

COLORADO WATER CONSERVATION BOARD
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ANIMAS-LA PLATA PROJECT

The Animas-La Plata project is located in southwestern Colorado and northwestern New Mexico in the San Juan River basin. The project was authorized by the Congress in 1968 under the provisions of the Colorado River Basin Project Act as a participating project of the Colorado River Storage Project. The Colorado River Basin Project Act authorized the Central Arizona Project and five projects in Colorado; to wit, Animas-La Plata, Dallas Creek, Dolores, San Miguel and West Divide. Section 501(b) of the act (Public Law 90-537) provides as follows:

"The Secretary is directed to proceed as nearly as practicable with the construction of the Animas-La Plata, Dolores, Dallas Creek, West Divide, and San Miguel participating Federal reclamation projects concurrently with the construction of the Central Arizona Project, to the end that such projects shall be completed not later than the date of the first delivery of water from said Central Arizona Project: Provided, That an appropriate repayment contract for each of said participating projects shall have been executed as provided in section 4 of the Colorado River Storage Project Act (70 Stat. 107) before construction shall start on that particular project."

The La Plata Water Conservancy District was organized in 1944 to act as the sponsoring and contractual agency for that portion of the project located in the state of Colorado. The district includes a portion of La Plata county. The Southern Ute and Ute Mountain Ute Indian tribes are also project sponsors.

Plan of Development

The Animas-La Plata project has been conceived as a multiple purpose water resource development. It would provide municipal and industrial water for the cities of Durango, Aztec and Farmington and for the development of coal resources on the Southern Ute Indian Reservation. The project would provide irrigation water for lands in the La Plata River drainage, some of which are dry and others which have been historically irrigated, but are presently dry due to insufficient water supplies. Recreational opportunities and fish and wildlife enhancement would also be project objectives. Minimal flood control would also be provided by the project.

The following paragraphs describe an alternative to the plan presented in the authorizing document. It appears to be more environmentally acceptable and would contribute less salinity to the Colorado River. It is not the final plan; however, it is an example of the opportunity that exists for improving the project through reformulation.

The Durango Diversion Plan would utilize the Ridges Basin Dam and Reservoir as the main storage feature on the project. Animas River water would be pumped into the Ridges Basin Reservoir by the Durango Pumping Plant just south of Durango. Municipal and industrial water for Durango would be supplied from Ridges Basin Reservoir.

The Ridges Basin Pumping Plant and Ridges Basin Canal would convey stored water from the reservoir to the La Plata River drainage, where it would be utilized for irrigation and for resource development on the Ute Mountain Ute Indian Reservation. Hay Gulch Reservoir would provide terminal storage for the Dryside area. The La Plata Diversion Dam and La Plata Canal would divert additional water to Hay Gulch from the La Plata River. Power would be generated at the potential Animas Powerplant and utilized along with supplemental power purchases from CRSP to provide power for project pumping.

Municipal and industrial water for Farmington and Aztec, New Mexico would be supplied by direct flow from the Animas River. Releases from Ridges Basin Reservoir would be made to the Animas River when the river flow could not meet the demand for Farmington and Aztec.

The Lower Animas Diversion Canal, located below Durango, would divert water by gravity to the Southern Ute Reservoir. This water would be used for industrial purposes on the Southern Ute Indian Reservation and for irrigation in New Mexico. Southern Ute Indian lands near the reservoir would be irrigated with water from the Lower Animas Canal.

Sprinkler irrigation systems are planned for all project areas except the La Plata, New Mexico area and La Plata, Colorado area above the Ridges Basin Canal which would use the existing open ditch system. The lateral systems would provide sprinkler pressure at the farm turnouts. Pumping plants would be used to provide this pressure where the ground slope is insufficient to pressurize the pipeline. Project drainage would be provided.

Fisheries would be created in the inactive space in project reservoirs and recreational facilities would be provided at each reservoir. A minimum stream bypass of 100 second-feet would be provided below both the Durango Pumping Plant and the Lower Animas Diversion Canal except when the natural flow drops below 100 second-feet.

Project costs including operation and maintenance have been estimated for comparative purposes only. No detailed engineering sizing and costing have been done on any facilities described. A plan on which to base feasibility costing will be selected by an Advisory Team composed of representatives from Colorado and New Mexico. Comparative estimates indicate the project could cost about \$250 million and develop about 233,000 acre-feet of water. An allocation of water supply will be determined when a plan is selected.

Project Statistics

Estimated project cost (January, 1974 prices)	\$236,543,000
Water supply (Colorado only)	
Municipal and industrial	80,500 a.f.
Irrigation (63,930 acres)	<u>93,800 a.f.</u>
Total	174,300 a.f.
Annual depletion of the Colorado River	145,300 a.f.
Annual salinity increase at Imperial Dam	1.2 mg/l
Benefit-cost ratio	1.16 to 1
Annual direct benefits	\$11,640,500

Environmental Impact

Advance plans are under way to alter the feasibility plan to eliminate Howardsville Reservoir and the Animas Diversion Canal, both of which would have a detrimental impact on the environment from the standpoint of their effect on water quality and aesthetics of the area. The alternate plan for pumping water from the lower Animas River to serve the project lands would significantly reduce the environmental impact of the project. Sufficient water would be released downstream to maintain a fishery in the Animas River below the diversion. The environmental impact of irrigation will be minor as most lands in the project are either presently irrigated or dryfarmed. There may be some increases of salinity in the Colorado River from irrigation and M&I use of water by the project. Secondary effects of providing water for private developments, such as a thermal powerplant in the area, will need to be determined and remedial measures identified to reduce pollution.

Current Status

Advance planning studies were initiated in F.Y. 1971 with funds contributed by the state of Colorado and local water user organizations. Federal funds in the amount of \$225,000 were appropriated in F.Y. 1971 and placed in budgetary reserve. These funds were released for use in F.Y. 1972.

Feasibility and advance planning costs to June 30, 1974 amount to \$1,880,934.

Present advance planning activities include a comprehensive reevaluation of the plan as formulated in the authorizing report. A reassessment of the area's needs is also being made. Attempts are being made to reassess water requirements for the communities of Durango, Aztec and Farmington. Water deliveries planned for Indian resource developments are being revised. The definite plan report is scheduled for completion by July, 1976.

The La Plata and Southwestern districts have joined in a campaign to organize a new conservancy district covering all of La Plata County, Colorado. The present La Plata Water Conservancy District will be dissolved if the new district is organized. Efforts are also being made to form a new conservancy district in New Mexico which would include the municipal areas of Aztec, Farmington, Kirtland, etc., in the project area.

Indian and Federal Water Right Problems

In November of 1972, the Justice Department on behalf of the United States government and the Ute Mountain Ute and Southern Ute Indian tribes of southwestern Colorado filed a civil action in the United States District Court for the District of Colorado (Civil Action No. C-4497), in which suit the United States seeks to have its water rights and the water rights of the Indian tribes established in the San Juan River basin in southwestern Colorado. Although these claims have not as yet been defined in amount, they are known to represent large quantities of water. Because of the legal precedents established by the United States Supreme Court in Winters vs. United States, 207 U. S. 564, (1908) and Arizona vs. California, 343 U. S. 546 (1963), it is expected that the water rights claimed by the Indian tribes will receive priority dates as of the establishment of the various reservations, which priority dates will be senior in right to all of the water rights now in use in the San Juan basin.

It appears that the town of Mancos, population 1,200, and the surrounding Mancos reclamation project with an irrigated agricultural area of about 10,600 acres will be affected most seriously by these pending water rights. The Ute Mountain Ute Indian tribe has potentially irrigable lands located downstream from Mancos that are several times larger in area than that of the area irrigated by the Mancos project. If the tribe receives a first priority water right for their lands and builds facilities to put the right to beneficial use, there will be essentially no water left for the community of Mancos. The entire financial economy of the area could be lost.

Probably the community with the second most serious impact would be Fort Lewis Mesa. This area's economy has already dwindled seriously as a result of the administration of the Colorado-New Mexico Interstate Compact on the La Plata River. During the 1920's there were about 20,000 acres of irrigated land on Fort Lewis Mesa that produced good crops. Marvel, the trading community of the area, had a thriving economy with about 15 businesses, including a bank. The irrigated acreage has now decreased to about 3 or 4 thousand acres with only a meager water supply. There is only one small general store in Marvel now. The impact resulting from prior Indian water rights could finish the area's economy.

The Animas-La Plata project provides the only practical solution to the critical social and financial problems that would otherwise develop as a result of the Indian water right claims. It would make about 80,000 acre-feet of water available for the development of land and mineral resources of the two Ute Indian tribes. As the definite plan report for the project is currently being formulated, an effort is being

made to further maximize Indian participation. The tribes have indicated they are much more interested in receiving "wet" water from the project than they would be in receiving a "handful of paper water rights" with no facilities with which to put them to use. They have further indicated they would be willing to enter into an agreement whereby they would forego the use of their potential water rights in lieu of receiving water from the project.

Conclusions and Recommendations

The Animas-La Plata project offers the best and possible the only solution to the settlement of the Indian water rights problem in the area. Up to the present time, no water has ever been adjudicated or allocated to the Ute Mountain Ute Indian reservation. The small amount of water which the tribal members use now for domestic purposes was obtained by purchase from the Montezuma Valley Irrigation Company and is delivered to the Indians through an open irrigation ditch. The principal occupation of the tribe is the production of cattle and sheep. Some of the best tribal grazing lands are situated on the high mesas in the vicinity of the Mesa Verde National Park. In order to supply the cattle on these lands with drinking water, a tank truck is utilized on a daily basis over a long and tortuous road. Both the Southern Ute tribe and the Ute Mountain Ute tribe have a substantial amount of land which could produce considerable feed for their livestock if water could be made available. Both reservations also contain significant coal deposits. The Animas-La Plata project is designed to furnish both tribes with sufficient water supplies to take care of their domestic, irrigation and industrial needs. The eventual construction of the project will be a test as to whether or not the federal government is serious in its many pronouncements of providing better economic opportunities for the various Indian tribes.

In addition to the developing Indian resources, the project will make water available to the nonIndian population for substantial industrial development, for municipal and rural domestic uses and for the production of better crops. Aside from the valley floor of the San Luis Valley, the southwestern portion of the state is the most arid in Colorado. However, the lands there are generally of high quality and will produce abundantly with irrigation. In large segments of the rural areas, the residents now haul their domestic water from distant sources and store it in home cisterns. The project is in an area of fairly high unemployment and depressed incomes.

The project is faced with some difficulties. In addition to constantly accelerating costs, the plan now being considered reflects a much higher consumptive use of water than was contemplated by the original authorization. It appears that it may be necessary to scale the plan down to a more compatible consumptive use of water.

The President's recommended budget contains an item of \$464,000 to continue preparation of the definite plan report during F.Y. 1976 and an additional \$103,000 for the transition quarter. It is therefore recommended that the Governor and the members of Colorado's congressional delegation be requested to support the President's recommended budget request for the Animas-La Plata project.