
SENATE JOINT MEMORIAL No. 10

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By Mr. Fred T. Colter of Apache County.

March , 1927.

SUMMARY IN PART OF SIX YEARS PAST DUE DILIGENCE EXERCISED. DECLARING THE USE OF WATER FOR IRRIGATION AS INDISPENSIBLE TO LIFE AND CIVILIZATION; ARIZONA HAS FORTY-TWO PER CENT OF THE IRRIGATION SYSTEM OF THE TWO BASINS AND NINETY PER CENT OF THE LOWER BASIN OF THE COLORADO RIVER WITHIN HER BOUNDARIES AND NINETY-SIX PER CENT OF ITS POWER SYSTEM WITHIN HER BOUNDARIES; THE COLORADO RIVER COMPACT, SUPPLEMENTAL COMPACTS, BOULDER CANYON AND DIAMOND CREEK DAM SCHEMES DESTROY IRRIGATION FOREVER AND DESTROY PRIORITY AND MAXIMUM BENEFICIAL AND ECONOMICAL USE OF WATER. PROTESTING AGAINST THE COLORADO RIVER COMPACT AS AN UNFAIR DIVISION OF WATER, REGARDLESS OF ESTABLISHED FACTS AND LAWS, LEAVING ARIZONA'S MILLIONS OF ACRES OF LAND NOW PRACTICAL FOR IRRIGATION A DESERT FOREVER. IF CALIFORNIA AND NEVADA GAVE ARIZONA ALL THE WATER APPORTIONED TO THE LOWER BASIN, THE COLORADO RIVER COMPACT PROHIBITS ARIZONA FROM USING ANY OF THE TEN MILLION ACRE FEET LEFT UNAPPROPRIATED TO THE UNITED STATES OF AMERICA. IT IS IMPERATIVE THAT ARIZONA HOLD AND PROTECT THE FILINGS ALREADY MADE ON THE GLEN CANYON STORAGE RESERVOIR, THE SPENCER AND BRIDGE CANYON DIVERSION DAMS AND THE HIGHLINE CANAL, PROVING THE GLEN CANYON ARIZONA HIGHLINE CANAL IS PRACTICAL FROM THE SURVEYS OF ITS OPPONENTS WHO COMPOSED THE ARIZONA ENGINEERING COMMISSION AND WHO PROPOSED THE PARKER-GILA PROJECT AS A SUBTLE SCHEME TO GIVE THE WATER TO MEXICO TO WHICH ARIZONA IS ENTITLED. REGARDING THE SCIENTIFIC APPLICATION OF WATER FOR IRRIGATION PURPOSES WHICH WILL IRRIGATE DOUBLE THE AMOUNT OF LAND. ASKING FOR APPROPRIATION FOR SURVEYS. INDEFINITELY POSTPONING THE COLORADO RIVER COMPACT AND ANY AMENDMENTS THERETO AND PROTESTING AGAINST THE ISSUING OF ANY POWER PERMITS EXCEPT ARIZONA'S FILINGS ON DAMS NEAR AND IN THE COLORADO RIVER GRAND CANON; THE SECURING OF PROPER AND CORRECT INFORMATION NECESSARY HAS BEEN ACCOMPLISHED, IN ORDER TO GET CORRECT FACTS ON WATER TO SAFEGUARD IRRIGATION AND PROTECT OUR OWN STATE OF ARIZONA FROM MONOPOLY OF

ITS NATURAL RESOURCES AND TO PREVENT THEIR ABSORPTION TO CREATE A MENACE TO OUR NATIONAL PEACE AND PROSPERITY BY BUILDING UP A VAST IRRIGATION AREA IN MEXICO. PRESENT TESTED LAWS GUARANTEEING MAXIMUM, ECONOMICAL, BENEFICIAL USE INSTEAD OF OWNERSHIP OF WATER WOULD INCREASE THE AVERAGE FLOW OF THE COLORADO RIVER FROM TWENTY-FOUR MILLION TO FIFTY MILLION ACRE FEET IN THE FUTURE. POWER TRUST PROPAGANDA, STATING THAT WE HAVE AN OVER SUPPLY OF PRODUCTS CANNOT BE SUBSTANTIATED, THE FACT IS, WE ARE IMPORTING THESE PRODUCTS; THEIR OBJECT IS TO DESTROY IRRIGATION WHICH GOES WITH POWER, IN ORDER TO MONOPOLIZE POWER DAMS. DIAMOND CREEK DAM OR ANY POWER DAM NOT A MAXIMUM IRRIGATION DAM DESTROYS ARIZONA-GLEN-BRIDGE-HILINE. THE ARIZONA HIGHLINE RECLAMATION-ASSOCIATION GLEN BRIDGE HIGHLINE PLANS ARE PROVING THE ONLY CONSTRUCTIVE FEASIBLE ECONOMICAL PLAN FOR ARIZONA AND THE NATION. "MAXIMUM USE, PRIORITY AND DILIGENCE ARE ARIZONA'S WATCHWORDS. FOURTEEN DANGERS OF THE COMPACT (OR SUPPLEMENTAL TRI-STATE COMPACT) AND BOULDER AND DIAMOND CREEK POWER DAMS; SUPPLEMENTAL-TRI-STATE-CAMOFLAGE, MASKED COMPACT, VETOED BY THE GOVERNOR OF ARIZONA. PATRIOTIC CITIZENS OF ARIZONA COMPELLED FOR YEARS TO GIVE THEIR TIME, CREDIT AND MONEY TO PROTECT ARIZONA BECAUSE OF THE INNOCENT AND ALSO DELIBERATE UNPATRIOTIC ENEMIES TO ARIZONA.

TO THE CONGRESS OF THE UNITED STATES OF AMERICA:

WHEREAS, ARIZONA IS IN THE GREATEST OF KNOWN DANGERS THROUGH THE SWING-JOHNSON BILL AND A MUCH GREATER DANGER BEING THE UNDER-COVER ATTEMPT OF GETTING A TRI-STATE SUPPLEMENTAL WATER DIVISION COMPACT-SWING-JOHNSON BILL; AND

WHEREAS, I, FRED T. COLTER, HAVE GIVEN MY ENTIRE TIME WITHOUT PAY FOR THE PAST FOUR YEARS AND AT THE SAME TIME GIVEN MY MONEY AND CREDIT, SACRIFICING A FORTUNE AND HAVE MADE SUCH WATER AND POWER FILINGS AS WERE APPROVED BY GOVERNOR HUNT, FOR THE STATE OF ARIZONA AS REQUIRED BY LAW AND HAVE ENDEAVORED AT ALL TIMES, BY THE ASSISTANCE OF THE HIGHLINE ASSOCIATION OF ARIZONA AND BY PATRIOTIC CITIZENS OF ARIZONA, TO KEEP UP AND USE SUCH LEGAL DUE DILIGENCE AS IS REQUIRED BY SURVEYS, LAW SUITS AND PROTEST AGAINST DIAMOND CREEK POWER PERMIT, ETC., AND

WHEREAS, THERE HAVE BEEN BRIEFS AND NOTIFICATIONS AND ARGUMENTS FILED WITH PROPER AUTHORITIES; AND

WHEREAS, A SUMMARY OF PART OF THE LAST SIX YEARS OF DUE DILIGENCE, ARGUMENTS AND EXHIBITS ARE HEREIN INSERTED, WHICH ARE AS FOLLOWS:

BEFORE THE UNITED STATES SENATE AND HOUSE
COMMITTEE ON IRRIGATION AND FEDERAL POWER
COMMITTEES IN CONGRESS, WASHINGTON, D. C.

AND

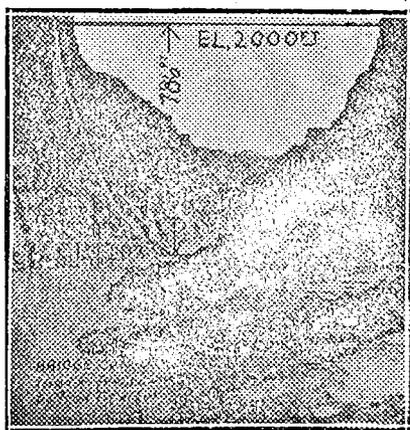
EIGHTH LEGISLATURE OF ARIZONA, AND WATER
COMMISSIONER OF ARIZONA, PHOENIX, ARIZONA.

In the matter of irrigation and power filings made by FRED T. COLTER, For and in behalf of the State of Arizona, to build the Glen Canyon Storage dam, Bridge Canyon diversion dam, and the Arizona Highline Canal, to irrigate 4,160,000 acres of land in Arizona.

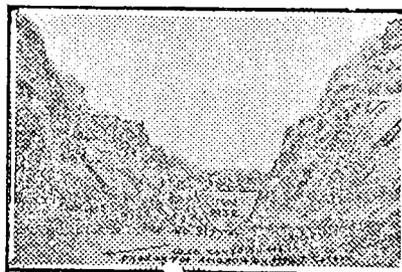
A SHOWING IN FAVOR OF SAID FILINGS

Submitted by FRED T. COLTER, State Senator, and President of the ARIZONA HIGHLINE RECLAMATION ASSOCIATION, Setting forth the reasons, history, due diligence exercised in establishing priority in support of said filings and irrigation. Setting forth objections to the Colorado River Compact or proposed Supplemental Compact; Boulder Canyon Power Dam, Diamond Creek Power Dam, which would destroy the said proposed projects in Arizona, and the economical maximum development of the Colorado River and leave a desert forever, six million acres in Arizona and the United States of America.

SEE EXPLANATORY MAPS



Bridge Canyon diversion site, filed
on for Arizona by Fred T. Colter.



Glen Canyon storage dam site, filed
on for Arizona by Fred T. Colter.

State Senate,
Phoenix, Arizona,
January 11, 1927.

Congress, United States Senate and House
Committee on Irrigation, Federal Power Commission:
Washington, D. C.

State Water Commissioner, and State Senate,
Phoenix, Arizona.

Gentlemen:

I am filing with you a summary of facts for and in behalf of this State on the water and power for the Bridge Canyon storage, diversion, and power dam, the Glen Canyon storage reservoir, and the Arizona Highline Irrigation and Power Canal, as described in the attached certified copies and maps of my filings for the State, by the approval of the Governor, for the irrigation and power for same, made in the years, 1923, 1925 and 1926 by myself, with the State Water Commissioner. You will also find enclosed a brief and showing prepared and compiled by myself of our due diligence on same.

Following is a summary in part, showing the intense efforts, donations, and expense and due diligence of the citizens and the State exercised during the past years in filing on water, building plans, surveying, gathering data and maps, converting people from false propoganda, obtaining engineering facts for financing construction work on the Colorado River for the development of the Glen Canyon storage dam, the Bridge Canyon diversion and power dam, and the all-gravity Arizona Highline Canal, proposed projects, which will irrigate four million acres of land in Arizona and will generate more than enough power to finance the building of these projects.

At the same time, in accomplishing this great development and priority for Arizona, our strenuous efforts were exercised and necessarily so too, to defeat the Colorado River Compact, the supplemental camouflage tri-state compact, the Boulder Canyon Dam, and Diamond Creek power-dam schemes as well as a treaty with Mexico, all of which schemes are based on and resulting in the same as the Fall-Davis report on the Colorado River, which is unfair and unpatriotic. These are all great exploitation schemes, any one of which would have destroyed the above plan for the development of millions of acres of land in Arizona and in California. They would all destroy hundreds of other smaller reclamation projects in the State.

SHORT SUMMARY, IN PART, OF LEGAL DUE DILIGENCE EXERCISED

Surveys made and data gathered under the supervision of George H. Maxwell, by Roberts Williams, and Messrs. Reid & Baker, and others, of the lower line on the Arizona High-Line Canal Surveys of 1920, 1921 and 1922.

Surveys made in 1925 by the Arizona Engineering Commission on a higher high-line canal.

At my request as also through the efforts of the Arizona High-line Reclamation Association, the citizens of the State and the Governor of Arizona, a survey was made by George W. Sturdevant and Edward L. Stan at a still higher elevation in 1923, and found practical.

Survey made by Colonel Trott and Mr. Parker on the highest diversion point yet made, at Bridge Dam for the highest canal. This survey was made in 1924.

Every survey shows greater practicability, economy and possibilities of a high-line canal, as all surveys will in the future.

Irrigation and power filing made for the State by Senator Fred T. Colter, President of the Arizona Highline Reclamation Association, September 20, 1923, on the Glen Canyon Dam, Spencer Canyon diversion dam, and the Arizona high-line all gravity canal, irrigating three and one-half million acres of land in Arizona.

Fred T. Colter files for the State, on April 11, 1925, on the Bridge Canyon diversion dam, six miles above Spencer Dam. These irrigation and power filings were made supplemental to the 1923 filings and amendatory thereto.

Fred T. Colter, on March 17, 1926, made supplemental water filings for State on Glen-Bridge dams and Arizona Highline Canal to irrigate 4,160,000 acres, and develop all the power, and also made original water and power filings on the following dams located in Canyon section of the Colorado River, all in Arizona: Red All Canyon damsite, elevation 2,885 feet, Mineral Canyon dam site, 2,530 feet, Ruby Canyon dam site, 2,235 feet, Specter Chasm dam site, 2,000 feet, Nayasua dam site, 1782 feet, Devil's Slide dam site, 1,025 feet, Flour Sacks dam site, 957 feet, Pierce's Ferry dam site, 910 feet, and Grand Wash dam site, 865 feet.

The irrigation priority in all above dam filings regardless of date of starting and finishing of construction of dams, priority is to be recognized first, for water through and for the Glen-Bridge Arizona Highline Canal and lands thereof.

Fred T. Colter prepared Glen-Bridge-Highline Bill No. 3414, as a substitute for Boulder Dam Bill, with arguments therefor in U. S. Senate Document 113, which was introduced into the U. S. Senate by Senator Cameron, March 3, 1926.

Fred T. Colter, President of Arizona Highline Reclamation Association, representing at Los Angeles, Governor of Arizona, October, 1926, presented Brief of Arizona's arguments and plans of development of Colorado River, before U. S. Senate Committee on Irrigation.

At Phoenix, Arizona, as President of the Arizona Reclamation Association, Fred T. Colter, with others appeared before the U. S. Senate Committee on irrigation, presenting brief of water filings diligence, November, 1925, of Arizona's plan.

Legal advice and assistance for filings were donated by the late Wylie E. Jones, Ex-Attorney General, and John R. Hampton, for 1923.

Fred T. Colter notified the Federal Power Commission of the above water notice filings in 1923 and made power filings therewith for and on behalf of the State of Arizona on all high-line projects in 1926. Protest filed against the Diamond Creek power dam permit by Fred T. Colter, and Commission of State Institutions and of the Arizona Highline Reclamation Association.

Arizona Highline Reclamation Association met in Statewide convention held in Phoenix, April 10, 1926, to renew and continue opposition to Swing-Johnson-Boulder Canyon Compact Bill, Tri-State Pact, Committee of Fives' proposal to California and Nevada and Diamond Creek Suit and continue the foundation work in building Glen-Bridge Highline Projects.

For over three years past Fred T. Colter took lead in bringing Diamond Creek Suit. After many weeks of hard work, suit was finally filed October, 1925, against the issuance of the Diamond Creek Power permit, by a special committee appointed by the Attorney General, to prepare data for suit, composed of Senator Fred T. Colter, Chairman, Robert Williams, D. L. Cunningham, Senator J. J. Cox, A. Y. Moore, John R. Hampton, Senator C. H. Rutherford, J. H. White, Representative E. J. Fiock, and D. P. Kimball.

The introduction of the Compact, Boulder Power Dam, and Diamond Power Dam in 1922, developed such new and disastrous complications in

reference to State and National Reclamation problems on the Colorado River that it became imperative, in addition to the needs of engineering data, for Arizona to establish her rights and priority to get legal data.

Because of the strenuous efforts of the supporters of the Compact, Boulder and Diamond Power dams, to always oppose any appropriation for engineering and legal data the Legislature failed to provide funds for the urgent needs of legal data and action to protect Arizona.

Hence the citizens and Arizona Highline Reclamation Association lead by Fred T. Colter, gave their services and money to protect and develop Arizona's irrigation and power life.

There has been some preparation toward bringing suit against Diamond Power permit for the past three years, but citizens were exhausting their resources on other serious complications to maintain Arizona's protection of her filings made by Senator Fred T. Colter, and priority and diligence on the Colorado River. Therefore, action had been delayed.

In months past several petitions were presented, and many mass meetings held with the Governor and Water Commissioner to bring suit against Diamond Creek Power permit. Whereupon the Governor referred the matter to the Attorney General.

A mass meeting was then held in the Attorney General's office to urge this suit against the Diamond Creek Power permit. At this meeting the Attorney General suggested the names of the above and special committee to prepare data for suit, to be presented by him. Due to his absence and the immediate necessity for quick action before the hearing of the Diamond Creek permit at Washington, on October the 20, 1925, land holders under the Glen Canyon, Bridge Canyon Highline Reclamation project have filed suit, and the Attorney General can if need be, intervene later to assist in said suit.

The Diamond Creek power dam if built would destroy irrigation and monopolize the six million horse power on the Colorado River and exhaust same in the future power market that is needed to go with combined irrigation and power projects to pay for same.

Fred T. Colter, President of the Highline Association represented Arizona at the Winning of the West conference held in Los Angeles, October, 1926. He represented the Governor and the State of Arizona before the President of the United States and Congress in Washington, D. C., to oppose the Swing-Johnson Bill in June, 1926, and January, 1927.

H. B. Hoveland, Engineer, represented Arizona Highline Reclamation Association in opposing the Swing-Johnson Bill in Congress at Washington, D. C., 1924.

Summary of speech by Senator Fred T. Colter in State Senate, February, 1923, on Senate Resolutions No. 5-7-8, asking for money for Colorado surveys and to make State water filing and opposing Compact.

George H. Maxwell, Executive Director of National Reclamation Association presents arguments favoring Glen-Bridge Dams and Highline Canal and Arguments against the Colorado River Compact at Los Angeles, Phoenix and Washington, D. C., before U. S. Committee on Irrigation, October and November, 1925, and prepared and presented brief before U. S. House Committee on Irrigation and representing the Arizona Highline Reclamation Association and National Reclamation Association during the regular session of Congress, 1925-1926-1927.

George H. Maxwell files brief against issuance of Diamond Creek power permit in 1923 and October, 1925. A suit is filed in the courts to give notice to those concerned to be restrained from ever giving permit for Diamond Creek power dam.

Governor Hunt requests the State Water Commissioner not to renew the Diamond Creek permit, which request was complied with in 1923.

The Federal Court in 1923 held Girard of the Diamond Creek Power Dam project to be in trespass and enjoined him from proceeding.

We finally secured State cancellation of Diamond Creek permit, October, 1925.

Governor Hunt calls for \$100,000 appropriation from the seventh legislature to obtain facts and surveys on the Colorado River.

Fred T. Colter, senator from Apache county, introduced in the sixth legislature in 1923 resolutions for the filing on water and power in the Colorado River. Resolution No. 5, in full is attached hereto.

In 1925, as Senator in the Seventh legislature, Fred T. Colter introduced eight resolutions to defeat the compact and to get the state to appropriate \$100,000 for the filings and obtaining engineering data, and two of these resolutions are attached hereto.

The seventh legislature appropriated \$50,000 for surveys on the Colorado River and the United States Government to match this appropriation with a like amount.

The Arizona Highline Reclamation Association and the people of the State worked for and initiated, and introduced a measure, No. 306 submitted to the people for the appropriation of \$100,000 for surveys and data of the Colorado River in the general election of 1924.

A part of the due diligence for the future is the preparation by the highline association and the people of Arizona to submit for the vote of the people a \$1,000,000 appropriation for the Colorado River surveys, data, and filings. This should be done in order to finance and continue our protection and diligence and to cope with Mexico's easy and continued appropriation of our water, and to cope with water filings made, and many millions of dollars having already been spent for surveys by California and the power trusts in all of the Colorado River basin states.

The filings and due diligence exercised by the Highline Reclamation Association and myself is imperative and required by law for Arizona to enjoy her sovereignty, priority, and protection, and to get the maximum development on the Colorado River for Arizona and the Nation.

We shall notify Mexico and her water appropriators (the State and Nation should do likewise) to cease from appropriating any water, and if they do so, it is subject to our prior filings and appropriations and at their hazard.

In addition to the State's expenditures and diligence exercised, partly included in the above summary, citizens have spent and donated much money and time to assist in establishing Arizona's priority under the Glen-Bridge-Highline plan.

The people are not exercising this energy and expense to prove the practicability of the Highline Canal and other projects but to establish priority and a base for future financing, as unquestionable, simple, common sense demands and knows that a large river as the Colorado River, which runs hundreds of miles in the boundaries of Arizona, from an elevation of 500 feet to over 3,000 feet, higher than 6,000,000 acres of rich, level land in Arizona, that that water by gravity can economically be put on this acreage; when with this fall, which is enormous, the power would more than finance the irrigation development.

Irrigation for land is imperative for a Nation's economical and financial welfare. No Nation or State should give away a natural resource for the simple reason that it is not practical today for development. It would be disastrous to do so. The future development of these national resources in her life. Especially is this true of irrigation resources, which is the food, home and clothing of the people.

I sincerely desire to call attention to the false propaganda by the power trusts, that there is an oversupply of irrigation products in Arizona and the Nation. We even import irrigation products in Arizona and such as we could produce in our own country.

I also call attention to the power trust's false propaganda that there is not water enough in the Colorado River from the Arizona-Glen Canyon high-line Canal. This is not true, for there is plenty of water for all these projects if the water is divided naturally, economically, and according to our present tested laws.

This is not taking into consideration the fact that the Colorado River water will double its present flow in the future, due to over-and-over seepage and reflow and repumping of water and additional precipitation. Another fact to be taken into consideration is that the economic use of irrigation water in the future we will grow better crops with one-third the water now being used for the same crops.

This propaganda is being used to fool the people into discouraging irrigation development together with the power development, which should be done. The two must go together. In order to control power dams, irrigation would lose its priority, and the water of the Grand Canyon of the Colorado River would be of no use for irrigation of Arizona's lands, but would, through the flow of gravity, irrigate lands in Mexico for Mexico's benefit and for the benefit of American land speculators who own land in Mexico.

This propaganda is being used in the Colorado River Basin States to fool the people in order to get a compact over between the several states, or to get a treaty with Mexico over, to divide the waters of the Colorado River, to exclude or limit irrigation on the Colorado River in the United States of America. If this is done, then only power dams could be built, giving power to the power trusts and monopoly on 6,000,000 horse-power which can be developed in Arizona, is as much power as is now being developed by water over the entire United States of America. Ninety-six per cent of the power to be generated in the entire Colorado River Canyon will be generated in the boundaries of Arizona. This would leave the water for irrigation to flow down the natural river bed by gravity to water lands in Mexico, as stated before, leaving millions of acres of land in Arizona and the United States of America a desert forever. It would result in the profits of thousands of dollars to a few. It would result in the building of a Japanese empire at Arizona's border and a future seaport, to breed war with Japan, and compete with our own labor, products and industry, which would be disastrous to this country.

Irrigation has preference over power. The two should be developed together. If irrigation comes first the power will not be impaired, but if power is given preference the irrigation projects are destroyed.

We solemnly and sincerely pray that you give the power and favorable recognition to these filings and unusual diligence which will give the prior beneficial, economical, maximum continued development of the entire river for the use and benefit of the United States of America and the State of Arizona.

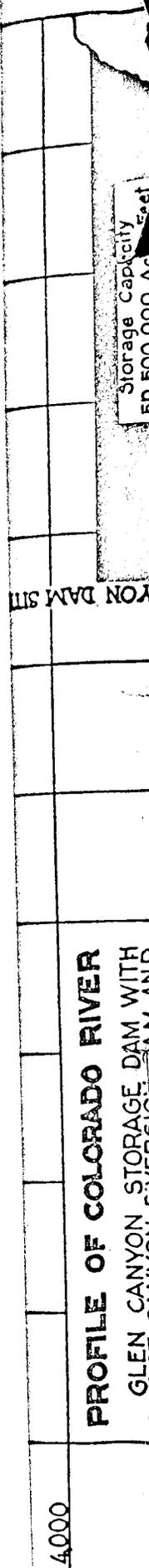
By this we will forever stamp out and forgo the greatest exploitation scheme ever known. Our efforts have proven and are continually proving this.

It is my desire to co-operate with you to the fullest extent in this great national development. I have been donating my services during the past and will continue to do so in the future until the danger is over.

Faithfully yours,

FRED T. COLTER,

President of the Arizona Highline Reclamation Association.



4,000

3,500

3,000

2,500

2,000

1,500

1,000

500

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ELEVATION IN FEET ABOVE SEA LEVEL

PROFILE OF COLORADO RIVER
 GLEN CANYON STORAGE DAM WITH
 BRIDGE CANYON DIVERSION DAM AND
 ARIZONA HIGH LINE CANAL, IRRIGATING
 FOUR MILLION ACRES AND
 TEN OTHER DAM SITES DEVELOPING
 FIVE MILLION HORSE POWER
 FILED ON BY

SENATOR FRED T. COLTER
 FOR THE STATE OF ARIZONA
 ON SEPT. 1923 - MAY 1925 - OCT. 1925 AND
 MARCH 1926

GRAND CANYON

Storage Capacity
 50,500,000 Acre Feet

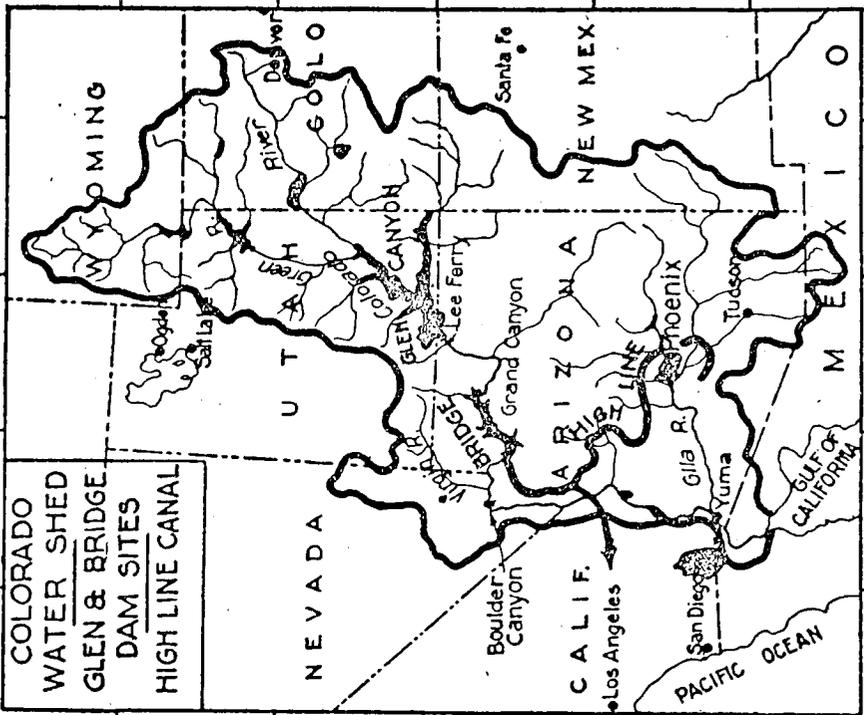
UTAH-ARIZONA LINE

GLEN CANYON DAM SITE

COLORADO
 WATER SHED
 GLEN & BRIDGE
 DAM SITES
 HIGH LINE CANAL

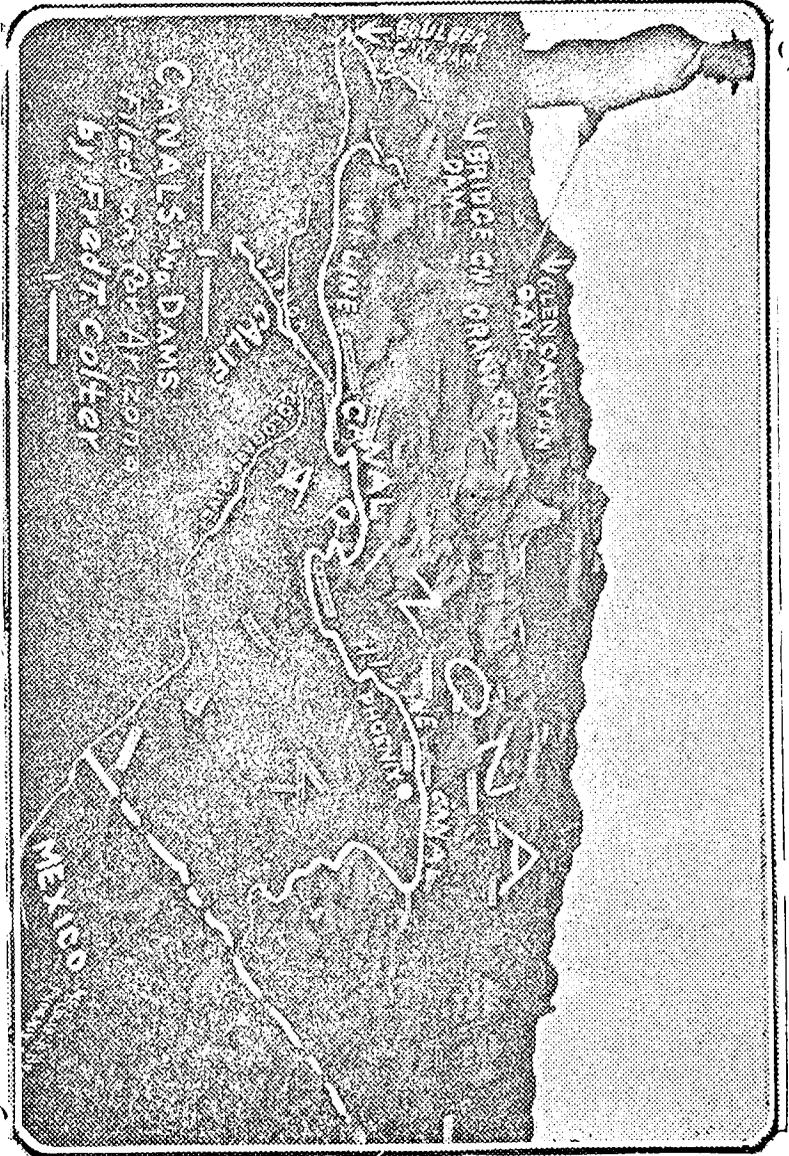
Boulder Canyon Dam Site
 Grand Wash dam site
 Pierces Ferry dam site
 Flour sack dam site
 Devils Slide dam site
 Spencer Canyon site
 Bridge Canyon Dam Site
 Havasu Dam Site
 Specter Chasm dam site
 Ruby Canyon dam site
 Mineral Canyon dam site
 Little Colorado R.
 Bedwell dam site

ARIZONA-NEVADA LINE



E.V. MILLER

300 350 400 450 500 550 600 650 700 750 800 850 900 950
 DISTANCE IN MILES FROM YUMA, ARIZONA.



Relief Map of Arizona

IMPORTANCE OF IRRIGATION

The use of water for irrigation is necessary to life and civilization, and Arizona has forty-two per cent of the entire irrigation system of the Colorado River within her boundaries. Arizona has ninety per cent of the irrigation drainage area system of the lower basin of the Colorado River. Arizona has ninety-six per cent of the power of the entire Colorado River system within her boundaries. This is as much power as is being generated by water in the entire Nation.

The appropriation and use of waters of the Colorado River, and its application to the development of irrigation industries in Arizona, are of such vast importance to the U. S. A. and the State of Arizona and the people of Arizona, that disposition thereof should not be made or considered except to file and establish priority until after complete investigation and surveys of the potential possibilities of this River have been completed, and a thorough, faithful and intelligent consideration of the best ways and means of its use and distribution are decided upon, as the resulting benefit and application of the waters of the Colorado River and its tributaries within the State of Arizona, are her common property and heritage.

There was being proposed a six-States Colorado River Compact, leaving Arizona out entirely, which was a frame-up of political and influential Power Trusts and owners of millions of acres of land in Mexico who want to monopolize power and take water which rightfully belongs to the United States of America and appropriate it for use for their lands in Mexico. This six-State Pact was a move to bluff Arizona into ratifying the Pact, or Supplemental Pact.

THE SUPPLEMENTAL TRI-STATE PACT IS A MASKED PACT.

If the Compact is ratified, the Power Trust get complete control of the power by building the Boulder Power Dam that they advocate, and the American land interests in Mexico get the water by the law of contracts and gravity. This would be as true if the compact were ratified with the amendments or supplements which amendments failed to give the Lower basin at least all the surplus of remaining water in the Colorado River which would be 10,000,000 acre feet which is unapportioned to the United States of America either in the Upper or Lower Basin under the Colorado River Compact as formulated at Santa Fe, New Mexico. For example, the Compact gives the Upper Basin 7,500,000 acre feet, which is more than the Upper Basin States could ever use.

The Lower Basin States were apportioned 8,500,000 acre feet, which is insufficient to irrigate millions of acres which can be and should be irrigated in the Lower Basin States. The total amount of water apportioned to the Upper Basin and Lower Basin by the Compact is 16,000,000 acre feet, out of which amount both basins are to guarantee Mexico's deficiency, if the remaining surplus of 10,000,000 acre feet would not be sufficient for her to use in dry years. The 10,000,000 acre feet remaining is arrived at after taking 16,000,000 acre feet from the total average of 26,000,000 acre feet, including present used waters, seepage and reflow waters in the entire Colorado River system in the United States of America. In dry years there would be no surplus but a deficiency in the United States of America.

The above condition is a serious and threatening danger to Arizona, as she has only the Colorado River to depend upon for the development of her natural resources for agricultural purposes and the Colorado-Wyoming decision substantiates the beneficial, economical, prior appropriation and continuous use of water as between States, and Arizona is a young and growing Sovereign State, it is absolutely necessary to demand that she be given her rights and that she hold the filings already made for and in be-

half of the State and make other necessary filings for and in behalf of Arizona.

The Colorado River Compact as formulated at Santa Fe, the 14th day of November, 1922, has from the date it was drawn been threatening the welfare of the State of Arizona, the like of which has not confronted any state in the history of our Nation, relative to the development of her natural resources for agricultural and industrial purposes. The Compact flagrantly upsets the tested basic laws of our government, which so fairly govern the development of these natural resources; and is the substance and essence of unfairness, and would cause endless litigation.

The Colorado River Compact or proposed supplemental Compact positively deprives Arizona of the power of developing projects which mean much to her future welfare, and deprives her of her rights, by the unfair division of the waters of the mighty river to the Lower Basin States, by absolutely paving the way for the construction of the Boulder Canyon Dam at the extreme lower end of the canyon, and thus controlling the entire Colorado River waters.

LOWER BASIN TREATY TO DIVIDE THE WATER THE COMPACT ALLOWS NO REMEDY.

Any agreement among the Lower Basin States, viz: Arizona, California and Nevada, proposing the division of the waters among themselves, which the Compacts allots to the Lower Basin would not change any of the scores of evils of the Compact even if Arizona were given all the water allocated to the three Lower Basin states, but would only compound the many evils in the Compact by this additional Tri-State Compact, and would destroy several hundred irrigation projects over the State of Arizona and leave six millions of acres of land a desert forever.

This preconceived, long planned subtle well worded Compact is so masked that individuals, perhaps innocently, misled by their propaganda a great majority of the people and the members of the Sixth and Seventh Legislatures in which I served, into thinking it was all right. The Sixth Legislature assembled and without definite information fortunately defeated the passing and ratifying of the Compact by a very narrow majority, but saved temporarily at least, the welfare of Arizona's future development, notwithstanding, that every effort, influence and intimidation which could be brought to bear upon the members was used to force the Compact through the legislature, even before the engineering and legal data had been obtained.

INTRODUCED SEVERAL RESOLUTIONS IN SIXTH AND SEVENTH LEGISLATURES TO DEFEAT PACT AND MAKE APPROPRIATIONS FOR DATA AND TO FILE ON WATER.

During the Sixth and Seventh Legislatures, as Senator, I presented several resolutions asking for the appropriation of money to get necessary data so we could file on Arizona's irrigation and power rights, but all the resolutions failed to pass in the Sixth legislature. After such failure it became absolutely necessary that individual citizens of Arizona give their time, money and personal work to help awaken the public sentiment and arouse the people of the state in righteous opposition to the Santa Fe Compact and the Tri-State Supplemental Compact. I, personally, having spent most of my life and a great deal of money in reclamation work, in the laying out and building of irrigation projects in Arizona and spending several millions of dollars for the improving and developing of lands thereunder, to the highest state of cultivation, could through this experience see the great danger to which Arizona was subjected and I sacrificed money and all of my time for three years during and since the Sixth and Seventh Legislatures and volunteered my services and money to help safeguard Arizona's in-

terests and I expect to do so until this fight is won; and to obtain facts and engineering data in behalf of Arizona. In this attempt it required the moral and financial assistance of multitudes of loyal Arizonians, and they readily responded to the call. In conjunction with them, the Governor assisted. We thus obtained much information and accomplished a great deal to enlighten a majority of the people of the State of Arizona and awaken them to the realization of the dangerous position in which this State would be if the Colorado River Compact had been ratified, or should ever be ratified.

ARIZONA CITIZENS MONEY AND TIME GETS RESULTS

From this information, and assistance, we obtained the postponement of the Diamond Creek permit; the Sturtevant-Stam Survey of Glen Canyon all gravity Highline Canal Project, and the filings on these projects for and in behalf of the State of Arizona, made September 20, 1923, by myself as Trustee for and on Glen Canyon storage irrigation and power Dam, the Spencer Canyon Diversion Dam and Power Dam and the Arizona Highline Canal, an all gravity project which will irrigate 3,500,000 acres. I made for the State again on May 11, 1925, supplemental filings on Bridge Canyon Diversion and Power Dam.

Much reliable information and education from a great relief map of the State of Arizona, showing the proposed irrigation and power projects which could be developed for Arizona, was made. This map was on exhibit at the State Fair in 1923, 1925 and 1926 and was until 1925, on exhibit in a valuable space donated for that purpose through the courtesy of Messrs. Garnett and Gibbs, in the Grand Central Market, Phoenix, Arizona.

During the Seventh Legislature, January, 1925, upon request of Highline Reclamation Association and many citizens who assisted and who had helped in this fight during the past three years, Governor Hunt authorized recently completed Frank Trott Survey of the Bridge Canyon and Spencer Canyon Dam sites, etc., on the Colorado River. These two dam sites are the two best in the entire Colorado River Canyon. Through this survey there was ascertained a tunnel running from either Bridge or Spencer Canyon to Topock, sixty-two miles in length, which lies between the Sturtevant-Stam survey and the Arizona Engineering Commission Survey. The Arizona Engineering Commission Survey Tunnel is ninety-two miles long and their Highline Project was estimated to cost \$225.00 an acre with only near one-half the acreage to bear the costs. The Sturtevant-Stam Survey Report estimated the cost with only thirty miles of tunnels at \$80.00 per acre and the Trott Survey did not go over the Sturtevant-Stam Survey, except the upper end. Mr. Trott recommends through his survey investigation, and other information obtained, that it is essential that the State of Arizona appropriate at least \$100,000.00 for a complete survey of these projects.

After survey of the Bridge Canyon Dam by Trott and Parker which proved to be one of the best diversion power dam sites on the Colorado River six miles above Spencer Canyon Dam, I, on May 11, 1925, made supplemental irrigation and power filings on Bridge Canyon Diversion and Power Dam, Spencer Canyon Diversion Dam, Glen Canyon Storage Dam, and Arizona Highline Canal with water and power to irrigate three and one-half million acres of land in Arizona.

With the assistance received from many citizens, too numerous to mention, throughout the state, including such engineers as Reid & Baker, Robert Williams, and George H. Maxwell, Executive Director of the National Reclamation Association, we have compiled enough data for a basis upon which to establish a fund of information, due diligence in securing this data and affording protection of the filings.

**PEOPLE, FORMERLY MISLEAD, SEE DANGER IN COMPACT THERE-
FORE, COMPACT LEADERS INTRODUCE IT UNDER MASK IN
THE FORM OF A CAMOUFLAGE TRI-STATE COMPACT, SAME
VETOED BY GOVERNOR GEORGE W. P. HUNT, OF ARIZONA**

When the Anti-Compactors first started on their fight in 1923, in the Sixth Legislature, the majority of the people having been misled, were in favor of the Colorado River Compact, formulated at Santa Fe, New Mexico. However, through constant application and hard work covering a period of several years, the people of this State finally awakened to the situation and the majority of the citizens arrayed themselves against the Compact, and when they elected their Representative to the Seventh Legislature, a majority of the State Senate members were against the Colorado River Compact.

When the Seventh Legislature convened, in the winter of 1925, after the hardest struggle ever fought in any legislature, the Supplemental Tri-State Pact Resolution was passed, which was identical with the Colorado River Compact in content, and was put forth in Resolution form so as to evade the Governor's veto and the referendum, but, thanks to our Governor, for he saved the day, for he vetoed the Compact Resolution No. 1.

This resolution was in effect, the Heard Plan, which is synonymous to the Compact, and it was this camouflage plan, the Compact representatives presented. The people had been fooled again. However, we had awakened them to the dangers of the Compact, and when they learned that this resolution was only another form of Compact embodying the same dangers to their state, they arose in protest.

TRI-STATE CONFERENCE

This Resolution provided for the appointment of a Committee by the President of the Senate and the Speaker of the House, both strongly in favor of the Compact; this committee was to be composed of five members, and to confer with a like committee from Nevada and California. The Pro-Pact members thus thought they could, without doubt, control the situation. Committees were appointed by both California and Nevada Legislatures and the members of these committees were also Pro-Pact; that was forseen. They were all strongly in favor of the Boulder Canyon scheme and were of course, desirous of meeting with the committee in sympathy with their methods, in Arizona. The Arizona committee was appointed by the President of the Senate and the Speaker of the House, regardless of the fact that the Governor of Arizona had vetoed their Resolution. The committee appointed was composed entirely of those who had taken the lead favoring the Compact resolution in the legislature.

At a later date, the Governor, by virtue of his office, appointed a committee to confer with the California and Nevada legislative committees. The governors of California and Nevada, apparently to save exposure, agreed to hold a conference with Governor Hunt. The committee appointed by Governor Hunt was finally designated as the Official Committee and after some display of political tactics by California and Nevada, were finally recognized as the committee properly clothed with authority to act in the name of and for the people of Arizona.

The Tri-State Committees met at Phoenix, Arizona. From the very opening to the conclusion of this meeting, the California and Nevada committees revealed an attitude rather dictatorial. They refused to act unless we first agreed to the building of the Boulder Canyon Dam.

The selfish and ridiculous demands made by the California and Nevada committees awakened the people of Arizona. I think that the alarm spread to every county in the state and that the people will get busy to see to it that positively nothing is done to jeopardize Arizona's interest or that no man runs for office unless he is one hundred per cent right on the Colorado River question.

There exists a great necessity now to awaken the people of Arizona to the danger of the Diamond Creek Power Dam Permit, which is almost as dangerous as the Colorado River Compact, and the Boulder Dam Project.

SUFFICIENT DATA ALWAYS AVAILABLE TO DEMAND THE REFUSAL TO ISSUE DIAMOND CREEK PERMIT

There has been for several years, sufficient State and Government information (data), geological engineering maps, elevations to see the danger of compact, Boulder Canyon Power Dam and Diamond Creek Power Dam. Can it be possible that with this information at hand, and the water in the Colorado River running at an elevation of approximately two thousand feet above six million acres of desert land, that; a Diamond Creek power permit once given to destroy this irrigation? It was in justice that Governor Hunt requested Arizona State Water Commissioners to refuse extension of Diamond Creek Permit, and in compliance with this request the Commissioners did refuse in 1924, to extend the said permit.

The Diamond Creek Dam, if built, would destroy the Bridge Canyon Diversion Dam to a Highline Canal, to irrigate four million acres in Arizona.

The alarming need for irrigation and engineering data for Arizona demanded and assisted by Highline Reclamation Association, Governor and Citizens of the State were positively required to establish priority, due diligence and action and a more exact programme for best and quick development of the river.

When many special and larger interests are in the different states united in filing on the Colorado River waters, spending millions of dollars in proposing, destructive, uneconomical development on the river, thus destroying Arizona's irrigation industry, naturally Arizona has cause for alarm, and cause for the expenditure of money in sufficient amounts to cover the cost of securing services of the very best engineering and of the necessary information and data from Engineer's reports that will serve to protect Arizona's projects, prove their practicability and develop them and take care of future projects.

HIGHLINE PLAN BEST FOR ARIZONA AND NATION

The Arizona Highline Reclamation Association Plan, is the maximum, economical development of the Colorado River for Arizona and the other Colorado River Basin States. This Association offers the only constructive plan for development and protection and we have been putting our plan into operation for the last several years and are continuing our plans of development. We have the assurance of the Government backing us in our work, and as the Government is the people and the law; our plans serve all the laws and the people of Arizona and the Nation.

Other states may stop power dams such as the Boulder Dam, and the Diamond Creek Dam, for such dams interfere with irrigation, which is the basis of life and civilization in the arid regions, but neither they nor the Government could stop us from irrigation development and the development of the power that naturally goes with irrigation projects, of the unappropriated waters of the Colorado River, especially when our plans give maximum, economical, and beneficial development of the River, as we have filed and used due diligence in protecting our filing and these will not in any wise interfere with legal procedure in the development of the stream in the upper States. Under the plan there is plenty of water and the River will double its flow in the future.

ARIZONA NEEDS MILLIONS FOR SURVEYS

Arizona should appropriate millions of dollars to protect her rights. She should have adequate surveys for her development of irrigation and power rights and continue to establish her priority. Arizona need not fear for her power dams, as they are in Arizona, and cannot be taken out of

the State, but with irrigation no individual, municipality, State or Government can own water, secure the beneficial, economical, maximum and prior continued use of water, and the laws require filing, and due diligence to establish this. We have used every effort to do this against unheard of opposition and obstacles which were put into our path continuously. We shall continue to use diligence.

MONOPOLY SPENDS MUCH FOR EXPLOITATION AND PROPAGANDA

The large power interests and American Speculators in Mexico have spent millions of dollars to try to exploit us, and in surveys and filings have attempted to defraud us. The big Power Companies and American-Mexican land interests have spent millions of dollars trying to exploit Arizona. Los Angeles alone voted one-half million dollars on one plan to survey an aqueduct to carry water from the Colorado River to Los Angeles. This plan involves a storage dam, 1700 pump lift and eighty miles of tunnels and Los Angeles is not even in the Colorado River System; a few months after their survey voted two millions to commence construction to be used after thirty years, when they claim they will have exhausted their own water.

Yet we have Publications and people who are unpatriotic enough to fight even a small appropriation for surveys and establish facts and data on the Colorado River for our protection when we have millions of now thirsty land awaiting but the magic power of irrigation, to claim it and convert it into farms and gardens and orchards.

"OVER SUPPLY OF PRODUCTS" FALSE POWER TRUST PROPAGANDA

There is power trust propaganda being spread broadcast in Arizona and the United States that is false and which is leading people to think that we have now an over supply in irrigable lands and that production is greater than consumption from these lands. Nothing is more untrue, for in Arizona we are importing into the State large quantities of raw, and manufactured products also packing products which we could produce here and consume.

Any one should know that it takes a large volume of production to make a good, economical and competitive market. No state or nation is poor or suffers from over supply; but its wealth depends on the amount it can ship out, or export; our industries are but in their infancy, so to speak, but there is always a great demand for our products. But of course to discourage irrigation would make the power projects of greatest concern and moment and these they could easily monopolize.

GLEN CANYON ARIZONA HIGHLINE SURVEY

After adjournment of the Sixth Legislature, May, 1923, it was necessary, in some way, to get financial assistance from the State and from patriotic citizens both Republican and Democrat, as this is a non partisan fight, and then file on the rights to which Arizona as a state was entitled. We accomplished this after months of struggle and great opposition, with the assistance and the self-sacrificing work of many citizens of Arizona.

The survey of the Glen Canyon, Arizona Highline Canal turned out more favorable than was expected by anyone, and with the engineering data thus secured, we had, while not complete, enough facts before us to enable us to file on the State's Power and Irrigation Water rights, which I did, for and in behalf of the State of Arizona, acting as Trustee for the State, with the approval of the Governor. We have now sufficient information and data compiled to counteract the dangerous propaganda which has been spread broadcast; such as "That the Federal Government would

not permit filing on reservoir sites along the Colorado River because the Federal Government owned some of the lands along the River. The Federal Government consists of the people and the peoples' laws, and acts only as a protectorate, permitting Arizona or any other state to use her rights in filing, holding control or withdrawing from entry of resources is only a means to protect the inhabitants of the State from monopoly.

FALSE STATEMENT

Another false statement made by the pro-actors was that the water of the Salt and Gila Rivers was not covered under the allotment made by the Compact. As a matter of fact, the Compact distinctly states that the water allotted includes that of the Colorado River and all its tributaries.

It is an absolute fact that the Colorado River Compact is not needed, as our laws provide, amply, for all the necessary avenues for immediate reclamation development and flood control. We have compacts between nations only, as there are no enforceable laws to rely upon. It would be preferable to live under an absolute monarchial form of Government than to live under an unelastic Compact form of government between several states, when such compact bound up all the natural resources of the States, under it in perpetuity, giving the states no right to develop their own natural resources as provided for under the Constitution of America, which our fore-fathers laid down for us.

PRESENT AND FUTURE DEVELOPMENT IS LIFE

The life of a nation lies in the development and the protection of her natural resources, especially agricultural. The natural and legal principles of irrigation is based upon beneficial, economical, maximum, continuous and prior use of water. This principle would be entirely destroyed by the Colorado River Compact and the building of the Boulder Canyon Dam, or any other solely power dam in the Grand Canyon of the Colorado River.

Under the Colorado River Compact, or Tri-State Compact, Arizona would give away by contract seven-eighths of her legal and inherent irrigation rights and lose control of her power rights in the Colorado River, and ninety-six per cent of the power to be generated in the canyon of the Colorado River, lies within the boundaries of Arizona, which is as much power as is now being generated all over the United States of America, by water, and this would be lost to Arizona forever, and

WHEREAS, Arizona has forty-two per cent of the entire drainage area of the Colorado River within her boundaries, which is her inherent and legal percentage of irrigation and her power equity in the waters of the Colorado River System, and which amounts to nearly 12,000,000 acre feet, notwithstanding the deduction from the 8,500,000 acre feet to the Lower Basin by the Compact, of the water already used for irrigation in the three Lower Basin States, the Compact only gives Arizona a fighting chance with Nevada and California for a part of 3,500,000 acre feet of unappropriated water. Therefore, it is absurd to attempt to try to divide the water with California and Nevada, for if Arizona got it all there would be an insufficiently small amount to serve her needs.

AMERICANS GRAB WATER FOR THEIR MEXICAN LANDS

It is easy to understand that the Americans, who own millions of twenty-five cents per acre land in Mexico, would be materially concerned in getting a Compact ratified, which would give them the Boulder Dam, and thereby give them valuable irrigation rights which they do not now have for the development of their lands in Mexico. The water from the base of the Boulder Canyon Dam would necessarily flow to Mexico after irrigating only the low lands in the bottom of the Valley. The proposed

Parker-Gila Project would not change this. It is a delusion and would never be built because for many years it will be uneconomical to pump water 2000 feet and tunnel it thirty miles for irrigation without water power to go with it. The Glen Canyon Highline Gravity Canal Project, which has power to pay for same and would irrigate the deserts in the United States with the Compact and Boulder Dam out of the way.

POWER TRUST GRAB

It is easy to understand that the great power interests would be markedly concerned in getting the Compact, making possible the construction of the Boulder Dam, which would control the entire Canyon if built, first, giving the power interests control of ninety-six per cent of the power generated in the entire Colorado River Canyon, and the entire Colorado River System.

The only dam high enough up the river to irrigate the arid lands of Arizona, is the Glen Canyon Dam, which is in Arizona, but which the Compact tries to place in the Upper Basin, completely out of Arizona's control. If the water is divided as stipulated under the Colorado River Compact, it must be used for power only, and cannot be used for irrigation, except for Mexico's millions of acres, and only a small acreage in Arizona, stated in the Fall-Davis Report to be 230,000 acres.

PACT MEANS POWER DAMS ONLY

The Compact or supplemental lower basin proposed compact so apportions the water that would result in the building of the Boulder Dam, which is chiefly a power dam, and which is seven hundred feet too low to ever irrigate millions of acres of Arizona's lands, the water is used by the power interests for California, for the United States has and does refuse to go into the power business, and the water runs by law of gravity down the natural bed of the river, evenly without floods, to Mexico, to irrigate without expense to them the lands owned by American land speculators in Mexico.

The Compact or supplemental lower basin proposed compact so divides the waters of the Colorado River, that only power dams can be constructed and the Power Trusts would have complete control by building their dams, of the entire Colorado River System, giving only a minimum of the water to be used for irrigation to the United States, and the maximum amount is given for the irrigation of lands in Mexico. This would build up a Japanese Empire just below the line to compete with our peace and prosperity.

WITHOUT PACT IRRIGATION IS SUPREME

If irrigation is given preference then millions of agricultural homes will be built on irrigated lands, and these homes would need control of the power to pay off the irrigation bonds. If the water is used exclusively for power, then the power dams will absorb all the money available in the money market needed to pay for the irrigation projects, whereas we do not lose a kilowatt of power if irrigation is put with power; but exclusive power dams hold up irrigation for centuries.

Naturally, great power interests fight irrigation projects when they interfere with their Compact and their power dams, such as the Boulder Dam and Diamond Creek Dam.

GLEN BRIDGE HIGHLINE NOW PRACTICAL

The best proof of the practicability of the Glen-Bridge-Highline Canal Project is not only our own engineering reports, but we can prove the

feasibility of this Project by the engineering reports of its opponents. I refer to the report of the Arizona Engineering Commission, which has been published in pamphlet form by the Arizona State Water Commissioner in 1923.

The services of E. C. LaRue, Chairman of this Commission were loaned to the State of Arizona by the United States Geological Survey. Arthur P. Davis appointed P. Preston, and W. S. Nervi, the deposed Water Commissioner of the State of Arizona appointed R. E. Turner to serve on this Commission. Albert B. Fall was secretary of the Interior, and Arthur P. Davis, the deposed head of the United States Reclamation Service, who made the engineering report upon which the Compact was based, recognized in conformity with Article 3, Paragraph C of the Compact, the giving of forty per cent of the water of the Colorado River to Mexico, and sixty per cent to the United States of America. They were strong advocates of the Compact, W. S. Norviel was one of the signers of the Compact. Soon after, he granted the dangerous Diamond Creek Power Permit.

La Rue, Chairman, sent in a minority report to Governor Hunt, presenting a complete understanding of the laws governing irrigation and the welfare and interest of the people of Arizona, and in the Colorado River Basin. In his report to the Governor of Arizona, he said that many of the larger irrigation projects in the lower basin were no more visionary than any other projects which have already been approved in the Upper Basin. He also stated that a more complete and detailed survey should be made of the Colorado River to protect the projects in Arizona and California for future development.

The majority report of the Arizona Engineering Commission on an Arizona Highline Canal was evidently made to discredit such a canal. The survey was on a lower level than that of the Glen Canyon Arizona Highline Canal, which the Arizona Highline Reclamation Association sponsored and was so low that it made necessary a ninety-two mile tunnel, and another twenty-eight mile tunnel. The elevation that this Commission gave their Highline Canal was so low that it would only irrigate 2,000,000 acres of land which would not include any of the valuable acres in and surrounding the Salt River Valley. At the same time the Commission estimated the cost of their Highline Canal Project exceedingly high. But after all the pains they took to discredit the proposed Glen Canyon Highline Canal, the total construction cost as the Commission fixed it only amounted to Two Hundred and Twenty-Five (\$225.00) Dollars per acre.

POWER PAYS FOR HIGHLINE

One-fourth of the power to be generated in the Colorado River would pay for this. The power generated by their Highline Canal System would pay off the cost of construction in twenty years. Who would want to give away an irrigation project that only cost two hundred and twenty-five dollars per acre when they are now paying as much as Eight Hundred Dollars per acre for water in some parts of California.

Because of rapid strides in the fields of invention and science, a project that would cost Two Hundred and Twenty-Five Dollars an acre now, might only cost fifty dollars per acre in the not far distant future. It hasn't been much over a hundred years since George Washington's time, yet in that period of time we have greatly lowered the cost of construction and made unbelievable advancement.

HIGHEST LINE MOST FAVORABLE

The Arizona Highline Reclamation Association, as well as many citizens of Arizona, know that by making a survey on a higher level than the one made by the above mentioned Engineering Commission, would enable us to avoid long and deep tunnels and most of the other difficulties that

the Commission found. By our higher level survey at the Two Thousand foot level, we were able to bring in under a canal for irrigation practically double the acreage that the Commission showed in their report.

We are able to prove that we could water by gravity, all of the best lands surrounding the Salt River Valley, and nearly all of those surrounding the Lower Florence and Casa Grande Valleys. These lands are near and surrounding paved highways and cities like Phoenix and Tucson, and these will carry more than double the Reclamation expense burdens which cannot be carried by lands not so favorably located.

We cut down the tunnelage to one-fourth of that shown by the Arizona Commission's report. Using the Arizona Engineering Commission's report, it is proof that the Glen Canyon Highline Canal is practical to irrigate three million five hundred thousand acres of land by gravity, and to develop sufficient power to pay for the entire project in forty years.

PACT, BOULDER-DIAMOND CREEK DAMS DESTROY HIGHLINE

The Colorado River Compact, Boulder and Diamond Creek Dams would forever destroy the Glen Canyon all gravity Highline Canal, as well as hundreds of smaller projects in the State, as the Compact includes the waters of the tributaries of the Colorado River. The Division of the waters under the terms of the Compact leaves Arizona a desert forever and destroys the economical development of the entire Colorado River Basin and hundreds of smaller projects.

It is not an argument in favor of the Colorado River Compact to say that the Glen Canyon Highline Canal project is not feasible now. No state has ever been asked to deed away her natural resources because the development of these natural resources may not be feasible now. A project which may not be feasible today may prove entirely feasible later on. It is the future that gives present value and brings new money west.

For example: The Columbia Basin Project, nearly as large a project as the Glen Canyon Arizona Highline Project costs more and has more difficult problems to overcome, yet it was approved by General Goethals. This project also involves six states and Canada, but they needed no compact for water division before commencing work on the project. The Fall-Davis Colorado River Compact, or Boulder Scheme would forever deed away Arizona's natural resources and her right in the power and water in the Colorado River. It gives the water to Mexico and the power to the Power interests.

It is no argument to say we are unable to finance the Glen Canyon Highline Canal Project at this time. Whenever any meritorious project is ready for financing, then it will automatically finance itself. As any new project is developed it presumably begins to bear a portion of the taxation necessary to build it.

POWER WOULD FINANCE

Certainly the cost of construction of the Glen Canyon Highline Canal is not such a problem as our opponents favoring the Compact and Boulder Dam, try to feign; it is a pretense. The strongest opposers of the Glen Canyon-Bridge-Highline Canal, are misleading the City of Los Angeles, and the people in California in opposing the Glen Canyon-Bridge-Highline Canal, when they (California) can be better served and at a cheaper cost of construction under the Glen Canyon Arizona Highline Canal Project System. By obtaining Five Hundred Thousand (\$500,000.00) Dollars for survey investigations, these shrewd interests have proposed the construction of a canal from the Colorado River to Los Angeles and Southern California. This proposition is to pump-lift the water 1700 feet and tunnel it eighty (80) miles.

In comparison to this kind of a project, the Glen Canyon Arizona Highline Canal Project, a gravity project, would be very much more feasible, doing

away with pumplifts, and save the waste forever of three hundred thousand electric horsepower, and serve Arizona and California.

If the American-Mexican Land interests and power interests get what they want, they will have to work by inciting with frenzy and alarm the people of Southern California and Yuma Valley, and the City of Los Angeles, through a scare of shortage of water in Los Angeles and Southern California.

The flood menace in Yuma and the Imperial Valley is a smoke screen behind which is concealed a scheme to build the Boulder Canyon Dam, and get the Compact ratified and give the water to Mexico and the power to the power trusts.

It is a known fact that if the Boulder Dam advocates a bill or proposition which embraced flood alone; it would have no opposition by the people. Congress of the United States of America if irrigation is safely guarded and properly protected in the United States.

There are three different ways by which they can proceed in accomplishing their maligned and concealed objects. First choice is by the ratification of the Colorado River Compact, or Tri-State pact; second choice: some other power dam in the Colorado River Canyon at the same level as Black Canyon or Boulder Canyon Dam, or like the Diamond Creek Dam or a dam so far down as to prevent the building of the Spencer or Bridge Canyon Dam, an irrigation and power diversion dam.

PARKER-GILA PROJECT LANDS SERVED CHEAPER THROUGH HIGHLINE

The Parker-Gila Project is approved in the Arizona Engineering report and at times referred to by LaRue to irrigate 600,000 acres in Arizona, was recognized as feasible. This project has thirty miles of tunnels and a pumplift of 200 feet. This project was estimated to cost \$168.00 per acre and the annual pumplift cost per acre from six to twelve dollars, which would be an equivalent minimum in addition to one hundred dollars per acre, making a cost per acre of \$268.00. This project would not have the electric power to pay for the project and even this project could not be built under the Colorado River Compact, because the Compact fails to apportion enough water for this amount of acreage in the Lower Basin over and above the now vested and used water rights.

LaRue states that there is not enough water for even the Parker-Gila Project if Mexico gets water for 820,000 acres. And even though the Colorado River Compact, which gives Mexico water for more than 820,000 acres of land, and guarantees Mexico's deficiencies, were held in abeyance until a treaty between Mexico and the United States had been made which did not give Mexico the water, even in that event, before the Colorado River Compact could be ratified the Compact would have to be amended so that the Lower Basin would get more water than the present Compact gives it, before we could finance or build either the Parker-Gila Project to irrigate 600,000 acres of land, or the Glen Canyon Gravity flow Highline Canal Project, to irrigate a much larger area. There is plenty of water for all if no Compact, Boulder or Diamond Creek Power Dams are permitted.

The last mentioned project would cost much less per acre than the Parker-Gila Project, and would develop electric power to pay off the cost of construction of the project.

Taking the Arizona Engineering Commission' Report, their own figures show their Highline project to cost \$225.00 per acre, which costs less than the Parker-Gila Project, which the Arizona Engineering report and LaRue said was practical now.

The Parker-Gila Project acreage could all be served under the Glen Canyon all Gravity Highline Canal with no more tunnelage than the estimated tunnelage in the Parker-Gila Project with its 200 feet lift; and the acreage under the Glen Canyon Highline Project being \$90.00 per acre, cost-

ing much less than any of the three plans mentioned, and is nearer and surrounding larger towns and highways, which would make the cost of construction per acre easier to bear.

GRAVITY SAVES WATER AND POWER

Arizona lands can practically all be served by gravity irrigation. Pumping irrigation by power from the original underground water should only be done after ascertaining every possibility of obtaining upper stream gravity irrigation as the natural and original underground water will soon be pumped out, but an upper river gravity flow of water will be everlasting as applied on the surface and furnish an everlasting and multiplying reflow underground supply to be pumped and divided over and over and finally reaching its destination to power channels and the main stream of the river to be diverted again upon lower lands. Wasting power by pumping when gravity irrigation can be accomplished is nothing less than criminal.

GRAVITY, ECONOMICAL USE AND DUTY OF WATER WILL TREBLE PRESENT FLOW OF COLORADO RIVER

The exercising of the guarded, natural, legal, maximum beneficial economical use of water, the present average flow of the Colorado River system of twenty-four million acre feet, which includes the present used rights, will easily double the rivers present flow for the future. This does not include that the present duty of irrigation water will serve two or three times the acreage in the future.

Hence the injustice, danger, impossibility (even with the facts which we haven't) of dividing and binding future use of water, the courts don't attempt this, and the courts and water commissioners are the only just and legal source to even apportion or adjudicate present used or vested rights.

Reclamation and irrigation is only in its infancy in the United States. One proven principle has been established which has not been put into general practice and that is the application of economical irrigation use and duty of water to the lands which will be done in the future as necessity demands, and that proven principle should be taken into consideration when the estimation and division of water for the present and future proposed projects and development of the Colorado River Basin is being made. This proven principle includes the science of the application of irrigation water to lands, taken together with the science of dry land cultivation farming.

A better crop will be grown in the future with from two-fifths to three-fifths the amount of water than is now being used in the present extravagant and unscientific uncultivated methods of irrigation farming.

DISGRACE OF EXPLOITATIONS

Conservation of the natural resources have always been the cry or demand. The nation, in the past, has failed to realize the danger until these resources have been exploited and exhausted, unless by accident, by an awakening, some exploitation scandal is uncovered in time. There has been the forest and land exploitations. Alas! There has been the shuddering political disgrace of the mineral and oil exploitations such as the Guggenheim Coal Fraud and the St. Clair-Albert B. Fall Oil Conspiracy. May the High Power awaken the patriotic, civic and social conscience of the people to exert every effort to shield and develop Arizona's immense irrigation power rights, her very life and prosperity to the west. Haste and indifference could develop a giant scandal greater than all the past frauds combined.

POWER TRUSTS ADVOCATE PUMPING

This is the water electrical power age. The irrigation age will always be an important fundamental age. Electrical power is needed with irrigation.

Power cannot be replenished; it can be economized and protected from exploitation.

The Grand Canyon in Arizona has as much power as is being used in the whole United States. Could it be possible that a few individuals be misled and they in turn deceive the hard pressed people, and the State of Arizona, due to haste and with no information at hand be entrapped to the exhaustion of her resources and the exploitation of the State's power and irrigation possibilities, permitting this great waste of power, to let water be pumped 200 to 1700 feet, when gravity water diversions are possible and practicable, and give the special interests a permanent key to the power of the Colorado River Grand Canyon that would be forever exploited. Special interests would prefer pumping irrigation to gravity so as to make a market for the power.

It is unfair to ask Arizona to be a party to the Compact, meaning the Boulder Dam Project, or Diamond Creek Dam which offers a delivery of water out of the Colorado River System into another drainage area, when Arizona herself has millions of acres of rich fertile land that is now practicable to irrigate.

The Compact adroitly sponsors irrigation first, but, divides the water so as to prevent the Colorado River System from using the water for irrigation. Arizona's only reclamation and agricultural resources lie in the Colorado River Basin as Arizona has no other river system within the boundaries of its state on which to depend for the development of her lands. Other Basin States in the Colorado River, have other river systems for their use.

Beneficial economical use is the basis of appropriation of water, according to the Statutes of Arizona, and the United States statutes and this law of prior appropriation has been tested by the United States Supreme Court in the Colorado-Wyoming decision.

Irrigation comes before or with power, as agriculture is the basis of life, homes and the future of the country. Any rights now granted to private capital or even municipality, State or Government for electric power in the Canyon of the Colorado River by the Government or State without the proper protection and safe-guarding of the agricultural reclamation rights would be a great loss forever to the people of Arizona and all other States of the Basin and we must take into consideration irrigation in conjunction with power.

ANY TREATY MUST BE BASED ON PRESENT LAWS

The Boulder Canyon Dam and the Colorado River Compact, Diamond Creek Dam destroy this sacred reclamation law and this is one of the dangers of compacts of any kind between states governing river development except the agreement would follow the tested, satisfactory laws as standards or as a basis. It would be a physical and practically an impossibility for an agreement to justly apportion water between states without all the legal, physical and engineering facts being ascertained and compiled in all districts and States in the drainage area and of the entire river system, and then only vested and used water rights could be apportioned.

No court would make any attempt to apportion and adjudicate water without all the facts and information and even then the courts do not attempt the impossibility and render injustice by dividing future water but rather do they base their judgments upon the vested and perfected rights. Arizona cannot get justice unless that is done. Arizona only contends for her natural rights, her legal and just percentage, and her equity in the waters of the Colorado River; and the fact that Arizona is contending for her rights on such a basis could in no way interfere with the entire and proper development of the Colorado River in all the Basin States.

GUARD OUR LAWS PROTECTING NATURAL RESOURCES

Our forefathers who inspired our constitution and laws, based on the

freedom of progress, growth and protection of the weak, minority and new growth, saw that these laws and natural principles were required for humanity, that we might progress. These same laws, and the principle of the Constitution and natural principles apply to and include the natural resources, (animal, vegetable, mineral life) the basis upon which we subsist, especially the natural resources, life, water and land, which is food and homes. The Compact destroys the above laws and natural principles that we must rely on to get quickest and best results in the development of the Colorado River for Arizona and the Nation.

No person, political representative or organization is American who does not protect our above mentioned sacred laws and principles and the only real way this can be done is to be more concerned in our political representatives and issues of the day. Do not be misled by the most damaging slogan ever known in history, "Keep This Out of Politics."

All the other Basin States of the Colorado River and the power trusts and Mexican land interests have and are getting engineering and filing data for their individual selves and states, and have spent millions of dollars in obtaining information for their protection and use. Arizona has little information and should likewise in order to facilitate a quick development of the Colorado River and to protect herself in establishing priority, economy and due diligence the only course.

MORE DATA NEEDED TO CONTINUE ESTABLISHED PRIORITY AND DUE DILIGENCE

The policy of the legislature and the people should be to provide, by suitable legislation and appropriation, for the making of complete surveys and engineering investigations and filings regarding the possibilities of using the unappropriated waters of the Colorado River for irrigation and for power within this State; Also for the investigation by competent legal authorities of the present statute of our rights to the use of waters and for the protection and preservation of such rights as practical now or in the future.

That further consideration of the Colorado River Compact and the supplemental Boulder Power Dam and Diamond Dam proposed between the seven states of the Colorado River Basin, which was proposed by the representatives of the several states at Santa Fe, New Mexico, on November 24, 1922, or any amendments or supplements should be indefinitely postponed, so as to properly protect the interests of Arizona and the United States of America by obtaining engineering and legal facts in order to hereafter obtain, if necessary, a compact between the states which would be fair, constitutional, and in conformity with tested and fair reclamation laws.

The granting of power permits, compacts and water rights to special interests, or for the building of the Boulder Canyon Dam, or any other similarly situated dam as Diamond Creek Power Dam would destroy agricultural development, would be ill-considered, premature, unwise and in violation of constitutional rights and federal statutes and of Section 7, Chapter 64, Session Laws of Arizona, 1921, to-wit: "That when the proposed use conflicts with the vested rights or is a menace to the safety or against the interest and welfare of the public, the application shall be rejected;" and is against the will of the people of Arizona and will be indefinitely delay the adjustment of the rights and claims of the various states in interest, interfere with the flood control of said River and hinder the development of the irrigation and power uses thereof; irrigation, homes, food and clothes, the base of life, and that we urge the State Water Commissioner and the Federal Power Commission to withhold approval of any power site, except filings made on sites for the State of Arizona, on the main stream of the Colorado River within or partly within the State of Arizona, until the people of the State and the United States have determined the proper course to pursue to obtain a systematic development to cover flood water control, irrigation and power sites.

ALL NEW FACTS PROVE HIGHLINE PROGRAM CORRECT

Every survey made by Arizona of her possibilities in the Colorado River discloses new and startling facts favorable to Arizona, and increased irrigation and all the several surveys and investigations indicate that, in addition to unquestioned stupendous power Arizona will find herself possessed of the feasibility to irrigate, several millions of acres of land within her borders, both of which would prove an undeveloped heritage greater than possessed by any other state.

When this great resource is possible of realization, should any legislature or governor or people deliberately do anything by a false step or misdirected action to destroy this opportunity, such a move would constitute a blunder so gigantic as to have no equal in American history, and would bring to Arizona's representatives just hate of the people that is to come, while they weep for an empire that was lost.

The terms of the compact, or supplemental Tri-State compact, are such as to forever prevent such a development; part of these terms being found summarized in the following points:

1. The division of the water gives the upper basin more than it can use, and to the lower basin much less than it can use, even much less than Arizona might be able to use. By this provision Arizona would give away by contract, rights to water she now possesses, under decision of the United States Supreme Court, sustaining the law of prior and beneficial use.

2. Arizona's control of her reclamation resources is destroyed by the right given to other states to come into Arizona and build dams for their own use.

3. The great sources of water on the Gila, and little Colorado Rivers, now use and protected by the law of prior and beneficial use, are jeopardized.

4. The right of the upper basin to deliver in any number of years less than ten, all the water the lower basin would be entitled to during the ten year period, would make the supply of the lower basin erratic, uncertain and fatal to successful financing.

5. The water not divided for forty years would not be used by Arizona nor any other state, but would be lost for all time to all states, because when regulated it would be appropriated by lands in Mexico which cannot now use it, due to uncontrollable floods.

6. It being impossible now under the Compact, it would remain so forever, as it would never be possible to amend the compact in any way, to shake the hold of the upper basin on the extraordinary and special advantages secured to it.

7. Places Glen Canyon Irrigation Dam, the key to the Colorado River in the Upper Basin, out of Arizona's reach and jurisdiction.

8. The Compact places Arizona in any question relative to the development of the Colorado River, alone with the field against her, and allows water to be taken out of the River Basin.

9. Compact divided the water to the Lower Basin restricting irrigation dams, such as Glen Canyon Dam, providing for the building of the Boulder Dam and the Diamond Creek, power dams only, thereby disturbing their own dual purpose of aiding irrigation storage, saving millions of acres of land from the desert. The Compact would destroy economical irrigation development of Colorado River so as to hinder the increase of the present average, 24 million acres feet flow, which will double in the future.

10. No treaty with Mexico by the United States would give the United States or Arizona any rights to the ten million acre feet of Arizona's water, if we sign the Compact or the compound supplemental lower basin compact.

11. Its character as a legal document is unknown to the courts and its every provision would be subject to attack, in law and equity, thus consuming a generation in litigation, and rendering useless the efforts of a generation just passed in developing the great and only righteous method, the law of prior beneficial and economical use.

12. No supplemental Tri-State agreement or compact of water division with states of the Lower Basin will cure any of the defects and this should not only be stated but shouted from the housetops, until Arizona is ready to act with engineering facts and protests.

Arizona is in a most favorable position with respect of having the support of the Nation in its use of the Great River for the reason that the more water drops through the Canyon, the more power will be developed and the more water used for irrigation on lands in the United States and the greater will be the agricultural development and the greater number of homes will be established. The present tested laws of prior beneficial continued use together with the greatest use will receive the approval of the Nation. The lower basin is financially able now to develop the river according to its present needs, and to protect its future rights. Investigation may show, that in addition to what the needs of Arizona might be, that a joint development in unit structure might be desirable and prove most economical, resulting in a division of costs, and it is highly probable that a conference should be held with the States of the Colorado River Basin to discuss plans, decide on large and definite development after Arizona acquaints herself with all the facts with respect to her ability to use the resources of the Colorado River in order that she may be on an equal footing with the States, Municipalities and private interests that might be in the conference, and which have expended many millions of dollars in ascertaining their facts for their own benefit in shameful contrast to the pitiful efforts of Arizona to date.

If Arizona enters any such conference, she should know not less, but more than other parties to the conference, because she will have many times the interest at stake and if she is not as fully prepared with a thorough knowledge of all her opportunities in the river she will be forced into the position of a supplicant, in which she should be given a sovereign States, all with but one result, the loss of her heritage, because she was not properly prepared to defend herself in her rights to the Colorado River.

**ARIZONA HIGHLINE CANAL, SPENCER CANYON DIVERSION DAM,
GLEN CANYON DAM FILED ON FOR THE STATE OF ARIZONA,
BY FRED COLTER. ENGINEERING PARTY FINISHES SUR-
VEY AND REPORT IS SUBMITTED TO THE GOVERNOR,
SEPTEMBER, 1923.**

With the approval of the Governor, Senator Fred T. Colter, President of the Arizona Highline Reclamation Association, for and on behalf of the State of Arizona, completed filings for water and power made with the State Water Commissioner on the Colorado River for twenty thousand second feet of water for the Arizona Highline Canal; the Spencer Canyon Diversion Dam, capacity fifteen million acre feet, the Glen Canyon Dam, situated at the upper end of the Grand Canyon, 52 million acre feet of storage water all for three and one-half million acres of land coming under the Arizona Highline Canal to be irrigated throughout Arizona.

Senator Colter states: "There has been great anxiety expressed by many people of the state for the necessity of these filings being immediately made, especially since the handing down of the Colorado-Wyoming Supreme Court decision last year, which substantiated as between states the long-used, satisfactory and tested law of prior appropriations that has been established in most all of the western irrigation states. However, there hasn't until now been sufficient information and engineering data to make these filings, until the return of the engineering party led by George W. Sturtevant and Edward L. Stam sent out by the governor to make a reconnoissance survey of the Arizona Highline Canal some time ago.

"This has now been done and the engineering report completed and the report of the Arizona Highline Canal and Diversion Dam has developed more

feasible and much cheaper than expectations of the most optimistic. This report, in addition to the facts ascertained in the survey, was based on much previous work by the engineers and their personal knowledge, in addition to engineering data and facts previously obtained which is set out in their following report by George W. Sturtevant, engineer in charge of the survey, who in estimating the cost says the project is practical.

SUMMARIZED COST OF THE ARIZONA HIGHLINE CANAL

A diversion dam located in the lower canyon section of the Colorado River, five miles below Spencer Canyon, constructed to divert water at the 2000-foot level as a gravity type monolithic concrete dam, and including electrically operated headgate system, 30 miles of railroad with equipment, cement plant, all necessary housing, cables, hoists, machinery, tools, equipment and labor, will cost \$46,340,000.

A Highline Canal, all concrete lined 548 miles total length, with a capacity of 15,000 cubic feet per second for over 250 miles, and reduced in capacity for the remainder of its mileage, including 27 miles of cement-lined tunnels (all short in length) and including power operated headgates at all lateral canal system, will cost \$206,116,000.

One hundred and fifty-five miles of main lateral canals, all concrete lined and leading to distribution centers for water supply to 3,500,000 acres, will cost \$37,544,000.

Total cost, \$290,000,000.

This does not include credits from government for flood control, nor the power developed on the Highline Canal that will eventually pay for the cost of the entire project.

GEORGE H. STURTEVANT,
Engineer in Charge of the Arizona State Survey Party.

PUBLISHED IN PAPERS OVER THE STATE, SEPTEMBER, 1923.

Senator Fred T. Colter, President of the Arizona Highline Reclamation Association, who filed for and on behalf of the State of Arizona, on waters and power of the Colorado River, says:

The filing on the waters of the Colorado River for the Glen Canyon Dam and the Spencer Canyon and Arizona Highline Canal and for the State of Arizona establishes and gives Arizona a priority that will date from the time of filing. Besides protecting her, it gives her the primary information to confer and negotiate with any or all of the states concerned as well as the federal government, her protectorate. Especially will that be easy now since all of the law on the subjects of water are clear and thoroughly tested as in the states and between the states.

The Colorado Compact, however, has practically no precedent in the United States, and would upset our present easy course. It would kill those above projects that we should preserve and protect for Arizona. The Arizona Highline Canal would require alone all the water that the compact allots to the three lower basin states, which is eight and one-half million acre feet. The compact positively in the eight and one-half million acre feet of perpetual and unchangeable allotment, includes the present used water rights and clearly states the taking of the ten million acre feet of surplus waters and all other rights unallotted to either basin are included and charged solely in the pact apportionment of the eight and one-half million acre feet, leaving only a very small acreage that could be irrigated in Arizona then with the remaining water after you divided the approximate three million acre feet that the pact would leave between the three lower basin states.

It is rumored that Arizona, California and Nevada might get together by a Tri-State-Compact and then ratify the Santa Fe Pact, but think of the absurdity of ratifying a pact that gives our water away, leaving no water to

agree on. It is an absolute fact that there is more than sufficient surplus unallotted water in the total Colorado River basin over and above the sixteen million acre feet, total allotment in perpetuity by the pact than is necessary to supply the millions of acres of land under the Arizona Highline Canal, and the other projects in this state, , as well as other states, which surplus we can't take by the pact but is given to Mexico.

"One problem that unfortunately has been confused in the public's mind today relative to these reclamation projects is the ability to finance them. Naturally, the first consideration that confronts Arizona she has accomplished, that is, to file and establish her rights; and the next object is to get engineering data sufficient to complete them, and then when the time comes to finance, which will take some time to prepare the necessary data leading up to that point; we will then have several plans by which finance can be accomplished. By the State of Arizona, that is, with the United States government; or by both state and government, or by state irrigation district bonds. But the state should at least do as all other states have done—take charge of the situation and protect and ascertain her rights, at least up to that financing period, and if it develops that it is better to finance through the government or in some other way rather than by herself, then there will be plenty of time to decide on that.

"Upon the recommendation that \$25,000 be spent to survey Arizona Highline Canal of the E. C. LaRue, chief of the United States Geological Survey, who is the highest authority on the Colorado, was the climax and stroke which urged myself and association to action to protect and file on Arizona's rights, which I tried to accomplish in the Sixth Senate, resulting in the Governor's authorization of the immediate survey of the Arizona Highline Canal. The Project proved very feasible on the 2000-foot diversion level, and this is the only survey that has been made anywhere near this level.

"Arizona has not now sufficient money to obtain engineering data and facts to protect her sufficiently and protect these filings in the long future; it is quite essential that there be an initiated petition to the people to raise the funds to protect her billions of dollars worth of water, land power rights and save her taxable wealth, making homes and establishing industries for millions of people, thereby making good business and relieving taxation."

**STATE OF ARIZONA FILES ON BRIDGE CANYON DAM SITE—HIGH-
LINE IRRIGATION PROJECT NOW PERFECTLY FEASIBLE
THROUGH SENATOR COLTER'S NEW LOCATION (SUP-
PLEMENTAL) MAY 11, 1925.**

President Fred T. Colter of the Arizona Highline Reclamation Association, Monday filed, in behalf of the State of Arizona, on the rights to the Bridge Canyon Irrigation Diversion Dam Site on the upper Colorado River, just below the Grand Canyon. For all practical purposes, according to the letter President Colter wrote to State Land and Water Commissioner Vernon L. Vaughn with the instrument of filing, the Bridge Canyon Irrigation Diversion Dam Site is the same as the Spencer Canyon Irrigation Diversion Dam Site, on the rights of which Colter filed for the State of Arizona in 1922. These two dam sites are only six miles apart.

Engineer E. C. LaRue, chief of the United States Geological Survey, believes that the Bridge Canyon Dam Site is preferable, while Engineer George W. Sturtevant, who made the original survey for the Arizona Highline Reclamation Association, has stated that the Spencer Canyon Site is ideal. But it is President Colter's idea to secure by means of today's filing the rights to both of the sites for the State of Arizona.

The Spencer Dam Site is at an elevation of 1105 feet and the Bridge Canyon site at 1207 feet. Either of these proposed diversion dams would divert the water, according to the plans of the Arizona Highline Reclamation Association, from the Glen Canyon storage reservoir which is situated just above

the Grand Canyon at an elevation of 3115 feet, and which will have a capacity of 50,000,000 acre feet.

In L. A. Times report LaRue recommended the use of the Bridge Canyon Irrigation Diversion Dam—included in the Arizona Highline Reclamation Association plan—saying that it would enable Los Angeles to secure water by gravity from the Colorado River. The Los Angeles city authorities had previously planned to secure Colorado River water according to the plans of the Mulholland survey, which contemplates the building of a dam in the Boulder Canyon at an elevation of only 700 feet, and then pumping the water 1408 feet at a cost of several million dollars a year.

California authorities have become convinced that by using the Bridge Canyon Irrigation Diversion Dam and the Arizona Highline Reclamation Association plans that California can irrigate a million acres more than by using the Boulder Canyon Dam, which is good for power purposes but of practically no benefit for irrigation purposes.

Much other valuable information is given in President Colter's letter with the instrument of filing, written to State Land and Water Commissioner Vaughn:

COLTER'S LETTER OF WATER FILINGS

Phoenix, Arizona, May 11, 1925.

Mr. Vernon L. Vaughn,
State Land and Water Commissioner,
Seventeenth and Jackson Avenue,
Phoenix, Arizona.

My Dear Mr. Vaughn: In behalf of the State of Arizona, I am filing on the waters of the Colorado River as they will be diverted by the Bridge Canyon Irrigation Diversion Dam from the Glen Canyon Storage Reservoir through the Arizona Highline Canal to irrigate 3,500,000 acres of land in Arizona.

My filing on the Bridge Canyon Irrigation Diversion Dam Site, which site is situated six miles above the Spencer Canyon Irrigation Diversion Dam Site, is supplemental to my filings made in 1922 on the latter site, on the Glen Canyon Storage Dam Site, and on the Arizona Highline Canal Site as outlined in the Sturtevant survey.

By the Frank Trott survey it was determined that the Bridge Canyon Irrigation Dam Site was as good or better than the Spencer Canyon Dam Site. E. C. LaRue, of the United States Geological Survey, in a recent report as stated by the L. A. Times that the Bridge Canyon Irrigation Diversion Dam—Arizona Highline Canal project—is a better plan for Los Angeles than that of the Mulholland-Boulder-Canyon, which contemplates raising the water to a height of 1408 feet by an expensive pumping process. Besides costing several million dollars a year, the pumping plant would be liable to break down at any time. LaRue shows that a dam at Bridge Canyon, which was first proposed by the Arizona Highline Reclamation Association—the Spencer Canyon Dam Site and the Bridge Canyon Dam Site which are only six miles apart, being one and the same for all practical purposes—will enable Los Angeles to get Colorado River water by gravity. Thus it will be seen that the Bridge Canyon—Arizona Highline Canal being practical for California certainly is very much more practical for Arizona.

A careful study of the Arizona Highline Reclamation Project, which contemplates the Glen Canyon storage reservoir, followed by a careful study of the report on the Bridge Canyon Irrigation Diversion Dam, shows the Highline reclamation plan will most quickly develop Arizona's irrigable lands and the 6,000,000 potential electric horsepower of the Colorado River. The LaRue report shows that the Highline reclamation plan is the best for California, and is therefore more preferable for Arizona. By this plan it will be possible soonest to obtain complete flood control and soonest to get the maximum irri-

gation and power development out of the waters of the Colorado River. And in no way will this Arizona Highline reclamation plan interfere with the legal rights of the other six Colorado river basin states concerned. There is, moreover, a splendid opportunity for California and Arizona to work together in the completion of the highline reclamation plan which will be of a maximum benefit to both states as compared with other Colorado river development plans now being considered.

FILES MUCH DATA

I submit that in the light of these statements it behooves all of us who believe in the rapid economic development of the potential Colorado River irrigation and power resources, and in advancing the general welfare of our state, to see that our filings are protected with all possible diligence to conform to the requirements of the laws pertaining to them.

It is for your information, Mr. Commissioner, that I am filing with this letter to you the data obtained through the efforts of patriotic citizens who have given of their time, money and ability to secure this valuable data which aids in the establishing of facts to protect Arizona's sovereign rights as a state, and to protect her water filings on the Colorado River originally made by myself.

Because of the misinformation broadcast, most of those who have been for the Colorado River compact have opposed any appropriation of money for surveys, investigation and data which would prove that compact to be wrong. But notwithstanding, such investigations, surveys and data will eventually establish truth. And all of the truth will be most favorable to the Arizona Highline Reclamation Projects.

The seventh legislature made an appropriation of \$50,000.00 for a survey of the irrigation and power potentialities of the Colorado River to be matched by the federal government. These appropriations will be of great service to us, and protect our filings, provided that those appointed to supervise the surveys are deeply interested in Arizona's welfare and in securing the most rapid development of the maximum irrigation and power resources of the Colorado River.

Our plan is one of continuous co-operation with you to save and develop the irrigation and power resources of the river. We now have irrefutable evidence that the Arizona Highline irrigation project is feasible. But the data of a comprehensive survey is necessary as a basis on which to finance the development that the project contemplates.

We are now busy with the plans of organizing the owners and lessees of state lands into irrigation districts. We are educating all of the people of the state, as far as possible, in the knowledge that the building of the Bridge or Spencer Canyon irrigation diversion dam, the Glen Canyon storage reservoir and the Arizona Highline Canal, will insure the irrigation of 3,500,000 acres of Arizona land as productive as that of the now famous Salt River Valley, which the federal government declares to be the most successful irrigation project in the United States. In addition this project can irrigate 1,000,000 acres more in California than any other California project yet proposed.

PERTINENT FINANCING IDEA

And here is a pertinent thought with regard to the financing of the proposed Arizona Highline Canal:

Let us take the commonly accepted figures that the Salt River irrigation project with the completion of the Mormon Flates and Horse Mesa dams, will cost \$22,000,000; and that it will produce 80,000 electric horsepower annually, which, it is widely heralded, will in ample time pay off the entire construction charges.

Now it is estimated by competent engineers that there are 6,000,000 electric horsepower in the Colorado river. But let us say, to be ultra con-

servative, that it is only possible to develop 4,000,000 electric horsepower in that river, or just 50 times as much as will be developed in the Salt River project. Then let us consider that the highest estimate for the construction of the proposed Arizona Highline reclamation canal, is \$480,000,000.00. If we admit that the completed Salt River project is economically financed at \$22,000,000.00 to produce 80,000 horsepower, it follows that the highline project would, in a like manner, be economically financed as a power project at 50 times that amount or \$1,100,000,000.00.

For the past two and a half years I have given all my time, money and poor ability to protect the Arizona highline and other irrigation projects for the future development of Arizona. And I pledge that I will remain on the firing line as long as the interests of the state seem to require it.

Trusting that this filing and information may be of service to the state, and assuring you of my hearty co-operation at all times,

Yours very sincerely,

FRED T. COLTER,
President Arizona Highline Reclamation Association.

ADDITIONAL WATER FILING BY FRED T. COLTER FOR ARIZONA

Phoenix, Arizona, March 17, 1927.

Col. Frank P. Trott,
State Water Commissioner,
Highway Building,
Phoenix, Arizona.

Dear Colonel Trott:

I am enclosing you supplemental water filings I have made today for and in behalf of the people and the State of Arizona, with the approval of the Governor, on the Glen Canyon storage, flood control, irrigation and power reservoir, elevation 3,132 feet; Bridge Canyon flood control, irrigation, and power diversion dam, elevation 1,207 feet, and the Arizona Highline irrigation and power canal to irrigate, inclusive of reflow, 4,160,000 acres in Arizona and develop two million electric horsepower that will be more than enough to pay for same.

These filings are supplemental to the filings I made for and in behalf of the state on September 20, 1923, and May 11, 1925. The acreage in each county to be irrigated by the Glen-Bridge Highline canal is as follows: Mohave County, 130,000 acres; Yavapai, 40,000 acres; Maricopa, 1,840,000 acres; Yuma, 1,604,000 acres; Pinal, 320,000 acres, and Pima, 226,000 acres. Total, 4,160,000 acres.

I am also enclosing you original water, irrigation and power filings I have made for and in behalf of the State of Arizona on 11 more wonderful dam sites, all in Arizona, in the Canyon section of the Colorado River, which are as follows: Red Wall Canyon dam, elevation 2,885 feet; Mineral Canyon dam, elevation 2,530 feet; Ruby Canyon dam, elevation 2,235 feet; Specter Chasm dam, elevation 2,000 feet; Havasu dam, elevation 1,782 feet; Devil's Slide dam, elevation 1,033 feet; Flour Sacks dam, elevation 957 feet; Pierce's Ferry dam, elevation 910 feet, and Grand Wash dam, elevation 865 feet. Grand Wash dam site, just within Arizona from the Nevada line, an excellent dam site and will back the waters up to the foot of the next dam, Pierce's Ferry site. With a 143-foot dam, Grand Wash dam will back the water to the foot of Flour Sacks dam.

The Boulder or Black Canyon dam, if built, would ruin and bury under water six of those good dam sites in Arizona, namely: Grand Wash dam, Pierce's Ferry dam, Flour Sacks dam, Devil's Slide dam, Specter Chasm dam and the Bridge Canyon dam, and destroy the Arizona Highline canal and maximum development of the river.

Each of the 11 dam sites I have filed on will back the water to the foot of each of the next dam sites farther up from the Arizona-Nevada line, to Glen Canyon dam site, at the head of Grand Canyon near the Utah line, and will develop over five million horsepower. The Glen Canyon reservoir when built first, not only gives priority, flood control, but stores the water to be diverted through Bridge Canyon dam site to 4,160,000 acres of land through the Arizona Highline canal, but, alas: it more than doubles the electric power, production and supply of each and all of the 11 dam sites below in Arizona, reduces materially the cost of construction of all the dams below them and gives the maximum beneficial and economical development of the Colorado River. Can it be possible that any one could advocate Boulder dam or the pact?

I have made provisions in the water filings, which I enclose, of each and all of the proposed dam sites, that it is distinctly understood, regardless of the date of commencing and finishing construction that the priority for the water is to be recognized for the Glen-Bridge Highline canal and water for the land therefor.

This is imperative to save Arizona and develop the river as a unit or whole, thereby getting the economical, beneficial and maximum development. Even California can be served better and quicker by this plan. Glen-Bridge dam and Highline canal must be built first.

Any water division contract with California and Nevada or compact, supplemental compact, Arizona committee's proposal to California and Nevada, Diamond Creek permit, Boulder or Black Canyon dams, or power dams, not combined with maximum highest canal diversion irrigation, even inclusive of Glen-Bridge dams, would result in ruining Arizona and maximum development of the river. Otherwise water would irrigate Mexico and the power would go to the trusts—which California and Nevada cannot and have no authority to protect Arizona against.

To build the Glen-Bridge dams by Arizona without definite priority recognized for the Highline canal in order to develop as a whole unit would be suicide by Arizona. However, Arizona can agree with California and Nevada on building Glen-Bridge Highline and serve California more than she proposes for herself.

Power trust propaganda states that it proposes to build power dams and pump the water. This is disastrous. Besides power dams not combined to highest line gravity irrigation would develop the water for Mexico and power trusts, as the underground flow is small in Arizona and would soon be pumped out, where highest line of gravity water would keep an everlasting underground supply to be used over and over again.

This is supplemental and additional information and diligence to, and since my water filings of September 20, 1923, and May 11, 1925, and my brief of six years past diligence filed a few months ago with yourself, federal power commission and United States senate committee on irrigation, and was introduced into and printed in "The Congressional Record."

I am enclosing you a copy of the Glen-Bridge Highline Substitute Bill F No. 3414, for the Boulder dam, which I prepared, and it was introduced into the Senate by Senator Cameron March 3, and also a copy of summary of arguments and arguments in favor of the substitute bill prepared by myself, which was also introduced in the United States Senate.

This makes our case up to date very complete, in legal requirements, for Arizona's protection under the favorable and unquestionable law of prior appropriation and beneficial use. We need to have a large appropriation of funds for further surveys.

Therefore, I do sincerely trust you will recognize this important and solemn situation threatening Arizona and the nation, and give vigilant consideration to my applications for construction and our long sacrifice and diligence to develop this, the greatest and most economical reclamation project in the world, and at the same time prevent the most unpatriotic dis-

aster ever attempted in a state in our history, and greatest threatened disaster since the Civil War.

Therefore, every citizen in Arizona should have a solemn, sacred, wonderful and religious pride in shouting Glen-Bridge-Highline, which has and will save the day.

Pledging your co-operation, and regardless of death, I will continue to stay on the firing line as in the past four years, I am,

Yours faithfully,

FRED T. COLTER,

President, Arizona Highline Reclamation Association.
Office, Grand Central Market, Phone 7396.

SENATOR FRED T. COLTER, PRESIDENT OF ARIZONA HIGHLINE RECLAMATION ASSOCIATION, PREPARED AND HAD THOUSANDS OF THE FOLLOWING PETITIONS CIRCULATED THROUGHOUT ARIZONA.

Phoenix, Arizona, September 21, 1923.

Hon. Geo. W. P. Hunt,
Governor of Arizona,
Phoenix, Arizona.

Realizing a serious crisis has arisen in the affairs of Arizona due to the fact that the granting of any power permit, exclusive of reclamation, by the Federal Power Commission is imminent, we have taken the liberty to set forth certain things for your consideration, in addition to the appalling danger to Arizona in the Pact.

We call your attention to the E. C. LaRue Report on the Arizona Highline Irrigation and Power Canal, which states that such a Highline might be feasible and which asks for more funds to absolutely determine such feasibility. We further call your attention to the Geo. W. Sturtevant Report of the Highline which states that the said Highline appears to be entirely feasible, bringing over three million desert acres under water. We also wish to set forth that if any power permit exclusive of Reclamation is granted and the said power is allowed to be developed, it will control all future development on the Colorado River, which condition would be disastrous to the future of Arizona.

It is also our belief that the recent developments on the river will cause others to make filings to the detriment of the State.

We further assert that the unfair division of the water under the Colorado River Compact was based on the lands that would be irrigated from the River; that the Upper States have for a number of years projected irrigation for all the imaginary projects within these domains amounting to millions of acres, while Arizona had placed in that equation only 280,000 acres.

In these circumstances we ask your consideration of the tremendous significance of three million acres of land that are now within our reach under the Colorado High Line Canal.

We therefore believe that all possible efforts should be made to prevent the issuance of any power permit exclusive of Reclamation. Coincident with these efforts, all steps should be taken to safeguard Arizona's heritage bound up in the High Line Canal, fully believing that steps taken in this direction will serve greatly to convince the Federal Power Commission that the Public Good will not best be served in granting any power permit until reclamation is thoroughly ascertained by engineering data which we do not now have.

For these reasons we most earnestly ask that you immediately direct the filing for the State of Arizona upon all the dam sites involved in the

High Line Canal, including the Glen Canyon site, and the giving of notice of the appropriation of all the water sufficient to irrigate all the land coming under the said High Line.

We also call your attention to the necessity for an appropriation of One Hundred Thousand Dollars for the purpose of completing all the engineering work on the Arizona High Line Irrigation and Power Canal so that Arizona will be protected. When this is accomplished the people of Arizona will rise in mass and put water on the lands under this Canal, and put cheap electric power into every town and hamlet in the State, thus making Arizona the marvel of all states.

Very truly yours,

PETITIONERS:

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PROTEST FILED WITH GOVERNMENT AGAINST GRANTING DIAMOND CREEK POWER PERMIT.

October 2, 1925.

Senator Fred T. Colter as President and Arizona Highline Reclamation Association and citizens of the State file protest with Federal Power Commission against the issuance of Diamond Creek Power Permit, which protest explains if granted would destroy irrigation for Arizona and Glen Canyon Highline Canal and monopolize the power.

Colter's letter follows to the Federal Power Commission, explaining protest in part and his filings made for the state on the highline projects and due diligence exercised to maintain priority:

Phoenix, Arizona, Oct. 2, 1925.

Federal Power Commission,
Washington, D. C.

Gentlemen:—

Enclosed find a protest against the issuance of a permit or license to James B. Girand, for the building of a power dam on the Colorado River at Diamond Creek site, which please file in your office.

You will recall that on the dates mentioned in the protest attached hereto, on which filings were made on the Colorado River by Senator Fred T. Colter, President of the Arizona Highline Reclamation Association for and on behalf of the State of Arizona, notice was given to your commission that such filings had been made and since that time said association, and the citizens of the State of Arizona have, by continual diligence, sought to establish and maintain the priority of the citizens of the State of Arizona in the waters of said river, both for power and irrigation, and have been using all efforts to build a storage and power dam at Glen Canyon, and a storage, power and diversion dam at Bridge Canyon on said River, and also an Arizona Highline Canal to irrigate three and one-half million acres of land in the State of Arizona.

These plans would give the maximum economical beneficial development of the Colorado River.

The Glen Canyon reservoir and power dam, and the Bridge Canyon storage, diversion and power dam, are practically the only sites which can be developed to utilize the waters of the Colorado River for irrigation by gravity, and the construction of the Diamond Creek dam as asked for by Girand and the Colorado River Engineering and Development Company which is composed of large mining corporations, will make it impossible to

build the Bridge Canyon dam later, because the Bridge Canyon dam would submerge the Diamond Creek dam. If the Diamond Creek dam is built as applied for, the waters of the Colorado River can never be used for irrigation by gravity within the State of Arizona except a very small acreage in its lower bottoms.

I am preparing and will file with your commission within a few days applications for permits for the erection of the above mentioned reservoirs, dams and canals.

The construction of the Diamond Creek dam as is shown by the attached protest, will give the power trusts a monopoly of the entire hydro-electric power of the Grand Canyon, and by reason of the revenue from power and from irrigation being separated, it would then be impossible to finance and develop an irrigation project, on the river, and millions of acres of land would thus be deprived of irrigation and development, and the waters would be appropriated in Mexico.

Attached to my protest are certified copies of past filings made by myself, for the State of Arizona, on all of the above mentioned projects.

For several years before the Santa Fe Conference, at which the Colorado River compact was drawn and signed, certain Mexican land interests and power trusts tried to get a treaty between the United States and Mexico, to irrigate a large acreage of land in Mexico.

This effort to get a treaty failed because at the time of the interests of the United States were protected by such men as Roosevelt, Pinchot and Lane. We no longer have these men to protect us, and certain schemers are advocating again a treaty with Mexico, based on the unfair Fall-Davis report of 40 per cent of the water to Mexico and 60 per cent to the United States, and upon certain prejudicial and untrue Government reports which condemn the Glen Canyon and Highline Irrigation project.

Some of the reports did not question the engineering practicability of the Arizona Highline Canal, but stated that there is not sufficient water for same.

Data gathered by gauging the water of the Colorado River, show their statements to be untrue, and if Arizona gets her share of the Colorado River water, there will be ample water for the Arizona Highline Canal project without taking into account the fact that the development of the river will in time double the present flow of the river system, and the present water supply of the river will in the future, through improved methods of irrigation, serve three times the acreage that it would now serve.

After the failure of their first attempt to get a treaty with Mexico the same interests tried to get the Colorado River Compact or a supplemental masked compact through, and having failed in this tried and are now trying to put through the Boulder Canyon Power Dam and the Diamond Creek Power Dam.

Since the filings above mentioned, the Arizona Highline Association and citizens of the State of Arizona, have expended very much time and money making surveys and data, and have diligently worked to maintain the priorities of said filings, and have, and are now diligently working to organize and develop said projects.

The State of Arizona is facing a serious problem in the protection of its greatest asset, the Colorado River.

Political influence and self interest, both within the State of Arizona and from without have been and are now hindering the State of Arizona from accomplishing what could and would be accomplished under more favorable circumstances.

For the sake of the State and Nation I ask you to give full consideration to this protest.

I have been donating all of my time to this cause, and will continue to do so, and desire to co-operate with your commission to the end that the Colorado River be developed to its fullest capacity, both for power and for irrigation.

Respectfully yours,
FRED T. COLTER.

**BEFORE THE FEDERAL POWER COMMISSION
OF WASHINGTON, D. C.**

By Fred T. Colter—October, 1925.

IN THE MATTER OF THE APPLICATION OF)
JAMES B. GIRAND, FOR A LICENSE TO)
ERECT A DAM FOR THE GENERATION OF) **PROTEST**
HYDRO-ELECTRIC POWER ON THE COLO-)
RADO RIVER WITHIN THE STATE OF ARI-)
ZONA.)

Comes now the undersigned, for and on behalf of the State of Arizona, and as president of the Arizona Highline Association, and also as an owner of land in the State of Arizona, and as a citizen of the State of Arizona, and protests the issuance of a license to the said JAMES B. GIRAND, to build a dam for the generation of hydro-electric power on the Colorado River within the State of Arizona at a point on said River known as Diamond Creek; said protest is based upon the following grounds:

1. Since the admission of the State of Arizona into the Union, the Legislature of the State of Arizona has appropriated at various times, and private citizens of said State, have donated large sums of money, which has been spent in surveying and gathering data concerning the flow of the Colorado River, and the feasibility of erecting dams and construction canals and tunnels for the purpose of diverting the waters of said River upon approximately three million five hundred thousand (3,500,000) acres of irrigable land within the State of Arizona. The different amounts of money so appropriated and expended, are set out in Exhibit "A" attached hereto and made a part of this protest. That the appropriation and expenditures of said sums of money was, at all times since the appropriation and expenditure thereof, known to the applicant, JAMES B. GIRAND, and to the COLORADO RIVER ENGINEERING AND DEVELOPMENT COMPANY, to whom the said JAMES B. GIRAND has assigned all of his rights under an alleged Permit from the State of Arizona, which said alleged permit is hereinafter mentioned.

That on September 20, 1923, Fred T. Colter, acting upon the authorization of the Governor of the State of Arizona, and Ex-Officio Chairman of the State Board of Control of the State of Arizona, filed for and on behalf of the State of Arizona, with the Water Commissioner of the State of Arizona, an application for a permit to construct a reservoir on the Colorado River at the Glen Canyon Reservoir Site, located in unsurveyed Township 40 North, Range 8 E of the Gila and Salt River Base and Meridian, Coconino County, Arizona, said appropriation being for irrigation, power, domestic and municipal uses.

That on the same date and in the same capacity, said Fred T. Colter filed for and in behalf of the State of Arizona, with the Water Commissioner of the State of Arizona, an application for a permit to construct a dam and reservoir on the Colorado River at or near what is known as the Spencer Dam Site, in what will be when surveyed, Township 28 North, Range 13 W. of the G. & S. R. B. & M., in Mohave County, Arizona, said appropriation being for irrigation, power, domestic and municipal uses.

That on the same date and in the same capacity, said Fred T. Colter, filed for and in behalf of the State of Arizona, an application for a permit

to appropriate the public waters of the State of Arizona and of the Colorado River, and for a permit to build an irrigation canal known as the Arizona Highline Irrigation and Power Canal, the point of diversion for said canal being on the Colorado River is unsurveyed Township 28 North, Range 13 West of the G. & S. R. B. & M., in Mohave County, Arizona, said appropriation being for irrigation, power, mining, manufacturing, domestic and municipal uses.

That on May 11, 1925, Fred T. Colter, acting on the authorization of the Governor of the State of Arizona, and Ex-Officio Chairman of the State Board of Control of the State of Arizona, filed for and on behalf of the State of Arizona, with the Water Commissioner of said State, an application for a permit to construct a reservoir and on the Colorado River at what is known as Bridge Canyon Dam Site, located in unsurveyed Township 28 North, Range 12 West of the G. & S. R. B. & M., in Mohave County, Arizona, said appropriation being for irrigation, domestic and power purposes, and said application contained the following statement:

"This application is supplemental to and amendatory of applications filed by the undersigned in the office of the State Water Commissioner for and on behalf of the State of Arizona, on the 20th day of September, 1923, appropriation all of the unappropriated waters of the Colorado River, and asking a permit for the construction of the Glen Canyon and Spencer Canyon Reservoirs, and the Arizona Highline Canal System."

Said last named application provides for the construction of an irrigation system to reclaim and irrigate 3,500,000 acres of land within the State of Arizona.

Certified copies of all the above named applications are attached hereto, marked Exhibits A, B, and C, respectively.

This protestant is preparing and will file for and on behalf of the State of Arizona, within a few days with this Commission, applications for power permits to construct the above mentioned Glen Canyon Reservoir and dam, and the Bridge Canyon Reservoir and diversion dam, and the Arizona Highline Irrigation and Power Canal.

2. That the applicant, JAMES. B. GIRAND, cannot furnish evidence that he has complied with the requirements of the laws of the State of Arizona, within which said project will be located with respect to bed and banks, and with respect to the right to engage in the business of developing, transmitting and distributing power, in that the said JAMES B. GIRAND, is not the owner of, nor in the possession of any permit from the State of Arizona, entitling him to construct the proposed works on the Colorado River, in that whatever permit the said applicant may have had for such a construction from the Water Commissioner of the State of Arizona, has been sold and assigned by the said applicant to the COLORADO RIVER ENGINEERING AND DEVELOPMENT COMPANY, a corporation, and the granting of a license to said applicant by the Federal Power Commission would create a diversity of ownership on rights in said River at said Diamond Creek point, and any development of said project under said Federal license would depend on the possibility of a joint adventure between the said applicant and the said COLORADO RIVER ENGINEERING AND DEVELOPMENT COMPANY, and said applicant has furnished this Commission with no evidence that such joint undertaking would be carried out. Protestant shows to the Commission, that on December 26, 1922, the Water Commissioner of the State of Arizona, issued to the said JAMES B. GIRAND, what purports to be a Permit to construct a dam on the Colorado River at said Diamond Creek point, for the generation of hydroelectric power.

That previous to the expiration of the time fixed in said alleged permit for the beginning of work on said proposed dam and works, the said JAMES B. GIRAND and his signee, COLORADO RIVER ENGINEERING

AND DEVELOPING COMPANY, asked for an extension of time in which to begin work on said project, and the Water Commissioner of Arizona, acting on the advice of G. W. P. Hunt, Governor of Arizona, and John W. Murphy, Attorney General of Arizona, did not grant such extension of time.

The granting of said alleged permit was in violation of Section 7 of Chapter 64 of the Session Laws of Arizona, 1921, which reads in parts as follows:

“But when the proposed use conflicts with vested rights, or is a menace to the safety or against the interests and welfare of the Public, the application shall be rejected.”

That steps are being undertaken by the undersigned, and others interested jointly with him, to have the alleged permit issued to the said JAMES B. GIRAND, by the Water Commissioner of the State of Arizona, cancelled, and declared void, for the reasons, among others, that such construction would be against the Public welfare of the Citizens of the State of Arizona, and said permittee did not in good faith begin construction of said proposed works within the time provided for the beginning of work under said alleged permit.

This protestant further shows to the Commission, that through the expenditures and investigations heretofore mentioned for and on behalf of the State of Arizona, sufficient data concerning the elevation and flow of said Colorado River has been obtained to show that the only practicable point on said River to build a dam for the purpose of diverting water from said River to irrigate by gravity, the said lands within Arizona heretofore mentioned, is located at what is known as Bridge Canyon Dam Site, at which said point, the waters of said River are 1207 feet above sea-level, and the undersigned did, on May 11, 1925, file with the Water Commissioner of the State of Arizona, an application for and on behalf of the State of Arizona, for a permit to erect a diversion dam on said River at the Bridge Canyon Site; that said application has not been acted upon by the Water Commission of the State of Arizona. Protestant shows to the Commission, that the Grand Canyon of the Colorado River is so situated, and the elevations of the bed of the stream therein are such, that any development on the Colorado River in said Grand Canyon, must give preference to irrigation, and the development of said River must be considered as a whole, without reference to any particular project. As heretofore shown, any development of said River for gravity irrigation would submerge the Diamond Creek works. The successful development and operation of any irrigation project depends on the maximum use of the water stored and diverted, both for the generation of hydro-electric power, and for irrigation. If one person or corporation is to be given a permit to generate hydro-electric power, and another person or corporation the right to develop water for irrigation, this separates the two means of revenue so that the development of power would be no benefit to the irrigation project, this would hinder, if not practically destroy the possibility of financing an irrigation project on said River, and permit the waters of said river to flow for all time into Mexico.

Protestant further shows, that the erection of a dam at said Bridge Canyon of sufficient height to divert the waters of said River, will cause any dam erected by the said JAMES B. GIRAND at Diamond Creek on said River, to be completely submerged in the reservoir created by the Bridge Canyon Dam. Protestant therefore alleges, that if said Diamond Creek Dam is constructed as proposed by said applicant, it will forever prevent the State of Arizona, or any of its citizens, from diverting any of the waters of the Colorado River so that the same can be used to irrigate by gravity, the lands within the State of Arizona, heretofore mentioned. Protestant further shows, that the erection of a dam at said Bridge Canyon Site will not only permit the irrigation by gravity of the above mentioned

amount of land within the State of Arizona, but will also enable a large amount of land to be irrigated by gravity within the State of California, and that the erection of the said Diamond Creek Dam will thus cause great loss not only to the State of Arizona, but to the State of California as well, and will prevent the maximum economical and beneficial development of the entire Colorado River system, for both irrigation and power.

4. The undersigned is preparing and will file with this commission within a few days, an application for a permit to build a dam on said Colorado River at said Bridge Canyon Site, for the purpose of diverting the waters of said River for irrigating the above mentioned lands within the State of Arizona, and for the generation of power and for the erection of a storage and power dam at Glen Canyon Site. That the undersigned's application being for irrigation and the generation of power, takes precedence over said JAMES B. GIRAND'S application, his said application being only for the generation of hydro-electric power, as shown by the following quotation from the Water Code of the State of Arizona.

"The said relative values to the public shall be taken by the Commissioner for this purpose in the following order of importance:

First: Domestic and municipal uses.

Domestic use shall be construed to include gardens not exceeding one-half acre to each family.

Second: Irrigation and stock watering.

Third: Water power and mining uses."

That the use of water for irrigation is recognized by the United States Government as superior to the use of the same water for generating hydro-electric power.

That protestant and numerous other citizens of the State of Arizona, are taking steps and gathering data for the purpose of forming irrigation Districts toward the development of approximately Three Million Five Hundred Thousand (3,500,000) acres of land within the State of Arizona, by private individuals by the State of Arizona, and by the United States. That due to the immensity of the project, it necessarily takes a long time to complete the preliminary steps, but protestant and other citizens of the State of Arizona, have been laboring diligently for the past six years in securing surveys and in ascertaining the sites most favorable to economical development of said River, and in interesting the land owners under said project in the formation of Districts for the financing of development of said River.

5. Any permit granted by the Federal Power Commission for development on the Colorado River within Arizona, shall be granted only after a full determination of the purposes of utilizing the water of said River to the maximum extent above for irrigation, which takes first place, and for the generation of hydro-electric power, and under the project proposed by protestant, which contemplates a storage and power dam at Glen Canyon Site, and a diversion and power dam at Bridge Canyon Site, both the irrigation and power possibilities of said River can be developed to their fullest extent, and instead of one hindering the other, each will aid and assist the other.

Since the erection of a diversion dam at Bridge Canyon Site will submerge the proposed dam of the said JAMES B. GIRAND, it follows that not only the same amount, but more power could be generated from the waters stored at said Bridge Site than at the said Diamond Creek Site, and in addition to the generation of more power, the same water could be used for irrigation by gravity. It follows that one construction at Bridge Canyon Site will accomplish both and purpose of the Diamond Creek Site, and the larger and preferred purpose of the Bridge Canyon Site. After the completion of the works at Diamond Creek, any development at Bridge

Canyon Site could only be made after condemning and paying for the works located at Diamond Creek. This is a useless procedure and an extravagant waste of money when greater good can be accomplished at Bridge Canyon, and instead of having to condemn and pay for the Diamond Creek proposed works, the same amount of money which it would take to construct the Diamond Creek works would accomplish greater good and produce greater revenue by being applied on the construction at Bridge Canyon Site.

Attached hereto and marked Exhibit "B" is a statement showing the relative elevations and height of the proposed dams at Bridge Canyon Site, and at Diamond Creek Site, which bears out the allegations above, that the proposed dam at Bridge Canyon will cause the proposed dam at Diamond Creek to be submerged, should both dams be constructed as applied for.

6. The market for hydro-electric power within a practical distance of the Grand Canyon of the Colorado River, is limited, and the erection of a power dam at Diamond Creek would enable the owners of said project to monopolize the power market for years to come, thereby making it impossible for irrigation projects to be developed and financed, since there would be no market for the power developed on an irrigation project.

Nature has placed the Grand Canyon of the Colorado River, and the lands that can be irrigated by the waters from said River, in such a position that said waters can be stored, diverted and used over and over again for the generation of hydro-electric power, and still be available to irrigate the fertile valleys lying below the level of the Colorado River.

If a private corporation had the rights of property in the Grand Canyon of the Colorado River that the State of Arizona and the United States have, and should attempt to develop the same as the Diamond Creek project proposes to develop it, it would be condemned by all who have any knowledge of irrigation and power development. Should not the State and Nation follow a method of development which promises the maximum return for the money and time expended, especially when the public is so vitally concerned?

Great things are in store in the Southwest depending upon the proper development of the Colorado River for irrigation and power development. The Diamond Creek project kills, at one blow, all hope of any development of any magnitude on said River for irrigation. Irrigation of such vast acreage from said River by gravity, will, in time, result in the accumulation of underground stored water, the utilization of which, by pumping, will, as the years go by, vastly increase the acreage possible to be irrigated by the waters from said River, and pumping of such water stored underground by gravity irrigation, will not be as expensive as it would be without gravity irrigation, because the lift being small, the excess of power created by gravity irrigation will more than off-set the expense of such pumping operations.

WHEREFORE, the undersigned respectfully requests that a permit be not issued to the said JAMES B. GIRAND and that the said permit should be cancelled.

FRED T. COLTER.

**REMARKS, IN PART OF FRED T. COLTER, SENATOR FROM APACHE
COUNTY ON THE MOTION TO SUBSTITUTE SENATE CON-
CURRENT RESOLUTION NO. 8. AGAINST COMPACT
ASKING FOR SURVEYS TO MAKE WATER
FILINGS AND ACT, FEBRUARY 27,
1923.**

MR. COLTER: Mr. Chairman, in support of my Resolutions, Nos. 5, 7 and 8, I would like to say that unfortunately we haven't a Legislature that has nothing else to do but consider this Colorado River Compact, alone.

This pact itself is enough, it is sufficiently large, and it means enough to the State of Arizona—in fact, it is the biggest thing we have ever had to come before any Legislature, and sixty days would be short for the consideration of the pact alone.

There have been other matters and bills here in the Legislature that have taken up the different legislature's time, and I am sorry. This is the case in my behalf. The consideration of the Lyman Dam, on the Little Colorado River, where I was born and raised and have built several dams, has taken much of my time. Therefore, due to the lack of time and engineering data, I feel haste would be a mistake. I am sure that the pact as it is, is not protecting Arizona; time for engineering data will tell to what extent, and give us an opportunity to intelligently file on those rights.

It is hard to conceive how anyone having the welfare of the people of Arizona at heart can ignore the warnings of the Governor's message against hasty action on the Colorado River Compact.

He calls attention to the inevitable working out of our mines. None but an agricultural foundation for taxation to support the future state is dependable. The mines now pay over half the taxes, and the lands only a little over ten per cent. What would the burden be on the farms, what will it be in the future, without the mines

The Governor calls attention to the great reclamation project under the proposed Arizona High Line, and to our lack of authoritative information with reference to its practicability.

The Legislature has twice made appropriations adequate for the ascertainment of the facts that must be known before that project can be rejected as impracticable, and yet you have not that information. If the necessity exists for waiting until it is obtained before throwing away this stupendous agricultural basis for taxation through all future time, who is to blame for that? Must we, because State officials, with the money at their disposal, have not performed their duty, surrender rights of the State so vast in extent that the ordinary mind fails to grasp them?

The Arizona High Line Project will reclaim 2,500,000 acres of land. We know that land is there. There is no doubt whatever about that part of it. What we do not know is exactly what it will cost to reclaim it. We are entitled to know that before we throw away that project in exchange for illusory benefits which it is claimed we will get if we rush this pact through before we know what we are doing. We know if by accident it shouldn't be practical now it soon will be, as the demand for land will be greater, and new inventions and discoveries are coming to the front, and therefore future development should be preserved and retained for future generations.

We know that General Goethals, who built the Panama Canal, has approved a project with greater engineering difficulties than our proposed Arizona High Line project, the Columbia Great Basin project in the State of Washington. The average estimated acreage cost of that project is \$144.90, the acreage reclaimed 1,750,000, and the length of the canal line before it reaches the lands to be irrigated is 158 miles. The length of the Arizona High Line is something less, and the acreage to be reclaimed 2,500,000.

Apply the Washington acreage cost estimate to the Arizona project and we have \$362,250,000 available for construction costs, to which should be added at least \$100,000,000 for the one million horsepower that can be developed under the Arizona project at Williams River and Ehrenburg, besides 266,000 more horsepower developed between Lone Mountain Pass or the Nottbusch Pass and Gillespie Dam.

Now how can it be contended that our project is impracticable beside the Washington project, which has the approval of one of the greatest living engineers?

But we are asked to disregard the Governor's message urging us to wait until we have the necessary engineering facts; we are asked to throw this vast asset of the State away, in exchange for a pact, which, in its practical operations, will give Mexico the water from the Colorado River, where large private interests are awaiting the passage of the pact to start immediate work, that would otherwise irrigate this vast acreage in Arizona, that lies under the Arizona High Line Canal, or any of the other projects that are feasible that we now have no engineering data to work on.

It seems incredible that anyone in Arizona should be willing to make that exchange. True, the pact does not say that it gives the water to Mexico, but that is the practical and inevitable effect of its deceptive provision.

The discharge of the Colorado River at Laguna Dam is 16,400,000 acre feet annually, averaged over twenty years. This now goes to Mexico, unregulated in great floods. When regulated by reservoirs in our country it will continue to go to Mexico in a regulated flow, easily diverted and used, unless diverted and used in the United States. This raises the question: UNDER THE PROVISIONS OF THE PACT, HOW MUCH WATER WILL CONTINUE TO GO TO MEXICO AND BE AVAILABLE FOR BENEFICIAL USE FOR IRRIGATION IN THAT COUNTRY? The appropriation for the upper basin under the pact is 7,500,000 acre feet annually. Deduct 3,500,000 as their present use, leaves a reserve apportionment for the upper basin of 4,000,000 acre feet. This cannot be deducted from the 16,400,000 because it will not be used in the upper basin for many years, and in the meantime it will be used in Mexico, where it goes. By virtue of that first use, Mexico will claim a permanent right to it when the time comes in the future that they try to take it away from Mexico in the upper Basin.

So we still have 16,400,000 going to Mexico, less only what can be used in Arizona and California. The apportionment of the Lower Basin is 8,500,000 acre feet. Of this, the Davis estimate is that 6,100,000 acre feet will be used in California and Nevada, and 940,000 acres in California and 280,000 acres in Arizona. The remaining 2,400,000 acre feet is the waters of the Arizona rivers, and not to be taken from the Colorado River at all.

If the whole 6,100,000 acre feet is deducted from the 16,400,000 acre feet, it leaves 10,400,000 acre feet for Mexico, enough to reclaim two million acres of land.

But that is not all that will be left for Mexico. The 940,000 acres included in the irrigable area in California by Davis is twice the area irrigable unless the All-American Canal is built. The Mexican interests are bitterly hostile to the All-American Canal, and if they can, as they no doubt will, keep it from being built, it will add 2,350,000 acre feet to the annual supply of water going to Mexico. That, in addition to their supplies, will cover all losses from evaporation in reservoirs and channels and leave them a net supply of ten million acre feet.

Arizona cannot use any part of this water that Mexico will get under the pact, because the pact is so drawn as to prevent it. The physical conditions are such that Arizona cannot irrigate more than the 280,000 acres described in the Davis report, unless the water can be brought through the Osborn Pass, enough water to reclaim 2,500,000 acres, so as to make the cost per acre low enough to justify the cost of building the Arizona High Line Canal. Under the pact, that is impossible, and the inevitable result of the pact is to destroy the Arizona High Line Project and give the water to Mexico.

The objections to the present pact are fundamental. The law under which it was framed contemplated a partition of the water between the respective states. The pact does not do that. It divides the states

into groups, thus multiplying the probabilities of litigation, first by two, and then leaves four states to fight it out in the upper basin and three states to fight it out in the lower basin.

There is no division of the water, the 8,500,000 acre feet apportioned to the lower basin, between California and Arizona, no determination as to how long Arizona would have to wait for the California interests to fight for the All-American Line Canal until they finally accept defeat at the hands of the opposition Mexican interests, even if Arizona could use the water at all.

The Pact provides that all rights to the beneficial waters of the Colorado River, other than present perfected rights (Article VIII), "shall be satisfied solely from the water apportioned to that basin in which they are situated." How much each shall have is left to a fight between the States. So you see Arizona positively cannot take any surplus water.

The Turley Project in New Mexico proposes to irrigate over 1,000,000 acres. Are they entitled to a preference over Colorado or Utah—if they beat them to it, and use the water first?

There are so many ambiguities in the pact, so many vital provisions as to the effect of which the advocates and opponents of the pact flatly disagree as to the right construction, that this alone is enough to condemn the instrument.

The proponents of the pact have contended that Mexico will not enlarge their use beyond 2,000,000 acre feet a year. The House of Representatives of this Legislature has taken them at their word and put that into the pact. But they still are not satisfied and even that limitation would not prevent them from getting the whole 10,000,000 acre feet that will run down to them by the law of gravity, if they can get rid of the Arizona High Line Canal as the result of the ratification of the pact.

Why should we ratify this pact before we know facts that the Arizona Legislature appropriated the money twice to find out?

Why should we not know that the Arizona High Line Canal will cost with all the detail the State Engineers of Washington have estimated the cost of the Columbia Great Basin Project

Why should we not know every fact referred to in the Governor's message before we blindly put our head in a bag.

Why should we not know who owns this land in Mexico, and what, if any, rights they have to the Colorado River, before we deliberately give it to them?

Why should we have any doubt as to what water we are going to get from the upper states in a cycle of dry seasons, or what amount we would have to make good to Mexico as a deficiency?

Why should we be asked to surrender our vested rights to the lower water flow before we have any assurance of any storage at all?

The pact raises innumerable such questions, and it is no answer to say that we are going to get power in exchange for giving the water to Mexico and surrendering control of the vast power resources of the river to interests over which Arizona would have no control, and from whom we have no assurance of justice, either in the amount of power the state shall get, or the price at which it is to be furnished.

One of the most potent reasons for going slow in the whole matter of this pact is the unseemly haste with which its proponents are endeavoring to rush it through without giving the people of Arizona or to acquire a full understanding of its provisions before ratifying time to acquire the information referred to in the Governor's message.

SIXTH LEGISLATURE
REGULAR SESSION
STATE OF ARIZONA

CONCURRENT RESOLUTION NO. 5. (SIMILAR TO 7 AND 8)

Introduced by Senator Fred T. Colter of Apache, January, 1923.

Whereas, Arizona has under existing laws inherent rights in and to the waters of the Colorado River for reclamation and for power development, which, in the opinion of this Legislature, should be retained and preserved, so far as possible, by the State of Arizona, for the present and future use of our people; and

Whereas, there have been no adequate surveys made, and no reports compiled by any engineer or board of engineers, for the State of Arizona, from which to estimate or determine our reclamation and power resources and opportunities; and

Whereas, by virtue of the natural geographical position and physical formation of the State of Arizona, practically all of the surplus unappropriated waters of the Colorado River and its tributaries may be made available for use in Arizona by means of a suitable system of dams and canals; and

Whereas, though a gravity canal system or a reclamation or power project of such magnitude might be found to be not economically practicable at this time, it may become practicable in the future, because of the increasing demand for our irrigated lands and our hydro-electric power, and especially in view of the many new inventions and discoveries now so rapidly coming into use, some one or more of which may at any time bring the whole project well within the limits of feasibility; and

Whereas, the development of our irrigation and power resources, means much also to the development of our many mines, and our vast undeveloped mineral resources.

Now, therefore, Be It Resolved, by the members of the Senate of the Sixth Legislature of the State of Arizona, the House of Representatives concurring, that the policy of this Legislature shall be to provide by suitable legislation for the making of complete surveys and engineering investigations regarding the possibilities of using the unappropriated waters of the Colorado River for irrigation and for power within this State; also for the investigation by competent legal authorities of the present status of our rights to the use of said waters; and for the protection and preservation of such rights by suitable water filings and other means that may be deemed feasible and practicable; and

Be It Further Resolved, that we hereby express and record our belief, based on such information of a public and private character as is now available to us, that the Colorado River presents within the State of Arizona the largest single irrigation and power project within the United States, which must ever become increasingly valuable to the present and to the future generations of our people, unless sacrificed or crippled in undue haste through immature plans of development and monopoly by private capital; and

Be It Further Resolved that the Sixth Legislature of the State of Arizona, on account of the great magnitude of the power and reclamation resources involved in the reclamation of our Colorado River in the State of Arizona; which power could be the origin of the greatest private monopoly in the United States of America, go on record as favoring the reservation of these natural resources and inherent legal rights to the waters and reservoir sites of the Colorado River from a point five miles below Boulder Canon Site to Lee's Ferry in this State, to itself, for the State or Government to build and develop either with or without Federal participation, and

Be It Further Resolved that copies of this resolution be sent to our Senators and Representatives in Congress, and to the Congressional Committee on Agriculture and to the Arizona State Legislative Committees of Agriculture, to the United States Reclamation Service and to the Federal Power Commission.

ARIZONA DEVELOPMENT OF COLORADO RIVER—EASIER WITHOUT THE PACT

(Published in Arizona Mining Journal and State Papers May, 1923).

THE DEFEAT OF THE COMPACT OPENS THE WAY TO FILE ON AND DEVELOP IN ARIZONA THE GLEN CANYON COLORADO- GILA HIGH LINE RECLAMATION AND POWER PROJECT, THE LARGEST IN THE WORLD

(By Senator Fred T. Colter)

PUBLISHER'S NOTE—The practical experience of Fred T. Colter in reclaiming Arizona lands is, perhaps the most extensive of any in the State, as he has built and put under operation six of his own private reclamation projects. He has frequently sacrificed his personal interests in his efforts in behalf of Arizona, and the sincerity of his purpose is unquestioned. He lost election for Governor in 1918 by 300 votes.

Arizona won her greatest victory by defeating the Colorado River Compact as formulated at Santa Fe, New Mexico; thereby retaining her inherent rights in the irrigation waters and electric power sites in the Grand Canyon of the Colorado-Gila River. These rivers open the way for Arizona's development of the largest reclamation and power projects in the world.

EFFORTS TO RESURRECT THE PACT WHEN EXISTING LAWS ARE BETTER

Sinister forces are incessantly at work trying to resurrect the Pact, which was once buried by the Sixth State Legislature of Arizona, and in order to win favor for its ratification changes are being suggested and statements made by misled persons which in reality would amount to merely a reiteration of the original provisions contained in this document; the purpose of which is to mislead the people of Arizona and have us ratify this compact which is so outrageously discriminating against the interests of the State of Arizona.

The Pact does not provide for a single avenue that we do not already have better legal and court tested provisions. We have quicker and more equitable means for filing on water and power rights, financing, settling and disputes or having conferences with any one of six Colorado River Basin States. Under the Pact we upset the above easy avenues, besides relinquished almost all of our irrigation and power rights.

**MOST OF THE COLORADO RIVER BASIN LIES WITHIN THE
BOUNDARIES OF THE STATE OF ARIZONA.**

**THE PACT COMPLICATES ARIZONA AND GLEN CANYON DAM
BY DIVIDING HER IN 2 BASINS AND ALLOWING OTHER STATES
TO DIVERT HER WATER IN OTHER BASINS.**

The sources of Arizona's future reclamation waters and her hydro-electric power resources must come from the Colorado River Basin, as her entire domain is situated within its borders. Ninety per cent of the power and reclamation dam sites of the Colorado River are within the borders of Arizona. In fact she has as much or more of the valuable resources of the Colorado River as all the other States combined. The other states have other water sources within their borders from which irrigation and

hydro-electric power may be secured, while Arizona is dependent on the Colorado River and its tributaries alone.

The pact complicates Arizona's position by placing her in both the upper and lower basin and gives all states the right to divert the waters of the Colorado River into other basins, while all the other states have large areas within other basins.

Think of the tremendous loss Arizona would sustain should these marvelous resources be taken from her. It is now time to awaken to the graveness of the situation and take immediate steps to preserve our inherent rights, establish priority and begin actual physical work to develop our interests in the Colorado River, its dam sites and water rights. They all come under this, the world's greatest High Line Canal.

EVERY PERSON MUST CONTERACT THE FALSE PROPAGANDA OF THE PACT ADVOCATES, BY AWAKING THE PEOPLE TO THE TRUTH, SHOWING THEM THE NECESSITY OF TAKING A DEFINITE COURSE TO SAVE THEIR WATER AND POWER WHICH LIES IN THIS GREAT PROJECT.

The people—laborers, war veterans, homesteaders, prospective settlers, land owners, business men, manufacturers, public servants of Arizona—must awaken, must campaign, must save for themselves the taxable wealth of Arizona, by counteracting the misleading propaganda that is being circulated by supporters of the Pact. Must save for themselves the wealth of Arizona, such as water, power, industries, homemaking and home settling of millions of acres of land, public and State, made valuable under the great Highline Colorado-Gila project, and for the future purpose of procuring the necessary means to compile engineering data necessary in filing on dam sites and canal lines, and to establish priority water rights for reclamation purposes.

This information is absolutely necessary before we can possibly confer with other States also interested in the Colorado Project, or before we can finance to build by National Government, State or Irrigation bonds.

Some money was appropriated for this purpose by both the Fourth and Fifth State Legislatures, yet no information was available for the members of the Sixth Legislature from that source. Through the courtesy of Geo. H. Maxwell, the noted reclamationist and the father of the National Reclamation Act, and the man to whom we may attribute the credit for the building of the Roosevelt Dam; the Sixth Legislature was supplied with maps and engineering data, which helped to save the day for Arizona.

FLOOD CONTROL, BEHIND WHICH PACT ORIGINATORS RIDE, CAN NOW BE MORE EASILY OBTAINED, WITHOUT THE PACT. We all realize the imperative need of controlling the flood waters of the Colorado for the protection of the Yuma and Imperial valleys, and this feature is one of the blinds the Pact originators use as an argument for the immediate ratification of the Pact.

But our present National Flood control laws adequately provide avenues through which flood control is secured, and without question the method of procedure to secure this protection through our long tested reclamation laws, is now less complicated than it would be if the Pact had been ratified.

THE PACT INTERFERES. LAND OWNED BY THE GOVERNMENT, IN THE STATE OF ARIZONA IN THE GRAND CANYON GIVES ARIZONA A PROTECTOR UNDER WHOM SHE CAN SAFELY FILE ON DAM SITES, MINES, ETC., WHICH CONSTITUTE HER MAIN WEALTH.

Out of the many absurd and misleading statements from those trying to revive the Pact; one is that the Government owns most of the land adjacent to the Colorado River, thereby preventing Arizona or her citizens from filing on or controlling and developing her dam sites.

How absurd; The immense wealth of the 48 states whose area is made up mostly of Government land, was derived from the States' or her citizens' rights to file on and develop National Government land, through homesteading, filing on power and water sites and staking claims, etc. Today out of these State rights and their preference to file on claims on these Government lands, under the guardianship of the Federal Government; has been developed the taxable wealth of Arizona, as well as the other individual states; through their rich farms, mines, and power plants, and large cities, which are all on land once owned by the Government.

The withdrawal of U. S. Government lands in the States by the U. S. Government is to protect the state and its people from exploitation and monopoly.

If Arizona has no control over the Colorado River, then why the strenuous effort to get her to sign away this control by reviving the Pact?

A State's permanent wealth is her natural undeveloped resources, be they State or Government. On these she may draw for future development.

THE PACT TAKES AWAY FROM ARIZONA AND GIVE TO MEXICO'S FOREIGN AND BIG LAND OWNERS AND PROHIBITS THE MANY PROPOSED PROECTS FROM USING THE SURPLUS WATERS.

In addition to complicating Arizona's power sites, the pact decides definitely only two points; It makes clear Mexico's allocation of water. It also defines that the upper basin states shall have seven and one half million acre feet, and eight and one half million acre feet in the lower basin states, (including the Gila river in the lower basin states). The states of each basin must decide their different allocations, and hercin lies many disputed and endless litigation. Under the Pact surplus water goes to Mexico as well as the return flow and seepage, (The lower basin cannot possibly take the surplus water as Article VIII of the Pact so states), but Mexico's allocation to millions of acres must be maintained at the expense of both the upper and lower basin states, even to the appropriation of the water of the Gila river for this purpose.

This is plainly stated in the Pact in Article 3, paragraph C., as follows: "If such surplus shall prove insufficient for this purpose, the burden of the deficiency shall be borne equally by the upper and lower basins."

Heaven only knows how far reaching this provision may be. Mexico's big land monopolists could even take the waters from the completed projects as well as from the State. Neither can the many proposed projects utilize the surplus waters.

BOULDER CANYON DAM DETRIMENTAL TO ARIZONA AND U. S. BEING TOO LOW AND AT WRONG END OF CANYON. GLEN CANYON PROJECT AT UPPER END, LARGEST AND MOST ECONOMICAL AND INEXPENSIVE.

The same interests that originated the Pact idea were at the same time laying the foundation for the physical and political control of the Colorado River by advocating the construction of the Boulder Canyon Dam, thereby giving the water by gravity to Mexico reclaiming her millions of acres of land and stripping Arizona of her rights to this water, also creating a great loss of electric power at the same time.

The Boulder Canyon dam drops the water to the base of the Dam 700 feet, which is 700 feet too low an elevation to reclaim Arizona's lands and the business and franchise goes to Nevada and no power to Arizona.

Because of its low elevation, as it is located at the extreme lower end of the Grand Canyon is the least favorable, and most expensive construction site. The Glen Canyon site which is at the upper end of the Canyon would store double the water and could be constructed for a much less cost. The water could also be repeatedly used for generating hydro-electric

energy as it passes over the many falls in the Grand Canyon, after which the water can be diverted to the high lands of California and to the millions of acres of our Arizona lands. The main canal alone developing millions more power by taking the place of expensive transmission lines with their great loss of electric power.

RECLAMATION MUST HAVE PREFERENCE OVER POWER TO DEVELOP MOST POWER AND TO KEEP FROM DESTROYING RECLAMATION.

Agriculture is the basic industry, therefore the generation of electric power must be subservient to irrigation.

To issue a power permit before a reclamation permit would be destructive and illegal according to all courts. There is no loss of electric power in the development of power when done in conjunction with reclamation projects. One power permit given before a thorough knowledge of the possibilities could lose entirely or hold up reclamation for centuries.

IF PACT IS NOT RATIFIED, DEVELOPMENTS AWAIT YUMA AND MOHAVE COUNTIES, THE GILA VALLEY AS WELL AS NUMEROUS PROPOSED PROECTS THROUGHOUT THE STATE.

There are scores of irrigation projects over the State now, from the head to the mouth of different streams, comprising acreage from ten to two hundred thousand to the project, embracing nearly one million acres. In the Kingman-Needles district and the Big Sandy, in Mohave, approximately three hundred thousand acres are accessible to irrigation.

The main diversion canal of the Colorado-Gila project would pass through this country, giving a great amount of construction work resulting in immediate boom in business conditions and enhancing land settlement with the Pact defeated. Yuma county has perhaps the largest area of arid lands to be developed under this project. Fortunately for all the Colorado-Gila High Line Canal will cross below and dovetail into most all of the above projects, making them partially peakload dams for the maximum supply to the main canal with uniform flow to the lands below as well as the irrigation of the higher lands above the main canal and at the head of streams making one stupendous, interwoven, powerful and economical reclamation union.

POSSIBLE DEVELOPMENT ENORMOUS WITHOUT THE PACT AND GREAT PROSPERITY TO THE ENTIRE STATE AND THE SALT RIVER VALLEY IMMEDIATE.

Under the Grand Canyon Gila High Line Project, the largest in the world, more than a million acres surrounding Phoenix and nearby towns with their paved roads extending in all directions, as well as millions more scattered over the State would be placed under perpetual production. Over a million and a quarter horsepower of electricity can be generated in the Main high line canal, which will pay for the entire project. Imagine if you can, the tremendous development incident to the accomplishment of this gigantic scheme. Imagine the millions of capital and people coming here to take advantage of cheap power and to secure the reclaimed state and public lands, also patented lands. It means the building of large manufacturing concerns, automobile plants, new cities and towns. Capital and people coming immediately to places where big enterprises are under way.

Progress and Prosperity or Dèlay and Panic. ESTABLISHED PRIORITY ESSENTIAL.

Shall we immediately postpone and delay this progress by entering into a Pact, which would only complicate and deprive us of our rights or shall we form a progressive organization for the purpose of securing reliable engineering data and file and establish priority and form the basis necessary

to accomplish the greatest reclamation project in the world, thereby making employment, making possible for all to have sustaining homes and to save their homes; making it possible for many producers and business men and others crushed with debt due to special privileges and monopoly that makes war and panics, to pay out or revive. Construction and progress with equal opportunity for all, will be the only thing which will make an efficient, good, healthy business and people.

SUMMARY OF THE ARGUMENTS MADE BY SENATOR FRED T. COLTER, PRESIDENT OF THE ARIZONA HIGH-LINE ASSOCIATION, PROVIDING FOR THE BUILDING OF THE GLEN-BRIDGE CANYON DAMS AND ARIZONA HIGH-LINE CANAL

U. S. SENATE DOCUMENT 113

Bill No. 3414, Introduced in the United States Senate March 3, 1926, as a Substitute for the Swing-Johnson Boulder-Black Dam and Compact Bill.

The Glen-Bridge dams and high-line canal bill, as substitute for the Boulder Dam compact bill, provides for the irrigation of 3,500,000 acres by gravity in Arizona and supplies California and Nevada by gravity and develops much more power than is required to pay for same.

There isn't a service claimed by the Boulder Dam bill that is not far surpassed by the Glen-Bridge high-line bill, which provides for service of larger quantity of water, more power in less time and at less price for all concerned, and gives the maximum economical development of the Colorado River, and saves Arizona from destruction.

Arizona is entirely covered by the Colorado River, being entirely within the Colorado River Drainage basin, and more vitally dependent upon the water and power of the Colorado River than any of the other States, while the other basin States of the Colorado River drainage area have each only a portion of their areas within the said drainage basin, and they all have other rivers to depend upon.

Arizona has 96 per cent of the power and 42 per cent of the drainage area.

The Swing-Johnson compact bill, Colorado River compact, tri-state supplemental compact, by Arizona's committee proposal to California and Nevada, and the Diamond Creek Dam permit, upset our sacred, tested reclamation laws. They are all unconstitutional; would permit the irrigation water to go to Mexico, concede the power to the electric power trust, would breed an Asiatic war with the United States of America, and leave millions of acres of land in Arizona a desert forever.

Secretary Work's amendments for the Swing-Johnson compact bill take all water and power from Arizona and are unconstitutional, impossible, and are figuratively speaking, a straw man, to draw the fire from any one or all the above destructive schemes and those supporting them.

Power trusts and Mexican land interests want power dams only or a compact between the States to divide water so that only power dams, not combined with irrigation, could be built. When Mexico would get the irrigation water and the power trusts would get the power. Compacts of this nature are cave-man and ancient-day form of government.

Not since the Revolutionary War has the Nation been confronted with such an injury to her form of government. There are 24,000,000 acre-feet of water in the Colorado River system, inclusive of reflow water out of which the compact leaves Arizona about a million acre feet and surrenders 8,000,000 acre-feet to Mexico and guarantee her deficiency.

The power trust propaganda circulates that we raise an over-supply of food products. This is false, since we in Arizona and the people of the

United States import all kinds of agricultural products. This said erroneous propaganda circulation is done to discourage and divorce irrigation from power development. Then only power dams would be built and the power trust would control them,

Boulder Dam is mainly a power dam and is at the wrong end of the Grand Canyon and will lose greatest amount from evaporation, with least benefits. Glen-Bridge Canyon Dams are at the high and upper end of the said canyon, where they give the least loss of water from evaporation and the maximum benefits.

The upper States are protected by the Glen-Bridge high-line bill.

Imperial Valley's need for an all-American canal is somewhat similar to Arizona's need for the Arizona high-line canal, except Imperial Valley can be served better by the Bridge dam and high-line canal, and Los Angeles can be saved \$100,000,000 by Bridge-Arizona-high-line gravity canal over Boulder pump lift scheme. Then Arizona need not be destroyed on the "altar of greed."

It would be suicide for Arizona or the Nation to build either or both the Glen or Bridge Dams if the irrigation and its priority to the highest line canal were not maintained and combined with the power development.

Proper water filings have been made by Senator Fred T. Colter, by approval of the Governor of Arizona, in 1923, 1925 and 1926 and supplemental filings made by the commission of State institutions. Suits have been filed for protection of the people's interests in this State of Arizona, and many years of continual energetic diligence have been spent by Arizona's people and the State. (A more comprehensive brief which I compiled, relating to the above, is in the Congressional Record on pages 1790 to 1800 inclusive).

Any agreement Arizona would make with California and Nevada, regardless of how small the amount they would accept, would simply mean that with this small amount of water they would build the Boulder Dam and Arizona would be forced thereby into the Compact, then the Colorado River water would go to Mexico, power to the power trusts, and Arizona would be ruined.

California and Nevada can't in compact speak for Mexico and the power trusts and protect Arizona. The courts are the only sources authorized and equipped to divide water.

Arizona can contract for the construction of reclamation works only on the Glen-Bridge Dams and high-line canal. Then all can be served without Arizona's destruction.

We are educating with facts and the truth enough citizens in Arizona and the Nation to save the Colorado River from destruction as a benefit for the many, and to save us from a war with Asia.

Arizona will not accept water-division compacts, and upset perfect, tested laws, making endless litigation when water titles or rights now can be quickly quieted or adjudicated by equipped, authorized courts. We will do this, or defend our rights with our lives if need be.

I can imagine a degree of self-loyalty to the Mexican land water steal and the power trust steal. I can appreciate the loyalty of citizens of all other river States that stretch the truth admittingly to claim waters for projects, not practical for development for 200 years. But there are representatives, citizens, and papers in Arizona that are trying to find excuses and lie to condemn Glen-Bridge high-line projects that belong to Arizona, when the Colorado River runs 300 miles entirely in Arizona, 500 feet to 3,000 feet above 6,000,000 acres of land, with this fall for power to more than pay for same. If this isn't treasonable ignorance, or high treason, for heaven's sake, what is it?

I hope, pray, and have faith that you will assist in preventing such a disaster to Arizona and the Nation by passing the substitute bill to build the Glen-Bridge dams and high-line canal.

I feel deeply this situation, through my life's experience, in the school of hard knocks, in extensive reclamation development for myself, and during the last four years' constant time on the firing line, trying to save Arizona, and I expect to continue such efforts until Arizona and her rights are safe.

FRED T. COLTER

President Arizona High-line Reclamation Association.

PROPOSAL OF ARIZONA'S COMMITTEE OF FIVE UNFAIR TO ARIZONA

Senator Fred T. Colter, President of the Highline Reclamation Association, in December 1925, said:

The proposal by the recent Colorado River Committee of Five to California and Nevada is decidedly unfair to Arizona, unconstitutional and paves the way for the treasonable schemes to develop the Boulder and Diamond dams and the Colorado River Compact, and destroys the irrigation of millions of acres through any projects including the Glen-Bridge-Highline plan of quickest maximum development of the Colorado River.

Through more than three years of strenuous sacrificing efforts we have established the Glen-Bridge-Highline plan, wherein our rights, the truth and correctness of our fight and plans; established the base for Arizona's and the Colorado River's protection and development, guaranteed by our state and federal constitution, so that nothing could obstruct.

For Heaven's sake, after all this, why throw ourselves now on the open sea to be devoured by the sharks?

All these, our entrenchments and establishments thus far built in behalf of the people of the state of Arizona were obtained to commence with our one to ten fight against a strongly entrenched, perverted public opinion, built up by the Electric Power Trust propaganda.

For the sake of the blood of our National Independence, why should we now be misled to allow masked spies and misguidance in our own hard gained trenches for justice, raise the white flag, and relinquish to them Arizona's life and wealth, the base, and the morale we have established to be guarded under the law of prior use and judicial legislative and executive branches: Why give up our established base and only constitutionally guaranteed rights and jurisdiction and place Arizona at the mercy of the wolves?

Arizona's committee of Five, proposes that Federal Officials, California and Nevada select first all dam sites on the main Colorado River, thus paving the way for the original compact as follows:

First. By the relinquishment of the law of prior appropriation by even an unfair division of water.

Second. No protection for our present initiated and vested water rights to hundreds of projects throughout Arizona, including the Glen-Bridge-Highline reclamation projects.

Every constitutional guarantee and vested right for Arizona is lost, and open to the wolves when questions and conflicts arise which are to be decided by the majority of the parties or states, of the proposed agreement.

Arizona is one and alone under this agreement, with the field against her, notwithstanding that Arizona has the power, water and dam sites that would be thus thrown open to the Mexican land and power wolves.

I hope, pray and have faith that the patriotism of Arizona's people will arise to this solemn occasion.

BIBLIOGRAPHY AND AUTHORITIES

which prove the treasonable conspiracy of American land speculators in Mexico to rob Arizona of her rights in the Colorado River and induce Arizona to surrender her rights as a sovereign state of the United States of America.

COLORADO RIVER AND ITS UTILIZATION: Water Supply Paper 395, Plate XII, showing irrigable areas in Mexico, and on page 144 indicating the irrigability of the Del Rio Tract.

PRELIMINARY REPORTS OF IMPERIAL VALLEY AND VICINITY.

Committee Print. 66th Congress, 3rd Session.
See Map facing Table of Contents.

Tables of Irrigable Lands, pages 10 and 11.

Tables of Lands to be assessed for reclamation, page 19.

Method of Irrigation of Mexican Lands proposed, page 18.

Table No. 7, showing 820,000 acres in Mexico, page 31.

"SUMMARY OF ESTIMATED ULTIMATE IRRIGATION," Page 32, showing area ultimately to be irrigated in Mexico, 820,000 acres.

PROBLEMS OF IMPERIAL VALLEY AND VICINITY: The Final Davis-Fall Report, Senate Document 142, 67th Congress, 2nd Session. See Map, Plate V, immediately following picture of Boulder dam site, and preceding Plate VI, which shows purpose of irrigating 820,000 acres in Mexico, because that is a part of the 2,020,000 acres in the lower basin on this map. See Map, Plate XIX, opposite page 62, showing 820,000 Mexico. See tables pages 12 and 13 showing intent to irrigate Mexico.

Note also reference to irrigation in Mexico on page 6. See Tables on page 32 giving acreages making up 2,020,000 acres, of which 800,000 is in Mexico and 295,000 or less in Arizona, including Yuma project 130,000 and Parker project 110,000 acres.

THE COLORADO RIVER COMPACT, which apportions the water in accordance with the Davis-Fall report as follows:

Apportionment to Upper Basin	7,500,000
Less existing vested rights	3,500,000
Surplus reserved for Upper Basin	4,000 acre ft.
Lands in Arizona	280,000 acres
Lands in California	940,000 acres

Total in U. S. A.1,220,000 acres

requiring 6,100,000 acre feet from the Colorado River, which the compact provides as follows:

Total apportionment to Lower Basin 8,500,000 acre feet.

Less existing vested rights in Arizona 2,400,000 acre feet.

Leaving the required total to come from the Colorado river the exact amount of 6,100,000 acre feet.

Area to be irrigated in Mexico, to which the surplus is apportioned, 820,000 acre feet requiring a total annual water quota of 4,100,000 acre feet.

Leaving amount covered by evaporation from reservoirs and channels 2,200,000 acre feet.

Total available for apportionment, as per table on page 5, Senate Document 142, 16,400,000 acre feet.

In authorized interviews with Davis published in The Arizona Republican on March 16 and 23, 1922 declared that the lands to be irrigated from the Boulder Canyon Dam included 40 per cent in Mexico and 60 per cent in the United States. See pages 1518-1519 Hearings before House of Representatives Committee, Washington, D. C.

(THE FOLLOWING LETTER FROM GOVERNOR HUNT, SHOWING APPOINTMENT OF FRED T. COLTER, AS MEMBER OF U. S. SENATE COMMITTEE).

Geo. W. P. Hunt, Governor
H. S. McClusky, Secretary

EXECUTIVE OFFICE

State House
Phoenix, Arizona

October 20, 1925.

Dear Senator:

I have been requested by R. W. Pridham, President of the Los Angeles Chamber of Commerce, to have a representative present at a conference to be held by U. S. Senate Irrigation and Reclamation Committee on October 26, in Los Angeles, the purpose being to bring about a harmonious solution of the Colorado River situation, and he states that the Los Angeles Chamber of Commerce pledges itself to take the lead in the hearings and will endeavor in every way possible to bring about a solution satisfactory to all.

I am certain that you will act with discretion and tact, and I am very glad of this opportunity of showing you my appreciation of your loyalty, and the splendid fight you have made for the protection of Arizona's interests in the Colorado River, and I hereby appoint you to represent Arizona at the conference referred to.

Yours very sincerely,

GEO. W. P. HUNT, Governor.

Hon. Fred Colter,
Jefferson Hotel,
Phoenix, Arizona.

(REMARKS OF FRED T. COLTER, BEFORE THE U. S. SENATE COMMITTEE HEARING AS FOLLOWS):

In appearing before you as representative of Governor Hunt and the State of Arizona, I desire to express my appreciation of the invitation extended me by the Los Angeles Chamber of Commerce and U. S. Senate Reclamation Committee. Arizona has about one-half of the drainage of the Colorado River system, and 90 per cent of the power. Arizona has never been known to have any trouble with anyone of the Colorado River basin states before, the institution of the Colorado River Compact. The origin of the Compact came not from Arizona people. Many doubt if it originated from any group of the common people in any state.

However, when these unnecessary, peculiar methods of river development arose, such as compact guaranteeing Mexico water, power trust water filings, power dam proposals and Mexican land water appropriations, Arizona was forced into self-protection and development of a program that would serve flood control of Yuma and Imperial Valley, and development of irrigation and power.

She has for years worked diligently for her present and future development. In 1923 with the approval of Governor Hunt, I filed for the State on Spencer-Bridge Canyon Dams and Glen Canyon Dam to develop flood control, power and irrigation of millions of acres of land. September, 1925, I supplementally filed on Bridge Canyon Dam for the same development, and October, 1925, the Governor as Chairman of the Board of Control and State Institutions supplementally filed on same, and filed protest against an Arizona Dam which is the Diamond Creek Power Dam. The Boulder Dam is mainly a power dam at the lower end of the Grand Canyon and both destroy irrigation for Arizona and other States.

Therefore, Arizona has for five years past established and legalized the basis of a Colorado River development plan that will give the maximum flood control, irrigation and power development in the Colorado River. By that plan we injure no other state and irrigate millions of acres in Arizona and the United States, and develop power to pay for the cost of it, and this plan will give the quickest development on the River, because our plan conforms with the present established and tested laws and maximum development of the River, and certainly will get the United States Government and other states' assistance as these plans conform to tested reclamation laws and the benefit of all the people. Therefore, we would have government assistance, for the government is the people and their laws. Arizona's program saves and develops her own life and benefits nation and the Colorado River Basin states and their people.

But if power dams alone are started in the Grand Canyon of the Colorado River, they would consume and monopolize all the power in the Canyon and there would be no power left to pay off the irrigation bonds, because God's laws and man's laws put power and irrigation together—or irrigation first, as it is home, food and clothing. But if power is first it destroys irrigation forever and priority and water would go to Mexico. If irrigation and power are combined no power will be lost. A compact that divides the waters as the present one does, so that only power dams could be built on the Colorado River, would accomplish the same destructive results, besides upsetting sacred tested reclamation laws and the constitution, and thereby endless litigation.

Our constitution guarantees majority rule of its people and absolute protection of the minority, weak, young and new growth. The same constitution guarantees same for protection of its natural resources, especially irrigation which is the absolute sustenance upon which these people subsist, and we cannot stand for a compact that would destroy that freedom of growth and individuality of the people and states, especially the new states, (like Arizona, yet sovereign), and natural resources upon which they subsist.

Arizona is equally interested with California in flood protection of Yuma, Arizona, and Imperial flood protection, but Arizona's efforts and program solves that by the Bridge Canyon Dam, or the Coolidge Dam at San Carlos on the Gila River, which is already authorized by Congress.

Arizona's program of Bridge Canyon Dam will serve power, flood control and irrigation by gravity and gravity waters to Los Angeles if Arizona sees fit to allow water diverted out of the Colorado system into another river system.

As far as the upper basin states are concerned, if the equitable present law of prior, beneficial, maximum, economical use of water is continued, Arizona could easily co-operate and get along with the upper basin states because Arizona would not have to concede much as there is only a small drainage area in Colorado River System and that is in a high altitude and therefore is land which requires only a small duty and most of that water would return to the Colorado River to be used below.

A compact or Boulder and other power dams would destroy Arizona and maximum development of the Colorado River, but Arizona's program practically satisfies every other state's need in the basin.

The compact divides present and future water in perpetuity. Courts do not even or could not attempt to divide present used or vested rights in perpetuity, and naturally do not attempt to divide unused future water.

ARIZONA POLICY **Colorado River Compact.**

This compact purports to allocate the waters of the Colorado River in accordance with the terms of a uniform law passed by Congress and the seven states in the Colorado River Basin. By referring to the law you

will ascertain the fact that it authorizes a compact apportioning the water of the Colorado River "Between the States."

The first fundamental error in the compact is that it does not apportion the water as authorized by law "between the states," but between arbitrary divisions called basins, the "upper" and the "lower" basins, and this was done without consideration of conditions existing in these two arbitrary basins created. Under the arbitrary conditions established for the division of the water, Arizona, due to economic conditions, is subject to the same difficulties as the upper basin states and by signing the compact would, in competition with California, be signing away all her rights and hopes for future development.

The second fundamental error in the compact is that all of the water that the upper basin states can ever use (and some eminent engineers claim more water than they can ever use) has been apportioned to them, while insufficient water was allocated to the lower basin to irrigate all of the lands susceptible to feasible development and in return for this advantage in allocation of water they give nothing to the lower basin either in recognition of rights, of storage facilities or otherwise.

The third defect in the compact is that no provision is made to prevent water stored in the United States, when it is released and the low water flow increased from being applied to Mexican lands and possible water rights acquired in that country.

The fourth defect is that in the allocation of water the upper basin states will be served from the normal flow of the river, while the lower basin must depend on storage and no allowance is made for evaporation losses which will result to the lower basin from the stored water.

OTHER DEFECTS EXIST:

What is the reason for any compact being negotiated which sets aside the present well established and defined water laws which govern the utilization of water in all of the states of the basin and the principles of which were held by the United States Supreme Court to govern as between the states in the basin? The only answer that can be made logically and truthfully, is that it is dictated by the farsighted business acumen of some of the states in the basin who are endeavoring to secure for use in the distant future rights which they do not now possess under the law. The upper basin states are manifesting no altruism in demanding a compact. They do not take the position that it is immaterial where development is undertaken so long as it is in the United States. They are demanding all that can be gotten for their political subdivisions of states. Why should we do not do likewise?

Economic law may be harsh, but it is the only law that governs. We are told by eminent authorities that \$150,000,000 in unearned increment will become attached to the lands of the Imperial Valley as soon as adequate storage facilities are provided to insure a steady supply of water for irrigation and flood control; and that additional hundreds of millions or perhaps of billions of value in unearned increment will accrue to Southern California municipalities and lands when an abundance of electrical energy is made available. Thus, under the terms of the Colorado River compact, the four upper basin states and California achieve wealth, economic security and the assurance of the continuation of these benefits in perpetuity.

What about Arizona and Nevada, the remaining two states in the basin? We are told, quoting ex-Governor Boyle, that Nevada can possibly utilize 10,000 horsepower from the Colorado River at this time; that they may eventually utilize 100,000 horse power and that they may irrigate not to exceed 80,000 acres of land, Mr. Weymouth and Mr. Davis, former chief engineers of the United States Bureau of Reclamation, state 3,000 and 4,000 respectively.

Arizona is in the position, if the present water laws remain undisturbed and unimpaired, of asking nothing. We are fully satisfied with the present laws as interpreted by the United States Supreme Court. We are fully able, under present laws, to protect our interests from all of the other six states in the basin and from Mexico. We do not fear development in California or in the upper basin if the law of priorities, based upon appropriation for beneficial use, remains in full effect. But if that law is to be disturbed, modified or set aside, we have immediate cause for alarm. The proposal to set law aside does not come from us.

We had not been particularly interested in the immediate development of the Colorado River up to the time the compact was discussed. It is only thirteen years ago since we obtained the statchood. We have been developing our resources within the interior of this state. We think we have made tremendous strides since 1912, considering our small population exceeding that of any other state in the union during that period. The Colorado River is a potential asset of Arizona.

Under the Kincaid Act, passed by Congress, the United States spent over \$2,000,000 in the vicinity of Boulder Canyon and practically none elsewhere on the river. There is some testimony that the Imperial Valley irrigation district has spent half a million dollars in connection with the proposed Boulder Canyon project and we have no information as to how much money Southern California municipalities and the state of Nevada and other interests have spent in this connection. The lack of information and data in regard to any other portion of the river, other than at Boulder Canyon, is very succinctly stated by Col. William Kelley, chief engineer of the United States Federal Power commission as follows:

"The need for more facts in the rather astounding conclusion one must reach for study of the data at hand. While hundreds of thousands of dollars have been expended on intensive investigation at Boulder and Black Canyons, the various dam sites between Boulder and Diamond Creek are untested as is also the site at Mohave Canyon. Drilling at these sites and sufficient investigation and study to permit estimation of comparable accuracy to be made for each are necessary before a satisfactory conclusion can be reached."

When the Colorado River compact was negotiated the representatives of the State of Arizona had no material facts as to the possibilities of development in this state unless the information as contained in the report of Mr. Arthur P. Davis is to be accepted by Arizona as accurate—something we are not willing to accept.

The question may be raised that it is not the fault of the other states that Arizona is not in possession of the facts. Our reply is that Arizona is not asking that the law of priorities based upon appropriation for beneficial use be set aside. Arizona is fully content with that law. We think it is fair, equitable and just.

Arizona is doing her utmost to acquire facts.

Since the Colorado River compact was negotiated, engineers tell us that it is possible to develop additionally from 700,000 to 3,000,000 acres of land in Arizona from the Colorado River. Other engineers accept the data of Mr. Arthur P. Davis, which states that it is only practicable to irrigate some 280,000 acres of land, which includes the Yuma Project, in Arizona, from the Colorado River. We think we have secured sufficient information in the past two years to justify the belief that a considerably greater area in this state can be irrigated from the Colorado River.

If Arizona signed the Colorado River compact in its present form we would be signing away our future right to utilize the resources of the river without recompense. If we have something you want and can utilize, economic justice dictates that it be paid for.

The Colorado River compact gives to the upper basin rights which they cannot acquire under the law except by putting the water to beneficial use before it is utilized in the lower basin.

Something has been said, from time to time, about the nationalization of the river; that Arizona is said to have forfeited her rights under the terms of the Enabling Act granting statehood to this state. Efforts have been made to distort the law as it relates to navigation and alleged rights the Federal Government might have in a navigable river are used as a basis for discussing nationalization of the river. In this connection so long as the courts of this land remain open, Arizona anticipates no menace from that direction. We would expect to get from the courts the same rights that New York might.

Arizona asserts that she is a sovereign state, with rights equal to those of any other state; that she has jurisdiction over the bed of the streams from high water mark to high water mark within this state and all of the water that flows therein except as title has been acquired under existing law, and that between the states of Nevada and California, where the stream is a border stream, that the sovereign rights lay between those two states and Arizona and that any rights as to power sites that the federal government may have in the streams are the rights of a proprietor only. Some day that usurped right of the United States will be challenged and Arizona may have the opportunity to show in the Supreme Court that when the Congress of the United States made the reservations as to power sites, that it exceeded its authority in denying admittance of the territory of Arizona to the union of the States, which comprise the United States, on an equal basis with all of the other states.

Arizona asserts that, while the federal government as a proprietor may own the lands abutting the dam sites and the lands that will be overflowed, the State of Arizona, as a sovereign, owns the land in the bed of the stream, upon which the dam will be erected and the water in the stream and that it reserves the right to tax and derive revenue from any development in the river in whatever manner the laws of this state may devise.

Any decisions made should first of all stipulate that as between the United States government and the Mexican Government no water rights will accrue to Mexican lands resulting from any storage facilities provided on the Colorado River or any of its tributaries.

SUMMARY OF SPEECH OF FRED T. COLTER AT LOS ANGELES AS DELEGATE BEFORE WINNING OF WEST CONGRESS, OCTOBER, 1926.

Senator Fred T. Colter, President of the Highline Reclamation Association, at the invitation of the Los Angeles Chamber of Commerce to attend and speak at the convention, Winning of the West, held there of the Representatives of the Western States on their proposed projects of Reclamation, has just returned.

He states that representatives of all Western Reclamation Projects were present, grasping at any straw to obtain assistance.

In his speaking and work there he stated he was compelled to oppose the permanent formation of the Convention when he discovered the object was to give false encouragement to the Representatives of the proposed projects by getting them to subscribe to a plan by favoring the Swing-Johnson straw man Bill, Colorado River Pact, Tri-State Pact and Boulder-Black Dam, which he told them would devastate Arizona, destroy the law of prior appropriations, destroy the maximum development of the Colorado River which River is the backbone of the Southwest.

The American Land Interests in Mexico and Power Trusts would be the beneficiaries of this greatest unpatriotic exploitation scheme ever known, still hiding behind the mask of the Yuma and Imperial Flood Control needs, the need these exploiters have delayed.

Staged with the Winning of the West Congress was the first release and showing of the great spectacular moving picture "The Winning of Barbara Worth," depicting the exaggerated horrors of the floods to the Imperial Valley. This Colter stated was to frighten the people into an illegal Boulder-Black Dam Swing-Johnson Bill program, thereby delaying flood control and cutting Arizona's main Artery.

When as he stated he told the delegates that their flood-storage protection would have been obtained long ago through the regular, long-established Congressional Avenues.

Colter also re-iterated the summary of Arizona's position on Colorado River, presented September, 1925, which was as follows:

SUMMARY OF ARIZONA'S POSITION ON COLORADO RIVER. PRESENTED SEPTEMBER, 1925, BY FRED T. COLTER.

Arizona is a new and sovereign State, entirely covered and dependent on its only river, the Colorado. Ninety percent of the power and nearly one-half of the irrigation and drainage area of the entire Colorado River System is within Arizona.

The law of prior appropriation and beneficial use, solely, rules and requires filing and due diligence. This is Arizona's safety and base for her sovereignty, regardless of who has jurisdiction over the river bed and adjoining lands.

Arizona is using her rights under this law, by filing on the unappropriated waters for irrigation and power on many projects, including the Glenn Canyon, Flood-Control, Irrigation and Power Dam, the Bridge Canyon, Flood-Control, Irrigation, Power and diversion dam, and the Arizona Highline Canal, diverting water by gravity, to irrigate four million acres of land in Arizona and develop power that would more than pay for all projects.

Under the law of prior, beneficial use, Arizona, can continue with this development. The United States Government or any state or states cannot prevent it.

Any plan that does not recognize and provide for the above development would ruin Arizona as well as the maximum development of the river, and would result in the compact.

Arizona should appropriate millions of dollars to keep up priority and continued diligence in this plan. Arizona can co-operate with California and Nevada only on the above highline plan which fully and quickly provides for Yuma and Imperial Valley Flood Control and provides gravity water for Los Angeles through the Bridge Canyon Diversion Dam and the Arizona Highline Canal (if Arizona permits the water to go out of the basin) and provides for a California All-American-Canal, and provides for the quickest, maximum development of the entire river.

Arizona is ruined and trapped into the compact if she enters into an agreement with California and Nevada to divide the water or to build any dam at or near Boulder, that does not combine power with the maximum highest level irrigation possible, for the future.

The courts and water commissioners are the only sources equipped to equitable and quickly divide water. Even they do not attempt the impossibility of dividing unappropriated water.

Any power or flood control dam, whether built by Arizona or the Government that does not combine the power with irrigation through on all gravity Arizona Highline Canal would ruin Arizona and the maximum

development of the river and the water and property would go to Mexico and the Power interests, endangering our peace and industries.

No agreement with California or Nevada, to build any kind of a dam at Boulder or near Boulder, could be made to protect Arizona's rights, because they have no authority to act for Mexico and the Power Trusts.

The other and older Colorado River Basin States have enjoyed their legally protected growth and have become wealthy by the long use of the law of prior appropriation and they have applied it for a hundred years in the future.

Therefore, Arizona, to protect her life and growth is compelled to notify and require California and all Basin States, Mexico and Land Owners in Mexico, and Power Interests, to recognize Arizona's aforesaid rights in this law of prior beneficial use.

Arizona would endanger all her legal and aforesaid rights, if she were to be misled into being compensated through royalty tax on power, or by power, to relinquish her rights in the law of prior appropriation and beneficial use.

Under the law of prior beneficial economical use, which encourages development and economy, there would be plenty of water in the river for future use, but if entered a compact to divide water, it would leave a great shortage of water, and destroy development, growth and economy.

Faithfully yours,
FRED T. COLTER,

President Arizona Highline Reclamation Association.

MASS MEETING PETITION.—MAY 28, 1925.

TO THE HONORABLE GEORGE W. P. HUNT,
Governor of Arizona, and
TO THE HONORABLE STATE WATER COMMISSIONER,
GENTLEMEN:

We, the undersigned citizens of Arizona, desirous of assisting the Arizona Highline Reclamation Association in the development and protection of Arizona's interests in the Colorado River, spontaneously assembled together at the Governor's Office in Phoenix, Arizona, this the 29th day of May, 1925, respectfully petition you to do immediately three important things required to protect and develop Arizona's irrigation and power rights.

FIRST—Arrange so that the State shall have direct supervision of the \$50,000 appropriation made by the last Legislature to be expended in co-operation with the agents of the Federal Government, which shall use a like amount. The Assistant Attorney General has advised us that, under the law, Arizona could spend this money under State Supervision, how and where the State may see fit. The Geological Survey, a bureau of the Federal Government, could likewise spend the Federal Government's appropriation, and yet all the money could be spent in such co-operation as the recent enactment of the Arizona Legislature contemplated. If the State does not have the supervision and expenditure of its own money, then it is much better for the State not to spend any of the money under the supervision of the Geological Survey as long as the attitude of the representatives of that survey is to take Arizona's money and use it to further an enterprise for another State. Topographical works will not furnish the information Arizona now requires.

SECOND—That you instruct the Attorney General to bring suit against the Diamond Creek Dam interests, which are now in the Federal Courts. If this Diamond Creek scheme is carried out, it will tie up all the potential power possibilities of the Colorado River Canyon and prevent the irrigation of at least 3,500,000 acres of land in Arizona. If we do not intervene with a suit, the court will have no legal way of knowing this fact.

THIRD—That you constantly protect the State's filings made by Fred T. Colter on the dam sites of the Spencer, Glen and Bridge Canyons, and on the Highline Reclamation Canal, Trott-Williams-Sturtevant-Stam Surveys, made to provide irrigation for 3,500,000 acres of land and to develop 5,000,000 electric horsepower. In this connection we ask you to file applications for the development and use of power by the State on the above projects before the Federal Power and Commission, and to present our case and protect our rights before this commission against the Diamond Creek power promoters at a hearing to be held next September.

According to the latest Supreme Court decision recognizing priority of rights in irrigation, Arizona cannot protect herself and keep her rights from being jumped by exploiters unless the State first files on its irrigation and power rights and thereafter uses due diligence in keeping them alive and active. In Arizona's case these rights may be kept alive and active by the proper expenditure of money for data and by bringing suits against any would-be usurpers.

We, the undersigned, will assist in carrying out the above plans and pledge ourselves to act as a committee to secure as many more citizens of the State to join us as possible, and with their help solicit the moral, financial, industrial and organized support of the entire community to the end that these rights of the State may be fully protected.

And we, the undersigned citizens of Arizona, desirous of thus promoting Arizona's welfare by helping the Arizona Highline Reclamation Association to secure these objectives, do petition you, the Honorable Governor, and the Honorable State Water Commissioner, in this mass meeting held this day in the Governor's Office, as aforesaid.

NAME

ADDRESS

THE SUPPLEMENTAL PETITION PRESENTED TO THE GOVERNOR JUNE 4th, WHICH SUPPLMENTS THE PETITION OF THE ASSOCIATION PRESENTED ON MAY 28, FOLLOWS:

"June 4, 1925.

„To The Honorable George W. P. Hunt,
"Governor of Arizona, and
"To The Honorable Frank P. Trott,
"State Water Commissioner,
"Phoenix, Arizona.

"Gentlemen:

"Supplementing our formal petition of May 29 to you anent the protection of Arizona's irrigation and power interests as conceived by the Arizona Highline Reclamation Association, the undersigned committee of that association respectfully submit to you this additional argument for your consideration.

"Inasmuch as Chief E. C. LaRue of the U. S. Geological Survey has already reported favorably on the gravity aqueduct plan for Los Angeles which is identical with the Arizona Highline Reclamation Association plan from Topock north of Bridge Canyon, therefore, we take it that any further detail survey by that department along this proposed route will be favorable to the construction of the aqueduct, and any money appropriated by Arizona and expended upon further detail survey of this route will undoubtedly be of assistance to both Los Angeles and the Arizona Highline Association, although our association has already made surveys that satisfy its members of the feasibility of this portion of the project, and then, too, Los Angeles voted \$2,000,000 to make a detail survey of this aqueduct, thus assuring that such a survey will be made in any event. Of course, that part of the aqueduct-highline plan from Topock north will be found feasible by both the federal government and the Los Angeles authorities.

"But Chief LaRue has stated in open meeting he considers the highline project for Arizona visionary, although he has already made a favorable report on the gravity aqueduct to Los Angeles. The people of Arizona will at once see his inconsistency in reporting favorably on a plan to take water by gravity to Los Angeles, while at the same time declaring it visionary to bring the same water a shorter distance over a less expensive route to the incomparable irrigable lands in the near vicinity of Phoenix. But we leave it to Mr. LaRue to explain his position to the people of Arizona.

"What is necessary, in our opinion, is to get lines and levels from Top-ock south into the irrigable lands of southern Arizona. Such a survey, and such a survey only, will keep Arizona's priority right alive.

"Therefore, we respectfully submit that unless you as the Governor, and the water commissioner of this state can say where and how the money appropriated by Arizona for this survey is to be expended, that it were better that it be kept in the state treasury until such time as the public opinion of the state is aroused to a full realization of the danger of losing for all time, its priceless Colorado River irrigation and power rights. The danger may be averted if it is possible to come to an agreement with Los Angeles and southern California, such that the irrigation and power rights of this river may be at the same time developed in a manner equitable to both Arizona and California. We believe it is possible for Arizona and California to reach such an agreement, and that it may presently be reached.

"Referring to the second part of our petition we believe no further argument is necessary to show that the best interests of the state require that the attorney general should be instructed to intervene in the Diamond Creek suit in order that full development of the great irrigation and power rights of the state may not be obstructed.

"Neither do we think that we can add to the merit of the contention in the third part of our petition asking that you have Arizona's application for power rights filed with the Federal Power Commission.

"Respectfully presented, this fourth day of June, 1925, by the special committee of the Arizona Highline Reclamation Association, to confer with the Honorable Governor, and the Honorable State Water Commissioner.

(Signed)

"FRED COLTER, Chairman.

"D. P. KIMBALL,

"D. L. CUNNINGHAM,

"J. H. WHYTE,

"MRS. (B. M.) SARAH T. ATWOOD."

June 11, 1925.

Hon. George W. P. Hunt,
Governor of Arizona, and
Hon. Frank P. Trott,
State Water Commissioner.

Dear Sirs:

We respectfully submit the following additional argument in favor of securing engineering data and bringing the necessary suits to protect the filings on the Colorado River made by President Fred T. Colter of the Arizona Highline Reclamation Association, for the State of Arizona. We urge that the one important question now is to establish the priority of the State's rights. The securing of more data and the filing of these suits are necessary to establish that priority and to keep alive the filings already made.

Los Angeles alone has already expended half a million dollars to secure data on this river and has just voted to spend two million dollars more. We believe that this action should serve fully to arouse the authorities and people of this state to action.

We believe that the clarion call of the editorial in the Arizona Gazette of Thursday, June 4th, under the caption "Where is our Shame?" should thoroughly arouse the people of this state. We quote the editorial in full:

"WHERE IS OUR SHAME?"

"Los Angeles day before yesterday by a big majority voted two million dollars for investigation of the engineering problems involved with the bringing of water from the Colorado River to the city of Los Angeles.

"The State Legislature of Arizona a few short months ago could not see its way clear to appropriate \$100,000 for Colorado investigations and finally consented to a \$50,000 appropriation provided it was tied up by the Federal Government.

"Los Angeles only hopes to get additional water for municipal requirements. It has already spent a half million in investigations. Arizona has millions of acres of land that it might be found feasible at some time to irrigate from the Colorado.

"Los Angeles is willing to spend two million and a half in investigating the possibilities of a pipe line from the Colorado, but we have many in Arizona who warrant that we, with half our state thirsting for water, do not need to further investigate that stream.

"Possibly they are right. It may be better that we never know what might have been done with the Colorado River in Arizona if Los Angeles and California get all the water. Where ignorance is bliss it is folly to be wise."

One of the Los Angeles plans is to lift the water of the river 1700 feet by an expensive pumping process and then convey it to Los Angeles through aqueduct 300 miles long, 65 miles of which will be tunnels. The cost of this proposed aqueduct will be \$400,000,000.

And even though we are the baby state, in both age and number of population, is not such action on the part of Los Angeles sufficient to arouse the people of Arizona to a realization of the danger of their infant-like slumber, on their Colorado River rights.

Private power corporations have spent millions of dollars getting engineering data for power dams in the Colorado River basin that would kill irrigation for all time. They have made many power filings up and down the Colorado River Canyons. Los Angeles and Southern California have made many irrigation and power filings on the Colorado River. And yet notwithstanding, when priority is the key to the whole Colorado River development situation, so far the baby state of Arizona has refused to arouse from her slumber. We are led to fear that when it does finally awake, its birthright, the irrigation and power possibilities of the Colorado River, may be lost to it forever.

PRIORITY IS THE MAGIC WORD.

Arizona would be committing suicide even if she built a power dam at Bridge Canyon, or anywhere else on the Colorado River, without keeping alive priority filings for her maximum irrigation rights. The development of any power if power is needed first, should be made with the definite understanding that the needs of irrigation shall always have the first consideration, and that irrigation shall always be developed in conjunction with power, thus saving our irrigation rights while at the same time securing a maximum of power development.

Realizing and digesting, the unreasonable opposition of federal engineers recently expressed in conference at the mass meeting held in your office to Arizona's irrigation interest, we sense the danger. The suggestion was dropped by Chief E. C. LaRue of the U. S. Geological Survey that Diamond Creek power dam could be moved to the Bridge Canyon dam site. If that move was made, any irrigation in Arizona would be forever stopped, excepting at the mercy of a private power company.

It was erroneously stated that Mr. LaRue at this conference, even after he had admitted the engineering practicability of the Arizona Highline Reclamation Canal, that there would not be enough water in the river to supply this canal, thus making the project visionary. His process of reasoning was that after Mexico, and the other states of the river basin, got the lion's share of the water, there would not be any water left for the Highline Canal. If Mr. LaRue understands the process of the syllogism in logic, his course of reasoning could indicate one conclusion in his mind; that if Arizona had any rights to the water of the Colorado River they could only be exercised after Mexico and every other state had dipped in and taken all the water they wished. We say this in all fairness to Mr. LaRue, realizing that he himself is best qualified to make his own explanations to the people of Arizona.

We assert that there is positively enough water in the Colorado River for Arizona Highline Reclamation project if Arizona gets her equitable prior rights in the average flow of the river, not to mention the economic duty of water in the future. With cement lined canals and proper cultivation, water used for irrigation in the future may serve twice the acreage that it now serves. And the many-time reflow and seepage water in the future will be used over and over again.

We know that the outstanding legal fact of irrigation is priority, with the beneficial economic combined use of water, regardless of whether the State or Federal Government or private parties develop a given irrigation project. The courts are the only authority to pass upon the rights of water division and sufficiency. This ought to be plain when there are thousands of applications for the water of the Colorado River to be adjudicated. How could an individual, or federal department, or a state Legislature or a commission, unacquainted with all the data and facts fairly divide the extensive waters of the Colorado River. A court in one small community will often consider on small water case for many years before giving a decision. Then, too, a court's decision is neither definitely final nor of lasting perpetuity but is elastic enough to merge with new developments, such as are constantly taking place because of inventions and scientific discoveries and the resultant advancement of the people.

Therefore, Governor, again we say, priority is the essence of the Colorado River development situation.

In view of these facts, we again submit that Arizona should have supervision over such surveys as should immediately be taken to insure the maximum irrigation for Arizona from the Colorado River system. And Arizona should also immediately take all necessary steps to protect the filings of Fred T. Colter for Arizona; make the additional filings necessary to protect her priority rights before the State Water Commissioner and the Federal Power Commission; and intervene in the Diamond Creek Dam permit suit now before the courts.

Very respectfully submitted by the Special Committee of the Arizona Highline Reclamation Association, appointed to confer with the Honorable Governor of Arizona and the Honorable State Water Commissioner.

FRED T. COLTER, Chairman,

MRS. (B. M.) SARAH ATWOOD,

D. P. KIMBALL,

E. J. FLOCK,

J. H. WHYTE,

D. L. CUNNINGHAM,

R. F. GARNETT.

**TELEGRAMS TO PRESIDENT COOLIDGE AND CONGRESS, AND
WATER DECISIONS OF ATTORNEYS KIBBEY, BENNETT, GUST,
SMITH AND LYMAN, SHOWING DEFECTS IN PACT, VERI-
FYING WHAT WE HAVE STATED FOR LAST FIVE YEARS**

KIBBEY, BENNETT, GUST, SMITH & LYMAN

Phoenix, Arizona, December 29, 1926.

Mr. F. A. Reid,
Heard Building,
Phoenix, Arizona.

Dear Sir:

Our answers to your questions relative to the proposed Colorado River Compact are as follows:

1. Upon the ratification of said compact by each of the states party thereto and by Congress, the apportionment of the waters of the Colorado River system therein made will become effective and enforceable according to the terms thereof, and the United States, each of the states, and the municipalities and citizens of each of these states, will be bound thereby and will be able to obtain relief from the provisions of said compact relating to apportionment of water only by consent of Congress and of each of the states party to the compact.

2. The waters apportioned by Article 3 of said compact are apportioned from the "Colorado River System." By Article 2 of said compact the term "Colorado River system" is defined as "that portion of the Colorado River and its tributaries within the United States of America." The apportionment of 7,500,000 acre feet to the lower basin, therefore, includes the waters of the Gila, Bill Williams, Little Colorado and Virgin Rivers as well as all other waters that naturally flow into the Colorado between Lee Ferry and the international boundary. We use the figure 7,500,000 rather than 8,500,000 acre feet for the reason that it is not clear to us whether the provisions for the additional 1,000,000 acre feet authorizes an increase over the 7,500,000 acre feet or merely an increase of the appropriations existing at the date of said compact.

3. Existing rights to water from the Colorado River system will not be destroyed by the ratification of said compact. Until storage capacity of 5,000,000 acre feet is provided on the main Colorado River within or for the benefit of the lower basin, rights perfected in the several states at the date of said compact will prevail according to their priority as if no compact had been made. After the aforesaid storage capacity has been provided, the appropriations in each basin will be limited to the water apportioned to said basin, and the present perfected rights from the main Colorado in the lower basin will attach to and must be satisfied out of such stored water. This does not increase the amount of water apportioned to the lower basin but permits the upper basin to take its water to the extent it desires at the low stages of the river even to the extent to taking the whole stream flow and compelling the lower basin to supply its appropriations from the main Colorado at low stages of the river out of the stored supply.

4. Priority of appropriations whether perfected or inchoated among the states of the lower basin will not be affected by the ratification of the proposed compact. If the existing appropriations in those parts of the states of Arizona, California, Nevada, New Mexico and Utah, which lie within the lower basin, require all of the waters apportioned to the lower basin, no further appropriation can be made from the Colorado River system in the lower basin. Under the express provisions of Article 3 of said compact the additional waters above the apportionment are subject to disposal as follows: (a) By treaty to Mexico; (b) After October 1, 1963, to further apportionment with the consent of each of the signatory states and Congress. Independent of any provisions of said compact such additional waters will be subject to appropriation in Mexico. This necessarily follows

because Mexico will not be a party to the compact and will not be limited thereby, and upon the fundamental principles of equity and justice applied by the Supreme Court of the United States to appropriations from interstate streams which are undoubtedly a part of the law of nations, the United States recognizing and asserting the right of prior appropriation will not be in a position to deny the same right to a neighboring nation. Our statement that the additional waters above those apportioned will not be subject to appropriation does not necessarily mean that the lower basin states will not be permitted to use such waters until other disposition is made thereof under the compact. On general principles such temporary use would be permitted, but the said compact plainly does not contemplate that any rights whatever will be gained by such temporary use, and it may well be said that the acquisition of any temporary right is impliedly prohibited by the compact. In any event, such temporary use if permitted at all by the compact will be subject to termination at any time when other use or disposition of said water is made under the terms of the compact.

5. Your question as to the effect of the compact on the desire of the City of Los Angeles to obtain a substantial quantity of water from the Colorado River for its municipal purposes presents several interesting questions. Your assertion that the states of Arizona, California, Nevada, New Mexico and Utah have already appropriated the full quantity of water to which the lower basin will be entitled under the compact is accepted by us without question because we know of no one better qualified to speak authoritatively with respect to this question than yourself. It follows from this premise that the City of Los Angeles can acquire no valid appropriation from the Colorado River system after the compact is ratified. Assuming that it may make temporary use of the waters available above those apportioned by the compact, such temporary use will certainly be subject to termination at any time by treaty with Mexico, and will probably be subject to termination by appropriation in Mexico without the aid of treaty for the reason that the State of California will be in the position of having bound itself by solemn compact not to appropriate these waters, and Mexico will be bound by no agreement limiting her right to appropriate such waters. Such temporary use of said surplus water will also be subject to termination after October 1, 1963, by a supplemental apportionment under the compact. Since the existing appropriations of the Yuma and Imperial Valleys attach to the stored water under the Compact, any right the City of Los Angeles can acquire to the waters of the Colorado River will be expressly subject to such rights of the Yuma and Imperial valleys. If there should be sufficient stored water available to supply the needs of Los Angeles after taking care of the prior Yuma and Imperial Valley rights, and Los Angeles should proceed to construct its works at great expense and divert such surplus waters from the Colorado River, the Yuma and Imperial Valleys would be precipitated into a fatal conflict with Los Angeles whenever other disposition of the surplus waters of the Colorado River should be made to Mexico or the other states under the provisions of the compact or such surplus water should be appropriated by Mexico.

6. Your suggestion that the proposed compact is essentially a limitation upon the benefits to be derived by Arizona and California from the Colorado River is correct. Said proposed compact undoubtedly limits the water available from the Colorado River for the benefit of the states of Arizona and California as against the upper basin states, and also limits the rights of the states of Arizona and California to the waters of the Colorado River as against Mexico.

The general plan of the compact which apportions a certain number of acre feet from the Colorado River system to the upper basin and a certain number of acre feet to the lower basin, the aggregate of the two apportionments being less than the total amount of water produced by the system,

and binds the several states to make no further appropriations from said system until the year 1963, seems to be in effect a setting aside of all of the remainder of the water produced by the system to Mexico and to be in the nature of a suggestion to the treaty-making power of the United States to deliver to Mexico the surplus of such waters. This is a phase of the compact that has not received the consideration that should be given to it. It would seem desirable that the proposed compact be rewritten so as to divide between the upper and lower basins the total water produced by the system with a provision that if any of the same is delivered to Mexico by the Treaty-making power, each of the basins will contribute their pro rata part of the amount so delivered to Mexico.

Very truly yours,

KIBBEY, BENNETT, GUST, SMITH & LYMAN.

By J. L. Gust (Signed)

TELEGRAM TO PRESIDENT COOLIDGE

MAY, 1926

Hon Calvin Coolidge,
President of the United States,
Washington, D. C.

One who has experienced life's hard knocks in extensive reclamation development and political economy sincerely prays and beseeches your immediate personal and devout religious study of the world's most stupendous reclamation development, which requires no water-division compact, and requires no change in our Constitution and established water laws to obtain immediate development and the exact ascertainment and division of water rights between States and individuals. It requires no technical engineering or legal professional ability, but only proper attention, a just patriotic heart, and simple common sense to ascertain the above and following facts.

It is unbelievable and unheard of in any civilized nation that such stupendous, unpatriotic measures as the Word-Mead-Hoover Colorado River six-state compact Boulder-Black Dam bill, which is even worse than the original Fall-Davis-Hoover compact, tri-State supplemental compact Boulder-Diamond Dams, which delay development and cause endless litigation, could be entertained or approved by Cabinet, National, and State officials. If these measures are not National and State treason, what are they? They destroy the sacred fundamentals of our national Constitution, democracy, tested water laws, State sovereignty, justice, future growth, and the development of the world's greatest Grand Canyon Colorado River and destroy the irrigation of 6,000,000 acres in Arizona and California, and obliterate Arizona's sovereignty and irrigation and power future, all just for greed to build up an American land speculators' Japanese Empire in Mexico. These destructive measures separate irrigation water from the United States and entirely from the Grand Canyon, leaving the power to be monopolized by the power trusts, and to be exhausted and despoiled by high-lift water pumping to exhaust limited underground water and that can be more economically developed by high canal gravity.

This is especially deplorable when under our Constitution, present and tested water laws of prior appropriation, beneficial, economical, maximum use placing irrigation and power together as would be provided for by properly situated dams, as the Glen storage dam at the upper end of the canyon, the bridge diversion dam, and the Arizona-California all-gravity high-line canal which would provide for more water and speedier flood control, and for a speedier, more economical development of every need required and asked for by our opponents and California. The Glen-Bridge high-line plan establishes the greatest agricultural and civilization base that civilization has

ever known, which would be lost if the Boulder-Black Dam were built at the lower end of the canyon, or the compact, or tri-state supplemental compact were accomplished, thereby resulting in the world's greatest catastrophe and the building of a great Japanese airplane and naval base in Mexico.

SENATOR FRED T. COLTER

President Arizona Highline Reclamation Association

TELEGRAM TO MEMBERS OF CONGRESS

Phoenix, Arizona, May, 1926.

United States Senator RALPH H. CAMERON,
United States Senator HENRY F. ASHURST,
Representative CARL HAYDEN,

Washington, D. C.:

Water is over three-fourths of the human and world's body, and human life could not exist without it. Under our constitution and water laws, both State and National, no one can bind or own water; they merely own the beneficial economical maximum continued prior use of water. Any kind of water division compact with any States would upset future growth, constitution, and water laws.

The Colorado River compact does not only upset the above fundamental principles and perfectly tested laws but deed away seven-eighths of Arizona's water and 8,000,000 acre-feet of Arizona's and the Nation's water to Mexico, in addition guaranteeing Mexico any water deficiency forever and create the greatest naval and airplane base in the world bordering us in Mexico. In addition to the above great water loss, there would be another water loss of 8,000,000 acre feet by compacting to build the Boulder-Black Canyon dam at lower and wrong end of the Grand Canyon, which destroys the economical, beneficial development of the river.

There is still another great loss which is unmeasurably great because of a compact to divide future water, and water in perpetuity would restrict every economical use of water in the future. We can get together with other States in construction works by building the Glen Canyon storage reservoir, the Bridge Canyon Diversion dam and the High-line Canal, which gives the quickest development of the river and prosperity for all States and saves Arizona from destruction, which would happen if the Boulder-Black Canyon compact Swing-Johnson bill were passed. You can rely on our fighting to the last ditch.

FRED T. COLTER,,

President Arizona High-Line Reclamation Association.

December 9, 1926

GAZETTE

HIGHLINE HEAD CONFERS WITH GOVERNOR DERN OF UTAH

Senator Fred T. Colter, president of the Arizona Highline Reclamation association, who has for four years taken an active lead in the Colorado river work, was a member of Governor Dern's party during their visit in Arizona and accompanied them on all trips in the state. He had interesting and helpful conferences with members of the party and with Governor Dern to whom he presented the plans of his organization.

Senator Colter told them that Arizona's main development plan of the Colorado river is to be built as one unit, and done in the same manner, only on a larger scale, as the Roosevelt project which the party visited and as the Salt River project, which are both tributaries to the Colorado river.

"All projects," Mr. Colter told Governor Dern, "no matter how small, come under the Colorado river basin and are governed absolutely by what Arizona does regarding the Colorado river.

"Irrigation is the first consideration in Arizona's development of this river and we must have a dam at the head of the Grand Canyon at Glen Canyon, (not at the lower end of the Canyon at Boulder). Then we must have the Bridge Canyon diversion dam, which diverts the water into the highline canal to irrigate over three million acres of land. This plan is for the maximum development of the entire river for both irrigation and power for the best interest of all Colorado river basin states. Arizona does not intend, nor propose to take any water from any of the other states, and the upper basin states can use all the water they can use in the basin. We only ask that Arizona have the right, which is hers by law, to keep the water which the compact and Tri-State compact deeds to Mexico. A tri-state compact kills the maximum development of the river, and is even more detrimental than the original compact.

WE CANNOT DIVIDE WATER

"We can agree on construction works. Highline irrigation must be given preference over power, then it is not killed forever. However, if power is given preference over irrigation, it destroys irrigation. Arizona is only fighting for her very life and we are right in our fight. The compact or Tri-State compact deeds our water to Mexico and guarantees Mexico's deficiency of water in dry years."

Senator Colter stated emphatically to those with whom he conferred that Arizona will never be trapped into its devastation by being fooled into signing a Tri-State compact which pretends to give Arizona the privilege of building a Glen-Bridge Highline project when this Tri-State compact in reality deeds the water away and leaves Arizona without irrigation water to build this great project or any smaller projects.

"It must be understood," Mr. Colter stated, "that it is impossible for Arizona to divide the waters of the Colorado river with California in such a way that Arizona can possibly approve the building of the Boulder dam. California cannot protect Arizona by compact or Tri-State compact against Mexico, or the power trusts, nor can California speak for any other states."

Senator Colter stated further that Arizona is definitely opposed to the construction of the Boulder dam or the Diamond Creek dam which are solely power dams. Arizona is unalterably opposed to the compact and the Tri-State compact because they destroy irrigation in the United States of America and give our water to Mexico. A Tri-State compact gives our water to Mexico, our power to the power trusts and destroys Colorado river irrigation forever and it also destroys our tested laws governing irrigation and destroys state rights as well.

OTHER DANGERS WORSE THAN SIX STATE SWING-JOHNSON BILL.

December, 1926.

Fred T. Colter

The precarious situation which Arizona occupies in the probable passage of the Swing-Johnson Bill, I desire to state: Are that if Arizona has to depend upon either the Swing-Johnson Bill or the getting together with California and Nevada with a Tri-State Water Division Compact to then ratify the original Compact (as they are proposing to do), between these two evils, Arizona had much better take the Swing-Johnson Bill because with the Swing-Johnson Bill Arizona is not a party to the Compact and still has her moral and inherent rights in the Colorado River, granting that the Swing-Johnson Bill were constitutional.

Wherein if Arizona should sign any kind of a water division compact, with California or Nevada, before ratifying the Compact, she would then sign her death warrant by deeding practically all of her irrigation water to Mexico and leaving the monopoly of the power to the power trusts.

It is to be divinely trusted that Arizona, after winning this fight against all obstacles in the last four years, will not be fooled into any water division compact, with California and Nevada including the proposal of the Arizona Committee of Five, or any part of said Committee's proposals, when with the filings, surveys, facts, efforts, and law-suits and due diligence exercised by Arizona, through her already tested well established and perfect reclamation laws, she can go ahead with her own irrigation and power development of the Colorado River, under any and all circumstances, and conditions regardless of what Congress does. With these economical and practical safeguards the development of the Glen-Bridge Highline project, as well as all other proposed projects in the State can be accomplished; and as we go forward with same, we then still have the happy satisfaction of being able to guarantee to any and all Colorado River Basin States, if they desire, the use of all the water they can possibly use forever from the Colorado River System, by simply letting us retain what is our just right, namely the water which the Compact or Tri-State Compact mercilessly deeds to Mexico, guaranteeing Mexico's deficiency of water in dry years, forever.

December 1926

FRED T. COLTER,

Pres. Arizona Highline Reclamation Assn.

**MASS MEETING OF CITIZENS HELD IN PHOENIX DECEMBER 24,
1926, PASSED THE FOLLOWING RESOLUTION AND PETITION:**

WHEREAS, practically every drop of water in Arizona is Colorado River water and the maximum development of the entire Colorado River would be destroyed if Arizona were coerced or trapped into approving the Colorado River Compact or Tri-State Compact or Boulder, Black and Diamond Creek dams; or any power dam on the main Colorado River for power alone, which would not include irrigation. This would be true for the Glen-Bridge dams if built solely for power not combined with highest line canal gravity irrigation.

WHEREAS, the greatest menace would be a Tri-State Water Division Compact which includes the original compact and the Boulder Canyon Dam, and the Committee of Five's proposal to California and Nevada. One of these Tri-State Compacts was patriotically vetoed by Governor Hunt during the last Legislature for which act he deserves the deep gratitude of the state.

There is only a certain amount of water in the Colorado River and arid west. In order to provide sufficient water it is necessary to continue our present equitable and tested water laws which recognize the maximum beneficial use of water, (not the ownership of water) and under which laws an amount of water does several times the service and duty insuring economic use and beneficial application of the soil. Under these laws dams must be built in the proper location on a stream and on the head Colorado River Canyon. A dam must be built at the upper and high end of the canyon not at the lower end, as the Boulder, Black and Diamond dams, which are power dams solely and prevent maximum irrigation combined with power and which Arizona could enjoin and keep from being built.

WHEREAS, the Glen Storage, irrigation and power dam is at the head and highest location in the canyon, and the Bridge Canyon dam at the head of the Arizona Highline canal, to deliver maximum irrigation and protect Arizona and insure the maximum, beneficial development of the entire Colorado River for all States concerned under our present laws, we

can agree with states on the construction works of this project. We cannot agree on water division.

We desire to commend the work of the Arizona Highline Reclamation Association and Senator Fred T. Colter the President of this organization who during the past four years has given his entire time without remuneration as well as his money and credit and the sacrificing of a fortune to protect Arizona's rights in the Colorado River. We also desire to highly commend the many patriotic citizens of this state who have given of their time and money to help carry on the work of the Association in order to protect Arizona in this crisis.

WHEREAS, it has been unfortunate that there have been practically no funds appropriated to establish Arizona's rights and to protect her, and the burden has become too heavy for a few to carry.

NOW, THEREFORE, BE IT RESOLVED, that it is imperative that this legislature appropriate sufficient funds to carry on the work to protect and develop the Colorado River in Arizona by keeping the water filings made by Fred T. Colter and the Commission of State Institutions for and in behalf of Arizona and to continue the Diamond Creek suit not in the Courts, as well as other suits which may arise, and for surveys, engineering data, etc.

BE IT FURTHER RESOLVED that it is the sense of this resolution and petition that the Governor of Arizona and the Legislature do not approve the Colorado River Compact, or the Tri-State water division Compact.

BE IT RESOLVED that this resolution and petition, endorsed at a Mass Meeting, held in Phoenix, be circulated throughout the State.

(COLTER'S PROTEST OF WATER BEING USED ON LANDS IN MEXICO)

ARIZONA HIGHLINE RECLAMATION ASSOCIATION

Senator Fred T. Colter, President
D. P. Kimball, Secretary.
Grand Central Market, Phone 7396

Phoenix, Arizona, December 29, 1926.

Mr. Harry Chandler,
Owner Los Angeles Times,
Los Angeles, California.

Sir:

I am sending you this letter together with enclosures by registered mail, return receipt requested, to notify and protest against the use of any water from the Colorado River for irrigation of land in the Republic of Mexico, by you, your Company, or its stockholders or by Mexico. Any water you or they use, have used or will use is done illegally, unlawfully and at your own and water users hazard.

Enclosed are copies of water filings made by myself and the Commission of State Institutions on the water and power of the Colorado River for and in behalf of Arizona, on the Glen storage Dam, the Bridge Canyon Diversion dam and the Arizona Highline Canal to irrigate four million acres of land; and other projects and dams.

Enclosed also is a brief which I have compiled showing the due diligence exercised by Arizona, its citizens and the Arizona Highline Reclamation Association and myself, during the past six years to protect these water filings. Included are legal and engineering facts together with maps and law suits filed-all laying a foundation for construction and financing of the Glen-Bridge Highline project which assures the maximum development of the entire river for all basin States; as well as for Arizona.

I am also enclosing a copy of the Glen-Bridge Highline United States Senate Bill No. 3414, which is a substitute bill for the Swing-Johnson Boulder Black Compact Bill. Also United States Senate document 113 containing arguments, maps, etc., in favor of this bill prepared by myself.

This protest and notification giving you warning together with enclosures is additional and supplemental to the legal notice and information that you have through official records containing the filings mentioned above, which have been made to the State Water Commissioner of Arizona at Phoenix and the Federal Power Commission at Washington, D. C.

One acre application of water at the present time from the Colorado River to Mexican soil, especially as provided for by the Colorado River Compact, the Tri-State Compact or the Boulder-Black Canyon Dam schemes will be equivalent to depriving three acres of land in the United States of America of water and destroys the future of Arizona as well as the maximum, economic beneficial development of the Colorado River and the Glen-Bridge Highline Project which irrigates four million acres in Arizona and the power will pay for the building of the entire project.

Copies of this letter together with enclosures have been sent to the President of the United States, the President of Mexico, United States Secretary of State and the Colorado River Land Company of Mexico and Los Angeles,

Respectfully submitted,

FRED T. COLTER,

President The Arizona Highline Reclamation Association.

FTC-DB

enclosures.

cc Hon. Calvin Coolidge, President U. S. A., Washington, D. C.

Secretary of State, Washington, D. C.

President of Mexico, Mexico City, Mexico.

The Colorado River Land Company care Harry Chandler, Los Angeles, Calif.

"CHANDLER ORDERED NOT TO USE WATERS OF COLORADO RIVER."

An effort to check the use of Colorado river water for irrigation in Mexico has been made by State Senator Fred T. Colter, who has sent to Harry Chandler, owner and publisher of the Los Angeles Times and president of the Colorado River Land Company, copies of water filings made on water and power of the Colorado river "for and in behalf of Arizona on the Glen Bridge-Highline project, to irrigate 4,000,000 acres of land and other projects and dam sites."

The letter to Chandler stated that copies of the filings were being sent for the purpose of notifying him and protesting against the use of any water from the Colorado River for irrigation of land in the republic of Mexico. Notice was given in the letter that "any water you or your company have used, are using or will use in the future is done illegally, unlawfully and at your own and water users' hazards."

Along with the copies of his own filings, Senator Colter enclosed copies of the recent filings made at Glen Canyon by C. M. Zander, chairman of the board of directors of state institutions, in behalf of the state of Arizona. In mailing the letter and documents, Senator Colter stated that this was one of the legal requirements to keep up the legal rights and show diligence in protecting the rights under the filings.

NATIONAL RECLAMATION ASSOCIATION

COPY

331 Maryland Building,
Washington, D. C.
January 8, 1926—P. M.

Hon. Fred T. Colter,
Hotel Jefferson,
Phoenix, Arizona.

Dear Senator Colter:

While looking through Arizona papers this evening, I came across the enclosed clipping about the notice you had served on Harry Chandler, warning him that he can acquire no right against your filing on the Colorado River for the State of Arizona.

That is good work. I most sincerely hope that you will watch every corner in that matter with an eagle eye. It may in the long run turn out that we shall have to depend on your filings more than on anything else to save Arizona from the evil results of the conspiracy to rob her of the water for the benefit of the Chandler Canal in Mexico.

There is another trouble that now threatens us that we must not overlook. If we should get into a war with Mexico it would probably result in the annexation of that territory to the United States of America, which would make it mighty hard sledding for us in our efforts to get the water for Arizona against the claims of the Chandler interests below the line. If that territory were in this country instead of in Mexico, the ground upon which I am confident of winning the battle here in Washington would be slid out from under us.

The whole situation with reference to Mexico has been very suspicious for several months. I have felt it not at all unlikely that the Chandler interests had some assurance that there was going to be a war and the result would be the annexation of their lands to the United States of America. But they may be fooled in their anticipation of a war. I believe that if Coolidge waits a bit to test public opinion, that he will find an overwhelming sentiment against war with Mexico on any such ground as now exists. When the Diamond Creek application was last before the Waterpower Commission they thought they had it nailed down and were going to get their permit pronto, but they haven't got it yet.

War or no war, this battle for Arizona shall go on, but in case of war and annexation, our whole battle front would have to be changed, and the importance of your filings would be enormously increased. I don't know just what it may be the Mexican government has cancelled, but the clipping that they have cancelled the "Monster concession granted to the Colorado river land and water company means there is something doing" down there, as well as in this neck of the woods.

Yours Faithfully,
(Signed) GEORGE H. MAXWELL,
Executive director of National Reclamation
Association.

COPY

"If the Highliners will stand to their guns, there is little danger that any surrender of Arizona's rights that may be made by the so-called conference committee, with California, can ever be put across in Arizona.

I seriously believe that even though the Legislature should ratify it, it would be wholly impotent and impossible of being carried into effect.

In a little while the people of Arizona would rise in their wrath and be ready to drive every man out of Arizona at the cart's tail who had been guilty of such treason to the state.

That may seem like strong language, but language cannot be thought of that is strong enough to fit the situation as it now menaces Arizona.

At the meeting, at which I was present and one of the spokesmen, when a crowd called on the Governor while I was last in Phoenix, I urged upon the Governor as strongly as I could, that no tri-state treaty between Arizona and California should be adopted and gave the reasons.

I think all the enemies of Arizona are calculating on now is to get something through locally that will enable them to pass the Swing-Johnson bill and thereby secure a ratification of the original Santa Fe compact by the Government with the expectation that Arizona will also ratify it after the tri-state treaty has been accomplished.

In other words, all the Arizona Conference Committee has been doing has been to help to get the Swing-Johnson bill passed, because that would be the only possible effect of anything they may do."

"HUGE U. S. CONCESSION CANCELLED BY MEXICO

Mexico City, Jan. 7.—Cancellation by the Mexican government of the monster concession granted to the Colorado River and Land Company, for the colonization of vast areas in Sonora, was announced this evening by the newspaper El Sol.

This action was declared to be taken by Secretary of Agriculture, Luis Leon, in accord with the wishes of President Calles. The company's concession covered nearly 250,000 acres about the mouth of the Colorado river, emptying into the Gulf of California."

THEREFORE WE PRAY IT BE RESOLVED, that it is the sense of this Legislature to appropriate sufficient money to oppose the Tri-State Supplemental Water Division Compact and the Swing-Johnson-Boulder Dam Bill and to fight the Diamond Creek Suit through the courts and to make surveys, etc.

February 19, 1927.

To His Excellency, the Governor
of Arizona, and the Legislature
of the State of Arizona:

Gentlemen:

Representing the minority of your committee appointed in accordance to Senate Bill No. 6 to oppose the passage of the Swing-Johnson Bill now pending in the Congress of the United States, I respectfully report:

Received a leave of absence from the Senate on January 14, 1927, and left with your committee the same day. We arrived in Washington on the 18th of January. I worked with the said Committee continually during my stay with as much harmony and cooperation as I possibly could considering such solemn different convictions and opinions I had concerning the protection of Arizona and the maximum development of the Colorado River with the desired cooperation with all the Colorado River Basin states.

Being the first to arrive February 2, to enter upon my duties in the State Senate, I gave the Arizona Gazette an interview of a part of my views and accomplishments, which was published the same day, and which I enclose herewith.

I only report upon important features in the majority report. I disagree with it wherein it states that it is essential for a water division agreement between Arizona, California and Nevada before action can be accomplished. Common sense would tell anyone, Arizona being the only state affected, if we did this Arizona's head would be the only one in the loop restricting her protecting herself in future conferences. It would jeopardize and release Arizona's rights and opportunity to protecting herself against the injustice of the Boulder Dam and Colorado River Compact which would pave and make certain the way to give life to and pass this

bluff-scare-crow, strawman-Swing-Johnson Bill. Three states cannot divide in perpetual ownership, the use of water that seven states are interested in and do away with equitable tested laws that do not recognize ownership of water. This law of maximum use of water will cause an amount of water to serve eight times more than under ownership.

We can agree with California and Nevada on their assistance in putting in the Glen Canyon Irrigation Storage and Flood Control Dam which is in its natural and proper place, at the head of Grand Canyon, to give economical maximum development of the Colorado River; to save and develop Arizona; to give the quickest flood control for Imperial and Yuma Valleys, and the most economical development for California and Nevada, which could also with Arizona be served, provided that it was done through the Bridge Canyon Diversion Dam, making highest elevation gravity water that could serve Arizona, and then be siphoned under the Colorado River at Topock, which would save Los Angeles over one hundred million dollars over the Boulder Dam 1700 foot pump lift scheme.

I agree with that part of the report which says it is necessary to have an agreement with all the basin states. But, of course, it is necessary that it be an entirely new agreement and that it do away with the original compact and this should have been more specifically made clear by said majority report, and I asked that it be done, which it was not. Instead of the Boulder Dam, which is the dam at the lower end of the canyon, being the original dam, it should be the Glen Canyon Dam as first dam and at the head of the Grand Canyon. I believe if this argument had been presented by all the committee to congressmen and committees we would have made greater headway in this session of Congress, and God only knows it would have helped us more in the coming Congress when our real danger exists.

I disagree with that part of the report saying Arizona was favorable to a Tri-State Compact and I assured Congressmen and United States Farm Bureaus and other representatives that Arizona was not in favor of a Tri-State Compact to include the original compact; that Arizona was not only against this by a large majority but this majority was increasing rapidly every day. Governor Hunt in last regular Session of the Legislature wisely vetoed the Tri-State Compact.

I heartily agree with that part of the last paragraph in the report which says, "If the lower basin states, California and Nevada, fail to reach an agreement there is real danger that the whole plan of the river development may be abandoned and a purely flood control bill may be passed by Congress." But I disagree that this would injure Arizona or any state, but if Congress does abandon the original disastrous Boulder Dam Compact scheme this would be Arizona's great salvation with the maximum and quickest development of the Colorado River. Any delay in stopping in the past or future the nefarious opposition to Arizona has and will discourage them and is giving time for the just representatives in Congress and the different states by giving them the opportunity of ascertaining the facts.

You could make a new deal with all the Colorado River States on said Glen Canyon Dam construction works by guaranteeing the upper basin all the water they could use forever, for with their gradual development the reflow and reprecipitation of water will cause the Colorado River practically no depletion of the flow of any less water than is now flowing past Lee Ferry near the Arizona-Utah Line.

California and Nevada could be granted their water and power even now given to them under the compact, then Arizona could take the water over and above what Mexico is now using and by not being restricted to any given amount could reach her maximum water development. Arizona's restriction to any given amount (not even mentioning that the compact deeds away to Mexico and guarantees her water deficiency in dry years 7-8's of the water that Arizona is entitled to) would be her paralysis because all her drainage area is in the Colorado River and she is a new

state. But, under my above suggested plan, through the law of maximum use and prior appropriation for her to depend upon for development and growth, meaning the economical and maximum development of water, and through the economic application of the use of water, Arizona could then reach her maximum irrigation and power development.

Arizona's greatest danger will exist in the next session of Congress. The short synopsis I have outlined does not interfere with the rights, tested laws, and proper development of the river or any one of the river states or nation, but does give the speediest, just and maximum development for all the interested states, Arizona and River.

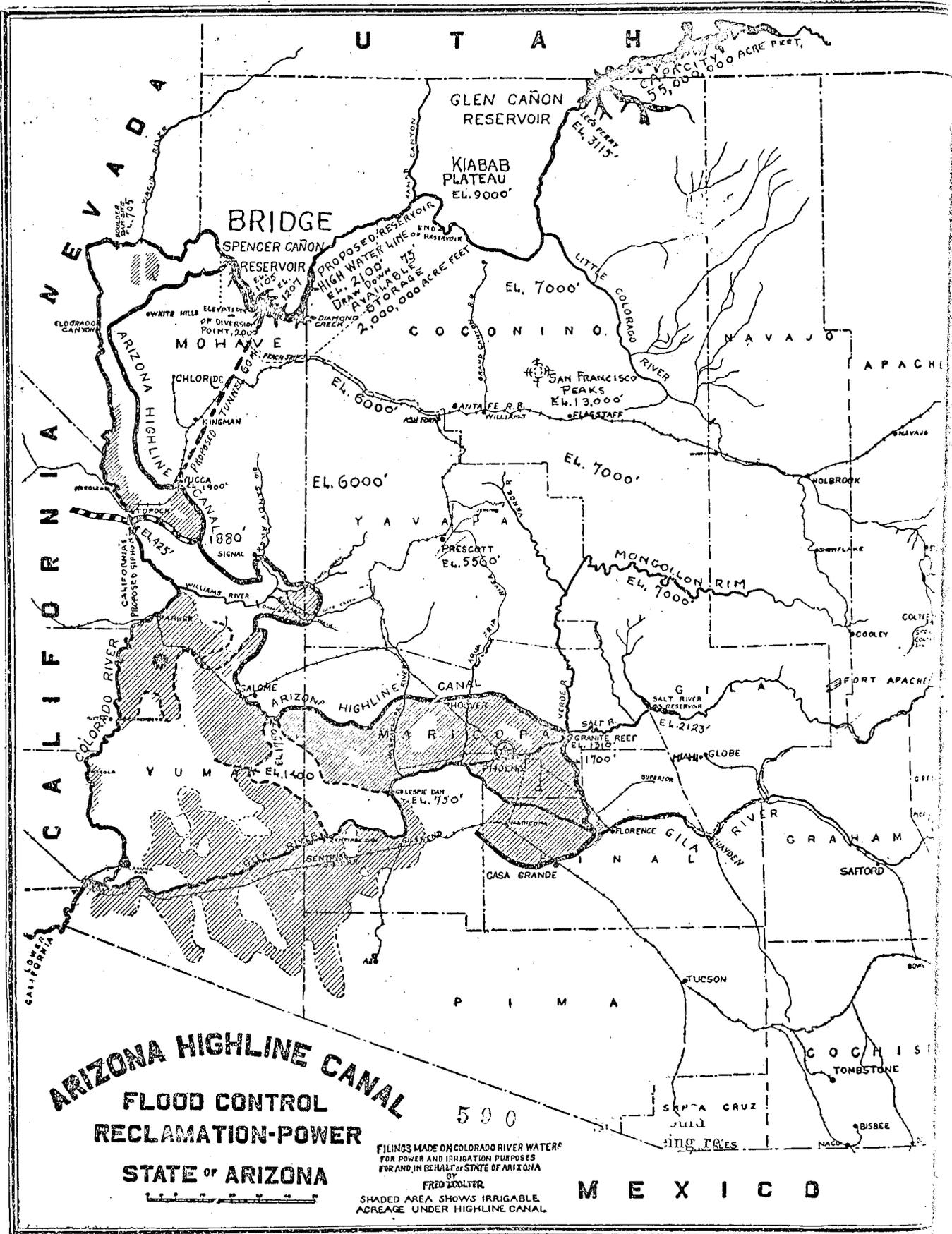
Therefore, it is most imperative that Arizona state authorities and citizens by wire, mail and personal contact give the above information, continually, to every Congressman, and other Washington authorities and associations, and each legislator and executive and other authorities in all the seven basin states.

I am enclosing herewith Senate Joint Memorial No. 2 and Senate Memorial No. 1, which I introduced, giving a few points why water division state compacts destroy the law of prior appropriation and beneficial use, Arizona's only real support and protection on the Colorado River.

By FRED T. COLTER.

Four maps of the Colorado system and dams filed on for Arizona cuts now made.

THEREFORE WE PRAY IT BE RESOLVED, that it is the sense of this Legislature to appropriate sufficient money to oppose the Compact Tri-State Supplemental Water Division Compact and the Swing-Johnson-Boulder Dam Bill and to fight the Dlamond Creek Suit through the courts and to make surveys, etc.



Map of Glen Canyon Dam and Storage Reservoir, Bridge Canyon Diversion Dam and Arizona Highland Canal. The waters of the Colorado River required for the reclamation of 4,500,000 acres of land in Arizona under Highline Canal system have been appropriated and the necessary filings made for the State of Arizona, and as to by Fred T. Colter, President of the Arizona Highline Reclamation Association. The lands to be reclaimed under this State Appropriation are indicated by the shaded areas on the above map.