

(The material referred to follows:)

COMMENTS ON WATER SUPPLY BY MR. ASPINALL

Throughout history the Upper Division States (Colorado, New Mexico, Utah and Wyoming) have relied upon the Colorado River Compact of 1922 and the Upper Colorado River Basin Compact of 1948 for their protection. These documents are supposed to protect (1) the right of the Upper Colorado River Basin to develop water apportioned to it as a whole, and (2) the right of each of the Upper Division States to conserve and utilize its share of the Upper Basin water. Their reliance on these documents is still predicated upon confidence in the approval by the Congress of these two keystone documents.

Due to the relatively slower rate of growth of the States of the Upper Basin as compared with the population and economic expansion of the Lower Basin, and political influences beyond their control, the four Upper Division States have had to wait until the Supreme Court resolved differences between Arizona and California before the Upper Basin could move ahead with its water resources program. For instance it was not until the last lawsuit *Arizona v. California* was well under way that a real Federal program of water development could be initiated in the Upper Basin.

In contrast to the legal entanglements among the Lower Division States the Upper States made their own decisions pertaining to the apportioning of water among themselves by means of the Upper Colorado Basin Compact. By approving this compact for the Upper Basin States the Congress for the second time strongly expressed its intent to preserve and protect the development of the water resources of the Upper Basin until social and economic conditions proved their conservation and utilization to be necessary in the best interests of the region and the Nation.

The Congress approved the Colorado River Storage Project Act in 1956. This Act is a comprehensive basin-wide integrated program of water and related natural resources development for the States of Colorado, New Mexico, Utah and Wyoming. In this Act the Congress for the third time expressed its intent to utilize the waters of the Colorado River system in the Upper Basin for the development of that region.

For the past 20 years this Committee has been subjected to a barrage of conflicting testimony pertaining to the amount of available water in the Colorado River system. Almost every occasion when legislation involving the Colorado River has been considered we have heard testimony indicating wide differences of opinion with regard to the dependability of the water supply actually remaining available for consumptive use. For this reason when H.R. 4671 of the 89th Congress, a predecessor bill to the pending legislation, was before the Committee I requested all of the States of the Colorado River Basin to compile up-to-date water supply analyses and to state their positions in the light of the results. During the course of the hearings on H.R. 4671 the Committee received testimony concerning three detailed analyses of water supply. These analyses were prepared by engineers at the Bureau of Reclamation, by engineers of the States of Arizona, California and Nevada, and by the engineering firm of Tipton and Kalmbach, Inc. (under the auspices of the Upper Colorado River Commission). The three sets of studies were based upon different assumptions as to net channel and evaporation losses, rates of increase of Upper Basin stream depletions and in some instances the periods of stream flow records. The studies of the Upper Colorado River Commission embraced many combinations of these factors.

The most important result of these three analyses is the surprising degree of agreement with respect to the water supply remaining available for development in the Basin. The differences in the final results of the three studies relate only to the expected time when utilization of the entire water resources of the Basin will be accomplished.

The Upper Basin's Colorado River Storage Project is based upon the principle of long-term holdover water storage—the holding of water in reservoirs from good water years to be used in the lean years. In fact, this is the fundamental concept and Congressionally expressed intent of the law under which the Upper Basin's water development program was authorized. Departmental witnesses in 1954 and 1955 told this Committee that it was only under such a long-term, hold-over storage principle that the Upper Division States could put to use their