

compact-apportioned water supplies without curtailing their uses in lean water years. The Department in its report that it transmitted to the Congress in support of the Colorado River Storage Project stated:

"A capacity of 23 million acre-feet would be reserved in project reservoirs for long-time regulatory storage. The water stored would be released as needed in drought periods to meet the compact obligation at Lee Ferry. The reservoirs would be refilled during years of favorable water supply. In a dry decade such as that of 1931-40, release of the entire 23 million acre-feet would be necessary to meet the Lee Ferry obligation. A storage release in that amount would be necessary even if water uses in the upper basin were naturally curtailed by the drought, resulting in a depletion at Lee Ferry somewhat less than the compact-permitted 7,500,000 acre-feet annually.

"Present flows in the upper basin are adequate to meet the 10-year Lee Ferry obligation. Within 20 or 25 years, however, the depletions are expected to increase to the extent that curtailment of consumptive uses will be necessary in protracted dry periods unless some storage water is available for delivery to the lower basin. If the required storage works are to be available when needed, steps toward construction should be taken immediately. An extended construction period will be required and the reservoirs should be filled initially while unused apportioned water is available."

It is this limited supply of "unused apportioned water" that is the subject of controversy in this legislative effort.

I am sure that the Department still holds the view that its statement of 1954 is correct with respect to this point. I want to remind this Committee that at the time (1954) that the Department reported on the Colorado River Storage Project its witnesses were telling us that there was no doubt that there was a water supply available for Upper Basin development under the Colorado River Storage Project. This assertion was true because, at that time the Upper Basin States were using only 2 to 2½ million acre-feet of their compact apportionment of 7½ million acre-feet of consumptive use. I also wish to remind the Committee that in 1954, as mentioned by the Department, a minimum 10-year average of 11.8 million acre-feet of virgin flow at Lee Ferry was behind us. But, also at the same time the river was entering another 10-year period (1954-63) of minimum average virgin flow at Lee Ferry of only 11.8 million acre-feet. This record is now available. It was not in 1954. These two 10-year periods of minimum flows are far below that required to provide full compact-apportionments of 7½ million acre-feet of consumptive use per year to each of the two basins. As a matter of fact, the Department has pointed out that the average virgin flow for the period since the signing of the Colorado River Compact, 1922-1967, has been only 13.7 million acre-feet, and for the 1906-1967 period only 14.9 million acre-feet. Both figures are also below compact apportionments to the Upper and Lower Basins. The Department favors the use of the 1906-1967 period of record only because under that record can the Department find a water supply for the Central Arizona Project by using fairly large amounts of water presently unused by the Upper Basin, but the use of which has been apportioned to the Upper Basin. And let me remind you that this water will be put to use in the Upper Basin States at rates much more rapidly than those assumed by the Department in its studies.

Furthermore, the Department in order to find a water supply for a Central Arizona Project is forced to utilize so-called "spills" from the Upper Basin on an average annual basis. The use of those spills in water supply analysis on an annual basis is certainly open to question for the simple reason that they do not occur in that manner over a 62-year period. In other words, this type of analysis ignores the fact that all of the spills were interspersed in 24 years prior to 1929 and that in the following 36 years only regulated releases would be available for a Central Arizona Project water supply. In view of the present small amounts of water in Lake Powell and Lake Mead, only regulated releases can be anticipated for several more years. The question therefore arises as to the use of spills by the Department in its water supply analysis since past records and present conditions could preclude spills for 40 or more consecutive years. This places the water supply for a Central Arizona Project in a very precarious situation.

On the basis of the 1906-1967 period used by the Department's table in the Senate report on S. 1004, the spills are shown as averaging under 1975 conditions 1,273,000 acre-feet per year for the 60-year period; 653,000 acre-feet as shown as being lost as spill from Lake Mead. The recovered amount—620,000 acre-feet—is a substantial part (35%) of the supply contemplated for a Central Arizona