

THE BIRTH OF COLORADO-BIG THOMPSON
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Colorado-Big Thompson¹ Initiation, 1933-1938

The Story of a Gigantic Irrigation Project in Embryo

By WILLIAM R. KELLY*

It takes men to match mountains and build dams, and this is the story of the men who were largely responsible for driving a thirteen-mile tunnel through the Continental Divide, in order to tap the waters of the Colorado river. The project, drouth compelled, was first named after Grand Lake at its upper end, but the tunnel really began at Greeley, 100 miles away.

On July 29, 1933, a self-appointed committee comprised of Fred Norcross, L. I. Stimson and myself, called upon Charles Hansen, publisher of *The Greeley Tribune*, and the Weld County Board of County Commissioners, to urge the building of the tunnel as a Public Works project. Charles Hansen was then head of the Weld County agencies for works to relieve unemployment.

A meeting of key men with County Commissioners W. A. Carlson, S. K. Clark and James Ogilvie was called for August 6, 1933. Ed Folbrecht, secretary of the Greeley Chamber of Commerce, and the writer helped to arrange the meeting. I assisted President O. G. Edwards of the chamber in appointing a committee of irrigation leaders to study and present the proposed project. *The Greeley Tribune*, Fort Collins and Longmont newspapers and radio station KFKA got behind the movement.

Soon a valley-wide meeting was called for August 17, with an expanded "Grand Lake Project" committee as follows: Fred Norcross, Chairman; C. G. Carlson, of Eaton Ditch interest; Charles Swink of Greeley and Loveland irrigation system; Charles Hansen, publisher of *The Greeley Tribune*; Claude Carney of the Great Western Sugar Company; Harry W. Farr, of wide farm interests; Frank B. Davis, of the Cache la Poudre irrigation companies; M. E. Smith of the Water Supply and Storage system and effective

¹ Colorado-Big Thompson Project—This is one of the larger irrigation projects constructed by the Bureau of Reclamation. Essentially it consists of (a) a collection works on the Western Slope whereby 310,000 acre-feet of water annually will be diverted through; (b) a 13-mile tunnel, then passed through; (c) power plants and reservoirs on the eastern slope, and (d) natural water courses with irrigation canals which spread the water on agricultural lands as a supplemental supply. Green Mountain Reservoir on the Blue River near its confluence with the Colorado River near Kremmling is a very important part of the project, although it is located some distance from the other West Slope units. Water stored here develops electrical current to help pay for the project.—*Colorado Year Book, 1951-1955*. (Denver: The Colorado State Planning Commission, 1955), 257.

* William R. Kelly, author of this article, has long been known as an authority on irrigation law. Mr. Kelly, a graduate of the University of Colorado, is a member of the law firm of Kelly and Clayton of Greeley, Colo. He is the author of various articles including, "A River Is A Treasure," "Rationing the Rivers," and "Navigation and Irrigation in the Mountain States." He here presents some of the little-known history of the Colorado-Big Thompson Project.—*Editor*.

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Democratic legislator; Thomas A. Nixon, County Attorney of Weld County; and the writer, active in other water development efforts, attorney for several irrigation companies, active in rehabilitating the Greeley Poudre system, and one of the attorneys for Colorado in the Wyoming vs. Colorado case then being tried in the United States Supreme Court.

Eager representatives from the Poudre, Thompson, St. Vrain and the whole South Platte lower valley filled the courtroom at this valley-wide meeting. In addition to the committee members speaking in favor of the project, other leaders in water development such as Dave Roach, Charles Evans, Charles A. Lory, Engineers L. L. Stimson, Burgis G. Coy, E. B. House, and State Engineer M. C. Hinderlider gave verbal encouragement. We urged a survey as a first step.

After two follow-up meetings held at Greeley on August 27 and September 6, a general committee of various community leaders was set up, comprised of: Charles Hansen of Greeley, Chairman; Fred Norcross, Greeley, secretary; Moses E. Smith, Ault; William A. Carlson, Greeley; D. R. Pulliam, Loveland; Burgis Coy and Charles A. Lory, Fort Collins; J. M. Dille, Fort Morgan; Robert J. Wright, Sterling; C. M. Rolfson, Julesburg; and W. E. Letford and T. M. Callahan, Longmont. These men became directors of the Northern Colorado Water Users Association, the mutual company formed to promote the "Grand Lake Project."

In order to arouse interest in the project we began giving talks. I spoke before the Eaton Rotary Club on August 13, and at the Fort Collins Rotary Club, September 23. Norcross, Carlson, Dr. Lory, Coy, Wright and Stimson talked at other places. *The Greeley Tribune*, through news articles and editorials, led in spreading the word. Newspapers in Ft. Collins, Loveland, Longmont, Ft. Morgan and Sterling caught the torch and kept the flame high. Later speakers in the campaign were N. R. McCrery of the Great Western Sugar Company, Engineer R. L. Tipton and Mills Bunger of the Reclamation Bureau.

It was important to start an initial survey before winter weather came to timberline, so the Weld County Commissioners quickly voted \$2,500.00 for that purpose. The Greeley Chamber of Commerce added \$500.00 in two allotments.

Upon our solicitation, the Larimer County Board of County Commissioners agreed to put in \$700.00, the legality of such action having been approved by T. J. Warren, then County Attorney.

From the start we had the cooperation of State Engineer M. C. Hinderlider, who, at our request, assigned to us an expert on stream supplies, his special deputy, R. L. Tipton. Mr. Tipton's prospectus and his encouraging engineering report were completed in Decem-

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ber, 1933. Many said, after reading these, that the cost would be too great for us ever to get the proposed works built.

Early in 1934, the Northern Colorado Water Users Association employed J. M. Dille as half-time manager. The next year he was put on full-time salary.

The board members of the association became a central force to forward the project. They were seasoned community builders, held in high esteem in communities from the foothills of the Rockies to the Nebraska line. L. L. Stimson and his party began the survey at Granby reservoir on the Colorado river.

It was the attorneys' job to lay groundwork, to find ways to organize, to finance, to interest the right state and federal agencies, to see to the legislation. There had to be evolved a new kind of entity which could create and administer the project on a basis that would permit a large community legally to share its benefits and burdens.

As attorneys, Tom Nixon and I had plenty to do beginning in August, 1933. First, we started with an application to the Public Works Administration. We finished drafting our proposal on Labor Day. Then we tried the Reconstruction Finance Corporation. A new application to the Public Works Administration, with Charles D. Todd as counsel, was assembled in November, 1933.

Moses E. Smith was sent to Washington in February, 1934, to introduce the project to Reclamation Commissioner Elwood Mead. By the fall of 1934, it was plain to us that if we obtained financing it would have to come through the Bureau of Reclamation. Accordingly, we telephoned E. B. Debler, New Projects Engineer of the U. S. Bureau of Reclamation in Denver. He was encouraging and became a valuable guide from that day.

Early in 1935, a "revenue bond" act, designed to finance such projects as ours, passed in the Colorado General Assembly. It did not, however, receive Federal acceptance. The following May, Hansen, Nixon and I went to Washington where we discussed the proposed water project with Senator Alva B. Adams, Congressman Cummings, Elwood Mead and Secretary of the Interior Harold Ickes. Soon afterwards a survey fund of \$150,000 was granted by Secretary Ickes. This provided skilled Bureau of Reclamation engineering service for us that year.

In 1936, after much research as attorneys, we found a legal framework adaptable to our peculiar needs, in the California Golden Gate Bridge District multi-county legislation, which had been proven in several years of court tests. We built on that, plus a 1935 variation of it for municipalities in Utah. The California legislation combined a general tax and special rates. We had to evolve a rather

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baffling variation to the law relative to acre feet allotment, in order to fit our irrigation and domestic water needs. We provided for a special benefit assessment lien. The District itself was a quasi-municipality, like a school district.

We got the Water Conservancy Act drafted in the winter of 1936. Sponsored by every Northern Colorado legislator, it was introduced in the Colorado legislature early in 1937. It took a lot of negotiating to get it through, but after some changes, it passed in April and was signed on May 12, 1937.

This act set up the seven-county district, with a basis similar to a city water system. It provided a general tax to be levied on all property for the benefit of making the added water supply available, and a contractual special assessment for actual water used. Its allotment liens were not involuntary, but were a matter of contract.

Next, the act had to be tested in the Supreme Court of Colorado to make it acceptable security in order to induce the government to authorize a multi-million dollar loan. The Supreme Court decision was handed down in May, 1938. Justice William Lee Knous wrote the favorable opinion, since adopted in Utah and Nebraska.

Our efforts in 1936 for congressional appropriation were defeated by Congressman Ed Taylor, one of the Western Slope leaders, who had opposed our project from its first announcement to 1937. In a meeting with men from the Western Slope in Greeley in January, 1934, we sought to allay their fears by offering to share the water. We asked that they join us in the project. Other meetings at Grand Junction and Denver followed with no result. The representatives wanted, without cost to Western Slope users, reservoirs built on a ratio of one acre foot to them for each acre foot for transmountain diversion. Construction costs made that load too much for our project to bear.

On December 16, 1936, Charles Hansen, Thomas A. Nixon and I addressed a letter to Frank Delaney of Glenwood Springs, spokesman for the West Slope interests, proposing a replacement which would concurrently substitute other water for any diversion being made by our project when the flow at Glenwood Springs Shoshoni Power Plant should fall below 1250 second feet. Delaney answered in ten days that West Slope leaders had been meeting and would like to work out some satisfactory compromise. He suggested a four-man committee from each slope. The meeting was arranged. Conferences began on January 1, 1937, in Denver, and extended over that week.

In addition to Delaney, the West Slope committee consisted of Silmon Smith of Grand Junction, Judge C. H. Stewart of Delta and Clifford Stone of Gunnison, legislator-elect. Hansen, Dille, Nixon and I constituted our committee. Preston and Bunger, Recla-

mation Bureau engineers, had completed a report with a West Slope land classification and the inclusion of a proposal for Green Mountain as a replacement reservoir. We were now getting to understand each other's viewpoint. A follow-up meeting was held on March 6, 1937.

On February 3, 1937, Preston's engineering report was made to the Secretary of the Interior, in which he detailed the proposed project and recommended its authorization. In early June the situation was getting acute in Congress, with hot weather coming on and chances of appropriation becoming precarious. The East Slope conceded a great deal more to get the stipulation for the 150,000-acre foot Green Mountain Reservoir at no cost to the West Slope beneficiaries, and agreed it must be completed before East Slope diversion. Committeemen who, at Washington, signed that stipulation were Silmon Smith, Clifford Stone and A. C. Sudan for the West Slope Protective Association, and Charles Hansen, Thomas A. Nixon and Moses E. Smith for Northern Colorado Water Users Association. Thereupon Ed Taylor, chairman of the powerful House Appropriations Committee, gave the \$900,000.00 first construction appropriation the "go ahead." Reclamation Commissioner John C. Page and engineers, Porter C. Preston and Frank Merriell, helped in breaking the log-jam which was holding up the Congressional authorization.

A special article should be written about the engineers of the Bureau of Reclamation, who have been our allies and builders—such men as Ray Walter, S. O. Harper, L. N. McClellan, W. E. Blomgren, Avery Batson and J. H. Knights. Tribute also should be paid to the devoted construction engineers—R. F. Walter, Jr., Cleves Howell and Porter Preston.

The contract with the United States, formulated in the late fall of 1937 and early months of 1938, was voted by the taxpayers on June 28, 1938, by a 19 to 1 ratio. Its many details were developed with Reclamation Counsel J. A. Alexander in a series of drafting meetings held in Denver from January to April.

Inclusion of a \$25,000,000.00 limitation as the maximum cost to be contributed from agriculture was obtained in May, 1938, at Washington. With World War II starting in Ethiopia then, however, our farmers refused to sign a blank check.

The contract negotiation committee comprised: Hansen, Dille, Nixon, Schey, W. E. Letford, W. A. Carlson, Robert Benson, Moses E. Smith, Charles M. Rolfsen and myself. Charles Hansen, Ray Lanyon and Moses E. Smith were effective in the May, 1938, Washington limitation and construction contract acceptance.

Petitions, with taxpayer signatures obtained in the thousands, to create the district were filed in July, 1937, in Weld County

District Court. Judge Claude C. Coffin then, and for twenty years thenceforth, presided over its creation and the appointment of directors. On September 20, 1937, after a hearing in the Court House at Greeley, he adjudged the district created.

Judge Coffin appointed as the eleven members of the first Board of Directors of the Northern Colorado Water Users Association the men who were then serving on the board. They were as follows: Charles Hansen, William A. Carlson and Moses E. Smith, Weld County; Ray Lanyon and W. E. Letford, Boulder County; R. C. Benson, Ralph McMurray and Ed F. Munroe, Larimer County; Robert J. Wright, Logan County; J. M. Dille, Morgan County; and Charles M. Rolfson, Sedgwick County.

The Board elected Hansen as president and Dille as secretary-manager, and they so continued, reappointed year after year—Hansen until his death in 1953; Dille, to this day. These choices proved wise. Dille was the first paid employee, the expediter. These two executives addressed themselves tenaciously to accomplishing the "Grand Lake Project" with energy and consecration to its achievement. They were everlastingly at it. Hansen never would accept any pay for his services.

Hansen was not a farmer nor was he connected with irrigation management, but he was a civic leader free from local entanglements of competing ditch systems. He was able to make allies of wary rival ditch companies in this gigantic effort. Hansen was the amalgamating force, a tenacious leader at home and in Washington, who never flagged in his effort for this project. To it he became consecrated. He received the Department of Interior Conservation Award in 1952. Dille received the same award in 1956.

Dille, by good work in the administration and development of two irrigation systems in Morgan County, attracted attention as one who got things done. Judge Claude C. Coffin, who himself had vision, was constructive and regarded the big project as sacred. He was the son of a pioneer in irrigation. He made integrity and fitness always the criterion of his appointments to the board. He died in September, 1954, after serving as a district judge for thirty years.

Jacob S. Schey of Longmont, experienced in water law, who had supplied important guidance in project matters for fifteen years, succeeded Hansen as president in 1952. He retired in 1955, and was succeeded by J. Ben Nix of Eaton. In addition to Nix the present [1956] Board of Directors of the Conservancy District are: Colonel William P. Blair, Sterling; Gordon Dyekman, Loveland; W. D. Farr, Greeley; J. C. Howell, Brush; Dudley Hutchinson, Sr., Boulder; Carl H. Metzger, Julesburg; Ed F. Munroe and John G.

Nesbitt of Fort Collins; J. D. Sivers, Ault; and Andrew D. Steele, Longmont.

Others who have served one or more terms as directors are: Victor B. Akin, Louis F. Bein, Walter Bush, Harry W. Clatworthy, Marvin J. Collins, A. L. Litel, Thomas J. McKee, Ray Reynolds, James A. Stewart, William Tormohlen, Olin Venable and Ray Welty. In 1947, J. R. Barkley was appointed as assistant secretary and engineer. In 1955 he became assistant manager of the district.

In Washington, D. C., we had early day effective "friends in Court" in United States Senators Eugene Millikin, Ed Johnson and Alva B. Adams, Congressmen Fred Cummings, Lawrence Lewis, William S. Hill and Edgar Chenoweth. Clifford Stone, Director of the State Water Resources Board, helped also to our great advantage. President Eisenhower has been of much help, as also have been Reclamation Commissioners Elwood Mead, John C. Page, H. W. Bashore, Michael Straus and Wilbur Dexheimer. Department of Interior Secretaries Oscar Chapman and Douglas McKay, as well as Harold Ickes, have assisted us.

Many men, whose names never got into print, were quietly effective voices with farmers, businessmen's organizations, legislature and Congress, in getting the project accepted and built. Individuals associated with processors of beets, grain and vegetables, the two railroads, Union Pacific and the Chicago, Burlington & Quincy, banks, other local industries, chambers of commerce, many mutual irrigation companies, all made important contributions to the movement to procure this supplemental water supply for the South Platte Valley.

To mention all locally who have helped from the start would require a roster of all constructive men of the South Platte Valley and its tributaries of the Cache la Poudre, Thompson, St. Vrain and Boulder Valleys. The late R. M. Haythorn, of Eaton, was one supporter so prominent that his name was used to represent the taxpayers as a class, in filing the suit which confirmed the United States contract. Cal Maier of Longmont, Senator Charles F. Wheeler, W. D. Farr, Harry Kelly, Charles Swink, Delph E. Carpenter, C. N. Jackson, J. M. B. Petrikin, of Greeley; H. H. Kelly of Loveland; Senator Nate Warren of Fort Collins; John D. Wilson and J. M. Collins of Eaton; and county agents, especially Lew Toyne of Weld County, were active advocates and petition circulators.

I trust I may be pardoned for saying that attorneys' tasks were important in this development. The project lawyers' role claimed first attention and in a multitude of ways, from the beginning when

we were challenged with, "Show us how so big a project can ever be put together and financed!"

Procurement of right-of-way in many counties, from Summit to Phillips, for this far-flung project began in 1938. Water adjudication proceedings also began in that year. Thence they had to be followed in seven state District Courts, Supreme Court and Federal Court cases. I was the first attorney in this work. Thomas A. Nixon was added, at my recommendation, as responsible Chief Counsel, from the fall of 1933 to his 1940 health break. He resigned in May, 1941. I was then reappointed. I served without pay for the first three years. During the period of 1939 and 1940, Tom Nixon, an able lawyer, handled the legal work alone, but it was becoming intense in right-of-way matters by 1941.

A chapter closed after many years of contest has been the conduct of water adjudication proceedings begun in 1942 in Summit County. Before various courts for years, the proceedings were carried to the Colorado Supreme Court and transferred ultimately to the United States District Court. The proceedings culminated in a decree of Federal Court on October 12, 1955, wherein, satisfactorily for the district, the project's priorities were related from August 1, 1935, the date the Bureau of Reclamation engineers' survey began. This was ahead of several contending large claims.

It may be remarked that Weld and Larimer County names have received much mention in this recital. That is natural because I saw men from these counties in action most. Constructive men from every one of the seven counties worked for the project. It began in Weld County. Its main office and direction were from Greeley from 1933 for 21 years, housed in *The Greeley Tribune* building. Weld County has the largest interest in the Conservancy District water allotments. More than 50% of the district's allottees are Weld County farmers, who will pay the greater fraction of its allotment assessments. Weld County has about 31% of the total district valuation on which to pay the one mill general tax. Larimer County is next with about 23%, and Boulder, since its latecomer annexation, brings that county up to about the equal of Larimer. The balance of general tax will be borne as follows: about 10% by Logan County, 11% by Morgan County, 3% by Sedgwick County and 3% by Washington County.

Actual construction by moving of earth and rock at Green Mountain Dam began in the fall of 1938.

The Reclamation Bureau was the constructing agency. The District now gets the agricultural and domestic water supply. The government gets the power, available since 1943.

The project, now known as the Colorado-Big Thompson, with additional works, has cost about \$160,000,000, three times what was

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estimated in the Engineers' Report of 1935. About the same ratio of rise has occurred in the past twenty years in other building costs, depending on material and labor. Even the *Saturday Evening Post*, which published Wyoming's ex-Governor Leslie Miller's criticism of this cost rise, now charges 15c, thrice its price of 1935. The District is safeguarded by a contractual limitation of about \$26,000,000 of this cost, to be retired over a 40-year period of annual installments. The first one will likely be paid in 1958. The project may even pay out in less than the forty years contracted.

The project is no longer a vision. It is a reality. Only five years elapsed from the 1933 meetings until the start of dirt moving on Green Mountain Dam in 1938. The fire was never allowed to die down in the forge. This project has already proven a buffer against disaster in the drouth years of 1953 to 1955, in the 800,000 acres benefited by this supplemental water.

To strong men living, who put their shoulder to the wheel to accomplish great community benefits, a debt is owed. Such effort should be made cause for emulation. Many courageous workers there were who helped along the road, but who had to lay down their burdens before the goal was realized.

These men matched our mountains. We repeat a remembrance to Charlie Hansen, Fred Norcross, Alva B. Adams, Will Carlson, Sam Clark, James Ogilvie, Fred Cummings, Delph E. Carpenter, Ed Costigan, Judge Claude C. Coffin, Burgis G. Coy, Cleves Howell, Thomas A. Nixon, John C. Page, Porter J. Preston, Dave Roach, Roy McCrery, Moses E. Smith, L. L. Stimson, Charles D. Todd, Ray F. Walter, Nate C. Warren and Clifford Stone.

These all were stalwart workers who have passed on. They built for future generations.