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RECLAMATION
Managing Water in the West

U.S. Department of the Interior
Bureau of Reclamation
Yuma Area Office

7301 Calle Agua Salada
Yuma, Arizona 85364

Main Phone: (928) 343-8100

Fax Cover

Date: 6/07/2007

Pages including this cover: 3

Fax: (928) 343-8519

To: Megan Wallace

Office of Inspector General

DOI

Fax: 202-208-6023

From: Nathan Portman

Code: 3400

E-mail: nportman@lc.usbr.gov

Phone: 928-343-8160

Message:
Megan,

Included with this cover sheet is the letter that Bill Flores indicated had gone out to all of the water districts following the identification in 2003 that the Coachella houses had been demolished by the water district.

You will notice that this letter has a name stamp and not an actual signature. This is the standard procedure that we use for official correspondence. Anything in Central Files with the name stamp designates that a signed copy was mailed/distributed.

I hope this will help and that it fulfills the requirement.

6. Planting shrubs, trees, and gardens and installing simple irrigation systems.

It is important to note that any proposed removal or demolition of government buildings must be requested in writing at least 90 days in advance. Further, no removal or demolition activities shall be performed without the express written approval by Reclamation. Additionally, many of the buildings are over 50 years old and may have historical significance, subjecting them to the provisions of the National Historic Preservation Act of 1966 (Public Law 890-665 16 USC 470 et seq.).

This year an inventory was conducted of all government buildings, including those maintained by the Districts. Our Departmental regulations require that these buildings continue to be inventoried by Reclamation on an annual basis. We look forward to your agency's cooperation during these inventories.

Please note the requirements described in this letter are applicable to all of the Districts, regardless of the status of the Districts' repayment contracts.

If you have any questions on this matter, please feel free to contact Ms. Jane Ockrassa at 928-343-8160 or Mr. Bill Flores at 928-343-8157.

Sincerely,

MARIA RAMIREZ

For Jim Cherry
Area Manager

bc: Regional Director, Boulder City NV, Attention: LC-3300

Identical letter sent to each of the names on the enclosed list.

1000
3001
3020

BFlores:dh:mf:09/03/04
dir:3000/FLORES/3020-09.001

Identical letter sent to:

Mr. Bob Mullion
President
Cibola Valley Irrigation and
Drainage District
Route 2, Box 2
Cibola, AZ 85328

Mr. Steve Robbins
General Manager
Coachella Valley Water
District
P.O. Box 1058
Coachella, CA 92236

Mr. Jessie P. Silva
General Manager
Imperial Irrigation District
P.O. Box 937
Imperial, CA 92251

Mr. Frank Ferguson
President
North Gila Valley Irrigation
District
1405 West 16th Street
Yuma, AZ 85364

Mr. Ed Smith
General Manager
Palo Verde Irrigation
District
180 West 14th Avenue
Blythe, CA 92225

Mr. Patrick Morgan
Manager
Unit "B" Irrigation and
Drainage District
Route 1, Box 31M
Somerton, AZ 85350

Mr. Charles W. Slocum
Manager
Wellton-Mohawk Irrigation
and Drainage District
30570 Wellton-Mohawk Drive
Wellton, AZ 85356

Mr. Donald R. Pope
Manager
Yuma County Water Users'
Association
P.O. Box 5775
Yuma, AZ 85366

Mr. Rex C. Green
Manager
Yuma Irrigation District
9510 Avenue 7E.
Yuma, AZ 85364

Mr. James (Bud) Rhodes
Manager
Yuma Mesa Irrigation and
Drainage District
14329 South Fourth Avenue
Extension
Yuma, AZ 85365

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United States Department of the Interior
Office of Inspector General

INVESTIGATIVE ACTIVITY REPORT

Case Title	Case Number
BOR Whistleblower Complaint	PI-PI-07-0260-I
Reporting Office	**Report Date**
Washington D.C.	May 7, 2007

Report Subject
Summary of information gathered regarding the Operation & Maintenance Contracts

On or about May 1, 2007, Special Agent (SA) Megan Wallace of the Office of Inspector General (OIG), Program Integrity Division contacted Margo Selig, an employee of the Bureau of Reclamation (BOR), Lower Colorado Region (LCR) in order to obtain answers to questions regarding operation and maintenance contracts. On or about May 7, 2007, Nathan Portman, Logistics Group Manager, BOR, LCR, Yuma Area Office advised SA Wallace via email that he would be the point on finding the answers to the questions she submitted earlier. On or about May 24, 2007, Portman provided an email with the requested information. The following is a report summarizing the information which was obtained from a variety of sources.

Wellton Mohawk Irrigation & Drainage District (WMIDD)

The following are answers to questions relating to Operation & Maintenance (O&M) contract 1-07-30-W0021. According to the water contracts group they do not have or maintain "chron sheets" in water delivery contract files. They have conducted a search relevant to the OIG's investigation and not found any documents, correspondence or contract notes in their files that provided any information regarding the disposition of the two missing buildings from the Wellton Mohawk Irrigation & Drainage District (WMIDD).

Agent's Note: *A "chron sheet" is also known as a chronological sheet and while the label can be different it essentially refers to the part of the contract file where contemporaneous notes are transcribed relating to a myriad of contract related issues for example, correspondence received, observations from inspections, or telephone contact with water district personnel.*

According to Portman, the three BOR divisions that have reason to deal with the aforementioned contract are Property, Water Contracts and Maintenance. When asked if there was any correspondence between the district and BOR regarding the notification of any repairs, modifications, or demolitions prior to 1990 they responded negatively. The maintenance division stated that according to their records they don't know of any structures being worked on or demolished as of 1977.

Reporting Official/Title	Signature
Megan E. Wallace, Special Agent	

Authentication Number: B301C4E7DA4BAF7CAFE5712E70646128

The property division was unable to find any documentation indicating any modifications, improvements, additions or demolitions made by WMIDD prior to 1990. Portman added that these types of activities are most often identified during field visits or inventories and in this case was how these two buildings were discovered to be missing. Furthermore, there was no record of any repercussions, i.e. fines, penalties or written reprimands. Portman stated that subsequent to the discovery of these two buildings as "missing" a letter went out to all of the water districts within the region reiterating the proper process that needs to be followed for disposal of any BOR owned property.

Portman discovered through his research that with respect to residential buildings of four or fewer units that they are excluded from asbestos NESHAP rule, and an EPA memorandum dated August 2000 allows residential contractors to manage lead based paint demolition debris as household waste.

According to Portman and supported by the quit claim deed received by SA Wallace from Margo Selig of BOR/LCR the title transfer was executed on March 26, 2007. However, it is in litigation from a lawsuit filed by the Quechan Indian Tribe.

Coachella Valley Water District

According to Portman the general lack of correspondence or supporting documentation for the disposition of these 25 buildings or any other modifications was much the same as WMIDD, non-existent. The status of these residences was discovered recently pursuant to an on sight inspection.

Agent's Note: *Portman didn't mention the Reconnaissance Report of 1997 that was conducted by BOR personnel from the Lower Colorado Regional Office. However, based on this investigation it was in this report wherein the unauthorized disposal of these buildings was first documented.*

This investigation is continuing.

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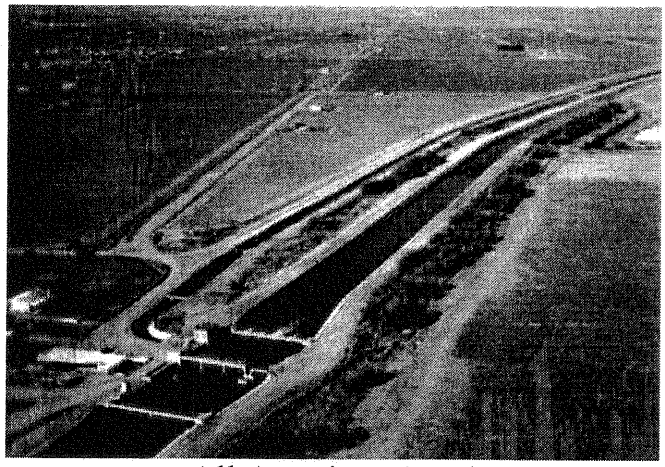
Boulder Canyon Project
All American Canal System

Lower Colorado Regional Office
Boulder Canyon Operations Office


All American Canal

General Description

The All-American Canal System, located in the southeastern corner of California, consists of the Imperial Diversion Dam and Desilting Works, the 80-mile All-American Canal, the 123-mile Coachella Canal, and appurtenant structures. The system has the capacity, through water diversions from the Colorado River at Imperial Dam, to irrigate about 530,000 acres of fertile land in the Imperial Valley and about 78,530 acres in the Coachella Valley. No power is developed on the system by the Federal Government. The Imperial Irrigation district has constructed powerplants at Pilot Knob Check and Wasteway, and Drop Nos. 2, 3, and 4 of the All-American Canal. Powerplants are now (1984) under construction at Drop Nos. 1 and 5.

Plan

Irrigation water is diverted from the Colorado River at Imperial Dam through desilting basins into the All-American Canal on the California side and the Gila Gravity Main Canal on the Arizona side. These two canals and their branches carry water to their respective project areas, where the water is then delivered to the lands through distribution systems.

Unit descriptions and facilities

Imperial Dam and Desilting Works

The Imperial Dam and Desilting Works are situated on the Colorado River 18 miles northeast of Yuma, Arizona. The purpose of the dam is to raise the water surface 25 feet and provide controlled gravity flow of water into the All-American and Gila Gravity Main Canals. The desilting works remove most the sediment carried by the Colorado River. This sediment removal prevents clogging of the canals and subsequent, expensive, difficult maintenance.

To meet the irrigation diversion requirements at Imperial Dam, the flow of water in the Colorado River arriving at the dam is controlled by releases from Parker Dam, 150 miles upstream. Hoover Dam, 303 miles upstream; Davis Dam, 235 miles upstream and Glen Canyon Dam, 657 miles upstream; along with other dams, provide essential flood protection and storage. Ordinarily, the quantity of water released from these dams is coordinated with annual downstream requirements. However, during years of high runoff from the mountains, any extra water that cannot be held in allotted reservoir space is released at rates designed to minimize flooding while maintaining essential flood storage space in the reservoirs.

Senator Wash Dam, Reservoir, and Pumping-Generating Plant are located in California 2 miles upstream from Imperial Dam. Senator Wash facilities were not constructed as part of the All-American Canal System, but are an integral part of operations at Imperial Dam. Senator Wash is an offstream regulating reservoir. When the flows arriving at Imperial Dam from the Colorado River exceed diversion demands, water is pumped into the reservoir and released at a later date when demands are greater than the flow arriving at Parker Dam.

The reservoir created by Imperial Dam initially had a capacity of 85,000 acre-feet. This storage capacity was not considered a project feature and, as anticipated, the reservoir quickly filled with sediment. The reservoir capacity is now considered to be 1,000 acre-feet and intermittent dredging is required to maintain required diversion capacity at the Gila Gravity Main Canal Headworks.

Imperial Dam is a reinforced concrete structure of the monolithic slab-and-buttress type consisting of an overflow weir, canal headworks at each end of the dam, and a sluiceway located between the All-American Canal Headworks and the overflow weir. The dam is 3,472 feet long, including a 490-foot rockfill dike at the Arizona end. The overflow weir is 1,197.5 feet long and designed to pass a flow of 142,000 cubic feet per second. The overflow weir, in conjunction with the California Sluiceway, is designed to pass a maximum flood of 185,000 cubic feet per second, not including any diversions to the canal systems.

The two canal headworks are equipped with trashracks to prevent large pieces of debris from entering the canal systems. Ordinarily daily removal of the accumulation of trash is required. Trash removal is accomplished by an electrically powered rake device which pulls the trash up and dumps it into small, rail-mounted cars. The cars are moved to a chute where the trash is dumped into a truck and hauled to a disposal site where it is either burned or buried.

The design of the desilting works for the All-American and Gila Gravity Main Canals are significantly different. The Gila facility consists of a concrete-lined basin, which allows sediment to settle to the bottom while clear water is skimmed off the top as flows pass over the diversion control gates into the canal.

The All-American Canal Desilting Works are more elaborate. The flow into the canal is controlled at the headworks before the water passes through the desilting works rather than after, as at the Gila facility. The headworks consists of four roller gates, each 75 feet long and 22 feet high, including apron and flash weir. Downstream from the roller gates are four concrete channels with vertical

concrete walls between the channels. Three of the channels carry water to the three existing desilting basins. The fourth channel was constructed to serve a fourth basin if found to be needed. All four channels are equipped with gates to permit water to bypass the basins through effluent channels when necessary. The three basins are separated into halves by a long tapered influent channel with the vertical slots along the sides designed to evenly distribute water entering the basin. The water crosses each basin half at a low enough velocity to allow the sediment to settle to the bottom, where it is moved by rotating scrapers to a central pedestal containing a rotating mechanism and piping system. The clear water near the surface flows over weirs, that comprise the long sides of the basins, into effluent channels leading to the All-American Canal. The pipe system under each basin half discharges the collected sediment, along with the necessary water to move it, into the California Sluiceway. The combination of water and sediment is refereed to as sludge.

The California Sluiceway extends from the 12 radial gates, located between the All-American Canal Headworks and the overflow weir, downstream about 3,000 feet. As sediment collects in the sluiceway, it is moved downstream by high rate, short duration (sluicing) flows of water discharged through the sluiceway gates. The sluicing flows usually are 8,000 cubic feet per second released for a 20-minute period, although many different flow rates, time periods, and combinations of gates are used. This procedure also removes some sediment from Imperial Dam Reservoir.

Prior to 1964, the sediment from the desilting basins found its way down the river and, as water was diverted from the Colorado River, a disproportionate amount entered the Mexican irrigation system. As a means of resolving this problem, a channel was constructed in 1964 from the end of the California Sluiceway to the reservoir area above Laguna Dam. A large settling basin was excavated about midway in this 4-mile-long channel to collect the sediment moved out of the sluiceway. Dredges pump the sediment from the settling basin to the adjacent flood plain. The first dredging operation started in 1965 and has since been intermittently required about every 2 years.

The sluicing flows from Imperial Dam are stored behind Laguna Dam and released over extended periods. Laguna Dam releases become part of the water delivered to Mexico. This procedure requires considerable fluctuation of the reservoir elevation, which limits the value of Laguna Reservoir as a recreation resource.

The California Sluiceway is also used to discharge excess water flows arriving at Imperial Dam that are not pumped to Senator Wash Reservoir or diverted to the canals. It is preferred to keep water from passing over the overflow weir to prevent damage to roads and other facilities immediately below Imperial Dam.

All-American Canal

The All-American Canal serves the Imperial and Coachella Valleys in southern California and the Yuma Project in California and Arizona. The canal has a design capacity of 15,155 cubic feet per second from the desilting works to Siphon Drop, 14.7 miles downstream. From Siphon Drop, the capacity reduces to 13,155 cubic feet per second for another 6 miles to Pilot Knob. The capacity of the canal is 10,155 cubic feet per second for the next 15.5 miles to Drop No. 1 where the Coachella Canal starts. From Drop No. 1, the canal continues west, parallel to the Mexican border for another 44 miles, gradually reducing in capacity from 7,755 to 2,655 cubic feet per second. At this point, the canal connects with the Westside Canal about 10 miles west of Calexico (about 80 miles from Imperial Dam). The design capacity of the All-American Canal includes 155 cubic feet per second for the City of San Diego, California; however, the San Diego diversion point has been changed from Imperial Dam to a point above Parker Dam.

Water is diverted from All-American Canal to most of the Reservation Division of the Yuma Project in California at four turnouts between the Laguna Dam area and Siphon Drop. A turnout at Siphon Drop diverts water to the Yuma Main Canal for the Valley Division of the Yuma Project in Arizona plus some areas of the Reservation Division.

Pilot Knob facilities include a powerplant and wasteway. Much of the water required to meet Mexican treaty requirements is diverted from the Colorado River at Imperial Dam into the All-American Canal and is returned to the Colorado river through Pilot Knob Powerplant, thus creating a significant production of electricity. Otherwise, water is delivered to Mexico through the Yuma Main Canal; from the Colorado River below Laguna Dam; and from drains, wasteway flows, and Gila River flows. The Pilot Knob Wasteway automatically discharges water from the All-American Canal when the canal elevation becomes to high.

The total length of canals and drains operated and maintained by the Imperial Irrigation District is about 3,161 miles. The distribution system was constructed by the district and consists of 1,472 miles of laterals. The drainage system consists of about 112 miles of closed drains and 1,341 miles of open drains. The district has constructed hydroelectric powerplants at Pilot Knob and Drop Nos. 2, 3, and 4 with capacities of 33,000, 10,000, 9,800, and 19,600 kilowatts, respectively.

Coachella Canal

From its turnout at Drop No. 1 on the All-American Canal, the Coachella Canal proceeds in a northwesterly direction for 123 miles. The first 49 miles, originally constructed as unlined canal, have been replaced with a concrete-lined canal. The last 37 miles of the canal are also concrete lined, which still leaves 37 miles unlined. The original unlined canal had a capacity of 2,500 cubic feet per second; the recently constructed, concrete-lined canal has a design capacity of 1,550 cubic feet per second.

As part of the Colorado River Basin Salinity Control Project (Title I, Public Law 93-320, June 24, 1974), the congress provided for lining the first 49 miles of the canal to recover most of the water lost by seepage. To maintain water deliveries during construction and avoid wet areas caused by seepage, a separate canal running nearly parallel to the original unlined section was designed. Construction of this newly relocated canal began in 1979 and was completed and put into operation in late 1980. The concrete-lined canal is estimated to save 132,000 acre-feet per year.

The Coachella Valley County Water District's distribution system, designed and constructed by the Bureau of Reclamation, is largely underground. The system consists of gravity flow concrete pipelines, with a few small pumping plants serving the higher areas. The network of laterals totals about 495 miles.

Completed in 1949, the protective floodworks along the east side of the Coachella Valley consist of two detention dikes along the canal and three wasteways to carry floodwaters impounded by the dikes to natural drainage channels, and protect the main canal and distribution system from possible storm damage. A rehabilitation and betterment program, essentially completed in 1977, added a remote control system, terminal regulating reservoir, additional flood control structures, demossing screens, and other improvements.

In 1988, Reclamation experimented with a state of the art method of lining. Called in-place lining, a canal can be lined with polyvinyl chloride (PVC) and concrete while water is flowing in the canal. In August of 1988, Reclamation awarded a contract to line 1.4 miles of the canal between

Siphon 14 and 15. The contract was finished in April 1991.

Operating agencies

The All-American Canal below Pilot Knob was transferred to the Imperial Irrigation District for operation and maintenance on March 1, 1947. The district assumed responsibility on May 1, 1952, for those works above Pilot Knob including the All-American Canal Headworks, desilting basins, and the first 49 miles of the Coachella Canal. On December 7, 1982, the operation and maintenance of Laguna Dam, all Senator Wash facilities, and the remainder of Imperial Dam were transferred to the district.

The lower 74 miles of the Coachella Canal and protective works were transferred to the Coachella Valley Water District on March 25, 1949, for operation and maintenance. The distribution system in the Coachella Valley was transferred to this district in 1954. On November 1, 1982, the operation and maintenance of the initial 49 miles of the Coachella Canal were transferred to the district.

Development

History

The Imperial Valley lies between the Mexican boundary and the Salton Sea, bounded on the east by sandhills and on the west by the foothills of the San Diego Mountains.

Coachella Valley is located in the Salton Sea Basin. It lies partly in Riverside County and partly in Imperial County, California. The valley is surrounded on all sides but the south by mountains and is about 50 miles long, 1 mile wide at the northern end, and 11 to 12 miles wide in the center. Ground water is present and before the Coachella Canal was constructed the land was irrigated with water from private wells.

In 1853, interest was aroused in the possibility of irrigating these lands from the Colorado River. The legislature of California, in 1859, asked the Congress to cede 3 millions acres to the state of California for reclamation by irrigation. The Public Lands Committee of the House of Representatives acted favorably on this application, but in 1862 the bill failed to pass. The route proposed for the canal was practically the same as that used 40 years later for the Alamo Canal.

The Colorado River Irrigation Company was formed in 1891-1892 and the entire problem of irrigating the Colorado River delta was carefully examined and important features worked out, but financial difficulties brought about failure of this company. The California Development company, formed in 1896, succeeded where the original company had failed and construction was begun in 1900.

The first project to irrigate Imperial Valley was Alamo Canal. The canal delivered water to the upper channel of the Alamo river, which flows north toward the Salton Sea in the valley center, offering suitable opportunities for developing auxiliary distribution structures. By September 1904, nearly 8,000 valley settlers were operating 700 miles of canals and irrigating 75,000 acres.

The Alamo Canal, however, was difficult to operate without upstream control of the Colorado river. The channel required almost constant dredging to control silt, and an extensive levee system

was constructed for protection from flood damages. In spite of these precautions, the Colorado River, while carrying a major flood from the Gila River Basin, washed out the Alamo Canal heading in 1905. The river partially changed its course to follow the canal and the Alamo River into the Salton Sea. Water flowed into the interior for nearly 2 years and inundated some 330,000 acres. The Southern Pacific Railroad Company, alarmed about the threat to the prospering Imperial Valley and to the railroad through the basin, finally returned the Colorado river to its natural channel on February 10, 1907, and controlled diversion of irrigation water through the Alamo Canal was resumed.

Investigations

Although the feasibility of constructing a canal wholly within the United States was studied as early as 1876, a report in 1919 covered the first complete survey and cost estimate for an All-American Canal. The Congress, desiring additional information, authorized an examination which resulted in a report which recommended control of the Colorado river by a multiple-purpose reservoir project at or near Boulder Canyon, and the construction of a high-line canal, together with a diversion dam and desilting works, to carry diverted water into the Imperial Valley.

Authorization

The All-American Canal System was authorized under the Boulder Canyon Project Act of December 21, 1928 (45 Stat. 1057).

Construction

Construction of the All-American Canal began in 1934, following the construction of Hoover Dam. The first irrigation water was delivered in 1940. The construction of Imperial Dam and Desilting Works began in January 1936 and was completed in July 1938. Coachella Canal was built during the period from August 11, 1938, to June 1948. Construction was interrupted by World War II, and work stopped from 1942 to 1944. Construction of the Coachella distribution system was initiated in 1948 and completed in 1954.

Benefits

Irrigation

With an assured water supply, the increase in production of farm crops in the Imperial and Coachella Valleys has been phenomenal. The soils of these two valleys, combined with a favorable climate, have long been noted for production of fruits and vegetables that reach the market during the winter season when shipments from other areas are either nonexistent or at a minimum. The Nation's domestic date gardens are concentrated primarily in the Coachella Valley, with 90 percent of this country's production originating there. Other principal crops on irrigated farms are alfalfa, lettuce, cotton, carrots, citrus fruits, cantaloupes, watermelons, barley, tomatoes, sugar beets, grapes, sweet corn, and bell peppers.

Recreation

Imperial Dam forms a reservoir area with a nearly stable water surface elevation of 181 feet above sea level. Camping, hunting, picnicking, swimming, boating, and year-round fishing for bass,

catfish, bluegill, and crappie are popular activities in the reservoir area.

For specific information about any of these recreation sites, click on the name below.

Imperial Reservoir Area: Mittry Lake Wildlife Area
Imperial Reservoir Area: Picacho State Recreation Area
Imperial National Wildlife Refuge

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COPY

COACHELLA VALLEY COUNTY WATER DISTRICT
Post Office Box 158
Coachella, California

March 2, 1954

W. A. Dexheimer, Commissioner
Bureau of Reclamation
New Interior Building
Washington 25, D. C.

Re: Construction Cost Allocation to Coachella Valley County Water District of the Boulder Canyon Project, All-American Canal (Contract dated October 15, 1934, Ilr-781); Your Reference 310

Dear Sir:

This will acknowledge receipt of your letters, above subject, dated April 30, 1953, and January 13, 1954.

This District has examined your "Revised Allocation of Costs Under Repayment Contracts for All-American Canal and Appurtenant Works Based on March 31, 1953, Financial Statements as Adjusted" (Boulder Canyon Project - All-American Canal), transmitted with your letter dated April 30, 1953. We have also examined that certain letter to Ryan T. Hewes, Imperial Irrigation District, dated July 23, 1953, over the signature of G. W. Linneaver, Assistant Commissioner, together with a report of a conference on this matter held in Washington on July 16, 1953, between representatives of Imperial Irrigation District and the Bureau of Reclamation, as well as the content of a letter dated January 15, 1954, over the signature of Ryan T. Hewes, President, Board of Directors of Imperial Irrigation District, addressed to H. R. MacNeil, Acting Commissioner.

From your Revised Allocation of Costs, above referred to, it appears that the part or portion thereof allocated to Coachella Valley County Water District amounts to the total sum of $13,411,901.37. While we appreciate the position taken and the representations made by Imperial Irrigation District, we are not inclined to make any special comment so long as the total aggregate construction cost allocation does not exceed $38,900,000, with the portion thereof chargeable to the Coachella District not exceeding the determined amount of $13,411,901.37.

There is a matter, however, which we feel in good faith should be resolved at this time and upon which we desire to make definite and specific comments. You may know, or the records will disclose, that when the time arrived when active construction was being carried on in the building of the Coachella extension of the main All-American Canal, a critical housing condition existed in the Coachella Valley. The District sought to cooperate in the handling of this situation so that the construction work on the Canal might go forward. As evidence of the then obtaining conditions, we quote below excerpts from the Minutes of the Board of Directors of the District on

occasions of regularly assembled meetings of the Board, as follows:

Excerpt from minutes of regular meeting held December 13, 1943, page 227:

> "The President told Mr. Foster that land on the District grounds would be available for the erection of dwellings to be occupied by Bureau personnel during the construction period, and that the District was prepared to take over permanent units upon completion of the canal. Housing requirements of contractors' employees were also mentioned, and Mr. Foster was informed that the Desert Sun School buildings might be available for conversion into dormitories."

Excerpt from minutes of regular meeting held January 10, 1944, page 253-255:

> "Mr. Rohrer, Acting Construction Engineer of the Yuma office of the Bureau of Reclamation, entered the meeting at this time.
>
> "President Forbes read a letter of January 8, 1944, written by Mr. L. J. Foster, Construction Engineer of the Bureau of Reclamation which quoted Mr. S. O. Harper, Chief Engineer as follows:
>
> > 'This office is hesitant to embark on a housing program for the benefit of Bureau employees as a construction feature of the project and is therefore instructing the Construction Engineer to discuss this matter with District officials, with the thought that the housing project might be initiated and constructed by the District * * *.'
>
> "Mr. Rohrer reported that the Bureau estimated 20 or 25 houses would be required to house 50 or 60 employees. Mr. Snyder estimated that the District will require 25 houses for operating employees upon completion of the canal.
>
> "Asked by the Board to estimate the cost of building 25 houses, Mr. Rohrer said approximately $100,000. Mr. Snyder said that his recent survey of construction projects involving houses of a type comparable to those which will be needed here, led him to believe that $100,000 was a reasonable estimate.

"The housing problem was discussed at considerable length and the members unanimously expressed convictions that the houses are a part of the project proper, (just as are gate tenders' and hydrographers' houses) and that the Bureau should construct them. However, they asked Attorney Kerr to determine by what legal means the District could finance a housing project, and Mr. Snyder to contact officials of the National Housing Agency, the Federal Housing Agency, and the Reconstruction Finance Corporation to determine the terms and conditions under which a housing project could be undertaken by the District.

"With the suggestion that time might permit development of new ideas on the problem, President Norton asked the Board if there was any objection to deferring the housing discussions until the afternoon session. No objection was offered.

Excerpt from minutes of adjourned regular meeting, January 15, 1944, page 276:

"After lengthy discussion in which it was recognized that time does not permit the District's using the only legal means of financing a housing project, it was moved by Director Anderson, seconded by Director Palmer and unanimously carried that the following resolution be adopted:

'RESOLVED: That the General Manager be instructed and directed to report to the Bureau of Reclamation, through Mr. Foster, that in view of the existing situation, it will be quite impossible for the District to finance the building of housing, and we urgently request the Bureau to immediately proceed with the erection of housing necessary to take care of all Bureau employees. The District will provide land, water and utilities, including sewerage.'"

Excerpt from minutes of special meeting held February 21, 1944, page 292:

"Chief Engineer Snyder reported that the Bureau of Reclamation officials had reported they were ready to go ahead with the housing work, but before they could execute the construction contracts, it would be necessary for the District to:

1. Deed a parcel of land approximately 400 ft x 600 feet to the United States on the same basis that the canal right of ways were deeded to the Government.

"E. Execute a Land Contract with the United States Government for the construction of houses.

"In the brief discussion which followed the Members of the Board concluded that it had long been the expressed intention of the District to furnish the site for the housing project, and to have the building erected by the Bureau of Reclamation. It was then moved by Director Farrar, and seconded by Director Anderson that the following resolution be adopted:

'RESOLVED: That the President or Vice President and Secretary are authorized to execute on behalf of the District a grant deed to the United States covering a parcel of land approximately 400 feet by 600 feet in the Northeast corner of Lot 17, Section 5, Township 6 South, Range 8 East, said deed to be granted under the terms and conditions similar to the grant deeds covering All-American Canal right of ways;

'FURTHER RESOLVED: That the President or Vice President and Secretary are authorized to execute a land contract with the United States Government for the use in construction of approximately 85 houses to be occupied by Bureau of Reclamation employees during the period of construction of the Coachella Canal, said land and buildings to revert to the District for the use of operating employees upon completion of construction.

'FURTHER RESOLVED: That the Secretary is instructed to furnish certified copies of this resolution to Bureau of Reclamation Officials.'"

Excerpt from minutes of regular meeting held March 13, 1944, page 300:

"Chief Engineer Snyder reported that the Bureau of Reclamation did not wish to have the deed to the housing site subject to the same conditions under which canal right of ways were granted to the United States. Mr. Coffey had indicated that the Bureau could not proceed with the housing program unless it was understood that the site would be deeded to the United States without reservation. It was moved
* * *

'RESOLVED: That the President or Vice President and Secretary are authorized to execute on behalf of the District, a grant deed to the United States covering a parcel of land approximately 400 feet by 600 feet in the Northeast corner of Lot 17, Section 5, Township 6 South, Range 8 East; said deed to be approved as to form by the General Manager and the District's attorney;

'FURTHER RESOLVED: That the Secretary is instructed to furnish certified copies of this resolution to Bureau of Reclamation officials.'"

Excerpt from minutes of regular meeting held April 10, 1944, page 328:

"Chief Engineer Snyder reported that the Bureau had on March 30, 1944, advertised for bids on the Housing Project. He said he had borrowed a copy of the specifications and it appeared that the buildings would be satisfactory and that the time alloted for construction was not too great."

Excerpt from minutes of regular meeting held May 8, 1944:

"President Forbes presented for the consideration of the Board a donation deed form prepared by the Bureau of Reclamation for the housing site. He also read a letter from Chief Engineer Snyder objecting to the execution of the deed because the site selected by the Bureau includes the District's well. After a brief discussion, the General Manager and the Attorney were asked to convey to Bureau officials the Board's unwillingness to include the well in the housing site, and to try to establish a basis for an agreement between the District and the Government on the furnishing of water for the housing project."

Excerpt from minutes of special meeting held May 27, 1944, page 356:

"Mr. Clark (Tom Clark, Engineer, Bureau of Reclamation) presented two deeds drawn up by the Bureau of Reclamation to cover the housing site on the District's Headquarter lot. One deed covered all the site except Lot 1, and the other covered Lot 1 on which the well is located and included a clause reserving for the District 15% of the water of the well.

"Mr. Shaw pointed out that a reservation of 15% of the water did not necessarily guarantee the privilege of hooking on to the Bureau lines. Mr. Clark assured the Board that the Bureau will pledge the connection privilege in writing.

"It was then moved by Director Buck and seconded by Director Farrar that the following resolution be adopted:

'RESOLVED: That the President and Secretary are authorized to execute on behalf of the District two donation deeds to the United States covering the housing site on headquarter lot, copies of which deeds are filed in this Minute Book on pages 362 and 363.'"

Excerpt from minutes of regular meeting held September 11, 1944, page 467:

"The deeds to the housing site, which had not been accepted by the Bureau on the occasion of the original authorization on May 27, 1944 (rejection was because of railroad right of way reservations which the Southern Pacific has since relinquished) were again presented for the consideration of the Board. After discussion, it was moved by Director Farrar and seconded by Director Buck that the following resolution be adopted:

"RESOLVED: That the President or Vice President and Secretary of the Board of Directors of Coachella Valley County Water District be, and they hereby are, authorized on behalf of the District, to execute and deliver to the United States two grant deeds covering parcels of land situate in Lot Seventeen (17) of Coachella Land and Water Company subdivision of Section Five (5), Township Six (6) South, Range Eight (8) East, San Bernardino Base and Meridian, in Riverside County, California, copies of which deeds are filed in this Minute Book at Pages 466 and 467, and said Secretary is hereby authorized and directed to attach certified copies of this resolution to said deeds prior to their delivery to the United States."

The foregoing excerpts from the Minutes of meetings of the Board of Directors during the years 1943 and 1944 give some picture of the circumstances under which and the purpose for which the Coachella District by grant deed conveyed certain lands to the United States. The legal description of the two parcels of land are set out below, the first parcel described consisting of 6.68 acres of land, more or less, upon which parcel of land the houses in question were subsequently constructed by the Government. The parcel of land secondly described hereunder is the land known as the well site, upon which land the well was located which carries the reservation of 19% of the water produced by the well, to the District.

First Parcel:

A parcel of land situated in Lot Seventeen (17) of Coachella Land and Water Company subdivision of Section Five (5), Township Six (6) South, Range Eight (8) East, San Bernardino Base and Meridian, as shown in Book 4, Page 53 of Maps, records of Riverside County, California, particularly described as follows:

Beginning at a point located North two degrees, forty-one minutes, forty-nine seconds (2° 41' 49") West, a distance of six hundred thirty-seven and sixty-four hundredths (637.64) feet from the Southeast corner of said Section Five (5); thence South eighty-nine degrees, forty-six minutes, thirty seconds (89° 46' 30") West, five hundred (500) feet; thence due North four hundred eighty-three (483) feet; thence North eighty-nine degrees, forty-six minutes, thirty seconds (89° 46' 30") East, one hundred (100) feet; thence due North one hundred seventeen (117) feet to a point on the North boundary line of said Lot Seventeen (17); thence North eighty-nine degrees, forty-six minutes, thirty seconds (89° 46' 30") East along last-mentioned boundary line a distance of four hundred (400) feet; thence due South a distance of six hundred (600) feet to the point of beginning, containing Six and sixty-two hundredths (6.62) acres, more or less.

Second Parcel:

A parcel of land situated in Lot Seventeen (17) of Coachella Land and Water Company subdivision of Section Five (5), Township Six (6) South, Range Eight (8) East, San Bernardino Base and Meridian, as shown in Book 4, Page 53 of Maps, records of Riverside County, California, particularly described as follows:

Beginning at a point located North twenty-one degrees, one minute, fifty-three seconds (21° 01' 53") West, a distance of one thousand one hundred sixty-eight and seventeen hundredths (1168.17) feet from the Southeast corner of said Section Five (5); thence South eighty-nine degrees, forty-six minutes, thirty seconds (89° 46' 30") West, one hundred (100) feet; thence due North one hundred seventeen (117) feet to a point on the North boundary line of said Lot Seventeen (17); thence North eighty-nine degrees, forty-six minutes, thirty seconds (89° 46' 30") East along last mentioned boundary line, a distance of one hundred (100) feet; thence due South a distance of one hundred seventeen (117) feet, to the point of beginning, containing twenty-seven hundredths (0.27) acres, more or less.

Reserving, however, to the District, the right to use, for District purposes, up to fifteen per cent (15%) of the water produced by the well situate on said parcel of land.

After the transfer of the above described property from the District to the Federal Government, the houses, as contemplated, were constructed thereon by the Federal Government with moneys appropriated to the All-American Canal project. These houses were occupied continuously, after completion by United States Government personnel and are continued to be occupied and controlled by the Bureau of Reclamation.

Within the next 60 days it is contemplated that the distribution system described in the 1947 Contract will be completed and that there will be no further occasion for the occupancy of these premises or any of the houses located thereon by the Bureau of Reclamation or other Government personnel. Since this so-called housing project involving the two parcels of land above described, has served its purpose and is no longer needed or useable for the purposes for which the land was used and the houses were built, and since the construction of the houses was with money appropriated by the Congress for the All-American Canal project, it is submitted that the two parcels of land above described should be reconveyed and transferred back to the District by the United States.

There is one further matter concerning which we desire to make a few observations, although it may not appropriately be a part of the subject matter here concerned. What we are thinking of and with which we are becoming more concerned all the while, is the unlined portion of the Coachella Canal beginning at Drop 1 and extending to the vicinity of Niland. As you know, this portion of the Coachella Canal was never lined as was the remaining portion of the Coachella Canal. We understand some native clay material was placed in this stretch of the Coachella Canal but such as it was had apparently long since been dissipated or removed through the maintenance of the canal and incidental to the removing of tules and salt cedar growth therefrom. As a result of this situation considerable leakage occurs throughout this stretch of the canal, resulting in the loss and waste of water, which water would otherwise reach the Coachella Valley, but by virtue of its waste and loss is apparently finding its way to the Salton Sea, contributing to the rise in elevation of the Salton Sea. As you may know, one legal action is now pending in the State Courts wherein the Coachella District and the Imperial District are named as parties defendant, in which action damage is sought as a result of the rise in elevation of the Salton Sea and the inundation of privately owned lands.

A similar action is now pending in the United States District Court at Los Angeles, California, wherein the United States of America, as well as the Coachella District and Imperial District, is named a party defendant.

We are aware, of course, of the indemnity provisions contained in the Coachella 1934 Contract and the Imperial 1932 Contract but, regardless of these provisions, and being entirely realistic, it now appears and we feel has been conclusively demonstrated, that it was a grave error for the Government to build this stretch of the Coachella Canal and turn the same over to the Districts for maintenance and operation without having lined the Canal with concrete, as the remaining portion of the Coachella Canal was lined.

It will be remembered that Article 7 of the 1934 Contract (Ilr-781), among other things, provides that the Coachella Canal shall be so constructed as to provide a designed capacity of 1500 cubic feet of water per second,

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to be used by the Coachella District for the benefit of the lands then or thereafter within the District and lying within the Coachella Service Area from and including the diversion and desilting works at Imperial Dam to the southerly end of the Coachella Canal. This Article of the Contract further provides that there is reserved to the Secretary the exclusive discretion to change capacities, locations, lengths and alignments during the progress of the work, but that the capacity of 1500 cubic feet of water per second from and including the diversion and desilting works at Imperial Dam to the southerly end of the Coachella Canal, cannot be changed except by mutual agreement between the Secretary and the District. No such mutual agreement has ever been entered into between the Secretary and the District. The portion of the Coachella Canal which is unlined is 86.3 miles in length. Under normal operating conditions we find that of 1500 cubic feet of water delivered into the Canal at Drop 1, approximately 400 cubic feet thereof is lost while being transported through the 86.3 miles of unlined canal, and that not more than 1100 cubic feet of water per second has ever been delivered to the lands to be benefited through the Coachella Canal. Unless this leakage, which constitutes pure waste and loss, is prevented, it is obvious that the development of the lands to be benefited and which are chargeable with the construction costs, are going to suffer detriment and damage proportionately. Under obtaining conditions and in round figures, only about 2/3 of the water to which the Coachella District is entitled is or can be received through the Coachella Canal. This situation, as the years go by, will doubtless materially affect the economic well-being of the Coachella division of the All-American Canal project.

We feel that there is some duty and obligation upon the Government to rectify and correct this condition and we avail ourselves of the opportunity here to express the views of the Coachella District relative to that matter.

In the event the matter of the so-called housing project, or the condition of the unlined portion of the Canal as hereinabove dealt with are to be submitted by the Bureau of Reclamation to the Secretary for his consideration, we request that the Coachella District be advised and informed in this respect in order that the District may have an opportunity to be heard relative to these two particular matters.

Yours very truly,

/s/ Ted C. Buck

Ted C. Buck, President
Board of Directors
COACHELLA VALLEY COUNTY WATER
DISTRICT