

39. (COLORADO RIVER - W.O. 242, W.O. 1267, and GEN.DATA.) State Lands Commission problems on the Colorado River are becoming increasingly apparent.

There was filed in the Arizona U. S. District Court on April 24, 1952, a condemnation action by the United States, naming the State of California for a strip of land in the old bed of the river upon which to construct a levee for the benefit of the Bureau of Reclamation. Since this involves sovereign lands of the State, and may involve a determination of the boundary with Arizona, a conference was held with the Special United States Attorney at Phoenix, with representatives of the Arizona Attorney General's Office, and with the Arizona Land Commissioner. The purpose of the conference was to avoid a determination of the boundary in an isolated case and in the absence of a general inter-State agreement with respect to the entire boundary. If the case were tried so as to fix the boundary incidentally, the Attorney General would request dismissal, because the Supreme Court of the United States would be the body to decide such a case on original jurisdiction.

Another situation was brought to the attention of the Division of State Lands by the State Engineer when his office transmitted for comments a report entitled "LAND USE AND ADMINISTRATION OF THE LOWER COLORADO RIVER VALLEY, HOOVER DAM TO THE INTERNATIONAL BOUNDARY, Report prepared for the COLORADO RIVER-GREAT BASIN FIELD COMMITTEE by LOWER COLORADO RIVER LAND-USE COMMITTEE, a subcommittee composed of representatives of Department of the Interior agencies and of the States of Arizona, California, and Nevada, December 1951" (the Department of Fish & Game being the only California agency). It has been suggested to the State Engineer that a conference be held of all State agencies involved.

Appropos of the boundary question, the Arizona State Land Commissioner, W. W. Lane, has advised that the Legislature has appropriated \$140,000 to his department to make an aerial survey of the Colorado River within Arizona, and to report thereon. The press reports that Governor Pyle of Arizona, on April 30, 1952, reactivated the Arizona Boundary Commission. Precursory examination of California statutes indicates that there has not been a recent corresponding California boundary commission authorized by the Legislature. From time to time over the years there have been committees appointed by the Governor, as well as Legislative interim committees, making some studies on this boundary and other pertinent questions.

Conferences on the above-mentioned case with Arizona indicate that it should be possible to work out many details through informal discussions with Arizona, rather than at this time to have set up a formal joint compact committee.

Ultimately an inter-State boundary compact, approved by the Congress of the United States, may be required to fix the boundary along the Colorado River. Meanwhile the State Lands Commission has the statutory authority to enter into preliminary studies and negotiations.

UPON MOTION DULY MADE AND UNANIMOUSLY CARRIED, A RESOLUTION WAS ADOPTED AUTHORIZING THE DIVISION OF STATE LANDS TO MAKE STUDIES AND ACCUMULATE DATA WITH RESPECT TO ALL PERTINENT COLORADO RIVER STATE LAND PROBLEMS INCLUDING THE BOUNDARY, AND TO COOPERATE WITH APPROPRIATE OFFICIALS OF THE STATE OF ARIZONA WITH THE VIEW TO LAYING THE GROUNDWORK FOR A POSSIBLE FUTURE INTER-STATE COMPACT ON THE PRECISE LOCATION OF THE BOUNDARY ALONG THE COLORADO RIVER.