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# ARIZONA SENTINEL

## YUMA SOUTHWEST

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YUMA, ARIZONA THURSDAY, JUNE 10, 1915.

Ex-President Roosevelt, in reply to the following article, which appeared in the May issue of the "Irrigation Age," of Chicago, expressed a genuine interest in the facts disclosed by the Yuma contributor and stated that in the unlikely event that he were ever called upon to do so, it would be his great delight to order a thorough investigation of Mr. Newell and others.—Editor.



**EARL B. SMITH**  
Of Somerton, Ariz., Chairman of the Executive Committee of the National Federation of Water Users' Associations

About the time Secretary of the Interior Lane announced that he had retired Frederick H. Newell as director of the United States Reclamation Service, Col. Theodore Roosevelt wrote a letter commendatory of Mr. Newell. This was used in connection with a letter by Gifford Pinchot, in what appeared to be the opening gun of a publicity campaign to make Mr. Newell appear to be a martyr and perhaps so arouse the ignorant public in the east as to force his restoration to office. The editor of the Federal Water Users' department of the Irrigation Age promptly wrote a letter to Colonel Roosevelt pleading with him not to become a party to any movement which would bring harm to the settlers on the federal irrigation projects. The letter was given to the press and obtained sufficient circulation to halt with a quick turn the Mr. Newell martyr publicity campaign.

Col. Roosevelt asked for more information. The editor of this department asked several prominent water users

to write to him. One of the strongest documents sent to Col. Roosevelt was the subjoined letter by Earl B. Smith, chairman of the executive committee of the National Federation of Water Users' Associations:

Somerton, Yuma Co., Ariz., 3-20-15.  
Col. Theodore Roosevelt, Oyster Bay.

Dear Mr. Roosevelt: I am in receipt of a letter from George J. Scharchug (Irrigation Age), in which he says:

"I received a reply to my letter to Col. Roosevelt, concerning F. H. Newell, some time ago.

"As you may recall in my letter to Col. Roosevelt, I mentioned the fact that one water user had a copy of the report of the water users' hearing before Secretary Lane.

"Col. Roosevelt expressed a desire to see this report or portions in it. If you have the time, therefore, I will appreciate it if you will give Colonel Roosevelt some extracts from the report as it concerns the settlers' feelings toward Mr. Newell's lack of appreciation of the human side of the federal irrigation problem." etc.

The report is 3,334 pages of typewritten matter covering 17 days of the conference, therefore I deem it undesirable for me to burden you with so great a volume. To send you extracts as suggested would involve great labor and if attempted, I probably could not do it in a manner to relieve your mind from doubt that my extracting would be free from bias. Nevertheless I feel it is only a justice to you and a duty to those I represent to comply with your wishes in the most practical manner possible. I cannot part with the record, as it may be required in evidence, but it is an open book, always, for examination, to any one interested.

The controversy is not political, nor is it of a personal nature against Mr. Newell, but relates to his official policy, his official irresponsibility, his professional incapacity, and his habits of deception covering a period of more than ten years. The National Federation of Water Users' Association was formed to compare notes and to ascertain if the experiences of settlers on all the projects were the same and they were found to be so and to devise means of correction. This latter is the delegated duty of the executive committee.

Knowing that Mr. Newell was an appointee of yourself and that you have yet confidence in him, I deem it best to give you data rather than the language of the complaints founded on the data, for you can then judge for yourself as to the merits of the controversy. Therefore, I will give you some data regarding my own project, on which I live and on which

I own and operate an 80-acre ranch, but what I say will substantially tell the story of practically all the projects.

Yuma project: 35,000 acres public and 53,000 private land. Surveys completed early in 1904. Great and lasting opposition to government irrigation as against private proposals and many meetings held to discuss relative merits. Fear of red tape and long delay is great objection. Newell attended at least one of these meetings and explained the law and explained it correctly as to the estimated cost and what we should have to pay, and when and how, etc. He told the meeting that it would be completed within two years, and it was expressly stated that two years did not mean two or three years but "within two years." With those assurances the government's proposition was voted to be accepted.

Then our Water Users' Association wrote an official letter of inquiry as to details, and cost, for the purpose of having in writing the understanding verbally agreed upon at the meetings to which Mr. Newell made a prompt reply covering everything very satisfactorily, except as to the time of completion, which was never afterward stated in writing, but his word at the meetings was deemed to be satisfactory. This correspondence was mutually deemed to be a contract or understanding upon which we sure could rely, and in subscribing our lands to the lien for the payment we thereby bound our lands of record to such lien as a first mortgage. Our confidence in the contract was backed up by reliance on the plain provisions of the Reclamation law, whereby we were required to return to the Reclamation fund the estimated cost, \$3,000,000, or about \$35 per acre, and as we had the estimate made directly to us, and as such estimate had actually been returned to Congress as the law provided, we felt perfectly satisfied that we knew what we were doing as a business proposition.

Now let us look upon the subsequent development. Work started in the fall of 1904. Five years afterward (Nov. 1909) only Laguna dam was completed at a cost of \$3,497,686.40, or nearly half a million over the total estimate. (See senate committee's report No. 1281, 1911, page 774.) On same page the work is reported as 70 1/2 per cent completed. After four more years work, involving an additional expenditure of about \$3,000,000, the Reclamation Record (I think the August, 1913, issue) reported the project 64 per cent completed or a net loss of about 6 per cent in completion. Today, March, 1915, the Record shows about 74 per cent completed, and a few weeks ago Director Arthur P.

Davis reported to the subcommittee of the house on appropriations that the revised construction cost as of December, 1914, is \$11,715,000.

December 24, 1912 Mr. Newell made an address in the opera house at Yuma (I was present), in which he stated that "probably no one in the audience would live long enough to see the Yuma project completed," and I guess he was right.

I now call your attention to Mr. Newell's remarks found in the second annual report of the Reclamation Service (a copy of which I examined in the Congressional library in Washington—out of print—I cannot give you the page), in which he stated that the provision of the law regarding the



**THEODORE ROOSEVELT**

estimated cost was a very wise provision for the reason that it put every thing on a business basis. (I quote this only from memory.) But it serves to show that the law was construed at that time by Mr. Newell himself that the charges must be according to the estimates reported to Congress. That was about 1904 or 1905.

On Feb. 1, 1909, Mr. Newell promulgated an entirely different doctrine regarding the "estimated cost," in his booklet of "Questions and Answers," wherein on page 38 we find the following:

"90—Q. How are the charges of the water right determined? A. These are fixed as required by the law according to the estimated cost of the construction of the works.

"91—Q. When will the cost of the water right be announced? A. The public notice by Section 4 of this act will be issued before water is ready for delivery, and when the work is sufficiently advanced to make an accurate estimate of the cost."

This astounding information that the estimated cost means the total amount that is expended, showed us