

Animas-La Plata

April 12, 1966

Mr. William A. Utton
President
San Juan County Farm and
Livestock Bureau
Aztec, New Mexico

Dear Bill:

Reference is made to your April 4 letter. The Bureau of Reclamation's amended report on the Animas-La Plata project is expected to be released in the near future and answers to your questions should be contained in that report. When the report is cleared by the Washington office I am sure that Bob Tyner will have a report available for study by interested parties.

Sincerely,

DPH:b

David P. Hale
Interstate Stream Engineer

cc: Bob Tyner
Durango, Colorado
w/c of William A Utton letter

SAN JUAN COUNTY FARM AND LIVESTOCK BUREAU

1966 APR -6 AM 8:56

STATE ENGINEER OFFICE
SANTA FE, N. M.



AZTEC, NEW MEXICO

April 4, 1966

Mr. David P. Hale
State Engineer's Office
Santa Fe, New Mexico

Dear Mr. Hale:

Since our conversation in Durango I find there are several questions in my mind concerning the additional water negotiated for by the State Engineer's Office. I would appreciate if you would answer the following questions for me. How much water is involved? How long may we use this water? From where did we obtain the use of this water? When will this water be available for use and is there any stipulation as to how this water is to be used? In your opinion what is the possibility of this becoming firm water?

Thanks for the material you sent me in regard to the Upper Colorado River Basin Projects.

Yours truly,

William A. Utton
President

~~Handwritten~~
SF
Animas-LaPlata

1966 APR -1 PM 1:53

STATE ENGINEER OFFICE
SANTA FE, N. M.

March 31, 1966

Honorable Wayne N. Aspinall
Chairman, Interior and Insular Affairs Committee
United States House of Representatives
Washington, D.C.

Dear Sir:

San Juan County Farm & Livestock Bureau has long supported the Animas-LaPlata Irrigation Project. We wish to offer our support for its earliest authorization. It is our understanding that you have tentatively set April 18 for hearings.

We would like to give all possible support to the project, and would be willing to send a representative to give favorable testimony, if, in your opinion, it would be beneficial.

If our testimony is desired, please advise and confirm date of hearing.

Yours truly,

William A. Utton
President

cc: Mr. Steve Reynold
State Engineer
Santa Fe, New Mexico



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
FEDERAL WATER POLLUTION CONTROL ADMINISTRATION

Region VIII

9017 Federal Building
19th and Stout Streets
Denver, Colorado 80202

March 24, 1966

Re: Animas-La Plata Project

Mr. C. G. Caldwell
Director
Environmental Sanitation
Services
State Department of
Public Health
Santa Fe, New Mexico

Dear Mr. Caldwell:

We have received a copy of a letter dated February 28, 1966, from the Bureau of Reclamation to Mr. Larry McElfresh, Sanitarian, New Mexico, Department of Public Health, Farmington, New Mexico. In this letter the Bureau of Reclamation requested that the New Mexico Department of Public Health and the Public Health Service (Federal Water Pollution Control Administration) reconsider their previous comments on the Animas-La Plata Project in light of new developments.

Reference is made to "Report on the Public Health Aspects of the Animas-La Plata Project, Colorado and New Mexico," December 1960, a copy of which was transmitted to your office on December 16, 1960. Item number ^{nine} eight on page 15 of this report states "minimum flow in the Animas River following project construction will be 50 cfs which will necessitate chlorination of the Aztec sewage treatment plant effluent in order to provide an acceptable raw water for treatment at the Farmington water intake." In item number three on page 16 it was recommended that "Project costs include an increment reflecting the additional funds that must be spent by municipalities for improved sewage treatment facilities that will be required with a minimum flow of 50 cfs of dilution water available in the Animas River."

In its letter of February 28, 1966, the Bureau of Reclamation stated the following:

OSE-2122

At the time we were preparing the feasibility report, Farmington pumped part of its water supply from the Animas River near the mouth where the flows of that stream are virtually depleted during drouth periods. The City has abandoned this source of supply and now diverts all its water by gravity through the Halford Independent and Farmers Ditches. The Halford Independent Ditch diverts about two miles downstream from Aztec and the Farmers Ditch about four miles upstream from that City. Regardless of whether the Animas-La Plata Project is built or not, it appears as though it would be advantageous for Farmington to transfer all of its water rights to the Farmers Ditch and, thus, avoid the effluent from Aztec's sewer system. Farmington has just recently built a storage and reregulatory reservoir at the end of this ditch which also provides some sediment deposition. The cost of enlarging the ditch should be nominal.

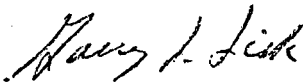
The Halford Independent Ditch and others diverting from the Animas River below that point have irrigation water rights totaling 367.8 second-feet for use on 12,520 acres of land. The Animas-La Plata Project would be required to bypass water for these senior rights. Any time the project would be diverting or storing water, it is safe to assume that at this point there would be at least 200 second-feet of dilution water in the stream during the summer and 100 second-feet during the winter.

In revising the Animas-La Plata Project, we are providing about 10,000 acre-feet of supplemental storage water at our Howardsville Reservoir for Farmington and about 2,400 acre-feet of water at Meadows Reservoir for domestic and municipal uses along the San Juan River Valley between Farmington and Shiprock.

The Department of Interior is also reformulating plans for the Navajo Indian Irrigation Project. In case there should be a need for additional municipal and industrial water, it can be supplied from that project. It, therefore, appears that there should be an abundance of good quality water available for municipal and industrial uses in both the Animas- and San Juan River Valleys in New Mexico.

A copy of our proposed reply to the Bureau of Reclamation is enclosed for your review and comments. We would appreciate receiving your comments by April 6, 1966, if possible.

Very truly yours,



Garry L. Fisk
Assistant Regional
Program Director

Enclosure

cc: Mr. Svore
Regional Office, Dallas

OSE-2123

Mr. D. L. Crandall
Director
Bureau of Reclamation
Region 4
P. O. Box 11568
Salt Lake City, Utah 84111

Dear Mr. Crandall:

Reference is made to the letter of February 28, 1966, from Mr. Robert H. Tyner, Project Manager, Animas-La Plata Project. It was requested that the New Mexico Department of Public Health and the Federal Water Pollution Control Administration reconsider previous comments on the Animas-La Plata Project in light of new developments.

Our understanding of the new developments are as follows: The City of Farmington no longer pumps part of its water supply from the Animas River near the mouth. The city now diverts all of its water by gravity from the Animas River through the Halford Independent and Farmers Ditches. The Halford Independent Ditch diverts about two miles downstream from Aztec and the Farmers Ditch about four miles upstream from Aztec. Farmington has just recently built a storage reregulatory reservoir at the end of the Farmers Ditch. The Bureau of Reclamation anticipates that the minimum flow of the Animas River at the Halford Independent Ditch would be 200 cfs during the summer and 100 cfs during the winter. Revisions of the proposed Animas-La Plata Project would include providing about 10,000 acre-feet of supplemental storage water at the Howardsville Reservoir for Farmington and about 2,400 acre-feet of water at Meadows Reservoir for domestic and municipal uses along the San Juan River Valley between Farmington and Shiprock. The Department of Interior is also reformulating plans for the Navajo Indian Irrigation Project. Consideration is being given to supplying

additional municipal and industrial water from this project if there should be such a need. The Bureau of Reclamation feels that there should be an abundance of good quality water available for municipal and industrial uses in both the Animas and San Juan River Valleys in New Mexico.

In Mr. Tynex's letter it was mentioned that "Regardless of whether the Animas-La Plata Project is built or not, it appears as though it would be advantageous for Farmington to transfer all of its water rights to the Farmers Ditch, and, thus, avoid the effluent from Aztec's sewer system....The cost of enlarging the ditch should be nominal." We agree that this change appears advantageous as this change should provide a safer raw water supply for Farmington. If the Farmington raw water supply is obtained entirely from the Farmers Ditch the necessity for chlorination of the Aztec sewage treatment plant effluent to protect the Farmington water supply as recommended in our December 1960 report "Report on the Public Health Aspects of the Animas-La Plata Project, Colorado, New Mexico" is negated. Associated with this change may be an improvement or degradation of chemical quality, however, insufficient data prevents an evaluation at this time.

We would appreciate an opportunity to review in detail the water quality aspects of the proposed revisions of the Animas-La Plata Project and the Navajo Indian Irrigation Project.

Very truly yours,

Garry L. Fisk
Assistant Regional
Program Director

57
John George
March 10, 1966
Holt

1966 MAR 24 PM 2:33
STATE ENGINEER OFFICE
SANTA FE, N. M.

LA PLATA, NEW MEXICO
MARCH 10, 1966

MR. ROBERT H. TYNER
BUREAU OF RECLAMATION
DURANGO,
COLORADO

DEAR SIR:

THE LA PLATA CONSERVANCY DISTRICT BOARD MET MARCH 10, 1966, and
UNANIMOUSLY VOTED TO ACCEPT THE PROPOSED ANIHAS-LAFLATA PROJECT AS
OUTLINED BY YOU AT THE MEETING AT LA PLATA, MARCH 8th, 1966.

SIGNED:

J. J. Mendez
L. D. Dutton
Clavin J. Talley
Milton L. Sower
Orion W. Nelson

ST ~~State~~
Animas LaPlata

1966 MAR 24 PM 2:24

STATE ENGINEER OFFICE
SANTA FE, N. M.

March 23rd, 1966

Mr. D. L. Crandall, Regional Director,
Bureau of Reclamation,
P. O. Box 11568,
Salt Lake City, Utah 84111

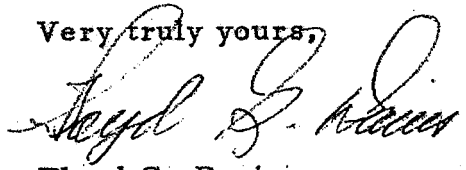
Dear Mr. Crandall:

During the last few weeks, while your Agency has been revising the Animas - LaPlata Project, we have been in close contact with Mr. R. H. Tyner, Project Manager of your office in Durango, Colorado.

We have requested that the project be designed to provide 13,500 acre feet of municipal and industrial water annually, for the City of Farmington, New Mexico. This amount includes an allowance of 3,500 acre feet of water to supply a domestic pipeline which we plan to build from Farmington to the vicinity of Shiprock, New Mexico.

At a Regular Meeting on March 22, 1966, the Mayor and the City Council unanimously endorsed the revised plan of the Animas - LaPlata Project as described by Mr. Tyner.

Very truly yours,



Floyd G. Davis,
Mayor.

FGD:RS

cc: Mr. S. E. Reynolds, State Engineer,
Santa Fe, New Mexico ✓

Mr. G. D. Walters, Secretary,
LaPlata Conservancy District,
LaPlata, New Mexico 87418

Mr. R. H. Tyner, Project Manager
Bureau of Reclamation,
P. O. Box 640 Durango Colorado 81302



S.S. Animas-La Plata
Phone 384-4441
Area 303

WESTERN VEGETABLES, Inc.

P.O. Box 387 - LA JUNTA, COLORADO

RECEIVED		
USBR - Durango		
MAR 22 1966		
Date	Initials	To
3/22/66	GR	TYNER
		GREGG
Retain		
(Period)		

Mr. Robert H. Tyner
Durango Projects Office
Bureau of Reclamation
P. O. Box 640
Durango, Colorado 81301

Dear Mr. Tyner:

In answer to our recent conversation concerning the proposed Animas- La Plata project that your agency is working on, I thought perhaps it would be of benefit to outline our company's anticipated expansion in that area.

Western Vegetables first contracted for cucumbers in the San Juan Basin area in 1965. The acreage was 400 contracted, of which approximately 300 acres were planted. This was a good average in that this was a new crop and possibly the first time that a guaranteed price and market for a vegetable crop was offered in that area.

We found that the area produce a high quality product with a very satisfactory yield per acre. The farmers are rather old fashioned in their farming practices, but we feel that with a better market for their crops and a chance for larger profits per acre they will rapidly improve.

The large labor supply found in the surrounding area is a great benefit for both farmers and workers in the Basin. By intensifying their farming practices and opening up new lands by the addition of available water supplies I feel this could become one of the highest quality vegetables growing area in the United States.

We intend to increase our contracted acres of cucumbers to 700 for 1966, and experiment on two new crops. We also intend to construct new receiving and shipping stations within the Basin to handle vegetables as they are added to out line. The first station is to be ready for 1966 use.

I cannot help but feel that the boom this area felt in oil will be greatly surpassed with agriculture as the area is developed.

Very truly yours,
WESTERN VEGETABLES INC.


George Benschmidt - President

GB:cb

cc Reg Lin 4-700
3/22/66



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

DURANGO PROJECTS OFFICE - REGION 4
P. O. BOX 640
DURANGO, COLORADO 81301
February 28, 1966

IN REPLY
REFER TO:

Mr. Larry McElfresh, Sanitarian
New Mexico Public Health
P. O. Box 809
Farmington, New Mexico

Dear Mr. McElfresh:

As discussed in our telephone conversation this morning, we are in the process of reanalyzing our Animas-La Plata Project preparatory to anticipated Congressional Hearings. We are particularly concerned about the possibility of impairing the quality of water that will be available to the City of Farmington.

At the time we were preparing the feasibility report, Farmington pumped part of its water supply from the Animas River near the mouth where the flows of that stream are virtually depleted during drouth periods. The City has abandoned this source of supply and now diverts all its water by gravity through the Halford Independent and Farmers Ditches. The Halford Independent Ditch diverts about two miles downstream from Aztec and the Farmers Ditch about four miles upstream from that City. Regardless of whether the Animas-La Plata Project is built or not, it appears as though it would be advantageous for Farmington to transfer all of its water rights to the Farmers Ditch and, thus, avoid the effluent from Aztec's sewer system. Farmington has just recently built a storage and reregulatory reservoir at the end of this ditch which also provides some sediment deposition. The cost of enlarging the ditch should be nominal.

The Halford Independent Ditch and others diverting from the Animas River below that point have irrigation water rights totaling 367,8 second-feet for use on 12,520 acres of land. The Animas-La Plata Project would be required to bypass water for these senior rights. Any time the project would be diverting or storing water, it is safe to assume that at this point there would be at least 200 second-feet of dilution water in the stream during the summer and 100 second-feet during the winter.

OSE-2129

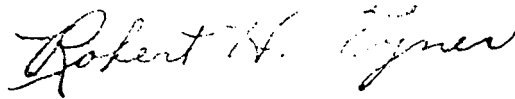
In revising the Animas-La Plata Project, we are providing about 10,000 acre-feet of supplemental storage water at our Howardsville Reservoir for Farmington and about 2,400 acre-feet of water at Meadows Reservoir for domestic and municipal uses along the San Juan River Valley between Farmington and Shiprock.

The Department of Interior is also reformulating plans for the Navajo Indian Irrigation Project. In case there should be a need for additional municipal and industrial water, it can be supplied from that project. It, therefore, appears that there should be an abundance of good quality water available for municipal and industrial uses in both the Animas- and San Juan River Valleys in New Mexico.

I would appreciate it if you would contact the Public Health Service and arrange for your two agencies to reconsider your previous comments on the Animas-La Plata Project in light of these new developments. Since Congressional Hearings may be held in the near future, an early reply is requested.

If you feel it would be desirable to have a meeting that would include representation from the Bureau of Reclamation, please let me know.

Sincerely yours,



Robert H. Tyner
Project Manager

✓ In triplicate

cc: Reg.Dir.,SLC, Utah, Att: 4-700



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
WASHINGTON, D. C. 20240

BY REPLY
REFER TO 737

FEB 24 1966

Hon. Clinton P. Anderson
United States Senate
Washington, D. C.

Dear Senator Anderson:

Knowing of your interest in water resource development in New Mexico, we wish to advise you of the current status of the proposed Animas-La Plata Project in Colorado and New Mexico.

As you are aware, the Secretary of the Interior's proposed report on the Animas-La Plata Project has been reviewed and commented upon by the affected States of the Colorado River Basin and the interested Federal agencies. During subsequent consideration within the Executive Branch, however, it has been decided that additional study and possible reformulation of the project plan will be required. This work is now under way with the objective of early completion of a revised plan. Further processing, of course, must await the outcome of these studies.

We would like to assure you that we fully recognize the importance of this development to the project area, and we intend to make every effort to expedite the work associated with this reformulation.

Sincerely yours,

Acting Commissioner

OSE-2131

February 18, 1966

Mr. F. F. Montoya, Chairman
La Plata Conservancy Board
La Plata, New Mexico

Dear Mr. Montoya:

Thank you for your letter of February 15. None of the representatives of this office who participated in the meeting on February 1, 1966 got the impression that the La Plata Conservancy Board or any of its members at the meeting were against the Animas-La Plata project. In fact, I recall that one of the Board members present, and I do not remember which one, explicitly stated that the Board continued to favor the project as described in the Bureau of Reclamation report.

No minutes of the meeting were kept. I made notes on the questions which you folks asked and my letter of February 3 reflects those questions and the answers to them prepared to the best of my ability.

Sincerely yours,

S. E. Reynolds
State Engineer

SER/wbf

Copy to: Dr. G. D. Walters
Mr. Alvin T Talley
Mr. Milton L Sower

blind copy to: Mr. I. J. Coury, Chairman
Interstate Stream Commission
P O Box 448
Farmington, New Mexico
(w/copy incoming)

OSE-2132

1966 FEB 17 AM 9:11
STATE ENGINEER OFFICE
SANTA FE, N. M.

LA PLATA, NEW MEXICO
FEBRUARY 15, 1966

MR. STEVE REYNOLDS
STATE ENGINEER
SANTA FE, NEW MEXICO

DEAR MR. REYNOLDS:

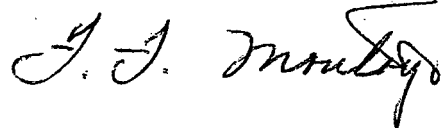
WE RECEIVED YOUR LETTER OF FEBRUARY 3, 1966, RE-OUR MEETING WITH YOU IN SANTA FE ON FEBRUARY 1, 1966 AND WISH TO EXPRESS OUR APPRECIATION FOR THE CO-OPERATION AND INFORMATION YOU GAVE US.

SINCE OUR RETURN HERE, MR. TALLEY, MR. SOWERS AND MYSELF HAVE BEEN ACCUSED PUBLICLY OF STANDING UP IN THE MEETING WITH YOU IN SANTA FE AND SAYING WE WERE AGAINST THE ANIMAS LA PLATA DIVERSION. IS THIS TRUE?

I WAS UNDER THE IMPRESSION THAT YOU HAD SOMEONE KEEPING MINUTES AND TOLD A GROUP MEETING HERE THAT THE MINUTES WERE AVAILABLE. IF YOU HAVE ANY NOTES OR MINUTES ON QUESTIONS ASKED, OR THE GENERAL DISCUSSION THAT TOOK PLACE, AND PURPOSE OF THE MEETING ETC., WE WOULD APPRECIATE A COPY. IF NOT WE WOULD APPRECIATE YOUR FURTHER COMMENTS ON THE MEETING AND THE QUESTIONS ASKED.

SINCERELY

CHAIRMAN
LA PLATA CONSERVANCY BOARD



ST
Animas La Plata
State Engineer
Hess

La Plata Conservancy District

LA PLATA, NEW MEXICO

1966 FEB 14 AM 9:50
February 9, 1966

STATE ENGINEER OFFICE
SANTA FE, N. M.

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

Dear Steve:

Received your letter concerning our Feb. 1, 1966 meeting with you and your staff and our board.

We have not had the opportunity to go into or study the Statutes set forth in your letter in detail as of yet, but part of the material we have studied.

The board is in full agreement as desiring the Animas-La Plata Project in full as set forth in the feasibility report, and any and such talk that might sound and appear to the contrary is only discussion between ourselves and should not go any further.

In other words we are reserving the right to study the price tag and/ or any other parts of the project.

I talked with our Chamber of Commerce Manager yesterday and he says he has a hundred of our counties leading men ready to meet with anyone, any time, or ready to travel to any place to help promote this project. I don't believe his words are idle speculation, because almost daily, over the last six months, I have received calls or queries on the progress of the La Plata Project, and often times the questions come from people I would consider the least likely to be concerned.

Price and I both have the feeling that even though a small percentage of our La Plata senior rights people might turn the project down on vote, which is absolutely not the case at the moment, the people of San Juan County would still put up the greatest demand.

Thank you again for your time, patience, and cooperation.

Sincerely,



G. D. Walters
Secretary-Treasurer

Copy mailed to IJC Aug
2/14/66 w.f.

February 3, 1966

Dr. G. D. Walters, Secretary-Treasurer
La Plata Conservancy District
La Plata, New Mexico

Dear Dr. Walters:

You will recall that at our meeting on February 1 I agreed to look up for you the statutes dealing with the assessment of levies by a conservancy district to repay construction costs under a contract with the Secretary of the Interior.

Section 75-32-6 through Section 75-32-8 NMSA 1953 Comp are the statutes I had in mind. The provisions pertinent to your questions seem to me to summarize as follows:

The district board divides all the real property within the district into two classes. The first, Class A, includes all irrigable land within the district and the second, Class B, includes all other real property in the district. The board then determines the proportion of the annual assessment to be charged against Class A property and the proportion to be charged against Class B property. The proportion to be paid by Class A property is assessed and levied annually against that property at a uniform rate per acre. The proportion to be paid by the Class B property is assessed and levied against such property annually on an ad valorem basis.

As I understand the problem brought out by Mr. Sower, those on the La Plata who already have a virtually full supply under their priorities would not consider the above procedure equitable since they would in effect be paying for water they already have.

However, it appears that under Section 75-32-5 the provisions of the Conservancy Act relating to the appraisal of benefits and the assessment and levy pursuant to such appraisal

Dr. G. D. Walters

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February 3, 1966

can be applied if the contract with the Secretary of the Interior expressly so provides. As I understand the matter the most pertinent "provisions of the Conservancy Act" referred to in Section 75-32-5 are Section 75-29-2 which provides for the appraisal of benefits and damages of every kind to all land and property that will result from the execution of the plan and Section 75-30-4 which provides that the assessment shall be levied on each tract of land or other property in the district in proportion to the benefits appraised and not in excess thereof.

It is important to note that if assessments are to be levied in proportion to benefits it will be necessary for the district board and the Secretary of the Interior to approve a contract specifically so providing. Furthermore, it appears that Section 75-32-20 makes it necessary for the court also to approve the contract between the district and the Secretary. I am not sure whether the election contemplated by Section 75-30-4.1 to approve a construction fund assessment levy is necessary where a contract with the Secretary of the Interior is involved.

Mr. Sower will be interested to note that Section 75-29-2 requires the appraiser to consider damage done to low lands from seepage and saturation by irrigation water from high lands.

Again I want to caution you that my objective here is not to offer legal advice but to bring to your attention the statutes which seem to have a bearing on some of the questions asked at our conference yesterday. I urge you to read the conservancy law carefully yourself and to seek guidance from your attorney. A copy of the supplement to Chapter 75 is enclosed to insure that you have available the recent amendments to the statutes I have mentioned.

I turn now to some of your other questions. The Bureau report on the Animas-La Plata project reflects that the total reimbursable construction costs allocated to the

Dr. G. D. Walters

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February 3, 1966

New Mexico portion of the project amount to \$25,895,000. Of this amount \$2,635,000 would be repaid by non-Indian water users; \$475,000 would be charged against Indian lands and deferred; \$107,700 would be collected as ad valorem taxes against persons other than water users; the balance would be repaid by power revenues from the Colorado River Storage Project.

The report also indicates that the average charge to those receiving supplemental water for presently irrigated lands would be \$3.09 per acre per year including project operation and maintenance charges. Those receiving from the project a full supply for new land would pay from \$6.72 to \$7.84 per acre per year, including project operation and maintenance charges.

The report reflects that the historic supply of La Plata River at the state line is 24,800 acre feet per year and that the supply with the Animas-La Plata project, but without participation by New Mexico, would be 56,200 acre feet per year. Phil Nuts has calculated that with project development as planned in Colorado this supply of 56,200 acre feet would serve about 6,000 acres along La Plata River in New Mexico without regulation by storage. I hasten to point out that if New Mexico does not participate in the project development and we do not have the compact which we have proposed to Colorado there would be no assurance that any water in addition to the amount the La Plata Compact requires would reach the state line. It is physically possible for Colorado to store and put to use the additional flow that would result from the Animas-La Plata project development. On the other hand it appears that New Mexico could participate to the extent of a full supply for presently irrigated lands plus some new acreage along La Plata and still have about 30,000 acre feet annually available from the project for power generation. Some regulation perhaps at the Meadows reservoir site, would be required to serve the power facilities.

You may be interested in the enclosed report "Alternative

Dr. G. D. Walters

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February 3, 1966

Uses of Water, Steam-Electric Power Production vs. Irrigation" by Alfred L. Parker.

Best regards.

Sincerely,

S. E. Reynolds
State Engineer

SER/wbf

Enclosure

Copy to: Mr. Alvin T Talley, Board of Directors
La Plata Conservancy District, La Plata
(with Parker report)

Mr. Milton L. Sower, Board of Directors
La Plata Conservancy District, La Plata
(with Parker report)

Mr. F. F. Montoya, Board of Directors,
La Plata Conservancy District, La Plata
(with Parker report)

Blind copy to: Mr. I. J. Coury, Chairman
Interstate Stream Commission
P O Box 448
Farmington, New Mexico

S.J.
Animas La Plata

January 12, 1966

The Honorable Jack M. Campbell, Governor

S. E. Reynolds, State Engineer

Ladd Gordon's December 14, 1965 letter to Governor Campbell

Your recent note requests my reaction to the subject letter. The letter deals with the Bureau of Reclamation's December 2, 1965 request that you furnish a letter of intent setting forth the willingness of nonfederal public bodies in New Mexico to accept responsibility for recreation and fish and wildlife facilities at the Meadows reservoir of the proposed Animas-La Plata project under the terms of the Federal Water Project Recreation Act (PL 89-72).

I have briefly discussed Ladd Gordon's letter with him and he has advised that he will review and probably redraft the letter. Accordingly, with your permission, I will withhold my reaction until I have heard further from Ladd.

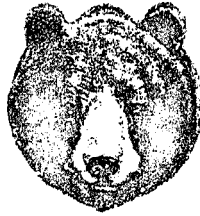
Respectfully submitted,

S. E. Reynolds
State Engineer

SEK/wbf

Copy to: Ladd Gordon

Attachments: Incoming



God

STATE GAME COMMISSION
 ROBERT J. BROWN, CHAIRMAN
 LAS VEGAS
 ALVA A. SIMPSON, JR.
 SANTA FE
 J. S. WARD
 ARTESIA
 DR. FRANK C. HIBBEN
 ALBUQUERQUE
 FLOYD TODD
 CENTRAL

State of New Mexico
 DEPARTMENT OF GAME AND FISH

LADD S. GORDON
 SECRETARY TO THE COMMISSION
 AND DIRECTOR OF THE DEPARTMENT

STATE CAPITOL
 SANTA FE
 87501

December 14, 1965

*OK State Reclamation
 to receive 1/2 of
 the 50% necessary*

Honorable Jack M. Campbell
 Governor of New Mexico
 Santa Fe, New Mexico

Dear Governor Campbell:

Reference is made to a letter addressed to you from Mr. D. S. Rippon, Regional Director, Bureau of Reclamation, Salt Lake City, Utah, and specifically related to the Animas-La Plata Project in Colorado and New Mexico.

At the outset, we feel we are unable to participate in this project under the new Federal Water Project Recreation Act (P.L. 89-72), and pay 50% of the costs that may be necessary to mitigate losses as a result of the project.

The development of the project will not result in total loss of fish and wildlife. We feel that the development of additional irrigation, including the canals and several hundred acres of land under production, will be of material benefit to the migratory waterfowl and to upland birds that might be present in the areas, such as the recently-planted chukar partridge. The benefits for these species of wildlife are certainly on the plus side. On the minus side we might look at the loss of big game animals that will fall into the canal and perish and also we might look at the decrease in flow of the Animas River which will reduce fishing in that stream to practically nothing. We requested a minimum flow down the Animas River for the protection of the fisheries resource but this proposal was frowned upon by the Bureau.

As a side light, it appears that Colorado will be hurt a great deal more than we.

Honorable Jack M. Campbell
December 14, 1965
Page 2

It seems ironic that a bill would be enacted that would result in Public Law 89-72 which apparently wipes out a long hard battle of conservationists for mitigation on federal projects. However, we are not alone in this problem because every game and fish agency in the United States will find it virtually impossible to match fish and wildlife mitigation on federal projects.

We sincerely hope that the Bureau of Reclamation will recognize this serious problem confronting us and will take all necessary steps within the dictates of their project to consider the problem of fish and wildlife.

We will follow the progress of this project and work closely with the Bureau of Reclamation in the best interests of game and fish management.

Very truly yours,



LADD S. GORDON
Director



4-740

DEC 9 1965

Honorable Jack M. Campbell
Governor of New Mexico
Santa Fe, New Mexico

Dear Governor Campbell:

The Federal Water Project Recreation Act (P.L. 89-72) was approved, as you know, on July 9, 1965. This act will have considerable impact on the plans of development of water resources projects, particularly with respect to the inclusion of separable facilities to serve recreation and fish and wildlife. The plan proposed for development of the Animas-La Plata Project in Colorado and New Mexico was outlined in a feasibility report dated February 1962.

The plan presented for development of the project was based on policies which in part have been superseded by congressional policies contained in the new recreation act. We expect the new policies, with respect to recreation and fish and wildlife proposals, will be governing in any legislation to authorize the Animas-La Plata Project. This project, of course, cannot be authorized during the calendar year 1965. For congressional hearings expected to be scheduled at a later date, written indications will be required from non-Federal public bodies of their intent to administer project land and water areas for recreation and fish and wildlife enhancement and to bear certain costs for these purposes, as required in Section 2 of Public Law 89-72.

Because of these new policies, we ask that you review the proposed plan of development, particularly with respect to recreation and fish and wildlife facilities in New Mexico under conditions outlined in the Federal Water Project Recreation Act. Following completion of your review, will you please furnish us a letter of intent, within the general context of Section 2 of the recreation act, incorporating therein the willingness of non-Federal public bodies in New Mexico to accept responsibility, as may be appropriate, in the development of this project.

We have prepared a table summarizing pertinent data on the recreation and fish and wildlife aspects of this project as affected by cost-sharing. You, of course, have copies of the proposed report, but we



4-740

DEC 9 1965

Honorable John M. Campbell
Governor of New Mexico
Santa Fe, New Mexico

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will be happy to furnish additional information if desired. The amount of the separable recreation and fish and wildlife costs subject to reimbursement by a non-Federal public body, as shown in the attached table, is \$138,000 on the Animas-La Plata Project, with \$54,000 being reimbursable by Colorado interests and \$84,000 being reimbursable by New Mexico interests. All the associated operation, maintenance, and replacement costs would be payable by the non-Federal operating agency. Non-Federal public bodies could include, for example, irrigation districts, recreation districts, conservancy districts, and public utility districts, as well as State and local governments. The management and cost-sharing responsibilities on a project may be shared among several non-Federal public bodies. Multiple responsibility, particularly on the Animas-La Plata Project, is anticipated.

We have written a letter, similar in content, to Governor Love of Colorado requesting the interest and willingness of the State of Colorado to participate in the development of the potential Animas-La Plata Project under the new recreation and fish and wildlife policies.

We have discussed these matters with State Engineer Steve Reynolds by telephone and at his request are sending him a copy of this letter.

Sincerely yours,

C. S. Rippon

ACTING Regional Director

Enclosure

cc:

Steve Reynolds, State Engineer
Santa Fe, New Mexico
(with enclosure)