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WESTERN STATES WATER COUNCIL

ANNUAL REPORT

1968

The Western States Water Council was formed in 1965, pursuant to resolution of the Western Governors' Conference, to foster effective cooperation among western states in planning for programs leading to integrated development by state, federal, and other agencies of their water resources. The Council has three representatives from each of the States of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming. Each state represented at a meeting has one vote, but no recommendation may be issued or external position taken except by unanimous vote of all member states. In addition to the eleven voting states, three observers from Texas have participated as non-voting members of the Council. They have kept the Council informed on water legislation and planning in Texas and have helped to broaden the scope of the Council.

The Council is a committee-oriented organization with three working committees. They are the Executive Committee, the Water Policy and Legislative Committee, and the Water Resources Committee. Each state has one representative on each Committee. The Committee Charters and a schedule of their 1968 meetings can be found on pages 40, 41, and 42 respectively.

Principles-Standards-Guidelines to be used in regional planning were unanimously adopted. (See page 30). An Activities Program for the Council was outlined and unanimously adopted. (See page 35). The Water Resources Committee adopted and is following a Work Program to forward its charter objectives. (See page 43).

In 1968, the work of the Council was concentrated in those areas wherein the states shared a common interest. Action was taken concerning water quality, state-federal water rights, acreage limitation, water resource project evaluation, and wild and scenic rivers. A short summary of the problems involved in these areas, and the actions of the Western States Water Council follows.

NON-DEGRADATION

On October 2, 1965, Public Law 89-234 (79 stat. 903) was signed by President Johnson. It made extensive changes in the Federal Water Pollution Control Act of 1956, as amended in 1961. The stated purpose of P.L. 89-234 is:

"To enhance the quality and value of our water resources and to establish a national policy for the prevention, control and abatement of water pollution."

It was the declared policy of Congress to:

"Recognize, preserve, and protect the primary responsibilities and rights of the States in preventing and controlling water pollution, . . ."

To carry out the purposes and policies of the Act, the states were given the option of adopting water quality standards on their interstate streams or having FWPCA set standards for them. Section 10 (C) (3) provides that:

"Standards of quality established . . . shall be such as to protect the public health or welfare, enhance the quality of water and serve the purposes of this Act. In establishing such standards . . . the appropriate state authorities shall take into consideration their use and value for public water supplies, propagation of fish and wildlife, recreation purposes and agricultural, industrial, and other legitimate use."

Section 10(C) (3) provided that the state would file, before June 30, 1967, a letter of intent to establish water quality standards and a plan for their implementation and enforcement. The same section provided:

"If such criteria and plan are established in accordance with the letter of intent, and if the Secretary determines that such state criteria and plan are consistent with Section 10 (C) (3), such state criteria and plan shall thereafter be the water quality and standards applicable to such interstate waters or portions thereof."

If the Secretary determines that the water quality standards are not consistent with Section 10 (C) (3), the Secretary may, after "reasonable notice . . . prepare standards to be applicable to interstate waters . . ."

If the state does not approve of the standards set by the Secretary, they may request a hearing. The hearing shall be before a board of five members or more to be appointed by the Secretary. Each state affected by the standards would be allowed to select at least one member of the Board. At least a majority will not be employees of the Department of Interior.

Prior to February 8, 1968, standards of ten states had been approved by the Secretary of Interior. On that date Secretary Udall issued a statement that a provision in all states' standards substantially in accordance with the following would be required before those standards would be acceptable to him:

"Waters whose existing quality is better than the established standards as of the date on which such standards become effective will be maintained at their existing high quality. These and other waters of a State will not be lowered in quality unless and until it has been affirmatively demonstrated to the State water pollution control agency and the Department of the Interior that such change is justifiable as a result of necessary economic or social development and will not interfere with or become injurious to any assigned uses made of, or presently possible in such waters. This will require that any industrial, public or private project or development which would constitute a new source of pollution or an increased source of pollution to high quality waters will be required, as part of the initial project design, to provide the highest technology, and, since these are also Federal standards, these waste treatment requirements will be developed cooperatively."

Opposition to the inclusion of such a statement in water quality standards was widespread, both in the west and throughout the nation. At the Western Governors' Conference in Honolulu, Hawaii, the Governors resolved that:

"The States be urged to stand together in adherence to and defense of water quality standards made pursuant to proper legal processes, and which take into account the uses and values of particular waters to serve the social and economic needs of local populations, as determined by the appropriate state authorities, and to stand together in their rejection of improper and unauthorized federal intervention in states water pollution control programs."

At a meeting of the Executive Committee in Tucson, Arizona, on March 7, 1968, a subcommittee consisting of Chairman, Floyd A.

Bishop, Mr. William R. Gianneli, Mr. Richard T. Eckles, Mr. S. E. Reynolds, and Mr. Marvin Shurbet, as ex-officio members, was created. At the June 5, Salt Lake City meeting of the Executive Committee, that committee made the following recommendations to the Executive Committee:

1. Follow up on the actions by the Governors.
2. Ask the Chairman to write a letter to the Secretary of Interior suggesting that the Western States Water Council be the group to confer on policy and ask him to authorize FWPCA Commissioner Joe G. Moore, Jr., to come to the Western States Water Council meeting on July 2, prepared to discuss in depth the position of the Department.
3. The states unite and support each other.
4. The Council should emphasize the problems of the west.
5. The Council office serve as a clearing house for states and other interested groups in establishing the most desirable water quality standards.
6. Recognize the Act is basically good, if administered as Congress intended, hence no amendment should be encouraged at this time.

These recommendations were accepted by the Executive Committee on June 5, 1968, with the understanding that Governor Evans, Chairman of the Western Governors' Conference should be contacted to secure the approval of the Governors' Conference in the use of this approach before sending the letter to Secretary Udall.

Chairman Moses subsequently contacted Governor Evans and obtained his approval, and the letter to Secretary Udall was sent under date of June 19, 1968. At the Spokane meeting of the Western States Water Council on July 2, 1968, Mr. Joe G. Moore, Jr., Commissioner of the Federal Water Pollution Control Administration told the Council that the Secretary of Interior did not insist upon the specific proposed language for state anti-degradation provisions, but insisted that the intent of that policy should be discussed, considered and evaluated. He stated that there were four significant requirements for state anti-degradation provisions, which were:

1. Commitment to the preservation of high quality waters.
2. The best practicable degree of treatment, wastes discharged into high quality waters.

3. Degradation where only necessary economic or social development is demonstrated.
4. Some procedural commitment so that the Department of Interior (FWPCA) can be assured that the degree of treatment is adequate and degradation is 'necessary'."

All eleven states of the Council have submitted water quality programs which contain a non-degradation statement. Of the eleven non-degradation statements, only Colorado's has not been accepted by the Secretary of Interior. Texts of the non-degradation statements begin on page 45.

STATE-FEDERAL WATER RIGHTS

In the eleven western states, the United States owns 347,220,662 acres or 45.7% of a total area of 760,161,920 acres. Included in these federally owned lands are approximately 160 million acres which were reserved for National Forest purposes between 1897 and 1903. These Forest Service lands include the high-mountain, water producing areas. Runoff from these lands average 200 million acre-feet, or approximately 55% of the average annual runoff in the eleven western states.

Aridity of climate and scarcity of water have always been limitations upon development of the West. In most areas, there just is not enough water to satisfy all of the demands. As the West grows and develops, the demands for water are continually expanding. Unfortunately, the available water supply remains fixed. Hence, the competition for water continually increases.

The true value of water is not measured by its physical possession. Its value is based upon the expectancy that a like amount will be available at a particular place, year after year. It was this desire for a stable expectancy that led to the "first come — first served," or appropriative theory of water rights.

The appropriative doctrine, in one form or another, is followed in all eleven western states. Appropriative rights are administered by a state agency or state courts. A water right is established by the expression, in an accepted form, of a desire to make use of a certain amount of water, followed by a diligent effort of the user in perfecting his ability to use the water. The rights created are given a priority to the use of water, based upon the initial date of the expression of desire. Thus, if there is a shortage of water, the user with the later priority date is denied water until all uses senior to his are fulfilled.

Congress, in 1866, 1871 and 1877, accepted this theory of water law, and made water from federal lands subject to it. However, various federal agencies have claimed that the reservation of land for various purposes also included sufficient water necessary to effectuate the purpose of the reservation. They claim a priority date as of the date of the reservation. The claims of these agencies are based upon a series of federal court decisions. The western states have long sought legislation which would clarify this issue.

Early in 1968, Senate Bill S. 2530 was introduced to clarify the relationship of interests of the United States and of the States in the use of water in the West. Later, S. 2919 was introduced to replace S. 2530.

These bills were the subject of much discussion by the Executive Committee of the Western States Water Council at the Albuquerque and Denver meetings. At the Tucson meeting, of the Council, it was resolved that the Council support the principles included in S. 2919, subject to further consideration by the Executive Committee.

At the April 23rd meeting of the Executive Committee, the text of the resolution was finalized and the Executive Director was authorized to make a statement on behalf of the Council before the Water and Power Resources Subcommittee of the Senate Interior and Insular Affairs Committee.

A copy of the Resolution and the statement follow.

STATEMENT

My name is Jay R. Bingham. I am Executive Director of the Western States Water Council. This statement is presented in response to the actions of the Executive Committee of the Western States Water Council.

This statement is intended to describe the nature and purpose of the Council, to assess the importance of S. 2919, and to amplify the position of the Council.

As a result of and by authority contained in resolutions adopted by the Western Governors' Conference, May 3-6, 1964, and June 10-13, 1965, the Western States Water Council was formed 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.

The Council has wrestled with the far reaching problems dealing with the transfer of water from areas of surplus to areas of deficiency. Out of this ordeal they have prepared and adopted a set of "Principles-Standards-Guidelines" for comprehensive regional planning. In addition, the Council has drafted an "Activities Program" that recognizes that the Council should assume an active role in many areas in the field of water and related land resources development that have not heretofore been undertaken by the western states collectively.

This is the first time in the history of the Council that an appearance before a Committee of the Congress has been authorized. Consequently, my appearance here underscores the concern of the member states over this legislation and reflects the accord the Council members have reached on this subject.

All of the western states are anxious to have congressional action taken to clarify the relationship of interests of the States and the United States with respect to water rights. Not only is there apprehension over vested rights, but there is uncertainty over the validity of water rights for future developments made by state and local interests.

While we are agreed as to the need for this legislation, we do not have complete agreement on the best method of accomplishing this desired objective. All of the representatives of the eleven states agreed to the Council's presentation here in support of the enactment of legislation embodying the principles of S. 2919. However, some of the states will make separate responses, indicating a preference for the earlier and more comprehensive drafts of this legislation.

There is a strong consensus that legislation of this type is needed to end the present uncertainty and confusion. In short, if legislation embodying the principles of S. 2919, with a clarification I shall refer to later, can be acted upon this session, you can count on vigorous support from the states represented by the Western States Water Council. On the other hand, if action by the Congress is delayed, there are some who would favor striving for a "stronger bill."

I should like to call to your attention a concern that has arisen out of the litigation and court decree in the case of *Arizona v. California*. Arizona, in her long struggle to realize congressional authorization for the Central Arizona Project, understandably is concerned that any reduction in the use of mainstream Colorado River water by the State of California, where the reduced amount is no less than the state's allocation, shall not be compensable. Arizona's

representatives to the Western States Water Council are very positive in this matter and would prefer that a clarifying amendment be made a part of this legislation. However, there may be other means available to the committee to provide the necessary assurances in order that Arizona could be in support of the bill.

Mr. Chairman, I wish to express on behalf of the Council its appreciation for this opportunity to present its views. I also wish to reassure you that you have under consideration a most important piece of legislation. Action is overdue. The provisions of the legislation are reasonable and constructive.

We would urge the Committee's immediate and favorable action, in order that the legislation can be acted upon by both houses of Congress this session.

RESOLUTION

WHEREAS, there is confusion over the nature and extent of water rights acquired under state law either before or after the withdrawal of surveyed or unsurveyed Federal lands and over the compensability of such rights when taken for Federal purposes; and

WHEREAS, consideration of equity and the need for orderly development of water and related land resources require early resolution of the controversy; and

WHEREAS, the Congress has repeatedly emphasized the responsibilities of State and local governments and private entities in the development of water and related land resources.

NOW, THEREFORE, BE IT RESOLVED that the WESTERN STATES WATER COUNCIL supports the enactment of legislation embodying the principles of S. 2919, 90th Congress, 2nd Session, dated February 5, 1968; with the understanding that any reduction in the use by a State or its water users of the amount of water from the mainstream of the Colorado River made under the authority of the United States which is not less than that amount allocated to all users in such state by the terms of the Boulder Canyon Project Act (45 Stat. 1057) as interpreted by the United States Supreme Court in the case of *Arizona v. California*, 373 U. S. 546 (1963), shall not be compensable as constituting a taking of vested rights.

ACREAGE LIMITATION

The Reclamation Act of 1902 was passed to encourage and facilitate settlement and development of the public lands in the semi-arid regions of the western states. Money received from the sale of public lands was to be used for projects which would furnish irrigation waters to settlers on these lands. Settlers were to repay construction costs, without interest, of the portion of the project costs attributable to improvement of irrigation. In return for having received interest-free money for construction costs, the settler could not obtain project water for more than 160 acres. This limitation is still a part of the general reclamation laws.

The Engle formula has, at times, been used as an alternative to the general limitation. That formula, first used in the Small Reclamation Projects Act of 1956, provides that interest at the then current government bond interest rates, shall be paid to the United States, upon that portion of the repayment obligation which is attributable to furnishing irrigation benefits to lands within the project in private ownerships of more than 160 acres per person. This formula has also been used in some reclamation projects.

In January 1968, California's member of the Executive Committee reported that the Governor's Task Force on the Acreage Limitation Problem had recommended revision of the present acreage limitation laws.

At the Tucson Council meeting, this problem was referred to the Water Policy and Legislative Committee for further study. At the Spokane Council meeting, the Western States Water Council adopted the following Resolution concerning acreage limitation:

"WHEREAS, the 160 acre limitation is economically outmoded in western farming areas, making it inefficient to operate in view of modern methods and costs of operation.

NOW, THEREFORE, BE IT RESOLVED that acreage limitation provisions of the Reclamation Laws be modified to provide:

1. Substitution of 640 acres as the limitation for individual ownerships.
2. That in areas of limited productivity due to land, water and climatic conditions, the limitation be

raised in keeping with what would be considered an economic farming unit.

3. That water be furnished to lands in excess of these limits if interest is paid on the cost of construction attributable to the lands within a project in private ownership in excess of the acreage limit set herein.
4. That the acreage limitation shall not in any event be made applicable to any ownership of land by a state or any political subdivision thereof, including municipal entities; and

BE IT FURTHER RESOLVED that the Western States Water Council supports the introduction of legislation to modify these provisions of the Reclamation Law; and
BE IT FURTHER RESOLVED that copies of this resolution be transmitted to the appropriate members of Congress and to the Secretary of Interior."

INCREASED DISCOUNT RATE AND PROJECT EVALUATION

Evaluation of water projects began as early as 1808, when Congress began attempting to evaluate navigation projects. Under the original Reclamation Act of 1902, project evaluation was a relatively simple matter. As public lands were sold, the money from that sale was credited to the reclamation fund. The Secretary of Interior, at that time, had the power, without further appropriation, to use that reclamation fund to defray construction costs of projects he found to be feasible. His main criteria for feasibility was whether or not repayment contracts had been negotiated.

Presently, the Bureau of Reclamation and the Corps of Engineers use a much more sophisticated method of determining project feasibility. A study is made to determine project costs and benefits. Evaluation of benefits is now governed by Senate Document 97, which was issued in 1962. Some of the benefits considered in project evaluation include:

- Domestic, municipal or industrial water
- Irrigation
- Water Quality control
- Navigation
- Hydroelectric power

- Flood control and prevention
- Land and beach stabilization
- Drainage
- Outdoor recreation
- Fish and wildlife

These benefits are estimated over the projected period of the life of the project. They are then discounted to give the present value of these future benefits. If the benefits more than equal the costs of the project, the project is determined to be feasible.

A very important factor in determining feasibility is the discount rate that is used. Senate Document 97 provides that,

The interest rate to be used in planned formulation and evaluation for discounting future benefits and computing costs, or otherwise converting benefits and costs to a common time basis shall be based upon the average rate of interest payable by the treasury of interest bearing marketable securities of the United States outstanding at the fiscal year preceding such computation which, upon original issue, had terms to maturity of 15 years or more. When the average rate so calculated is not multiple of 1/8 of 1%, the rate of interest shall be the multiple of 1/8 of 1% next lower than such average rate.

Prior to July 26, 1968, the discount rate used in the evaluation of projects was 3 1/8%. On July 28, 1968, the Water Resources Council announced that it was their intention to raise the discount rate to 4 5/8% at the present time and allow for a sliding scale which would allow incremental increases annually of not more than 1/4 of 1%.

On October 1, 1968, at the Las Vegas meeting of the Council, the following resolution was passed:

"WHEREAS, the Water Resources Council proposes an increase in the discount rate for the formulation and evaluation of water and related land use projects, as set forth in its notice of July 22, 1968; and

WHEREAS, the Water Resources Council has invited all interested persons and organizations to submit written comments, suggestions or objections regarding the proposed discount rate formula.

NOW, THEREFORE, BE IT RESOLVED by the Western States Water Council as follows:

Along with any new proposed discount rate formula, benefits from uses, both primary and secondary, local, regional, and national should be considered in connection with all water and related land resource projects.

BE IT FURTHER RESOLVED by the Western States Water Council that copies of this resolution be transmitted to the Water Resources Council, the appropriate members of Congress and the governors of the respective states of the Western States Water Council.

On January 13, 1969, the Executive Director submitted the following statement to the Water Resources Council, concerning present practices in the formulation and evaluation of water and related land resources projects:

STATEMENT

The Council recognizes that it must take an active role in many areas of water and related land resource development that previously have not been undertaken collectively by these eleven western states. The short notice given for this hearing has made it impossible for the Western States Water Council to prepare specific proposals for improvements in the economic evaluation processes. Because of this, we hope that the Water Resources Council follows through with the proposed regional hearings within the next few months. In such event, the Western States Water Council would appreciate having the opportunity to spell out some of the specifics which we feel should be considered in revising the economic evaluation of federal water resource development. This statement is presented as a brief and general explanation of the resolution regarding the proposed discount rate adopted by the Western States Water Council on October 1, 1968, at Las Vegas, Nevada, and submitted to the Water Resources Council on October 13, 1968.

The Council represents a semi-arid part of the United States where streamflows are erratic and inadequate. Movement of water from areas of abundance to areas of deficiency involves costly transportation and regulation facilities. Water problems are accentuated in the West in part because this area is experiencing the nation's most rapid population growth.

In a day of growing complexities and pressing demands for federal programs, there is deep concern over the lack of emphasis

on basic resource development. These basic resources must be developed to provide the base for the general economy so that other needed programs can be supported. It is distressing when neglect threatens to weaken the nation in an area where it must be strong if it is to meet the needs of the future. The West contributes very substantially to the economic well-being of the country. The present healthy economy has been substantially abetted through large investments by the Federal Government in water and related land resource development. These federal efforts must be continued. It appears that moves are under way to lessen the federal effort which could be detrimental to the entire country.

The Committees of Congress, and particularly those which deal with appropriations, the representatives of the Executive Branch of the government, and the Bureau of the Budget need to make a re-evaluation of the national effort in the water resources area. The Western States Water Council welcomes this opportunity to express its concern in pointing out the serious consequences of a continuation of the underevaluation of the total benefits of water resource projects.

The December 22, 1968, announcement by Charles J. Zwick, Director of the Bureau of the Budget, indicating approval by the President of the increase in the discount rate used in the formulation and evaluation of water resources projects makes it imperative that a more uniform and consistent system of appraisal of benefits and costs be adopted by Congress in its consideration of projects for water resource development.

The Western States Water Council concurs with the following, which is quoted from Senate Report No. 1234, 90th Congress, Second Session (Senate Interior and Insular Affairs Committee Report to accompany S. 3058):

“Of particular concern is the impact of water resource development upon other economic and social objectives of the Nation. The committee feels that the present interpretation of Senate Document 97 results in benefit analyses which place little or no emphasis upon the indirect or secondary effects of projects. As a result, projects are being formulated and proposed which optimize the value to the direct beneficiaries and neglect the impact, both beneficial and detrimental, upon other sectors of the economy and society. To facilitate more valid consideration of investments in water resource development in relation to other

Federal programs, the economic analyses of projects should reflect the broadest scope of potential benefits and costs which will result from the implementation of proposals."

"The committee believes that the promulgation of new discount formula should appropriately be made a part of a reconsideration and restatement of principles, standards, and procedures for economic analyses of Federal water and related land resource projects."

Today there is an enormous body of literature relating to the evaluation of water resources investments. The water field can claim a measure of sophistication in the evaluation of investments that cannot be claimed by most other sectors of government involved in the investment of large sums, such as education, transportation, urban renewal, or social welfare programs. Yet one cannot be content with what has been done, and those deeply concerned with water resources management are keenly aware of certain limitations in the techniques of economic analysis and recognize that further improvements are needed.

The evaluation of proposed water resources programs is confronted with inherent difficulties. The analyst must try to estimate what is likely to happen in the future. Many effects must be classified in a category of what might be called the difficult-to-measure values. Water programs are undertaken to provide water for irrigation, cities, and industry, to control floods, to produce hydroelectric power, to protect public health, to promote development of a particular region, and to provide recreation and enhance fish and wildlife opportunities.

Historically, water development projects have been concerned with the development of the reclamation West. Currently, water development programs are receiving prominent consideration in plans to advance the economy of Appalachia and other low-income regions. Evaluation of these programs tend quite naturally to reflect the policies and laws established by Congress and the objectives and value standards of the organizations responsible for making the technical analyses.

The purpose of technical analysis, the function of the specialist concerned with project evaluation, is to serve the Congress and the political process as effectively as possible. We should emphasize the importance of technical evaluation, because there is an urgent need to improve estimates of the many kinds of physical and biologic

consequences of water programs to avoid the necessity of taking action on the basis of shaky or incomplete scientific knowledge. We must develop the kind of information that is most useful in weighing all values whether or not they can be measured satisfactorily through quantitative methods.

Both the cost and benefit sides of water project evaluation are in need of improvement. For years the various federal agencies have been struggling to do so. This is particularly true with respect to the benefit side of the equation as it relates to municipal water supply, hydroelectric power, and recreation. Time and again projects have been constructed which provide benefits to these purposes, and it has turned out that the benefits were substantially underestimated in the formulation process. A prime example is the Flaming Gorge unit of the Colorado River Storage Project. When Flaming Gorge was authorized in 1956, no recreation or fish and wildlife benefits were included in its economic justification. Yet, 1.6 million visitor-days of use were recorded in 1967. The Green River below the dam was changed from an area of essentially no fishing to one of the top trout fisheries in the country. On that stretch in 1967, about 28,000 anglers caught about 71,000 trout.

A major factor in properly evaluating project benefits is the present difficulty in placing a dollar value on so-called indirect, or secondary benefits (such as stabilization of income, creation of job opportunities, provision of economic flexibility, dispersal of population, resource preservation, and the general economic and social well-being of the people). Better ways must be found to evaluate these benefits to aid in the decision-making process when new project proposals are before the Congress.

Another area of great concern to the western states is that indirect detriments, such as those involving minor infringements on wilderness areas and national parks, are being given great weight in the decision-making process, but intangible benefits on the same projects are almost totally ignored.

Most of the new government programs involve social objectives whose values are considered almost totally intangible. Such programs do not readily lend themselves to a benefit-cost analysis. Conversely, experience has demonstrated that the benefit-cost ratio has become almost the sole measure of the economic worth of water resource projects. If this measure is to be meaningful, some objective way must be found to reflect the important indirect benefits of these projects.

Even though the record of water resource development in the West is not perfect, successful water projects underlie much of the economic growth in the West. Many projects which initially appeared to have borderline economic justification have turned out to be solid economic investments. Others have far outstripped the values initially contemplated. In this latter category are two outstanding examples -- the Hoover and Grand Coulee Dams. They were built prior to World War II, and contributed so much to the entire country during that conflict. If the West, and indeed the nation, is to achieve the total optimum development of its water resources it is imperative, that in evaluating proposed developments, all benefits and all costs, whether direct or indirect, be fully considered.

The Western States Water Council appreciates this opportunity to express its concern on behalf of the eleven western states to the Water Resources Council. The eleven western states believe that we need to profit from the experiences of the past in setting the policies for the future. The orderly development of the nation's resources to meet the needs of the future require that basic programs such as water resource development proceed at a level greater than that experienced in past years.

The western states believe that the Congress and others who have an overall responsibility should be provided with a more uniformly applied evaluation of project benefits. To help accomplish these objectives, the individual states and the states through the Western States Water Council wish to reiterate their concern and deep interest in these matters and to offer their services in arriving at satisfactory solutions to these problems.

The Western States Water Council is concerned with the increasing amount of adverse publicity being directed toward western water resource projects. We think much more needs to be done to make the positive record of achievement amply clear. In the future hearing of the Water Resources Council, we hope to do just that.

OTHER RESOLUTIONS

In 1968, the Western States Water Council also adopted two other resolutions. One regarding Wild and Scenic Rivers Legislation, and one regarding the Federation of Rocky Mountain States.

Regarding Wild and Scenic Rivers Legislation

RESOLVED that in the event Wild and Scenic Rivers legislation is further considered by the Congress, the legislation should include provisions that no area of any state be included or set aside as a Wild and Scenic River Area, either as might be established on passage of the act or thereafter, unless it first be approved by the respective states affected in accordance with state law.

Regarding the Federation of Rocky Mountain States

WHEREAS, the Federation of Rocky Mountain States has been engaged in considering the merits of water importation from Canada and the Far North; and

WHEREAS, the Federation and the Western States Water Council agree that the Council is the state organization which, by its charter, should consider such matters and that duplication of effort in these fields should be avoided;

NOW, THEREFORE, BE IT RESOLVED that the Western States Water Council include within its existing programs the orderly consideration of the possibility of water importations from Canada and the Far North.

BE IT FURTHER RESOLVED that the standing committees of the Western States Water Council be directed to incorporate this concept into their respective activity programs.

MEMBERSHIP LIST

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Chairman:
Mr. Raphael J. Moses — Colorado

Vice Chairman:
Mr. William S. Holden — Idaho

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Mr. George L. Crookham, Jr.
Post Office Box 520
Caldwell, Idaho 83605
(6-65 to 1-15-69)

Mr. Tom Olmstead
Route 2
Twin Falls, Idaho 83301
(1-15-69 to)

Mr. Arlie Parkins
Marsing, Idaho 83639
(6-65 to 1-15-69)

Mr. George L. Yost
Post Office Box 308
Emmett, Idaho 83617
(1-15-69 to)

MONTANA

*Honorable Tim Babcock
Governor of Montana
State Capitol
Helena, Montana 59601
(6-65 to 1-1-69)

*Honorable Forrest Anderson
Governor of Montana
State Capitol
Helena, Montana 59601
(1-1-69 to)

**Mr. Wesley A. D'Ewart
Route 1
Wilsall, Montana 59068
(6-65 to 5-6-69)

**Mr. William Groff
Farmers State Bank
Victor, Montana 59875
(5-9-69 to)

Mr. Clyde Hawks
St. Xavier, Montana 59075

Mr. Alex D. McDermott
Montana Water Resources Board
357 State Capitol Building
Helena, Montana 59601

Mr. Sid P. Kurth (Alternate)
805 Midland National Bank Bldg.
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(6-65 to 1-1-69)

NEVADA

*Honorable Paul Laxalt
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State Capitol
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**Mr. Ivan P. Head, General Manager
Las Vegas Valley Water District
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Las Vegas, Nevada 89106

Mr. Elmo J. DeRicco, Director
Dept. of Conservation &
Natural Resources
201 South Fall Street
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(7-1-67 to 5-1-68)

Mr. Roland D. Westergard
State Engineer
State of Nevada
201 South Fall Street
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(5-1-68 to)

Mrs. Geraldine B. Tyson
800 North Carson Street
Carson City, Nevada 89701

Mr. Robert S. Leighton (Alternate)
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Reno, Nevada 89510

Senator C. Clifton Young
(alternate)
195 So. Sierra St.
Reno, Nevada 89501

Membership lists of the Council and Committees have been updated to June 1, 1969, for convenience of reference.

NEW MEXICO

*Honorable David F. Cargo
Governor of New Mexico
State Capitol
Santa Fe, New Mexico 87501

**Mr. S. E. Reynolds, State Engineer
State of New Mexico
State Capitol Building
Santa Fe, New Mexico 87501

Mr. Dale Walker
Bank of New Mexico Building
Room 1222
Albuquerque, New Mexico 87101

Mr. Homer C. Berry
Post Office Box 407
Dexter, New Mexico 88230

Mr. David P. Hale (Alternate)
New Mexico Interstate Stream Com.
State Capitol Building
Santa Fe, New Mexico 87501

OREGON

*Honorable Tom McCall
Governor of Oregon
State Capitol
Salem, Oregon 97310

**Mr. Donel J. Lane, Director
(Sec.-Treas.)
State Water Resources Board
500 Public Service Building
Salem, Oregon 97310

Gen. Louis H. Foote
Oregon Water Resources Board
1633 Filbert Street
Forest Grove, Oregon 97116

Mr. Eugene E. Marsh
525 East 4th Street
McMinnville, Oregon 97128

Mr. Chris L. Wheeler (Alternate)
State Engineer
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UTAH

*Honorable Calvin L. Rampton
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State Capitol
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Mr. Harry D. Pugsley
400 El Paso Gas Building
Salt Lake City, Utah 84111

Mr. Jay R. Bingham
Department of Natural Resources
225 State Capitol
Salt Lake City, Utah 84114
(6-65 to 4-15-68)

Mr. Daniel F. Lawrence, Director
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WASHINGTON

*Honorable Daniel J. Evans
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State Capitol
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**Mr. H. Maurice Ahlquist, Director
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Olympia, Washington 98501

Mr. Callison Marks
The Spokesman-Review
Spokane, Washington 99201

Mr. Robert O. Sylvester
Department of Engineering
University of Washington
Seattle, Washington 98105

Mr. Fred Hahn (Alternate)
Department of Water Resources
335 General Administration Bldg.
Olympia, Washington 98501
(4-2-69 to)

WYOMING

*Honorable Stanley K. Hathaway
Governor of Wyoming
State Capitol
Cheyenne, Wyoming 82001

**Mr. Floyd A. Bishop
State Engineer
State Capitol
Cheyenne, Wyoming 82001

Mr. Willard Rhoads, Legislator
State of Wyoming
North Fork Route
Cody, Wyoming 82414

Mr. Myron Goodson
Chief of Water Resources
Wyoming Nat. Resources Board
210 West 23rd Street
Cheyenne, Wyoming 82001

Mr. Thomas E. Cahill (Alternate)
Special Asst. Attorney General
State Capitol
Cheyenne, Wyoming 82001
(6-65 to 1-1-69)

*Ex-Officio Member

**Executive Committee Member

TEXAS OBSERVERS

Mr. Mills Cox, Chairman
Texas Water Development Board
Gay Hill, Texas 77858

Mr. Marvin Shurbet
Texas Water Development Board
Route 1
Petersburg, Texas 79250

Mr. W. E. Tinsley
Texas Water Development Board
404 Mutual Savings Building
Austin, Texas 78701

STAFF

Jay R. Bingham, Executive Director April 15, 1968
 Thomas E. Cahill, Assistant Director January 1, 1969
 Secretary, Judy Howe May 1, 1968
 Secretary, Ethel I. Voss June, 1967 - May 15, 1968

Jay R. Bingham, formerly Executive Director, Utah State Department of Natural Resources, was appointed Executive Director at a meeting of the Executive Committee on March 7, 1968, Tucson, Arizona. At that same meeting the Executive Committee agreed to move the Council office to Salt Lake City. Miss Judy Howe was Mr. Bingham's secretary in his former position.

The Executive Committee, at its August 15th Salt Lake City meeting, authorized the employment of Thomas E. Cahill, formerly Special Assistant Attorney General of Wyoming, as Assistant Director, effective January 1, 1969.

BUDGET AND FINANCES

At its meeting in Tucson, Arizona, March 7, 1968, the Executive Committee adopted a budget of \$125,000 for FY '69, with assessments of \$7,500 for each member state. These assessments have all been paid. To allow the states to budget for the next biennium, the Executive Committee also approved expenditure limitations in the amount of \$137,500 for FY '70 and \$150,750 for FY '71. Assessments of \$10,500 per year per state were made for fiscal years 1970 and 1971.

The firm of Elmer Fox and Company, Certified Public Accountants, 136 East South Temple, Salt Lake City, Utah 84111, serves as auditors of the Council finances and accounting.

WESTERN STATES WATER COUNCIL

BALANCE SHEETS

June 30, 1968

ASSETS

	General Fund	Fixed Assets
Current assets:		
Cash	\$ 25,412	\$ ---
Time certificates of deposit	88,395	---
Accounts receivable (Social Security Refund)	781	---
Accrued interest receivable	437	---
Deposits	460	---
Fixed assets, at cost:		
Office furniture and equipment	---	5,843
	\$115,485	\$5,843
	\$115,485	\$5,843

LIABILITIES AND FUND BALANCES

Current liabilities:		
Accounts payable	\$ 737	\$ ---
Income taxes withheld and payable	480	---
Deferred members states' assessments	15,000	---
Fund balances:		
Investment in fixed assets	---	5,843
General fund — unappropriated	99,268	---
	\$115,485	\$5,843
	\$115,485	\$5,843

December 31, 1968

ASSETS

Current Assets:

Cash	\$ 18,159
Time Certificates of Deposit	126,036
Accounts Receivable (Social Security Refund)	781

Fixed Assets, at cost:

Office Furniture & Equipment	\$7,051
	<u>\$144,976</u>
	<u>\$7,051</u>

LIABILITIES AND FUND BALANCES

Current Liabilities:

Income Taxes Withheld & Payable	\$ 650
---------------------------------------	--------

Fund Balances:

Investment in Fixed Assets	\$7,051
General Fund — Unappropriated	144,326
	<u>\$144,976</u>
	<u>\$7,051</u>

STATEMENT OF GENERAL FUND OPERATIONS
AND FUND BALANCE

	Total Year Ended June 30, 1968	Budget	Actual Over (Under) Budget
Revenues:			
Members states' assessments	\$ 55,000	\$ 55,000	\$
Interest	4,142	4,142
Total revenue	<u>\$ 59,142</u>	<u>\$ 55,000</u>	<u>\$ 4,142</u>
Expenditures:			
Salaries (professional \$5,305; administrative \$6,963)	\$ 12,268	\$ 41,000	\$(28,732)
Equipment rental	96	1,500	(1,404)
Rent and utilities	2,207	7,200	(4,993)
Printing and reproduction	2,383	2,500	(117)
Office supplies and expense	1,665	2,000	(335)
Telephone	1,566	2,000	(434)
Postage	441	600	(159)
Property taxes	417	417
Payroll taxes	18	2,500	(2,482)
Reports, maps, publications	160	600	(440)
Auditing	700	600	100
Contracted services	85	40,000	(39,915)
Travel	3,641	7,700	(4,059)
Meetings and arrangements	170	500	(330)
Insurance	299	300	(1)
Unforeseen contingencies	425	15,000	(14,575)
Total expenditures	<u>\$ 26,541</u>	<u>\$124,000</u>	<u>\$(97,459)</u>
Excess (deficit) of revenue over expenditures	\$ 32,601	\$(69,000)	\$101,601
Fund balance at beginning of period	66,475	66,475
	<u>\$ 99,076</u>	<u>\$ 2,525</u>	<u>\$101,601</u>
Add proceeds from sale of fixed assets (cost basis \$621)	\$ 373	\$	\$
Deduct purchase of fixed assets	(181)	(181)
Fund balance at end of period	<u>\$ 99,268</u>	<u>\$ (2,525)</u>	<u>\$101,793</u>

STATEMENT OF EXPENDITURES
Six Months Ended December 31, 1968

	Actual	Budget	Over (Under)
Revenues:			
Member States' Assessments	\$ 72,500	\$ 82,500	\$ (10,000)
Interest & Miscellaneous Income	2,693	-----	2,693
Total Revenue	\$ 75,193	\$ 82,500	\$ (7,307)
Expenditures:			
Salaries	\$ 15,984	\$ 20,500	\$ (4,516)
Payroll Insurance & Vacation Allowance	3	1,250	(1,247)
Rent & Utilities	2,717	3,000	(283)
Furniture Equipment & Rental	43	750	(707)
Printing & Reproduction	1,187	1,500	(313)
Office Supplies	290	1,250	(960)
Telephone	1,137	1,150	(13)
Postage	251	350	(99)
Reports, Maps, Publications	710	300	410
Travel	4,264	3,850	414
Meetings & Arrangements	503	150	353
Auditing	551	300	251
Contingencies	828	7,800	(6,972)
Contract Services	-----	20,000	(20,000)
Insurance	-----	150	(150)
Property Taxes	-----	200	(200)
Total Expenditures	\$ 28,468	\$ 62,500	\$ (34,032)
Excess (Deficit) of revenue over expenditures	\$ 46,725	\$ 20,000	\$ 26,725
Fund balance at beginning of period	97,601	97,601	-----
Fund balance at end of period	\$144,326	\$117,601	\$ 26,725

NOTE: The approved budget expenditures for the fiscal year of \$125,000 have been reduced on a pro-rata basis in order to be comparable to the actual eight-month period ended December 31, 1968.

RULES OF ORGANIZATION

Article I—Name

The name of this organization shall be "THE WESTERN STATES WATER COUNCIL."

Article II—Purpose

The purpose of the Western States Water Council shall be to accomplish effective cooperation among western states in planning for programs leading to integrated development by state, federal, and other agencies of their water resources.

Article III—Principles

Except as otherwise provided by existing compacts, the planning of western water resources development on a regional basis will be predicated upon the following principles for protection of states of origin:

(1) All water-related needs of the states of origin, including but not limited to irrigation, municipal and industrial water, flood control, power, navigation, recreation, water quality control, and fish and wildlife preservation and enhancement shall be considered in formulating the plan.

(2) The rights of states to water derived from the interbasin transfers shall be subordinate to needs within the states of origin.

(3) The cost of water development to the states of origin shall not be greater, but may be less, than would have been the case had there never been an export from those states under any such plan.

Article IV—Functions

The functions of the Western States Water Council shall be to:

(1) Prepare criteria in the formulation of plans for regional development of water resources to protect and further state and local interests.

(2) Undertake continuing review of all large-scale interstate and interbasin plans and projects for development, control or utilization of water resources in the western states and submit recommendations

to the Governors regarding the compatibility of such projects and plans with an orderly and optimum development of water resources in the western states.

Article V—Membership

(1) The membership of the Council shall consist of not more than three representatives of each of the states of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming appointed by and serving at the pleasure of the respective Governors. The states of Alaska and Hawaii shall be added to membership if their respective Governors so request.

(2) Member states may name alternate representatives for any meeting.

(3) Any state may withdraw from membership upon written notice by its Governor.

Article VI—Ex Officio Members

The Governors of the member states shall be ex officio members and shall be in addition to the regularly appointed members from each state.

Article VII—Officers

The officers of the Council shall be the Chairman, Vice Chairman, and Secretary-Treasurer. They shall be selected in the manner provided in Article VIII.

Article VIII—Selection of Officers

The Chairman and Vice Chairman, who shall be from different states, shall be elected from the Council by a majority vote at a regular meeting to be held in July of each year. The Secretary-Treasurer shall be appointed by and serve at the pleasure of the Chairman and need not be a member of the Council. The Chairman and Vice Chairman shall serve one-year terms but may not be elected to serve more than two terms consecutively in any one office.

Article IX—Executive Committee

Representatives of each state shall designate one of their members to serve on an Executive Committee which shall have such

authority as may be conferred on it by these Rules of Organization, or by action of the Council. Any Executive Committee member may designate an alternate to serve in his absence. All standing, working, special or other committees of the Council may report to the Council through the Executive Committee.

Article X—Voting

Each state represented at a meeting of the Council shall have one vote. A quorum shall consist of a majority of the member states. No matter may be brought before the Council for a vote unless advance notice of such matter has been mailed to each member of the Council at least 30 days prior to the meeting at which such matter is to be considered; provided, that matters may be added to the agenda at any meeting by unanimous consent of those states represented at the meeting. In any matter put before the Council for a vote, other than election of officers, any member state may upon request obtain one automatic delay in the voting until the next meeting of the Council. Further delays in voting on such matter may be obtained only by majority vote. No recommendation may be issued or external position taken by the Council except by unanimous vote of all member states. On all internal matters, however, action may be taken by majority vote.

Article XI—Conduct of Meetings

Except as otherwise provided herein, meetings shall be conducted under Roberts Rules of Order, Revised.

Article XII—Meetings

The Council shall have one regular meeting each year in the month of July at a time and place to be decided by the Chairman. Special meetings may be called by the Chairman or by a majority of the member states, upon 30 days written notice.

Article XIII—Limitations

The work of the Council shall in no way defer or delay authorization or construction of any projects now before Congress for either authorization or appropriation.

Article XIV—Amendment

These articles may be amended at any meeting of the Council by unanimous vote of the member states represented at the meeting. The substance of the proposed amendment shall be included in the call of such meetings.

PRINCIPLES — STANDARDS — GUIDELINES

PREAMBLE

The Constitution of the United States and the Constitutions of the individual States shall be adhered to in Western regional water planning and development.

This statement of principle reaffirms, expands and clarifies principles set forth in Article III, "Rules of Organization" of the Western States Water Council.

1.0 PRINCIPLES

1.1 Comprehensive regional planning, transcending political boundaries, is a major consideration in the maximum proper utilization of the water and related resources of the West. Development of those resources to meet all reasonable needs as they may arise is essential to the continuing prosperity of the region and each of its economically interdependent parts.

1.1.1 The planning process should include or supplement rather than supersede existing water resource developments; it should complement and strengthen local and state planning activities rather than displace them; it should result from cooperative effort of all agencies concerned.

1.1.2 The planning program should be aimed to achieve a reasonably equitable balance among all existing and potential uses of water, insofar as the supply available or to be developed will permit, consistent with established rights.

1.1.3 Water resources of the region should be put to beneficial use to the fullest practicable extent in an efficient manner in accord with the needs and types of use in the particular area.

1.1.4 It is imperative that all States, as expeditiously as possible, make thorough studies of their water resources and predicted water needs in accordance with Guidelines and Standards similar to those adopted by the Council.

1.1.5 Long-range water plans should be expeditiously developed which are flexible enough to permit modifications to meet changing long-term needs and advances in technology, yet specific enough to provide solutions for immediate water supply problems.

1.1.6 Water exportation studies shall include a thorough examination of efficiency of water use and cost-price relationships and a comprehensive economic evaluation that considers all costs and bene-

fits accruing to the area of origin and costs and benefits accruing to the area of import. The economic analysis must include similar studies for alternative sources of supply. Aesthetic values shall be considered in over-all project evaluation.

1.1.7 Close cooperation and free interchange of ideas and reporting of data on a uniform basis among all affected local, State and Federal interests, shall be sought.

1.1.8 Water resource planning shall consider water quality, as well as quantity.

1.2 Regional water planning should be designed to avoid interference with existing rights to the use of water. Any taking of land or water rights shall be governed by the law of eminent domain. Interstate compact allocations shall be honored.

1.2.1 Any entity studying transfer of surplus water shall recognize the economic, social, legal, political and ethical implications of the transfer on both the exporting and importing areas. Such entity must plan so as to assure social and economic growth and development, by either:

(a) The return or replacement of the water exported to the area of origin; or

(b) Providing equivalent beneficial programs acceptable to the area.

1.2.2 The rights to water of regions; states or individuals must be recognized and guaranteed through due process of law.

1.3 Except as otherwise provided by existing law, the planning of water resources development in the Western states shall be predicated upon the following principles for protection of and assistance to states of origin:

1.3.1 Inter-basin or inter-regional transfer of water shall contemplate only the transfer from the area of origin of those quantities of water deemed to be surplus. The States shall endeavor to agree upon determination of quantities of water that are surplus.

1.3.2 In making determinations of possible surplus water, all water-related needs of the States and areas of origin, including but not limited to: irrigation, domestic, stock, municipal, industrial, flood control, power, navigation, recreation, water quality control, fish and wildlife preservation and enhancement, and aesthetic enjoyment shall be recognized.

1.3.3 All water requirements, present or future, for uses within the drainage area of any river basin, shall have priority and right in perpetuity to the use of the waters of that river basin, for all purposes, as against the uses of water delivered by means of such exportation works, unless otherwise provided by treaty, interstate agreement or compact.

1.3.4 The cost of water development to the States of origin shall not be greater, but may be less, than would have been the case had there never been an export from those States under any such plan.

1.3.5 In the study of interstate diversion, any interstate diversion project shall neither impede nor minimize the development of water resources in the state of origin, and shall result in substantive net advantage to such State over the advantage it could have obtained, by itself or otherwise, without such diversion project.

1.3.6 All plans for inter-basin diversion of water shall provide for such financial arrangements with the states of origin as may be necessary to comply with Sections 1.3.4 and 1.3.5 above.

1.3.7 The exportation of water shall not change an area of origin from a water-rich to a water-deficient economy and shall not adversely affect the competitive position of the area of origin.

1.3.8 State or area of origin priority shall be explicitly set forth in all contracts for the use of imported water. Should such priority ever be denied, through subsequent action of the Congress, or otherwise, areas of origin will be entitled to just compensation.

1.3.9 Federal statutes designed to protect areas and states of origin, in any regional interstate plan of origin, in any regional interstate plan of water development, should include the consent by the United States for any such state of origin to sue in the Federal Courts, to compel Federal officials to comply with such statutes and for such other relief as deemed equitable.

1.4 This statement of principles shall not be considered as any support or advocacy for the diversion of water from one river basin to another.

2.0 STANDARDS FOR GUIDANCE IN THE FORMULATION OF CONCEPTS AND PLANS FOR STAGED REGIONAL DEVELOPMENT OF WATER RESOURCES

2.1 A Western States water resource program shall be developed and maintained by the Western States Water Council through compilation and analysis of available state-wide plans and Federal inter-

basin and interstate plans, to provide a broad and flexible pattern into which future definite projects may be integrated in an orderly fashion.

2.2 A basic objective of the program is to provide a framework within which projects may be developed to meet the requirements for water to the extent feasible as and where they arise.

2.3 A determination of the advantages and disadvantages of alternate methods of meeting water needs should be included in the Western States water resource program.

2.4 In order to provide the uniformity necessary to facilitate compilation and analysis of the various state-wide water plans, it is recommended that such plans contain projects of usable water resources and an inventory of need for the years: 1980, 2000, 2020, 2040.

2.5 Each Member State should strive to complete, no later than June 30, 1970, a preliminary water plan, including estimates of water resources and estimates of current and long-range water needs.

3.0 GUIDELINES AND PROCEDURES FOR CORRELATION OF PLANS AND SCHEDULES AMONG WESTERN STATES

3.1 Interstate Exchange of Information and Data

3.1.1 When a state publishes reports or takes any action which may affect the plans or objectives of other States, the affected States and the Western States Water Council staff should be furnished copies thereof. Request for basic data and supporting information should be initiated by the state needing the data or information.

3.1.2 The request for the exchange of basic data and supporting information should be coordinated through one state agency.

3.1.3 The name, official position, address and telephone number of the designated state office will be forwarded to the Western States Water Council staff. The staff will prepare a consolidated list of designated offices and distributed copies to all States through the State's member of the Executive Committee, Western States Water Council.

3.1.4 The type of reports and actions which should be sent to other States and the Western States Water Council staff includes, but is not limited to, copies of the following:

3.1.4.1 Summaries of current and long-range estimates of various types of water needs and usable water resources.

3.1.4.2 Planning schedules for developments of all large scale interstate and interbasin plans and projects.

3.1.4.3 State evaluation of programs such as weather modification, watershed management, groundwater recharge, desalination, and waste water reclamation.

3.1.4.4 Major legal and administrative decisions pertaining to water resources.

3.1.4.5 State or Federal legislation as proposed by any state materially affecting Western States water planning.

3.2 Correlation of Plans and Schedules

3.2.1 A master list shall be prepared and maintained at the headquarters of the Western States Water Council of items furnished pursuant to Section 3.1 with copies to be furnished to member States at appropriate intervals.

ACTIVITIES PROGRAM

The Western States Water Council is the entity best suited to consider, coordinate, explain and comment on broad policy matters involving water in the western states. The Council's obligation and duty to the western states is such that it should assume an active role in many areas in the field of water and related land resource development that have not heretofore been undertaken by the western states collectively. With this in mind, a constructive program for the future with emphasis on a west-wide viewpoint or approach should be undertaken.

Extensive discussions and much of the work of the Council have thus far related primarily to the water augmentation issue. The scope of the Council's work should now be broadened to include other matters of importance to the field of water development in the western states.

The objective of the Council, where possible, is to arrive at a unanimous conclusion on issues, but it is also to provide a forum for the discussion and interchange of ideas on controversial water issues affecting the western states. Discussion in those areas of conflict should prove to be beneficial to all member states.

The Council will periodically point out to the western states' governors those issues of major importance on which the Council believes the western states should take a united position and on which they should express themselves collectively. Complete and full information on those issues on which the Council has arrived at a collective viewpoint will be made available to the governors of the member states.

The committee approach heretofore adopted will be enlarged upon when necessary by the appointment of additional committees, or special committees, or subcommittees within the present committee framework.

Many of the member states have no doubt resolved unique and difficult water and water related problems, and their experience in the handling and resolving of such problems may be of benefit to the other states. The staff of the Council should encourage and assist in making such information available to all member states.

An important function of the Council is the encouragement of free interchange of ideas on current water issues among the member states.

The "Principles-Standards-Guidelines," which have been adopted by the Council, elaborate on "Article III — Principles" of the "Rules of Organization," and also constitute a significant step toward carrying out the function of the Council as set forth in Article IV, (1).

The functions set out in Article IV, (2) are among other things yet to be initiated.

The Council should proceed to:

1. Establish a check list that will be used in performing the review function set out in Article IV, (2) of the "Rules of Organization."

2. Explore economic justification and methods of financing western states water development by local, state and federal agencies.

As an example of one of the many factors to be considered in determining economic justification for a project, the problems presented in connection with allocation of costs to recreation and fish and wildlife as is contemplated under P.L. 89-72 should be reviewed.

3. Make recommendations on the consideration to be given in plan formulation to such matters as:

- (a) Wild and scenic rivers;
- (b) Reclamation of arid lands;
- (c) Water quality;
- (d) Methods of making economic comparisons of power, irrigation, municipal and industrial benefits;
- (e) Points of view of local, state, regional, and national interests.

4. Review activities of the Pacific Northwest River Basins Commission and the Pacific Southwest Inter-agency Committee in their Type I framework studies, and point out any problem areas in the studies.

5. Analyze criteria being used in project planning (federal and state), and if compatible criteria are not being used, point out the fact.

6. Review biennial national water assessment prepared by the Water Resources Council, and make findings and conclusions available to member states. Assist member states in presentation of input, well in advance of the next assessment.

7. Review and evaluate studies made on the economic interdependence of the western states.

8. Assist member states in reviewing and drafting position papers on matters of major mutual concern which are before the Congress and under consideration by federal agencies, such as the Public Land Law Review Commission, Food and Fiber Commission, and legislation on protecting state water rights.

9. Review and comment on plans and policies for water development in the western states when there is a recognized common western state interest.

TENTH QUARTERLY MEETING
January 12, 1968
Albuquerque, New Mexico

A draft of the Second Annual Report was submitted and approved.

Implications of S. 2530, a bill concerning State water rights was discussed and assigned to the Executive Committee for review.

Selection of an Executive Director was deferred pending adoption of the Activities Program, which would be considered at the next meeting of the Executive Committee.

It was unanimously determined that the Council should not incorporate, but should extend its liability coverage.

PRESENTATIONS

Lewis G. Smith, Consultant, Federation of Rocky Mountain States—*Western Water Needs, Augmentation, and Canadian Importation.*

S. E. Reynolds, New Mexico State Engineer — *Water Development and Planning for New Mexico.*

Delbert E. Olson, Corps of Engineers — *Report on West Texas & Eastern New Mexico Import Project Investigation.*

ELEVENTH QUARTERLY MEETING
March 8, 1968
Tucson, Arizona

The Council unanimously agreed to re-elect the present officers: Raphael J. Moses (Colorado) Chairman and William S. Holden (Idaho) Vice Chairman. Mr. Donel J. Lane (Oregon) was re-appointed Secretary-Treasurer.

Chairman Moses announced that the Executive Committee had approved the appointment of Jay R. Bingham as Executive Director and the relocation of the office in Salt Lake City, Utah. Mr. Bingham is the former Executive Director of the Utah State Department of Natural Resources.

The Activities Committee presented a draft of an Activities Program for the Council which emphasized the common

areas of agreement existing among the eleven western states. It was unanimously adopted and is found at page 35.

Because of the common interest in Congressional action to clarify the relationship of interests of the States and the United States with respect to water rights, the Council unanimously adopted a resolution supporting the enactment of legislation embodying the principles of S. 2919, State-Federal Water Rights, 90th Congress, 2nd Session. That resolution is included on page 8.

PRESENTATIONS

Honorable Jack Williams, Governor, State of Arizona — *Pressing Need for Central Arizona Project.*

Douglas J. Wall, Chairman, Arizona Interstate Stream Commission — *Report on Central Arizona Project.*

H. Ralph Stucky, Chairman of Western Water Resources Research Directors — *Discussion of Water Resources Research Institutes or Centers.*

Wesley A. D'Ewart, Council Member, Montana — *Report of the NRA Meetings in Washington, D. C.*

TWELFTH QUARTERLY MEETING
July 2, 1968
Spokane, Washington

Water Policy and Legislative Committee Chairman Evo DeConcini presented a proposed resolution urging legislation modifying the 160 acre limitation to improve farm efficiencies and to reflect the modern economic situation. (See page 9.)

Upon recommendation of the Water Policy and Legislative Committee, the Council considered and adopted a Resolution concerning Wild and Scenic Rivers legislation. (See page 17.)

The Water Quality Degradation Committee recommended a course of action for the Council concerning the Secretary of Interior's "non-degradation" policy. (See page 2 for fuller treatment of this subject.)

The desirability of participating in the Western Interstate Water Conference was referred to the Water Resources Committee.

PRESENTATIONS

Raphael J. Moses, Chairman, Western States Water Council — *Report: Survey '68.*

Reuben J. Johnson, Deputy Director, Water Resources Council — *Remarks.*

Donald Fielding Koch, Executive Director, Office of Nuclear Energy Development, State of Washington, *Remarks.*

Joe G. Moore, Jr., Commissioner, Federal Water Pollution Control Administration — *Remarks.*

Bernard Goldhammer, Bonneville Power Administration — *The U.S.-Canadian Treaty.*

THIRTEENTH QUARTERLY MEETING
October 1, 1968
Las Vegas, Nevada

Chairman Raphael J. Moses asked that members of the Executive Committee not serve on the Water Resources Committee or the Water Policy and Legislative Committee. Mr. H. Maurice Ahlquist, Washington, resigned as chairman of the Water Resources Committee and was replaced by Alex McDermott, Montana. Upon the resignation of Judge Evo DeConcini, Arizona, Mrs. Geraldine B. Tyson was appointed Chairman of the Water Policy and Legislative Committee.

In response to a letter from the Chairman, Max N. Edwards, Assistant Secretary of Interior, stated that rules governing hearing by the FWCPA published in the Federal Register were "not intended and should not be interpreted as a departure from the fundamental policy of the Federal Water Pollution Control Act that the primary responsibilities and rights in the prevention and control of water pollution are in the states."

Mrs. Geraldine B. Tyson, Nevada, reported that the Water Policy and Legislative Committee had adopted a

resolution concerning the proposed increase in the discount rate used in evaluating water resource projects. (See page 10.)

The Water Resources Committee recommended that the Council not take the major or sole responsibility of planning a western interstate water conference. The Council approved the recommendation.

Raphael J. Moses, Chairman, Executive Committee, presented a draft of a resolution concerning the relationship of the Council and the Federation of Rocky Mountain States which was unanimously adopted. (See page 17.)

PRESENTATIONS

Jay R. Bingham, Executive Director, Western States Water Council: *Review of Inter-regional and International Water Transfer Proposals.*

Elmer F. Bennett, General Counsel, Public Land Law Review Commission: *Report on the Work of the Commission.*

Henry P. Caulfield, Jr., Executive Director, Water Resources Council: *Water for the West Revisited.*

FOURTEENTH QUARTERLY MEETING
December 2-3, 1968
Anaheim, California

The Water Policy and Legislative Committee recommended the adoption of a resolution relating to the protection of water rights under state laws. Inasmuch as this matter was not included on the agenda thirty days prior to the meeting, it was necessary to obtain unanimous consent to consider the resolution. A motion to include this issue on the agenda was defeated.

Revisions to the Charters of the Water Policy and Legislative Committee and the Water Resources Committee were unanimously approved.

The Work Program for the Water Resources Committee was unanimously approved. (See page 43.)

The Council directed the Water Resources Committee to examine, in depth, P. L. 90-537, Colorado River

Basin Project Act, and recommend what action, if any, should be taken by the Council in its implementation.

PRESENTATIONS

Progress Reports:

Wallace R. Christensen, Pacific Southwest Planning Officer, U. S. Bureau of Reclamation: *Pacific Southwest Framework Studies*.

W. Don Maughan, California, Chairman, Framework Study Committee: *California Region*.

Daniel F. Lawrence, Utah, State-Federal Interagency Group: *Great Basin Region*.

H. E. Pelham, Chairman, State Federal Interagency Group: *Lower Colorado Region*.

Ival V. Goslin, Upper Colorado River Commission, Chairman, State-Federal Interagency Group: *Upper Colorado Region*.

William S. Holden, Idaho, Vice-Chairman, Pacific Northwest River Basins Commission: *Pacific Northwest*.

William R. Gianelli, Director, Department of Water Resources, State of California: *The California Solution*.

Daniel V. McCarthy, U. S. Bureau of Reclamation: *Implementing the Regional Planning Provisions of the Colorado River Basin Project Act*.

EXECUTIVE COMMITTEE

Members

ARIZONA

Judge Evo DeConcini (6-65 - 8-68)
Wayne M. Akin (8-68 -)

CALIFORNIA

William R. Gianelli

COLORADO

Raphael J. Moses, Chairman

IDAHO

William S. Holden, Vice Chairman

MONTANA

Wesley A. D'Ewart (6-65 - 5-69)
William Groff (5-69 -)

NEVADA

Ivan P. Head

NEW MEXICO

S. E. Reynolds

OREGON

Donel J. Lane

UTAH

Thorpe A. Waddingham

WASHINGTON

H. Maurice Ahlquist

WYOMING

Floyd A. Bishop

CHARTER

Organization

The Executive Committee of the Western States Water Council consists of one representative from each member state in accordance with Article IX—Executive Committee—of the "Rules of Organization." The chairman and vice chairman of the Council shall represent their states on and be members of the Executive Committee and serve as the officers of the Executive Committee. The Council staff furnishes necessary assistance as desired and requested by the Executive Committee. The Executive Committee, subject to subsequent confirmation by the Council, may create working groups, subcommittees or ad hoc groups to undertake special limited assignments.

Authority

The authority of the Executive Committee derives from the Council itself and includes all powers of the Council between meetings of the Council. Such authority is limited to internal matters.

Voting

Each member of the Executive Committee shall have one vote in conducting business. A quorum of six (6) members, and a simple majority of those voting shall prevail.

Meetings

Regular meetings of the Executive Committee shall be held in conjunction

with meetings of the Council. Special meetings of the Executive Committee may be called by the chairman or by the vice chairman in the event the chairman is incapacitated, or by any six members, upon five days notice, to all members, stating the time and place of the meeting. When all members are present no notice is required. All meetings may be adjourned to a time certain by majority vote of those present.

1968 MEETINGS

Jan. 11Albuquerque, New Mexico
February 9Denver, Colorado
March 8Tucson, Arizona
April 23San Francisco, California
July 1Spokane, Washington
August 15Salt Lake City, Utah
September 30Las Vegas, Nevada
December 2Anaheim, California

WATER POLICY AND LEGISLATIVE COMMITTEE

Members

ARIZONA

Judge Evo DeConcini, Chairman
(7-66 - 8-68)

Sam F. Dick (8-68 -)

CALIFORNIA

Senator Gordon Cologne

COLORADO

Felix L. Sparks (7-66 - 4-69)

C. J. Kuiper (4-69 -)

IDAHO

William S. Holden (7-66 - 10-68)

Robert R. Lee (10-68 - 1-69)

George Yost (1-69 -)

MONTANA

Wesley A. D'Ewart (7-66 - 4-69)

NEVADA

Elmo J. DeRicco (7-67 - 5-68)

Mrs. Geraldine B. Tyson, 5-68 -
.....) Chairman (8-68 -)

NEW MEXICO

Dale Walker

OREGON

Eugene E. Marsh

UTAH

Dallin Jensen

WASHINGTON

Callison Marks

WYOMING

Willard Rhoads

CHARTER

The Water Policy and Legislative Committee of the Western States Water Council was established by resolution adopted on July 15, 1966, at the annual meeting of the Council in Seattle, Washington.

Objective

The committee shall assist the Council in initiating, establishing, and carrying out effective cooperation among western states in planning for programs leading to integrated development by state, federal and other agencies, of their water resources, by providing guidance on the social, ethical, legal and political aspects of the program including assistance to and protection of areas of origin.

Program

The committee shall study the social, ethical, legal and political aspects associated with interstate water resources development and shall recommend policies and courses of action relative to the role of the Council in its relationship with the Water Resources Council, pertinent river basin commissions, appropriate federal agencies, the member states and the legislatures of these states; federal and state statutes affecting interstate water resources development; need for new legislation; "area of origin" assistance and protection; and possible dissolution of existing interstate or federal-state committees, councils or interagency groups.

The committee shall develop and recommend basic assumptions, objectives, principles, and criteria for guidance of the Council in the Policy and Legislative field.

Organization and Voting

Committee membership is by appointment by the states of the Council. One member shall be from each state, but need not be one of the state's delegates to the Council. Any Water Policy and Legislative Committee member may designate an alternate to serve in his absence. A quorum shall consist of six (6) members. A majority of those members present and voting is required for committee action. Each state shall have one vote. Except as otherwise provided herein, meetings shall be conducted under Robert's Rules of Order, Revised.

A committee chairman shall be appointed by the chairman of the Council from the committee membership and serve at his pleasure. The committee chairman may appoint task groups as needed. The staff of the Council shall furnish such assistance to the committee as is requested.

Meetings

The committee shall meet at the call of the committee chairman.

Reports

The committee shall submit reports for recommendations to the Council, the Executive Committee or any standing committee as decided by the committee or as directed by the Council. The committee shall not issue any public statements or reports.

1968 MEETINGS

July 2Spokane, Washington
October 1Las Vegas, Nevada
December 2Anaheim, California

WATER RESOURCES COMMITTEE

Members

ARIZONA
William S. Gookin (7-66 - 1-69)
Wesley E. Steiner (1-69 -)

CALIFORNIA
Raymond R. Rummonds (7-66 - 9-68)
Ted J. George (9-68 -)

COLORADO
R. T. Eckles (7-66 - 1-69)
Thomas W. Ten Eyck (1-69 -)

IDAHO
G. L. Crookham, Jr. (7-66 - 1-69)
Thomas Olmstead (1-69 -)

MONTANA
Alex D. McDermott, Chairman
(9-68 -)

NEVADA
George W. Hennen (7-66 - 5-68)
Roland D. Westergard (5-68 -)

NEW MEXICO
S. E. Reynolds

OREGON
General L. H. Foote, Chairman
7-66 - 7-68)

UTAH
Jay R. Bingham (7-66 - 4-68)
Daniel Lawrence (5-68 -)

WASHINGTON
H. Maurice Ahlquist, Chairman
(7-68 - 9-68)

WYOMING
Myron Goodson

CHARTER

The Water Resources Committee of the Western States Water Council was established by resolution, adopted on July 15, 1966, at the annual meeting of the Council in Seattle, Washington. The committee is an agent of and responsible to the Council. It shall consider and make recommendations to the Council on matters outlined in this Charter and such others as may be related thereto.

Objective

The committee's fundamental objective is to assist the Council to establish and carry on a definite program of constructive action that will accomplish the purpose stated in Article II of the Rules of Organization, namely, "effective cooperation among the Western

States in planning for programs leading to integrated development by state, federal and other agencies of their water resources."

Program

In pursuance of the underlying objective, the committee will develop and recommend basic principles and standards for guidance in the formulation of concepts and plans for a staged regional development of water resources, including protection and furtherance of state and local interests.

It will recommend guidelines and procedures for the interstate exchange of basic data and information, and for the correlation of plans and schedules of water resource development.

The committee shall evaluate and advise the Council on all physical and economic factors relevant to staged regional water development. These include, but are not limited to, water supplies, weather modification, water requirements, water quality, conservation practices, waste water reclamation, flood control, sediment control, navigation, hydropower, recreation, fish and wildlife.

Organization

Committee membership is by appointment by the states of the Council, one member from each State, but not necessarily one of the state's delegates to the Council. Any Water Resources Committee member may designate an alternate to serve in his absence. A quorum shall consist of six (6) members. A majority of those members present and voting is required for committee action. Each state shall have one vote. Except as otherwise provided herein, meetings shall be conducted under Robert's Rules of Order, Revised.

The committee chairman shall be appointed by the chairman of the Council from the committee membership. The committee chairman will appoint task groups as needed.

The Council staff will furnish necessary assistance as desired and re-

quested by the committee. A member of the staff will serve as secretary.

Meetings

The committee will meet at the call of the committee chairman.

Reporting

The committee chairman shall submit reports and, or recommendations to the Council at each meeting of the Council and interim reports as directed by the Council. The committee will issue no public statements or reports except as may be directed by the Council.

**Revised Charter
Adopted by The Water Resources Committee — August 15, 1968, Salt Lake City, Utah

WORK PROGRAM

To carry out the objective stated in the Charter of the Water Resources Committee the following activities, taken from the Rules of Organization, Principles - Standards - Guidelines and Activities Program, are recommended as part of the Committee's current work program:

1. "Undertake continuing review of all large-scale interstate and inter-basin plans and projects for development, control or utilization of water resources in the western states and submit recommendations to the Governors regarding the compatibility of such projects and plans with an orderly and optimum development of water resources in the western states." (Article IV (2) of Rules of Organization)
- A. "Establish a check list that will be used in performing the review function set out in Article IV (2) of the Rules of Organization." (Item 1 of Activities Program)

- B. Prepare a summary of "Inter-regional and International Water Transfer Proposals."
 - C. Evaluate selected water transfer proposals in light of Principles-Standards-Guidelines.
2. "A Western States water resource program shall be developed and maintained by the Western States Water Council through compilation and analysis of available state-wide plans and Federal interbasin and interstate plans, to provide a broad and flexible pattern into which future definite projects may be integrated in an orderly fashion." (Item 2.1 of Principles-Standards-Guidelines)
 - A. Assemble a summary document of states' activities in water planning.
 - B. Assess the reasonableness of water requirements and water supplies by states, regions and river systems.
 3. "Interstate Exchange of Information and Data" (Item 3.1 of Principles-Standards-Guidelines)
 - A. Complete summary of expenditures by states for water planning, administration and development.
 4. "Explore economic justification and methods of financing western states water development by local, state and federal agencies." (Item 2 of

Activities Program)

5. "Review activities of the Pacific Northwest River Basins Commission and the Pacific Southwest Inter-agency Committee" and that portion of the Missouri Basin Inter-agency Committee that applies "in their Type I framework studies and point out any problem areas in the studies." (Item 4 of Activities Program)
6. "Review and evaluate studies made on the economic interdependence of western states." (Item 7 of Activities Program)
7. Review current developments in the Water Resources Committee of the Western States Water Council September 30, 1968, Las Vegas, Nevada.
8. Prepare for Council action recommendations to be submitted to the Western Governors' Conference.
9. Review current developments in water conservation and reuse.

 **The Work Program was adopted by water augmentation by desalination and weather modification.

1968 MEETINGS

August 15Salt Lake City, Utah
 September 30Las Vegas, Nevada
 December 2Anaheim, California

NON-DEGRADATION STATEMENTS

Following are the texts of the non-degradation statements included in the water quality programs of the eleven western states:

ARIZONA

"Waters whose existing quality is better than the established standards will not be lowered in quality unless and until it has been affirmatively demonstrated to the State Water Quality Control Council that such change is justifiable as a result of necessary economic or social development and will not interfere with or become injurious to any assigned uses made of, or presently possible in, such waters. Any industrial, public or private project or development which could constitute a new source of pollution or an increased source of pollution to high quality waters will be required, as part of the initial project design, to provide the highest and best degree of waste treatment practicable under existing technology. In implementing the policy of this paragraph as it relates to interstate streams, the Secretary of the Interior will be kept advised and provided with such information as he will need from time to time to protect the interests of the United States and the authority of the Secretary in maintaining high quality of interstate waters."

CALIFORNIA

"Whenever the existing quality of water is better than the quality established in policies as of the date on which such policies become effective, such existing high quality will be maintained until it has been demonstrated to the State that any change will be consistent with maximum benefit to the people of the State, will not unreasonably affect present and anticipated beneficial use of such water and will not result in water quality less than that prescribed in the policies.

Any activity which produces or may produce a waste or increased volume or concentration of waste and which discharges or proposes to discharge to existing high quality waters will be required to meet waste discharge requirements which will result in the best practicable treatment or control of the discharge necessary to assure that (a) a pollution or nuisance will not occur and (b) the highest water quality consistent with maximum benefit to the people of the State will be maintained.

In implementing this policy, the Secretary of the Interior will be kept advised and will be provided with such information as he will need to discharge his responsibilities under the Federal Water Pollution Control Act."

COLORADO

"Whereas the pollution of the waters of this state constitutes a menace to public health and welfare, creates public nuisances, is harmful to wildlife, fish and other aquatic life, and impairs domestic, agricultural, industrial, recreational, and other beneficial uses of water; and whereas the problem of water pollution of this state is closely related to the problem of water pollution in adjoining states; and whereas it is the public policy of this state to conserve the waters of the state and to protect, maintain, and improve the quality thereof for public water supplies, for the propagation of wildlife, fish and other aquatic life, and for domestic, agricultural, industrial, recreational, and other beneficial uses, and to provide that no wastes be discharged into any waters of the state without first being given the degree of treatment necessary to protect the beneficial uses of such water, it is hereby declared that the prevention, abatement, and control of the pollution of the waters of this state are affected with a public interest, and the provisions of this act are enacted in the exercise of the police powers of this state for the purpose of protecting the health, peace, and safety, and general welfare of the people of this state."

IDAHO

"It shall be the policy of the State Board of Health that, notwithstanding the water quality standards contained herein, where a higher standard can be achieved, the highest and best practicable treatment and/or control of wastes, activities and flows shall be provided so as to maintain dissolved oxygen at the highest desirable levels and overall water quality as good as possible, and water temperatures, coliform bacteria concentrations, dissolved chemical substances, toxic materials, radioactivity, turbidities, color, odor and other deleterious factors at the lowest desirable levels. Such policy to apply not only to existing waste sources but to future waste sources as they may develop and for such other interstate streams not listed herein."

MONTANA

"Waters whose existing quality is better than the established standards as of the date on which such standards become effective will be maintained at that high quality unless it has been expressly demonstrated to the State that a change is justifiable as a result of necessary economic or social development and will not preclude present and anticipated use or such waters. Any industrial, public or private project or development which would constitute a new source of pollution or an increased source of pollution to high quality waters will be required to provide the necessary treatment to discharge wastes to maintain high water quality. In employing these principles, the Secretary of Interior will be kept advised in order to discharge his responsibilities under the Federal Water Pollution Control Act, as amended."

NEVADA

". . . It is the public policy of this State to conserve the waters of the State, and to protect, maintain, and improve the quality thereof for public water supply, for the propagation of wildlife, fish, and aquatic life, and for domestic, agricultural, industrial, recreational, and other legitimate uses; and to provide that no waste be discharged into any waters of this State without first being given the degree of treatment necessary to protect the legitimate beneficial uses of such waters; and to provide for the prevention, abatement, and control of new and existing water pollution; and to cooperate with other agencies of the State, agencies of other states, and the Federal Government, in carrying out these objectives."

NEW MEXICO

"Degradation of waters whose existing quality is better than the stream standards established by the New Mexico Water Quality Control Commission, unless justifiable as a result of necessary economic or social development, is not reasonable degradation and is subject to abatement under the authority granted the Commission by the Water Quality Act of 1967. To protect the existing quality of water the effluent standards established by the Commission under the act will require the highest and best degree of effluent treatment practicable. In implementing this paragraph, the Commission through

the appropriate regional offices of the Federal Water Pollution Control Administration will keep the Secretary of the Interior advised and provided with such information concerning the interstate waters of New Mexico as he will need to discharge his responsibilities under the Federal Water Pollution Control Act (PL 84-660), as amended."

OREGON

"Notwithstanding the general and special water quality standards contained in this subdivision, the highest and best practicable treatment and/or control of wastes, activities and flows shall in every case be provided so as to maintain dissolved oxygen and overall water quality at the highest possible levels and water temperatures, coliform bacteria concentrations, dissolved chemical substances, toxic materials, radioactivity, turbidities, color, odor and other deleterious factors at the lowest possible levels."

UTAH

"Waters whose existing quality is better than the established standards will be maintained at high quality unless it has been affirmatively demonstrated to the State that a change is justifiable as a result of necessary economic or social development and will not preclude present and anticipated use of such waters. Any industrial, public or private project or development which would constitute a new source of controllable pollution or an increased source of controllable pollution to high quality waters will be required to provide waste treatment to maintain high water quality to the extent that such treatment is practicable. In implementation of this policy, the Secretary of Interior will be kept advised and will be provided with such information as he will need to discharge his responsibilities under the Federal Water Pollution Control Act, as amended."

WASHINGTON

"Regardless of the water quality criteria as herein established, wherever existing receiving waters of a classified area are of a higher quality than the criteria assigned for said area, the existing water quality shall constitute water quality criteria. Likewise existing water quality conditions shall constitute the criteria for interstate and coastal waters not specifically classified herein."

WYOMING

"Waters whose existing quality is better than the established standards as of the date on which such standards become effective will be maintained at high quality; provided that the State of Wyoming has the power to authorize any project or development, which would constitute a new source of pollution or an increased source of pollution to high quality water, when it has been affirmatively demonstrated that a change is justifiable to provide necessary economic or social development; provided further that the necessary degree of waste treatment to maintain high water quality will be required where physically and economically feasible. Present and anticipated use of such waters will not be precluded under the conditions aforesaid. In implementing this policy, the Secretary of the Interior will be kept advised and will be provided with such information as he will need to discharge his responsibilities under the Federal Water Pollution Control Act, as amended."