

COLORADO WATER CONSERVATION BOARD
823 State Centennial Building
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Denver, Colorado 80203

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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 would serve as a multiple purpose water resource development. Municipal and industrial water would be furnished to the cities of Durango, Colorado, and Aztec and Farmington, New Mexico, and to surrounding communities and for the development of resources on the Southern Ute and Ute Mountain Ute Indian Reservations. The project would also provide irrigation water primarily for lands in the La Plata

River drainage and for some lands in the Mancos River drainage. Opportunities would be made for recreational development and for fish and wildlife enhancement at project reservoirs.

The following paragraphs describe the recommended plan of development for the Animas-La Plata project.

The main storage feature of the project will be Ridges Basin Reservoir, located southwest of the city of Durango. The Durango Pumping Plant, south of the city will pump Animas River water to Ridges Basin Reservoir. Stored water will be released as required back to the Animas River for Aztec, Farmington and other potential municipal and industrial users in New Mexico. Durango and the surrounding communities will obtain their additional municipal and industrial water from Ridges Basin Reservoir.

In addition to storing Durango's municipal and industrial water, Ridges Basin Reservoir will also provide storage for the Southern Ute and the Ute Mountain Ute Indian tribes' industrial and irrigation water and for the Colorado irrigators' water.

The Ridges Basin Pumping Plant, located on the western edge of the reservoir, will pump water from the reservoir into Dry Side Canal, which will then convey the water to the La Plata drainage. The canal will provide most of the water for the La Plata, Colorado and Dry Side areas, some water for New Mexico irrigation, and municipal and industrial water for the Southern Ute and Ute Mountain Ute tribes. La Plata River flows could be diverted into the Dry Side Canal when the flows could not be stored in Southern Ute Reservoir.

Southern Ute Reservoir will store La Plata River flows diverted into the reservoir through the Southern Ute Diversion Dam and Canal.

Southern Ute Reservoir will meet the municipal and industrial water requirements of the Southern Ute Indians and the irrigation requirements of the New Mexico lands. Should not enough La Plata River water be available from the reservoir to meet these requirements, additional water will come from Ridges Basin Reservoir (through Ridges Basin Pumping Plant, Dry Side Canal and the La Plata River).

Presently irrigated lands, north of the Dry Side Canal, will be given an opportunity to buy project water from the La Plata River. This water is presently used below the canal, but with the project it can be used elsewhere. Existing ditches will distribute the water.

Sprinkler irrigation will be used on all project lands except

above the Dry Side Canal. The lateral systems will provide sprinkler pressure at each farm turnout. Pumping plants will provide this pressure where the ground slope is insufficient to pressurize the pipeline. Project drainage will also be furnished, where required, on project land.

Fisheries will be created in the inactive pools of Ridges Basin and Southern Ute Reservoirs. In addition, recreational facilities will be provided at these reservoirs.

Project Statistics

Estimated project cost (January, 1977 prices)	\$285,000,000
Water supply (Colorado only)	
Municipal and industrial	41,350 a.f.
Irrigation (61,470 acres)	<u>162,700 a.f.</u>
Total	144,050 a.f.
Annual depletion of the Colorado River	120,000 a.f.
Annual salinity increase at Imperial Dam	1.2 mg/l
Benefit-cost ratio (total)	1.51 to 1
Annual direct benefits	\$ 17,600,000

Environmental Impact

The feasibility plan has been altered 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 recommended plan which pumps water from the lower Animas River to serve the project lands significantly reduces 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 through September 30, 1977 amount to \$3,448,500.

The selection of the project plan has been completed and is being prepared for review by the local advisory team, federal and state agencies and other interested groups. Environmental information is continuing to be collected. The definite plan report and the draft environmental impact statement are to be completed by August, 1978. The final environmental impact statement is scheduled for completion by May, 1979.

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.

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 and the surrounding Mancos reclamation project with an agricultural area of about 10,600 acres will be affected most seriously by these pending water claims. The Ute Mountain Ute Indian tribe has potentially irrigable lands located

downstream from Mancos that are larger in area than most of the area irrigated by the Mancos project. If the tribe receives a first priority water right for its 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 possibly 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 and Dolores projects are designed to furnish both tribes with sufficient water supplies to take care of their domestic, irrigation and industrial needs. The eventual construction of these projects 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 Animas-La Plata project is one of those which has been caught up in the process of continuing and calculated delay. At the time the project was authorized, it was represented to Congress that preconstruction planning could be completed in three years. Almost ten years have gone by now and the planning process is still under way, although it is now represented that the process will be completed next year (1979). That being the case, there is no valid reason why construction should not start next year.

The President's recommended budget contains the sum of \$300,000 to continue the planning process, but nothing for construction. Ten years of preconstruction planning is enough for any reclamation project. The far more complex billion dollar Central Arizona project took less than half that time before construction was initiated. The Bureau of Reclamation has a construction capability to expend \$500,000 during F.Y. 1979. It is therefore the staff recommendation that the board request the Governor and Colorado's congressional delegation to seek a F.Y. 1979 construction appropriation of \$500,000 for the Animas-La Plata project, in addition to the President's recommendation of \$300,000 for advance planning, as Colorado's third priority.

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