

# NEVADA HISTORICAL SOCIETY QUARTERLY



FALL 1989

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# NEVADA HISTORICAL SOCIETY QUARTERLY

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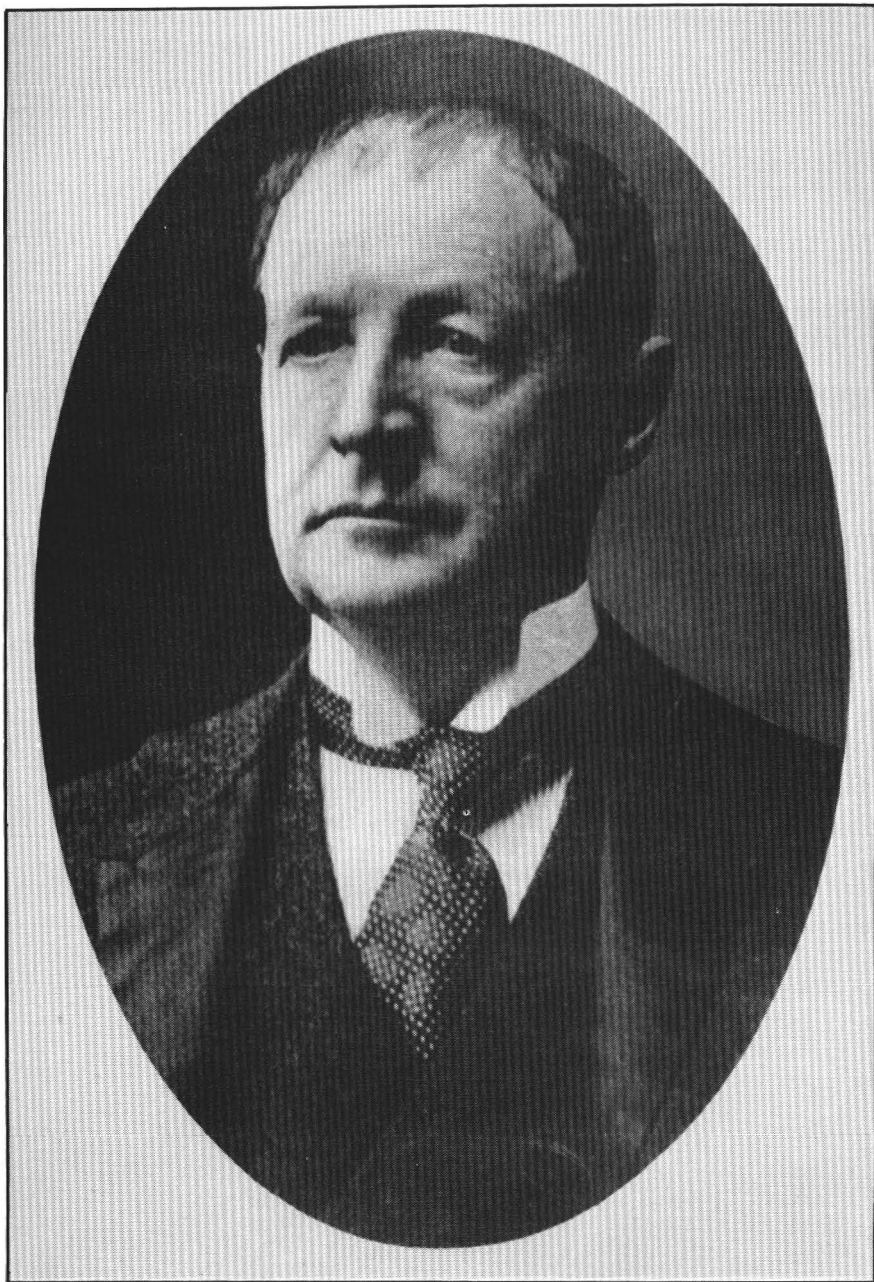
# FRANCIS G. NEWLANDS AND THE PROMISES OF AMERICAN LIFE

WILLIAM D. ROWLEY

FRANCIS G. NEWLANDS, CONGRESSMAN FROM NEVADA 1893–1902 and United States senator from 1903 until his death in 1917, was an ambitious man who lived in an ambitious age. His career in California and Nevada and in national politics fills the years between the end of the Civil War and the midst of World War I. He arrived in San Francisco in 1870 with but seventy-five dollars in his pocket; but he possessed the talents and energy of youth, training in the law, and social graces that by the standards of the day would have been termed good breeding. In no time at all this young man began moving in the highest circles of San Francisco's parvenu society. In November of 1874 he married the daughter of wealthy Comstock magnate, William Sharon, the principal representative of the Bank Crowd (The Bank of California) on the Comstock. From that date onward Newlands became identified with perhaps the largest fortune on the Pacific Coast—the Sharon estate. Eventually he became the key executor of the estate and politically powerful in both Nevada and the nation, realizing some of the greatest promises of American life—riches, family, and wide-ranging political influence.<sup>1</sup>

What he realized personally, he saw for the state and nation as well. The new century held great promise for the nation, and it brought revitalization to Nevada after the twenty-year mining depression between 1880 and 1900. Blueprints for the future abounded at the beginning of the century. In 1909 Herbert Croly's *The Promise of American Life* charted a progressive path: This prominent progressive theoretician saw American development in the new century in terms of a larger, more dynamic, national government that would intervene positively into the American life and economy. Government in this view would be active and far surpass the powers of Adam Smith's "invisible hand." Newlands's political thinking reflected these same ideals and viewpoints.<sup>2</sup>

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Francis G. Newlands identified himself with the progressive reform movement and the building of a more efficient society. (*Nevada Historical Society*)

Any summation of the career of Francis Newlands must reflect this broad national perspective and the grand, sweeping strokes in which Croly painted the future of his country; this important treatise is widely recognized as the basis of President Theodore Roosevelt's progressive program of reform, which he immodestly named the New Nationalism. The renowned American historian Frederick Jackson Turner took note of the New Nationalism in 1911 when he declared it to be

the voice of the insurgent West, recently given utterance in the New Nationalism of ex-President Roosevelt, demanding increase of federal authority to curb the special interests, the powerful industrial organizations, and the monopolies, for the sake of the conservation of our national resources and the preservation of American democracy.<sup>3</sup>

Newlands was one of the few liberal nationalist Democratic senators at the beginning of the century. Visualizing solutions to many problems through actions by the national government, he differed markedly from his fellow states-rights Democrats. He was more a New Nationalist Republican than an old-time Democrat, and in some respects he was more of a national senator than he was a representative of his state. One Carson City newspaper, a longtime critic, made the not too subtle jab that "Newlands's residency in the state was more constructive than real."<sup>4</sup>

Newlands was sensitive to, and tried to avoid, the tarnish associated with previous Nevada senators, who were ridiculed for representing at worst a western rotten borough and at best a pocket borough of California.<sup>5</sup> He was not a single-minded advocate of national irrigation or reclamation legislation for the narrow benefit of his own arid state. Nationally, the breadth of his reform commitments—national incorporation for business enterprises, waterway developments, conservation, foreign affairs, labor and racial issues, and finally preparedness—was astounding. On the state level, however, this national statesmanship restricted his involvement in the give-and-take of local politics, frustrating his supporters and threatening his political survival in Nevada. In his third senatorial bid in 1914 he won by only forty votes in a three-way contest with Republican and Socialist party opponents.<sup>6</sup>

In both state and national political life, Newlands identified himself with the progressive reform movement and the building of a more efficient, just society. He saw himself as a modern, forward-looking reformer who supported direct democracy measures, regulation of business, and reforms designed to protect the weaker members of society. These reforms—such as initiative and referendum, state supervisory commissions for corporations, workmen's compensation insurance, and antvice legislation—met resistance in Nevada, and especially so the last item. Progressive social reforms aimed at the aboli-



tion of prostitution, stricter divorce laws, control of gambling, and even prohibition were not a total success in the state.

At precisely the same time that progressive reform came to Nevada, mining entrepreneur George Wingfield was building his success in the rough-and-tumble world of the state's southern mining districts. This immensely successful businessman had more in common with the robber-baron image of late nineteenth-century captains of industry than he did with twentieth-century reformers who wished to curb and regulate the power of great wealth and protect society's marginal members both from the ravages of the economic system and from their own individual weaknesses. As Wingfield grew in power and influence in the state through his newly acquired banking enterprises, hotels, and real estate, he fanned an undercurrent of opposition to progressive reform in Nevada politics and society. Such antiprogressive, antimodern forces had long held sway in the nascent frontier-resource economy of early Nevada, and Wingfield helped keep them alive, directing them into a collision course with Newlands's brand of progressivism.

While the reform movement won impressive victories on many fronts, it failed to transform Nevada from the ways of its frontier mining past, further fueling the persistent questions as to the state's legitimacy—questions relating to the possible repeal of statehood and the belief that Nevada was the “weak sister” or “ugly duckling in the family of states.” This aura of unauthenticity, suggesting a region not representative of real American history and life, has extended into the late twentieth century. Neal R. Peirce, in *The Mountain States of America* (1972), refers to the artificiality of Nevada's economy, based as it is upon the legalized vice of gambling.<sup>7</sup>

If this has been the picture of Nevada and of those representing Nevada in the national political arena, it has also ironically been the portrait that Francis Newlands's home state has drawn of him—as someone not quite in the mainstream of Nevada life or representative thereof. Robert Laxalt, in his chatty, highly personal bicentennial history of the state, declares that William M. Stewart, Key Pittman, and Patrick McCarran are “the unquestioned giants of Nevada politics.” This assessment goes on to suggest that from the perspective of the state Newlands was a “vacillating” and “intellectually dilettante politician” whose “eastern ways” did not make much of an impact on the homefolks.<sup>8</sup> This is another way of saying that Newlands's ideas about the future and about how the state and national government should be run were so progressive and, yes, grand that he lost touch with the state, while the narrower and more parochial views of the Wingfield camp gained ground and ultimately won the contest and the state.

As a progressive Newlands promised much. The irrigation program backed by the national government was only a small aspect of his overall vision. For Nevada and the entire nation he hoped for stable economic development.

Bringing arid public lands under irrigation and the plow would attract a stable farming population to balance Nevada's boom-and-bust mining past. For the nation, responsible large corporations under the supervision of the federal government could offer economic stability. In addition, government bureaus could undertake some economic development projects more effectively than private enterprise, especially in hydroelectric power, reclamation, and conservation projects. In Newlands's view, all of these measures would make for a more efficient, ordered economy and society. On another level, Newlands saw order and efficiency being served by the imposition of progressive measures against societal sin—prostitution, drink, gambling. These were a part of a local reform package that promised a better society but were, of course, for the most part successfully resisted by antiprogressive elements within Nevada.

There is little doubt that Nevada failed to achieve the high ideals of Newlands's progressivism, but, on the other hand, progressivism also failed Nevada, offering little more than a clear conscience and a sense of righteousness. Lacking a stable natural resource base, Nevada would have found it difficult to live by righteousness alone. Some have criticized the state for not becoming more profoundly progressive, for not building Newlands's "model commonwealth" in the state.<sup>9</sup> But the very powerful Wingfield forces, which resented Newlands's vision of a purer, more efficient society, were also active within the state, and during the interwar period these forces triumphed, discrediting the promises of the Progressive Era. They institutionalized a vice-related economy for a state that had never had the proper kinds of resources, except as mining booms permitted, to support either society or sovereignty.<sup>10</sup>

The point of this discussion is that once we free Newlands of the millstone of Nevada, from which he could never completely unburden himself, we see a United States senator with an impressive national progressive program that encompassed practically all of the major issues of the day; but he did not represent a profoundly progressive state. Some urged him to seek the presidential nomination of his party prior to the 1912 contest, but his responses usually acknowledged that the party could not turn to a candidate from a state as small as Nevada and so far west.<sup>11</sup> Rather early in his national political career Newlands began paying attention to matters that extended beyond his state and even region; from the beginning of the century onward he sought legislation for the future on a wide range of subjects—not just irrigation. As a California corporation lawyer in his pre-Nevada days, working principally for the Sharon estate, he began to see the relationship between the corporation and the government on all levels as representing a central question for the future of American life.

Samuel Hays, a historian of America's urban industrialization, has remarked that for Newlands the National Reclamation Act of 1902 was merely



Aerial view of Lahontan Dam and Reservoir. This project was completed in 1915 following the Newlands Reclamation Act of 1902. (*Nevada Historical Society*)

one aspect of his general view that the power of the national government should be utilized to bring efficiency and greater opportunity to American life.<sup>12</sup> Newlands also hazarded the opinion in 1906 that he had “long believed theoretically that the government could undertake many things which are now within the domain of private enterprise.” He said that he had hesitated to advocate such governmental operations “because of the complexity of our government and its weakness in points of administration.”<sup>13</sup> Much of Newlands’s twentieth-century career was to be devoted to devising legislation to overcome the weaknesses of governmental administration so that government could be a more effective participant and even a stimulator of a more modern, efficient America. He wished to adapt to the American scene some of the more constructive aspects of state socialism, such as the nationalization of some industries.

By 1899 Newlands was receiving on a regular basis invitations to national

conferences on trusts because of "the general interest you feel in the subject matter," and progressive Republican newspaper editor Edward Rosewater of the *Omaha Bee* was keeping him informed of various meetings dealing with trust problems. Invited to share his ideas with a September 1899 educational conference in Chicago,<sup>14</sup> Newlands said that since the corporation is the creation of the state, "it is the right of the state to limit and control it." He dismissed attempts by various states to regulate corporations and said, "The only adequate remedy is through Federal legislation, the operation of which will be uniform throughout the Republic." He suggested the organization of a bureau of industry that would register every corporation in the country and require annual reports to help guide legislation. This suggestion was, of course, a forecast of the Bureau of Corporations established in 1903 and generally attributed to the initiative of Theodore Roosevelt. Still, Newlands had foreseen the need for such an agency and advocated it in 1899.<sup>15</sup>

At the beginning of Roosevelt's second presidential term in 1905 public pressure for more effective railroad legislation became so strong that Congress could not ignore it. Newlands was at the forefront with suggestions and proposals for legislation. His article, "The Common Sense of the Railroad Question," appeared in the April 1905 issue of *North American Review*. He was a regular contributor to journals devoted to the public questions of the day, and his opinions and lengthy articles were solicited by these publications. His able secretary, Millard F. Hudson, facilitated Newlands's flow of articles that also included questions relating to the Philippines and the Panama Canal, as well as the importance of the Panama Pacific Exposition planned for San Francisco. His writings on foreign affairs show him to be anti-expansionist and opposed to the new imperialism when there was at home such a great empire to be developed in arid America. Through these writings Newlands established himself as a reflective man possessing a command of the public issues of his day. In this he was following the pattern, albeit on a smaller scale, of other national leaders, for example, William Jennings Bryan with *The Commoner* in Nebraska and Robert La Follette with *The Progressive* in Wisconsin.

The stir on the railroad issue eventually led to the passage of the Hepburn Act in 1906. The bill was somewhat of a disappointment to Teddy Roosevelt and fell far short of what Newlands believed should have been accomplished. In a lengthy letter to Roosevelt early in 1906 he advocated a plan for the national incorporation of interstate railways and "a national machine for the construction and consolidation and operation of railroads engaged in interstate commerce." He concluded that "there are opponents to the nationalization of railroads in both parties and it will require the combined action of members of both parties to secure legislation just as it was required with reference to the nationalization of irrigation."<sup>16</sup>



Of course, the Hepburn Act never approached "nationalization of railroads"; it merely gave more extensive powers to the Interstate Commerce Commission and still subjected its decisions to challenges in the courts. Nevertheless, the commission of experts was important to Newlands's concept of how government should function in the economy. Even in the Philippine adventure, of which Newlands disapproved, he saw commissions performing a vital function. He saw himself embracing the altruistic policies of Governor General of the Philippines, William Howard Taft, but also charting in that altruism "the gradual abandonment of an imperialism accidentally forced on a Democracy." The establishment of an agricultural loan bank in the Philippines was of particular interest to Newlands. He agreed with Taft that one should be established, but added, "let it be a government bank not a government aided bank. The one is as paternalistic as the other and I would rather trust the commission with its management than the representatives of frenzied commercialism." The theme of frenzied commercialism appears again and again in Newlands's thinking about the relationship of government to the economy, and he believed it to be a prime duty of government, and especially of government commissions, to check these destructive forces if the promises of American life were to be realized.<sup>17</sup>

Newlands saw the forces of frenzied commercialism manifested in Congress: Pork-barrel legislation was constantly incorporated in federal appropriations for river and harbor improvements. In 1907 he was appointed to the President's Commission on Inland Waterways, one of two senators.<sup>18</sup> He became sympathetic to the multipurpose river-development plans that the majority, though not all, on this commission favored. He wrote,

It is perfectly evident that for the proper development of our water ways we must embrace in one comprehensive plan the treatment of our forests, the irrigation of our arid lands, the reclamation of our swamp lands, bank protection and clarification of our rivers. In doing this other vast benefits will accrue, great water power will be developed and immense tracts of now unavailable soil will be made phenomenally productive.

In the bill that he eventually offered for the establishment of a permanent commission, Newlands called for the commission to be empowered to develop comprehensive plans for river development and to be given the power to make appropriations around the country from a working fund of fifty million dollars, to be renewed by the issue of bonds when it fell below twenty million. Most important, the bill took the tasks of designating and approving projects out of the hands of Congress, thus eliminating the log-rolling and pork-barrel practices embedded in the existing procedures. He wanted to substitute "businesslike principles" of administration for the favoritism and ward-heeler system of Congressional appropriations. The wisdom of this procedure had already been demonstrated in the operation of the Panama Canal

Service and the Reclamation Service. He concluded in an article in the *North American Review* that,

I believe that Congress has attended too much to administrative matters and the very reason of much of our inefficiency in our work upon our rivers and harbors has been that Congress has sought to control the administrative work and has done it badly. It always will do it badly.<sup>19</sup>

Continuing with his theme of commissions as an answer to many of the sticky administrative problems of American life, Newlands after 1910 began to move rapidly toward the idea of a federal trade commission. The existence and application of the Sherman Antitrust Act had plagued administration after administration. A trade commission could manage the problem of monopoly in business and make the fine distinctions between unacceptable practices and those that could be deemed acceptable in the interests of efficiency, growth, and service to the larger society. Newlands accepted the existence of big corporations and contended for many years "that there is need of a commission similar to the Interstate Commerce Commission for the administrative regulation of big corporations engaged in interstate trade." In 1911 he suggested that the Bureau of Corporations serve as the nucleus for the new organization. "That bureau although designed by Congress to be weak and inefficient . . . has moved along in a very unobtrusive way, and has secured a vast mass of definite information that will be of service in corporate regulation."<sup>20</sup>

A major purpose of the proposed trade commission was to prevent the erratic application of the Sherman Antitrust Act. One Richard Olney of Boston expressed this sentiment when he congratulated Newlands on his trade-commission bill. He wrote, "It seems to me that your bill proposes the only legislation from which the great industries of this country can expect any relief from the war that is now being made upon them by the government under the provisions of the Sherman Anti-Trust law."<sup>21</sup> There is no doubt that Newlands's trade commission was received favorably in business circles, judging from the comments of progressive business leaders.<sup>22</sup> By 1910 the trust problem had raised two issues: a great uncertainty on the part of business as to exactly what the Sherman Act intended, and the existence of a twilight zone that fell between state regulation and federal regulation and wherein no regulation at all occurred. Newlands sought to eliminate the twilight zone because in it, he said, "Corporate outlaws have been accustomed to ply their occupation of oppression, fraud, and spoliation."<sup>23</sup>

Newlands's own Democratic party made no mention during the 1912 campaign of a trade commission in its platform, although both William Howard Taft's Republican platform and Theodore Roosevelt's Progressive party called for the creation of such a commission. The Democrats and their candidate,

Woodrow Wilson, called only for a more rigid application of the Sherman Act, according to Wilson's New Freedom doctrines (actually those of Louis Brandeis, soon to join the United States Supreme Court). But as this brand of economic nostalgia faded in the coming years of the Wilson Administration, victories for Newlands's New Nationalist or "liberal national" views began prevailing. In September of 1914, the Congress, under administration pressure, passed a federal trade commission bill instead of the stricter antitrust laws that would have been consistent with the doctrines of the New Freedom. Newlands took satisfaction in this by declaring, "The surprising thing of this lengthy deliberation in both Houses is that the measure as finally enacted differs very little from the measure as originally presented by me in 1911."<sup>24</sup>

Newlands's penchant for commissions also embraced the conservation movement (he advocated a national conservation commission) and extended even to the perennial tariff question. He could not absolutely support the low-tariff policies of the Democratic party, but saw rather the need for a commission to adjust tariffs judiciously. He talked of a "trade board" and commented, "The country is tired of the tariff as a political question; it wants it dealt with as a scientific and economic question."<sup>25</sup> In a burst of progressive legislation in 1916, sponsored by the Wilson Administration, a tariff commission was approved. Other progressive enactments in that same year (such as the Federal Farm Loan Act, the Federal Highways Act, the Child Labor Act, and the Adamson Act (giving railroad workers an eight-hour day) all enlarged federal authority, participation, and regulation in the nation's economic life. Essentially, the legislation of 1916 embraced the kind of modern and centralized power that the Democratic party had been unwilling to endorse, but which Newlands had long urged.

By 1916 Senator Newlands could feel somewhat vindicated by the course of events in government and the economy. Since 1900 he had taken the large, national view regarding questions of irrigation, national incorporation, waterways, finance, foreign affairs, racial issues, labor arbitration, pensions for railroad workers, the eight-hour day, and, by 1916, the pressing question of preparedness.

On all of these questions Newlands urged that the federal government take the initiative in the interest of efficiency, standardization, and predictability for the convenience of productive forces nationwide. On the racial issue he could not accept the problems that he believed a multiracial society presented to the efficient operation of a modern democracy. He opposed oriental immigration and considered the enfranchisement of blacks to be a mistake, one he proposed to remedy by the repeal of the Fifteenth Amendment.<sup>26</sup> Newlands's racial opinions are nothing astounding in a progressive Democrat of his age. What is important and notable is that he couched them in terms of ensuring the efficient operation of the political system. He feared chaos and upheaval if "people of color" were permitted to continue with the right to

participate in the political system. Overall, Newlands can be seen, as one general study on modernization in American life has put it, as a late-nineteenth-century, turn-of-the-century person who had an "obsession with efficiency . . . a complacent creed of progress."<sup>27</sup>

The Newlands path to "preparedness" for possible war also sought to improve natural resources. He urged a larger army, to be assigned duties in the national forests that would improve the woodlands, instill military discipline, and build the physical strength of the men in outdoor work.<sup>28</sup> Here he foreshadowed President Franklin D. Roosevelt's 1930s Civilian Conservation Corps in the midst of the preparedness movement that preceded America's entry into World War I. While Newlands believed his positions on domestic legislation had been vindicated by 1916, the war in Europe and the eventual involvement of the United States caused him to complain bitterly about the war's insult to Western civilization.<sup>29</sup> It simply should not have occurred. Despite his perpetual optimism, he probably would have been a prime candidate for postwar disillusionment had he lived beyond December 1917. The great promises of American life would perhaps not have seemed as bright as at the beginning of the century. Yet, the war did serve to accelerate the pace of growth and direction from the national government that Newlands had constantly applauded as the key to realizing many of those promises.

## NOTES

<sup>1</sup> The early life of Newlands is treated in William T. Lilley, "The Life of Francis G. Newlands, 1848–1897" (Ph.D., Yale University, 1966).

<sup>2</sup> Herbert Croly, *The Promise of American Life* (New York: The Macmillan Company, 1909).

<sup>3</sup> Frederick Jackson Turner, "Social Forces in American History," *American Historical Review* 16 (January 1911): 223.

<sup>4</sup> *Carson City News*, 18 March 1913.

<sup>5</sup> Gilman M. Ostrander, *Nevada: The Great Rotten Borough, 1859–1964* (New York: Alfred A. Knopf, 1966), 116–17.

<sup>6</sup> William D. Swackhamer, ed., Office of Secretary of State, *Political History of Nevada* (Carson City: State Printing Office, 1986), 263.

<sup>7</sup> William E. Smythe, "Shall Nevada Be Deprived of Statehood?" *Forum* 23 (April 1897): 236; Anne Martin, "Nevada: Beautiful Desert of Buried Hopes," *Nation* 115 (26 July 1922): 89; Neal R. Peirce, *The Mountain States of America: People, Politics, and Power in the Eight Rocky Mountain States* (New York: Norton Publishers, 1972), 23.

<sup>8</sup> Robert Laxalt, *Nevada: A Bicentennial History* (New York: Norton, 1977), 67.

<sup>9</sup> Martin, "Nevada: Beautiful Desert of Buried Hopes," 89; Jeanne Elizabeth Wier, "The Mystery of Nevada," in *Rocky Mountain Politics*, Thomas C. Donnelly, ed. (Albuquerque: University of New Mexico Press, 1940), 114; Newlands to James C. Sweeney (21 March 1905), Newlands Papers, Sterling Library, Yale University (hereinafter cited as Newlands Papers); Newlands to T. Roosevelt (9 March 1911) (Newlands writes of Nevada as a "model Democracy"), Roosevelt Papers Microfilm.

<sup>10</sup> William D. Rowley, "Reno at the Cross Roads," *Halcyon: A Journal of the Humanities* (1984): 123–36.

<sup>11</sup> George W. Perkins to Newlands (1 March 1912); Newlands to Perkins (21 March 1912), Newlands Papers.



<sup>12</sup> Samuel P. Hays, *Conservation and the Gospel of Efficiency: The Progressive Conservation Movement, 1890–1920* (Cambridge: Harvard University Press, 1959), 109; Newlands to Dent H. Robert (17 September 1904), Newlands Papers.

<sup>13</sup> Newlands to Leslie M. Shaw (20 January 1906), Newlands Papers.

<sup>14</sup> Ralph M. Easely, Secretary of the Civic Federation of Chicago, to Newlands (3 August 1899); Newlands to Edward Rosewater (10 July 1899); Franklin H. Head, President of the Civic Federation of Chicago (9 August 1899), Newlands Papers.

<sup>15</sup> Newlands to Ralph M. Easely, Secretary, Conference on Trusts (28 September 1899), Newlands Papers.

<sup>16</sup> Newlands to T. Roosevelt (3 January 1906), Newlands Papers.

<sup>17</sup> Newlands to William Howard Taft (30 December 1905), Newlands Papers.

<sup>18</sup> Hays, *Conservation*, 106.

<sup>19</sup> Francis G. Newlands, "The Development of American Waterways," *North American Review* 187 (June 1908): 873–79.

<sup>20</sup> Statement by Newlands on "Trade Commission" (15 June 1911), Newlands Papers.

<sup>21</sup> Richard Olney to Newlands (17 November 1911), Newlands Papers.

<sup>22</sup> *New York Journal of Commerce* (13 July 1911); J. F. Paulding, Secretary of Merchant's Exchange, to Newlands (14 July 1911), Newlands Papers; E. Dana Durand, "Creation of a Federal Trade Commission," *Quarterly Journal of Economics* 29 (November 1914): 197.

<sup>23</sup> John Blum, *The Republican Roosevelt* (New York: Atheneum Press, 1962), 58; "The Regulation of Trusts—Proposed Interstate Trade Commission" (14 June 1911), Newlands Papers.

<sup>24</sup> Kirk H. Porter and Donald Bruce Johnson, *National Party Platforms, 1840–1965* (Urbana: University of Illinois Press, 1956), 169, 178, 184; "The Federal Trade Commission Bill" (September 1914), Newlands Papers.

<sup>25</sup> Millard Hudson to Gifford Pinchot (18 January 1911) (refers to the Newlands proposal for a national conservation commission in an amendment to the Weeks Bill), Newlands Papers; Statement by Newlands on "Tariff Board" (1914), Newlands Papers.

<sup>26</sup> Francis G. Newlands, "A Western View of the Race Question," *Annals of the American Academy of Political and Social Science* 24 (September 1909): 49–51.

<sup>27</sup> T. J. Jackson Lears, *No Place of Grace: Antimodernism and the Transformation of American Culture, 1880–1920* (New York: Pantheon Books, 1981), xviii.

<sup>28</sup> *Nevada State Journal* (14 December 1915) (reports of speech delivered by Newlands in Topeka, Kansas).

<sup>29</sup> Speech delivered by Newlands to Reno Commercial Club (25 October 1917), Newlands Papers.

# SENATOR ALAN BIBLE AND THE SOUTHERN NEVADA WATER PROJECT, 1954–1971

GARY E. ELLIOTT

THE FUTURE OF LAS VEGAS, like that of other cities in the southwest, has always depended upon water; and from the beginning, city and state leaders have pushed for a reliable supply. Not content in 1905 with the limited railroad service provided to the Las Vegas townsite by Senator William Clark's San Pedro, Los Angeles, and Salt Lake Railroad, pioneer townsmen lobbied for improvement of the town's water service. The immediate success of the 1902 Newlands Act had inspired local Republican and Democratic party leaders to begin in 1908 the campaign that ultimately resulted in the construction of Hoover Dam and the formation of Lake Mead. Yet, within ten years of the dam's completion in 1936, the casino boom in Las Vegas had depleted ground water supplies to dangerous levels, a crisis that threatened future growth. Although the town responded with a 1948 referendum approving creation of a special water district, with the aim of building a line from Lake Mead to Henderson, as early as 1950, the proliferation of hotels along the Las Vegas Strip and the urbanization of surrounding lands produced a demand for water that far exceeded the town's delivery system. Engineers predicted that only a multimillion-dollar water project, capable of providing the metropolis with Nevada's full share of Lake Mead water assigned under the Colorado River Compact of 1922, could satisfy the needs of current and future growth.

Without federal help, however, Nevada and its meager tax base could never have funded such an enterprise. But once again Nevadans were inspired by the century-old tradition of national government support for the Silver State and its region. Indeed, for more than a hundred years, federal authorities had provided Nevada and the West with millions of dollars worth of land subsidies, railroad loans, defense centers, irrigation systems, dams, and highways. Now, in 1954, southern Nevada, and Las Vegas in particular, were

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Ground breaking ceremonies for the Southern Nevada Water Project, September 7, 1968. From left are Assistant Commissioner of Reclamation N. B. Bennett, Jr., Senator Alan Bible, and Regional Director A. B. West of the Bureau of Reclamation's Region 3. Senator Bible delivered the principal address and detonated an explosion at the inlet portal of River Mountains Tunnel. (*Special Collections Department, University of Nevada, Reno*)

poised on the threshold of unprecedented growth. Only lack of water stood in the way. While some despaired that the recent death of Nevada's powerful Senator Patrick A. McCarran might doom the state's prospects for securing federal financial aid, others were pinning their hopes on McCarran's protégé, Alan Bible.

Throughout the 1950s, crisis and uncertainty compounded the valley's water problems. Despite a substantial gaming and population explosion, the Las Vegas Land and Water Company remained steadfast in its refusal to expand water service. As the crisis deepened, periodic conferences were held in Las Vegas with an eye toward bringing long-sought Colorado River water from Lake Mead to Las Vegas. Alan Bible, Nevada's former attorney general and future United States senator, enthusiastically supported the idea.<sup>1</sup> But in 1952, uncertainty gave way to confusion caused by the intrabasin dispute between Arizona and California.

Arizona had long been unhappy with the Colorado River Compact because the waters of the Gila River were counted in the flow of the Colorado River against Arizona's allotment. Arizona's position was that it should be entitled to all of the benefits of the Gila River, plus the allotment specified in the Pittman amendment to the Swing-Johnson bill. After years of unsuccessful litigation, Arizona in 1952 again brought suit against California to press its claim, and the outcome of *Arizona v. California* was important to Nevada because it threatened to disrupt or nullify the Pittman amendment, which gave to Nevada 300,000 acre-feet from the flow of the Colorado River. Without assurance that Nevada would receive the water, the city of Las Vegas would not be able to accommodate its growing tourist industry.<sup>2</sup>

Quite predictably, Nevada requested permission from the Supreme Court to intervene in the suit to protect its interest in the river and to counter California's claim that future needs should not be considered by the high court. Clearly, Nevada's water needs were based entirely on future use, since the state then lacked a water delivery system from Lake Mead to Las Vegas. In presenting Nevada's cause before the high court, special assistant attorney general Alan Bible argued that the state's future rested squarely on a predictable and available water supply from the Colorado River. After twelve years of litigation, the court ultimately accepted the arguments first articulated by Bible; it found that the 1928 Pittman amendment was a congressional division of the waters of the Colorado, and that Nevada was entitled to 300,000 acre-feet of water per year. But in 1952, no one could predict how the Supreme Court would rule a decade later.<sup>3</sup>

The turning point in southern Nevada's quest for Colorado River water came in 1954. First, on July 1, 1954, as the crisis in the depletion of underground water continued, the Las Vegas Land and Water Company decided to sell its water holdings to the Las Vegas Valley Water District. This was a crucial event because, for the first time in fifty years, Las Vegas water resources were in the hands of directors concerned with the city's needs, as opposed to railroad concerns. As a result, water planners entered the decade of the 1960s with renewed optimism. Second, longtime water-development advocate Alan Bible succeeded his friend and mentor Pat McCarran in the United States Senate. From his position on the Interior and Appropriations Committees, Senator Bible was to lead the sometimes frustrating and always complex political battle for what eventually became known as the Southern Nevada Water Project.

A new spirit surfaced at an October 10, 1960, conference of federal, state, and local leaders. Held in Las Vegas to consider a project to bring water from Lake Mead to Las Vegas, the conference included Nevada's two United States senators, Alan Bible and Howard Cannon, along with Congressman Walter Baring. Bible led the way, agreeing to press the Senate for funds to study the project. His influence paid immediate dividends. One week later,



Senator Alan Bible, left,  
discusses details of the  
Southern Nevada Water  
Project with  
Commissioner of  
Reclamation Floyd  
Dominy during Senate  
budget hearings.  
(*Special Collections  
Department, University  
of Nevada, Reno*)



on December 18, Bureau of Reclamation Commissioner Floyd Dominy began preparation of a report on the irrigation and domestic water requirements of the Las Vegas Valley. And in early 1961, Senator Bible renewed his support for the project before a meeting of directors of the Las Vegas Water District. Nevertheless, considerable difficulty lay ahead concerning financing, responsibility, and jurisdiction.<sup>4</sup>

While 1954 proved to be the critical year for southern Nevada expectations, it was the New Frontier and Great Society decade of the 1960s that transformed dreams into reality. These factors, all equally important and interrelated, combined to bring Colorado River water to the Las Vegas Valley. First, Bible won re-election to the United States Senate in 1956 and again in 1962. From the beginning of his Senate career in 1954, Bible had been a supporter of Senator Lyndon B. Johnson, and he was heavily influenced by the majority leader. It was Johnson who had gotten him key assignments on the Interior and Appropriations Committees. Moreover, despite his support for Johnson's presidential bid at the 1960 Democratic convention, Bible established a friendly relationship with John F. Kennedy. This led to the second factor that helped bring a water project to Las Vegas because, once Kennedy, and later Johnson, became president, Bible had the ear of two consecutive chief executives who would be responsive to Nevada's water needs. Third, Kennedy appointed as secretary of the interior Stewart L. Udall, who, like Harold Ickes before him, was concerned with the economic development of the West.

Not since the go-go days of the 1930s had a secretary of the interior committed the national government to such a large-scale development of western water resources.<sup>5</sup> Indeed, Udall proposed ambitious plans that called for the elimination of state boundaries in the planning of water development projects. He believed that resource planning must occur on a regional basis to be successful. To emphasize the point, the secretary called attention to the problems of the lower Colorado River basin in a 1963 statement:



Senator Bible with Secretary of Interior Stewart Udall. (*Photo courtesy of author*)

The problems of the lower Colorado, which we have studied and are continuing to study, have reached a highly critical stage and now can be solved only through a new breed of thinking. . . . no one person, no one entity, no one dam or development pattern in any one state can erase those problems. Only regional action coordinated at every level will suffice.<sup>6</sup>

However, Udall's concept of regional water planning, although by no means novel, failed to solve the haunting and never-ending problem of greed. Each of the seven states that made up the upper and lower basin wanted all the water they could get from the river, which made compromise difficult and often impossible. Further complicating matters was the cloud hanging over the entire basin caused by Arizona's law suit against California. Although that obstacle would soon be removed, the Supreme Court's decision still left unresolved the status of Indian water claims and the limit of the secretary of the interior's new-found power to allocate water to contracting states. More important, Udall's Pacific Southwest Water Plan had a tremendous price tag which, many believed, stood little chance of passing Congress despite the secretary's insistence that hydroelectric power sales would finance the billion-dollar project.

Clearly, financing the southern Nevada water plan was the major dilemma facing Nevada's congressional delegation, but the problem was as much political as financial. Indeed, to have any chance of gaining congressional approv-

al, the southern Nevada water plan needed the endorsement of both Udall and Arizona's Senator Carl Hayden. Hayden's support was vital because he was chairman of the Senate Appropriations Committee and father of the Central Arizona Water Project. Both of these powerful Democrats wanted the Nevada plan included in the more ambitious regional concept, one that Bible believed could not pass the Congress. Politically, a way had to be found to withdraw the Nevada project from the Udall and Hayden plans without alienating the two Arizonans. Sensing this need, Bible moved quickly to gain approval for a plan that would benefit Nevada alone.

On February 19, 1964, Secretary Udall appeared as a witness before the Interior Subcommittee of the Senate Appropriations Committee, which was conducting hearings on the Interior Department's fiscal 1965 budget. Under close questioning by Bible, Udall testified that he would support a separate bill for the Nevada water plan, although he believed the Pacific Southwest Water Project could move forward with everyone's support, including Bible's.<sup>7</sup> Udall was obviously reluctant to lend support to a series of separate water projects in the Colorado River basin, because to do so would mean dismantling his own regional concept. While Udall thought and planned on a broad scale, Bible and others thought strictly in terms of state interests.

Bible was adamant, preferring a separate bill to prevent the Nevada project from being tied up in Congress with the ambitious regional plan. Indeed, he told Udall that "the southern Nevada Water Project must be built at the earliest possible date in order to insure one of the fastest growing counties in the United States an adequate and dependable water supply."<sup>8</sup>

Bible had forged ahead in charting southern Nevada's future, and had enjoyed earlier success in obtaining federal funds for water projects, principally the Washoe Project in northern Nevada. But the political stakes in Clark County were enormous because its population overwhelmed the rest of the state and because it increasingly formed the basis for the senator's political support as well. Bluntly stated, failure to deliver this vital water project could well have signalled the end of Bible's political career.<sup>9</sup>

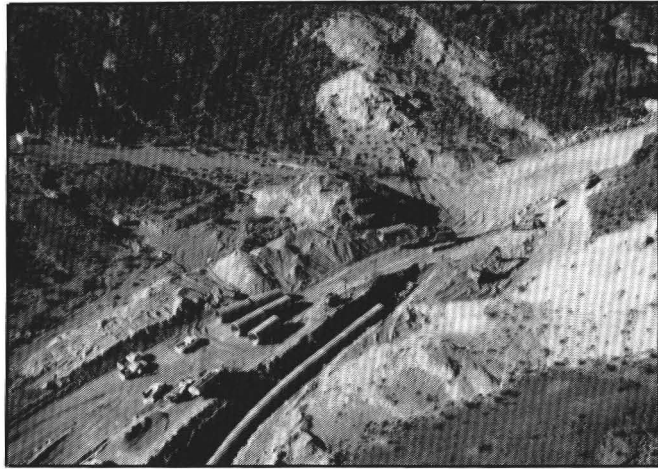
When the battle began in 1965 there was still little cause for optimism. The Nevada water bill remained tied to the Udall plan and was stalled by the seemingly endless controversy between Arizona and California as well. True, the Supreme Court in 1964 had decided the suit in Arizona's favor, conceding the state's water rights to the Gila River and the 2,800,000 acre-feet guaranteed by the Pittman amendment. The high court also awarded Nevada its yearly allotment of 300,000 acre-feet while rejecting California's claim for additional water. But an angry California delegation moved quickly to gain through the legislative process what they had lost in the courts: They blocked the passage of the Central Arizona Water Project and with it, Nevada's water line.

California Senator Thomas H. Kuchel, Republican minority whip, led his



Southern Nevada  
Water Project  
“mole”  
breakthrough at  
River Mountain  
Tunnel, June 29,  
1969. (*Las Vegas  
Valley Water  
District*)

Pipe laying at the  
Southern Nevada  
Water Project,  
October 1970. (*Las  
Vegas Valley Water  
District*)



fellow Californians in holding hostage the legislation designed to implement Arizona's ambitious water plans. Kuchel wanted a guarantee that would prohibit Arizona from infringing on the Golden State's water rights while restricting Arizona to its allotment of 2,800,000 acre-feet per year.<sup>10</sup> Moreover, California had the political muscle to stall or permanently block passage of legislation dangerous to its interests. For Nevada, the situation could not have been more threatening. Kuchel's strategy was to link the Arizona project to Udall's regional water plan, which meant that the Southern Nevada Water Project was tied to both plans and doomed if Arizona and California failed to reach a compromise. To salvage Nevada interests from the Arizona-California fight, Bible had to find a way to pry the Nevada project loose from the Udall and Arizona plans and, at the same time, gain the support of the Senate Republican whip.

Early in 1965, Bible pressed Senator Hayden for a commitment to support a separate Southern Nevada Water Project. Hayden agreed with Bible that Nevada had been unfairly victimized by the political and economic differences between Arizona and California and therefore promised to support Nevada's project as a separate piece of legislation.<sup>11</sup> With the prior backing of Udall and now Hayden, Bible then moved to elicit assurances from Deputy Budget Director Elmer Stoats that the project would be received favorably by the Johnson administration. More important, he secured President Johnson's personal blessing for a separate bill authorizing the Southern Nevada Water Project.<sup>12</sup> With the political groundwork laid, Bible was now prepared to introduce legislation that would guarantee the growth of southern Nevada into the next century.

On May 20, 1965, hearings began before the Committee on Interior and Insular Affairs on Senate Bill 32, which had been introduced by Senator Bible and co-sponsored by Senator Howard Cannon. Clearly, the legislative objective was to authorize construction of a water delivery system that would enable Nevada to use its yearly allotment of 300,000 acre-feet of water from the flow of the Colorado River. In addition to authorizing the secretary of the interior to construct, operate, and maintain the Southern Nevada Water Project, the bill provided for construction of six pumping plants, a regulatory reservoir, a four-mile tunnel, and approximately 31.4 miles of pipeline to deliver water from Lake Mead to existing and potential municipal and industrial developments in Las Vegas, North Las Vegas, Henderson, Boulder City, and Nellis Air Force Base. The total estimated cost of the three-phase project was seventy-two million dollars (later revised to eighty-one million) to be paid over fifty years at three percent interest. The bill further empowered the secretary of the interior to contract with the state of Nevada through the Colorado River Commission for repayment of the project's costs and for transfer of authority to operate and maintain the facilities.<sup>13</sup>

Senator Bible chaired the committee hearings as a parade of friendly witnesses, from Nevada's Governor Grant Sawyer to Bureau of Reclamation Commissioner Floyd Dominy, all endorsed the project. Even Senator Kuchel, finding no advantage to California in blocking Nevada's plans, gave his unqualified endorsement to the idea of a separate Nevada water project.<sup>14</sup> The unanimous committee report was so overwhelmingly favorable that the Nevada water bill sailed through the Senate without opposition. Bible and his fellow Nevadan, Howard Cannon, had done their work well.

The House of Representatives, however, in a move calculated to bring Nevada's maverick congressman, Walter Baring, into the Democratic fold, nearly scuttled Senate Bill 32. Baring had for years irritated the Democratic party leadership by refusing to support legislation considered vital to the Kennedy and Johnson administrations. When Senate Bill 32 finally reached the House, members balked at the three percent interest rate attached to the



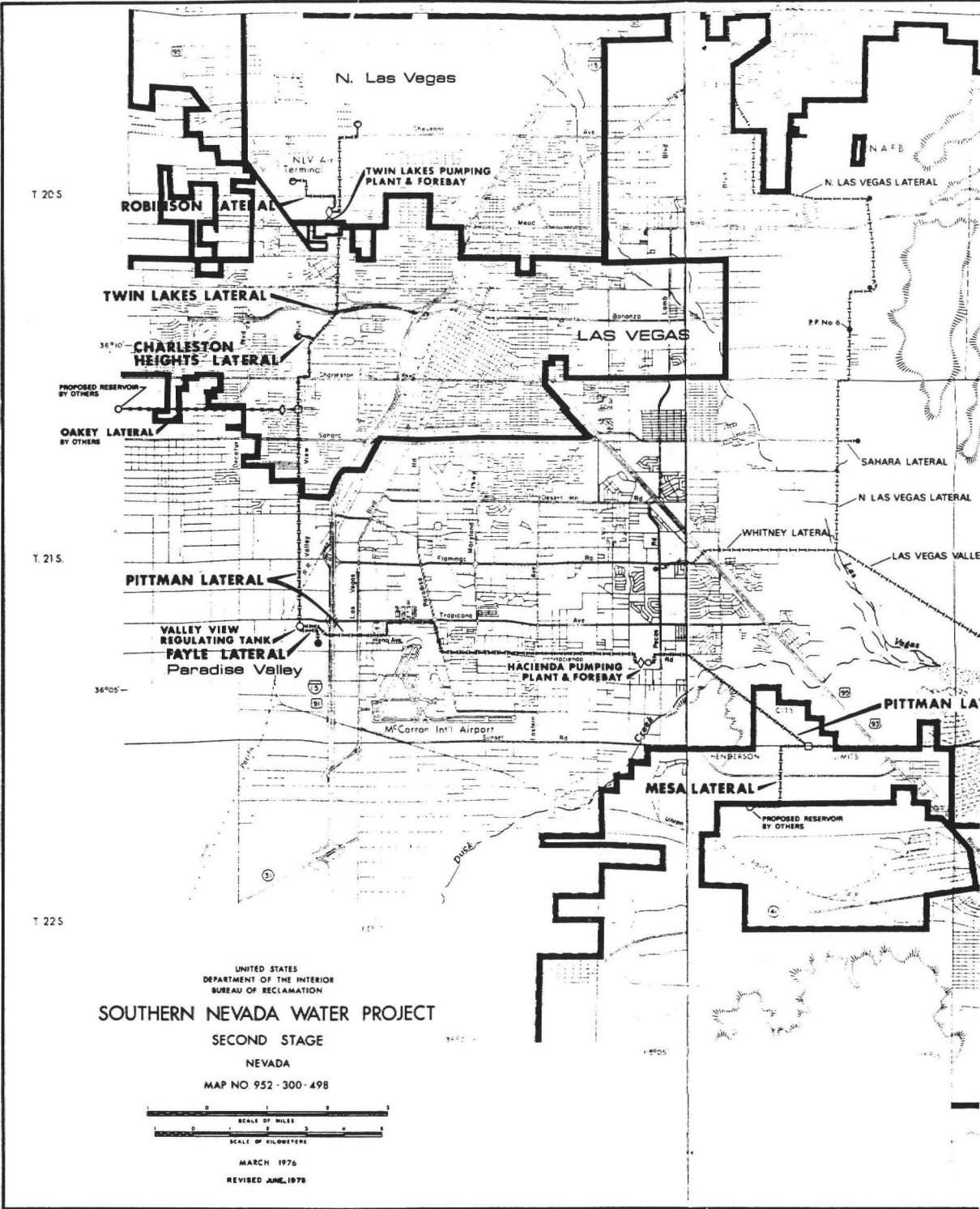
repayment schedule. Perhaps a few members were genuinely concerned about the interest rate, but opposition was clearly based on Congressman Baring's politics because the Nevada delegation had always been flexible on the interest rate issue.<sup>15</sup> House Democrats had a unique opportunity to embarrass Baring by calling Nevada voters' attention to their politically inept representative. And they took advantage of it.

Officially, the White House remained neutral in the congressional battle, but the administration's intense dislike for Baring no doubt contributed to the willingness of many House members to oppose a piece of noncontroversial legislation sponsored by two popular Democratic senators in a Democratic-controlled Congress. Here was a rare sight, indeed, and one that delivered a clear and unmistakable message to Nevada voters. Despite the animosity toward Baring, House Democrats did not defeat the bill, and the Southern Nevada Water Project cleared the House on October 7, 1965, by a vote of 239 to 134, and was sent to the White House for President Johnson's signature.

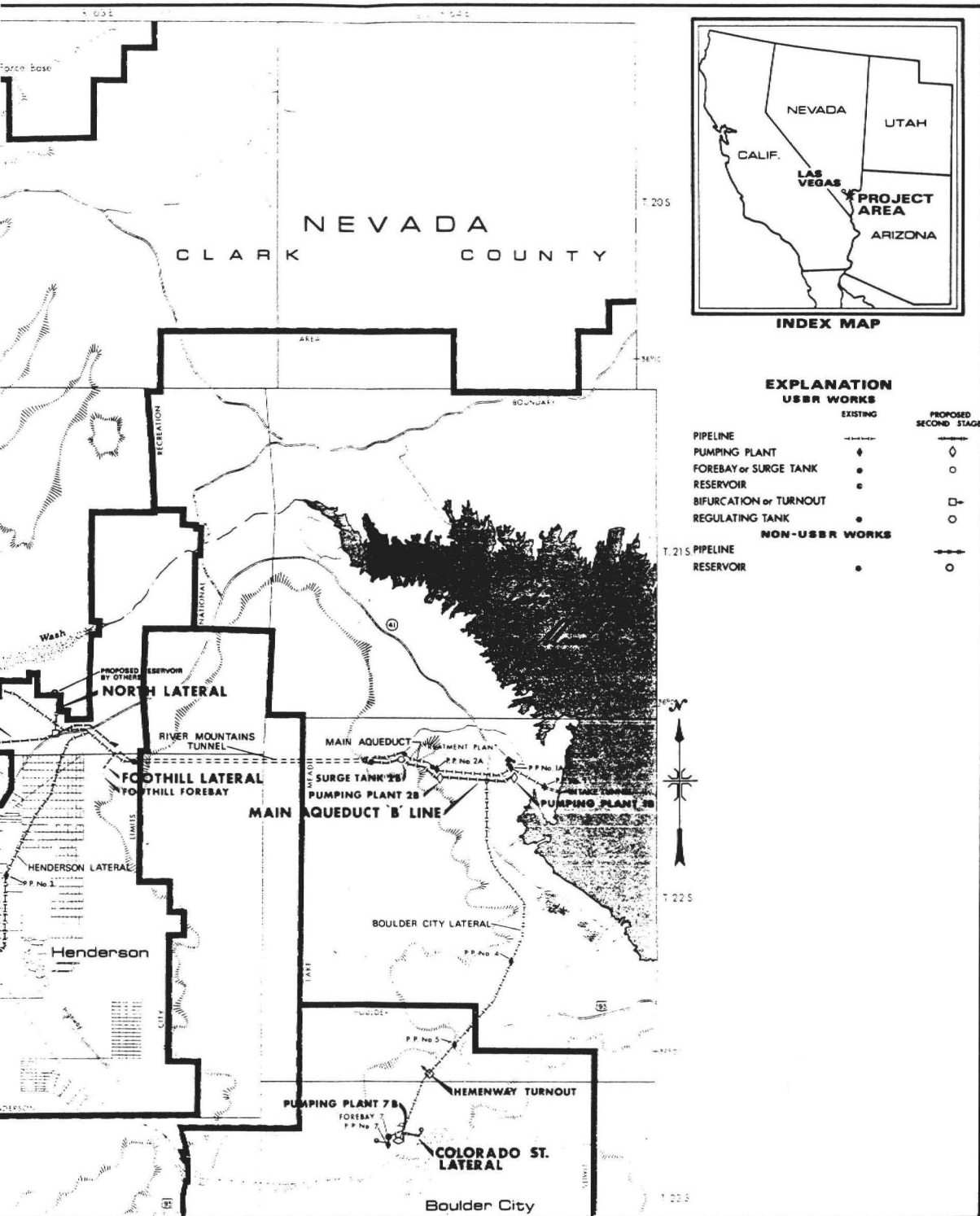
Although the president had privately supported the Southern Nevada Water Project, he was outraged by Baring's lack of reciprocal support for White House programs, and he used the occasion of the Nevada water bill to deliver another message to the Nevada delegation. The president signed the bill on October 25, 1965, just in time to avoid a pocket veto. He then telephoned Senators Bible and Cannon, while ignoring Baring, and told them that he had signed the bill, but would also seek legislation to clarify the language in Section Six relating to interstate water rights. Although Section Six needed clarification in light of the Supreme Court's ruling in *Arizona v. California*, the president was as much concerned with politics as with clarifying language. According to Mike Manatos, White House staff assistant, the plan had been to let Bible and Cannon "sweat a little" to teach Baring a lesson before signing the bill. In fact, Johnson even considered vetoing the legislation because of his disdain for Nevada's lone congressman. But as Jack Carpenter, long-time aide to Senator Bible, pointed out, the president could not veto a bill vital to a state whose two Democratic senators had given the White House almost total support.<sup>16</sup>

However, euphoria soon turned to gloom, which was so often the case with events surrounding the Southern Nevada Water Project. Politicians, unlike the general public, are well aware that the enactment of laws does not necessarily guarantee results, especially in the field of public works legislation. Congress must appropriate funds to implement the laws and, in this case, the Southern Nevada Water Project could be completed only by securing the necessary funds every year until the project was finished—a burden that fell heavily on Bible as a member of the Senate Appropriations Committee. The task was formidable to be sure because the escalating war in Vietnam had cut deeply into Johnson's Great Society programs and public works proposals. In 1966 there would be far more money for guns than butter. In addition, Neva-





Bureau of Reclamation Southern Nevada Water Project Map, 1976. (Courtesy of author)



da had to carry the Baring burden as the intractable congressman continued to antagonize House Democrats.

As expected, 1966 was a difficult year for funding of public works projects, as the Johnson administration moved to curb domestic spending to counter the mounting costs of the war in Vietnam. But for Nevada, Vietnam was only half the problem. On September 15, 1966, in another move designed informally to censure Baring, the House Appropriations Committee cut from the budget proposal 1.4 million dollars earmarked for completion of the planning phase of the water project. Moving quickly to repair the damage, Bible announced that he would work to restore the funds when the bill reached the Senate Appropriations Committee. Meanwhile, Senator Cannon launched a letter-writing campaign pleading for support from his colleagues.<sup>17</sup> On September 27, 1966, Bible and Cannon hurriedly met with fellow senators in an effort to gather enough votes to restore the funds cut by the House. The life of the Southern Nevada Water Project was at stake. If the Bureau of Reclamation did not complete its construction plans, the project could not go forward. Also, the project would be easier to defeat the following year if plans were not completed. More important, however, if the funds were restored to the budget, it would commit the Johnson administration to continued support, despite House budget cuts.

Fortunately, the senators' efforts bore fruit. Two days later, the Senate Appropriations Committee voted to include the Bible request for restoration of the House funds in the Public Works Appropriations Bill. Bible was immediately named by the Senate leadership to the three-member Senate Conference Panel to iron out differences between the Senate and House versions of the public works bill. He was again successful in the House-Senate conference report that included the funds originally cut by the House. The bill in final form passed both houses of Congress and was signed into law by President Johnson. The Southern Nevada Water Project had once again been saved by the quick concerted action of Nevada's two Democratic senators<sup>18</sup>

The September triumphs of Bible and Cannon pushed through the completion of the preconstruction work, which allowed the Bureau of Reclamation to place a construction office in Henderson. Bureau Commissioner Floyd Dominy then requested \$6,925,000 in construction funds for the Southern Nevada Water Project in the Interior Appropriations Bill for fiscal year 1968. On July 20, 1967, the House Appropriations Committee approved the Bureau of Reclamation request, and the Senate quickly followed suit, much to the delight of Senator Bible, who announced, "The House has now given full recognition to the importance and urgency of this undertaking."<sup>19</sup> The following month, contracts between the Bureau of Reclamation and the Nevada Colorado River Commission were signed, providing for delivery of 138,000 acre-feet of water a year from Lake Mead after completion of stage one of the project.

Still, spending for the Vietnam war posed a constant threat to the water project, especially in 1967 when the Johnson administration placed a freeze on all public works projects pending a review. Although Bible recognized that such impoundment was probably unconstitutional, he feared that a prolonged legal battle might not only harm Nevada financially but also damage its relations with the president. Bible, who knew President Johnson well, decided that political lobbying, not court action, was the key to success.

In the summer of 1967 Bible received a telephone call from President Johnson, who invited him to the White House for an evening of drinks and conversation. A frequent visitor to the White House, Bible graciously accepted the president's offer. During the day, Bible met with his top aide, Jack Carpenter, and between them they drew up a laundry list of Nevada's needs, with funds for the Southern Nevada Water Project topping the list. Bible arrived at the White House at about 6:30 P.M. and was met at the door by Johnson, who put his arm around the senator's shoulder while escorting him through the door. Then, without warning, the president assured Bible, "Don't worry, I told those budget people to give my good friend Alan the money for that water project—he is a friend of mine."<sup>20</sup>

Johnson, always the consummate politician, knew that Bible would come to the White House armed with a list of requests, which the president had little interest in hearing or time to listen. After all, Bible was a ranking member of the Interior Committee, considered by Senate insiders the leading pork committee of the Senate. Therefore, Johnson quickly disarmed his friend by unexpectedly offering him what he wanted most, funds to complete the single most important project in the history of southern Nevada. Recalling the incident years later, Bible smiled while reporting that the laundry list never left his pocket.<sup>21</sup>

The president's decision to release impounded funds for the Southern Nevada Water Project removed the last obstacle. It was the most important executive decision affecting southern Nevada since President Harry Truman selected Frenchman Flat as the site for the testing of nuclear weapons. It was also personally important for the state's senior senator, who was facing his toughest reelection battle. Indeed, 1968 was forecast to be a very difficult year for Johnson Democrats as closely aligned with Johnson as was Bible. During the 1968 campaign, however, Bible reminded southern Nevada voters that he had delivered on the water project and should be returned to the United States Senate. In response, the voters backed the national Republican ticket but reelected Bible by a wide margin. He was clearly the most popular politician in the state, due largely to his success in guiding the Southern Nevada Water Project through the Senate.

In 1969 and again in 1970, there were further budget cuts that might have adversely affected the project, but each time Bible was able to restore the funds through supplemental Senate appropriations, allowing the work to be

completed on schedule. On June 2, 1971, stage one of the Southern Nevada Water Project was dedicated in ceremonies honoring the "Father of the Project," Senator Alan H. Bible.<sup>22</sup> Finally, on November 1, 1971, the Bureau of Reclamation officially relinquished control of the plants and operating facilities to the Colorado River Commission and the Las Vegas Valley Water District. The completion of stage one enabled southern Nevada to receive a maximum of 132,200 acre-feet of water a year from the Colorado River. Construction of stage two of the project began in 1977 and was completed in 1982. Stage three was never constructed because it was incorporated into stage two in the final planning and construction phases of the project. With the completion of stage two, Nevada had a complete water delivery system capable of delivering 300,000 acre-feet of water a year from the Colorado River to the Las Vegas Valley.

The Southern Nevada Water Project was the key factor in triggering the growth and development of the Las Vegas Valley over the last decade and a half. For example, in 1970 the population of Clark County was 273,288 and the consumption of water from the Colorado River stood at 38,256 acre-feet. A decade later, the population increased to 463,087 and annual water consumption had jumped to 135,872 acre-feet. Today, the Las Vegas Valley uses a total of 197,426 acre-feet of water a year from Colorado River sources.<sup>23</sup> Indeed, the population explosion and expansion of southern Nevada's tourist industry are both directly attributable to the completion of the vital public works project.

Of course, Alan Bible and the others who guided the water bill through Congress had the force of tradition behind them. The Southern Nevada Water Project was simply the most recent in a series of federal projects designed to promote growth in Nevada and the West. Like Pat McCarran, Key Pittman, and Francis Newlands before them, Bible and his colleagues exploited the heritage of a policy forged by Teddy Roosevelt, Harold Ickes, and a generation of wartime congressmen who were anxious to tap the West's economic potential. In addition, Bible cleverly capitalized on the political momentum of the postwar era which saw dam building, defense spending, and highway funding continue to power development in the Sunbelt. In the process, he exhibited a political skill that greatly enhanced his prospects for success. Like Lyndon Johnson, Clinton Anderson, Henry Jackson, Carl Hayden, and other postwar western senators who were careful to sit on the pork committees that could benefit their states, Bible had been quick to secure a position on the powerful Senate Appropriations Committee. At the same time, he fashioned political alliances with dozens of influential senators and bureaucrats so that within a decade of his arrival in the Senate he enjoyed enough support to guarantee passage of the water bill. Thanks to Alan Bible, Las Vegas finally smashed the ultimate barrier that had blocked its emergence as a major metropolitan center.

## NOTES

The author wishes to thank Associate Professor Eugene P. Moehring of the History Department, University of Nevada, Las Vegas, for his time and critical comments that greatly improved the quality of this article. Also, a special thanks to Michael Green, graduate teaching assistant, History Department, University of Nevada, Las Vegas, for taking the time to comment and offer valuable suggestions.

<sup>1</sup> Florence Lee Jones, *Water: A History of Las Vegas*, Vol. II (Las Vegas Valley Water District, 1975), 21. This two-volume work describes the development of water resources in the Las Vegas Valley. Although rich in detail, it lacks specific documentation in some areas and is at times redundant. Still, those interested in the development and management of water resources in Southern Nevada will find it invaluable.

<sup>2</sup> *Ibid.*, 49, 64.

<sup>3</sup> *Arizona v. California*, 373 U.S. 587 and 10 L ed 2d, 552-556.

<sup>4</sup> Jones, Vol. II, 67, 78. In 1961 the state of Nevada commissioned a report on the water supply problems in the Las Vegas Valley. The report indicated that ground water was being consumed at an alarming rate and recommended various conservation measures to preserve water-table levels. The study concluded that only a water delivery system from Lake Mead to the valley would solve the problem. See Nevada, Director of Conservation and Natural Resources, *Report on Water Supply for the Las Vegas Valley*, September 20, 1961, 14-16, 18, 21.

<sup>5</sup> Marc Reisner, *Cadillac Desert: The American West and Its Disappearing Water* (New York: Viking Press, 1986), 151-175. This is a thoroughly researched and well-written critical account of the Bureau of Reclamation programs.

<sup>6</sup> U.S. Department of the Interior News Bulletin, January 22, 1963, 3. Also see statement of Stewart L. Udall before the Senate Subcommittee on Irrigation and Reclamation concerning Senate Bill 1658, March 1964. On April 4, 1964, Udall forwarded his Pacific Southwest Water Plan to Senator Henry Jackson, chairman of the Senate Committee on Interior and Insular Affairs. The estimated cost for the first phase was projected at \$1,387,000,000. Consequently, Bible concluded that only a separate water bill similar to Senate Bill S2388, which he had introduced in 1963, would guarantee the Southern Nevada Water Project. Alan Bible Papers, Special Collections, Getchell Library, University of Nevada, Reno, Box 154 (hereafter cited AB Papers).

<sup>7</sup> Statement from the office of Senator Alan Bible, February 19, 1964. AB Papers, Box 90.

<sup>8</sup> *Ibid.*

<sup>9</sup> In 1950 the population of Clark County stood at 48,289, and by the mid 1960s it was well over 200,000 people. Moreover, Clark County's heavy Democratic registration held the balance of state power, which had, by the 1960s, shifted from Reno to Las Vegas. Nevada, Reno, Governor's Office of Planning Coordination, *Nevada Statistical Abstract*, 1981, 5.

<sup>10</sup> Senator Thomas Kuchel's views were clearly expressed on the floor of the Senate in a speech delivered in opposition to the Central Arizona Water Project, Senate Bill 1658, sponsored by Arizona Senators Carl Hayden and Barry Goldwater. *Congressional Record*, April 25, 1964, 8824-8831. Kuchel took the position that the Central Arizona Water Project could not infringe on California's guaranteed allotment of 4.4 million acre-feet, and he wanted assurances from the two Arizonans that all water needed for the Arizona project would be taken subject to California's guarantee. Also, Kuchel was concerned about the powers of the secretary of the interior in the absence of congressional action to allocate Colorado River water following the Supreme Court decision in *Arizona v. California*. Thereafter, in 1965 he moved to assure congressional action that would protect state water laws with the introduction of Senate Bill 1636. When S1636 failed to pass in the Senate, Kuchel introduced the same legislation in the Ninetieth Congress, S2530, which likewise failed to pass the measure. For support of the Kuchel position, see statement of Northcutt Ely, April 1964, before the Senate Committee on Interior and Insular Affairs on Senate Bill 1658, contained in the AB Papers, Box 154. Ely represented the six-agency committee of water users in Southern California. *Nevada State Journal*, January 7, 1965, Section D. An acre-foot of water describes the amount of water one foot deep spread over an acre of land. Thus, as a result of the *Arizona v. California* suit, Nevada is entitled to the amount of water it would take to cover 300,000 acres of land with one foot of water.



<sup>11</sup> Interview of Alan Bible by Gary E. Elliott, October 3, 1987. It should be noted that Bible did not object to regional water projects. He simply wanted southern Nevada's project to be the first in time, as growth and development could otherwise not continue at the record-setting pace of the later 1950s. After Congress passed Senate Bill 32, Bible supported the National Water Commission and Senate Bill 3107 in the Eighty-ninth Congress.

<sup>12</sup> *Las Vegas Review Journal*, April 11, 1965, 5.

<sup>13</sup> U.S. Congress, Senate, *A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Southern Nevada Water Project, Nevada, and for other purposes*. Senate 32, 89th Congress., 1965, 1-5. U.S. Congress, Senate, Committee on Interior and Insular Affairs, *Southern Nevada Water Project, Hearings before the Subcommittee on Irrigation and Reclamation*. Senate 32, 89th Congress., 1965. Also see Nevada Revised Statutes, Section 538:220.

<sup>14</sup> *Ibid.*, Senate Hearings, 23.

<sup>15</sup> *Ibid.*, 14. Also see *Las Vegas Review Journal*, September 27, 1965, and the *Nevada State Journal*, October 8, 1965, 12. For example, Congressman Baring voted against the administration's Medicare, civil rights, and food stamp programs, which outraged Congressman Fogarty to the point of voting against the Southern Nevada Water Project. *Las Vegas Review Journal*, August 2, 1964. Moreover, Baring did not participate in the House debate and did not vote on the Southern Nevada Water Project. He was joined in a general pair with Congressman Duncan of Oregon, which, under the House rules, does not reflect how either congressman would have voted. See memorandum from Joe T. McDonnell to Alan Bible, October 21, 1965, in AB Papers, Box 258. For an explanation of House voting rules, see Lewis A. Froman, Jr., *The Congressional Process: Strategies, Rules, and Procedures* (Boston: Little, Brown and Company, 1967), 126.

<sup>16</sup> Mike Manatos to Marvin Watson, January 11, 1966. Lyndon Baines Johnson Library, Austin, Texas, White House Central File, Box 248. Also see *Las Vegas Review Journal*, October 24, 1965, and Public Law 89-292. Section Six of Senate Bill 32 would have conflicted with the Supreme Court ruling in *Arizona v. California*, which gave the secretary of interior broad powers in water allocation. Westerners have constantly asked for government assistance without federal influence or controls, all in the name of states' rights. Some took the view that deletion of Section Six was further evidence of the erosion of Nevada's states' rights in relation to Colorado River water. Luckily, Senators Bible and Cannon took no such position and moved quickly to remove Section Six by sponsoring Senate Bill 2999. See *Congressional Record*, June 24, 1966, 13631-33 and *House Congressional Record*, Vol. 112, No. 107, 13951. For an extreme position on Nevada's states' rights see *Las Vegas Review Journal*, April 17, 1966, editorial viewpoint by Tom Wilson. Also, after President Johnson signed the Southern Nevada Water Project bill, he wrote in a personal note to Bible that he hoped passage of the bill would help the senator because it was the least he could do for a man who had rendered so many past favors. AB Papers, Box 258.

<sup>17</sup> *Las Vegas Review Journal*, July 24, 1966, and September 16, 1966.

<sup>18</sup> *Las Vegas Sun*, March 28, 1966, 1; April 30, 1966, 1; October 13, 1966. The October 13, 1966, editorial is extremely flattering in praising the efforts and contributions of Senator Bible in the success of the Southern Nevada Water Project. This is an interesting reversal of position for the *Sun's* owner and publisher, Hank Greenspun, who for so long had been at political odds with Bible, an opposition that went back to the days when the senator was aligned with Nevada's political boss, Patrick McCarran.

<sup>19</sup> Statement from the office of Senator Alan Bible, July 20, 1967, AB Papers, Box 89. Also see U.S. Department of the Interior News Bulletin, March 18, 1967.

<sup>20</sup> Interview of Alan Bible by Gary E. Elliott, October 3, 1987. Interview of Jack Carpenter by Gary E. Elliott, October 27, 1987. Neither man could remember the exact date of the meeting. The presidential diary cards show an evening meeting between Bible and President Johnson on July 25, 1967. Lyndon Baines Johnson Library, Austin, Texas, Diary Cards for Senator Bible.

<sup>21</sup> *Ibid.*

<sup>22</sup> Jones, Vol. II, 167. Also interview of Oran Gragson by Gary E. Elliott, September 27, 1987. Mr. Gragson, a Republican, was mayor of Las Vegas from 1959 to 1975; he agrees that without Alan Bible in the United States Senate, the Southern Nevada Water Project would never have been completed. On April 30, 1969, Bible wrote President Richard M. Nixon a letter expressing his concern over the administration's plans to cut more than eighteen million dollars from the budget that had been appropriated for the Southern Nevada Water Project. His plea was successful, as President Nixon notified Bible on January 31, 1970, that the funds would be restored in the budget. See Alan Bible to President Richard M. Nixon, April 30, 1969, and statement from the office of Senator Bible, January 31, 1970. AB Papers, Box 258.

<sup>23</sup> *Nevada Statistical Abstract*, 1981, 4. The author wishes to thank Michael Wallen of the Las Vegas Valley Water District for supplying historic records on water consumption in the Las Vegas Valley. For a complete report on water conditions in Southern Nevada, see *Water Supply Report: Water for Southern Nevada*. Nevada, Reno, Division of Water Planning, 1982. Also, Milton N. Nathanson, *Updating the Hoover Dam Documents* (U.S. Department of Interior, 1978).

# THE LEGISLATIVE BATTLE OVER THE CALIFORNIA-NEVADA INTERSTATE WATER COMPACT: A QUESTION OF MIGHT VERSUS NATIVE AMERICAN RIGHT

TIMOTHY G. HALLER

RATIFICATION OF THE CALIFORNIA-NEVADA INTERSTATE COMPACT concerning waters of Lake Tahoe, Truckee River, Carson River, and Walker River Basins devolved upon the California and Nevada state legislatures in early 1969. Competition between the two states for the scarce waters of the eastern slope of the northern Sierra Nevada had intensified in the period following World War II. Lake Tahoe blossomed as a gambling and recreation center, its ever-increasing permanent and transient populations exerting pressure on local resources. The Reno-Carson City metropolitan area changed from a region centered on the aptly named Biggest Little City in the World to a bustling commercial and recreation center replete with skyscrapers, urban sprawl, and the many problems of a fast-growing modern urban area. And thirst for water among the ranching interests on the eastern slope of the Sierra Nevada and the farming interests of the Truckee, Carson, and Walker River basins continued unabated. The one relative constant as the area developed was the severely limited water supply.<sup>1</sup>

Against this background, the two states had in 1955 implemented a decision to make use of the Commerce Clause of the United States Constitution to negotiate an interstate compact<sup>2</sup> making final allocation between California and Nevada of the waters of the three rivers. The process of negotiation was set in motion in August of 1955 as President Dwight D. Eisenhower signed federal legislation authorizing representatives of the two states to negotiate a

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water compact. The process required appointment of compact commissions in each state, with a federal representative to safeguard federal interests and to chair a joint commission; ratification by the respective state legislatures in identical form; signatures of the two governors; ratification by the Congress of the United States; and finally the signature of the President on the completed compact. At each step, the compact would have to be passed in identical form. Twenty such water compacts had been concluded between 1922 and 1969. Was it still possible in a world of heightened complexity and increasing competition for a continuously scarce resource—water—to negotiate an interstate compact, or was the process obsolete?

As is usual in water disputes, the major local water interests played significant roles. The memberships of the state water commissions by and large represented those interests in each state. The seven California commissioners represented the counties from which the water flowed, including Placer, El Dorado, and Alpine on the California side of Lake Tahoe, with a separate representative for the Lake Tahoe area as well as a representative for the state as a whole. In Nevada, the commission seats went directly to representatives of the largest water users, with the chairmanship reserved for a representative of the state. These interests, with potent political clout, included the river system's largest water user, the Truckee-Carson Irrigation District (TCID), holder of the contract for the Newlands Project, America's first reclamation project, which rather inefficiently and primitively diverted large quantities of Truckee river water into the Truckee Canal and away from the river's terminus, Pyramid Lake; Sierra Pacific Power Company, the area's largest utility and an influential force with the legislature; and Reno, the largest population center in the region, which was represented by the Washoe County Conservancy District, formerly a leading proponent of the 1960s Washoe Project to dam and develop the upper Truckee.<sup>3</sup>

Notably absent in 1955, and thereafter by choice, was any representation for the Pyramid Lake Paiute Tribe. Its greatest asset was Pyramid Lake, terminus of the Truckee, and its fishery. Any upstream allocations that were subtracted from the river would reduce the waters available for the lake's maintenance and ultimate survival.

Fourteen years of tough and often stalemated negotiations ultimately resulted in a draft compact agreed upon by the state and joint commissions on July 25, 1968, and submitted for legislative ratification in January of 1969. The negotiations in the early years emphasized the pact's effects on water users in the Lake Tahoe area. Only with resolution of those issues was the commission able to consider the more complex problems of a comprehensive division of the waters of the three river systems. At times the areas of disagreement had seemed insurmountable, but an agreement was reached—not perfect, but an agreement. The emphasis of the proposed compact was on the protection of those water rights already recognized under the respective



Derby Dam, completed by the reclamation service in 1905, diverted water from the Truckee River eastward by canal to the Carson River, thus decreasing the flow to Pyramid Lake. (*Nevada Historical Society*)

laws of each state. Neither the possible inclusion of water to maintain Pyramid Lake nor the recognition of nonestablished claimed or unclaimed water rights by the Pyramid Lake Paiutes under the Winters Doctrine of 1908 was seriously considered by the compact commission. The commission recognized only those waters allocated to the tribe under the final Orr Ditch Decree of 1944, which limited tribal water rights to agricultural use. This position was agreed to despite the Pyramid Lake Paiutes' increasingly vigorous assertion of other, nonestablished rights in the 1960s.<sup>4</sup>

The federal government in its fiduciary role is charged with protecting the rights of Indian tribes. This responsibility is unique in American law, but it is not dissimilar to the relationship of a guardian to his ward. If the federal government does not fully protect a tribe's rights or fails to establish those rights at a given point in time, as occurred in the case of the Orr Ditch Decree and the Pyramid Lake Paiutes, those rights are not necessarily extinguished. But the rights would be negated with the passage by Congress of a compact that failed to allocate water for Pyramid Lake.

The question of water for Pyramid Lake and the related Indian water rights loomed in 1969 as a potential hurdle for all the vested interests that sought ratification of established water rights. Here was a political issue that,

in the context of the social activism of the 1960s, might act as a catalyst to rally opposition to the compact: Native American rights relating to an issue of interest to environmentalists whose goal was the disruption of ratification in California and Nevada. The key would be the Pyramid Lake Paiutes' ability to mobilize support and build coalitions with sympathetic individuals and groups. Pyramid Lake and its unique fishery were the tribe's main economic as well as aesthetic resources. The lake covered 50 percent of the reservation, contained the remains of a once robust Lahonton cutthroat trout fishery, harbored the ancient and unique cui-ui fish, and on Anaho Island held America's largest white pelican rookery.<sup>5</sup> Decreased water flow threatened the fish and their ability to spawn while decreased volume and increased salinity threatened the lake's ability to support aquatic life.

Primary competitors for the lake's water were the TCID and the domestic users in the Reno metropolitan area, with TCID taking the lion's share. Under the provisions of the final Orr Ditch Decree of 1944, the TCID was diverting large quantities of water at Derby Dam through the Truckee Canal to irrigate the reclaimed lands of the Newlands Project. Opened in 1902, the project was inefficient in comparison to later reclamation efforts, with its unlined canals and use of flood irrigation in an arid region.

The Pyramid Lake Tribe and its supporters articulated a grievance with the compact commission over its failure to protect or even seriously consider the tribe's rights. The lake was an environmentally sensitive natural resource owned by Native Americans, and it was becoming an issue during a period in which there was heightened public and political concern over both racial and environmental issues. Could this political climate be exploited to defeat or restructure the compact and thus help preserve the lake and Indian water rights?

#### MOBILIZATION FOR THE LEGISLATIVE CONFRONTATION

The joint commission approved the draft compact in July of 1968, galvanizing those for and against it in anticipation of the upcoming legislative ratification process. The most vocal proponents were the Nevada commissioners who served as Nevada's representatives on the joint commission. The compact's Nevada supporters were euphoric over the document's disposition of the disputed waters—about 90 percent had been allocated to Nevada, with significant waters reserved for growth in the Lake Tahoe-Truckee area of California. Nevada State Senator Carl Dodge of Fallon expressed this elation in his commendation of the Nevada commissioners: "These men have worked for the everlasting benefit of the state of Nevada."<sup>6</sup> The general feeling was that the amount of water garnered for Nevada's interests was almost too much to have hoped for.

Opposition to the compact coalesced around the Pyramid Lake Paiutes and



their desire to preserve and protect Pyramid Lake and its fisheries. Leading the fight were tribal officials and activists, including Wilfred Shaw, James Vidovich, Allen Alleck, Teddy James, Dora Garcia, tribal attorney Robert Leland, and later his successor, Robert Stitser.<sup>7</sup> Environmental groups, including the Sierra Club, and the United States Department of Interior offered specific objections to provisions perceived as depriving the Pyramid Lake Paiutes of rights or usurping federal prerogatives. The proposed compact would have bound the federal government to its provisions.<sup>8</sup>

In their effort to achieve ratification, the compact's most visible and vocal supporters, the Nevada commission and to a lesser degree the California commission, adopted a strategy based on the concept of keeping the debate as narrow and localized as possible. The pro-development interests of the Tahoe basin, ranching interests of the eastern slope, water users of urban western Nevada, agricultural users of the Truckee and Carson basins, and bureaucratic interests of both states' water agencies were already represented on the commission and were thus willing to let those commissions lead the fight before the public and in both state legislatures. The large water users remained conveniently out of sight.

The approach adopted by the commissions in shepherding the compact through the state legislatures was to portray it as an important but noncontroversial technical document of interest only to those directly involved and containing provisions to the mutual advantage of both states and their respective citizenries.<sup>9</sup> This obviously was not fact but merely a strategy designed to slide the compact through to a quick and quiet ratification. In December of 1968, on the eve of legislative considerations, Senator Dodge characterized the compact in this spirit as "important but not controversial."<sup>10</sup>

Both California and Nevada had so much money, time, and effort invested in the compact negotiations that there was a considerable reservoir of political support in both states. The respective state commissions, as well as the joint commission, had received annual financing through legislative appropriations supported by their governors, and they had presented yearly reports to the legislatures and governors.<sup>11</sup> By and large the issues involved had become nonpartisan. In the case of Nevada, Democratic governor Grant Sawyer and Republican governors Paul Laxalt and Charles Russell attended commission meetings, received progress reports, and gave enthusiastic support. This degree of personal gubernatorial involvement was not evident in California.<sup>12</sup>

To avoid publicity and limit the number of participants, the commissioners worked to make the compact seem mere routine, obscuring the water interests supporting the pact. The California commission, with Hubert Bruns acting as chair and chief spokesman, was content to provide technical information to its legislature, answer questions when asked, and let the legislative process take its course. Bruns's passive approach led Nevada commission chair



Completed in 1915, Lahontan Dam formed a reservoir to store waters of the Truckee and Carson rivers for use on the lands of the Newlands project. (*Nevada Historical Society*)

Roland Westergard to complain that the Nevada commission would “have to keep the pressure on California.”<sup>13</sup>

Leading the Nevada commission’s push for ratification were Chairman Westergard, spokesman, administrator, and conduit of information to the group; Robert Leighton, Sierra Pacific’s representative, who acted as the commission’s technical expert; Bolton Minister, representing the Walker River water users, who served as the group’s spokesman before both the public and the legislatures. On the California side, visible spokesmen and activists included Hubert Bruns; a rancher representing Alpine County; and Phil Girard, the commission’s attorney.<sup>14</sup>

During 1967 and 1968 the threat to Pyramid Lake’s survival and the question of Paiute rights had received considerable coverage in the northern California press. This was primarily due to two series of investigative articles written by Tom Arden for the *Sacramento Bee*. Television station KQVR, owned by the McClatchy organization as was the *Bee*, broadcast a companion

series entitled "Must Pyramid Lake Die?"<sup>15</sup> This publicity was exactly what the commissions had hoped to avoid. It increased the probability of controversy as well as the potential for an enlarged number of participants in the debate over the compact.

In both the 1967 and 1968 series, Arden drew a direct link between the survival of Pyramid Lake and the defeat of the compact.<sup>16</sup> Those involved in the dispute were making strong statements for publication. Common threads through both series of articles were the decline and possible destruction of the lake, the plight of the Pyramid Lake Paiutes and the injustice being inflicted upon them, and the TCID's waste of the waters diverted from the Truckee to the Newlands Project. Arden quoted sentiments from community leaders on both sides of the state line: Reno conservationist Samuel Houghton stated, "Truly, we owe posterity the spectacle of Pyramid Lake. . . . No one who has ever seen the lake forgets it." Tribal leader Wilfred Shaw sarcastically recalled previous promises to protect the lake: "White man speaks with forked tongue."<sup>17</sup> An anonymous characterization found that "Pyramid Lake in a way can be compared to a stray dog dependent on scraps and leftovers from friendly housewives." William Gianelli, California's director of water resources, described TCID's waste of the Truckee River as an "unconscionable misuse of limited waters."<sup>18</sup> Nevada state biologist Robert Trelease bemoaned the fisheries' decline: "This is one of the blackest pages in the history of the American fisheries and represents what must be close to the ultimate in greed and lack of foresight." Blaming diversion of Truckee waters to the Newlands Project, he declared, "The trout killers' name was Derby Dam. . . . The saga of Pyramid Lake is a grim, humiliating sermon of selfishness on the one hand and public apathy on the other."<sup>19</sup>

Concurrently, the Nevada press was reporting events surrounding the compact's progress. Value judgments as to who was in the right or wrong were omitted. The general tone was that the compact was pro-Nevada and had been negotiated to the benefit of the state despite fears that Nevada would be "outgunned" by the larger, more populous California. Nevada's good fortune was attributed to the "hang-tough" policy adopted and implemented by the Nevada commission.<sup>20</sup>

Members of the Nevada commission and their staff contacted Nevada state legislators and provided them with copies of the proposed compact, a report entitled "Statement on California-Nevada Interstate Compact,"<sup>21</sup> and other materials as requested. They held informational meetings around the state for invited legislators, the intent being to present the commission's arguments and to hear legislative concerns. These meetings occurred in December of 1968 and January of 1969 just before legislative consideration of the compact.<sup>22</sup> Chairman Westergard emphatically denied that such contacts were intended as lobbying; he insisted they were merely efforts to keep the legislature informed as had been the practice throughout the negotiating process.<sup>23</sup>

Conclusions can be drawn from the preratification maneuvering of the pro-compact coalition. The agreement was of much more importance to Nevada statewide, involving major water interests that exerted influence through the Nevada commission, while in California it was merely a regional issue involving the counties around Lake Tahoe on the northern Sierra's eastern slope. The Nevada commission acted as the vanguard in seeking ratification. Within the commission and, by extension, water interests represented, there was consensus as to strategy and a well-orchestrated campaign for passage. The intense conflicts and unresolved issues of the negotiation process were laid aside for the ratification fight. The general compact process did work to forge consensus for ratification among diverse water interests, with the crucial exception of the unrepresented interests supporting conservation of Pyramid Lake.

Opposing ratification, the Pyramid Lake Paiute Tribe came with significant experience in working to protect the lake. In 1963 they had opposed the Washoe Project, a reclamation proposal designed to irrigate 50,000 acres from Truckee River system waters. This project had been heavily supported by the Washoe County Conservance District and allied water interests in the Truckee watershed.<sup>24</sup> Ultimately the tribe won concessions preferential to the lake's preservation before they acquiesced in the plan. The tribe mobilized again in 1964 and 1965 to oppose an anticipated joint-commission agreement on the interstate compact,<sup>25</sup> which failed to materialize when the two state commissions could not resolve their differences. The tribe was thus gaining valuable experience in coalition building, public relations, internal organization, and the general nuts and bolts of practical politics.<sup>26</sup> Tribal Attorney Robert Leland saw the battle to save Pyramid Lake and the Paiute water rights as starting not in 1968 but earlier: "The water battle against those who would waste water and delight in building dams really got under way in 1963."<sup>27</sup>

A crucial part in the compact battle would be played by the federal government in opposing the agreement. This was a product not only of the pro-Native American political climate of the times but resulted from years of concerted effort by the Pyramid Lake Paiutes. Representatives of the tribal council built and nurtured a working relationship with the Departments of the Interior and Justice from at least 1963 on. The focus was on ensuring federal support against any threat to the lake's water supply. Secretaries of the Interior Morris Udall and Walter Hickel were kept informed of the tribe's positions and were actively cultivated.<sup>28</sup>

Tribal lobbying of federal agencies was successful with regard to the 1963 Washoe Project, the 1965 draft interstate compact, and the completed compact of 1968. The tribal council's opposition to the Washoe Project was dropped only after Udall assured them that Pyramid Lake would receive an additional 65,000 acre-feet of water a year. The 1965 draft proposal was re-

turned to the joint commission in part because of Interior's objections to portions seen by the federal government as infringing on the tribe's water rights.<sup>29</sup> Attorney Leland informed the Pyramid Lake Paiute tribal council in 1966 that he "was convinced that Udall was the best friend that the Indians had in their fight for water."<sup>30</sup> On January 14, 1969, on the eve of the ratification debate in the California and Nevada legislatures, Secretary Udall expressed the opposition of the Department of the Interior to the completed compact: "We recommended that the Federal Government oppose the draft compact as it stands."<sup>31</sup>

The tribe's lobbying effort was well designed, consistent, and diverse. Correspondence was supplemented with numerous meetings including those between tribal representatives and William Duvore and George Hedden, federal representatives to the joint commission; repeated meetings with Bureau of Indian Affairs functionaries in Nevada and Washington, D.C.; and Secretary of the Interior Udall and his staff in both Washington, D.C., and Nevada.<sup>32</sup> A memo from the Commissioner of Indian Affairs illustrates the success of this effort:

It is abundantly clear from the 1968 Compact that if it is approved by the states and by Congress that: 1) the court in the Alpine case would be effectively prevented from entering a decree which would accord to the Pyramid tribe of Indians the relief to which they are entitled; 2) It would deprive the Indian tribe of their day in court. It is difficult to perceive a more clear invasion of the judicial power of the National Government and of the Indians to have adjudicated, determined and decreed their rights.<sup>33</sup>

In May of 1968, John Frank, the tribe's special council for water matters, wrote to Udall requesting his continued support for the tribe's position, adding that "the Paiute Indians of northern Nevada cry for help."<sup>34</sup> Within the Department of Interior those supporting the concept of establishing Indian water rights found a valuable ally in William H. Veeder, a water-resource specialist and attorney. He argued for aboriginal and Winters Doctrine rights within the department, in print, and before Congress.

The campaign against ratification of the proposed compact was formally begun by the Pyramid Lake Paiute tribal council on November 3, 1967. At that meeting Leland informed the council that under the proposed compact "Pyramid Lake cannot ever get more water than the 30,000 acre-feet for which the tribe has a 'paper' right under the Orr Ditch Decree."<sup>35</sup> The same meeting authorized a campaign to publicize the tribe's arguments against the compact, an effort later known as the Save Pyramid Lake campaign.

The tribe received support from a diverse collection of groups and organizations, including the Nevada State Democratic Party's 1968 convention, the American Society of Ichthyologists and Herpetologists, the Nevada Indian Affairs Commission, the Intertribal Councils of Nevada and California, the





Lake Tahoe, the source of water for much of northern Nevada. (*Nevada Historical Society*)

National Congress of American Indians, whose executive director John Belindo worked actively against the compact, and the Karok, Yurok, Shasta, and other individual tribes. The American Indian Press Association publicized positions of the Pyramid Lake Paiutes through its Washington, D.C., facilities.<sup>36</sup>

The Sierra Club and Nevada League of Women Voters independently resisted the compact. While working for the same general purposes, both organizations were careful to maintain an identity separate from the tribe.<sup>37</sup> This did not preclude coordination of lobbying and public relation efforts. In 1965 the league's Ann McKee instituted league attendance at the joint commission meetings. Tina Nappe, appearing before the California legislature, testified that the league believed the compact was discriminatory to Indian interests, the lake would likely be preserved if it were owned by non-Indians, Indian rights were not protected, and, with respect to Pyramid Lake, the compact was overall environmentally unsound.<sup>38</sup>

The Sierra Club had a long-standing interest in the preservation of Pyramid Lake. When the compact was introduced into the state legislatures, the club's national organization, the Toiyabe (northern Nevada) Chapter, and the Northern California Regional Conservation Committee all opposed provisions which would preclude water rights sufficient to preserve the lake.<sup>39</sup>



The California club became actively opposed after the tribe's attorney argued that the compact would force the Paiutes' fight to establish additional water rights for Pyramid Lake out of federal court and into unfriendly Nevada state courts. Representatives of the Sierra Club rallied public support against the compact and lobbied the legislatures.<sup>40</sup> Club policy makers and spokesmen during this 1968–70 period did not necessarily embrace the rights of Indians to use their lands in any way they saw fit; rather, they viewed Pyramid Lake as a scenic and recreational resource in its own right.<sup>41</sup>

In late 1968, with legislative consideration of the compact imminent, lobbying efforts accelerated. The Pyramid Lake tribal council sent each Nevada legislator materials outlining the tribe's objections and soliciting support.<sup>42</sup> Informal meetings with legislators occurred by plan. Attorney Leland and members of the tribal council met several times a week with individuals and representatives of groups who might join in resisting the compact before the legislatures. Wilfred Shaw, James Vidovich, and Allen Alleck were active in this endeavor.<sup>43</sup> William Hunt Conrad was hired as a lobbyist in California.

In the legislative struggle the strategy of the Pyramid Lake Paiute Tribe was to be similar to the approaches adopted in the successful campaigns of 1963–64 and 1965–66 against the Washoe Project and the proposed compact of 1965. The tribe had organized internally, sought support and alliances with other groups, launched a public relations campaign, publicized Pyramid Lake's value to all Americans, sought the support of the federal government, and lobbied the legislatures.

By January of 1969 the strategies of those promoting and opposing compact ratification were well defined. The established water interests, hiding under the umbrella of the state and joint compact commissioners, were committed to localizing and containing any controversy away from the public view, while displaying an image of a compact beneficial to the citizenry and economies of both states. The federal government would be portrayed as divided on the issue, with any call for modification from that quarter characterized as unwarranted because the fact of federal representation on the joint commission had earlier provided ample opportunity to raise those issues. Opponents would attempt to heighten public awareness as to the controversial nature of the compact, capitalizing on the pro-Indian and pro-environment tenor of the times. They hoped that federal objections would play a crucial role in amending or defeating the compact.

#### THE LEGISLATIVE STRUGGLE FOR RATIFICATION

In January of 1969 the ratification phase began with formal introduction of the California-Nevada interstate compact into both state legislatures. It was introduced concurrently in the California State Senate by Stephen Teale and

in the California State Assembly by Eugene Chappie.<sup>44</sup> Both represented districts destined to receive water under the compact. In Nevada, introduction was in the Nevada State Assembly by R. Hal Smith and Norman Hilbrecht, both of Clark County. Smith chaired the Committee on Governmental Affairs, which would have primary responsibility for consideration of the compact.<sup>45</sup>

Lobbying of the Nevada legislature was on a personal and informal level, low key. Members of the Nevada compact commission, along with representatives of established agricultural and domestic water users, simply talked to legislators, giving facts and answering questions. Bolton Minister, Robert Leighton, Fred Settlemyer, James Wood of TCID, and Ray Knisley all lobbied in this fashion.<sup>46</sup> In part, the good reception they met in the legislature was a result of the Nevada commission's policy of keeping the lawmakers informed throughout the years of negotiation. Those most active in lobbying against compact passage were Pyramid Lake Paiute tribe members Avery Winnemucca, Allen Alleck, Warren Toby, Mervin Wright, James Vidovich, and their attorney, Robert Leland.<sup>47</sup> While legislators politely heard their arguments against passing the compact, these efforts garnered little or no support.

Two joint hearings of the Nevada Assembly Committee on Governmental Affairs and the Senate Committee on Federal, State, and Local Governments were indicative of the nature of the debate in that state. Members of the Nevada commission carried the ball in testimony: Representatives of water users such as the Washoe County Conservancy District, Sierra Pacific Power Company, and the TCID were present in their capacity as commissioners, and were careful to testify as representatives of the commission, not individual interests. Their presentations were factual, technical, and almost clinical in content. Bolton Minister and James Johnson in this vein testified that the compact was essentially good for Nevada and should be enacted, arguing also that the purpose of the compact was not to allocate water to individual users (such as the Pyramid Lake Paiutes) but was rather to implement division of waters between states. Allocation within states was to be determined by the respective states. In short, the compact was beneficial to Nevada and deserved ratification.<sup>48</sup>

Leland presented the lead arguments in opposition to ratification. He argued that the compact "does not contain any positive provisions for Pyramid Lake Indian Reservation water rights . . . and would seriously interfere with the water users' right to go to court."<sup>49</sup> Native Americans, with their unique relationship with the federal government, would see the federal fiduciary responsibility diminished in the compact's limiting of the right of the United States to intervene on behalf of Indians. Leland asked that any provisions that might preclude the tribe or the federal government from suing for additional water rights be deleted from the compact. Charles Spring-

er, speaking on behalf of the Toiyabe Chapter of the Sierra Club, supported Leland's call for amendment of provisions deemed detrimental to survival of the lake.<sup>50</sup> He concluded, "the continued existence of Pyramid Lake is at stake; otherwise we should not ask the Legislature to alter a document which was so long in preparation. Adoption of the don't-worry-about-it attitude of the compact's proponents would be a great disservice to the people of the state."<sup>51</sup>

Two questions were delineated in these first hearings on the compact on January 14 and February 11 of 1969. First, would Pyramid Lake be denied water rights necessary for its preservation under the compact? Second, what position was the federal government taking on the proposed compact? Both questions proved complex, their answers differing according to the bias of the answerer. The nature of the debate over the compact had by now been delineated. The contest over ratification would revolve not around allocation disputes left unsettled by the water interests represented on the compact commission, nor would it to any degree involve quibbling over absolute quantities of water allotted to each state; the conflict over ratification would revolve around the perceived effects upon Pyramid Lake.

As Leland's testimony illustrates, the tribe and its supporters judged that the compact would threaten tribal water rights. Compact proponents denied this assertion. In a letter read into the record of the February 11 hearing by committee chairman Smith, the legislative counsel, Russell McDonald, refuted arguments that Indian water rights were threatened. He argued, "Nothing in the Compact limits the Indians in asserting their rights to this water or against other Nevada users or potential users. . . . It is therefore the opinion of the legislative counsel that adoption of the Compact would not prejudice Indian rights, present or potential."<sup>52</sup>

The federal government's position on the compact came to the fore in these first hearings. Leland presented a letter from Secretary Udall, dated January 14, 1969, which seems to indicate federal opposition:

The Compact goes beyond the usual function of allocating water between party states and purports to bind the federal Government both as a sovereign and as a trustee for Indians. . . .

Most seriously affected would be the Winters' Doctrine rights of the Pyramid Lake Indians. Because of these rights, we believe that the United States should not consent to the draft compact as it stands, but should use the opportunity to renegotiate the Compact so as to place the Indians in the best position to succeed in the proposed Winters' Doctrine litigation.<sup>53</sup>

But Chairman Smith responded by reading a letter from J.R. Ritter, federal representative on the joint commission, stating that, as of February 5, 1969, no formal position on the compact had been taken.<sup>54</sup>

Less than three weeks after its introduction, the interstate water compact

was ratified by the Nevada Assembly by an overwhelming margin and, after only four days of formal consideration, the Senate did likewise.<sup>55</sup> The Nevada compact commissioners had been successful in developing a close working relationship with the legislators. In Roland Westergard's view, there was never any doubt that the compact would pass in Nevada.<sup>56</sup> As Senator Cliff Young described the compact, "Were it any better as far as Nevada is concerned, I would be suspicious."<sup>57</sup> Aside from the tribe at Pyramid Lake, the only economic interest that might be harmed by the compact was the city of Sparks, which billed itself as the gateway to Pyramid Lake, servicing the needs of sportsmen; and its legislative delegation, led by Donald R. Mello, voted against the compact.<sup>58</sup>

The floor fights in the Assembly and Senate in February of 1969 were indicative of the entire legislative debate. Proponents reiterated that the compact was provided for an equitable distribution of water that fully protected the rights of the Indians, further declaring that all claims to the contrary were invalid. Not for them emotional pleas or high-pressure interest-group lobbying; the ground work was done and ratification should follow. Mello wrote a minority report prepared with help from Leland,<sup>59</sup> and Eileen Brookman, a committed supporter of minority rights, argued eloquently against the compact for Indian rights. Brookman used the legal doctrines of Winters' and aboriginal rights to water; she also appealed to the Assembly's sense of ethics in dealing with Native Americans: "The White man promised the Indian everything and gave him nothing. . . . It is 1969! I would wish that you would reach into your hearts and help to stop man's inhumanities to man."<sup>60</sup>

Nevada's 1969 passage of the compact catalyzed the national press to publish the first of numerous antcompact articles that were to appear over the next two years. The day after passage, the *New York Times* observed, "Today, conservationists are seriously worried that this lake, the last vestige of a huge inland sea created by retreating glaciers, is faced with extinction." It also emphasized the makeup of the Nevada commission, all ranchers and representatives of water-power companies, without a single conservationist. Leland was quoted: "People in Nevada just don't like Indians." The federal government was criticized: "They have a responsibility to the Indians, but they're doing nothing to safeguard the Pyramid Lake Tribe."<sup>61</sup> The compact dispute was showing the first real signs of being nationalized.

While the nature of the debate in the California legislature was similar to that in Nevada, the antcompact strategy was different. Both the Sierra Club and the Pyramid Lake Paiutes used paid professional lobbyists, Jack Zierold and William Hunt Conrad, who coordinated the over-all antcompact effort.<sup>62</sup> A number of powerful legislators in the California Assembly—including John Miller, Assembly Democratic leader; George Zenovich, chair of the Assembly Democratic Caucus; Edwin Z'Berg and Earle Crandall, powerful Demo-

crats on the Natural Resources and Conservation Committee; George Milias, chair of the same committee—were supportive of the position of the Pyramid Lake Paiutes and their allies in opposing the compact.<sup>63</sup> In addition, the antcompact coalition gained access to the legislative staff through A. Dobie Jenkins, a legislative assistant to the Assembly Democratic Caucus, and O. James Pardue, water consultant to the Assembly Committee on Natural Resources and Conservation.<sup>64</sup> This proved helpful as a conduit of documentation and other information to assemblymen.

With this favorable situation in the Assembly, the antcompact alliance made a strategic decision to write off the Senate and to concentrate their efforts on the Assembly. John Frank, an attorney working on water matters for the Pyramid Lake Paiutes, rationalized, "The Indians simply are not capable of resisting the attacks on every front, and have had to choose one place for a last stand."<sup>65</sup>

Leading the fight for ratification were the California and Nevada commissions, the state of Nevada, and the affected county governments in California.<sup>66</sup> Hubert Bruns and attorneys Frederick Gerald and Adolph Moskovitz were active for the California commission, as well as William Gianelli, commissioner and director of the Department of Water Resources.<sup>67</sup> Westergard and Bruns coordinated the efforts of the two state commissions.<sup>68</sup> Assemblyman Eugene Chappie led the fight in the Assembly, while Senator Stephen Teale did the same in the Senate.<sup>69</sup>

As the 1969 session dragged on, the compact was bottled up in the Assembly Committee on Natural Resources and Conservation. Compact backers believed that the committee was antcompact and failed to give them a fair hearing. Bruns complained to Chappie, "Our representatives have been unable to talk to some members and have been poorly received by others. . . . Indian representatives have been able to speak almost unlimited before the hearings. Our representatives have been restricted."<sup>70</sup> Prospects for passage were further dimmed by United States Senator Alan Cranston's letter of March 11, 1969, urging a guarantee of water for Pyramid Lake's survival and warning that failure to provide so "would seriously endanger the Compact being approved by Congress." He noted the growing national publicity surrounding the lake and cautioned that "any proposal requiring congressional approval must be evaluated in the light of this national concern."<sup>71</sup>

On March 18, 1969, a further setback arrived with the announced opposition of the new Secretary of the Interior, Walter J. Hickel. His objections were twofold: the adverse effect on Pyramid Lake and the compact's limitations on the federal government's ability to litigate on the behalf of the Paiutes for additional water rights. Hickel observed that Pyramid Lake "is of critical importance to the impoverished Pyramid Lake Indians and is also a natural resource of unique value to the nation. . . . The compact goes beyond the usual function of allocating water between party states and purports to

bind the Federal Government both as a sovereign and as trustees for Indians."<sup>72</sup> Hickel suggested that the California and Nevada commissions renegotiate the compact to meet these objections. Both commissions responded with a resounding no. Nevada Governor Paul Laxalt reacted: "I can hardly believe Mr. Hickel's statement. Surely, he must have acted without full information."<sup>73</sup> Chappie observed that for sixty years the Department of the Interior had done nothing to preserve Pyramid Lake as water was diverted to reclamation in the Newlands Project.<sup>74</sup>

With the compact bottled up in a hostile committee, the only true negotiations between the two state legislatures commenced in March and April of 1969. California Assemblyman Edwin Z'Berg initiated a series of meetings with Nevada Assemblymen Hal Smith and Norman Hilbrecht, but nothing of significance resulted. In addition, the Nevada legislature's reaction to California amendments intended to make the compact more palatable to the Indians was negative. In Hal Smith's estimation, "Tempers were short over California's demands. We were reluctant to knuckle under to California."<sup>75</sup> Without compromise from Nevada, the California Assembly's compact bill was killed on April 10.

The defeat of the compact in committee in California, along with Z'Berg's assurance to Nevada's Governor Paul Laxalt that the Committee on Natural Resources and Conservation would pass a compact amended to ensure Indian rights to sue to protect water rights for Pyramid Lake,<sup>76</sup> motivated Nevada's legislature to reconsider the compact. In three days, April 21, 22, and 23, the Nevada legislature considered and passed a second compact containing cosmetic changes designed to placate California's legislators. Assistant legislative counsel Frank Daykin testified, "The new language was without legal effect because the right was already granted," and the amendments were politically an "attempt to save California's face not ours."<sup>77</sup>

Action on the compact in Nevada prompted its resurrection in California, with Chappie proposing the Nevada changes in the natural resources committee of the Assembly. John Frank described these changes as "a perfectly dreadful onslaught against conservation interests and Indian interests."<sup>78</sup> Changes that had been made were in form, not content, and with merely cosmetic intent. Pressure from the national press continued as articles opposing the compact appeared in the *Christian Science Monitor* and *New York Times*.<sup>79</sup>

The compact was subsequently amended, with the Paiutes' support, to guarantee more water for the lake and to protect the Indians' right to sue.<sup>80</sup> The California commission charged that these changes diminished California's right to store and use water, and they typified the amendments as a "sell out of California water to Nevada."<sup>81</sup> It is ironic that the compact died with the end of the 1969 session because these amendments were viewed as not in California's best interest. The last legislative act on the compact in 1969



was an order authorizing an interim study of the compact between sessions to make recommendations for the 1970 session.<sup>82</sup>

March of 1970 proved to be the pivotal month for legislative passage of the compact. As is often the case in legislative politics, the assignment of a bill to a specific committee can spell its passage or defeat. On March 19 a revised compact, incorporating changes suggested by the interim study committee, was introduced into the California Assembly with the support of five of the seven members of that study committee, including the chair, Carley Porter. Intense maneuvering followed between Porter and Milias, as each strove to have the bill referred to the committee he chaired, i.e., to Water or to Natural Resources and Conservation, respectively. Porter prevailed, and the compact was assigned to the friendly confines of the Committee on Water.<sup>83</sup>

The revised compact bill did amend the compact to change portions most objectionable to the opponents; the limitation on water rights for Pyramid Lake to only the 30,000 acre-feet under the Orr Ditch Decree for agricultural uses was deleted; doubts about the Paiutes' right to sue for more water were addressed by adding language specifically allowing anyone to sue for water rights in state courts.<sup>84</sup> These changes were similar to the revised second compact passed in 1969 in Nevada and to language the California Assembly had refused to pass in 1969. David Sanderson, a deputy attorney general representing the California commission, conceded that the compact could take away potential Indian water rights for Pyramid Lake.<sup>85</sup> A May 29, 1970, legislative counsel's opinion contradicted that observation, finding that the amended compact did allow the Paiutes to sue for further water rights in either Nevada or federal courts.<sup>86</sup>

With these revisions in place, the Sierra Club gave its conditional approval to the compact bill.<sup>87</sup> The Nevada League of Women Voters would oppose the compact to its end.<sup>88</sup>

The effort to kill, or to amend the compact to meet the Pyramid Lake Paiutes' minimum requirements, was lost with the interim study committee's report and subsequent referral of the compact to the Committee on Water. Testimony there and before the Assembly Committee on Ways and Means did not deviate from earlier testimony in both states. Bruns did warn that failure to pass the compact would "mean many years of litigation, probably the most difficult in western water history."<sup>89</sup> Robert Stitser, the new Pyramid Lake tribal attorney, asked the California legislature not to allow a specific allocation for the lake but merely not to force the Indians into the unfriendly confines of the Nevada courts.<sup>90</sup> The perceived anti-Indian character of the compact was stressed. James Vidovich, tribal chairman of the Pyramid Lake Paiutes, observed that passing the compact would be "breaking the law, breaking your own nation's treaties, violating your own court's decisions and [would] bar access to even your own court system."<sup>91</sup> Ernie Stevens, director of the Inter-Tribal Council of California, declared that "this bill is flat out trying to steal Indian water," and that its passage could make Pyramid Lake

"a symbol of national unity, surpassing even Alcatraz."<sup>92</sup> Buffy St. Marie, Native American and folk singer, attended a hearing but was precluded from testifying by committee rules; she then issued a statement contending that the compact "blatantly steals the Indians' rights and property . . . just like the cavalry troops of a hundred years ago."<sup>93</sup> As Stitser stated in July of 1970, "the compact is and still remains a callous murderous tool to steal the water rights of the Indians."<sup>94</sup>

The compact was ratified by the California Assembly on August 17, 1970, and by the Senate on August 19. Compact proponents had used low-key utilitarian arguments, with the California commissioners leading the charge and the water interests whom they represented purposely remaining in the shadows. The opposition used legal, ethical, and moral arguments to delay and amend the compact. Both sides relied on old-fashioned lobbying and staff work in seeking to influence the legislature.

The key element in mobilizing opposition and delaying the compact was the perceived impact of that agreement on Native American rights. Illustrative is Z'Berg's comment during the Assembly floor debate, warning that the state of Nevada "wants to use the Compact to skewer the Indians, once again by the White man,"<sup>95</sup> or Chappie's declaration that "we have gone to every length possible to protect the rights of the Indians."<sup>96</sup>

Passage in California virtually assured the compact's success in Nevada. Twenty-one days in February of 1971 would be required for Nevada's legislature to ratify. Opponents were not able to persuade the legislature to amend the compact in Nevada, which would have necessitated reconsideration in California, by a body more sympathetic to their cause.

The California legislature made a fateful decision in following the Committee on Water's 1970 recommendation to submit the compact to Congress for ratification despite objections by the federal government. The interim report arrogantly stated that the committee had not in any way attempted to resolve the objections of the United States Department of the Interior. The logic was that the federal representatives on the joint commission should have raised any federal concerns during the negotiations and that the objections of the Department of the Interior were unreasonable in relation to the resources being protected.<sup>97</sup> There was also a recommendation that negotiations with the federal representative on the joint commission be reopened, which was not followed. Throughout the legislative consideration in both states there was little effort to meet federal objections and a consistent attitude to defy the government's wishes.

#### THE COMPACT SUBMITTED TO CONGRESS

Nevada's Governor Michael O'Callaghan signed the compact into law on March 5, 1971, clearing the way for its consideration by the United States Congress. Howard Johnson of California introduced the compact into the

House of Representatives on March 15, 1971.<sup>98</sup> This violated a July 1969 agreement between Secretary Hickel and the two state governors, Paul Laxalt and Ronald Reagan, to delay the congressional submission until the Pyramid Lake Task Force had concluded its work.<sup>99</sup> Secretary of the Interior Rogers Morton reiterated his concurrence with the objectives of the July 1969 agreement in a letter to O'Callaghan: "The protection of the rights of the Pyramid Lake Indians is of great importance as is the conservation and preservation of Pyramid Lake itself."<sup>100</sup> Continuing disregard for the federal position is illustrated in Westergard's response to Morton's letter; he stated that he saw no reason to further delay a compact that had taken fifteen years of work and was now "rightfully before the Congress."<sup>101</sup>

Neither the California nor Nevada legislatures made any attempt at compromise to meet the federal objections. This opposition was raised as early as 1966,<sup>102</sup> and was reiterated by every secretary of the interior between 1966 and 1971. The federal government opposed compact provisions that derogated present or future Indian rights and required the federal government to abide by the compact even though to do so would conflict with its role as trustees for the Pyramid Lake Paiutes. Provisions binding the federal government to a compact's terms are not normally found in interstate compacts.<sup>103</sup>

During both the compact negotiations and the ratification process neither California nor Nevada wanted federal involvement in the allocation of compact waters within the states. It was a position etched in granite and which locked the participants into an untenable position. This was in the late 1960s and the 1970s, and in the era following World War II the federal government had taken an ever-increasing role in western water uses. It was extremely unlikely to ratify blindly an interstate water agreement without resolution of concerns about Native American rights and the provisions binding it to the terms of the compact.

Because of the opposition of the Departments of Justice and the Interior, the later opposition from the Office of Management and Budget, and the continued opposition of California's senior senator, Alan Cranston, the compact was not acted upon by Congress either then or subsequently. In fact, the compact's supporters never asked for an official position from the administration of President Richard Nixon because they knew it would be adverse.<sup>104</sup> No committee action or vote has been taken on the compact; Congress has refused to act. Despite periodic efforts to revive the agreement, it remains in a sort of political limbo.

#### THE COMPACT BATTLE ASSESSED

In assessing what happened to the California-Nevada Interstate Water Compact it is important to recognize the intensely local nature of water disputes and negotiations. The strong tendency is for compacts merely to ratify

the water rights of existing users at the behest of powerful local water interests. This compact is no exception. Donald Pisani draws the same conclusion in "The Strange Death of the California-Nevada Compact: A Study in Interstate Water Negotiations."<sup>105</sup> Local interests are served, and there is little sympathy for alternate uses or even a cognizance of the wider ramifications of the established use or in general of the public interests. The question of how the compact waters could best be used is seldom if ever addressed. While disputes among the negotiators did arise over allocations between California and Nevada, as did competition between reclamation and recreation interests, the societal, environmental, or economic justification of established local water rights was never challenged.

Why then did the compact fail? While local water interests prevailed at the state level, their inability to meet federal concerns doomed the compact. E. E. Schattschneider argues that as the scope of an interest-group conflict expands to involve new participants and different governmental decision makers, the very nature of the political conflict changes, often with different winners and losers.<sup>106</sup> Thus the opponents' success in transforming the compact from a local to a state to a national issue was ultimately decisive in its failure to become law.

As Pisani concludes, it is unlikely in the political climate of the 1980s and beyond—with the increasing number and activism of interest groups—that any interstate water compacts will be successfully concluded.<sup>107</sup> This is especially true in the arid West, where the likelihood of involvement by Native Americans and of impact on their reservations is great. The case of the California-Nevada Interstate Water Compact is testimony to this.

No one won the battle over the compact. True, the Pyramid Lake Paiutes succeeded in preventing final passage, but they failed to secure sufficient water to preserve the lake. The compact proponents won in California and Nevada, but failed with Congress, thus continuing the uncertain status of the area's water availability.

It is 1989 and as Nevada's United States Senator Harry Reid tries desperately to negotiate a settlement among the same parties involved in the compact dispute of 1969–71, the same warning echoes across the political landscape. If there is no settlement now, then decades of dispute and litigation will follow.

## NOTES

<sup>1</sup> W. Turrentine Jackson and Donald J. Pisani, *A Case Study in Interstate Resource Management: The California-Nevada Water Controversy, 1955–1968*, No. 147 (Davis, California: California Water Resources Center, May 1974), 1. This is primarily a historical account of the background and work of the California-Nevada Interstate Compact Commission. In a companion work, W. Turrentine Jackson and Donald A. Pisani, *A Case Study in Interstate Resource Management: The California-Nevada Water Controversy, 1865–1955*, No. 142 (Davis, California: California Water Resources Center, May 1973), the historical causes of the water conflict leading to the formation of the compact commission are discussed.

<sup>2</sup> The process of negotiating and ratifying interstate compacts is derived from Article I, Section 8 (the Commerce Clause) of the Constitution of the United States: "The Congress shall have power . . . to regulate commerce with foreign nations, and among the several states, and with the Indian tribes."

<sup>3</sup> Joint California-Nevada Interstate Compact Commission, *California-Nevada Interstate Compact Concerning Waters of Lake Tahoe, Truckee River, Carson River and Walker River Basins*, (Reno, Nevada: 25 July 1968). Hereafter referred to as *California-Nevada Interstate Compact*. See also Roland Westergard, Memorandum on Nevada Compact Commission Members, 16 July 1971, Nevada Compact Commission Files.

<sup>4</sup> Jackson, *A Case Study in Interstate Resource Management: The California-Nevada Water Controversy, 1955–1968*, 44–48; Norris Hundley, Jr., "The Dark and Bloody Ground of Indian Water Rights: Confusion Elevated to Principle," *The Western Historical Quarterly* IX (October 1978): 454–482; *Reno Nevada State Journal*, 26 September 1968; Senator Alan Bible interview with author, Reno, Nevada, 14 February 1977.

<sup>5</sup> *Los Angeles Times*, 8 June 1969.

<sup>6</sup> *Nevada State Journal*, 14 December 1968.

<sup>7</sup> Pyramid Lake Tribe, News Release, 26 November 1968, Leland Papers, Special Collections Department, University of Nevada, Reno, Library.

<sup>8</sup> The Department of the Interior's position is stated in a letter from Walter Hickel to Robert P. Mayo, director of the Bureau of the Budget, dated 18 March 1969. The letter is contained in the Nevada Compact Commission's files.

<sup>9</sup> Interview with Roland Westergard, Chairman, Nevada Interstate Compact Commission and Director, Nevada State Department of Conservation and Natural Resources, Carson City, Nevada, 17 November 1980. Westergard became actively involved with the Compact in 1962 and is still the chairman of the Nevada Interstate Compact Commission. See also Roland Westergard, "The California-Nevada Interstate Compact concerning Waters of Lake Tahoe and the Truckee, Carson, and Walker River Basins," *Governmental Research Newsletter*, Bureau of Governmental Research, vol. 7, no. 5 (Reno, Nevada: University of Nevada, February 1969), 2.

<sup>10</sup> *Nevada State Journal*, 14 December 1968, 18.

<sup>11</sup> Department of Conservation and Natural Resources, State of Nevada, *General Fund Appropriations, 1960–1969*, Nevada Interstate Compact Commission Files. The legislative appropriation for the compact commission from 1960–1969 ranged from a low of \$15,345 in 1964–1965 to a high of \$51,677 in 1963–1964.

<sup>12</sup> California-Nevada Interstate Compact Commission, Nevada Interstate Compact Commission, *Minutes of Meetings*, September 1955 to November 1971, *passim*. California-Nevada Interstate Compact Commission, California Commission, *Minutes of Meetings*, September 1955 to November 1971, *passim*. These minutes are kept in the California State Library, Sacramento, California. Joint California-Nevada Interstate Compact Commission, *Minutes of Meetings*, September 1955 to December 1971, *passim*. These minutes are kept at the Nevada State Engineer's Office in Carson City, Nevada. These minutes are specific as to what was said, what occurred, and who was present at the meetings, including the audience.

<sup>13</sup> Nevada Interstate Compact Commission, *Minutes of Meetings* (Carson City, Nevada: 4 September 1969), 2.

<sup>14</sup> Nevada Interstate Compact Commission, *Minutes of Meetings*, *passim*. The roles that Ronald Westergard, Bolton Minister, James Johnson and Robert Leighton played on the Nevada Compact Commission are not determined from statements made in one or two meetings, but from their contributions to the commission over the years as noted in the minutes of the commission meetings, their public statements and their participation in the legislative process of both Nevada and California. For example, Robert Leighton and Bolton Minister testified before the Nevada Assembly Committee on Federal, State and Local Governments (*Minutes of Meetings*, 7 March 1969). James Johnson and Roland Westergard testified before the California Assembly Committee on Water, 18 November 1969. No other Nevada Interstate Compact Commissioner testified at either of these three hearings. The only California Compact Commissioners to testify were Hubert Bruns and William Gianelli. See Nevada Interstate Compact Commission, *Minutes of Meetings*, 25 November 1969, 2–4.

<sup>15</sup> *Sacramento Bee*, 3 December 1967, A1, A4; 4 December 1967, A1, A4; 7 December 1967, A1, A4; 8 December 1967, A1, A6.

<sup>16</sup> *Sacramento Bee*, 4 December 1968, A1. By 1968, the plight of Pyramid Lake was gaining national exposure in the press with the tone generally critical of the destruction of Pyramid Lake.

<sup>17</sup> *Sacramento Bee*, 3 December 1967, A1.

<sup>18</sup> *Ibid.*, 4 December 1967, A4.

<sup>19</sup> *Ibid.*, 5 December 1967, A4 and 6 December 1967, A1.

<sup>20</sup> For example, see "Nevada to Get Its Share," *Nevada State Journal*, 5 September 1968, 4; "Indians Urge Rejection of the Compact—Pyramid Tribe Claims Irrigation Water Loss," *Nevada State Journal*, 6 October 1968, 12; "Mixed Feelings over Dedication of a Dam" (Derby Dam Dedication), *Nevada State Journal*, 29 October 1968, 4; "Federal Government Asked to Abide by Nevada-California Water Compact," *Nevada State Journal*, 14 December 1968, 12. These articles tend to report events and detail the advantage to Nevada of the Compact.

<sup>21</sup> Roland D. Westergard to Governor Laxalt, Elmo DeRicco, members of the Nevada State Legislature, members of the California-Nevada Interstate Compact Commission, Advisors to the Commission, 19 November 1969, Nevada Compact Commission Files, 1964–1970, General Correspondence File, Carson City, Nevada.

<sup>22</sup> Roland D. Westergard to Assemblyman William Swackhamer, 19 December 1968; Roland D. Westergard to Senators John Fransway and Melvin Howard, 19 December 1968; Roland D. Westergard to Senators Warren Monroe, Boyd Manning, Assemblymen Norman Glaser, Rawson Prince, 19 December 1968; Roland D. Westergard to Bart. M. Schouweiler, 4 December 1968. There may have been other meetings but the Nevada Commission records of correspondence do not contain reference to them.

<sup>23</sup> Roland Westergard, interview with author, 17 November 1980.

<sup>24</sup> Robert Leland, memorandum, "Water for Pyramid Lake," 30 January 1970: 2, Leland Papers.

<sup>25</sup> California-Nevada Joint Compact Commission, *The California-Nevada Interstate Compact on the Water of the Tahoe Basin, Truckee, Carson and Walker River Basins*, adopted 29 October 1965.

<sup>26</sup> Pyramid Lake Tribal Council, *Minutes of Meetings*, 9 October 1964, 1,2.

<sup>27</sup> *Ibid.*, 2 September 1966, 2.

<sup>28</sup> Pyramid Lake Tribal Council, *Minutes of Meetings*, 7 January 1966, 7. The Pyramid Lake Council through its attorney, Robert Leland, prepared and distributed for the compact commission, the secretary of the interior, and other interested governmental agencies, "Comments on and Criticisms of the Proposed California-Nevada Compact as it Affects the Use and Development of the Lower Truckee River Area and the Lands Owned by the Pyramid Lake Indians" (7 October 1966), Leland Papers.

<sup>29</sup> Pyramid Lake Tribal Council, *Minutes of Meetings*, 9 October 1964, 1,2.

<sup>30</sup> Leland, "Water for Pyramid Lake," 6.

<sup>31</sup> Stewart Udall, Secretary of the Interior to Robert Mayo, Office of Budget and Management, 14 June 1969, Leland Papers. Excerpts of the letter are contained in Bureau of Governmental Research, "The California-Nevada Compact: Another View," *Governmental Research Newsletter* (Reno, Nevada: University of Nevada, March 1969), Vol. VII, No. 6, 4.

<sup>32</sup> Pyramid Lake Tribal Council, *Minutes of Meetings*, 6 May 1966, 2. See also Leland, "Water for Pyramid Lake," 6; Pyramid Lake Tribal Council, *Minutes of Meetings*, 8 July 1966, 1.

<sup>33</sup> Commissioner of Indian Affairs to Nevada Legislative Counsel, 25 September 1968, Leland Papers.

<sup>34</sup> John P. Frank to Secretary Stewart Udall, 7 May 1968, Leland Papers. John Frank was a member of the law firm Lewis, Roca, Beauchamp and Linton in Phoenix, Arizona. Robert Leland met with Secretary of the Interior Udall in Washington, D.C., in March and April of 1968. See Pyramid Lake Tribal Council, *Minutes of Meetings*, 7 March 1968, 1.

<sup>35</sup> Pyramid Lake Tribal Council, *Minutes of Meetings*, 3 November 1967, 1. Similar language was used in a tribal resolution calling for relief from Secretary Udall (Pyramid Lake Tribal Council, *Minutes of Meetings*, 14 July 1967, 1). "The Council resolved to demand that the Secretary of Interior take appropriate action as Trustee to establish, declare, and enforce the Tribe's water rights over and above the 'paper right' included in the Orr Ditch Decree for irrigation."

<sup>36</sup> Nevada State Democratic Party Convention, *Resolution 5-1-68* (Reno, Nevada: 1968), Leland Papers. American Society of Ichthyologists and Herpetologists, *Resolution*, 48th Annual Meeting, New York City, June 9–13, 1969, Leland Papers. Pyramid Lake Tribal Council, *Minutes of Meetings*, 1 March 1968. Resolution of the Inter-Tribal Council of California, Inc., "In Support of Water for Pyramid Lake," Re: ITC-1969-4, Z'berg Papers, California State Archives, Sacramento, California. See also John Belindo to Robert Leland, 21 November 1969, and Robert Leland to John Belindo, 7 November 1969, Leland Papers. These letters document a coordinated effort between the Pyramid Lake Tribe and the National Congress of American Indians to work for defeat of the Compact before the Nevada and California legislatures. See also American Indian Press Association, News Release, Washington, D.C., News Service, Leland Papers. Siskiyou County Indian Association to Governor Ronald Reagan, telegram, 3 August 1970,



Governor of California, Chaptered Bill File, Chapter 1810 (Sacramento, California: Governor's Office).

<sup>37</sup> Tina Nappe, "Statement before the Water Resource Committee," California Assembly, 22 April 1970, Z'Berg Papers.

<sup>38</sup> Tina Nappe to Assemblyman Edwin Z'Berg, 17 July 1970, Z'Berg Papers.

<sup>39</sup> Charles E. Springer to Nevada State Legislature, 10 February 1969. This is found at the Nevada State Archives, *Minutes of Meetings*, Assembly Committee on Government Affairs, 26 February 1969. See also Fred Gunskey, "Pyramid Lake," *Sierra Club Bulletin* (San Francisco: August 1970), vol. 55, no. 8, 8–11.

<sup>40</sup> Fred Gunskey, "Pyramid Lake," 10, 11.

<sup>41</sup> Dr. Richard Sill, interview with author, Reno, Nevada, 11 December 1980. See also Fred Gunskey, "Pyramid Lake," 11.

<sup>42</sup> Robert Leland, interview with author, 4 November 1977. See also Robert Leland to Assemblywoman Eileen Brookman, 17 December 1968, Leland Papers.

<sup>43</sup> Robert Leland, interview with author, 4 November 1977.

<sup>44</sup> California State Legislature, *Final Calendar of Legislative Business*, State Printing Office, Sacramento, California, 1969, 48, 62.

<sup>45</sup> *Reno Nevada State Journal*, 24 January 1969, 1.

<sup>46</sup> Roland Westergard, interview with author, 17 November 1980, Carson City, Nevada. See also interviews with Carl Dodge, 12 November 1977, Hal Smith, 18 November 1977, and Robert Leland, 4 November 1977, Reno, Nevada.

<sup>47</sup> Robert Leland, interview with author, 4 November 1977.

<sup>48</sup> Joint Hearing, Senate Committee on Federal, State and Local Governments, *Minutes of Meetings*, 29 January 1969, 6.

<sup>49</sup> *Ibid.*, 5.

<sup>50</sup> *Ibid.*, 7. Charles Springer subsequently wrote a letter to the Nevada legislature outlining the Sierra Club's specific objections to the proposed compact. His basic objection was that Pyramid Lake would be limited to 30,000 acre-feet per year under the compact.

<sup>51</sup> Charles Springer to Nevada State Legislature, 10 February 1969, *Minutes of Meetings*, of Committee on Government Affairs, 55th Session, Nevada State Archives, Carson City, Nevada.

<sup>52</sup> Russell McDonald to Hal Smith, 11 February 1969, found in *Minutes of Meetings*, Assembly Committee on Government Affairs, 11 February 1969.

<sup>53</sup> Robert Leland to Hal Smith, *Minutes of Meetings*, Assembly Committee on Government Affairs, 55th Session, 11 February 1969.

<sup>54</sup> Assembly Committee on Government Affairs, *Minutes of Meetings*, 11 February 1969, 4.

<sup>55</sup> *Journal of the Assembly*, 55th Session, 188. See also Nevada State Assembly, *Assembly History*, 55th Session (Carson City, Nevada: State Printing Office 1969), 28.

<sup>56</sup> Roland Westergard, interview with author, 17 November 1980.

<sup>57</sup> *Journal of the Senate*, 55th Session, 203.

<sup>58</sup> Donald R. Mello, *A.B. 60 Minority Report*, 1, Leland Papers.

<sup>59</sup> *Ibid.*, *passim*.

<sup>60</sup> *Journal of the Assembly*, 55th Session, 189.

<sup>61</sup> *New York Times*, 25 February 1969, 45–46, 51.

<sup>62</sup> John P. Frank, "The Status of the Pyramid Lake (California-Nevada) Compact—California Side," File Memo, 15 March 1969, Leland Papers.

<sup>63</sup> John J. Miller to Assembly Democratic Candidates, 29 July 1970, Leland Papers.

<sup>64</sup> Robert Leland, interview with author, 4 November 1977. See also A. Dobie Jenkins to John P. Frank (5 June 1970, Leland Papers) in which Jenkins evaluates their successful efforts in stopping passage of the Compact during 1969.

<sup>65</sup> John P. Frank, "The Status of the Pyramid Lake (California-Nevada) Compact—California Side," 1.

<sup>66</sup> Ronald B. Robie to Timothy Haller, 14 March 1977. This list of supporters comes from the files of the California Department of Water Resources in Sacramento, California.

<sup>67</sup> Hubert Bruns to Assemblyman Eugene Chappie, 1 August 1969, Leland Papers.

<sup>68</sup> Roland Westergard to Hubert Bruns, 21 April 1969, Z'Berg Papers. See also Nevada Interstate Compact Commission, *Minutes of Meetings*, 4 September 1969, 2.

<sup>69</sup> Hubert Bruns to Assemblyman Eugene Chappie, 1 August 1969, Leland Papers.

<sup>70</sup> *Ibid.* The legislative records do not specifically list who testified at each specific legislative hearing.

The minutes and supporting documents of the respective committees have not been preserved by those committees in California nor have they been preserved in the California State Archives.

<sup>71</sup> Senator Alan Cranston to Assemblyman George Milias, 11 March 1969, Leland Papers.

<sup>72</sup> Walter J. Hickel to Robert Mayo, 18 March 1969.

<sup>73</sup> *Nevada State Journal*, 20 March 1969, 1.

<sup>74</sup> *Sacramento Bee*, 18 March 1969, C5.

<sup>75</sup> Hal Smith, interview with author, 18 November 1977.

<sup>76</sup> *Reno Nevada State Journal*, 22 April 1969, 12.

<sup>77</sup> *Ibid.*, 23 April 1969, 2.

<sup>78</sup> *Ibid.*, 2 May 1969, 1. See also Thomas D. Whelan to Assemblyman George W. Milias, Legislative Opinion #9332, 30 April 1969, Z'Berg Papers.

<sup>79</sup> *Christian Science Monitor*, 5 May 1969, 2. This is one of a number of articles Kimmis Hendrick wrote about the compact and Pyramid Lake in the *Christian Science Monitor* during 1969 and 1970. See also *New York Times*, 20 July 1969, 36.

<sup>80</sup> Robert Leland to George Milias, 10 July 1969, 2, Leland Papers. See also *Nevada State Journal*, 18 July 1969, 1.

<sup>81</sup> *Sacramento Bee*, 17 July 1969, A5.

<sup>82</sup> Ronald Robie to Timothy Haller, 14 March 1977; *Final Calendar of Legislative Business*, 55th Session, 62; *Sacramento Bee*, 8 September 1969, A1.

<sup>83</sup> William Hunt Conrad to Robert Leland, 3 February 1970. See also *Final Calendar of Legislative Business*, 1970, 448.

<sup>84</sup> Assembly Committee on Water, *Interim Study*, 1, 2, 4-6.

<sup>85</sup> *Nevada State Journal*, 23 April 1970, 18.

<sup>86</sup> George H. Murphy to Carley V. Porter, "California-Nevada Interstate Compact (A.B. 1350)," Legislative Counsel Opinion #9464, 29 May 1970, Leland Papers, 4, 5.

<sup>87</sup> H. Donald Harris to Louis B. Allen, 20 April 1970, Leland Papers. See also *Reno Nevada State Journal*, 23 April 1970, 18.

<sup>88</sup> Tina Nappe to Edwin Z'Berg, 17 July 1970, Z'Berg Papers.

<sup>89</sup> *Sacramento Bee*, 23 April 1970, A1.

<sup>90</sup> *Ibid.*

<sup>91</sup> *Ibid.*, A24.

<sup>92</sup> *Ibid.* Native Americans occupied Alcatraz Island during 1970, asking the federal government to give the Indians the island for use as a Native American cultural center. The Indians' efforts failed, but the occupation served as a focus for the plight of Indians in America.

<sup>93</sup> *Ibid.*

<sup>94</sup> *Nevada State Journal*, 22 July 1970, 1.

<sup>95</sup> *Sacramento Bee*, 28 July 1970, A1.

<sup>96</sup> *Reno Nevada State Journal*, 22 July 1970, 1.

<sup>97</sup> Assembly Committee on Water, *Interim Study*, 7, 9.

<sup>98</sup> H.R. 6078, 93rd Congress, 1st Session, introduced by Mr. Johnson (California), 15 March 1971.

<sup>99</sup> *Nevada State Journal*, 22 July 1970, 6.

<sup>100</sup> Rogers Morton to Michael O'Callaghan, 14 June 1971. This is found in the correspondence of the Nevada Compact Commission.

<sup>101</sup> *Nevada State Journal*, 22 July 1970, 6.

<sup>102</sup> Department of the Interior, "Analysis of 'California-Nevada Interstate Compact Concerning Waters of Lake Tahoe, Truckee River, Carson River and Walker River Basins,'" 12 January 1966, Leland Papers.

<sup>103</sup> William Veeder to Leon F. Cook, 11 July 1971, "Violation of Presidential Mandate Pervades the Proposed Consolidated Federal Position, California-Nevada Interstate Compact," Leland Papers.

<sup>104</sup> Senator Alan Bible, interview with author, 14 February 1977. See also interview with Alan Bible, 1 May 1981, Reno, Nevada.

<sup>105</sup> Donald J. Pisani, "The Strange Death of the California-Nevada Compact: A Study in Interstate Water Negotiations," *Pacific Historical Review* (December 1978): 657-658.

<sup>106</sup> E. E. Schattschneider, *The Semisovereign People* (New York: Holt, Rinehart and Winston, 1960), 4-5.

<sup>107</sup> Pisani, "Strange Death," 656-657.

## BOOK REVIEWS

*Las Vegas: A Desert Paradise.* By Ralph Roske. (Continental Heritage Press, Tulsa, Oklahoma, 1986, 224 pp., illustrations.)

A GLANCE AT A WORLD WAR I ERA MAP OF NEVADA reveals the hundreds of mining and railroad towns and colorful place names scattered across the landscape. Of course, they are a mirage. They are on the map, but they are not there. They are even more elusive than the numerous Nevada rivers emptying into dry lakes. Over 500 ghost towns have melted back into the desert sands, a handful have survived and one railroad town has become a city soon to claim a million people. Ralph J. Roske, in *Las Vegas: A Desert Paradise* presents this unusual oasis. Roske highlights the city's flamboyant successes, its short history, its hurried memories, and perhaps inadvertently, a touch of the coarse and the comic.

*A Desert Paradise* is a coffee table pictorial and plenary commentary on the founding, desert setting, railroad supported, gambling oriented, and most unconventional entertainment center in America. Within the work's 224 pages there are almost 250 black and white photos, some twenty-two color plates, reproductions of maps, explorers' routes, sketches, drawings, settlement patterns, and cityscapes.

In *A Desert Paradise* the photographs and the text are coequal. One senses that the author hopes that the pictures will capture what words cannot. Standing on the shoulders of the camera, Roske has given us artistic detail and the broader view of an evolving Sunbelt city. Unfortunately coffee table books seldom reveal the vulnerable heart or the complexity of late twentieth-century urban life. For example, it is not suggested that Las Vegas has problems in self-perception, or that it has felt removed, or distant, or ambivalent. There is little discussion of the city's search for identity. It is never pictured as vagabond, rebel, or truant. The book is somewhat less history than a journal of reports and events. The city has perhaps only recently consolidated its cultural assets and nourished its roots of moral and social obligation.

Roske notes water, explorers, railroads, agriculture, but does not focus on environmental issues. He shows petroglyphs, Lake Mead, Red Rock and other natural wonders but finds them spokes and not the hub of the Las Vegas urban wheel. Perhaps like most new cities, Las Vegas communicates more signs than references, more images than meaning. Sometimes the entire Sunbelt seems to reflect little except itself; it does not see growth as a possible encroachment of ugliness. In the case of Las Vegas the sheer quantity of glitz

and glitter, the endless production of electronic imagery has a way of usurping both tradition and the environment.

*A Desert Paradise* should be perused as a sort of light pleasant relief with the photos providing a vivid reminder of the rapid changes that have shaped and reshaped the 85-odd years since the Los Angeles and Salt Lake Railroad Company auctioned town lots on May 15, 1905. The book is not designed as a literary or scholarly tribute, rather it is color and entertainment, the biography of a city—a city which has dramatically bridged the gulf between the Old and the New America.

After World War II American attitudes on sex, nudity, Sunday recreation, and gambling began to change. Las Vegas forged ahead of the social mainstream and became a pacemaker in popular entertainment. Indeed, it was the rapid democratization of recreation, the sexual revolution, the feminist revolt that allowed for the evolution of contemporary Las Vegas. It was necessary for the old forms—like men gambling in the drab half-lit back room of a bar, and racial exclusions—to be swept away so that the state could become the purveyor of the modern barrier-free amusements. As censorship by church, state, and other authorities collapsed, women as well as men, minorities as well as the masses came to the southern Nevada shrines of pleasure and equality.

By the early sixties Tom Wolfe saw Las Vegas as a “profound symbol” and a “founding muse” of the new style of life then emerging in the United States. He christened the city “the Versailles of America.” Of course, Las Vegas was being created by a different social class than Louis XIV’s baroque Versailles. The Nevada city was designed by and for proletarians, petty-burghers, investors, and rogues, mainly from the West Coast, who made money during World War II. Uneducated but shrewd men accumulated enough wealth to finance a monument to themselves and to launch a profitable industry representing garish forms and tastes. This social avant-garde was for a time ignored except by the peddlers of sleaziness and those seeking cheap sensationalism. But the democratic masses responded, and the gaudy kingdom in the desert became part of an American fantasy.

During recent decades Las Vegas has moved beyond merely responding to American consumerism. It has acquired the power to dictate appetite. It radiates an artistic and social image of forensic brilliance. In a recent architectural study of Las Vegas, *Learning From Las Vegas* the authors (Venturi, Brown, and Izenour), present what appears to be the outrageous argument that as the city became symbolically attractive it came to represent “the aspirations of almost all Americans. . . . Los Angeles will be our Rome and Las Vegas our Florence.”

Ralph J. Roske arrived in Las Vegas during the summer of 1967 to become Director of the School of Social Science and Professor of History at the University of Nevada. After serving in many academic and administrative capacities

ities he retired in December 1988. Roske is a Mid-Westerner, having received degrees from DePaul University and the University of Illinois. He moved west in 1949 and in 1955 accepted a position at Humboldt State College. Roske quickly became involved in writing western history and in 1968 won the Silver Medal from the Commonwealth Club of California for his *Everyman's Eden: A History of California*. Over the years he has researched and written widely, on subjects ranging from President Lincoln to the California deserts, from Barbara Fritchie to the Virgin Valley of southern Nevada. He has been an active member of national, state, and local societies, won awards from UNLV and the State Bar of Nevada and been included in the nation's leading scholarly and public directories. His work on Las Vegas is clearly a labor of love.

Wilbur S. Shepperson  
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*New Directions in American Indian History*. Edited by Colin G. Calloway. (Norman and London: University of Oklahoma Press, 1988, x + 262 pp., introduction, preface, bibliographies, index.)

INTEREST IN AMERICAN INDIAN HISTORY was growing rapidly in 1972. That year, responding to scholars' needs for bibliographic guidance, the Newberry Library's freshly-established Center for the History of the American Indian launched a series of thirty short bibliographies, published by the Indiana University Press. Designed to provide a comprehensive introduction to work on selected topics in Indian history, the project was an exemplary success. Now the center (since renamed in honor of D'Arcy McNickle, its first director) intends to build on this foundation through a new series under the general editorship of Frederick E. Hoxie. Appearing at three-year intervals, volumes of essays reviewing literature and trends in scholarship will alternate with bibliographic lists of recent publications. *New Directions in American Indian History* is the first book of essays in this series. It is a useful collection—uneven in quality, but rich in ideas and extensive in its coverage of recent literature.

Part One of *New Directions*, six chapters that make up three-fifths of the book, is entitled Recent Trends. It is presented as a collection of essays focussing on publications in "six aspects of American Indian history that have received considerable attention in recent years." Quantification, the aspect that probably has the potential for broadest application, is addressed first. In

a balanced essay, Melissa L. Meyer and Russell Thornton acquaint the reader with some notable efforts at quantification, while simultaneously cautioning that the data base for studies in American Indian history is often inadequate and/or inaccurate, and the statistical methodology difficult to master. Caveats notwithstanding, Meyer and Thornton conclude their essay with a plea for historians to persevere in the face of formidable obstacles. They correctly assert that the potential for using quantitative methods in the study of American Indian History is too great to be ignored any longer, no matter what the attendant problems.

Other chapters in Part One include essays on the literature of Indian women's history, Métis history, the idea of a multi-sided frontier in the Southwest, Indians and the law, and twentieth-century Indian history. Each is accompanied by an extensive list of references, and all are commendable for directing our attention toward subjects and methodologies that merit more energetic exploration than they have received in the past. Stimulating though the essays may be, however, several seem as much reflective of an author's political and social enthusiasms as of commitment to historical scholarship.

Part Two, *Emerging Fields*, benefits by comparison. A solid essay entitled "The Importance of Language Study for the Writing of Plains Indian History," by Douglas R. Parks, transcends its Great Plains orientation. It is better read as a well-reasoned argument for routinely making linguistic analysis a part of historical and anthropological studies of *all* American Indians. Parks suggests that the historical record may be badly flawed as a result of phonetic misrepresentation or misunderstanding of the meaning of words in Indian languages. He provides a number of convincing examples, imbedded in an essay that does double service as a review of the literature and an introduction to some fundamental concepts of linguistics. Competent essays on applying economic theory to Indian history and on historical changes in Indian religions complete Part Two.

*New Directions* is a reasonably good guide to much that is new and some that is old in the field of American Indian history. Over 600 publications are listed, and readers are treated to essays by authors—three of them American Indians—whose work has not previously received broad exposure. Some provocative, discussion-inducing ideas emerge from the book's admirably interdisciplinary content. Still, for all its virtues *New Directions* does not exactly deliver what it seems to promise. From the editor's preface one expects (and this reviewer desires) Part One to "review" or to "organize and evaluate" publications that have appeared since 1983. It does not. While many works are listed, there is less review and evaluation than there is thumbnail description; and at least one contributor (Deborah Welch on Indian women's history) surveys primarily works published before 1983. In addition, the activist, advocacy stances taken by several of the contributors strike a jarring, if



not unexpected, note. Academia has its fashions, and providing a forum for this sort of thing in scholarly publications is but one of the latest. It may also be one of the least productive.

R. T. King  
University of Nevada, Reno

*Drylands: The Deserts of North America.* Photographs and text by Philip Hyde. Introduction by David Rains Wallace. (New York: Harcourt, Brace, Jovanovich, 175 pp., 1987, introduction, illustrations, bibliography, index.)

THIS \$75 COFFEETABLE BOOK ABOUT THE PAINTED, Great Basin, Mojave, Sonoran and Chihuahuan deserts by photographer Philip Hyde provides ninety-five color plates, remembrances of forays through each of the deserts, and lucid descriptions of geography and natural life therein. Writer David Rains Wallace contributes an introduction to the evolution of desert life in the Americas, as well as notes on plants and animals, further illustrated by the line drawings of Vincent Perez.

As a piece of livingroom furniture, it is well-designed and beautifully printed. The texts by Wallace and Hyde are thorough, informative, at brief moments lyrical. The volume is a pleasant addition to a collection of nature or landscape photography books, though not essential to any. The reason why is stated by Hyde in his "Photographer's Afterword:"

I am interested primarily in what Emerson called "the integrity of natural objects." Natural places, too, have integrity. They express wholeness and individuality, and it is this sense of place that is the foundation of my work. My life is photography and has been taken up in exploring natural places for their beauty and uniqueness.

Hyde carefully frames his scenes through the exclusion of all elements foreign, unnatural, intrusive. With few exceptions, both photographs and text manage this, only rarely alluding to the presence of RV's and 4-wheelers, highway construction and aerial bombing runs. It is not that Hyde is unaware of such realities rapidly encroaching upon a fragile, diminishing resource. But *Drylands* deliberately avoids these confrontations in order to preserve, perhaps to attempt to create, a hypothetical purity. In so doing, *Drylands* becomes an expensive repository for what we merely expect from the desert. While the photographs are handsome illustrations of a place, they fail to educate or enlarge our vision.

By comparison, witness photographs by Richard Misrach in *Desert Cantos* (University of New Mexico Press, Albuquerque, 1987), a rigorous, direct interaction between photographer and desert. In Misrach's work thousands of RV's line up to witness space shuttle touchdowns in the Mojave, and migrant workers naively torch irreplaceable joshua trees. This is the real desert of the late twentieth century—an arid mindset not only capable, but demanding, of ecological destruction. Misrach's recent Great Basin works, such as photographs of the Bravo 20 bombing range in Nevada's Dixie Valley, document conclusively, unforgettably—and yes, beautifully—the illegal and systematic traumatization of Philip Hyde's territory. This is what we need to see, unfortunately, in order to understand our relationship to nature at this point in time.

Hyde's text does not reflect the concerns for the desert environment expressed by other contemporary writers. It is not that Hyde is inaccurate, but ferociously selective. Compare Hyde's rhapsodies to Edward Abbey's entries in the now-classic *Desert Solitaire*. Compare the absence of human creation and destruction in *Drylands* to the preternatural, almost hallucinatory night vision of Charles Bowden in *Blue Desert* (University of Arizona Press, Tucson, 1986). Bowden writes about the edge of civilization chewing slowly into the wilderness and captures in text what Misrach pursues in image—a mutual degradation of people and the land through overexposure to each other. Greed, ignorance, misery, happenstance emerge in Marc Reisner's *Cadillac Desert* (Viking Press, New York, 1986), which is an exhaustive, ironically entertaining, analytical yet journalistic, history of water policy in the American mind and desert. While Bowden addresses the small, cumulative lesions, Reisner reconstructs the grandiose destruction by governments—the erection of dams and diversions of rivers, the hothouse thirst of Las Vegas, Phoenix and Tucson grafted to our deserts.

These books by others demonstrate that photographs and words can do more than compose picture postcards. Philip Hyde, a genuinely concerned and informed environmentalist, knows this. Presumably, so might the editors at Harcourt, Brace, Jovanovich. Shamefully, *Drylands* presents a false idyll. There is an obligation by artist and publisher to at least acknowledge what the reader's peripheral vision senses outside the frame and off the page. Without any visual edge to cut through the pastel cliches, this becomes a high-quality, sofa-sized book to match the pillows.

William L. Fox  
Reno, Nevada

*Battling For National Parks.* By George B. Hartzog, Jr. With introduction by Stewart L. Udall. (Mt. Kisco, NY: Moyer Bell Limited, 1988, 276 pp., index.)

*Battling For National Parks* IS THE LATEST WORK to emerge from an important government official who served in President Lyndon Johnson's "Great Society." While the problems of civil rights, the war in Vietnam, and the counter-culture commanded center stage, few issues were more explosive or controversial than the establishment of national parks. Hartzog's story compliments and enhances the record left by other park directors from Horace M. Albright to Conrad Wirth. It is a valuable contribution to our understanding of the complex issues and problems that confront management of the national park system.

Hartzog began his career with the National Park Service in 1946 as an attorney and later served as superintendent of the Jefferson National Expansion Memorial Historic Site (JMEM) in St. Louis. In 1960 he left the Park Service for a brief period, only to return a year later as associate director, then director when Conrad Wirth retired in 1964. He managed the National Park Service until 1972 and had the good fortune to preside during a period of unprecedented growth and expansion of park facilities.

Hartzog's book is written in the first person, drawing on his experiences in Washington, D.C. It is rich in detail, often humorous, insightful, and revealing, as well as a serious treatment of the subject. For western historians concerned with the issues swirling around land-use policy, names such as Clinton Anderson, Gaylord Nelson, Morris Udall, Stewart Udall, John Saylor, and John Dirgell are important for their support of an expanded national park program. However, Hartzog has added to this impressive list the name of Nevada Senator Alan Bible, whom he credits for having the greatest effect on national park expansion during the critical decade of the 1960s (sixty-nine new parks, p. 136). Bible is little known outside of Nevada, and his work as chairman of the Senate Subcommittee on Public Lands and later Parks and Recreation has largely gone unnoticed by western historians as well as students of Nevada history.

According to Hartzog, "Senator Alan Bible, . . . more than any other in the Congress, held the keys to life and death for the National Park System" (p. 203). Moreover, he credits Bible with saving millions of acres of pristine Alaskan lands for preservation in the national park system (pp. 137, 213). From Hartzog's work, Bible emerges from the shadowy past to become the prime mover in the battle for national parks. This is a major contribution to the historiography of Nevada and the West as well.

For those familiar with the works of Roderick Nash, Alfred Runte, Samuel P. Hays, Elmo Richardson, and others, Hartzog's book may prove slightly disappointing. It is not a history of national park legislation from 1964-1972, nor is it a theoretical treatment of the subject, although both are covered in

some detail throughout the book. Rather, the author has elected to explain the complicated process by which park legislation was enacted through the interaction of the executive and legislative branches of government. Any dissatisfaction with the treatment of some topics is more than compensated by the overall contribution of this book, which deserves to be read by historians as well as the public.

Gary E. Elliott  
*Las Vegas, Nevada*

*Family Farming: A New Economic Vision.* By Marty Strange. (Lincoln and London: University of Nebraska Press and San Francisco: Institute for Food and Development Policy, 1988, 311 pp., preface, introduction, references, index.)

THE LAST DECADE HAS SEEN AN OUTPOURING of work detailing the diverse and complex set of relationships that govern the natural world. Farmers, biologists, botanists, poets, rural activists, and sundry naturalists have increased our understanding of these natural connections. They have taught us how, by encouraging natural diversity, we may enhance agricultural productivity and restore social vitality.

Marty Strange is one of these writers. His newest book, *Family Farming*, is a marvelous work directed to an analysis of the American farming milieu; it is not simply another treatise on the family farm. The "new vision" of the subtitle is the necessity, as Strange sees it, of establishing a farm policy which recognizes the diversity of American farms and farming, one that understands the variety of natural conditions under which farmers operate and encourages a prudent response to their immediate situation. He argues for a farm policy which supports *all* farms by its implicit understanding that the organization of farms must necessarily respond to the organization of the natural world. That is, farms must be diverse in their orientation to market forces. By growing a variety of crops, farms and hence farmers will all be wealthier than they are under the current industrial regimen.

For years American farm policy has been based on the proposition that economies of scale pervade agriculture and thereby imply that the only good farms are big, i.e., corporate farms. This has meant that the large-scale farm is viewed as the logical successor to the small and hence "inefficient" family farm.

The impetus for writing this book lies in Strange's analysis of the most recent of American farm crises, that of the early 1980s. The crisis was a farming one, to be sure, but as Strange points out, the crisis was primarily one of farm liquidity. Those who had borrowed on the upside of the business cycle

were not able to make payments on their loans in the downside of that cycle. Paradoxically, the vast majority of the farms which were/are least able to do so were/are the very large, capital intensive units that had been extolled as being in the vanguard of American agriculture.

Strange carefully analyzes the available data from the USDA and other sources to show that the efficiency of these large farms is superficial. Their efforts do not translate to larger profits. The data indicate that the most profitable farms tend to be the small and medium-sized ones. Larger, more capital intensive farms are shown to be brittle, best able to exist so long as prevailing business and natural conditions are favorable. In the face of adverse conditions of any sort, these farms will be the ones most likely to fail. Again, Strange shows that the smaller-sized units are the most resilient.

It is not difficult for Strange to find the key to this situation. Smaller farms in this country often produce, rather than purchase, many of their own inputs and thereby increase their productivity. Moreover, this "internal" production of inputs is also cost-efficient and suggests, in turn, that these smaller farms will have lower unit costs. In this manner, we come to know that these officially "inefficient" farms are the technically and economically productive farms in this country.

It seems that the trick to understanding the difference between the small and large-scale farms lies in knowing how they define their constraints. The large scale farms view the natural world as a constraint that capital intensive methods can help to overcome. In contrast, the smaller units see capital as a constraint that can be mitigated by a proper understanding of the natural world. The difference is profound. The former case, where chemical products are commonly used, produces anxiety about the safety of food. The latter case does not. It produces better food and a relatively greater return for the farmer and the community in which he lives.

The foundation upon which Strange would build a new farm policy is relatively simple and, by his own admission, can be summarized briefly: "A farmer should be able to pay for farmland by farming it well. A farmer should have to farm it well. A farmer should have to pay for land by farming it, and by no other means. There should be no motive for owning farmland other than to make a living farming it well." To one who grew up on a farm, such a proposal seems obvious.

I would urge you to read this book by Marty Strange. I would further urge the reader to seek out books written by like-minded authors: Wendell Berry, Wes Jackson, Gary Snyder, Gary Paul Nabhan, and Masanobu Fukuoka among others. In all of them one will find an agricultural wisdom and subtlety that will help sustain all.

Mike Reed  
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*The Trampling Herd*. By Paul I. Wellman. (Lincoln and London: University of Nebraska Press, 1939. Reprint, 1989, 433 pp., index, illustrations.)

PAUL WELLMAN'S *Trampling Herd* TRACES the epic adventure of cattle raising in the United States from 1521, when Hernán Cortés introduced the ancestors of the fabled Texas longhorns to North America, to the Great Depression of the 1930s, when it seemed that the cattle ranch might well become an anachronism doomed to disappear. Mostly, though, this book is about the open range, and how it came to be closed. That it is the liveliest, most readable survey yet to appear—even a half century after its initial publication—there can be little doubt.

Journalist, novelist, lay historian, Paul Wellman was especially adept at turning a phrase, and in retelling a tale. His succinct syntheses of such yarns as how Shanghai Pierce came to eat his own rustled beef, how Ike Pryor's advice concerning Indian relations cost him a cow, and how Joseph G. McCoy came to establish terminal railroad facilities in Abilene are as well-told as anywhere in the literature of the range and ranch cattle industry. Wellman's narrative also includes some seldom-told tales, as with the *Comancheros* who, along with wild Indians, kept ranchers off the Panhandle Plains of Texas for at least half a century.

It also perpetuates myths, such as cattlemen and sheepherders were invariably mortal enemies. However much conflict was engendered by the contest over public grass in Colorado, New Mexico, and Wyoming, this simply was not the case in Texas—the cradle of the industry—where ranchers such as Richard King and Mifflin Kennedy ran both animals side-by-side. But harmony does not sell books, which is probably why Wellman devoted a disproportionate amount of space to the likes of Wyatt Earp and Hollywood-style trail-town gunsmoke, much of it unrelated to the cattle industry.

Well received when it first appeared, this book's shortcomings are far more evident in 1989 than half a century ago. The author of numerous tomes, Wellman wrote fast—too fast to catch frequent misrendering of names, as with cattleman-drover John T. Lytle. A dearth of citations that bothered few reviewers in 1939 is of little importance to present-day knowledgeable readers, who will be able to discern where Wellman found his information; however, the layman or the beginning student may well be lulled by his brief essay, "Some Books to Read," into believing that the dozen works Wellman cites—including Stuart Lake's much criticized *Wyatt Earp* (1931)—represent the best there is on the subject. Like *The Trampling Herd* itself, much of what has appeared in print in the last fifty years—Wayne Gard's *Chisholm Trail* (1954) and John Schlebecker *Cattle Raising on the Plains, 1900-1961* (1963), to cite merely a couple—are clearly superior.

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*Tim McCoy Remembers the West: An Autobiography.* By Tim McCoy, with Ronald McCoy. Preface to the Bison Book Edition by Ronald McCoy. (1977; Bison Book ed., Lincoln and London: University of Nebraska Press, 1988, 274 pp. illustrations, index.)

READERS OF THIS VOLUME WILL COUNT THEMSELVES fortunate that Tim McCoy (1891-1978) remembered so much about the West. Certainly the author deserves to be remembered by coming generations of Americans, not just the audiences who thrilled to his western films. Those who saw him on the screen will recall a man of dignity and intelligence who, despite his straight-arrow bearing, projected jauntiness and good humor as well.

Tim McCoy's recollections, however, are mostly of his pre-Hollywood career. Beginning with his birth to Irish immigrant parents in Michigan, he takes us through his years as a cowboy rancher in Wyoming, stateside cavalry service during World War I, a stint as Wyoming's adjutant general, and his long and close relationship with Indians, especially the Arapaho. In the course of his association with Native Americans he became a recognized authority in sign language. In fact, it was his intimate knowledge of Indians and their culture that led to his film career. Although he does not mention it, one of the characteristics of a Tim McCoy movie was the message—delivered long before it was fashionable to say so—that white Americans have treated their red brethren shabbily.

His account of his 1924 meeting with Wovoka (Jack Wilson) will be of interest to many Nevada readers. Even though the encounter allowed him to participate in an actual Ghost Dance at this late date, McCoy was unfavorably impressed with the Paiute messiah.

His motion picture career spanned both the silent and sound eras. It virtually ended when he rejoined the army after Pearl Harbor. He notes that a few younger celluloid heroes "were content to do their bit on the back lot of a studio. Ironically, some of them would later become the most rabid of America's super-patriots." (p. 251). McCoy, ever the gentleman, mentions no names, but readers will have little difficulty in coming up with at least one prominent example of this phenomenon. Following the war, Colonel Tim McCoy reached smaller audiences through circus performances and a Los Angeles television program. A happy second marriage produced son Ronald (named for his best Hollywood friend, Ronald Colman), a professional historian who assisted in the writing of this thoroughly enjoyable book.

Michael J. Brodhead  
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## NEW RESOURCE MATERIALS

### *Nevada Historical Society*

#### WOMAN'S CHRISTIAN TEMPERANCE UNION RECORDS

In studying the development of any political state or culture, the historian must consider economic and social forces as well as political events. Among other factors, the influence of diverse private organizations needs to be examined. With this in mind, the Society over the years has collected a variety of organizational records, ranging from those of fraternal and professional associations to cultural, civic, and service clubs. Among the records are those of numerous women's organizations, such as the Nevada Federation of Women's Clubs, the Nevada Federation of Business and Professional Women's Clubs, the Soroptimist Club of Reno, the Goldfield Women's Club, the Nevada State Society of the Daughters of the American Revolution, the Reno Women's Civic Club, the Nevada Nurses Association, the Twentieth Century Club, and—as the result of a recent donation—the Woman's Christian Temperance Union of Nevada.

The national Woman's Christian Temperance Union and its president, Frances Willard, established a Nevada state union in 1883. Five years later, fifteen local clubs were in operation and affiliated with the state organization. The peak of the WCTU's influence occurred during the Progressive Era and the years of national Prohibition, when it constituted a significant political and social reform lobbying force. Since then, its membership and the number of its local clubs have declined, but it is still active in Nevada and nationally through support of various charitable and educational programs.

The records received by the Society cover the years from 1885, when the first Nevada state convention was held, to 1987, and contain material from both the state organization and local unions (chiefly the affiliate in Reno, but also those in Sparks, Smith Valley, Fallon and other places). There are minutes of general and executive board meetings, financial and membership records, correspondence, reports on activities, scrapbooks, handbooks and other publications, legal documents, and a number of artifacts that were used at meetings and conventions. Among the individuals associated with Nevada WCTU activities whose names are prominent in the records are Lucy Van Deventer, Mary Franzman, Ida Douglas, Alice Chism, and Harriet Arentz, wife of the state's longtime congressman, Samuel Arentz.

The Society wishes to thank the Nevada Woman's Christian Temperance Union and its current president, Crystal Broady, for the donation of a major collection that will undoubtedly be of value to those studying the political and social evolution of Nevada.

Eric Moody  
*Manuscript Curator*

*Special Collections Department*  
*University of Nevada, Reno*

The records of the 1989 Special Olympics International Winter Games have been donated to the Special Collections Department. Still in processing, these include records from the public relations department and will eventually be joined by records from the administrative offices. The eight cubic feet of Public Relations records include samples of press packets, thousands of photos and slides and video tapes of the events and venues, and information documenting the production of the games and their impact on the Reno area. A guide to the collection is in progress.

The records of the California-Nevada Creamery Company have been acquired and are now available for research. The records, consisting of 2.5 cu. ft. and dating from 1891-1899, include minutes, incorporation documents, correspondence, monthly reports, and financial records of the company which had farms in the Carson, Smith, and Mason Valleys; at Fort Churchill; and at Novato, Marin County, California.

Two collections of Great Basin National Park papers were recently acquired. The first collection was donated by Mrs. Richard (Marge) Sill and documents Dr. Sill's efforts to have the Snake Range declared a national park in the 1950s and 1960s. Of special interest is the correspondence from Sill to his colleagues, plotting strategy against Senator Howard Cannon, and reports of Sierra Club outings exploring the Wheeler Peak region. The second collection was transferred to the Department from the University Archives and contains correspondence from the university president and other officials who took an active role in the 1950s in promoting the idea of a national park for the Snake Range.

The Andrew H. Scott papers were donated to the department by Douglas Smith of Lovelock. Scott was an assayer in Manhattan and Lovelock and active in a number of fraternal and service organizations. He also served under William (Billy) Mitchell during World War I. This collection dates from 1907-1979 and documents his many activities and interests.

Susan Searcy  
*Manuscript Curator*

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### **ERRATA**

The date in the legend under the figure preceding the memoriam to Mrs. Andy Welliver (Vol. XXXII, No. 2, Summer 1989, *Nevada Historical Society Quarterly*) should read 1968—not 1989.

# NEVADA HISTORICAL SOCIETY



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FOUNDED IN 1904, the Nevada Historical Society seeks to advance the study of the heritage of Nevada. The Society publishes scholarly studies, indexes, guidebooks, bibliographies, and the *Nevada Historical Society Quarterly*; it collects manuscripts, rare books, artifacts, historical photographs and maps, and makes its collections available for research; it maintains a museum at its Reno facility; and it is engaged in the development and publication of educational materials for use in the public schools.