

SILVER & FOX
OF THE ROCKIES

DELPHUS E.
CARPENTER
AND
WESTERN
WATER
COMPACTS

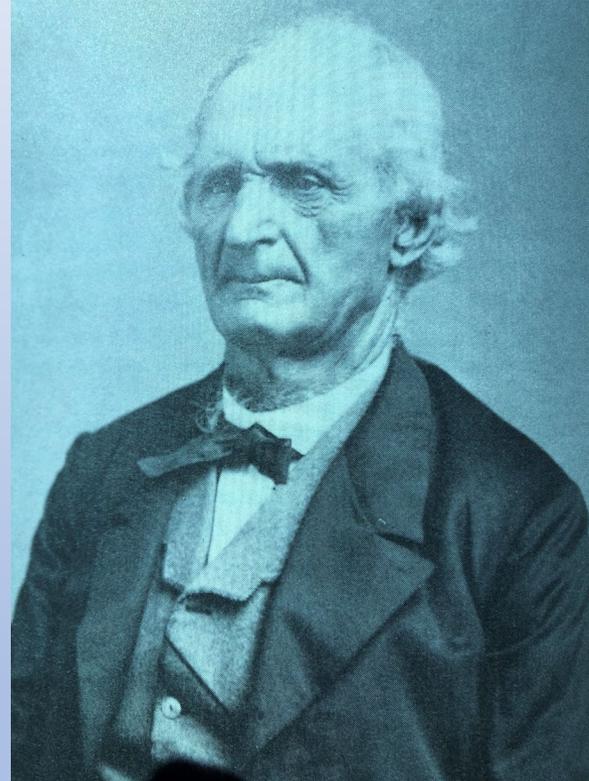
DANIEL TYLER

FOREWORD BY
DONALD J. PISANI

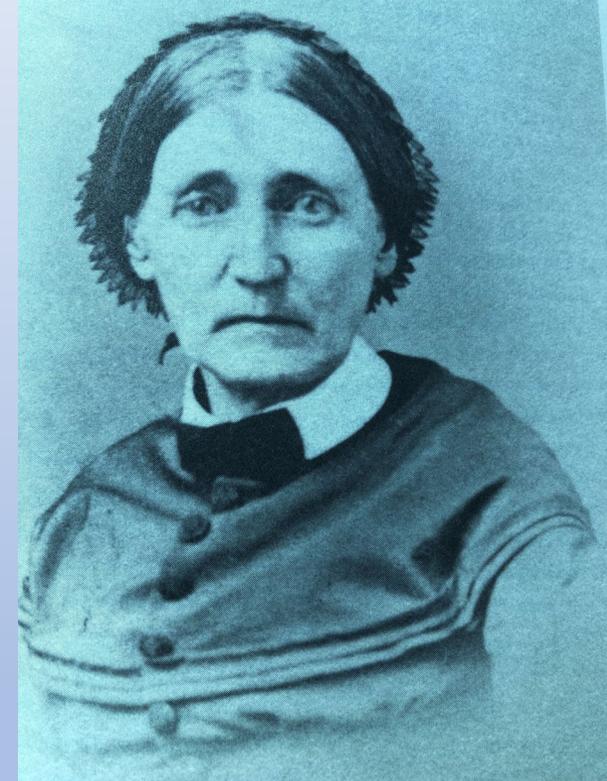
Childhood and Upbringing

Grandparents

Roots in Vermont and Ohio.
Moved to Iowa and on to
Horace Greeley's Union
Colony



Daniel Carpenter-Grandfather



*Nancy Scott Carpenter-
Grandmother*

Childhood and Upbringing

- Leroy--born in Ohio and came to Colorado with his family when he was 27. Attended Iowa State University for one year

- Martha--teacher from Iowa



Leroy and Martha Carpenter

Childhood and Upbringing

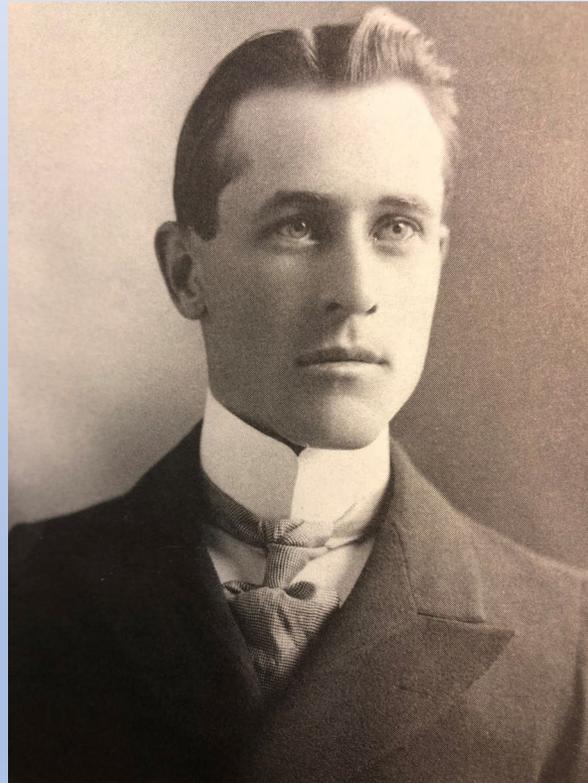
- Born May 13, 1877
- Success requires hard work and attention to detail.
- Undertake nothing without the hope of ultimate success – progress is possible in all things, but one needs patience and a sense of justice when dealing with others.
- Distrust of Easterners



Delph—Age 10

Education and Marriage

- Attended law school at the University of Denver.
- Married Dot Hogarty in 1901.



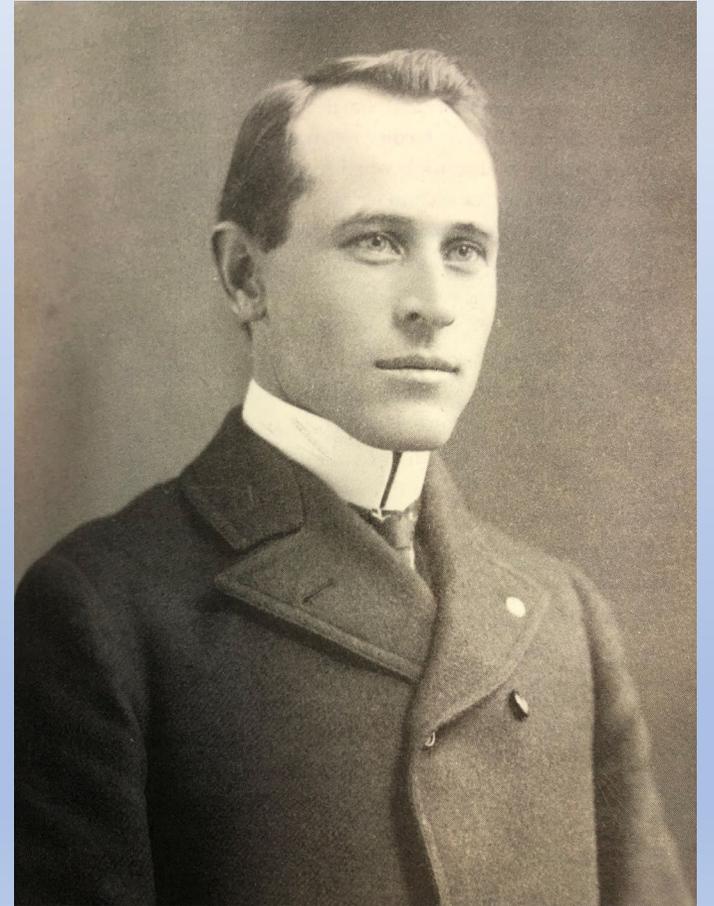
Delph as Law Student



Dot Carpenter

Early Career

- Struggling Attorney
- High Profile Case
- Politics



Delph as young attorney

Early Career

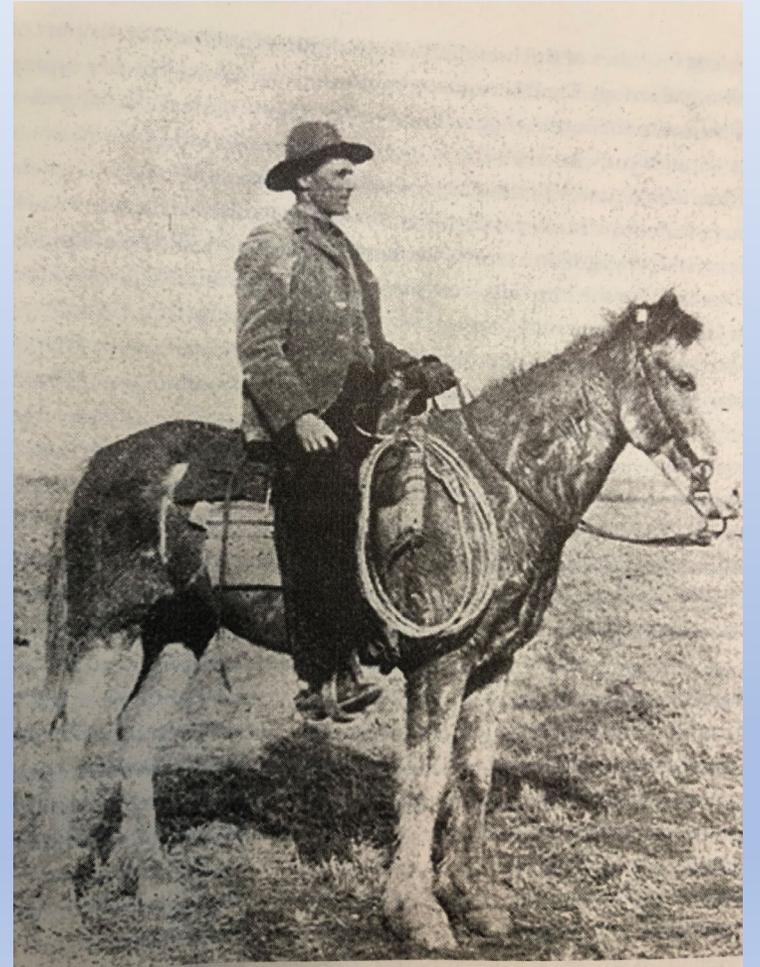
Ranching

➤ Crow Creek Ranch

“[T]he land in this country is absolutely worthless ... unless you are able to irrigate.”

-- Carpenter in letter to Kansas farmer

➤ Coyote Hunts



Coyote Hunt

Compacts

Colorado v. Wyoming (North Platte River)

- Carpenter chosen to represent Colorado.
- Wyoming feared losing 100,000 AF water to Colorado through the Laramie-Poudre Tunnel.
- Priority based on state of origin vs. prior appropriation vs. equitable apportionment.
- Supreme Court issued the Wyoming decision in June 1922, recognizing interstate priorities on streams where states endorse the prior appropriation doctrine.



Laramie-Poudre Tunnel

Compacts

Nebraska v. Colorado (South Platte River)

- Nebraska sued Colorado in April 1916 over flows on the South Platte.
- The South Platte compact was signed in Lincoln Nebraska on April 27, 1923.



Remnants of the aborted 1894 Perkins County Canal near Ovid, Colorado

Colorado River Compact

- California seeking new dam at Boulder and a new All-American Canal. Colorado and other Upper Basin States concerned about how this could impact their development.
- Colorado sought a compact among the seven Colorado River basin states that would apply the states' treaty making powers under the US Constitution.



Colorado River Compact

- The Colorado River Compact Commission began meeting on January 25, 1922 with Herbert Hoover, an engineer, as the chairman.
- The Commissioners would need accurate data on river flows and the present and future water needs of each state.
- Fall-Davis Report concluded that ample water was available for the present and future needs of all seven basin states and Mexico.
- Stalemate



Colorado River Compact Commission

Colorado River Compact

- The Commission's next meeting began on November 11, 1922 at Bishop's Lodge near Santa Fe.
- Commission moved away from an irrigable acreage basis for apportionment to one that apportioned water between the upper and lower basins.
- Compact signed on November 24, 1922.

We have possibly made here one of the most constructive steps that has been taken in the West. "[I]t is possible that this compact will stand out as one of the landmarks of western development."

--Delph Carpenter



CRCC at signing of Colorado River Compact November 24, 1922

Colorado River Compact

- Colorado's legislature unanimously approved the Compact in March 1923, and the governor signed it on April 2, 1923
- Arizona holds out — does not ratify the Compact until February 24, 1944
- President Coolidge signed the Boulder Canyon Project Act in December 1928, which approved the Colorado River Compact.



Hoover Dam

Post Colorado River Compact

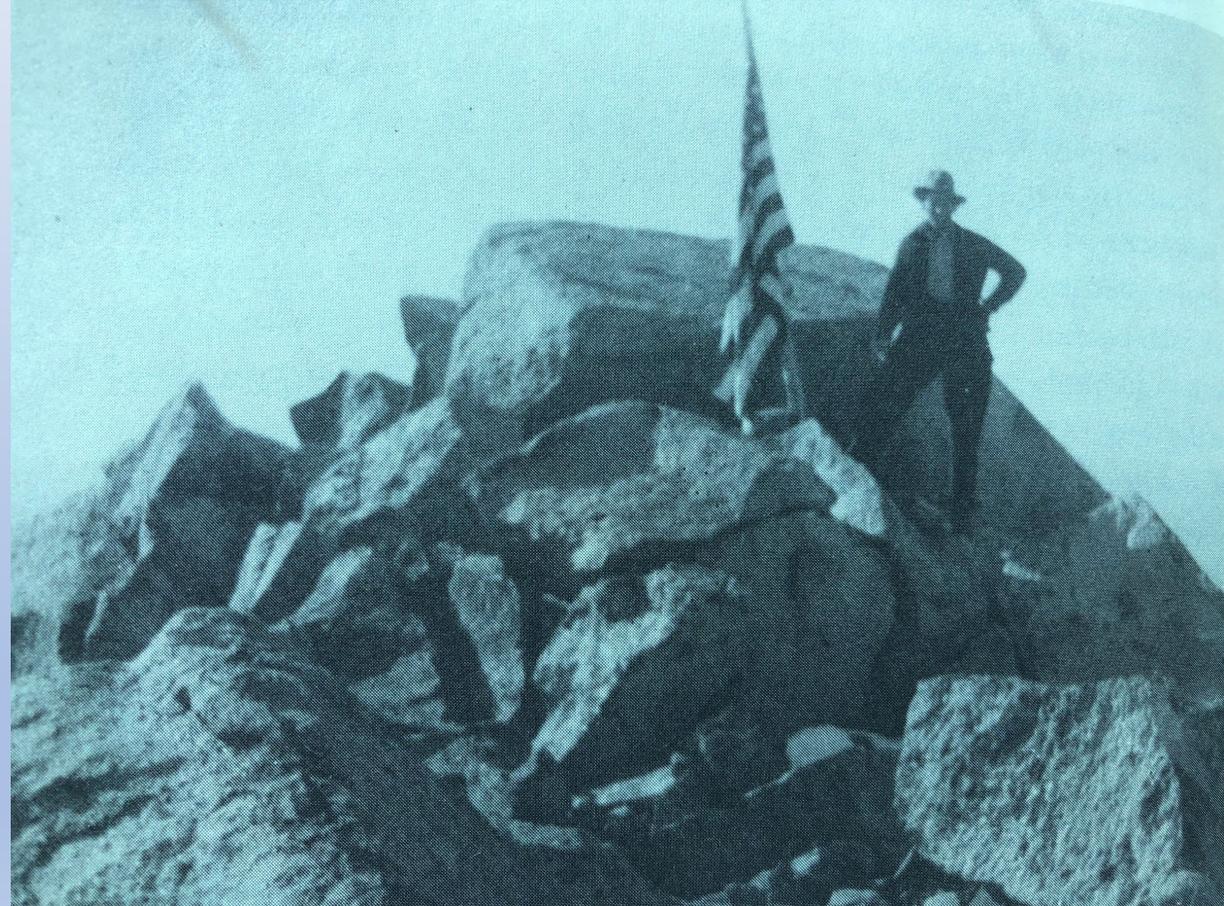
- Other Compacts
- Upper Colorado River Basin Compact
- Declining Health
- Vindication – Hinderlider v. La Plata River and Cherry Creek Ditch Company (1938)



Dot Carpenter

Legacy

- Died at the Island Grove Park Hospital on February 27, 1951
- Denver Post columnist Roscoe Fleming dubbed Carpenter as Colorado's most valuable citizen of all time that more than any other person, saved our water for Colorado's development.
- “[The Colorado River Compact was your conception and your creation and it was due to your tenacity and intelligence that it has succeeded. Sometimes I want to say this ... emphatically to the people of the West.”
--President Hoover to Carpenter, June 29, 1929.



Delph Carpenter on peak in Rawahs