

Mr. SAYLOR. It is true that you did release the water out of Lake Powell?

Mr. DOMINY. That is right, to take care of the downstream uses—depletions.

Mr. SAYLOR. Now, what downstream depletions?

Mr. DOMINY. We have all of the California contracts, the Arizona contracts and the Indian uses downstream, as well as the Mexican Treaty obligation.

Now, it is true that we did not want Lake Mead to drop below minimum head, but we did not release any water out of Lake Mead just to make power. We did adjust the levels of the two reservoirs so that we did not build a higher head at Lake Powell at the expense of dropping below a minimum head at Lake Mead, for example. This would not have made sense. And we do try to make sense with our operation.

Mr. SAYLOR. Confidentially, many of the things you have done in that Bureau over the years have not made sense to some of us. So this one more would not be exception.

Mr. ASPINALL. Would the gentleman yield?

Mr. SAYLOR. Yes.

Mr. ASPINALL. Following up what you have said, Mr. Dominy, in order to take care of 75 million acre-feet of water for the consecutive 10-year period, counting the period which you are in now, we are going to have to release greater amounts than we have the last 3 or 4 years.

Mr. DOMINY. That is correct.

We were well ahead of the 75 million acre-feet 10-year moving average until we closed Glen Canyon Dam. Now, we have dropped consistently below that. So to meet the 10-year average release requirement, there will have to be some additional releases.

Mr. SAYLOR. Mr. Secretary, am I correct in understanding that the basic law of the Colorado River is contained within the so-called Colorado River Compact entered into in 1922 among the seven basin States?

Secretary UDALL. Well, this is one of the basic documents, probably the most basic, but there are others, such as the Upper Colorado Compact and so on.

Mr. SAYLOR. Just a minute. They do not affect—I asked for the Colorado River. Now, there are some agreements in the upper basin and in the lower basin. But outside of the Colorado River Compact and the Supreme Court decision, which only affects the lower basin, is not the Colorado River Compact and the Mexican Water Treaty the supreme law of the land?

Secretary UDALL. There are three basic documents, my lawyer tells me—the Mexican Treaty, the Compact between the States, and the Boulder Canyon Project Act of 1929.

Mr. SAYLOR. This was the one which authorized the construction of the Hoover Dam?

Secretary UDALL. The Hoover Dam; that is right.

Mr. SAYLOR. Now, under the terms of the Colorado River Compact, the Upper Basin States are obliged to deliver to the lower basin 75 million acre-feet every 10 years at Lee Ferry.