

Colorado Water Congress

Historical events:

- Prior to 1900, Colorado maintained full control of the water that flowed through its interstate rivers with no obligation to deliver water to lower states (Fisk, September 1958).
- In the early 1900's, Kansas, Wyoming, and California began fighting for rights to Colorado River Water.
- The Colorado River compact was developed in 1922 to address concerns and prevent additional interstate litigation.
- Arizona refuses to sign the compact; official ratification occurs in 1928 when congress passes the Boulder Canyon Project Act.
- Differing interpretations of the term "beneficial consumptive use," as set forth by the 1922 compact, cause Arizona and California to engage in legal proceedings lasting over a decade starting in the 1950's.
- Public law 485 is passed in 1956, authorizing the construction of 4 major storage reservoirs in the upper basin.
- California intends to challenge public law 486, as it would limit the water it could make use of, despite the fact that this directly violates the rights to apportion as set forth by the 1922 compact.



The Colorado River at Lee Ferry

Motivating factors:

- Concern that the upper basin states, including Colorado, would lose water apportioned to them in the 1922 Colorado River Compact.
- The general belief that state governmental organizations were not adequately representing Colorado water interest.

Results/outcomes:

- The 1922 Colorado River Compact was upheld.
- The Colorado Water Congress currently functions as a forum for all water stakeholders to voice their opinions and be heard.
- The Colorado Water Congress is officially recognized by the state legislature.

Research Question

What factors motivated the creation of the Colorado Water Congress and the Kansas Water Congress?

Kansas Water Congress

Historical events:

- The Kansas Water Appropriation Act, passed in 1945, adopted the doctrine of prior appropriation (Peck, 2006, p. 442).

- The following two decades saw great increases in groundwater pumping, primarily due to agricultural growth and the advent of powerful pumps/central pivot irrigation.
- In the late 1960's, increasing concerns of groundwater depletion caused the legislature to pass legislation which eventually lead to the establishment of groundwater management districts (GMDs).

- GMD's afford autonomy and representation for each district, but fail to accurately account for all local interests.

Motivating factors:

- Lack of representation, especially for private sector organizations

Results/outcomes:

- The Kansas Water Congress currently provides representation to all water stakeholders in the state.
- The Kansas Water Congress is not officially recognized by the state legislature, but still has considerable influence in setting state water policies.

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Summary of Findings

	Colorado	Kansas	Difference/Similarity
Historical events	<ul style="list-style-type: none"> • 1922 Colorado River Compact • Litigation and interstate legal battles over water rights 	<ul style="list-style-type: none"> • Kansas Water Appropriation Act of 1945 • Establishment of GMD's 	<ul style="list-style-type: none"> • Scale, i.e., The Colorado River was fought over due to large amount of water
Motivating factors	<ul style="list-style-type: none"> • Concern that 1922 compact would be altered • Government not doing enough to ensure water rights would not be lost 	<ul style="list-style-type: none"> • Lack of representation for all interests in the GMD system • Lack of representation in state legislature 	<ul style="list-style-type: none"> • Primary concern for CO was interstate conflict. • Primary concern for KS was lack of representation
Results/Outcomes	<ul style="list-style-type: none"> • Establishment of the Colorado Water Congress in 1958 	<ul style="list-style-type: none"> • Establishment of the Kansas Water Congress in 2002 	<ul style="list-style-type: none"> • Same purpose: to provide representation for water stakeholders



Water is a precious resource

Conclusion

Water management is a complex issue which is of vital importance. The CO and KS water congresses were established for a myriad of reasons, but serve nearly the same purpose today. This research provides support for additional research – conducted by Colin Russell – examining prevalent attitudes and opinions held by Arizona water stakeholders. His research suggests that implementation of an AZ water congress could lead to constructive outcomes.

References:

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