

M E M O R A N D U M

September 7, 1960

**To: The Honorable John Burroughs, Governor of
New Mexico, Santa Fe**

**From: S. E. Reynolds, Secretary, Interstate Stream
Commission**

Subject: Animas-La Plata Project

Herewith for your information and files are copies of letters which I have addressed to Mr. Don Burnett, Chief of Project Planning, U. S. Bureau of Reclamation, Washington, D.C., and to Mr. Felix Sparks, Director, Colorado Water Conservation Board, Denver, Colorado, to advise them of the grant made by the State Board of Finance for cooperation in the study of the Animas-La Plata Project.

Respectfully submitted,

**SER:c
Encls.**

S. E. Reynolds

To Steve Reynolds
State Engineer
From

John Burroughs

Governor

Santa Fe, N. M.

- () For Your Information
- () For Your Approval
- () For Your Signature
- () For Your Attention
- () For Your Comment and Return
- () For Your Files
- () For Your Handling
- () Approved

Telegram as
sent to
Senator Anderson
Sept 2, 1960.

DOMESTIC SERVICE	
Check the class of service desired; otherwise this message will be sent as a fast telegram	
TELEGRAM	<input type="checkbox"/>
DAY LETTER	<input type="checkbox"/>
NIGHT LETTER	<input type="checkbox"/>

WESTERN UNION TELEGRAM

1206 (4-55)

W. P. MARSHALL, PRESIDENT

INTERNATIONAL SERVICE	
Check the class of service desired; otherwise the message will be sent as a shore-ship telegram	
FULL RATE	<input type="checkbox"/>
LETTER TELEGRAM	<input type="checkbox"/>
SHORE SHIP	<input type="checkbox"/>

NO. WDS. CL. OF SVC.	PD. OR COLL.	CASH NO.	CHARGE TO THE ACCOUNT OF	TIME FILED

Send the following message, subject to the terms on back hereof, which are hereby agreed to

September 2, 1960

HONORABLE CLINTON P. ANDERSON
UNITED STATES SENATE
WASHINGTON, D. C.

NEW MEXICO STATE BOARD OF FINANCE AT MEETING OF SEPTEMBER 1, TOOK ACTION RE YOUR TELEGRAM AUGUST 31, AND CONTINGENT ON COLORADO TAKING SIMILAR ACTION IN MAKING AN EQUAL OR GREATER AMOUNT AVAILABLE AND CONTINGENT ON BUREAU OF RECLAMATION CONTRIBUTING THEIR INDICATED SHARE MADE AN EMERGENCY GRANT OF \$10,000 AVAILABLE AS NEEDED, TO INTERSTATE STREAM COMMISSION TO COOPERATE WITH BUREAU OF RECLAMATION IN ASSURING COMPLETION OF ANIMAS-LA PLATA FEASIBILITY REPORT BY JUNE 30, 1961.

JOHN BURROUGHS
GOVERNOR

51
Animas

CLASS OF SERVICE
This is a fast message unless its deferred character is indicated by the proper symbol.

WESTERN UNION TELEGRAM

SYMBOLS
DL = Day Letter
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W. P. MARSHALL, PRESIDENT

1201 (4-60)

LA 188 PA 534

W NBFO09 GOVT PD=NF WASHINGTON DC 31 654P EDT= 1960 AUG 31 PM 5
HON JOHN BURROUGHS

GOVERNOR OF THE STATE OF NEW MEXICO SANTA FE NMEX=

HOUSE-SENATE CONFERENCE TODAY ELIMINATED \$40,000 PUT IN BY SENATE FOR COMPLETION OF ANIMAS-LAPLATA REPORT TODAY. HAVE DISCUSSED THIS WITH BUREAU OF RECLAMATION OFFICIALS WHO ADVISED ME THAT BUREAU WILL COOPERATE IN ANY WAY POSSIBLE TO COMPLETE STUDY AND REPORT ON SCHEDULE. BUREAU FURTHER ADVISES THAT IF NEW MEXICO COULD CONTRIBUTE SOME FUNDS WOULD ASSIST BUREA IN OBTAINING APPROVAL TO SHIFT FUNDS TO MAKE SURE THIS WORK PROCEEDS ON SCHEDULE HAVE

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

CLASS OF SERVICE

This is a fast message unless its deferred character is indicated by the proper symbol.

WESTERN UNION TELEGRAM

1201 (4-60)

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W. P. MARSHALL, PRESIDENT

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BEEN ADVISED THAT COLORADO WILL CONSIDER POSSIBILITY
OF CONTRIBUTING SOME FUNDS TO THIS STUDY =
CLINTON P ANDERSON USS... .

RECEIVED
OFFICE OF THE GOVERNOR
SANTA FE, N.M.
SEP 1 8 40 PM '60

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

GOVERNOR JOHN BURROUGHS
PRESIDENT, SANTA FE
STATE AUDITOR, ROBERT D. CASTNER
SECRETARY, SANTA FE
LIEUTENANT GOVERNOR ED V. MEAD
ALBUQUERQUE



MEMBERS:
GUY L. ROGERS, HOBBS
NOBLE IRISH, LAS VEGAS
J. R. MODRALL, ALBUQUERQUE

STATE OF NEW MEXICO
State Board of Finance

SANTA FE

September 2nd - 1960

S. E. Reynolds, Secretary
Interstate Streams Commission
Santa Fe, New Mexico

Dear Mr. Reynolds:

At the meeting of the State Board of Finance held yesterday Mr. Bliss and attorney Olson appeared presenting the need for funds to assure completion of the Animas - La Plata feasibility report by June 30th, 1961, and requesting \$10,000 from the State Board of Finance emergency fund for the purpose.

It is understood that the Bureau of Reclamation had expected to get the report out by June 30th, but to do it they needed about \$180,000, the house appropriations committee approving \$132,000 and when the bill went to the Senate they raised it to the amount needed. However there was \$40,000 cut out of the bill, and the state is faced with the commitment to get the report out by the end of the year and are short to get the job done, but it is believed that if New Mexico and Colorado put up a substantial amount the Secretary of the Interior could go back to the appropriations committee with a request and secure additional funds to complete the report.

Approval was given for a grant of \$10,000 from Finance Emergency Funds for the purpose, on the condition that the State of Colorado match these funds, and upon assurance from the Bureau of Reclamation that the entire job will be finished by June 30th, 1961, funds to be withdrawn only as needed and grant to be made to the Interstate Stream Commission.

Very truly yours,

STATE BOARD OF FINANCE

Robert D. Castner

Secretary

RDC.BL.1
cc - Hunt
cc - Giron

1960 SEP 7 AM 8:16
STATE ENGINEER OFFICE
SANTA FE, N.M.

OSE-2180

September 7, 1960

The Honorable Dennis Chavez
United States Senate
Washington, D.C.

Dear Senator Chavez:

Herewith for your information and files are copies of letters which I have addressed to Mr. Don Burnett, Chief of Project Planning, U. S. Bureau of Reclamation, Washington, D.C., and to Mr. Felix Sparks, Director, Colorado Water Conservation Board, Denver, Colorado, to advise them of the grant made by the State Board of Finance for cooperation in the study of the Animas-La Plata Project.

Yours truly,

SER:c
Encls.

S. E. Reynolds
Secretary

This letter to: Senator Anderson
Congressmen Montoya & Morris

55
Animas La Plata

M E M O R A N D U M

September 2, 1960

To: The Honorable John Burroughs, Governor of
New Mexico, Santa Fe

From: David P. Hale, Interstate Stream Engineer

Subject: Grant by Finance Board - Animas-La Plata
Project

It is suggested that the attached telegram be sent to
Senator Anderson.

DPH:c David P. Hale
Encl.

cc: Mrs. Blanche Lucero

Original telegram revised and sent by Governor's Office.
~~Copy of original telegram is attached.~~

February 29, 1960

Mr. I. J. Coury, Chairman
Interstate Stream Commission
P. O. Box 445
Farmington, New Mexico

Dear I. J. :

My sincere congratulations on satisfying the fears
of the people interested in the Animas-La Plata
project.

I have taken the liberty of sending a copy of this
letter and the clipping to Pat and Hubert.

Sincerely,

SER:c

S. E. Reynolds
Secretary

cc w/encl to:
Mr. John Patrick Murphy
Mr. Hubert Ball

Animas-La Plata Session

. . . With Orval Ricketts

Once upon a time a very wise man, after surveying the wars that plague mankind, suggested that nations in disagreement should select a small group of men from nations involved. These men would be locked in a room for as many months or years as necessary, and be released only when they come out with an agreement that will avert the threatened war.

Reminded that only by the force of military might can great issues be settled, he made a statement in which this idea is the chief thought:

"Wars usually are settled after the savagery of battle by men meeting around a table. So why not let men meet around a table and settle it before war starts."

That of course is purely idealistic. It probably wouldn't work in the war threat that hangs over the world today, the possible atomic extinction of civilization itself if war is allowed to start. Maybe that is a test of the moral fibre of world leadership today—man's ability to talk himself out of the possible annihilation.

But It Can Work

Be that as it may, this writer was permitted last week to sit in on the successful application of the above principle.

It seemed that citizens of La Plata were ready to start a little intrastate conflagration that even the impounded waters in Lake Navajo would have had a hard time to extinguish. Hard working La Plata farmers, who had formed a Water Conservancy District to protect their rights, have been wondering for some time what was happening to their cherished Animas — La Plata Reclamation Project.

And some of the rest of us old nesters also were curious to know just why this project seemed to have been lost in the building of the dam, and in controversies over how much water is to run over the hill into the Rio Grande watershed.

Some Answers Needed

Anyway the La Plata water users got on the prod because a lot of answers had not been spelled out to them. They became suspicious that old time friends here had either forgotten them or had traded off their water somehow. So a meeting was held the other night in the Avery hotel, and I. J. Coury of Farmington, chairman of the state's Interstate Streams Commission, was invited to appear and answer some of the questions that were bothering our La Plata friends.

Under the chairmanship of Farmington's Dr. G. D. Walters, the night was spent in a seminar on the problem.

It developed that the Interstate Streams Commission some time ago had allotted a share of New Mexico's water for the Animas-La Plata lands in this state. This wa-

ter has been turned over to the custody of the Secretary of Interior for use when the project studies are completed by the Reclamation Bureau and legislation providing the project becomes law.

Not Forgotten

Coury explained that Animas-La Plata is and always has been in the picture. The feasibility report is expected within the next two years.

Thus a friendly solution was arrived at through men getting together and discussing a situation in plain words. New Mexico, I am sure, has settled at least one misunderstanding among its own water users and set the stage for re-summing friendly relations with Colorado in presenting our programs to Congress.

S.J.
Animas L2 Photo

May 12, 1959

Mr. E. O. Larson, Regional Director
Region 4
U. S. Bureau of Reclamation
P. O. Box 360
Salt Lake City, Utah

Dear Mr. Larson:

Herewith is a copy of your Application No. 2883, which was submitted by your letter of April 10, 1959, with appropriate endorsement thereon. The statute referred to in the endorsement is quoted below in full for your convenience:

"75-5-31. Federal reclamation projects - Appropriation for. - Whenever the proper officers of the United States authorized by the Federal Reclamation Law of June 17, 1902, 38 (32) Statutes at Large, 388 or acts amendatory thereof or supplementary thereto to construct federal reclamation project works for the utilization of waters within the state, shall notify the state engineer that the United States intend to utilize certain specified waters, the waters so described and unappropriated, and not covered by applications or affidavits duly filed or permits as required by law, at the date of such notice shall not be subject to a further appropriation under the laws of the state for a period of three (3) years from the date of said notice, within which time the proper officers of the United States shall file plans for the proposed works in the office of the state engineer for his information, and no adverse claim to the use of water required in connection with such plans, initiated subsequent to the date of such notice, shall be recognized under the laws of the state, except as to such amount of water described in such notice as may be formally released in writing by the secretary of the interior as the officer of the United States thereunto duly authorized; Provided that in case of

Mr. E. O. Larson

2

May 12, 1959

failure to file plans of the proposed works within three (3) years as herein required, the waters specified in the notice given by the United States to the state engineer shall become public waters subject to general appropriations."

Yours truly,

S. E. Reynolds
State Engineer

SER:fr
enc.

OSE-2186

April 6, 1959

Mr. E. O. Larson
Regional Director
Region 4
Bureau of Reclamation
P. O. Box 360
Salt Lake City, Utah

Dear Mr. Larson:

Please refer to your telegram of April 3, 1958.
Pursuant to an action of the New Mexico Interstate
Stream Commission at a meeting on February 6, 1958
Notice of Intention No. 2883, filed by the State of
New Mexico on May 1, 1956 in connection with the
proposed Animas-La Plata Project, is hereby assigned
to the United States Department of the Interior;
provided, that prior to May 1, 1959 a proper officer
of that department files with the State Engineer of
New Mexico, in accordance with Sec. 75-5-31, NMSA
1953 Comp., plans for proposed works substantially
in accordance with "Animas-La Plata Project, Status
Report, Bureau of Reclamation, November 1954."

Yours truly,

SER:c

S. E. Reynolds
Secretary

CLASS OF SERVICE

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WESTERN UNION

TELEGRAM

W. P. MARSHALL, PRESIDENT

SYMBOLS

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1201

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LA263

1959 APR 6 AM 8:36 (44)

JUM055 GOVT PD=JUM SALT LAKE CITY SANTA FE N.M. 40PMM=

S E REYNOLDS STATE ENGINEER=

SANTA FE NMEX=

REFER YOUR TELEGRAM FEBRUARY 5 1958, REGARDING ANIMAS LA PLATA FILING NO. 2883. IN ACCORDANCE WITH YOUR OFFER IMMEDIATE ACTION SHOULD BE TAKEN TO ASSIGN THIS FILING TO UNITED STATES OF AMERICA, DEPARTMENT OF THE INTERIOR. EARLY ACTION IS DESIRABLE IN ORDER THAT APPLICATION CAN BE MADE BY DUE DATE OF MAY 1 1959. PLEASE SEND ASSIGNMENT DIRECT THIS OFFICE=

REGIONAL DIRECTOR==

5 1958 2883 1 1959 PO 6TH WD 1958=

C O P Y

SJ
Animas La Plata Dup
P.L.

March 12, 1959

Dear Senator Anderson:

Your letter of March 2, 1959, addressed to Commissioner Dexheimer requests certain information on the relationship of the proposed Animas-LaPlata Project to the proposed San Juan-Chama and Navajo Indian Irrigation Projects. The information you desire follows under the same numbering as contained in your letter.

(1) The Animas-LaPlata Project, insofar as it can be defined prior to completion of investigations, contemplates furnishing irrigation water to a total of about 86,600 acres. Of this total some 66,000 acres are in Colorado, divided about 45,900 acres new lands, 20,100 acres supplemental supply lands. In New Mexico the total acreage of 20,600 is divided 15,100 new lands, 5,500 supplemental service lands. Consideration is also being given to supplying the City of Durango, Colorado, with municipal water supply. Present thinking is this will require about 17,000 acre-feet of water per year. The Animas-LaPlata Project would obtain its water supply from the Animas River and the La Plata River.

(2) Although final figures are not yet available as to exact water requirements, present computations indicate that the Colorado lands would be supplied by a diversion from the Animas River of about 163,000 acre-feet and from the La Plata River with about 14,000 acre-feet. The requirements for the City of Durango, as indicated above, are about 17,000 acre-feet.

(3) There is no physical conflict between the plans proposed for the Navajo Indian Irrigation Project and San Juan-Chama Project and those for the Animas-La Plata Project. The San Juan-Chama and Navajo Indian Irrigation Projects are on the San Juan River watershed above the confluence of that river with the Animas River.

(4) The position of some Colorado interests, as we understand it, is the fear that if the New Mexico projects on the San Juan River are constructed ahead of Animas-LaPlata and with a water right prior to that which could be obtained for the New Mexico

PRS 8326

lands of the Animas-La Plata Project, New Mexico might ultimately decide not to develop its lands in the Animas-La Plata Project. They are concerned then that if the New Mexico lands are not included in the Animas-La Plata Project, it is possible that the remaining project might not be feasible. The concern that New Mexico might take such a position arises over the question of the magnitude of the total amount which the Upper Basin ultimately may be permitted to use of the flow of the Colorado River at Lee Ferry. They reason that if, for some cause or other, such as inadequate total water supply or requirements on the Upper Basin for servicing the Mexican Treaty, the total depletion that the Upper Basin may make would be so much less than the 7,500,000 acre-feet apportioned by the Colorado River Compact, that New Mexico would not be able to consume water beyond that required by the San Juan-Chama-Navajo Indian Irrigation Projects and certain municipal uses.

In regard to the expressed concern about feasibility of a diminished Animas-La Plata Project, our investigations have not yet reached a point where a determination can be made. The concern over the possibility that the Upper Basin may not be permitted to utilize the full amount apportioned to it under the Colorado River Compact arises from certain compact interpretations and resultant water supply studies which this Department has not considered to be acceptable.

The proposed coordinated report on the San Juan-Chama-Navajo Indian Irrigation Projects and the testimony presented to your subcommittee in the spring of 1958 were both based upon the assumption that the Upper Basin could utilize 7,500,000 acre-feet per year. Under that type analysis it can be shown that with New Mexico's share amounting to 838,000 acre-feet annually New Mexico would be able to develop all its presently foreseeable projects, utilizing waters of the San Juan River Basin, including the New Mexico portion of the Animas-La Plata Project, with about 93,000 acre-feet remaining for other potential uses.

Sincerely yours,

Secretary of the Interior

Hon. Clinton P. Anderson
Chairman, Subcommittee on
Irrigation and Reclamation
Committee on Interior and Insular Affairs
United States Senate
Washington 25, D. C.

secretary's reading file - RECLAMATION
DCCO LIA LM WP SO US DL
Codes 150, 105

Regional Director, Salt Lake City, Utah
Assistant Commissioner and Chief Engineer
Regional Director, Amarillo, Texas

BBennett:gmg/fh 3/11/59
3/12/59

: AROUND THE BASIN :

The Durango Herald Says:

Durango should pump water from the Animas river next summer in order to validate its filing for water rights in the river, Atty. William Eakes, a member of the Southwest Colorado told members of the League of Women Voters at a meeting Thursday night at the home of Mrs. Edward Barge.

As a supplement to its Florida river water which feeds the reservoir and filtration plant, the city has constructed a pumping station on the Animas, and laid a line to the reservoir. It was completed last year and pump tests were made. The city has filed a plat calling for four-second-feet of water from the Animas, Eakes has recommended that this plat be increased to 100-to125-

second-feet.

Urgency of the situation is the re-introduction of bills in Congress by New Mexico Sen. Clinton P. Anderson for authorization of the San Juan-Chama and Navajo Irrigation projects. Congress failed to authorize these projects last year, and Colorado water interests are opposing their authorization this session.

However, Eakes told the women, if these projects were authorized, water applied to them would not leave sufficient water for the Animas-LaPlata project, and possibly not enough for Durango.

He stressed that it was important that Colorado and New Mexico reach agreement on sharing of shortages in order to protect water supplies.

S.J.
Animas -> LaPlata

File

1959 FEB 25 PM 1:46

STATE ENGINEER OFFICE
SANTA FE, N.M.

[Handwritten signatures and initials]

Steve:

This appeared in the Durango Herald a couple of weeks back -
That it may interest you . Its kinda hard for me to understand
just what in the hell Durango is going to do with 100- 125
Second feet of water.

I.J.

CLASS OF SERVICE

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WESTERN UNION

TELEGRAM

W. P. MARSHALL, PRESIDENT

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LA006 SSA042

1958 FEB 5 AM 7:16

LA YA076 GOVT NL PD=TDAY PWS SALT LAKE CITY UTAH 4=
STATE ENGINEER, STEVE REYNOLDS=
SANTAFE NMEX=

ST Animas La Plata

SU-G-12

WOULD YOU KINDLY FURNISH THIS OFFICE A COPY OF
NEW MEXICO'S NOTICE OF INTENTION TO APPROPRIATE WATER
FOR YOUR STATE LANDS UNDER THE ANIMAN-LA PLATA PROJECT.
DO YOU PROPOSE TO ASSIGN THIS NOTICE TO THE BUREAU AS
YOU DID THE HAMMOND PROJECT NOTICE OF INTENTION?=
C. H. CARTER ACTG REG DIR BUREAU OF RECLAMATION=

SU-G-12 ANIMAN-LA PLATA=...

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

DOMESTIC SERVICE	
Check the class of service desired; otherwise this message will be sent as a fast telegram	
TELEGRAM	<input checked="" type="checkbox"/>
DAY LETTER	<input type="checkbox"/>
NIGHT LETTER	<input type="checkbox"/>

WESTERN UNION TELEGRAM

INTERNATIONAL SERVICE	
Check the class of service desired; otherwise the message will be sent at the full rate	
FULL RATE	<input type="checkbox"/>
LETTER TELEGRAM	<input type="checkbox"/>
SHORE SHIP	<input type="checkbox"/>

1206 (4-55)

W. P. MARSHALL, PRESIDENT

NO. WEST. CASH NO.	TO, FROM, OR COLLECTOR	CASH NO.	CHARGE TO THE ACCOUNT OF	TIME FILED
			STATE ENGINEER (I. S. C.)	

Send the following message, subject to the terms on back hereof, which are hereby agreed to

FEBRUARY 5, 1958

MR. C. H. CARTER
ACTING REGIONAL DIRECTOR
BUREAU OF RECLAMATION
SALT LAKE CITY
UTAH

**ANIMAS-LA PLATA FILING AIR MAILED THIS DATE. FILING CAN
 BE ASSIGNED SECRETARY OF INTERIOR WITH NEW MEXICO INTERSTATE
 STREAM COMMISSION APPROVAL.**

S. E. REYNOLDS
STATE ENGINEER

ST Animas - La P.

February 5, 1958

Mr. C. H. Carter
Acting Regional Director
Bureau of Reclamation
Salt Lake City
Utah

Dear Mr. Carter:

Herewith in accordance with the request of your telegram dated February 5, 1958 is a photostatic copy of the State of New Mexico's Notice of Intention No. 2883 reserving water for the New Mexico portion of the Animas-La Plata Project.

Yours truly,

SER:c
encl.

S. E. Reynolds
State Engineer

ST Animas La Plata



UNITED STATES
DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

DURANGO DEVELOPMENT OFFICE
P.O. BOX 640
DURANGO, COLORADO

1958 JAN 27 AM 9:29

STATE ENGINEER'S OFFICE
SANTA FE, N.M.

IN REPLY
REFER TO:

January 23, 1958

Mr. S. E. Reynolds
State Engineer
P.O. Box 1079
Santa Fe, New Mexico

Dear Mr. Reynolds:

During my recent visit to your office you asked if in our San Juan Basin water supply analysis we gave the Animas-La Plata Project priority over uses from the San Juan River below Farmington. In effect this is true. The reason was largely to simplify an already complex study.

In determining the water available to the Animas-La Plata Project direct flow by-passed for downstream uses was limited to that required from the Animas River. Our studies may, therefore, show some capacity in Navajo Reservoir which actually provides replacement storage for the New Mexico portion of the Animas-La Plata Project. The following factors cause an accurate determination of the amount of this replacement storage difficult to make at this time.

1. The source of supply for uses below Farmington is both the Animas and San Juan Rivers.
2. The Animas-La Plata Project will be in two states involving the water laws of two states.
3. Ultimate status of several of the water filings in both states are still indeterminate.
4. The source of a large percentage of the water supply for the New Mexico portion of the Animas-La Plata project is return flows.

However, an inspection of our studies indicates that even if the 1955 date of the large Utah Construction Co. filing should eventually be perfected, the amount of replacement storage provided in Navajo Reservoir for the New Mexico portion of the Animas-La Plata Project would be negligible.

It seems to me now you asked another question about the basin water supply study, but I cannot remember what it was and I do not find anything in my notes about it. If you have other questions please let us know and we will try to answer them.

Very truly yours,

William F. Crabtree

William F. Crabtree
Area Engineer

LA PLATA CONSERVANCY DISTRICT

IRBY

La Plata, New Mexico

April 29, 1957

State Engineer Office
Santa Fe, New Mexico

Attention Mr. Frank Irby
Re Animas-La Plata Project

Dear Sirs:

In view of recent activities and attitudes taking form recently in this area as well as the entire area in Colorado effected by the Animas-La Plata project, the district board is being asked many questions in connection with our participation in the project.

We therefore request that at your earliest convenience and by virtue of the powers held by your office, you give us answers to the questions as listed below, by number, as follows:

1. Who are the representatives of the Inter-State Streams commission for New Mexico and what are their functions?
2. How much water has been filed on for each project in New Mexico?
3. What percentage of the Upper Colorado river water has been allotted New Mexico?
4. Of the water originally divided among the various states in the Colorado river system, what is the latest engineering report on amount available now?
5. Mr. Williams, engineer for the State of Colorado, seems to think it is necessary for the La Plata Conservancy District to file on right of way for canals in New Mexico. Is this necessary, and if so what is the procedure?
6. What effect will the Animas-La Plata project have on the land in New Mexico now under cultivation? Will this land retain the old water rights and pay only on the supplementary water?

Respectfully,

/S/ ALVIN T. TALLEY

Sec. Treas.

May 17, 1957

La Plata Conservancy District
La Plata, New Mexico

Attn. Mr. Alvin T. Talley, Secretary

Dear Alvin:

Reference is made to your letter of April 29, 1957 concerning the proposed Animas-La Plata Project. Following are answers to your questions as numbered in your letter.

Question 1. Members of the Interstate Stream Commission are as follows:

J. D. Atwood, Chairman, Roswell
S. E. Reynolds, Secretary, Santa Fe
I. J. Coury, Member, Farmington
W. H. Gary, Member, Rincon
Oscar M. Love, Member, Albuquerque
T. G. Morris, Member, Tucumanari
R. H. Westaway, Member, Carlsbad

The functions of this Commission are defined generally in Chapter 75-34-3, New Mexico, Statutes, which is quoted below:

"75-34-3. GENERAL POWERS OF COMMISSION--INTERSTATE COMPACTS--EMPLOYERS--ATTORNEY GENERAL'S DUTIES. -- Said commission is hereby authorized to negotiate compacts with other states to settle interstate controversies or looking toward an equitable distribution and division of waters in interstate stream systems, subject, in all cases, to final approval by the legislature of New Mexico; to watch appropriations made by the Congress of the United States for investigations looking to the development of interstate streams originating in or flowing through the state of New Mexico; to investigate water supply, to develop, to conserve, to protect and to do any and all other things necessary to protect, conserve and develop the waters and stream systems of this state, interstate or otherwise; to institute or cause to be instituted in the name of the state of New Mexico any and

all negotiations and/or legal proceedings as in its judgment are necessary to carry out the provisions of this act (75-34-1 to 75-34-3); to do all other things necessary to carry out the provisions of this act; to employ such attorneys, engineers and clerical help, as, in its judgment, may be necessary to carry out the provisions of this act, and to fix their compensation and expenses; together with such other powers and duties, as may, from time to time, be given said commission by the legislature of New Mexico; the attorney general shall be the legal adviser of such commission and attorneys employed as above shall be subject to his approval and supervision and be designated as "Special Assistant Attorneys General."

Question 2. I assume that this question refers to projects receiving San Juan River water. The State of New Mexico has filed a "Notice of Intention to appropriate" on projects and in the amounts as follows:

Animas-La Plata Project	49,510	acre-feet
Hammond Project	23,000	" "
Navajo Irrigation Project	630,000	" "
San Juan-Chama Project	235,000	" "
Navajo Reservoir Losses	28,800	" "
Main Stream Reservoir Losses	69,750	" "

In addition to the above, planning of San Juan Projects have recognized water requirements for two small Indian projects, Fruitland and Hogback, which will receive water from the San Juan River, and the Pine River Extension Project which will receive a very minor amount of New Mexico's share of the Upper Colorado River Compact allocation.

Question 3. New Mexico's percentage of Upper Colorado River water is 11.25 percent.

Question 4. The most recent official engineering report is; "Report of the Technical Committee on use of waters of San Juan River in New Mexico," dated January 26, 1951. In this report, New Mexico's permissible depletion of the water available to it under the Upper Colorado River Basin Compact is listed at 838,000 acre-feet per year.

Question 5. The Bureau of Reclamation's Status Report--Animas-La Plata Project, Colorado and New Mexico--November 1954 contemplates that the project canals in New Mexico will be located on private and public lands with a small portion on lands in the Ute Mountain Indian Reservation.

I presume that there will be a District organized in New Mexico to encompass the entire Animas-La Plata Project, or perhaps your District would be enlarged. At any rate, plans for the Animas-La Plata Project are still in the preliminary stages and it is too soon to be selecting canal rights-of-way. Final plans, designs, selection of canal routes, etc., must be determined before rights-of-way can be acquired.

Approved on this meeting.

As filed and returned under the same name.

Question 6. The Bureau of Reclamation's report presents a simulated plan of operation which provides for decreed rights and also considers furnishing supplemental water to lands with these rights.

Administration of water rights under the proposed Animas-La Plata Project will present an intricate problem and is so recognized in the Bureau's report. When this Project reaches a more advanced stage of planning, local interests, State and Federal agencies will have to come to an understanding relative to the handling of decreed water rights on this project. The La Plata River Compact will govern administration of the direct flows of the La Plata River.

As to the charges for water furnished under this project, I cannot, at this time, furnish an answer.

Yours truly,

S. E. Reynolds
State Engineer

By:

Frank E. Irby
Chief
Water Rights Division

FEI/ma

cc-S. E. Reynolds
Dave Hale
E. M. Smith

IMPORTANT—READ INSTRUCTIONS ON BACK BEFORE FILLING OUT THIS FORM

1956 MAY -1 PM 4.07

STATE ENGINEER OFFICE
SANTA FE, N. M.

NOTICE OF INTENTION TO MAKE FORMAL APPLICATION FOR PERMIT

To appropriate the Natural Public Surface Waters of the State of New Mexico

Page 2883 Filed in Book M-2 Appl. No. 2883

- 1. Date of receipt of Notice of Intention May 1, 1956
(a) Formal application to be received on or before May 1, 1959
- 2. Name of applicant State of New Mexico by S. E. Reynolds, State Engineer
Post Office Santa Fe, County of Santa Fe, State of New Mexico
- 3. If applicant is a corporation give:
(a) Date and place of organization of corporation _____
(b) Amount of capital stock, \$ _____ (c) Amount paid in \$ _____
(d) Names and addresses of directors _____

- 4. Quantity of unappropriated water claimed (see note on back) 49,510 (on the land) acre-feet
(a) By direct diversion _____ sec. ft. (and, or) (b) by storage _____ acre-feet
(c) Direct diversion and storage as per planned Colorado-New Mexico, Animas - La Plata Project.

- 5. Source of water supply (a) Name of stream or watercourse Animas and La Plata Rivers
(b) Which is a tributary of San Juan River

- 6. Location of point of diversion or outlet from storage (if more than one, locate each):
_____ quarter of _____ quarter
of section _____ Township _____ Range _____ N. M. P. M.,
Points of diversion in Colorado and New Mexico.

- 7. To be used for Full and supplemental irrigation purposes.
IRRIGATION AND DOMESTIC USE
(a) Number of acres to be irrigated 20,600
(b) Described as follows: In La Plata and Animas Valleys in San Juan County, New Mexico, as indicated in Animas - La Plata Project status report Bureau of Reclamation November 1954.

- MANUFACTURING, MINING, POWER AND LIKE PURPOSES**
(a) Quantity of water _____ sec. ft., to be used for _____
(b) Power to be generated _____ horse power (c) conducted by _____
(give approximate size and description of conduit) _____ (length) _____
feet in length from a point in the _____ quarter of _____ quarter of
(locate point of diversion of outlet from storage)
section _____ Township _____ Range _____ N. M. P. M.,
to a point where water will be returned to stream undiminished in quantity in the _____ quarter of
_____ quarter of section _____ Township _____
Range _____
(locate point of return)

8. Further description of proposed project of old works to be amended or enlarged hereby:

9. References:

I, _____ do solemnly swear that I have read the foregoing statements and that the same are true to the best of my knowledge and belief.

Claimant _____

R. Reynolds

Subscribed and sworn to before me this 1st day of May, A. D., 1956

My commission expires Jan 29, 1959

William L. Blankenship
Notary Public.

Additional statements or explanations:

INSTRUCTIONS AND EXPLANATIONS FOR FILLING THIS FORM

(See Manual of Revised Rules and Regulations, Section on General Principles of Appropriation and Article on Notice of Intention.)

This form shall be made out in duplicate and shall be accompanied by a filing fee of \$10.00. If the application is to enlarge an existing project or to amend a permit, fill out this form to cover only the enlarged or amended portion, then state under Section 8 the data necessary to define the old works.

Section 1. This section to be filled out by the State Engineer.

Section 2. Fill in the name and address of the applicant.

Section 3. If the applicant is a corporation, company or firm, fill out blanks under section three. Give date of filing certificate of incorporation with the Corporation Commission.

Section 4. The quantity of water to be appropriated for irrigation purposes should be stated in acre-feet delivered on the land. The amount to be used wholly or in part by direct diversion shall be noted after (a); that to be used wholly or in part by storage, after (b). Under (c) give any additional information necessary to properly state or define the use.

Important: Except in the case of flood water projects, no direct diversion to the irrigated lands may be made at a rate greater than 1 second foot for each 70 acres. In no case may a right be acquired for more water than can be beneficially used upon the irrigated area.

Section 5. Each blank under this section shall be filled out.

Section 6. In a direct diversion project, or in the case of diversion to an off-channel reservoir, the point of diversion is the location of the canal headgates on the bank of the stream or water-course. If water is to be stored behind a dam across the stream itself, the point of diversion then becomes the location of the outlet gates from the reservoir.

If the point of diversion lies on unsurveyed lands, it should be described as nearly as possible by legal subdivision "as projected" from the nearest accepted government survey.

Section 7. State all the purposes for which the water is to be used. If for "Irrigation and Domestic Use" state under (a) the total number of acres to be irrigated; under (b) the location of lands to be irrigated. If for "Manufacturing, Mining, Power, or Like Purpose", fill out the statements under that heading. If water is to be used for several purposes, fill out all blanks referring to the different purposes.

Section 8. Give here any additional data necessary to describe the proposed works or old works to be amended or enlarged hereby.

Section 9. Give references of a bank and merchant with whom applicant does business or to whom he is known.

Claimant shall sign affidavit to above statements before a Notary Public or other proper official qualified to administer oaths.

Note: If additional space is necessary, use a separate sheet of paper and attach securely hereto.

*San Juan
Animas-La Plata*

XXXXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXX

January 17, 1956

Oscar Love, Albuquerque

Mr. William Crabtree
Area Development Engineer
Bureau of Reclamation
Durango, Colorado

Dear Bill:

I would like to thank you, Gordon Hill and Bob Tyner for your cooperation and time spent in bringing me up to date on the progress of planning on the Animas-La Plata Project and also for the conducted tour of the proposed project on my January 12 and 13 visit to your office.

If there is anything that this office can do to help you in planning the New Mexico portion of this project please feel free to contact us.

Sincerely,

David P. Hale
Assistant Interstate Stream
Engineer

DPH:rs

cc: E. O. Larson, Region Director
Region 4, Bur. of Reclamation
Salt Lake City, Utah

December 22, 1955

Mr. E. O. Larson
Regional Director, Region 4
Bureau of Reclamation
P. O. Box 360
Salt Lake City 10, Utah

Dear Mr. Larson:

We refer to your letter of December 12, 1955 in which you invite representatives of this office to confer with your area office personnel at Durango, Colorado regarding the Animas-La Plata Project investigation.

Your invitation is very much appreciated and representatives of this office plan tentatively to visit your area office on this matter January 12-13, 1956 if those dates are satisfactory.

Very truly yours,

S. E. Reynolds
State Engineer

SER:rs

*San Juan
Animas La Plata*

IN REPLY REFER TO:

4-700



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

REGION 4
POST OFFICE BOX 360
SALT LAKE CITY 10 UTAH

DEC 12 1955

Mr. S. E. Reynolds
State Engineer
Capitol Building
Santa Fe, New Mexico

Dear Mr. Reynolds:

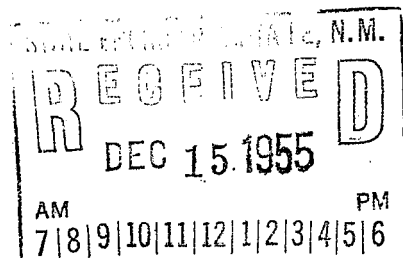
We appreciate receipt of your letter of December 6, 1955 pertaining to your interest in the Animas-La Plata Project investigations.

We will also appreciate your representatives conferring with our Area Office personnel at Durango, Colorado pertaining to this or other investigations that we are interested in within your state.

We also extend to you and your representatives an invitation to call on this office at any time pertaining to information relative to Region 4's participation in investigations in your state.

Very truly yours,

Acting Regional Director





STATE OF NEW MEXICO

STATE ENGINEER OFFICE

SANTA FE

S. E. REYNOLDS
STATE ENGINEER

December 6, 1955

ADDRESS CORRESPONDENCE TO:
P. O. BOX 1079
SANTA FE, N. M.

Mr. E. O. Larson
Regional Director, Region 4
Bureau of Reclamation
P. O. Box 360
Salt Lake City 10, Utah

Dear Mr. Larson:

Reference is made to the minutes of the July 22, 1955 meeting of the San Juan River, New Mexico Technical Committee which are quoted in part as follows:

Investigations -- Animas-LaPlata Project, Colorado-New Mexico

Mr. Crabtree informed the Committee that he is now conducting detail investigations for the Animas-LaPlata Project. In view of the possible indication that there may not be any water to serve the New Mexico portion, if the Navajo and San Juan-Chama Projects should be constructed to the extent indicated by the present drafts of reports, he raised the question on the advisability of extending the detail surveys to the New Mexico lands.

A meeting of representatives of the Navajo Tribal Council, Bureau of Indian Affairs, Bureau of Reclamation, and the State Engineer Office was held in Window Rock, Arizona on October 19, 1955. At this meeting the possibility of developing an all-Indian Shiprock-South San Juan project of 114,000 acres or less, instead of the proposed 137,000 acre project including both Indian and white land was considered and the Bureau of Indian Affairs agreed to undertake reconnaissance studies of this proposal. In view of this recent development it appears that there may be water available to serve

Mr. E. O. Larson

-2-

November 6, 1955

New Mexico lands in the Animas-LaPlata Project, and therefore the extension of detail surveys to cover these New Mexico lands appears justified.

We appreciate very much your interest in this project and if you desire, representatives from this office will visit your Durango Area Office at your convenience to discuss this project.

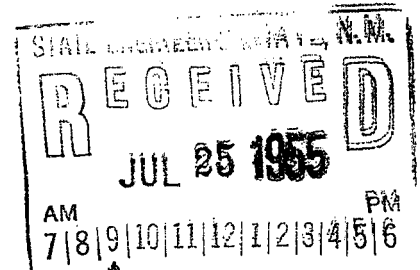
Yours very truly,

SER:c

cc: Mr. Crabtree

S. E. Reynolds
State Engineer

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
Region 4



NOTICE OF INITIATION OF INVESTIGATION

Name of investigation: Animas-La Plata project, Colorado-New Mexico

Location of investigation: La Plata County in southwestern Colorado and San Juan County in northwestern New Mexico, San Juan River Basin

Date investigation initiated: Preliminary investigations were started in 1936. Detailed investigations for authorizing report to be resumed July 1955. Probable date of completion: 1960.

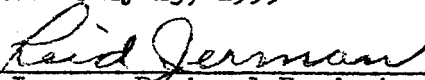
1. Scope of proposed investigation.--Investigations to date have shown the La Plata Division to be unjustified as an initial development, and that it is necessary to consider the over-all plan for diversion of Animas River water to the La Plata River basin in order to obtain economic justification. The tentative plan involves regulation at the Teft site on Animas River, a canal diversion to the La Plata River with re-regulation of part of the imported flows and the excess flood flows of La Plata River at the offstream Hay Gulch site. Available flows in the La Plata River farther downstream would be diverted to the offstream Meadows site for use on new lands north of Fruitland, New Mexico. The proposed investigation is to refine the project plan and complete an authorizing report.

2. Nature of problems involved.--High costs and numerous construction problems are associated with the regulation of Animas River water and its diversion to the La Plata River basin. All potential reservoir sites are comparatively costly and may involve railroad relocations or other special problems. Rough mountainous terrain must be traversed to cross the divide between the upper Animas and La Plata River drainages. Clearing costs for a portion of the new land are expected to be comparatively high, but the land is generally a very good quality. Possibilities for enlarging the project to serve more land in New Mexico involve consideration of potential competitive uses of New Mexico's allotment of Colorado River water.

3. Prospective solutions which should be explored.--Cost of storage in Teft Reservoir as compared to alternative sites will require very accurate analysis and will be the most significant item in determining feasibility and scale of development. A detailed land classification will be made to eliminate lands which cannot be served economically. Further studies of potential power developments which might improve the project will be made.

4. Participation by local, State, and Federal agencies.--It would be appreciated if interested agencies would forward within 30 days an expression of their interest in the proposed project, and a statement of pertinent data they may have or know of that can be made available for use in the investigation, together with comments and suggestions they may care to make.

Prepared July 13, 1955


Reid Jerman, Regional Project
Development Engineer

Transmitted July 20, 1955


E. O. Larson, Regional Director



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

REGION 4
POST OFFICE BOX 360
SALT LAKE CITY 10, UTAH
FEB 9 1955

IN REPLY REFER TO:

4-700
STATE ENGINEER-Santa Fe, N. M.
RECEIVED
FEB 11 1955
AM PM
7 8 9 10 11 12 1 2 3 4 5 6

Ole A6-
Correspondence

Mr. John R. Erickson
State Engineer
Santa Fe, New Mexico

Dear Mr. Erickson:

Thank you for your letter of December 21, 1954, and for your service in distributing our status report of November 1954 on the Animas-La Plata project.

Our report may have conveyed an erroneous impression of intention with respect to the power right of the Basin Light and Power Company. It is not planned that the right be taken without due process or without just compensation. By assuming that the 205-second-foot power right could be acquired for project use we were able to tentatively formulate a larger and better project plan than otherwise would have been possible. The project plan as presented in the status report was set up only for preliminary consideration. Modification of it in more detailed studies may be necessary if the required land and water rights cannot be acquired or for various other reasons. Certain modifications, however, might make the plan infeasible.

Since project use of the power water would result in greater benefits, it is not improbable that a basis will be found for an agreement subjugating the power right to the project that will be beneficial to all concerned.

In view of the serious effect on the Animas-La Plata project plan of fully supplying the power right, it seems that the matter should be further explored along with other phases of the project.

I would appreciate your views on this suggestion.

Very truly yours,

Regional Director

December 21, 1954

Mr. E. O. Larson, Regional Director
Region 4, Bureau of Reclamation
Salt Lake City, Utah

Dear Mr. Larson:

This will acknowledge receipt of eight additional copies of the Animas-LaPlata Status Report which you transmitted to me under date of December 1, 1954. We are making the necessary distribution to the local interested parties.

We greatly appreciate the effort you have made to make this report available to us at this time. It will be very helpful. The report is well prepared and Mr. Crabtree and the rest of your staff is to be congratulated.

So far I have only one suggestion to make. On page 15 under the topic, Water Rights - Animas River, there is a discussion of the power right of the Basin Light & Power Company at Farmington. In that discussion it is stated that, "rough studies indicate that the water involved in these rights would produce far greater National benefits if it were used on the Animas-LaPlata project than if it were used to generate power through the low head plants." We cannot let that statement stand for two reasons:

1. Whatever right the Basin Light & Power Company may have to that water is a vested property right. It cannot be taken away from them under the laws of New Mexico, regardless of National or any other benefits. I have had no indication that the Basin Light & Power Company intends to sell, release or transfer that right. On the contrary I have some indication that they are not interested in relinquishing such right. Furthermore, under the laws of New Mexico that right remains for a particular purpose until there is outright abandonment, which may be accomplished by a declaration of the owner of the right, or forfeiture

Mr. E. O. Larson

-2-

December 21, 1954

through four years of nonuse, or a transfer to some other type or place of use through regular procedures prescribed by law.

2. The argument of confiscation of water rights because of higher use in other localities, is one that the lower basin States would very much like to impose upon the Upper Basin. I feel that we cannot allow that argument to creep into any situation regarding our water rights regardless of how minor the case may be. As you know, we have always maintained in the Upper Basin that, regardless of kinds or types of use, if we are entitled to that use the right shall never be relinquished without due process. The argument is a subtle one. If we succumb to it we lose one of the Freedoms that has made our country great.

I would appreciate having that statement in the report revised.

Sincerely,

JRE:c

John R. Erickson
State Engineer

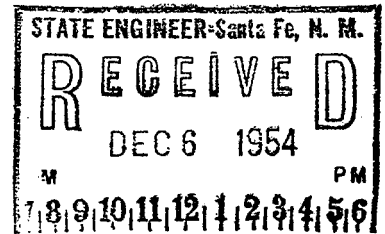


UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

REGION 4
POST OFFICE BOX 360
SALT LAKE CITY 10, UTAH

Upper Lake San Juan Animas La Plata
IN REPLY REFER TO:

4-700



DEC 3 1954

Mr. John R. Erickson
State Engineer
P. O. Box 1079
Santa Fe, New Mexico

Dear Mr. Erickson:

Two copies of our report on the Animas-La Plata project, transmitted with letter of November 26, 1954, should be corrected with ink as noted below:

- Page 28 - Heading for left side of table should be Animas River instead of La Plata River. Last two columns should be under heading La Plata River.
- Page 32 - Last line of first table should read:
Percent of net diversion requirement
38 25 25 43
- Page 42 - Strike the last sentence of the fourth paragraph.
- Page 44 - The heading for the second column of the table should be Productive Acreage instead of Irrigable Acreage.
- Page 61 - The figure "10,200" in the next to the last line of the second paragraph should be changed to "9,800".
- Page 77 - In footnote 2/ the percentage figure should be 6 instead of .16.
- Page 79 - The figures in the second and third lines across the table are transposed. & 83
The 17,100 acres are below the Animas-La Plata Diversion Canal and the 3,000

OSE-2212

acres are above the Canal. Also, on page 83 under "Development period" the last three figure 8's should be changed to 10.

We will greatly appreciate your marking the two copies as indicated. The additional copies of the report transmitted with our letter of December 1 were corrected in this office.

Very truly yours,



Acting Assistant Regional Director

Corrections have been made.

Dec. 8, 1954

