

COLORADO RIVER STORAGE PROJECTCOMPARISON OF PROJECTS LISTED FOR AUTHORIZATION

| Units  | Item | Int. Dept.<br>Report<br>Jan. 1951 | S. 1943 | Int.<br>Dept.<br>Draft<br>4-1-54 | S. 1955<br>(Substitute |
|--|------|-----------------------------------|---------|----------------------------------|------------------------|
| <b>RECREATION:</b>   |      |                                   |         |                                  |                        |
| (A) Glen Canyon  | 1    | X                                 | X       | X                                | X                      |
| (C) Echo Park  | 2    | X                                 | X       | X                                | X                      |
| (W) Flaming Gorge  | 3    |                                   | X       |                                  | X                      |
| (C) Curecanti  | 4    |                                   | X       |                                  | X                      |
| (C) Grand Mountain   | 5    |                                   |         |                                  | X                      |
| (N.M.) Navajo  | 6    | X                                 | X       |                                  | X(c)                   |
|  | 7    |                                   |         |                                  |                        |
|  | 8    |                                   |         |                                  |                        |
| <b>IRRIGATION:</b>   |      |                                   |         |                                  |                        |
| (W) Central Utah   | 9    | X                                 | X       | X                                | X                      |
| (W) Esmer County   | 10   | X                                 | X       | X                                | X                      |
| (W) Gooseberry   | 11   |                                   | X       |                                  | X                      |
| (C) Florida  | 12   | X                                 | X       | X                                | X                      |
| (W) Goodland   | 13   | X                                 | X       | X                                | X                      |
| (NM) San Juan - Chama  | 14   |                                   | X       |                                  | X(a)                   |
| (NM) Shiprock-Co.S.J.<br>(b)   | 15   | X                                 | X       |                                  | (a)                    |
| (NM) Hammond   | 16   | X                                 | X       | X                                | X                      |
| (W) La Barge   | 17   | X                                 | X       | X                                | X                      |
| (W) Lyman  | 18   | X                                 | X       | X                                | X                      |
| (C) Pecos, Ext.  | 19   | X                                 | X       | X                                | X                      |
| (C) Pine River, Ext.   | 20   | X                                 | X       | X                                | X                      |
| (C) La Plata   | 21   |                                   | X       |                                  |                        |
| (C) Silt   | 22   | X                                 | X       | X                                | X                      |
| (W) Smith Fork   | 23   | X                                 | X       | X                                | X                      |
| (C) Authorization for<br>conveyance of lands<br>and water rights to<br>Denver. |      |                                   |         |                                  | X                      |

(a) Authorization conditioned upon circularization of feasibility report among affected States and to Texas, followed by Congress' approval of such report.

(b) The irrigation project for Indian and White lands in the San Juan area is now known as the "Navajo" project.

(c) Without power features.

Adopted: 7/9/55

H. 3383

AMENDMENT OFFERED BY MR. CHENOWETH AS A SUBSTITUTE

FOR THE AMENDMENT OFFERED BY MR. O'BRIEN

*which would have added language of Sec. 11 of S. 500*

The Secretary of the Interior of the United States is hereby authorized and directed to negotiate with the City and County of Denver, Colorado, or any other municipality or governmental subdivision in the State of Colorado, on the procedure for and feasibility of a program which would authorize the said Secretary of the Interior to convey to the City and County of Denver, Colorado, or any other municipality or governmental subdivision in the State of Colorado, for use as a part of its municipally owned water system, such interests in lands and water rights used or acquired by the United States solely for the generation of power, and such other property of the United States as shall be required in connection with the development or use of such municipal water system. The said Secretary of the Interior shall report his findings and recommendations to the Congress of the United States as soon as possible, but not later than March 1st, 1956; provided, further, that in making his report the said Secretary of the Interior shall recommend a formula governing the charges to be made for any such conveyance.

(rejected by subcom. Dec 6/10/55)

AMENDMENT NO. 1 (To be proposed jointly by Mr. Udall and Mr. Rhodes)

On Page 11 at line 8, insert the following as Subsection (b):

(b). Not less than 12 percent of the average annual output of electric power and energy of the generating facilities of the Glen Canyon unit, as estimated by the Secretary of the Interior for the period of any contract or contracts entered into pursuant to this provision, shall be available at its option at the switchboard, to the State of Arizona, or any public agency or instrumentality thereof duly designated under the laws of the State of Arizona and authorized to act for it in the premises, at a rate or rates which shall not reflect any charge, component, or factor designed to provide the return or credit to the Basin Fund, created by Section 4 of this Act, of any part of the costs of the Colorado River Storage Project or of its participating projects allocated to irrigation pursuant to Section 5 of this Act. The Secretary of the Interior is hereby authorized to enter into such contract or contracts with said State or any such agency or instrumentality thereof as may be duly designated to act for it in the premises, as hereinbefore provided, for the sale to such State, agency, or instrumentality of such portion of the output of the said generating facilities on terms otherwise consistent with this Act and with the Federal Reclamation laws: Provided, however, That nothing contained shall be construed as a limitation on the total amount of power which may be purchased by the State of Arizona or any public agency or instrumentality thereof at a rate or rates commensurate with those offered to other purchasers.

*(rejected by subcommittee 6/10/55)*

AMENDMENT NO. 2 (~~Was~~ proposed jointly by Mr. Udall and Mr. Rhodes)

On Page 13 between lines 12 and 13 insert the following new section:

Sec. 13. The State of Arizona, or any political subdivision, public agency, or instrumentality thereof, duly designated and authorized under the laws of the State of Arizona to act for it in the premises, is hereby granted permission and licensed to construct dams and hydroelectric power generating facilities, and appurtenant works in Marble Canyon at a point approximately 36 miles below Lee's Ferry and in Bridge Canyon: Provided, That the height of the dam to be constructed in Bridge Canyon shall not exceed an elevation of 1,875 feet above sea level; and the dam to be constructed in Marble Canyon shall not be of a height which will interfere with the operation of the dam at Glen Canyon and appurtenant works. With respect to the structures and works specified in this Section, as well as with regard to their operation and maintenance after construction, the requirements of any and all laws providing for the obtaining of licenses, permits, or approvals of proposed plans or specifications, or either, or establishing any conditions precedent whatsoever to the erection of works on navigable streams or to the utilization of sites, whether theretofore preempted or withdrawn for the same or similar purposes, or for any purposes, are hereby waived: Provided further, That, in the operation and maintenance of such works as it may construct, operate, and maintain pursuant to the license hereby granted and in the storage and release of water therefrom, the State of Arizona, its political subdivisions, agencies and instrumentalities, as the case may be, shall comply with the applicable provisions of the Colorado River Compact, the Boulder Canyon Project Act, the Boulder Canyon Project Adjustment Act, and the Treaty with the United

AMENDMENT NO. 2 (Continued)

Mexican States. The appropriate agencies of the United States are hereby authorized and directed to convey to the State of Arizona, or to such political subdivision, public agency, or instrumentality thereof as may be duly designated to act for it in the premises, as hereinbefore provided, such rights of way and interests in lands of the United States and/or its wards as may be required, and to grant such permits and licenses for the extraction therefrom of sand, gravel and any and all other construction materials, as may be needed, in the judgment of said State, or of such political subdivision, agency or instrumentality, as the case may be, for or in connection with the erection, operation and maintenance of any such works.

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(Adopted by Subcommittee 6/9/54)

PROPOSED AMENDMENTS TO H. R. 3363 TO BE OFFERED BY MR. ASPINALL  
ONLY IF THE ECHO PARK UNIT IS DELETED FROM THE BILL

AMENDMENT NO. 4:

Add new Section following section 2, or section 3 if Mr. Aspinall's amendments 1, 2, and 3 are adopted.

"SEC. \_\_\_\_ . For the purpose of reviewing plans for storage and incidental uses in the upper reaches of the Colorado River Basin and submitting recommendations thereon to the President and to the Congress, there is hereby authorized the establishment of a board of eminent disinterested engineers not presently employed by the Federal government. The board shall be appointed by the President and shall consist of either three or five members, at the discretion of the President. As a part of its review, the board is directed to examine the plans relating to the Echo Park unit and shall include in its examination such aspects, among others, as: (1) the alternatives to Echo Park which would accomplish the storage requirements in the upper end of the basin; (2) the water losses due to evaporation, should alternatives be substituted, and the evaluation of such water losses; (3) the differences in power production should alternatives be substituted and the evaluation of such differences; (4) the economic comparison of the Echo Park unit and alternatives, including consideration and evaluation of scenic and recreational benefits or losses, if any, which may result from construction of the Echo Park unit; and (5) the efficiency of the system to accomplish river regulation. The board also is directed to examine the plans for the Cross-Mountain Unit and make a recommendation thereon giving consideration, among other things, to the values lost due to inundation by the reservoir. The board shall be appointed at the earliest practical date after

enactment of this Act and shall submit its report to the President and to the Congress on or before December 31, 1958. The compensation for said board shall be fixed by the President and shall include necessary traveling expenses including per diem in lieu of subsistence for each member of the board for the time employed and actually engaged in such work. The board may, upon approval by the President, appoint and fix the compensation of such employees as it deems advisable and necessary to accomplish the purposes of this section without regard to the provisions of the Civil Service laws and the Classification Act of 1949, as amended. Service of an individual as a member of the board or employment of an individual by the board on a part-time or full-time basis shall not be considered as service or employment bringing such individual within the provisions of sections 281, 283, 284, 434, or 494 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U. S. C. 99). The board is authorized to secure from any Department or agency of the Government any information it deems necessary to carry out the purposes of this section, and each such Department or agency is authorized and directed to furnish such information to the board upon request by the board."

AMENDMENT NO. 5

Remember all subsequent sections.

PROPOSED AMENDMENTS TO H. R. 3383 TO BE OFFERED BY MR. ASPINALL

AMENDMENT NO. 1:

Page 3, line 10: After the word "Silt" insert "and" and after "Smith Fork" strike the comma, insert a period, and strike all language thereafter through page 4, line 4.

AMENDMENT NO. 2:

Strike all of Section 2 and substitute in lieu thereof new Sections 2 and 3, reading as follows:

"SEC. 2. In carrying out further investigations of projects under the Federal reclamation laws in the Upper Colorado River Basin, the Secretary shall give priority to completion of planning reports on the Gooseberry, San Juan-Chama, Navajo, Parshall, Troublesome, Rabbit Ear, Eagle Divide, Woody Creek, West Divide, Bluestone, Battlement Mesa, Tomichi Creek, East River, Ohio Creek, Fruitland Mesa, Bostwick Park, Grand Mesa, Dallas Creek, Savery-Pot Hook, Dolores, Fruit Growers Extension, Animas-LaPlata and Sublette participating projects. Said reports shall be completed as expeditiously as funds are made available therefor and shall be submitted promptly to the affected States as hereinbefore provided and thereafter to the President and the Congress. Provided, That with reference to the plans and specifications for the San Juan-Chama Project, the storage for the control and regulation of water imported from the San Juan River shall (1) be limited to a single off stream dam and reservoir on a tributary of the Chama River, (2) be used solely for control and regulation and no power facilities shall be



established, installed or operated thereat, and (3) be operated at all times by the Bureau of Reclamation of the Department of the Interior in strict compliance with the Rio Grande Compact as administered by the Rio Grande Compact Commission. The preparation of detailed designs and specifications for the works proposed to be constructed in connection with projects shall be carried as far forward as the investigations thereof indicate is reasonable in the circumstances.

"SEC. 3. It is not the intention of Congress, in authorizing only those projects designated in section 1 of this Act, and in authorizing priority in planning only those additional projects designated in section 2 of this Act, to limit, restrict, or otherwise interfere with such comprehensive development as will provide for the consumptive use by States of the Upper Colorado River Basin of waters, the use of which is apportioned to the Upper Colorado River Basin by the Colorado River Compact and to each State thereof by the Upper Colorado River Basin Compact, nor to preclude consideration and authorization by the Congress of additional projects under the allocations in the compacts as additional needs are indicated."

AMENDMENT NO. 3:

Renumber all subsequent sections.

(Offered by Hosmer and rejected by Subcommittee)

H. R. 3383, 84th Congress

Proposed New Sec. 4

ALLOCATIONS OF COST OF  
GLEN CANYON DAM

On P. 6, line 16, strike all of Section 4 and substitute the following:

(a) The Secretary of the Interior, with the concurrence of the Board created under Section 1 of this Act, is directed to allocate the capital cost of the Glen Canyon Dam Project, upon the following basis:

(1.) Allocations which shall be non-reimbursable:

(i) Flood control and navigation.

(ii) Preservation of fish and wildlife.

(2) Allocations which shall be recovered and paid into the Treasury with interest at 2 1/2% per annum upon the unpaid balance, within 50 years from the date or dates of completion of the dam and of each unit of the power plant, out of revenues from the sale of electric power and energy generated at said Dam:

(i) Commercial power.

(3.) Allocations which shall be recovered and paid into the Treasury without interest in 50 equal annual instalments commencing with the date of completion of the dam, out of revenues from the sale of such electric power and energy:

(i) Irrigation and reclamation.

(b) The Secretary, with the concurrence of said Board, shall determine the rates and charges required for:

(1) Payment to the Treasury of the amounts required annually by subsection (a) of this section.

(2) Payment of the annual costs of operation and maintenance and provision for reasonable replacement reserves.

(3) Payment of a subsidy equal to one mill per kilowatt hour sold, to be applied in aid of recovery by the Treasury of its investment in the participating projects referred to in Section 5 of this Act.

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(c) Before any money is appropriated for the construction of Glen Canyon Dam Project or any construction work done or contracted for, the Secretary of the Interior shall make provision for revenues by contract, in accordance with the provisions of this Act, adequate to insure payment of the aggregate of the amounts specified in subsection (b) of this Section, and to otherwise meet the revenue requirements of this Act.

*(Offered by Hoover of Calif and revised by subcommittee 6/9/55)*

H. R. 3383, 84th Cong.

Amendment to Sec. 1

In Section 1, P. 2 line 9, strike all after "hereby" and substitute the following:

(1) authorizes and directs the Secretary of Interior to appoint a board of five eminent engineers and geologists, at least one of whom shall be an Engineer Officer of the Army, on the active or retired list, to examine the proposed sites of the Glen Canyon dam and power features and participating projects named in this Act and review the plans and estimates made therefor, and to advise him prior to January 1, 1956, as to matters affecting the safety, the financial, economic and engineering feasibility, and adequacy of such proposed dam, power features and participating projects; provided, that no work of construction shall be commenced nor money appropriated nor spent, until plans therefor are approved by said board of engineers, and the Congress has thereafter authorized said works. No authority hereby conferred on the Secretary of the Interior shall be exercised without the President's sanction and approval;

(2) authorizes the Secretary of the Interior, subject to a favorable report by the Board appointed pursuant to subsection 1 of this Section, and subsequent authorization by the Congress and to the other terms and conditions of this Act, to construct, operate, and maintain a dam in the main stream of the Colorado River in or near Glen Canyon, Arizona, together with a power plant, incidental works and necessary main transmission lines to load centers, hereinafter referred to as the Glen Canyon Dam Project; and

(3) authorizes the Secretary of the Interior, subject to a favorable report thereon by the Board appointed pursuant to subsection

(1) of this Section, and subsequent authorization by the Congress, and to the other terms and conditions of this Act, to construct each of the following reclamation projects (hereinafter called "participating projects") in accord with the provisions of the Reclamation Law, except where such laws are inconsistent with this Act: Emery County, Florida, Hammond, La Barge, Lyman, Paonia (including the Minnesota unit, a dam and reservoir on Muddy Creek just above its confluence with the North Fork of the Gunnison River, and other necessary works), Pine River Extension, Seedskadee, Silt, Smith Fork.

The examination and review to be made by the Board and other duties to be performed by the Board, shall include but not be restricted to the following:

(1) consultation with the Secretary of the Interior and advice to him in connection with allocations of costs, as elsewhere provided in this Act;

(2) review of the Secretary's plans for each participating project and a report with respect to each to include:

(i) its capital cost, in total and per acre;

(ii) the probable annual cost of operation and maintenance and of a reasonable allowance for replacement reserves;

(iii) the amounts which the water users reasonably can be expected to pay for annual costs of operation and maintenance and replacement reserves and toward repayment of the capital cost, within 50 years in substantially equal annual payments after a ten year development period;

(iv) the amount of capital allocated to irrigation which will not be recovered from the water users;

(v) the amount of such capital which will be recovered out of the subsidy from power revenues provided for in this Act, payable in substantially equal annual installments concurrently with the payments under Section 4 of this Act;

(vi) the probable value of the land to be irrigated, before and after construction of the project;

(vii) the number of farms to be created or benefited, and the types of crops for which the land is suitable;

(viii) the increase in the national debt which will be occasioned by the construction of the project;

(a) Until such time as the Hoover Dam is completed at Glen Canyon Reservoir is required for the performance of Article III(d) of the Colorado River Compact, neither the United States nor the States of the Upper Division shall withhold in Glen Canyon reservoir any water required for the performance of any contract for the generation and sale of electric power and energy into which the United States has entered under the Boulder Canyon Project Act or the Boulder Canyon Project Adjustment Act.

(b) The Secretary of the Interior is authorized to dispose of the electric power and energy generated at the Glen Canyon Dam upon the following terms and conditions:

(1) The Secretary shall transmit and deliver to the Hoover Dam Power Plant so much energy as may be required to replace all energy which would have been generated at Hoover Dam had that plant been constructed. Such replacement energy shall be delivered under the contracts heretofore made under the authority of the Boulder Canyon Project Act or the Boulder Canyon Project Adjustment Act (Act of July 19, 1916, 50 Stat. 774) upon the same terms and conditions as though generated at the Hoover Dam Power Plant.

(2) All other energy shall be sold upon the criteria as to rates and charges and preferences to public agencies established by Section 5 of the Flood Control Act of 1944 (Act of December 22, 1944, 58 Stat. 687), to contractors who will pay the rates and charges necessary to meet the revenue requirements stated in this Act.

(Offered by Hosmer and rejected by Subcommittee)

H. R. 3383, 84th Congress

Proposed New Sec. 3  
Limitation Act

On P. 5, line 7, insert the following:

Section 3. This act shall not take effect and no authority shall be exercised hereunder and no work shall be begun and no moneys expended on or in connection with the works or structures provided for in this Act, and no valid rights shall be claimed or initiated hereunder, and no steps shall be taken by the United States or by others to initiate or perfect any claims to the use of water pertinent to such works or structures unless and until each of the States of Colorado, New Mexico, Utah and Wyoming, by acts of their respective legislatures, have each agreed irrevocably and unconditionally with the United States and for the benefit of the States of Arizona, California and Nevada, as an express covenant and in consideration of the passage of this Act, that (1) said State shall be bound by the decree in the case of Arizona v. California, et al., now pending in the United States Supreme Court; (2) that the aggregate annual consumptive use (diversions less returns to the river) of water of and from the Colorado River System by transmountain diversions out of the Colorado River Basin for use in said State, including all uses under contracts with the United States and all water necessary for the supply of any rights which may now exist, shall not exceed ten (10%) per centum of the waters, the use of which is apportioned to said State by the Upper Colorado River Basin Compact, such uses always to be subject to the terms of the Colorado River Compact; and (3) that no waters diverted out of the Colorado River Basin shall be made available to any state not a party to the Colorado River Compact, either directly or by exchange, or by return flow, or otherwise.

and remember remaining sections accordingly.



(Offered by Hoerner and rejected by Subcommittee)

Proposed New Section 7.

"From the revenues of the project, reimbursement shall be made to those having rights under presently existing contracts with the United States for the delivery of falling water or electric energy at points on the Colorado River downstream from the project, for all damages suffered by them through loss of falling water or electric energy available at such downstream points occasioned by storage at the Storage Project hereby authorized of water not then reasonably required in order to fulfill the requirements of the consumptive uses for irrigation or domestic water supply purposes then being made in the Upper Basin, together with fulfillment of the obligation of the States of the Upper Division pursuant to Article III(d) of the Colorado River Compact."

(Offered by Hosmer and rejected by Subcommittee)

H. R. 3383, 81st Congress

Proposed New Sec. 13

CONSENT TO SUIT

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On P. 13, line 21, strike all after "Basin" and substitute the following:

Section 13. (a) In the event that any State of the Colorado River Basin seeks to maintain an action in the Supreme Court of the United States to enforce any of the provisions of the Colorado River Compact, the Upper Colorado River Basin Compact, the Boulder Canyon Project Act, the Boulder Canyon Project Adjustment Act, the Mexican Water Treaty or of this Act, either on its own behalf or as parens patriae, consent is given to the joinder of the United States as a party in such suit or suits.

(b) Consent is hereby given to joinder of the United States as a party to any suit, action or proceeding brought in any court of competent jurisdiction upon any cause of action arising under any contract lawfully entered into by the United States pursuant to either of the Compacts or the Acts named in this section.

(Offered by Hooper and rejected by Subcommittee)

H. R. 3383

Amendment to Section 3

On P. 5, line 14 after "Provided, That" insert the following additional language:

(a) Before any money is appropriated for the construction of the storage units, power plants or participating projects named in this Act, or any construction work done or contracted for, the Secretary of the Interior shall make provision for revenues by contract, in accordance with the provisions of this Act, adequate in his judgment to insure payment of all expenses of operation and maintenance of said works incurred by the United States and the repayment, within fifty years from the date of the completion of said works, of all amounts advanced under this Act for such works, together with interest thereon made reimbursable under this Act.

Reletter the clauses of the proviso beginning P. 5, line 14, as "(b)", P. 5, line 19 as "(c)", P. 6, line 2 as "(d)" and P. 6, line 5 as "(e)".