

"THE WESTERN STATES WATER COUNCIL"

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It is a privilege to take part in this New Mexico Water Conference. I have a three-fold reason to welcome this assignment. First, the reputation of this annual meeting entices me. Secondly, this is a pleasant time to visit southern New Mexico. Thirdly, I have been reunited with an old friend Eldon Hanson after a 28-year separation.

My comments will be in the nature of a progress report to the people of New Mexico. Perhaps we can begin with some background information.

HISTORICAL DIVERGENCE

The eleven western states were formed from the expanse of the western frontier. This area has a varied political as well as a varied physiographic setting. The entry of the western states into the union spanned a 62-year period (1850-California, 1912-Arizona) and the eleven states were in the last group of 18 states to be admitted into the union. There is a common bond in the west that gives the states cohesiveness but there is also diversity. Climate, topography, and the inevitable competition for development; these are but a few. In some ways it is amazing that there has been the degree of harmony that now prevails.

MAN-MADE BARRIERS

Man has introduced unnecessary complications in resource development. I refer to the unnatural and unfortunate barriers created when the boundaries of the states were fixed. In the eleven contiguous western states, we have eight major drainage basins that subdivide into 39 separate river basins. Of the 39 river basins there are 190 instances where the streams cross state boundaries. There are 42 streams that cross international boundaries. The Bear River is a case in point. This stream arises in the High Uintas 90 miles from its point of discharge into Great Salt Lake. Between these two points the Bear River makes a circuitous 500 mile loop that brings it into three states and crosses state boundaries five times.

To help alleviate the complications of the unfortunate and unnatural boundaries, interstate compacts have come into being. In the eleven western states 20 interstate water compacts have been negotiated to make possible simpler administration of present water uses and to permit future development.

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VARIABILITY OF PRECIPITATION

Using mean annual precipitation as the measure, Nevada with 9 inches is the driest state in the nation while Louisiana with 55 inches is the wettest. The 11 western states include the first 7 driest and the 11 are in the 21 driest. Admittedly this is a dubious honor.

As is generally true the variations of precipitation in an arid area are greater than humid zones. The variations of precipitation are magnified in terms of runoff. Considering the 8 major drainage basins in the 11 western states, two of these basins have five times the runoff of the other six combined.

POPULATION PROBLEMS

A projection of the 48 contiguous states' population to the year 2000 indicates that we will approach a total of 300 million. The population of the 11 western states is estimated to reach 60 million by the year 2000.

A tabulation of the projected population of the 48 states, the 11 western states and the percent of the 48 states' population residing in the 11 western states is of special interest. Note that in 1900 the west had 5.4% of the 48 state population and by the year 2000 it is estimated that 20.0% will reside in the west.

With a 48-state population of 300 million by the year 2000 and a corresponding 11-state population of 60 million it follows that the western states population is doubling each 36 years whereas the 48 contiguous states doubles each 50 years.

With this increased growth the 11 western states will achieve a population density by the year 2000 equal to the population density the 37 midwest and eastern states had in 1950. Stating this another way, the west is one-half century behind in terms of population density.

Population 1900-2000 (For 48 states and the 11 western states)

Year	48 States Millions	11 States Millions	%
1900	76.0	4.1	5.4
1910	92.0	6.8	7.4
1920	105.7	8.9	8.4
1930	122.8	11.9	9.7
1940	131.7	13.9	10.6
1950	150.7	19.6	13.0
1960	178.5	27.2	14.7
1970	(205.0)	(34.0)	(16.5)
1980	(234.0)	(42.0)	(18.0)
1990	(267.0)	(51.0)	(19.0)
2000	(300.0)	(60.0)	(20.0)

() Projected

REASONS FOR COOPERATING

Some of the challenging problems facing the western states are: (1) state boundaries drawn without regard for natural drainage basins; (2) scanty and uneven precipitation; (3) the necessity to double the water supply each 36 years; and (4) a scattered relatively low density population.

Add to the list other problems such as: our growing economic interdependence, the problems of resource development occasioned by the large federal domain; and the competition for federal appropriations to support water development.

These are all compelling reasons for the states to band together but these reasons collectively or individually did not trigger the creation of the Council.

In my opinion it was the repercussion of Arizona v. California that was responsible for the decision to organize the Western States Water Council. When the legal recourse was completed and the final decree was issued it appeared that the state of Arizona was the victor. The court had rendered its verdict but it still remained for Arizona to get congressional authorization before development could proceed. This necessitated negotiations with the very states who were parties to the suit as well as others in and out of the Colorado River Basin.

The lesson to be drawn from Arizona v. California is that the west can no longer afford the expenditure of time, money, and energy in legal contests over water.

GENESIS OF THE COUNCIL

In 1957 the Western Governors Conference in Las Vegas, Nevada took a cautious step toward regional cooperation in water matters. The Governors of the Colorado River States at this time endorsed the organization of the Southwest Water Council. Articles and bylaws were prepared and leadership was provided by state officials involved in water matters. This organization served to lessen the tensions then existing between the Upper and Lower Basins of the Colorado and set the stage for later cooperative moves.

Again in 1964, the Governors recognized the need for cooperation on a broader scale between the states of the west. By resolution they initiated a committee study of the possibilities. This initiatory action by the governors provided the impetus for staging a Western Interstate Water Conference. The Conference was sponsored by Utah State University, University of Nevada and the University of California.

Introductory paragraphs from the resolution unanimously adopted by the Conference are of interest.

"WHEREAS, the future growth, prosperity and well-being of the West depend upon the maintenance of a strong vigorous economy throughout the Western states; and

"WHEREAS, the economy and well-being of the people throughout much of the West are threatened by critical water shortages; and

"WHEREAS, there is need for an accurate appraisal of present and future water requirements as recognized by each state of the West, and for development of comprehensive plan for equitably resolving the problems of supply and distribution of water resources in the West."

The resolution resolved

". . . that the Governors of the Western States be urged to establish a task force composed of representatives of each of the Western states as soon as possible to work with the Council of State Governments, in considering the formation of a permanent regional water commission, and in the making of recommendations concerning the role, organization, and authority of a regional water commission."

The Western Governors responded on June 12, 1965 at Portland, Oregon.

At that time the Governors created the "Council" and announced its purpose to foster cooperation among the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming in the development of their water resources.

There were the usual side comments. It was said that some states had joined to get water while it was averred that others had agreed to join the Council for an opposite reason to protect their water.

RULES OF ORGANIZATION

Lofty principles were to guide the Council's operations. The list included:

One vote for each state,
Equal sharing of costs,
No surprises,
No power plays,
Unanimous action on external matters, and
No domination by Federal interests.

SIGN OF STRAIN

After a valiant first effort signs of strain developed. The rigors of spelling out principles-standards-guidelines brought into the open points of difference and tempers warmed.

A new complication arose. The northwestern states argued for time to complete studies of future water needs. The southwest countered with proposals for area of origin protection. Arizona insisted because of her long wait that her project to use Colorado River water be authorized immediately. The other states of the Colorado River Basin with unused allocations insisted that their future rights be protected by initiating studies to augment the shrinking Colorado River.

Caught in this crunch, the deliberations went painfully slow and were held up on fine but sensitive points.

The Council reluctantly decided to reduce the staff while looking for a means of improving relations and finding a better means of resolving problems.

One lone but able stenographer carried on, keeping the delicate communication lines open. Hope and great expectation was replaced by uncertainty. A reappraisal by each of the states began.

NEW HOPE

To a degree all of the states realized that if the Council were to be dissolved the time was at hand. There were strong differences and the staff was greatly reduced. If the effort were to be abandoned now was the time.

Seemingly each state came to quite similar conclusions. The need was still present. Water problems would continue and differing viewpoints would persist, but the states should strive to reach agreement among themselves and not have it done for them.

It was recognized that out of the initial effort some gains had been made and there was value in frank discussion and better understanding of each others' problems.

On March 7, 1968, at Tucson, Arizona, a reconciliation began and uncertainty was replaced by positive action. After nearly a year without a director, the position was filled and on May 15, 1968, headquarters were transferred to Salt Lake City.

The Council adopted an "Activities Program" vowing to give strong voice to areas of common interest where heretofore no such action had been taken. Momentarily the regional planning problem would rest and Council attention would accentuate westwide interests in:

Activities of the Public Land Law Review Commission
State-Federal Water Rights Jurisdiction
Wild and Scenic Rivers
160 Acre Limitation on Federal Reclamation Projects.

THE FUTURE

The Western States Water Council is the best evidence that the states are determined to assert their role in state and regional development. The Council demonstrates that the states want a voice in preparing and promulgating new procedures and not as in the past, be forced to react.

The states have expressed their intention to support and strengthen each other so that more uniform and equitable application of national legislation will result. Through a unified organization the Congress and others can be advised that the problems relating to water in the west are different than other more humid areas and because of this difference, the western states cannot be conformed to general mold.

The Council has taken an active part in securing uniform and more moderate non-degradation provisions. A position has been unanimously adopted on the 160 acre limitation, State-Federal Water Rights, the Discount Rate and adequate appropriations for water development.

The Council has made a review of inter-regional and international Water Transfer Proposals.

The economic well-being of the states is at stake. The reasons for the states to work together are more compelling than ever.

The Western States Water Council is here today to help the states meet their responsibilities for tomorrow.