

# IMPERIAL VALLEY PRESS

AND THE IMPERIAL PRESS

VOL. V

EL CENTRO, CALIFORNIA, MARCH 24, 1906

NO. 50

## NATIONAL IRRIGATION POLICY SUCCESSFUL

### Government's Method in Handling Problem of Reclaiming Arid West Proves a Winner

#### Obstacles in the Way of Carrying Out the Reclamation Service's Plans For the Full Control and Utilization of the Colorado River Removed

The National Irrigation Act was passed by congress and signed by President Roosevelt on June 17th, 1902. On the morning of June 18th 1902, a number of gentlemen of eminent standing in the engineering world, met in an office in the Interior Department at Washington city and organized the National Reclamation Service, and took up the work of carrying out the newly enacted law, both in letter and in spirit. In order to do this successfully or at all, it was necessary, first, to adopt a broad and comprehensive policy in consonance with the spirit of the law, and then to follow a line of action in keeping with its letter. The spirit of the law is that the waters in the streams of the arid states belong to the lands tributary to said streams, and on which said waters can be used. That title to said waters can only be acquired by an owner of some of the said tributary land, and then only by making beneficial use of said water in the irrigation of his land. Also that where the waters of a stream were put into such beneficial use, those first in time should be first in right. While it was comparatively easy to see what the spirit of the Irrigation Act called for, and what such a policy as would carry it out would lead to, it was also easy to see what the difficulties were that the officers of the Reclamation Service were called upon to contend with in realizing such a goal. The Act itself specifically recognizes the rights to the use of water established under State laws, and directs the officers of the government to honor such rights. To anyone conversant with the various water right laws of the states composing the arid West, and aware of the claims made under such laws, it seemed that the Reclamation Service was put up against such conditions as would render them powerless to act except in a very limited way, and only under such circumstances as offered no inducements to private capital. In the presence of such conditions it was therefore manifest, that the Reclamation Service must proceed along sound lines if its operations were to fulfill the hopes of those who looked upon it as a new economic force for the welfare of our Nation. The only fair method of judging anything is by its results, and that is the way we propose to discuss the National Irrigation policy of our government. The policy formulated by the master minds who organized the Reclamation Service has never been made public, so far as we can learn, but, nearly four years have elapsed since the organization of the Service, and we can now fairly infer what some

of its cardinal tenets must be. From the events which have transpired we can safely conclude that it is the government's purpose to use the waters of each drainage area in irrigating the arid lands in that area. Also, that these waters will be used at the place or places where it can be done to best advantage. And also that the full utilization of the irrigation resources is to be reached by the construction of storage reservoirs at most advantageous points in the drainage area under consideration. Such a policy is business like and direct, and strong at every point. It would expend the people's money in the most advantageous way and bring the largest blessings possible to the desert regions of our country. But such a policy would come in contact with the state laws, and in some cases, conflict with them. None of the principal drainage areas are altogether in one state, and the largest one, the Colorado, is in seven states and territories. And it is in handling just such problems as are involved in the utilization of the waters of the Colorado for irrigation, that we see the best illustration of the course of the Interior Department in following out the letter of the National Irrigation law, and at the same time loyally observing its spirit. As might have been expected, when the Reclamation Service started into business, they found the promoter with his irrigation scheme practically omnipresent. No feasible scheme could be found in all the West but had already been exploited, and at least a water "filling" recorded, and sufficient work done to "hold it down." Water claims had been filed under state laws to an amount that would vastly exceed the flood of every stream in the arid states. Each one of these claimants was a representative of "private enterprise," and must be dealt with as such. The government, therefore, soon found it necessary to formulate a policy with reference to the purchase of property for use by the Reclamation Service. And right here was where the crucial test was applied to the government's irrigation policy, and where the officers of the Reclamation Service proved themselves loyal to the spirit of the National Irrigation law. The government decided that the only water right it could recognize was the right of the actual user of the water to the water necessary for the irrigation of the lands he had already reclaimed. That beneficial use was the only basis of a water right. Also that all companies or parties engaged in delivering water for hire were common carriers, and owned no interest whatever in the

water they were delivering. Having thus disposed of the question of water ownership, it naturally followed that the only basis on which the government could purchase irrigation works was the actual value such works would be when included in a Reclamation project for the lands formerly served by these works. The decision of the government in this matter, made it very clear indeed that there was no "easy money" there for the promoters, or any opportunity for "graft" in that line. So the ubiquitous water claimant, the bogus promoter, and the man with the hold up scheme, found themselves powerless to impede the wheels of progress. Having thus disposed of the class who thought they saw "easy money" in the Reclamation fund, the next thing to consider, was how conflicting state laws could be reconciled and the broad plans of the government for the handling of each river system and drainage area, as a separate problem could be realized. Just as in the other case of water claims under state laws, it was necessary that the government lead the way. Careful measurements covering a great many years have been made of the discharge of each of the streams of the arid land states, and the government officials were thoroughly informed of the amount of water in each stream that could be depended upon, and just what the irrigation resources were in each of the drainage basins of the West. As a necessary first step in this matter, the Secretary of the Interior withdrew from entry except under the Reclamation Act, large areas of public land in each drainage basin, and planned projects that would use the entire irrigation resources of each drainage area on lands tributary to its rivers. In doing this, he was, therefore, perforce, compelled to ignore state lines, and follow topographical divides. It therefore followed that the plans for each drainage area would include the use of the waters at the most advantageous points, and the location of storage reservoirs where the topographical and other conditions indicated they should be placed. In the case of the Colorado river, the government has apparently decided that the best place to use its available flow in its present condition, is in the Yuma Project, and the Imperial Valley. Also that the proper places to locate the great storage reservoirs for the full utilization of the irrigation resources of the Colorado drainage basin, is at Gore canyon, and in Brown's Park, in the State of Colorado. The successive developments which have taken place

in the elucidation of this matter are certainly most interesting, and show most clearly the sound basis on which the governments' irrigation policy is founded. The State of Colorado, more than any other state in the arid West, has water laws that conflict with the spirit of the National Irrigation law. According to the Colorado Constitution, it is held that all the waters of Colorado belong to the state of Colorado, and an estimate has been made by the auditor of that state, that the flood waters from the streams of Colorado are worth \$265,000,000.

The geographical position of Colorado, and its position with regard to at least two of the great drainage basins on which the Reclamation Service must operate, soon brought about a controversy over the waters of these drainage basins. We refer to the Rio Grande and the Colorado. In the case of the Colorado it cropped out when the government sought to secure Gore canyon and Brown's Park for reservoir sites at which to construct impounding dams to catch the flood waters of the Colorado drainage system.

As soon as the government's plans were known an old defunct railroad scheme was resurrected and both reservoir sites immediately became the only places in Colorado to build railroads. The government appealed to the courts and then the fat was all in the fire. A most violent campaign of abuse was entered upon by the leading newspapers of Colorado, and all kinds of villification and abuse heaped upon the officials of the Reclamation Service, even Secretary Hitchcock himself not escaping the general onslaught. After a time, and while the excitement was at fever heat, the Colorado courts decided against the government and in favor of the railroad company for possession of the reservoir sites. Just about this time President Roosevelt's attention was called to the matter and he ordered the government to dismiss the suits. It is evident now that this was not done to abandon the reservoirs to the railroad or that it was decided to permit the flood waters of the Colorado to run to waste forever. No, for Uncle Sam had a Joker up his sleeve Mr. Moffatt and the railroad people were not looking for. The following Associated Press dispatch, which was published in the papers of February 28th, 1906, shed some light on the matter and disclosed the nature of Uncle Sam's Joker;

#### WATER DECISION

DENVER, Col., Feb. 28.—The Auditor's office has received information of a ruling concerning flood waters in the Colorado, which, it is believed, will bar individuals and irrigation companies from using the flood waters in this state under certain conditions.

Recently the Elk Creek Canal company made application for the right to construct a reservoir site on the Elk creek in Conejos county. The Interior Department refused the application because, as stated in a letter conveying the decision of the department, the storing of water on Elk creek would interfere with the flow in the Rio Grande in New Mexico and lessen the supply of water running into the Eagle dam.

The decision is interpreted here as meaning that no reservoirs can be built on the streams of Colorado that are feeders for rivers in or out of the state where the government proposes to build reservoirs. The flood waters of Colorado are valued at \$265,000,000, more than the total valuation of property in the state, and should the government's irrigation plans reach a considerable number of the Colorado

streams are feeders for Colorado streams will be deprived of a valuable asset in its flood waters. This can only be prevented, it is argued, by local people gaining priority rights over the government by building reservoirs on all Colorado streams."

We feel certain there was "something doing" in Colorado when this decision was received. It didn't take a Solomon to see that if the government could prevent the construction of a reservoir in Colorado to impound water it had planned to use in another state, it could plan to use the unstored flow of the Colorado at Yuma and in the Imperial Valley, and compel the acquiescence of Colorado in the construction of impounding dams at Gore canyon and Brown's Park. A fortunate incident to the solution of this matter is the fact that there is about 240,000 acres of land in Colorado that can be irrigated from the Colorado and its tributaries. One project had already been proposed at Grand Junction, Colorado, and the people there are clamoring for the government to go ahead with the construction of their works. It is entirely likely that a hint was dropped where the Colorado people could find it, to the effect that all the water at present available in the Colorado river was already provided for by the Yuma project and Imperial Valley irrigation rights. At any rate it is now announced that Mr. Moffatt has changed his original plan of building his railroad and will keep out of Gore canyon altogether, leaving it for the reclamation service to build an impounding dam there whenever they are ready to do so. This removes the only serious obstacle that has ever interposed against the carrying out of the government plans for the complete utilization of the waters of the Colorado river and its tributaries for the reclamation of the arid lands within its reach. This outcome also fully vindicates the honesty and wisdom of the policy the Reclamation Service has followed since its inception. These events prove that the money of the people is being used honestly and with the very best business judgment. Also that no "graft" obtains, nor is it possible to work a hold up game on Uncle Sam. The fact that this great irrigation fund amounting to more than thirty millions of dollars, cannot be reached by either the "grafter" or the "hold up," has led to the venomous attacks on these officials in the past. But their integrity is now so well established in the minds of the people, that attacks on these men will hereafter be ascribed to sore-headed bunco men and their friends. The Reclamation Service has abundantly fulfilled the fondest hopes of its friends, and its splendid policy for the redemption of the deserts is proving successful in every respect.

#### Dairyman's Meeting

There will be a meeting of the Imperial Valley Dairyman's Association on Monday, April 2nd, 1906, at Water Company No. 1 office, Imperial, to which all the dairymen of the Valley are requested to be present. Would be very glad to see representatives from Brawley, Holtville, Calexico and El Centro. The business of importance is to elect officers for the coming year, and any other business that may come before the meeting.

H. J. FULLER, President  
H. R. KYLE, Secretary

W. A. Van Horn made the first ment of cream ever made from El Centro, last Monday. It was to the California Cream and Butter Co. at Yuma. The establishment of a dairyery will be a great benefit to the valley.