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REPLACEMENT OF THE AMERICAN FALLS DAM IN IDAHO

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HEARING BEFORE THE SUBCOMMITTEE ON WATER AND POWER RESOURCES OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS HOUSE OF REPRESENTATIVES NINETY-THIRD CONGRESS

FIRST SESSION

ON

H.R. 6781, H.R. 6782, and S. 1529

TO AUTHORIZE THE REPLACEMENT OF THE AMERICAN FALLS
DAM IN IDAHO

HEARING HELD IN BURLEY, IDAHO
OCTOBER 6, 1973

Serial No. 93-33

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REPLACEMENT OF THE AMERICAN FALLS DAM IN IDAHO

SATURDAY, OCTOBER 6, 1973

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON WATER AND POWER RESOURCES
OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Burley, Idaho.

The subcommittee met, pursuant to notice, at 10 a.m., in Burley, Idaho, the Honorable Harold T. Johnson presiding.

Mr. JOHNSON. The Subcommittee on Water and Power Resources will come to order.

The purpose of our hearing today is to take testimony on the American Falls Dam problem. Measures pending are H.R. 6781 by Congressmen Hansen and Symms and H.R. 6782 also by Congressmen Hansen and Symms. Likewise pending before the committee is S. 1529, originally introduced by Senators Church and McClure.

The legislation is to authorize the Secretary of the Interior to enter into agreements with non-Federal agencies for the replacement of the existing American Falls Dam, Upper Snake River project, Idaho, and for other purposes.

The pattern that is followed by the Water and Power Resources Subcommittee of the House is, prior to holding hearings in Washington, we always come to the field for a hearing that allows all local interests to testify. We have an opportunity to look at the area that is going to be affected by the project. In this instance we will look at the reservoir, dam, and powerplant that are now in place, and see some of the area of service.

This morning we had a good opportunity to view from the air the dam, powerplant, the adjacent community, the reservoir, and also a good portion of the lands that are being served by this facility at the present time.

I am Congressman Johnson from California, the chairman of this subcommittee. I have with me Mr. Don Clausen from California, a member of the subcommittee, Mr. Ketchum from California, a member of the subcommittee, and Mr. Towell from the State of Nevada, a member of the subcommittee. We are very fortunate this morning to have with us the entire Idaho delegation.

I want to say that we are very happy to be here in Burley. Through the activities of this subcommittee and its performance, we have never failed to pass a bill when we have held a hearing and visited an area. So the field hearings have been well accepted by the balance of the subcommittee in Washington and by the full committee and by the House of Representatives. The Senators can speak for themselves.

I would ask unanimous consent that the three bills mentioned be printed in the Record, and that the favorable report from the Department of the Interior, signed by the Assistant Secretary, Mr. Jack O. Horton, which was received just prior to leaving Washington, be made a part of the record at this point. I also ask then proper reference be made to the environmental statement on the American Falls replacement powerplant, Minidoka plant, Idaho, and that this draft be made a part of the file for reference.

[The documents referred to follow:]

[H.R. 6781, 93d Cong., 1st sess.]

A BILL TO authorize the Secretary of the Interior to construct, operate, and maintain a replacement dam for the existing American Falls Dam of the Upper Snake River Basin project, Idaho, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to construct, operate, and maintain a replacement dam and reservoir for the existing American Falls Dam and Reservoir, Upper Snake River project, Idaho-Wyoming, in accordance with the Federal Reclamation Laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto) and the provisions of this Act and the plans set out in the report of the Bureau of Reclamation dated December 1972 entitled "American Falls Dam Replacement", with such modification of, omissions from, or additions to the works as the Secretary may find proper and necessary for the purposes of irrigation, flood control, generation of electric power, fish and wildlife and recreation: *Provided*, That facilities for the generation of electric power other than those necessary to accommodate the future addition of hydroelectric power as a project function shall not be installed unless specifically authorized by the Congress.

SEC. 2. Replacement of the existing dam and reservoir as authorized in section 1 hereof shall in no way alter or change the present proportionate storage rights of present spaceholders in the American Falls Reservoir and shall constitute a reaffirmation of existing rights under the contracts between the Secretary and the spaceholders except as otherwise provided in this Act.

SEC. 3. That portion of the construction costs of the replacement dam allocated to the irrigation purpose shall be repaid in accordance with the irrigators' ability to pay but within a period not to exceed forty years in accordance with the provisions of reclamation law: *Provided*, That the Secretary is authorized to execute repayment contracts in excess of forty years with those spaceholders who have not yet completed repaying their obligations on the existing American Falls Dam if he determines that repayment within forty years of their obligations under both existing and new repayment contracts would exceed their repayment capacity.

SEC. 4. The development of public recreation and fish and wildlife conservation undertaken in connection with the replacement dam and the repayment of costs associated with those purposes shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213).

SEC. 5. The costs associated with improving the relocated highway to meet current standards shall be non-reimbursable under the provisions of section 208 of the Flood Control Act of 1962 (76 Stat. 1196).

SEC. 6. Repayment of the costs associated with the provision of features to accommodate future hydroelectric power production shall be deferred and shall be reimbursable with interest upon the addition of said hydroelectric power production as a project purpose.

SEC. 7. The interest rate used for computing interest during construction and interest on the unpaid balance of the capital costs allocated to interest-bearing features of the project shall be determined by the Secretary of the Treasury as of the beginning of the fiscal year in which construction on replacement of the dam commences on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations which are neither due nor callable for redemption for fifteen years from date of issue.

SEC. 8. There is hereby authorized to be appropriated for the construction of the American Falls Dam replacement the sum of \$29,000,000 (based upon

July 1972 price levels) plus or minus such amounts as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the types of construction involved. There are also authorized to be appropriated such additional sums as are required for operation and maintenance of the project.

[H.R. 6782, 93d Cong., 1st sess.]

A BILL To authorize the Secretary of the Interior to enter into agreements with non-Federal agencies for the replacement of the existing American Falls Dam, Upper Snake River project, Idaho, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior (hereinafter called the Secretary) is authorized to negotiate and enter into agreements with the American Falls Reservoir district or other appropriate agency representing the district (hereinafter called the constructing agency), which agreements shall authorize the constructing agency to finance and provide for the construction of a dam to replace the existing American Falls Dam of the Upper Snake River project, Idaho-Wyoming. The United States shall take title to the dam upon a determination by the Secretary that construction of the dam is substantially completed, and the dam shall be a feature of the Upper Snake River reclamation project and shall be considered to be a "Government dam" as defined by the Federal Power Act (Act of June 10, 1920, 41 Stat. 1063, as amended). The Secretary shall operate and maintain the replacement dam as a feature of the Upper Snake River project.

SEC. 2. Replacement of the existing dam as authorized in section 1 hereof shall in no way alter or change the present proportionate storage rights of present spaceholders in the American Falls Reservoir and shall constitute a reaffirmation of existing contract rights between the Secretary and the spaceholders except as otherwise provided in this Act.

SEC. 3. The constructing agency may enter into repayment contracts with the spaceholders in the existing American Falls Reservoir providing for the repayment by the spaceholders of proportionate shares of the total project costs incurred by the constructing agency for engineering, financing, designing, and constructing the replacement dam, and the Secretary shall be a party to said contracts and shall require delivery of water to the spaceholders to be continent upon fulfilling of the contract obligations: *Provided*, That said contracts shall be consistent with the terms of existing contracts between the Secretary and the spaceholders for repayment of the costs of the existing American Falls Dam: *And provided further*, That the Secretary is authorized to amend said existing contracts to extend the repayment periods as necessary to bring the combined repayment obligations within the spaceholders' repayment capacity.

SEC. 4. The constructing agency may contract with an appropriate non-Federal entity for the use of the falling water leaving the dam for power generation, which contract shall provide for a monetary return to the constructing agency to defer the costs of construction of the replacement dam. The constructing agency may enter into agreements with an appropriate non-Federal entity to coordinate the construction of hydroelectric power facilities with the construction of the replacement dam. The contract and agreements for use of the falling water shall not be subject to the limitations of section 9(c) of the Reclamation Project Act of 1939 (53 Stat. 1194), or any similar limitations in any other applicable Acts of Congress: *Provided*, That said contract for falling water shall not impair the efficiency of the project to serve the other purposes of the Upper Snake River project.

SEC. 5. Construction of the replacement dam shall not be initiated until the Secretary has approved the designs and specifications.

SEC. 6. The Secretary is authorized to provide specific facilities for public recreation and fish and wildlife conservation in connection with the replacement dam, and the costs of such facilities shall be repaid in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213).

SEC. 7. There are authorized to be appropriated such sums as may be necessary for the construction of specific facilities for public recreation and fish and wildlife conservation and for the operation and maintenance of the American Falls replacement dam.

[S. 1529, 93d Cong., 1st sess.]

AN ACT To authorize the Secretary of the Interior to enter into agreements with non-Federal agencies for the replacement of the existing American Falls Dam, Minidoka project, Idaho, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior (hereinafter called the Secretary) is authorized to negotiate and enter into agreements with the American Falls Reservoir District or other appropriate agency representing the present spaceholders (hereinafter called the constructing agency), which agreements shall authorize the constructing agency to finance and provide for the construction of a dam to replace the existing American Falls Dam of the Minidoka project, Idaho-Wyoming. The United States shall take title to the dam upon a determination by the Secretary that construction of the dam is substantially completed, and the dam shall be a feature of the Minidoka reclamation project and shall be considered to be a "Government dam" as defined by the Federal Power Act (Act of June 10, 1920, 41 Stat. 1063, as amended). The Secretary shall operate and maintain the replacement dam as a feature of the Minidoka project: *Provided*, That the design, construction, and operation of the replacement dam shall not result in a maximum water surface elevation at the dam higher than elevation 4,354.5 feet: *And provided further*, That the Secretary shall continue the program of prevention of and compensation for erosion related to the reservoir.

SEC. 2. (a) Replacement of the existing dam as authorized in section 1 hereof shall in no way alter or change the present proportionate storage rights of present spaceholders in the American Falls Reservoir and shall constitute a reaffirmation of existing contract rights between the Secretary and the spaceholders except as otherwise provided in this Act.

(b) The constructing agency shall: (i) include as a part of the project, a river crossing meeting the then current Department of Transportation standards for Federal-aid secondary highway two-lane traffic, which crossing shall be located on top of the replacement dam or immediately downstream from the dam, and which crossing shall be financed by State, Federal, and private funds, or any combination thereof as the parties deem appropriate; and (ii) coordinate the design of project crossing to allow the inclusion of an additional two lanes, which additional two lanes shall be the responsibility of the Idaho Department of Highways and which may be funded with State or Federal funds.

(c) The plans and specifications for the construction of the dam shall require that an adequate two-lane, two-way crossing shall be maintained at or near the site of the dam during construction.

SEC. 3. The constructing agency may enter into repayment contracts with the spaceholders in the existing American Falls Reservoir providing for the repayment by the spaceholders of proportionate shares of the total project costs incurred by the constructing agency for engineering, financing, designing, and constructing the replacement dam, and the Secretary shall be a party to said contracts and the delivery of water to the spaceholders shall be contingent upon the execution of such contracts and the fulfillment of the obligations thereunder: *Provided*, That said contracts shall be consistent with the terms of existing contracts between the Secretary and the spaceholders for repayment of the costs of the existing American Falls Dam: *And provided further*, That the Secretary is authorized to amend said existing contracts to extend the repayment periods as necessary to bring the combined repayment obligations within the spaceholders' repayment capacity.

SEC. 4. The constructing agency may contract with an appropriate non-Federal entity for the use of the falling water leaving the dam for power generation, which contract shall provide for a monetary return to the constructing agency to defray the costs of construction of the replacement dam. The constructing agency may enter into agreements with an appropriate non-Federal entity to coordinate the construction of hydroelectric power facilities with the construction of the replacement dam. The contract and agreements for use of the falling water shall not be subject to the limitations of section 9(c) of the Reclamation Project Act of 1939 (53 Stat. 1194), or any similar limitations in any other applicable Acts of Congress: *Provided*, That said contract for falling water shall be approved by the Secretary so long as it does not impair the efficiency of the project to serve the other purposes of the Minidoka project.

SEC. 5. Construction of the replacement dam shall not be initiated until the Secretary has approved the designs and specifications of the construction of the dam and of the proposed operation of the dam and reservoir. Preliminary design plans shall be submitted to the Secretary by the constructing agency. The Secretary shall approve said plans, or must promptly set forth specific objections to the preliminary design plans. If the parties cannot agree, said specific objections shall be submitted to binding arbitration by an engineering consulting board. The Secretary shall select one member of the board, the constructing agency shall select one member of the board, and the two members so selected shall select a third member. The consulting board's decisions on the specific engineering questions shall be binding on the Secretary and the constructing agency. The constructing agency shall then prepare final designs and specifications. Costs incurred heretofore and hereafter by the Secretary in reviewing such designs, specifications, plans, and construction shall be nonreimbursable and such amounts as are required are authorized to be appropriated for this purpose. The Secretary is authorized to accept fund advances from the beneficiaries if necessary to avoid delays occasioned by appropriations and to make compensation by payment or credits.

SEC. 6. The Secretary is authorized to provide specific facilities for public recreation and fish and wildlife enhancement in connection with the replacement dam, and the costs of such facilities shall be repaid in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213). In addition, specific facilities for public reaction may also be provided in accordance with the Land and Water Conservation Fund Act of 1965 (78 Stat. 897), as amended (16 U.S.C. 460, et seq.)

SEC. 7. There is hereby authorized to be appropriated for construction of specific facilities for public recreation and fish and wildlife enhancement the sum of \$400,000 (July 1972 prices) plus or minus such amounts, if any, as may be required by reason of the changes in the cost of construction work of the type involved therein as shown by engineering cost indices. There are also authorized to be appropriated such funds as may be necessary to meet the prorated construction cost apportionable to the irrigation storage rights in the Michaud Division of the Fort Hall Indian Reservation for space in the reservoir behind the American Falls Replacement Dam and such cost shall be subject to the Act of July 1, 1932 (47 Stat. 564; 25 U.S.C. 368a). There are also authorized to be appropriated such funds as are required for the operation and maintenance of the dam and related facilities.

Passed the Senate June 19 (legislative day, June 18), 1973.

Attest:

FRANCIS R. VALEO,
Secretary.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., October 5, 1973.

Hon. JAMES A. HALEY,
*Chairman, Committee on Insular Affairs,
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: This responds to your request for the views of this Department concerning H.R. 6781, H.R. 6782 and S. 1529 similar bills to authorize replacement of the American Falls Dam in Idaho.

We recommend that H.R. 6782 be enacted with the amendments set forth below. In the alternative, we recommend enactment of S. 1529 as passed by the Senate if modified to conform with the views set forth below. Since we support enactment of H.R. 6782 and have not completed our review of the plan of replacing American Falls Dam specified in H.R. 6781, we cannot support enactment at this time of H.R. 6781.

The Bills.—H.R. 6782 would authorize the Secretary of the Interior to negotiate and enter into agreements with the American Falls Reservoir District or an appropriate agency representing the district which would authorize the agency to finance the major costs and provide for construction of a replacement dam for the existing American Falls Dam. Upon completion, the United States would take title to the dam and it would be a feature of the Upper Snake River reclamation project, operated and maintained by the Secretary. The dam would be considered a "government dam" as defined in the Federal Power Act. Holders of storage

rights in the existing reservoir would not be affected by replacement of the dam and the existing contract rights of such spaceholders with the Secretary would be reaffirmed except as modified by the bill. The bill would authorize the constructing agency to enter into contracts with current spaceholders providing for repayment of the replacement dam's cost. The Secretary would be a party to such contracts and he would be authorized to amend existing contracts to extend the repayment periods as necessary to bring the combined repayment obligations within the spaceholders' repayment capacity. The constructing agency would be authorized to contract with a non-Federal entity for the use of falling water for power generation. The Secretary would be authorized to provide facilities for public recreation and fish and wildlife conservation in connection with the replacement dam and costs would be repaid in accordance with the Federal Water Project Recreation Act. Construction of the replacement dam could not begin until the Secretary had approved the designs and specifications.

S. 1529 in the Senate was identical to H.R. 6782 and passed the Senate with several amendments which are discussed below in connection with the amendments we recommend be made to H.R. 6782.

H.R. 6781 differs from H.R. 6782 in that it authorizes the Secretary of the Interior directly to construct, operate and maintain the replacement dam as part of the Upper Snake River project under the Federal Reclamation laws in accordance with the plan set forth in the Bureau of Reclamation's report dated December 1972 entitled "American Falls Dam Replacement". The dam would serve irrigation, flood control, electric power generation, fish and wildlife and recreation purposes, except that power generation facilities other than those necessary to accommodate the future addition of hydroelectric power would not be installed unless subsequently authorized by Congress. The bill authorizes appropriation of \$29 million to construct the dam and provides that costs of improving the relocated highway across the top of the replacement dam to present day standards would be nonreimbursable to the Federal Government under the provisions of section 208 of the Flood Control Act of 1962. Public recreation and fish and wildlife conservation costs would be repaid in accordance with the Federal Water Project Recreation Act. Costs associated with the provisional features to accommodate future hydroelectric power would be deferred until power production is authorized. The interest rate applicable to the project for repayment purposes would be based on the long-term U.S. Governmental debt interest rate.

Background.—The Minidoka Project was authorized by the Secretary of the Interior on April 23, 1904, under the Reclamation Act of 1902. American Falls Dam, a major feature of the Minidoka Project, was built by the Bureau of Reclamation in 1927. The dam is located on the Snake River in southeastern Idaho west of the town of Pocatello. American Falls Reservoir, with a capacity of 1.7 million acre-feet, is the largest storage reservoir in the Upper Snake River basin and contributes almost half the usable storage on the main stem of the Upper Snake River. Nearly 900,000 acres of land receive irrigation water from the reservoir and as of September 30, 1972, only \$578,516.52 of irrigation costs remained unrepaid to the United States of the total Federal irrigation investment amounting to \$7,511,087.11. There is an additional unpaid power obligation of \$404,365. Abnormal cracking throughout the concrete dam was reported as early as 1929 and has become progressively more severe. The condition of the dam has been closely monitored through regular biennial inspections. As the result of a core-drilling program in the early 1960's it was discovered that the concrete in portions of the dam was in a relatively advanced stage of deterioration due to a chemical reaction between alkalis in the cement and the aggregate. This type of reaction was unknown at the time the dam was built and has resulted in a significant loss in its strength and durability. Incident to the deterioration of the dam is the deteriorating condition of the existing two-lane State Highway 39 on the dam. This hazardous condition has resulted in the application of stringent traffic control procedures by the Idaho Department of Highways.

Studies in 1968 by a private board of consultants, consisting of three nationally known civil engineers, confirmed the Bureau of Reclamation's findings concerning the safety of the dam. The board stated that replacement or rehabilitation of the dam is desirable and that the choice between replacement and rehabilitation should be based on a comparison of detailed designs, cost estimates and useful life of the dam after such work had been completed.

The condition of the dam has necessitated careful regulation of reservoir storage to avoid harmful pressures on the thin upper portion of the structure. For a number of years, winter storage has been restricted to 8 feet below the

maximum reservoir water surface elevation in order to prevent ice pressures on top of the dam. Maximum storage is now limited to 11.3 feet below full pool which reduces the reservoir storage capacity to 1,125,000 acre-feet or approximately 66 percent of maximum design capacity.

In December 1972, the Bureau of Reclamation's Regional Director completed a preliminary special report which identifies a plan for replacing the dam and developing related multipurpose features. The report has not been fully reviewed by this Department or other appropriate agencies and does not necessarily reflect the views of the Secretary of the Interior. A copy of the report entitled "American Falls Dam Replacement" is enclosed.

More recently the reservoir spaceholders and the Idaho Power Company have proposed a plan to replace the existing American Falls Dam through non-Federal financing. A formal report has not been prepared on their plan, but we understand its general approach is that the spaceholders would obtain the right to replace the dam and to enter into a 50 year falling water contract for power with a right of renewal. The spaceholders would obtain financing for the new dam by the sale of tax exempt bonds and would assist Idaho Power Company in obtaining a Federal Power Commission license for construction of a powerplant at the dam. The Idaho Power Company would pay to the spaceholders an amount of money equal to the annual requirements for interest and amortization of the spaceholders bonds over a 40 year period, up to the actual cost of the dam but not more than \$19 million plus interest. The spaceholders would pay any additional cost over the \$19 million plus interest and the costs of replacing the existing highway river crossing and facilities for recreation, fish and wildlife and public health and safety.

Discussion.—In order to retain the full benefits of the American Falls Reservoir, it is apparent that the present dam must be replaced. The regional economy is dependent to a significant degree on the dam and reservoir and would benefit from the proposed replacement, both in terms of additional direct utility from the project and elimination of future uncertainty. We note that non-Federal hydroelectric power would be included as part of the project, helping to meet regional energy requirements without adverse thermal power production impacts. Because plans for the replacement dam will be subject to approval by and execution of an agreement with the Secretary, we see no need for licensing the dam under the Federal Power Act. The bill obviates the licensing requirement by making the dam a "government dam" within the meaning of the Federal Power Act. The proposed powerplant would, however, require a license.

H.R. 6782 adopts a plan which permits the substantial benefits described above to be obtained without cost to the Federal Government except for public, recreational, and fish and wildlife conservation costs which would be shared with non-Federal interests in accordance with the Federal Water Project Recreation Act. By amendment suggested below, relatively small Federal appropriations would also be sought for the proportionate share of costs assigned to the Fort Hall Indian Reservation. The plan thus calls for only minimal Federal expenditures and we believe the Federal cost is well worthwhile in view of the substantial benefits to the local economy.

Amendments.—Sections 1 and 4 of H.R. 6782 refer to the American Falls Dam and Reservoir being a part of the Upper Snake River Project. The existing American Falls Dam was authorized as a part of the Minidoka Project. The many water service and repayment contracts associated with American Falls Dam are identified as Minidoka Project contracts. The proposal is to replace a Minidoka Project feature without changing its size or water customers. Any new authorizations should continue to identify American Falls Dam as a part of the Minidoka Project and appropriate changes should therefore be made in the bill title and in sections 1 and 3 of the bill (page 2, lines 1, 5 and 9 and page 3, line 23) substituting "Minidoka Project" for "Upper Snake River Project". In addition, we recommend that the word "district" be deleted in line 6, section 1 and the words "present spaceholders" be substituted therefor. This change (which was adopted by the Senate in S. 1529) will provide greater flexibility in making final arrangements for replacement of the dam and will permit representation of spaceholders not now included in the American Falls Reservoir District.

With particular reference to protection of the Indian tribal interests of the Fort Hall Reservation we recommend that the bill be amended to assure that the level of the American Falls Reservoir not be raised and that appropriate action be taken to control any erosion which could adversely affect Indian lands.

To accomplish this the following should be added at the end of section 1 of the bill:

"The construction and operation of the replacement dam shall not result in an increase in the elevation of the reservoir water surface above that maintained for the original dam. Such construction and operation shall include provision for the correction and prevention of erosion related to the reservoir or for the full and adequate compensation of adjacent land owners (including owners of land subject to a flowage easement for the reservoir) if such erosion cannot be corrected or prevented."

In our view, this language is preferable to the roughly equivalent amendment of S. 1529 adopted by the Senate.

The last proviso in section 3 authorizes the Secretary to extend the repayment periods for existing repayment contracts so that the combined repayment obligation for the existing dam and the replacement dam are within the spaceholders' repayment capacity. We are not aware of the need for this provision and believe it is inappropriate that the United States bear costs that might result from deferment of existing obligations. We therefore recommend deletion of this proviso (lines 4 through 8 on page 3).

If an existing spaceholder is satisfied with the partial water supply that he now receives with limited operations of American Falls Dam and Reservoir and prefers not to sign a new contract, the bill leaves the position of the United States unclear. It is not desirable to provide that construction will not be started until contracts are obtained from all spaceholders, since this would mean that any spaceholder would have veto power over the entire arrangement. Delivery of water should, however, be made contingent upon execution of such contracts. Therefore we recommend that section 3 be modified by striking on, page 2, line 24 the words "shall require" and by inserting in place thereof the word "the" and in line 25, following the word "spaceholders" by deleting "to" and inserting the word "shall". On line 25 and 26 the words "upon fulfillment of the contract obligation" should be deleted and in lieu thereof the words "the execution of such contracts and the fulfillment of the obligation thereunder" should be inserted. S. 1529 includes this amendment.

In order to provide the Secretary with a means of reviewing the falling water contract provided for in section 4 of the bill in advance, we recommend that the proviso set forth in that section be modified to read as follows:

"*Provided*, That said contract for falling water shall be approved by the Secretary and shall not impair the efficiency of the project to serve the other purposes of the Minidoka Project."

This language is preferable to the similar amendment to S. 1529 adopted by the Senate. We note that H.R. 6782 does not make specific reference to purposes to be served by the dam. We understand that those purposes are the same as those of the existing dam.

Prior to approval of the plans for the dam and reservoir, the Secretary would review among other matters the facilities planned for mitigation of any loss or damage to recreational fish and wildlife values the minimum facilities necessary for health and safety of reservoir users and others and the plans for any river highway crossing affecting project facilities. To make clear that the Secretary has authority to approve all such facilities associated with the replacement dam and the plan of construction and to make clear that the cost of Secretarial review of the designs specifications plans and construction would be borne by the project beneficiaries we recommend that section 5 of the bill be amended to read as follows:

"SEC. 5. Construction of the replacement dam shall not be initiated until the Secretary has approved the designs and specifications of the dam and related facilities and the plan of construction of the dam and of the proposed operation of the dam and reservoir. Costs incurred by the Secretary in reviewing such designs specifications plans and construction shall be included as project costs allocated to beneficiaries of the replacement dam and shall be reimbursable to the Secretary."

In this connection we object seriously to the provision adopted by the Senate in S. 1529 which subjects the Secretary's determination concerning design specifications and plan of operations to the possibility of an arbitration procedure with the constructing agency. Our support of the plan for replacing the American Falls Dam through financing and Federal government which ultimately will own and operate the dam will make the final determination as to its characteristics.

The Senate passed S. 1529 is not acceptable unless section 5 is changed and we recommend that the section 5 set forth above be inserted for the bill's present provisions.

Sections 6 and 7 of the bill should be modified to make clear that the specific public recreation and fish and wildlife facilities referred to are for enhancement, rather than mitigation purposes, and to specify the costs involved. In addition, certain provisions need to be included in H.R. 6782 to take into account the fact that the Fort Hall Indian Agency is one of the spaceholders in American Falls Reservoir under an agreement with the Bureau of Reclamation for about 2.8 percent of the reservoir storage. To facilitate the future participation of the Fort Hall Indian Reservation in the replacement storage, appropriations should be authorized to pay the prorated construction costs apportionable to irrigation storage rights (costs of the replacement dam not otherwise paid for by the United States or the Idaho Power Company) of the Indian Reservation.

To accomplish these matters, in section 6 (lines 4 and 5, page 4) the word "enhancement", should be substituted for "conservation", and the following sentence added at the end:

Specific facilities for public recreation may also be provided in accordance with the Land and Water Conservation Fund Act of 1965, (78 Stat. 897), as amended (16 U.S.C. 460) et. seq.).

Section 7 should be revised to read:

Sec. 7. There is hereby authorized to be appropriated for construction of specific facilities for public recreation and fish and wildlife enhancement the sum of \$400,000 (July 1972 prices) plus or minus such amounts, if any, as may be required by reason of the changes in the cost of construction work of the type involved therein as shown by engineering cost indices. There are also authorized to be appropriated such funds as may be necessary to meet the prorated construction cost apportionable to the irrigation storage rights of the Michaud Division of the Fort Hall Indian Reservation for space in the reservoir behind the American Falls Replacement Dam and such cost shall be subject to the Act of July 1, 1932 (47 Stat. 564; 25 U.S.C. 368a). There are also authorized to be appropriated such funds as are required for the operation and maintenance of the dam and related facilities.

Environmental.—Enclosed is a draft environmental impact statement concerning the American Falls Dam replacement as contemplated by H.R. 6782, prepared pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969. The final environmental impact statement will be prepared and fully considered in determining whether to enter the agreements authorized by the bill and to approve plans for the replacement of the American Falls Dam.

The Office of Management and Budget has no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

JACK O. HORTON,
Assistant Secretary of the Interior.

Mr. JOHNSON. Our first witness this morning is the Honorable Frank Church, the senior Senator from the State of Idaho.

We will be pleased to hear your testimony in support of the project.

STATEMENT OF HON. FRANK CHURCH, A U.S. SENATOR FROM THE STATE OF IDAHO

Senator CHURCH. Mr. Chairman, members of the committee, my colleague, Senator McClure, and Congressman Hansen, Congressman Symms, I appreciate very much this opportunity, Mr. Chairman, to testify on behalf of these bills of great importance to this region of Idaho. I appreciate the fact that you are accommodating me as the first witness because of obligations I have in Pocatello, and I am sorry it won't be possible for me to remain for the balance of the hearing today owing to those commitments.

I want to thank you, Mr. Chairman, for the expeditious way that you have arranged to bring the committee to Idaho. As you know, there

is a very large element of urgency involved in this project, owing to the present condition of the American Falls Dam. Having visited the site, you have already witnessed how low the reservoir is and the fact that it is operating at only about two-thirds or less of its capacity. A very real hazard does exist, and for that reason I want to express my own appreciation for the expeditious way that you have moved on this legislation bringing the committee here to Idaho for these hearings.

The importance of this measure, Mr. Chairman, can hardly be overstated. The existing dam, constructed by the Bureau of Reclamation and completed in 1927, has been determined to be unsafe. The capacity of the reservoir is now severely restricted. This reservoir represents nearly half the usable storage on the main stem of the Upper Snake River. Nearly 900,000 acres of land receive irrigation water from the reservoir, and it is also the backbone of a coordinated system. Storage in the reservoir is presently limited to less than 65 percent of its usable capacity. Greater restrictions will be necessary as the deterioration of the dam advances. Constraints on operation will pose serious threats to the agricultural economy of southern Idaho, and also to the recreation, fish and wildlife, flood control, and hydroelectric power functions served by the reservoir system.

Furthermore, the roadway on the crest of the existing dam is the only crossing within an 80-mile reach of the river. The outdated 17-foot roadway is an essential link with necessary public services for many residents north of the river, and it is an important artery for agricultural produce and equipment.

I need not elaborate on the urgency of the situation. You will have the opportunity throughout the day to hear from those people directly involved and they will be the best witnesses to the impact of these problems upon their lives.

S. 1529 is one of two alternative measures which were considered by the Senate. As introduced, it was identical to H.R. 6782. Essentially, the other measure, S. 1528, a companion bill to H.R. 6781, would have authorized replacement of the dam by the Bureau of Reclamation with conventional Federal financing and repayment in accordance with reclamation policy. The administration did not support this option. In view of the position taken by the administration there appears to be little hope that the Secretary of the Interior would expeditiously proceed with the replacement of the dam if Federal construction were authorized.

Accordingly, the measure passed by the Senate, E. 1529, would authorize an alternative to reclamation financing which was proposed by the water users in the interest of expediting completion of a replacement dam. In this alternative, an appropriate water users organization would be authorized to construct the dam, using private financing, and would transfer ownership to the Federal Government for operation and maintenance as a project feature. The American Falls Reservoir District has provided the leadership in the negotiations leading to this singular proposal.

The water users agency would be authorized to contract with an electric utility for the use of falling water at the dam for hydroelectric power generation to help defray the costs of constructing the dam. The Idaho Power Co., which is a spaceholder in the reservoir and

which owns and operates a powerplant below the existing dam, has expressed its interest in such a contract.

The replacement dam would not result in any increase in the capacity of the existing reservoir and it would not affect existing water rights.

The Senate Interior Committee amended S. 1529 to adopt a number of amendments proposed by the Department of the Interior and to give effect to some negotiations among the local interests concerning the provision of an adequate river crossing. The measure, as passed by the Senate, has the full support of the water users who are dependent upon the existing reservoir, as well as that of Governor Andrus and the State of Idaho. It also has the support of the Department of the Interior and the Office of Management and Budget.

The people most directly affected, Mr. Chairman, deserve great credit. They have shown initiative and a willingness to accept the responsibilities and the financial burdens involved in this proposal. The successful completion of the project now depends, in large measure, upon expeditious congressional action.

Mr. Chairman, you and the members of your subcommittee have had long experience with the reclamation program, and I know that you fully appreciate that this proposal is a departure from the usual approach to reclamation construction. I also know that you are cognizant of the very negative attitude which the Office of Management and Budget has taken toward reclamation projects. You will understand, therefore, the motivation which has led the spaceholders in the American Falls Reservoir to this unique proposal for an early resolution of their dilemma.

I join them today in expressing our appreciation for your interest and cooperation in holding this hearing. And I join them in urging your support for the early approval of this measure by the House of Representatives.

That concludes my statement, Mr. Chairman. Thank you for this opportunity to present it.

Mr. JOHNSON. We want to thank you, Senator Church, for being with us here this morning as the first witness and coauthor of the bill that passed the Senate and is now before us. It is a matter that you are vitally interested in and so are we.

There is only one question that I want to ask you about the measure that comes to us from the Senate, and which question was again raised in the report that we received from the Interior Department. This is the provision that would set up a board of arbitration. Could you give us your sentiments in regards to the objections that were raised by the Department of the Interior?

Senator CHURCH. I would be glad to, Mr. Chairman.

We inserted the arbitration provision in the bill following our own hearings on the measure before my Subcommittee on Water and Power Resources, because we felt that there ought to be some mechanism for resolving any possible dispute that might arise between the engineers designing the dam and the engineers of the Bureau of Reclamation.

We appreciate the fact that since this dam is going to be conveyed to the Government, and since it is going to constitute an integral part

of the reclamation system in southern Idaho, that the Government needs to be satisfied that the design of the dam is proper and sound. We feel that Government approval of that design is necessary.

On the other hand, we have confidence in the engineering company that has thus far worked on the preliminary designs. We think this is a company of great experience. So we have no great fears on this subject.

But it is possible that some argument may develop, some disagreement may develop between the Bureau of Reclamation engineers and the Bechtel Co. with respect to certain aspects of the design. We thought if that happened, because of the urgency of the situation, because time is of the essence, we did not want a deadlock to develop that would prolong the start of construction on the dam for an unseemly period. For that reason we thought there should be an arbitration mechanism in the event some argument would develop that was sufficiently serious that would prolong the construction of the dam. That is why we included it.

This is the normal arbitration arrangement. The Government would have its arbitrator on the board, the Bechtel Co. would have its representative through the company, and a third man if necessary would be engaged by the other two in order to resolve any question. This is the normal arbitration practice. We think that has been proven by experience to be a sound practice and that it would adequately protect the interests of the Government and the other parties as well. That is why we included it in the bill.

I am sorry the Bureau of Reclamation has taken exception to this provision, because I think it is a reasonable one.

Mr. JOHNSON. Before you leave, Senator, I want to allow Mr. Casey, who is consultant to the committee here, to maybe ask a further question on this provision. As you know, he is very much of an expert himself, having dealt with reclamation matters for 30 years prior to his coming with the committee and being totally familiar with the reclamation program and their operations.

Senator CHURCH. Yes, I know that.

Mr. JOHNSON. Mr. Casey, would you have any further question on this matter from Senator Church?

Mr. CASEY. No, really not, Mr. Chairman.

The Department has taken a fairly adamant position on this and expressed their position in rather strong terms. They say support of the plant is premised on the principle that the Federal Government will ultimately own and operate the dam and make the final determination as to its characteristics.

My question is I suppose, Senator, would you construe that statement to mean that if the arbitration language is left in that the Administration would not endorse this bill?

Senator CHURCH. Well, that has that ring to it, doesn't it, Mr. Casey?

I would hope that this committee in its wisdom would consider the reasons why the Senate included this arbitration in the bill. It is simply a safety hatch in case a serious argument were to develop, and keep in mind that the original Bureau of Reclamation program envisioned a \$30 million dam, \$30 million plus. The Bechtel Co. believes that a completely adequate and safe new dam could be constructed for much less money, something in the neighborhood of \$20 million.

I think we all are familiar with the fact that some purely Federal dams have had certain monumental characteristics that add considerably to the cost, but not particularly to the function. It is that kind of argument that might develop between the Bureau and the private construction firm.

We just want to be sure that if that happens there is a mechanism for resolving it that does not hold us up for a year or two while a serious water shortage could develop that could be disastrous to the agricultural economy of southern Idaho.

Mr. JOHNSON. The gentleman from California, Mr. Clausen.

Mr. CLAUSEN. I don't believe I have any questions. I talked to the gentleman on the way out on the flight as to your testimony.

Mr. JOHNSON. The gentleman from California, Mr. Ketchum.

Mr. KETCHUM. No questions.

Mr. JOHNSON. The gentleman from Nevada.

Mr. TOWELL. No questions.

Mr. JOHNSON. We want to thank you. We know this is a real serious problem as far as the administration is concerned. Certainly we would not want to move forward with this matter in disagreement, and I don't know how serious they are in their statement. There are other costs that go with this dam as far as the Federal Government is concerned. In order to get started you would have to have all those other things worked out. There will be Federal expenditures involved with the dam itself and with the new powerhouse. This is a matter we must look into very carefully as we move ahead with the project.

The design or inspection of materials or something else failed in the existing dam. That is why we are here today, so we have to be very careful that the new dam will not meet the same fate along the line.

Senator CHURCH. Yes, I think one experience of this kind is enough, Mr. Chairman.

Mr. JOHNSON. Thank you for coming.

Senator CHURCH. Thank you very much.

Mr. JOHNSON. Our next witness will be the U.S. Senator from Idaho, Mr. McClure.

STATEMENT OF HON. JAMES A. McCLURE, A U.S. SENATOR FROM THE STATE OF IDAHO

Senator McCLURE. Let me start out by expressing my thanks to you, Mr. Chairman, and the members of your committee who have come to Idaho to help us out on a problem that is of great importance to us and much lesser importance to you. I am sure you could use the time in your own districts on your own work without spending the time in Idaho with us, so I do deeply appreciate the fact you are here.

Mr. JOHNSON. I want to say you people in Idaho have imposed upon us three different times now. When we come we have looked over the project, and so far we have authorized the projects, as you know.

Senator McCLURE. Yes, sir.

Mr. JOHNSON. We are trying to get this in one to give you the same type of attention.

I want to say to you people from Idaho you have a very active delegation. In each Congress we have another project.

Senator McCLURE. You noticed.

Mr. Chairman, I have a statement which I want to submit for the record and I would like to paraphrase from that statement. There is a long list of witnesses and I know you will have a long day of hearings.

Mr. JOHNSON. Your statement will appear in the record in full and you can summarize.

Senator McCLURE. Thank you very much.

[The prepared statement of Senator McClure follows:]

STATEMENT OF HON. JAMES A. McCLURE, A UNITED STATES SENATOR FROM THE STATE OF IDAHO

Mr. Chairman, thank you for permitting me to address this House field hearing on the vital subject of the present American Falls Dam, its condition, present operating restrictions, and proposals for its replacement.

The dam was completed in 1927 and this original structure has deteriorated considerably since then due to the chemical reaction between the aggregate and the alkalis in the cement used in the dam's concrete. The occurrence and effects of this alkali-aggregate reaction were unknown at the time the dam was built. Freezing and thawing and wetting and drying have further aggravated the concrete deterioration. Abnormal cracking throughout the concrete dam was reported as early as 1929.

Of equal importance, in my opinion, is the change in operation because of new upstream facilities. Instead of late spring filling, the American Falls Reservoir is now filled early enough that the dam must bear ice loads for which it was not designed. In addition, engineering practices and safety margins have been revised since the dam was designed and built. Although the chemical reaction has slowed and probably stabilized to a great degree, these various factors have led to restrictions.

The first storage restriction on American Falls Dam was in September 1964. An additional restriction was placed on the structure in September 1972. Maximum storage is now restricted to an elevation of 4343.2 feet, the elevation of the spillway crest, which is 11.3 feet below full pool. This restriction limits storage to 1,125,000 acre-feet, thus precluding the use of 575,000 acre-feet (34 per cent) of the 1,700,000 acre-foot reservoir capacity. In a series of dry years, such as the record-breaker we have just witnessed, this restriction will cause significant water shortages on many of the lands served from the reservoir. As of the first of October, 1973, the water storage inventory of the Upper Snake, which in addition to American Falls, includes Palisades, Jackson Lake, and Island Park, took on a gloomy look in relation to total capacity and also in relation to last year's figures.

Total Upper Snake Capacity=3,875,265 acre-feet.

Water inventory October 1, 1972=2,722,693 acre-feet.

Water inventory October 1, 1973=1,287,045 acre-feet.

My crystal ball doesn't tell me what this winter's snow pack is going to be, but if it isn't a lot better than we had last year, the outlook for water for agriculture and all other uses in this area is bleak. The above figures indicate we are going into the fall and winter with little more than one-third of our total capacity for water storage and the Upper Snake System. This underscores the urgency to correct the American Falls Dam so it can contribute a full share of its storage capacity for future short water years.

Studies by the private board of consultants have confirmed that American Falls Dam no longer meets safety standards. In its findings reported to the Bureau of Reclamation in September 1968, the board agreed that replacement or major rehabilitation of the dam is essential.

In addition to the restrictions on the dam is the inadequacy of the existing two-lane State Highway 39 on American Falls Dam. The roadway is far below current standards for safety and is structurally inadequate to carry modern loads. The Department of Highways has pointed out there have been numerous accidents on the bridge during the past few years and that one-way traffic at certain times has been necessary to reduce the hazard.

The early bridge design for Model T traffic won't do the job today, as the rapid growth of irrigated farming and its related industries has caused heavy use, especially by the many trucks hauling farm produce and supplies. The value of potatoes alone, at the grower level, which must be transported across the dam is \$10 million. This bridge bottleneck is a major factor in the growing and market-

ing of vast acres of potatoes, sugar beets, wheat, hay, cattle and other farm commodities grown in the area that utilized this crossing. Total agricultural commodities being transported across the bridge is an estimated \$25 million. This is a breakdown of commodities which have to cross this bridge annually:

2½-3 million sacks of potatoes.

125-150 thousand tons of sugar beets.

\$4½ million of hay and livestock.

2½ million bushels of grain.

4,000 semi-truck loads of finished potato products.

In addition, there are several million dollars in fertilizer, petroleum products, machinery, labor force, and other supportive traffic.

The Bureau of Reclamation reports a total of 892,650 acres from the irrigation space in American Falls Reservoir. These lands receive about one-fourth of their total irrigation supply from American Falls storage. Supplies to specific lands vary from less than 1 per cent to 90 per cent to their diversion requirements. It is my understanding that there was enough water to go around in this area this summer, but as previously noted, we need a good snow pack to avoid serious trouble in 1974. The lands served from American Falls Reservoir make up one of the most productive irrigation sections in Idaho. In 1969 the value of farm products produced in the nine counties containing most of these lands was almost one-half of the value of all farm products sold in Idaho. The thriving towns in the area depend almost exclusively upon local farms for their economic well-being. Any severe loss to them (and they could suffer losses in excess of \$100 million) would cripple the state.

This spring the Senate passed, as amended S. 1529, a bill to replace American Falls Dam by permitting negotiations and agreement between the Secretary of Interior and non-Federal agencies. The unique approach to financing this replacement provides an opportunity for early implementation, particularly in view of our present national situation with respect to other budget priorities. Federal replacement would take several years, at best, and the danger is too great, the urgency too real, to take that chance—even if this proposal were inferior, which it is not.

One of the helpful amendments included in the final Senate passage of S. 1529 provided for creation of an engineering board to hear specific objections that might arise between the Secretary and the constructing agency. If the parties cannot agree, specific objections shall be submitted to binding arbitration by the board, consisting of one member selected by the Secretary, one by the constructing agency, and those two members selecting a third. The consulting board's decision shall be binding on the Secretary and the constructing agency. This provision will be helpful in avoiding delays that might arise out of a possible impasse caused by an honest difference of opinion between the two parties. Again, urgency requires this provision.

Other key provisions call for construction of specific facilities for public recreation and fish and wildlife enhancement in the amount of \$400,000, to be adjusted as necessary through engineering cost indices. These amenities demonstrate the concern of those involved toward providing adequate facilities in this direction.

The constructing agency, under provisions of the Senate-passed bill, shall include as part of the project, a river crossing meeting the then-current Department of Transportation Standards for Federal-Aid secondary highway two-lane traffic. It is my understanding that all of those taking part in the planning are making good progress in this self-help project. During construction, provision will be made for an adequate two-lane, two-way crossing at or near the site of the dam construction.

Since this legislation passed the Senate, it has been suggested that the language be changed to make clear that the project will qualify for public highway bridge funds under 23 USC 320. I suggest the following change to accomplish this purpose:

Sec. 2(b) (I) and (II):

(I) strike "private"—add "constructing agency"

(II) strike (all)

Add: Design and construct an additional two lanes on top of replacement dam—which additional two lanes may be funded with State, Federal, or construction agency funds, or any combination thereof. For purposes of subpart (II) of this section the constructing agency shall be considered an agency within the meaning of 23 USC 320(a).

It isn't often that we can present a project with no significant opposition. The fact that we can do so not only signifies the merit of the proposal, but it must most certainly prove the urgency with which we view it.

Thank you very much for your help in its speedy consideration.

Senator McCCLURE. First of all, this has been pointed out and will be pointed out throughout the hearing, the dam was built a number of years ago and because of things not anticipated at that time, the dam has now been found to be in an unsafe condition for present operating conditions.

There was an alkali-aggregate chemical reaction which has caused some deterioration of the structure. In addition, the operation of the river has changed because of subsequent projects which were built upstream that dictates or mandates the filling of this reservoir early in the spring. This allows ice to freeze on the surface, imposing an iceland on the dam for which the dam was never designed.

In addition, we have changed engineering standards and increased safety margins that were not in effect when this dam was originally designed, and the result is, that it has been found it is unsafe to operate under present conditions with a completely full reservoir.

This is a massive reservoir, as you noticed crossing this morning. When it is full, it has a capacity of 1,700,000 acre-feet under storage, and under present limitations, one-third of that storage is lost, not only lost to the spaceholders here, I might point out, but to the entire river system. While we are experiencing a nationwide energy shortage, those of us from the West and particularly from the Northwest, recognize we have a very serious energy shortage in the Northwest because of the decreased streamflow and the loss of generating capacity.

So for a number of reasons, this loss of storage capacity is extremely important to us. I put some figures in my statement, which describe a rather critical situation which is existing at the present time with the drought conditions that have afflicted the Northwest. Just in rough terms, the storage carryover as of October 1 was less than half of what the storage carryover in the Snake River system of last year. Between October 1 and yesterday, we have gained over 100,000 acre-feet of storage in the Upper Snake. We are still critically short of stored water, and the 900,000 acres of land that are served by this reservoir could be in a very serious condition next year.

As will be pointed out by a number of other witnesses, we will talk about the importance of agricultural production to the economy of our State; and of course, the area of concerns we have here are not simply local concerns, because food production is a critical matter and we are trying to expand food production nationwide and worldwide. If there is an interruption of service to these 900,000 acres of land, the growers of southern Idaho could sustain a loss of \$100 million in income. This is a matter of extreme urgency.

Senator Church pointed out in his statement, and rightfully, that the Idaho delegation proposes two alternatives, one for Federal construction and one for the alternative that did pass the Senate.

While the administration did support the alternative which has passed the Senate, the second of the two bills pending before the House, the second in number, there were urgent and strong requests on our part that they do so, not solely because of budgetary restric-

tions, although I am sure the fact it cost the Federal Government relatively nothing and saved the taxpayers in your districts \$10 million nationwide, may have also impelled it. But the real reason is the time saving. You and I know the problems of getting money through Congress because of the tremendous backing of authorizations that are already there. It would take substantially longer with a Federal project than by this rather unusual method we have outlined here.

There is another reason we are anxious to have the dam replaced. That is because of the inadequacy of the road that crosses the dam and of the very serious hazard to the industry and the lives and property of the people who live in that area. I have detailed in my statement some figures of the agricultural production that is dependent upon that river crossing for the flow of goods and commerce. They have no alternative, because in the 80-mile stretch of the river, this is the only crossing. This road may have been adequate for Model T's and horse and buggies, but not for the trucks that haul heavy produce across that bridge.

So we do have very great reasons for the urgency and the critical need for the replacement of this dam.

Let me support what Senator Church has said and will be supported by other witnesses. The provision for arbitration, and again it comes back to this question of urgency. As will be detailed in other statements, there is a very tight time schedule that is involved. If there is any slippage of that time schedule, a matter of weeks or even a month or two would cause us to lose 1 full year of storage capacity in this reservoir. That is a hazard that we are very reluctant to allow to occur. I can understand the Federal Government would like to maintain absolute control over design and construction techniques, because the dam will be theirs when it is completed and paid for. But I think the urgency of the time frame is so absolutely important here that it dictates that we take every possible measure that is prudent to make sure that the time frame is not interrupted and we do get this storage back into operation at the earliest possible time. That is the real reason for the arbitration procedure. I think otherwise we can work it out over a more relaxed time schedule, but we can't afford that luxury, in my estimation.

In addition, there are a couple of things I would like to suggest—

Mr. JOHNSON. Senator, I think maybe you had better talk up just a little. I don't think the people can hear you in the back.

Senator McCLURE (continuing). There is one other suggestion that has come up since this measure passed the Senate, and that is to change the language, as I have suggested in my statement, to make certain that the constructing entity can qualify for funds under 23 U.S.C. 320 to aid in the construction of the roadway across the top of the dam. It is a very simple language change. I don't think there is any controversy over it. I think the Governor and others from the State will also support this language change so that we make certain that the Federal funds which are available under the other statute will be available to us in rebuilding here.

Mr. Chairman, with that, I will not burden you further with my statement, but will respond to questions if you have any.

Mr. JOHNSON. I want to thank you for your prepared statement here, a very good paper, and for your summary, because I think you spoke to the important points.

There is one matter that concerns me, and I presume others on the committee, and even the Bureau of Reclamation and the Department of the Interior. That is the new approach to cost sharing. Some of us who have authorizations that have been passed by Congress some of which are under construction and some are under design. We want to make certain that we have not been forgotten in the shuffle and that the newer cost sharing programs do not come in ahead and take what few Federal dollars that are available to round out a project. Certainly I have no objections to this project moving forward, but we have others that are in all stages of consideration at this time, as you know. We are troubled with the funding of these projects, the starting, the final design and other aspects of the projects that are solely Federal projects. As the Department brings up a new approach to cost sharing there is a little bit of concern. I want to make it clear as far as I am concerned I intend to take just a little more time in the oversight on this particular issue. I realize the importance of time in this project, but I also realize that we have time considerations in the other projects, and some of those are just as important to the areas that they are supposed to serve as this one here.

Senator McCLURE. Mr. Chairman, might I comment on that, because I think the point you make, of course, is perfectly appropriate and I understand the concern. But I think the importance of this reservoir to the operation of the Snake and Columbia chain is so great that even if we did not adopt this approach there would still be on the part of the administration an urgency for the replacement of this dam. Rather than posing an added burden, I think this formula will relieve that, because instead of a \$20 or \$30 million input into this, it is a half a million dollars in planning funds. So I think we probably, by this unique approach, are relieved of the likelihood of funds being diverted from other projects.

But certainly, you above all people in the Congress are aware of the \$5 billion backlog and the fact we can't get enough money out of the budget to maintain a reasonable reclamation program, so I understand your concern.

Mr. JOHNSON. The gentleman from California, Mr. Clausen.

Mr. CLAUSEN. Thank you, Mr. Chairman.

I am delighted to have an opportunity once again to come to Idaho with a colleague and former seatmate. I served with you on this committee, Senator McClure, and to expand just briefly on what Congressman Johnson had just stated, he and I have come to Idaho with such regularity that to the people in California, it would appear, we are the third or fourth Member of Congress from Idaho.

Senator McCLURE. We appreciate your help.

Mr. CLAUSEN. I have a couple of questions I hoped you could have answered when Senator Church was here.

I will state to the people of Idaho something I said to Senator Church last night and I will say to you. I think you people have an extraordinary delegation from Idaho. I think it can be said that the two Senators and your two House Members genuinely not only reflect,

but represent the broad spectrum of political philosophy. It is rather interesting, and I think very appropriate that these gentlemen are working with the people of Idaho in a united manner to advance a project that is very, very important.

I think that you are all to be commended for sending these kinds of people to Washington to represent you, because while you have been very gracious in commending us for coming here, I can state in all candor that these gentlemen, Senator McClure, Senator Church, Congressman Hansen and Congressman Symms are equally willing to come to our area when we have a problem. We will take their week-ends. So while you are very gracious to us, I want to reciprocate, Senator McClure, to the people of Idaho for sending these people to Congress to represent their State in the Congress.

There has been great emphasis made on the matter of the provision relating to the arbitration board. Now, calling upon your own experience, is this unique in legislative history?

Senator McCURE. It is unique for projects of this kind, but I think this whole proposal is rather unique. Some people have wondered if this were precedent setting. I think it rather unusual circumstances that confront us and the opportunity for time savings will probably not be duplicated in very many other specific situations. So I am not certain that we can look to this as a pattern for others. However, this is not an unusual means in legislative language for resolving technical disputes. I think arbitration language is found in several other Federal statutes.

Mr. CLAUSEN. If I gather, and I think I would like to leave your testimony on the record at this point, you are in total accord with the comments of Senator Church as it related to this provision as to the need for it and the urgency for it?

Senator McCURE. Absolutely.

And I might also indicate in response to the question the chairman asked of Senator Church as to whether or not the administration's feeling on this point would perhaps jeopardize the passage of the legislation, I think not. I think we can persuade them that the need for the provision is so great that it is justified in this instance and they will accept it.

Mr. CLAUSEN. Well, as most of the members of the committee and I am sure yours can recall, in areas that deal with agencies of the Federal Government there is one thing that has always been a concern to me. I am very much interested in this provision, because the one thing I have noticed, oftentimes, there are people that have an expertise that are down in the bowels of the bureaucracy that are never put in a position where they have to appear with or in front of a peer group evaluation team. Oftentimes, review is just postponed because time is on their side. I think peer groups reviewed would challenge their own abilities and make them more responsive. I am very concerned with this, and also in water pollution legislation. When we get into the very technical areas of nuclear energy, thermal pollution issues and all of these things, I think it is necessary not only to have the private sector but the public sector challenged and brought into position where their point of view has to be brought to some arbitration and hopefully some results.

You have stated this is a unique proposal and that it is possibly precedent setting. What sort of impact do you believe this might have on the entire program? I am talking now in terms of the water resources programs. What do you believe the impact will be? Certainly it will help your area, but what will be the situation as far as the balance of the Nation is concerned?

Senator McCLURE. I can best respond to that by again stating I think this is not necessarily the formula by which other projects are tested. I think it can only be helpful in terms of the overall mass program by relieving the budget. It has an urgency that would perhaps put it ahead of others that have been waiting longer that are fully justified.

I just might point out to those that may be hearing us this morning that we should thank the chairman for his leadership in calling the meeting recently held in Washington for people who are interested in reclamation projects. We are familiar with the attitudes that have been developing, assigning higher priority to programs other than reclamation. We are aware, too, of the National Water Commission's report that would drastically change the criteria for national priority selection that would very seriously hurt the water projects. I want to publicly as well as personally say thank you, Mr. Chairman, for that leadership.

We are at a point of critical reevaluation of national policies for a number of reasons. As a result reclamation projects, as we know so well, are very difficult to get through the budgetary processes in the executive as well as in Congress. I just don't think you can judge the future programs on the basis of where we have been. I think we are falling in the cracks right now and our urgency says we can't afford to sit down while the Nation debates its priorities over something like this.

Mr. CLAUSEN. I think the observations that we have made here this morning, and I asked some of the Bureau of Reclamation people as we rode down here to the motel for the purposes of this hearing what would this area be like if you had not had this reclamation project. I recall the response was we would see a lot of sagebrush. I asked next concerning the economy of Burley as an economic growth center, what percentage of the economy is related directly to the fact that the irrigation project went forward in 1927. They said it was 95 percent. Would you agree this is an accurate statement?

Senator McCLURE. I think it is low.

Mr. CLAUSEN. I guess this would lead me to the next question. In addition to sustaining the economy and the water resource requirements for irrigation and power do you expect there will be an opportunity to expand on agricultural production in order to provide the kind of relief that is desperately needed as far as our farm produce supply and so forth for the balance of the Nation? Will it have a significant increase as a result of this or remain about the same?

Senator McCLURE. Congressman, we have in our area, of course, a great deal of opportunity for expansion of production. It is interesting to note how rapidly press comments nationwide have changed on the subject of food supply. Less than 9 months ago the largest newspaper in our State was editorializing about the fact that there was a surplus of food production and that we ought not to be talking about bringing

more land into production. How rapidly that has changed as we ran into a marginal shortage worldwide of food and prices went up and housewives started screaming. Now they want more production and that is the touchstone of so many statements being made today.

We have a rather unique capacity to expand because we have the combination of available land and available water along with some willing hands and some people who are willing to take the risk of putting new land into production which, as you know, is a very risky thing for them. We can put millions of acres of land into production as it is economically feasible to do so. That will be a partnership of public and private risk taking. There will be also a partnership between the Federal and State governments in providing the public input into the expansion of agricultural production. We have a tremendous capacity to increase production if we are permitted to do so.

Mr. CLAUSEN. This will be my final point.

You serve on the Public Works Committee of the Senate, as do Congressman Johnson and I serve on the Public Works Committee of the House. We are in the process now of advancing the omnibus bill through the House dealing with the flood control, and navigation projects of the Nation. We are attempting in our committee report to focus attention on what we describe as a pending water crisis. Everyone talks about the energy crisis, but I am of the opinion that there is a water crisis in this Nation that has not been considered and addressed in the same way the energy crisis was not recognized a few years ago. Would you concur with this view?

Senator McCLURE. Absolutely. As a matter of fact, the Water Commission came into being as a result of a similar water crisis a number of years ago. After a long period of prolonged drought in the East and Northeast people back there got concerned about the water crisis and they talked about the water crisis approaching this Nation and they did something about it. That is the facts of life we deal with, until you get masses of people in the Eastern United States to understand the problem it is very difficult to get a policy formulated. This is the problem with the national report and also the budgetary process. That is why I made the suggestion a few moments ago how rapidly attitudes change when prices start going up and when it impacts on the urban center of our Nation it gets things moving.

We have been suffering an energy shortage in rural America because supplies have gone where the votes are and I think we have to take some action, but that is another subject.

Mr. CLAUSEN. Thank you very much.

Mr. JOHNSON. The gentleman from California, Mr. Ketchum.

Mr. KETCHUM. Thank you.

I want to comment on we might be considered to be the fifth and sixth representatives of Idaho. The way reapportionment is going in California one never knows.

I would like to address a question either to you, Mr. Chairman, or to Mr. Clausen as members of the Public Works Committee. Both Mr. Towell and myself were discussing this just a moment ago. If this amendment which appears on the last page of the gentleman's testimony were to be adopted, will we find ourselves possibly at odds with the Public Works Committee as we are now involved in the Land Use Policy Act?

Senator McCCLURE. I don't believe that amendment really changes policy in any way. It just is to define the entity in a way which makes it clear that it falls within the purview of existing statute. It does not change any existing law, so I don't believe there is any conflict as far as I am aware.

Mr. KETCHUM. I have no objection to the amendment. I just merely raise the question because I don't want to get tangled up between two committees.

Senator McCCLURE. There is a provision in the existing law within the jurisdiction of the Public Works Committee that established the Federal program for building roads on top of dams through the bridge construction funds, and that is the reference which is made here, to that existing statute.

Mr. KETCHUM. Thank you.

I have no further questions.

Mr. JOHNSON. The gentleman from Nevada, Mr. Towell.

Mr. TOWELL. I have one question I would like to ask the Senator. I have referred to the urgency of this project in getting it done, and in the testimony by the previous witness and yours we talked about when the project was started, 1927. What timeframe are we looking about in the future, for the record, what are we aiming for?

Senator McCCLURE. You mean on this particular project?

Mr. TOWELL. Yes.

Senator McCCLURE. The timelag on planning it is about 9 months. The construction framework that will minimize the hazard to the irrigators is triggered by a January 1 date. So we need to have the decision made so contracts can be let by March 1. If we go beyond that date then we lose another year. That is the kind of thing we are dealing with.

Mr. TOWELL. That was my main concern, so we could have that in the record and know the urgency and know what we are working toward.

Thank you very much.

Mr. JOHNSON. Mr. Casey, do you have any questions of the witness?

Mr. CASEY. No, thank you, Mr. Chairman.

Mr. JOHNSON. We want to thank you, Senator McClure, for appearing here as a former colleague from the Interior Committee on the House side. You were very, very helpful when you served there and we hope you will continue to be a reclamationist and water resource man in the Senate as time goes on.

Senator McCCLURE. Thank you, Mr. Chairman, you know me well enough—

Mr. JOHNSON. The latest recommendations in the National Water Commission's report and the Water Resources Council's statement of criteria as published in the Federal Register of September 10 make us wonder if we are ever going to have any Federal projects, as such, developed by the Corps of Engineers or the Bureau of Reclamation.

Senator McCCLURE. Mr. Chairman, they say it is an ill-wind that blows no good, and maybe the agricultural shortage of this year, the crop shortage, and the attendant price rises have so focused the attention on the need for production of food we can get a better look at the value of these water resource projects.

Mr. JOHNSON. I have always said I have never seen a bad one. Some are better than others, but without them we would be in a bad, bad fix.

Senator McCLURE. I agree.

Thank you, Mr. Chairman.

Mr. JOHNSON. Our next witness will be the local Congressman, the Honorable Orval Hansen, coauthor of the two House bills.

We are glad to have you here.

STATEMENT OF HON. ORVAL HANSEN, A U.S. CONGRESSMAN FROM THE STATE OF IDAHO

Mr. HANSEN. Thank you, Mr. Chairman.

I have a short prepared statement, if I may submit it for the record.

Mr. JOHNSON. It will be placed in the record as presented in full and you may summarize.

[Mr. Hansen's prepared statement follows:]

STATEMENT OF HON. ORVAL HANSEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF IDAHO

Mr. Chairman and members of the subcommittee, first, I want to extend to you a warm welcome to Idaho and to express my own sincere appreciation for scheduling these field hearings and a visit to the site of the American Falls Dam which this legislation authorizes to be replaced.

I also want to commend you, Mr. Chairman, and the other Members and staff of the Subcommittee for expediting the consideration of this legislation. It is evident that you recognize the importance of a prompt decision on the authorizing legislation so that steps can be taken to replace the Dam at the earliest possible date.

I am the principal sponsor, together with my colleague, Congressman Steve Symms, of H.R. 6782, which would authorize the Secretary of the Interior to enter into agreements with non-Federal agencies for the replacement of the American Falls Dam. As you know, a similar bill, S. 1529, cosponsored by Senators Church and McClure, has passed the Senate and is pending before the Subcommittee. Both bills are under consideration in these hearings.

I want to commend this Subcommittee for the policy it has followed in holding field hearings before approving legislation authorizing Reclamation projects. There is no substitute for seeing the project first-hand and for hearing the views of those who are most directly affected.

As you are aware, because of the weakened condition of the Dam, the storage level has been reduced to less than 65 percent of the reservoir capacity. This level will be further reduced as the Dam continues to deteriorate. Nearly 900,000 acres of productive agricultural land is dependent on water stored in the reservoir. The combination of reduced storage capacity and one or more water-short seasons could result in serious crop losses. This would obviously inflict severe economic injury on the farming industry in the area as well as the communities that depend on and serve the agricultural economy.

In addition to its effect on the local and State economy, the entire nation has a stake in the passage of this legislation. Because of the importance of expanding food production, to meet our need and for export, we cannot run the risk of the crop losses that could result if the construction of the replacement Dam is long delayed.

Another major consideration that lends a note of real urgency in acting on this legislation, as other witnesses will tell you, is the need to provide a safe and adequate road across the top of the Dam. The inadequacy of the present highway crossing has resulted in restrictions on the traffic. This means a serious inconvenience to the travelling public as well as an adverse impact on the economy of the area which is dependent on truck traffic on the highway across the dam.

The two bills before us in these hearings, H.R. 6782 and S. 1529, are the result of the cooperative efforts of all Members of Idaho's Congressional Delegation, water users, State and community leaders, representatives of the Idaho Power

Company and the Bureau of Reclamation and others. Among the most appealing features of these bills is that they provide for the construction of a replacement Dam without the outlay of any Federal funds. The cost would be paid out of revenues from the sale of the electric power that would be generated. The Dam could also be built in a shorter period of time than would be required if this were authorized as a Federally-financed Reclamation project. And, as I have noted, time is of the essence.

The legislation before the Subcommittee enjoys broad and strong support. Representatives of the water users, the State of Idaho, communities in the area directly affected and other organizations came to Washington earlier this year to testify in support of this legislation. To the best of my knowledge, there is no opposition. If there are any who are opposed, these hearings will provide an opportunity for their views to be heard and considered.

Mr. Chairman, I will conclude my remarks at this point in order that the time can be devoted to hearing other witnesses. Many have travelled long distances and can furnish the Subcommittee a great deal of information and expert knowledge that will be helpful to the Members in their consideration of this legislation.

I want to thank you again, for the prompt and continuing attention you have given to this legislation and for taking the time from busy demanding schedules to come to Idaho to conduct these hearings.

Mr. HANSEN. I will summarize very briefly.

I want first of all to express my own sincere appreciation for the committee taking the time to come to Idaho and see Idaho and listen to witnesses from Idaho. I am also very grateful for the expeditious handling of this bill which has almost set a record in the Congress in the way it has been treated by this subcommittee and by the Senate.

Let me touch for one moment on the three reasons that seem to me compelling for prompt action and favorable action on this legislation. Most have been touched on and will be by other witnesses, so that I won't dwell at any great length.

One that has not been mentioned so far, but I am sure will be, is the construction of this dam will also contribute to the alleviation of the energy crisis to which reference has been made. The new dam will produce about $2\frac{1}{2}$ times the electrical energy and will have about $3\frac{3}{4}$ times the installed capacity. So it will make a contribution in an area where we need some additional generating capacity.

Another reason that you will hear a great deal about which the Senators have made reference is the dangerous condition of the road across the dam. We can talk about it for a long time and reemphasize, but one ride across the top of that dam, which I assume we will have the opportunity to take this afternoon, will speak volumes as far as helping all of you get an understanding of what we are talking about.

Mr. CLAUSEN. I think we will take your word for it.

Mr. HANSEN. I don't think we can get off the hook that easy.

The third reason, obviously, and this is the one that is the most compelling, and that is the need not only in this area but in the country for the additional productive capacity and the assured productive capacity of one of the main agricultural areas of the State and of the Nation. Now, we flew over part of it this morning. We will see other parts of it later in the day. But this emphasizes the importance of agriculture and agricultural production to this area. It is the heart of the economy. But we are realizing more and more as Senator McClure, I think, eloquently pointed out—and the country is coming to recognize that the productive capacity of the American farms as an asset of great national value. And now we are beginning to see it as an important diplomatic and economic tool as we attempt to achieve our objectives.

within the world. So the farmer is coming into his own much more. It is important, therefore, that we take this step to help assure the continued production of our farms so that we will have enough food at stable prices within the country and we will have the additional capacity to develop the export markets that mean so much to this country.

I think it would be proper to acknowledge at this point and before this audience the contribution that this subcommittee has made. I expect you will never be thanked for it across the country, but the contribution this subcommittee has made over the years through its authorization of reclamation projects to the expansion of the production of American agriculture is enormous. I would also acknowledge my own personal appreciation and pride before this audience the leadership that the chairman of this subcommittee has contributed to drawing the attention of the administration. We may need a two by four yet, Mr. Chairman, but I felt that the initiative that you took in calling a meeting which I was privileged to attend of all the Members of the Senate and the House from Western States who know and understand reclamation was an important step in calling the attention of the administration in the country and of our colleagues in the Congress to the fact that reclamation is not over. Reclamation now offers one of the most promising means of tapping the enormous capacity we have in this country to increase production and at the same time enhance the environment and make this a better country to live in.

We are grateful for the effort and leadership that you have contributed to this important mission, Mr. Chairman.

With that, I will conclude my statement and be happy to respond to any questions.

Mr. JOHNSON. We want to thank you for the very fine summary of your written statement on the project, and then for your added remarks there concerning the need for further water resource development. We have tried every way possible to make a case. Somewhere along the line we have failed. We have not had too much in the way of recognition. We have, in my own area, two very fine large projects that are tied up for one reason or another, and in them there is a very large power potential. All we can get built there are the bridges.

You talked about your bridge going across the dam. We had to relocate the highways in the area. We got the bridges, but whether we will ever get a dam built or not and a powerhouse and reservoir created is something I could not say. The amount is about a billion dollars in the way of Federal expenditures. They are both very large multipurpose Federal projects.

When you talk about small amounts of money that are needed to make this modification or improvement on this facility here we can't even get that much on a building program that is under construction at the present time. It is hard to understand just where we are going. I have no objections to the proper improvement here, taking care of the water matters and safety of the dam and its operation, as well as the increased power generation facility that will be built. But we need everyone to help us bring back a little better picture as far as the Federal people are concerned. I think the Bureau of Reclamation and the Secretary of the Interior are pretty much in sympathy with our

position. But somewhere along the line, the proper priorities have not been established for financing. We hope to overcome this.

Thank you for your remarks.

The gentleman from California, Mr. Clausen.

Mr. CLAUSEN. Mr. Hansen, I am more than delighted to have you express to your friends in your own congressional district my personal admiration and respect for our chairman. I would add, as a Republican, and Mr. Johnson, being the chairman of the committee, a Democrat, I think if anyone has earned the title of "Mr. Irrigation and Reclamation" it is Mr. Johnson. I hope someday the Department will recognize him for this.

The thrust of your statement is certainly consistent in what I have observed, at least at this point. There is an opportunity to bring into production additional land to meet the other major crises that are evolving as a result of the changes we are going through. I would only agree with you to this extent, and possibly amplify on this.

Years ago at a 4-H club leadership conference out in California I made this observation, that if we could ever put together the aviation and agricultural genius of the United States that we very well may be able to beat the Soviets and our major ideological adversaries at their own game. I went on to say whoever controls the breadbasket of the world has the potential of directing and controlling the destiny of man. I think here is a living example of what we can do to enhance the economics and a tax base to meet the challenges and dangers of this nuclear Earth we are in. I would hope you would agree with this. I am sure you do.

Mr. HANSEN. I do.

Mr. JOHNSON. The gentleman from California, Mr. Ketchum.

Mr. KETCHUM. Thank you, Mr. Chairman.

I have no questions. I would like to congratulate the gentleman from Idaho for the vigor with which he has pursued this project, as I do all the gentleman from the State. When this team gets going it is kind of hard to stop them.

Mr. HANSEN. Thank you very much.

Mr. JOHNSON. Mr. Casey, any questions? I forgot Mr. Luken over there.

Mr. LUKEN. No, thank you, Mr. Chairman.

Mr. JOHNSON. Our next witness will be Hon. Steven Symms, Congressman from the State of Idaho and also coauthor of the new legislation.

Mr. Symms, we are glad to have you.

STATEMENT OF HON. STEVEN D. SYMMS, A U.S. REPRESENTATIVE FROM THE STATE OF IDAHO

Mr. SYMMS. Thank you, Mr. Chairman.

I would like to express my thanks to you and members of the committee for being out here. As you know, this is not in my congressional district, it is just up the river. We are all concerned about this and the portentous crop loss of \$100 million we could suffer in case we would have a short snowfall in one of the winters that lie ahead.

I think the time element is urgent and is an important aspect of the legislation we are interested in.

I think that Congressman Clausen touched upon the investment in the future, and it is well known in Idaho that I am a conservative philosophical politician, but I think our investment in our State in the Nation has been something sadly neglected in the matter of water resources. For this reason I think you will see so many of us from different sectors of the political spectrum supporting this project because we are getting an infusion of private capital coming in to solve this problem. If we have Bob McFarland and Steve Symms on the same side everything can't be bad about the project. So I think it is an opportunity here for a group of people in America to get together and solve their own problems.

What we are asking the committee for is permission to go ahead with this project. This would be the best way I could capsule it.

I will be very brief because you will have very many witnesses who will be able to tell you and you will be able to see the town.

Mr. Ketchum, they tell me they have a town named after you, so if you get voted out of California you can come to Ketchum.

Mr. KETCHUM. You might have something there.

Mr. SYMMS. I will be happy to answer questions at this time if there are any.

Mr. JOHNSON. We want to thank you for your summary here.

This committee and the Congress for the most part, since I have attended hearings in the past 15 years, has been very favorable to water resource development. I think the record of the Congress in authorizing projects for the Corps of Engineers, the Bureau of Reclamation, and the small watershed proposals has been very beneficial.

It has taken some broad economic support to put these projects through. It was necessary for the Federal Government to get into them because they are multipurpose projects. Without the help of the Federal Government and because of the long repayment period and complex organization they just could not have been put together.

Certainly I have no objections. We have many good examples in California where private enterprise, local governments, State and Federal Government have all participated in water resource development. As we see here today, without this development in place you people would not be where you are.

The gentleman from California, Mr. Clausen.

Mr. CLAUSEN. I have no statement.

Thank you for your supportive statements.

Mr. KETCHUM. No questions.

Mr. TOWELL. No questions.

Mr. CASEY. No questions.

Mr. LUKE. No questions.

Mr. JOHNSON. Thank you very much.

Mr. SYMMS. Thank you very much, Mr. Chairman.

Mr. JOHNSON. Our next witness will be the new Assistant Commissioner of Reclamation, E. F. Sullivan. He was out with us in California in region 2. Since that time he has gone on to Boise and now he is headed for Washington, D.C., and a big contract there.

Ed, I want to say to you I think you are a very fine person to become the Assistant Commissioner of Reclamation dealing with those big problems that happen in Washington, D.C. We need the strongest people we can find.

STATEMENT OF E. F. SULLIVAN, ASSISTANT COMMISSIONER,
BUREAU OF RECLAMATION

Mr. SULLIVAN. Thank you.

Mr. JOHNSON. Mr. Sullivan will give us a summary of the project in detail. You may proceed.

Mr. SULLIVAN. Thank you very much, Mr. Chairman and members of the committee and the Idaho delegation that is here.

I am pleased to be able to be here to represent the Bureau of Reclamation and the Interior Department and to appear in support of legislation to authorize the Secretary of the Interior to enter into agreements with non-Federal agencies for the replacement of the existing American Falls Dam.

The Department's letter of October 5, 1973, to the chairman of the Committee presents our views on the proposed legislation and recommends H.R. 6782 be enacted, with certain amendments; or in the alternative that S. 1529 be enacted if modified in certain respects. The Department has not completed its review of the plan specified in H.R. 6781 and cannot support its enactment at this time.

American Falls Dam on the Snake River in southeastern Idaho west of Pocatello was completed by the Bureau of Reclamation in 1927. The reservoir with a capacity of 1.7 million acre-feet contributes almost half of the usable storage on the main stem of the upper Snake River. Approximately 900,000 acres of land receive irrigation water from the reservoir.

American Falls Dam no longer meets Bureau of Reclamation safety standards. The dam has deteriorated structurally to the point where it must be replaced or extensively rehabilitated to assure continued operation and to permit storage to full reservoir capacity. The deterioration is due to a chemical reaction between alkalis in the cement and the aggregate. This process, known as "alkali-aggregate reaction," caused disintegration and cracking in the dam's concrete resulting in significant loss of strength and durability. The cause of this type of reaction was unknown at the time the dam was built in 1927. It has been necessary to carefully regulate storage in the reservoir to avoid harmful pressures on this thin upper portion of the structure.

For a number of years, winter storage has been restricted to 8 feet below the maximum reservoir water surface, elevation 4,346.5 feet in order to prevent ice pressures on the upper portion of the dam. Maximum storage is now restricted to 11.3 feet below full pool which reduces the reservoir capacity to 1,125,000 acre-feet or approximately 66 percent of maximum capacity. If the dam is not replaced in the near future, additional operating restrictions probably will be required.

In dry years, such restrictions would cause severe water shortages in much of the American Falls Reservoir service area. An estimated half million acres would be returned to a dry or very water-short status causing financial failure for many farm operators and severe economic hardship for others including those dependent upon a thriving agricultural economy.

Incidental to the deterioration of the dam is the deterioration of the existing two-lane State Highway 39 on American Falls Dam. The roadway is far below current safety standards and is structurally inadequate to carry present-day loads. Because of width restrictions,

numerous accidents have occurred on the bridge over the past several years. These conditions have resulted in the application of stringent traffic control procedures by the Idaho Department of Highways. The roadway should be replaced in connection with replacement of the dam. Current plans of the Idaho Department of Highways call for construction to begin in December 1973 on a two-lane bridge crossing just below the existing dam.

Thirty-five water user organizations now subscribe to the 1,700,000 acre-feet of space in the reservoir under contracts with the United States. Thirty-four of these subscribers are irrigation water users who hold 1,655,000 acre-feet of space. The Idaho Power Co., under a contract executed in 1923, has been utilizing 45,000 acre-feet of space for use in its powerplants located downstream from American Falls Dam.

On September 7, 1966, Congress passed Public Law 89-561 authorizing the Bureau to conduct a feasibility investigation on the replacement of the dam. The results of that study culminated in a special report entitled "American Falls Dam Replacement, Upper Snake River Project, Idaho-Wyoming," December 1972. That report discusses a plan for replacing the dam, developing related multipurpose features, and restoring the reservoir to its original capacity.

Subsequent to release of the Bureau special report, the reservoir spaceholders and the Idaho Power Co. proposed a plan to replace the existing American Falls Dam, largely through non-Federal financing. We understand the spaceholders' plan includes the following general approach: If S. 1529 is enacted, the spaceholders would obtain by legislation the right to replace the dam and to enter into a contract for the lease of falling water for power for a 50-year period, with the right for renewal. The spaceholders would obtain financing for the new dam by the sale of bonds and would assist Idaho Power Co. in obtaining a Federal Power Commission license for construction of a powerplant at the dam. The Idaho Power Co. would contribute not to exceed \$19 million toward the cost of the dam. Except for the costs (approximately 2.8 percent) allocated to reservoir storage to serve the Fort Hall Indian Tribe, the remaining spaceholders would pay any additional cost over the \$19 million. The dam and the powerplant would be constructed by the Idaho Power Co.

If the existing dam is replaced, the reservoir would continue to be operated in coordination with the other reservoirs of the upper Snake River system.

Mr. Chairman, that completes my statement. I think I have covered the main points, but I will be prepared to answer any questions.

Mr. JOHNSON. We want to thank you, Mr. Commissioner, for appearing here and giving us the report of the Department of Interior concerning this project.

I would like to have you give us an evaluation of the amendments referred to in the departmental report and which now appear in the Senate bill. What is the position of the Commissioner of the Bureau of Reclamation?

Mr. SULLIVAN. I think our view on this would be that it is really not appropriate or necessary to have the arbitration board that has been proposed. I think it is not appropriate to have one because as has been mentioned, the dam will be owned and maintained and operated by the Federal Government, and therefore approval should not be sub-

ject to the determination of an arbitration board which in a sense would be a third party determination.

I think probably it is not necessary to have this, because we believe an agreement can be reached expeditiously on the plans for the dam.

As we see it, the engineers representing the spaceholders are professionals, and we would view them as that. In the Bureau of Reclamation we consider ourselves to be professionals, and I believe professional people on a matter like this can get together.

It is true, of course, that there can on occasions be a difference of opinion, even among professionals, but as long as we approach the problem mutually with a desire to solve it, and I can assure you from the standpoint of the Bureau of Reclamation we want to, I think it can be worked out.

Let me outline what I think the procedure will be here and then you can evaluate for yourselves what will be involved.

I think it is quite clear that the discussion of the approval of the plans would go on and would occur between the engineers representing the spaceholders and the engineers representing the Bureau of Reclamation, and I think there is a very high degree of probability that agreement would be reached expeditiously in that manner. If it were not, for some reason, the next step would be, of course, to refer the matter to the Secretary of the Interior, because from the standpoint of the Federal Government, the decision would be up to the Secretary of the Interior.

Now, the proposal to have a board of arbitration would in effect add a third step to the process, and I think the thing to do, then, is for each person to speculate on whether this would move effectively and more expeditiously with a two-step process or a three-step process.

Mr. JOHNSON. What financial obligations does the Government have in this particular project if it were authorized as called for in S. 1529.

Mr. SULLIVAN. As I recall it, in S. 1529 there are four different items. One, there would be money authorized for construction of recreation, fish and wildlife enhancement facilities. The figure is \$400,000.

Another thing in the bill is that the activities of the Federal Government in reviewing the plans in S. 1529 be on a nonreimbursable basis. That would be if the bill is passed in that way. The Department has stated that it feels that this should be on a reimbursable basis.

The third item is the share of the cost of the dam on behalf of the Indian reservation and the fourth is the continuing operation and maintenance expense which is already being borne—initially by the Federal Government but repaid by the water users so the effect is handled by the spaceholders.

Mr. JOHNSON. Could you give us a general comment on the road as the Bureau of Reclamation and Secretary of Interior see it?

Mr. SULLIVAN. We believe the proposals made in the bill are satisfactory in terms of financing. This would be handled by the local people and the State highway and Federal funds other than those by the Bureau of Reclamation. We do believe that road replacement is essential and we think the plans for that can be worked out.

Mr. JOHNSON. The gentleman from California, Mr. Clausen.

Mr. CLAUSEN. Just a couple of brief questions.

In your testimony you made reference to the fact that a dam had deteriorated structurally, and you go on to suggest it ought to be re-

placed or intensively rehabilitated. Now, it appears, though, there is a common position that it should be replaced rather than rehabilitated, taking into consideration the money factor. Is it possible for it to be rehabilitated? I think it might be helpful to have this sort of thing on the record, and in short, will we get the job done and what will be the costs as you give them?

Mr. SULLIVAN. The Bureau of Reclamation made several studies years ago on the alternative of rehabilitation and replacement. We found the costs were almost the same on the two methods. But continued assurance for a long period of time was much greater with a replacement plan, and therefore we concluded that a replacement approach should be used rather than rehabilitation.

Mr. CLAUSEN. I think that is very helpful to have that specific point on the record.

Finally, have you had an opportunity to evaluate the environmental statement provided by the Department of the Interior? Of course, this was the Bureau of Reclamation and you probably had something to do with the preparation of it. Are you really satisfied that the job has been done so that once this project does go forward it will not be subject to further litigation and again delays in the courts such as Mr. Johnson has referred to. In California there are a couple of projects that he has been principally responsible for advancing where you get the project authorized, funds appropriated, and then the first thing you know you are in court based upon some environmental consideration that was, in the view of the environmental organization, not adequately considered. Are you sure the environmental statement will address itself to the fact that there will not be an adverse environmental impact?

Mr. SULLIVAN. The statement furnished to the committee is one we prepared in connection with the legislative report several months ago. It was based on the best data we had available as to the plans for the project. However, at that time we did not have all the details of the project. In fact, some of them are still being developed.

I believe it is our view it will be necessary to modify that statement further before it meets the requirements of the Environmental Protection Act.

Mr. CLAUSEN. I realize this is just a draft and has apparently not been finalized, but I think it is important for us to realize in this day and age that we are going to have to have the economic benefits, and also be solid on the balance of the economics and environmental protection.

Mr. SULLIVAN. There are some environmental impacts from the project and the matter of taking care of those is still under discussion by the various agencies as the plans are finalized.

Mr. CLAUSEN. So, in other words, you do not believe there will be any problems?

Mr. SULLIVAN. I believe they can be worked out, but it will take some more effort.

Mr. JOHNSON. The gentleman from California, Mr. Ketchum.

Mr. KETCHUM. Thank you.

Commissioner, I wanted to get back to this arbitration thing. You mentioned a two- or three-step operation. I am looking at the amendment as it was placed in the Senate bill, and it said "preliminary

design plans shall be submitted to the Secretary by the constructing agency and the Secretary shall approve such plans," et cetera. Where does the third step come in if we indeed went to arbitration?

Mr. SULLIVAN. I suppose maybe I interpolated the three steps. There would be only the two steps if you read the words of the bill itself. Procedurally within our organization discussions would go on between the Bureau of Reclamation and the spaceholders. But the actual responsibility is with the Secretary of the Interior.

Based on my experience I would say we would have a two-step process before it got to arbitration. This is not a major point, but I wanted to lay it out procedurally as I saw it.

Mr. KETCHUM. One other question for curiosity more than anything else.

I am looking at the plan for the dam in the environmental statement. Are we proposing building another powerplant so there will be two powerplants? Will the old powerplant still remain?

Mr. SULLIVAN. The construction of the powerplant will be, of course, be the responsibility of the power company, but it is my understanding they will abandon the present powerplant and have a new one.

Mr. KETCHUM. Will this result in any new power over and above what they are now generating?

Mr. SULLIVAN. It will definitely be more because the capacity of the plant will be larger, and using the entire head of the reservoir instead of just below the dam, as now, so they will have the ability to put more water through and have a higher head.

Mr. JOHNSON. The gentleman from Nevada, Mr. Towell.

Mr. TOWELL. It is obvious today the reservoir is not holding full capacity, operating somewhere around 65 percent.

How many years ago did the cutback in full capacity occur? Was the dam ever used at full capacity?

Mr. SULLIVAN. Oh, yes, for many years. I believe it was 6 or 8 years ago we put a winter restriction on it because of the danger of ice loads. The limit of one-third that you just referred to occurred about a year ago. This past year was the first year we had that restriction.

Mr. TOWELL. Is that due to further deterioration or due to further study and maybe new safety factors?

Mr. SULLIVAN. We had evidence of further deterioration. We had been observing water pressure inside the concrete structure over a period of years, and about a year and a half ago we observed an increase of pressures occurring as a result of further deterioration. It was that event that led to the imposition of the restrictions that are now on.

Mr. TOWELL. And we have all been concerned, and I am sure you are, about the time factor involved in this project. I see in your testimony that the Congress in 1966 passed Public Law 89-561, authorizing the Bureau to conduct an investigation. For one reason or another that took 6 years to conduct that investigation. I for one certainly hope we can proceed a little faster than that. With this hearing I am sure we will, and I hope the Bureau will proceed at a little quicker pace than that.

Is there any reason for that delay and that timelag in that study?

Mr. SULLIVAN. I guess the pressure was not so great at that time while we had a restriction during the wintertime. The impact on water supply was not so great. It was when the further restrictions were added just a year ago it became evident that further action had to be taken. I certainly agree with you that things should move more expeditiously than the timeframe you mentioned there, and we in the Bureau are dedicated to that objective, also.

Mr. TOWELL. That is nice to have that on the record, too.

Mr. JOHNSON. Mr. Casey, do you have a question of your witness?

Mr. CASEY. I have a technical question relating to the fish and wildlife enhancement recreation. The bill does contemplate conventional cost-sharing arrangements?

Mr. SULLIVAN. Yes; it does.

Mr. CASEY. Do you have a non-Federal public entity in mind to assume that obligation?

Mr. SULLIVAN. In the development of the Federal plan there were discussions held with several different local entities, and they indicated they would be willing to participate on a conventional basis. So the proposal contemplates that and involves two or three different agencies.

Mr. CASEY. On the Federal dam the cost-sharing agreement is a prerequisite to the start of construction on the project? I assume in this case it would be a prerequisite to the fish and wildlife facilities, and failing to get it, that all that would happen is you would not build the fish and wildlife and recreation facilities?

Mr. SULLIVAN. Yes.

We want to thank you, Mr. Sullivan, for giving us the benefit of your testimony. There is just one matter of concern.

If the matter of the arbitration language is to remain in the bill and the Bureau of Reclamation and Department of the Interior would take a stand against it, would that position of the Interior Department jeopardize the President's signature?

Mr. SULLIVAN. You are asking me to speculate on something that is very difficult for me to know how to answer.

Mr. JOHNSON. I am merely wanting to know if it is going to be a point of disagreement as far as the Congress and the Department is concerned. I presume they would recommend against the legislation.

Mr. SULLIVAN. I am not sure whether the feeling is so strong that we would recommend against approval of the bill. I think maybe the urgency of the project is such that it might be able to go ahead. We have expressed our view as to what we think should be in the bill.

Mr. JOHNSON. Very good. We will have to face that when the time comes.

No further questions.

We thank you, Mr. Sullivan.

I understand you are going to have to leave us, too.

Mr. SULLIVAN. Not until tomorrow morning.

Mr. JOHNSON. Fine.

Our next witness will be the Honorable Cecil D. Andrus, Governor of the great State of Idaho, who is a very familiar with all its problems and this one is no exception.

STATEMENT OF HON. CECIL D. ANDRUS, GOVERNOR OF THE STATE OF IDAHO

Mr. ANDRUS. That is correct, Mr. Chairman.

Senator McCLURE. I would like to add my note of appreciation to you and the chairman, for being here this morning and giving the citizens of Idaho the opportunity to testify before you without having the time consuming necessity of going to Washington to have their views known.

I, too, have a time problem today, Mr. Chairman. Long before this commitment was set up I had a commitment at the University of Idaho which I must attend. I hope you excuse me that I must depart. Keith Higginson, who is the director of Water Administration and my appointee, my personal representative, will be with you the balance of the time you are here, and if he can be of assistance to you and the members I hope you will call upon him.

Mr. JOHNSON. We understand the demands upon the Governor, and we put this together rather hurriedly, figuring out a time when most people would not be going to another hearing.

Mr. ANDRUS. When they contacted me, Mr. Chairman, I was quick to say you get them here and I will be there.

Mr. JOHNSON. Your statement will appear in the record in full and if you would like to summarize it it is up to you.

Mr. ANDRUS. Thank you, sir.

[The prepared statement of Governor Andrus follows:]

STATEMENT OF HON. CECIL D. ANDRUS, GOVERNOR, STATE OF IDAHO

Seldom can a Governor support a project with as much enthusiasm. The replacement of the American Falls Dam and River Crossing is as necessary today as it was at the Senate Committee Hearings earlier this year. Only our sense of urgency has changed. For, we know in fact what we feared in the spring. Idaho has experienced an unusually dry year.

Traditionally, reclamation dams have been able to carry forward a reserve of water to maintain stability in a low water cycle; but this year, reserves were tapped more substantially than ever before. Should we experience another dry year, the cumulative effect could reduce Idaho's agricultural bread basket to agricultural desolation.

Although we seek Congressional approval to rebuild a major dam on the Snake River, we do not ask for millions of federal tax dollars to do for Idaho what Idahoans can and will do for themselves. Rather, we ask for Congressional endorsement, through S.B. 1529 as amended by the Senate, which will allow spaceholders and private industry to rebuild the failing structure themselves.

I can speak for all of Idaho in saying that the replacement of the American Falls Dam and River Crossing is more than a regional or sectional priority. It is an Idaho necessity.

The impact from American Falls is statewide because the structure is an integral part of vital irrigation and transportation systems which are closely tied to the stability of Idaho's overall economy.

Agriculture is Idaho's number one industry. Each of the Snake River projects is necessary for maintaining the strength of the agricultural community.

I can vigorously support S.B. 1529 and the amendment for bridge funding before you today because it offers the speediest and most reasonable method for replacement of the structure.

I believe it important that you clearly understand the relationship of this project to other proposals which might be pending in Congress. What we seek is a replacement for a weakened structure which now holds only a portion of the water it once held. What we seek is a facility to provide irrigation water to existing farmlands, not a new development. What we seek is the continuation of crops, livelihoods and homes for thousands of people who are victims of an untimely chemical reaction in the concrete of the American Falls Dam.

The replacement project has received widespread support in Idaho. Even traditional adversaries have joined together for the undertaking.

Aside from the economic dependence on early replacement of the dam, the safety of the structure itself must be assessed by this committee.

The reduced holding capacity of the reservoir points to the concern of the Bureau of Reclamation in this regard.

Attached to my testimony is the written testimony of five state agencies: Fish and Game, Highways, Water Administration, Water Resource Board and Parks and Recreation. All support the earliest possible replacement of the dam and river crossing. I ask that their testimony be included in the hearing record.

In summary, I am here today as the Governor of a state where thousands of small family farms and family businesses are dependent on an adequate supply of irrigation water. On their behalf, I respectfully request your favorable reaction to our proposal for the earliest possible replacement of the American Falls Dam and River Crossing.

Thank you.

CECIL D. ANDRUS,
Governor of Idaho.

STATEMENT OF JOSEPH C. GREENLEY, DIRECTOR, IDAHO FISH AND GAME
DEPARTMENT

The Idaho Fish and Game Department recognizes and appreciates the need for the replacement of the American Falls Dam due to its deteriorated condition.

The American Falls Dam and Reservoir, though initially destroying some fisheries and wildlife habitat, has subsequently resulted in a substantial increase in upland game and migratory waterfowl habitat in Idaho. The dam created a unique but highly productive fishery in the forebay and replaced a stream fishery with a reservoir fishery in the afterbay. There may be some question as to whether the latter trade off in the type of fishery was a gain or a loss; however, it is our opinion that the wildlife benefits resulting have outweighed its losses. We believe that this is the way it should be and pledge our support to any project using the water resources of this State that assures a benefit to the wildlife resources of the State.

The relocation of the American Falls Dam will substantially reduce the forebay fishery as it presently exists. This unique fishery cannot be replaced in kind under the present project plans. Several mitigation alternatives are being considered by the parties involved and, hopefully, adequate measures can be incorporated into the project so that the fish and wildlife benefits will not be lessened.

STATEMENT OF IDAHO DEPARTMENT OF PARKS AND RECREATION

We appreciate the opportunity of expressing our support for replacement, at the earliest possible date, of the existing American Falls Dam.

Our interest, of course, is in the recreational values provided by the reservoir. Considering the large size of the reservoir and its proximity to several Idaho population centers and Inter-State Highway 15, the potential for water-based recreation use is substantial. The potential has never been realized because funds have been lacking to develop the rather elaborate and expensive facilities required for full season utilization on a reservoir with a significant irrigation draw-down.

The recently imposed restriction on capacity of the reservoir has substantially decreased the aesthetic and recreational values of the area. Unsightly stretches of shoreline surround the reservoir the entire year, and access to the water for all water activities has been made more difficult. The two existing public boat ramps are in poor condition and will be rendered unusable earlier in the season than previously because of the reduction in capacity of the reservoir.

Our major concern at this time, however, centers on two proposals to, finally, develop outstanding and badly needed recreation facilities on the shores of the reservoir. The proposed projects have been approved for funding from the Land and Water Conservation Fund by the Idaho Park and Recreation Board. The total combined cost of the two projects, which are scheduled for completion by 1976, exceeds \$60,000. The water-related portions of the projects are designed

so as to permit use nearly the entire summer season even during low water years. The current reservoir capacity restriction will reduce the period of use of these two recreation areas. We are very much in favor of an early replacement of the American Falls Dam in order that maximum use of the existing and proposed recreation facilities can be realized.

We feel that the proposal for replacement of the dam by non-federal agencies has considerable merit, and since it appears to present an opportunity for construction of the dam at an earlier date than other alternatives, we strongly endorse it.

STATE OF IDAHO,
DEPARTMENT OF WATER ADMINISTRATION,
Boise, October 3, 1973.

HON. CECIL D. ANDRUS,
Governor, State of Idaho,
State Capitol, Boise, Idaho.

DEAR GOVERNOR: Because of our responsibility for the safety of all dams and reservoirs in Idaho, we are greatly interested in the present condition and possible early replacement of American Falls Dam.

The technical information gathered by the U.S. Bureau of Reclamation in their study of this dam over the past several years has been furnished this office for our review and information. We concur in the conclusions of the Bureau and its consultants, that the dam is in advanced stages of alkali-aggregate reaction. This has greatly weakened the internal integrity of the structure and gives us cause to believe that a failure of the structure is possible, particularly at high storage levels or during periods when ice is present on the reservoir. We therefore favor any steps that can be taken to replace this structure at an early date.

As you well know, the water stored in this reservoir serves a large portion of Southern Idaho and loss of the storage capacity because of the restriction necessary due to the dam's condition would have a serious impact on the economy of Southern Idaho in a dry water year.

I would be pleased to have you convey my concern to Representative Harold T. "Buzz" Johnson and to urge his Committee to take the earliest possible favorable action on Senate Bill Nos. 1528 and 1529, so that the water users have the alternative of replacing the structure with private funding or through the program of the U.S. Bureau of Reclamation.

Very truly yours,

R. KEITH HIGGINSON, *Director.*

STATE OF IDAHO,
IDAHO WATER RESOURCE BOARD,
Boise, October 1, 1973.

HON. CECIL D. ANDRUS,
Governor State of Idaho,
Statehouse,
Boise, Idaho.

DEAR GOVERNOR ANDRUS: As you are aware, the Idaho Water Resource Board has continually supported the early replacement of American Falls Dam. The Board adopted a resolution to that effect on November 29, 1972, and again expressed its support through your combined statement to the Senate Subcommittee on Water and Power Resources at their hearing on May 10, 1973.

We would appreciate your inclusion of a statement expressing our support for early replacement of the dam when you appear before the House Committee on October 6.

The economic, social, and environmental consequences of continued restrictions on reservoir operations could assume disaster proportions during a series below normal water years. Such conditions could affect over a quarter of the irrigated lands within the state. Since the replacement project will for all practical purposes maintain the status quo, we feel that there will be no significant detrimental effects. Instead the project has presented an issue where all of the concerned citizens are working closely together to solve a common problem using their own resources.

If we can be of assistance, please feel free to contact us.

Sincerely,

C. STEPHEN ALLRED, *Director.*

STATEMENT OF IDAHO BOARD OF HIGHWAY DIRECTORS

The Idaho Board of Highway Directors and the Idaho Department of Highways recognize the economic necessity of improved public highway service across the Snake River during replacement construction of American Falls Dam and after completion.

State Highway 39

Idaho State Highway 39 now crosses the Snake River on American Falls Dam at the City of American Falls, county seat of Power County, Idaho. Northern terminus of State Highway 39 is at Blackfoot, Idaho, the Bingham County Seat. The route is 55 miles long and interconnects Interstate Highway 15W at American Falls with Interstate Highway 15 at Blackfoot. A rural principal collector route, it also ties into an extensive network of local roads serving farms, ranches, an agricultural experiment station, and a vast recreation area. Land use in the locale is essentially irrigated crop and grazing lands. In the last decade, State Highway 39 has been extensively improved for almost its entire length to serve mounting traffic volumes.

The Department and the Federal Highway Administrator certified to the U.S. Bureau of Reclamation in February, 1972, regarding the need for replacing the Idaho State Highway 39 bridge on American Falls Dam across the Snake River in Power County, Idaho.

The State of Idaho is now proposing: (1) construction first of a two-lane crossing downstream from the existing dam—to be funded by the State and the reservoir spaceholders on a 50-50 basis—with the approach roadways "benched" into the earthfill embankment portion of the proposed dam; and (2) a second two-lane crossing atop the new dam when it is built. Upon completion, the second crossing would carry westbound traffic and the first crossing would revert to one-way operation eastbound. Early completion of the initial crossing would result in lower cost for dam replacement because the present roadway could then be closed to traffic during construction. Further, it is my understanding that approximately \$900,000 in "Bridge Across Federal Dam" funds are available to help finance the second crossing across the masonry portion of the dam. Any Federal funds which might be available for the crossing on top of the replacement dam would be matched equally by the State and spaceholders.

Design of Phase 1 for the construction of the American Falls Bridge Replacement is essentially complete. Phase 1, the construction of Bridge Piers and Cofferdam is scheduled to begin the latter part of November or first part of December when water flows are at a minimum.

An Agreement between the State Highway Department and the U.S. Bureau of Reclamation covering rights of way, regulation of flows and sequence of construction, etc., is required. The local regional office of the Bureau is urged to issue a permit to construct Phase 1 as soon as possible. Such action would eliminate much red tape and expedite bridge replacement. Cooperation of the State Fish and Game Department, State Department of Water Administration and the U.S. Fish and Wildlife Service is also essential.

Heavy traffic, including many trucks hauling farm produce, has created hazardous conditions since the existing two lane crossing (18-21 feet wide) is far below acceptable standards for safety. Since December, 1972, the highway crossing has been restricted to alternating one-way traffic, controlled by signals and "short arm" gates. The gates were hit repeatedly, thereby requiring their removal.

In spite of the above highway deficiencies, the expediency for construction of the bridge replacement appears insignificant to the primary concern.

Lands served from the American Falls Reservoir make up one of the most productive irrigated areas in Idaho. The approximately 900,000 acres of land served represent about one-half of the acreage irrigated from surface water supplies in the entire upper Snake River Basin. The reservoir is currently restricted to 66% of capacity (1.125 million acre-feet).

Unless the dam is replaced as quickly as possible, its weakened condition could result in further reduction of reservoir capacity. A dry year would cause serious water shortages. An estimated half-million acres would be returned to a dry or very water-short basis causing financial failure for hundreds of farm operations and economic hardship for others.

Recognizing that replacement of the Dam requires a temporary river crossing, the Department of Highways is cooperating with the spaceholder to save as much

of the critical time as possible. If the construction schedule proposed cannot be met, another, and perhaps a most critical year, could be lost.

It is extremely important that the new dam be built as expeditiously as possible. The impounded reservoir waters provide the life support system for almost a million acres of irrigated land. It is equally essential that the highway portion be funded adequately so that transportation of farm products, processed foods, and employees can be accomplished.

Respectfully submitted,

V. N. RICHARDSON, P.E.,
State Highway Engineer.

Attachment.



Mr. ANDRUS. I think I shall summarize some of it, although it is not that lengthy.

Seldom can a Governor of any State support a project as enthusiastically as I can support this project today. The replacement of the American Falls Dam and the river crossing is as necessary as it was when we traveled to Washington earlier this year. The only change is the sense of urgency.

It has been brought up—Mr. Towell from Nevada spoke to this point, and I would like to make further summary of this in that regard, that we at the State level are hoping, as Mr. Sullivan pointed out, to start our proceedings with a portion of the river crossing in December. Congressmen, we just simply can't wait.

Traditionally reclamation dams have been able to carry some water over from one year to another. We had the restriction last year for the first time.

You flew over it. I think you saw very vividly the problems we face. The sense of urgency has been increased because this year we have had a dry year. If we have another year next year with the carry-over in reduced capacity we have very serious problems.

Mr. Clausen's question pertained to who will this project serve, and Senator McClure responded to it. I am confident he answered it fully, but just so there will be no misunderstanding on anyone's part, this water storage in American Falls is not for new development or new land coming in. It is for existing land that has been under crop for many, many years. We are not asking you to put any funds into projects so we can develop new land that might be in competition to those of you that travel here from other States.

We do not ask for millions of Federal tax dollars to do for Idaho what Idahoans can and will do for themselves. Rather, we ask of you gentlemen to give us, the people of the State of Idaho, the spaceholders, and the private industry the permission to rebuild the structure ourselves. I do speak for all the people in the State of Idaho in saying that the reconstruction of the Idaho River crossing is not a regional or sectional type need. It is for the entire State of Idaho, because as it has been pointed out, this river flows through our entire State and the water is not only used there but it is used over and over again as it goes through.

Agriculture is our No. 1 industry, and each of these projects throughout the Snake River and then through the Columbia River network are tied together.

I vigorously support S. 1529 and the amendment for the bridge fund that is before you today because it offers, I believe, the speediest solution to our dilemma.

It is important you understand the relationship of this proposal to other legislation that might be pending in Congress. We seek replacement of a weakened structure that holds only a portion of the water it used to hold so to provide existing irrigation to farmlands, not new development. What we seek is a replacement for a weakened structure which now holds only a portion of the water it once held. What we seek is a facility to provide irrigation water to existing farmlands, not a new development. What we seek is the continuation of crops, livelihoods, and homes for thousands of people who are victims of an untimely chemical reaction in the concrete of the American Falls Dam.

This project has received widespread support from all groups. It has been pointed out here that diverse political factions exist in my

State and your individual States. But, if you will take the time, I will make available to you from the Senate hearings, written testimony on S. 1529 from environmental groups in this State supporting this project. I have in my possession, which I will return to you, the original testimony from the Idaho Fish and Game Department supporting the construction of this dam as soon as possible. Also, from the highway department, the department of water administration, water resource board and the parks and recreation departments of this State.

I submit to you gentlemen that the State of Idaho is indeed together in the need for expeditiously redoing this structure.

I think in summary I would say that I am here today as Governor of the State for thousands of small family farms and family businesses which are dependent upon an adequate water supply for irrigation. On their behalf, I respectfully request that you do in fact give us the necessary relief that we need in order to do it ourselves.

That is the end of the statement. I think I could sum up, Mr. Chairman, by saying, as has been asked in several questions here this morning, yes, there is not a person seated in this room behind me that if they could have it done immediately, would not like to see Uncle Sam come in and pay the bill. But we are practical people out here. We need that dam, and the fastest way to do it is for us to do it ourselves, and we are willing to do it. We just hope to God you give us the capability of doing it.

Mr. Chairman, I will respond to any questions you might have.

Mr. JOHNSON. Thank you, Mr. Governor.

It seems you have lined up everybody in the State of Idaho. You have done your homework well. We hope there is nothing that creeps into this that might disturb your timetable as it has in other types of projects in other States.

We are quite familiar with some of those delays. It hurts us as bad as this one hurts you here.

Your full statement will appear in the record, and your statements from other organizations will also be made a part of the record.

You stated you have to leave. Is there anyone who has to go with you who is a witness?

Mr. ANDRUS. I think Mr. Bob Hogg of the Idaho Power Co. had desired to go so he can make an airline connection. If I would not be presumptuous, I would certainly appreciate him having the opportunity to testify.

Mr. JOHNSON. Well, maybe we had better put him on, since this has run a little longer than we thought it would up to now.

The gentleman from California, Mr. Clausen.

Mr. CLAUSEN. I certainly appreciate your statement.

I just wanted to add in reading the Idaho Fish and Game Department statement on the American Falls replacement signed by Mr. Greenley, October 3, 1973, he does corroborate what you said, the American Falls Dam Reservoir, though initially destroying some fish and wildlife, has resulted in increases in upland game and migratory water fowl in Idaho. It goes on to say, it is our opinion that the wildlife resulting have outweighed its losses.

I think this is a very significant point that I want in the record following your statement.

Mr. ANDRUS. Thank you very much, Mr. Clausen.

Mr. KETCHUM. Mr. Chairman, I would just like to congratulate the Governor on his statement and recall attention to the third paragraph of his statement, which I think is the most powerful statement by any official that I have ever heard before a committee of the Congress or during my days in the California Legislature. Coming as we do from Congress, that is a most refreshing statement, that Idahoans want to do something for themselves rather than depend on the Federal Government to get it done for them. I congratulate you on the statement, and the State of Idaho.

Mr. ANDRUS. Thank you, Mr. Ketchum.

If you will permit me a little bit of levity, if you will just get out of our way and let us do it, we will get it done.

Mr. KETCHUM. Believe me, there are those in Congress who are wholeheartedly in favor of that in the State of California.

Mr. JOHNSON. Mr. Towell.

Mr. TOWELL. One quick question. Of the acreage being irrigated from the American Falls Dam, have you had any water actually cut off in this past year? Did you have a loss of acreage?

Mr. ANDRUS. I could refer that to Ted Diehl and a lot of water managers from irrigation districts here, but I say we got through, to my knowledge, this year all right. We were bothered some and worried at times, but we made it. I asked you to look at the reservoirs that exist today and think about next year.

Mr. TOWELL. I understand that, we have to look ahead. I just want to know what has happened to date.

Mr. ANDRUS. No, we have had a very successful agricultural crop year in the great State of Idaho. The reason we did is because we did have sufficient water to get us by. But that reservoir and others, Arrowrock, Anderson Ranch Dam, and others, don't have any carryover that we would like to see for next year.

Mr. TOWELL. I fully understand the problem you are looking for.

Mr. ANDRUS. A direct answer, Congressman, to your question would be no, we got through this year fine.

Mr. TOWELL. Mr. Chairman, no further questions.

Mr. JOHNSON. Mr. Casey? Mr. Luken?

Thank you, Governor Andrus, for your appearance here.

Mr. ANDRUS. Thank you. The original copies of the attached statements are with Mr. Luken.

Mr. JOHNSON. Yes.

Our next witness, then, will be Mr. Bob Hogg, representative from the Idaho Power Co.

STATEMENT OF ROBERT A. HOGG, PROFESSIONAL CIVIL ENGINEER, IDAHO POWER CO.

Mr. HOGG. Mr. Chairman, I was vice president of the Idaho Power Co., until I retired in 1972. I have a six-page prepared statement along with an attachment which I would like to appear in the record.

Mr. JOHNSON. Your statement and attachment will appear in the record as presented in full. You may summarize your statement, and we will ask questions.

Mr. HOGG. Thank you, sir, I will be happy to do that.

[Mr. Hogg's prepared statement follows:]

STATEMENT OF IDAHO POWER CO., SUBMITTED BY ROBERT A. HOGG

My name is Robert A. Hogg, Boise, Idaho, a registered Professional Civil Engineer. I was Vice President of Idaho Power Company at the time of my retirement at the end of 1972. Prior to my retirement, it was my responsibility to develop the Idaho Power Company's proposal to assist the American Falls Spaceholders to finance the replacement dam at American Falls. I have been retained in a consulting capacity for the Company in the following through the implementation of the proposal.

American Falls Dam must be replaced at the earliest possible date to insure the safety of the Dam and to restore the reservoir operation to provide the irrigators with the full reservoir capacity of 1,700,000 acre-feet of water.

On January 6, 1973, the Spaceholders adopted a resolution requesting the Idaho Power Company to evaluate the extent to which the Company might be willing to be involved in assisting to finance the American Falls replacement dam. A copy of the proposal submitted to the Executive Committee of the Spaceholders, February 27, 1973, is attached hereto.

While the Company is a spaceholder in the American Falls reservoir, its primary concern in the immediate replacement of American Falls Dam is that the future economic stability of a major segment of Idaho's agriculture and business communities serving this area in southern Idaho is in jeopardy. This area includes some 900,000 acres of land dependent on the American Falls stored water to finish the yearly crops. The crops are severely exposed to reduced production as long as the American Falls storage limitation is in effect.

The Idaho Power Company is a hydroelectric generating system and is keenly aware of factors which affect water conditions, including storage of water. Furthermore, Idaho Power Company's peak load is established by irrigation pumping, which also is dependent upon water conditions. The water conditions have opposite effects on the system, since with low water conditions the generation is low; however, at the same time, the electric load is high because the irrigators use more electricity to lift water from wells and streams to make up the irrigation water deficiency. The American Falls storage limitation is contributing to this adverse effect, because 600,000 acre-feet of reservoir space cannot be used to store either winter or flood flows for later release.

The Company's service area includes most of the 900,000 acres of irrigated land depending on a full capacity of 1,700,000 acre-feet of water in the American Falls Reservoir being available for the final and finishing irrigation. Over 25 percent of the highly productive irrigated land in the Company's service area is exposed to reduced production under adverse water conditions as a result of the storage limitation.

An indication of the seriousness of the change in irrigation water supply as a result of the restriction is illustrated by comparison of the number of years over a 40-year period of study the American Falls reservoir would be emptied at the end of the irrigation season without the limitation and with the limitation. The reservoir would be emptied at the end of the irrigation season about 16 times without the storage limitation. With the storage limitation, the number of years the reservoir would be empty is 26. Since the reservoirs on the Upper Snake are operated on a coordinated basis, the Jackson Lake Reservoir in the Grand Teton National Park would be emptied 4 years out of 40 without the limitation but with the storage limitation on American Falls, operational studies indicate the Jackson Lake would be emptied 9 years out of 40 years.

The degree of economic loss will vary with the severity of water shortage, but there is no question that there will be an adverse economic loss in some amount before the American Falls Dam can be replaced and operated to its full capacity. Water conditions this year, 1973, are poor and some irrigators will experience either reduced production or increased costs this year because of storage reduction.

The Idaho Power Company presently owns and operates a 27,000 KW power plant below the present American Falls Dam. The power plant does not utilize the full head available at the site or all of the irrigation water released. The Company's proposal includes the necessity of building a new power plant under a 50-year FPC license to develop the full energy potential of the site. This, in no way, would affect the water release nor water rights of the irrigators as they now exist.

The present plant produces on the average about 146 million KWH and the new plant is expected to generate on an average 370 million KWH, or about $2\frac{1}{2}$ times as much energy. The installed capacity of the plant will be 100,000 KW, about $3\frac{3}{4}$ times the present plant.

The Company's proposal to the irrigators is only made possible by the increased energy generation and installed capacity of a new plant built under the 50-year FPC license. The Company is able to utilize the type of power available from this project, and such power is not available from another source at a lower cost; consequently, the resulting high cost is justified.

The Company's interest as a spaceholder is very modest in contrast to the irrigators' interest; however, the Company's 45,000 acre-feet of storage capacity is important in meeting the Company's power supply requirements during the irrigation season.

The Company's proposed plant and use of the Company's storage rights through the Company's downstream plants will generate on the average about 420 million kilowatt-hours per year. This is equivalent to about 210,000 tons of coal per year, or 28 million gallons of oil per year, or $3\frac{3}{4}$ billion cubic feet of natural gas. The hydroelectric plant will be a source of clean electric energy without some of the environmental problems associated with coal, oil or gas.

The below normal water conditions this year are serving to emphasize the urgent necessity of restoring American Falls to its full operation capability. In the event the 1973-74 winter and spring precipitation is below normal, the 1974 year could be a very poor agricultural production year; this at a time when full food production is urgently needed. In the event the proposed bill, S. 1529, is approved this year, and other necessary approvals are obtained at an early date, the reservoir would be ready for full irrigation use at the beginning of 1976.

In Idaho Power Company's opinion, an early approval of S. 1529:

1. Will minimize the adverse economic effects of the American Falls storage limitation on the economy of southern Idaho because of early completion;

2. Will make significant addition to the energy supply in southern Idaho at a time when energy is critically needed;

3. Will be a significant benefit to the irrigators, since the replacement dam would provide for a continuation of historic water releases and water rights;

4. Will be a benefit to the business community in southern Idaho and the nation's taxpayers, since no money is requested for the dam construction;

5. Will maintain the productivity of irrigated lands served by American Falls for the benefit of the nation's food supplies.

I urge your favorable decision on S. 1529.

PROPOSED AMERICAN FALLS DAM REPLACEMENT PLAN

The American Falls dam was constructed in the mid-1920's and first stored water in the 1926-27 period. The irrigators paid about half of the cost of the dam in cash and the balance has been or is being paid for by the irrigators. The Idaho Power Company acquired 45,000 acre-feet of primary storage and 255,000 acre-feet of secondary storage in the reservoir.

In 1929 a chemical reaction in the concrete of the dam was discovered, which has caused the concrete to swell or expand; however, the strength of the structure has declined at a very slow rate. Recently the strength of the structure has been seriously questioned. The relatively small columns supporting the bearings of the spillway gates are showing advanced effects of the chemical reaction. Reservoir operations are now different than planned in the 1920's by the addition of Palisades (1956), Island Park (1938) and Teton (under construction) and ice loading on the dam is an important consideration now, while it was not considered necessary when American Falls dam was designed. The result of these changes as well as data obtained from core drilling is the imposition of a storage limitation by the Bureau of Reclamation in the interest of safety, which limits the storage to about 1,100,000 acre-feet in the reservoir with a capacity when full of 1,700,000 acre-feet.

The storage limitation is an extreme hazard and exposure to the irrigators since about 900,000 acres of land are dependent on American Falls storage for late season irrigation. Historically, with present storage capacity (including full capacity at American Falls), July and August have been below full require-

ments in 4 years out of 40 years, or on average, 1 year out of 10. With reduced storage capacity this exposure will be increased.

The storage limitation may be corrected by replacing the present dam with a new dam or rehabilitating (repairing) the present dam. The USBR have concluded that the right and proper thing is to replace the dam with a new dam, and have made the following estimated construction cost (July 1972 prices), and have allocated the costs to various functions, as follows:

Construction cost (July 1972)

	<i>In thousands</i>
Dam and reservoir.....	\$22,906
Penstock future power.....	1,454
Highway improvement.....	1,861
Remove old dam.....	2,100
Permanent operating facilities.....	143
General service equipment.....	43
Basic health and safety.....	88
Fishing mitigation.....	546
Fish and wildlife enhancement.....	196
Flood forecasting.....	131
Total	29,468
Interest during construction.....	2,293
Total	31,761

CONSTRUCTION COST ALLOCATION

[In thousands of dollars]

	Amount	IDC	Total
Irrigation.....	18,971	1,477	20,448
Flood control.....	4,348	338	4,686
F. & W. enhancement.....	1,520	117	1,637
Recreation.....	1,226	96	1,322
Highway improvement.....	1,861	145	2,006
Future power.....	1,454	113	1,567
Basic health and safety.....	88	7	95
Total	29,468	2,293	31,761

Repayment planned as follows:

	<i>In thousands</i>
Irrigation by water users.....	\$18,659.0
Fish and wildlife enhancement—non-Federal body.....	101.5
Power (deferred).....	1,543.0
Total reimbursable	20,303.5

The probable schedule which might be followed with USBR construction has been estimated to require 8-10 years before the new dam could be completed. Presumably the storage limitation would prevail during this period; however, it might be relaxed slightly one or two years before completion as the elevation of the new dam was raised during construction.

The Idaho Power Company has several interests in the American Falls dam problem, as follows:

1. As a spaceholder—the Company has primary storage in the amount of 45,000 acre-feet.

2. As owner of a power plant downstream from the dam—the Company owns the 27,000 KW power plant below American Falls and has generation from the water entitlement of both the Company and the USBR. The annual energy potential at American Falls site averages about 370 million KWH's; however, a new power plant is required to generate the potential. The Company's present plant and water entitlement would generate only about 55 million KWH which would not be a feasible operation.

3. As the power supplier to practically the entire area depending on American Falls storage in the full amount for late season irrigation—the Company would be adversely affected in the event a crop failure resulted from the storage limita-

tion in any one or more years in the next 8-10 years. The economic impact of such a crop failure and the possible loss of \$100 million of farm income in South Idaho would have widespread effects on the total economy of southern Idaho, not only for the year of the crop failure but several years would be required to overcome the effect of the one year loss.

Time is the essence of the solution of the American Falls dam storage limitation. The Company's interests warrant serious consideration of any plan which would reduce the time the irrigators are exposed to crop failure by the loss of 600,000 acre-feet of storage water in American Falls dam. Minimizing the time required to remove the storage limitation should be the area in which the Company can make substantial contributions because the time to start construction and the construction period should be reduced.

The Company has developed some preliminary information from Bechtel Corporation as a result of a request from the space holders and the American Falls Irrigation District on the manner and time in which the American Falls dam could be replaced or rehabilitated. The estimated cost of a replacement dam and a new power plant is \$51,054,000. The cost of the replacement dam is about \$20,700,000.

The estimated time schedule developed by Bechtel engineers is the same for either a new dam or rehabilitation of the present dam. The closely coordinated time schedule contemplates that a contractor would be selected and would move on the job no later than about January 1 of the year following execution of a contract, and would be able to complete all preliminary diversion work necessary to begin construction of the new concrete dam section at the end of the irrigation season about October 15 of the same calendar year with the reservoir level about October 15 of the same calendar year with the reservoir level down to elevation 4310 feet (about 150,000 acre-feet). The construction would progress to the point so that the reservoir could begin to fill the following February 1.

The water records indicate that there would be a 30% chance of filling the American Falls reservoir to capacity (1,700,000 acre-feet) after February 1 in the flood period and a 60% chance of filling the reservoir to the storage limitation level (1,100,000 acre-feet). The coordinated operation of upstream reservoirs would have a bearing on refilling American Falls.

Approximately 9 months prior to January 1 are required for studies of feasibility, hydrology, exploration, models, design, plans, environmental impact statements, specifications and contracting. The time required for legislation and various governmental approvals is unknown and could delay the contracting date and the January 1 date for the contractor to move onto the job in which case completion would be set back to the following year. Except for this unknown factor, completion of all technical planning and construction could be accomplished for the reservoir in 24 months and 33 months for the power plant, providing the decision to proceed is made around March 1.

The power production and power costs are important factors in the Company's participation of this project. The power production will assume a plant capacity in the area of 100 MW and energy generation will approximate 370,000,000 KWH in an average year. The power plant might become ready for commercial operation not earlier than January 1, 1976 and more likely in early 1977. Based upon the Company's load projection, this timing would fit the system need for power and would enable purchased power capacity and energy to be reduced from the level heretofore contemplated.

As a measure of how far the Company could go in its financial assistance to the American Falls dam replacement, the costs associated with the Company's portion of the Jim Bridger coal-fired plant have been used. When completed the Jim Bridger plant will be the highest cost plant the Company has constructed; however, a similar plant completed about the same time as a new American Falls plant would be even higher due to estimated cost escalation. Even this higher figure is below the cost the Company would experience if it replaced and financed both the American Falls dam and power plant. Consequently, if Idaho Power Company is to participate, some type of joint venture must be developed.

One possibility is based upon the American Falls Reservoir District assuming the obligations as follows:

1. American Falls Reservoir District would:

- (a) Obtain by legislation the right to repair or replace the dam and would have the right to contract for the lease or use of the falling water from the dam for a 50-year period with right of renewal.

(b) Upon acceptance of the completed construction work, would provide for continued coordinated operation and maintenance of the dam and reservoir (excluding power facilities) for the mutual benefit of the parties, providing that irrigation rights shall always have priority in the operation hereof, subject to the rights of the Company as a spaceholder.

(c) If it is determined that a roadway is to be constructed on the dam, it shall be the responsibility of the District to obtain payment of the costs necessitated thereby.

2. American Falls Reservoir District would agree with Idaho Power Company :

(a) To finance construction of either the new dam or replacement dam by the sale of tax-free bonds.

(b) To assist the Company in obtaining a 50-year FPC license for the Company to build, own, operate and maintain a power plant to utilize the water release from the dam. Upon issuance of said license, Idaho Power Company would execute an agreement with the District to pay to the District an amount of money equal to the annual requirements for interest and amortization of the District's bonds over a 40-year period. Such amount shall be equal to actual construction cost of the dam, but shall not exceed \$19,000,000 plus interest. The initial term of the agreement in consideration of the aforesaid payment shall be 50 years. The Company would have the right to renew the agreement without further payment other than operation and maintenance cost of specific power facilities upon extension of the FPC license beyond the initial 50-year period.

(c) To save the Company from additional dam costs over \$19,000,000 for the road, recreation, fish, wildlife, health or safety facilities. The cost of any such facilities shall be at the expense of the District.

(d) To have Company act as District's sole agent in the engineering, purchasing and construction of the dam, in the interest of obtaining the lowest construction cost for the total project. Such engineering and construction shall be in accordance with modern and safe engineering standards as determined by an independent engineering board of three consultants mutually selected by the parties.

The above arrangement will result in the Company's cost being just barely under the cost of similar power from a coal fired plant costing somewhat more than the Jim Bridger plant. This plan does not provide for any environmental costs.

To give you an idea of the cost of this power in meaningful terms without a lot of details, the likely cost of a coal fired plant in 1976-77 may approximate 17.1 mills per KWH, and the cost of power from American Falls project on the above proposal, based on preliminary estimates, is 16.1 mills per KWH. These numbers compare with residential customers' power cost as of today of about 17.1 mills per KWH and irrigation power of about 10.0 mills per KWH. The power costs reflected here are associated with peaking type of power, which the American Falls plant might supply within limitations of irrigation releases and winter storage requirements; however, the need may develop for a reregulating dam downstream from the power plant to utilize the peaking ability.

This proposal is in broad terms and many details must be developed, but with the cooperative participation of all parties, the exposure of southern Idaho to a severe economic crisis can be minimized.

Mr. Hogg. I would like the committee to understand how the Idaho Power Co. got into this. The company has been very active since its conception in 1960, and because we have built 15 dams and powerplants downstream from American Falls I assume the irrigators thought we might be the ones to go to see if we had any interest in assisting with building the plant.

As Senator McClure and Senator Church have indicated this year is the one year which really demonstrates the importance of restoring this reservoir to full capacity as soon as possible. The reservoir storage upstream at American Falls is 3,900,000 acre-feet. Senator Church, I believe it was, or Senator McClure indicated our hold-over reservoir storage is about 1,350,000 less than it was a year ago. It was because we had hold over storage from better water years this past summer that we were able to have a very successful crop this year.

Another point I would like to mention is the inter-relationship and the timing of the project and its design and cost. There is one time during the year when this particular design of dam, along with its costs can be done. We have a very close schedule upon which to go now in order to start this bridge construction in December and also to start the dam construction a year from January 1.

I might add that, Mr. Chairman, at the moment we are impinging on that time schedule. The engineer told me this morning that we should have ordered the water wheels for our powerplant 6 weeks ago, but we have not done it yet. So time is of the essence.

My prepared statement indicates what the powerplant will contribute in terms of energy. It will also indicate how many tons of coal and oil and so forth will be saved. I will not go into that detail. I think, Mr. Chairman, time will be saved if I can submit myself for any questions anybody has.

Mr. JOHNSON. As I understand it, your company anticipates building a new powerplant and taking water through the dam by your Penstock thus utilizing the head on the reservoir as well as the additional amounts of water that will flow through the reservoir?

Mr. HOGG. That is correct. We will install special water turbines to give effect to the varying heads that occur on an irrigation dam.

Mr. JOHNSON. You quote a figure of \$19 million that you are willing to participate up to. Due to today's costs and inflation, what is your breaking point, what can you afford to pay for power?

Mr. HOGG. That is the top level. When we developed that figure we anticipated a certain amount of inflation. We hope it is within the ball park.

Mr. CLAUSEN. Will the gentleman yield?

Mr. JOHNSON. Yes.

Mr. CLAUSEN. What is the percentage of inflation that you have allowed for in that figure?

Mr. HOGG. About 6 percent.

Mr. CLAUSEN. Per annum?

Mr. HOGG. Per year, yes, sir.

Mr. JOHNSON. Now, what effect did this have on your other facilities which are downstream?

Mr. HOGG. The storage, of course, the water going through American Falls Dam, of course, is first used for irrigation service. We have a right to utilize only 45,000 acre-feet upon our demand. So the only control we have is on its use in the downstream powerplant.

The reservoir, however, does save some flood water. It is diverted out and used for irrigation and the excess water percolates underground and returns downstream at Thousand Streams, for example. This is beneficial to our downstream powerplant.

Mr. JOHNSON. Then there are benefits that will accrue to the Idaho Power Co. in the downstream facilities.

Mr. HOGG. Yes, sir. The amount of that is also indicated in my testimony.

Mr. JOHNSON. The gentleman from California, Mr. Clausen.

Mr. CLAUSEN. I have no questions.

Mr. JOHNSON. The gentleman from Nevada, Mr. Towell.

Mr. TOWELL. No further questions, Mr. Chairman.

Mr. JOHNSON. Mr. Casey, do you have a question of the witness?

Mr. CASEY. No, sir. I have read his statement and I don't have any questions.

Mr. JOHNSON. The gentleman from the minority, Mr. Luken. Do you have any questions?

Mr. LUKEN. No, thank you, Mr. Chairman.

Mr. JOHNSON. Actually you people will be present when the hearings are held before the full subcommittee. At that time we can get into other questions. I know you are pressed for time and you do want to accompany the Governor back to wherever he is going today.

Mr. Ketchum, any questions?

Mr. KETCHUM. No questions.

Mr. JOHNSON. We thank you for coming here. We have your statement. We had it previously. We have looked it over. There are some other questions we want to get into when the hearings are held in Washington. This relates to the Bureau of Reclamation and the Department of the Interior's testimony, and that of your company and the Idaho spaceholders.

We will take a 5-minute break and come back and start with the State legislators who are the next witnesses, and then get into all of them before we close.

[Short recess.]

Mr. JOHNSON. Our next witness as we resume our hearing will be Mr. John M. Barker, the State senator, president of the American Falls Reservoir District.

Mr. Barker.

STATEMENT OF JOHN M. BARKER, PRESIDENT, AMERICAN FALLS RESERVOIR DISTRICT

Mr. BARKER. Mr. Chairman, members of the committee, distinguished guests, ladies and gentlemen. I have prepared detailed remarks but will paraphrase them in the interest of time.

My name is John M. Barker. I operate an insurance agency in Buhl, Idaho. I am a farm owner and manager in Twin Falls County, Idaho. I have served as a director of the American Falls Reservoir District for 16 years, and for the past 6 years have served as president of the board. Since 1967 I have served as the chairman of that board. I have also served in the Idaho Legislature as a senator from Twin Falls County.

It is a great pleasure for me to represent the American Falls Reservoir District.

Our district was formed in 1923 when it became the consensus that the original American Falls Dam should be constructed. Because of the then unavailability of Federal moneys, our district bonded themselves for \$2.7 million in general obligation bonds at 6 percent interest. The bond election was approved by a vote of 6 to 1. The lands in the American Falls Reservoir District were pledged to repayment of the then obligation. This money was used in the construction of the dam. The district now owns approximately 490,000 acre-feet of storage space in the reservoir, when the reservoir is operated at a full capacity of 1.7 million. Our district encompasses approximately 450,000 acres of land and represents five irrigation operating companies. They are the Twin Falls Canal Co., the North Side Canal Co., the Aberdeen-Spring-

field Canal Co., the Martin Canal Co., and the Woodville Canal Co. Some of these companies own additional American Falls storage in their own name. Since retirement of the American Falls bonds, the district has merely operated as an agency for the collection of annual O. & M. charges for the operation of American Falls. Since 1964, the date of the bureau's first engineering pronouncements concerning the alkali condition at American Falls Dam, American Falls spaceholders have been concerned about the situation.

The restriction order of October 1972, was termed an emergency by the spaceholders. The loss of one-third of American Falls storage capacity brought all of the spaceholders together on a common ground to determine the best basis to remedy the situation. An informal association of American Falls spaceholders was formed. An executive committee was selected and empowered to evaluate all of the alternatives toward the earliest possible replacement of American Falls. The American Falls spaceholders, throughout the district, approached the Idaho Power Co. on the possibility of working out a sale for falling water if a private reconstruction could be accomplished. In March 1973, the spaceholders endorsed the concept of private financing for the replacement. The American Falls Reservoir District, has consented to act as a "constructing agency" as defined in S. 1529 because of the number of acres and the value of their lands which would be pledged as security for eventual bond payments.

Thereafter, the spaceholders worked in close conjunction with the Idaho congressional delegation and were successful in the introduction of bills on both the Senate and the House side. S. 1529, as passed by the Senate, is the concept which the spaceholders endorse for the replacement of the dam. The agreement of the spaceholders is that any replacement would be operated in an identical fashion as the existing American Falls Reservoir and that each existing spaceholder would be entitled to enter contracts for the repayment of their proportionate share of the cost of the replacement structure. Economic ramifications make the early replacement of American Falls Dam an urgent matter. Our congressional delegation, our Governor, our legislature and the American Falls spaceholders have joined in a unified effort to replace the dam. Because of the offer of the Idaho Power Co., and if the dam is constructed with power facilities, the spaceholders will be liable to repay only those amounts over and above the payments by the Idaho Power Co. for the falling water.

The spaceholders have now contracted with Bechtel, Inc., of San Francisco, to begin engineering work toward the end of final plans and designs for the replacement dam. The spaceholders coordinated in selecting a consulting board to review the preliminary concepts of Bechtel. The consulting board endorsed the Bechtel approach. With the passage of S. 1529, it would be the hope of the spaceholders that the Idaho Power Co. would be successful in obtaining a Federal Power Commission license, so that construction could proceed simultaneously on the dam and powerhouse, and that a saving would result by utilizing the same contractor. The Idaho Power Co. would then agree to pay \$19 million, plus tax exempt interest, over a period of 40 years. During the same period, the American Falls Reservoir District would collect from all other spaceholders who contract for storage water in

the reservoir, enough money to make the annual bond payments, plus interest.

The reservoir would be operated in the same manner in which it is now operated, observing the preference for irrigation. The spaceholders are agreed to work out arrangements as to a highway crossing and any mitigation of fish, wildlife, and environmental matters.

If S. 1529 becomes law, we would proceed to negotiate a contract with the Secretary of Interior for his ownership of the structure after completion, and the continued operation and maintenance of the dam and reservoir by the Bureau of Reclamation.

It is presently the plan to construct a two-lane highway on top of the dam, which, coupled with the two-lane bridge to be constructed below the dam by the Idaho State Department of Highways, would provide an adequate four-lane crossing. A memorandum of understanding now exists between the Idaho State Department of Highways and the American Falls Reservoir District concerning their mutual obligations.

Following the enactment of S. 1529, our bonding counsel has advised us that it will be necessary to secure additional amendments to the Idaho Irrigation District Code. Because of the statewide impact of the American Falls replacement problem, we anticipate a favorable response from the legislature. Thereafter, the American Falls Reservoir District would plan a bond election and, together with the Bureau of Reclamation, would propose and execute contracts with all existing spaceholders for their proportionate share of the space.

We are advised that it is not timely to file with the Internal Revenue Service for a tax-exempt ruling until such time as the congressional bill has passed, the State legislation obtained, and the contracts are in a form which might be presented to the Internal Revenue Service. We are encouraged at the possibility of obtaining tax-exempt interest for our bonds. In talking with financial agents, we are also encouraged at the possibility of some competitive bidding for those bonds.

There is one amendment which the spaceholders must request from the committee concerning the qualifying of American Falls Reservoir District as the "constructing agency" for the purposes of qualifying us to receive Federal funds for construction of a highway on the dam.

On behalf of the American Falls board of directors, I would like to thank the chairman and the members of the committee for affording us this hearing. We hope that you will enjoy your visit in Idaho, and will recommend C. 1529 for passage upon your return.

Our congressional delegation was receptive to proposals set out in Senate bill 1529; 96 percent of the spaceholders in American Falls are also in accord. The proposal of Senate bill 1529 is not unlike the situation that occurred in 1923 when the American Falls Reservoir District was formed. At that point Federal funds were not available for a much needed dam at American Falls and the 400,000 acres in the American Falls Reservoir District funded themselves for \$2.7 million at 6 percent interest by a vote of 6 to 1 majority.

I call attention in my written testimony on page 3 next to the last paragraph concerning amendment to the bill concerning construction of a highway on the dam of Federal funds.

I want to thank you for the opportunity to appear here today. We are grateful to this committee for scheduling this field hearing to investigate the American Falls Dam matter.

We urge your continuing consideration of Senate bill S. 1529.

Mr. JOHNSON. We thank you for your summary.

I might say as far as the highway relocation, I think Congress is very receptive to that proposal. We don't have so much trouble building bridges as we do dams.

The gentleman from California, Mr. Ketchum.

Mr. KETCHUM. No questions.

Mr. JOHNSON. The gentleman from Nevada, Mr. Towell.

Mr. TOWELL. No questions, Mr. Chairman.

Mr. JOHNSON. Mr. Casey?

Mr. CASEY. No.

Mr. JOHNSON. Mr. Clausen is not here.

We want to thank you for coming here. You have certainly had long experience with this, you have been a legislator, businessman, farmer, and member of the organization that represents one of the spaceholders. This is the kind of testimony we like to get from local interests.

Mr. BARKER. Thank you.

Mr. JOHNSON. The next witness will be Mr. Bob Saxvik, State senator.

STATEMENT OF HON. ROBERT W. SAXVIK, STATE SENATOR FROM THE STATE OF IDAHO

Senator SAXVIK. Chairman Johnson, members of the committee, as a member of the Idaho Senate and a member of its Agricultural Affairs Committee and representing a constituency that is greatly affected by the sustaining water supply of American Falls, I feel it is of great importance to testify before you today.

I feel dwarfed a bit because of the great wealth of the witnesses that have appeared so far and will appear later. There is a great wealth of witnesses here today that have great expertise on water needs, contractual arrangements, power requirements, and historic background. But in my function I deal with somewhat of a cross-section of the people in my district. I am as interested in how it affects that woman working on the food processing line and her economic outlook and her economic well-being and security as the farmer who grows the product. I think they are all of equal importance. In other words, what I am talking about is the overall economic picture.

The failure to replace American Falls Dam in the near future could bode for an economic hardship that would perpetrate a "domino effect" on the entire area. The loss of water output as we have known in the past years will not only affect those farmers who are first—the raw producer—but it extends on to the processing plant—to the implement dealer—to the process worker—to the retailer in downtown areas—right on to the man on the street.

In other words, it will not only affect those farmers who are the No. 1 raw product producer, but it extends right on to the production, the banker, the process worker, and the retailer.

For those Congressmen not familiar with southern Idaho's economy, a decreasing percentage of our raw agricultural products are shipped out of the area. Since the mid-fifties, the Burley-Rupert area has had a tremendous growth in agricultural food processing, especially in potatoes. Add to that, the third largest sugar beet processing plant, a malt barley processing plant and a corn and pea canning plant plus all the other related service industries and you start to get a clear picture of our overall economic dependence on agriculture. For example, that same processing growth has converted Burley from the rather stable and staid community of 5,000 in the early fifties to a busy, ever-growing community of nearly 10,000 people, providing jobs for thousands of people and created a greater tax base that has the spinoff effect of new hospitals, schools, new recreation facilities, new construction in housing, added retail businesses, and increased demand for professional service.

This brings us to the old adage, "Which came first, the chicken or the egg?" In the case of American Falls Dam, the lines are clear—the water supply comes first, with the farmers' ability to produce, then the finished products—now much needed in tenuous world food supply.

It has been gratifying to see the cooperation between the many parties in seeing this project through. Governor Andrus, the Bureau of Reclamation, the Idaho Power Co., our congressional delegation, the Idaho Legislature, irrigation districts and many others.

With respect to the legislature, I along with Senator Barker, have always mentioned the fact we stand ready to serve and implement those needed pieces of State legislation and will support such.

I speak for the people of all walks of my legislative district 26. In ending my statement I would ask on their behalf for your support in seeing the enabling legislation passed.

Thank you very much.

Mr. JOHNSON. We thank you for your complete statement. If anything is left out it will be made a part of the record. We appreciate your summary. You should have been a prime witness before the Water Resources Council when they held their hearings on criteria and administrative practices. We tried to sell regional benefits, but the task force finding was set aside. Instead, we came out with a criteria we don't like. We think there is more to it than meets the eye. You have just brought to light here in your testimony, the things that are happening locally, the benefits that should be considered that will not be considered.

Senator SAXVIK. I can add to that, Mr. Chairman. There is often the bone of contention among business people and farmers that should never exist, especially in regions such as this.

Mr. JOHNSON. I am sure that farmers agree with us that there should be taken into consideration, all regional benefits as well as direct national benefits.

The gentleman from California. Mr. Ketchum.

Mr. KETCHUM. No questions, Mr. Chairman.

Mr. JOHNSON. The gentleman from Nevada.

Mr. TOWELL. No questions.

Mr. JOHNSON. Mr. Casey.

Mr. CASEY. No.

Mr. LUKE. No.

Mr. JOHNSON. Our next witness will be Mr. Ralph Wheeler, State representative, member, city of American Falls Bridge Committee.

**STATEMENT OF HON. RALPH WHEELER, STATE REPRESENTATIVE
FROM DISTRICT 35, STATE OF IDAHO**

Mr. WHEELER. Mr. Chairman and members of the committee, welcome to Idaho. I appreciate your efforts to come out here to get the grassroot feelings. I appreciate the opportunity of being able to testify before you today.

I have been a city councilman and mayor of American Falls for the past 15 years and as of the first of this year, a State representative from district 35, which includes the site of the American Falls Dam.

The residents of my legislative district have long noted the steady deterioration of the dam as well as the increasing inadequacy of the highway atop the structure. Until recently, their complaints have fallen on deaf ears.

The decreased storage behind the dam and the restrictions to one-way traffic on the highway have shown that the problem is at long last receiving the attention it deserves.

First, I would like to discuss the impact of the traffic restrictions. As the only crossing of the Snake River in an 80-mile reach, the American Falls Dam supports the road over which not only all the marketable farm produce from some 90,000 acres must travel, but also the route over which all the fuel, food, machinery, fertilizer, and other necessities of the agricultural community must pass. It also provides access to the closest hospital and medical care for some 5,000 people.

The road on the dam also serves a major potato processor for the potatoes, the 850 employees at the plant, and the market route for the finished product.

Most, but not all of the water users, are not residents of my legislative district. But I, like you gentlemen, cannot be narrowminded in my representation, I must be concerned about the well-being of the Magic Valley area and the State of Idaho as well.

As you have heard, the water stored behind the dam provides the life or death fate for nearly 900,000 acres which provides nearly 25 percent of the income for Idaho's largest industry—agriculture.

I am sure you are all aware of the vast amounts of borrowed capital that are necessary to operate today's farming operations. The 34-percent reduction in water storage could very easily result in near or complete crop failure, bankruptcy for many farmers and a domino effect carried through to food processors, suppliers and retailers touching the lives of tens, if not hundreds, of thousands of Idaho residents.

Should such a disaster occur, I would actually fear for the solvency of the State of Idaho itself. I don't think I am exaggerating in that fear.

The reservoir impounded behind the American Falls Dam is emerging as a major summer water-sport recreation area. The city of American Falls has had under planning for 3½ years now and has received

State approval and is awaiting Federal approval (which in turn awaits the fate of the legislation being discussed today) of a \$528,000 marina on the lakeshore. At this point I would like to elaborate, this is a group effort. The city of American Falls has a sponsoring agency, the neighboring county, are all supplying local effort. The State of Idaho is supplying \$200,000 and all of these efforts are being matched by the Federal Government through the Bureau of Outdoor Recreation for a facility that is long past due on this reservoir. The 120,000 residents within a 50-mile radius rely heavily on this reservoir and the surroundings for summer and fall recreation.

The downstream area has been, for over 40 years, a major trout fishery with some 16,000 being taken annually—some in the 15 to 20 pound class. Less than normal flows in the Snake River due to shortage restrictions may expose the natural spawning grounds and curtail normal propagation of German Brown and Rainbow Trout.

The exact plan to mitigate the loss of fish which will result from alterations of the downstream area due to construction has not been formulated, but obviously some acceptable replacement will be required. Two forums to discuss this—the Department of Interior's approval of construction and the Federal Power Commission's issuance of a license to generate electricity at the site—will provide ample opportunity for these issues to be resolved, and should not delay the adoption of H.R. 6782.

The executive summary report on the replacement of the American Falls Dam published by the Bureau of Reclamation in December 1972, is certainly a complete and comprehensive plan in that it speaks to water storage, flood control, fish and wildlife enhancement, recreation, highway improvement, and future power production. But it contains one very serious fault. When could that plan become a reality? The water users and the State of Idaho cannot wait. The need is immediate and critical.

My mission here today is to encourage, through this committee, the Congress of the United States to authorize the Secretary of the Interior to enter into agreements with non-Federal agencies for the replacement of the American Falls Dam.

As a Republican I take pride in quoting from John F. Kennedy, "Ask not what your country can do for you, but what you can do for your country." These words from the late John F. Kennedy epitomize the spirit of the free enterprise system in the United States and are certainly apropos here today. We are not asking for a Federal handout. Only a grant of authority for private enterprise, free from the burden of excessive redtape, to replace the dam and to construct an adequate highway crossing of the Snake River as soon as possible.

I, too, cannot overemphasize the emergency nature of this request. The earliest date construction could commence is January 1975, which means at least 2 crop years will pass before full storage can return.

Your cooperation in the passage of H.R. 6782, with the amendments as recommended, is vital to my district and the State of Idaho.

I appreciate your help and ask your cooperation.

I stand ready to answer any questions the committee may have.

Mr. JOHNSON. Thank you for your statement.

With your past experience you certainly know the local area, being in the highest local office. I presume when you are mayor you have more problems with constituency than in the State legislature.

Mr. WHEELER. At least I don't have to worry about the dogs running loose any more.

Mr. JOHNSON. I happen to have had that same experience. The gentleman from California, Mr. Ketchum.

Mr. KETCHUM. No questions.

Mr. JOHNSON. Mr. Towell.

Mr. TOWELL. No questions.

Mr. JOHNSON. We want to thank you for giving us the benefit of your testimony. I think you pointed out a good many things to us. It wasn't quite as urgent to anybody's needs until you were cut back on the water. Water is a big thing.

Mr. WHEELER. It certainly is.

Thank you, Mr. Chairman.

Mr. JOHNSON. Our next witness will be Mr. Steven Antone, the State legislature, Minidoka County.

STATEMENT OF HON. STEVEN ANTONE, STATE REPRESENTATIVE FROM DISTRICT 21, STATE OF IDAHO

Mr. ANTONE. Mr. Chairman and honorable members of the committee, Senator McClure, Congressman Hansen, and Congressman Symms, it is indeed a pleasure to testify before you today. I appreciate your having traveled to Idaho to hear today on this and see conditions at the local level.

My name is Steven Antone and I reside at Rupert, Idaho. I am a lifetime resident of Minidoka County which is located in the south-central part of the State of Idaho and in the heart of the Snake River Plain. I am, by occupation, a farmer and State legislator and it is in each of these capacities that I appear before you. As the manager of an irrigated farm, I am perhaps more aware of the necessity of having an ample water supply to complete to maturity the crops planted and nurtured during the long summer. My present farm for some 20-odd years has been converted from dry desert land to a highly productive irrigated farm.

All of Idaho, I think, at one time was all arid. When the pioneers came to this country they found nothing but sage-brush. For many years cattle flourished in this country but no farming except around a few streams. When the dams were put in, the irrigation projects developed, it changed; it went from a dry climate to an irrigated climate. I don't think Idaho would be known today if we had not had those dams to produce those potatoes. I don't think anybody in the East would have known Idaho was here if we did not have the potatoes.

Within Minidoka County there are approximately 150,000 irrigated acres upon which the entire economy of our communities rely.

Within Minidoka County, which is a part of my legislative district, is located Minidoka Irrigation District consisting of 1,690 farm units and containing 72,370 acres of irrigable land. Crops grown upon these lands within Minidoka Irrigation District are barley, oats, wheats, mixed grains, alfalfa, pasture, sugar beets, potatoes, beans, sweet corn, silage and alfalfa, and clover seed. These lands depend upon water from the Snake River for irrigation and primarily from winter water stored in several reservoirs on the upper Snake River. It is absolutely necessary that these lands in Minidoka County and other lands

dependent upon water stored in the Snake River be assured of an adequate water supply. It is my considered opinion that the most prudent method of obtaining full storage behind American Falls Dam is to proceed as soon as possible with the rebuilding of American Falls Dam. It is also my considered opinion that this can be accomplished most readily by the passage of S. 1529, authorizing the spaceholders to proceed with the construction of a new dam with private financing. This dam can be on the line much quicker, I believe, going this route than it can by waiting for Federal legislation and congressional approval of funds.

I think that previous testimony has brought out that the people of Idaho are behind construction of this dam. This is very true. Perhaps this can be best illustrated by the passage of House Joint Memorial No. 3-F which there is a copy enclosed on the back of my statement which passed both the Idaho House and Senate unanimously.

Speaking on behalf of my constituents, I respectfully urge that S. 1529 be reported out favorably so construction of the dam may start as soon as possible.

I would be glad to answer any questions if there are any.

Mr. JOHNSON. Thank you for your statement. The full statement will be placed in the record as if presented in full, and also the House Joint Memorial No. 3 as you related to being passed by both houses of the Idaho Legislature unanimously.

Mr. ANTONE. I am sure copies were sent to the Speaker.

Mr. JOHNSON. We will have them.

Mr. Ketchum.

Mr. KETCHUM. No questions. I would like to inform the gentleman as a farmer myself I will send you some potatoes.

Mr. ANTONE. Mr. Ketchum. I think it was a great mistake to have apples here. We should have had potatoes for you to munch on while you were listening to this.

Mr. JOHNSON. These apples are going to be very helpful to us because they will carry us through lunch and we will continue. If we had potatoes it would be a little rough eating as some of your other crops.

Mr. ANTONE. Mr. Chairman, you have to bake them first.

Mr. JOHNSON. I noticed out of the motel window the bean crops and the sugar beet crop. So we are in farming country. I will be able to sleep tonight.

Mr. Towell.

Mr. TOWELL. No, thank you.

Mr. KETCHUM. No, thank you.

Mr. JOHNSON. We are not snubbing your local people. Senators Hansen and McClure know all your people. We support the project and we are trying to get the record in a minimal amount of time and go right through the witnesses and give everyone an opportunity to be heard. If you gentlemen want to ask or refer to a question why feel free to just ask for time and we will grant it.

Mr. ANTONE. Mr. Chairman, I attempted to just brush through this more rapidly. There are more things in the testimony.

Mr. JOHNSON. Oh, yes. It will appear in the record as presented in full. The purposes of these field hearings is to have the hearing that is taken in the field available to the members of the full committee when

we meet in Washington. If there is any opposition carried in that particular field hearing the other people who come to testify in Washington, unless you are terribly aggrieved, are those in support of the project or the Department itself. That is why we take the hearings in the field. Everyone has been so unanimous here I don't know whether we will have any opposition or not. We will find that out when we get through with all the witnesses.

[Mr. Antone's statement and House Joint Memorial No. 3 follow:]

STATEMENT OF HON. STEVEN ANTONE, STATE REPRESENTATIVE, LEGISLATIVE DISTRICT 21, IDAHO

My name is Steven Antone and I reside at Rupert, Idaho. I am a lifetime resident of Minidoka County which is located in the southcentral part of the State of Idaho and in the heart of the Snake River Plain. I am by occupation a farmer and state legislator and it is in each of these capacities that I appear before you. As the manager of an irrigated farm, I am perhaps more aware of the necessity of having an ample water supply to complete to maturity the crops planted and nurtured during the long summer. My present farm for some twenty odd years has been concerted from dry desert land to a highly productive irrigated farm. The lands upon which you are presently situated during this hearing in North Burley, Idaho were at one time dry desert lands as well. Within Minidoka County of which north Burley, Idaho, is a part as well as the land which I farm, there are approximately 150,000 irrigated acres upon which the entire economy of our communities rely. In fact, it is clear to the people living in Southern Idaho that the irrigated farms are the life blood of our economy and dams such as the one located at American Falls are an essential part of this overall industry.

Within Minidoka County, which is a part of my legislative district, is located Minidoka Irrigation District consisting of 1,690 farm units and containing 72,370 acres of irrigable land. Crops grown upon these lands within Minidoka Irrigation District are barley, oats, wheats, mixed grains, alfalfa, pasture, sugar beets, potatoes, beans, sweet corn, silage and alfalfa and clover seed. These lands depend upon water from the Snake River for irrigation and primarily from winter water stored in several reservoirs on the upper Snake River. It is absolutely necessary that these lands in Minidoka County and other lands dependent upon water stored in the Snake River be assured of an adequate water supply. It is my considered opinion that the most prudent method of obtaining full storage behind American Falls Dam is to proceed as soon as possible with the rebuilding of American Falls Dam. It is also my considered opinion that this can be accomplished most readily by the passage of S. 1529, authorizing the spaceholders to proceed with the construction of a new dam with private financing. With the present restriction on American Falls Dam, a severe drought in our region could cause citizens in the State of Idaho to lose more in one year than the entire cost of rebuilding American Falls Dam. This storage of water is too vital to Southern Idaho to allow avoidable delays.

The cities of Rupert, Heyburn, Paul and Acequia, each of which are located within my legislative district, are dependent upon the agricultural economy which is in turn dependent upon American Falls Dam. I sincerely believe that if each citizen of our State could have the opportunity to direct their remarks to you as I am doing, they would join in one single accord for the prompt rebuilding of American Falls Dam. This perhaps is best illustrated by House Joint Memorial 3 urging the construction of a replacement dam at American Falls within the earliest possible time, which was unanimously adopted by the Senate and House of Representatives of the State of Idaho during the Forty-second session in 1973. Speaking on behalf of my constituents, I respectfully urge that S. 1529 be reported favorably from this subcommittee. It is only by the passage of this most important legislation that we can be assured that a disastrous crop year can be avoided. The spaceholders of American Falls reservoir are willing to assume a very large indebtedness to obtain a new dam at American Falls which is consistent with the pioneer spirit of the people of this state. With the passage of S. 1529, they will be able to proceed to obtain this most needed insurance, that is, full storage of irrigation water behind American Falls Dam.

HOUSE JOINT MEMORIAL NO. 3, BY ANTONE, A JOINT MEMORIAL

To the President of the United States, the honorable Senate and House of Representatives of the United States in Congress assembled, the Secretary of the Interior and the Idaho Congressional Delegation representing this State in the Congress of the United States.

We, your Memorialists, the House of Representatives and Senate of the State of Idaho assembled in the First Regular Session of the Forty-second Idaho Legislature do respectfully represent that:

Whereas, the American Falls Dam, Upper Snake River Basin, Idaho is the foundation of the existing irrigation development in the Upper Snake River Basin, and contributes almost one-half of the usable storage on the main stem of the Upper Snake River; and

Whereas, cracking throughout the dam has required restrictions on storage equal to one-third of its capacity and the continually deteriorating structure, if not replaced, will require further storage restrictions; and

Whereas, the Bureau of Reclamation, of the United States Department of Interior, has recommended that the structure be replaced; and

Whereas, if the structure is not replaced financial failure for hundreds of farmers and severe economic loss is predicted, as well as danger to human life; and

Whereas, alternatives exist to replace the dam with a structure downstream from the existing structure which would remedy the problems currently encountered.

Now, therefore, be it

Resolved, By the First Regular Session of the Forty-second Idaho Legislature, the House of Representatives and the Senate concurring therein, that the Legislature respectfully requests that the Congress take whatever action is necessary to replace the existing structure and to insure that the new dam is completed without delay.

Be it further resolved, That the Clerk of the House of Representatives be, and she is hereby authorized and directed to forward copies of this Memorial to the President of the United States, the Vice-President of the United States, the Speaker of the House of Representatives of Congress, the Secretary of the Interior, and the members of the Idaho Congressional Delegation representing this state in the Congress of the United States.

HJM 3 was introduced, read the first time at length and referred to the Printing and Legislative Expense Committee.

Mr. ANTONE. Thank you, Mr. Chairman.

Mr. JOHNSON. Our next witness will be Mr. Clifford Scoresby.

STATEMENT OF CLIFFORD SCORESBY, REPRESENTING UPPER VALLEY SPACEHOLDERS

Mr. SCORESBY. Mr. Chairman, members of the committee, and Senator McClure and Representative Hansen, I appreciate the opportunity that has been given me to testify here a few moments this afternoon.

I have a prepared statement that I would hope to be put in the record.

Mr. JOHNSON. Your prepared statement will appear in the record and you may summarize it.

[Mr. Scoresby's prepared statement follows:]

OCTOBER 3, 1973.

HON. HAROLD T. JOHNSON,
Subcommittee Chairman, Water and Power Resources Subcommittee, Interior and Insular Affairs Committee, U.S. House of Representatives, Washington, D.C.

Mr. Chairman and members of this subcommittee, my name is Clifford N. Scoresby. I have owned and operated an irrigated farm Northeast of Idaho Falls, Idaho, for approximately 50 years. Like most people in my area, I have primarily raised potatoes, sugar beets, grain and hay. My farming operation is wholly dependent for its success upon the availability of natural flow and storage water from the Snake River.

For many years I have been interested and involved in various water user organizations. I am presently the vice chairman of the Board of Directors of the Progressive Irrigation District. I was chairman of the board for approximately 20 years. The Progressive Irrigation District comprises approximately 32,000 acres of land and serves some 1400 water users which includes my own farm. The Progressive Irrigation District owns space in American Falls Reservoir, the storage water from the space in American Falls Reservoir is essential to the maturing of the crops of the water users in the district. Since the restrictions have been placed on the amount of storage in American Falls, a dry year could be disastrous to the maturing of crops in our district.

I am also a member of the Board of Directors of the Upper Snake River Water Users Protective Union, and am Secretary of that board. The Protective Union represents approximately 50 canal companies, most of which own space in the American Falls Reservoir. I have also been a member of the committee of nine for approximately 30 years and presently serve as the secretary of that body. The committee of nine is an official advisory committee under the terms of the Palisades contract and has for many years been involved in and concerned with the orderly development and administration of the water storage and distribution system of the Upper Snake River from Milner Dam to the head waters. In addition, I am presently serving my fourth term in the Idaho State Legislature as the representative from District Number 31.

During the years that I have farmed and been involved with water affairs in Southeastern Idaho, I have seen the serious problems which result to our community in the dry cycles and when there is insufficient storage. For this reason I have always urged and worked to develop and preserve an adequate storage system to insure against the devastating losses which have occurred in the past. The American Falls Reservoir is one of the major parts of this storage system and the present restrictions on the storage capacity of that reservoir place nearly all of the water users in the Upper Snake River Valley in serious jeopardy. In fact, it would be fair to say that the decreased storage capacity in the American Falls Reservoir as a result of the deterioration of the American Falls Dam is crucial to the entire agricultural economy of Southeastern Idaho.

For these reasons, on my own behalf and on behalf of all the members of those organizations of which I am a member and which I have been asked to represent, I urge this committee to give a favorable report on senate bill number 1529 to facilitate its early passage and the earliest practicable replacement of the American Falls Dam to restore that reservoir to its former storage capacity.

CLIFFORD N. SCORESBY.

Mr. SCORESBY. I am here today, Mr. Chairman, primarily to represent the upper valley spaceholders in the American Falls Reservoir. I happen to be secretary of the Upper Valley Protective Union Association that comprises about 50 canal companies and irrigation districts, most of whom have space in American Falls Reservoir. You might wonder how we arranged this. We have an exchange agreement through the Bureau of Reclamation and the water masters to exchange water to the lower valley from American Falls.

Most of our people have some storage in this reservoir.

I would only urge that with all the testimony presented here today that it be constructed as soon as possible and not let anything interfere with it.

Of course, we can use our own local money. That is the best way to go.

I am also secretary of a committee of nine, the advisory group on Snake River. We have a very efficient organization that is unique in its history and something that we are proud of in this part of the State of Idaho. We get along very well. We have fine cooperation from all the water users in the districts up and down the valley.

I will be glad to answer any questions.

Mr. JOHNSON. Thank you for your statement, Mr. Scoresby.

As we flew in this morning, and as we have looked at Idaho for probably the 10th trip by air and once by automobile, I see a good farming pattern. We see people living on these farms.

In my own State of California, and especially in the area my colleague, Mr. Ketchum represents, sometimes we don't see a house for a good many thousands of acres, but there is a lot of farming going on. You people have lived with this, developed your crop patterns, built up your area. I think this is the most helpful type of farming we have and we want to try to see it continued.

Mr. SCORESBY. Right.

Mr. JOHNSON. The gentleman from California, Mr. Ketchum.

Mr. KETCHUM. No questions.

Mr. JOHNSON. Mr. Towell.

Mr. TOWELL. No questions.

Mr. JOHNSON. We thank you for the benefit of your testimony.

Mr. SCORESBY. Thank you, Mr. Chairman, and members of the committee.

Mr. JOHNSON. Our next witness will be Mr. Cecil Hobdey, secretary, American Falls Executive Committee, counsel for the largest spaceholder.

STATEMENT OF CECIL HOBDEY, SECRETARY, AMERICAN FALLS EXECUTIVE COMMITTEE; COUNSEL FOR THE LARGEST IRRIGATION DISTRICT, SPACEHOLDER

Mr. HOBDEY. Members of the committee, in view of the chairman's remarks I will make these comments very brief.

I would first like to identify the committee for whom I appear. There are some 35 spaceholders in the American Falls Reservoir. These vary from individuals holding only a few hundred feet to individuals holding several hundred thousand acre feet. By virtue of the vast amount of space involved, we have varying conditions in farming. For this reason the space holders felt that it would be advisable to create a committee to help formulate plans, investigate possibilities for replacement, and that is how the committee of eight came into existence. The committee is comprised of members from the upper reaches of the Snake to the lower end of the project.

I might say when the proposal of Idaho Power was first presented it seemed the essence of simplicity. The spaceholders would simply build a dam and Idaho Power would help repay it. However, we soon found we were headed into a hydra-headed monster, cut off one head and we were faced with two more. The spaceholders have to this point advanced money to the State of Idaho for engineering, advanced money for planning, obligated themselves to Bechtel, and spent other moneys in developing testimony. To me, I think, the one point I would like to make on behalf of the spaceholders is: Cognizant of all the risks involved and the uncertainties of passage before this honorable subcommittee, the spaceholders have taken those risks and raised that money and have spent it. We think this demonstrates the good faith of the spaceholders.

I would request my full statement be made a part of the record.

Mr. JOHNSON. Your statement will appear as if given in full in the record.

[Mr. Hobdley's prepared statement follows:]

OCTOBER 6, 1973.

HON. HAROLD T. JOHNSON,
*Subcommittee Chairman, Water and Power Resources Subcommittee, Interior
 and Insular Affairs Committee, U.S. House of Representatives, Washington,
 D.C.:*

Mr. Chairman and members of the committee, by name is Cecil D. Hobdley. I am a lawyer and reside at Gooding, Idaho.

I am appearing before this Honorable Committee representing a committee which has been designated as "The Committee of Eight".

There are 35 Spaceholders holding storage rights in the American Falls Reservoir. These Spaceholders range from individuals owning only a few hundred acre feet of storage to irrigation districts holding several hundred thousand acre feet of storage. Also included as Spaceholders are municipalities, private irrigation companies, a public utility and the Shoshone Bannock Indians.

The farms served by the reservoir vary radically in size and in the kind of crops grown and because of the rather vast size of the area involved, are subject to varying climatical conditions. The stored water in American Falls Reservoir, therefore, obviously means different things to different persons. For some, the water stored in American Falls Reservoir is in the nature of insurance in the event of the failure of a primary water source; for others it represents a needed supplemental source, and for some it represents their only irrigation water source.

When the Bureau of Reclamation made the determination that, because of the deteriorating condition of the American Falls Dam it would be necessary to restrict the storage, it immediately became the concern of the Spaceholders to have the dam replaced in the most expeditious and economical manner.

At a general meeting of the Spaceholders a committee was organized, hopefully representative of all the Spaceholders for the purpose of investigating alternatives available to the Spaceholders.

The Committee of Eight is comprised of the following members:
 Leonard Graham and Russell Holm representing the Upper Snake River area.
 Roger Ling representing the Minidoka County area.
 Cliff Darrington representing the Cassia County area.
 Charles Marshall representing the Jerome County area.
 Tom Olmstead representing the Twin Falls County area.
 Robert Hogg representing the Idaho Power Company.
 Cecil D. Hobdley representing the Gooding and Lincoln County area.

C. J. Marshall, Jerome, Idaho, was named Chairman of the committee and I serve as Secretary.

The committee has met almost weekly since last December.

A proposal to aid in the replacement of the dam was made by Idaho Power Company which will be explained in detail by other witnesses.

The concept was and is, simple—the Spaceholders would build the replacement dam and enter into a contract with Idaho Power Company to sell them the falling water for power generation.

It didn't take long, however, for the committee to realize that it was coping with a hydra-headed monster.

The committee first faced the problem of financing the replacement dam, from current preliminary design to construction. Because time was and is so critical, Spaceholders agreed to finance the preliminary phases with no assurance that the dam would or could be ultimately constructed by them. To this date thousands of dollars have been advanced by the Spaceholders, cognizant of the risk involved.

Conflicts with respect to the question of replacing the river crossing arose. The Spaceholders agreed to be responsible for the construction of a two-lane crossing and have advanced money for the preliminary engineering necessary.

It became apparent because the present dam is owned by the Bureau that we would need Federal Legislation and the Spaceholders advanced money to accumulate and submit testimony and evidence for this purpose. Hopefully, this committee will see fit to recommend passage of the Federal Legislation which we so desperately need.

I can assure this committee that final passage of the Bill by Congress will not terminate the problems of the Committee of Eight.

We will need additional legislation by the Idaho Legislature according to our Bond Counsel before bonds would be salable.

[There are innumerable contracts to be negotiated as, for example, contracts between American Falls Reservoir, the constructing agency and the Bureau of Reclamation; between American Falls Reservoir District and Idaho River Company; between the respective Spaceholders and American Falls Reservoir District, etc.

Finally, even though all these preliminary matters are favorably resolved, the replacement of the dam cannot take place until bonds are sold and funds made available. We are operating on an extremely inflexible time schedule in an effort to minimize the time the farmers will be subject to less than full water rights.

What I have tried to emphasize is that notwithstanding the myriad of practical and legal problems the Spaceholders have faced and will face, they have been willing to risk the expenditures of money in the confidence that those in a position to assist them in our hour of need will do so.

Respectfully submitted,

CECIL D. HOBDEY.

Mr. JOHNSON. After glancing through it rather hurriedly, I see you have prepared a very fine statement for the record. I can only say that you people seem to get yourselves together very quickly after the restriction was placed on storage. You have come up with a good workable plan.

In the report from the Department, as you know, there is only one matter that concerns the Department of the Interior and the Bureau of Reclamation. That is the matter of arbitration being mandated in the legislation.

Do you have anything further on that?

Mr. HOBDEY. Yes, I think I could comment, Mr. Chairman.

I think the reason that the spaceholders feel that this is important and desirable might even stem back to a situation which is involved in the Bechtel plan. While I don't want to preempt Mr. Patrick's comments or to get into the engineering field, the plan as proposed by Bechtel was to utilize the left embankment as an impervious core for the dam, obviously for the purposes of economy. My interpretation of the Bureau's position was that this was not a desirable thing. This, I think in the minds of the committee and the spaceholders, raised the specter of the same type of disagreement being raised in the future. Our concern was and is if we get a similar hangup we don't want something sitting on someone's desk in Washington or Denver or Boise or wherever. We want a situation where we can get this thing moved.

Mr. JOHNSON. I promise you are, then, satisfied that the estimated input as far as the Idaho Power Co. is concerned, the \$19 million is sufficient to cover a proper structure.

Mr. HOBDEY. I can only say there, Mr. Chairman, that I feel that the Idaho Power Co. has made a sufficient study and have only obligated themselves to what they feel is their limit in view of their own return.

I don't think Idaho Power is any kind of godfather or someone who will give us anything. I think they have reached a determination of fact—they can get so much from their investment and this is as far as we can go.

Mr. JOHNSON. In their statement they stated how far they could go as far as costs are concerned.

Mr. HOBDEY. Yes.

Mr. JOHNSON. You don't see anything that would cause the price of the structure to go up? As you mentioned there was a difference of principle already raised between the Bureau and the spaceholders as to the type and character of abutments.

Mr. HOBDEY. I am sure if the price does go up we as spaceholders are not saying Idaho Power has any other obligation other than what they have proposed.

Mr. JOHNSON. And you are satisfied with this proposal as a spaceholder?

Mr. HOBDEY. I suppose I am, but I should not be making that determination on behalf of the committee of eight.

Mr. KETCHUM. No questions.

Tr. TOWELL. No questions.

Mr. CASEY. May I ask the witness one question?

Mr. JOHNSON. Yes.

Mr. CASEY. Would you furnish for our record or tell us now just about how much the spaceholders are out of pocket as of now in this project?

Mr. HOBDEY. I don't have that available, but I certainly can and will make that available.

Mr. JOHNSON. If you will, then we will place it in the record.

Mr. HOBDEY. Thank you.

Mr. JOHNSON. Thank you for appearing here.

Our next witness will be Mr. Ted Diehl, president of the spaceholders organization, and manager, Northside Canal. Co.

STATEMENT OF TED DIEHL, PRESIDENT, AMERICAN FALLS SPACEHOLDERS, AND MANAGER, NORTH SIDE CANAL CO., JEROME, IDAHO

Mr. DIEHL. Chairman Johnson, members of the committee, Congressman Hansen, and Senator McClure, I would like just to summarize and have my full statement—

Mr. JOHNSON. Your full statement will appear in the record as presented in full, and you may summarize.

[Mr. Diehl's prepared statement follows:]

STATEMENT OF TED DIEHL, PRESIDENT OF AMERICAN FALLS SPACEHOLDERS

Chairman Johnson, members of the committee, distinguished guests, ladies and gentlemen, my name is Ted Diehl. I am president of the American Falls Spaceholders organization. I am a registered professional engineer, and serve as general manager of the North Side Canal Co., with offices in Jerome, Idaho.

The American Falls Spaceholders support S. 1529 and the promise that it holds for the early replacement of the deteriorated American Falls Dam. Since the restriction order of last October, the Spaceholders have pulled together in a united effort to attempt to secure the speediest possible replacement of the existing American Falls Dam.

We are most pleased today that your Committee is giving us the opportunity to talk to you about the problems inherent in the operation of the American Falls Dam at less than full capacity, and its need for replacement. We particularly appreciate the Committee's scheduling of this hearing in Burley, so that we might demonstrate to you the need for the early replacement of the dam.

As you know, when the American Falls Reservoir is filled to capacity, it contains 1,700,000 acre-feet. Although it is difficult to say that any one reservoir is most important in the operation of the irrigation economy of Southern Idaho, American Falls is certainly a most vital link. In addition to providing primary water rights for two of the larger districts in Idaho, American Falls contains that supplemental water which is needed each year to finish crops properly. The benefits from the reservoir would extend to nearly 800,000 acres of irrigated land. With the operation of the reservoir at slightly under two-thirds of normal capacity, and any combination of less than bountiful water years could well spell economic disaster for American Falls Spaceholders. For example, my employer,

the North Side Canal Company, owns independently and through the American Falls Reservoir District, approximately one-fourth of the total capacity of the reservoir. This is our primary water right for our 160,000 acres of irrigated ground. With the present loss of one-third, and a possibility of additional restrictions, if we have other than good years in the watershed, it could well mean water cutbacks and agricultural losses which would be disastrous to the economy of our valley.

For these reasons, and because the Idaho Congressional delegation advised that it would be difficult to obtain early Federal funding for the replacement project, the Spaceholders united together in support of S. 1529. It is our hope that your Committee will favorably and expeditiously consider S. 1529, and encourage its passage in the United States House of Representatives. We as Spaceholders, are presently involved in advancing money to keep engineering schedules and other pre-construction work on schedule, in the hope that we will be able to proceed. Through our Executive Committee, the Spaceholders plan to honor their commitments in assisting in the construction of an adequate bridge at American Falls, as well as to work out the best possible and practicable mitigation of the environmental facilities.

We recognize that we have problems which must be overcome prior to the initiation of construction, but the Spaceholders are pledged to rebuild the dam, and we are prepared to do whatever is necessary to get that job accomplished. We appreciate the proposal of the Idaho Power Company to purchase falling water, as it would lighten the financial obligation of the landowners.

The effort to replace the dam has been a united one for Idaho. We particularly want to thank the members of our Congressional delegation and Governor Andrus, for lending our project their support. We also wish to thank the Bureau of Reclamation for their cooperation in these preliminary stages.

We acknowledge that there are problems inherent in the manner in which we propose to proceed. However, the majority of the Spaceholders are convinced that S. 1529 is the proper course.

I again thank you for coming to Burley, for this hearing, and for your tour of the facilities, so that you might get a first hand look at the American Falls replacement problem. We ask your favorable consideration of S. 1529.

Mr. DIEHL. As previously stated, my name is Ted Diehl. I am president of the American Falls Spaceholders organization. I am a registered professional engineer, and serve as general manager of the North Side Canal Co., with offices in Jerome, Idaho.

The American Falls Spaceholders support S. 1529 and the promise that it holds for the early replacement of the deteriorated American Falls Dam.

Our company owns about one-fourth of the American Falls Dam. We are vitally affected with the restrictions it has presented to us. Because of the high cost of putting crops in, the area I serve cannot afford to be short of water and lose that money.

North Side Canal Co. has water rights for approximately 160,000 acres, and we need all the water that we can have to guarantee crops.

I was born and raised in the area that I serve, and I can remember back in the early 1930's and late 1920's the short-water years we had and how that really affected the farming economy in our area. If we were to have that today, it would be such a disaster compared to those days that you could not believe it, because today it \$250 to \$400 an acre to raise a proper spud crop.

I would like to say the Spaceholders in all good faith came up with some money, presented it where it was needed and worked real hard to get the replacement of American Falls Dam. From the offset we just looked at how can we replace the dam the quickest in the easiest method.

With that I will answer any questions you have.

Mr. JOHNSON. We appreciate your being here.

Were you curtailed with your water this summer?

Mr. DIEHL. No, we were not. We watched it very carefully, but if we were to have another winter like last we certainly would be.

Mr. JOHNSON. If you would have a dry winter you would be short next year?

Mr. DIEHL. Yes, sir.

Mr. JOHNSON. You are all participants, share and share alike, Spaceholders?

Mr. DIEHL. It is just like going down to the bank. I have a saving account and you have one and mine runs short and I ask you for yours, I am sure you won't let me have any of it.

Mr. JOHNSON. On a given river for a given area, if there is a group of users that use water for the same purposes, generally during a dry year you have to share and share alike. The same deduction is made against all the Spaceholders. Who has first call?

Mr. DIEHL. You heard about the Committee of Nine. That was formed to keep people from shooting each other over water rights. If there is water to spare there will be a chance to lease water or loan water. Some people have better rights than others. That is why we guard ourselves just like everybody else.

Mr. JOHNSON. You being an older company operating in the area, your water rights are a little more secure than some of the rest?

Mr. DIEHL. Well, I would hope so.

Mr. JOHNSON. The gentleman from California.

Mr. KETCHUM. No questions.

Mr. JOHNSON. Mr. Towell.

Mr. TOWELL. No questions.

Mr. JOHNSON. Mr. Casey.

Mr. CASEY. No questions.

Mr. JOHNSON. We would like to thank you.

Mr. DIEHL. Thank you. I want to thank all you gentlemen for coming to Idaho to see our problem.

Mr. JOHNSON. Our next witness is Mr. Burdell Curtis, manager of the Burley Irrigation District, representing the Central Valley Spaceholders.

Mr. Curtis.

STATEMENT OF BURDELL CURTIS, MANAGER, BURLEY IRRIGATION DISTRICT, REPRESENTING CENTRAL VALLEY SPACEHOLDERS

Mr. CURTIS. Thank you, Mr. Chairman, members of the committee, ladies and gentlemen.

My name is Burdell Curtis. I have been a resident of the Burley irrigation project practically all my life. I have a 300-acre farm operation, which includes the old homestead where my father cleared the sagebrush in 1909.

I have been actively engaged in or associated with agriculture and stock raising all my life. At the present time, I am manager of the Burley Irrigation District, which position I have held for the past 10 years.

In 1909, the Burley Irrigation District had 139,780 acre-feet of storage space in Jackson Lake, and 31,885 acre-feet of storage space in Lake Walcott, totaling $3\frac{1}{2}$ acre-feet per acre.

The American Falls Dam was completed in 1927 and in 1952 the District's water rights in Jackson Lake, through an exchange initiated by the Bureau of Reclamation, were transferred downstream to American Falls Reservoir, where an additional 18,162 acre-feet of storage space was acquired.

The Palisades Dam was completed in 1957 and an additional 39,000 acre-feet of storage space was purchased, making a total of $4\frac{3}{4}$ acre-feet of storage space per acre, which is necessary to produce and mature the kind of crops raised in this area.

It was during the years from 1909 until the transfer was made to American Falls that crops suffered as a result of an inadequate water supply. From 1920 to 1928, an average of $2\frac{3}{4}$ acre-feet of water was delivered each year per acre to the farms. This is not sufficient water to produce crops in this area.

The storage restriction placed on American Falls Reservoir decreases our storage 1 acre-foot, down to $3\frac{3}{4}$ acre-feet per acre.

I can remember, as a youth, riding in a Model T Ford, with my parents, to Rupert, Idaho, in the spring of the year on a number of occasions when the water in Snake River would be up over the road, north of Declo, as we approached the bridge to cross the river. Then later in the summer, my father would be discussing the shortages of water and wondering which crops to irrigate and save, and which to sacrifice.

Since the construction of American Falls and Palisade Dams, the flooding conditions do not occur and the water is stored and put to beneficial use during the summer months. However, we still experience short water years due to drought.

We have had above normal precipitation since the restriction was placed on American Falls capacity. This has averted a crisis. During a normal year, it would be necessary for our district to rent 50,000 acre-feet of water at a cost of \$25,000, if it was available. During a dry year, it would result in a short water supply and an economic disaster to our area.

SNAKE RIVER is the life blood of this valley. The dams hold the winter and spring run-off water which is diverted during the hot summer months to fertile fields to produce food for people of our valley, State, and Nation.

The Burley irrigation district with 715 family farms, 48,000 acres of farm land, valued at more than \$50 million; not to mention the vast amount invested in homes, schools, churches, utilities, highways, cities, industries, and irrigation systems. This would be practically worthless without the dams in the Snake River.

American Falls Dam is very important to us and other spaceholders and to thousands of people dependent upon it for a livelihood. It holds three-fifths of our storage, or 3 acre-feet of the $4\frac{3}{4}$ acre-feet per acre.

Speaking in behalf of the water users of this district and valley, we would appreciate your consideration and support of S. 1529 before more restriction is placed on American Falls Reservoir storage.

Thank you for the privilege of permitting me to testify before you.

MR. JOHNSON. Thank you, Mr. Curtis, for a very fine statement on behalf of the Burley Irrigation District, as well as yourself as a rancher and the others that you represent.

I think you have covered it from the day it was sagebrush up until what you have here now. Certainly you need the amount of water you speak of to carry on your operations today.

There was a time when you could probably get by with less, but today you would be out of business. Is that right?

Mr. CURTIS. That is right.

Mr. JOHNSON. The gentleman from California.

Mr. KETCHUM. No questioning.

Mr. JOHNSON. Mr. Towell.

Mr. TOWELL. One quick question of the witness.

I think it should appear in the record that we are definitely dealing with family type farm operations. Do you have any figure as to the average size of the family farm?

Mr. CURTIS. Forty to eighty acres. That would figure out by dividing 175 into 48,000. There are some larger tracts and some 20-acre tracts. Some people have only 10 acres.

Mr. JOHNSON. Mr. Casey.

Mr. CASEY. No questions.

Mr. JOHNSON. Mr. Luken.

Mr. LUKE. No questions.

Mr. JOHNSON. Thank you, Mr. Curtis.

Our next witness will be Mr. Wendell Johnson, representing the board of directors of American Falls Reservoir, District No. 2, and the board of director of Big Wood Canal Co., Shoshone, Idaho.

STATEMENT OF WENDELL JOHNSON, REPRESENTING THE BOARD OF DIRECTORS OF AMERICAN FALLS RESERVOIR, DISTRICT NO. 2, AND THE BOARD OF DIRECTORS OF BIG WOOD CANAL CO., SHOSHONE, IDAHO

Mr. WENDELL JOHNSON. I am very pleased to be here.

We have all stated that time is of essence, and looking at my watch, if we are going to make the tour, I will have to hurry.

My name is Wendell Johnson. I reside in Richfield, Idaho, and own and operate a ranch in Richfield and Dietrich, Idaho. I am director of the board of directors of American Falls Reservoir, District No. 2, and also a member of the board of directors of Big Wood Canal Co., Shoshone, Idaho.

The area I represent is a little different than the other areas that we have been talking about in that for about 60,000 acres of this project, this is the only storage we have. We have no other storage for this, and to answer a little more fully a question that Mr. Towell asked awhile ago, whether anybody was short, we were short. The restriction that is placed on the dam falls most heavily upon our irrigation district because of the way it is arranged. We were the last to get in the door, so we are the first ones that feel the bite.

We got by very well this year. We had excellent crops, but it was a little tight. We all had to remember how to irrigate just a little better. The memory came back of how it was to be a little short. It was a rather grim specter standing there in the wings.

The only reason we survived this year was we had the ability to rent or purchase 80,000 acre-feet of water from American Falls at a cost of

\$40,000. We still had to cut our delivery to 80 percent for 2 months and we shortened it by 15 days. But it was adequate. We got by with it.

You have got to realize that we only got by in a year when we had very adequate carryovers. Had the carryovers not been this way we would have been in a very serious problem.

Time is very, very important to us, because although we do have Magic Dam that supplies 40,000 acre-feet of water. This is inadequate, and anybody who lives in our area knows that when we are getting all our water from Magic. We have less than a month's water. This is a disaster. All we are asking is, let us do it ourselves and let us get it done in a hurry.

Mr. JOHNSON. Mr. Johnson, your statement will appear in the record as if presented in full.

Thank you for your summary.

[Full statement follows:]

OCTOBER 5, 1973.

HON. HAROLD T. JOHNSON,

Subcommittee Chairman, Water and Power Resources Subcommittee, Interior and Insular Affairs Committee, U.S. House of Representatives, Washington, D.C.

Mr. Chairman and member of the committee, my name is Wendell Johnson. I reside in Richfield, Idaho and own and operate a ranch in Richfield and Dietrich, Idaho. I am a director of the Board of Directors of American Falls Reservoir District No. 2 and also a member of the Board of Director of Big Wood Canal Company, Shoshone, Idaho.

The area I represent has an early history of short water years. The project was taken up in 1907 by the Idaho Irrigation Company and was supplied by water from Magic Dam with a storage capacity of 191,000 acre feet and at a cost of \$7,000,000.00. This was to irrigate 80,000 acres. After a period of about 20 years, many of which were very short of water (one year consisting of less than one month of water supply), American Falls Reservoir District No. 2 was formed and 400,000 acre feet of storage was contracted for at a cost of \$6,680,000.00. At this time an additional 20,000 acres were added to the project. Many of these people will not have paid their construction cost until the year 2000 and are now faced with the prospect of paying off the old dam as well as a new one.

This area is composed of mostly small family size farms, raising diversified crops with a rather large population of dairy and beef cattle. There are approximately 11,000 acres of row crops in the area. Without irrigation water in adequate amounts, the entire economy of our area will collapse.

American Falls Reservoir District No. 2 is faced with the prospect of being very short of water as long as we are forced to operate under the one-third reduction in storage.

We have been obligated to purchase this year 80,000 acre feet of water at a cost of \$40,000.00 just to finish out the season with 80% delivery in two months and the season shortened by 15 days. This was a year when we had a high carry over on the Snake River.

The prospects for 1974 are very bleak. Without an above average snow fall and a wet Spring the farmers in our area are going to be faced with having to operate with a very limited water supply.

We can probably survive one or two short water years with a lot of belt tightening but any more than that will see severe financial hardships.

As you can see, time is very important so that the proposal that makes the most sense to the average irrigator is the one that will get him his original amount of water back in the shortest possible time with the smallest amount of money coming out of his pocket.

The average irrigator feels that the original dam should have lasted at least until it was paid for but it has not so all he asks for is the necessary legislation so that he can rebuild the dam without waiting for Federal appropriations.

Respectfully submitted,

WENDELL JOHNSON.

Mr. JOHNSON. We do want to get out to the dam this afternoon and have a look at the general area of the powerhouse and related facilities.

I presume you are a little harder pressed with this than most people. If that 80,000 acre-feet wasn't there to purchase this year, you would have been hurt?

Mr. WENDELL JOHNSON. Right.

We would have been 1 more month short instead of 15 days. This is the point I would like to stress, that this water will not be available in a short year, because if the other people are short, they are going to get there first.

Mr. JOHNSON. Mr. Ketchum.

Mr. KETCHUM. No questions.

Mr. JOHNSON. Mr. Towell.

Mr. TOWELL. No questions.

Mr. JOHNSON. Mr. Casey.

Mr. CASEY. No questions.

Mr. JOHNSON. Our next witness will be Mr. Ben Cavness, attorney for the city of American Falls Bridge Committee.

STATEMENT OF BEN CAVNESS, ATTORNEY, AMERICAN FALLS, IDAHO, BRIDGE COMMITTEE

Mr. CAVNESS. Mr. Chairman, members of the committee, and Mr. Hansen, I have a written statement which is being handed out to you at this time. I request that it be submitted for the record.

Mr. JOHNSON. It will be submitted for the record in full, and you may summarize it.

[Full statement follows:]

STATEMENT OF BEN CAVNESS, ATTORNEY, AMERICAN FALLS, IDAHO, BRIDGE COMMITTEE

Good morning. My name is Ben Cavness. I am an attorney from American Falls, Idaho. I am here on behalf of the American Falls Bridge Committee. Since all of the speakers here today will address themselves to the need to immediately proceed with the replacement of the dam at American Falls, Idaho. I will concentrate my comments on the subsidiary issues, also important, which must be considered if a complete picture is to be painted. The two subsidiary issues which are most important to the people in the American Falls-Aberdeen area relate to inclusion of provisions relating to an adequate river crossing and proper mitigation of the adverse environmental impact of the new dam and powerplant.

My commentary regarding the adequate crossing issue can be brief. The constructing agency agreed prior to the Senate Hearing to submit an amendment to the original Senate bill which set out the responsibility of the constructing Agency in this regard. It is also my understanding that the identical language will be submitted by them to you here today. This wording places into effect the correct assessment of responsibility on the various parties and insures the people in the American Falls-Aberdeen areas who depend upon this crossing that they will have a new crossing, sufficient to meet their needs for the foreseeable future.

The environmental mitigation issue has only recently come to the fore. At the time of the Senate Hearing both the Constructing Agency and the members of the Bridge Committee proceeded on the basis that the present forebay would be left intact and that the fish wishing to migrate from the reservoir would be bypassed into the forebay. Subsequent engineering studies have determined that this is not possible. Subsequent plans called for complete destruction of the forebay and passage of all fish through the turbines of the power

plant. Since these plans were not acceptable to the members of the bridge committee meetings were held with the appropriate officials of the constructing agency to determine what plans would be acceptable to both parties. At a meeting in the later part of September, 1973 a joint communique was issued by the Bridge Committee and the Coordinating Committee of the Constructing Agency to the effect that the constructing agency would investigate and take all action physically and financially possible to mitigate the environmental impact of their project.

This communique was based on the understanding that the Bridge Committee would not insist upon the traveling screens method of screening and bypassing the fish away from the turbines but would accept any mechanical device that would yield the same result. We are concerned with the safe passage of these fish for good reason. The forebay fishery presently yields an annual harvest of approximately 14,000 rainbow trout and coho with the average size of approximately 14 inches and an average weight of over one pound. This harvest, which is approximately 30% of all the game fish caught in the 155 mile stretch of the river from American Falls to the Upper Salmon River Falls, is valuable both to the American Falls-Aberdeen area residents and the State of Idaho. We do not feel that it is physically possible to pass these large fish through the power plant turbines without severely high mortality rates. We will not accept any plan which calls for passage of the fish through the turbines. However, we will accept any device designed by the constructing agency which accomplishes this result. We feel that the ultimate approval or disapproval of any device of this nature rests properly with the Secretary of Interior who must finally approve all plans and the Federal Power Commission which approves or disapproves a license for this project.

In summary, we feel that the environmental impact of this project must be mitigated and the fish bypassed into the tail race of the power plant. We intend to hold the constructing agency to its commitment in this regard. If they fail to live up to the terms of their commitment we have remedies available to us in the courts of our land to force them to do so. However, the courts cannot give us the congressional authorization that we need in order to proceed with the replacement of this antiquated dam. You can and we ask that you report out favorably and push for early enactment of House Bill 6782, with the minor Senate Amendments. Thank you.

Mr. CAVNESS. You talked about the absence of opposition. I believe, as testified earlier, the Committee of Nine and the people most concerned with this are directly concerned and responsible for this.

If there has been a thorn in the Committee of Nine, that is probably us. There were several things initially planned by the water users that were at least detrimental to our area that we wished taken into account prior to supporting their proposals.

Basically the first issue was the bridge. They had no plan for an adequate crossing in their initial plans, and it was very vital to have their plans amended to include some provision for us to cross it.

After some acrimonious debate and heated arguments in the back room which we felt was the proper place to settle these differences, we managed to come up with a plan acceptable to all of us. This was submitted to the Senate at the time of the Senate hearings in Washington, D.C.

That was the first hurdle we jumped. At the time of the Senate hearing we had presumed that the Fore Bay Fishery would be maintained. This is the body of water immediately below the dam, and is a very unique feature of this dam. It is a very important one to our area.

The plan to the Senate was to keep the Fore Bay Fishery. Engineering studies have proven this to be impractical, in that we cannot main-

tain the fast water which the game fish require. The drop of all this water is what they need to make this project go.

The plans call for complete destruction of the forebay and call for passage of the fish through the turbines. Again, this unique forebay facility creates a unique fish system. The fish have to leave our reservoir at a certain time of year for lack of oxygen. These are large trout, incubated and taken care of and grown in the reservoir.

These are the 1- to 5-pound trout. What happens is that the fish now go out the penstock into the forebay where they are caught by the anglers or bypassed around the turbines of the present plant into the Snake River.

If they get around the forebay and bypass these turbines, according to fish and game and many of us, we felt these long fish would be literally mutilated by the turbines.

We can bypass small fish, but not the large ones.

Again, we went to the Committee of Nine and came up with an agreement so we can come to you people with a unified front.

At a committee meeting of the joint bridge committee and the water users committee meeting in late September, a joint communique was issued by both parties to the effect they would investigate how they can bypass these fish and screen them away from their turbines and take all actions physically and financially possible to bypass these fish.

We didn't want to be responsible—somehow I had the environmental thing of the bridge committee thrust upon me. I don't want to be responsible for 5,000 big dead fish down below the reservoir, since I have to live in that area for the rest of my life.

Basically, we will do everything we can to develop a screening device to keep the fish out of the turbines.

I talked to Mr. Patrick during the recess, and he is of the opinion some type of trash screen could be put in and maybe narrowed to keep the big fish out and then a bypass method to get the fish out of there, but, again, something with engineering feasibility.

The only thing acceptable was a traveling screen, 80 feet high and 400 feet long as an engineering monstrosity as well as a maintenance monstrosity.

It is our position and the bridge committee's position that what we want is the fish bypassed and we do not care what means they do it, just as long as the result is they don't kill the fish.

The forebay yields around 14,000 fish from 1 to 5 pounds every summer, and they are all rainbow trout. It is quite an angler's paradise in the summer. In fact, when they had a public hearing with the water users they were convinced because they drove by and there were about 150 people fishing in this area.

We have gotten in the backroom and got our problems resolved. The only thing we can't get resolved is the congressional authorization. We are trying to do it ourselves and we want the dam replaced with as much of our money as we can, and the only Federal money will be the enhancement features designed into the Senate bill. We request urgently that you proceed with this matter, and we will give you all the help we can.

Mr. JOHNSON. We want to thank you, Mr. Cavness, for a very forthright summary of your statement.

I am glad you had that backroom session, because when you come to Congress, sometimes you pick up opposition you wouldn't want attached to the project.

When you talk about fish and wildlife and environment, that matter can be blown out of all proportions.

If you do it yourselves locally you have some control.

Mr. CAVNESS. That is the reason I got in the backroom.

Mr. JOHNSON. The gentleman from Nevada.

Mr. TOWELL. No questions.

Mr. JOHNSON. Mr. Ketchum.

Mr. KETCHUM. No questions.

Mr. JOHNSON. Our next witness will be Mrs. Angela Butterfield, representing the Shoshone Bannock Tribes of Fort Hall.

We are very glad to have you here, Mrs. Butterfield, to give us the other side of women's lib here.

STATEMENT OF ANGELA BUTTERFIELD, REPRESENTING THE SHOSHONE BANNOCK TRIBES OF FORT HALL

Mrs. BUTTERFIELD. Hon. Chairman Johnson and members of your honorable committee, I am representing Shoshone Bannock Tribes of Fort Hall. The following remarks are in addition to the written statement prepared by our tribal attorney, Dwight Bowen.

With all of the people appearing here, it is an honor that we appreciate and we're glad to be allowed to appear here on behalf of my people.

The Shoshone Bannock people realize that the original American Falls Dam issue is settled. We are not here to make any objection to replacement of that dam at the same level originally planned and used in its original construction.

The farmers have become used to using that amount of water. They need it and if we could, we would not, at this time, try to prevent the replacing of the dam at its original elevation. However, not only the Shoshone Bannocks, but many other people will bitterly oppose any change that increases the storage capacity or floods another foot of Indian bottom lands.

With all due respect to everyone, it is our understanding that that is not the intention. But surely, in view of past experiences, we will not be criticized or blamed for being very apprehensive about the matter. We do not intend to go over the matter of broken treaties and our disappointments that you are all familiar with. We only want positive assurance that you'll do what Congressman Hansen has assured us is planned, in his recent letter to our friend, Ben W. Davis.

We would like to call your attention to the fact that surely the Government and the farmers, who we realize are seriously involved, will want us to be protected from the continual loss of our lands by erosion, which we hope will not follow—but which we are told by experts and we know from past experience, is sure to. In the past, the course followed by the Secretary has been one of neglect in preventing erosion, which has resulted in acres of tribal land falling into the reservoir, with minimal compensation. In continuing this program of

prevention, we are concerned that measures will not be taken to prevent erosion, but instead, the Secretary will rely upon minimal compensation for destroyed lands. Therefore, the bill should be more explicit in requiring prevention of erosion and instructing the Secretary of his express duty to insure prevention.

Thank you.

Mr. JOHNSON. We want to thank you, Mr. Butterfield. The statement prepared here by the attorney will be made a part of the record. Your comments are in the record.

[Statement referred to follows:]

STATEMENT OF THE SHOSHONE-BANNOCK TRIBES, FORT HALL INDIAN RESERVATION,
FORT HALL, IDAHO

When the United States of America treated with the Shoshone Nation in 1864, it recognized and acknowledged the Shoshone Nation as the sovereign aboriginal possessor of some 34 million acres, comprehending the lands which border upon the present American Falls reservoir. In and under said treaty the region was reserved and set apart to the tribe as a home in perpetuity.

By act of April 4, 1910, 36 Stat. 269, the United States Congress provided that the Secretary of the Interior should set aside and reserve certain lands between the Snake and Portneuf Rivers, known as the *FORT HALL BOTTOMS*, for the common use, benefit and enjoyment of the Indians, for grazing of cattle and horses, together with their use of the habitat of wild game and fish. Portions of the Fort Hall Bottom lands remains this date as nearly primitive as any area in the entire United States. These lands are the nesting place of geese, Canadian honkers, hutchins, practically every specie of the duck family, blue heron, gulls, pelican, Meserangers, curlew, hawks, occasional eagles, doves, grouse, pheasant, and meadowlark, all of which abound in profusion. In addition to the above, you will find beaver, muskrat, coyote, bobcat, deer, ermine, skunk, rainbow and native trout.

The Shoshone-Bannock people love their land-based reservation and have no interest whatsoever in any proposition for the substitution of other lands in exchange for these lands, inasmuch as it is inconceivable that there are other lands anywhere, much less adjacent to the reservation, that are comparable to these lands, insofar as water, feeding and grazing are concerned, together with all of the hunting and fishing abounding thereon. Moreover, the Fort Hall Bottoms constitute a place of sacred worship and repose for the Shoshone-Bannock people and numerous Indian graves can be found thereon. Further, the subject lands have already yielded a vast and rich cache of priceless artifacts and represent one of the most viable archaeological contexts in the region.

In reviewing S. 1529, together with its present amendments, the Shoshone-Bannock Tribes express concern that the Bill does not sufficiently detail provisions which will protect the resources of the tribe and tribal members. These concerns together with requested amendments are as follows:

(1) *The Maximum Water Surface Elevation of the Dam and Height of Dam*

The Bill should clearly specify that the dam will be reconstructed at the same height above sea level as the existing dam. An amendment to the Bill provides "that the design, construction, and operation of the replacement dam shall not result in a maximum water surface elevation at the dam higher than elevation 4,354.5 feet." The tribes ask for printed assurance in the Bill that the dam as reconstructed will not result in raising the height of the dam or increasing the maximum water surface elevation in the reservoir. The terms "height" and "water surface elevation" can be very misleading unless it clearly specifies height above sea level.

Without such assurance in the express provisions of the Bill, the tribes would be exposed to possible infringement upon their property rights by the various interpretations of those controlling and operating the dam and reservoir.

(2) *The Prevention of Erosion Related to the Reservoir*

As has been expressed, the Indians regard their lands as being irreplaceable. The Bill with present amendments provides "that the Secretary shall continue the program of prevention of and compensation for erosion related to the reservoir."

The tribes believe it commendable that the Bill provides for the prevention of erosion, but from a practical standpoint call to the attention of this subcommittee that the course followed by the Secretary in the past has been one of neglect in preventing erosion, resulting in acres of tribal land falling into the reservoir, with minimal compensation. In continuing the program of prevention, the tribes express concern that measures will not be taken to prevent erosion, but rather, the Secretary will rely upon minimal compensation for destroyed lands, therefore, the Bill should be more explicit in requiring prevention of erosion and instructing the Secretary of his express duty to insure prevention.

The tribes are in favor of the provision of the Bill authorizing the appropriation of "such funds as may be necessary to meet the pro-rated construction cost apportionable to the irrigation storage rights of the Michaud Division of the Fort Hall Indian Reservation for space in the reservoir behind the American Falls Replacement Dam."

In considering the pending Bill, the Shoshone-Bannock tribes request Senators and Congressmen, together with the agencies and administrators of the United States Federal Government and the President of the United States, to venerate and uphold the solemn promises embodied in the treaties, act and agreements between the Shoshone-Bannock tribes and the United States Government and its agencies; that in order to fully protect Indian Property rights and to give to the Indian people assurance that their homelands as presently constituted will remain as now constituted, protective provisions and amendments to Bill should be made in order that the Indian people will not be subject to arbitrary, untenable and unacceptable interpretations and administrations.

Mr. JOHNSON. I want to say to you we are very happy you are here speaking on behalf of your people and pointing up the problem that you are confronted with and making certain that there is no increased capacity put in the reservoir, and that erosion is a problem that must be dealt with.

We flew over the area this morning and we had it pointed out by the new Assistant Commissioner that erosion was a problem and they are quite well acquainted with it. I am sure this committee would want to do everything it could to help deal with that problem properly. We have erosion. No matter what kind of project erosion is always a problem, whether a canal or waterway or reservoir.

The maintaining of lands adjacent to these reservoirs are very, very important. I know they are to you.

Mrs. BUTTERFIELD. Yes.

Mr. JOHNSON. The committee will give attention to that and make recommendations. Erosion control will be one of the considerations.

We discussed this morning and had an opportunity to see erosion taking place, because the reservoir is at a very low level and it points it up.

The gentleman from California.

Mr. KETCHUM. Thank you, Mr. Chairman.

Mrs. Butterfield, I appreciate you being here, too.

I wonder if you're familiar with an amendment suggested by the Department, a letter of October 5. Are you familiar with the amendment that has been suggested?

Mrs. BUTTERFIELD. No, sir, I am not.

Mr. KETCHUM. This isn't the whole letter, but I would certainly like to give you what I have got here so that you might see it and interpolate in the record the opinion of your people as to that.

I have no further questions, Mr. Chairman.

Mr. JOHNSON. The gentleman from Nevada.

Mr. TOWELL. I don't have a question. I have a comment.

In all due respect to Mr. Bowen, Mrs. Butterfield would make a very fine substitute.

Thank you for appearing here today.

Mr. JOHNSON. We want to thank you for being here today, and I am sure your representation will help.

[Supplementary views of Shoshone-Bannock Tribes follow:]

SUPPLEMENTARY STATEMENT OF THE SHOSHONE-BANNOCK TRIBES, FORT HALL INDIAN RESERVATION, FORT HALL, IDAHO

The Shoshone-Bannock Tribes submitted a written statement and presented oral testimony before the above-entitled Sub-Committee at a field hearing held in Burley, Idaho, on October 6, 1973. At the hearing, the tribes were furnished a letter written by Jack G. Horton, Assistant Secretary of Interior, which letter represented the views of the United States Department of Interior concerning H.R. 6782 and S. 1529.

The Shoshone-Bannock Tribes respectfully submit this supplemental statement in response to that letter, and additionally, wish to call the attention of the Sub-Committee to the history of lack of erosion prevention and inadequate compensation to the tribes for erosion of Indian Lands bordering the American Falls Reservoir.

The Federal Act acquiring Indian Lands on the Fort Hall Reservation for purposes in connection with the Minidoka irrigation project was enacted May 9, 1924, 43 Statute 117. The act, a copy of which is attached to this statement as "Exhibit A", provided in Section 4 that should any Indian Lands be damaged on account of the reservoir, the amount of the damage was to be determined by a board consisting of three members—two of which shall be appointed by the Secretary of Interior—one from the Bureau of Indian Affairs, and one from the Bureau of Reclamation, the third member, who shall be a disinterested party, to be selected by the two so appointed.

Substantial misunderstanding of the terms of the act existed among the Shoshone-Bannock Tribes and particularly a misunderstanding as to the implementation of the measures called for by the provisions of the act. This misunderstanding among the Indian people is highlighted by a letter dated August 22, 1973, written by Business Council Member Angela P. Butterfield to Attorney Francis L. Horn. A copy of the letter and Mr. Horn's response are attached hereto, as "Exhibits B & C". As reflected in Mr. Horn's responsive letter, the tribes rejected the offer of compensation for eroded lands and stated as justification that the amount offered was very minimal, totally inadequate and did not reflect the fair market value per acre of the lands in question. The tribes decision is stated in tribal resolution, attached hereto as "Exhibit D" and accurately represents that the tribal Business Council never accepted the payment for erosion. This inadequate offer of compensation in 1960 represents the only offer of compensation to the tribes for erosion although erosion has continuously been taking place during the subsequent years.

With reference to prevention of erosion of Indian Lands which border the American Falls Reservoir, the tribes invite the members of this Sub-Committee to personally observe the conditions of the banks and lands surrounding the reservoir. The tribes are certain that the Sub-Committee will reach the conclusion that in fact minimal, if any, effort has been made to prevent erosion. When the Bureau of Reclamation is asked why measures are not being taken to prevent erosion, the Bureau has blamed the same upon lack of cooperation from the Indian people. Such accusations on the part of the Bureau of Reclamation are intolerable when the record clearly indicates that the Business Council of the Shoshone-Bannock tribes have never received such a request and have never rejected the opportunity to cooperate in preventing erosion of Indian lands bordering the American Falls Reservoir.

Having reviewed the history of erosion prevention and compensation for erosion, it is understandable why the Shoshone-Bannock tribes express renewed concern over the language of the pending bill which calls for prevention of erosion and compensation for erosion. A copy of page 4 of Assistant Secretary Horton's letter is attached hereto as "Exhibit E" and is quoted from as follows:

"With particular reference to protection of the Indian tribal interests of the

Fort Hall Reservation we recommend that the bill be amended to assure that the level of the American Falls reservoir not be raised and that appropriate action be taken to control any erosion which could adversely affect Indian lands. To accomplish this the following should be added at the end of Section 1 of the bill:

"The construction and operation of the replacement dam shall not result in an increase in the elevation of the reservoir water surface above that maintained for the original dam. Such construction and operation shall include provision for the correction and prevention of erosion related to the reservoir or for the full and adequate compensation of adjacent land owners (including owners of land subject to a flowage easement for the reservoir) if such erosion cannot be corrected or prevented."

Such broad directives given may once again result in continued injustice to the Indian interests. The tribes should be given the assurance in the Bill that the replacement dam and elevation of the reservoir water surface will be stated in terms of height above sea level. The Bill should pinpoint the responsibility for preventing erosion placing it directly on some position or agency who will be answerable for neglect. The Bill should state measures to be undertaken to prevent erosion or set some standards or directives. Inasmuch as compensation for erosion has been totally inadequate, non-existent since 1960, and arbitrarily determined, the tribes desire a directive in the Bill calling for annual review of erosion conditions and annual compensation to the tribes for erosion. A copy of all such reports should be furnished to the tribes.

As has been the experience of the tribes in the past, our reliance must be placed with our Senators and Congressmen who we are hopeful will protect the best interest of Indian people by congressional mandate, dispelling the shattered promises of other governmental agencies to Indian people.

EXHIBIT A

42 Stat., April 1921 to March 1923

For continuing the enlarging and repairing of canals, structures, and dam, and replacing of structures of the irrigation system for the irrigation of lands on the Fort Hall Reservation, Idaho, and lands ceded by the Indians of said reservation, as provided for in the Act of May 24, 1922 (Forty-second Statutes at Large, page 568), the same to be reimbursed in accordance with the provisions of said Act of May 24, 1922, \$230,000.

* * * * *

43 Stat., December 1923 to March 1925

[Act of May 9, 1924, 43 Stat. 117]

Chap. 151.—An Act Authorizing the acquiring of Indian lands on the Fort Hall Indian Reservation, in Idaho, for reservoir purposes in connection with the Minidoka irrigation project.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subject to payment being made as provided herein, there is hereby granted to the United States, its successors and assigns, for the proposed American Falls Reservoir on the Snake River under the Minidoka Federal irrigation project, in Idaho, all right, title, and interest the Indians have to the tribal and allotted lands within that section of the Fort Hall Indian Reservation commonly referred to as the Fort Hall Bottoms, which lands will be inundated by the impounding of one million seven hundred thousand acre-feet of water within said proposed reservoir, together with a five-foot free-board the elevation of which shall be established, using as a basis the one million five hundred thousand acre-foot contour line as shown in what is known as the Dyer-Dietz-Banks appraisal of Indian lands dated December 30, 1922, and on file in the Department of the Interior subject to the reservation of an easement to the Fort Hall Indians to use the said lands for grazing, hunting, fishing, and gathering of wood, and so forth, the same way as obtained prior to this enactment, in so far as such uses shall not interfere with the use of said lands for reservoir purposes.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized to acquire by agreement or condemnation proceedings the area of allotted lands

described in section 1. The value fixed by agreement with the allottees, and in any case where it may become necessary to institute condemnation proceedings for such purpose, the value of the allotment or allotments involved as determined by such proceedings, shall be paid out of the sum deposited to the credit of the Fort Hall Indians as provided in section 3 hereof.

SEC. 3. That in consideration of the rights granted in section 1 hereof, of both tribal and allotted lands, there shall be deposited in the Treasury of the United States to the credit of the Fort Hall Indians the total sum of \$700,000, which sum shall be taken from moneys appropriated for the construction of said reservoir: *Provided*, That the said sum of \$700,000, when so deposited, shall draw interest at the rate of 4 per centum per annum.

SEC. 4. Should any lands above the five foot free-board, as provided in section 1, be damaged on account of the reservoir, the amount of the damage shall be determined by a board consisting of three members—two of which shall be appointed by the Secretary of the Interior—one from the Bureau of Indian Affairs, and one from the Bureau of Reclamation, the third member, who shall be a disinterested party, to be selected by the two so appointed. The amount of damage as fixed by the board shall be taken from moneys appropriated for the construction of said reservoir and deposited in the Treasury of the United States to the credit of the Fort Hall Indians.

SEC. 5. That there is hereby authorized to be appropriated not to exceed \$100,000 of the money when deposited to the credit of the Fort Hall Tribe of Indians for use in relocating, enlarging, and reconstructing the main canal of the Fort Hall irrigation project to provide irrigation facilities for Indian lands situated in the southern portion of the Fort Hall Reservation, commonly known as the Michaud Flats, which amount so expended shall be reimbursed to the tribe by the Indians whose lands are benefited, on a per acre basis in accordance with such rules and regulations as the Secretary of the Interior may prescribe: *Provided*, That in all cases where the Indian title becomes extinguished prior to total reimbursement of the sum assessed against any particular allotment, the party acquiring title to such allotment shall be required to execute an agreement before any water will be furnished therefor, providing for the payment of construction charges assessed against such lands, and for the payment of the annual operation and maintenance charges.

Approved May 9, 1924.

EXHIBIT B

AUGUST 22, 1973.

WILKINSON, CRAGUN & BARKER,
Law Offices,
The Octagon Building, Washington, D.C.
(Attention: Mrs. Frances Horn).

DEAR FRANCES: Mrs. Lillian Galloway has provided me with a copy of the bill dated February 11, 1924 (H.R. 6864) copy of which is enclosed, authorizing the use of Indian lands on the Fort Hall Indian Reservation, in Idaho for reservoir purposes in connection with the Minidoka irrigation project.

On behalf of many of us Shoshone Bannocks who don't understand what happened, I'd like to ask the following questions:

(1) What happened to the interest? (4% per annum of the sum of \$700,000 deposited in the U.S. Treasury to the credit of the Fort Hall Indians)

(2) What happened to the three (3) member board that was supposed to determine the extent of damages caused by the erosion of lands above the five-foot freeboard?

(a) If such a board has been appointed, who are the members?

(b) How often have they met and when and where?

(c) If the board has determined an amount of damage caused by the erosion of these lands; what is the amount?

(d) If some money has been credited to the Fort Hall Indians, when was this done?

(e) To which account was it credited?

(3) What became of the \$100,000 that the Secretary of Interior was authorized to use in relocating, enlarging and reconstructing the main canal of the Fort Hall irrigation project to provide irrigation facilities for Indian lands situated in the Southern portion of the Fort Hall Reservation?

If we could have answers to these questions, we would all have a better understanding and would possibly feel much better about this matter.

If you are unable to find the answers to these questions, would you please consider this to be our request that this matter be thoroughly investigated and included in our Tribal Accounting Claim?

Very sincerely yours,

ANGELA P. BUTTERFIELD,
Member, Fort Hall Business Council.

EXHIBIT C

WILKINSON, CRAGUN & BARKER,
LAW OFFICES,
Washington, D.C., September 5, 1973.

Mrs. ANGELA BUTTERFIELD,
Fort Hall Business Council,
The Shoshone Bannock Tribes,
Fort Hall, Idaho.

DEAR ANGELA: I have your letter of August 22, 1973 requesting answers to certain questions put by Mrs. Lillian Galloway. I am unable at this time to answer all of them, but initially I can inform you that H.R. 6864, the 1924 bill authorizing the acquiring of Indian lands on Fort Hall Reservation for purposes in connection with the Minidoka irrigation project, was amended somewhat before being enacted into law. The act acquiring the land was enacted May 9, 1924, 43 Stat. 117. You will find a copy of it at page 170 of the compilation of statutes, resolutions and agreements pertaining to Shoshone Bannock Tribes and Fort Hall Reservation which was prepared for the Tribes by this office in 1954. If you do not have a copy of the compilation handy, let me know and I will send you a xerox copy of the statute.

The GSA Report should indicate how much interest was earned on the \$700,000 fund and what happened to it. The Report is presently in the hands of the accountants. I will request that they supply us with that information.

Some papers supplied to us by Mont Faulkner, together with a letter of December 12, 1969, answer your question (2) at least in part. The letter was addressed to Jerry Straus "Re: Accounting Claim: American Falls Reservoir". They indicate that \$40,000 of the \$700,000 fund was distributed per capita among the Fort Hall Indians pursuant to an Act of March 3, 1927. This, of course, could have reduced the interest-bearing fund from \$700,000 to \$300,000 or less in 1927. One hundred thousand dollars of that \$700,000 was to be used for relocating, enlarging and reconstructing the main canal of the Fort Hall irrigation project. \$99,320.80 was actually used for that purpose subject, under the statute, to reimbursement by the United States. No reimbursement has been made and it is included as part of your claims against the United States in the accounting claim.

The papers sent to us by Mont contain correspondence in 1958 and 1959 on the choice of the tree member board. The members were Mr. Carl E. Hopt, supervisory appraiser for the Bureau of Reclamation, and Mr. Lloyd W. Ogden, staff appraiser of the Portland Area Office representing the Bureau of Indian Affairs. The two agreed upon Mr. E. L. Newell from the Fort Hall area as a third member. The file does not indicate how many times the board met, but they appraised the damage to the Fort Hall land by reason of erosion of the lands above the five foot freeboard at \$11,660 for tribal land and \$15,150 for allotted land. On May 12, 1960, the Fort Hall Business Council declined to accept the amount appraised and requested that they be paid at the rate of \$50 per acre. The Tribes' request was denied and the Commissioner of Indian Affairs determined pursuant to the language of the Act of May 9, 1924, that the sum of \$11,660 should be deposited to the credit of the Shoshone and Bannock Tribes of the Fort Hall Reservation. According to a letter of April 20, 1966 from the Regional Director of the Bureau of Reclamation to Mr. John L. Pappan, then Superintendent at Fort Hall, copies to the tribal council and to your attorney, Reed J. Bowen, a check in the amount of \$11,660 for the tribal lands was paid by the Bureau of Reclamation in May, 1960 to Superintendent Frell M. Owl to be used for the benefit of the Fort Hall Indians. Mr. Pappan confirmed that the check was received October 19, 1960 and was held in a special deposit and transferred to the tribal IIM Accounts by Journal Voucher No. 0504-337-61, dated June 9, 1961.

Your accountant will examine not only the funds here in the Treasury, but the records of the tribal IIM Accounts. Because this fund grew out of damages caused by erosion after 1946, we may be unable to include this particular fund in the accounting, but we may, nevertheless, be able to provide you with the information indicating how the fund was used.

We presume that you have in your files a copy of Mont Faulkner's letter, together with the attached correspondence. If you do not, and if this summary is insufficient to answer the questions, we will copy this material for your files.

On another subject, Dr. Madsen has signed and returned to us the draft of contract by which he agrees to prepare himself to testify as an historian in the Fort Hall accounting case and to otherwise aid in the preparation of the claim. We are sending it to the Tribal Council care of Roma Sheppard. We hope that the Council will take immediate action so that Dr. Madsen and his colleagues can get started.

Sincerely,

WILKINSON, CRAGUN & BARKER,
By Frances L Horn.

EXHIBIT D

RESOLUTION

Whereas, communications have been reviewed by the Fort Hall Business Council concerning the damages on tribal land included in the proposed perpetual flowage easement bordering the American Falls Reservoir, and

Whereas, in a memorandum dated November 24, 1959, the Superintendent sets forth the tribal land involved in this taking line, and also the allotted land. The total number of acres of tribal land is 314.61 and the appraised damage totals \$11,660,000, and

Whereas, the Council has been asked to submit a resolution accepting the appraised damages to tribal land and the Business Council discussed this matter at its meeting on May 12, 1960.

Now therefore be it

Resolved, by the Business Council of the Shoshone-Bannock Tribes that they do not feel that \$11,660 is sufficient for the damage done as it figures out at around \$30 per acre, and

Be it further resolved, That the Council wishes to use as its justification in this decision the fact that the Tribes have paid in the neighborhood of \$50 per acre for land in this area, and

Be it further resolved, That the Council hereby declines to accept the amount of appraised damages in the amount of \$11,660 for tribal land and requests that they be paid \$50 per acre.

Authority for the foregoing resolution is found in the Indian Reorganization Act of June 18, 1934 (48 Stat 984) as amended and under Article VI, Section 1 (c) of the Constitution of the Shoshone-Bannock Tribes of the Fort Hall Reservation, Idaho.

Dated this 12th day of May, 1960.

EDWARD BOYER,
Fort Hall Business Council.

CERTIFICATE

I hereby certify that the foregoing resolution was passed while a quorum was present by a vote of six in favor, none dissenting, and one not voting on the date it bears.

LUCILLE HINEY,
Tribal Secretary, Fort Hall Business Council.

EXHIBIT E

H.R. 6782 adopts a plan which permits the substantial benefits described above to be obtained without cost to the Federal Government except for public, recreational, and fish and, wildlife conservation costs which would be shared with non-Federal interests in accordance with the Federal Water Project Recreation Act. By amendment suggested below, relatively small Federal appropriations would also be sought for the proportionate share of costs assigned to the Fort Hall Indian Reservation. The plan thus calls for only minimal Federal expenditures and we believe the Federal cost is well worthwhile in view of the substantial benefits to the local economy.

Amendments.—Sections 1 and 4 of H.R. 6782 refer to the American Falls Dam and Reservoir being a part of the Upper Snake River Project. The existing Ameri-

can Falls Dam was authorized as a part of the Minidoka Project. The many water service and repayment contracts associated with American Falls Dam are identified as Minidoka Project contracts. The proposal is to replace a Minidoka Project feature without changing its size or water customers. Any new authorizations should continue to identify American Falls Dam as a part of the Minidoka Project and appropriate changes should therefore be made in the bill title and in sections 1 and 3 of the bill (page 2, lines 1, 5 and 9 and page 3, line 23) substituting "Minidoka Project" for "Upper Snake River Project". In addition, we recommend that the word "district" be deleted in line 6, section 1 and the words "present placeholders" be substituted therefor. This change (which was adopted by the Senate in S. 1529) will provide greater flexibility in making final arrangements for replacement of the dam and will permit representation of spaceholders not now included in the American Falls Reservoir District.

With particular reference to protection of the Indian tribal interests of the Fort Hall Reservation we recommend that the bill be amended to assure that the level of the American Falls Reservoir not be raised and that appropriate action be taken to control any erosion which could adversely affect Indian lands. To accomplish this the following should be added at the end of section 1 of the bill:

"The construction and operation of the replacement dam shall not result in an increase in the elevation of the reservoir water surface above that maintained for the original dam. Such construction and operation shall include provision for the correction and prevention of erosion related to the reservoir or for the full and adequate compensation of adjacent land owners (including owners of land subject to a flowage easement for the reservoir) if such erosion cannot be corrected or prevented."

In our view, this language is preferable to the roughly equivalent amendment of S. 1529 adopted by the Senate.

Mr. JOHNSON. Our next witness is Mr. Jim Patrick, Bechtel Consulting Engineers representative.

STATEMENT OF JAMES G. PATRICK, MANAGER OF HYDRO PROJECTS IN BECHTEL, INC.

Mr. PATRICK. Mr. Chairman, members of the committee, ladies and gentlemen.

I am James G. Patrick. I am an engineer and hold the position of manager of Hydro Projects in Bechtel Inc., one of the Bechtel companies which provides worldwide engineering and construction services.

The American Falls Dam, on the Snake River near American Falls, Idaho, was completed in 1927. It is a concrete gravity dam with earth abutments, approximately 5,200 feet long in total length and 94 feet high at maximum section, impounding a reservoir of 1,700,000 acre-feet. A two-lane highway, 18 to 21 feet wide, was provided in the design and construction of the dam.

Abnormal cracking throughout the concrete was observed as early as 1929. Subsequent observations have indicated alkali-aggregate reaction which prompted the Bureau of Reclamation to limit the storage to no more than 66 percent of the reservoir capacity. Restrictions also have been placed on the use of the highway.

The American Falls Reservoir District retained Bechtel to prepare preliminary design and comparative cost estimates for replacing the dam. Those studies indicate that replacement would be the prudent procedure.

Detail design of the replacement dam incorporating a modern two-lane highway is in progress.

At this time I would like to show some drawings of the dam so you will recognize what you will be seeing this afternoon.

I draw your attention first to the drawing at the bottom of the display. This is a plan view of the dam. The reservoir is the bottom of the "G" and the river, the Snake River is going toward the top. In dotted lines is shown the existing dam, in here down to here.

In the original color and the green is shown your proposed replacement dam, I could go through that by different sections.

To start on the left abutment, over here, which is designated section AA, and above in this cross section, and this consists in utilizing the existing concrete dam as the impervious membrane of the earth type structure so that replace sand and gravel upstream and downstream of existing concrete dam and form a new dam. Of course, that is the two-lane highway on top of it.

Moving down to section BB is the spillway section as shown in this section here, which is a conventional concrete graft type dam with a spillway controlled by gates. The drawing also shows the old dam and the extent of its removal. The section also shows a new two-lane highway downstream of the dam.

Getting back to the left abutment, this brown is also a new two-lane highway. You have a two-lane highway downstream of the dam as well as on top of the dam.

Moving toward the right abutment, we come to section CC, which is the intake section for the powerhouse.

Again, we have a concrete gravity dam with pin stakes coming through the dam controlled by gates upstream of the dam. The powerhouse is located about 280 feet downstream.

Coming to the right abutment, we have what is known as a right abutment section, which is a new earth type embankment extending from the concrete section to the right abutment, consisting of an impervious layer of earth, as well as sand and gravel shelves, as well as a removal of the old dam.

You would be interested to know that the brown in the planned view is the new highway downstream again.

The proposed layout and preliminary design for the replacement dam were reviewed by a board of consultants selected by the American Falls Reservoir District after consultation with officials of the Bureau of Reclamation. The board, consisting of three eminent internationally known engineers, Messrs. W. L. Chadwick, Barry Cooke and Roy W. Carlson, considers that the proposed layout would provide a safe and economical dam. A copy of the board's report dated August 10, 1973 is attached to this statement.

The powerhouse I mentioned is about 280 feet downstream and will contain three 30-megawatt units.

The estimated cost of replacing the dam with provisions for a two-lane highway is \$20,594,000 based on 1973 costs. This estimate includes allowances for contingencies and engineering but does not include allowances for escalation, possible costs associated with land, recreation, fish and wildlife and other owner costs including taxes, financing, et cetera. The construction schedule provides for a construction contract to be awarded not later than November 1, 1974, so that advantage could be taken of river flows and drawdown of the reservoir

for irrigation releases during 1975. The dam would be completed in time to permit storing the high river flows in the spring of the following year.

The general layout and design developed during the initial phase of the project has been substantiated by continuing engineering studies.

I would like to answer any questions you may have.

Mr. JOHNSON. The consultants' report will also be made a part of the record as well as your statement.

[Statement and report referred to follow:]

STATEMENT OF JAMES G. PATRICK, MANAGER, HYDRO PROJECTS,
BECHTEL, INC.

Mr. Chairman, members of the committee, ladies and gentlemen, I am James G. Patrick. I am an engineer and hold the position of Manager of Hydro Projects in Bechtel Incorporated, one of the Bechtel companies which provides world-wide engineering and construction services.

The American Falls Dam, on the Snake River near American Falls, Idaho, was completed in 1927. It is a concrete gravity dam with earth abutments, approximately 5200 feet long in total length and 94 feet high at maximum section, impounding a reservoir of 1,700,000 acre-feet. A two-lane highway, 18 to 21 feet wide, was provided in the design and construction of the dam.

Abnormal cracking throughout the concrete was observed as early as 1929. Subsequent observations have indicated alkali-aggregate reaction which prompted the Bureau of Reclamation to limit the storage to no more than 66 percent of the reservoir capacity. Restrictions also have been placed on the use of the highway.

The American Falls Reservoir District retained Bechtel to prepare preliminary design and comparative cost estimates for rehabilitating the dam and for replacing the dam. Those studies indicated that replacement would be the prudent procedure.

Detail design of the replacement dam incorporating a modern two-lane highway is in progress.

The proposed layout and preliminary design for the replacement dam were reviewed by a Board of Consultants selected by the American Falls Reservoir District after consultation with officials of the Bureau of Reclamation. The Board, consisting of three eminent internationally known engineers, Messrs. W. L. Chadwick, Barry Cooke and Roy W. Carlson, considers that the proposed layout would provide a safe and economical dam. A copy of the Board's report dated August 10, 1973 is attached to this statement.

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The general layout and design developed during the initial phase of the project has been substantiated by continuing engineering studies.

AUGUST 10, 1973.

Mr. J. G. PATRICK,
Manager, Hydro Projects, Bechtel, Inc.,
San Francisco, Calif.

AMERICAN FALLS PROJECT, BOARD OF CONSULTANTS REPORT

DEAR MR. PATRICK: In accord with your arrangements, the undersigned Board of Consultants met with you, some of your staff, representatives of spaceholders in American Falls Reservoir, and representatives of Idaho Power Company, on August 9 and 10, 1973 in Pocatello, Idaho, to review your preliminary designs for

replacement of the existing American Falls Dam. A list of those who were in attendance, part or full time, is attached.

The first day was occupied by: inspection of the site, inspection of two borrow pit areas, your presentations of layout drawings, and discussion of project features. The second day was occupied in further discussions with you and representatives of Idaho Power and in preparation of this report. The first day's inspection included the sites for the proposed dam, spillway, powerhouse, roadway and auxiliaries as pointed out on the ground, and inspection of the full length of the inspection gallery of the existing dam, as well as inspection of the downstream surface of the existing left nonoverflow section. The present cracked condition of some of the spillway gate piers and of the downstream surface of the existing penstock sections was observed. The borrow pits which were inspected, namely the Michaud pit, about 15 miles east of the dam, and the impervious deposit along the right reservoir bank are among possible borrow sites.

Prior to its meeting you furnished the Board with a Consultant's Data Book containing data pertinent to the project, descriptions and location of principal project features, a history of investigation work to date, a text presenting certain background and general information, prints of some 30 drawings, and copies of the five reports of the Bureau of Reclamation listed on an attached sheet. Also included were tables showing core material and aggregate sources. A proposed construction schedule was also presented.

On the first day, the Board was presented, among other data, with the results of piezometric measurements within the dam as reported by the U.S. Bureau of Reclamation. These measurements were described to the Board by Mr. Karl Taylor. On the same day a background statement was made by Mr. Robert A. Hogg for the spaceholders.

GENERAL LAYOUT

The proposed layout for the new dam includes a central spillway-sluceway-intake gravity structure downstream from the existing dam, and concrete gravity sections at each end of this structure for connection to embankment wing sections. A short right wing section is to be a conventional earth core—granular shell dam. For the long left wing (2400 ft.) section it is proposed to utilize the existing non-overflow concrete section as a central core for granular shell sections. An existing low embankment section at the far left abutment is retained. The new highway is located immediately downstream from the new dam.

The Board considers that the proposed layout would provide a safe and economical dam.

LEFT ABUTMENT

Your proposal to construct the left side of the new dam as an embankment which would utilize the non-overflow section on the left side of the existing dam as an impervious core was reviewed in considerable detail, first, from the standpoint of the present condition and future life of the existing section, considering the alkali aggregate reaction which as already occurred, and second, the appropriateness of your proposed design.

The Board understands that this left non-overflow section was designed originally on the premise that it would not be required to withstand ice pressure under full reservoir conditions, that is, that the reservoir would not be used for principal storage during the winter. It is also understood that this section was designed in accord with the general practice in 1925, which would be considered inadequate in present practice. Some design criteria, such as those for uplift forces, were acceptable in 1925 but are not acceptable today. At that time seismic forces were usually neglected. Also, the concrete density actually attained was lower than that used in the design. The Board's understandings concerning design and construction conditions have been obtained mainly from the reports which were furnished to the Board, and from an article in *Western Construction News*. This article was by Ivan E. Houk, then Senior Engineer, Bureau of Reclamation. It was entitled "American Falls Dam, Minidoka Project, Idaho" (September 29, 1929).

Evidence of cracking of concrete in the non-overflow section were first reported in 1929. Successive reports by Bureau of Reclamation observers show this cracking to have been continuing. Following extensive study, such cracking was determined to be caused by reaction of alkalis in the cement with certain aggregate constituents. This reaction is described in some detail under a following heading. The reaction and its effects were studied by crack surveys, by core drilling and by successive inspections. In 1959 as an aid in judging the changes which were

occurring, numerous prominent cracks in the south wall of the inspection gallery were patched over, covering short sections with distinctive mortar so that during successive inspections extension of cracks could be better evaluated. At that time, some cracks had progressed in the south wall of the gallery to $\frac{1}{4}$ inch in width. Observations made on August 9 and 10, 1973, for this Board show, for Blocks 25 through 78, that 54 blocks have telltale mortar patches. Of 123 such patches, 73 show no cracking since 1959 and 50 show show detectible cracks. These later cracks are estimated to be from 0.01 to 0.02 inches in width. Thus, a crack which was open 0.25 inch in 1959 must have opened to 0.27 inch by 1973. These results indicate much slower expansion of the concrete at the patch points since 1959 than prior thereto.

The upstream or north wall of the inspection gallery shows little or no cracking similar to that in the south wall. It is understood that although some construction lift joints have eroded, the upstream face of this non-overflow section does not show the heavier alkali-aggregate cracking which occurs in the south inspection gallery wall, in the gallery adit structures, or in the downstream surface. Leakage into the inspection gallery is surprisingly small.

Data which have been presented to the Board show that upstream water pressure is being undesirably communicated along some construction lift joints or along other cracks with resultant uplift pressures. Added to the lack of provision in the original design for ice pressure, seismic forces, lower foundation uplift and low concrete densities, such internal pressures further decrease the stability and safety of the present structure.

You have proposed using this left non-overflow section as an impervious core for a new embankment to extend from opposite the left end of your proposed spillway section to the left abutment. You propose an upstream shell of sand and gravel, or other suitable material, and a similar shell downstream, but with a drain "chimney" against the existing downstream face, a drain layer below the new downstream shell and a collecting pipe under the "chimney" leading to a weir to facilitate continuing measurement of leakage. You also propose leaving the present inspection gallery open with extensions of two of the access adits beyond the new embankment.

It is understood that questions have been raised concerning the useful life of such construction, that is, the useful life free of unreasonable maintenance. Using the findings from observations of the telltale patches as a measure, this Board believes that the greatest expansion from alkali aggregates reaction occurred between the completion of the dam and ten to twenty years later, certainly before 1959. The changes in the 14 years since then indicate a marked slowing down in this expansion, if not actual cessation in some places. These observations are consistent with the technical analysis discussed elsewhere herein. Inasmuch as your proposed construction would increase the restraint, on the downstream surface of the existing structure, additional expansion would be further lessened.

Your proposal to use a "dirty" sand and gravel as an upstream shell would provide a source of sealing material for any upstream crack which exists when the new upstream shell is placed. Further, your proposal for a drain chimney adjacent to the downstream slope with a drain layer under the downstream shell and a collection pipe, provides sound means to remove any seepage which might occur through the adapted core structure. With these provisions the downstream shell could be composed of any appropriate material.

For the right side of the new dam you have proposed an embankment with a vertical impervious core with sand and gravel shells. Although the Board understands that the proposed section is tentative, that section is appropriate and in accord with good practice.

In view of the decrease which is measurable in the rate of expansion of concrete in the south gallery wall from alkali-aggregate reaction, this Board believes that the left non-overflow section, if used as an impervious core, would endure indefinitely and that the proposed composite structure would have a life which would be useful at least as long as that to be expected from the right impervious core embankment. We believe your proposed construction for this left side of the proposed new dam would provide a structure which would be adequate for all loadings now proposed. Your design is sound and in full accord with good engineering practice. For the reasons given in the following section of this report, the Board cannot foresee a continuance of concrete disintegration to the point where the concrete would become rubble or sand and gravel.

Two indirect advantages will accrue from use of the left non-overflow sections as an impervious core for the new embankment. The first is that the underlying foundation has been well tested during nearly 50 years of service, following core drilling and exploration by the U.S. Bureau of Reclamation prior to construction. Any new left embankment would require new foundation exploration. Adequacy of the present foundation treatment is apparent from the fact that there is no observable seepage through the foundation under the left nonoverflow section. The second advantage will be that removal of this massive structure will be unnecessary. Leaving such an abandoned structure would be unacceptable. A large construction saving will result.

The Board was asked to comment on the need for a dynamic analysis for the left and right embankment sections. The Board considers that such analysis would not be meaningful in design of these sections.

ALKALI-AGGREGATE REACTION AND ITS EFFECTS

As described above the concrete monoliths and the spillway piers of the existing dam have been damaged because of a chemical reaction between the alkalis of the cement and the silica of the aggregate. The sodium and potassium hydroxides in the cement attacked the opaline silica of the aggregate to produce a rim of alkaline silicate around every opaline particle. As this rim of silicate increased in thickness, it exerted an expansive force in an attempt to accommodate its increasing volume. Finally the force became great enough to crack the hydrated cement surrounding the particle. The pressure was then relieved, but the overall dimensions of the concrete were increased slightly. The accumulation of slight expansions from many such particles caused a total expansion of the concrete with consequent cracking.

The time required for the chemical reaction to progress far enough to produce observable expansion varies widely for different concretes and conditions. In general, the time for noticeable expansion is a number of years, with an accelerating expansion for some years and then a slowing down and gradual approach toward a condition of no further expansion.

The chemical reaction, on the other hand, can proceed beyond the time when the further expansion ceases. The reason the expansion ceases is that a time will come when all of the opaline particles have a tiny crack in the hydrated cement around them. This permits the silicate to migrate into voids in the concrete, without sensible pressure. Thus, more alkali silicates can then be formed without associated expansion.

The long continued chemical reaction is possible because the sodium and potassium silicates, after escaping from the rims of the aggregate, become exposed to a liquor saturated in calcium hydroxide. The active alkali silicate then converts to calcium silicate, the calcium silicate being more stable. The active alkali silicates have then become alkali hydroxides once more, so the process can continue. This sequence of events would go on until all reactive aggregates were converted to calcium silicate except for one important limitation. The calcium hydroxide can become exhausted. In general, hydration of Portland cement releases an amount of this hydroxide equal to about one per cent of the volume of the concrete. All of this would be consumed by converting the silicon dioxide of the aggregate to calcium silicate by using only a very small portion of the aggregate. Thus there must be an end to the chemical reaction after many years when there is no more calcium hydroxide.

The long-time integrity of the concrete has been considered carefully by the Board. After the concrete has lost strength due to the internal cracking associated with the expansion, some investigators believe that the concrete would improve slightly rather than continue to deteriorate. The conversion of calcium hydroxide into calcium silicate is one of nature's basic cementing processes, with silicates forming in cracks or voids to make for better strength. Therefore, even before the calcium hydroxide is exhausted to stop the chain reaction, there must be this favorable action, tending to recover a small portion of the lost strength.

There are at least three unfavorable consequences of the alkali-silicate reaction. First, there is the loss in strength due to the internal cracking as mentioned above. Second, large boundary stresses occur because the expansion is not uniform. The moisture necessary for the reaction is not available near surfaces exposed to drying, so that concrete near a surface expands little or not at all, while the interior does expand. Thus, the surface concrete suffers large shrinkage-

type stresses and it must crack. The concrete in a gravity dam is restrained from longitudinal expansion and therefore the cracks in a gallery would be expected to be mainly horizontal, as indeed they are. Many dams suffering from non-uniform expansion due to chemical action have been examined by members of the Board. Non-structural cracks have been found to be shallow. Structural cracks are here defined as those due to a change in geometry of the structure, as when an arch dam is deflected many inches upstream. In two dams in desert country where drying would be expected to penetrate the deepest, large non-structural cracks which appeared to have destroyed the dams were examined and found to be less than 12 inches in depth.

The third consequence of the concrete expansion is that due merely to the changing dimensions. This can cause problems with such functions as gate operation.

Next, consider what behavior can be expected if an expanding gravity dam is covered with a heavy blanket of gravel or crushed rock. The downstream face will become moistened and tend to participate in the internal expansion. If any further expansion occurs, it should tend to equalize cumulative volume changes, and therefore be more tolerable. Also, the weight of fill material on the downstream face of the dam must reduce whatever expansion would otherwise occur. Many experiments have proved that a relatively small force can prevent or reduce expansion of chemical origin. Only about a third as much force is required to prevent expansion as is required to restore dimension if the expansion were first allowed to occur freely.

Observations and Tests Concerning the Alkali-Silicate Reaction:

1. The most recent tests of cores from the *mass* concrete showed compressive strengths averaging 2500 psi as compared with 1080 psi reported for the age of 28 days. (The Board does not consider the 1080 figure to be representative; surely the observed expansion weakened the concrete. But the 2500 psi figure is significant).

2. The cores tested in 1964 showed higher compressive strengths than those tested in 1943. (Admittedly, this is not positive proof of improvement, since only a few cores were tested in 1943.)

3. The opening of cracks during the past 14 years has been almost negligible compared with that for the preceding 32 years. In fact, many of the patches over cracks showed not enough expansion since 1959 to crack the patches.

4. Of the cores taken from the dam in 1964, the poorest ones were from parts of the structure which are to be removed during the proposed reconstruction.

5. The proposal to use low-alkali cement to prevent chemical attack in concrete for the new dam is endorsed by the Board. In addition, consideration should be given to using a pozzolan as a partial replacement for cement to provide better insurance against undesirable expansion.

OTHER FEATURES

Geology.—The geology of the site was reviewed. The basalt rock has been satisfactory foundation for the existing dam and will continue so for the new dam, though drilling as presently underway is necessary to confirm satisfactory conditions for the proposed new concrete structures.

Hydrology and Spillway.—Hydrology was not reviewed. Although still tentative the Probable Maximum Flood is presently estimated to be 106,000 cfs inflow, and five gates (44 ft. wide by 23 ft. high) are proposed to handle this flow, with water surface at top of gates and 12 ft. of freeboard. With upstream regulation, flood routing, and acceptance of surcharge, it is concluded that even with a possible higher finalized PMF the presently proposed structure will prove to be adequate. The use of a stilling basin spillway, as proposed, is appropriate for the rock conditions and for minimizing spray in the vicinity of highway and power plant.

Highway.—The proposed alignment is just downstream from the dam. From considerations of independent earlier construction, optimum highway alignment, and probable minimum cost the proposed alignment appears to be well conceived. The proximity of the highway to the dam will not affect the safety of the dam.

Schedule.—A schedule with new dam completion during January 1976 and first power November 1976 was reviewed. The schedule is closely tied to reservoir operation and to flood season, to maintain fullest use of the reservoir, and to eliminate risk of overtopping during construction. An earlier schedule is not

feasible due to the above requirements. The proposed schedule is feasible, but requires adherence to December 1974 award of contract.

A delay in this date of one or two months would mean a year's delay in completion, or higher costs for accelerated construction to adjust to the restraints of reservoir operation and flood season.

Respectfully submitted,

ROY W. CARLSON.
W. L. CHADWICK.
BARRY COOKE.

ATTENDANCE, AMERICAN FALLS DAM, CONSULTANTS MEETING,
AUGUST 9 AND 10, 1973

Roy W. Carlson—Consultant.
W. L. Chadwick—Consultant.
Barry Cooke—Consultant.
C. J. Marshall—Chairman, Committee of Eight.
Leonard E. Graham—Committee of Eight.
Russell Holm—Committee of Eight.
Clifford H. Darrington—Committee of Eight.
Tom Omstead—Committee of Eight.
Robert A. Hogg—Committee of Eight IPCo (retired).
Roger D. Ling—Attorney, Committee of Eight.
Cecil D. Hobday—Attorney, Committee of Eight.
Ted Diehl—President of Water Users.
Virgil Temple—Secretary of Water Users.
William Kerner—Director, American Falls Res. Dist. No. 2.
Leon Grieve—Manager, American Falls Res. Dist. No. 2.
John A. Rosholt—Attorney, American Falls Res. Dist. No. 1.
Armin Schroeder—Aberdeen Springfield Res. District.
D. E. Barclay—Idaho Power Company.
Gomer H. Condit—Idaho Power Company.
Ralph I. Clements—Idaho Power Company.
K. V. Taylor—Bechtel Inc.
Charles S. Content—Bechtel Inc.
K. Janka—Bechtel Inc.
J. G. Patrick—Bechtel Inc.

REPORTS FURNISHED TO BOARD OF CONSULTANTS, MEETING OF
AUGUST 9 AND 10, 1973

1. U.S.B.R. "Laboratory Report No. C-204, March 20, 1943, Progress Reports on Investigation of Concrete Deterioration in American Falls Dam, Minidoka Project, Idaho. Results of test on 6-inch diameter concrete cores."
2. U.S.B.R. Report No. C-1147, July 5, 1965, "Evaluation of Mass Concrete in American Falls Dam as Determined by Testing of 6-inch Diameter Cores."
3. U.S.B.R. Uplift Pressure Measurements—Old Piezometer Installations.
4. U.S.B.R. Uplift Pressure Measurements—New Piezometer Installations.
5. Miscellaneous Core Hole Data.

RÉSUMÉ OF EXPERIENCE

Name: Roy W. Carlson.

Position: Research Associate, University of California and Consultant.

Affiliation: University of California.

Business address: 55 Maryland Avenue, Berkeley, California 94707.

Birthdate: September 23, 1900.

Education: A.B. (Mathematics) University of Redlands, M.S. (Civil Engineering) University of California, Sc.D. (Materials) Massachusetts Institute of Technology.

Chronological professional history:

1922-23—Southern California Edison Co., Big Creek, California: Recorder and draftsman.

1923-24—Graduate student (physics) at California Institute of Technology.

- 1924-25—University of Redlands, Redlands, California, Acting Associate Professor of Physics and Engineering.
- 1925-27—Southern California Edison Company, Big Creek, California, Testing Engineer on Stevenson Creek Experimental Dam and Florence Lake Dam. Helped to develop trial-load method for designing arch dams as later applied for Hoover Dam.
- 1927-31—Los Angeles County, Los Angeles. Testing Engineer in charge of concrete materials for more than ten dams.
- 1931-34—Research Engineer at University of California to solve thermal-stress problems by way of low-heat cement and pipe refrigeration.
- 1934-35—Massachusetts Institute of Technology, Cambridge, Assistant Professor of Civil Engineering, in charge of cement and concrete research.
- 1935-36—University of California, Berkeley, Associate Professor of Civil Engineering, teaching strength of materials and counseling on research projects.
- 1936-43—Massachusetts Institute of Technology, Cambridge, Associate Professor of Civil Engineering, in charge of cement and concrete research.
- 1943-45—University of California, Berkeley and Los Alamos, Engineer on the development of the atomic bomb, where he solved several problems in mechanical design of the bomb, including that of the large thermal contraction of the bomb's interior during flight at low temperatures.

1945 on :

Self-employed as consultant on scores of projects and manufacturer of instruments for measurement of stress, strain, temperature, etc. as invented by himself. Carlson meters are embedded in most important dams in the world to monitor the long-time structural action and safety.

Engaged in many research and development projects such as (a) to develop a superior X-ray system with lower radiation dosage, higher resolution, portability and 3 dimensions, and (b) to develop vacuum pumps of the oil-diffusion type with better efficiency and smaller size.

Currently consulting on nearly all the hydro power projects in Brazil for the Brazilian Government.

Consulting for many Districts of the U.S. Army Engineers.

Consultant on the following projects: St. Lawrence Seaway Locks, Dworshak Dam, Libby Dam, Oahe, Big Bend, and Ft. Randall Dams.

Numerous Engineering Publications, Honors, Awards and Patents.

J BARRY COOKE—CONSULTING CIVIL ENGINEER

Mr. Cooke graduated from the University of California in 1939 with a BS degree in Civil Engineering, after which he performed graduate work in hydraulics and structures. He is a member of Tau-Beta-Pi, Chi-Epsilon, Sigma-Xi and the University of California Honor Society. He is a registered professional engineer in California, a Fellow of the American Civil Society of Engineers, a member of the United States Committee on Large Dams, and the Consulting Engineers Association of California. In 1960 he won the ASCE Rickey Medal for his paper on the "Haas Hydroelectric Power Project"; in 1961 he won both the James Laurie Prize and the T. A. Middlebrooks Award from the same society for outstanding technical papers on rockfill dams. He is author of numerous technical papers on hydraulic developments—especially underground projects, and those having high head.

As supervising engineer and consultant with the Pacific Gas & Electric Company, Mr. Cooke has developed an unusually broad technical experience in the design and construction of water resources projects, especially hydroelectric developments, dams and tunnels. After 22 years with that company he resigned in 1961 to establish his own world-wide consulting practice. While with P.G. & E., Mr. Cooke was engaged in the design and engineering work on 18 new hydroelectric developments and the operating problems of 70 hydroelectric developments, 110 dams, and 130 miles of tunnels. The projects were high or medium head plants with impulse or Francis type turbines. The dams were of all types, and the new projects included raising two arch dams. The conduits in most cases consisted of intake, unlined and lined tunnel, surge chamber, and penstock.

He has served as an individual consultant, or member of a board of consultants on more than 20 major projects world-wide in the past three years. Among these are the Taum Sauk Pumped Storage Project for Union Electric Company; the

Kemano Tunnel repairs for the Aluminum Company of Canada; the 600 MW Bata Power Project (a 580 ft. Rockfill Dam for INGETEC in Colombia); the Geehi Dam in the Snowy Mountains Development in Australia; and he was general rockfill dam consultant on the 370 ft. high Mont Cenis dam in France.

WALLACE L. CHADWICK, CONSULTING CIVIL AND MECHANICAL ENGINEER

Mr. Chadwick received his education at the University of Redlands and is registered as a civil and mechanical engineer in California. He is a Fellow of the Institute of Electrical and Electronic Engineers, American Society of Mechanical Engineers, and American Society of Civil Engineers. In the latter, he has served as President of the Los Angeles Section and as the National President. He was president of the Los Angeles Engineering Council and was the recipient, in 1962, of the Engineer of the Year Award from the Los Angeles Engineering and Technical Societies.

Since his retirement as a Vice President in charge of engineering and construction for Southern California Edison Company in 1962, Mr. Chadwick is a practicing consultant regularly associated with Bechtel and is often used for consultation on all water resources development and steam power projects undertaken by Bechtel. For more than 40 years he has been prominent in the engineering fields of water resources development and electric power generation.

Starting with Edison Company in 1922, Mr. Chadwick was engaged in planning, design and construction of the Big Creek-San Joaquin hydroelectric development to 1931. During this period he had major responsibilities in connection with the Florence Lake Tunnel, Mono-Bear Diversion and Big Creek 2A, Huntington-Shaver and Shaver Lake Projects, and with transmission facilities. In 1931 he joined the Metropolitan Water District of Southern California as Engineer and Senior Engineer on design and construction of the famous Colorado River Aqueduct. He returned to Southern California Edison in 1937 to become Civil Engineer and Chief Civil Engineer, 1937-44; manager of engineering, 1945-50; Vice President from 1951 to his retirement in 1962. During the period 1937-62 his responsibilities included design and construction of Vermilion Dam, Big Creek 4 and Mammoth Pool hydroelectric projects, as well as several large steam electric plants, transmission lines and associated facilities.

Mr. JOHNSON. In your contract with the Spaceholders, what limitation is placed on the total cost of the dam that you are going to design?

Mr. PATRICK. Our contract with the Spaceholders has no limitations.

Mr. JOHNSON. No limitations?

Mr. PATRICK. No, sir.

Mr. JOHNSON. Well, as I understand it, there could be higher costs than you spoke of this morning.

Mr. PATRICK. Yes, sir. I made it clear that the figure I gave you did not include escalation, and my figures were based on 1973 costs.

Mr. JOHNSON. Now, in your study, have some pretty hard figures been put into it, in your opinion?

Mr. PATRICK. The figures I quote are the result of extensive investigation, preliminary designs. Detailed design is now in progress, the actual construction quantities and preparing a cost estimate based on these quantities for construction and purchase.

Mr. JOHNSON. The gentleman from California, Mr. Clausen.

Mr. CLAUSEN. No questions.

Mr. JOHNSON. The gentleman from California, Mr. Ketchum.

Mr. KETCHUM. No questions.

Mr. JOHNSON. The gentleman from Nevada, Mr. Towell.

Mr. TOWELL. As I understand it, the State is going ahead with their bridge project, or a two-lane bridge, this coming fall?

Mr. PATRICK. That is right.

Mr. TOWELL. And your design would be an additional two lanes?

Mr. PATRICK. That is right.

Mr. TOWELL. I assume a traffic count has been done. That would come out so we would have a four-lane—I just wanted to have that clearly in my mind. No further questions.

Mr. JOHNSON. Mr. Casey, do you have any questions of the witness?

Mr. CASEY. I don't have any engineering questions, but I was wondering if you would be kind enough to submit for the record a short biographical sketch of your board of consultants.

Mr. PATRICK. I would be very happy to.

Mr. JOHNSON. Mr. Luken.

Mr. LUKE. No, thank you, Mr. Chairman.

Mr. JOHNSON. We want to thank you for your detailed testimony here and report of your consultants as well as the diagram. It sounds very good to us. It looks like you have pointed up all the problems we have in our minds when we go up there this afternoon and look at what is there now. We are very glad to have this.

The gentleman from California.

Mr. CLAUSEN. I just wanted to ask that should our visitations to the site and the opportunity to review your statement more in depth, should it be necessary for me to ask more question, I would like to reserve the right to ask more questions.

Mr. PATRICK. I would be happy to respond.

Mr. JOHNSON. I might say to all of you people that the record will be held open for 2 weeks after the close of the hearing today, for additional comments or statements. You may have some questions stemming from the visit there this afternoon and the various witnesses appearing here. So we will hold the record open. Thank you.

Mr. KETCHUM. Mr. Chairman, on that point, if I may—

Mr. JOHNSON. Yes, sir.

Mr. KETCHUM. Since the record is going to be held open for 2 weeks, I wonder if we might have Mrs. Butterfield, as a representative of the Shoshone-Bannock Tribal Council, to submit her comments or those of her attorney as to the amendment that I gave her a moment ago.

Mr. JOHNSON. You will submit those, and we will place them in the record when received.

Mrs. BUTTERFIELD. Thank you.

Mr. JOHNSON. Our next witness is Mr. MacFarlane, the AFL-CIO representative in the area here, and possibly the State.

We are glad to have you with us today.

STATEMENT OF ROBERT W. MacFARLANE, PRESIDENT OF THE IDAHO STATE AFL-CIO

Mr. MacFARLANE. Thank you, Mr. Chairman.

Mr. Chairman, Senator McClure, and Representative Hansen, I am Robert W. MacFarlane. I have submitted a statement to be entered into the record, with just a few words in passing.

Mr. JOHNSON. Your statement will appear in the record in full, and you may summarize it.

[Mr. MacFarlane's statement follows:]

STATEMENT OF ROBERT W. MACFARLANE, IDAHO STATE AFL-CIO, BOISE, IDAHO

I am Robert W. Macfarlane, President of the Idaho State AFL-CIO. I represent thousands of members in the State of Idaho.

Organized labor in Idaho strongly supports the immediate replacement of the American Falls dam. Our position has not been altered; it has been strengthened.

As we have people employed in every industry in Idaho, we are probably more aware than most that agriculture is the largest economic factor in our state.

Our people have installed and now maintain most of the deep well pumps used for irrigation purposes on the farm lands, and they have built and now maintain and operate the large processing plants in this state, so it becomes apparent that our interest is a very real one.

You, no doubt, flew over the American Falls dam and have observed the mud banks lining the river channel. The reduction of the water level by the U.S. Bureau of Reclamation coupled with the short water year has caused this near economic disaster. This action by the Bureau reduced the storage water available for irrigation by about 600,000 acre feet. This storage limitation if continued will adversely affect 900,000 acres of irrigated lands in the American Falls-Magic Valley area of southern Idaho that depend upon this water for late Season irrigation or for final water to finish out crops. With another low-water year similar to 1973, the potential loss to the agriculture community alone has been estimated to be over \$100 million annually.

The economic impact of such a crop failure and the loss of \$100 million of farm income in southern Idaho would have a major wide-spread effect upon the total economy not only for the year of the crop failure but for the several years to follow.

This loss compounded would also follow into the food processing industry where nearly 15,000 men and women are employed, many of whom are members of the AFL-CIO. It would also affect many workers in satellite industries—fertilizer, irrigation equipment, etc.

The total water being stored in the upper Snake River today is less than half that of last year and while this may sound bleak, this is the situation we are facing today.

The reconstruction of the dam and power plant is estimated to cost in the neighborhood of \$50,000,000. This would be spent by the American Falls Reservoir District and its agents in a period of two years. It is an accepted rule of thumb that approximately 40% of costs of a project of this nature, or approximately \$20 million, would be expended for labor.

This would mean immediate employment for our crafts. The economic impact on the areas and state would be considerable.

This money would be derived from the sale of bonds and securities and these would be new dollars to the area and would not place a tax burden upon our members.

It is for these and many other reasons that I urge that Congress immediately approve legislation before the Committee giving permission for the American Falls Reservoir District to replace the American Falls dam with private monies and that construction be commenced at the earliest practical date.

Mr. MACFARLANE. We have been aware for some time of the deterioration of the American Falls Dam. We have made personal inspections of it, and we also realized this deterioration would curtail the water in the dam, which affects the economy of the State. We realize that agriculture is the No. 1 segment of the economy of the State of Idaho, and anything that affects agriculture, affects the economy of the entire State. Therefore, we are here and we urge support of this proposition to rebuild the American Falls Dam as soon as possible.

Mr. JOHNSON. We want to thank you for appearing here and giving us the support of organized labor toward the legislation that is pending before the Congress.

We all agree, I think, all of us on this committee, that the basic economy of the whole Nation stems from what the farmers do and what comes from the soil. We are trying our level best to bring about good water resource development to allow this to continue, because if we are going to have profitable farming ventures, we have to give them the tools to work with. The first one is water. We know how to do it pretty well from there on out. Water has to be made available at the lowest cost possible. That has been the aim of the Federal Government in developing water resources throughout the years, and we will continue throughout the years to do this.

The gentleman from California, Mr. Clausen.

Mr. CLAUSEN. I am certainly appreciative of your comment.

What is the employment situation in the area generally? What is the percentage of unemployment, shall we say, in the area?

Mr. MACFARLANE. Well, agriculture itself, as you may realize, is somewhat seasonal, but each year becomes less and less so. I would say unemployment would be 5 percent, but contingent upon the agricultural economy, we have many people employed in the manufacture of farm implements, in the maintenance of farm implements. In this particular area, we have people employed in installing pumps, in the maintenance of the pumps, and thousands of people employed in sugar-beet and potato processing in this area.

Mr. CLAUSEN. I believe you stated 8,000 people. I believe we can anticipate with this project going forward, you will obviously increase the employment potential in the area, and it cannot help but have a reducing effect on the unemployment; would this be a true picture?

Mr. MACFARLANE. I would think so. As the production increases, I do not mean through the use of extra land, but the productivity of existing land and the products, employs more and more people.

Mr. CLAUSEN. And it stabilizes the economy and job potential, not only now but well into the future?

Mr. MACFARLANE. Yes.

Mr. CLAUSEN. Thank you.

Mr. JOHNSON. Any questions, Mr. Ketchum?

Mr. KETCHUM. No questions.

Mr. JOHNSON. Mr. Towell?

Mr. TOWELL. No questions.

Mr. JOHNSON. Mr. Luken?

Mr. LUKEN. No questions.

Mr. JOHNSON. Our next witness is Mr. Tom Nelson, the attorney for the American Falls Reservoir District.

STATEMENT OF THOMAS G. NELSON, REPRESENTING THE AMERICAN FALLS RESERVOIR DISTRICT

Mr. NELSON. Mr. Chairman, members of the committee, I have submitted a prepared statement which I would request leave of the committee to have included in the record at this point.

Mr. JOHNSON. It will appear in the record in full and you may summarize it.

[Mr. Nelson's statement follows:]

STATEMENT OF THOMAS G. NELSON

Mr. Chairman and members of the committee, my name is Thomas G. Nelson. I am a partner in the Twin Falls law firm of Parry, Robertson, Daly and Larson. Our firm represents the American Falls Reservoir District, and I appear here today at the request of the Board of Directors of the American Falls Reservoir District. We have been involved in the Spaceholders' attempts to obtain authorization to reconstruct the dam since the inception of the program. My specific participation at the request of the Executive Committee of the Spaceholders, has fallen in the areas of the river crossing and the impact of the reconstructed dam on the fishing below the dam.

The Committee has already received information relating to the present status of the river crossing project, to consist of a two-lane bridge below the dam and two lanes on top of the dam when reconstructed. Some time ago, approximately \$900,000.00 was allocated to the river crossing on the existing dam under the Bridges on Federal Dams Act (23 USC Section 320). Those funds are still available and still allocated to the American Falls river crossing. A technical amendment is necessary to S. 1529 in order to make it clear that the reconstruction of the dam and river crossing is a project within the meaning of the Bridges on Federal Dams Act. A copy of the amendment to S. 1529 was included in Governor Andrus's testimony, and for the Committee's convenience, I am attaching a copy of it to this statement as an exhibit.

In preliminary discussions on the project, it was the thought of the Spaceholders and the Idaho Department of Fish and Game and the U.S. Bureau of Sport Fisheries and Wildlife that it would be possible to preserve the fishing in the forebay by passing 50 cubic feet per second of water flow around the power house into the forebay. Upon further investigation, it was determined that this would provide an essentially calm body of water and that the trash fish species would intermix with the game fish species, and the fishing as it presently exists would be destroyed. To preserve the flows in the forebay which presently physically separate the trash fish from the game fish species would separate the trash fish from the game fish species would require a minimum flow of 3,000 cubic feet per second and 20,000 cubic yards of fill in the bottom of the forebay. This flow would have to be bypassed around the power house into the forebay, and bypassing of a flow of this magnitude would result in a loss of 58% of the power which would be gained by construction of penstocks and the generating plant below the dam. It was obvious that flows of that magnitude render the project totally uneconomical.

As a result of the information gained in the forebay study, we are presently investigating different options which may be open to mitigate the impact of the reconstruction of the dam and power house to the extent physically and financially feasible. We are also investigating some down stream improvements which could be included as part of the project to improve access to the tail water of the power house, which will constitute the major fishing area immediately down stream of the dam, following its reconstruction.

In addition to passage of S 1529 at the earliest possible time, the Spaceholders also need further authorizations from the State Legislature. That legislation is being drafted and will be submitted to the legislature at the session commencing in January of 1974. The legislature was quite cooperative in the bills which we presented to them last session, and we have every reason to hope that we will obtain speedy passage of the necessary State authorizations in order that the bond election could be held early in 1974.

Mr. Chairman, the American Falls Reservoir District and the American Falls Spaceholders have invested considerable time, effort and money in moving this project along toward a projected commencement of construction of January 1, 1975. We believe that passage of S 1529 will enable the Spaceholders to reconstruct the dam at the earliest possible time, which is the sole purpose of the proposal of the Spaceholders. The Spaceholders believe that the approach embodied in S 1529 offers the best vehicle for accomplishment of this purpose.

Mr. Chairman, I also ask your consent for the inclusion in the record of several statements which I have brought with me today. They represent the views of

other water users and people in Idaho who are also concerned with a rapid solution to the American Falls problem.

I appreciate having been given the opportunity to testify today. I will attempt to answer any questions which members of the Committee or staff might have.

SECTION 2

(b) The constructing agency shall: (i) include as a part of the project, a river crossing meeting the then current Department of Transportation standards for Federal-aid secondary highway two-lane traffic, which crossing shall be located on top of the replacement dam or immediately downstream from the dam, and which crossing shall be financed by State, Federal, and ~~private constructing agency funds~~, or any combination thereof as the parties deem appropriate; and (ii) ~~coordinate the design of project crossing to allow the inclusion of an additional two lanes, which additional two lanes shall be the responsibility of the Idaho Department of Highways and which may be funded with State or Federal funds; design and construct an additional two lanes on top of the replacement dam, which additional two lanes may be funded with State, Federal or constructing agency funds, or any combination thereof. For the purposes of subpart (ii) of this subsection, the constructing agency shall be considered an "agency" within the meaning of 23 U.S.C. 320(a).~~

Mr. NELSON. Thank you, Mr. Chairman.

Also, I have a number of statements of other people who are interested in the project, that I would like to submit for the record at this time.

Mr. JOHNSON. If you will identify their names—

Mr. NELSON. A statement from Gooding Public Schools; statement from Bell Taylor of Gooding, Idaho; a statement of E. J. Price of Gooding, Idaho; a statement of Thomas B. Miller of Gooding, Idaho; a statement of Wood River Area Resource Council of Governments; a statement of Charles E. Sams of Gooding, Idaho; a statement of the city of Gooding; the city of Wendel; statement of the Lincoln County Commissioners; a statement of the Shoshone Chamber of Commerce; a statement of the city of Buhl; a statement of Shields from Buhl; a statement of the Rupert Chamber of Commerce; a statement of the Rupert City Council; a statement of the Minidoka County Commission; a statement of the Burley Chamber of Commerce; a statement of the city of Burley; a statement of the Cassia County Commissioners; a statement of the city of Shoshone; a statement of the Twin Falls County Commissioners; the city of Filer; the Twin Falls Bank & Trust Co.; the Idaho Bank & Trust Co.; the Idaho First National Bank; the Aberdeen Springfield Canal Co.; the Twin Falls Canal Co.; the South Idaho Production Credit Association; the Buhl Chamber of Commerce; the city of Twin Falls; the chairman of the board of the Upper Snake River Water Users Protective Union; a statement from the Harrison Canal & Irrigation Co.; a statement of the Twin Falls Chamber of Commerce; a statement of the Idaho Water Users Association, with copy of an attached resolution passed at their convention; a statement of the chairman of the board of the Northside Canal Co.; a statement of the chairman of the Committee of Nine; and a statement of the Burgess Canal & Irrigating Co.; and a statement of Tom Almstead, a director of the American Falls Reservoir District.

Mr. JOHNSON. I presume those are all in support of the project?

Mr. NELSON. Yes, sir.

Mr. CLAUSEN. Is anybody against it?

Mr. NELSON. I did not bring any statements from any of those people, if there are.

[The statements follow:]

GOODING PUBLIC SCHOOLS,
JOINT SCHOOL DISTRICT No. 231,
Gooding, Idaho, October 5, 1973.

HON. HAROLD T. JOHNSON,
Subcommittee Chairman, Water and Resources Subcommittee, Interior and Insular Affairs Committee, U.S. House of Representatives, Washington, D.C.

DEAR REPRESENTATIVE JOHNSON: In reference to the American Falls Dam and the effects it has on all aspects of our local society, without the water that American Falls Dam supplies this area would revert back to its original state. What we have worked to accomplish for the last seventy years could be all in vain without an adequate supply of water.

I work with young people, and being in an agricultural area, water is a very necessary product. A majority of our young people remain in the area and are employed in agriculture or agricultural affiliated occupations, and irrigation water becomes very necessary.

Your support in expediting Senate Bill #1529 in regards to American Falls Dam on the Snake River will be greatly appreciated.

Thank you for your consideration.

Respectfully yours,

JAMES V. MUSCAT,
Superintendent of Schools.

GOODING, IDAHO, October 4, 1973.

HON. HAROLD T. JOHNSON,
Chairman, Subcommittee on Water and Resources, Interior and Insular Affairs Committee, House of Representatives, Washington, D.C.

DEAR MR. JOHNSON: I am writing in regards to Senate Bill 1529 which would allow the water users to replace the American Falls Dam with private funds.

Immediate replacement of the dam is of vital concern to the farmers and the communities of this area and another dry winter could be disastrous.

I certainly urge that favorable consideration be given to SB 1529.

Sincerely,

DELL E. TAYLOR.

GOODING, IDAHO, October 4, 1973.

Representative HAROLD T. JOHNSON,
Chairman, Subcommittee on Water and Resources, Interior and Insular Affairs Committee, House of Representatives, Washington, D.C.

DEAR MR. JOHNSON: I am in full support of Senate Bill 1529 which, in part, allows for private funding of replacement of American Falls Dam.

If a water short year should occur during this winter, all of southern Idaho will be in extreme jeopardy! At present, there is no longer any stored water behind the American Falls Dam. The channel of the Snake River is visible with one of the few times this has happened in some time. The carryover water, if any, will be mighty short.

I ask that favorable consideration be given to SB 1529.

Sincerely,

G. J. "WHITEY" PRICE.

GOODING, IDAHO, October 3, 1973.

HON. HAROLD T. JOHNSON,
Chairman, Subcommittee on Water and Resources, Interior and Insular Affairs Committee, House of Representatives, Washington, D.C.

DEAR REPRESENTATIVE JOHNSON: I write to you in support of Senate Bill 1529 to allow the water users of this area to rebuild the American Falls Dam using private funds. I am sure you realize that water is a vital issue to us farmers, and the seriousness of the condition of the present dam has caused a short water year this year.

Another dry winter season could cause early turn off of irrigation water and spell disaster to most of the farmers in the Gooding area. We ask that favorable consideration be given to SB1529.

Sincerely,

THOMAS D. MILLER,

WOOD RIVER RESOURCE AREA,
COUNCIL OF GOVERNMENTS,
Gooding, Idaho, October 3, 1973.

HON. HAROLD T. JOHNSON,
*Chairman, Subcommittee on Water and Resources, Interior and Insular Affairs
Committee, House of Representatives, Washington, D.C.*

DEAR REPRESENTATIVE JOHNSON: The Wood River Resource Area Council of Governments is in full support of Senate Bill 1529 which would, in part, allow for private funding for the replacement of the American Falls Dam.

The Council agrees that there should be the earliest replacement of the American Falls Dam as is physically and politically possible. The economic base of all of Southern Idaho rests upon the continued and adequate supply of irrigation water.

Should there be a dry winter on the watersheds of the Snake River, the very way of life of Southern Idaho agriculture would be threatened.

We, therefore, urge favorable consideration to Senate Bill 1529.

Sincerely,

DON G. FREDERICKSEN, *Chairman.*

GOODING, IDAHO, October 4, 1973.

HON. HAROLD T. JOHNSON,
Subcommittee Chairman, Water and Resources Subcommittee, Interior and Insular Affairs Committee, U.S. House of Representatives, Washington, D.C.

DEAR MR. JOHNSON: I am writing you at this time with reference to Senate Bill No. 1529.

As a Business man here in Gooding operating a Department Store I am very much interested in passage of Senate Bill No. 1529.

This store has been in operation since 1936 and supported approximately 90% by farmers, cattlemen and sheepmen.

Unless water for their operations is consistently supplied and their existence insured then this business along with others will be reversed effecting economy of this section of Idaho as well as owner of this store.

I urge you to support and work for passage of the Senate Bill No. 1529.

Your help in this matter will be most appreciated.

Very truly yours,

CHARLES E. SAMS.

CITY OF GOODING,
Gooding, Idaho, October 2, 1973.

HON. HAROLD T. JOHNSON,
Subcommittee Chairman, Water and Resources Subcommittee, U.S. House of Representatives, Washington, D.C.

DEAR MR. JOHNSON: In regard to the new American Falls Dam. I will say that we the people of the Gooding Area, are greatly interested in our irrigation water as a factor to survival. I am sure that all the farmers do not know how serious our shortage of irrigation water is, or can be next year during 1974's irrigation season.

I am sure the people of surrounding areas will appreciate anything your committee can do to expedite Senate Bill No. 1529 in regards to the new American Falls Dam.

Very Truly yours,

H. V. CRIPPEN, *Mayor.*

CITY OF WENDELL,
Wendell, Idaho, October 2, 1973.

HON. HAROLD T. JOHNSON,
Subcommittee Chairman, Water and Resources Subcommittee, U.S. House of Representatives, Washington, D.C.

DEAR MR. JOHNSON: In regard to the new American Falls Dam. I will say that we the People of the Wendell Area, are greatly concerned and interested in our irrigation water as a factor to survival. I am sure that all of our area farmers

no not know how serious the shortage of irrigation water is or can be next year during the 1974 irrigation season.

I am sure the people of surrounding areas will also greatly appreciate anything your committee can do to expedite Senate Bill No. 1529 in regards to the new American Falls Dam.

Very Truly yours,

EUGENE SOARES,
Mayor, City of Wendell.

SHOSHONE, IDAHO, October 3, 1973.

HON. HAROLD T. JOHNSON,
HOUSE OF REPRESENTATIVES PUBLIC HEARING ON THE AMERICAN FALLS DAM,
Burley, Idaho,

GENTLEMEN: As to the subject of the public hearing to be held in Burley, Idaho, Saturday, October 6, 1973, concerning the replacement of the deteriorated American Falls dam. We wish to go on record as favoring Senate Bill 1529 to authorize private companies to assist in the building of the dam.

Since Lincoln County is agriculturally oriented and so much of its irrigation waters come from the American Falls Reservoir, we would like to express the urgency that exists in getting the dam built at its earliest possible date. Water is the life line in our economy!

Respectfully submitted,

LINCOLN COUNTY COMMISSIONERS,
GLENN L. SORENSEN.

SHOSHONE CHAMBER OF COMMERCE,
Shoshone, Idaho, October 4, 1973.

Congressman HAROLD T. JOHNSON,
Chairman of Water and Power Resources Subcommittee of the Interior and Insular Affairs Committee, U.S. House of Representatives, Washington, D.C.

DEAR SIR: The City of Shoshone is comprised of approximately 1500 people whose main source of livelihood is derived from agricultural production. This area is normally arid in nature and can only become productive through irrigation from storage facilities such as the American Falls Dam. The economy of this community has been greatly jeopardized by the condemnation of the American Falls Dam; therefore we the people of the City of Shoshone and its surrounding area do hereby urge the immediate passing of Senate Bill No. 1529, authorizing the construction of the American Falls Dam with private funds.

We respectfully submit this request for the committee's approval.

Respectfully submitted,

REID J. NEWBY,
President, Chamber of Commerce.

CITY OF BUHL,
Twin Falls County, Idaho, October 3, 1973.

HON. HAROLD T. JOHNSON,
Subcommittee Chairman, Water and Power Resources Subcommittee, Interior and Insular Affairs Committee, U.S. House of Representatives, Washington, D.C.

DEAR MR. JOHNSON: The City of Buhl is located in Southern Idaho, in the Twin Falls Canal Company project, and is dependent upon irrigated agriculture of the surrounding area and, therefore, feels it has a vital interest in the replacement of the existing American Falls dam, located on the Snake River near American Falls, Idaho. At the Buhl City Council meeting held October 2, 1973, the City Council discussed S. 1529 and unanimously voted to support the passing of said bill as it feels said bill is in the best interests of the citizens of the City of Buhl, Idaho, and the property owners of the area surrounding the city.

Very truly yours,

MAYOR TED PENCE.

SHIELDS,
Buhl, Idaho, October 5, 1973.

HON. HAROLD T. JOHNSON,
Subcommittee Chairman, Water and Power Resources Subcommittee, Interior and Insular Affairs Committee, U.S. House of Representatives, Washington, D.C.

DEAR REPRESENTATIVE JOHNSON: We are one of the handlers of beans, seed and grain in Southern Idaho. Much of our trading is through a Cooperative Marketing Association of farmers in the area.

The possible loss of water due to present operating restrictions and the subsequent decline in crop yields make the replacement and/or reconstruction of the American Falls Dam urgent. The economy of Southern Idaho depends on farming by irrigation.

Passage of a bill such as S. 1529 permitting the private funding of a replacement dam seems to be the only rapid solution. We urge your favorable consideration of this matter.

Very truly yours,

JAMES T. SHIELDS.

STATEMENT OF RUPERT CHAMBER OF COMMERCE

The Board of Directors of the Rupert Chamber of Commerce, at their meeting on October 1, 1973, voted unanimously in support of S. 1529, allowing the spaceholders of American Falls Reservoir to proceed with the early construction of American Falls Dam to replace the present American Falls Dam for storage of irrigation water. It is the firm belief of the Board of Directors of the Rupert Chamber of Commerce and its members that the earliest possible replacement of American Falls Dam must be obtained and that this can be best accomplished under the provisions of S. 1529 which would allow the spaceholders to proceed with the replacement of American Falls Dam with due haste. The members of the Rupert Chamber of Commerce are fully aware of the acute need for this storage of irrigation water on the Snake River to provide an adequate water supply to the lands presently under irrigation in our community. As businessmen in the city of Rupert, we are also fully aware of the dependency of business in our area upon the agricultural economy. We sincerely urge the prompt consideration and approval by the Water and Power Resources Subcommittee of the Interior and Insular Affairs Committee and the ultimate passage of this important legislation by Congress.

Dated this 2nd Day of October, 1973.

STATEMENT OF RUPERT CITY COUNCIL

Congressman Johnson and Subcommittee Members:

The Mayor and City Council of the City of Rupert, at its regular meeting on October 2, 1973, by unanimous vote, supported the replacement of American Falls Dam on the upper Snake River pursuant to the concepts contained in S. 1529, now being considered by your subcommittee. As the City of Rupert and its inhabitants are a water-user of Minidoka Irrigation District which obtains a part of its water supply from storage in American Falls Dam, we are fully aware of the catastrophe that would result should our water supplies be insufficient to irrigate our arid land. So long as the storage in American Falls Dam is restricted, this danger is more readily apparent. Through the replacement of American Falls Dam at the earliest possible time, we can be somewhat assured of having an ample water supply during the irrigation season. We sincerely believe that S. 1529 provides the avenues by which American Falls Dam can be replaced within the shortest possible time period. We sincerely urge that your subcommittee favorably report S. 1529 for its early consideration and passage by Congress.

Respectfully submitted this 2nd Day of October, 1973.

STATEMENT OF COUNTY COMMISSIONERS OF MINIDOKA COUNTY

Congressman Johnson and Subcommittee Members:

We, the undersigned, County Commissioners of Minidoka County, do hereby fully support the early passage of S. 1529 to allow the replacement of American

Falls Dam through private funding by the Spaceholders and such subsidy as they may obtain through a Falling Water Contract for the development of power. As the primary industry in Minidoka County is farming, an adequate water supply is essential. The gamble that exists so long as there is a restriction on American Falls Dam for the storage of water is of such a magnitude that in a short water year, the nature of the crops grown could be severely affected. We, therefore, sincerely urge the early consideration and approval by your subcommittee of the concepts of S. 1529 and the early passage of this bill by the House of Representatives.

Dated this 4th day of October, 1973.

BURLEY CHAMBER OF COMMERCE,
Burley, Idaho, October 5, 1973.

HON. HAROLD T. JOHNSON,
Subcommittee Chairman, Water and Power Resources Subcommittee, Interior and Insular Affairs Committee, U.S. House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: On behalf of the Burley Chamber of Commerce, we are fully aware, realize, and understand the importance of the present water shortages, the lack of storage space because of safety factors at the American Falls Reservoir, and certainly is coupled with the energy crisis in our area, and ultimately which the county is facing today.

For the past several years, not only the Burley Chamber of Commerce, but also the South Idaho Water Users Association, in a joint venture has foreseen some of these problems, and consequently produced a film "People, Land, and Water" which was submitted at that time to the Interior Insular Affairs Committee, Washington, D.C. for the purpose of replacing American Falls Reservoir and hopefully to gain additional storage. Our main concern at that time was supplementary water for farming land especially since Idaho is heavily dependent upon their livelihood from the farming industry. Now, several years later, irrigation still is one of the most important factors in our area, but it is quite apparent that equally important is a problem that exists in regard to our energy resources. Not only our local business community, but also for the farming industry as well.

Since we have long realized the existing problems of American Falls Reservoir in regard the condition of the structure itself along with the danger it creates to all property owners downstream, therefore and in accordance with the Hearing that was held before the subcommittee on Water and Power Resources of the Committee of Interior and Insular Affairs of Senate of the 93rd Congress, first session, we of the Burley Chamber of Commerce agree and fully support the Idaho Power Company's proposal and recognizing the irrigation needs of space holders of American Falls Reservoir and District, and requesting their full support and cooperation in every possible way in obtaining a power commission license for the construction of power generation facility for the Idaho Power Company below the Dam.

The Burley Chamber of Commerce greatly appreciates this opportunity to express their views and concern for both the replacement of the dam for additional storage for water, the power that can be generated, and also the safety factor.

Respectfully submitted,

GEORGE P. FORSCHLER, *President.*

CITY OF BURLEY,
Burley, Idaho, October 3, 1973.

HON. HAROLD T. JOHNSON,
Subcommittee Chairman, Water and Power Resources Subcommittee, Interior and Insular Affairs Committee, U.S. House of Representatives, Washington, D.C.

DEAR SIR: I remember as a boy how short the water supply was in Magic Valley before American Falls Dam was built. Even then with Twin Falls County having the best water right in Jackson Lake there was some years of shortage.

With the building of American Falls Dam and the assurance of plenty of water the other counties of this wonderful valley expanded and it has become one of the most productive areas in the U.S. Two hundred thousand people depend upon the water from American Falls Dam for continued production and the economic well being of the entire Magic Valley. It isn't a question of rebuild or not to rebuild, but how the project can be expedited to completion.

Sincerely,

J. G. ROBERTSON, *Mayor.*

CASSIA COUNTY COMMISSIONERS,
Burley, Idaho, October 2, 1973.

HON. HAROLD T. JOHNSON,
Subcommittee Chairman, Water and Power Resources Subcommittee, Interior and Insular Affairs Committee, U.S. House of Representatives, Washington, D.C.

HON. HAROLD JOHNSON: The Reservoir is low and only the main stream flows through. An empty reservoir draws immediate attention to the thinking public. How can we produce food and fiber for the inhabitants of our great State of Idaho and nation without water storage facilities? Natural flow of water is very deceptive and in many cases can be disastrous. Farmers who farm on the Burley Irrigation Project and the Minidoka Irrigation Project know too well that they will go broke in low water years if there is not water storage. The best way to protect our water is to use it. And we cannot use it on this Minidoka project without water storage at the American Falls Reservoir. We need to rebuild for replacement of water storage in the American Falls Reservoir for our own security and for the development of a well-fed and healthy society.

Our basic need is food. For the first time in history, Americans are coming to face the reality that we can no longer take for granted—one of our basic needs. All people have a stake in world wide food production. Our greatest source of food comes from fertile soils, plus water storage, plus the knowledge to harness the water and make it more useful to man.

Our water supply was thought to be extravagantly abundant to State governments of the arid Southwest. Our water is not abundant at all. Underfed reservoirs, drying river banks and an impending shortage of electricity proves the need for rebuilding the American Falls Dam.

Respectively Yours,

JOHN A. CLARK, *Chairman.*
J. WELDON BECK.
ORVIL BEECHER.

CITY OF SHOSHONE,
Shoshone, Idaho, October 5, 1973.

HON. HAROLD T. JOHNSON,
Chairman, Water and Power Resources Subcommittee, Interior and Insular Affairs Committee, U.S. House of Representatives.

The Shoshone City Council at its regular meeting on October 2, 1973 cited to urge the immediate passage of SB 1529 authorizing the replacement of the American Falls Dam by private means. Our town's economy is based on our agricultural community. Trying to make out on a short water supply vitally effects our livelihood.

Very truly yours,

RUTH K. CHESSE,
City Clerk.

TWIN FALLS COUNTY
BOARD OF COUNTY COMMISSIONER,
Twin Falls, Idaho, October 6, 1973.

HON. HAROLD T. JOHNSON,
Chairman, Water and Power Resources Subcommittee, House Interior and Insular Affairs Committee, Longworth House Office Building, Washington, D.C.:

The Twin Falls County Commission unanimously endorses the earliest possible replacement of the American Falls Dam. We support the Spaceholders in their efforts to accomplish this replacement after the passage of S. 1529.

We thank the Committee for scheduling the field hearing in Southern Idaho, so that they might become better acquainted with the immediate problems.

Since our County is almost totally dependent upon agriculture for its economy, we feel that it is imperative that the American Falls Dam be in condition to be operated at full capacity. The economic ramifications of short water years and inadequate storage might well strike a blow which our farm economy would take years to recover.

We encourage your early consideration of S. 1529.

Respectfully submitted,

WILLIAM L. CHANCEY, *Chairman.*

CITY OF FILER, IDAHO.

October 4, 1973.

HON. HAROLD T. JOHNSON,

Subcommittee Chairman, Water and Power Resources Subcommittee, Interior and Insular Affairs Committee, U.S. House of Representatives, Washington, D.C.

DEAR SIR: The City Council of the City of Filer, Idaho urge passage of Senate bill S-1529. A bill to authorize the Secretary of the Interior to enter into agreements with non-federal agencies for the replacement of the existing American Falls Dam, Minidoka project, Idaho and for other purposes.

Failure of the existing Dam would create a major disaster to the economy of the area. Therefore we feel it necessary to proceed with new construction at the earliest possible date.

Sincerely,

DAN KAUFFMAN, *Mayor.*

TWIN FALLS BANK AND TRUST CO.,

Twin Falls, Idaho, October 6, 1973.

HON. HAROLD T. JOHNSON,

Chairman, Water and Power Resources Subcommittee, House Interior and Insular Affairs Committee, Longworth House Office Building, Washington, D.C.

DEAR CONGRESSMAN JOHNSON: The Board of Directors of the Twin Falls Bank & Trust Company heartily endorse the Spaceholders' efforts toward the early replacement and reconstruction of the deteriorated American Falls Dam. When originally constructed, this reservoir provided the difference between successful farming and unsuccessful farming in many areas of our Magic Valley. The North Side irrigation tracts particularly depend upon American Falls water for profitable farming.

Agriculture continues to be our State's leading industry. As you well know, it is an industry that is worth protecting in light of current shortages and rising prices. The farmers in our area are heavily dependent upon American Falls water. It is the most important irrigation facility in the Upper-Snake River Valley.

We would like to commend your Committee for the help given in the past by authorizing the Salmon Falls Division in South Central Idaho. We encourage your support of the Spaceholders' effort to rebuild at American Falls.

Please favorably consider SB 1529 for early passage.

Sincerely,

CURTIS T. EATON,

Chairman of the Board and President.

IDAHO BANK & TRUST CO.,

Burley, Idaho, October 2, 1973.

HON. HAROLD T. JOHNSON,

Chairman, Water and Power Resources Subcommittee, House Interior and Insular Affairs Committee, Longworth House Office Building, Washington, D.C.

DEAR CHAIRMAN: The Idaho Bank and Trust Company, with its fourteen offices in Idaho, has become very interested in the American Falls Dam Project.

I would like to make a statement from the Burley Office of Idaho Bank and Trust Company. Any loss of storage capacity at the American Falls Dam following a dry water year would seriously influence the economy of Burley and Cassia County. There are 48,000 cropland acres in Cassia County alone that depend upon irrigation from the control of American Falls Dam. Without water the im-

mediate loss would amount to many hundreds of dollars per acre alone to the grower. In addition to this the affect upon the purchaser of farm products and the retailer dealing in these same agricultural commodities would more than triple the present dollar per acre loss. The economy loss would seriously affect our area.

It is of the utmost importance to our agricultural dependent state that the American Falls Dam Project be restored. Restoration should be accomplished before further immediate loss of capacity due to the deterioration of the dam occurs.

This statement respectfully submitted by :

ROBERT D. (Bob) HILLIARD,
Vice President and Manager.

THE IDAHO FIRST NATIONAL BANK,
Twin Falls, Idaho, October 6, 1973.

Hon. HAROLD T. JOHNSON,
Water and Power Resources Subcommittee, House Interior and Insular Affairs Committee, Washington, D.C.:

I wish to express this bank's concern and encouragement for the early replacement of the American Falls Dam. In the areas served by American Falls water, our bank has seven branches. All of the farming areas near the seven branches are totally dependent upon irrigation water, and in some way involve the American Falls Dam.

As of December 31, 1972, we had some \$55,000,000 in outstanding loans within the service area of American Falls water. Eighty per cent of these loans go directly to farmers or agricultural product processing operations, and to persons employed by farmers or processors. I believe that other banks would have somewhat similar percentages of loans related to agriculture, processors, or workers. Since I have been a native of Gooding, Jerome, and Twin Falls Counties all of my life, I am well aware of what occurred those years before American Falls was available in terms of crop failures in this area.

Our bank supports S. 1529 and stands ready to back the Spaceholders in any way that we can in seeking the early replacement of the dam. I ask that this letter be attached to the official record of the field hearing on October 6th concerning S. 1529.

Sincerely,

L. A. FRAZIER,
Senior Vice President.

ABERDEEN-SPRINGFIELD CANAL COMPANY,
Aberdeen, Idaho, October 6, 1973.

Hon. HAROLD T. JOHNSON,
Chairman, Water and Power Resources Subcommittee, House Interior and Insular Affairs Committee, Longworth House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: As president of the Aberdeen-Springfield Canal Company, I submit this statement for the official record of your field hearing scheduled for Burley on October 6th.

Our company irrigates approximately 63,000 acres and are Spaceholders in the American Falls Reservoir in the amount of 55,000 acre-feet.

We are well aware of the problems that a restricted American Falls Reservoir presents for Southern Idaho water users. Because of the exchanges and the necessity of operating Upper Snake River reservoirs as one total unit, the loss of one link in the chain weakens the total economy.

A series of short water years, or below normal snow packs in even one year could well be disastrous to the farm economy.

Because we represent people with irrigated farms, as a Board of Directors of the Aberdeen-Springfield Canal Company, we feel compelled to support SB 1529 since we believe it will result in the earliest possible replacement of the American Falls Dam. The Directors of our company are in accord with the provisions of SB 1529, and have agreed to cooperate with the other Spaceholders in advancing monies and doing the other things necessary to effect the earliest construction start.

Please attach this statement to the record of the field hearing:

Very truly yours,

ARMIN SCHROEDER, *President.*

TWIN FALLS CANAL CO.,
Twin Falls, Idaho, October 6, 1973.

Hon. HAROLD T. JOHNSON,
Chairman, Water and Power Resources Subcommittee, House Interior and Insular Affairs Committee, Longworth House Office Building, Washington, D.C.

DEAR CONGRESSMAN JOHNSON: As president of the Board of Directors of the Twin Falls Canal Company, we wish to thank your Subcommittee for your attention to the legislation which would authorize the replacement of the American Falls Dam.

Although our company is a minor spaceholder in terms of acre-feet, we are the largest spaceholder in terms of acres. The lands within our canal company operating system are within the boundaries of the American Falls Reservoir District, and consequently would provide a substantial amount of the security for bonds which would be sold to finance the reconstruction project.

Although we are not owners of a large block of American Falls storage, nevertheless it is important to us. Since our primary right is a natural flow right, in years when the river is below average in natural flow, the American Falls water is extremely valuable in August and September for the finishing of crops. Some of our crops are heavy water users and the last irrigation is the difference between success and failure.

The Board of Directors of the Twin Falls Canal Company stand ready to help in whatever way they can to assist in the early replacement of the American Falls Dam. We recognize the problems of the majority of American Falls Spaceholders and we join with them in their united efforts.

I would ask that this statement be included as a part of the record of the hearing by the Water and Power Resources Subcommittee held in Burley on October 6, 1973.

Truly yours,

Ed REICHERT, *Chairman.*

SOUTHERN IDAHO PRODUCTION CREDIT ASSOCIATION,
Twin Falls, Idaho, October 4, 1973.

Hon. HAROLD T. JOHNSON,
Chairman, Subcommittee on Water and Power Resources, House Interior and Insular Affairs Committee, Washington, D.C.

DEAR SIR: The Southern Idaho Production Credit Association respectfully urges House approval of S. 1529. The association provided \$67 million in short-term the utmost urgency in the best interests of our area's farmers, ranchers and in the eight counties of south-central Idaho.

According to the 1969 census of agriculture, there were 4379 commercial farms in the eight counties with gross sales of \$191 million. Due to the escalation of farm prices in 1972 and 1973, gross sales this year could exceed \$250 million.

Only a small fraction of this production would be possible without ample irrigation water in an arid region which averages only about nine inches of precipitation annually.

Because this area is so heavily dependent upon water storage in American Falls reservoir, continued reduction of that storage will have a critically adverse effect upon the farm-related economy of Magic Valley and Idaho. Each dollar decline in sales of farm products is estimated to eliminate the circulation of seven dollars in the business community.

Construction of a replacement for the existing American Falls dam at the earliest possible date, and the corresponding increase of water storage, are of the utmost urgency in the best interests of our area's farmers, ranchers and business establishments.

Sincerely yours,

EARL R. STANSELL, *Manager.*

BUHL CHAMBER OF COMMERCE,
Buhl, Idaho, October 1, 1973.

Hon. HAROLD T. JOHNSON,
Subcommittee Chairman, Water and Power Resources Subcommittee, Interior and Insular Affairs Committee, U.S. House of Representatives, Washington, D.C.

DEAR REP. JOHNSON AND MEMBERS OF COMMITTEE: On October 1, 1973, the Buhl Chamber of Commerce met and considered S.B. 1529. The Chamber unanimously

endorsed the provisions of S.B. 1529 to provide for the reconstruction of the American Falls Dam utilizing private financing. We understand that the operation and maintenance of the reconstructed American Falls Dam will continue to be under control of the Secretary of the Interior. The operating restrictions on the present Dam present problems to the agricultural economy of southern Idaho. We therefore, urge fast consideration of this bill.

Sincerely yours,

KENNETH JONES, *President.*

CITY OF TWIN FALLS,
Twin Falls, Idaho, October 6, 1973.

HON. HAROLD T. JOHNSON,
Chairman, Water and Power Resources Subcommittee, House Interior and Insular Affairs Committee, Washington, D.C.

DEAR CHAIRMAN JOHNSON: On behalf of the City Council of the City of Twin Falls, we wish to extend a welcome to the Committee to Southern Idaho, for the field hearings on the American Falls Dam replacement.

We also wish to emphasize the direct economic impact which the American Falls Dam has on the economy of our area.

As mayor of one of the largest cities in the irrigated valleys served with American Falls water, I feel qualified to testify on the many times that agricultural dollars are turned over in our areas.

The Twin Falls City Council endorses the earliest possible replacement of the dam, and we support the Spaceholders in their effort toward private financing of the reconstruction.

We trust that the Committee will enjoy your stay in Southern Idaho, and will consider S. 1529 at an early date.

Sincerely,

JOHN F. CHRISTOFFERSON, *Mayor.*

OCTOBER 3, 1973.

HON. HAROLD T. JOHNSON,
Subcommittee Chairman, Water and Power Resources Subcommittee, Interior and Insular Affairs Committee, U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN JOHNSON: The members of the Board of Directors of the Upper Snake River Water Users Protective Union have instructed me to write this letter to you and request that it be made a part of the record of the hearing before the Water and Power Resources Subcommittee of the United States House of Representatives in Burley, Idaho on October 6, 1973.

The Upper Snake River Water Users Protective Union is an organization of some 50 canal companies in the Upper Snake River Valley, most of which own space in the American Falls Reservoir. In most cases, the storage water from the space in American Falls Reservoir is essential to the maturing of the crops on lands under the systems of each of the canal companies. The water users of these canal companies and the board are very interested in the early replacement of the American Falls Dam so that the American Falls Reservoir can be restored to its former storage capacity.

The protective union respectfully requests this subcommittee of the House of Representatives to make an early favorable report of senate bill 1529 and urges its early passage.

Thank you for your kind help and consideration.

Yours very truly,

LEONARD E. GRAHAM,
Chairman of the Board,
Upper Snake River Water Users Protective Union.

HARRISON CANAL & IRRIGATION CO.,
October 3, 1973.

HON. HAROLD T. JOHNSON,
Subcommittee Chairman, Water and Power Resources Subcommittee, Interior and Insular Affairs Committee, U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN JOHNSON: We are writing this letter on behalf of the Harrison Canal and Irrigation Company. The Harrison owns and operates a

canal system in the Upper Snake River Valley near Idaho Falls, Idaho through which it conveys natural flow and storage water rights to some 13,000 acres owned by approximately 375 water users. A substantial portion of the Harrison Canal and Irrigation Company's water rights consist of storage rights in American Falls Reservoir. In an average water year it would be impossible for the irrigators under our system to mature a crop without the water from the storage in American Falls.

We urge this subcommittee to make a favorable report and request the House of Representatives to hasten the passage of Senate bill number 1529. We feel that the early replacement of the American Falls Dam is an emergency which requires the serious consideration of the United States Congress.

We request that this letter be made a part of the record of the hearing to be held in Burley on October 6, 1973. Thank you for your help and attention to this matter.

Yours very truly,

WALTER CHAPPLE,
President.
GRANT F. STUCKI,
Secretary.

TWIN FALLS CHAMBER OF COMMERCE,
Twin Falls, Idaho, October 6, 1973.

HON. HAROLD T. JOHNSON,
Chairman, Water and Power Resources Subcommittee, House Interior and Insular Affairs Committee, Washington, D.C.

DEAR MR. CHAIRMAN: The Twin Falls Chamber of Commerce, acting through their Agriculture Committee, wishes to convey to you their support for S.B. 1529. It is the belief of our committee that the passage of this bill will enable us to replace the dam at the earliest possible date.

The members of our committee are very cognizant of the effects on the agricultural markets when water shortages occur. One need only look to the northern part of our State, where irrigation is not prevalent, but a summer draught did occur, forcing the price of cattle feeds to record highs. The American Falls Dam is closely tied to the economy of all of Magic Valley and the Twin Falls area.

The Twin Falls Chamber of Commerce extends their thanks to your committee for holding field hearings in Idaho, to consider the American Falls replacement problem. We ask your early favorable consideration of the legislation.

Very truly yours,

OTTO FLORENCE, Jr.,
Chairman, Agriculture Committee.

IDAHO WATER USERS ASSOCIATION, INC.,
Boise, Idaho, October 6, 1973.

HON. HAROLD T. JOHNSON,
Chairman, Water and Power Resources Subcommittee, House Interior and Insular Affairs Committee, Longworth House Office Building, Washington, D.C.

DEAR CHAIRMAN JOHNSON: As Executive Director of the Idaho Water Users Association, I wish to present this letter for the official record of the field hearing to be held in Burley on October 6, 1973, concerning SB 1529.

The Idaho Water Users Association represents some 180 canal companies and irrigation districts throughout the State of Idaho.

In September, we met in annual session in Coeur d'Alene, and the Association unanimously adopted a resolution supporting the early replacement of the American Falls Dam, a copy of which resolution is attached to this letter as Exhibit "A".

We are advised that the Spaceholders are doing what they can to help themselves toward this end. The Association encourages this effort and solicits your subcommittee's help in securing the early passage of SB 1529 by the U.S. House of Representatives.

Thank you for your favorable consideration of the American Falls matter.

Sincerely,

JACK A. BARNETT,
Executive Director.

EXHIBIT "A"

RESOLUTION NO. 73-9—AMERICAN FALLS DAM

Whereas, The American Falls Dam on the Snake River has been determined by the Bureau of Reclamation to have reached such a point of deterioration that a restriction on the storage behind the dam must be imposed; and

Whereas, The water storage in America Falls Reservoir is vital to over 892,560 acres of irrigated land relying entirely or in part upon the water stored in American Falls Reservoir for irrigation; and

Whereas, The substantial restriction on storage in American Falls Reservoir could result in serious crop failures on the lands to which the irrigation water stored in American Falls Reservoir is appurtenant for irrigation and such crop failures could have a serious impact upon the economy of Southern Idaho; and

Whereas, Restrictions on American Falls Dam have created a state of emergency necessitating replacement; and

Whereas, The spaceholders in American Falls Reservoir are proceeding with plans for rebuilding of American Falls Dam by private funding and desire to enter into a falling water contract for the generation of power to underwrite a part of the construction costs to be incurred in the rebuilding of American Falls Dam; and

Whereas, The spaceholders of American Falls Reservoir have sought and are now seeking Federal and State legislation to aid in the implementation of the plans for rebuilding American Falls Dam, including the passage of SB 1529 by the United States Senate: Now, therefore, be

Resolved, That the Idaho Water Users Association fully supports the spaceholders of American Falls Dam in their plans for rebuilding American Falls Dam with private funds and urges the following:

(1) Prompt consideration and approval of SB 1529 by the United States House of Representatives;

(2) Prompt consideration and passage by the legislature of the State of Idaho of such legislation as may be required to obtain the earliest possible implementation of the Water Users Plan for rebuilding American Falls Dam;

(3) That all State and Federal agencies reviewing the environmental impact statements on the proposed rebuilding of American Falls Dam give full consideration to the benefits created by American Falls Dam and Reservoir and the loss of benefits to the environment which would result should American Falls Dam not be rebuilt within the earliest possible time.

NORTH SIDE CANAL Co.,
Jerome, Idaho, October 6, 1973.

HON. HAROLD T. JOHNSON,
Chairman, Water and Power Resources Subcommittee, House Interior and Insular Affairs Committee, Longworth House Office Building, Washington, D.C.

DEAR CHAIRMAN JOHNSON: My name is C. J. Marshall. I am a farmer in Jerome County, Idaho. I am also chairman of the Spaceholders' Executive Committee. I have served as president of the North Side Canal Company Board of Directors for the past ten years.

The North Side Canal Company is a Carey Act operating company. Our predecessor, The North Side Land and Water Company, that developed our tract, incurred many financial hardships because of water shortages which existed at the time of construction of our system. It was not until American Falls was constructed that our company was able to obtain an adequate water supply in average years. Still we suffered some shortages. The construction of Palisades Reservoir actually provided the supplemental water necessary for our company and many others to insure adequate supplies for the production of crops. The recent restriction order applied to the American Falls Dam directly affects our company to the extent of approximately 140,000 acre-feet annually. We need this water to make the type of irrigation deliveries necessary to finish crops in our valley.

Our board endorses the action taken to date of the American Falls Spaceholders' organization and the Executive Committee in support of S. 1529. Presently we are involved in advancing our own monies and increasing our assessments to be able to initiate construction at American Falls as soon as possible. We recognize the many problems that face us, however we continue to be con-

vinced that this course of action is the best possible course under today's circumstances.

We appreciate the cooperation of your committee, and of the many governmental people who have assisted us to date. We encourage your continued support and the early passage of S. 1529.

As chairman of a large wateruser organization, and as president of the Executive Committee, I pledge my continued support to the completion of a replacement dam at American Falls and toward the resolution of any other questions that may confront us along the way.

I trust that the committee will enjoy themselves while in Idaho. Because this issue is of statewide concern in our state, we very much appreciate the expeditious manner in which your committee has elected to schedule this field hearing.

We think you in advance for your support of our project and after passage of S. 1529, look forward to many years of economic solidarity for the central agricultural valleys of Southern Idaho.

Truly,

C. J. MARSHALL.

OCTOBER 3, 1973.

HON. HAROLD T. JOHNSON,
Subcommittee Chairman, Water and Power Resources Subcommittee, Interior and Insular Affairs Committee, U.S. House of Representatives, Washington, D.C.

DEAR CONGRESSMAN JOHNSON: I am writing this letter as chairman of and on behalf of the members of the Committee of Nine. The Committee of Nine has traditionally been the entity resulting from the efforts of the water users of the Snake River and its tributaries in South and Eastern Idaho from Milner Dam to its head waters to have unity and order in the development and administration of the storage and irrigation system in that area. As the name suggests, the committee has always been composed of nine water users elected from various areas of South and Eastern Idaho. Over the years, the committee has been the instrument by which the water users in this vast area have been able to work for and create the unique integrated system of reservoirs, irrigations works and projects which are responsible for making South and Eastern Idaho a significant source of our nation's food supply. The Committee of Nine was formally made an official advisory committee under the terms of the Palisades Contract and has always been vitally concerned over all reservoirs in this great storage and distribution system.

The present restrictions on the storage capacity of the American Falls Reservoir is of grave concern to the Committee of Nine. The American Falls Reservoir is the largest and certainly one of the major reservoirs in this system. The decreased storage capacity in American Falls Reservoir as a result of the deterioration of the American Falls Dam has created an emergency situation and has a potential for a devastating effect on the agriculture and hence the economy of South and Eastern Idaho.

The Committee of Nine urges the Water and Power Resources Subcommittee of the United States House of Representatives to make a favorable report on Senate bill number 1529 and make every effort to insure its early passage so that the replacement of the American Falls Dam to restore that reservoir to its former storage capacity can be accomplished without delay.

LEONARD E. GRAHAM,
Chairman, Committee of Nine.

BURGESS CANAL & IRRIGATING CO.,
Rigby, Idaho, October 3, 1973.

HON. HAROLD T. JOHNSON,
Chairman of the Water and Power Resources Subcommittee, Interior and Insular Affairs Committee, Washington, D.C.

DEAR CONGRESSMAN JOHNSON: The following statement is respectfully submitted to be included as part of the record of the hearing scheduled for October 6, 1973, at Burley, Idaho, on the rebuilding of the American Falls dam.

The Burgess Canal and Irrigating Company heads from the South Fork of the Snake River in the eastern part of Jefferson County, Idaho. The waters from the canal irrigate 22,000 acres of land in the southeastern part of Jefferson county and the northern part of Bonneville county. Crops grown are: wheat 3000 acres,

small grains 4000 acres, corn for silage 1000 acres, potatoes 2000 acres, alfalfa and other hay 8500 acres, irrigated pasture 2500 acres, and in 1973 300 acres to seed peas. Prior to 1973 about 700 to 800 acres were used as set aside for the federal wheat and feed grain programs.

The Canal services 425 shareholders, of whom about 275 are farmers residing on the land and engaged in the production of crops and livestock. About 150 of the shareholders have built homes in the service area and receive water for gardens, lawns, and small acreages. A very productive livestock enterprise has been built up in the area of cattle, sheep and swine.

The Burgess Canal and Irrigating Company receives water under various decreed rights from the South Fork of the Snake River, and also owns storage space in Jackson Lake, Palisades Reservoir, and also 9,496 acre feet of storage space in American Falls reservoir. Because of the lateness of some of the decreed water for the canal, from 25 to 50 percent of the natural flow may be cut off early in August, or, in a short water year, in July. To sustain the productive agricultural production and livestock enterprise, it has been necessary to depend largely upon the storage waters from the reservoir to carry through the irrigation season and finish the crops, maintain the pastures, and prepare the land for fall tillage. Potatoes are one of the crops which requires late irrigation, and this is a very important crop for this area.

The loss of even a portion of the storage space, as in 1973 from deterioration of the old dam, may be critical, and the spaceholders could suffer heavy crop and livestock losses. It appears that this may be more critical in future years unless the snow pack increases over 1973.

Because of our vital need for supplemental water and our interest in American Falls Reservoir, we urge that Congress act immediately to authorize the replacement of American Falls Dam, and to see that it is constructed and the earliest possible time.

Very truly yours,

LOWELL R. HIX, *President.*

ELDRED LEE, *Secretary-Treasurer.*

OCTOBER 6, 1973.

HON. HAROLD T. JOHNSON,

Chairman, Water and Power Resources Subcommittee, House Interior and Insular Affairs Committee, Longworth House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: I request that this letter be included as a part of the record of the field hearing on S. 1529, to be held in Burley, Idaho, on October 6, 1973.

My name is Tom Olmstead and I am a farmer and cattle rancher. I reside at Route 2, Twin Falls, Idaho. I have been interested in water matters all of my life, and have served on the American Falls Reservoir District Board, the Twin Falls Canal Company Board, and I am a past director of the NWRA Board of Directors, and participated for some time as a member of the Idaho Water Resource Board. In my capacity on that board, I also represented Idaho on the Western States Water Council.

I am very proud to say that I am a bona fide farmer, and my total income is from farming, ranching, and cattle feeding. This is my background, and as an American Falls wateruser, I want to stress to the committee, the emergency that exists. American Falls water is the difference between making money and not making money in farming in Idaho in average water years. Approximately 800,000 acres are affected in some way or another if American Falls Reservoir cannot be operated at maximum capacity.

The Spaceholders have endorsed S. 1529 and are committed to obligate themselves for replacement of the dam and reservoir. We ask your assistance in the passage of S. 1529, so that that objective may be accomplished.

We thank you for your early consideration of the bill, and hope that you will join with us, the Idaho Congressional delegation, and our State government, in recommending passage for S. 1529.

Respectfully,

TOM OLMSTEAD.

Mr. KETCHUM. If the gentleman would yield, I would like to ask a somewhat facetious question. Does your law firm represent all of those people?

Mr. NELSON. No, sir. Some portion, though.

Mr. KETCHUM. I was thinking seriously of going back to school.

Mr. NELSON. Mr. Chairman, as the last scheduled witness, I have submitted the statement which I think covers a number of items which I think have already been covered in some detail. I might from the standpoint of the work I have done with the Spaceholder groups that have worked at the dam, give you some information perhaps on some items that have been alluded to but perhaps not covered entirely or may not be apparent from the record.

First, I think it is important to realize that the Spaceholder proposal did not originate because of any criticism of the Bureau of Reclamation or their proposal. Our problem was strictly one of time. We were told by our delegation that an optimistic estimate of funding would be 8, 12 years, or longer, and you have heard testimony of the problems this creates in this area. The Spaceholders came strictly in an effort to save that time, or as much as we could.

The Spaceholders put the project together. I think it is important to emphasize this is a water user proposal. It is not an Idaho Power Co. proposal. The Idaho Power Co. participation in the project is limited to participation through the falling water contract and the money that that will generate. They will, I think as we now plan it, let a joint construction project—that is, let one construction company construct both the dam and the powerhouse—but the contract will be let by the American Falls Reservoir District, with either a joint or separate contract for the powerhouse. This is in no way an Idaho Power Co. proposal, or in any way an electric company utility proposal.

Mr. JOHNSON. Let me get that straight. The American Falls Reservoir District, are you the people that will be the contracting agency?

Mr. NELSON. Yes, sir. The constructing agency, as the term is used in the Senate bill, is the American Falls Reservoir District, as we now see it. It is the largest Spaceholder, and would have by that reason the most bonding capacity.

Mr. JOHNSON. Then, the Idaho Power Co. would engineer and handle the powerhouse separate, in a separate contract from the dam itself?

Mr. NELSON. It is not clear to me exactly how that would be handled. The costs certainly would be separate. We have some constitutional problems about the American Falls Reservoir District not operating directly in the letting of this contract. It may have to be a joint contract with separate cost accounting, but we want the same construction company because we cannot afford to have two separate contractors on the job running into each other all the time. We have to take bids ourselves. That has to be worked out, the details.

The American Falls Reservoir District would contract directly for construction of the dam as that change from the proposal of the power company originally made, attached to Mr. Hogg's testimony. At that time, it was contemplated the power company would act as agent. We find since, we probably cannot do that.

Mr. JOHNSON. But the bonds that will be floated there by your American Falls District would cover the total project?

Mr. NELSON. Yes, sir, and then each other water user would obligate itself to pay its proportion of the total cost.

Mr. JOHNSON. Not the power?

Mr. NELSON. Not the power, that is correct.

You have heard the testimony of Mr. Patrick on what we would like to do as far as the time for construction of the dam. We would like to start approximately the first of 1975.

The one hangup we had throughout this project was the highway and how to handle traffic across the project while it was being constructed. That, we hope, we have taken care of by cooperation with the highway department through the letting of the contract to commence this winter. If that contract stays on schedule, the bridge will be complete by the end of 1974 so traffic can be diverted entirely away from the dam to use those two lanes while the other two lanes are being constructed. In that regard, the Spaceholders raised \$50,000 and paid it to the department of highways for half of the initial engineering. The intention now is, and we have given the highway department a letter of intent, that we will participate with them in the project on a 50-50 basis. We look at the four lanes as a project. We will deduct the Federal funds allocated to it and split the remaining costs equally between the department of highways and the Spaceholders.

This is somewhat different than the Senate bill which contemplates two lanes by them and two lanes by us. We found out that did not work out very successfully. We made this proposal. It is about equal, and as far as we can tell, the costs are about the same.

We have, in putting this project together, I think you can see we have come a long way down the road since the storage restriction was first imposed about a year ago. I would estimate now, and we will get the figures for the record, but I would estimate the Spaceholders have obligations to spend well over \$12,000 on the preliminary work that has been done. We have, in putting it together, operated somewhat presumptuously, I think, in assuming all along we would get the necessary congressional authorization. If we waited for the congressional authorization and started these things we would be 4 or 5 years down the road by the time we put it all together. We have started with dam design. You heard Mr. Patrick's testimony that he is in some phases of final design on the powerhouse now. The Idaho Power Co. has filed its FPC license application as of a couple of weeks ago.

The highway design, I am told, reached the final design review stage this week. That is on schedule for letting this winter.

We have retained bond counsel and investigated the question of the taxable status of the interest on the bonds. We are in the process of preparing authorizing legislation to the State legislature to clarify some problems districts have in building bridges and getting involved in efficient location.

So we are well down the road, all on the assumption we get what we need from Congress.

On the question posed to Mr. Sullivan on rehabilitation versus replacement, we investigated that question independently and came to the exact conclusion, that in terms of dollars it was almost the same in terms of what you had when you were through. You might as well spend the extra million or two in our case and get a new dam as opposed to the old one. The \$400,000 has been mentioned as a Federal contribution. This, you will recall from the Federal Bureau, they had some enhancement features built into their project. The \$400,000 was included so that enhancement and some other enhancement could be included as part of the project, if possible. There is nothing about

the \$400,000 at all that is integral with the project. We would like to have it available to the proper agency in the project as we go. If that \$400,000 does not become available at the time we want to start it will not hold us up. That is downstream and upstream improvements and not going with any part of the project. We can proceed and leave that part pending. We would like to see it go, but it is not essential.

On the arbitration matter, which is a matter of some concern, that as written in the Senate bill is the last ditch approach. We do not think we will need it, but we can see the problem where we are at loggerheads with the Secretary and have no facility to get the matter resolved. We had one problem decided by Mr. Hobdey on the question of the whole philosophy, use as much as you can of the existing dam and put in a concrete center or put in a new dam as proposed by the Bureau. This became important, because where you put the dam determines where you put the powerhouse, and where you put the highway. We had to have that problem answered before we could design the highway or draw a line on a piece of paper. This was drawn up. We have, we think, resolved that question at this point.

We have been given a qualified approval of the concept that Bechtel is pursuing and we do not think this is a problem. At least, we are going ahead with the highway and if we move the dam it will be built right on top of the bridge. This is the kind of thing we can foresee would hold us up for a long time. We thought the arbitration provision would give us some way to get the bill out and let us proceed, because as I say, time is of the essence, that is why we are here. Otherwise, we could wait for Federal authorizations through the usual course.

I would be happy to respond to any questions.

Mr. JOHNSON. When was this American Falls Reservoir district created?

Mr. NELSON. 1923, I believe.

It has been in existence 50 years.

Mr. JOHNSON. You say you have to go back to the Idaho Legislature for revision of existing statutes as they relate to these different types of districts that make up the spaceholders?

Mr. NELSON. Yes, sir. There was no authorization and is no authorization in an existing irrigation district to build a bridge, for example, or participation in creating wildlife and recreation legislation. We took a stab at it earlier and did not fill a couple of these gaps, so we are going back to get that cleaned up so we can have a bond issue, hopefully, next spring.

Mr. JOHNSON. The gentleman from California, Mr. Clausen.

Mr. CLAUSEN. You are talking in terms of an election to be held this next spring?

Mr. NELSON. Yes, sir.

Mr. CLAUSEN. We see a tremendous amount of support here, and you know the general trend of bond issues is difficult to speculate. Do you think there will be any difficulty?

Mr. NELSON. It is basically a question of education, I think. If you can at all project to the electorate who will be involved in that election, exactly what it is you are doing I would say, you have no difficulty at all. If they are about half involved then you can have some

problems. If they think of it as a new courthouse or new school, a general sort of thing then you can have some problems.

My personal feeling is we can pass that bond issue.

Mr. CLAUSEN. My conclusion is that you have all done an excellent job of presenting testimony here that will certainly be persuasive to this committee. We will take it back there to our colleagues on the full committee as we go back to Washington. I think it is safe to say and should be said in the presence of all those here, we can only go so far in working to get the delegations through, and it will be up to them to deliver on this very important bond issue.

Mr. JOHNSON. The gentleman from California, Mr. Ketchum.

Mr. KETCHUM. No questions.

Mr. JOHNSON. Mr. Towell.

Mr. TOWELL. Just to further extend the thought of the bond issue, how many people could vote in that?

Mr. NELSON. It is difficult to say. The present statute says that resident landowners within an irrigation district can vote on a question of this type. There is some question whether that electorate has to be expanded—but taking the larger electorate, someone who resides within the district, whether he owns land or not, I would roughly estimate 120,000 people.

Mr. TOWELL. That is not total population?

Mr. NELSON. I would say about one-half can vote.

Mr. TOWELL. That is all.

Mr. JOHNSON. Mr. Casey?

Mr. LUKE?

Mr. LUKE. No; thank you.

Mr. JOHNSON. Well, we appreciate very much your statement here and your reply to the questions. You people have worked hard on this up to now and probably crossed every hurdle that has been thrown your way so far.

Mr. NELSON. We try.

Mr. JOHNSON. Cleaning up your State statutes and your authority is very, very important. Of course, your bond counsel will make sure you do all of these things.

Mr. NELSON. He is watching us very carefully..

Mr. JOHNSON. And then you have to have the vote of the people.

I think you have proved your case, especially with that 66 percent of capacity available in the reservoir as a voting yardstick. Then if you had a dry year it would be much less than 66 percent.

Mr. NELSON. A few pictures of the mud flats should be pretty convincing, I think.

Mr. JOHNSON. The picture for you people who live here is a pretty dim and dismal picture. If the good Lord is not good to us this winter it may be pretty bad to start the season next year.

If you have any further comments you would like to present, the record will be held open for 2 weeks.

Mr. NELSON. Thank you, Mr. Chairman.

Mr. CLAUSEN. Mr. Chairman, may I ask a question?

Mr. JOHNSON. Yes.

Mr. CLAUSEN. I wanted to ask of the Chair of his statement wherein the record will be left open, do I understand for 2 weeks? There was a

gentleman that asked me in the hall if he would have an opportunity to make a presentation, even though he was not on the agenda.

Mr. JOHNSON. He will be given that opportunity now if he is ready to talk.

Is there anyone here now who wishes to testify in support or opposition? How many? There are four of you. We are going to put you on a limited time. The gentleman back there raised his hand first. You may come forward and give your name and give your testimony.

Mr. CLAUSEN. That was the gentleman that asked me.

STATEMENT OF FLOYD SILVA, SHOSHONE, IDAHO

Mr. SILVA. Chairman Johnson, my name is Floyd Silva, Shoshone, Idaho.

Chairman Johnson, members of the committee, ladies and gentlemen, I am appearing personally and my testimony will concern only myself.

I am a resident Shoshone. I farm a few rock-strewn acres in northern Shoshone. I am sorry I had no written statement previously. I was unable to do so because of the fact I was illiterate. My testimony will be different from the fact that my primary concern is not the dollar economy of the community and so forth. My primary concern in hastening the building of the American Falls Canal is that this little dribble should come down my ditch through the rock-strewn acres so along with the sweat of my brow and the forces of nature that I can provide the food each day for my family and myself and enough extra during the months of snow and cold that I am able to survive.

Now, it seems to me that the forces of nature are willing to provide the water to be impounded in this American Falls Reservoir and that the forces of nature, with the normal amount of sweat of the people who work the soil, that we will be able to produce enough that I might survive.

However, it appears after the testimony I have listened to that the main hurdle or objection to the whole thing is human beings. So, could I plead with you gentlemen and ask you to hasten all you can the construction of this dam so that I as an individual can survive.

Mr. Curtis suggested that he had driven a Model T Ford across the bridge on the Snake River many, many years ago. I would like to remind him that in my consistently poverty-stricken condition that my main means of transportation today is a Model T.

Thank you, gentlemen.

Mr. JOHNSON. Thank you for your testimony.

Mr. CLAUSEN. If that fellow is illiterate I want to see one that is literate.

STATEMENT OF JESS INGSTROM, JR., IDAHO

Mr. INGSTROM. These are my thoughts and I would like these to be written into the testimony.

Mr. Chairman and interested parties, I am Jess Ingstrom, Jr., from Idaho. I am a land holder and stockholder.

I personally feel there is a joker in the deck somewhere along the line of thinking today. Are we all so complacent in our thinking that we will follow through with a plan to allow a corporation to build a

dam for us when we as water users and landholders have 100 percent of the ability to build our own dam and powerhouse under the supervision of the U.S. Bureau of Reclamation who have served us so well for 100 years. We also have people on the boards who can get these things done just as fast as any corporation.

We will bypass having to go to the Idaho Legislature and also to Congress to pass our bonds.

We also have some of the most brilliant people who understand business and reclamation on our present water boards representing us locally. Why reverse the thinking of our fathers and grandfathers who developed these great Snake River projects who are the owners and sellers of this power to the Idaho Power Co.? Where would we be today if it were not for the U.S. Bureau of Reclamation's advice? Where would we be tomorrow without the help and advice of the U.S. Bureau of Reclamation if this plan does not go through?

Idaho Power is receiving the rights to these waters. At the present time they do not have the right to do so. Also, why did our fathers through the leadership of our Senators from Idaho, enact legislation to protect us from monopolies like in our great Snake River Valley of which we citizens will lose control?

I have conversed with a few families in southern Idaho. We will purchase the major portion of this \$93 million worth of tax-free bonds. Why can we not as individuals build our own dams? We have some control over our own destinies and not the Bureau of Reclamation.

Mr. JOHNSON. Thank you for your testimony.

The next gentleman.

STATEMENT OF BERNARD RAVENSCROFT, STATE REPRESENTATIVE, IDAHO STATE LEGISLATURE

Mr. RAVENSCROFT. Bernard Ravenscroft. I am a State representative in the Idaho State Legislature and I served as chairman of that backroom committee to which Ben Cayenness made reference.

Let me assure you it was almost a pleasant assignment because in most instances we had a mutual goal, and we have a very cooperative and constructive group of people to work with.

I want to touch on a few points that came before that committee, a few points that came before this hearing.

Congressman Towell raised the question of four lanes whereas there are now two. We have been in touch with the State highway people, all of the basic studies have been completed and the community problem in American Falls is such that right now they do need four lanes, and as the traffic increases we will need four lanes. It will be no obligation to the water users beyond the two lanes. The remainder will accrue to the State highway people and provided from State funds on an emergency basis.

The for pay fishery has been mentioned. As a water user and as a spokesman we have recognized within the limits of feasibility we want to do everything we can to help in the solution of that fish and wild-life problem to restore this for the American people.

I want to assure you as far as the legal technicalities of the State

Legislature, that the atmosphere is almost identical of the atmosphere that you have experienced here in this hearing.

I would bring the whole project in proper perspective, particularly in light of some of the things said. The water users are the ones who will have to pass the bond and pay for this dam. The technicalities of the bill you have before you would turn the ownership and control and maintenance back to the bureau upon its complex. The sale of falling water will not totally pay for the obligations involved. There will still be moneys that come from the water users themselves in order to complete this project as soon as possible.

I would only underline what everybody else has been saying to you. We want to go this route because of the time element. We cannot afford the lag involved in a totally Federal project.

Mr. JOHNSON. Thank you.

I believe that takes care of all the witnesses who are scheduled and those who wanted to appear. We do have to get on to the site of the proposed dam and new powerhouse. We have made a good record, I think. We will know more about it when we read it after it is transcribed and made available to us.

The record will be held open for 2 weeks.

We would like to allow Mr. Hansen, before he leaves here—to make a closing statement.

Mr. HANSEN. I would only echo the expression of appreciation that has been voiced here today to the committee for their appearance and their prompt attention to the legislation.

Mr. JOHNSON. Now, a closing statement by the Senator, Mr. McClure from the State of Idaho.

Senator McCLURE. Thank you, Mr. Chairman.

Thanks again to the committee for taking the time. I think this has been an extremely beneficial hearing, and I could not help but echo the comments made throughout this hearing about urgency and about the unanimous support of this program. The legislature has spoken unanimously and that is very unusual, I assure you.

Mr. JOHNSON. The gentleman from California, Mr. Clausen.

Mr. CLAUSEN. Mr. Chairman, I think I will take advantage of this opportunity to do something which is not totally consistent with established congressional procedure, but it is an appropriate approach that should be considered at this point.

Would the people in the audience join me in expressing our appreciation to the Chairman for the manner in which he has handled this meeting? [Applause.]

Mr. JOHNSON. The gentleman from California, Mr. Ketchum.

Mr. KETCHUM. No comment.

Mr. JOHNSON. The gentleman from Nevada, Mr. Towell.

Mr. TOWELL. No further comment.

Mr. JOHNSON. The gentleman from the committee, Mr. Casey, has an announcement.

Mr. CASEY. We have some extra witnesses statements.

Mr. JOHNSON. The Subcommittee on Water and Power Resources stands adjourned.

[Whereupon, at 2 p.m., the hearing was concluded.]

[Statements and letters received after the hearing, follow:]

IDAHO ENVIRONMENTAL COUNCIL,
Moscow, Idaho, October 2, 1973.

HON. HAROLD T. JOHNSON,
Chairman, Subcommittee on Irrigation and Reclamation, House Committee on Interior and Insular Affairs.

DEAR CONGRESSMAN JOHNSON: The Idaho Environmental Council is on record as strongly supporting replacement of the American Falls Dam with a structure of equal height.

We understand that efforts will be made to preserve the excellent fishery in the existing forebay. Other than possible damage to this fishery, it appears that the environmental impact of replacing the dam will be positive. In any case, replacement should be made because the 1.7 million acre/foot reservoir is a key feature of the Minidoka Project, and it is vital to the present economy of South-eastern Idaho.

In recent years we have had cause to question the construction of a number of reclamation projects in the state of Idaho and elsewhere (our position opposing the Teton Dam and the Central Utah Project is well known). However, we feel that the American Falls Dam and Reservoir is a good example of reclamation at its best; and we ask that a method of enabling replacement of the existing dam be given favorable consideration by your committee.

Thank you.

Sincerely,

RALPH MAUGHAN,
Southeastern Idaho V.P.

GOODING COUNTY SHERIFF,
Gooding, Idaho, October 4, 1973.

HON. HAROLD T. JOHNSON,
Subcommittee Chairman, Water and Resources Subcommittee, Interior and Insular Affairs Committee, House of Representatives, Washington, D.C.

DEAR MR. JOHNSON: In regard to the new American Falls Dam, I will say that we, the people of the Gooding area, are greatly interested in our irrigation water as a factor to survival. I am sure that all of the farmers do not know how serious our shortage of irrigation water is. Or—how short it can be next year during the irrigation season.

I am sure that the people of surrounding areas will appreciate anything your committee can do to expedite Senate Bill No. 1529 in regards to the new American Falls dam.

Very truly yours,

EARL V. BROWN,
Sheriff, Gooding County.

STATEMENT OF RUSSELL HOLM, AMERICAN FALLS DAM REPLACEMENT COMMITTEE

My name is Russell Holm, Shelley, Idaho. A farmer, livestock raiser, Idaho Irrigation Director and have several community jobs.

Our district owns 22,911 acre feet of storage in American Falls Reservoir, which we need badly at times for exchange with lower valley water users who own up river storage, we also have storage in each of the two up stream reservoirs on the main stem of Snake River.

The above heading is a dim view of The American Falls Reservoir pool with only some forty seven thousand acre feet of total storage, about enough to run the proposed new power plant two days without inflow benefits. However it is now filling as are the other reservoirs of the upper Snake River because of unusual heavy rain and snow storms this late fall.

Some tracts under American Falls Reservoir ran very close on their storage this past summer, in fact used all their storage before the irrigation season was over, had it not been for two good rain storms during the season on the upper water sheds and some small ones it would have been questionable about maturing their crops.

Should we have a lighter than usual snow pack on the water sheds this coming water year those districts under American Falls Reservoir who are wholly dependent on storage from that source may seriously consider the wisdom of even

planting a crop because of the upwards of \$700.00 per acre to produce a crop in that area and finish it.

However it is highly unlikely the mighty Snake River would desert us to that degree.

It has been estimated conservatively that crop lands under American Falls Reservoir, down stream, could under normal prices and conditions provide cash returns of \$100,000,000 and by the time that economy push went all the way around the horn it would provide seven times that amount of economical benefits. "Annually"

These benefits help greatly to build up local communities, schools, churches, new and old businesses, recreation of all kinds, new and better homes. The recreation benefits from reservoir pool area is far beyond the imagination of even those who use it the most. There are more fish areas, bird and wild life habitat areas.

An abundance of food and fiber will always be a blessing and this past summer food shortages of every description have brought stark reminders of what can happen in a very short time. Even the apparent drought in the Pacific Ocean has put sea foods beyond the reach of many people.

Generally irrigation areas with firm supplies of storage water and good stream channels have more latitude in the production of food and fiber, also a great deal more ability to control unexpected death dealing and property damaging floods.

Even though American Falls Reservoir has provided economy to area communities with out which these communities would be far less prosperous or non-existent, demands are mounting for benefits far in excess of what they have enjoyed the past forty six years all of which was created by the reservoir in the first place.

The dam replacement costs have about doubled from the first Engineering estimates which the space holders bought and without any sign of a lid on the final costs.

If these costs and demands for more and more recreation benefits get beyond the ability of the space holders to pay that amount over and above what the tumbling water contract promises to pay out on. Then I personally would hope the door would remain open and allow for the Interior Secretary to move in quickly, since the Interior Dept. already has a valid Electric Power Plant license and construct the replacement dam under their usual program with in addition space holder cost sharing.

Thanks kindly for conducting these field hearing so local people can have a better perspective of what goes into dam building.

May I respectfully request this paper be included in the records.

KACKLEY, OLD WILLIAMSBURG,
Wayan, Idaho, October 15, 1973.

HON. HAROLD JOHNSON,
Chairman, and Committee Members, House Subcommittee Water and Power Resources, House Interior and Insular Affairs Committee, Washington, D.C.

MEMBERS OF THE COMMITTEE: I appreciate the opportunity extended by the Committee to submit a written statement for the record following the hearing at Burley on the pending legislation to replace the American Falls Dam structure.

My name is Evan M. Kackley, residing at Boise and Wayan, Idaho. I hold no space rights in the American Falls Reservoir, nor significant water rights in the Snake River, only culinary and livestock watering rights on a small creek a hundred miles northeast of the dam.

I have had the pleasure of appearing before your Committee several times on various water matters. I also was a member of the Idaho Water Resource Board (IWRB), officially representing the district in which the American Falls project is located, when the replacement and/or the raising of the dam was first brought up a few years ago.

At that time, the unrecognized end of an era and the beginning of another was in transition: The end of the concept of water reclamation as the West had known since the inception of the Reclamation Law when the West was young, and the beginning of conservation after the West had matured. To those as mem-

bers of the IWRB, this transition from one era to another was a period of passing through a veritable maelstrom of conflicts.

The issue to the IWRB of the needed replacement of the dam because of deterioration became a deadly conflict—of raising the dam, backed by the proponents of the ending era, and the replacement of the present structure backed by those of the new era. It became totally impossible to face the issue of the needed replacement, and ended in an unstable armistice. This is the reason you are today considering legislation instead of several years ago.

In the proposal to raise the dam then, the lush, historical Fort Hall tribal bottom lands would have been destroyed, and it would have destroyed the economic staff for survival of the Indians: the Livestock Industry. Also reared on these Bottoms are the Indian buffalo herd, a part of the ceremonial and religious beliefs of the Indians.

The conflict became so intense that the Fort Hall Tribal Council made the Reservation off-limits to the representatives of one of the State of Idaho's major boards dealing with water problems. There was at this time an incipient Twentieth Century Wounded Knee atrocity in the making, which would have caught the heart of the American people if and when they learned of it.

The Tribal Council was joined in resistance by many and large official and unofficial organizations in opposition to the raising of the dam. The reasons for this will be expressed later.

West of the Tribal lands on the west shore of the Snake River, elevation of the dam would have flooded out large acreages of heavily cultivated lands and livestock operations from American Falls east through Aberdeen, Sterling and Springfield. This loss was very extensive as was the Fort Hall Bottoms, for with the raising of the dam, the water would rise above the natural walls of the present reservoir, and would shallowly flood these areas. By the very nature of the operation of the raised project, these lands would, in the draw-down, become mud flats early in the summer and large dusty flats of immense and costly problems as the summer progressed, just as have the shallow areas of the Canyon Ferry Dam project on the Missouri in Montana. Besides, of course, in the flooding of these lands there was their loss in productivity, vitally affecting the economy of the American Falls-Springfield sector.

Hence, the Fish and Wildlife, and Environmental official and unofficial groups strongly oppose raising the dam for very valid reasons.

One project plan proposed to the IWRB would have flooded out part of the today City of American Falls.

However, the dam would have been raised then except for the valiant and self-sacrificing opposition to the raising by the American Falls Space Holders. It was this group who cast the deciding weight that saved the Fort Hall Reservation from immense loss and destruction, as well as the American Falls-Springfield sector and the Fish and Wildlife and Environmental interests. The Space Holders should have the full backing now of all these groups to arrive at the replacement, for the Space Holders now must assume and guarantee a heavy debt, which, if they had yielded several years ago, would have been comparatively cheap. After the decisive and saving action of the American Falls Space Holders several years ago, today to make unjust and unreasonable demands against them is as if extracting a pound of flesh from the Good Samaritan now with his back against the wall and facing destruction. A disastrous crop failure due to a lack or shortage of water among the American Falls Space Holders now would bring on an unmitigating and unforgiving public wrath against those who obstructed the simple replacement of the dam a few years ago, as it would against those who might obstruct the simple replacement today.

Naturally, the Fort Hall Tribal Council should be protected by special provisions in the legislation against further encroachment on their lands, for they came within a hair of a Twentieth Century Wounded Knee in the past. In reading the Department of Interior's American Falls Dam Replacement Summary of December 1972, one who had been in the same position as the Fort Hall Tribal Council several years ago would have cause for apprehension if specific provision is not made in the legislation now before the Committee.

Also, the desire of the Space Holders should receive consideration for mandatory arbitration of disputes between Space Holders in the dam and the Department of the Interior. The excessive powers of the Department of Interior are such, and studies now by Congress of recommendations made by commissions and

the American Falls Space Holders' situation there is cause for specific legislation for compulsory arbitration of disputes between them and the Department. May I ask your consideration of the background of American Falls in your decision.

Sincerely,

EVAN M. KACKLEY.

STATEMENT OF DALE TAYLOR, PRESIDENT, SOUTHEAST IDAHO ROD AND GUN CLUB

The members of the Southeast Idaho Rod and Gun Club would like to see the American Falls Dam replaced as soon as possible. We generally feel that this dam has created more wildlife habitat than it has destroyed. For instance, pheasant hunting in the Burley-Twin Falls area and waterfowl resting on the reservoir have been created by its construction. However, during construction, many miles of high quality river, which cannot be replaced, were inundated. The dam construction created a unique but highly productive forebay fishery which probably receives more fishing pressure and provides more pounds of fish to the angler than any area of comparable size in the State of Idaho. We understand this forebay area will be lost because of the proposed dam replacement.

We feel that proper enhancement and mitigation measures should be done so the project is not detrimental to wildlife. Our specific recommendations are as follows:

1. In mid-summer, when reservoir waters warm and the oxygen becomes low, most fish move from it into the forebay. After dam replacement, these fish will move into the river below the Idaho Power Company's plant. We feel it is extremely important that screens or some other type of device be installed so that fish can successfully move into the river below without high mortalities.

2. Adequate access should be provided in the tailrace area so that it can be effectively fished by the public. Fish structures should be built over the tailrace with the design and location such that they would provide maximum benefits.

3. The tailrace should be developed so as to create a maximum of fish habitat. Specifically, large boulders should be strategically located and water flows such that velocities over a large area are suitable for trout.

4. We would also like goose nesting islands constructed as proposed. These would provide additional waterfowl for hunters of this area and the entire area where the Great Basin goose is found.

5. Minimum flows in the river below, access development along the river upstream from the reservoir, and additional fishery water developed in the area to offset the loss of the highly productive forebay fishery should also be considered.

We appreciate the opportunity to make comments on this project. Hopefully, it can be built so that all Idahoans can benefit.

OCTOBER 4, 1973.

To: Carlos Randolph, Bureau of Reclamation, P.O. Box 549, Burley, Idaho 83318.
 From: Idaho Division of the Rocky Mountain Council National Federation of Fly Fishermen, Duane Marler Conservation Chairman; Boise Valley Fly Fishermen, Boise, Idaho; Magic Valley Fly Fishermen, Twin Falls, Idaho; Sun Valley Fly Fishermen, Sun Valley, Idaho; Upper Snake River Valley Fly Fishermen, Rexburg, Idaho; Flat Rock Club, Island Park, Idaho; Mountain Home Fly Casters, Mountain Home, Idaho.

Subject: American Falls Dam.

The Rocky Mountain Council, Idaho Division of the Federation of Fly Fishermen would like to express concern over the possible loss of the present forebay fishery below the existing American Falls Dam due to necessity of the dam relocation.

We are not opposed to the new dam site; however, we are concerned about the location of the power plant. Unless the power plant is properly located, the existing fishery could be lost. Our organization urges careful consideration be given to the location of the power plant so as to minimize this loss. Also, if it is impossible to save the forebay fishery, we urge some method of compensation to replace this fishery loss.

DUANE MARLER.

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