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# AMERICAN FALLS DAM, UPPER SNAKE RIVER PROJECT, IDAHO

GOVERNMENT

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DOCUMENTS

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## HEARING

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BEFORE THE

### SUBCOMMITTEE ON WATER AND POWER RESOURCES

OF THE

## COMMITTEE ON INTERIOR AND INSULAR AFFAIRS UNITED STATES SENATE

NINETY-THIRD CONGRESS

FIRST SESSION

ON

### S. 1528

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

### 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, UPPER SNAKE RIVER PROJECT, IDAHO, AND FOR OTHER PURPOSES

MAY 10, 1973



Printed for the use of the Committee on Interior and Insular Affairs

U.S. GOVERNMENT PRINTING OFFICE

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# AMERICAN FALLS DAM, UPPER SNAKE RIVER PROJECT, IDAHO

THURSDAY, MAY 10, 1973

U.S. SENATE,  
SUBCOMMITTEE ON WATER AND POWER RESOURCES  
OF THE INTERIOR AND INSULAR AFFAIRS COMMITTEE,  
*Washington, D.C.*

The subcommittee met, pursuant to notice, at 10 a.m., room 3110, Dirksen Senate Office Building, Hon. Frank Church, presiding.

Present: Senators Church [presiding], Hatfield, Hansen, and McClure.

Also present: Jerry T. Verkler, staff director, and Daniel A. Dreyfus, professional staff member.

## OPENING STATEMENT OF SENATOR FRANK CHURCH

Senator CHURCH. The hearing will please come to order.

The purpose of this hearing before the Water and Power Resources Subcommittee today is to take testimony on S. 1528 and S. 1529, bills to authorize the construction of a replacement for the existing American Falls Dam which is a feature of the Minidoka Reclamation project in southeastern Idaho.

The American Falls Dam was constructed by the Bureau of Reclamation in 1927. A chemical reaction between the cement and the aggregate in the concrete which comprises the dam has led to gradual deterioration in the structure.

The Bureau has concluded that the dam does not meet current safety standards, and severe restrictions have had to be imposed upon the amount of water which can be stored in the reservoir.

The reservoir behind the American Falls Dam 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 reservoir system which is operated to provide irrigation, flood control, recreation, fish and wildlife conservation, and hydroelectric power throughout the basin.

The storage in the reservoir is presently limited to less than 65 percent of its usable capacity and even greater restrictions will become necessary with increasing deterioration.

In dry years, the present restriction will cause serious irrigation water shortages. The economy of the basin is heavily based upon irrigated agriculture and will be critically affected by crop failures.

Furthermore, important flood control, recreation, and fish and wild-life purposes will be adversely affected.

The threat to the well-being of the people of the region requires that the American Falls Dam be replaced at the earliest possible time. The bills we are taking testimony on today represent two approaches to accomplish the replacement.

One bill, S. 1528, would authorize the Secretary of the Interior to construct, operate, and maintain a replacement dam as a conventional project under the reclamation program. The replacement would be an entirely feasible undertaking under the criteria currently in use to evaluate Federal reclamation projects.

Unfortunately, in recent years, reclamation project proposals have seldom been endorsed by the administration. The construction of authorized projects has been inadequately funded, and congressional additions to budget requests have been impounded. The water users of the American Falls Reservoir, faced with the threats of crop failure, have sought other means of expeditiously replacing the dam.

The second measure, S. 1529, would accommodate a plan developed by the water users in which they would finance and construct a replacement dam without Federal assistance. The Secretary of the Interior would be authorized to take title to the dam and operate it as a feature of the Federal Upper Snake River Reclamation project.

We are hopeful that today's hearing will resolve some of the uncertainties surrounding each of these alternative approaches and will assist us in choosing the best course of action.

The texts of both measures and the legislative reports of the executive agencies will be included in the hearing record at this point.

[The texts of S. 1528 and S. 1529 and Department reports follow:]

93<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1528

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## IN THE SENATE OF THE UNITED STATES

APRIL 10, 1973

Mr. CHURCH (for himself and Mr. McCLURE) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

---

## 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.

1        *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 That the Secretary of the Interior is authorized to construct,  
4 operate, and maintain a replacement dam and reservoir for  
5 the existing American Falls Dam and Reservoir, Upper  
6 Snake River project, Idaho-Wyoming, in accordance with  
7 the Federal reclamation laws (Act of June 17, 1902, 32  
8 Stat. 388, and Acts amendatory thereof or supplementary  
9 thereto) and the provisions of this Act and the plans set

1 out in the report of the Bureau of Reclamation dated Decem-  
2 ber 1972 entitled "American Falls Dam Replacement", with  
3 such modification of, omissions from, or additions to the  
4 works as the Secretary may find proper and necessary for  
5 the purposes of irrigation, flood control, generation of electric  
6 power, fish and wildlife and recreation: *Provided*, That facili-  
7 ties for the generation of electric power other than those  
8 necessary to accommodate the future addition of hydroelectric  
9 power as a project function shall not be installed unless  
10 specifically authorized by the Congress.

11 SEC. 2. Replacement of the existing dam and reservoir  
12 as authorized in section 1 hereof shall in no way alter or  
13 change the present proportionate storage rights of present  
14 spaceholders in the American Falls Reservoir and shall con-  
15 stitute a reaffirmation of existing rights under the contracts  
16 between the Secretary and the spaceholders except as other-  
17 wise provided in this Act.

18 SEC. 3. That portion of the construction costs of the re-  
19 placement dam allocated to the irrigation purpose shall be  
20 repaid in accordance with the irrigators' ability to pay but  
21 within a period not to exceed forty years in accordance with  
22 the provisions of reclamation law: *Provided*, That the  
23 Secretary is authorized to execute repayment contracts in  
24 excess of forty years with those spaceholders who have not  
25 yet completed repaying their obligations on the existing

1 American Falls Dam if he determines that repayment within  
2 forty years of their obligations under both existing and new  
3 repayment contracts would exceed their repayment capacity.

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

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

13 SEC. 6. Repayment of the costs associated with the pro-  
14 vision of features to accommodate future hydroelectric power  
15 production shall be deferred and shall be reimbursable with  
16 interest upon the addition of said hydroelectric power pro-  
17 duction as a project purpose.

18 SEC. 7. The interest rate used for computing interest  
19 during construction and interest on the unpaid balance of the  
20 capital costs allocated to interest-bearing features of the proj-  
21 ect shall be determined by the Secretary of the Treasury as of  
22 the beginning of the fiscal year in which construction on re-  
23 placement of the dam commences on the basis of the com-  
24 puted average interest rate payable by the Treasury upon its  
25 outstanding marketable public obligations which are neither

1 due nor callable for redemption for fifteen years from date of  
2 issue.

3       SEC. 8. There is hereby authorized to be appropriated for  
4 the construction of the American Falls Dam replacement the  
5 sum of \$29,000,000 (based upon July 1972 levels) plus or  
6 minus such amounts as may be justified by reason of ordinary  
7 fluctuations in construction costs as indicated by engineering  
8 cost indices applicable to the types of construction involved.  
9 There are also authorized to be appropriated such additional  
10 sums as are required for operation and maintenance of the  
11 project.

93<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1529

---

## IN THE SENATE OF THE UNITED STATES

APRIL 10, 1973

Mr. CHURCH (for himself and Mr. McCLURE) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

---

## 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.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 That the Secretary of the Interior (hereinafter called the  
4 Secretary) is authorized to negotiate and enter into agree-  
5 ments with the American Falls Reservoir District or other  
6 appropriate agency representing the district (hereinafter  
7 called the constructing agency), which agreements shall  
8 authorize the constructing agency to finance and provide for  
9 the construction of a dam to replace the existing American

1 Falls Dam of the Upper Snake River project, Idaho-Wyo-  
2 ming. The United States shall take title to the dam upon a  
3 determination by the Secretary that construction of the dam  
4 is substantially completed, and the dam shall be a feature  
5 of the Upper Snake River reclamation project and shall be  
6 considered to be a "Government dam" as defined by the  
7 Federal Power Act (Act of June 10, 1920, 41 Stat. 1063,  
8 as amended). The Secretary shall operate and maintain the  
9 replacement dam as a feature of the Upper Snake River  
10 project.

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

17 SEC. 3. The constructing agency may enter into repay-  
18 ment contracts with the spaceholders in the existing Ameri-  
19 can Falls Reservoir providing for the repayment by the  
20 spaceholders of proportionate shares of the total project costs  
21 incurred by the constructing agency for engineering,  
22 financing, designing, and constructing the replacement dam,  
23 and the Secretary shall be a party to said contracts and shall  
24 require delivery of water to the spaceholders to be contingent  
25 upon fulfillment of the contract obligations: *Provided*, That

1 said contracts shall be consistent with the terms of existing  
2 contracts between the Secretary and the spaceholders for  
3 repayment of the costs of the existing American Falls Dam:  
4 *And provided further*, That the Secretary is authorized to  
5 amend said existing contracts to extend the repayment  
6 periods as necessary to bring the combined repayment ob-  
7 ligations within the spaceholders' repayment capacity.

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

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

1       SEC. 6. The Secretary is authorized to provide specific  
2 facilities for public recreation and fish and wildlife conserva-  
3 tion in connection with the replacement dam, and the costs  
4 of such facilities shall be repaid in accordance with the pro-  
5 visions of the Federal Water Project Recreation Act (79  
6 Stat. 213).

7       SEC. 7. There are authorized to be appropriated such  
8 sums as may be necessary for the construction of specific  
9 facilities for public recreation and fish and wildlife conserva-  
10 tion and for the operation and maintenance of the American  
11 Falls replacement dam.



## United States Department of the Interior

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240

MAY 9 1973

Dear Mr. Chairman:

This responds to your request for the views of this Department concerning S. 1528 and S. 1529, similar bills to authorize replacement of the American Falls Dam in Idaho.

We recommend that S. 1529 be enacted with the amendments set forth below. Since we support enactment of S. 1529 and have not completed our review of the plan of replacing American Falls Dam specified in S. 1528, we cannot support its enactment at this time.

The Bills. S. 1529 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. 1528 differs from S. 1529 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 non-reimbursable 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.

S. 1529 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 S. 1529 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 therefor 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 22) 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 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."

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 7 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 lines 23 and 24 the words "shall require" and by inserting in place thereof the word "the" and on page 2, line 24, following the word "spaceholders" by deleting "to" and inserting the word "shall". On line 25, all after the word "upon" should be deleted and in lieu thereof the words "the execution of such contracts and the fulfillment of the obligation thereunder: Provided, That" should be inserted.

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."

We note that S. 1529 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."

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 S. 1529 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. In accordance with usual reclamation practice, reimbursement of such costs to the United States should be deferred in accordance with the Leavitt Act.

To accomplish these matters, in section 6 (lines 2 and 3, 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:

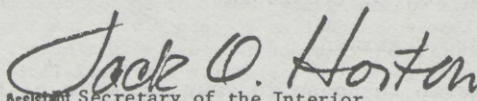
SEC. 7. There is hereby authorized to be appropriated for construction of specific facilities for public recreation and fish and wildlife enhancement the sum of \$400,000 (July 1972 prices) plus or minus such amounts, if any, as may be required by reason of the changes in the cost of construction work 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).

Environmental. Enclosed is a draft environmental impact statement concerning the American Falls Dam replacement as contemplated by S. 1529, 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 ageeements 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,

  
Assistant Secretary of the Interior

Honorable Henry M. Jackson  
Chairman, Committee on  
Interior and Insular Affairs  
United States Senate  
Washington, D.C. 20510

Enclosures

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

MAY 9 1973

Honorable Henry M. Jackson  
Chairman, Committee on Interior  
and Insular Affairs  
United States Senate  
3106 New Senate Office Building  
Washington, D. C. 20510

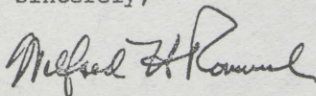
Dear Mr. Chairman:

This is in response to your requests of April 13, 1973 for the views of the Office of Management and Budget on S. 1528, 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" and 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, Upper Snake River project, Idaho, and for other purposes."

In its report to your Committee on S. 1528 and S. 1529, the Department of the Interior recommends enactment of S. 1529 in lieu of S. 1528 subject to certain amendments. In its report, the Department supports the concept of replacing the existing American Falls Dam through private financing and states that Federal liability will be limited, as under existing law, to the proportioned share of costs assigned to the Fort Hall Indian Reservation and to specific public recreation and fish and wildlife facilities.

We concur in the position taken by the Department and, accordingly, subject to the suggested amendments, recommend enactment of S. 1529.

Sincerely,



Wilfred H. Rommel  
Assistant Director for  
Legislative Reference

FEDERAL POWER COMMISSION  
WASHINGTON, D.C. 20426

MAY 24 1973

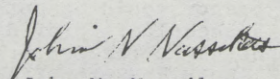
S. 1529 - 93d Congress  
Replacement of American Falls Dam, IdahoHonorable Henry M. Jackson  
Chairman  
Committee on Interior and Insular Affairs  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

In response to your request of April 13, 1973, we enclose fifty copies of the report of the Federal Power Commission on S. 1529.

The Office of Management and Budget advises that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

  
John N. Nassikas  
ChairmanEnclosure:  
50 copies of FPC  
report on S. 1529

FEDERAL POWER COMMISSION  
REPORT ON S. 1529 - 93D CONGRESS

S. 1529 would authorize the Secretary of the Interior (Secretary) to enter into agreements with non-Federal agencies for the replacement of the existing American Falls Dam, Upper Snake River, Idaho. The United States would take title to the dam upon completion and the Secretary would operate and maintain it as a feature of the Upper Snake River reclamation project. The dam would be considered a "Government dam" as defined in section 3(10) of the Federal Power Act (41 Stat. 1064; 49 Stat. 838; 16 U.S.C. 796(10)) and accordingly the dam itself would not require a license from the Federal Power Commission. We note, however, that hydroelectric power facilities to be built downstream from the dam by Idaho Power Company would be licensed by the Commission.

The proposal under S. 1529 would result in replacement of Idaho Power Company's 27,000-kw plant with a new 100,000-kw plant. The redevelopment effected by construction of a new reclamation dam and a new powerhouse would assure the needed water supply for irrigation, would provide additional electric capacity and energy for the Company, and would provide better utilization of power potential of that reach of the Snake River.

The replacement of the existing reclamation dam would not alter the present proportionate storage rights of present spaceholders in the American Falls Reservoir and would constitute a reaffirmation of existing contract rights between the Secretary and the spaceholders except as the bill otherwise provides. The constructing agency would be authorized to enter into contracts with current spaceholders providing repayment of the cost of the replacement dam. The Secretary would be a party to such contracts and would be authorized to amend existing contracts to extend repayment period so that the combined repayment obligations would be within the spaceholders' repayment capacity. The bill authorizes the Secretary to sell surplus water from the Government dam to a non-Federal entity. Construction of the dam would not begin until the Secretary approves the designs and specifications. S. 1529 would also authorize the Secretary to provide specific facilities for public recreation and fish and wildlife conservation in connection with the replacement dam; costs would be repaid in accordance with the Federal Water Project Recreation Act (79 Stat. 213).

American Falls Dam was constructed by the Bureau of Reclamation during the period 1925-1927 to provide storage capacity for a 1,700,000 acre-feet of water with a full reservoir. This development together with six other smaller reservoirs are parts of an irrigation project which provides a full or supplemental water supply to more than one million acres of land situated discontinuously along a 300-mile length of the Snake River extending from the Wyoming state line to the town of Gooding in south-central Idaho.

Shortly after the American Falls project was completed it was noted that there was a deterioration of the concrete in the dam due to a chemical reaction between the cement and the aggregate. This deterioration has now progressed to a point where the Bureau of Reclamation, in the interest of safety, has lowered the maximum permissible reservoir level with a resultant decrease of 600,000 acre-feet in the usable storage capacity. With this reduction in the amount of stored water, the hazard of crop failures to irrigators is materially increased. Therefore, time is considered by the irrigators to be the essence of the solution of the present water shortage.

Commission staff members were informed in a meeting on March 8, 1973, with representatives of Idaho water users and the Idaho Power Company of their belief that the time required to remedy the current water shortage would be greatly reduced if the replacement of American Falls Dam could be made a non-Federal agency responsibility. The representatives' proposal was that reconstruction of the dam and the construction of a power plant of about 100,000 kw capacity would be a joint venture of the American Falls Reservoir District and the Idaho Power Company.

Idaho Power Company is interested in this matter because it owns a 27,000-kw power plant which draws water from American Falls Reservoir. As a spaceholder in the reservoir, the Company has primary storage in the amount of 45,000 acre-feet. Idaho Power Company has currently pending before the FPC an application for license for its American Falls development and two other hydroelectric developments -- Shoshone Falls (12,380 kw) and Upper Salmon (34,500 kw) -- to which a project number 2258 has been assigned. Action on this application has been deferred, at the Department of the Interior's request, pending a solution to the problem of the deteriorating American Falls Dam.

- 3 -

In about a 250-mile reach of the Upper Snake River downstream from American Falls, Idaho Power Company operates hydroelectric projects for which it has five major licenses outstanding: Twin Falls (Proj. No. 18), Lower Salmon (Proj. No. 2061), Bliss (Proj. No. 1975), C. J. Strike (Proj. No. 2055), and Swan Falls (Proj. No. 503) which collectively have power installations totaling approximately 240,000 kw.

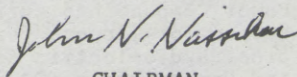
The Bureau of Reclamation Minidoka power plant (13,400 kw) and dam, which creates the 95,000 acre-foot Lake Walcott reservoir, are located about 40 river miles downstream from American Falls.

Although headwater benefit studies are planned for the future, the Commission has no specific information at this time as to the effect which the American Falls Reservoir operation has on the Idaho Power Company's downstream projects. However, we note that section 2 of S. 1529 provides that replacement of the existing dam shall in no way alter or change the present proportionate storage rights of spaceholders in the American Falls Reservoir.

With respect to Idaho Power Company's interest in this matter, it is noteworthy that the Company does desire to avert crop losses and maintain a viable economy in the area dependent upon American Falls storage by reason of the fact that it is the principal power supplier in this area.

The Office of Management and Budget advises that there is no objection to the submission of this report from the standpoint of the Administration's program.

FEDERAL POWER COMMISSION



CHAIRMAN

Senator CHURCH. I would like to recognize Senator McClure for any preliminary statement he may have at this time.

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

Senator McCLURE. Thank you very much, Mr. Chairman. I am not going to make a very extensive statement because we are already somewhat behind schedule due to previous business of the Interior Committee and also because we have such a large group of very capable witnesses from Idaho who can express all of the ramifications on both bills for the benefit of the committee.

Let me state that we are here today with these two bills before us because the entire Idaho congressional delegation recognizes the extreme urgency of getting something done. Not something done 5 or 10 years from now, but something done as quickly as possible.

It is a critical matter and a matter of emergency dimensions that just cannot be overstated. The fact that we have 100 percent of the Idaho congressional delegation here, the fact that we have the Governor of the State of Idaho here, the fact that we have a number of people from all up and down the Snake River Valley affected by the possibility of a water shortage which would be absolutely devastating to them and to the State of Idaho—all these things illustrate the emergency nature of the matter.

There are all kinds of problems involved and we will get into those with respect to the relationships between different water groups and the relationship of this dam to the transportation necessities of the American Falls area.

Because these are all critical matters, I hope we can get this hearing on the record. It will expose the need, and we can then move to a very rapid legislative action which I hope will result in the quickest possible action.

Thank you, Mr. Chairman.

Senator CHURCH. Thank you, Senator McClure.

Senator Hansen.

Senator HANSEN. Thank you, Mr. Chairman.

As a resident in that portion of Wyoming lying in the Columbia River basin, and as a Compact Commissioner on the Snake River when the compact between Idaho and Wyoming was negotiated, I am fully aware of the importance of irrigation water in the State of Idaho. I am pleased to be privileged to sit in on this hearing.

I have nothing further to say.

Senator CHURCH. Senator Hatfield.

**STATEMENT OF HON. MARK O. HATFIELD, A U.S. SENATOR FROM THE STATE OF OREGON**

Senator HATFIELD. Mr. Chairman, as the ranking member of this subcommittee, I want to indicate my full support for this project.

The distinguished Senators from Idaho, Senator Church and Senator McClure, have certainly provided leadership in bringing this hearing about and I am most anxious to give any support I can to the cause of Idaho in this particular project. I do ask the chairman's in-

dulgence in excusing me to attend a meeting of the Subcommittee on Appropriations because we have some money matters there of importance to our region. I am fully committed to a replacement for the American Falls Dam.

Senator CHURCH. We have our two Congressmen here and both have statements that we want to hear.

I would ask that they might defer reading their statements until we have first heard from the Governor. Then I will invite both Congressmen, if they would care, to sit with the committee if they have time for such time as they would like.

But we have the first citizen of Idaho here, Governor Andrus, and I would ask him to lead off the testimony this morning.

Governor, it is a pleasure to welcome you again before the committee and I want to acknowledge the leadership that you have given to the effort to get the problem at American Falls resolved and thank you for your efforts in bringing back a fine delegation of Idaho citizens to testify.

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

Governor ANDRUS. Thank you.

First of all, I would like to express our appreciation to you for taking the time from your schedule this morning to be with us and granting us this hearing to testify on this very important issue. The replacement of the American Falls Dam and river crossing is more than one state's regional or sectional priority—it is an Idaho necessity.

Its impact 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.

As the Governor of a State where agriculture is the No. 1 industry, I am here today to strongly support the earliest possible replacement of the weakened facility at American Falls.

I am particularly pleased to have led a delegation of farmers, ranchers, businessmen, and representatives for the American Falls area to this hearing. I ask that you listen carefully to their testimony and question them about the direct impact of the dam and crossing on their everyday lives.

Some are here to testify about the need for a reservoir filled to capacity with irrigation water. Others will direct their comments to the specifics of vehicle and passenger traffic across the dam or on a new bridge immediately downstream from the dam.

Regardless of their particular emphasis, all will speak to the issue with a dual desire for a new dam and a new crossing. For each is critically important to those whose livelihoods are tied to the soil or to processing the harvest from the soil.

I can support the proposal contained in S. 1529 because it appears to offer the speediest and most reasonable method for replacement of the structure and river crossing.

S. 1529 has widespread support in Idaho. Even traditional adversaries have joined in favor of the undertaking. Attached to my

testimony are statements from the Idaho Water Resource Board and the Idaho Department of Water Administration which are user-oriented agencies; and the testimony of the Idaho Environmental Council and Trout Unlimited which are outspoken, yet respected conservation organizations.

All seek your approval for a proposal to rebuild a major dam on the mighty Snake River. It is a unique priority which transcends the special interests for a common cause.

In summary, Idaho has major necessity for an adequate storage facility at American Falls along with the need for a modern river crossing on the dam or in the immediate area.

We do not come here with a request for millions of Federal tax dollars to do for us what we can and will do for ourselves. Instead, we ask for congressional approval of a plan which will allow private money to rebuild a failing structure and for deserved assistance to build a crossing which is partly the responsibility of the Bureau of Reclamation.

Finally, the safety of the structure itself must be assessed in your deliberations. Weakened by an unfortunate chemical reaction in the concrete, the Bureau of Reclamation has determined that the facility can hold only a portion of the water originally intended.

Subsequently, farmers and ranchers face probable shortages this year and near-certain shortages in the ensuing years. A dry or short-water year could mean financial disaster for thousands of small farmers and family businesses throughout Idaho.

I respectfully request your attentive and positive reaction to our proposal for the earliest possible replacement of the American Falls Dam and River Crossing.

Thank you.

I think I would like to add, Mr. Chairman, that you see before you today a group of concerned people who are here with a solution to a problem. We can handle this ourselves. Time is the most important ingredient in this entire situation.

We have heard over the years a great deal of political rhetoric. We discuss the necessity of maintaining and sustaining the family-farm unit. This one structure could do more to destroy the family-farm unit in a major portion of our state than anything else should it fail or should we not be able to store the necessary water behind the structure.

So we are here not for the Federal bucks, we are asking for your cooperation in giving us the opportunity to solve the situation ourselves.

Thank you, Mr. Chairman.

I would be happy to respond to any questions.

Senator CHURCH. Thank you for your statement. I think most of us believe this is the best design to resolve this particular problem. Nevertheless, the law requires us to surmount some hurdles. We have to get a bill passed through Congress and we have to secure, if not a license from the Federal Power Commission for the construction of the dam, at least a subsequent license for the construction of the power facility.

So there are hurdles that have to be surmounted in order to clear the way, as you know, and this is the first step in the process of surmounting those hurdles.

There is one question that I have, Governor. You know the time we went to inspect the dam, last December, we were made aware of the acute difficulty that the traffic was having, particularly the farm trucks carrying potatoes, in getting back and forth across the existing dam because of the narrow roadway.

That road was also deteriorating. What can you tell us about the solution of the road problem in connection with the pending bill?

Governor ANDRUS. First of all, Mr. Chairman, I think I am in a position to guarantee you and the members of the committee as much as any Governor can make the guarantee within his statement. This is a project that involves both a structure for storage of water, a dam to be specific, and also a major crossing. There is a definite likelihood that the crossing will not be on top of the new structure, although it could be.

Instead of that there will be a bridge slightly downstream from the structure. We have a committee of residents from the area, water users and the people involved in the storage within the reservoir. We recognize, both the State of Idaho and those who have storage, the water users, that the crossing and the dam is one project. Exactly how this will be worked out I think will come in the project.

But I can assure you that it will involve the State of Idaho, the space holders of the structure will be involved and, hopefully, as I point to in my testimony, some deserved support from the Federal level because of the responsibility of the Bureau of Reclamation has within the present crossing.

This we do not feel is the major thing. Certainly there will be a crossing and we want to guarantee it, but we are capable of handling that with the people involved.

Senator CHURCH. Fine, Governor, I think that pretty much covers two aspects of this matter that we have got to work out.

Senator Hatfield, do you have any questions?

Senator HATFIELD. No questions.

Senator CHURCH. Senator Hansen.

Senator HANSEN. No questions.

Senator CHURCH. Senator McClure.

Senator McCLURE. I have no questions, just a couple of comments. One to bring out for the record that the dam has deteriorated to the point where the Bureau of Reclamation required that it be held at a level which effectively destroys over one-third of its storage capacity.

The second, to bring out the fact that even if the dam had not deteriorated to the point of requiring replacement, the bridge crossing is totally inadequate and the replacement of the crossing was a matter that would have required attention, even in the absence of the required replacement of the dam; is that not correct?

Governor ANDRUS. Senator, this is correct. The deterioration of the structure had impact on both the crossing and the storage facility. I would like to reaffirm what you have said, that the storage has been decreased by the Bureau of Reclamation for safety reasons from approximately 1,700,000 acre-feet down to 1,100,000 acre-feet.

I know, Senator Hansen, from your statement, you are very familiar with what this means when you lose 35 percent of our storage, particularly to the space holders who need that water in a given year. That is why time is our worst enemy now. We need the green light so we can proceed in this regard.

But what you say, Senator, is absolutely correct.

Senator McCLURE. And because of the inadequacy of its structure, both in terms of its width and more importantly, perhaps, the failing strength of the structure, traffic limitations were placed on that crossing which have rather severe implications for people who have to maintain an adequate flow of traffic at peak periods of the year?

Governor ANDRUS. This is true, Senator, and the State highway department is working presently to resolve what we can of some of the limitations so we can proceed with this.

The determination of this committee will have a direct bearing on that as to how much money we invest as a State into the failing structure to maintain the crossing during the construction period or whether we go into a bridge construction right away.

So again, to urge you, time is the enemy to the people of Idaho here.

Senator McCLURE. Not only an early decision about what we are going to do but also an early replacement of the structure.

Governor ANDRUS. Yes; we need your decision before we can proceed with the replacement.

Senator McCLURE. I just want to join with my colleagues in welcoming you here, since you and I started in service to our State at the same time. That was 12 years ago now. It is a particular pleasure for me to say hi to you, good to see you again and thank you for the services you are giving on this as well as the other things you have done.

Governor ANDRUS. Thank you. I would like to express my appreciation, Senator Church, once again to you, to Senator Hansen, Senator Hatfield, and Senator McClure and also my two friends from the House of Representatives for extending me the courtesy of allowing me to testify first.

Thank you very much.

Senator McCLURE. Mr. Chairman, the Governor had attached to his statement several communications, I would like to make sure they are part of the record.

[The prepared statement and letters submitted by Governor Andrus follow:]



STATE OF IDAHO  
OFFICE OF THE GOVERNOR  
BOISE

CECIL D. ANDRUS  
GOVERNOR

May 10, 1973

TESTIMONY OF GOVERNOR CECIL D. ANDRUS

BEFORE THE SUBCOMMITTEE

ON WATER AND POWER RESOURCES

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

UNITED STATES SENATE

---

TESTIMONY OF GOVERNOR CECIL D. ANDRUS BEFORE THE SUBCOMMITTEE ON  
WATER AND POWER RESOURCES, COMMITTEE ON INTERIOR AND INSULAR  
AFFAIRS, UNITED STATES SENATE.

---

The replacement of the American Falls Dam and River Crossing is more than one state's regional or sectional priority--it is an Idaho necessity.

Its impact 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.

As the Governor of a state where agriculture is the number one industry, I am here today to strongly support the earliest possible replacement of the weakened facility at American Falls. I am particularly pleased to have led a delegation of farmers, ranchers, businessmen and representatives for the American Falls area to this hearing. I ask that you listen carefully to their testimony and question them about the direct impact the dam and crossing have on their everyday lives.

Some are here to testify about the need for a reservoir filled to capacity with irrigation water. Others will direct their comments to the specifics of vehicle and passenger traffic across the dam or on a new bridge immediately downstream from the dam. Regardless of their particular emphasis, all will speak to the issue with a dual desire for a new dam and a new crossing.

For, each is critically important to those whose livelihoods are tied to the soil or to processing the harvest from the soil.

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S.1529 has widespread support in Idaho. Even traditional adversaries have joined in favor of the undertaking. Attached to my testimony are statements from the Idaho Water Resource Board and the Idaho Department of Water Administration which are user-oriented agencies; and the testimony of the Idaho Environmental Council and Trout Unlimited which are outspoken, yet respected conservation organizations.

All seek your approval for a proposal to rebuild a major dam on the mighty Snake River. It is a unique priority which transcends the special interests for a common cause.

In summary, Idaho has major necessity for an adequate storage facility at American Falls along with the need for a modern river crossing on the dam or in the immediate area. We do not come here with a request for millions of federal tax dollars to do for us what we can and will do for ourselves. Instead, we ask for Congressional approval of a plan which will allow private money to rebuild a failing structure and for deserved assistance to build a crossing which is partly the responsibility of the Bureau of Reclamation.

Finally, the safety of the structure itself must be assessed in your deliberations. Weakened by an unfortunate chemical reaction in the concrete, the Bureau of Reclamation has determined

that the facility can hold only a portion of the water originally intended.

Subsequently, farmers and ranchers face probable shortages this year and near-certain shortages in the ensuing years. A dry or short water year could mean financial disaster for thousands of small farmers and family businesses throughout Idaho.

I respectfully request your attentive and positive 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

Attachments:

Idaho Water Resource Board  
Department of Water Administration  
Idaho Environmental Council  
Trout Unlimited  
Department of Parks and Recreation  
Idaho Power Company

CECIL D. ANDRUS, Governor

## BOARD

JOHN F. STREIFF, Chairman, Lewiston  
GEORGE L. YOST, Vice Chairman, Emmett  
FERRIS M. KUNZ, Montpelier~~JOSEPH H. NETTLETON, Murphy~~

SCOTT W. REED, Coeur d'Alene

EDWIN C. SCHLENDER, Malta

R. KEITH HIGGINSON, Boise

Ex-officio Member

(Director, Department of  
Water Administration)

## STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

STATEHOUSE

BOISE, IDAHO 83707

C. Stephen Allred, Director

D. Kramer

F. Jones

May 4, 1973

RECEIVED  
MAY 7 1973  
OFFICE OF GOVERNORGovernor Cecil D. Andrus  
State of Idaho  
Statehouse  
Boise, Idaho 83720

Dear Governor Andrus:

Attached you will find a letter addressed to Senator Church for your use in the hearings regarding placement of American Falls Dam on May 10 and 11.

As you will note from the letter, the Idaho Water Resource Board has expressed its support for replacement at its meetings on November 29, 1972, and April 27, 1973. If we can assist you or your staff or give assistance to the American Falls people, please feel free to contact us.

Sincerely yours,

C. STEPHEN ALLRED  
DirectorCSA:kh  
Attach.

CECIL D. ANDRUS, Governor



DR. ROBERT R. STEFF, Director

## BOARD

JOHN F. STREIFF, Chairman, Lewiston  
GEORGE L. YOST, Vice Chairman, Emmett

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~~FRANCIS M. MARRAS, Boise~~

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EDWIN C. SCHLENDER, Malta

R. KEITH HIGGINSON, Boise

Ex-officio Member

(Director, Department of

Water Administration)

D. Kramer

F. Jones

## STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

STATEHOUSE

BOISE, IDAHO 83707

April 27, 1973

The Honorable Frank Church  
United States Senator (Idaho)  
Room 204, Senate Office Building  
Washington, D. C. 20510

Dear Senator Church:

The Idaho Water Resource Board has a vital interest and concern in the American Falls Dam Replacement project and we support the actions of the space holders to have this dam replaced as early as possible. This was expressed in a motion passed by the Board at a Board meeting held on November 29, 1972. A copy of the motion is attached. We are aware of the great economic impact this dam has in Idaho. The reservoir created by this structure serves nearly one million acres of irrigated land which is over 25% of the irrigated land in the state of Idaho. In case of a dam failure, due to deterioration, the damage and economic loss to the state in one year could exceed the cost of the dam. Also the Board has no environmental objections to this project. Since the replacement dam will maintain the reservoir at its present level, the environmental impact remains a status-quo. For these reasons, we urge the Congress to assist and do all they can to expedite the space holders efforts to replace this dam as soon as possible.

We appreciate your efforts in this regard and would like our position recorded in your May 10, 1973, hearing record.

Sincerely yours,

JOHN F. STREIFF  
Chairman

Idaho Water Resource Board

JFS:kh  
Attach.cc: Congressional Delegation  
Governor's Office  
Board Members  
John Rosholt  
Idaho Power Company

CECIL D. ANDRUS, Governor



DR. ROBERT R. LEE, Director

BOARD  
 JOHN F. STREIF, Chairman, Lewiston  
 GEORGE L. YOST, Vice Chairman, Emmett  
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 CHARLES J. MARSHALL, Jerome  
 JOSEPH H. NETTLETON, Murphy  
 THOMAS OLMSTEAD, Twin Falls  
 SCOTT W. REED, Coeur d'Alene  
 EDWIN C. SCHLENDER, Malta  
 R. KEITH HIGGINSON, Boise  
 Ex officio Member  
 (Director, Department of  
 Water Administration)

## STATE OF IDAHO

IDAHO WATER RESOURCE BOARD

STATEHOUSE

BOISE, IDAHO 83707

Meeting No. 7-72, Idaho Water Resource Board, Boise, Idaho November 28 & 29, 1972

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It was moved by Mr. Olmstead, and seconded by Mr. Reed, that the Idaho Water Resource Board support the replacement of American Falls Dam at the present elevation as soon as possible.

Motion carried by voice vote, Mr. Marshall, and Mr. Schlender absent.

(ATTACHMENT NO. 12).

ROBERT R. LEE  
 Director

ATTACHMENT NO. 12 TO MINUTES OF MEETING 7-72 OF  
 IDAHO WATER RESOURCE BOARD, BOISE, IDAHO  
 NOVEMBER 28 & 29, 1972.

STATE OF IDAHO  
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus  
Governor  
R. Keith Higginson  
Director

Statehouse - Annex 2  
Boise, Idaho 83707  
(208) 384-2215



Water Rights Administration  
Water Resource Investigations  
Dam and Reservoir Safety  
Water Well Drilling  
Waste Disposal Wells  
Stream Channel Protection

May 4, 1973

The Honorable Cecil D. Andrus  
Governor, State of Idaho  
State Capitol  
Boise, ID 83707

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 Senator Frank Church and to urge his Committee to take the earliest possible favorable action on Senate Bill Nos. 1528 and 1529, so that the

The Honorable Cecil D. Andrus  
Page 2  
May 4, 1973

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

RKH/sc

# Idaho Environmental Council

P. O. Box 3371 - University Station  
Moscow, Idaho 83843

April 27, 1973

Governor Cecil D. Andrus  
Statehouse  
Boise, Idaho 83707

American Falls Dam  
Replacement

Dear Governor Andrus;

Last December, directors of the Idaho Environmental Council went on record in support of replacing the deteriorating American Falls Dam, provided that:

1. the new dam not be built higher than the existing dam;
2. the dam be in essentially the same location as the existing dam; and
3. the project show a Benefit/Cost Ratio greater than 1.0 when evaluated at a 7% discount rate.

It appears that all of these conditions will be met. In its Executive Summary Report on the replacement proposal, it would have been better if the Bureau of Reclamation had used a discount figure of at least 7% (as recommended by the Water Resource Council), rather than the 5.5% figure they did use. The Bureau has been criticized in the past for using unrealistically low discount rates; it is unfortunate that they repeat the practice here. Although none of our members has done a detailed study of the proposal, it appears that the B/C Ratio would still be favorable at the higher discount rate.

We suggest that precautions be taken to insure that pollution is minimized during the period of construction.

We also support inclusion in the project of enhancement of fish and waterfowl habitat and recreation, as recommended by the Bureau of Sport Fisheries and Wildlife. This would include such measures as construction of goose nesting areas, preservation of the forebay fishery, and providing fisherman and boat access.

The American Falls Dam and Reservoir is an essential and major component of the irrigated agriculture of southern Idaho. Unlike proposals for building new dams on the Snake River, such as the environmentally destructive Lynn Crandall and Swan Falls-Guffey Dams, the replacement of American Falls Dam represents an effort to maintain the status quo, and to our knowledge, will produce little adverse environmental impact.

The American Falls Dam should be replaced as soon as possible. Hopefully the new dam will last longer than the old one.

Sincerely,

*Gerald A. Jayne*  
 Gerald A. Jayne  
 President, IEC  
 1568 Lola St.  
 Idaho Falls, Idaho  
 83401



April 25, 1973  
Kenneth I. Cameron, Idaho President  
Trout Unlimited  
910 N. Curtis Rd.  
Boise, Idaho

Honorable Cecil D. Andrus  
State House  
Boise, Idaho

Dear Governor Andrus,

Unfortunately, Trout Unlimited was not able to send a member to the Burley meeting concerning the replacement of the American Falls Dam. However, we wish to express our support for replacement of the dam at it's existing reservoir level as proposed by the Bureau of Reclamation and endorsed by yourself and the Idaho Congressional Delegation last fall.

We recognize the urgency for this project and hope that it can proceed to aid the economy of the area without having any adverse effects upon the hydrologic characteristics of the river or changes upon the fish and wildlife habitat.

Kind personal regards,

A handwritten signature in dark ink, appearing to read "KIC", is written over the typed name.

Kenneth I. Cameron, Idaho President  
Trout Unlimited

KIC/mg

## STATEMENT ON THE PROPOSED REPLACEMENT OF THE EXISTING AMERICAN FALLS DAM

Idaho Department of Parks & Recreation  
April 25, 1973

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 \$600,000. The water-related portions of the projects are designed so as to permit use nearly

the entire summer season even during low water years when the reservoir is allowed to fill to capacity. 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.

SNAKE RIVER



HYDRO POWER

## IDAHO POWER COMPANY

BOX 70 • BOISE, IDAHO 83707

April 30, 1973

Mr John Hough  
Office of the Governor  
Statehouse  
Boise, ID 83707

Dear John:

Attached is a copy of Idaho Power Company's proposal to the Spaceholders' Committee of Eight to replace the American Falls dam.

You will notice the Company's proposal for the replacement dam arrangement is set forth on pages 7, 8 and 9. A reregulating dam is not a part or condition of the proposal.

I hope this clears up any misunderstanding.

Sincerely,

Robert A Hogg

RAH:d  
Encl

[The Idaho Power Company's proposal mentioned previously will be found on page 104.]

Senator CHURCH. We have received a letter from the Idaho State AFL-CIO signed by Robert W. Macfarlane, the president, giving the full endorsement and support of the labor unions to replacement of the dam. We have also received other correspondence on this subject which will be inserted in the record at this point.

[The correspondence follows:]

IDAHO STATE AFL-CIO,  
Boise, Idaho, May 1, 1973.

Senator FRANK CHURCH,  
Chairman, Subcommittee on Water and Power Resources, Senate Interior Committee, U.S. Senate, Washington, D.C.

DEAR SENATOR CHURCH: I am Robert 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.

As you are aware, the United States Bureau of Reclamation has declared the dam to be unsafe and has reduced the level of the water in the reservoir. This action by the Bureau reduces the storage water available for irrigation by about 600,000 acre feet. The storage limitations 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 their final water to finish out their crops. This potential loss to the agriculture community alone has been estimated to be over \$100,000,000 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 widespread 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 water supply forecasts this year for the upper reaches of the Snake River are slightly more than 70% of normal; snow pack registers less than 70% of normal. While this may sound bleak, this is the situation we are facing.

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 the 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.

Sincerely,

ROBERT W. MACFARLANE,  
President.

SHOSHONE ROTARY CLUB,  
Shoshone, Idaho, May 3, 1973.

Hon. FRANK CHURCH,  
Chairman, Subcommittee on Water and Power Resources, Senate Interior and Insular Affairs Committee, Washington, D.C.

Hon. FRANK CHURCH: The Shoshone Rotary Club would like to lend our support to you in the presentation and passage of either Senate Bill No. 1528 or Senate Bill No. 1529.

Our club feels that the American Falls Dam is vital to the economy of Southern Idaho and therefore should be replaced at the earliest possible time.

We favor both, but would prefer that SB 1529 be considered most as it would be a less cost and probably be first to be built due to private money used to build.

We would ask that you make every effort to gain passage of these bills. Any other support that we can give you would be given at any time.

Sincerely,

FRANCIS M. BERGIN,  
*Secretary-Treasurer.*

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STATE OF IDAHO,  
DEPARTMENT OF RECLAMATION,  
*Shoshone, Idaho, May 2, 1973.*

HON. FRANK CHURCH,  
*Chairman, Subcommittee on Water and Power Resources, Senate Interior and Insular Affairs Committee, New Senate Office Building, Washington, D.C.*

DEAR SENATOR CHURCH: AS Watermaster of the Big and Little Wood River for Gooding, Lincoln and Blaine Counties, Idaho, I am deeply concerned on the above Senate Bills regarding the American Falls Project.

As a Water District, and being involved with American Falls Water, and the delivery of such; anything you can do to get these bills passed in the shortest possible time would be to the advantage of all waterusers in this area.

Thanking you in advance for anything that you can do to expedite the proceedings and passing of these bills.

Very truly yours,

REID J. NEWBY, *Watermaster,*  
*Water District 37 and 37M,*  
*Big and Little Wood Rivers.*

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ENTERPRISE IRRIGATION DISTRICT,  
*May 7, 1973.*

HON. FRANK CHURCH,  
*Chairman, Subcommittee on Water and Power Resources, Senate Interior and Insular Affairs Committee, New Senate Office Building, Washington, D.C.*

DEAR SENATOR CHURCH: We thank you for the opportunity of submitting this statement in behalf of Enterprise Irrigation District of Fremont and Madison Counties, Idaho, and request that same be included as a part of the record of the hearing scheduled for May 10, 1973, on the above referenced bills.

There are approximately 8,000 acres of some of the richest agricultural land in the State of Idaho located within the Enterprise Irrigation District, in the Counties of Madison and Fremont. Winthout water these lands would be dry farms only. With the water over half of the acreage within the district is used for the production of potatoes, and some sugar beets, together with wheat, barley, oats and alfalfa, in rotation. Consequently, the district contributes substantially to the food and fiber of the state and nation, and provides substantial tax base to the said two counties, employment to many people, and a way of life to many farm families.

The district has 8,510 inches of natural flow rights and some high water rights; however, historically it has proven that these natural flow rights are vastly inadequate to furnish the necessary water to complete the crops on the lands in the district. For instance, in 1944, the natural flow rights were cut off on May 30, and the records indicate that in many years the natural flow rights were cut off at such an early date that had the district not had the storage rights the potatoes and sugar beets particularly and all of the crops to some extent would have failed to mature.

In addition to 5,883 acre feet of storage in Jackson Lake and 10,323 acre feet of storage in Fremont-Madison Irrigation District, the Enterprise Irrigation District has 10,188 acre feet of storage in the American Falls Reservoir. Historically it has proven an absolute necessity and beneficial to the district that they have the storage in the American Falls Reservoir, and by means of exchange, have used natural flow rights of downstream users in exchange for the district's storage rights in the American Falls Reservoir.

The economy of Southern Idaho is based largely upon agriculture and agriculture is absolutely dependent upon water. The American Falls Reservoir is probably the single most important storage facility for impounding water to mature crops after natural flow rights on the rivers have been used of any

facility in the State of Idaho. It is certainly essential that this reservoir be preserved and protected, and it is in the public interest that Congress do everything in its power to take all necessary steps to insure the continuation of this important reclamation project in the State of Idaho. The Enterprise Irrigation District stands ready to lend its assistance in every way possible, to furnish further evidence and testimony if desired.

Yours very truly,

DOUGLAS BEAN, *Chairman.*

---

CITIZENS ENVIRONMENTAL COUNCIL,  
*Pocatello, Idaho, May 2, 1973.*

Senator FRANK CHURCH,  
*Chairman, Senate Interior Subcommittee on Water and Power, Senate Office Building, Washington, D.C.*

DEAR SENATOR CHURCH: I noted with considerable interest an announcement in our local paper to the effect that you were going to hold hearings on the question of the replacement of the American Falls dam at American Falls, Idaho.

The Pocatello Citizens Environmental Council is very interested in this matter and we would like to have the following statement entered into the record of the hearings. We also hope that you will personally do everything possible to help further the principles embodied in this statement:

"The Pocatello Citizens Environmental Council does not oppose in principle the rebuilding of the American Falls Reservoir dam located on the Snake River near American Falls, Idaho provided that certain conditions are met. These are:

(a) The new dam should be no higher than the old dam so that additional land in the 'Fort Hall bottoms' will NOT be flooded.

(b) Provisions should be made for recreational use of the water in the reservoir.

The first point has already received considerable discussion and as there seems to be general acceptance of it, it needs for further comment here.

The second point may, however, be somewhat more novel and perhaps needs additional explanation. It is our opinion that it is ridiculous for a large reservoir, which is located less than 25 miles from the second largest city in the state of Idaho, to be drained so low that it is oftentimes difficult to use it effectively for recreational purposes after the last half of July. More specifically, on frequent occasions, the water level has dropped so low by the last half of July that it is impossible to launch motor and/or sail boats in Seagull Bay and in Aberdeen Bay, two of the most popular launching ramps on the American Falls Reservoir and the ONLY two launching ramps that are in protected locations (from the wind and waves). It is our opinion that provisions should be made to alleviate this situation.

We have no objection to Idaho Power Company rebuilding its power plant below the American Falls dam and operating this plant provided that it is constructed in a prudent manner with reasonable environmental safeguards and also provided that the operation of said power plant is compatible with principles (a) and (b) as stated above."

Very truly yours,

RUSS MAGER, *Chairman.*

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WOOD RIVER RESOURCE AREA  
COUNCIL OF GOVERNMENTS,  
*Gooding, Idaho, May 4, 1973.*

Senator FRANK CHURCH,  
*Senate Office Building,  
Washington D.C.*

DEAR FRANK: The expression and statement issued to you concerning the earliest replacement of the American Falls Dam brings me to the following comments.

The Fish Creek Dam, #37-XX06, Carey Valley Reservoir Company, located in Blaine County, 9 miles north of Carey, Idaho, has emergency needs also.

The Idaho Department of Water Administration in the August, 1971 "Inventory of Dams in the State of Idaho", lists the Fish Creek Dam to be unsatisfactory.

The management and operations of the Fish Creek Dam by the Carey Valley Reservoir Company has not been to the best interests of everyone concerned. The blocking of the small inadequate spillway with flash boards, the allowing of the dam to overtop to undermine buttresses and the lack of protection for the west end of the dam to protect from erosion has been allowed to occur.

However, this management and operation point is not what I will discuss.

Under present conditions, as far as I am able to discern, there is no governmental program opportunity the Council may resort to secure an early replacement of the Fish Creek Dam. The past federal opportunities requiring favorable cost-benefit ratios and ownership acreage totals are not realistic under the present farming economics.

The Corps of Engineers, under date of November 14, 1972 to Mr. Lee Eldridge, Carey, Idaho, made a preliminary analysis of the feasibility of raising Fish Creek Dam to a reservoir capacity of 30,000 acre-feet, and showed a benefit-to-cost ratio of .02 to 1.

The Corps also added in the Eldridge letter that construction of an additional reservoir downstream does not appear economically feasible because of the lack of additional water supply and because it would duplicate existing facilities.

A possibility may be available to the Council through use of the "National Program for Inspection of Dams", HR 15951, 92 Congress, 2nd session.

This act allows the Corps of Engineers to inspect the dams for the purpose of protecting human life and property. The Carey Valley Reservoir Company built the dam under the opportunities of the Carey Act.

Perhaps, if such an Act as HR 15951 could be funded to make such necessary and emergency repairs as reportable to the Governors, the Corps could make the repairs necessary for the protection of the Fish Creek Dam. The funding may even be designated to the states, as revenue funds, for constructing the safety purposes on the dams.

May I hear from you on the emergency situation of the Fish Creek Dam?

Sincerely,

DON G. FREDERICKSEN,  
*Chairman.*

---

WOOD RIVER RESOURCE AREA  
COUNCIL OF GOVERNMENTS,  
*Gooding, Idaho, May 4, 1973.*

Senator FRANK CHURCH,  
*Senate Office Building,  
Washington D.C.*

DEAR FRANK: This letter is a statement concerning the replacement of the American Falls Dam from the Wood River Resource Area Council of Governments.

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.

Judging from past performances and an unfavorable climate for dam building appropriations of the Congress, SB 1529 would bring about quickest action to alleviate our emergency needs. Therefore, the Council supports the passage of SB 1529 to provide private financing for the replacement.

Sincerely,

DON G. FREDERICKSEN,  
*Chairman.*

---

IDAHO BANK & TRUST Co.,  
*Burley, Idaho, April 30, 1973.*

HON. FRANK CHURCH,  
*Chairman, Subcommittee on Water and Power Resources, Senate Interior and  
Insular Affairs Committee, New Senate Office Building, Washington, D.C.*

DEAR SENATOR CHURCH: The Idaho Bank and Trust Company, with its fourteen offices in Idaho, have 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 affect 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 immediate loss would amount to many hundreds of dollars per acre alone to the grower. In addition to this, the effect 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 before any further immediate loss of capacity due to deterioration of the dam has to be considered.

This statement respectfully submitted by:

BOB HILLIARD,  
*Vice President and Manager, Burley Branch.*

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DIETRICH, IDAHO, May 4, 1973.

HON. FRANK CHURCH,  
*Chairman, Subcommittee on Water and Power Resources, Senate Interior and Insular Affairs Committee, New Senate Office Building, Washington, D.C.*

DEAR SIR: Statement of Dietrich Grange No. 121 Dietrich, Idaho, submitted to the Sub Committee on Water and Power Resources of Senate Interior and Insular Affairs Committee on Senate Bills 1528 and 1529.

We are representative of a large percentage of land holders and water users who support Bills 1528 and 1529. The economy of this locality depends on water from American Falls Dam.

We urge you to support the replacement of American Falls Dam at the earliest possible date.

Yours truly,

MERVYN RIDINGER  
*Master, Dietrich Grange No. 121.*

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GOODING COUNTY BOARD OF COUNTY COMMISSIONERS,  
*Gooding, Idaho, May 7, 1973.*

HON. FRANK CHURCH,  
*Chairman, Subcommittee on Water and Power Resources, Senate Interior and Insular Affairs Committee, New Senate Office Building, Washington, D.C.*

DEAR SENATOR CHURCH: The Board of County Commissioners of Gooding County, wish to endorse Senate bill 1529 in favor of Idaho Power construction of the American Falls Dam.

Sincerely

BEN GLAUNER, *Chairman.*  
JOHN LEMOYNE.  
NELSON KING.

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PANGUITCH, UTAH, May 7, 1973.

Senator FRANK CHURCH,  
*Senate Office Building,  
Washington, D.C.*

DEAR SENATOR CHURCH: In talking with Senator Frank Moss of Utah this past weekend I was informed that your subcommittee of the Senate Interior Committee will soon be holding hearings on the Rainbow Bridge controversy. I would like to request that your office inform me of the date, time, and place of these hearings, even if they will only be held in Washington. I have a viewpoint on this subject I feel that you and your fellow senators should hear, and I want very much to participate in these hearings.

Sincerely yours,

HANK HASSELL.

NORTH SIDE BOARD OF REALTORS,  
Jerome, Idaho, May 5, 1973.

HON. FRANK CHURCH,  
*Chairman, Subcommittee on Water and Power Resources, Senate Interior and  
Insular Affairs Committee, New Senate Office Building, Washington, D.C.*

HON. FRANK CHURCH: The North Side Board of Realtors consisting of 30 members would like to go on record as being in favor of getting the American Falls Dam replaced as soon as possible.

We feel as a whole, the private bill S. B. 1529 would be the better solution to the problem now facing the farmers on the North Side.

Sincerely,

CARL BUTLER, *President.*

SHOSHONE CHAMBER OF COMMERCE,  
Shoshone, Idaho, May 7, 1973.

HON. FRANK CHURCH,  
*Chairman, Subcommittee on Water and Power Resources, Senate Interior and  
Insular Affairs Committee, New Senate Office Building, Washington, D.C.*

DEAR SENATOR CHURCH: The members of the Shoshone Chamber of Commerce wish to go on record as being in favor of the above bills.

This whole area depend greatly upon American Falls Water for the economy of our entire county and the counties surrounding us. The one-third cut in the water is certainly going to curtail much of the agriculture production for the years that it might take to get the new dam built.

Please do everything possible to get these bills passed and expedited at the earliest date. Thank you.

Very truly yours,

REID J. NEWBY, *President.*

WOOD RIVER CENTER GRANGE No. 87,  
Shoshone, Idaho, May 7, 1973.

HON. FRANK CHURCH,  
*Chairman, Subcommittee on Water and Power Resources, Senate Interior and  
Insular Affairs Committee, New Senate Office Building, Washington, D.C.*

DEAR SENATOR CHURCH: The members of Wood River Center Grange all live within the confines of American Falls Reservoir District #2. All are dependent upon agriculture for their livelihood.

When the storage capacity of American Falls reservoir was reduced by one-third, it necessarily means a reduction in income to each one of these people.

Very recently storms have caused much damage in the mid-west, up to 50% loss. It has been suggested that these areas be classified as disaster areas and aid provided. The loss of one-third of our irrigation water for the next several years is no less a disaster to this area.

The President under his phase III recently asked agriculture to increase production. This is a rather difficult task for those faced with a one-third reduction in their water supply.

The lessened income, caused by this lack of water, will also mean a loss to the Department of Internal Revenue.

The members of this Grange urgently request that legislation be passed which will result in replacement of this dam at the earliest point and time, and at the least cost to the water user and the tax payer.

Respectfully submitted,

DONALD SANDY, *Master.*

LINCOLN BLAINE POMONA GRANGE No. 8,  
May 5, 1973.

HON. FRANK CHURCH,  
*Chairman, Subcommittee on Water and Power Resources, Senate Interior and  
Insular Affairs Committee, New Senate Office Building, Washington, D.C.*

DEAR SIR: The Lincoln Blaine Pomona Grange #8 with a membership of over two hundred members, land owners and water users, stand on record as supporting Senate Bills 1528 & 1529.

The economic structure of this area is basically agriculture. A loss or shortage of our vital water could mean disaster.

We strongly urge the replacement of the American Falls Dam at the earliest possible date.

Sincerely,

CLARINDA BARNEY, *Secretary.*

Senator CHURCH. Now, Congressman Hansen, in whose district this dam is located, we know how much attention you have given to this matter and we would be pleased at this time to hear your statement.

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

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

Let me, first of all, express my sincere appreciation for the prompt action that you and Senator McClure have given by arranging for these hearings at a rather early date in the current legislative session.

I might say you have set a rather high standard for a prompt response that I hope Congressman Symms and I can match when this matter comes before the appropriate subcommittee in the House of Representatives.

As you are aware, Congressman Symms and I have cosponsored two bills which are identical bills to those in the Senate.

I will keep my statement short. You will want to devote as much time as possible to witnesses who have traveled from Idaho and representatives of the Department of the Interior who are well informed on all aspects of the legislation. They include citizens who are familiar with the impact on the local economy on the failure to take action on replacement of the dam and of course representatives of the Bureau of Reclamation ably led by Ed Sullivan.

The entire delegation is here at the leadership of the Governor whose effort and leadership in this area are well known and greatly appreciated.

The proposal to replace the dam, as you know, is presented in the alternative. One bill would authorize the construction of the new dam as a Federal reclamation project. The other, which is the product of the cooperative efforts of the water users, the Idaho Power Co., and others, would authorize the replacement dam to be built without Federal assistance.

Without discussing the merits of each of these proposals, I would also join in the endorsement for the Governor for the plan which would involve private construction, partly because it does not involve Federal funds and partly because it will help us get the job done a lot more quickly.

My main purpose today, however, is not to discuss the merits of the two bills as much as it is to emphasize the need for prompt action. The matter is urgent for many reasons which will be fully explained to you by the witnesses who will testify this morning. I will mention three of the most important considerations: First, the present dam is unsafe due to steady deterioration as a result of chemical action in the concrete since the dam was built in 1927.

In order to respond to the danger that results from the weakened condition of the dam, of course, it has been necessary to reduce the storage capacity of the dam.

This has a very severe potential impact on the agricultural economy of the State of Idaho. Some 900,000 acres are dependent on water that is stored in the reservoir behind the dam and we can predict, rather safely, I think, on the basis of past experience that if action is not taken fairly soon, maybe 1 or 2 water-short years could have a severe impact on agricultural production.

This suggests also, Mr. Chairman, that many more than those in the State of Idaho have a stake in the prompt replacement of this dam. We have seen in recent weeks a great deal of production lost this year because of flooding conditions.

We have seen crops delayed and in many cases we do not have a large surplus of many food commodities in any event. So we need all of the agricultural capacity that we have to provide for the food requirements of the Nation.

So the Nation also has a stake in maintaining the productivity of the agricultural area that this dam reservoir serves.

I might add, relevant to the subject matter of the hearing earlier this morning, we can use the additional energy that has been produced by the reconstructed dam. So the country in that respect has an interest in the subject matter of these hearings.

The third to which reference has been made is one of the traffic across the dam.

Now, we were there, as you recall, at the invitation of Governor Andrus some months ago and had the experience of crossing the dam in a bus. I am not sure where Joe Allen arranged for these trucks to come across the dam just at that time that our bus was crossing, but I will say that was an unforgettable experience and did illustrate very dramatically to me the inadequacy of this dam now and the roadway to meet the growing requirements for traffic. This is absolutely essential to the agricultural industry, to the processing industry in that area.

You have here some very articulate and well-informed members of the bridge committee who will make that case, I think, very convincingly.

Senator CHURCH. I think Congressman, you wouldn't have fit between the space, between the bus and the truck. I don't mean you particularly.

[Laughter.]

Mr. HANSEN. Let me just conclude with this statement as to how much I appreciate the prompt action taken by your subcommittee and I promise in pledging all that we can do as this bill moves to the House to get it enacted quickly so there will be no delay in beginning construction at the earliest possible date.

Thank you.

Senator CHURCH. Thank you Congressman.

I glanced at your prepared statement, your extemporaneous remarks are so superior to your prepared statement. Would you like to rest with those or do you want the written statement also?

[Laughter.]

[The prepared statement of Congressman Hansen follows:]

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

Mr. Chairman and Members of the Subcommittee. I appreciate this opportunity to appear this morning in support of legislation to authorize the replacement of the dam at American Falls.

As you know, my colleague from Idaho, Congressman Symms, and I have cosponsored in the House two bills, H.R. 6781 and H.R. 6782, which are identical to S. 1528 and S. 1529, the two bills introduced in the Senate by Senators Church and McClure.

I will keep my statement short. You will want to devote as much time as possible to witnesses who have traveled from Idaho and representatives of the Department of the Interior who are well informed on all aspects of the legislation.

The proposal to replace the dam, as you know, is presented in the alternative. One bill would authorize the construction of the new dam as a federal reclamation project. The other, which is the product of the cooperative efforts of the water users, the Idaho Power Company, and other, would authorize the replacement dam to be built without federal assistance.

I prefer the second alternative because it would not require the outlay of federal funds and would get the job done in a much shorter time.

My main purpose today, however, is not to discuss the merits of the two bills as much as it is to emphasize the need for prompt action. The matter is urgent for many reasons which will be fully explained to you by the witnesses who will testify this morning. I will mention three of the most important considerations:

First, the present dam is unsafe due to steady deterioration as a result of chemical action in the concrete since the dam was built in 1927.

Second, the weakened condition of the dam has resulted in a cut in storage to 65 percent of capacity. Irrigation water is the lifeblood of Idaho agriculture. The reduced storage in the reservoir during water-short years, which occur periodically in Idaho, could cause severe injury to the agricultural economy in Southern Idaho. About 900,000 acres of land are directly dependent on water stored in the American Falls reservoir.

The third problem involves the safety of the present highway crossing the dam. The dangerous condition of the present narrow roadway has resulted in one-way traffic being imposed. Modifications may permit future restoration of two-way traffic. But safety considerations as well as the needs of the traveling public, especially farmers and businessmen dependent on an adequate highway crossing, require early reconstruction of the dam with a good, safe roadway.

It is encouraging to see the prompt attention being given to this legislation by this Subcommittee. I am hopeful that these efforts will result in affirmative Senate action at an early date. I will do all I can to expedite favorable House action so that construction can begin at the earliest possible date.

Senator CHURCH. Congressman Symms is here and also joined in sponsorship of both of these bills.

If there are no questions for Congressman Hansen, we would ask now to hear from Congressman Symms.

Mr. SYMMS. Thank you, Mr. Chairman and I am privileged to be here with my colleague, Orval Hansen, this morning and I would like to join myself with his testimony this morning and associate myself with his remarks at this point in the record.

I would like to commend our Governor for the leadership he provided to bring this to a focal point before I go on with my remarks and I remember on a very cold December day, the day before I left with my family to come to Washington, that we visited the dam and walked underneath the dam and had the Chamber of Commerce from American Falls there and I think I appreciate the leadership that the Governor provided in this to bring attention to the problem that we have and out of this I think has come a great deal of progress

and I commend you for bringing this to the Interior Committee at such an early date also.

I think most of my testimony has been covered or will be covered, and we do have many people here from Idaho who have more expert knowledge in this particular subject than I, but I would like to pledge my support, with Congressman Hansen, to bring a speedy approval of this to the House if possible when the proper time comes and I would say it is a self-help project, as the Governor very well pointed out.

We can take care of the problem and I wholeheartedly endorse it and if there are no objections, I would like to submit my prepared testimony at this time.

Senator CHURCH. Very well, your prepared testimony will appear in the record as though read.

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

Mr. SYMMS. Mr. Chairman, members of the committee, colleagues, ladies and gentlemen:

I appreciate this opportunity to appear before your committee this morning. Although the American Falls Dam does not lie within my congressional district, it is a matter so important to the whole State that I feel the necessity of formally recording my support to your committee. As you are well aware, Congressman Hansen and I have introduced H.R. 6781 and H.R. 6782 in the House of Representatives, which bills are identical to those which your committee considers today.

The present restriction in the storage of water in the American Falls Reservoir might have serious economic effects in irrigated valleys of southern Idaho. If the condition of the dam continues to worsen, the eventual effect could well be an agriculture disaster. Discounting the direct effect on irrigated agriculture, there is still another factor to be considered—the safety factor. We anticipate that the Bureau of Reclamation will continue to do what is necessary for the protection of lives and property in this regard.

I would like to commend the American Falls Spaceholders for their prompt action to date in endorsing and proposing a workable solution to the immediate crisis. The Spaceholders are to be commended for proposing the alternative of S.B. 1529, wherein they employ "self-help" in replacing this key facility on the Snake River.

The proposal advanced by the Spaceholders is in my opinion refreshing. As I understand the proposal, the replacement dam would not increase the size of the reservoir. The dam, after completion, would be owned by the Government and in all respects treated as a "Government dam". The obligations of the Spaceholders in the reservoir would remain the same and the Bureau of Reclamation would continue to maintain and operate the dam in conjunction with the Upper-Snake River project. Each Spaceholder in the reservoir will pay his proportionate share of the final construction cost. Under either engineering plan for replacement of the dam, there appears to be minimal environmental effect. I endorse this proposal and encourage the early consideration of S.B. 1529 by this committee.

The standard Bureau of Reclamation replacement would be authorized by Senate bill 1528. If an event were to occur, whereby S.B. 1528 would be the only course of action to pursue, I would then consider its endorsement. It in all respects appears to be good legislation and in accord with traditional Bureau of Reclamation construction purpose.

In closing, I would like to again commend the Spaceholders on their efforts to date, and to encourage their continued pursuit of the earliest possible replacement at American Falls. I pledge my support in the House to expedite the legislation in every possible way.

Senator McCURE. Mr. Chairman, I just want to welcome my colleagues from the House here. It is my pleasure to have served with Orval in the House and it is my pleasure to see Steve succeed me in that office.

Orval always refers to that fact that it made him the senior Congressman from Idaho and I am sure Steve recognizes it. I am sure, too, Steve, the fact that you run an irrigated farming operation in Idaho, although your water comes from the Boise River rather than the Snake, gives you an understanding of the absolute necessity for the maintenance of water supply.

Even an orchard can't produce too much without water.

Mr. SYMMS. That is very true and the one-third loss from storage could be absolutely devastating in terms of dollars in losses because our country is such a barren desert. It would be absolutely devastating to get caught short on the short water here with that limited supply.

It could be millions of dollars lost in potatoes. I have grown quite a few potatoes myself and I know the requirement for water is very high and critical and you just can't run out 2 or 3 weeks prior to the finishing of the crops.

This is a large potato district we are talking about. It would be devastating to the economy of the Nation to allow this to slip away from us.

Senator McCURE. I am sure both of you know if we are successful in getting legislation acted on quickly here as we both hope we can. Senator Church and I will be over pounding on your doors to stimulate you to even further action there.

Of course, we will give you all the support we can in any way we can and we appreciate your support here.

Mr. SYMMS. Thank you for the opportunity of testifying.

Senator CHURCH. Gentlemen, you are both cordially invited to sit with us if you like.

Now, we have some logistical facts to face up to. The Honorable Jack O. Horton, Assistant Secretary of the Interior, is the next witness. I think we have to have Mr. Horton testify at this time so we can place on the record at the outset the position of the administration.

Then I will call on those witnesses who are in the Governor's party first so we can accommodate them in meeting their plane this afternoon.

Hopefully we can do that. So our next witness is the Honorable Jack Horton, Assistant Secretary of the Interior.

Mr. Secretary, we appreciate your being here with us this morning.

**STATEMENT OF JACK O. HORTON, ASSISTANT SECRETARY OF THE  
INTERIOR, LAND AND WATER RESOURCES; ACCOMPANIED BY  
ED SULLIVAN, REGIONAL DIRECTOR, BUREAU OF RECLAMATION**

Mr. HORTON. Thank you. It is a privilege for me to appear for the first time before the subcommittee in the company of Mr. Ed Sullivan, regional director of the Pacific Northwest Region of the Bureau of Reclamation.

We, together, are pleased to appear today 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 May 9, 1973, letter to the chairman of the committee presents our views, in which the Office of Management and Budget concurs, on the proposed legislation and recommends enactment of S. 1529 with certain amendments.

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 useable 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 a 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 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 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 storage 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 one-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.

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 power plants 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 have been 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.

Recently the reservoir spaceholders and the Idaho Power Co. proposed a plan to replace the existing American Falls Dam, largely through non-Federal financing. These groups have not prepared a formal report of their plan but we understand it 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.

Before closing I would like to call to the committee's attention an apparent typographical error in S. 1529, on page 3. The first word in line 12 would be "defray," and "defer."

Also, I note, Mr. Chairman, that the last phrase of section 7 regarding authority for appropriations of operation and maintenance funds for American Falls replacement dam was inadvertently dropped in our proposed revision of that section.

In view of the foregoing discussion, I recommend that with the amendments suggested in the Department report, that the committee report S. 1529 favorably to the Senate.

That concludes our formal remarks, Mr. Chairman.

Mr. Sullivan and I will be happy to answer questions you might have.

Senator CHURCH. Thank you, Mr. Secretary.

The chairman would like to recognize that Mr. Ed Sullivan, the regional director of the Bureau of Reclamation is with you at the table and we want to welcome you this morning. I am sure your presence here will make it possible for answers to be supplied to any technical questions we may have.

Mr. Secretary, I take it from your testimony that the administration has concluded that this committee should recommend S. 1529 favorably to the Senate and that bill would have the support of the administration?

Mr. HORTON. With the amendments I mentioned, yes, Mr. Chairman.

Senator CHURCH. One of the questions that we faced when we first considered this alternative plan was the question of the difficulty and delay that might be entailed in securing a license from the Federal Power Commission.

I am sure your department examined that question and I would like for you to supply for the record at this point your conclusion concerning the requirement for obtaining a license from the Federal Power Commission.

Mr. HORTON. I am unable at this time to provide the exact estimate of the time required but we will provide all the assistance in the Department for obtaining the necessary permits from FPC.

Senator CHURCH. Is it the conclusion of the Interior Department that a license should be required for the construction of the dam itself, apart from the power facility?

Mr. HORTON. No, sir, we believe that no FPC permit is required for the dam but one would be required for the powerplant.

Senator CHURCH. Then it would be possible for the construction of the replacement dam itself to begin while the proceedings were still pending before the Commission on securing the license for the power facility; is that correct?

Mr. HORTON. It is our general opinion that would be a definite possibility.

Senator CHURCH. Now, do you support the Federal share of fish and wildlife and recreation costs that would be authorized by S. 1529, those being nonreimbursable costs?

Mr. HORTON. It is my understanding that half of the costs of the fish and wildlife facilities would be borne by local agencies. I will ask Mr. Sullivan to comment on that.

Mr. SULLIVAN. That is essentially correct under the proposed legislation because it calls for the funds to be made available under the Federal Water Project Recreation Act, which requires a non-Federal public body to repay not less than half the separable costs allocated to those purposes and all costs of the operation and maintenance.

Senator CHURCH. That arrangement has the support of the administration?

Mr. HORTON. Yes, sir. We support that arrangement.

Senator CHURCH. You also have recommended, in the way of a series of amendments that you are proposing to this bill, that the

language in the bill refers to the replacement dam as a feature of the Minidoka project rather than the upper Snake River project. You prefer the term Minidoka to the upper Snake River project.

I have no objection to that but I would like to know why that suggestion was made?

Mr. SULLIVAN. The suggestion was made because the present dam is part of the Minidoka project and it would simplify the relationship to continue it that way. I don't believe it is of real importance either way.

Senator HANSEN. Do I recall correctly that the Jackson Lake reservoir dam is referred to officially as part of the Minidoka project, too?

Mr. HORTON. That is correct, Senator Hansen.

Senator CHURCH. Well, there is no point in belaboring that. Apparently the Department has used both terminologies. For instance this is the American Falls Dam replacement study report issued by the Department itself. On the cover the term upper Snake River Basin project is used. But if you prefer Minidoka, that doesn't occasion any difficulty for us.

Mr. HORTON. I feel in attempting to be consistent we have been inconsistently so. If further elaboration is required we will provide that.

Senator CHURCH. The department has recommended maintaining the existing reservoir level which also is requested by the Indians. I don't think there is any disagreement on that score and I think the provision can be included by specific amendment.

I personally would find that wholly acceptable.

Mr. HORTON. We have an amendment to suggest to that effect, sir.

Senator CHURCH. You are also recommending that provisions for erosion control on the reservoir be included in the bill. I think we should have some testimony on that because erosion control is an existing problem. It won't be created as a result of the construction of the replacement dam and as far as I know it will not even be aggravated.

That is an existing problem that we have lived with since the original dam was constructed and we are simply replacing the original dam at the same elevation. I don't see how that problem would be affected one way or another. If you think the bill should be amended in this regard, I think we should have further explanation.

Mr. HORTON. We would be happy to provide that for the record.

Senator CHURCH. Can Mr. Sullivan give us an explanation now?

Mr. SULLIVAN. The suggestion was made in the departmental report on that was primarily to reinforce the need for consideration of this problem and to recognize that the Indian tribe has expressed special concern over erosion and this would reinforce the need for continuing the work. But as you stated, it is an existing problem and it is now being handled with normal activities. Sometimes the funds get a little limited for that, but the responsibility is with the Bureau of Reclamation and the spaceholders to compensate for erosion losses.

Senator CHURCH. What I am getting at is the possibility that inserting language of this kind in the bill might give rise to an

argument, at least, that this is a burden upon the new construction.

In other words, the alternative method of financing this new dam is to go into the private market for the money. I wouldn't want any change of language in the bill that might give rise to the fear that the erosion control obligation, especially a new obligation, would attach to this. This would assume a financing cost for continuing measures to protect against erosion; you see what I mean?

Mr. SULLIVAN. Yes; I see what you mean. The obligation to pay for the cost of erosion will go to the spaceholders in any event. I think you will find the language broad enough so it can be handled as either a construction item or an O. & E. item. It enlarges the freedom of action.

Senator CHURCH. You wouldn't see it as a possible impediment for securing the necessary capital for replacement of the dam?

Mr. SULLIVAN. I wouldn't see that.

Senator McCLURE. Would you yield to that point?

Senator CHURCH. Yes.

Senator McCLURE. I notice in the department report the suggested language is changed for purposes of erosion control. My recollection of the arrangement, the operating plan, and the policy of the Bureau up until now has been that it is more economically efficient to pay for the land which falls into the reservoir than it is to provide the erosion control which would prevent that.

The language you have suggested with respect to the Indian lands provides a different standard than the farmers on the shore in that it requires erosion control and payment for land only if erosion control cannot be effected, which I would understand to be a different standard than applied to the non-Indian owners around the reservoir; is that correct?

Mr. SULLIVAN. This language was not intended, although I realize you might read it that way, to apply only to the Indian lands. The language suggested in the departmental report does not refer specifically to the Indian lands, it is only the preceding paragraph that does.

If I may make a comment, I don't believe that is entirely correct to assume that acquisition of land is always the best way to take care of the erosion problem. We attempt a balance between erosion control and land acquisition and in places where erosion control can be accomplished, we do it. In other places it is necessary to acquire land.

Senator McCLURE. If I might just further say, I think we have some statements on the record from the Bureau of Reclamation in the past which state that they found it more economically efficient and cheaper to pay for the land than it was to provide the necessary erosion control. Therefore, the policy was to allow the erosion to continue in those instances and pay for the land. I would understand this language here would change that policy and would require as a policy that erosion control be effected without regard to the cost if it were possible and there would be payment for the land only in the event erosion control is not possible. Is that not a change.

Mr. HORTON. I am not sure whether earlier appearances by the Bureau have indicated that as a statement of policy or whether they were referring to a specific reservoir or reclamation project.

It would seem it would be pertinent to ask what the land prices might be in any particular area. It could be, as Mr. Sullivan indicated, that we would be seeking a balance between erosion control funding and actual acquisition of land.

Senator McCLURE. The language on page 4 of the report doesn't say that. It says you will accomplish erosion control if you can; if you can't, you will pay for the land. That is not a balance, that is a mandate that the erosion be effected if possible. As I understand your statement, you don't intend it to be that way and I would assume, therefore, you would accept any clarification of the language which would show that it is your intention to strike it out.

Mr. HORTON. We would be happy to provide that clarification. Seeking a balance between erosion control funding and the cost of land acquisition is strictly a matter of economics. If it is determined that erosion control can be effectively accomplished by some means more economically than by the acquisition of land then this would be the appropriate course of action. If not then the purchase of land would be necessary.

Senator CHURCH. Yes; we have received letters from the Department in the past that raised some question.

Very well.

The Department has also recommended the deletion of the language granting authority to renegotiate existing repayment contracts as being unnecessary. I don't agree with that. Is it discretionary anyway? I don't see any reason to delete it. Is it a matter of major importance to the administration?

Mr. SULLIVAN. Are you referring particularly to the recommendation we made that there not be a provision in the bill calling for an extended repayment period?

Senator CHURCH. Yes; that language, as I recall, doesn't impose a requirement. It is discretionary with the Secretary anyway.

Mr. HORTON. I would agree that if it is discretionary we would not object to the language being in the bill.

Senator CHURCH. It reads as follows:

*Provided further*, That the Secretary is authorized to amend said existing contracts to extend repayment periods as necessary to bring the combined repayment obligations within the spaceholder's repayment capacity."

I would read this as being discretionary. It is also conditioned as being necessary, and that would depend upon a finding made by the Secretary. I don't see any reason why that language should be deleted.

Mr. HORTON. We will examine that point and if it is discretionary we would provide amplification to the committee.

[Subsequent to the hearing Mr. Horton supplied the following:]

Upon reexamination, we find the language of the last provision in section 3 of the bill to be superfluous, however, we would have no objection if the language were retained.

We would agree that the language is discretionary and leaves the determination of whether a spaceholder has adequate repayment capacity to meet his repayment obligation to the Secretary.

Senator McCLURE. If this were constructed as a Federal project and if there were a repayment schedule beyond the State's capacity

to repay, in the judgment of the Secretary, then there would be a provision that that cost should be repaid out of power revenues or out of our share of the Bonneville power revenues.

In this instance, all we are seeking is the right to extend the repayment period without seeking that alternative source. So it would seem to me that this proviso, which is not mandatory, ought to be construed as being an offer on the part of the spaceholders to do more than might be required of them under a Federal project.

I shouldn't think the Government should object to that.

Mr. HORTON. I agree with you, Senator McClure.

Senator CHURCH. Good.

The Department recommended a clarifying amendment to section 3 making delivery of water contingent upon execution of a repayment contract. I don't think that is troublesome. It changes nothing and if it adds some clarification of the language, I have no objection to that.

Senator McCLURE. Well, are you referring to the language in the report on page 5?

Senator CHURCH. Yes; it is on page 5. It has reference to section 3 of the bill, on page 2 of the bill.

Senator McCLURE. As I understand the suggestion, it was that the Government does not understand the necessity for requiring signed contracts except as a condition to the delivery of the water; is that correct?

Mr. SULLIVAN. I think the language that we suggested was to clarify the point that for an existing spaceholder to participate in the storage of a new dam, they would have to execute a contract to carry out the provisions.

The problem here is that some spaceholder might say I am satisfied with the deteriorated dam and I won't enter into a contract with the new one. I have an existing contract and I will just stick with it. That way he can hold up the whole project.

Senator McCLURE. I understand your position and I think from later testimony you will find that is not the case. I don't think anybody is really satisfied with the dam in its present condition.

Mr. SULLIVAN. The only reason I mention that, there are 34 water-using entities and that is a lot to get together.

Senator McCLURE. And the fact that they did get together indicates the emergency nature of this whole proceeding.

Senator CHURCH. Well, the language suggested is certainly consistent with the intent of the original language and I think it may be helpful. It is more precise, I think, and it may be helpful to amend the bill that way.

Mr. SULLIVAN. It was intended to be clarifying primarily in that regard.

Senator CHURCH. Moving on, the Department recommends also that the Secretary approve the "falling water" contract. Do you propose to amend the bill to make that explicit?

Mr. SULLIVAN. Yes.

Senator CHURCH. I think that would follow in any case; would it not? He has to approve the contract under the bill as presently written.

Mr. HORTON. I think this is a point of clarification to insure that we want the approval authority by the Secretary recognized. That was the reason for the insertion.

Senator CHURCH. You make two other recommendations. One regarding the cost of the Secretary's review of the plans, to make those costs reimbursable by the water users. That is review of the designs and plans.

Mr. SULLIVAN. It was intended that these would be the costs that the Interior Department and the Bureau of Reclamation would incur in reviewing all the principles and participating in the contract negotiation because we have no other source of funds to do this and we would be impeded in our progress on going ahead with the project if we didn't have the source of money to go with.

Senator CHURCH. I wouldn't think that would be precise. Do you have any estimate to give us as to what you think the costs might be?

Mr. HORTON. We estimated something in the order of \$200,000.

Senator CHURCH. In Idaho \$200,000 is still a lot of money, maybe not to Washington.

Mr. HORTON. Compared with the overall costs between \$19 and \$30 million, it is quite small in ratio.

Senator CHURCH. Senator McClure, do you have any question on that particular aspect of the administration's recommendation?

Senator McCLURE. I would say ordinarily under Federal projects, the reconnaissance survey, the ordinary operating overhead of the Bureau is not allocated but the specific overhead on the specific project is ordinarily allocated to the function.

I think that is all you are seeking to do, if I understand you correctly; is that correct?

Mr. HORTON. That is correct, also in agreement with the often spoken need for timeliness.

Senator McCLURE. I have no further comments, Mr. Chairman.

Senator CHURCH. Congressman Hansen, do you have anything?

Mr. HANSEN. No.

Senator CHURCH. Finally the Department recommends a specific fish and wildlife appropriation and a deferred repayment appropriation for the Fort Hall Indian Reservation to share in the cost of the dam.

Could you give us a little more explanation of those two points, please?

Mr. SULLIVAN. The bill as drafted referred to providing facilities for recreation and fish and wildlife conservation. That term as it applies to projects like this didn't seem to us to be as clear as desirable.

The normal practice is that the cost for facilities for mitigation of losses incurred by the project to be taken care of by the beneficiaries of the project.

Then enhancement of the recreation and fish and wildlife can be handled under Public Law 98-72. The whole purpose of this change was to make that distinction clear.

Senator CHURCH. What about the Indians?

Mr. SULLIVAN. I did forget about the Indian part of your question. The Fort Hall Indian Reservation owns space in the reservoir now. Presumably there will be a need for Federal funds in order for the

Indian reservation to participate in the costs that have been incurred by the spaceholders in building the project.

The purpose of the amendment here is to make provision for a Federal appropriation so the Indian reservation can make that contribution.

Senator CHURCH. Your proposed amendment would authorize the appropriation for this money?

Mr. SULLIVAN. Correct.

Senator McCLURE. On two points, the second one I agree with. The fact that the Indians will benefit should be recognized. On recreation benefits, there are two points to be raised.

I get some people who are concerned about the recreation benefits under the private plan as distinguished from the Federal replacement. You are making clear there will be a Federal involvement to the extent of wildlife and recreation enhancement.

There is another point to be made and I should have asked the question when the Governor was testifying, with respect to the plans under the State Recreation Plan for the expenditure of the State's portion of water conservation funds on recreation facilities at the reservoir.

I wonder if the Governor might make some comment to that.

Governor ANDRUS. If I may respond to that, Mr. Chairman.

Senator CHURCH. Yes, indeed.

Governor ANDRUS. I would like to point out, Mr. Chairman, as Senator McClure points out, this is true. The State does have a recreation plan but it is not predicated upon whether we do this with private interests or with public interests within the replacement of the structure.

The recreational plan is designed and will be carried out. The time element is not involved in there, Senator. But these plans do include recreational enhancement.

Also, the fish and game department has wildlife habitat and more particularly the goose nesting facilities involved at this site also. So, yes, there will be an enhancement, but really we plan to do this whichever way the decision for construction will go.

Senator McCLURE. The point I sought to make by this is that the decision to go under one of these plans or the other will not adversely affect the recreation and wildlife enhancement plans which are under way. They will be done under either plan.

Governor ANDRUS. That is true. I hate to say on a given date, because as you say, should we face impoundment or problems beyond our control, we will run into a delaying situation, but the State's recreation plans do include some participation around there.

Also, there are other entities of Government such as county or city that have plans around this body of water.

Senator McCLURE. Thank you very much.

Senator CHURCH. One final point I would like to make, Mr. Secretary. It is not in the nature of a question. You are fully aware of the urgency of getting on with the replacement of this dam and the calamity that could befall irrigated agriculture in southern Idaho, and therefore all of Idaho, if we ran short of water, I am pleased the administration has given this endorsement to the alternative proposal

because I think it gives us the best chance to get the dam replaced in the shortest possible time.

Also the full utilization of the falling water for the purpose of generating electricity never has been achieved at the existing dam site. I think that would be very much in the public interest.

What I would like to ask of you and the administration is your affirmative effort to move this bill along in the House of Representatives before the House Interior Committee after the Senate has acted upon it, because time is of the essence here.

The support of the administration in that regard will be most important.

Mr. HORTON. I can give you that assurance fully; yes.

Senator CHURCH. I have no further questions, Senator McClure, do you have anything?

Senator McCLURE. I don't think I have any questions.

I would like to make a couple of comments to welcome the Secretary here in his first official appearance in support of legislation. I am happy it is one that affects us. We are glad to have you here and to welcome Ed Sullivan before this committee again. I want to take this opportunity to publicly state what I think needs to be stated, namely that we in Idaho have the Bureau of Reclamation as a good friend. We value the presence of the Bureau of Reclamation, and we are delighted that it is still in Boise. We hope to keep it there, I might say, Mr. Secretary.

We are now undergoing a crisis that confronts the world supply of food. But over the last few years some people have been telling us that we need not be concerned about food supplies; that we had an abundance that was beyond all necessity and that there was a surplus that was plaguing us. But then by virtue of a very small reduction in supply with relation to demand, which was actually an increased supply but a supply that increased less rapidly than demand, we saw prices that have immediately brought an outcry from all of our friends in urban areas of this country. I think this just underscores the importance of the activities of the Bureau of Reclamation in the Western United States and the importance of agriculture as a fundamental part of our economy in this country.

This project just happens to be one of the first to come before the Congress in the new awareness of the critical nature both of supply and of the agricultural sector of our economy.

Again, I am grateful that these things come to focus on a concern of Idaho because I think it indicates this importance and that we will be able to get this legislation moved out.

Thank you.

Senator CHURCH. That leaves the Federal Power Commission to be heard from and we expect to hear from them, too.

[The comments of the Federal Power Commission were included previously herein.]

Mr. Secretary, we appreciate your testimony and, Ed, we appreciate your being here.

Mr. HORTON. Thank you.

If I can add a concluding remark in thanking Senator McClure for his comments that there is a degree of personal pertinency here

since my home State of Wyoming is happy to provide some of the source waters to the great Snake River.

Senator McCURE. I would like to say the last time Jackson Reservoir, and I will never refer to it as Jackson Lake because I want people to understand that it is a reservoir, the last time it got drawn down to the point of mudbanks being exposed before the tourist season expired, we heard a great deal about it.

I suspect with the current operating restrictions on the American Falls Dam that the likelihood of that occurring again is very greatly increased.

I think we had better brace ourselves for the outcry that will come when somebody from Chicago drives into Jackson Hole and sees mudbanks instead of water in late August of this year if that should occur. Because certainly the requirements of the people who built that dam for irrigation and the requirements of irrigation on that land in Idaho come first.

We are conscious of the difficulties of management and we appreciate the Federal agencies' efforts responsible for that management and I am confident that when we need water that water is going to be here, even though some of our friends will go into the fine State of Wyoming and find it dry.

Mr. HORTON. We share a common ground in desiring to avoid the outcries that will be heard around the world.

Senator CHURCH. Well, thank you very much, gentlemen.

Our next witness is Mr. Tom Olmstead of Twin Falls Reservoir District.

Tom, we are happy to have you here today. You may proceed with your statement.

Mr. OLMSTEAD. I have a six-page statement, rather lengthy and quite a bit of it is repetition and if you will submit it for the record, I will summarize.

Senator CHURCH. Good, you set a precedent and I hope others will remember it.

#### **STATEMENT OF TOM OLMSTEAD, TWIN FALLS, AMERICAN FALLS RESERVOIR DISTRICT**

Mr. OLMSTEAD. My name is Tom Olmstead. I am a farmer and cattle rancher and I live at Route 2, Twin Falls, Idaho.

I serve on the board of directors of the American Falls Reservoir District. I am also a member of the Twin Falls Canal Co., board of directors and I am a past member of the Idaho Water Resource Board and the Western States Water Council.

I am engaged in a cattle feeding operation with my father and my two brothers. I am proud to say that I am a bona-fide farmer, and my income is from farming, ranching, and cattle feeding. With this background and as a water user out of American Falls Reservoir, I want to stress the extreme emergency that does exist.

I am proud to appear at this hearing representing the American Falls Reservoir District. The American Falls Reservoir District is an irrigation district formed under the laws of the State of Idaho.

The district was originally organized at the time of the original construction of the American Falls Dam.

As members of the committee may or may not know, the American Falls Dam was originally constructed under an unusual arrangement. Those irrigation companies that wished to purchase storage water in the American Falls Reservoir banded together and formed the American Falls Reservoir District, held a bond election, sold bonds, and paid cash in advance for their share of the space in the American Falls Reservoir.

Since that time, the American Falls Reservoir District has operated as the coordinating agency between the Bureau of Reclamation as owners of the dam, and the five operating companies represented in the American Falls Reservoir District.

The district represents approximately 490,000 acre-feet of space in the American Falls Reservoir when the reservoir was operating at full capacity of 1,700,000 acre-feet. The American Falls Reservoir District represents in total acres approximately 440,000 acres of land.

The companies that comprise the American Falls Reservoir District are the Twin Falls Canal Co., the Woodville Canal Co., and the Martin Canal Co. Each have varying amounts of American Falls storage water which they own through their participation in the American Falls Reservoir District.

In the opinion of the spaceholders, the restriction order of October 1972, created an immediate emergency. To companies that comprise the American Falls Reservoir District, the North Side Canal Co., relies to the largest extent upon their stored water rights. The other companies in the district have natural flow rights. For those companies, American Falls used for the last irrigation and the maturing of most crops, especially sugar beets, and potatoes. Without American Falls water available, these crops would probably not be grown by the local farmers.

The loss of one-third of the American Falls storage capacity by the restriction order brought the spaceholders together on common bases to remedy the emergency situation.

Following the adoption of a resolution by the American Falls Reservoir District board of directors, all American Falls spaceholders were called together and an informal association was formed. From that spaceholder meeting, an executive committee was designed to proceed to evaluate all alternatives toward the earliest possible replacement of the American Falls Dam.

In early March, spaceholders endorsed the concept of private financing for the replacement, and selected the American Falls Reservoir District as the bonding agency because of its size and because of the amount of lands which would be security for the bonds which would eventually be sold.

The spaceholders began to work, and through the cooperation of the Idaho Congressional Delegation, Senate bill 1529 as introduced, would allow us to pursue the private replacement concept.

Under Senate bill 1529, the American Falls Reservoir District, the district for which I speak, would be authorized to contract with the Secretary of Interior for the replacement of the American Falls Dam after the designs and specifications have been approved by the Secretary.

Upon substantial completion of the dam, the replacement dam would be a government dam to be thenceforth maintained and operated by the Bureau of Reclamation as a feature of the Upper Snake River project.

In substance, there will be no change in the operation of the American Falls Reservoir. The relationships of the present spaceholders shall remain the same if the spaceholders so select. The American Falls Reservoir District would then enter contracts to which the Secretary would be a party, with all of the other spaceholders for the repayment of their proportionate share of the total cost of the replacement structure.

The bill would also provide for the authorization and appropriation of Federal moneys for specific recreation and fish and wildlife facilities in the manner similar to the procedure followed by the Bureau of Reclamation in proposing the reconstruction project of American Falls Dam.

Because of the total financial exposure to the water users in a replacement situation, the American Falls Reservoir District board of directors approached the Idaho Power Co. in December of 1972, to explore the possibility as to whether or not power generation would be feasible in connection with the operation of the American Falls Dam.

The reservoir district representatives met with the Idaho Power Co., to determine if a falling water contract might be a possibility, with the insurance that no change in operation of the reservoir would be incurred and that the irrigation preference would remain the same.

The Idaho Power Co. employed the Bechtel Engineering Co. of San Francisco to evaluate the possibility and presented a written proposal to the American Falls Reservoir District Board, the executive committee of the spaceholders, and the total spaceholder organization, and at each level obtained an endorsement of the proposal.

In summary, the proposal provides that the Idaho Power Co. would be willing to enter into a falling water contract with the American Falls Reservoir District in connection with the districts replacement of the dam. The falling water contract would provide for the payment of \$19 million dollars plus tax exempt interest to the American Falls Reservoir District over a period of 40 years.

The proposal coincided with the replacement figures advanced by the Bechtel Corp. for the replacement of the dam. The Idaho Power Co. proposal fully recognized the irrigation preference, although it did require that the American Falls Reservoir District and the spaceholders cooperate in every possible way in obtaining a Federal Power Commission license for the construction of a power generation facility by the Idaho Power Co. below the dam.

It also provided that the spaceholders would be responsible for working out any environmental matters, as well as alleviating the company from any responsibility for the highway.

One of the factors on which the cost figures depend is on letting one contract include both the construction of the dam and also the powerplant, to gain the economies of a large scale project.

In short, the history I have given you is a synopsis of the history which preceded the introduction of S. 1529. The American Falls Res-

ervoir District would endorse S. 1528 only in the event that proceeding in accord with S. 1529 were to become impossible.

We are confident that if the Congress of the United States would favorably consider S. 1529 and the measure would be enacted into law, the cooperative effort between the American Falls Reservoir District, the American Falls spaceholders, and the Bureau of Reclamation would allow the earliest possible replacement of the American Falls Dam. We feel that we have unified support throughout Idaho for the proposal and we thank the Idaho congressional delegation for their help. We encourage your early and favorable consideration of S. 1529.

I thank you for the opportunity to appear before the committee today with this statement.

Thank you for your kind attention.

Senator CHURCH. Thank you Tom. I just have one question. Is there any reason at all to doubt that this money can be obtained at the low-interest rate by virtue of the tax exemption? We encountered a problem on the Swan Falls project.

Mr. OLMSTEAD. Yes; I know that. There are some witnesses here who can better answer that than I can. It is a different situation.

We seem to think we are all right, but I guess there are some problems.

Senator CHURCH. Isn't it true that we have actually experienced on the river a dry cycle where a reduced reservoir at American Falls containing only two-thirds of the capacity would be insufficient to take care of the water needs?

Mr. OLMSTEAD. Yes, sir, in some areas it would be. Where I live in Twin Falls, the two-thirds capacity would cause you some change in plans but you would still have the ability to raise a crop. Maybe not the crops you like. In other areas, the Gidding area in particular, on the north side of the river who have latter water rights, they need this desperately and all of it. They don't have enough in good years.

Their right is dependent, part of it, almost entirely from water from this reservoir.

Senator CHURCH. Yes.

Senator McClure.

Senator McCLURE. I think the record ought to be made to reflect your long experience in more than just the farming and ranching that you alluded to. I think everyone in the room knows, but the record will not reflect, that you have been active for a good many years in the Idaho Water Users Association and the Idaho Reclamation Association.

You might just state for the record how long, Tom.

Mr. OLMSTEAD. I was elected to my first water board job in 1957. I got involved in the State level at about 1958, and I have had an office of one sort or another since that time.

I was president of the Idaho Water Union Association and National Director of the NWRA today. I served there for several years. Also I served on the Idaho Water Resource Board and the Western States Water Council.

Senator McCLURE. I think it would be a fair statement that there would be a lot less magic in Magic Valley if we didn't have that water.

Mr. OLMSTEAD. There wouldn't be any magic at all, it would be just another dry desert.

Senator McCLURE. Thank you.

[The prepared statement of Mr. Olmstead follows:]

STATEMENT OF TOM OLMSTEAD, TWIN FALLS, IDAHO

Mr. Chairman, members of the committee, ladies and gentlemen:

My name is Tom Olmstead. I am a farmer and cattle rancher, and I live at Route 2, Twin Falls, Idaho. I serve on the Board of Directors of the American Falls Reservoir District. I am also a member of the Twin Falls Canal Company Board of Directors and I am a past member of the Idaho Water Resource Board and the Western States Water Council. I am engaged in a cattle feeding operation with my father and my two brothers. I am proud to say that I am a bona-fide farmer, and my income is from farming, ranching and cattle feeding. With this background and as a water user out of American Falls Reservoir, I want to stress the extreme emergency that does exist.

I am proud to appear at this hearing representing the American Falls Reservoir District. The American Falls Reservoir District is an irrigation district formed under the laws of the State of Idaho. The district was originally organized at the time of the original construction of the American Falls Dam. As members of the committee may or may not know, the American Falls Dam was originally constructed under an unusual arrangement. Those irrigation companies that wished to purchase storage water in the American Falls Reservoir banded together and formed the American Falls Reservoir District, held a bond election, sold bonds, and paid cash in advance for their share of the space in the American Falls Reservoir. Since that time, the American Falls Reservoir District has operated as the coordinating agency between the Bureau of Reclamation as owners of the dam, and the five operating companies represented in the American Falls Reservoir District. The district represents approximately 490,000 acre-feet of space in the American Falls Reservoir when the reservoir was operating at full capacity of 1,700,000 acre-feet. The American Falls Reservoir District represents in total acres approximately 440,000 acres of land.

The companies that comprise the American Falls Reservoir District are the Twin Falls Canal Company, the North Side Canal Company, the Aberdeen-Springfield Canal Company, the Woodville Canal Company, and the Martin Canal Company. Each have varying amounts of American Falls storage water which they own through their participation in the American Falls Reservoir District.

In the opinion of the Spaceholders, the restriction order of October 1972 created an immediate emergency. To companies that comprise the American Falls Reservoir District, the North Side Canal Company relies to the largest extent upon their stored water rights. The other companies in the district have natural flow rights. For those companies, American Falls water is the "topping-off" water which in normal water years is used for the last irrigation and the maturing of most crops, especially sugar beets, and potatoes. Without American Falls water available, these crops would probably not be grown by the local farmers.

The loss of one-third of the American Falls storage capacity by the restriction order brought the Spaceholders together on common bases to remedy the emergency situation. Following the adoption of a resolution by the American Falls Reservoir District Board of Directors, all American Falls Spaceholders were called together and an informal association was formed. From that Spaceholder meeting, an Executive Committee was designated to proceed to evaluate all alternatives toward the earliest possible replacement of the American Falls Dam. In early March, Spaceholders endorsed the concept of private financing for the replacement, and selected the American Falls Reservoir District as the bonding agency because of its size and because of the amount of lands which would be security for bonds which would eventually be sold. The Spaceholders began to work, and through the cooperation of the Idaho Congressional delegation, Senate Bill 1529 as introduced, would allow us to pursue the private replacement concept.

Under Senate Bill 1529, the American Falls Reservoir District, the district for which I speak, would be authorized to contract with the Secretary of Interior for the replacement of the American Falls Dam after the designs and specifications have been approved by the Secretary. Upon substantial comple-

tion of the dam, the replacement dam would be a "government dam" to be thenceforth maintained and operated by the Bureau of Reclamation as a feature of the Upper-Snake River Project. In substance, there will be no change in the operation of the American Falls Reservoir. The relationships of the present spaceholders shall remain the same if the spaceholders so elect. The American Falls Reservoir District would then enter contracts to which the Secretary would be a party, with all of the other space-holders for the repayment of their proportionate share of the total cost of the replacement structure.

The Bill would also provide for the authorization and appropriation of Federal monies for specific recreation and fish and wildlife facilities in a manner similar to the procedure followed by the Bureau of Reclamation in proposing the reconstruction project of American Falls Dam.

Because of the total financial exposure to the water users in a replacement situation, the American Falls Reservoir District Board of Directors approached the Idaho Power Company in December of 1972 to explore the possibility as to whether or not power generation would be feasible in connection with the operation of the American Falls Dam. The Reservoir District representatives met with the Idaho Power Company to determine if a falling water contract might be a possibility, with the insurance that no change in operation of the reservoir would be incurred and that the irrigation preference would remain the same. The Idaho Power Company employed the Bechtel Engineering Company of San Francisco to evaluate the possibility and presented a written proposal to the American Falls Reservoir District Board, the Executive Committee of the Spaceholders, and the total Spaceholder Organization, and at each level obtained an endorsement of the proposal. In summary, the proposal provides that the Idaho Power Company would be willing to enter into a falling water contract with the American Falls Reservoir District in connection with the districts replacement of the dam. The falling water contract would provide for the payment of \$19,000,000 dollars plus tax exempt interest to the American Falls Reservoir District over a period of forty years. The proposal coincided with the replacement figures advanced by the Bechtel Corporation for the replacement of the dam. The Idaho Power Company proposal fully recognized the irrigation preference, although it did require that the American Falls Reservoir District and the Spaceholders cooperate in every possible way in obtaining a Federal Power Commission license for the construction of a power generation facility by the Idaho Power Company below the dam. It also provided that the spaceholders would be responsible for working out any environmental matters, as well as alleviating the company from any responsibility for the highway. One of the factors on which the cost figures depend is on letting one contract include both the construction of the dam and also the power plant, to gain the economies of a large scale project.

In short, the history I have given you is a synopsis of the history which preceded the introduction of SB 1529. The American Falls Reservoir District would endorse SB 1528 only in the event that proceeding in accord with SB 1529 were to become impossible.

We are confident that if the Congress of the United States would favorably consider SB 1529 and the measure would be enacted into law, the cooperative effort between the American Falls Reservoir District, the American Falls Spaceholders, and the Bureau of Reclamation would allow the earliest possible replacement of the American Falls Dam. We feel that we have unified support throughout Idaho for the proposal and we thank the Idaho Congressional delegation for their help. We encourage your early and favorable consideration of SB 1529.

I thank you for the opportunity to appear before the committee today with this statement.

Thank you for your kind attention.

Senator CHURCH. Our next witness is Mr. Everett Daubner, who is a rancher and farmer in the area.

**STATEMENT OF EVERETT DAUBNER, FARMER AND RANCHER,  
GOODING, IDAHO**

Mr. DAUBNER. I am Everett Daubner of Gooding, Idaho.

For many years I have been actively engaged in farming and stock raising in this area.

I represent the American Falls Reservoir District No. 2 of Shoshone, Idaho, an irrigation district comprising 98,667 acres in Lincoln, Gooding, and Jerome Counties in south-central Idaho.

My association with the American Falls Reservoir District No. 2 dates back to its formation on July 15, 1925. On that same date I was elected a member of the first board of directors. I remained on the board of directors for many years.

On September 21, 1927, the U.S. Government entered into a contract with the American Falls Reservoir District No. 2 to construct an irrigation system including a large diversion canal from Milner Dam on the Snake River to the North Gooding Canal of the Big Wood Canal Co. of Shoshone. In addition, 23.53 percent of the total capacity of the American Falls Dam, within limits and on terms and conditions provided in the contract, was assigned to the district.

This percentage, so long as the reservoir had an active capacity of 1,700,000 feet, was to be treated as the equivalent of 400,000 acre-feet of the active capacity.

The construction cost of the system and the 400,000 acre-feet of storage in the American Falls Reservoir totaled about \$6,685,208,000. \$5,776,485 of this amount has been repaid by the water users of the district.

The problem now is the drastic 33 percent cut in the stored water and the time it will take to replace the present failing dam. It is of interest to note these following comments from early reviews of American Falls Dam:

1. From May 12, 1928, report of A. J. Wiley, consulting engineer:

Ice Pressure: This being a strictly storage reservoir, in which the reservoir will naturally be drawn at the end of the irrigation season and filled during the spring flood season, no provision has been made in the design for ice pressure. Accordingly, no condition should be allowed to rise which will cause a full or nearly full reservoir in the winter season.

2. From August 1, 1928, report of Major I. S. Butler, Corps of Engineers:

Stability of the Sections: The various sections of the dam have been checked for stability against overturning, excessive pressures and sliding, and for normal water pressures to which they may be subjected, they are believed to be safe. However, for the usual consumption of the ice pressure applied at normal high water and for upward pressure under the foundation varying from full pressure on upstream side to zero pressure at one-third distance of base, the condition of stability as shown by the calculations is not at all favorable. It is therefore recommended that the lake level during the winter months be lowered so as to avoid any excessive ice pressures on these structures. It is assumed that the present careful supervision and inspection system to prevent excessive pressures over the foundation will be continued to insure the proper operation of the drainage system.

If the deterioration of the dam continues there is a possibility that even the drastic cut of 33 percent may be increased by the U.S. Bureau of Reclamation for safety reasons.

On page 2, dated December 1972, American Falls Dam replacement by the U.S. Department of the Interior, Bureau of Reclamation, we read:

Because the concrete deterioration is continuing, further storage restrictions appear to be inevitable until little or no water can be stored in the reservoir. This situation would cause financial failure for hundreds of farm operators and severe economic hardship for others. These events would in turn cripple the

upper Snake River Basin's overall economy, which is heavily based on irrigation agriculture. In addition, important flood control, fish and wildlife, recreation, and other benefits would be lost.

In the same report on page 3, we read further:

Construction of the replacement dam could be completed within 5 years after first construction funds become available.

There does seem to be a way out for those who have water rights in the American Falls Dam, but it is our understanding it would take some enabling legislation by Congress to make it available.

The Idaho Power Co. has come up with a proposal which could expedite the dam's replacement, save time and save money for both the water users and the Government. Briefly, the power company is proposing to pay almost the entire cost of a new American Falls Dam and complete the project 14 months after construction is started.

Details of the plans and its financing will no doubt be explained by others.

At a meeting held in Burley, Idaho, recently, water users with rights in the American Falls Dam were nearly unanimous in approval of the Idaho power proposal.

Senator CHURCH. Thank you for a fine statement.

Tell me whether you know of any dissent of water users served by the area?

Mr. DAUBNER. I have heard of none, Senator.

Senator CHURCH. I have heard of none either. It has to be an awfully good proposal if water users can't find something wrong.

Mr. DAUBNER. That is true. I have been associated with them for a long time.

Senator CHURCH. Senator McClure.

Senator McCLURE. Just this, Mr. Chairman. I appreciate a couple of the excerpts in your statement because they underscore something I had not seen in print before, but nevertheless suspected. That is that the changes of operation of the river which have increased the level of the reservoir and increased ice pressures on the dam were a part of the problem.

It seems the continuing deterioration of the dam itself has changed the nature of the problem and I suspect that is one reason why there is such a meeting of the minds.

Thank you very much.

Senator CHURCH. Thank you very much.

Our next witness is Mr. Wendell Johnson, farmer and rancher in the Richfield area.

Mr. Johnson, we are pleased to have you here today.

**STATEMENT OF WENDELL JOHNSON, FARMER AND RANCHER,  
RICHFIELD, IDAHO**

Mr. JOHNSON. My name is Wendell Johnson. I am a resident of Richfield, Idaho. I am the owner-operator of a family ranching operation in Richfield and Dietrich, Idaho.

I am on the board of directors of the American Falls Reservoir District No. 2 and, also, on the board of directors of the Big Wood Canal Co.

This irrigation project is quite complicated inasmuch as there is an overlapping of the two projects, with approximately 61,000 acres under the American Falls Dam and about 38,000 acres under the Magic Dam, the latter dam being located in Camas and Blaine Counties, Idaho.

Magic Dam holds 191,000 acre-feet, which, with the stream flow of Big Wood River, Malad River, and Little Wood River is an adequate supply when there is an ample carryover and normal precipitation.

To further complicate the situation, if the American Falls side is short of water for an extended period of years, the users under the Milner Canal can, according to the contract, demand and receive water from Magic Dam sources.

On the other other hand, in the event that Magic Dam is short, it is physically impossible for the Magic users to receive American Falls water.

The American Falls Dam is vitally important to this project as it supplies water to approximately 61,000 acres of diversified farm ground. We are in an area which is made up of mostly family-type farming operations with almost no large corporation operations.

The entire area is dependent upon the success of the irrigated farms. The annual precipitation in this area is about 10 to 12 inches, coming mostly in the winter in the form of snow with summer precipitation being mostly thunder showers. It is obvious therefore that we are entirely dependent upon irrigation for our livelihood.

We are not operating under very severe restrictions on the old dam in American Falls—almost 400,000 acre-feet short of capacity—due to the unsafe dam. The 400,000 acre-feet restriction falls most heavily on American Falls Reservoir District No. 2 because this is the only storage that we have and we have four-seventeenths of the storage in American Falls Reservoir; thus, the seriousness of the situation is apparent.

One year, with 50 or 60 percent water supply, would severely hamper farming operations. Two years would put a lot of small operations in bad financial trouble. I would like to explain what this means in the terms of dollars per acre.

Let us take livestock for an example. With ample irrigation one can graze one cow and 1 calf on 1 acre for about 6 months which, at today's prices would result in approximately 450 pounds of beef production and, based upon 60 cents per pound, would result in a gross return per acre of \$270. Without irrigation it would take approximately 24 acres to run the same cow and calf. The calf would weigh about 400 pounds and at the same price of 60 cents would yield \$240 for a gross return of only \$10 per acre.

Compare, also, a crop of wheat in our area. Irrigated land would yield approximately 120 bushels, and at \$2.25 per bushel a gross yield of \$270 per acre.

On the other hand, one would expect about 30 bushels on dry land which at the same price would have a gross yield per acre of \$67.50.

Even these figures are based upon the assumption that we have good summer rains. Without them, crop failure would be a certainty for the grain and would result in a reduced carrying capacity and a much smaller calf in the livestock operation.

This area raises about 11,000 acres of row-crops, such as potatoes, beets, corn, and peas. These crops simply cannot be raised without ample irrigation water.

Another factor to be considered is the fact that this project is not a new proposed project, but an old established one that has had enough water for irrigation for the last 30 years.

This fact makes an extended water shortage very hard to bear because the operating units are set up and organized on the basis of an abundant water supply and are, therefore, much smaller than would be required if the units were either short of water much of the time, or had only a reduced amount of water available every year.

One thing that came to mind while we have been discussing this this morning is everybody has said if we are short. It is not a matter of if we are short on our project. We are definitely short this year.

The spaceholders are urging that legislation be passed which would permit the spaceholders, through private financing, to rebuild the American Falls Dam. This position is taken, not as a result of any conflict with the Bureau of Reclamation, but for two very compelling reasons.

The first, and most important, is the element of time. All of the information thus far given to the irrigators is to the effect that, if replacement is made by the Bureau of Reclamation, it might not occur for as much as 10 or 12 years, or even longer. I have heretofore tried to indicate that this is a real matter of survival.

The second reason is the matter of cost. For owners of approximately 75,000 acres in the district, this will represent a third system that the farmers will have paid for, if it is constructed under the Bureau of Reclamation plan.

The original Carey Act project, developed by the Idaho Irrigation Co., which is now the Big Wood Canal Co., developed the system at a cost of \$7,096,703. After a long history of short water years, due to over-subscription and sale of land, American Falls Reservoir District No. 2 was formed, including an additional 20,000 acres.

The cost for the storage and distribution system amounted to another \$6,685,208. The farmers included in the additional 20,000 acres, consisting of 203 farmers, still have a total of \$918,723 to pay on the contracts which will extend until the year 2000. Now we are faced with a \$20 million construction cost for a new dam. On top of this, it will cost, if available, approximately \$67,500 per year for supplemental water until a new dam is constructed.

In light of these facts, 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.

We are not here asking for a handout, as is so popular in this day and age of "let Uncle do it."

The original dam has failed, even before it has been paid for and yet all we ask is for the necessary legislation to let us help ourselves.

Thank you.

Senator McCLURE. I might just advise you that we are having a roll call on the floor of the Senate right now. That is the reason Senator Church left. As soon as he gets back I will go and we will try to keep the hearing going.

I do appreciate your statement and I think the two things that you stress are a common theme through all of the statements.

The first and most important is the element of time; is that correct? And the second one is that you are not asking the Federal Government to do anything other than allow you to do it yourself?

Mr. JOHNSON. That is correct.

Senator McCLURE. Thank you very much. It has been very helpful.

Mr. JOHNSON. Thank you.

Senator McCLURE. The next witness is Adonis Neilson, attorney for the Burley Irrigation District.

**STATEMENT OF ADONIS NEILSON, ATTORNEY AND FARMER,  
REPRESENTING THE BURLEY IRRIGATION DISTRICT**

Mr. NEILSON. Thank you, Mr. McClure.

I am Adonis H. Neilson, attorney for the Burley Irrigation District and Milner Low Lift Irrigation District make the following statement:

I was admitted to practice law in the State of Idaho on December 14, 1926. I came to Burley, Idaho on January 12, 1929, and have been a resident of Burley since that date.

I was the owner of a farm within the confines of the Burley Irrigation District until Christmas of 1972, when the farm was deeded to our children.

The following facts are given to aid your committee in making its determination regarding the replacement of American Falls Dam on the Upper Snake River in Idaho.

1. The Burley Irrigation District lands comprise 48,000 irrigated acres. They are located along the Snake River. Burley Irrigation District has 157,942 acre-feet of storage space in American Falls Dam and Reservoir on the Snake River.

This storage space is three-fifths of the storage water space belonging to the Burley Irrigation District. Burley Irrigation District was one of the early districts to have storage space on the Snake River for the irrigation of its lands.

The Burley Irrigation District had storage space in Jackson Lake and was requested by the Bureau of Reclamation of the United States to change that storage space to the storage space behind the American Falls Dam, with the understanding that such transfer would not be detrimental to the interests of the Burley Irrigation District.

2. The city of Burley with its approximate 10,000 inhabitants is located within the confines of the Burley Irrigation District on the banks of the Snake River. Most of its inhabitants depend on agriculture for their living. The city of Burley would be directly in the path of any floodwaters that would occur because of the breakage of the American Falls Dam.

The Bureau of Reclamation of the United States has informed the Burley inhabitants that there is no immediate danger of the dam breaking. However, there is still a feeling of uncertainty of many residents of the city of Burley and the Burley Irrigation District to what would happen if the American Falls Dam is not replaced within a very short time.

The city of Burley and the Burley Irrigation District would receive great damage from any breakage of the dam. A restriction of 11 feet down from the top of the dam has been placed by the Bureau of Reclamation of the United States on the storage space in the American Falls Dam. This elimination caused by a decrease of one-third of the water stored behind the American Falls Dam.

The Bureau of Reclamation of the United States in the event the dam continues to deteriorate will eliminate more of the storage space to the great damage of the Burley Irrigation District.

3. If the Burley Irrigation District is unable to get water from the American Falls Reservoir, there would be a loss of approximately \$10 million to the farmers and livestock owners and a great loss to the mercantile establishments in the city of Burley each year.

4. Milner Low Lift Irrigation District has 45,687 acres of storage space in the American Falls Reservoir. This storage space is the only storage space which 9,459 acres of the Milner Low Lift Irrigation District has and the Milner Low Lift Irrigation District depends entirely for its storage water from the water stored in the reservoir behind the American Falls Dam.

5. The Milner Low Lift Irrigation District pumps water out of the river that is backed up by the Milner Dam which is located approximately 70 miles west of American Falls Dam.

In the event the American Falls Dam broke the Milner Dam would be swept away and the Milner Low Lift Irrigation District would not have any means of obtaining water. In addition to the destruction of the Milner Dam, all the pumping installations of the Milner Low Lift Irrigation District would be completely wiped out.

6. There are two bills now before Congress which have been submitted by the space holders of the American Falls Dam and Reservoir, regarding the replacement of American Falls Dam. The Burley Irrigation District and the Milner Low Lift Irrigation District request the passage of Senate bill No. 1529.

Now, it is true that the Bureau of Reclamation has said they don't think the dam will break. But when you read of other dams breaking around the country, we wonder if that can happen there. So we do have that fear.

Senator McCURE. There is no tendency on the part of any of the water users at this time to challenge the decision of the Bureau of Reclamation of safety?

Mr. NEILSON. No. At all of the water meetings we have attended and I am on this committee of eight that was appointed to more or less spearhead this, no, there hasn't been.

Senator McCURE. Thank you very much. I think you have added to the record and I appreciate your statement.

Mr. Howard Corless is the next witness.

Welcome to the committee, Howard.

I have 5 minutes, I am afraid, to get over to the Capitol to vote, so we will have to suspend until Senator Church gets back and we can pick up from there.

[Recess.]

Senator CHURCH. The hearing will please come back to order.

I am sorry about the interruption but we may be called back to the floor from time to time by rollcall votes. I hope we don't have a series of those votes.

Mr. Corless, you had not started your testimony yet when Senator McClure adjourned the hearing. Why don't you proceed.

**STATEMENT OF HOWARD CORLESS, FARMER AND RANCHER, RUPERT, IDAHO, REPRESENTING MINIDOKA IRRIGATION DISTRICT**

Mr. CORLESS. All right.

My name is Howard S. Corless of Paul, 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 have been so engaged in this occupation since 1934, except for interruptions occasioned in obtaining an education. I am also appearing before you as a director of Minidoka Irrigation District which is located in Minidoka and Cassia Counties, State of Idaho.

The lands lying within Minidoka Irrigation District often referred to as the gravity division of the Minidoka project which was authorized by Congress in 1904.

Minidoka Dam and spillway was completed in 1906 and water deliveries started in the year 1907 from the Minidoka Dam to the lands within Minidoka Irrigation District.

The district was formed and commenced operation and maintenance of this project in 1916. There are approximately 1,690 farm units in Minidoka Irrigation District, consisting of 72,369.47 acres of irrigable land. Crops grown upon lands within the district are barley, oats, wheat, mixed grain, alfalfa, pasture, sugar beets, potatoes, beans, sweet corn, silage, and alfalfa and clover seed.

These lands are entirely dependent upon a water supply for irrigation to enable crops to be grown thereon. As this subcommittee knows, this is arid country and it is impossible to grow any crop without irrigation.

All of the irrigation water appurtenant to the lands within Minidoka Irrigation District are obtained from the Snake River.

Besides certain natural flow rights, Minidoka Irrigation District holds storage in Jackson Dam and Reservoir, American Falls Dam and Reservoir, Palisades Dam and Reservoir, and Minidoka Dam and Reservoir.

In 1972, Minidoka Irrigation District diverted 534,119 acre-feet of water for the irrigation of lands within the district. The maximum storage capacity, of the district, with full storage at American Falls, is 367,887 acre-feet of water; 83,563 acre-feet is derived from American Falls Dam when water is stored at American Falls without restriction to its full capacity of 1,700,000 acre-feet.

In the year 1934 our area suffered a severe drought. During that year, American Falls Reservoir filled with 1,031,000 acre-feet, I was engaged in farming on my own for the first time, with one-half of the land I was renting planted to grain and the other one-half to potatoes.

By the first part of August 1934, all irrigation water had been used and no further irrigations were possible.

As a result, the potato crop was a failure, as were all other potato crops in the district. Of course, the only loss in 1934 was my seed and labor. Today, it is necessary to expend nearly \$400 per acre to raise a potato crop.

It would be impossible to continue to farm should we experience a crop failure as a result of the lack of water. Other crops such as beans and sugar beets are equally affected if there is not sufficient water to finish the crop to maturity. A partial supply of water is not sufficient.

It is impossible for anyone to forecast when we will have another year such as we experienced in the year 1934.

For this reason, it is absolutely necessary that we maintain all water storage facilities to obtain full storage capacities.

The cities of Rupert, Heyburn, Paul, and Accquia are dependent upon the agricultural economy of this area. Minidoka Irrigation District and all persons concerned with the irrigation of lands with water from American Falls Reservoir recognize the need to rebuilt American Falls Dam as quickly as possible.

We cannot afford to take the chance that a restriction of one-third of the normal capacity in American Falls Reservoir will provide sufficient irrigation water every year.

Speaking on behalf of Minidoka Irrigation District and all water users therein, we respectfully urge that Senate bill 1529 be reported favorably from this committee. As a result of studies made by all spaceholders within the American Falls Reservoir, we have concluded that construction of a new American Falls Dam can be realized within the shortest possible time under the provisions of Senate bill 1529.

The loss that could occur in southern Idaho should we experience a short water year at a time when American Falls Dam is being operated with a restriction on its storage is of such a magnitude that any delay in the replacement of the existing American Falls Dam results in a gamble which the people of southern Idaho are not willing to experience.

I might add, this is not in my prepared statement, but we recognize the need of a river crossing and we have no opposition to this new crossing that has been proposed as part of this bill.

Senator CHURCH. Thank you very much, Mr. Corless. I think your testimony underscores the fact that we are not talking about a theoretical situation. You already experienced this in your career as a farmer.

Mr. CORLESS. You bet I experienced it. That was my college money. I didn't go to college that year.

Senator CHURCH. So this would be a disaster of unprecedented proportion, would it not?

Mr. CORLESS. It really would. It was disastrous that year and it would be a greater disaster if it occurred again.

Senator CHURCH. Senator McClure, do you have any further questions?

Senator McCLURE. I have no questions.

Senator CHURCH. All right.

I would like next to call on Joe Allen. Joe is the State senator and chairman of the American Falls Bridge Commission.

Joe, it is nice to have you before the committee.

**STATEMENT OF JOE ALLEN, STATE SENATOR AND CHAIRMAN OF  
THE AMERICAN FALLS BRIDGE COMMISSION**

MR. ALLEN. Mr. Chairman, Senator McClure, other interested members in the group that are here on this very vital situation. I have a prepared statement, but I think I will deviate from that and just briefly say who I am.

I am Joe Allen, chairman of the American Falls Bridge Committee. I live 12 miles northwest of American Falls.

We have farmed west of American Falls for the last 20 years and we have a real interest in the river crossing, of course.

About 8 years ago a group of us got together and began to explore ways of enlarging and improving the river crossing.

We met with some of the people here in Washington, congressional delegation. I think Congressman Ralph Harding worked very hard for us as did Senator Church to try to effect some way to widen the present dam and strengthen it at the river crossing. But we have been thwarted any number of times in this.

First it was because of financing. We couldn't get any financing, the Bureau wasn't willing to contribute additional money to do this. Later the entire dam had to be replaced. This held it up for a number of years. Then the water users weren't satisfied that it was necessary. It just took another year with a private study to determine that it was actually necessary to replace the dam.

In the meantime our traffic has mushroomed with the addition of the land western plant and the expansion of the potato processing plant with hundreds of workers crossing the dam every day.

In addition to that literally thousands of new acres of ground have been put under sprinkler irrigation west of the dam and have been intensively cropped producing every other year.

We estimate now that there are probably \$25 million worth of agricultural crops that cross the dam annually. In addition to all of the petroleum, fertilizer, and probably 2,000 semitruck loads of processed potato products that cross it.

Most of you were on the tour that we took last year. Senator McClure couldn't be there, but we personally toured it with him at one time, and I am sure all of you realize the urgency of not only replacing the dam, and we go along with this 100 percent, our committee, we think it is very vital and should be done as soon as humanly possible. But we think there is at least as great, if not greater, urgency to have a new river crossing.

We have worked very closely in recent weeks at least with the water users. We have set up a new committee or subcommittee. Six of our members of the American Falls Bridge Committee which incidentally in my written testimony shows it is a broad spectrum of our population. The mayor of American Falls, Aberdeen, the representative of the chamber of commerce, not only American Falls and

Aberdeen, but the mayor of Pocatello, and we all agreed that this river crossing has to be effectuated as soon as possible.

We have had serious accidents there recently and now we have one way traffic and at times you are held up 20 minutes to even cross the river.

So it is much worse than it was, Senator, when you were there last fall. We think that in harvest this is going to be a disaster. When the Land Western shift changes there is as high as a 20-minute wait now.

You add this to the thousands of trucks that have to cross there with their huge loads of produce and grain and sugar beets and this starts in July and runs almost continuously through November.

We think it is going to be a nightmare. We don't know how we can accomplish it. If we hold up the harvest of these crops then the weather could set in on us and we could actually lose these crops.

Just 2 years ago we lost a substantial portion of the sugar beet crops. It could amount to millions of dollars that we would lose because we cannot transport the product of the warehouses or the beet piles or whatever it is.

So we think it is an extreme emergency. We have compromised now with water users very recently in this subcommittee and we have an amendment to offer. I don't have it, but one of the other people will submit this amendment. We have agreed to this amendment and with this our committee can support S. 1529 with the possible reservation that we do not want the four bay fishing eliminated. We want the fishing enhanced in the American Falls area. We think this is a must, it is the most excellent fishing in the State of Idaho and of course we have some of the best fishing in the United States there, so our people have come to us and said, now, can you handle this in your committee.

We have assured them we can. We have enlarged our committee and we think it is very representative of our total area and respective communities and we have told them, yes, we will testify in favor of protecting our fishing, and even enhancing the fishing and the wild-life and the total environment.

So our committee assumes this responsibility. Not just for the bridge, but for the total aspect of the impact on our area.

We are blessed, incidentally, that we have been able to compromise with the water users and we support them and they have given us their word that they will support us and the big thing we want, being absolutely necessary, is that funds are available, either private funds or State funds, State highway department funds or funds from our State legislature in combination with any Federal funds we can get to move ahead just as soon as possible and get the bridge built.

We have some tentative plans that the bridge can be built separately above the railroad track and between the railroad tract and the contemplated new dam and we have hopes this can be done prior to building the new dam.

We enlist your support. We thank you for the opportunity of meeting here and there are other statistics in my report, but I think I will bypass those and say we do appreciate coming here, and we again want to emphasize the urgency of the crossing as well as the urgency of the dam.

Thank you.

Senator CHURCH. Thank you very much.

Your written statement will be included in the record. It contains some very interesting statistics with respect to the traffic that now has to traverse the dam. Two-and-a-half to 3 million sacks of potatoes crossing each year, up to 25 to 150 thousand tons of sugar beets, 2½ million bushels of grain, \$4.5 million worth of hay and livestock and 4,000 semitruck-loads of finished potato products, all of which, according to your figures, represent commodities that in the aggregate are worth around \$25 million.

Mr. ALLEN. Right.

Senator CHURCH. Obviously the roadway is important to the economy of the area.

Now, I understand you endorse an amendment to this bill that relates to the question of the type of highway to be built; is that correct?

Mr. ALLEN. That is correct, Senator.

Senator CHURCH. The amendment reads as follows:

The constructing agency 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. This crossing shall be located on top of the replacement dam or immediately downstream. This crossing shall be financed by state, federal, private funds or any combination thereof that the construction agency deems appropriate.

That is the first paragraph of the proposed amendment.

Now, I take it by that language you seek to impose a requirement for the construction of no more than an adequate two-lane highway that meets the Federal standard; is that correct?

Mr. ALLEN. That is correct. The State highway department has given us assurance that they will contribute the funds and so forth for the additional two lanes.

It has been determined that while we are spanning the river we need to look ahead to more than just next year or 5 or 10 years because of the limited space in crossing the river.

This was the mistake made in 1972 when the present roadway built on top of the dam. We don't want that to happen again. So the State highway board and department has assured us in writing that they will contribute the moneys necessary for an additional two lanes when the river is crossed by the new dam.

But as stated in the amendment, we do want the water users and whoever constructs the dam to take the responsibility, we will work with them but we want them to take the responsibility to see that we get the initial two lanes and the State highway department will cooperate to give us the other two lanes to cross the river.

Senator CHURCH. You heard the Governor's earlier testimony on the question of State participation. Is there any problem in connection with the role of the State of Idaho that should be raised at this time, or are you satisfied that the State will fully cooperate in doing its part in the construction of an adequate highway across the dam or downstream from the dam?

Mr. ALLEN. Certainly Governor Andrus has worked just hand-in-glove with us on this. He realized the necessity of this and we appreciate it so much, and we are sure that he will do everything in

his power to get the additional funds that are necessary to help with the crossing.

We feel with the cooperation of the water users that possibly we can get some additional State funding to accomplish this. But it is going to take a cooperative effort. Until recently we haven't had that complete effort, but we had numerous meetings and we think we are in agreement now so that we can move ahead.

Senator CHURCH. Do you think it is necessary to amend this bill in order to accomplish that purpose?

Mr. ALLEN. Yes, we think it is necessary to see that we have these funds available so the bridge can be built prior to the dam or at least have the funds available so it can be built on top of the dam.

It is a nonreimbursable item, for instance, as in the other bill. This means that the U.S. Congress has to appropriate the money, as you well know. This could be delayed for years. So we think it is absolutely necessary that this language be put in there, to assure funds to build the bridge.

Senator CHURCH. Senator McClure.

Senator McCLURE. I want to be sure I understand the position with respect to the alternative of building a bridge.

Is it your thought that a bridge downstream from the dam would be financed out of the same funds as the construction of the dam or would that be an alternative to be funded at a later date?

Mr. ALLEN. This would be a combination of other funds. Under S. 1529 it is contemplated that the builder would have to have a temporary bridge and we don't know what that would cost. But it is a substantial sum. So the water users we meet with said it is useless to spend this kind of money for a temporary bridge. We would rather put that money toward a permanent structure.

Senator McCLURE. And that might obviate the necessity of putting the lanes on top of the dam?

Mr. ALLEN. It is possible.

Senator McCLURE. The amendment for construction of two lanes on top of the dam. I assume if you arrive at an agreement for the bridge, it would be a suitable alternative as far as you are concerned?

Mr. ALLEN. Yes, I believe in the original amendment it was either on top of the dam or in the vicinity. Either or.

Senator McCLURE. That is correct, but you contemplate a portion of the money that would be spent in replacement of the dam would be spent in the replacement of the crossing on top of the dam or in the bridge; is that correct?

Mr. ALLEN. That is correct.

Senator McCLURE. And you want to leave those options open?

Mr. ALLEN. That is correct. We have been informed this will probably expedite the building of the dam, especially if the bridge can be built prior. This would expedite the building of the dam and save the water users a considerable amount of money, not having to build a temporary bridge.

Senator McCLURE. It won't take a lot of money if they contributed an equal amount.

Mr. ALLEN. We might add here that we feel strongly that the water users do have a responsibility for that crossing. Were it not for the

present dam in the reservoir, we would have had a good crossing 3 years ago. It would have been a simple matter to span the river.

With the situation as it is, it is a \$4 to \$7 million item.

Senator CHURCH. At that point, I think we have to be clear as to just what the responsibility is and what requirement is imposed by this amendment.

Now, as I read the amendment, the construction agency is required and would undertake to provide for an adequate two-lane crossing. That is meeting present Federal standards and that if the Idaho Department of Highways comes up with money to provide two additional lanes, then all the better. But I wouldn't want to adopt language here that might have the effect of delaying the design and construction of the dam while we wait for the highway department first to decide and then find the money to build a four-lane road.

That is the only question I would have about this amendment. It is clear that the requirement on the construction agency is to make certain that there is an adequate two-lane highway there.

Fine, but we ought not to get hung up waiting for a four-lane highway in the way that might delay the construction of the dam.

Would you agree to that?

Mr. ALLEN. The State Highway Department has assured us in writing that they will furnish the funds and construct the additional two lanes. We worked with the Governor on this and talked to a number of legislators and we think with good cooperation we can get the job done. The water users, this is an agreement that was worked out with the representative of the water users, the committee of eight adopted this amendment.

Senator CHURCH. I understand that. I just want to be sure that there is no confusion as to what the amendment required.

What obligation is invoked on the construction agency and what obligation is imposed upon the State Highway Department, if any? We can't impose on obligation on the State Highway Department by amending this bill. If you do get full cooperation, there won't be any problem. The problem is not that, it is writing language that may create some difficulty down the line in the event that the Highway Department doesn't perform, if you don't get the money that you expect to get when you expect to get it. That is what we want to be certain of.

Senator McCLURE. I would understand that your feeling is that the water users have an obligation for a crossing and that the water users have at least agreed to the obligation which would express this amendment. That the four-lane is beyond either your sense of their obligation or their assumption of obligations.

That is within the discretion of the Highway Department. Your expectation is that the Highway Department will come through with the money for the two-lane addition to make it a four-lane crossing. In coordination with the construction schedule for the project. But I would assume with that background that if anything should happen that would render that impossible, if they did not meet the construction schedule of the project, that it is not the desire of your committee or your expectation that the project would be held up because the State Highway Department did not meet their commitment?

Mr. ALLEN. Again, we do not want to be trapped into a crossing there that is going to be inadequate down the road. Because of the narrowness of the area to span the river, we think that this language provides the wherewithal of getting the four-lane crossing and, yes, there has to be additional work done, but we think whoever builds the dam has the responsibility of helping coordinate this.

Senator McCCLURE. And apparently they have agreed they will attempt to do all they can without being able to promise you they can achieve these results?

Mr. ALLEN. That is correct.

Senator McCCLURE. One other problem that has to be explored is the question of the Four Bay fishing. Do you know whether the design contemplated for the reconstruction of the dam would reserve the Four Bay?

Mr. ALLEN. We have a member of our committee who worked on that and will be testifying. He has met with the Fish and Game Department and they tell us that the Four Bay must be maintained for adequate fishing.

Senator McCCLURE. Do you know what the financial costs of doing that is or do you want to leave that with the later witness to bring that out?

Mr. ALLEN. We don't have exact costs, but again, I would defer to Ben Caveness, a member of our committee, to address that.

Senator McCCLURE. And I assume he will be prepared to address himself to the water requirement of doing that, the impact that would have on the cost of the project and also the water use and feasibility of the project?

Mr. ALLEN. Right.

Senator McCCLURE. Thank you very much. I appreciate the fact that you are here. I know of your long attention to this project and your concern with it.

While I was not able to be there at the time the rest of the delegation was there, I do remember the two or three occasions that I was down there looking at that with you and to express my concern. That is why I think we have to recognize there are two emergencies involved here, not one.

Thank you.

Senator CHURCH. Thank you.

Mr. ALLEN. Thank you.

[The prepared statement of Mr. Allen follows:]

STATEMENT OF JOE ALLEN, STATE SENATOR AND CHAIRMAN OF THE  
AMERICAN FALLS BRIDGE COMMISSION

Mr. Chairman, Members of the Committee, Ladies and Gentlemen, my name is Joe Allen. I am Chairman of the American Falls River Bridge Committee. I live 12 miles northwest of American Falls, Idaho.

Included in our full committee are the mayors of American Falls and Aberdeen; representatives of the Aberdeen, American Falls and Pocatello Chambers of Commerce; Power County Commissioners; presidents of all the farm groups; area managers for Lamb-Weston and Western Farmers Association Potato Processing Plants; all of the state legislators from Dist. 35; the State President of the Potato Growers of Idaho; and other interested individuals. In addition to promoting the construction of a new bridge and replacement of the old dam, our group also represents the American Falls—Aberdeen—Pocatello areas in regard to Fish and Wildlife, Recreation and Ecology.

This committee which was formed about eight years ago had as its primary purpose replacement or extensive improvement of the obsolete 17½ foot wide crossing on top of the dam. This project was intially delayed for lack of funds, and more recently, has been further delayed until a decision on the dam itself was resolved.

As some of you already know, the American Falls Dam and the 17½ foot wide river crossing on top of it are in critical condition. Our committee believes that the need to replace both the dam and the bridge must receive highest priority for safety reasons as well as the potential economic loss of farm crops in southern Idaho.

Recent limitation to one-way traffic is already costing affected residents of the area thousands of dollars in lost time. The harvest crossings of grain, potatoes, and sugar beets starting in July and running almost continuously through November 15 will make the situation almost intolerable.

Following 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.

2½ million bushels of grain.

4½ million dollars of hay and livestock.

4 thousand semi-truck loads of finished potato products.

The above totals more than \$25,000,000.

When you add to this the several million dollars in fertilizer, petroleum products and machinery plus the labor force crossing this bridge to work on farms, in the potato plants at Lamb Weston and Western Farmers Association, the urgency of this project becomes very obvious.

It has now been agreed by all concerned that the dam must be replaced as soon as humanly possible because of the deterioration of its concrete which has forced the Bureau of Reclamation to reduce the American Falls Reservoir capacity by one-third.

Excellent year-around trout fishing is provided in the forebay immediately below the present dam. Our communities are very interested that the quality of fishing in this area not be diminished but enhanced when the new dam is constructed. Otherwise, we support S. 1529 with the proposed amendment and ask your help in expediting its passage.

Thank you for this opportunity to testify regarding these urgent matters.

Senator CHURCH. Our next witness is Mr. Russell Woolley from Jerome County, representing the North Side Canal Co.

**STATEMENT OF RUSSELL WOOLLEY, FARMER AND RANCHER,  
JEROME COUNTY, REPRESENTING THE NORTH SIDE CANAL CO.**

Mr. WOOLLEY. Thank you, Mr. Chairman.

On behalf of the North Side Canal Co. which is a Carey Act company charged with the responsibility of delivering the water to the stockholders of that company in Jerome County and Gooding and Elmore Counties, I have a statement I would like to submit for the record.

I am personally in the business of farming on a family sized farm, 320 acres and the restriction placed upon American Falls would, I feel, represent a serious economic loss to myself and to the members of our project who are also engaged in similar type operations.

We depend on irrigation almost entirely for our crops because of the shortness of rainfall from April to October. In the 1930's which were extremely short years, I was engaged in farming with my father and at that time we left a third of our land idle because of the shortage of water and it presented a serious economic loss to our family at that time.

I feel that now it would be much more severe due to the high cost of production and taxes. In our area potatoes and sugar beets are

some of the principal crops and it is imperative that these crops have adequate moisture late in the season so they can be harvested by mechanical methods.

If you try to harvest potatoes and beets in dry soil, there is extreme bursting and breakage and would cause more serious losses there.

When American Falls was operating at full capacity, we had approximately 2 $\frac{1}{10}$  acre feet of our available storage in that reservoir. reservoir.

With the restriction of 11 feet imposed on it now for the reason of safety, we stand to lose approximately one-third of that storage. So it is a real serious problem for our project.

So, Mr. Chairman and members of the committee, I would urge that the committee support and recommend passage of Senate bill 1529 for the earliest possible construction of American Falls Dam.

We recognize also that the bridge people have a problem that is important also and we support them in their efforts to obtain crossing at that site.

I would like to thank you for being allowed to be present and express my views.

Senator CHURCH. Your views are very helpful because you confirmed on the basis of your own personal experience the disaster of a water shortage in that part so the State which depends so heavily on this reservoir.

I think that testimony from farmers who have lived through this is very important.

Senator McCLURE. Mr. Chairman, I think the fact that Mr. Woolley's statement indicates, as we all know, that they did experience water short years in the 30's and again in the 50's underscores the likelihood of the shortages justifies emergency action.

I couldn't help but feel with you, as you say in your statement, a summer can be very long for a farmer on an irrigation tract if there is not adequate water supply. It is certainly very true.

Mr. WOOLLEY. I might say at this time we are threatened with going on our storage supply of water at one of the earlier times during the life of the reservoir. We are starting on storage early in May of this year and normally we get clear into June before we draw heavily on our storage.

Senator McCLURE. Thank you very much.

Senator CHURCH. Thank you, Mr. Woolley.

[The prepared statement of Mr. Woolley follows:]

STATEMENT OF RUSSELL WOOLLEY, JEROME COUNTY, IDAHO,  
REPRESENTING THE NORTH SIDE CANAL CO.

Mr. Chairman, members of the committee, ladies and gentlemen, I am Russell Woolley. I farm 320 acres in Jerome County, Idaho. I am a member of the North Side Canal Company Board of Directors and represent that company on the American Falls Reservoir District Board of Directors. I have farmed in Jerome County since 1937.

The North Side Canal Company is a Carey Act operating company with an intensely complex system. Our main canal runs 99 miles from its diversion at Milner Dam to the final delivery. There are many hundreds of miles and laterals. Our system encompasses portions of Jerome, Gooding and Elmore Counties. Our water supply is provided through the North Side Canal Company system for 160,000 acres.

Prior to the original construction of the American Falls Dam, the North Side Canal Company annually experienced water shortages. Even following the construction of the reservoir, and during those years in the 1930's when American Falls did not fill, shortages were experienced.

Although our company has some natural flow rights, they are late priority rights and are generally cut off early in the season. In normal years, we must rely on storage water for irrigation from some time in June through the last watering of beets and potatoes in late September or early October.

The North Side Canal Company is in fact the largest operating company spaceholder in the American Falls Reservoir. They own, through the American Falls Reservoir District, 272,234 acre-feet of water. In the 1950's after some additional water short years had been experienced, the North Side Canal Company was able to contract for an additional 124,980 acre-feet of water in the American Falls Reservoir. In addition, as an operating company, the North Side Canal Company delivers the water owned by the Hillsdale Irrigation District in the amount of 41,146 acre-feet. In total, if the reservoir were operating at full capacity, and all of the storage water were to be used, the 160,000 acres which we service would be entitled to the delivery of 438,360 acre-feet of American Falls storage water.

Because of our company's high stake in American Falls storage water, the restriction order will hit us particularly hard in other than above average years. It is a possibility that we will experience such a shortage this year. We have been advised by the watermaster of Water District No. 1 for the Upper-Snake River basin that it appears that this year the natural flow will not hold up as in normal years. We will be on storage water before the end of May of this year. Whether or not we experience an economic loss depends on many factors in 1973. If 1974 follows with a watershed which is below normal as it is this year, we might well experience substantial water shortages.

Personally I grow many varied crops, beans, peas, corn, hay, grain and sugar beets. More irrigation water is necessary prior to the harvest of beets. I also feed some cattle.

In today's economy, in an operation the size of mine, I must be involved in production of sugar beets or some other cash crop in order to make what I feel is an adequate living for my family. My income would be substantially reduced if I had to convert my total operation to hay and grain and would not be able to obtain the third cutting of hay. I think that most farmers in the North Side Canal Company system, and within the American Falls Reservoir District No. 2 system will be confronted with similar decisions during the time period that American Falls Reservoir is under restriction.

The North Side Canal Company Board of Directors has pledged their financial support in paying advanced monies necessary to do the preliminary things necessary toward the earliest possible replacement of the dam and reservoir. They have endorsed the concept of SB 1529 and encourage this committee to recommend it favorably and support its passage. Because the private replacement proposal can be accomplished more quickly, and because it will cost each water user such as myself less net dollars, I support the private financing construction alternative. As a member of the American Falls Reservoir District Board of Directors, I sense a feeling of cooperation among the Spaceholders and everyone else concerned with the early replacement of the dam. I feel that we can accomplish the replacement if the Congressional bill is enacted into law.

I recognize that SB 1528 is not controversial legislation. Its enactment would authorize an appropriate replacement at American Falls. In the event that replacement can not be accomplished in accordance with SB 1529, I assume that the Spaceholders would then attempt to obtain authorization of the replacement project through SB 1528. We recognize that time is the most important factor. A summer can be very long for a farmer on an irrigated tract if there is not an adequate water supply.

We encourage your support so that the waterusers might not find themselves in the position they were in prior to the original construction of the American Falls Dam. Thank you for the courtesies that you have extended me in allowing me to testify today.

Senator CHURCH. Our next witness is Mr. Russell Holm from Shelly. Mr. Holm is well known to the committee because of his long service on behalf of various water development projects.

STATEMENT OF RUSSELL HOLM, FARMER IN BINGHAM  
COUNTY, IDAHO

Mr. HOLM. Thank you, Mr. Chairman, members of the committee, guests.

I have a prepared statement and I will pass over many of the observations that I have observed over the last 18 years that I have been involved in the irrigation business and many other things that I have been involved in.

But I will get down to the bridge deal which I think is very critical to the construction of the dam first.

We have done quite a little bit of work on this, done some engineering. Jack Harper and Goodman Construction people have done quite a lot of surveying there to determine the feasibility of it and have come up with some pretty realistic approaches to a dam there.

In fact, if I had had clear answers, he could have gone to work the next day after we made some determinations on it and put a design engineer on the spot and he said he could do the job in 6 months but double shifting. He said he could get crossing there in less time by devoting his attention to two lanes and then going back and finishing the other two lanes.

Now, the determination—our first determination was probably thinking of myself because I am going to be here long, long after your other short lived people are gone 50 years from now, but there has been some thinking that maybe the 80-foot bridge isn't necessary.

Well, if it is or isn't, we certainly want to do the job right in the first place and the work in the river.

Mr. Chairman and faithful ones, I will relinquish now to other people.

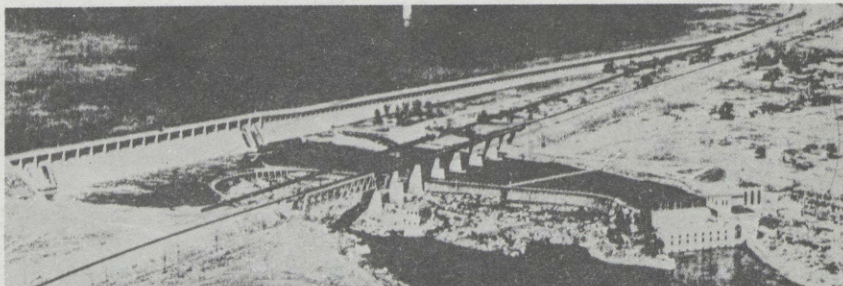
Senator CHURCH. We will see to it that all of your written testimony appears at this point in the record and I want to thank you personally for the assistance and good advice you have given over the years in connection with some other water projects you have worked on in Idaho, including the Teton Dam. There aren't many dams being built any more, as you know.

Mr. HOLM. We are having a roster completed so you will know what we are talking about, and the fishing is going to be good this year.

Thank you.

[The prepared statement of Mr. Holm follows:]

## AMERICAN FALLS BRIDGE, DAM AND POWER PLANT REPLACEMENT



MAY 10, 1973  
STATEMENT OF RUSSELL HOLM,  
AMERICAN FALLS DAM REPLACEMENT COMMITTEE

HONORABLE CHAIRMAN, COMMITTEE MEMBERS AND GUESTS:

My name is Russell Holm, Shelley, Idaho. A farmer, livestock raiser, Irrigation Director and hold several other non-paying jobs.

The Idaho Irrigation District which I represent, owns 22,911 acre feet of storage in American Falls Reservoir, 58,800 acre feet of storage in Palisade Reservoir and 13,230 acre feet of storage in the Jackson Lake-Reservoir.

Our storage in American Falls Reservoir will be reduced from the total fill of 22,911 acre feet to 13,746 acre feet or less due to the reduced level of safety.

This total storage supplement of our three reservoirs space areas amounts to 2.63 acre feet of additional water which is badly needed during late season irrigation when decreed natural stream flows are reduced.

The American Falls water users will be using storage water from American Falls Reservoir this week, a very unusual condition for this time of year.

Space holders of these upper valley reservoirs have a very fine working relationship. Those holding space in an upper reservoir may exchange space for a like amount in a lower reservoir if their land lies below such reservoir.

One reason why all reservoirs in the system should function properly and to full capacity for a full and proper means of exchange.

Some tracts under American Falls depend entirely on storage water from American Falls Dam.

Those of us with decreed natural and flood flow rights will some how lend some degree of help to those depending entirely on only storage water.

If the present pattern of run-off continues through the balance of spring and summer, many of those land owners with short supplies of irrigation water will be hard pressed to mature their late crops with-out help with additional water supplies.

The conditions in many parts of the United States and else where the world over where an abundance of food as we have become more or less accustomed to could very well become a real blessing indeed.

Unusual storm patterns have layed vast areas useless so far as the production of food and fiber are concerned.

Generally irrigation areas with firm supplies of storage water has more latitude of control in the production of food and fiber.

With a system of reclamation dams the length of the working Snake River there is also much more latitude for control of unexpected death dealing and property damaging floods.

Even with all the protective measures we try to install in these man made structures for mans protection, recreation, fish and wild life habitat, food and fiber in abundance there are still some most unbelievable things that could bring devastation down on us.

The enormous weight of the some eleven million acre feet of water in Yellowstone Lake at elevation 7737 feet above sea level, should an earth quake, the frequency of which in the area has been most frightening, open a seam between Yellowstone Lake at 309 feet deep and Heart Lake 400 feet lower, that sudden gush of such a volume of water would tax every dam structure along the Snake River.

The block on block structure of American Falls Dam could be most vulnerable. Through the Grace of God may such a thing never happen.

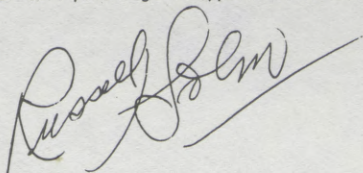
We strongly urge your consideration of our private funding for the replacement of American Falls Dam with revenues from the tumbling water generation of it's own resource as a means of taking the load of repayment off the back of the space holders who have already paid for a supposedly 100 years life dam structure.

The badly needed bridge crossing for the vast amount of produce to feed the hungry, the dam replacement ~~to~~ protect vast areas from flood or drought and the power plant for maximum use of the tumbling water as a pay off for a greater share of the two first items.

We respectively pray for your endoresement of this meritorious undertaking on the part of the space holders as a means of helping themselves.

May I also respectively request that this paper be included in the records.

Thanks most kindly for this privilege to appear before this distinguished committee.

A handwritten signature in cursive script, reading "Russell Olsen". The signature is written in dark ink and is positioned at the bottom center of the page, below the typed text.



Is this a scene which will be repeated in the not-too-distant future?

This is a photograph of the foundation lava upon which the first American Falls dam was built—the present deteriorating structure which has to be replaced. The picture was taken on June 24, 1925, and shows the final stages of washing dirt from lava before the dam's foundation work was started.

Idaho's congressional delegation has introduced two bills in Congress, either of which could lead to rebuilding the dam. One proposal will authorize the familiar route, reconstruction by the Bureau of Reclamation. The second would authorize Snake River valley water users to build the dam themselves. The latter could provide a shortcut in time to completion of the project via a contract with the Idaho Power Company.

Senator CHURCH. Thank you.

Our next witness is Mr. Dale Depew, director, American Falls Reservoir District.

**STATEMENT OF DALE DEPEW, DIRECTOR, AMERICAN FALLS  
RESERVOIR DISTRICT**

Mr. DEPEW. I am glad to be here, Mr. Chairman, and members of the committee.

Ladies and gentlemen, I am Dale Depew. I reside and farm near Wendell, Idaho, in Gooding County. I am a stockholder in the North Side Canal Co., serve on their board of directors, and also serve as a member of the board of directors of the American Falls Reservoir District.

My farm is approximately 275 acres. I raise sugar beets, beans, hay, and grain and am involved in a livestock operation to a limited extent.

With a good water supply, my farm is a good one. It has provided a home and income for myself, my wife, and our children. I like farming and I hope to continue farming. For these primary reasons, I am involved and constantly concerned about irrigation water supplies.

I have enough tenure in farming to have lived through short water years when deliveries were restricted with proportionate reductions in crop yields. The North Side Canal Co., which delivers my water, relies very heavily on the American Falls Reservoir for their water supply.

Because of the extent of the canal system, which serves my farm and the complexities of the water rights, any reduction in available water supply at American Falls directly affects me and the other stockholders.

As a member of the board of directors of American Falls Reservoir District, I concur in the board's effort to pursue and encourage the passage of Senate bill 1529 as the most expeditious alternative available for the replacement of the American Falls Dam.

It is the feeling of the Board of Directors, and my personal feeling, that if Senate bill 1529 receives congressional approval, that the water users can help themselves in replacing the American Falls Dam at the earliest possible date.

When the reservoir district board first approached the power company about the possibility of a falling water contract to assist in private financing, the idea was received by the spaceholders with enthusiasm.

In the opinion of the American Falls board of directors, the private financing alternative, and the execution of the falling water contract, not only makes sense because of the time factor, but to the farmer who must pay for each acre-foot of water in the new reservoir, it helps them with the financial burden.

It is my opinion that if the congressional bill is passed, that a bond issue will be favorably received within the confines of the American Falls Reservoir District.

It is also my opinion that elections necessary within other districts will be successful to the eventual point that all spaceholders now

involved in the American Falls Reservoir will be willing to pay for and will receive the same share of storage irrigation water from American Falls as was the case when the reservoir was full, prior to the implementation of a restriction order. I encourage your favorable consideration of Senate bill 1529.

The water users also owe a vote of thanks to the congressional delegation for your assistance to date. We appreciate the early hearing date. The water users would like the opportunity to pursue the plan outlined by S.B. 1529 to its completion. If for some reason this arrangement would become impossible, we would then ask your help in the consideration of 1528.

I appreciate the opportunity to appear here today.

Senator CHURCH. Thank you very much.

How many acres do you farm, 275?

Mr. DEFEW. Yes, and this year I have an 80-acre beet contract.

Senator CHURCH. Well, I think it is good to point out for the record how late you irrigate, both for the beets and the potatoes.

Mr. DEFEW. The soil down there is of a sandy nature and they can harvest potatoes only with the moisture. A few days of dry weather and the harvesting is just almost impossible.

Senator CHURCH. Senator McClure.

Senator McCLURE. I have no questions.

Senator CHURCH. According to my listing here, this completes the testimony of those who are in the Governor's party. Is there anyone else who is going on the Governor's plane who needs to be heard this morning?

Would it be satisfactory then, it being 10 minutes to 1, if we broke for lunch and came back at 2 o'clock and then we will hear from the balance of the witnesses?

If that is all right, then we will break now for lunch and resume the hearing at 2 o'clock this afternoon.

[Whereupon, at 1:10 p.m., the committee recessed, to be reconvened at 2 p.m.]

#### AFTERNOON SESSION

Senator CHURCH. The hearing will come to order.

Our next witness is Mr. Jim Patrick, head of Bechtel Engineers, Hydro Division.

#### STATEMENT OF JAMES G. PATRICK, HEAD OF BECHTEL ENGINEERS, HYDRO DIVISION

Mr. PATRICK. Mr. Chairman, ladies and gentlemen, my name is James Patrick, manager of Hydro Engineering for Bechtel, Inc., one of the Bechtel companies doing worldwide engineering and construction services. I would like to discuss today the plans for replacement of the American Falls project. I have an aide here, which happens to be a little zigzag, but the top figure on this drawing shows in dotted lines the existing American Falls Dam and in solid lines shows our proposed replacement and this is what I would like to describe today.

The existing American Falls Dam is 5,200 feet long and that extends from off the chart here, including and through the embank-

ment to this side, also including an earth embankment. The river is flowing up on the sheet, the town of American Falls is on the left. American Falls Dam, as you know, was constructed in 1927 and in 1929 there was evidence of cracking, which was later attributed to—in addition to that, there was later discovered an opening of lift joints, which allowed more pressure to enter into the interior of the dam and cause conditions which were considered unsafe. This brought about the restriction of the reservoir capacity of 1,700,000 acre-feet. The most serious part of the deterioration of the existing dam was in approximately this area, lots 1 and 2.

Early in January of this year, we were requested to make preliminary plans and cost estimates for one, rehabilitation of the American Falls Dam, two, the replacement of the American Falls Dam and in both cases to include installation of a 90,000 kilowatt powerhouse. Utilizing the releases for irrigation water and the head behind the dam to the foot of American Falls. The design was to be safe under full reservoir operation with ice loading and with modern-day earthquake application.

Based upon our involvement in the study and strengthening of other concrete dams of approximately this vintage, we set about to develop a plan and cost estimate to rehabilitate the dam, we did this. We also concurrently set about to come up with a layout and a plan to replace the dam.

When these studies were completed, we had the cost estimates, which by comparing the cost estimates and other factors pro and con, the spaceholders elected to proceed with the replacement plan. And that is what I would like to describe today.

Early in the assignment, we inspected the site and we obtained data from the Bureau of Reclamation including the results of their studies on the condition of existing concrete. We obtained geology and hydrology data and used those in our analysis. In the replacement plan it appeared to us that construction money and construction time could be saved if we could use as much of the existing dam as we could safely do so. Our inspection revealed that the existing concrete section extends from here way over to here on existing dam. That there was a good part of it here that was in pretty good shape.

In fact, the concrete in our opinion would last for a good many years. However, that section had not been designed to withstand ice loading nor had it been designed for modern seismistics. So, another factor to reduce the cost of replacement, is to make the new concrete section the minimum possible, and I will get into that later.

So, I would like to show a cross section of our proposed replacement dam which will be through here, which is through the existing concrete dam. Another one through this point here, which is the new concrete dam, a section where the powerhouse would be located and a fourth section over on the right abutment.

So, from here then to here [indicating] for a distance of 2,375 feet, we proceeded to use the existing dam, but use it only as a water barrier which in a dam that would be considered a rockfill or an embankment type of dam. It is shown on this cross-section. By placing embankment both upstream and downstream of existing concrete, we are relieving the existing dam from carrying the load of the water.

It is only acting as a water barrier. We find that this plan is a less costly plan than building an entirely new dam.

My next section is through the new concrete section and here we have a reduced cost by combining the several effectors required to be in that concrete section. One, the sluice waste for release of irrigation water, two, the spillway, which would have a spillway gate, and then the penstock. Our concrete section is just long enough to accommodate the requirement of the concrete section and enough on each end to tie in.

So, this is the section to the spillway section. And we have reduced the number of spillway gates compared to the existing project by making them deeper. This reduces the land for the same spillway capacity. Beneath the spillway we have put the sluice wastes with the double sluice gates for their control.

Then we have increased the height of the spillway gates, we find it is necessary to provide for a basin downstream. Our concrete section of the new dam is only 557 feet long.

The next section shown will be the powerhouse section. Here is a conventional-type dam with provision for three penstocks through it, with gates operating on the upstream side of the dam.

The powerhouse is located 285 feet downstream of the dam, which is shown on this view at this point. The last section is a new earth-fill dam on the right abutment which is a conventional earth dam. The length of this section from here to here is 750 feet.

Now, I have shown all of the principal sections in the dam except for one, which is really too small to show on a section, but it is a small connecting section between the existing dam and the new dam and it is only 50 feet long and it provides for this, as you see here, the water surface being shown here and offset to the new dam and continue on with the new structure.

I might also point out in our layout that shown in dotted lines is the existing four-bay dam downstream, we have located the powerhouse in locations where it will be filling part of that four-bay dam, but have added to it by building a new four-bay dam at this area. The cost of this replacement based on early 1973 prices, without the highway, is \$17,021,000, our estimate, and with the highway, \$18,491,000. Or a difference of \$1,470,000.

Now, these estimates that I have just quoted, include construction costs, include allowances for contingencies and engineering costs, but they do not include allowances for escalation and other possible costs such as land, recreation, fish and wildlife, and other owner costs, such as taxes, financing, and so forth.

Our construction schedule—

Senator CHURCH. Before you get to that, may I ask if the plan would accommodate a four-lane highway on the top?

Mr. PATRICK. No; our plan is a two-way highway. A two-lane highway under today's standards, about 44 feet wide and that is what we based it on.

Senator CHURCH. If a four-lane highway is to be built, it would have been built apart from the dam.

Mr. PATRICK. It would be quite a chore to put a four-lane highway on the dam.

Senator McCLURE. The 44 feet, is that 44 feet of roadway or does it include walkways?

Mr. PATRICK. It includes a shoulder on each side. I have forgotten the exact dimensions. But in the earth part of the dam, in this section [indicating] the total width would have to be 44 feet, this is between guardrails.

Senator McCLURE. Thank you.

Mr. PATRICK. Our estimates are based on a construction schedule. In order to utilize the river flows, natural river flows, and reservoir releases as well as the drawdown of the reservoir for irrigation bases, it would be our plan that a construction contract would have to be awarded not later than the 1st of January. This would allow construction to proceed such that by the spring of the following year, the new dam could or would be in place, so that the runoffs from the spring could be stored behind the new dam.

The powerhouse would have to come later and the equipment would be installed and the plant in operation in late fall of that year.

Since our early study in January and February of this year, we have been continuing with what we call our facility type of study and to date, we have found nothing that upsets our original preliminary plans for the replacement of this dam.

Thank you.

[The prepared statement of Mr. Patrick follows:]

## Bechtel Incorporated

Engineers—Constructors

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San Francisco, California

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STATEMENT OF JAMES G. PATRICK ON SB 1528 AND SB 1529  
BEFORE WATER AND POWER RESOURCES SUBCOMMITTEE  
INTERIOR AND INSULAR AFFAIRS COMMITTEE

May 10, 1973

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 Engineering 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. The concrete portion, 3100 feet long, includes non-overflow sections and a spillway section consisting of 15 gates each 33 feet long and 11.33 feet high. Gated sluiceways for water releases and penstocks for future hydroelectric power installation are provided in non-overflow sections. 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 continuing alkali-aggregate reaction with progressive cracking and consequential leakage. Other investigations have revealed poor bonding at a number of horizontal lift joints which have allowed water, at reservoir pressure, to penetrate well into the mass of the structure. These conditions 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.

Early in January 1973, Bechtel was requested by Idaho Power Company to prepare preliminary plans and cost estimates to (1) rehabilitate the dam and (2) replace the dam, both studies to include provisions for a 90 MW powerhouse utilizing the head from the American Falls Reservoir to river level at the foot of American Falls. The plans for both rehabilitation and replacement were to provide adequate safety for full reservoir conditions and loading imposed by reservoir icing and earthquake accelerations.

The site was inspected and pertinent data regarding the quality of the concrete, piezometric pressure within the mass of the structure, geology and hydrology were obtained from the Bureau of Reclamation. It appeared to Bechtel that economy could be achieved by utilizing the existing structure to the maximum extent possible in both the rehabilitation and replacement plans. This procedure would minimize the length of existing concrete dam requiring rehabilitation and

strengthening or the length of a new replacement concrete dam. Therefore, as the long concrete non-overflow section on the left abutment was considered adequate as a water barrier but inadequate to withstand full reservoir pressure with ice and earthquake loading, the plans for both rehabilitation and replacement provided for strengthening this section by the placement of gravel and/or rock both upstream and downstream.

Based on Bechtel's involvement in rehabilitating similar concrete dams constructed during the early part of this century and suffering similar deterioration, plans were made to rehabilitate and strengthen the remaining concrete portion which could not be strengthened in the same manner as the left abutment non-overflow section. The plan for a replacement dam utilizes the existing structure as much as possible, thereby minimizing the length of the replacement dam, reducing its cost and reducing the construction time.

After comparison of the costs of the rehabilitation dam and replacement dam and other factors, the spaceholders determined that the replacement dam should be constructed. The length of concrete replacement dam would be decreased by locating the water release sluices in the spillway section which is reduced in length by providing higher spillway gates. The plan for replacement dam consists of (1) essentially no modification to the existing earth embankment on the left abutment, 1600 feet; (2) utilizing 2375 feet of existing concrete non-overflow dam as a water barrier and strengthening it

with gravel and/or rock upstream and downstream; (3) a short, 70 feet, earth and rock fill dam connecting the existing structure to a new concrete dam; (4) a new concrete gravity dam 557 feet long containing water release sluices, spillway and penstocks; and (5) a new earth embankment 750 feet long on the right abutment.

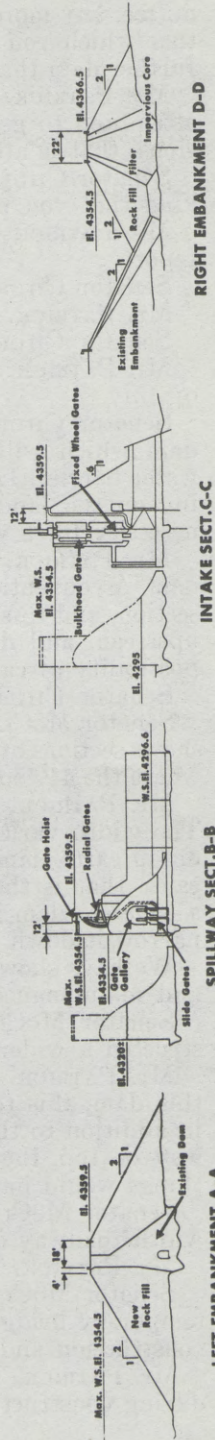
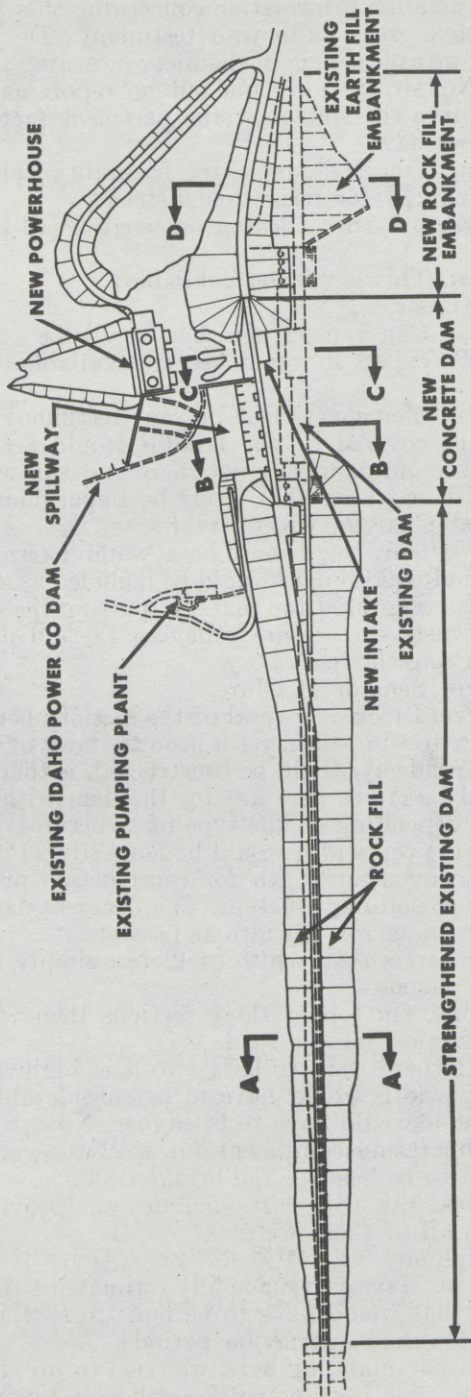
The three unit, 90 MW, powerhouse would be located 280 feet downstream of the new concrete dam and would utilize penstocks provided in the new dam.

The construction costs of the replacement dam were estimated, based on early 1973 costs. The cost of the replacement dam without replacement of the highway was \$17,021,000 and the cost of replacing the dam with replacement of the highway was \$18,491,000, a difference of \$1,470,000. These estimates include allowances for contingencies and engineering but do not include allowances for escalation, possible costs associated with land, recreation, fish and wildlife and other Owner costs including taxes, financing, etc. The construction schedule provides for a construction contract to be awarded not later than January 1 of the construction year so that advantage could be taken of river flows and drawdown of the reservoir for irrigation releases. Rehabilitation and strengthening or replacement would be completed in time to permit storing the high river flows in the spring of the following year. The powerhouse would be completed and equipment installed during the fall of that year.

The general layout and design developed during the initial phase of the project has been substantiated by continuing engineering studies.

\* \* \* \* \*

# AMERICAN FALLS DAM REPLACEMENT



Senator CHURCH. Do you have and could you supply, to the committee, any more detailed information concerning this proposal than that which you have given us in your testimony? Do you have any further data that we can include in the file, concerning this proposal?

Mr. PATRICK. No, sir, we have put out no report as such. I have attempted to get into the statement the pertinent facts and dimensions, that is all we have.

Senator CHURCH. You have no written feasibility statement of any kind that you prepared for irrigation district?

Mr. PATRICK. We are now working on what I call the feasibility report.

Senator CHURCH. This is not yet available?

Mr. PATRICK. No, sir.

Senator CHURCH. Can you tell us when it will be available?

Mr. PATRICK. We expect it would become available by the middle of July.

Senator CHURCH. You mentioned in your testimony that the old dam which will be covered by the landfill would act simply as a water barrier. If the old dam were not there and you were just relying on the landfill, wouldn't that itself be impervious? Is there a necessity for a water barrier within it?

Mr. PATRICK. Yes, sir, there must be a water barrier within the dam. A conventional rockfill dam would be included as an impervious section, and this is being used for that. By putting the embankments upstream and downstream, we are relieving the old dam from the possibility of carrying the load.

Senator CHURCH. Senator McClure.

Senator McCLURE. I look at several of the sections here. Your plan shows sections of 22 feet in width, yet it is on the crest of these sections where the 44 foot roadway would be constructed, is that correct?

Mr. PATRICK. My sections here are for the dam without highway. The width varies depending on the type of structures. For instance, on an earth dam, the top width would be normally 20 or 24 feet, because that is the convenient width for construction purposes. Now, a concrete dam is something different. The concrete dam you would narrow it down to as narrow a width as possible.

We have shown here a road width of 12 feet simply for operation and maintenance purposes.

Senator McCLURE. On top of those sections then would be constructed a wider section for the road.

Mr. PATRICK. If there were to be a two-lane highway on top of this dam, this top width would have to be considerably wider and in addition to that it would have to be higher. Now, with the roadway on top, the operating equipment for spillway gates and other things would have to be beneath the bridge deck.

Senator McCLURE. But your costs included the provision for that width roadway on all of those sections?

Mr. PATRICK. Yes, sir.

Senator McCLURE. Have you made any estimate of the cost of the temporary bridge that would have to be built to service during the construction and for the construction period?

Mr. PATRICK. In our planning here, we tried to provide for traffic during construction, this is principally applicable to the rehabilita-

tion scheme. I believe we had in our costs, an estimate for a detour road of pretty close to, if I remember correctly, better than three-quarters of a million dollars, for a detour road.

Senator McCLURE. If you would find from any checking of your records that you would like to correct that figure or give us a more accurate figure, I think we would be happy to accept any addition to the record on that point.

Now, I indicate that the kind of construction that you have anticipated requires spilling bases. Is that spilling base below the powerhouse or is it in the four-bay area?

Mr. PATRICK. It is part of the four-bay area. It is shown right over here [indicating].

Senator McCLURE. Is that separated from the four-bay?

Mr. PATRICK. No, sir, it is part of it.

Senator McCLURE. Does all of the water that passes through the powerhouse, pass through the powerhouse and the four-bay?

Mr. PATRICK. The only water that passes through the spilling basin, is the water that is released.

Mr. McCLURE. It would be that in excess for proposed flowing through the powerhouse?

Mr. PATRICK. Yes.

Senator McCLURE. Is there any provision for maintenance of water in the four-bay for the action of power production?

Mr. PATRICK. These sluice wastes could be used at any time and all of the time for release of water.

Senator McCLURE. But the water in the four-bay does not run through the powerhouse?

Mr. PATRICK. Yes.

Senator McCLURE. So any waters which are released to maintain in the four-bay, would be water that is lost to power production?

Mr. PATRICK. Yes, sir.

Senator McCLURE. Is the powerhouse located at a higher elevation than the present powerhouse?

Mr. PATRICK. Are you referring to the powerhouses way down here?

Senator McCLURE. Yes.

Mr. PATRICK. I would say essentially the same. It uses the same water elevation. The powerhouse here is excavated into the rock and upstream from the dam to the river level of downstream of American Falls.

Senator McCLURE. Thank you very much.

Senator CHURCH. I have no further questions. Thank you very much.

Our next witness is Mr. Robert Hogg of the Idaho Power Co.

Mr. Hogg, it looks like you have arrived just as another vote is called. Don't think it is disinterest on our part in your testimony, Mr. Hogg, but we have to stagger this so one of us will go first.

#### STATEMENT OF ROBERT A. HOGG, CONSULTANT, IDAHO POWER CO.

Mr. Hogg. Thank you, Mr. Chairman, and members of the committee, my name is Robert A. Hogg, Boise, Idaho. I was superintendent of the Idaho Power Co., at the time the American Falls

spaceholders contacted us and wanted to know if we can be of any help to them in replacing the American Falls Dam. Since my retirement, I have been retained in a consulting basis on this program.

Mr. Chairman, I have a statement of five pages and attached to that I have a 10-page written proposal which was presented to the spaceholders on February 27, and I would ask that that be made a part of the record as though read and I would like to highlight a few points.

Senator McCLURE. Both your statements and the attachment proposal will be made a part of the record.

Mr. HOGG. I would like to call your attention to pages 7, 8, and 9 of the proposal submitted to the spaceholders, that is about a two-page proposal of the company to the spaceholders, and we are proceeding now in the interest of getting all of the material and data together which we need to proceed with FPC license applications and contractual arrangements and so forth.

Another part of my statement includes some water records, as to the effect of the decreased storage capacity on the river for irrigation purposes. I think you might be interested in knowing that the loss of 600,000 acre-feet of storage in American Falls changes the number of years over a 40-year period of study, from the reservoir's being emptied 16 times out of that 40 years to being emptied 26 times out of the 40 years, which is a very significant factor.

I think Senator Hansen would be interested in knowing that the Jackson Lake Reservoir would be emptied nine times with the restriction, whereas without the restriction it would be only emptied four times out of the 40 years.

Other points I would like to call your attention to is that we, of course, will need to construct a new powerplant to carry this project forward as contemplated and the production of that powerplant will be the same as burning 210,000 tons of coal per year or 28 million gallons of oil or  $3\frac{3}{4}$  million cubic feet of natural gas.

Mr. Chairman, those are some of the highlights. If you do have some questions, I will be happy to try to answer them.

Senator McCLURE. Mr. Hogg, what is your professional background, other than having been vice president of the company? We ought to state that for the record.

Mr. HOGG. I am a graduate civil engineer and a licensed professional engineer in Idaho.

Senator McCLURE. You have been active as an engineer over all of your lifetime?

Mr. HOGG. Yes; pretty much. As such, we are at Idaho Power, 100 percent electric generated, and we make it our business to know everything about the area. We propose and anticipate a powerplant of 100,000 kilowatts.

Senator McCLURE. The proposed operation is to utilize the streamflows and irrigation releases from the reservoir, is that correct?

Mr. HOGG. Yes. At the present time our powerplant is not connected to the American Falls Dam and so the only head that uses it, is about 45 feet. When we connect it up to the American Falls Dam, we will have a head of about 100 to 105 feet.

Senator McCLURE. It is not contemplated to have releases solely for power production?

Mr. Hogg. Not at all. The releases, certainly in the summertime, will be entirely dependent upon the irrigation requirements.

Senator McCLURE. Idaho Power Co. is a spaceholder and the operation might contemplate its right as a spaceholder?

Mr. Hogg. Yes.

Senator McCLURE. With respect to people in the area who want to maintain flows in the four-bay, for fixture purposes, do you know what would that cost in terms of lost revenue? Do you have any estimates of varying flows?

Mr. Hogg. At this stage; no. Our fish biologist is working with the fish and game people and other people interested in working with that fishing resource in there and they have not made any determination as to the best way to handle that, so we have not had the opportunity to evaluate it.

Senator McCLURE. It would be premature for us at this time to say whether or not it can be resolved?

Mr. Hogg. Of course, it can be resolved, but the question is how much money it would cost in terms of production or loss of revenue.

Senator McCLURE. I would assume if it cost too great a loss of revenue, then the project would fail?

Mr. Hogg. The project is a very expensive one and we have endeavored to evaluate it and be of greatest help to the irrigators at this stage of the game. And we might have problems, yes.

Senator McCLURE. The bells indicate I am going to have to leave. There is a roll call, and I will be back as soon as I can.

[Short recess.]

Senator CHURCH. The hearing will please come back to order.

Mr. Hogg, you had completed your statement. I did not have an opportunity to read it. I will read it in the record and since I have not heard the statement, I would not question you at this time. Senator McClure said he did have the opportunity to question you.

Let me express my appreciation for your being here.

Mr. Hogg. Thank you very much, Mr. Chairman. I did not say it very boldly, but we are in favor of Senate bill 1529.

[The prepared statement of Mr. Hogg with an attachment follows:]

Statement of  
Idaho Power Company  
93rd Congress, First Session  
in Support of  
American Falls Dam Replacement S.1529  
Before the Senate  
Interior and Insular Affairs Subcommittee  
on Water and Power Resources

My name is Robert A Hogg, Boise, Idaho. As Vice President of Idaho Power Company, I developed a proposal to assist the American Falls Spaceholders, through their contracting agency, the American Falls Reservoir District, to finance the repayment of a replacement dam at American Falls. I have been retained in a consulting capacity for the Company on this project since my retirement.

After the American Falls Spaceholders came to us to evaluate possible involvement in a Falling Water contract, the Idaho Power Company developed a proposal to assist the Spaceholders in restoring the American Falls dam to acceptable safety standards at the earliest practical date. A copy of the proposal submitted to the Executive Committee of the Spaceholders February 27, 1973 is attached hereto. The Company's primary interests are as follows:

1. The Company's electric generating capability, energy sales and revenue are directly affected by water conditions including water storage capacity which has been limited in the American Falls reservoir.

2. The economy of the Company's service area in southern Idaho, which includes the 900,000 acres of land depending on the American Falls stored water to finish the yearly crops, is exposed

to a severe setback as long as the American Falls storage limitation is in effect.

3. The Company presently owns and operates a 27,000 KW power plant below the American Falls dam.

4. The Company is a spaceholder in the American Falls reservoir.

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 load, 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 will contribute to this adverse effect, because 600,000 acre-feet of reservoir space cannot be used to store 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. About 2-1/4 million acres of land are irrigated in the Company's service area; therefore,

nearly 40 percent of highly productive land is exposed to reduced production under adverse water conditions.

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, 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 under the most favorable construction schedule.

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. 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.

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 2-1/2 times as much energy. The installed capacity of the plant will be 100,000 KW, about 3-3/4 times the present plant.

The Company's proposal to the irrigators is 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 in 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 3-3/4 billion cubic feet of natural

gas. The hydro electric plant will be a source of clean electric energy without the environmental problems associated with coal, oil or gas.

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

1. Will be a significant benefit to the irrigators in southern Idaho;
2. Will minimize the adverse economic effects of the American Falls storage limitation on the economy of southern Idaho because of possible early completion;
3. Will be a benefit to the nation's taxpayers, since no money is requested for the dam construction.

I urge your favorable decision on S.1529.

RAHogg:d

4/30/73

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 requirements 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) - \$1,000's

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 & safety	88
Fishing mitigation	546
Fish & wildlife enhancement	196
Flood forecasting	<u>131</u>
Total	\$ 29,468
Interest during construction	<u>2,293</u>
TOTAL	<u>\$ 31,761</u>

## Construction Cost Allocation - \$1,000's

		<u>IDC</u>	<u>Total</u>
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 & Safety	<u>88</u>	<u>7</u>	<u>95</u>
Total	\$29,468	\$2,293	\$31,761

## Repayment planned as follows:

Irrigation by water users	\$18,659
Fish & Wildlife Enhancement - Non-federal body	101.5
Power (deferred)	<u>1,543</u>
Total Reimbursable	<u>\$20,303.5</u>

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 limitation 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 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.

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(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 released 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.

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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.

IDAHO POWER COMPANY

R A Hogg  
Presented to Executive Committee  
February 27, 1973

Senator CHURCH. Our next witness is Mr. Jim Phelps, vice president of the First Security Bank of Idaho.

Mr. Phelps, it is good to see you.

#### STATEMENT OF JIM PHELPS, VICE PRESIDENT, FIRST SECURITY BANK OF IDAHO

Mr. PHELPS. My name is James Phelps, Boise, Idaho. I am a senior vice president, member of the board of the First Security Bank of Idaho and a member of the policy committee of the First Security Corp.

We do welcome the opportunity to testify as to the economic impact of the American Falls Dam in eastern Idaho.

As residents of Idaho we are concerned with the apparent deterioration of one of our very valuable working dams. The water used from this system is extremely important to our agricultural community and has a great deal of influence on its economy.

Idaho is sparsely populated and in this day of environmental concern could well be classified as a natural resource. The agricultural industry leads all others in the State and accounts for better than 16 percent of its gross product. In this arid, or semi-arid environment we produce tremendous quantities of potatoes, sugar beets, edible beans, peas, and onions; are large producers of alfalfa seed and are the largest producer of Merion Kentucky Blue Grass seed.

Our potato crop is No. 1 in the U.S. and our sugar beets are No. 2. In 1972, income from agriculture was \$760 million, up 45 percent from 1967. Livestock, cattle, sheep, and mink farming accounted for 42 percent of this total. Most interesting of these statistics is that Idaho, with barely more than a 700,000 population, accounts for 9.5 percent of dry edible beans, 8 percent of potatoes and 4 percent of the sugar beets produced in the United States.

These crops need irrigation and in fact, are high water consumers. Idaho has water and good irrigation systems, but we are now faced with a crisis. The primary dam, 42 percent holding capacity, of the Minidoka project is failing and needs repairs or replacement immediately. This series of dams irrigates 1,162,484 acres of farmland. This is 33 percent of the total acreage irrigated in the State. The cash return from this land is significant in the overall picture because these irrigated fields produce the big dollar value crops such as potatoes and beets. We are safe in saying that irrigation is the economic lifeline of agriculture in Idaho.

We have analyzed the Minidoka project and submit the following: This series of dams can store almost 4 million acre-feet of water and services, or irrigates 1,162,484 acres of prime agricultural land that produced a cash crop in 1972 of approximately \$53,500,000. Based on the last 10 years average, information would indicate another \$42,532,000 was spent for labor, fertilizer, transportation, et cetera, in producing this crop. This production would not have been possible without the American Falls Dam which stores 42 percent of the total water available in the Minidoka system.

State employment statistics reflect 41,200 farm workers in 1972. Applying the 1.5 multiplier generally accepted by economists for

agricultural employees, means that 61,800 workers support that farmer. This total of 103,000 represents more than 34 percent of the total work force in Idaho. The same statistical source was utilized to determine that 10,134 direct farm workers produced crops in the 7 counties irrigated by the American Falls Dam. Once again, applying the 1.5 factor, we total more than 25,000 workers dependent upon this water source.

The Bureau of Reclamation has reduced the storage in the American Falls Dam by 35 percent because of safety considerations. This is a dry year and although we started out with a maximum allowable water stored, only outstanding management will stretch the water to irrigate this year's crop. A computer study by the Bureau of Reclamation indicates the dam will be empty by August. All agree that unless we have a very good 1974 water year, we will not be able to irrigate next year's crop. This will mean changing and reducing the crop plantings next spring with the attendant financial loss. Of most importance is that continuing erosion of the dam will further reduce its capacity.

Our study does not contemplate the flood control problems when this dam becomes less effective or the impact on the powerplant, that annually produces 146 million kwh, but accepts that real problems could occur.

There is an additional problem we have that is affecting the farmer. The roadway on top of the American Falls Dam has deteriorated badly. Traffic is one-way and frequent delays during the growing and harvest season are costly. A study conducted by the Idaho Potato Growers and Wheat Commission during the 18-day 1972 harvest revealed that this roadway services 250,000 acres of farmland. Truck crossings during that period totaled 7,800 and time delays cost farmers \$318,650.

Fortunately, the weather did not interfere with the harvest, but if this had been a factor, the results could have been very damaging to the crop.

Our study was comprehensive and in all cases conservative in regard to dollar values. Suffice to say, this area is in a precarious position and faced with real economic loss unless prompt action is forthcoming. The dam must be replaced or repaired and a suitable roadway must be made available. It makes good sense to spend whatever funds are required now, as opposed to waiting until financial hardship overtakes this section of Idaho.

Senator CHURCH. Thank you very much, Mr. Phelps.

The figures you have cited are impressive, but it is true, there are many businesses that depend on agriculture, so that the total impact of agriculture is greater than the total cash value of the agricultural products.

Mr. PHELPS. Very true. If you want to relate this to the machinery and automobile business, and other businesses, they would feel the impact of this.

Senator CHURCH. In a sense agriculture is the broad base upon which the economy rests.

Senator McCLURE. I think if you just take the multiplier as you have done, show over 100,000 people employed directly or indirectly

and then apply an average of between 2 and 3 percent per family, you have some 35 to 40 percent of the population of the State directly affected by what might happen here.

I certainly agree with you it is an emergency and I appreciate the additional statistical information that you have given with respect to the cost of delays that might be attendant because of the delays in truck crossings on the roadway. I think that is an element we have to consider and I appreciate the testimony.

Senator CHURCH. Thank you, Mr. Phelps.

Mr. PHELPS. Thank you.

Senator CHURCH. Our next witness is Ralph Wheeler, State legislator and member of the American Falls Bridge Commission.

**STATEMENT OF RALPH WHEELER, STATE LEGISLATOR AND MEMBER OF THE AMERICAN FALLS BRIDGE COMMISSION**

Mr. WHEELER. I am Ralph Wheeler from American Falls and I have been a city councilman and mayor of American Falls for the past 15 years and am presently a State representative from district 35 which includes Power County, the site of the American Falls Dam, as well as portions of Bannock and Bingham Counties in southeastern Idaho. Pharmacy is my profession.

During these years of public service I have seen the American Falls area change from the dusty, dying average farming community of rural America to a vigorous, viable, healthy area that has experienced a 30-percent population growth rate in the past decade.

The impetus behind this growth, in my opinion, has been one Federal reclamation project plus a great deal of private development that provided the opportunity for the farming community to diversify its crops. This in turn attracted a food processing industry that now provides jobs for some 800 people.

This prosperous economic climate is now threatened by the deterioration of the American Falls Dam which was constructed in the mid-1920's. A portion of the water stored behind this structure is used in the immediate vicinity of American Falls, but the Bureau of Reclamation has restricted storage to 70 percent of capacity. The result is obvious. But an even greater impact in my legislative district may result from the present one-way traffic restrictions imposed in January on the only crossing of the Snake River within 80 miles, and the only feasible access to market for the crops from thousands of acres.

Not only does the American Falls Dam support the roadway to market the crops, but also to supply the fuel, machinery, fertilizer, and other necessities of the agricultural community. Delays in delivery can skim the narrow profits of the farmer.

The water users of the American Falls Irrigation Districts face similar, if not worse, economic losses, with the storage restrictions, and especially in dry years such as is forecast for 1973, consequences can produce an adverse affect on the economy of the whole State of Idaho, 900,000 acres are involved.

I am sure you are all aware of the vast amounts of borrowed capital that are necessary to operate today's farming operations. A 30-

percent reduction in water storage can 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 Idahoans.

The water storage above the American Falls Dam is emerging as a major water sport recreation area. The downstream area has been, for 35 years or more, a major trout fishery with 15 to 20 pound trout being taken every year. The Idaho Fish and Game Department reports that an excess of 100,000 fish are taken annually. The water restrictions will have a deleterious effect here too. The 70-percent level will drastically reduce the boating season. Less than normal river flows may expose the natural spawning grounds and will curtail normal propagation of rainbow and brown trout.

The 120,000 residents within a 50-mile radius rely heavily on the American Falls area for summer and fall recreation.

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 Federal agencies for the replacement of the existing American Falls Dam.

We are not asking for a Federal handout; only a grant of authority for private enterprise, free from the burden of excessive redtape and the competition for Federal money, to replace the American Falls Dam and construct an adequate crossing of the Snake River as soon as possible.

I cannot overemphasize the emergency nature of this request. The impact of the present status of this project is equal, in scope if not in size, to that of the recent flooding in the Mississippi River Valley. No crops. No jobs. Even higher food costs for the American public.

Your cooperation in the passage of Senate bill 1529 with the recommended amendment, is in the best interests of Idaho and the whole Nation.

Senator CHURCH. You are referring, Ralph, to the proposed amendment that relates to the roadway?

Mr. WHEELER. Yes, I feel if there were to be a dam, that the roadway would be taken care of with other than Idaho State highway funds. I feel the water users should assume a responsibility.

Senator CHURCH. Do you agree the responsibility they are assuming under this language would be to furnish the two lane highway, meets present Federal standards and that additional lanes would be supplied by the highway commission?

Mr. WHEELER. Yes, sir, it is on a highway priority with the State highway commission.

Senator McCLURE. Mr. Chairman, I am reminded by the witness's testimony of one factor that should have been brought out sooner. That is your mention of your role in seeing that the legislature did pass some bills that had to be passed to make this possible under State law.

I think comment should have been made earlier to the fact that it was probably a record of speed and efficiency by which that legislation got through, which simply underscores again the unanimity of feeling on the part of the people of Idaho and their representatives that this emergency demands immediate attention.

Mr. WHEELER. Yes, the last bill we passed was passed within 6 hours after receipt of it from Washington here at suggested legislation on the last day of the session.

Senator McCLURE. It had to have unanimous support or it would not have done that.

Senator CHURCH. Even then, this could have only happened on the last day.

Senator McCLURE. Your testimony has been very helpful, and we will do everything we can. Thank you.

Senator CHURCH. Thank you very much.

Our next witness is Mr. Ben Cavaness, attorney, from American Falls.

#### STATEMENT OF BEN CAVANESS, ATTORNEY, AMERICAN FALLS

Mr. CAVANESS. Senator, I have prepared a written statement which I would like submitted, and I will depart from it, since there have been developments from the preliminary testimony.

Senator CHURCH. The written statement will appear in the record.

Mr. CAVANESS. It is evident to us all here, that we are all singing the same song, and playing on different variations of the theme. There is no one opposed to the concept of private funds, we approved that concept, and the only objection we had at any time, was to be sure that the crossing under the Federal bill would be available to us.

The committee fought this thing out at length and we approved the substance of the amendment, and directing my attention to the amendment, Senator, it is clear in all of our minds, I believe, that the intent behind the wording, is that the water users will be responsible for a two lane full FAS standard crossing, which they can finance anyway they want to and they should make arrangements under their plan to provide that additional two lanes and that it be provided by the State.

I think the only thing we would ask of the water users, is that they not raid our dedicated source of funds that we have earmarked out of the highway department to finance their two lanes. If they can talk them out of more money, for their two lanes, fine. We just do not want them taking our money. That is the only question any of us would have in that regard.

As I have mentioned, in any written remarks, I am here representing the Falls Irrigation District and I also have a couple of county hats on, and I am the prosecuting attorney for the county, and the county commissioners have asked me to relay their feelings and also the highway division, every time they have a piece of overweight equipment, it takes three men and about a half-hour, to run over and stop traffic at each end to get the truck across.

This costs the county money every year and they have had this expense built in for 40 years and they would like to make sure when we do the thing again, at least we do not build it in for another 40.

The county commissioners are concerned because we have the same tieup, the traffic stopped on both ends for an extended period of time, whenever you have a tractor or a 12-foot implement on it, or

a combine with a harvester on it. Even a two lane crossing will not handle this traffic without still stopping all of the traffic.

There are about 80,000 acres of irrigated property across this property, and all of this machinery comes on American Falls where the dealers are. It is a real problem safetywise for us. We have been worried that if the bridge failed or if there was an accident under the deteriorating old bridge where the school buses have to cross there every day, it could easily be toppled over into the bay.

As a school bus operator, I was extremely nervous about that. This is something that worries us.

Also the fact that if there is an accident on the bridge, there is no movement either way. And if there is an emergency vehicle that has to get through, he can't move.

We are in the Aberdeen area and all of the Pleasant Valley feeds into this one outlet for all this emergency medical care and ambulance service. This is something that the county commissioners are worried about and something that should be taken into account under the new bill we have proposed.

I think there is no problem with any of us supporting Senate bill 1529. That is all I have.

[The prepared statement of Mr. Cavaness follows:]

PUBLIC HEARING  
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

RE: REPLACEMENT OF AMERICAN FALLS DAM AND BRIDGE  
SENATE BILLS 1528 AND 1529

CHAIRMAN CHURCH, MEMBERS OF THE COMMITTEE, AND LADIES AND  
GENTLEMEN:

MY NAME IS BEN CAVANESS. I AM THE PROSECUTING ATTORNEY FOR  
POWER COUNTY. I AM SPEAKING ON BEHALF OF THE FALLS IRRIGATION  
DISTRICT, THE POWER COUNTY HIGHWAY DISTRICT AND POWER COUNTY.  
SINCE IT IS A LITTLE DIFFICULT TO SERVE "THREE MASTERS", I WILL  
ATTEMPT TO PARTICULARIZE MAJOR CONCERNS OF EACH.

1. FALLS IRRIGATION DISTRICT - THIS IRRIGATION DISTRICT  
IS THE ONLY DISTRICT WHICH PROVIDES WATER FOR IRRIGATION OF CROP  
LANDS IN POWER COUNTY. THIS DISTRICT PUMPS WATER DIRECTLY FROM  
THE PRESENT DAM INTO CANALS WHICH IRRIGATE APPROXIMATELY 12,000  
ACRES IN POWER COUNTY. ALL THE OTHER SPACEHOLDERS ARE SITUATE  
DOWNSTREAM AND HAVE LITTLE NEXUS WITH THE AMERICAN FALLS - POWER  
COUNTY COMMUNITIES. THE DISTRICT MANGER'S HOME, THE PUMP HOUSE  
AND PHYSICAL PLANT ARE LOCATED IMMEDIATELY UNDER THE PRESENT OLD  
DAM AND APPROXIMATELY 45 FEET BELOW THE HIGHWATER MARK OF THE  
RESERVOIR. IF THE DAM FAILS THE DISTRICT IRRIGATION MANGER WOULD  
BE THE FIRST TO FEEL THE EFFECTS OF THE FAILURE. PERHAPS THIS  
EXPLAINS WHY THE FALLS IRRIGATION DISTRICT HAS BEEN THE ONLY DISTRICT  
WHICH HAS EXPRESSED PUBLIC DOUBTS ABOUT THE SAFETY OF THE INITIAL  
DAM THAT HAS BEEN PROPOSED BY THE PRIVATE FUNDING GROUP. THE  
DISTRICT PREFERS THE TENTATIVE DESIGN OF THE REPLACEMENT DAM

PROPOSED BY THE BUREAU OF RECLAMATION, HOWEVER THE DISTRICT HAS A ASKED ME TO GO ON RECORD IN FAVOR OF SB 1529, WHICH PROVIDES FOR THE REPLACEMENT BY THE PRIVATE FUNDING CONCEPT WITH THE ULTIMATE DESIGN OF THE REPLACEMENT DAM TO BE APPROVED BY THE SECRETARY OF INTERIOR. THE DISTRICT HAS ALSO ASKED ME TO RELATE TO THIS COMMITTEE THE URGENCY OF THE NEED FOR THE IMMEDIATE REPLACEMENT OF THE OLD DETERIORATING DAM AND NARROW CROSSING AND URGE THAT YOU PROCEED WITH ALL POSSIBLE HAST TO ELIMINATE THE TRAFFIC AND SAFETY HAZARD THAT IS PRESENT WITH THE INADEQUATE STRUCTURE.

2. POWER COUNTY HIGHWAY DISTRICT - THE HIGHWAY DISTRICT IS PRIMARILY CONCERNED WITH THE REPLACEMENT AND IMPROVEMENT OF THE PRESENT INADEQUATE RIVER CROSSING. THE DISTRICT IS RESPONSIBLE FOR APPROXIMATELY 700 MILES OF COUNTY ROADS, APPROXIMATELY 250 MILES OF WHICH ARE LOCATED ACROSS THE SNAKE RIVER FROM AMERICAN FALLS, IDAHO. THE DISTRICT IS PRESENTLY WASTING TAX DOLLARS EVERY DAY WHILE THEIR TRUCKS ARE HELD UP OR SLOWED DOWN AT THE PRESENT CROSSING. MANPOWER IS ALSO WASTED EVERY TIME THE ONE AND ONE-HALF MILE CROSSING HAS TO BE TRAVERSED WITH ANY PIECE OF EQUIPMENT IN EXCESS OF EIGHT FEET IN WIDTH. ANYTIME SUCH A WIDE LOAD HAS TO CROSS THE PRESENT CROSSING, THE TRAFFIC HAS TO BE STOPPED AT BOTH ENDS BY A FLAGMAN AND THE VEHICLE SENT ACROSS THE DAM WHEN THE WAY IS CLEAR. THIS WASTE OF MEN, MANPOWER, AND EQUIPMENT HAS ALREADY EXISTED FOR OVER 40 YEARS AND THE DISTRICT TRUSTS THAT PASSAGE OF SB 1529 WITH THE PROPOSED AMENDMENT WILL INSURE THAT THIS WASTE IS NOT "BUILT IN" TO THE NEW DAM.

COUNTY ATTORNEY: THE BOARD OF COUNTY COMMISSIONERS OF POWER COUNTY, IDAHO, HAVE ALSO ASKED THAT I RELAY THEIR FEELINGS AS TO THE PROPOSED LEGISLATION. BOTH THE COMMISSIONERS AND MYSELF ARE CONCERNED ABOUT THE SAFETY THREAT POSED BY THE PRESENT DAM AND THE NARROW CROSSING. WE ARE CONCERNED ABOUT THE NUMBER OF SCHOOL CHILDREN WHICH MUST CROSS THIS BRIDGE EVERY DAY TO AND FROM SCHOOL AND RECENTLY WERE RELIEVED WHEN THE COUNTY SHERIFF'S OFFICE INSTITUTED ONE WAY TRAFFIC FOR ALL SCHOOL BUSES CROSSING THE DAM DURING THE HARVEST SEASON. WE ARE ALSO CONCERNED ABOUT THE SAFETY OF THE DRIVERS AND PASSENGERS OF THE 3,000 PLUS CARS A DAY WHICH MUST TRAVEL THIS EXTREMELY NARROW BRIDGE. FINALLY WE ARE CONCEREND ABOUT THE RESIDENTS OF THE COUNTY IN THE PLEASANT VALLEY AND FAIRVIEW AREAS WHICH RELY UPON THIS BRIDGE FOR ALL EMERGENCY AND MEDICAL ASSISTANCE. THE BOARD OF COUNTY COMMISSIONERS HAS GONE ON RECORD FAVORING THE EARLY ENACTMENT OF SB-1529. THEY TOOK THIS ACTION BECAUSE THEY BELIEVED THAT THE PRIVATE ENTERPRISE SYSTEM SHOULD BE GIVEN A CHANCE WHERE POSSIBLE AND BECAUSE THEY FELT THAT THIS AUTHORIZATION TO PROCEED WOULD BE THEIR BEST OPPORTUNITY FOR RESOLUTION OF THIS TRAFFIC AND SAFETY HAZARD.

IN SUM, LADIES AND GENTLEMEN, SUBSTANTIALLY ALL OF THE BODIES POLITIC IN THE AMERICAN FALLS-ABERDEEN AREA HAVE INDICATED THAT THEY SUPPORT THE PRIVATE FUNDING CONCEPT EMBODIED IN SB 1529, PROVIDED THE PERMANENT AND TEMPORARY CROSSING AMENDMENT IS INCORPORATED INTO THE FINAL BILL. WHILE CERTAIN INDIVIDUALS AND GROUPS

MAY HAVE RESERVATIONS ABOUT THE TENTATIVE DAM DESIGN OF THE PRIVATE FUNDING BILL, ALL HAVE INDICATED A WILLINGNESS TO DEFER TO THE ULTIMATE DESIGN JUDGEMENT OF THE SECRETARY OF INTERIOR.

THE AMERICAN FALLS DAM NEEDS TO BE REPLACED. EACH DAY, EACH HOUR, EACH MINUTE THAT WE DELAY INCREASES THE POSSIBILITY OF DAM FAILURE AND ADDITIONAL FATAL INJURIES TO THOSE CROSSING THE DAM. PLEASE HELP US ELIMINATE THIS HAZARD AT THE EARLIEST POSSIBLE DATE. WE URGE YOU TO FAVORABLY REPORT OUT SB 1529 AND PUSH FOR ITS EARLY ENACTMENT INTO LAW.

THANK YOU.

Senator CHURCH. I think we have a better understanding now of the amendment. I am glad that you mentioned this is the only bridge across the river within an 80-mile distance. I think that that is a fact that needs some emphasis, when we consider the importance of the crossing.

Also, four lanes may seem like a lot of highway, but I remember as a kid when the WPA put in the Memorial Bridge on Capitol Boulevard in Boise, and it looked to me like the widest bridge ever put up. Now it is the bottleneck on Capitol Boulevard. So we would be better off to err on the side of a little too much in width, than a little too little.

Mr. CAVANESS. Mr. Patrick mentioned the difference of two lanes and four lanes is 20 feet, and it is actually one-third of the cost.

Senator McCURE. I have one question.

It was suggested earlier that you had looked at the question of four-bay fishing and might have some comment on that problem.

Mr. CAVANESS. I had talked to Mr. Patrick regarding the ecological considerations in that this is sort of the area I had grabbed on to, in that everybody else had plenty to say, and had more expertise about the traffic patterns than I have. We have not gotten to the ecological problems yet, the FPC license, the environmental impact statement.

The four-bay, as it will be changed, will be actually eliminating the dead water area. We will have less water flowing through the four-bay and will have to make some arrangements to get the oxygen that we are now getting through the huge valve of water. I was talking to Mr. Patrick and he was having some real interesting ideas about some fountains that could utilize the head which is free off of the present reservoir structure to provide a lot of aeration and oxygen they need.

They would produce the head, and we were talking right then about changing the level of the penstock up to the four-bay level, which will make the present situation as we have now, the efficiency light through the penstock, and they go through, and if they can't see light they won't go through. They could do this, and have their traveling screens and shoot them into four-bay. He has not done any of his environmental work yet, because they were rushed to get the basic plan without the frills at this stage.

So, I am satisfied that their plan now is not to eliminate the four-bay, their plan is to mitigate the fish loss that would be costed by the powerplant.

The fish and gamers told them they would not allow them to eliminate the four-bay. They are going to insist on hydraulic traveling screens on the penstock. I have let them know that I keep them honest to the best of my ability.

Senator McCURE. I would assume from all that has been said, that there is a legitimate concern about the fishery resources in the four-bay. We all recognize that there may be some economic costs in one way or another to maintain the fishery resources at that point. I would assume that it is not the desire of anyone with whom you are associated to impose economic burdens that would render this unreasonable. It is just that you want attention paid to this problem and the mitigation

to the extent that is feasible, bearing in mind the various economic costs that might be involved?

Mr. CAVANESS. I don't know anyone who wants to make the physical or economic sacrifice imposed to build the structure. We are going to do our best to maintain the best level of fishery that is best. I don't know that we have that either/or situation at this stage. I think we are talking about how much water we are going to have to put through the four-bay.

Senator McCLURE. As far as you know, there is no one who says this is so critical that it would have to fail to reduce the fishery?

Mr. CAVANESS. No.

Senator CHURCH. Before you leave the table, Mr. Dreyfus has given me a draft of the environmental statement. This may be a preliminary draft.

Mr. CAVANESS. That is what I understand.

Senator CHURCH. It has been prepared by the Department of the Interior. We will see that you are supplied with a copy of that if you will read it over and give us your input. If there is anything you think that should be drawn to our attention or any recommendation you would like to make after you have an opportunity to read this, we would like to have it.

Mr. CAVANESS. I am chairman of the Power County Water Waste Commission, and that is one of my additional free duties I have picked up.

Senator CHURCH. Let's see, you spoke for the commissioners, for the prosecutor, you mentioned you were a schoolbus driver?

Mr. CAVANESS. You wear many hats in a small community.

Senator CHURCH. I think the U.S. Senate is one of the last jack-of-all-trades callings, but I think you have one too. Thank you, Ben, for your testimony.

Mr. CAVANESS. Thank you.

Senator CHURCH. Our next witness is Mr. Lenard Schritter, also a member of the bridge committee and a farmer.

Lenard, it is good to see you and welcome you here.

**STATEMENT OF LENARD SCHRITTER, MANAGER, LAMB-WESTON  
POTATO PROCESSING, AND MEMBER OF THE BRIDGE COM-  
MITTEE**

Mr. SCHRITTER. Thank you Mr. Chairman, Mr. McClure, my name is Lenard Schritter and I am president of the Potato Growers of Idaho, Inc. I am also vice chairman of the American Falls-Aberdeen Bridge Committee. I was born in Aberdeen and have lived and farmed there all my life. I wish to bring to your attention the urgent need for a new dam and modern river crossing at American Falls.

I think I am the only one here, Mr. Chairman, from the Aberdeen area, I think Joe Allen and I are the only ones from that side of the river. I live in Bingham County and the Aberdeen area is mostly all in Bingham County.

My testimony was pretty well gone through previously, so I will skip over it and tell you the problems involved in the Aberdeen area with people crossing the river to get to their areas on the other

side and get some of their food and stuff back over to their side of the river.

Aberdeen is located 12 miles northwest of American Falls across the Snake River. It is the only town west of the river in that area for about 80 miles. Aberdeen has a population of about 1,500, and a surrounding farm area of almost twice that amount. There are 1,014 students in the Aberdeen school system. Aberdeen schoolbuses must cross this bridge when they participate in interschool functions.

There are no medical facilities in Aberdeen, no doctors or hospital. In emergencies, people are transported to American Falls by Ambulance. Most area residents patronize the American Falls doctors and hospitals. The closest medical facilities in the other direction are at Blackfoot, some 40 miles in distance.

Services vital to the community use the crossing daily. These include such things as the U.S. mail, passenger buses, freight and parcel delivery trucks, and supply trucks for the various businesses including consumer suppliers. Power, natural gas, telephone, and other utility companies make constant use of the crossing for repairs and services. The bridge is also used to get to the municipal airport east of American Falls.

The communities of American Falls and Aberdeen are interrelated in many ways. Several businesses are jointly owned and operated with daily commuting between the two making a necessity. These include newspapers, farm supply houses, grocery stores, farm machinery and car dealerships, and many other enterprises vital to both communities.

In addition, there are many families living in one town and working in the other, commuting daily across the dam. Thousands of sportsmen make use of the dam as an access to their favorite fishing, boating, hunting, or recreation area.

Add to all this the countless trips made by area residents to see an optometrist, do some shopping, or simply for pleasure pursuits, such as seeing a movie or going golfing, and there can be no doubt that the traffic crossing on the dam is a vital necessity.

Since 1928 when the 17-foot wide by 1-mile-long bridge was built, five generations of the Schritter family have crossed this narrow bridge. Four generations have personally driven over it, the fifth is still too young. My grandfather crossed this bridge with one load of 50 sacks of wheat per day with team and wagon. My father hauled 100 sacks, five loads per day, on trucks across this bridge. Now we have 10-wheelers and semitrucks that haul 500 sacks per load at about 25 loads per day.

When I was a youngster, we would trail our years growth in cattle, about 100 head, across this bridge once a year to the railroad. Now from our feedlot we ship 100 head across this bridge every weeks in semitrucks. When the bridge was built, taxes on a section of land was about \$300, now taxes on a section is approximately \$3,000.

I am not complaining about taxes. I am only trying to give you a comparison of the conditions when the bridge was built and the present situation. This situation I have described is not one man's problem alone, but many hundred times over the same problem exists. Approximately one-third of these potatoes or 25 million hundred-weight depend on this dam storage for water to grow them. Also,

approximately 10 million hundredweight of these potatoes must cross this bridge enroute to the final marketplaces.

For some 8 years I have been on the American Falls-Aberdeen Bridge Committee. During the time we have tried to find out who is responsible for the bridge crossing. The Bureau of Reclamation built the dam and bridge then turned the bridge over to the State of Idaho. The Idaho Department of Highways said they were to maintain and repair the existing bridge only but not to build a new one. Then we asked them to widen the present bridge. A bill to provide this almost came to a vote in the Idaho Legislature when word was put out that the Idaho Power Co. or water users were going to build the dam right away. Thus, plans for widening the existing bridge were dropped immediately.

So now we still have the 17-foot bridge with 3,500 vehicles a day waiting as long as 20 minutes to cross the bridge with one way traffic. During harvest for 1 year the estimated time and wage loss for trucks waiting to cross the bridge is \$318,650.

Safety is very important on this narrow bridge. Many minor accidents happen there. In September of 1972, my son's mother-in-law was in a bad accident on the bridge and to this day is in a hospital semiconscious and unable to walk or talk.

During grain and potato harvest, a truck crosses the bridge every minute and 20 seconds. Women are reluctant to drive on the bridge and pass these trucks.

The Aberdeen area and the potato growers of Idaho see an urgent and emergency need to replace the present dam and for a new four-lane river crossing.

Therefore, we support Senate bill 1529, with the amendment to provide sufficient finances for a four-lane river crossing along with a new dam.

Mr. Chairman, I would like to draw your attention to the pictures I have of the dam on the next two pages of my testimony.

[The pictures referred to above are retained in the committee files.]

That is all of my testimony.

Senator CHURCH. Thank you, Lenard, very much for your testimony. I was intrigued to hear you give that little bit of family history, five generations of Schritter family having crossed that bridge. And the way you contrast your father hauling the 100 sacks and five loads a day on trucks across the bridge with the present 10-wheelers and trucks, it just shows how the bridge requirements have changed in that time.

Do you see any possibility, Lenard, that we might continue to have in the future the same kind of problem that we have had in the past? You mention in your testimony that no one agency has wanted to take full responsibility for the bridge. The Bureau built the dam and turned the bridge over to the State and the State saw its responsibility as very limited with respect to maintenance and nothing else. Is there any chance that we may find ourselves in the same predicament once we have constructed a new road?

Mr. SCHRITTER. I suppose it could happen. But it would be a long way down the road if you built a four-lane road. That would suffice for a long time. It has been frustrating to see what could be done

about getting a better crossing. We have worked long and hard, and we have not got much satisfaction, I might say.

Senator CHURCH. I should think one thing you would want to see to, if a four-lane highway is built on the dam or if it is built separately from the dam, that it becomes wholly a part of the State Highway system and that the State then assumes responsibility for it as it would any other segment of the highway system.

Mr. SCHRITTER. I suppose especially if it were built off the dam.

Senator CHURCH. Thank you, Lenard, for your testimony.

Senator McCLURE. I have no questions. I might comment, since you are the only representative from Aberdeen here, my mother taught school in Aberdeen long before the dam was there, and I suspect before you were there, so there is a little history involved that is not associated with the dam.

I do appreciate your comments, and I think the growth, as shown by your testimony, is the kind of thing we have to look at right now, but also anticipate for the future. And I am certain that is what you have in mind on the bridge committee when we talk about a four lane highway.

Thank you.

Senator CHURCH. Our next witness is Mr. Bill Hauber, manager, Lamb-Weston Potato Processing.

#### **STATEMENT OF WILLIAM HAUBER, LAMB-WESTON POTATO PROCESSING AND MEMBER OF THE BRIDGE COMMITTEE**

Mr. HAUBER. Mr. Chairman, Senator McClure, it is my pleasure to have the opportunity to testify before you, and I have my written testimony already prepared and I would like to have that on record.

Senator CHURCH. Very well.

Mr. HAUBER. And I would like to skip through, if I may, various aspects of my testimony and hit on the highlights.

I am William Hauber, operations manager, representing Lamb-Weston, Inc., and the communities of American Falls, Aberdeen, Pocatello and the Magic Valley in Idaho. I am here to submit testimony in support of the urgent and immediate need for replacement of the American Falls Dam and State Highway 39 Bridge Crossing.

Lamb-Weston, Inc., is a major frozen French fry producer located at American Falls, Idaho. We produce approximately 200 pounds of frozen potato products per year. We process from 15 to 17,000 acres of potatoes. Based on recent Idaho potato statistics, this is 6 percent of the total production of the number one potato producing State in the Nation.

In monetary value, this means a return of \$12 million to the growers of the area who are directly or indirectly dependent upon the water storage created by the American Falls Dam.

To accomplish our production schedule, we employ between 900 and 1,000 employees. These employees work three shifts per day, 6 days per week for nearly 11 months of the year. Our gross annual payroll is over \$4½.

Additionally, we have two independent service companies, Kent Brothers Trucking and Northwestern Ice and Cold storage, that add another \$500,000 to the economic well being of the American Falls community.

Due to unsafe condition of the American Falls Dam and Highway Bridge, in January 1973, water storage was reduced to 70 percent of capacity and one way limited traffic instituted across the bridge crossing. The State Highway Department is presently reinforcing the bridge to allow the reinstatement of two-way traffic and legal load limits. However, the bridge is still a safety hazard since the road width is a mere 17½ feet. This width just will not permit safe travel with modern day equipment.

My major concern is the economic loss that would occur in the event the dam or the bridge was ever declared unsafe. This action would be a major consequence both to Lamb-Weston and the agricultural communities it serves for the following reasons:

One, the nearest usable access to handle a legal load limit, 78,000 pounds, would be Tilden Bridge, a distance of 45 miles to and from American Falls.

Two, usage of this facility would add approximately \$0.25 hundredweight, total transportation costs in the users of the American Falls Bridge.

Three, 40 percent, or 80 million pounds of the finished product of Lamb-Weston is moved by refrigerated trucks, if access is closed, this would add 90 miles to each truck shipment. If access is limited by weight restrictions, it would require LTL, less than truck load, shipments across the dam with reloading to cover full load shipments to our markets, based on 40 percent volume and gross allowable load limits, this would mean reloading of over 2,000 trucks.

Four, Northwestern Ice and Cold Storage operates a 35 million pound cold storage unit at Borah Siding. They warehouse for all major frozen processors and any disadvantage created by the dam complex would force the same economic problems on Northwestern Ice and its customers.

Five, any change in access patterns will require the company and growers alike to find closer markets since added costs and additional equipment needs would preclude the feasibility of hauling under legal load limits or the additional distance that would be required.

Six, in addition to Lamb-Weston, other companies and fresh shippers transport an estimated 4 million CWT of potatoes across the dam and, therefore, it can be assumed that their transportation costs would increase accordingly. These companies include Western Farmers, Ore-Ida, Simplot, American Potato, R. T. French, and Rogers Bros.

Seven, the value of potatoes alone, at the grower level, which must be transported across the dam is 10 million dollars.

Eight, should it be necessary to impose either load limits or close the bridge to truck traffic, it would mean a serious economic loss to the farmers as transportation costs would be significant enough to cause a shift in potato procurement areas or a reduction in the price to growers to offset the added cost of transportation.

Nine, another definite impact to the community is the continuous inconvenience that approximately 800 to 850 employees that work at Lamb's who must cross this unsafe facility twice a day. This factor definitely creates problems for the labor pool we need to maintain our operation. The major input factor to our labor pool is the city of Pocatello which is 23 miles east of American Falls.

Ten, another major economic limitation is being placed on Idaho as the bridge is a major tool in the growing and marketing of vast acres of potatoes, sugar beets, wheat, hay, cattle, and other farm commodities grown in the area that utilized this valuable crossing. Total agricultural commodities being transported across the bridge is an estimated \$25 million which is a vital input into the economy of Idaho.

The American Falls Dam and Bridge plays a vital role in making Idaho the number one potato producing state in the Nation. The holding capacity aids in the irrigation of crop lands through the State. The Highway Bridge aids in the marketing of millions of dollars of valuable agricultural products. Without these two components it would be difficult to pinpoint the total impact on the agricultural economy input into the Nation.

However, remember that Idaho grows 78 million cwt, on over 320 thousand acres per year. This is 25 percent of the Nation's total production and of this total 62 percent is processed into convenience foods which creates jobs for thousands of people. A recent study conducted by the University of Washington showed that for every dollar of agricultural products processed in the locality or State where it was grown, an input of \$17 was reflected into the local economy. Agricultural crops are Idaho's most important product and any deterioration created by lack of water will definitely reflect on the economic status and tax base for the State of Idaho.

Gentlemen, you have before you two bills for your consideration. S. 1528 is a federally sponsored proposal and S. 1529 is a private funding sponsored proposal. These two bills call for immediate action in the replacement of the American Falls Dam. I support the private funding concept of S. 1529 provided the agreed upon amendment is inserted into the bill to insure that the legal and moral responsibilities of the Bureau of Reclamation are met by the private constructing agency.

We urgently need a new dam and crossing at American Falls, Idaho, and we need your authorization in order to proceed. I trust that the unanimity you have witnessed here today from all segments of the community stress upon you the urgency of our need and our unanimous desire to proceed with all due haste.

Thank you for your time and attention.

Senator CHURCH. The plant you manage depends very heavily on the roadway crossing the present dam, and it would depend on its replacement? It would be very dislocating to your entire operation, would it not?

Mr. HAUBER. Yes, Mr. Chairman. The closest crossing we could utilize is 46 miles to the north. It would cost not only the company but the grower approximately an additional 25 cents a hundred weight, from the American Falls area to the plant area.

Senator CHURCH. I know how your company has transformed the economy of that county, and you generate a great deal of traffic.

Mr. HAUBER. It is a good area, Mr. Chairman.

Senator CHURCH. It is.

Senator McClure.

Senator McCLURE. Thank you very much for your testimony.

Mr. HAUBER. Thank you, gentlemen.

[The prepared statement of Mr. Hauber follows:]

## PUBLIC HEARING

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

RE: AMERICAN FALLS DAM AND BRIDGE REPLACEMENT  
SENATE BILLS 1528 AND 1529

MR. CHAIRMAN, MEMBERS, LADIES & GENTLEMEN:

I AM WILLIAM HAUBER, OPERATIONS MANAGER, REPRESENTING LAMB-WESTON, INC., AND THE COMMUNITIES OF AMERICAN FALLS, ABERDEEN, POCATELLO, AND THE MAGIC VALLEY IN IDAHO. I AM HERE TO SUBMIT TESTIMONY IN SUPPORT OF THE URGENT AND IMMEDIATE NEED FOR REPLACEMENT OF THE AMERICAN FALLS DAM AND STATE HIGHWAY 39 BRIDGE CROSSING.

TO GIVE A BRIEF INSIGHT INTO THE IMPORTANCE OF THE DAM AND THE HIGHWAY CROSSING TO LAMB-WESTON AND TO THE ECONOMY OF IDAHO, I WOULD LIKE TO SUBMIT THE FOLLOWING:

LAMB-WESTON, INC., IS A MAJOR FROZEN FRENCH FRY PRODUCER LOCATED AT AMERICAN FALLS, IDAHO. WE PRODUCE APPROXIMATELY 200 MILLION POUNDS OF FROZEN POTATO PRODUCTS PER YEAR. WE PROCESS FROM 15 TO 17,000 ACRES OF POTATOES. BASED ON RECENT IDAHO POTATO STATISTICS, THIS IS 6% OF THE TOTAL PRODUCTION OF THE No. 1 POTATO PRODUCING STATE IN THE NATION. IN MONETARY VALUE, THIS MEANS A RETURN OF 12 MILLION DOLLARS TO THE GROWERS OF THE AREA WHO ARE DIRECTLY OR INDIRECTLY DEPENDENT UPON THE WATER STORAGE CREATE BY THE AMERICAN FALLS DAM.

TO ACCOMPLISH OUR PRODUCTION SCHEDULE, WE EMPLOY BETWEEN 900 AND 1,000 EMPLOYEES. THESE EMPLOYEES WORK THREE SHIFTS PER DAY, SIX DAYS PER WEEK FOR NEARLY ELEVEN MONTHS OF THE YEAR. OUR GROSS ANNUAL PAYROLL IS OVER FOUR AND ONE-HALF MILLION DOLLARS.

ADDITIONALLY, WE HAVE TWO INDEPENDENT SERVICE COMPANIES - KENT BROTHERS TRUCKING AND NORTHWESTERN ICE AND COLD STORAGE - THAT ADD ANOTHER 500,000 DOLLARS TO THE ECONOMIC WELL BEING OF THE AMERICAN FALLS COMMUNITY.

DUE TO THE UNSAFE CONDITION OF THE AMERICAN FALLS DAM AND HIGHWAY BRIDGE, IN JANUARY, 1973, WATER STORAGE WAS REDUCED TO 70% OF CAPACITY AND ONE WAY LIMITED TRAFFIC INSTITUTED ACROSS THE BRIDGE CROSSING. THE STATE HIGHWAY DEPARTMENT IS PRESENTLY REINFORCING THE BRIDGE TO ALLOW THE REINSTATEMENT OF TWO-WAY TRAFFIC AND LEGAL LOAD LIMITS. HOWEVER, THE BRIDGE IS STILL A SAFETY HAZARD SINCE THE ROAD WIDTH IS A MERE 17½ FT. THIS WIDTH JUST WILL NOT PERMIT SAFE TRAVEL WITH MODERN DAY EQUIPMENT.

MY MAJOR CONCERN IS THE ECONOMIC LOSS THAT WOULD OCCUR IN THE EVENT THE DAM OR THE BRIDGE WAS EVER DECLARED UNSAFE. THIS ACTION WOULD BE A MAJOR CONSEQUENCE BOTH TO LAMB-WESTON AND THE AGRICULTURAL COMMUNITIES IT SERVES FOR THE FOLLOWING REASONS:

1. THE NEAREST USABLE ACCESS TO HANDLE A LEGAL LOAD LIMIT (78,000 POUNDS) WOULD BE TILDEN BRIDGE - A DISTANCE OF

45 MILES TO AND FROM AMERICAN FALLS.

2. USAGE OF THIS FACILITY WOULD ADD APPROXIMATELY \$0.25 CWT. TOTAL TRANSPORTATIONS COSTS IN THE USERS OF THE AMERICAN FALLS BRIDGE.

3. FORTY PERCENT, OR 80 MILLION POUNDS OF THE FINISHED PRODUCT OF LAMB-WESTON IS MOVED BY REFRIGERATED TRUCKS. IF ACCESS IS CLOSED, THIS WOULD ADD 90 MILES TO EACH TRUCK SHIPMENT. IF ACCESS IS LIMITED BY WEIGHT RESTRICTIONS, IT WOULD REQUIRE LTL - LESS THAN TRUCK LOAD - SHIPMENTS ACROSS THE DAM WITH RELOADING TO COVER FULL LOAD SHIPMENTS TO OUR MARKETS. BASED ON 40% VOLUME AND GROSS ALLOWABLE LOAD LIMITS, THIS WOULD MEAN RELOADING OF OVER 2,000 TRUCKS.

4. NORTHWESTERN ICE AND COLD STORAGE OPERATES A 35 MILLION POUND COLD STORAGE UNIT AT BORAH SIDING. THEIR WAREHOUSE FOR ALL MAJOR FROZEN PROCESSORS AND ANY DISADVANTAGE CREATED BY THE DAM COMPLEX WOULD FORCE THE SAME ECONOMIC PROBLEMS ON NORTHWESTERN ICE AND ITS CUSTOMERS.

5. ANY CHANGE IN ACCESS PATTERNS WILL REQUIRE THE COMPANY AND GROWERS ALIKE TO FIND CLOSER MARKETS SINCE ADDED COSTS AND ADDITIONAL EQUIPMENT NEEDS WOULD PRECLUDE THE FEASIBILITY OF HAULING UNDER LEGAL LOAD LIMITS OR THE ADDITIONAL DISTANCE THAT WOULD BE REQUIRED.

6. IN ADDITION TO LAMB-WESTON, OTHER COMPANIES AND FRESH SHIPPERS TRANSPORT AN ESTIMATED FOUR MILLION CWT. OF POTATOES ACROSS THE DAM AND, THEREFORE, IT CAN BE ASSUMED THAT THEIR TRANSPORTATION COSTS WOULD INCREASE ACCORDINGLY. THESE

COMPANIES INCLUDE WESTERN FARMERS, ORE-IDA, SIMPLOT, AMERICAN POTATO R.T. FRENCH AND ROGERS BROTHERS.

7. THE VALUE OF POTATOES ALONE, AT THE GROWER LEVEL, WHICH MUST BE TRANSPORTED ACROSS THE DAM IS TEN MILLION DOLLARS.

8. SHOULD IT BE NECESSARY TO IMPOSE EITHER LOAD LIMITS OR CLOSE THE BRIDGE TO TRUCK TRAFFIC, IT WOULD MEAN A SERIOUS ECONOMIC LOSS TO THE FARMERS AS TRANSPORTATION COSTS WOULD BE SIGNIFICANT ENOUGH TO CAUSE A SHIFT IN POTATO PROCUREMENT AREAS OR A REDUCTION IN THE PRICE TO GROWERS TO OFFSET THE ADDED COST OF TRANSPORTATION.

9. ANOTHER DEFINITE IMPACT TO THE COMMUNITY IS THE CONTINUOUS INCONVENIENCE THAT APPROXIMATELY 800 TO 850 EMPLOYEES THAT WORK AT LAMB'S WHO MUST CROSS THIS UNSAFE FACILITY TWICE A DAY. THIS FACTOR DEFINITELY CREATES PROBLEMS FOR THE LABOR POOL WE NEED TO MAINTAIN OUR OPERATION. THE MAJOR INPUT FACTOR TO OUR LABOR POOL IS THE CITY OF POCATELLO WHICH IS 23 MILES EAST OF AMERICAN FALLS.

10. ANOTHER MAJOR ECONOMIC LIMITATION IS BEING PLACED ON IDAHO AS THE BRIDGE IS A MAJOR TOOL IN THE GROWING AND MARKETING OF VAST ACRES OF POTATOES, SUGAR BEETS, WHEAT, HAY, CATTLE AND OTHER FARM COMMODITIES GROWN IN THE AREA THAT UTILIZED THIS VALUABLE CROSSING. TOTAL AGRICULTURAL COMMODITIES BEING TRANSPORTED ACROSS THE BRIDGE IS AN ESTIMATED 25 MILLION DOLLARS WHICH IS A VITAL INPUT INTO THE ECONOMY OF IDAHO.

THE AMERICAN FALLS DAM AND BRIDGE PLAYS A VITAL ROLE IN MAKING IDAHO THE NO. 1 POTATO PRODUCING STATE IN THE NATION. THE HOLDING CAPACITY AIDS IN THE IRRIGATION OF CROP LANDS THROUGH THE STATE. THE HIGHWAY BRIDGE AIDS IN THE MARKETING OF MILLIONS OF DOLLARS OF VALUABLE AGRICULTURAL PRODUCTS. WITHOUT THESE TWO COMPONENTS IT WOULD BE DIFFICULT TO PINPOINT THE TOTAL IMPACT ON THE AGRICULTURAL ECONOMY INPUT INTO THE NATION. HOWEVER, REMEMBER THAT IDAHO GROWS 78 MILLION CWT. ON OVER 320 THOUSAND ACRES. THIS IS 25% OF THE NATION'S TOTAL PRODUCTION AND OF THIS TOTAL 62% IS PROCESSED INTO COVENIENCE FOODS WHICH CREATES JOBS FOR THOUSANDS OF PEOPLE. A RECENT STUDY CONDUCTED BY THE UNIVERSITY OF WASHINGTON SHOWED THAT FOR EVERY DOLLAR OF AGRICULTURAL PRODUCTS PROCESSED IN THE LOCALITY OR STATE WHERE IT WAS GROWN, AN INPUT OF \$17 WAS REFLECTED INTO THE LOCAL ECONOMY. AGRICULTURAL CROPS ARE IDAHO'S MOST IMPORTANT PRODUCT AND ANY DETERIORATION CREATED BY LACK OF WATER WILL DEFINITELY REFLECT ON THE ECONOMIC STATUS AND TAX BASE FOR THE STATE OF IDAHO.

GENTLEMEN, YOU HAVE BEFORE YOU TWO BILLS FOR YOUR CONSIDERATION. BILL NO. 1528 IS A FEDERALLY SPONSORED PROPOSAL AND NO. 1529 IS A PRIVATE FUNDING SPONSORED PROPOSAL. THESE TWO BILLS CALL FOR IMMEDIATE ACTION IN THE REPLACEMENT OF THE AMERICAN FALLS DAM. I SUPPORT THE PRIVATE FUNDING CONCEPT OF SB 1529 PROVIDED THE AGREED UPON AMENDMENT IS INSERTED INTO THE BILL TO INSURE THAT THE LEGAL AND MORAL RESPONSIBILITIES OF THE BUREAU OF RECLAMATION ARE MET BY THE PRIVATE CONSTRUCTING AGENCY.

WE URGENTLY NEED A NEW DAM AND CROSSING AT AMERICAN FALLS, IDAHO,  
AND WE NEED YOUR AUTHORIZATION IN ORDER TO PROCEED. I TRUST THAT  
THE UNANIMITY YOU HAVE WITNESSED HERE TODAY FROM ALL SEGMENTS OF  
THE COMMUNITY STRESS UPON YOU THE URGENCY OF OUR NEED AND OUR  
UNANIMOUS DESIRE TO PROCEED WITH ALL DUE HASTE.

THANK YOU FOR YOUR TIME AND ATTENTION.....

Senator CHURCH. Our next witness is Mr. Kay Hansen, also a member of the bridge committee.

**STATEMENT OF KAY HANSEN, MEMBER OF THE AMERICAN FALLS  
BRIDGE COMMITTEE**

Mr. HANSEN. Thank you, Mr. Chairman, I have four pages here I am going to read. This is my first trip to Washington, D.C. and you know you can't buy a bourbon and squirt here, you know squirt.

I am Kay Hansen, I am the manager of the First Security Bank of American Falls and I am also the past president of the American Falls Chamber of Commerce.

The American Falls Chamber has asked that I speak to you in their behalf regarding the two bills that have been introduced to date calling for the replacement of the dam at American Falls, Idaho. After lengthy discussion and negotiations with the water users and others, the American Falls Chamber of Commerce has asked that I speak in support of the prompt passage of S. 1529.

The American Falls Chamber believes that this bill promises to be in the best interest of both the community of American Falls, Idaho, and the Nation.

However, our support for this bill is conditioned upon an amendment being made to the wording of the original bill to include a provision that an adequate two-way, two lane crossing be included as part of the project to be financed by the constructing agency. The full text of the agreed upon amendment between the chamber, the bridge committee and the water users has been prepared and was presented to you today by Mr. Tom Nelson.

We have conditioned our support of this bill upon the foregoing amendment because an adequate crossing spanning the Snake River at American Falls, Idaho is a must for the American Falls businessman. The trading areas of Aberdeen, Springfield, Pleasant Valley and Fairview are completely dependent upon a fully functional river crossing. Since the present crossing is the only bridge spanning the Snake River for 80 miles, it is easy to see why this crossing is so important to us.

Additionally, the development of the area is such that the people in these trading areas must not only cross the bridge for their supplies and markets but they also must use this crossing to gain access to doctors, hospitals, schools and jobs.

Closure or further restriction on the use of the present river crossing would be disastrous for the American Falls businessman. I have discussed the economic impact of an inadequate crossing with various American Falls businessmen and they were unanimous in their evaluation of the impact of the foregoing trading areas. The concensus was that at least 35 percent of their business came from the above referenced trading areas. Also, when I consulted the farm supply centers, farm fertilizer dealers, farm implement dealers and grain elevator operators the figure was considerably higher.

As you can see, loss of this trading area through a loss of this crossing, for however short a period would mean financial ruin for a large number of American Falls businessmen. We cannot afford to allow this to happen.

One often hears that the small rural communities are drying up and blowing away. This is not true in American Falls, Idaho. Despite the fact that the community is within 25 miles of a metropolitan area, American Falls has grown steadily over the past 12 years. During this period of time we have maintained a growth rate of in excess of 3 percent per year. A new shopping center is being built, a large new subdivision has been platted and brought into the city and we are awaiting Federal approval of a new \$500,000 Marina facility which will better utilize the back water of American Falls Dam.

Additionally, the Small Business Administration is presently guaranteeing over one-half of a million dollars in real and personal property loans in our area. We want to continue this growth and progress, but we cannot do so without an adequate Snake River crossing.

Gentlemen, you can help us continue our growth and insure the health of our business community. Early reporting out and passage of S. 1529 with the amendment that has been proposed to you this date will not only help us eliminate the present traffic hazard that faces the approximately 4,000 people per day, that must use this narrow extremely dangerous crossing each day, but it will insure that the present unsafe dam is replaced prior to its causing another dam failure catastrophe which seems to have plagued this Nation during the past 18 months. We seek to eliminate this traffic and safety hazard and we can do so with your help.

We ask only that you grant us the authorization to proceed with this replacement with private funding as per the provisions of Senate bill 1529. This bill will allow us to proceed at the earliest possible date and at no cost to the Government.

You will receive over \$4 million worth of flood control benefits at no cost and you will shift the responsibility for reconstruction of an adequate crossing to the private constructing agency. Passage of Senate bill 1529 not only makes good business sense in this area of tight congressional purse strings, but it also will lead to the quickest and best solution to the major barrier to increased growth and prosperity in the American Falls area.

Thank you for your time and attention.

Are there any questions?

Senator CHURCH. I agree, the most we can expect to build on the American Falls Dam is a two-lane highway. The present drawings perhaps show only a maintenance highway. So the four-lane road on top of that dam would probably entail very considerable extra cost. It is speculation, but I should think it would.

Mr. HANSEN. The four-lane crossing, it is not a case of which came first, the chick or egg here. The bridge has to come first. We have to have a crossing. As Ben said, we are all singing with Mitch now, and I think we are in harmony.

Senator CHURCH. You are not insisting the four lanes be built on the dam?

Mr. HANSEN. No. Originally that was where it was going to be, because they were going to keep the old bridge in use while constructing.

Senator CHURCH. Thank you.

Senator McCLURE. As I understand it, the four-lane crossing is separate, as envisioned by the Chamber at this time. Is it suitable for your needs?

Mr. HANSEN. Yes, between the trestle and the new dam.

Senator McCLURE. While that decision is not final, that is one that appears likely to you?

Mr. HANSEN. Yes, it is feasible. We might have to put the new dam back just a smidgen, we might not put it just where they wanted it.

Senator McCLURE. You indicated a week ago, you might have come back here and suggested Federal construction.

Mr. HANSEN. Yes. But now we are in harmony.

Senator McCLURE. It is that coupled with the time factor?

Mr. HANSEN. That is the big thing. We have waited a long time for a satisfactory bridge, and that is the very least we can do for them.

Senator McCLURE. I am sure the people on the other side using that bridge, do not have all of the same interest of all of the irrigators.

Mr. HANSEN. Yes.

Senator McCLURE. Thank you very much.

Senator CHURCH. Thank you very much.

Our next witness is Mr. Dwight R. Bowen, attorney for the Shoshone-Bannock tribes.

**STATEMENT OF DWIGHT R. BOWEN, ATTORNEY FOR THE SHOSHONE-BANNOCK TRIBES, FORT HILL INDIAN RESERVATION, FORT HILL, IDAHO**

Mr. BOWEN. Mr. Chairman, Senator McClure, I have a prepared statement I ask be made a part of the record. On behalf of the Shoshone-Bannock tribes, here are three concerns which I would like to express:

One, is that the bill provides that assurance that the level of American Falls Reservoir not be raised.

Two, that the appropriate action be taken to control erosion.

Three, that any funds necessary to meet the prorated construction costs apportioned to the reservation be provided for in the bill.

Each of these three concerns have been recommended for amendment in the Secretary of Interior's report earlier.

Senator CHURCH. You favor the three amendments?

Mr. BOWEN. Yes, I would endorse each of those proposals as set out in the report. I think if they were set out in the bill that would alleviate the concern of the tribe.

I have nothing further.

Senator CHURCH. All right.

Senator McCLURE. I want to bring out for the record my understanding of the present erosion control. It serves as a check balance, in which an evaluation is made of the cost of erosion control as compared to the cost of paying for the cost of land. Is that not correct, at the present time?

Mr. BOWEN. In talking to Jack Horton, Assistant Secretary of the Interior, he was talking about that. We would be willing to rely on the precedent how that is handled. We would favor more control of the erosion. I realize this would have to rely on the precedent.

Senator McCLURE. It is your preference, not necessarily your desire, to change the present operating condition?

Mr. BOWEN. Yes.

Senator McCLURE. I am sure the firms on the Aberdeen side would rather have the erosion control then sell their land one acre at a time. I think providing erosion control is more important than just simply the economic tradeoff. There does come a point where I guess we have to accept the fact that it is technically possible to stop the erosion but economically unfeasible to do so. But in case of doubt, I would personally come down on the side of erosion control rather than compensation for lost land.

I thought the record needed to be clear on that point.

Thank you very much.

Mr. BOWEN. Thank you.

Senator CHURCH. Thank you.

[The prepared statement of Mr. Bowen follows:]

STATEMENT OF DWIGHT R. BOWEN, ATTORNEY FOR THE SHOSHONE-BANNOCK TRIBES, FORT HALL INDIAN RESERVATION, FORT HALL, IDAHO

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 for the habitat of wild game and fish.

Portions of the Fort Hall Bottom lands remain 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 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.

The heart, the mind, the society of the Shoshone-Bannock Indian, has historically been one of communion and deep spiritual intercourse with nature. The white man's utilitarian propensity to equate streams and trees and grass and wild game with dollars, is an aberration totally foreign and reprehensible to the Indian mind and spirit.

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 in question. In and under said treaty the region was reserved and set apart to the tribe as a home in perpetuity. The United States government further recognized that said tribe has its sovereign law and order system together with all the rights of self-government within its territorial purlieu.

If the United States government or any of its agencies, departments or bureaus, in concert with the Congress of the United States, sponsor or enact legislation providing for the raising of the American Falls Dam, by such act

and action, the United States government and the Congress will have clearly abdicated the integrity of the treaties of the United States Government and will further violate and desecrate the fundamental concepts of property and due process intrinsic in the Declaration of Independence and the Constitution of the United States of America. The authors and disciples of our Constitution clearly rejected the concept that justice is merely the interest of the stronger. History, however, clearly evinces that too often the treaty Indians have been plundered, profaned and disinherited.

Irrespective of the above matters, the raising of the American Falls Reservoir Dam is neither defensible nor economic from a pragmatic standpoint. Alternatives familiar to each of us, including storage upstream, are more constraining to the mind. Beyond such, when all of the foregoing concepts and reasons are considered in the proposition, raising the American Falls Dam is clearly untenable and unacceptable.

In summary, the Shoshone-Bannock Tribes solemnly and firmly petition the heart and conscience of every United States Senator and Congressman 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, acts and agreements between these Indians and the United States government and its agencies to the end that these few vestigial remnants evidencing and embodying the deep eternal love and affinity between these First Americans and nature shall not pass by legislative requiem.

Senator CHURCH. Our next witness is Mr. Thomas G. Nelson, attorney, Twin Falls, Idaho.

**STATEMENT OF THOMAS G. NELSON, ATTORNEY, TWIN FALLS, IDAHO**

Mr. NELSON. Mr. Chairman, Senator McClure, I have submitted to the staff a prepared statement which I request be included in the record.

Also, before I forget, I have a number of written statements from other interested parties which I have brought with me and ask that they be included in the record.

Senator CHURCH. Very well, those statements will appear following your testimony.

Mr. NELSON. I don't believe there is any necessity to read my statement. One function I could serve is to cover some of the points that have been raised in the testimony of prior witnesses. Basically, a little more detail on how this particular proposal will be handled.

The American Falls Reservoir District is the largest spaceholder holding rights in American Falls Reservoir. It will be used as a vehicle to be the constructing agency and actually issue the bonds because of its greater land area and more bonding capacity, thereby, then other spaceholders would contract with the American Falls Reservoir District for repayment of their share of the construction costs to American Falls Reservoir District.

The district would also enter into a contract with the Idaho Power Co. on the falling water aspects for use in their powerplant which would be used to reduce the payments required by the spaceholders. In theory it would be possible to get a direct offset. I think in practice the cost of the dam will exceed the amount or value of the falling waters and the spaceholders will have a direct responsibility of several million dollars, I would estimate, to pay directly themselves.

At this point we are about 180° out of phase with the Bureau of Reclamation. The Bureau obtains financing and does a preliminary

study and comes in with a fairly detailed proposal upon which congressmen act. But the nature of our beast, we are forced to start at the other end and ask for congressional authorization first. Congressional authorization is something we have to have before we can pass a bond issue to get into the nuts and bolts of dam and powerplant and bridge design.

However, the spaceholders have—

Senator CHURCH. Do you see any problem, just to go back to a question I raised earlier today, do you see any problem involved in the bonds being tax exempt?

Mr. NELSON. Yes, there is a potential problem in that area. We had advice from counsel on how to proceed, and we do intend to apply to the IRS for a ruling on whether or not the interest from the bonds will be tax exempted, over 40 years, it amounts to \$8 million.

We are told by tax counsel that the chances are good we can obtain a favorable ruling on the question of the industrial bonds versus tax-free bonds and we intend to pursue that on a parallel track with the legislation. So we can satisfy ourselves with that fact as soon as we can. But on the question of what you might call lead money, if we were in the land development business or front money, in order to get the matter moving, we have the space—the spaceholders have been asked if they would be willing to advance money toward engineering costs to get the project moving, instead of the bond issue.

If congressional action went quickly, we could not have a bond issue before the end of the year. The spaceholders have issued more than \$1 million. We now have 94 percent of the spaceholders, or I should say, spaceholders representing 94 percent of the space have pledged themselves to pay money in advance of congressional authorization to get the project moving, which I think is an endorsement that speaks for itself.

As far as how the spaceholders feel about this project, Mr. Jim Patrick testified that his firm will be retained by the spaceholders to design the dam and the Idaho Power Co. will retain them on a parallel basis to design the powerplant, so we can get FPC licensing before congressional action.

On the question of FPC licensing, Senator Church, I believe you asked the previous witnesses, we have checked with the FPC staff, and the estimate they gave us is 4½ months from the time we lay it on the desk to license, at the very best. I understand last year they issued one license and that took 3 years. But they say if everything goes perfectly, it would be 4½ months to license. So if we are looking at January 1, 1975, to start construction, if you start backwards, we are running out of time on the FPC license right now and we are going to, in essence, gamble the money on the FPC license and get that started ahead of congressional authorization.

If we go one step at a time, we are probably 5 years away. So the spaceholders are risking this money, I think it is a good gamble and if so, we probably have saved ourselves several years at the end.

As a part of the engineering on the project, the spaceholders will retain a consulting board of engineers to give their view on the basic questions of dam design, which are raised by this particular approach, and we hope to have that board set up in the near future

so that the preliminary designs will be made on the basis of their advice.

The question of erosion control has been raised. Erosion control is, we think, a continuing maintenance problem at the reservoir and we suggest that erosion control be left to the Department of Interior, Bureau of Reclamation, as a maintenance project. That control is assessed to the spaceholders, operations and maintenance item, and we are prepared to pay whatever that particular program entails. We don't necessarily feel we should tie the two together. But as far as that program has gone and will continue to go, we will continue to pay for the operation and maintenance assessments.

On the question of evaluation, the spaceholders have no intention or desire to raise the elevation of the reservoir. The whole proposal is based on replacing the reservoir at its present location with the dam. We would suggest, initially, language to set that out specifically and we certainly would have no objection to language which would make that a requirement. I think the language must be fairly carefully drafted, because there have been some storage limitations for the last several years based on ice loading, so I think it will have to be carefully drafted in order to not pick up one of these limitations.

On the last matter, I think, that I might cover on the question of the bridge, if anybody is interested in the history of where their obligation on the bridge crossing comes up, I think I may be one of the few people that has run down that answer. There were several contracts between the Bureau and the American Falls Highway District, back when the bridge was first built and an existing crossing was condemned as part of the original contract and there was a contract entered into in 1925 which contained language to the effect that the United States will maintain and continue maintenance on the dam or in that vicinity. Then a later contract was written in 1921 or 1929 which transferred the maintenance of the road to the highway district. In 1931, the route had been designated as a State highway and a new contract was entered into which, as I read it, abrogates the old contract and says maintenance of the road is a State responsibility.

I think it is this combination of contracts that has lead to the feeling on the part of the Bureau and State highway department that somebody else is responsible for those two lanes. I think the Bureau's position, as I get it now, the Bureau is responsible for a crossing at that location. I think inherent in the spaceholder's proposal, if we are going to build a bridge or dam for the Bureau of Reclamation, we will have to provide a crossing as part of the project.

I don't think it is palatable to Congress or American Falls or the spaceholders to replace the dam and leave the people with no crossing.

Senator McCURE. Would it be your feeling that the spaceholder provides the dam, but the maintenance of the dam, together with the maintenance of the crossing after it is completed, is a State responsibility.

Mr. NELSON. That would be consistent with the last condition, the one they are now operating under; funds allocated to the road by the Bureau are the responsibility of the highway department.

Senator McCLURE. Does the State highway department agree with you.

Mr. NELSON. I have not asked them about the maintenance of it. The contract pretty clearly says that.

Senator McCLURE. I would suggest it might be well to pin that down in the various instruments negotiated and agreed upon in connection with this.

Mr. NELSON. I would think the fact they are out there spending about \$100,000 to strengthen the highway, would show their feeling that maintenance is their problem. I assume that is where they are operating. I think we are at the point now, Mr. Chairman, where we have open discussions with the highway department relative to what they could do in the area of four-lane crossings.

Mr. Patrick gave you the figure of 1 million and a half to provide a crossing on the dam. I think in talking to Mr. Patrick, you would spend substantially more than twice that, to put a four-lane crossing on the dam. In discussing with the highway department, they thought if we were forced to put two lanes on the dam, they would put two lanes downstream, which would cost them about twice what it would cost us to put the two lanes on the dam, but you can put a four-lane crossing immediately downstream from the dam for not essentially too much more than the two-lane.

We have approached the highway department with the idea we can save a lot of money if we can do this. The highway board is meeting this week and we hope to have word when we get back as to what specifically they are willing to do.

We have bitten the bullet on two lanes, what would they be willing to do on the other two?

Senator McCLURE. What would the timing on that be?

Mr. NELSON. On the preliminary statement 18 months. Working back from that you have to go into design by the 1st of July, and we are on schedule for that if we get a favorable response from the highway board at their meeting this week. Then hopefully, we can let a contract for the design at the bridge, or they can, and get that done.

Senator McCLURE. I am puzzled with the mention of this just a little bit. It is your expectation that the highway board would agree to some kind of joint arrangement?

Mr. NELSON. Yes.

Senator McCLURE. But the spaceholders have not yet bonded themselves to pay for their share?

Mr. NELSON. That is correct.

Senator McCLURE. And the Congress has not yet passed this authorizing legislation. But to say that the design has to start by July 1, do you think we will have the legislation through Congress and signed by the President and the bonding all done by July 1?

Mr. NELSON. I cannot answer from the congressional end. I am sure we won't have the bonding. The way we approached the highway department was this, if they would let a contract for the con-

sulting engineer to design a bridge, then it would be programed for construction starting in 1974.

Senator McCLURE. In other words, all the State would be gambling would be the construction design?

Mr. NELSON. Design money. It is not a gamble. They have to do something down there pretty quickly anyway. They agree the place for the crossing is downstream from the dam. If things go right in Congress, we can have our bond issue hopefully, by the first of the year. We are approaching it at this point, that we can contribute to the bridge the money we would save by having the bridge there as a part of our project. If we get a different estimate from the bond counsel on that question, then there are a couple of routes out for us. We can go back to the Governor for a special session or wait until the January session and get the authorization for irrigation district amended to provide for river crossings.

Hopefully, it will work out that we can float our bond issue about the first of the year.

Senator McCLURE. The only advance on the thing is the design money that the irrigation district is putting up in advance for design work on the dam, the moneys that would be advanced by the State highway department in effect on contract. They would all come together with funding and construction at the same period starting at the beginning of next year?

Mr. NELSON. Yes; it is dovetailed to some extent. If everybody has the attitude, this is the problem they want to solve, we can do it. We are—good will time or slippage time is beginning to swindle a little bit. If we can get that license started on schedule, theoretically we can still make it. If we stub our toe in Congress or with a tax ruling or something of that sort, we are then off schedule. Right now we are on and the bridge will get carried along with the project.

Senator CHURCH. I think the Senate is going to stay on schedule. I cannot speak for the FPC, there are a lot of hurdles that have to be cleared.

Mr. NELSON. If we put a blackboard up when we started this project, we would not have scratched off very many, but added a whole bunch.

Senator McCLURE. With respect to the maintenance, do you have any comment on that?

Mr. NELSON. Yes; I have been in charge of that subcommittee. We have discussed the matter with the Fish and Wildlife Service, and apparently it is mechanically possible to provide a fish and water bypass to maintain the fishery for the four-bay. The question is how much does it cost to put in the facility, how much water comes out of the powerplant to run it? So far we do not have any real handle on that problem, but we are attempting to and that will tell us precisely where we are.

At this point I think there is an excellent possibility we can maintain the fishery in the four-bay. The surface area will be reduced in size, but the fish and game people tell us the area that will be eliminated by the powerhouse, contains only trash fish anyway. I might also mention my statement has an exhibit to it, which is agreed language on an amendment to the bill. If you have trouble finding one other copy, it is attached to my statement.

My understanding is that essentially the spaceholders have to or are obligated to provide adequate crossings as a part of the project to be funded at our discretion, because we may get a trade-off here with the State highway department and we will coordinate the effort to get the four-lane crossing, because everybody agrees including the State highway department, it is ridiculous to spend a lot of money on that river crossing and not get the four lanes.

So, essentially that is where we are. We agreed with that analysis, it is a spaceholders' obligation.

Senator McCLURE. One further comment, because you have included it in your statement and it was earlier put into the record by Governor Andrus. With respect to the plans not directly tied in with this development, it bears upon acceptance by the public.

I'm referring to plans for recreation enhancement on the reservoir. You refer to the State parks department plan for the construction of recreation facilities and the statement has been made that the city and county are also interested in recreation facilities?

Mr. NELSON. Yes; the real reason for the interest of the park department specifically in this proposal is that the Bureau of Outdoor Recreation is considering withdrawing that fund for the marina project because of the low elevation. So they are vitally interested in timing.

If we stay on the line with our rehabilitation plan they can stay on the line with their marina project.

Senator CHURCH. Thank you.

[The prepared statement and material submitted by Mr. Nelson follows:]

## PARRY, ROBERTSON, DALY &amp; LARSON

LAWYERS

THE IDAHO FIRST NATIONAL BANK BUILDING

P. O. BOX 525

TWIN FALLS, IDAHO 83301

TELEPHONE  
(208) 733-3722

R. P. PARRY  
 T. M. ROBERTSON  
 JOHN H. DALY (1913-1968)  
 BERT LARSON  
 C. G. MCINTYRE  
 JOHN R. COLEMAN  
 THOMAS G. NELSON  
 JOHN A. ROSHOLT  
 FRED D. DECKER  
 ROBERT C. PAINE

STATEMENT OF THOMAS G. NELSON ON SB 1528 and SB 1529  
 BEFORE WATER AND POWER RESOURCES SUBCOMMITTEE  
 INTERIOR AND INSULAR AFFAIRS COMMITTEE

May 10, 1973

Mr. Chairman, members of the committee, ladies  
 and gentlemen:

I am Thomas G. Nelson. I am a lawyer in Twin Falls, Idaho, and practice with the firm of Parry, Robertson, Daly & Larson. Our firm has for many years represented irrigation clients and we appear today at the request of the American Falls Reservoir District Board of Directors. The American Falls Reservoir District is a combine of five irrigation operating companies which include the Twin Falls Canal Company, the North Side Canal Company, the Aberdeen-Springfield Canal Company, Woodville Canal Company, and the Martin Canal Company. In total, the companies own through the district 487,063 acre-feet of water in a full American Falls Reservoir. The North Side Canal Company, whom we also represent, owns an additional 124,980 acre-feet of water in the reservoir through a separate contract with the Bureau of Reclamation. The North Side Canal Company is also a delivery agent for the Hillsdale Irrigation District. In effect, the American Falls Reservoir District directly affects water deliveries of 653,189 acre-feet from the American Falls Reservoir. The lands in the district total some 430,050 acres.

Following some eight years of meetings and discussions concerning the condition of the present American Falls Dam, a crisis was precipitated in October of 1972 when the Bureau of Reclamation put on their first year-around restriction. This restriction prohibited storage in the top eleven feet, thus eliminating slightly over one-third of the total capacity of the reservoir for the storage of water. Previously, restrictions had been imposed in the top eight foot section of the reservoir during periods of the year when ice remained on the reservoir. The Bureau released in December of 1972, an American Falls Dam replacement report entitled Executive Summary Report. This report was issued in a most expeditious manner by the Bureau following the imposition of the restriction order.

The water users took a look at the proposal of the Bureau of Reclamation which indicated that \$18.6 million dollars

PARRY, ROBERTSON, DALY & LARSON

would be repaid by the irrigators in the construction of the Bureau proposal. The American Falls Reservoir District Board of Directors, in evaluating the appropriations problems which persist for Bureau of Reclamation authorizations, decided to investigate other possible alternatives. The Board of Directors approached the Idaho Power Company, which maintains a power plant at the existing American Falls Dam, to determine if a possibility existed that some type of arrangement might be worked out whereby the water users repayment burden might be decreased.

Shortly after that decision, the American Falls Reservoir District Board had preliminary conversations with Idaho Power Company officials.

In the meantime, the American Falls Spaceholders held a general meeting and formally organized. They selected a committee of eight members to represent the various geographical areas of Spaceholders in the American Falls Reservoir.

In late February, the Idaho Power Company had completed their proposal and presented it officially to the American Falls Reservoir District who had first approached them. The same proposal was approved by the district and subsequently by the Executive Committee of the Spaceholders, and by a general meeting of all of the Spaceholders.

Drafts of the bills, which are being considered here today, were then prepared. Senate Bill 1528 delineates a procedure for the authorization of a replacement dam by the Bureau of Reclamation in accordance with their legislative and executive guidelines.

SB 1529 would authorize a replacement of the dam by utilizing private financing. In theory, the proposal of SB 1529 is simple. The American Falls Reservoir District would enter a contract with the Secretary of Interior authorizing the district as the constructing agency in the replacement of American Falls Dam. The district would then hold a bond election, authorizing the sale of bonds in a sufficient amount to replace the dam and related facilities. The district would then contract with all other American Falls Spaceholders for the repayment by those districts of their proportionate share of the replacement cost. The Secretary would be a party to these contracts.

The American Falls Reservoir District and the Spaceholders would cooperate with the Idaho Power Company in urging the Federal Power Commission to issue a license to the Power Company for a new generating facility below the American Falls Dam. In accordance with the understanding to-date, the American Falls Reservoir District would then enter a contract with the

PARRY, ROBERTSON, DALY & LARSON

Idaho Power Company to sell them the falling water from the American Falls Dam at a figure of \$19 million dollars, plus the tax exempt interest rate over a period of forty years, or the actual construction cost plus tax exempt interest if that cost were below the \$19 million figure.

The American Falls Reservoir District would enter a contract with an engineering concern for the reconstruction of the dam, paying for such construction from bond proceeds. Upon the substantial completion of the dam, it would become Federal property and thereafter remain in Federal ownership to be maintained and operated by the Bureau of Reclamation in the same manner as it has been heretofore operated, including the existing preference for irrigation rights.

In conjunction with replacement of the American Falls Dam, several assurances have been made and both proposals under consideration here today, would authorize replacement of the dam at its existing height. The Reservoir when full behind the replacement dam would be 1,7000,000 acre-feet, the same as maximum capacity behind the present structure, prior to the imposition of the restriction order. Any obligations which the Spaceholders have in regard to land owners adjacent to the reservoir would remain the same.

In the reconstruction of the American Falls Dam, there will be a minimal environmental effect. The Spaceholders have communicated with various environmental groups and concerned individual environmentalists to-date. Two of the largest environmental groups in Idaho have submitted testimony for the hearing record here today through Governor Andrus.

The water users are presently involved in efforts with State Fish and Game people, State Parks Department people, Federal Fish and Wildlife people, Bureau of Reclamation officials, and Idaho Power company officials to insure that there will be the least possible environmental damage.

Sections 6 and 7 of the SB 1529, which would authorize appropriations by Congress for the inclusion of such nonreimbursable items as are included in the report of the Bureau of Reclamation under date of December 1972. Since the American Falls Dam replacement authorized by SB 1529 must necessarily receive Congressional authorization before final engineering is completed, it is difficult to forecast at this point in time what would be included. It is presumed that the items would include possibly all of the facilities projected by the Bureau were constructing the project, save the flood forecasting facility.

Presently the State Parks Department has a confirmation of matching money for the construction of a recreational facility on the East side or American Falls City side of the re-

PARRY, ROBERTSON, DALY & LARSON

servoir. It includes marinas, boat docks, and eventually the construction of a golf course in conjunction therewith.

The Spaceholders Executive Committee has met with the American Falls Bridge Committee and interested townspeople. From that meeting evolved the formation of a Joint Bridge Committee which included representatives of the irrigation Spaceholders, as well as representatives from the American Falls-Aberdeen area. This committee has met on several occasions to evaluate all alternatives concerning an improved river crossing. There are possibilities for the construction of a bridge independent of a replacement dam which are being evaluated. It is anticipated that close coordination with Federal and State highway officials, the Spaceholders, and the American Falls people will result in construction of the best possible highway crossing. Because of the concern of the American Falls-Aberdeen people for the construction of an adequate highway crossing at the earliest possible time, the Joint Bridge Committee recommends additional language be added to the Bill. This language, attached hereto as Exhibit "A", has been approved by both the Spaceholders and the American Falls-Aberdeen people. We ask that the language be incorporated into the Bill.

Mr. Chairman, the American Falls Reservoir District Board of Directors and the American Falls Spaceholders prefer the alternative approach to the American Falls Dam replacement which would be authorized by SB 1529. We would anticipate urging SB 1528 only if the completion in accordance with SB 1529 became impossible.

Presently, Spaceholders who represent 93% of the storage rights in the American Falls Reservoir have signed letters of intent indicating their consent to proceed with the private alternative and their willingness to advance necessary monies which will be necessary to pay engineering fees, and administrative expenses prior to the authorization and sale of bonds. The Spaceholders feel that SB 1529 is their best alternative.

Mr. Chairman, I would also ask for your consent for the inclusion in the record of several statements which I have hand carried with me today. They represent the views of other water users and people in Idaho who are also concerned with the American Falls Problem.

I appreciate the opportunity to testify today. I hope that my testimony has been a value to the committee. I would attempt to answer any questions which members of the committee or staff might have.

\* \* \* \* \*

## EXHIBIT "A"

The constructing agency shall 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. This crossing shall be located on top of the replacement dam or immediately downstream from the dam. This crossing shall be financed by State, Federal and private funds, or any combination thereof as the constructing agency deems appropriate.

The constructing agency shall also co-ordinate the design of project crossing to allow the inclusion of an additional two lanes. However, the additional two lanes shall be the responsibility of the Idaho Department of Highways, which may be funded with State or Federal funds.

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

LARGEST HOMESTEAD PROJECT IN U.S.A.  
NORTH SIDE PUMPING DIVISION, MINIDOKA PROJECT  
76,789 IRRIGABLE ACRES

OFFICE: ELEVENTH AND E STREETS



## A & B Irrigation District

P. O. BOX 675

RUPERT, IDAHO 83350

DIAL 436-3152

May 7, 1973

The Honorable Frank Church, Chairman  
Subcommittee on Water and Power Resources  
Senate Interior and Insular Affairs Committee  
New Senate Office Building  
Washington, D. C. 20515

RE: Senate Bill 1528 and Senate Bill 1529

Dear Senator Church:

As you may know, A & B Irrigation District is a spaceholder in American Falls Reservoir of approximately 47,593 acre-feet. A & B Irrigation District is located within Minidoka and Jerome Counties in south central Idaho and comprises approximately 76,796 acres. Our district is one of the newest irrigation districts in Idaho, having assumed the operation and maintenance of what is known as the Northside Pumping Division of the Minidoka Project, an irrigation project developed by the Bureau of Reclamation of the Department of Interior of the United States of America. Approximately 14,522 acres of the lands within A & B Irrigation District are dependent upon storage in American Falls Reservoir and Palisades Reservoir. So long as there is a restriction of storage at the American Falls Dam, each of these farmers dependent upon water from the Snake River for irrigation are in jeopardy. This in turn jeopardizes the 685 original farm units in A & B Irrigation District, as the operation and maintenance of the district cannot be maintained unless the landowners within the district have a financially stable operation. It is fully understood by the landowners within A & B Irrigation District and the Board of Directors of A & B Irrigation District that additional construction costs for A & B Irrigation District can be some what of a burden to the landowners. However, it is also equally realized by all concerned that these farms are not capable of producing the many diversified crops that now are grown if an adequate water supply is not available. In many cases, 90% of the water requirements are not sufficient

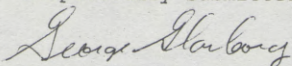
Page 2  
Senator Church  
May 7, 1973

to raise a successful crop. Therefore, any restriction of water available to the district for irrigation could be as serious as a complete lack of water for irrigation.

A & B Irrigation District, by and through its Board of Directors has gone on record as being in favor of Senate Bill 1529. It is our considered opinion that this Bill will provide the vehicle by which the replacement of the American Falls Dam can be accomplished within the shortest possible time. In view of the severe restrictions placed upon American Falls Dam for the storage of water, it is paramount that the existing dam be replaced within the shortest possible time, thereby reducing the possibilities of experiencing a short water year.

The gross crop returns from lands within A & B Irrigation District during the 1972 year averaged \$205 per acre. This represents an approximate \$3,000,000 gross return on the 14,522 acres dependent upon storage in the Snake River. A loss of this magnitude should these lands experience a crop failure by reason of the insufficiency of the water supply would have a serious effect upon the communities of Rupert, Burley, Paul and Hazelton, as well as the individual landowners. Because of the serious effects that may result from the restriction of storage by the present American Falls Dam, A & B Irrigation District is committed to the earliest possible replacement of American Falls Dam. It is respectfully urged that the Senate Subcommittee on Water and Power Resources give its support to the passage of legislation that will provide the vehicle for the spaceholders of American Falls Dam to realize the early replacement of the existing American Falls Dam at its present size. Considerable time and funds have been expended by A & B Irrigation District and the spaceholders of American Falls Reservoir to accomplish the early replacement of American Falls Dam within the scope of Senate Bill 1529. With the passage of Senate Bill 1529, replacement of the American Falls Dam can be realized.

Respectfully submitted,



George Glarborg, Chairman  
Board of Directors  
A & B Irrigation District

MERL E. LEONARD  
*Commissioner First District*  
 FILER  
 Phone 326-4658

Wm. L. "Bill" CHANCEY  
*Commissioner Second District*  
 TWIN FALLS  
 Phone 733-8912  
*Chairman*

WILLIAM D. WISEMAN  
*Commissioner Third District*  
 HANSEN  
 Phone 423-5543

TWIN FALLS COUNTY  
 BOARD OF COUNTY COMMISSIONERS

H. A. LANCASTER, *Clerk*  
 TWIN FALLS, IDAHO 83301

May 10, 1973

Honorable Frank Church  
 Chairman  
 Water and Power Subcommittee  
 Interior and Insular Affairs  
 Dirksen Senate Office Building  
 Washington, D. C. 20515

Re: American Falls Replacement

Dear Senator Church:

The Twin Falls County Commissioners congratulate you and the Idaho Congressional Delegation for the prompt introduction of bills designed to assist in the early replacement of the American Falls Dam.

Twin Falls County, as a trade center in Magic Valley, recognizes the full impact of the lost storage water at American Falls. We encourage your subcommittee's early consideration of replacement legislation.

As a county commission, we support the Spaceholders in their effort and pledge our continued cooperation to assist them in any way possible.

Sincerely yours,

*Bill Chancey*  
 Bill Chancey  
 Chairman

## AMERICAN FALLS RESERVOIR DISTRICT

1132 LOCUST STREET — TWIN FALLS, IDAHO 83301

Office of the Secretary

PHONE 733-3560

## OFFICERS:

JOHN M. BARKER, PRESIDENT  
 MERL E. LEONARD, VICE PRESIDENT  
 TOM OLMSTEAD, TREASURER  
 DIANNE BRIDEGUM, SECRETARY

## DIRECTORS:

JOHN M. BARKER  
 FRANK W. GRAVES  
 DALE DEPEW  
 TOM OLMSTEAD  
 ARMIN SCHROEDER  
 MERLE E. LEONARD  
 RUSSELL WOOLLEY

May 10, 1973

Honorable Frank Church  
 Chairman  
 Water and Power Subcommittee  
 Interior and Insular Affairs  
 Dirksen Office Bldg.  
 Washington D.C. 20515

Subject: SB 1528 and SB 1529

Dear Senator Church:

My name is John M. Barker. I am a farm owner and manager in Twin Falls County, Idaho. For nearly sixteen years I have served as a director of the American Falls Reservoir District, with offices in Twin Falls, Idaho. Since 1967 I have served as president of the Board of Directors of the district. I have also served in the Idaho State Senate since 1967.

I offer this letter for inclusion in the record of the hearing on the above bills scheduled for May 10, 1973. A conflict because of my involvement in State government prevents me from personally appearing at the hearing.

The American Falls Reservoir District Board of Directors is concerned first with the earliest possible replacement of the American Falls Dam. The possible loss of water due to the present operating restrictions and the decline in crop yields which will occur make replacement of the dam a matter of extreme urgency to the economy of the State of Idaho.

As a member of the Idaho State Senate, I am aware of the fiscal crunch and the demands on Congress to fund various programs in other areas. Because of the low priority presently

Honorable Frank Church

-2-

May 10, 1973

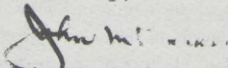
being afforded water development projects, it is my opinion and the opinion of the American Falls Reservoir District board that an alternative to Federal funding is mandatory for the earliest possible replacement of the dam. As a consequence, our board has consistently supported the idea embodied in Senate Bill 1529. We are officially of record in supporting the concept and are willing to go forward with a bond election as the "constructing agency" described in SB 1529. If this bill passes both houses of Congress, we are certain that a bond issue within the confines of our district will be successful, enabling us to proceed as swiftly as possible thereafter.

Originally the American Falls Reservoir District was formed in 1923. Because the Bureau of Reclamation required cash in advance in the construction of the American Falls Dam, the district land owners approved a bond issue of \$2,700,000 by a six to one majority. The bonds were sold at 6% interest. In the 1920's, the land owners pledged their property in repayment of the obligation. The money from the bonds was used to build the present dam. In theory, the proposal contained in Senate Bill 1529 is not much different than the situation that the American Falls Reservoir District confronted in the 1920's. The proposal which is being considered by the subcommittee would again allow private financing of a new dam at no cost to the Federal government.

In the recent Idaho legislative session, I had the opportunity to help sponsor two bills, and assist in the passage of another. These bills were considered and passed to facilitate the American Falls Spaceholders in their effort to help themselves and to pave the way for long-term financing of such a replacement project. I am attaching copies of those bills. In addition, the Idaho legislature enacted a joint memorial on the American Falls problem.

The American Falls Dam replacement is an urgent matter. We urge your consideration of SB 1529 at the earliest possible date. It is our opinion that the private financing alternative will be accepted by the Spaceholders and the land owners within the area concerned. In the event of the unforeseen, the district would then be in a position to ask Congressional support for SB 1528.

Sincerely,



John M. Barker  
President

IN THE SENATE  
SENATE BILL NO. 1160  
BY STATE AFFAIRS COMMITTEE

1 AN ACT  
2 AMENDING CHAPTER 4, TITLE 43, IDAHO CODE, BY ADDING A NEW  
3 SECTION 43-401A, IDAHO CODE, AUTHORIZING IRRIGATION  
4 DISTRICTS TO CONTRACT FOR RECONSTRUCTION,  
5 REHABILITATION OR REPLACEMENT OF IRRIGATION  
6 STRUCTURES AND WORKS AND AUTHORIZING THE ISSUANCE,  
7 CONFIRMATION AND SALE OF BONDS THEREFOR FOLLOWING  
8 A VOTE OF THE ELECTORS OF THE DISTRICT; AND AMENDING  
9 CHAPTER 4, TITLE 43, IDAHO CODE, BY ADDING A NEW  
10 SECTION 43-404A, IDAHO CODE, AUTHORIZING WATER USERS  
11 AND WATER USER ORGANIZATIONS TO CONTRACT WITH THE  
12 CONSTRUCTING DISTRICT FOR PAYMENT OVER A PERIOD OF  
13 YEARS OF A PROPORTIONATE SHARE OF THE COSTS OF  
14 RECONSTRUCTION, REHABILITATION OR REPLACEMENT AND  
15 AUTHORIZING ASSESSMENTS AND LEVIES BY WATER USER  
16 ORGANIZATIONS TO COLLECT FUNDS TO MEET THE ANNUAL  
17 COSTS OF SUCH CONTRACTUAL OBLIGATIONS.

18 Be It Enacted by the Legislature of the State of Idaho:

19 SECTION 1. That Chapter 4, Title 43, Idaho Code, be, and the same is  
20 hereby amended by the addition thereto of a new section, to be known and  
21 designated as Section 43-401A, and to read as follows:

22 43-401A. REHABILITATION OF IRRIGATION STRUCTURES. —  
23 The board of directors may contract for the reconstruction, rehabilitation or  
24 replacement of dams, structures or works belonging to the district or to the  
25 United States, necessary to the storage, diversion or delivery of water  
26 appurtenant to land within the district. The board shall determine the  
27 necessity and cost of such proposed improvements, and determine what  
28 amount of money needs to be raised and call a special election, at which  
29 shall be submitted to electors of the district possessing the qualifications  
30 prescribed in section 43-401, Idaho Code, the question of whether or not the  
31 bonds of said district in the amount as determined, shall be authorized. Such  
32 election shall be held in the manner provided in section 43-401, Idaho Code,

S 1160

Bold Type Indicates Added Material

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1           except that no report need be obtained from the department of water  
2           administration and the notice of election need not recite anything  
3           concerning a report from the department of water administration. If the  
4           issuance of bonds is approved at the election, the board may thereafter  
5           proceed in conformity with chapter 4, title 43, Idaho Code, in the issuance,  
6           confirmation and sale of said bonds. The provisions of chapters 5, 6, 7, 8 and  
7           9, title 43, Idaho Code, shall apply to the said bonds and the work proposed  
8           to be done with the funds derived from the sale thereof.

9           SECTION 2. That Chapter 4, Title 43, Idaho Code, be, and the same is  
10          hereby amended by the addition thereto of a new section, to be known and  
11          designated as Section 43-404A, and to read as follows:

12          43-404A. CONTRACTS OF PAYMENT FOR REHABILITATION. —

13          If the reconstruction, rehabilitation or replacement of dams, structures or  
14          works determined necessary in accordance with section 43-401A, Idaho  
15          Code, involves a dam, structure or works which also provide water storage,  
16          diversion or delivery of water to water users or water user organizations for  
17          the use of said water on lands not within the boundaries of the district  
18          proposing the improvements, the district (hereinafter referred to as  
19          constructing district) may contract with such water users or water user  
20          organizations for payment by them, over a period of time not to exceed the  
21          period of any bonded indebtedness incurred by the constructing district to  
22          finance construction of the improvements, of a proportionate share of the  
23          cost of such improvements, including design, construction, land acquisition  
24          and other related costs, to include interest on the unpaid balance of said  
25          proportionate share of such water users or water user organization at a rate  
26          equal to the average rate of interest payable by the constructing district on  
27          any bonded indebtedness incurred by it in financing the improvements.

28          If the water user organization contracting for payment of a  
29          proportionate share of the costs of the improvements is an irrigation district  
30          (hereinafter referred to as contracting district) organized pursuant to title  
31          43, Idaho Code, the board of directors of such district shall negotiate a  
32          proposed contract with the constructing district. Thereafter, the question of  
33          entering into the proposed contract shall be submitted to the electors of  
34          such contracting district in a manner substantially in conformance with the  
35          provisions of section 43-401, Idaho Code. If at least two-thirds (2/3) of the  
36          electors approve the execution of the contract, the board shall confirm the  
37          proceeding as provided in connection with a bond issue, and following  
38          confirmation, the board shall execute the contract and thereafter an annual  
39          assessment to provide revenue for payment of the obligation and interest  
40          thereon shall be levied and collected on lands within the contracting district

1 in the manner provided for assessment for payment of bonds and interest  
2 thereon. The provisions of section 43-404, Idaho Code, shall be applicable to  
3 apportionment of benefits accruing under the terms of said contract.

4 If the water user organization contracting for payment of a  
5 proportionate share of the costs of the improvements is an operating  
6 company entitled to a lien for maintenance charges under chapter 22, title  
7 42, Idaho Code, it shall annually assess and collect the costs of meeting its  
8 obligations under the contract as a toll, assessment or charge under chapter  
9 22, title 42, Idaho Code.

10 If the water user organization contracting for payment of a  
11 proportionate share of the costs of the improvements is a lateral ditch water  
12 user association organized and operating under chapter 13, title 42, Idaho  
13 Code, the annual cost of meeting the association's obligation under the  
14 contract shall be included in the assessment made under section 42-1303,  
15 Idaho Code, and chapter 13, title 42, Idaho Code, shall apply to the  
16 collection and disbursement of said assessment.

IN THE SENATE  
SENATE BILL NO. 1162  
BY STATE AFFAIRS COMMITTEE

AN ACT

AMENDING SECTION 43-313, IDAHO CODE, BY ELIMINATING  
THEREFROM TIME AND MONETARY LIMITATIONS ON  
CONTRACTS FOR SALE OF SURPLUS POWER BY IRRIGATION  
DISTRICTS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 43-313, Idaho Code, be, and the same is  
hereby amended to read as follows:

43-313. ELECTRIC POWER PLANTS — CONSTRUCTION AND  
OPERATION. — The board of directors of any irrigation district, organized  
under the laws of the state of Idaho, shall have the power to construct and  
operate, or to contract for the construction and operation, of electric power  
plants, power transmission lines, and all other works in connection therewith  
necessary or proper for generating and transmitting electric power, and for  
pumping water for irrigation and domestic use; and to contract to sell  
surplus power generated at such power plants; ~~provided, that no such~~  
~~contract for the sale of surplus power generated at such power plants shall~~  
~~extend for a longer period of time than thirty five years, and no such~~  
~~contract involving more than \$1000 shall be binding on the district until~~  
~~ratified by a two thirds vote of the electors of the district voting at any~~  
~~election at which such question is submitted.~~

S 1162

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IN THE SENATE  
SENATE BILL NO. 1250  
BY STATE AFFAIRS COMMITTEE

AN ACT

1  
2 AMENDING CHAPTER 7, TITLE 43, IDAHO CODE, BY ADDING A NEW  
3 SECTION TO BE KNOWN AND DESIGNATED AS SECTION  
4 43-701A, IDAHO CODE, AUTHORIZING ASSESSMENT LEVIES  
5 MADE PURSUANT TO SECTION 43-701, IDAHO CODE, TO  
6 INCLUDE SURVEYS, EXAMINATIONS, PLANS AND  
7 PROFESSIONAL SERVICES NECESSARY TO DETERMINE THE  
8 COST, FEASIBILITY OR AUTHORIZATION OF A PROJECT FOR  
9 REHABILITATION, RECONSTRUCTION, OR REPLACEMENT OF  
10 WORKS AND AUTHORIZING INCLUSION IN TOTAL PROJECT  
11 COSTS FOR ALL PARTICIPATING DISTRICTS; AND DECLARING  
12 AN EMERGENCY.

13 Be It Enacted by the Legislature of the State of Idaho:

14 SECTION 1. That Chapter 7, Title 43, Idaho Code, be, and the same is  
15 hereby amended by the addition thereto of a new section, to be known and  
16 designated as Section 43-701A, Idaho Code, and to read as follows:

17 43-701A. If the rehabilitation, reconstruction or replacement of  
18 irrigation works is determined necessary by the board of directors and a  
19 bond issue authorized by section 43-401A, Idaho Code, will be required for  
20 financing of the project, the board of a district constructing the works or a  
21 district which will pay a proportionate share of the cost of the project may  
22 include in its assessment levy under section 43-701, Idaho Code, an amount  
23 sufficient to obtain surveys, examinations, plans and professional services  
24 necessary to determine the cost or feasibility of the project, or obtain its  
25 authorization. If other water user organizations contract with the  
26 constructing district for payment of a share of the costs of the project, sums  
27 expended by the constructing district or others as herein authorized may be  
28 included in total project cost.

29 SECTION 2. An emergency existing therefor, which emergency is  
30 hereby declared to exist, this act shall be in full force and effect on and after  
31 its passage and approval.  
32

S 1250

IN THE HOUSE OF REPRESENTATIVES  
HOUSE JOINT MEMORIAL NO. 3  
BY ANTONE, CHATBURN, HALE, JOHNSON (35),  
McHAN, RAVENSCROFT AND WHEELER

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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

HJM 3

1 copies of this Memorial to the President of the United States, the  
2 Vice-President of the United States, the Speaker of the House of  
3 Representatives of Congress, the Secretary of the Interior, and the members  
4 of the Idaho Congressional Delegation representing this state in the Congress  
5 of the United States.

# CITY OF TWIN FALLS



TWIN FALLS, IDAHO

Twin Falls, Idaho  
May 10, 1973

The Honorable Frank Church  
Chairman  
Water and Power Subcommittee  
Interior and Insular Affairs  
Dirksen Senate Office Building  
Washington, D. C. 20515

Re: American Falls Replacement

Dear Senator Church:

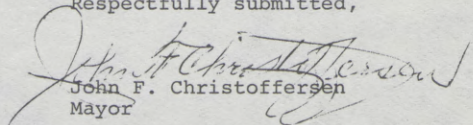
The City Council of the City of Twin Falls wishes to encourage favorable consideration by your Subcommittee of legislation which would authorize an expeditious replacement of the American Falls Dam. The City of Twin Falls is a major trading center of an eight County area, which includes nearly two-thirds of the lands which receive irrigation storage water from the American Falls Dam.

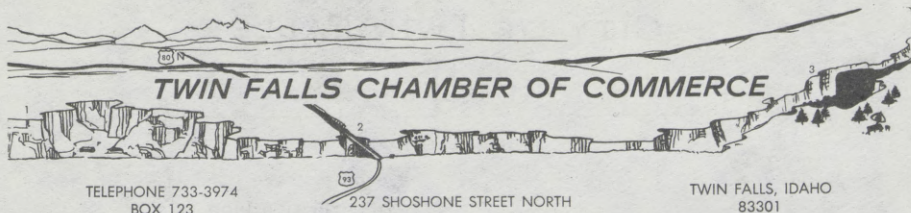
Obviously any economic effect felt by the farmers, will be directly felt by City businessmen.

We endorse the concept of the earliest possible replacement of the dam. We are advised of the proposal to provide private financing for the reconstruction. If this is the preference of the Spaceholders, the City of Twin Falls would encourage them in their efforts.

I ask that this letter be inserted in the record of the hearing of May 10, 1973, on the American Falls Dam replacement legislation.

Respectfully submitted,

  
John F. Christoffersen  
Mayor



TELEPHONE 733-3974  
BOX 123

237 SHOSHONE STREET NORTH

TWIN FALLS, IDAHO  
83301

May 10, 1973

Honorable Frank Church  
Chairman  
Water and Power Subcommittee  
Interior and Insular Affairs  
Dirksen Senate Office Building  
Washington, D.C. 20515

Re: SB 1528 and SB 1529

Dear Senator Church:

As chairman of the Twin Falls Chamber of Commerce Agriculture Committee, I have been directed to send a letter to you indicating our concern about the American Falls Dam.

It is our hope that your committee will favorably consider the bills before you toward the end of the earliest possible replacement of the dam.

As the operator of a meat packing facility in Twin Falls, I am close to agriculture and realize the adverse effects which could occur if short water years are experienced while the reservoir is restricted. We encourage the Spaceholders' efforts toward helping themselves and ask favorable consideration of replacement legislation by the Subcommittee.

Sincerely,

*Otto Florence, Jr.*  
Otto Florence, Jr., Chairman  
Agriculture Committee

OF:ddm

1. Snake River Canyon. 476 feet deep.

2. Perrine Memorial Bridge. One of the highest bridges in the world.

3. Shoshone Falls. 52 feet higher than Niagara Falls.

# JEROME CHAMBER OF COMMERCE

OFFICE OF THE  
EXECUTIVE SECRETARY

211 SOUTH LINCOLN

JEROME, IDAHO  
83338

May 7, 1973

Honorable Frank Church, Chairman  
Sub Committee on Water and Power Resources  
Senator Interior and Insular Affairs Committee  
New Senate Office Building  
Washington, D.C. 20515

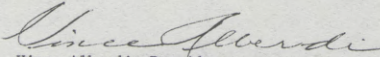
Re: Testimony for Senate Bill 1528 and Senate Bill 1529

Mr. Chairman:

Be it resolved that the Jerome Chamber of Commerce requests immediate replacement of the American Falls Dam by implementing Private Financing.

Water is the blood line of Jerome County. Your most expediant action is mandatory to replace the now obsolete American Falls Dam.

Sincerely,



Vince Alberdi, President  
Jerome Chamber of Commerce

AFFILIATED WITH:  
U.S. CHAMBER OF COMMERCE  
IDAHO STATE CHAMBER OF COMMERCE  
NORTH SIDE COMMUNITIES

## PROGRESSIVE IRRIGATION DISTRICT

BONNEVILLE AND JEFFERSON COUNTIES, IDAHO

OFFICE OF THE SECRETARY

2585 North ~~3500 Salisbury Building~~ East, P.O. Box 2093  
IDAHO FALLS, IDAHO 83401

Honorable Frank Church, Chairman  
Subcommittee on Water and Power Resources  
Senate Interior and Insular Affairs Committee  
New Senate Office Building  
Washington D.C. 20515

Re: American Falls Dam Replacement- Senate Hearing

Dear Honorable Frank Church:

We have enclosed a Statement prepared for the Progressive Irrigation District to be submitted for the record at the hearings to be conducted by the Senate Subcommittee on Water and Power Resources considering Senate Bills 1528 and 1529. Please consider this your authority to include the enclosed Statement, as a part of the record of the hearing scheduled for May 10th on SB 1528 and 1529.

Very truly yours,

PROGRESSIVE IRRIGATION DISTRICT

*Lawrence Ricks*  
Lawrence Ricks  
President

LR/ab  
Enclosures

SUBCOMMITTEE ON WATER AND POWER RESOURCES  
HEARINGS ON SB 1528 AND SB 1529  
MAY 10, 1973  
WASHINGTON, D. C.  
STATEMENT OF PROGRESSIVE IRRIGATION DISTRICT FOR INCLUSION IN THE RECORD

The Progressive Irrigation District is an irrigation district created and existing under the laws of the State of Idaho and located North and East of the City of Idaho Falls in the upper Snake River valley. The District is composed of approximately 32,000 irrigable acres which are owned by some 1,400 members who pay annual assessments for the costs of the District's operation and maintenance. The District currently owns 12,485 acre feet of storage in the American Falls Reservoir.

Because of the rapid deterioration of the American Falls Dam, the Progressive Irrigation District, through its board of directors, wishes to formally record its support for replacement of the American Falls Dam structure at the earliest possible date. Approaching a water short year as the upper Snake River valley currently is, the need to maintain adequate stored water to supplement the District's decreed rights becomes all the more evident. With the economy of the region in which the District is located being primarily dependent upon its agricultural industry, the economic impact of a water short year, resulting in a reduction of crops harvested, can not be overstated.

The board of directors of the Progressive Irrigation District therefore wishes to urge the Congress of the United States to take whatever steps may be necessary to authorize replacement of the American Falls Dam in the fastest and most efficient manner available in order to help assure the stability and prosperity of the agriculturally oriented economy of the upper Snake River valley.

Respectfully submitted,  
PROGRESSIVE IRRIGATION DISTRICT

*Lawrence Ricks*  
Lawrence Ricks, President

REPRESENTING OVER 2,000,000 ACRES OF IRRIGATED LAND

# Idaho Water Users Association, Inc.

(Formerly Idaho State Reclamation Association, Inc.)

 AFFILIATED WITH NATIONAL WATER RESOURCES ASSOCIATION  
 201 IDAHO BUILDING TELEPHONE 344-1541

BOISE, IDAHO 83702

## OFFICERS

TOM COTTON  
President  
TED DIEHL  
Vice President  
JOHN A. ROSHOLT  
Director, NwRA

JACK A. BARNETT  
Executive Director

May 10, 1973

## COMMITTEE CHAIRMEN

JOSEPH C. VOIGHT  
Legislative  
ROGER LING  
Resolutions  
Member, Res. Comm., NWRA  
RUSSELL MOHLMAN  
Education

The Honorable Frank Church  
Subcommittee Chairman  
Water and Power Resources  
Interior and Insular Affairs  
New Senate Office Building  
Washington, D. C. 20515

## DIRECTORS

R. WILLIS WALKER  
Reuberg - District 1  
LEROY STANGER  
Idaho Falls - District 2  
ROY STROSCHEIN  
Sterling - District 3  
BURDELL CURTIS  
Burley - District 4  
EDWARD REICHERT  
Filer - District 5  
TED DIEHL  
Jerome - District 6  
TOM COTTON  
Homedale - District 7  
DON EVANS  
Malad - District 8  
ART QUIST  
Arco - District 9  
REID J. NEWBY  
Shoshone - District 10  
MAX B. SCHLOTTMAN  
Parma - District 11  
JOSEPH C. VOIGHT  
Nampa - District 12  
ROY MILLER  
Parma - District 13  
ARTHUR KOSKELLA  
Emmett - District 14  
DONALD REEDER  
Lewiston - District 15  
VIRGIL D. TEMPLE  
Rupert - District 16  
HOWARD CONRAD  
Murtaugh - District 17  
MASA TSUKAMOTO  
Blackfoot - District 18  
ADVISORS  
R. KEITH HIGGINSON  
Director, ISWA  
WAYNE HAAS  
Acting Director, IWRB  
BILL BERRY  
Associate Member  
DONALD ZUCK  
Associate Member

Re: SB 1528 and SB 1529

Dear Senator Church:

Please file this as the official statement of the Idaho Water Users Association in regard to the bills which your subcommittee is considering.

The Idaho Water Users Association has for many years supported projects which would provide supplemental waters to give existing irrigated acreages an adequate water supply. The American Falls replacement falls within this category. About one-half of the water capacity of American Falls Reservoir constitutes the major portion of water rights for approximately 250,000 acres, and provides supplemental water for approximately 600,000 acres.

The acres served by American Falls constitute basically the prime agricultural lands along the Snake River valley in South Central Idaho. The replacement project is needed so that an adequate water supply can continue to be assured and the economic base of the State of Idaho will not be undermined.

The Idaho Water Users Association Board of Directors is aware of the approach preferred by the Spaceholders, that of Senate Bill 1529. Although we recognize that this is somewhat of a unique situation,

The Honorable Frank Church  
May 10, 1973  
Page 2.

it is our board's feeling that it may be a more viable alternative in light of current appropriations problems which plague the Federal Congress. In a State like Idaho, where there are many potentially irrigable lands, we are keenly aware of not only the problems involved in authorization, but in obtaining Federal appropriations for new construction starts. The backlog which presently exists is monumental and we recognize that proceeding in accordance with SB 1528 from the outset may provide lengthy delays. It is our observation that a possibility exists that the economic losses in one or two years might well exceed the cost of the replacement project at American Falls.

It is obvious that the most expeditious replacement of the American Falls Dam is in the best interests of the State of Idaho as a whole, as well as the farm owners who are directly affected. Because neither SB 1528 nor SB 1529 would in anyway upset the tranquility of the area, nor would they have adverse environmental effects, the Idaho Water Users Association supports the American Falls Spaceholders in their efforts to provide an alternative method of financing the construction of the American Falls Dam. Because the dam would remain part of the Upper-Snake River Project, prior water rights will in all respects be protected and the reservoir will be operated in conjunction with the other reservoirs in the basin.

The American Falls Dam replacement is an economically feasible project by Bureau of Reclamation standards. If the project can be constructed with private funds, some of the money to be repayed by the execution of a falling water contract, the irrigators will be alleviated of a substantial portion of this repayment obligation. We encourage this approach.

There appears to be a united effort by the water users to pursue the private alternative as I am advised that somewhat over 90% of the Spaceholders have indicated that they will be willing to advance monies to complete engineering studies and do the things that are necessary to begin construction at the earliest possible date.

We ask your help in assisting the Spaceholders to help themselves. It is unfortunate that the American Falls Dam, completed in the late 1920's developed the alkali reaction which weakened the concrete in the structure. At

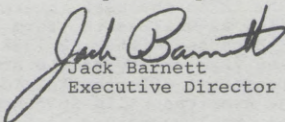
The Honorable Frank Church  
May 10, 1973  
Page 3.

this point in time, the Spaceholders have acknowledged that the dam must be replaced, and are doing everything in their power to proceed as swiftly as possible.

The Idaho Water Users Association urges the subcommittee to encourage the passage of Senate Bill 1529 by the Senate and the House of Representatives of the United States.

We thank you for the opportunity to present this letter, and ask that it be included in the record of the subcommittee hearing scheduled for May 10, 1973.

Respectfully submitted,

  
Jack Barnett  
Executive Director

JB:ddm

# Rudy Irrigation Canal Company Ltd.

Rigby, Idaho, 83442

April 27, 1973

The Honourable Frank Church, Chairman  
 Subcommittee on Water and Power Resources  
 Senate Interior and Insular Affairs Committee  
 New Senate Office Building  
 Washington, D.C. 20515

APR 30 1973

Dear Senator:

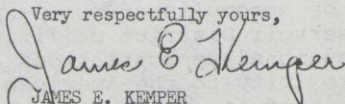
The intent of this letter is to acquaint you with the view as taken by the Board of Directors and Stockholders of the Rudy Canal and Irrigation Company regarding the replacement of the American Falls Dam.

Our company as a spaceholder in the present reservoir, during the coming irrigation season and those following until a new dam is existent, sustain a detrimental impact on the crop producing ability of our agricultural acres due to the present limitation to 62% capacity in the reservoir. There is no assurance, and most probably even this capacity will not be maintainable as the integrity of the dam lessens further. This fact, therefore, points up the same with our company as all other spaceholding companies, that even during this coming year, which is forecast as only slightly below normal in storage water supply, certain irrigators who solely rely on storage water will sustain losses. Add to this the distinct possibility of less abundant storage volume years, which will most likely occur before a new structure can be completed under the fastest possible feasibility, this company joins along with others in like position to urge the adoption of the present pending Senate Bills SB 1528--SB 1529, such that construction of a new dam can proceed as early as possible and continue to an early completion by reduction of "lead time" through the adoption of either or both of these bills.

We also urge this request be brought before and placed in the records of the congressional hearings in this matter in both the United States Senate and House of Representatives hearings to be held May 10th, 1973.

Thanking you sincerely,

Very respectfully yours,



JAMES E. KEMPER  
 Sec'y, Rudy Irrigation Canal Co.  
 Director, Harrison Canal Co.

JK:ek

Aberdeen, Idaho  
May 10, 1973

The Honorable Frank Church  
Subcommittee Chairman  
Water and Power Resources  
Interior and Insular Affairs  
New Senate Office Building  
Washington, D.C. 20515

Re: SB 1529

Dear Mr. Chairman:

My name is Armin Schroeder. I have been a rancher and farmer in the Aberdeen area for over 50 years. I request that these remarks be included in the record of the hearing on the bills concerning the replacement of the American Falls Dam.

I also serve as president of the Aberdeen-Springfield Canal Company. It is a Carey Act operating company which irrigates approximately 63,000 acres. Our offices are in Aberdeen, Idaho.

The acreage served by our water deliveries is also within the boundaries of the American Falls Reservoir District. We are entitled to 55,591 acre-feet of American Falls storage water.

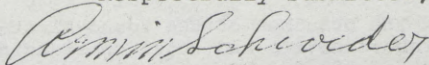
The Board of Directors of Aberdeen-Springfield Canal Company, although directly represented by the American Falls Reservoir District in this matter, have directed me to submit this statement concerning the Senate bills which are presently being considered by the Subcommittee. We heartily endorse the concept of Senate Bill 1529. It is our thought that the American Falls replacement should be accomplished in the shortest possible time. We believe that this can be accomplished more expeditiously by the American Falls Reservoir District utilizing private financing, than if Congressional appropriations are needed. Because of our proximity to the American Falls area, we also acknowledge the need for a highway crossing improvement. We are advised that the American Falls Spaceholders and the American Falls Bridge Committee are presently evaluating all possible alternatives toward providing a better river crossing. We support their continued efforts.

The Honorable Frank Church  
May 10, 1973  
Page 2.

Our water right in American Falls is used by the company to provide irrigation water for late season irrigations. Because of the priority date of the American Falls Reservoir among reservoirs in the Upper-Snake River, and because of its physical location, it was as good a storage water right as could be obtained on the Snake River prior to the restriction on the American Falls Dam. We need American Falls Reservoir water in good as well as short water years.

We encourage the favorable consideration of SB 1529 by the committee and its early passage by the Congress. We thank the Idaho Congressional delegation for their work for us to-date. The Aberdeen-Springfield Canal Company and their water users stand ready to do whatever they are asked and to assume their fair share of the replacement costs if SB 1529 becomes law.

Respectfully submitted,



Armin Schroeder

TWIN FALLS OFFICE

# The Idaho First National Bank

ESTABLISHED 1867

BOX 509

83301

TWIN FALLS, IDAHO

May 8, 1973

Senator Frank Church  
 Chairman  
 Subcommittee on Water and Power  
 Interior and Insular Affairs Committee  
 Senate Office Building  
 Washington, D.C.

Dear Senator Church:

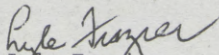
I am Lyle Frazier, Senior Vice-President of the Idaho First National Bank, with my office in Twin Falls. In the irrigated farming area located downstream from American Falls Dam, the Idaho First National Bank has seven branches, located in Twin Falls, Filer, Buhl, Hazelton, Wendell, Burley, and Rupert. The farming area served by these branches is almost totally dependent on irrigation water, and the large majority of it depends on water from American Falls Dam.

The branches of the Idaho First National Bank located in the above cities had total outstanding loans as of December 31, 1972 of \$55,000,000.00. I estimate that eighty percent of those loans go directly to farmers or agricultural products processing operations, and to persons employed by the farmers or the processors. I believe that other banks operating in the same area would have a somewhat similar percentage of loans related to agriculture, processors or workers.

The consequences of a crop failure on the agriculturally based economy of this area would be disastrous. I have lived all my life in Gooding, Jerome and Twin Falls counties and can remember the leaves would fall in July and August, in Gooding, prior to water from American Falls Dam becoming available.

It is vital to the economy of this entire area to have the American Falls Dam replaced at the earliest opportunity. The American Falls Spaceholders proposal for private replacement offers the best method for speedy replacement, and we would support legislation authorizing such replacement.

Sincerely,



Lyle Frazier  
 Senior Vice-President  
 Idaho First National Bank

jm

Rigby, Idaho  
April 29, 1973

The Honorable Frank Church  
Chairman, Subcommittee on Water and Power Resources  
Senate Interior and Insular Affairs Committee  
New Senate Office Building  
Washington D. C. 20515

Dear Senator Church:

The following statement is respectfully submitted to be included as part of the record of the hearing scheduled for May 10, 1973 on S. B. 1528 and S. B. 1529.

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, alfalfa and other hay 8500 acres, irrigated pasture 2500 acres, Potatoes 2000 acres, and in 1973 seed peas 300 acres, and 800 acres was 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 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.

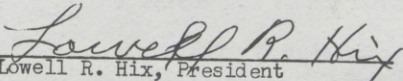
The Burgess Canal and Irrigating Company receives water under various decreed rights from the South Fork of the Snake River, and also owns storage space in Jackson Lake, Wyoming, Palisades Reservoir, and also 9,496 acre feet of storage space in American Falls Reservoir. Because of the lateness of some of the decreed water for the canal, from 25 to 50 percent of the natural flow may be cut off in early 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 reservoirs 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 require late irrigation, and this is a very important crop for this area.

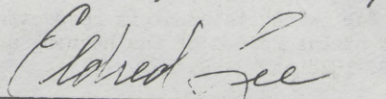
The loss of even a portion of the storage space, as in 1973, from deterioration of the old dam, may be critical, and the spaceholders could suffer heavy crop and livestock losses. It appears that this may be the year when the total storage space in the reservoir may be vital, as a snow pack of only 80 percent of normal is in the mountains.

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 is constructed at the earliest possible time.

Very truly yours,

Burgess Canal and Irrigating Company

  
\_\_\_\_\_  
Lowell R. Hix, President

  
\_\_\_\_\_  
Eldred Lee, Secretary-Treasurer

TED DIEHL GENERAL MANAGER

JOE L. PUTMAN SEC'Y-TREAS.

## NORTH SIDE CANAL COMPANY

921 NORTH LINCOLN AVENUE

PHONE 324-2198 JEROME, IDAHO 83338

May 10, 1973

Honorable Frank Church  
Chairman  
Water and Power Subcommittee  
Interior and Insular Affairs  
Dirksen Senate Office Building  
Washington, D. C. 20515

Re: SB 1528 and SB 1529

Dear Senator Church:

I am C. J. Marshall. I am a farmer in Jerome County, Idaho. I serve as president of the North Side Canal Company Board of Directors. I am a past member of the Idaho Water Resource Board. I presently serve as chairman of the Spaceholders' Executive Committee.

Because of potential critical water shortages for those companies which are nearly totally dependent upon storage water, the American Falls Spaceholders authorized the formation of an Executive Committee to evaluate the alternatives toward the swiftest possible replacement of the American Falls Dam. On January 6, 1973, the Executive Committee adopted a resolution, a copy of which is attached hereto. The resolution directed the Executive Committee to evaluate all alternatives toward immediate replacement.

Pursuant to our resolution and request, the Idaho Power Company obtained preliminary information from the Bechtel Engineers, and formulated a proposal which was presented to the Executive Committee and to the American Falls Spaceholders. In early March of 1973, the Spaceholders voted nearly unanimously in favor of pursuing the alternative of reconstruction with private financing. The Spaceholders are willing to bond to cover the construction costs. The consummation of a falling water contract will reduce the irrigators repayment. It is attractive for one other and

Honorable Frank Church  
May 10, 1973  
Page 2

more important reason - the time factor. The Executive Committee feels that if SB 1529 is to become law, that construction will be started at the earliest possible date.

Even if SB 1529 were to become law tomorrow, there are many steps which must be taken and many problems which will be encountered by the Spaceholders. The Executive Committee and the Spaceholders have indicated their willingness to solve those problems so that construction of a replacement dam might be accomplished at the earliest possible date.

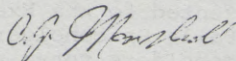
The Executive Committee has no objection to the provisions of SB 1528 but prefer the alternative outlined in SB 1529. We would encourage the Subcommittee to support the passage of SB 1529.

Mr. Chairman, on behalf of the Executive Committee and the Spaceholders, I would like to publicly express our appreciation to the members of the Bureau of Reclamation staff both in Washington, D. C. and at the regional level for their 100% cooperation in working with us on both alternatives. Obviously, we will need to continue to work together if SB 1529 becomes law. The proposal outlines almost total involvement of the Bureau of Reclamation in approving the plans and designs for the construction, owning the dam at the completion of construction, and continuing to operate and maintain the dam as it has in past years. The proposal also includes the involvement of the Bureau of Reclamation in contracts which would be authorized pursuant to this legislation.

We would also like to personally extend our thanks to the Idaho Congressional delegation for their involvement and their support. Also deserved thanks go to the Governor's office, the Idaho Legislature, and many State and Federal agencies which have been extremely cooperative.

Thank you for the opportunity to present this statement to the committee.

Respectfully submitted,



C. J. Marshall

## TWIN FALLS BANK AND TRUST COMPANY

May 7, 1973

The Honorable Frank Church, Chairman  
Water and Power Subcommittee  
Interior and Insular Affairs  
Dirksen Senate Office Building  
Washington, D. C. 20515

Subject: American Falls Dam Replacement

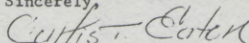
Dear Senator Church:

Being involved in agricultural financing in Magic Valley, we are keenly aware of the economic emergency which may well exist if the American Falls Dam is not replaced at the earliest possible opportunity. The history of the plight of the North Side water users to obtain an adequate water supply over the past 50 years is well documented. They had difficulty in obtaining financing from major lending institutions in the valley during those water short years.

It would be a tragedy to regress to those times of hardship. If American Falls Dam is not promptly replaced, to remedy both the safety aspects and the economic disaster which might occur in water short years, those lands that are heavily dependent upon American Falls storage water could find themselves in a situation similar to the Salmon River Canal Company service area. As you well know, Congress last year authorized the construction of the Salmon Falls Division Project to remedy that water short situation after more than 60 years of hardship. The impending problems could well be the same for American Falls Reservoir water users.

We encourage your support of the Spaceholders in their effort to reconstruct the American Falls Dam.

Sincerely,



Curtis T. Eaton, Chairman of the Board  
and President

Enterprise Canal Company  
c/o James Lovell, Pres.  
Box 251  
Rigby, Idaho 83442  
May 4, 1973

Honorable Frank Church, Chairman  
Subcommittee on Water and Power Resources  
Senate Interior and Insular Affairs Committee,  
New Senate Office Building  
Washington D. C. 20515

Dear Senator Church:

Reference is made to Senate Bills 1528 and 1529, and House Resolutions 6781 and 6782, and to the hearing scheduled before your Subcommittee on the 10th of May, 1973.

At a meeting of the Board of Directors of the Enterprise Canal Company held following April 10, 1973, it was the unanimous opinion of the Board that the Enterprise Canal Company preferred an early replacement of the American Falls Dam, and therefore, that they felt that Senate Bill 1529 and House Resolutions 6782, providing for private financing of the replacement would best effectuate their desires in this matter.

As the President of the Enterprise Canal Company I have been directed to write this letter directly to you.

BY ORDER OF THE BOARD.

ENTERPRISE CANAL COMPANY

By James S. Lovell  
President

WOOD RIVER RESOURCE AREA  
COUNCIL of GOVERNMENTS  
RESOURCE CONSERVATION and DEVELOPMENT PROJECT

Box 547, 307 Main, Gooding, Idaho 83330

Ph. (208) 934-5553

5/4/73

Senator Frank Church  
Room 204, Senate Office Building  
Washington D. C. 20510

1973

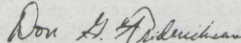
Dear Frank:

This letter is a statement concerning the replacement of the American Falls Dam from the Wood River Resource Area Council of Governments.

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.

Judging from past performances and an unfavorable climate for dam building appropriations of the Congress, SB 1529 would bring about quickest action to alleviate our emergency needs. Therefore, the Council supports the passage of SB 1529 to provide private financing for the replacement.

Sincerely,



Don G. Fredericksen, Chairman

cc: Governor Cecil D. Andrus  
Vernon Ravenscroft, Tuttle

## SOUTHERN IDAHO PRODUCTION CREDIT ASSOCIATION

P.O. BOX 465, TWIN FALLS, IDAHO 83301

TELEPHONE: AREA CODE 208 733-8411



May 7, 1973

Sub-Committee on Water and Power Reserves  
Senate Interior and Insular Affairs Committee  
Washington D. C.

Gentlemen:

The Southern Idaho Production Credit Association wishes to express its deep concern relative to the adverse effect on the agricultural and business economy of the counties of Gooding, Lincoln, and Jerome resulting from restricted water storage in the American Falls reservoir.

This association is chartered to provide agricultural financing in eight south-central Idaho counties. During 1973, the association closed 1165 loans to farmers and ranchers for a total of \$67,158,000.

In seven of the district's counties, crop and livestock production depends heavily upon irrigation of lands in an area which has average annual precipitation of about nine inches. In five of these counties the primary source of irrigation water is from storage in American Falls reservoir. Operators whose livestock graze under BLM and Forest permits rely upon irrigated pastures and feed crops for a major portion of the year's feed supply.

Reduction of water storage for American Falls District No. 2 from 400,000 acre feet to 265,000 acre feet, a drop of 33% in available irrigation water, will seriously curtail the area's production of crops at a critical time in agriculture's attempt to meet national and world-wide demands for food and livestock feed.

As of December 31, 1972, this association had 1195 loans outstanding for a total of \$31,929,283. In the counties of Gooding, Jerome and Lincoln there were 510 loans outstanding for \$16,374,000, representing almost 43% of the total number and over 51% of the dollar amount outstanding.

Based upon the 1969 census of agriculture, there were 4379 commercial farms (with gross sales over \$5000) in the eight south-central Idaho counties. Class 1-5 farms totaled almost \$190 million in gross sales. Of these farms, 1449 (33%) were in the above three counties, and their gross sales were \$59 million or 28% of the total.

During 1970 this association financed 572 farmers and ranchers in the three counties. This number was 40% of the total of 1418 financed in eight counties, and represented 39.5% of the commercial farms in the three-county area.



Sub-Committee on  
Water and Power Reserves

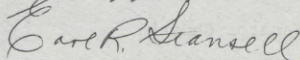
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May 7, 1973

Due to an acceleration in prices of farm products since 1969, it would not be unreasonable to assume that gross sales in 1972 from farms in the three counties exceeded \$75 million. A 33% reduction in irrigation water could be expected to lower anticipated income for 1973 by \$25 million. Using the formula that each dollar produced from the soil revolves seven times in the business community, we are looking at a possible adverse impact on the area's economy of \$175 million for each year until full water storage is available.

In the best interests of all farmers, ranchers and businesses of the area represented by American Falls District No. 2, this association respectfully submits the recommendation that action be taken to alleviate at the earliest possible date the critical circumstances pertinent to continued reduced storage of irrigation water.

Sincerely yours,



Earl R. Stansell  
Manager

ERS:tw

## Idaho Bank & Trust Co.

Member Federal Deposit Insurance Corporation

BOX 609 - BURLEY, IDAHO 83318

ROBERT D. HILLIARD  
VICE PRESIDENT & MANAGER

April 30, 1973

The Honorable Frank Church  
Chairman of Subcommittee of Water  
and Power Resources  
Interior and Insular Affairs Committee  
New Senate Office Building  
Washington, D. C. 25015

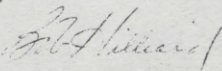
Dear Senator Church:

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 immediate 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.

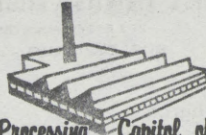
It is of the utmost importance to our agricultural dependent state that the American Falls Dam Project be restored. Restoration should be accomplished before further immediate loss of capacity due to the deterioration of the dam occurs.

This statement respectfully submitted by:



Bob Hilliard  
Vice President & Manager  
Idaho Bank & Trust Co.  
Burley Branch

**BURLEY CHAMBER OF COMMERCE**



*Potato Processing Capitol of the World*

PHONE (208) 678-7230 • BURLEY, IDAHO 83318

8 May 1973

Hon. Frank Church, Chairman  
 Subcommittee of Water & Power  
 Senate Interior & Insular Affairs Committee  
 New Senate Office Bldg.  
 Washington, D. C. 20515

Dear Senator Church:

Burley, Idaho, a community of some 10,000 persons, serving a trading area of 38,000, is almost solely dependent upon agriculture for its existence.

Total retail and wholesale figures gross at \$17,908,681 for the last quarter of 1972, with \$10,659,375 of that amount in retail sales alone.

Burley's contribution to the feeding of the people of the country and the world is impressive, with our unchallenged claim to being the "Potato Processing Capitol of the World".

We are concerned at the present condition of the American Falls Dam and the possible loss of crops due to its deterioration and decreased flow of water to this area.

We are also concerned about the danger of the dam breaking and what it could mean to our safety.

We appreciate the opportunity to be heard on this important matter and urge you to take every means to rebuild the dam as humanly fast as possible.

Very sincerely,

George P. Forschler, president  
 Burley Chamber of Commerce

By: *Mrs. Agnes Anderson*  
 Mrs. Agnes Anderson, Secretary

**BURLEY IRRIGATION DISTRICT**223 EAST MAIN STREET  
BURLEY, IDAHO - 83318

The Honorable Frank Church  
Chairman  
Sub Committee of Water and Power Resources  
Senate Interior and Insular Affairs Committee  
New Senate Office Building  
Washington, D.C. 20515

Re: Reconstruction American Falls Dam  
Upper Snake River Project Idaho

The undersigned Burley Irrigation District by and through its  
President and Secretary respectfully submits the following statement:

- 1) The Burley Irrigation District is located in Cassia County, Idaho along the Snake River approximately sixty (60) miles west of the American Falls Dam. All lands within the district would be arid except for irrigation water which is obtained from the Snake River in Idaho.
- 2) The district has within its boundary 48,000 acres of irrigated land. The District has 157,942 acre feet of storage space in the American Falls Dam and Reservoir on the Snake River in Idaho. This is 3/5's of all the storage water owned by the district.
- 3) At the request of the Bureau of Reclamation of the United States, the district transferred its storage rights in Jackson Lake to American Falls Dam and Reservoir with the understanding that such transfer would not be detrimental to the interests of the Burley Irrigation District.
- 4) There is always the pressing fear in the minds of the land owners within the Burley Irrigation District and residents of the City of Burley, that if the American Falls Dam would burst it would send a flood of water that would entirely unindate the City of Burley, which is located on the banks of the Snake River. The City of Burley and the lands in the Burley

**BURLEY IRRIGATION DISTRICT**

223 EAST MAIN STREET  
BURLEY, IDAHO - 83318

Irrigation District are directly in the path of the flood that would be caused by the breakage of the dam. There are approximately 15,000 people residing within the area of the Burley Irrigation District that would be covered by the flood waters in the event the American Falls Dam gave away.

5) Representation has been made that in the event the American Falls Dam should break, the water would stand in Burley City twentyfive (25) feet deep. Burley is a city of approximately 10,000 people dependent almost entirely upon farming for their livelihood.

6) In the event the American Falls Dam would break, the storage space belonging to the Burley Irrigation District of 31,885 acre feet in Lake Walcott would be entirely destroyed. Lake Walcott is some fortyfive (45) miles down stream on the Snake River from the American Falls Dam.

7) The Bureau of Reclamation of the United States has now eliminated approximately 1/3 of the storage space in the American Falls Reservoir behind the dam because of the deterioration found in the dam. The Bureau has also informed the space holders that if the dam continues to deteriorate further restrictions on the amount of water stored in the Dam would be made. The elimination that has already been made and any further limitations to the storage of water in the Dam and Reservoir would cause a shortage of water to the district and an economic loss to the farmers within the district.

8) The reports given to the district for the 1973 season indicated that the water supply will only be 84% of normal from the Snake River. If the 1974 season is also less than normal, then the land owners within the

**BURLEY IRRIGATION DISTRICT**

223 EAST MAIN STREET  
BURLEY, IDAHO - 83318

Burley Irrigation District will suffer because there will not be sufficient water to enable the farmers to complete their crops.

9) The district computes that there is a gross income from farming and livestock operations in the Burley Irrigation District area of ten million dollars per year.

10) The undersigned district believes that it would be for the benefit of Idaho, for the environment in Idaho and would furnish electrical energy that is greatly needed and electrical power if a private agency were permitted to construct a power house near the replacement dam at American Falls. It is understood this private agency would use the free flowing water and would not in any manner interfere with the storage behind the Dam of the space holders.

11) The undersigned is in agreement with Senate Bill # 1529 now before your Committee.

12) It is understood by the Burley Irrigation District that a private agency has agreed if it is given the right to build a power house near the site of the replacement American Falls Dam, to contribute up to 19 million dollars toward the cost of the replacement of the American Falls Dam. This would mean a savings of approximately one million nine hundred thousand dollars to the Burley Irrigation District. The district feels it cannot afford to turn down such an offer and hereby requests that due consideration be given to Senate Bill # 1529. The district knows that your committee is well aware of the emergency now facing the space holders in American Falls Dam and the

**BURLEY IRRIGATION DISTRICT**

223 EAST MAIN STREET  
BURLEY, IDAHO - 83318

District also knows that you will do all in your power to see that the bill passes the Seante of the United States that will provide relief for the space holders in American Falls Dam and Reservoir.

Respectfully submitted

BURLEY IRRIGATION DISTRICT

By: Clifford H. Darrington  
Its President

ATTEST: Sagwa A. Hatch  
Its Secretary

The Honorable Frank Church  
Chairman  
Sub Committee of Water and Power Resources  
Senate Interior and Insular Affairs Committee  
New Senate Office Building  
Washington, D.C. 20515

Re: Reconstruction American Falls Dam  
Upper Snake River Project Idaho

The undersigned, Milner Low Lift Irrigation District by and through its President and Secretary respectfully submits the following statement:

1) The Milner Low Lift Irrigation District is located in Cassia County and Twin Falls County, Idaho. All the lands within the district would be arid except for the irrigation water which is received from the Snake River in Idaho and a small irrigation well, pumping not more than 125 inches.

2) The District has within its boundaries 9,459 acres of land which depend entirely on its storage space in American Falls Dam for its water except for the well. The District has 45,687 acre feet of storage space in the American Falls Dam and Reservoir. The 9,459 acres is what is designated as old land in the district and does not have any other water right for its land owners except high water from the Snake River.

3) Milner Low Lift Irrigation District pumps its water out of a pond created by the Milner Dam on the Snake River located approximately 70 miles below the American Falls Dam. All water used by the Milner Low Lift Irrigation District is pumped. The pumps and the pumping facilities are all located near the Snake River except the small pump and in the event of the breaking of the American Falls Dam, the Milner Dam would be washed away and all the pumping facilities of the district would be destroyed.

4) It is questionable if there would be any flow of the Snake River not counting storage water that the district could use this year because of the light snowfall on the watershed of the Snake River. This year the Snake River watershed has only 84% of normal precipitation according to the

Government's survey. If next year is dry the farmers on the old land in the Milner Low Lift Irrigation Tract would be almost entirely without water.

5) Already one-third of the District's water stored in American Falls Dam has been eliminated to keep the dam from breaking and more elimination may be made.

6) The value of crops grown on the 9,459 acres would exceed \$1,428,750.00 for each year when there is sufficient water to irrigate the lands.

7) The undersigned district believes that it would be for the benefit of Idaho, for the environment in Idaho and would furnish electrical energy that is greatly needed and electrical power if a private agency were permitted to construct a power house near the replacement dam at American Falls. It is understood this private agency would use the free flowing water and would not in any manner interfere with the storage space behind the Dam of the space holders.

8) The undersigned is in agreement with Senate Bill # 1529 now before your Committee.

12) It is understood by the Milner Low Lift Irrigation District that a private agency has agreed if it is given the right to build a power house, that it will contribute up to 19 million dollars toward the cost of the replacement of the American Falls Dam. This would mean a savings of approximately \$52,240.00 to the Milner Low Lift Irrigation District. The District feels it cannot afford to turn down such an offer and hereby requests that due consideration be given to Senate Bill # 1529. The District knows that your Committee is well aware of the emergency now facing the space holders in American Falls Dam and the District also knows that you will do all in your power to see that a bill passes the Senate of the United States, that will provide relief for the space holders in American Falls Dam and Reservoir.

ATTEST:

*Ann Jackson*  
Its Secretary

MILNER LOW LIFT IRRIGATION DISTRICT

By:

*Max Boley*  
Its President

## ENTERPRISE IRRIGATION DISTRICT

May 7, 1973

Honorable Frank Church  
Chairman, Subcommittee on Water & Power Resources  
Senate Interior & Insular Affairs Committee  
New Senate Office Building  
Washington D.C. 20515

Re: S. B. 1528 and S.B. 1529

Dear Senator Church:

We thank you for the opportunity of submitting this statement in behalf of Enterprise Irrigation District of Fremont and Madison Counties, Idaho, and request that same be included as a part of the record of the hearing scheduled for May 10, 1973, on the above referenced bills.

There are approximately 8,000 acres of some of the richest agricultural land in the State of Idaho located within the Enterprise Irrigation District, in the Counties of Madison and Fremont. Without water these lands would be dry farms only. With the water over half of the acreage within the district is used for the production of potatoes, and some sugar beets, together with wheat, barley, oats and alfalfa, in rotation. Consequently, the district contributes substantially to the food and fiber of the state and nation, and provides substantial tax base to the said two counties, employment to many people, and a way of life to many farm families.

The district has 8,510 inches of natural flow rights and some high water rights; however, historically it has proven that these natural flow rights are vastly inadequate to furnish the necessary water to complete the crops on the lands in the district. For instance, in 1944, the natural flow rights were cut off on May 30, and the records indicate that in many years the natural flow rights were cut off at such an early date that had the district not had the storage rights the potatoes and sugar beets particularly and all of the crops to some extent would have failed to mature.

In addition to 5,883 acre feet of storage in Jackson Lake and 10,323 acre feet of storage in Fremont-Madison Irrigation District, the Enterprise Irrigation District has 10,188 acre feet of storage in the American Falls Reservoir. Historically it has proven an absolute necessity and beneficial to the district that they have the storage in the American Falls Reservoir, and by means of exchange, have used natural flow rights of downstream users in exchange for the district's storage rights in the American Falls Reservoir.

Honorable Frank Church  
May 7, 1973  
Page 2

The economy of Southern Idaho is based largely upon agriculture and agriculture is absolutely dependent upon water. The American Falls Reservoir is probably the single most important storage facility for impounding water to mature crops after natural flow rights on the rivers have been used of any facility in the State of Idaho. It is certainly essential that this reservoir be preserved and protected, and it is in the public interest that Congress do everything in its power to take all necessary steps to insure the continuation of this important reclamation project in the State of Idaho. The Enterprise Irrigation District stands ready to lend its assistance in every way possible, to furnish further evidence and testimony if desired.

Yours very truly,

ENTERPRISE IRRIGATION DISTRICT

BY:

*Douglas Bean*

Douglas Bean, Chairman

STATEMENT OF THE CITY OF GOODING, IDAHO SUBMITTED TO THE  
SUB-COMMITTEE ON WATER AND POWER RESOURCES OF THE SENATE  
INTERIOR AND INSULAR AFFAIRS COMMITTEE ON SENATE BILLS 1528  
AND 1529.

The City of Gooding is the County Seat of Gooding County, Idaho. The City is located geographically in the approximate center of 33,000 acres of farm land which, with the exception of a few deep wells, depends upon storage water in American Falls Reservoir.

Almost the entire economy of the City of Gooding is based upon agriculturally related businesses.

As an example, there are five financial institutions in the City, being the First Security Bank of Idaho, Bank of Idaho, Federal Land Bank, Branch Office of the Southern Idaho Production Credit Association and Farmers Home Administration.

Obviously, the Federal Land Bank and the Southern Idaho Production Credit Association are involved entirely in Agricultural undertakings.

The local Farmers Home Administration Office has stated that approximately 75% of its business is related directly to Agricultural undertakings and the other 25% in housing and sewage projects for rural communities. The City has been advised by one of the Bank Managers that 30 % of the business of the Bank of Idaho in Gooding, Idaho involves Agricultural directly and 5 % involves Agricultural indirectly. The Manager of the First Security Bank of Idaho states that approximately 42 % of the business of the First Security Bank in Gooding involves Agriculture directly and approximately 9 % involves Agriculture indirectly.

Before the restriction on storage space was imposed in the American Falls Reservoir there were dry water years and when the farmers and ranchers were unable to plant and harvest all of their land or unable to finish crops, every business in the City felt the impact.

Now, faced with a 65% delivery of water and the possibility of an even more extreme storage restriction in the future, every one in this community will be affected. This is as true of the Furniture Dealer who cannot sell to the wife of the car salesman who cannot sell to the employee of the Implement Dealer who cannot sell to the farmer because of the prospective crop loss as it is to the farmer himself.

It is truly an emergency and because of the time factors involved, considering the weather and the times of storage and periods of construction it is entirely possible that a weeks loss of time now could result in the possibility of loss of an entire irrigation season which could ultimately result in complete financial chaos in this area.

Inasmuch as the Power plant proposed by the Idaho Power in connection with the new dam would result in producing approximately four times as much power and in view of the energy crisis which is said to exist it would appear that this should be a real plus factor in obtaining passage of Legislation necessary to replace the dam with private funds.

If the proposal by Idaho Power would result in earlier replacement and less expense to the water users, the City strongly recommends passage of the necessary legislation for this to be accomplished.

Last, but not least, as a user of stored water in American Falls Reservoir, is the ~~sposter~~ of parched lawns, parks and gardens within the City of Gooding.

The City urgently requests that that legislation be passed which will result in replacement of the dam at the earliest point ~~an~~ time and at the least cost to the irrigators.

Respectfully submitted,

CITY OF GOODING

BY: Harley Rippens  
Mayor

## STATEMENT OF CLIFFORD N. SCORESBY, IDAHO FALLS, IDAHO

Mr. Chairman and members of the committee:

My name is Clifford Scoresby. I have owned and operated an irrigated farm northeast of Idaho Falls, Idaho, for approximately fifty (50) years. Like most people in my area, I have raised primarily 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 in 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 twenty (20) years. The Progressive Irrigation District comprises approximately 32,000 acres of land and serves some 1,400 water users which includes my own farm. The Progressive Irrigation District owns space in American Falls Reservoir. In the specific case of the Progressive Irrigation District, 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 fifty (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 thirty (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 Contracts and has for many years been involved in and concerned with the orderly development and administration of the water storage and distribution system on the Upper Snake River from Milnor Dam to the headwaters. In addition, I am presently serving my fourth term in the Idaho State Legislature as the Representative from District No. 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 facets 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 of the members of those organizations of which I am a member and which I have been asked to represent here today, I urge the earliest practicable replacement of the American Falls Dam to restore that reservoir to its former storage capacity.

Senator CHURCH. Our next witness is Mr. Alvin Hill, Teamsters.

**STATEMENT OF ALVIN E. HILL, MEMBER OF THE WESTERN CONFERENCE OF TEAMSTERS POLICY COMMITTEE, PRESIDENT OF JOINT COUNCIL OF TEAMSTERS NO. 67 AND SECRETARY-TREASURER OF TEAMSTERS UNION LOCAL NUMBER 983**

Mr. HILL. Mr. Chairman, Senator McClure, because of the time of day, and I am not one you have been looking for, I would like to have you submit my statement into the record and allow me to make a few additional comments.

Senator CHURCH. We will be happy to do that.

Mr. HILL. My union represents probably in excess of 1,000 people that utilize American Falls Crossing, the employees of Lamb-Weston

and other operations on both sides of the river. This becomes important to me when I see situations existing, loss of water, not a proper access, that may result in the loss of employment for many, many people, not only the members of my union, but other people as well. Labor, farm, and this has a snowballing effect, because as stated before, if there is a drop in employment or a drop in acreage or activities in the farm areas, then also we have a drop in almost every endeavor at Lamb or in that vicinity. Plus the fact that if the present conditions exist, I see no way in which it can grow on the west side of the river, because I believe there is still vast areas that could be cultivated in that area.

I think one of the factors that should be very seriously considered and that has been mentioned in previous testimony, is the safety factor. You gentlemen have observed it firsthand, you have commented on the big trucks going back and forth.

I represent several drivers that drive those trucks back and forth, and they are repeatedly expressing their concern for accidents and loss of lives in their daily routine of work. True, they are professional drivers, but 10-wheeler rigs or semis or a set of doubles in 17 feet, you haven't much room left. We are concerned about that and also looking into the future, into the two lane versus the four lane.

I think the equipment in the trucking industry is not going to get smaller, it is going to get larger, I think. If we were just to have two lanes of traffic on that access, bearing in mind that the farm machinery that has to go back and forth and maybe accidents and breakdowns, what could happen in an emergency situation if someone has to get to a hospital or many other reasons.

Therefore, we think it is very, very imperative that a four-lane system is developed across the river. Therefore, the people that I represent, I believe the general public, from the testimony previously, we are very much in favor of Senate bill 1529, as amended.

I thank you for the privilege of coming up and making the statements I have. If I can answer any questions I will be happy to.

Senator CHURCH. Thank you Al, not only for coming, but for your patience in waiting through the day. Your testimony has wrapped this up in good style, and I can understand your special interest in having an adequate roadway.

I have no questions.

Senator McCLURE. I am sure your members are concerned about the jobs, they are interested in the water, interested in the fishing, and they enjoy the recreation, so your membership has a full range of interests.

Mr. HILL. Very definitely so, Senator. I might add in all of our meetings we hold with our people, this is a subject brought up at every meeting, what is going to happen, what would happen if the bridge was—if something happened to wipe it out.

They are concerned individuals and I think they have every right to be. They make their home and livelihood there and it is their children's home.

Senator McCLURE. You made reference to the fact, in your opinion, the likelihood of transportation of equipment, the likelihood would be that it would grow larger and not smaller. I voted in favor of

the legislation which would authorize a six-inch increase in the width of buses on interstate and 6-inch increase in the width of trucks. I had to stop and think if we really got that passed, they could not meet on that bridge.

Mr. HILL. No, they couldn't. It is not only the width that is increasing, it is the length.

Senator McCURE. I appreciate your testimony, and I think, as Senator Church said, it is a good wrapup for our session today. Thank you very much.

Senator CHURCH. Thank you.

[The prepared statement of Mr. Hill follows:]

DEWEY DOSS  
PRESIDENTALVIN E. HILL  
SECRETARY-TREASURER**Teamsters, Chauffeurs, Warehousemen and Helpers**UNION NO. 983  
Pocatello and Idaho Falls, IdahoMEETINGS  
IDAHO FALLS, FIRST FRIDAY  
POCATELLO, SECOND FRIDAY  
232-6891AFFILIATED WITH THE  
I. B. O. F. T. C. W. AND H. O. F. A.BRANCH OFFICE  
325 CHAMBERLAIN  
P. O. BOX 698  
IDAHO FALLS, IDAHO  
83402MAIN OFFICE  
518 EAST CENTER  
P. O. BOX 1085  
POCATELLO, IDAHO  
83201

My name is Alvin E. Hill, member of the Western Conference of Teamsters Policy Committee, President of Joint Council of Teamsters #67 and Secretary-Treasurer of Teamsters Union Local #983, local jurisdiction covering 18 counties in Southeastern Idaho. We are the largest Local Union in Idaho, Montana, Wyoming and Utah with an average membership of 3,800. Our members work in almost every industry including, but not limited to, construction, freight over-the-road drivers, potato processing plants, furniture moving and storage, etc.

A great portion of our members live in the Aberdeen-Pingree areas and commute from there to Pocatello and Idaho Falls via the roadway across the American Falls dam, both for employment purposes and other reasons. Our members in the freight industry make a minimum of 6 trips a day hauling a minimum of 72,000 pounds of L.T.L. freight to service Aberdeen and the surrounding areas; the back haul well in excess of 260,000 pounds of L.T.L. freight, the products produced by Lamb-Weston, Western Farmers, potato plants and numerous other companies. Any other access to service those areas would constitute an additional 167 miles per day from Pocatello or Idaho Falls, Idaho over and above the present routes across the American Falls dam. This alone represents only the union carriers and drivers that my Local Union represents and does not take into consideration all the other trucking of produce and commodities hauled by independent carriers.

I think I can speak in behalf of other labor organizations that have members living on each side of the dam that it is a necessity that they commute for employment and business purposes. Therefore in behalf of Teamsters Union Local #983 and members, and other unions and their members and the general public, we feel that it is of the utmost importance that proper access be expedited as soon as possible for a free flow of transportation back and forth across the American Falls dam. We would urge the secretary to enter into negotiations for some type of private building program, preferably building of a bridge or adequate roadway as soon as possible. Because of the fact of the curtailed one-way traffic and deterioration of the dam, time is of the essence. It is my opinion that if we would be so unfortunate as to have a catastrophe happen such as the earthquake of approximately 1964, the general public would be forced to use some other access to carry on their business on the west side of the river. It would be a burden that they should not have to suffer.

*"Have It Delivered"*

Senator CHURCH. Is there anyone else in the room who wants to testify before this hearing is closed?

[No response.]

Senator CHURCH. The record on these proceedings will be held open for a week to enable the additional information that has been requested to be submitted and in the meanwhile I will ask Dan Dreyfus to commence the preparation of a report, that will accompany the bill as recommended by this subcommittee to the full committee.

Very well, if there is no further testimony, the hearing stands adjourned.

[Whereupon, at 4:45 p.m., the hearing was adjourned.]

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