 1, 1925

20 PAGES



THE ULTIMATUM



Frank Collins Emerson was the first State Engineer to be elected as a Governor of his State. He was sworn in as Governor on January 3, 1927, succeeding Nellie Tayloe Ross (immediately to Emerson's left), the first woman to be elected as a State Governor.



John A. Whiting
Jan. 3, 1927 to Apr. 1, 1933

Emerson (shown above, while Governor) thus selected – and appointed – his own successor. Governor Emerson was reelected in 1930 but died in office on February 18, 1931 from pneumonia.

1927-1928 Wyoming State Engineer's Biennial Report

Article by John A. Whiting, State Engineer

History teaches us that it never pays to sacrifice principle for development. The principles underlying the Wyoming laws are aimed to protect water users rather than to encourage any development which may throw serious responsibilities on those who are to provide the backbone for new communities. To our sister States we have been very generous, perhaps too generous, but our motto has been "live and let live," and we are firm in our belief that those states and individuals who sacrifice principle for expediency,—who refuse to respect social and economic laws, who avoid implied or expressed obligations, will ultimately pay with a full "pound of flesh" for their transgressions.

While the principles of Wyoming's first water laws, given us by Dr. Mead, have always been retained, it has nevertheless been necessary, from time to time, to revise them to meet the ever changing social and economic conditions.

Water is the life blood of the western arid states. It is our single inexhaustible natural resource. Long after the ores of the mines and the oils of the wells are exhausted, nature will continue to replenish the water supply of our western streams. We should therefore guard this valuable heritage so essential to our economic existence. Every legal safeguard should be provided to protect present and future development.

- **Edwin Burritt was the son of Charles H. Burritt, a Wyoming Constitutional Convention delegate, who, along with James A. Johnston (the father of Clarence T. Johnson, the 3rd Wyoming State Engineer), worked closely with Mead to put WY's water law tenets into the State Constitution.**

- **Burritt resigned the post to become “Special Engineer” for the Wyoming Attorney General in the North Platte River lawsuit filed by Nebraska on Oct. 6, 1934. The U.S. Supreme Court’s decision and decree were issued on Oct. 6, 1945.**



Edwin W. Burritt
Jul. 1, 1933 to Jul. 27, 1936

State Engineer Edwin Burritt paid tribute to his predecessor, **Elwood Mead**, during the April 1936 Wyoming Reclamation Association conference in Casper.

YOUR WATER

BY

EDWIN W. BURRITT

STATE ENGINEER

Cheyenne, Wyo.

Wyoming Reclamation Association, Casper, Wyoming
April 2 - 3, 1936

ELWOOD MEAD

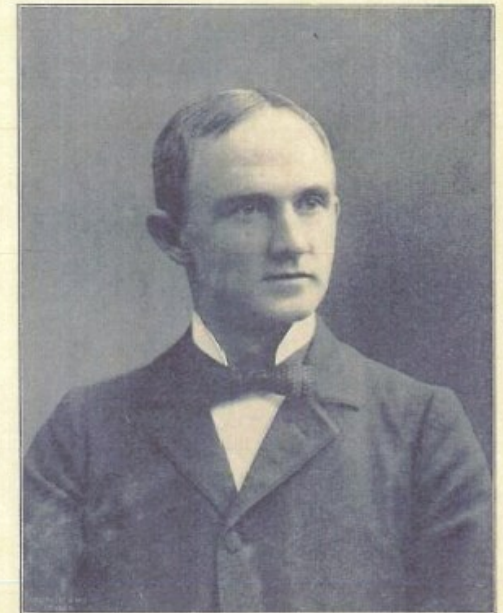
BORN

JANUARY 16, 1858

DIED

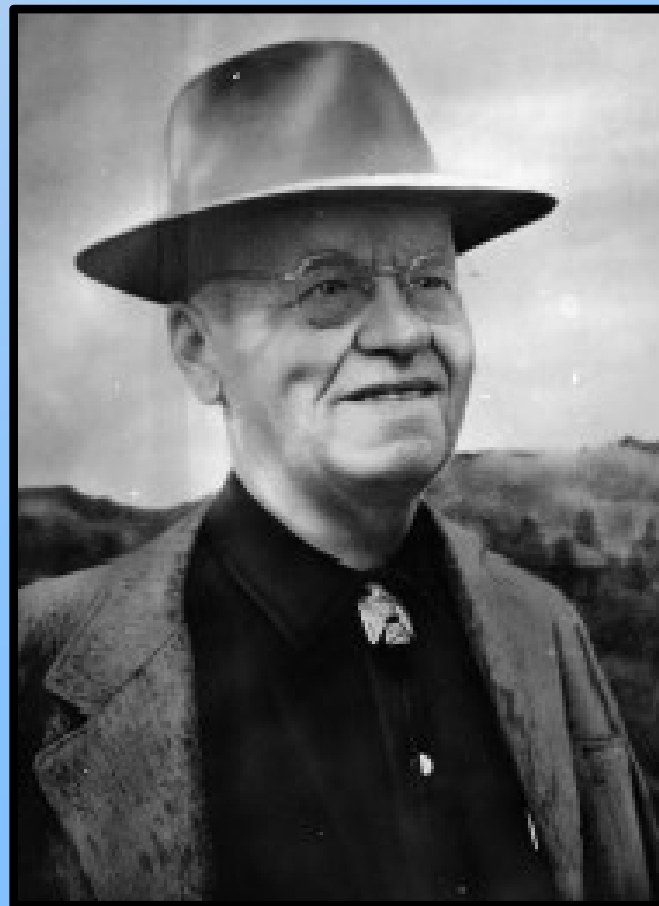
JANUARY 26, 1936

HE WAS
INTERESTED
IN
WYOMING'S
WATERS



DURING TENURE OF OFFICE AS STATE ENGINEER
OF WYOMING, 1888-1899

Loren C. “L.C.” Bishop
Apr. 1, 1939 to Apr. 1, 1957



Signing the Yellowstone Compact

Billings, Montana, December 31, 1942



Standing, left to right—BEEBE, BURKE, YELLOWTAIL, JOHNSON,
GONIN, THORNTON, WING, WHITING.

Seated—TUCKER, BUCK, BISHOP.



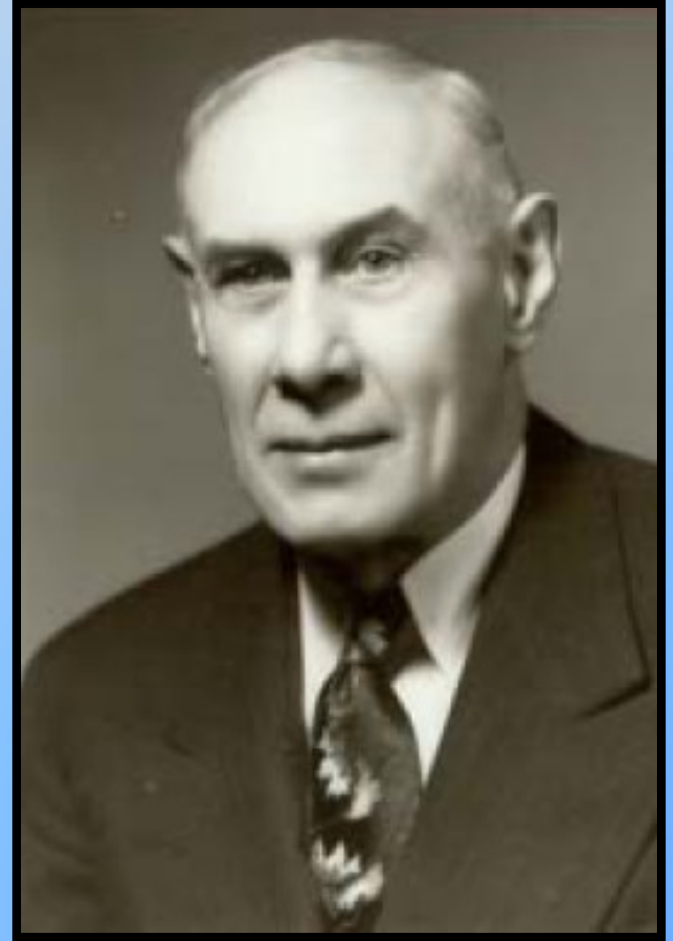
Construction of Boysen Dam on Wyoming's Wind River during July, 1949. Image made from Kodachrome 8 x 10 inch transparency. This is one of the earliest color photographs taken by a Bureau of Reclamation photographer in the State of Wyoming.



**Photograph of the Upper Colorado River
Commission Commissioners in 1956**

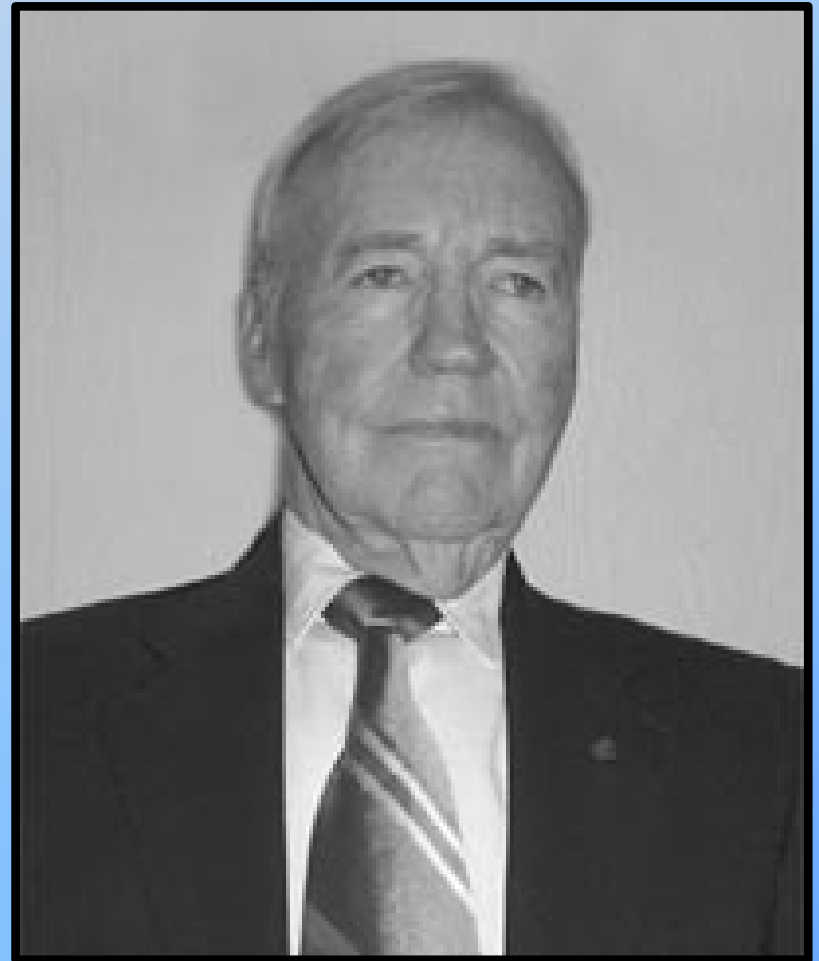
- **Earl Lloyd was a long-time employee of the Wyoming State Engineer's Office. He started in 1924 as Assistant State Engineer and became State Engineer in 1957.**

- **He was the first recipient of the University of Wyoming's Tau Beta Pi Wyoming Eminent Engineer Award in 1956.**



Earl Lloyd
April 1, 1957 to May 1, 1963

- **Floyd's father was Wyoming State Engineer Loren Clark (L.C.) Bishop.**
- **Floyd was State Engineer during the years when the Colorado River Basin Project Act of 1968 and the Colorado River Basin Salinity Control Act of 1974 were enacted.**
- **Floyd was inducted into the University of Wyoming's College of Engineering Hall of Fame in October 2003 (UW BSCE-1942).**



Floyd A. Bishop
May 1, 1963 to Dec. 1, 1974

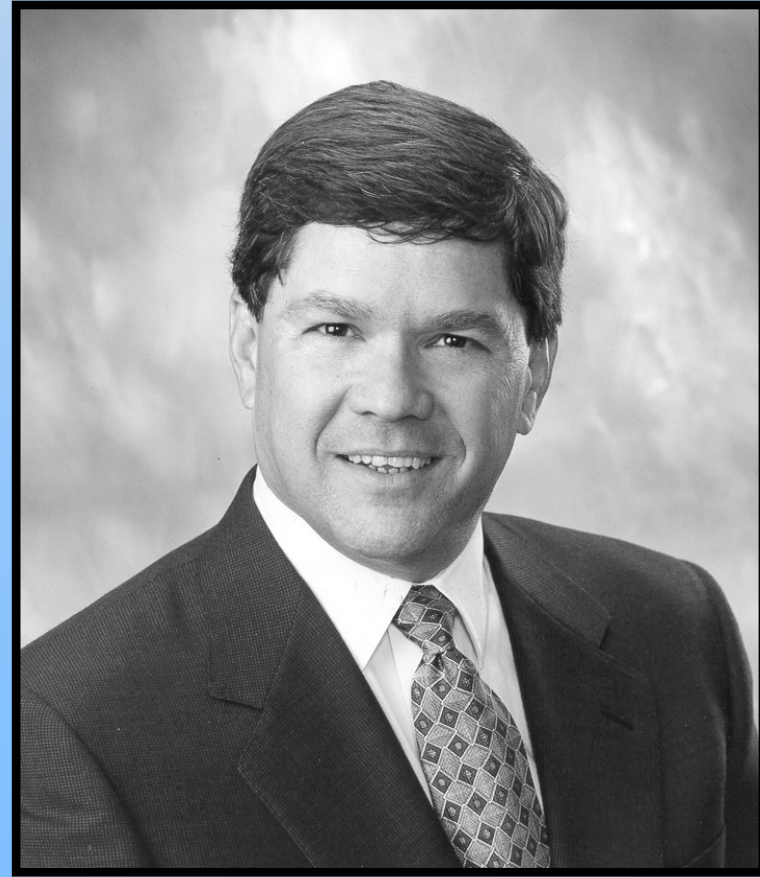
- **The Bear River Compact among Utah, Idaho and Wyoming was amended in 1980.**
- **George was tremendously “hands-on” and worked with all of the records during his career at the State Engineer’s Office (1953 - 1987).**



George L. Christopoulos
Dec. 1, 1974 to Mar. 15, 1987

During Jeff's tenure:

- **The Upper Colorado River Endangered Fish Recovery Program was initiated in 1988.**
- **The parties were successful in settling the *Nebraska v. Wyoming* lawsuit issues in 1998 – leading to the Modified North Platte River Decree in November 2001.**



Gordon W. "Jeff" Fassett
Mar. 15, 1987 to Jun. 15, 2000

Patrick T. Tyrrell became Wyoming's 16th State Engineer on January 16, 2001.

During Pat's tenure:

- **Platte River Recovery Implementation Program has been initiated.**
- **Wyoming has steadfastly been defending its rights in *Montana v. Wyoming*.**



**Patrick T. Tyrrell
January 16, 2001 to present**



On Dec. 13, 2007, Secretary of the Interior Dirk Kempthorne signed the Record of Decision for the Colorado River Interim Shortage Guidelines and Coordinated Reservoir Operations. The Governors' Representatives for the seven Colorado River Basin States joined the Secretary in signing an affirmation document during the ceremony.

CELEBRATING



125 YEARS