

1969

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# WESTERN STATES WATER COUNCIL

## ANNUAL REPORT

### 1969

The Western States Water Council was formed in 1965, in accordance with the resolution of the Western Governors' Conference. The Council was formed to foster cooperation among the eleven western states in developing programs conducive to integrated planning by state, federal and other agencies, of the states' water resources. The Council has three representatives from each of the states, Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming, and each of the states' representatives is appointed by the Governor of the state, but each state has only one vote. No recommendation may be issued or external position taken, except by unanimous vote of all member states. In addition to the eleven voting states, observers from Texas have participated as non-voting members of the Council. They have kept the Council informed on water legislation and planning in Texas, which has been useful to the members of the Council.

The Council has three important working committees, composed of one member from each state. These are the Executive Committee, the Water Policy and Legislative Committee and the Water Resources Committee. The Committee Charters and a schedule of their 1969 meetings can be found on pages 48, 50, and 51 respectively.

Principles-Standards-Guidelines used in regional planning are set out commencing on page 39. The Activities Program as adopted by the Council can be found on page 44. The Water Policy and Legislative Committee and the Water Resources Committee adopted Work Programs to further their Charter objectives. See pages 51 and 52 respectively.

The work of the Council was again concentrated in those areas wherein the states shared a common interest, namely, state-federal water rights, acreage limitation, water resource project evaluation, westwide reconnaissance investigation required by the Colorado River Basin Project Act (PL 90-537), coordination of planning by the Pacific Northwest River Basins Commission and the Pacific Southwest Inter-Agency Committee, procedures for evaluation of water and related land resource projects in connection with the Water Resources Council, review of inter-regional and international water transfer proposals, desalination, water resource development project funding, and funding of Title III Grants under the Water Resources Planning Act of 1965.

## Western States Reconnaissance Investigation

Tasks assigned to the Water Resources Committee were to review the Type I Framework Study activities of the Pacific Northwest River Basins Commission and the Pacific Southwest Inter-agency Committee, assist the Department of the Interior in the performance of the westwide water resource and requirement studies authorized by P. L. 90-537 and bring to the attention of the Council any problem areas in either group of studies. This conforms to Item 4 of the Activities Program of the Western States Water Council.

Through cooperative efforts a meeting of representatives of the Western States Water Council, the Water Resources Council, Pacific Northwest River Basins Commission and the Pacific Southwest Inter-agency Committee was held in Sacramento on May 2, 1969. The purpose of the meeting was to promote coordination of planning for water resource development in the Pacific Southwest and Pacific Northwest.

The following conclusions were reached:

1. There are areas of agreement in west-wide matters where the Northwest and the Southwest study groups can and should cooperate.
2. The guidelines and criteria appear to be similar.
3. The framework studies are scheduled for completion June 30, 1971.
4. The Northwest representatives are convinced that the framework studies will not answer the question of the availability of water for transfer.
5. Oregon is the only state in the Northwest that has completed ultimate needs study, but other states in that area are initiating similar studies.
6. Forest irrigation, wild rivers, thermal pollution and channel depth for navigation are matters that will have major influence on the final results of the studies on Northwest water needs and availability of surplus.

7. An illustrative critical path study indicates the Southwest needs to make decisions by the mid 1970's in order to meet projected deficiencies in 1995.
8. The west must maintain a unified position in order to obtain equitable assignment of the national agricultural product.
9. Agricultural projections in the west need to be resolved.

It was recommended that:

1. Similar meetings be held every six months.
2. That the Coordinated Planning Subcommittee of the Pacific Southwest Inter-agency Committee be requested to furnish the Western States Water Council with the criteria and guidelines used for framework plan formulation.
3. That the Water Resources Committee compare the criteria and guidelines and develop a series of questions that it feels should be answered by the framework studies.
4. That the Water Resources Committee help identify areas where the framework study groups should cooperate more fully in the west-wide interest.
5. That the Water Resources Committee urge the Pacific Northwest River Basins Commission and the Pacific Southwest Inter-agency Committee to provide the Western States Water Council with early drafts of their reports.

Assistant Secretary of the Interior James R. Smith met with members of the Western States Water Council at the July 1, 1969, meeting held in Denver, Colorado. A very general informal type discussion took place and after this meeting, the following resolution for submission to the Western Governors' Conference was adopted by the Western States Water Council.

## RESOLUTION

WHEREAS, the Western States Water Council was formed as a result of and by authority contained in resolutions adopted by the Western Governors' Conference, May 3-6, 1964, and June 10-13, 1965, to foster cooperation among western states in the development of their water resources; and

WHEREAS, the Rules of Organization established that the purpose of the Western States Water Council is to accomplish effective cooperation among western states in planning for programs leading to integrated development by state, federal and other agencies of their water resources; and

WHEREAS, Titles I and II of PL 90-537 direct the Secretary of the Interior in cooperation with state agencies to conduct full and complete reconnaissance investigations for the purpose of developing a general plan to meet the future water needs of the Western United States; and

WHEREAS, The Secretary corresponded in April, 1969, with the Governors of the affected states urging state participation in developing the general plan which will be known as the Western States Reconnaissance Investigation,

NOW, THEREFORE, BE IT RESOLVED by the Western Governors' Conference that the Secretary of the Interior is hereby requested to consult with the Western States Water Council to insure maximum coordination in preparing the plan of study, the time schedule, and the principles and guidelines under which the Western States Reconnaissance Investigation will proceed, and thereafter to make semi-annual reports to the Council; and

BE IT FURTHER RESOLVED that the individual western states, through their own resources, may provide input to the Western States Reconnaissance Investigation as applicable to the needs of the respective states; and

BE IT FURTHER RESOLVED that the Chairman of the Western Governors' Conference is authorized to transmit the desire of the Conference to the Secretary of the Interior by sending him a copy of this resolution.

Since that time the Water Resources Committee has continued to work on this assignment and to cooperate with the various agencies involved.

## STATE-FEDERAL WATER RIGHTS

The appropriate doctrine of water law, in one form or another, is followed in all of the eleven states of the Council.

A water right is established by the expression, in an accepted form, of a desire to make use of a certain amount of water, followed by a diligent effort of the user in perfecting his ability to use the water. The rights created are given a priority to the use of the water, based upon the initial date of the expression of desire. Thus, if there is a shortage of water, the user with the later priority date is denied water until all uses senior to his are fulfilled. These rights are administered by a state agency or state court.

Congress, in 1866, 1871, and 1877, accepted this theory of water law and made water from federal lands subject to it. However, various federal agencies have claimed that the reservation of land for various purposes also included sufficient water necessary to effectuate the purpose of the reservation. They claim a priority date as of the date of the reservation. The claims of these agencies are based upon a series of federal court decisions. The Western States have long sought legislation which would clarify this issue.

During 1969 the members of the Water Policy and Legislative Committee spent considerable time attempting to formulate a policy regarding state-federal water rights that was compatible to all of the eleven states involved.

In July the Council directed the Water Policy and Legislative Committee to consult with the Public Land Law Review Commission on the Reservation Doctrine. The Committee prepared a position paper for presentation to the Public Land Law Review Commission which was adopted by the Council. A copy of this position paper was submitted to all members of the Public Land Law Review Commission and successful efforts were made to contact other water-oriented agencies relative to our stand in this matter.

### Position Paper

The eleven states of the Western States Water Council have in the past, and will in the future, present to the Congress of the United States their several independent positions upon the many issues encompassed by the subject of this paper. However, the states are unanimous in the conviction that some changes in Federal Law are essential. On this basis, and recognizing the influential role that will be played by the Public Land Law Review Commission in the development of

proposals for Federal legislation, it is the purpose of this paper to set forth in general terms several basic principles which all eleven states believe should be incorporated in the recommendations of the Commission as a first step in the clarification of the Reservation Doctrine:

- I. The United States should be required by law to identify all Federal claims to surface and underground water asserted under the Reservation Doctrine or other theory of paramount right including those made on behalf of Indians. Such identification should include a specific recital of the purpose, location, extent and priority date of every water right claimed. The United States should be required to complete such identification within a reasonable, specified period of time and should be required to give notice to each affected state. The legislation should limit such claims to the effectuation of the original purposes of the reservation.
- II. Procedures should be established by law for adjudication of the validity and extent of such claims. The legislation should be so devised as to provide the certainty and finality of judgment and to estop the Federal Government from any future expansion of such claims.
- III. Provision should be made to assure full compensation to the owners of water rights vested under state law prior to such Federal identification, if those rights are later taken by the United States or if the exercise of those rights is precluded by actions of the United States.
- IV. There should be legislation enacted to clarify or broaden the consent-to-suit provision of the McCarran Amendment (43 U.S.C., Section 666) to insure the right of states or subdivisions thereof, to secure judicial clarification of the nature and extent of all claims to the use of water by the United States.

Authorization was given for personal contacts to be made by members of the Water Policy & Legislative Committee with the voting members of the Public Land Law Review Commission. It is the feeling of the committee members that this was a most important move by the Council, and the ultimate recommendation by the Public Land Law Review Commission indicates that definite headway was made in this respect. The Commission recommended that Congress:

- (1) Provide a reasonable period of time within which Federal land agencies must ascertain and give public notice of their projected water requirements for the next 40 years for reserved areas, and forbid the assertion of a reservation claim for any quantity or use not included within such public notice.

- (2) Establish a procedure for administrative or judicial determination of the reasonableness of the quantity claimed, or the validity of the proposed use under present law.
- (3) Provide that procedures for creation of future withdrawals and reservations require, as a condition to claims of reserved water rights, a statement of prospective water requirements and an express reservation of such quantity of unappropriated water.
- (4) Require compensation to be paid where the utilization of the implied reservation doctrine interferes with uses under water rights vested under state law prior to the 1963 decision in *Arizona v. California*.

## NATIONAL WATER COMMISSION

On August 28, 1969, the Western States Water Council and the National Water Commission held a joint meeting in Portland, Oregon. A position statement from the Council was presented to the Commission at that time, indicating the items of special concern to the Western States Water Council.

### Position Paper

The Western States Water Council was created by a resolution of the Western Governors in June, 1965. The Governors stated in their resolution the reasons for establishment of the Council.

"Whereas, the future growth and prosperity of the western states depend upon the availability of adequate quantities of water of suitable quality; and

"Whereas, the need for accurate and unbiased appraisal of present and future requirements of each area of the West and for the most equitable means of providing for the meeting of such requirements demands a regional effort;"

The Governors also provided Rules of Organization to guide the formation of the Council.

The purpose of the Western States Water Council shall be "to accomplish effective cooperation among western states in planning for programs leading to integrated development by state, federal, and other agencies of their water resources."

In describing the functions of the Western States Water Council the Governors directed the Council to:

"Undertake continuing review of all large-scale interstate and inter-basin plans and projects for development, control or utilization of water resources in the western states and submit recommendations to the Governors regarding compatibility of such projects and plans with an orderly and optimum development of water resources in the western states."

The Council reports its activities each year to the Western Governors. On July 30, 1969, the Council, acting through its Vice Chairman, made its report and recommendations. On July 31, 1969, the Governors adopted five resolutions dealing with water matters as they had been prepared and recommended by the Council. These resolutions are pertinent in that they reflect the current concerns of the Governors and the Council and also serve to delineate the role of the Council in reconnaissance investigations being undertaken by the Department of the Interior.

There is also submitted for your information and reference three publications of the Council:

1. Rules of Organization, Principles-Standards-Guidelines, Activities Program
2. Annual Report, 1968
3. A Review of Inter-Regional and International Water Transfer Proposals

The Council represents the western segment of the 48 contiguous states. As you know, the area represents the most critically water short area of the nation. The member states have frequently been locked in controversy over water but now realize the future development can only be accomplished by "effective cooperation.....in planning for programs leading to integrated development....."

The Rules of Organization provide that "no recommendation may be issued or external position taken by the Council except by unanimous vote of all member states." Hence, past positions and this presentation are made only after deliberations that led to unanimous action.

The Council has wrestled with the far-reaching problems dealing with the transfer of water from areas of surplus to areas of deficiency. Out of this ordeal there has been written and adopted a set of "Principles- Standards-Guidelines" for comprehensive regional planning. We would commend this work to you.

In addition, the Council has drafted an "Activities Program" that recognizes that the Council should assume an active role in many areas in the field of water and related land resources development that have not heretofore been undertaken by the western states collectively.

Further, the Council has, as directed by the Governors, undertaken a "review of all large-scale interstate and interbasin plans and projects for development, control or utilization of water resources in the western states....." As a result of this review, we have arrived at some rather firm conclusions and would urge that you assess this report before undertaking any detailed analysis of any of the water transfer proposals.

We appreciate this opportunity to meet with you and we are compelled to impress you with the importance of your assignment and our desire to place before you the "west-wide viewpoint."

As a part of the "west-wide viewpoint" we would refer you to our position on Public Land Law Review Commission Water Study beginning at Page 21 of the "Second Annual Report." We have maintained a close working relationship with the Public Land Law Review Commission on water matters and hope to continue to do so.

The Council took action to carry out the provisions of a resolution adopted by the Western Governors on the non-degradation issue. We are of the opinion that this action has resulted in more workable and uniform non-degradation statements included in the water quality program of the eleven western states. See Pages 2 and 45 of the Council's 1968 Annual Report.

Of special concern to the Council is the state-federal water rights issue. The Council's position on this subject appears on Page 5 of the Annual Report for 1968.

Considerable study has been devoted to the 160-acre limitation imposed by the Reclamation Act of 1902. Page 9 of the Annual Report for 1968 records the Council's position on this matter.

The increased discount rate and project evaluation has occupied much of the Council's efforts and the position taken is found on Page 11 of the Annual Report for 1968.

We are presently considering the effects of the report of the Special Task Force concerning Procedures for Evaluation of Water and Related Land Resource Projects.

The Council has acted with regard to wild and scenic rivers legislation, Page 17 of the Annual Report for 1968.

These actions are indicative of the broad and urgent concern of the western states in water matters. We are united on these policy statements and solicit your careful consideration.

The Council would like to call your attention to the comprehensive studies being made by the Water Resources Council, the Public Land Law Review Commission, the Pacific Southwest Inter-Agency Committee, the Pacific Northwest River Basins Commission and the reconnaissance investigation being undertaken by the Secretary of the Interior as a result of the Colorado River Basin Project Act (PL 90-537).

The Council has a special concern over any possible duplication and/or overlap that may occur in this multitude of studies. One pertinent point relates the ability of the states to take a more active part in this planning process. A considerable effort has been made to acquire and train the necessary staff at the state level to meet these growing responsibilities. Obviously duplication or overlap of study efforts will make it impossible for the state water planning representatives to keep abreast of national efforts.

We believe the Commission's most fruitful field is in broad policy definition and delineating the proper role and function of the various federal entities dealing with water. We concur in the statement made by Chairman Charles F. Luce in his letter to the Governors under date of June 10, 1969, that "the role of the Commission is to view.....activities impartially, without being involved in day-to-day operations, and recommend improvements in policies, procedures, and institutional arrangements."

In the time available we believe you should be highly selective in your efforts and do a thorough job on the more important and pressing problems that are not being studied by others. We feel that it is neither practical nor wise to undertake all the studies listed in the Tentative Program of Studies.

The Western States Water Council is fully aware of the importance of the Commission's assignment and is ready and willing to assist wherever it can. Again, we feel that our most important contribution will be in alerting you to matters of west-wide concern.

Mr. Charles F. Luce, Chairman of the National Water Commission, pointed out that early in 1969 steps had been taken to outline a Program of Study which must be completed within the next four years. He states that six regional conferences were to be held to gain reactions, opinions, and suggestions regarding the Study Program from the respective states.

Mr. Theodore M. Schad, Executive Director of the Commission, discussed the accomplishments and future plans of the Commission. He stated that they would make every effort to make their final report to the President and to Congress early in 1973. This would provide them with about eight or nine months during the final months of the life of the Commission for the members to be available to testify, to consult or work with the Congress or the Congressional Committee staffs, in an effort to get their recommendations adopted. Hopefully, this would result in a meaningful experience of definite benefit in the areas involved.

The Water Policy and Legislative Committee was directed to review the statements coming in from each of the eleven states to determine the areas in which there could be complete agreement. This function was finalized late in December of 1969 and a committee approved statement was presented and approved by the Council at their January 29, 1970, meeting held in Seattle, Washington. That statement was presented to the National Water Commission in Phoenix on February 5, 1970.

### Position Paper

The National Water Commission is faced with a monumental job. To get the job done well requires a series of well-planned steps. The Western States commend the Commission approach of inviting the states, major water interests within the states, national organizations, and the federal establishments to an informal meeting with the National Water Commission in Portland, Oregon, on August 27, 1969. Each of the eleven states represented on the Western States Water Council presented testimony at the regional conferences held by the Commission. This statement is founded on the results of that meeting and the conferences and represents the collective views of the eleven states on matters in which there is a consensus.

The Commission requested comments on a list of 31 tentative study proposals and 25 questions. These preliminary steps accomplished two goals. They helped the Commission assure itself that no major water issue or problem would be overlooked and gave others an insight into the Commission's preliminary thinking.

Now that these important steps have been taken, the Western States Water Council urges that the Commission's identification and appraisal of the issues and problems be done openly. When the key issues have been identified, the states would appreciate the opportunity to have sufficient time to address themselves to

those issues and to furnish the Commission specific views and possible recommendations concerning them.

In examining the statements made by the eleven states represented on our Council, and after considering other testimony at the Commission conferences in Portland, Denver and Los Angeles, this statement represents an area of consensus which we hope will be useful to the Commission as they seek to identify the key issues.

We believe the Commission should steer a course leading to making innovative policy recommendations. To accomplish that goal will require in-depth and imaginative consideration of a few areas of major concern. Without seeking to elaborate, we suggest that the Commission should give major emphasis to studies which will determine:

1. The fair share of federal funding for water programs;
2. The role of irrigated agriculture in meeting the country's future needs in food and fiber;
3. The federal policy on major interbasin and international diversions;
4. Cost sharing policies;
5. Evaluation of aesthetics, environmental and well-being objectives and who should pay for meeting those objectives.

We have not attempted to prepare a composite set of answers to the questions because of their complexity and the time factor. We, as a Council, are looking forward to making a considerable effort once the key issues have been identified by the Commission. As the Commission proceeds with its work, we recommend that:

1. The Commission identify, in order of priority, the major issues and problems upon which the Commission will concentrate its efforts.
2. Immediately after the identification and setting of priorities, circulation of the Commission findings and opportunity for state assistance to the Commission.
3. Regular status communications from the Commission to the Western States Water Council with the opportunity of joint meetings on a regular basis, preferably not less than semi-annually.

## PROJECT EVALUATION

On July 28, 1968, the Water Resources Council announced that they intended to raise the discount rate used in evaluating costs and benefits of water resource development projects from 3 1/8 percent to 4 5/8 percent with future incremental annual changes of not more than 1/4 of 1 percent.

On October 1, 1968, the Western States Water Council resolved that:

"Along with any new proposed discount rate formula, benefits from uses, both primary and secondary, local, regional, and national should be considered in connection with all water and related land resource projects."

Pursuant to that resolution, the following statement was adopted and presented to the Water Resources Council:

### Statement

The Council recognizes that it must take an active role in many areas of water d related land resource development that previously have not been undertaken collectively by these eleven western states. The short notice given for this hearing had made it impossible for the Western States Water Council to prepare specific proposals for improvements in the economic evaluation processes. Because of this, we hope that the Water Resources Council follows through with the proposed regional hearings within the next few months. In such event, the Western States Water Council would appreciate having the opportunity to spell out some of the specifics which we feel should be considered in revising the economic evaluation of federal water resource development. This statement is presented as a brief and general explanation of the resolution regarding the proposed discount rate adopted by the Western States Water Council on October 1, 1968, at Las Vegas, Nevada, and submitted to the Water Resources Council on October 13, 1968.

The Council represents a semi-arid part of the United States where streamflows are erratic and inadequate. Movement of water from areas of abundance to areas of deficiency involves costly transportation and regulation facilities. Water problems are accentuated in the West in part because this area is experiencing the nation's most rapid population growth.

In a day of growing complexities and pressing demands for federal programs, there is deep concern over the lack of emphasis on basic resource development. These basic resources must be developed to provide the base for the general economy so that other needed programs can be supported. It is distressing when neglect threatens to weaken the nation in an area where it must be strong if it is to meet the needs of the future. The West contributes very substantially to the economic well-being of the country. The present healthy economy has been substantially abetted through large investments by the Federal Government in

water and related land resource development. These federal efforts must be continued. It appears that moves are under way to lessen the federal effort which could be detrimental to the entire country.

The Committees of Congress, and particularly those which deal with appropriations, the representatives of the Executive Branch of the government, and the Bureau of the Budget need to make a re-evaluation of the national effort in the water resources area. The Western States Water Council welcomes this opportunity to express its concern in pointing out the serious consequences of a continuation of the underevaluation of the total benefits of water resource projects.

The December 22, 1968, announcement by Charles J. Zwick, Director of the Bureau of the Budget, indicating approval by the President of the increase in the discount rate used in the formulation and evaluation of water resources projects makes it imperative that a more uniform and consistent system of appraisal of benefits and costs be adopted by Congress in its consideration of projects for water resource development.

The Western States Water Council concurs with the following, which is quoted from Senate Report No. 1234, 90th Congress, Second Session (Senate Interior and Insular Affairs Committee Report to accompany S.3058):

"Of particular concern is the impact of water resource development upon other economic and social objectives of the Nation. The committee feels that the present interpretation of Senate Document 97 results in benefit analyses which place little or no emphasis upon the indirect or secondary effects of projects. As a result, projects are being formulated and proposed which optimize the value to the direct beneficiaries and neglect the impact, both beneficial and detrimental, upon other sectors of the economy and society. To facilitate more valid consideration of investments in water resource development in relation to other Federal programs, the economic analyses of projects should reflect the broadest scope of potential benefits and costs which will result from the implementation of proposals."

"The committee believes that the promulgation of new discount formula should appropriately be made a part of a reconsideration and restatement of principles, standards, and procedures for economic analyses of Federal water and related land resource projects."

Today there is an enormous body of literature relating to the evaluation of water resources investments. The Water field can claim a measure of sophistication in the evaluation of investments that cannot be claimed by most other sectors of government involved in the investment of large sums, such as education, transportation, urban renewal, or social welfare programs. Yet one cannot be content with what has been done, and those deeply concerned with water resources management are keenly aware of certain limitations in the techniques of economic analysis and recognize that further improvements are needed.

The evaluation of proposed water resources programs is confronted with inherent difficulties. The analyst must try to estimate what is likely to happen in the future. Many effects must be classified in a category of what might be called the

difficult-to-measure values. Water programs are undertaken to provide water for irrigation, cities, and industry, to control floods, to produce hydroelectric power, to protect public health, to promote development of a particular region, and to provide recreation and enhance fish and wildlife opportunities.

Historically, water development projects have been concerned with the development of the reclamation West. Currently, water development programs are receiving prominent consideration in plans to advance the economy of Appalachia and other low-income regions. Evaluation of these programs tends quite naturally to reflect the policies and laws established by Congress and the objectives and standards of the organizations responsible for making the technical analyses.

The purpose of technical analysis, the function of the specialist concerned with project evaluation, is to serve the Congress and the political process as effectively as possible. We should emphasize the importance of technical evaluation, because there is an urgent need to improve estimates of the many kinds of physical and biologic consequences of water programs to avoid the necessity of taking action on the basis of shaky or incomplete scientific knowledge. We must develop the kind of information that is most useful in weighing all values whether or not they can be measured satisfactorily through quantitative methods.

Both the cost and benefit sides of water project evaluation are in need of improvement. For years the various federal agencies have been struggling to do so. This is particularly true with respect to the benefit side of the equation as it relates to municipal water supply, hydroelectric power, and recreation. Time and again projects have been constructed which provide benefits to these purposes, and it has turned out that the benefits were substantially underestimated in the formulation process. A prime example is the Flaming Gorge unit of the Colorado River Storage Project. When Flaming Gorge was authorized in 1956, no recreation or fish and wildlife benefits were included in its economic justification. Yet, 1.6 Million visitor-days of use were recorded in 1967. The Green River below the dam was changed from an area of essentially no fishing to one of the top trout fisheries in the country. On that stretch in 1967, about 28,000 anglers caught about 71,000 trout.

A major factor in properly evaluating project benefits is the present difficulty in placing a dollar value on so-called indirect, or secondary benefits (such as stabilization of income, creation of job opportunities, provision of economic flexibility, dispersal of population, resource preservation, and the general economic and social well-being of the people). Better ways must be found to evaluate these benefits to aid in the decision-making process when new project proposals are before the Congress.

Another area of great concern to the western states is that indirect detriments, such as those involving minor infringements on wilderness areas and national parks, are being given great weight in the decision-making process, but intangible benefits on the same projects are almost totally ignored.

Most of the new government programs involve social objectives whose values are considered almost totally intangible. Such programs do not readily lend themselves to a benefit-cost analysis. Conversely, experience has demonstrated that the benefit-cost ratio has become almost the sole measure of the economic worth of water resource projects. If this measure is to be meaningful, some objective way must be found to reflect the important indirect benefits of these projects.

Even though the record of water resource development in the West is not perfect, successful water projects underlie much of the economic growth in the West. Many projects which initially appeared to have borderline economic justification have turned out to be solid economic investments. Others have far outstripped the values initially contemplated. In this latter category are two outstanding examples - the Hoover and Grand Coulee Dams. They were built prior to World War II, and contributed so much to the entire country during that conflict. If the West, and indeed the nation, is to achieve the total optimum development of its water resources, it is imperative, that in evaluating proposed developments, all benefits and all costs, whether direct or indirect, be fully considered.

The Western States Water Council appreciates this opportunity to express its concern on behalf of the eleven western states to the Water Resources Council. The eleven western states believe that we need to profit from the experiences of the past in setting the policies for the future. The orderly development of the nation's resources to meet the needs of the future requires that basic programs such as water resource development proceed at a level greater than that experienced in past years.

The Western States believe that the Congress, and others who have an overall responsibility should be provided with a more uniformly applied evaluation of project benefits. To help accomplish these objectives, the individual states and the states through the Western States Water Council wish to reiterate their concern and deep interest in these matters and to offer their services in arriving at satisfactory solutions to these problems.

The Western States Water Council is concerned with the increasing amount of adverse publicity being directed toward western water resource projects. We think much more needs to be done to make the positive record of achievement amply clear. In the future hearings of the Water Resources Council, we hope to do just that.

In June, 1969, a special Task Force submitted a report on "Procedures for Evaluation of Water and Related Land Resource Projects," to the Water Resources Council. Hearings were held by the Water Resources Council on the report. On September 19, in Washington, D. C., the Executive Director of the Council presented that report:

### Statement

The Western States Water Council was formed to foster cooperation among the states of Arizona, California, Colorado, Idaho, Nevada, New Mexico, Montana, Oregon, Utah, Washington and Wyoming in the development of their water resources. In that capacity, the Council submitted a statement for the record at the January 13, 1969, Water Resources Council hearing on present practices in the formulation and evaluation of water and related land resource projects. At that time the Western States Water Council urged that the Water Resources Council should provide Congress and other decision-makers with a more uniformly applied evaluation of water resource project benefits.

We commend the Water Resources Council for having created this special Task Force from staff members of the Department of the Army, Agriculture, and the

Interior, and the Water Resources Council to review the present practices used in the formulation and evaluation of water and related land resource projects. We believe that the report of this Task Force is a worthy initial step that can eventually lead to an improved workable and more uniform procedure which can then be used for evaluation of all aspects of water resource development.

The Western States Water Council appreciates the opportunity to again comment upon some of the work product of the Water Resources Council. The eleven western states have diversified interests and have commented separately upon the Task Force Report. This statement is not intended to supersede those comments but is presented to inform the Water Resources Council of the common concern shared by all eleven western states. As the testing of the Task Force Report proceeds, the eleven western states, both individually and collectively, will present further comments and suggestions.

The Task Force Report deals only with project evaluation, which is important but is only one of the steps taken in project formulation. Evaluation cannot properly be done without also considering cost allocation and repayment, which affect the magnitude of evaluation. At the present time, cost allocation policies among the federal agencies differ, and the repayment requirements among classes of beneficiaries vary from near zero to 100 per cent. Senate Document 97 promised that: "Problems of cost allocation and of reimbursement or cost sharing between the Federal Government and nonfederal bodies will be covered subsequently." It has been seven years since Senate Document 97 was issued.

We suggest that the Water Resources Council should now present an outline of the Council's overall program and time schedule it intends to meet in carrying out the full charge of Section 103 of the Water Resources Planning Act (PL 89-90) to establish, after consultation with other interested entities, both federal and nonfederal, principles, standards, and procedures for federal participants in the preparation of comprehensive regional or river basin plans, and for the formulation and evaluation of federal water and related land resource projects. That outline should identify all major components of formulation, evaluation, and financial analysis, such as cost allocation, cost-sharing, funding, discount rate, and benefit determination. This would allow interested parties the opportunity to judge the relative importance of any special Task Force reports on the overall program.

The present report is lengthy and, at least in part, difficult to understand. Much work needs to be done before it can be used and its impact evaluated. When the final technical document is prepared and submitted for approval by the Water Resources Council, a simplified version should be prepared and published for the information and guidance of the numerous interested citizen groups and individuals in the nation.

The Task Force Report contains innovative concepts. Before these concepts may be fully evaluated, they need to be tested. We strongly concur with the Task Force recommendation that an expanded Task Force be established to study unsolved issues and prepare planning standards to be considered by the Water Resources Council. Detailed procedures to meet the objectives formulated by the Task Force should be developed conjunctively with state and federal agencies, and should be based on test cases made on representative projects from each major river basin.

We agree with those who argue that if we are going to continue to base our decisions concerning federal investment in water resource development on a

comparison of benefits and costs, that we must devise a system which includes all benefits and costs. We are convinced that evaluations based on current procedures grossly underestimate the benefits of water development. Any alteration in procedure which would provide a more sensitive and inclusive system of cost-benefit evaluation deserves support.

Water resource projects generate difficult-to-measure, but very real, secondary benefits. To ignore such benefits on the basis of unsubstantiated theories that such benefits are offset by even more difficult-to-measure and questionable losses or benefits foregone in other, more remote areas of the nation is to deny decision-makers an important segment of the facts. The contention that secondary benefits are largely cancelled out by secondary costs elsewhere in the nation needs serious study. It may well be that the national interest will be served if such secondary transfers are from urban to rural areas.

The expanded Task Force should be directed to formulate methods for evaluating the difficult-to-measure effects such as stabilization of income, creation of job opportunities, provision of economic flexibility, dispersal of population, resource preservation, and the general economic and social well-being of the people. Although such effects are difficult to measure, their impact must be determined if decision-makers are to be in the best position to make rational decisions.

In summary, the Western States Water Council recommends that the Water Resources Council, in furtherance of its efforts to improve present evaluation procedures:

1. Publish an outline of its overall program and the time schedule it intends to meet in carrying out the full charge of Section 103 of the Water Resources Planning Act (PL 89-90).
2. Create an expanded Task Force from state and federal agencies and direct it to:
  - a. Test, on existing and potential projects and systems, the concepts emanating from the present Task Force Report.
  - b. Propose methods of evaluating all the benefits referred to in the Task Force Report and Senate Document 97.

The point cannot be overstressed that water and related land resource planning agencies for at least 30 years, have been the leaders, without exception, in developing and applying a rational set of criteria for use in making federal investment decisions. Water resource project analysis methods can be contrasted with the vast majority of other federal investment programs which do not require such rigorous analysis for their justification. At times we have felt that water development programs have been unduly penalized because of this circumstance.

Although outside the selected scope of this particular special Task Force assignment, it seems necessary to state that the western states are deeply concerned in improving ways and means of obtaining adequate federal and state funds with which to construct projects which are proven to be needed. The lack of construction funds is much more of a constraint on the water development program

of the nation than is a lack of economically justified projects. Whatever the method of project evaluation, the level of funding of the National Water Resources program should be vastly expanded to reduce the tremendous backlog of authorized projects of economic value to the national interest.

The eleven western states appreciate the opportunity to comment on the present Task Force Report and promise strong participation in any testing procedures that are undertaken.

## ACREAGE LIMITATION

The Reclamation Act of 1902 was passed to encourage and facilitate settlement and development of the public lands in the semi-arid regions of the western states. Money received from the sale of public lands was to be used for projects which would furnish irrigation waters to settlers on these lands. Settlers were to repay construction costs, without interest, of the portion of the project costs attributable to improvement of irrigation. In return for having received interest-free money for construction costs, the settler could not obtain project water for more than 160 acres. This limitation is still a part of the general reclamation laws.

The Engle formula has, at times, been used as an alternative to the general limitation. That formula, first used in the Small Reclamation Projects Act of 1956, provides that interest at the then current government bond interest rates, shall be paid to the United States, upon that portion of the repayment obligation which is attributable to furnishing irrigation benefits to lands within the project in private ownership of more than 160 acres per person. This formula has also been used in some reclamation projects.

At its Denver meeting, the Council adopted the following resolution which was later adopted by the Western Governors' Conference:

### Resolution

WHEREAS, the 160-acre limitation on water deliveries from federal reclamation projects was adopted in 1902 in light of the then existing agricultural economy and as a means of encouraging the establishment of family-size farms on undeveloped public lands of that time without allowance for changes in farm technology and economics or distinction between lands in public or private ownership; and

WHEREAS, there is need for expansion of the size of farm units that may receive water deliveries from federal reclamation projects under uniform conditions in order that such units may be operated efficiently and maintain a competitive position in the agricultural economy of the United States; and

WHEREAS, it is in the public interest that lands held in private ownership and farmed in direct furtherance of a public function and not for profit be exempt from acreage limitations on water deliveries from federal reclamation laws; and

WHEREAS, it is in the public interest that water deliveries from federal reclamation projects to lands in excess of an updated acreage limitation be permitted to be made so long as there is paid to the United States, with interest, the

allocated share of the construction costs involved in furnishing benefits to such excess acreage,

NOW, THEREFORE, BE IT RESOLVED by the Western Governors' Conference that it support and urge that all state and federal officials support a modification of the federal reclamation laws so as:

1. To increase the number of acres in single ownership eligible for water deliveries without loss of the benefit of interest free financing to at least the equivalent of 640 irrigable acres of Class I land, or such greater number of irrigable acres as may be determined from time to time by the Secretary of the Interior to be justified in light of economic and technological changes affecting agriculture to promote efficient and profitable agricultural production;
2. To permit deliveries of water from any existing or future federal reclamation project to those lands in single ownership which are in excess of the acreage limitation but on whose behalf payment is made of interest and the allocated share of construction costs attributable to furnishing irrigation benefits to such excess lands; and
3. To make the acreage limitation inapplicable to public lands farmed for non-profit public purposes.

## REVIEW OF INTER-REGIONAL AND INTERNATIONAL WATER TRANSFER PROPOSALS

In describing the functions of the Western States Water Council the Governors directed the Council to:

"Undertake continuing review of all large-scale interstate and interbasin plans and projects for development, control or utilization of water resources in the western states and submit recommendations to the Governors regarding compatibility of such projects and plans with an orderly and optimum development of water resources in the western states."

Acting upon this instruction, and under the direction of the Water Resources Committee, the Staff was directed to prepare a summary of "Inter-regional and International Water Transfer Proposals." The Review was approved for publication on March 17, 1969. Copies are available from the Council office.

The Council does not intend to imply that it favors or endorses these proposals or any one of them. However, it is hoped that this publication will provide a convenient summary of the proposals and indicate how they may relate to the "orderly and optimum development of water resources in the western states."

In drawing conclusions, the Review quoted from a letter from Mr. William R. Gianelli, Director, California Department of Water Resources which stated that:

"A viable program for regional water planning requires solid backing in the areas, states and countries involved. Such backing is not yet available. Premature publicity of schemes (proposals), some of which are merely 'lines on maps,' has confused and thereby aroused politicians and water leaders into largely unfruitful debates. However, the results have not all been negative, because the regional schemes have stimulated some states into embarking upon badly needed inventories of water and land resources, and the development of statewide and basinwide water plans."

There is no room for error or prolonging unnecessary controversy. Any meaningful large-scale water transfer proposal should be the result

of careful basin-by-basin evaluation of natural supplies, thoughtful projections of future needs and cooperative consideration of long range development.

The Council, by assignment and its own initiative, will continue to review new proposals and will make its recommendations to the western Governors and will exert its influence to bring about cooperation among western states and federal entities so that a sound planning base exists to justify and guide future integrated water development.

## OTHER RESOLUTIONS

In 1969, the Western States Water Council also adopted three other resolutions, which were later adopted by the Western Governors' Conference. They concerned desalination, water resource development project funding, and funding of Title III grants under the Water Resources Planning Act of 1965.

### Desalting

WHEREAS, there will be a continuing demand for additional water development in the western states; and

WHEREAS, water adequate in both quality and quantity will be required; and

WHEREAS, desalted water is receiving widespread attention as a potential economic long-range alternative water supply suitable for municipal, industrial, irrigation and other consumptive uses; and

WHEREAS, before that potential can be reliably evaluated, desalting technology must be tested and appraised in much larger capacity production than has heretofore been accomplished,

NOW, THEREFORE, BE IT RESOLVED, by the Western Governors' Conference that it is the objective of the western states, acting through their Western States Water Council, to cooperate with and encourage the Federal Government and its agencies in its endeavors in the development and demonstration of large-capacity desalting technology; and

BE IT FURTHER RESOLVED that the Western Governors' Conference does hereby request that the Federal Government cooperate with the western states in assessing suitable sites within these states so that a prototype desalter with a nominal capacity in the order of 30,000 to 50,000 acre-feet per annum can be constructed and put into operation at as early a date as possible; and

BE IT FURTHER RESOLVED that each of the western states, through their own resources, will participate to the maximum degree practicable in evaluating desalting technology specifically applicable to the needs of that state.

### Funding of Water Resources Development Projects

WHEREAS, the solution to many of the economic and domestic problems of the nation could be materially aided by the construction and operation of Congressionally authorized water resource development projects of the Bureau of Reclamation and Corps of Engineers by providing new homes, broadened tax bases and the general creation of new wealth and associated increases in the gross national product that are now needed, and will be needed, in greater quantities to provide for the needs of future populations; and

WHEREAS, Congress has authorized Bureau of Reclamation projects estimated to cost \$3.5 billion and Corps of Engineers water resource projects in the eleven western states estimated to cost \$2 billion; and

WHEREAS, present executive budget requests for the Bureau of Reclamation and the Corps of Engineers for water resource projects in the eleven western states are \$224 million and \$288 million respectively,

NOW, THEREFORE, BE IT RESOLVED by the Western States Water Council that the President of the United States, the Bureau of the Budget, the Department of the Interior, the Department of the Army, the United States House of Representatives and the United States Senate are hereby urged to establish and maintain an increased level of annual funding for planning and construction of water resource development projects by the Bureau of Reclamation and the Corps of Engineers in the eleven western states which will assure the complete and adequate funding of such projects commensurate with demonstrated needs.

### The Water Resources Planning Act 1965

WHEREAS, the Water Resources Planning Act of 1965 was passed to help meet the rapidly expanding demands for water by encouraging the conservation, development and utilization of water and related land resources through coordinated and cooperative planning efforts; and

WHEREAS, that Act recognized the need for increased state participation in water and related land resources planning and authorized the appropriation of \$5 million annually for grants to assist states in their planning efforts; and

WHEREAS, the states have demonstrated their interests and needs for increased grants by consistently over-matching the funds available; and

WHEREAS, the present Executive Budget request allocates only \$2,350,000 for such grants,

NOW, THEREFORE, BE IT RESOLVED that the Western Governors' Conference urges Congress to appropriate the \$5 million authorized.

## MEMBERSHIP LIST

### COUNCIL OFFICERS -- 1969 - 1970

#### Chairman:

Mr. William S. Holden -- Idaho

#### Vice Chairman:

Mr. William R. Gianelli -- Calif.

#### Secretary - Treasurer:

Mr. Donel J. Lane -- Oregon  
(6-65 to 4-70)

Mr. Floyd A. Bishop -- Wyoming  
(4-70 to ----)

#### Executive Director:

Mr. Jay R. Bingham  
(4-68 to 12-69)

#### Executive Secretary:

Mr. Thomas E. Cahill  
(1-70 to ----)

### ARIZONA

\* Honorable Jack Williams  
Governor of Arizona  
State House  
Phoenix, Arizona 85007

\*\* Mr. Wayne M. Akin  
801 North First Avenue  
Phoenix, Arizona 85003

Mr. William S. Gookin  
Arizona Interstate Stream Comm.  
112 North Central Avenue  
Phoenix, Arizona 85004  
(6-65 to 2-69)

Mr. Wesley E. Steiner  
Arizona Interstate Stream Comm.  
34 West Monroe, Suite 707  
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Mr. Sam F. Dick, President  
Yuma County Water Users Assoc.  
Post Office Box 708  
Yuma, Arizona 85364  
(8-68 to 2-70)

Mr. Tom Choules  
190 West Madison Avenue  
P.O. Box 551  
Yuma, Arizona 85364  
(4-70 to ----)

### CALIFORNIA

\* Honorable Ronald Reagan  
Governor of California  
State Capitol  
Sacramento, California 95814

\*\* Mr. William R. Gianelli, Director  
Department of Water Resources  
State of California  
Post Office Box 388  
Sacramento, California 95814

Senator Gordon Cologne  
State Capitol Building -- Room 3086  
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Mr. Ted J. George  
Consulting Engineer  
Drawer "B"  
Marysville, California 95901

### COLORADO

\* Honorable John A. Love  
Governor of Colorado  
State Capitol  
Denver, Colorado 80203

\*\* Mr. T. W. TenEyck  
Executive Director  
Department of Natural Resources  
1845 Sherman Street  
Denver, Colorado 80203

Mr. Raphael J. Moses  
P.O. Box 34  
Boulder, Colorado 80203

Mr. Felix L. Sparks, Director  
Colorado Water Conservation Board  
1845 Sherman Street  
Denver, Colorado 80203  
(6-65 to 4-69)

Mr. C. J. Kuiper  
Colorado State Engineer  
1845 Sherman Street  
Denver, Colorado 80203  
(4-69 to ----)

### IDAHO

\* Honorable Don W. Samuelson  
Governor of Idaho  
State Capitol  
Boise, Idaho 83707

\*\* Mr. William S. Holden  
Post Office Box 129  
Idaho Falls, Idaho 83401

Mr. Tom Olmstead  
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Twin Falls, Idaho 83301

Mr. George L. Yost  
Post Office Box 308  
Emmett, Idaho 83617

### MONTANA

\* Honorable Forrest Anderson  
Governor of Montana  
State Capitol  
Helena, Montana 59601

\*\* Mr. Wesley A. D'Ewart  
Route 1  
Wilsall, Montana 59068  
(6-65 to 5-69)

\*\* Mr. William A. Groff  
Farmers State Bank  
Victor, Montana 59875  
(5-69 to ----)

Mr. Clyde L. Hawks  
Montana Water Resources Board  
St. Xavier, Montana 59075

Mr. Alex D. McDermott  
Montana Water Resources Board  
357 State Capitol Building  
Helena, Montana 59601  
(6-65 to 9-69)

Mr. Douglas G. Smith, Director  
Montana Water Resources Board  
Sam W. Mitchell Building  
Helena, Montana 59601  
(9-69 to ----)

Membership lists of the Council and Committees have been updated to  
Sept. 1, 1970, for convenience of reference.

## NEVADA

- \* Honorable Paul Laxalt  
Governor of Nevada  
State Capitol  
Carson City, Nevada 89701
- \*\* Mr. Ivan P. Head, General Manager  
Las Vegas Valley Water District  
Box 4427 Post Office Annex  
Las Vegas, Nevada 89106
- Mr. Roland D. Westergard  
Nevada State Engineer  
201 South Fall Street  
Carson City, Nevada 89701
- Mrs. Geraldine B. Tyson  
800 North Carson Street  
Carson City, Nevada 89701  
(6-67 to 7-70)
- Mr. Hal Smith  
1245 North Boulder Highway  
Henderson, Nevada 89015  
(8-70 to ----)
- Mr. Robert S. Leighton (Alt.)  
P.O. Box 10100  
Reno, Nevada 89510
- Senator C. Clifton Young (Alt.)  
195 South Sierra Street  
Reno, Nevada 89501

## NEW MEXICO

- \* Honorable David F. Cargo  
Governor of New Mexico  
State Capitol  
Santa Fe, New Mexico 87501

- \*\* Mr. S. E. Reynolds  
New Mexico State Engineer  
State Capitol Building  
Santa Fe, New Mexico 87501
- Mr. Dale Walker  
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Albuquerque, New Mexico 87101
- Mr. Homer C. Berry  
P.O. Box 407  
Dexter, New Mexico 88230
- Mr. David P. Hale (Alt.)  
New Mexico Interstate Stream Comm.  
State Capitol Building  
Santa Fe, New Mexico 87501

## OREGON

- \* Honorable Tom McCall  
Governor of Oregon  
State Capitol  
Salem, Oregon 97310
- \*\* Mr. Donel J. Lane, Director  
State Water Resources Board  
500 Public Service Building  
Salem, Oregon 97310  
(6-65 to 4-70)
- \*\* Mr. Chris L. Wheeler  
Oregon State Engineer  
516 Public Service Building  
Salem, Oregon 97310  
(Alt - 6-65 to 4-70)  
(Member - 4-70 to ----)

General Louis H. Foote  
Oregon Water Resources Board  
1633 Filbert Street  
Forest Grove, Oregon 97116

Mr. Eugene E. Marsh  
302 Dayton Road  
McMinnville, Oregon 97128

## UTAH

- \* Honorable Calvin L. Rampton  
Governor of Utah  
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Salt Lake City, Utah 84114
- \*\* Mr. Thorpe A. Waddingham  
Post Office Box 177  
Delta, Utah 84624
- Mr. Harry D. Pugsley  
400 El Paso Gas Building  
Salt Lake City, Utah 84111
- Mr. Daniel F. Lawrence, Director  
Division of Water Resources  
435 State Capitol Building  
Salt Lake City, Utah 84114

## WASHINGTON

- \* Honorable Daniel J. Evans  
Governor of Washington  
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Olympia, Washington 98501

- \*\* Mr. H. Maurice Ahlquist  
Assistant Director  
Department of Ecology  
335 General Administration Bldg.  
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Mr. Callison Marks  
The Spokesman - Review  
Spokane, Washington 99201  
(6-65 to 8-69)

Mr. Norman L. Krey  
Lincoln Building  
West 818 Riverside Avenue  
Spokane, Washington 99201  
(10-69 to ----)

Mr. Robert O. Sylvester  
Department of Engineering  
University of Washington  
Seattle, Washington 98105  
(6-65 to 4-69)

Mr. Charles B. Roe, Jr.  
Assistant Attorney General  
Temple of Justice  
Olympia, Washington 98501  
(4-70 to ----)

Mr. Fred Hahn (Alt.)  
Department of Water Resources  
335 General Administration Building  
Olympia, Washington 98501

## WYOMING

- \* Honorable Stanley K. Hathaway  
Governor of Wyoming  
State Capitol  
Cheyenne, Wyoming 82001

\*\* Mr. Floyd A. Bishop  
Wyoming State Engineer  
State Office Building  
Cheyenne, Wyoming 82001

Mr. Willard C. Rhoads, Legislator  
State of Wyoming  
North Fork Route  
Cody, Wyoming 82414

Mr. Myron Goodson  
Chief of Water Development  
Department of Economic Planning  
and Development  
210 West 23rd Street  
Cheyenne, Wyoming 82001

#### TEXAS OBSERVERS

Mr. Mills Cox, Chairman  
Texas Water Development Board  
Gay Hill, Texas 77858  
(1-66 to 2-70)

Mr. Marvin Shurbet, Chairman  
Texas Water Development Board  
Route 1  
Petersburg, Texas 79250

Mr. W. E. Tinsley  
Municipal Advisory Council of Texas  
Suite C, 2nd Floor  
Texas State Bank Building  
Austin, Texas 78701

Mr. Joseph Searcy Bracewell  
First City Hall Bank Building  
Houston, Texas 77002

\* Ex-Officio Member  
\*\* Executive Committee Member

#### Staff

Jay R. Bingham, Executive Director ..... 1-68 to 1-69  
Thomas E. Cahill, Executive Secretary ..... 1-70 to  
Assistant Director ..... 1-69 to 1-70  
Geraldine B. Tyson, Administrative Assistant ..... 1-70 to  
Eileen Zander, Secretary ..... 10-69 to ----  
Deona Green, Secretary ..... 2-70 to ----

#### BUDGET AND FINANCES

At its meeting in Lubbock, Texas, on March 17, 1969, the Council approved a budget of \$115,000 for FY '70, with assessments of \$10,500 for each member state.

The firm of Elmer Fox and Company, Certified Public Accountants, 136 East South Temple, Salt Lake City, Utah 84111, serves as auditors of the Council finances and accounting.

WESTERN STATES WATER COUNCIL

BALANCE SHEETS

June 30, 1969

ASSETS

|                                                       | General<br>Fund   | Fixed<br>Assets |
|-------------------------------------------------------|-------------------|-----------------|
| Current Assets:                                       |                   |                 |
| Cash .....                                            | \$ 12,302         | \$ ....         |
| Time certificates of deposit .....                    | 107,445           | ....            |
| Accounts Receivable (Social Security<br>Refund) ..... | 781               | ....            |
| Accrued interest receivable .....                     | 914               | ....            |
| Prepaid insurance .....                               | 107               | ....            |
| Fixed assets, at cost:                                |                   |                 |
| Office furniture and equipment .....                  | ....              | 7,384           |
|                                                       | <u>\$ 121,549</u> | <u>\$7,384</u>  |

LIABILITIES AND FUND BALANCES

Current liabilities:

|                                         |                   |                |
|-----------------------------------------|-------------------|----------------|
| Accounts payable .....                  | \$ 986            | \$ ....        |
| Income taxes withheld and payable ..... | 377               | ....           |
| Fund balances:                          |                   |                |
| Investment in fixed assets .....        | ....              | 7,384          |
| General fund -- unappropriated .....    | 120,186           | ....           |
|                                         | <u>\$ 121,549</u> | <u>\$7,384</u> |

December 31, 1969

ASSETS

|                                                       | General<br>Fund  | Fixed<br>Assets |
|-------------------------------------------------------|------------------|-----------------|
| Current Assets:                                       |                  |                 |
| Cash .....                                            | \$ 9,719         | \$ ....         |
| U.S. Treasury Bills .....                             | 157,313          | ....            |
| Accounts Receivable<br>(Social Security Refund) ..... | 781              | ....            |
| Fixed Assets, at cost:                                |                  |                 |
| Office furniture .....                                | ....             | 7,692           |
|                                                       | <u>\$167,813</u> | <u>\$7,692</u>  |

LIABILITIES AND FUND BALANCES

Current Liabilities:

|                                         |          |         |
|-----------------------------------------|----------|---------|
| Income taxes withheld and payable ..... | \$ 1,701 | \$ .... |
|-----------------------------------------|----------|---------|

Fund Balances:

|                                      |                  |                |
|--------------------------------------|------------------|----------------|
| Investment in fixed assets .....     | ....             | 7,692          |
| General fund -- unappropriated ..... | 166,112          | ....           |
|                                      | <u>\$167,813</u> | <u>\$7,692</u> |

**STATEMENT OF GENERAL FUND OPERATIONS  
AND FUND BALANCE**

|                                                                | Total<br>Year<br>Ended<br>June 30,<br>1969 | Budget             | Actual<br>Over<br>(Under)<br>Budget |
|----------------------------------------------------------------|--------------------------------------------|--------------------|-------------------------------------|
| <b>Revenues:</b>                                               |                                            |                    |                                     |
| Member States' Assessments....                                 | \$ 82,500                                  | \$ 82,500          | \$ ....                             |
| Interest.....                                                  | 5,968                                      | ....               | 5,968                               |
| <b>Total Revenue.....</b>                                      | <b>\$ 88,468</b>                           | <b>\$ 82,500</b>   | <b>\$ 5,968</b>                     |
| <b>Expenditures:</b>                                           |                                            |                    |                                     |
| Salaries.....                                                  | \$ 40,562                                  | \$ 41,000          | \$ (438)                            |
| Travel.....                                                    | 7,823                                      | 7,700              | 123                                 |
| Rent & Utilities.....                                          | 5,894                                      | 6,000              | (106)                               |
| Telephone.....                                                 | 3,384                                      | 2,300              | 1,084                               |
| Printing & Reproduction.....                                   | 3,202                                      | 3,000              | 202                                 |
| Office Supplies.....                                           | 1,564                                      | 2,500              | (936)                               |
| Unforeseen Contingencies.....                                  | 1,034                                      | 15,600             | (14,566)                            |
| Reports, Maps, Publications....                                | 812                                        | 600                | 212                                 |
| Auditing.....                                                  | 601                                        | 600                | 1                                   |
| Postage.....                                                   | 558                                        | 700                | (142)                               |
| Meetings & Arrangements.....                                   | 291                                        | 300                | (9)                                 |
| Insurance.....                                                 | 124                                        | 300                | (176)                               |
| Equipment Rental.....                                          | 92                                         | 1,500              | (1,408)                             |
| Property Taxes.....                                            | 65                                         | 400                | (335)                               |
| Payroll Taxes .....                                            | 3                                          | 2,500              | (2,497)                             |
| Contracted Services .....                                      | ....                                       | 40,000             | (40,000)                            |
| <b>Total Expenses .....</b>                                    | <b>\$ 66,009</b>                           | <b>\$125,000</b>   | <b>\$ (58,991)</b>                  |
| <b>Excess (Deficit) of Revenue<br/>over Expenditures .....</b> | <b>\$ 22,459</b>                           | <b>\$ (42,500)</b> | <b>\$ 64,959</b>                    |
| <b>Fund Balance at Beginning<br/>of Period .....</b>           | <b>99,268</b>                              | <b>99,268</b>      | <b>....</b>                         |
|                                                                | \$121,727                                  | \$ 56,768          | \$ 64,959                           |
| <b>Deduct Purchase of Fixed Assets</b>                         | <b>(1,541)</b>                             | <b>....</b>        | <b>1,541</b>                        |
| <b>Fund Balance at End of Period ...</b>                       | <b>\$120,186</b>                           | <b>\$ 56,768</b>   | <b>\$ 63,418</b>                    |

**STATEMENT OF EXPENDITURES  
Six Months Ended December 31, 1969**

|                                                                | Actual           | Budget           | Over<br>(Under)    |
|----------------------------------------------------------------|------------------|------------------|--------------------|
| <b>Revenues:</b>                                               |                  |                  |                    |
| Member States' Assessments ..                                  | \$ 88,500        | \$115,500        | \$ (27,000)        |
| Interest .....                                                 | 436              | ....             | 436                |
| <b>Total Revenue .....</b>                                     | <b>\$ 88,936</b> | <b>\$115,500</b> | <b>\$ (26,564)</b> |
| <b>Expenditures:</b>                                           |                  |                  |                    |
| Salaries .....                                                 | \$ 23,804        | \$ 22,000        | \$ 1,804           |
| Travel .....                                                   | 4,082            | 5,300            | (1,218)            |
| Rent & Utilities .....                                         | 3,380            | 3,000            | 380                |
| Telephone .....                                                | 1,951            | 2,400            | (449)              |
| Printing & Reproduction .....                                  | 2,993            | 2,750            | 243                |
| Office Supplies .....                                          | 658              | 1,250            | (592)              |
| Unforeseen Contingencies .....                                 | 317              | 5,550            | (5,233)            |
| Reports, Maps, Publications ....                               | 53               | 400              | (347)              |
| Auditing .....                                                 | 600              | 600              | ....               |
| Postage .....                                                  | 599              | 600              | (1)                |
| Meetings & Arrangements .....                                  | 215              | 400              | (185)              |
| Insurance .....                                                | 107              | 250              | (143)              |
| Furniture & Equipment<br>including rental .....                | 503              | 750              | (247)              |
| Payroll Taxes .....                                            | 3,548            | 2,250            | 1,298              |
| Contracted Services .....                                      | 200              | 10,000           | (9,800)            |
| <b>Total Expenditures .....</b>                                | <b>\$ 43,010</b> | <b>\$ 57,500</b> | <b>\$ (14,490)</b> |
| <b>Excess (Deficit) of Revenue over<br/>Expenditures .....</b> | <b>\$ 45,926</b> | <b>\$ 58,000</b> | <b>\$ (12,074)</b> |
| <b>Fund Balance at Beginning of<br/>Period .....</b>           | <b>120,186</b>   | <b>120,186</b>   | <b>....</b>        |
| <b>Fund Balance at End of Period ..</b>                        | <b>\$166,112</b> | <b>\$178,186</b> | <b>\$ (12,074)</b> |

NOTE: The approved budget expenditures for the fiscal year of \$115,000 have been reduced on a pro-rata basis in order to be comparable to the actual six-month period ended December 31, 1969.

## **RULES OF ORGANIZATION**

### **Article I—Name**

The name of this organization shall be "THE WESTERN STATES WATER COUNCIL."

### **Article II—Purpose**

The purpose of the Western States Water Council shall be to accomplish effective cooperation among western states in planning for programs leading to integrated development by state, federal, and other agencies of their water resources.

### **Article III—Principles**

Except as otherwise provided by existing compacts, the planning of western water resources development on a regional basis will be predicated upon the following principles for protection of states of origin:

(1) All water-related needs of the states of origin, including but not limited to irrigation, municipal and industrial water, flood control, power, navigation, recreation, water quality control, and fish and wildlife preservation and enhancement shall be considered in formulating the plan.

(2) The rights of states to water derived from the interbasin transfers shall be subordinate to needs within the states of origin.

(3) The cost of water development to the states of origin shall not be greater, but may be less, than would have been the case had there never been an export from those states under any such plan.

### **Article IV—Functions**

The functions of the Western States Water Council shall be to:

(1) Prepare criteria in the formulation of plans for regional development of water resources to protect and further state and local interests.

(2) Undertake continuing review of all large-scale interstate and interbasin plans and projects for development, control or utilization of water resources in the western states and submit recommendations

to the Governors regarding the compatibility of such projects and plans with an orderly and optimum development of water resources in the western states.

### **Article V—Membership**

(1) The membership of the Council shall consist of not more than three representatives of each of the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming appointed by and serving at the pleasure of the respective Governors. The states of Alaska and Hawaii shall be added to membership if their respective Governors so request.

(2) Member states may name alternate representatives for any meeting.

(3) Any state may withdraw from membership upon written notice by its Governor.

### **Article VI—Ex Officio Members**

The Governors of the member states shall be ex officio members and shall be in addition to the regularly appointed members from each state.

### **Article VII—Officers**

The officers of the Council shall be the Chairman, Vice Chairman, and Secretary-Treasurer. They shall be selected in the manner provided in Article VIII.

### **Article VIII—Selection of Officers**

The Chairman and Vice Chairman, who shall be from different states, shall be elected from the Council by a majority vote at a regular meeting to be held in July of each year. The Secretary-Treasurer shall be appointed by and serve at the pleasure of the Chairman and need not be a member of the Council. The Chairman and Vice Chairman shall serve one-year terms but may not be elected to serve more than two terms consecutively in any one office.

### **Article IX—Executive Committee**

Representatives of each state shall designate one of their members to serve on an Executive Committee which shall have such

authority as may be conferred on it by these Rules of Organization, or by action of the Council. Any Executive Committee member may designate an alternate to serve in his absence. All standing, working, special or other committees of the Council may report to the Council through the Executive Committee.

#### **Article X—Voting**

Each state represented at a meeting of the Council shall have one vote. A quorum shall consist of a majority of the member states. No matter may be brought before the Council for a vote unless advance notice of such matter has been mailed to each member of the Council at least 30 days prior to the meeting at which such matter is to be considered; provided, that matters may be added to the agenda at any meeting by unanimous consent of those states represented at the meeting. In any matter put before the Council for a vote, other than election of officers, any member state may upon request obtain one automatic delay in the voting until the next meeting of the Council. Further delays in voting on such matter may be obtained only by majority vote. No recommendation may be issued or external position taken by the Council except by unanimous vote of all member states. On all internal matters, however, action may be taken by majority vote.

#### **Article XI—Conduct of Meetings**

Except as otherwise provided herein, meetings shall be conducted under Roberts Rules of Order, Revised.

#### **Article XII—Meetings**

The Council shall have one regular meeting each year in the month of July at a time and place to be decided by the Chairman. Special meetings may be called by the Chairman or by a majority of the member states, upon 30 days written notice.

#### **Article XIII—Limitations**

The work of the Council shall in no way defer or delay authorization or construction of any projects now before Congress for either authorization or appropriation.

#### **Article XIV—Amendment**

These articles may be amended at any meeting of the Council by unanimous vote of the member states represented at the meeting. The substance of the proposed amendment shall be included in the call of such meetings.

## **PRINCIPLES — STANDARDS — GUIDELINES**

### **PREAMBLE**

The Constitution of the United States and the Constitutions of the individual States shall be adhered to in Western regional water planning and development.

This statement of principle reaffirms, expands and clarifies principles set forth in Article III, "Rules of Organization" of the Western States Water Council.

### **1.0 PRINCIPLES**

1.1 Comprehensive regional planning, transcending political boundaries, is a major consideration in the maximum proper utilization of the water and related resources of the West. Development of those resources to meet all reasonable needs as they may arise is essential to the continuing prosperity of the region and each of its economically interdependent parts.

1.1.1 The planning process should include or supplement rather than supersede existing water resource developments; it should complement and strengthen local and state planning activities rather than displace them; it should result from cooperative effort of all agencies concerned.

1.1.2 The planning program should be aimed to achieve a reasonably equitable balance among all existing and potential uses of water, insofar as the supply available or to be developed will permit, consistent with established rights.

1.1.3 Water resources of the region should be put to beneficial use to the fullest practicable extent in an efficient manner in accord with the needs and types of use in the particular area.

1.1.4 It is imperative that all States, as expeditiously as possible, make thorough studies of their water resources and predicted water needs in accordance with Guidelines and Standards similar to those adopted by the Council.

1.1.5 Long-range water plans should be expeditiously developed which are flexible enough to permit modifications to meet changing long-term needs and advances in technology, yet specific enough to provide solutions for immediate water supply problems.

1.1.6 Water exportation studies shall include a thorough examination of efficiency of water use and cost-price relationships and a comprehensive economic evaluation that considers all costs and bene-

fits accruing to the area of origin and costs and benefits accruing to the area of import. The economic analysis must include similar studies for alternative sources of supply. Aesthetic values shall be considered in over-all project evaluation.

1.1.7 Close cooperation and free interchange of ideas and reporting of data on a uniform basis among all affected local, State and Federal interests, shall be sought.

1.1.8 Water resource planning shall consider water quality, as well as quantity.

1.2 Regional water planning should be designed to avoid interference with existing rights to the use of water. Any taking of land or water rights shall be governed by the law of eminent domain. Interstate compact allocations shall be honored.

1.2.1 Any entity studying transfer of surplus water shall recognize the economic, social, legal, political and ethical implications of the transfer on both the exporting and importing areas. Such entity must plan so as to assure social and economic growth and development, by either:

(a) The return or replacement of the water exported to the area of origin; or

(b) Providing equivalent beneficial programs acceptable to the area.

1.2.2 The rights to water of regions; states or individuals must be recognized and guaranteed through due process of law.

1.3 Except as otherwise provided by existing law, the planning of water resources development in the Western states shall be predicated upon the following principles for protection of and assistance to states of origin:

1.3.1 Inter-basin or inter-regional transfer of water shall contemplate only the transfer from the area of origin of those quantities of water deemed to be surplus. The States shall endeavor to agree upon determination of quantities of water that are surplus.

1.3.2 In making determinations of possible surplus water, all water-related needs of the States and areas of origin, including but not limited to: irrigation, domestic, stock, municipal, industrial, flood control, power, navigation, recreation, water quality control, fish and wildlife preservation and enhancement, and aesthetic enjoyment shall be recognized.

1.3.3 All water requirements, present or future, for uses within the drainage area of any river basin, shall have priority and right in perpetuity to the use of the waters of that river basin, for all purposes, as against the uses of water delivered by means of such exportation works, unless otherwise provided by treaty, interstate agreement or compact.

1.3.4 The cost of water development to the States of origin shall not be greater, but may be less, than would have been the case had there never been an export from those States under any such plan.

1.3.5 In the study of interstate diversion, any interstate diversion project shall neither impede nor minimize the development of water resources in the state of origin, and shall result in substantive net advantage to such State over the advantage it could have obtained, by itself or otherwise, without such diversion project.

1.3.6 All plans for inter-basin diversion of water shall provide for such financial arrangements with the states of origin as may be necessary to comply with Sections 1.3.4 and 1.3.5 above.

1.3.7 The exportation of water shall not change an area of origin from a water-rich to a water-deficient economy and shall not adversely affect the competitive position of the area of origin.

1.3.8 State or area of origin priority shall be explicitly set forth in all contracts for the use of imported water. Should such priority ever be denied, through subsequent action of the Congress, or otherwise, areas of origin will be entitled to just compensation.

1.3.9 Federal statutes designed to protect areas and states of origin, in any regional interstate plan of origin, in any regional interstate plan of water development, should include the consent by the United States for any such state of origin to sue in the Federal Courts, to compel Federal officials to comply with such statutes and for such other relief as deemed equitable.

1.4 This statement of principles shall not be considered as any support or advocacy for the diversion of water from one river basin to another.

## **2.0 STANDARDS FOR GUIDANCE IN THE FORMULATION OF CONCEPTS AND PLANS FOR STAGED REGIONAL DEVELOPMENT OF WATER RESOURCES**

2.1 A Western States water resource program shall be developed and maintained by the Western States Water Council through compilation and analysis of available state-wide plans and Federal inter-

basin and interstate plans, to provide a broad and flexible pattern into which future definite projects may be integrated in an orderly fashion.

2.2 A basic objective of the program is to provide a framework within which projects may be developed to meet the requirements for water to the extent feasible as and where they arise.

2.3 A determination of the advantages and disadvantages of alternate methods of meeting water needs should be included in the Western States water resource program.

2.4 In order to provide the uniformity necessary to facilitate compilation and analysis of the various state-wide water plans, it is recommended that such plans contain projects of usable water resources and an inventory of need for the years: 1980, 2000, 2020, 2040.

2.5. Each Member State should strive to complete, no later than June 30, 1970, a preliminary water plan, including estimates of water resources and estimates of current and long-range water needs.

### **3.0 GUIDELINES AND PROCEDURES FOR CORRELATION OF PLANS AND SCHEDULES AMONG WESTERN STATES**

#### **3.1 Interstate Exchange of Information and Data**

3.1.1 When a state publishes reports or takes any action which may affect the plans or objectives of other States, the affected States and the Western States Water Council staff should be furnished copies thereof. Request for basic data and supporting information should be initiated by the state needing the data or information.

3.1.2 The request for the exchange of basic data and supporting information should be coordinated through one state agency.

3.1.3 The name, official position, address and telephone number of the designated state office will be forwarded to the Western States Water Council staff. The staff will prepare a consolidated list of designated offices and distributed copies to all States through the State's member of the Executive Committee, Western States Water Council.

3.1.4 The type of reports and actions which should be sent to other States and the Western States Water Council staff includes, but is not limited to, copies of the following:

3.1.4.1 Summaries of current and long-range estimates of various types of water needs and usable water resources.

3.1.4.2 Planning schedules for developments of all large scale interstate and interbasin plans and projects.

3.1.4.3 State evaluation of programs such as weather modification, watershed management, groundwater recharge, desalination, and waste water reclamation.

3.1.4.4 Major legal and administrative decisions pertaining to water resources.

3.1.4.5 State or Federal legislation as proposed by any state materially affecting Western States water planning.

#### **3.2 Correlation of Plans and Schedules**

3.2.1 A master list shall be prepared and maintained at the headquarters of the Western States Water Council of items furnished pursuant to Section 3.1 with copies to be furnished to member States at appropriate intervals.

## ACTIVITIES PROGRAM

The Western States Water Council is the entity best suited to consider, coordinate, explain and comment on broad policy matters involving water in the western states. The Council's obligation and duty to the western states is such that it should assume an active role in many areas in the field of water and related land resource development that have not heretofore been undertaken by the western states collectively. With this in mind, a constructive program for the future with emphasis on a west-wide viewpoint or approach should be undertaken.

Extensive discussions and much of the work of the Council have thus far related primarily to the water augmentation issue. The scope of the Council's work should now be broadened to include other matters of importance to the field of water development in the western states.

The objective of the Council, where possible, is to arrive at a unanimous conclusion on issues, but it is also to provide a forum for the discussion and interchange of ideas on controversial water issues affecting the western states. Discussion in those areas of conflict should prove to be beneficial to all member states.

The Council will periodically point out to the western states' governors those issues of major importance on which the Council believes the western states should take a united position and on which they should express themselves collectively. Complete and full information on those issues on which the Council has arrived at a collective viewpoint will be made available to the governors of the member states.

The committee approach heretofore adopted will be enlarged upon when necessary by the appointment of additional committees, or special committees, or subcommittees within the present committee framework.

Many of the member states have no doubt resolved unique and difficult water and water related problems, and their experience in the handling and resolving of such problems may be of benefit to the other states. The staff of the Council should encourage and assist in making such information available to all member states.

An important function of the Council is the encouragement of free interchange of ideas on current water issues among the member states.

The "Principles-Standards-Guidelines," which have been adopted by the Council, elaborate on "Article III — Principles" of the "Rules of Organization," and also constitute a significant step toward carrying out the function of the Council as set forth in Article IV, (1).

The functions set out in Article IV, (2) are among other things yet to be initiated.

The Council should proceed to:

1. Establish a check list that will be used in performing the review function set out in Article IV, (2) of the "Rules of Organization."

2. Explore economic justification and methods of financing western states water development by local, state and federal agencies.

As an example of one of the many factors to be considered in determining economic justification for a project, the problems presented in connection with allocation of costs to recreation and fish and wildlife as is contemplated under P.L. 89-72 should be reviewed.

3. Make recommendations on the consideration to be given in plan formulation to such matters as:

- (a) Wild and scenic rivers;
- (b) Reclamation of arid lands;
- (c) Water quality;
- (d) Methods of making economic comparisons of power, irrigation, municipal and industrial benefits;
- (e) Points of view of local, state, regional, and national interests.

4. Review activities of the Pacific Northwest River Basins Commission and the Pacific Southwest Inter-agency Committee in their Type I framework studies, and point out any problem areas in the studies.

5. Analyze criteria being used in project planning (federal and state), and if compatible criteria are not being used, point out the fact.

6. Review biennial national water assessment prepared by the Water Resources Council, and make findings and conclusions available to member states. Assist member states in presentation of input, well in advance of the next assessment.

7. Review and evaluate studies made on the economic interdependence of the western states.

8. Assist member states in reviewing and drafting position papers on matters of major mutual concern which are before the Congress and under consideration by federal agencies, such as the Public Land Law Review Commission, Food and Fiber Commission, and legislation on protecting state water rights.

9. Review and comment on plans and policies for water development in the western states when there is a recognized common western state interest.

#### FIFTEENTH QUARTERLY MEETING

March 17-18, 1969

Lubbock, Texas

A budget for fiscal year 1970 of \$115,000 was adopted. Each state was assessed \$10,500.

The Council approved the publication of "A Review of Inter-regional and International Water Transfer Proposals" which had been recommended by the Water Resources Committee.

The Westwide Reconnaissance Investigation, authorized by the Colorado River Basin Project Act (P.L. 90-537), was discussed. The Chairman was directed to inform the Secretary of Interior of the states' willingness to participate in the investigation. See page 4.

A resolution requesting increased funding of water development projects was adopted. See page 24.

#### PRESENTATIONS:

Gus J. Karabatsos, Chief of Special Studies, Corps of Engineers, Omaha, Nebraska — *Progress Report of Framework Studies of the Missouri Basin Inter-Agency Committee.*

Henry J. Mills, General Manager, Metropolitan Water District of Southern California — *The Bolsa Island Nuclear Power & Desalting Plant.*

Dr. Philip R. Hammond, Director, Nuclear Desalination Program, Oak Ridge National Laboratory — *Nuclear Desalination & Agro-Industrial Complexes.*

Dr. Darol Froman, President, Western Water Resources Institute.

L. R. Reinig — *Discussion of Goals & Objectives of the Western Water Resources Institute.*

#### SIXTEENTH QUARTERLY MEETING

June 30 - July 1, 1969

Denver, Colorado

The Council unanimously elected Mr. William S. Holden (Idaho) as Chairman and Mr. William R. Gianelli (Cal-

ifornia) as Vice Chairman. Mr. Donel J. Lane was re-appointed Secretary-Treasurer.

The Council recommended that the Western Governors' Conference invite the states of Alaska and Hawaii to participate in the affairs of the Council as observers until they might desire to become full members.

Resolutions on the following subjects were adopted for presentation to the Western Governors' Conference for their consideration: The Western States Reconnaissance Investigation (see page 4), desalination (see page 24), the Water Resources Planning Act (see page 25), and 160 Acre Limitation (see page 20).

The Work Program of the Water Policy & Legislative Committee was adopted. See page 51.

#### PRESENTATIONS:

W. E. Tinsley — *Threats to Local Financing of Water Projects Posed by Tax Reform Measures Before Congress.*

James F. Sorensen — *Urgency of Restoration of Water Project Funds.*

Ladd S. Gordon, Director, New Mexico Dept. of Game and Fish — *A Jurisdictional Dispute: Litigation Over Ownership and Control of Resident Wildlife.*

Donald W. Galvin, Federation of Rocky Mountain States — *A Review of the Organization and Activities of the Federation.*

Honorable John A. Love, Governor of Colorado.

#### SEVENTEENTH QUARTERLY MEETING

August 28, 1969

Portland, Oregon

Chairman Holden reported that the Western Governors' Conference had adopted all five of the proposed resolutions which the Council had submitted.

Chairman Holden reported that he had communicated with Assistant Secretary of the Interior, James R. Smith,

and had received a reply assuring him that the Western States Water Council's role would be an important one in the Western States Reconnaissance Investigation. See page 3.

The audit undertaken by Elmer Fox & Company for FY 1969 ending June 30, 1969, was accepted and filed.

At a joint meeting a statement on the organization and origin of the Council, its purpose, and actions taken concerning various issues was presented to the National Water Commission. See page 8.

A policy statement relative to the Water Resources Council Task Force Report on Project Evaluation was approved for submission to the Water Resources Council. See page 13.

Copies of "A Review of Inter-Regional and International Water Transfer Proposals" were distributed.

#### PRESENTATIONS:

Donel J. Lane, Director, Oregon Water Resources Board — *Oregon's Ultimate Needs Study*.

Mills Cox, Texas Observer — *Congressional Considerations Being Given the Tax Reform Bill*.

Honorable Tom McCall, Governor of Oregon.

### EXECUTIVE COMMITTEE

#### Members

#### ARIZONA

Wayne M. Akin

#### CALIFORNIA

William R. Gianelli

#### COLORADO

Raphael J. Moses (6-65 to 7-69)

T. W. Ten Eyck (7-69 to .....)

#### IDAHO

William S. Holden, Chairman

#### MONTANA

Wesley A. D'Ewart (6-65 to 5-69)

William A. Groff (5-69 to .....)

#### NEVADA

Ivan P. Head

#### NEW MEXICO

S. E. Reynolds

#### OREGON

Donel J. Lane (6-65 to 4-70)

Chris L. Wheeler (4-70 to .....)

#### UTAH

Thorpe A. Waddingham

#### WASHINGTON

H. Maurice Ahlquist

#### WYOMING

Floyd A. Bishop

### CHARTER

This Charter of the Executive Committee of the Western States Water Council was adopted by resolution on January 29, 1970, at the meeting of the Council in Seattle, Washington. It is the administrative and steering committee of the Council on matters outlined in this charter and such other matters as may be related thereto.

#### Objective

The committee shall assist the Council in carrying out effective cooperation among western states in planning for programs leading to integrated development of water resources by state, federal, and other agencies; by acting as a steering committee; by making sure there is consistency and no overlap of Council liaison with national organizations, including the National Water Commission, Water Resources Council, federal departments, National Water Resources Association, Council of State Governments; and by establishing and maintaining liaison with western organizations such as the Western Governors' Conference and the Interstate Conference on Water Problems.

#### Authority

The authority of the Executive Committee derives from the Council itself and includes the following powers: (1) To act upon internal and administrative matters between meetings of the Council; (2) To create working groups

and ad hoc groups; (3) To make assignments to committees; (4) To receive committee reports; and (5) To implement actions and programs approved by the Council.

#### Program

The committee shall have the obligation to prepare Council meeting agenda and shall correlate Council's liaison with national and regional agencies, and correlate the Council's efforts to keep abreast of broad-scale developments by those agencies as they relate to Council programs. The committee will initiate recommendations for Council actions at conferences, hearings and special meetings with national water leaders. The committee shall make assignments to other committees and give directions as to the scope and nature of their activities. The committee will have authority to require that the committees submit their reports and/or recommendations to it, and it will submit its views on said reports and/or recommendations to the Council.

#### Organization and Voting

The Executive Committee of the Western States Water Council consists of one representative from each member state in accordance with Article IX — Executive Committee — of the "Rules of Organization." The Chairman and Vice Chairman of the Council shall represent their states on and be members of the Executive Committee and serve as officers of the Executive Committee. The Council staff furnishes necessary assistance as desired and requested by the Executive Committee.

Each member of the Executive Committee shall have one vote in conducting business. A quorum consist of six (6) members, and a simple majority of those voting shall prevail on internal matters. If an external matter comes before the Executive Committee between Council meetings, and the Executive Committee finds an emergency

exists, it may take final action by unanimous vote of all members.

#### Meetings

Regular meetings of the Executive Committee shall be held at least thirty (30) days prior to each Council meeting and also in conjunction with meetings of the Council. Special meetings of the Executive Committee may be called by the Chairman or by the Vice Chairman in the event the Chairman is incapacitated, or by any six members, upon five days' notice to all members, stating the time and place of the meeting. When all members are present, no notice is required. All meetings may be adjourned to a time certain by majority vote of those present.

#### Reporting

The committee shall report to the Council at each Council meeting as to any actions it may have taken between meetings.

### 1969 MEETINGS

March 17 ..... Lubbock, Texas  
June 3 ..... Salt Lake City, Utah  
June 30 - July 1 ..... Denver, Colorado  
August 19-20 ..... Salt Lake City, Utah  
October 13 ..... Las Vegas, Nevada  
December 11 ..... San Francisco, Calif.

### WATER POLICY AND LEGISLATIVE COMMITTEE

#### Members

#### ARIZONA

Sam F. Dick (8-68 to 2-70)

Tom Choules (4-70 to .....)

#### CALIFORNIA

Senator Gordon Cologne

#### COLORADO

Felix L. Sparks (7-66 to 4-69)

C. J. Kuiper (4-69 to 7-69)

Raphael J. Moses (7-69 to .....)

#### IDAHO

George L. Yost

## MONTANA

Wesley A. D'Ewart (7-66 to 4-69)  
Clyde L. Hawks (4-69 to .....)

## NEVADA

Mrs. Geraldine B. Tyson (5-68 to  
7-70 Chairman (9-68 to 4-70)  
Hal Smith (8-70 to .....)

## NEW MEXICO

Dale Walker  
Chairman (4-70 to .....)

## OREGON

Eugene E. Marsh

## UTAH

Dallin Jensen

## WASHINGTON

Callison Marks (6-65 to 8-69)  
Fred Hahn (Alt.) (8-69 to 4-70)  
Charles B. Roe (4-70 to .....)

## WYOMING

Willard C. Rhoads

## CHARTER

This Charter of the Water Policy & Legislative Committee of the Western States Water Council was adopted by resolution on April 23, 1970, at the meeting of the Council in Albuquerque, New Mexico.

## Objective

The committee shall assist the Council in initiating, establishing and carrying out the objectives of the Council by providing guidance on the social, ethical, legal and political aspects of the program including assistance to and protection of areas of origin.

## Program

The committee shall study the social, ethical, legal and political aspects associated with interstate water resources development and shall recommend policies and courses of action relative to the role of the Council in its relationship with the National Water Commission, the Water Resources Council, pertinent river basin commissions, appropriate federal and state statutes

affecting interstate water resources development; need for new legislation; "area of origin" assistance and protection; and possible dissolution of existing interstate or federal-state committees, councils, or interagency groups.

The committee shall develop and recommend basic assumptions, objectives, principles, and criteria for guidance of the Council in the Policy and Legislative field.

## Organization and Voting

Committee membership is by appointment by the states of the Council. One member shall be from each state, but need not be one of the state's delegates to the Council. Any Water Policy and Legislative Committee member may designate an alternate to serve in his absence. A quorum shall consist of six (6) members. A majority of those members present and voting is required for committee action. Each state shall have one vote. Except as otherwise provided herein, meetings shall be conducted under Robert's Rules of Order, Revised.

A committee chairman shall be appointed by the chairman of the Council from the committee membership and serve at his pleasure. The committee chairman will appoint a Vice Chairman and subcommittees as needed. The staff of the Council shall furnish such assistance to the committee as is requested. A member of the staff will serve as secretary.

## Meetings

The committee shall meet at the call of the committee chairman.

## Reports

The committee shall submit reports and/or recommendations to the Council and to the Executive Committee as requested. The committee shall not issue any public statements or reports except as may be directed by the Council or the Executive Committee.

## WORK PROGRAM

The Water Policy and Legislative Committee shall assist the Council in initiating, establishing, and carrying out effective cooperation among western states in planning for programs leading to integrated development by state, federal and other agencies, of their water resources, by providing guidance on the social, ethical, legal and political aspects of the program including assistance to and protection of areas of origin.

As its current work program the Committee shall:

1. Consider, coordinate, explain and comment on broad policy matters involving water in the western states.
2. Foster close cooperation and free interchange of information on policies and legislation among all affected state and federal interests.
3. Review plans and comment on policies involved for water development in the western states when there is a recognized common western state interest.
4. Analyze policies and principles being used in project planning (federal and state) and if compatible policies and principles are not being used, identify the incompatibility.
5. Assist member states in reviewing and drafting position papers on matters of major mutual concern which are or should be before the Congress and under consideration by federal agencies.

Note: This Work Program was adopted by the Council at its meeting in Albuquerque, New Mexico, on April 23, 1970.

## 1969 MEETINGS

March 17 ..... Lubbock, Texas  
May 5 ..... Salt Lake City, Utah  
June 30 ..... Denver, Colorado  
August 18-19 ..... Salt Lake City, Utah  
August 27 ..... Portland, Oregon  
December 5 ..... Reno, Nevada

## WATER RESOURCES COMMITTEE

### Members

## ARIZONA

Wesley E. Steiner

## CALIFORNIA

Ted J. George

## COLORADO

T. W. Ten Eyck (1-69 to 7-69)  
C. J. Kuiper (7-69 to .....)

## IDAHO

Thomas Olmstead

## MONTANA

Alex D. McDermott, Chairman (9-68 to 9-69)  
Douglas G. Smith, Chairman (9-69 to .....)

## NEVADA

Roland D. Westergard  
Homer C. Berry (2-70 to .....)

## NEW MEXICO

David P. Hale (12-67 to 2-70)

## OREGON

General L. H. Foote

## UTAH

Daniel F. Lawrence

## WASHINGTON

Norman L. Krey (10-69 to .....)

## WYOMING

Myron Goodson

## CHARTER

This Charter of the Water Resources Committee of the Western States Water Council was adopted by resolution on April 23, 1970, at the meeting of the Council in Albuquerque, New Mexico.

## Objective

The committee's fundamental objective is to assist the Council to establish and carry on a definite program of constructive action that will accomplish the objectives as set out in the Rules of Organization.

## Program

In pursuance of the underlying objective, the committee will develop and

recommend basic principles and standards for guidance in the formulation of concepts and plans for a staged regional development of water resources, including protection and furtherance of state and local interests.

The committee will recommend guidelines and procedures for the interstate exchange of basic data and information, and for the correlation of plans and schedules of water resource development.

The committee shall evaluate and advise the Executive Committee and the Council on all physical and economic factors relevant to staged regional water development. These include, but are not limited to, water supplies, weather modification, water requirements, water quality, conservation practices, waste water reclamation, flood control, sediment control, navigation, hydropower, recreation, fish and wildlife.

## Organization

Committee membership is by appointment by the states of the Council, one member from each state (but not necessarily one of the state's delegates to the Council). Any Water Resource Committee member may designate an alternate to serve in his absence. A quorum shall consist of six (6) members. majority of those members present and voting is required for committee action. Each state shall have one vote. Except as otherwise provided herein, meetings shall be conducted under Robert's Rules of Order, Revised.

The committee chairman shall be appointed by the Chairman of the Council from the committee membership. The committee chairman will appoint a Vice Chairman, and subcommittees as needed.

The Council staff will furnish necessary assistance as desired and requested by the committee. A member of the staff will serve as secretary.

## Meetings

The committee will meet at the call of the committee chairman.

## Reporting

The committee shall submit its reports and/or recommendations to the Council and to the Executive Committee if so requested. The committee shall not issue any public statements or reports except as may be directed by the Council and the Executive Committee.

## WORK PROGRAM

To carry out the objective stated in the Charter of the Water Resources Committee the following activities, taken from the Rules of Organization, Principles - Standards - Guidelines and Activities Program, and in order to priority, are made part of the Committees' current work program.

1. Review Type I Framework Study activities of the Pacific Northwest River Basins Commission and the Pacific Southwest Inter - agency Committee, and that portion of the Missouri Basin Inter-agency Committee that applies; assist the Department of the Interior in the performance of the westwide water resource and requirement studies authorized by P.L. 90-537 and bring to the attention of the Council any problem areas in either group of studies (Item 4 of Activities Program.)

A. Assess the reasonableness of water requirement and water supply estimates by states, regions and river systems.

2. Develop and maintain a Western States water resource program through compilation and analysis of available state-wide plans and Federal interbasin and interstate plans, to provide a broad and flexible pattern into which future definite projects may be integrated in an

orderly fashion. (Item 2.1 of Principles-Standards-Guidelines)

- A. Assemble a summary document of states' activities in water planning.
  - B. Review technical criteria and assumptions employed in major state, interstate and regional planning efforts.
3. Perform continuing technical review of all proposed large-scale interstate and interbasin plans and projects for development, control or utilization of water resources in the western states and submit recommendations to the Council regarding the compatibility of such projects and plans with an orderly and optimum development of water resources in the western states. (Article IV (2) of the Rules of Organization)
  - A. Establish a check list that will be used in performing the review function set out in Article IV (2) of the Rules of Organization. (Item 1 of Activities Program)
  - B. Prepare a summary of interregional and international water transfer proposals.
  - C. Evaluate the technical adequacy of selected water transfer proposals using Principles-Standards-Guidelines adopted by the Council.

4. Identify areas of derisable interstate exchange of technical information and data. (Item 3.1 of Principles-Standards-Guidelines.)

A. Complete summary of expenditures by states for water planning, administration and development.

5. Review and evaluate studies made of the economic interdependence of western states. (Item 7 of Activities Program)
6. Review and recommend criteria for establishing economic justification and methods of financing western states water development by local, state and federal agencies. (Item 2 of Activities Program)
7. Review current developments in water conservation, reuse and augmentation through desalination and weather modification.
8. Prepare for Council action recommendations to be submitted to the Western Governors' Conference.

## 1969 MEETINGS

|                  |                      |
|------------------|----------------------|
| January 15 ..... | Las Vegas, Nevada    |
| March 17 .....   | Lubbock, Texas       |
| May 6 .....      | Salt Lake City, Utah |
| June 30 .....    | Denver, Colorado     |
| August 27 .....  | Portland, Oregon     |