

RESOLUTION

of the

UPPER COLORADO RIVER COMMISSION

Concerning

A Proposal by the Galloway Group, Ltd., to  
Lease Water Apportioned to the Upper Basin States  
to the San Diego County Water Authority

WHEREAS, the Galloway Group, Ltd., of Meeker, Colorado has developed and is attempting to implement a proposal to lease from 300,000 to 500,000 acre-feet of the water, apportioned to the Upper Colorado River Basin by the 1922 Colorado River Compact and apportioned among the Upper Basin States by the 1948 Upper Colorado River Basin Compact, to entities in the Lower Colorado River Basin; and

WHEREAS, the Galloway Group executed an "option agreement" with the San Diego County Water Authority of California on August 29, 1984, and proposes to enter into a "water service agreement" with the Authority by January 15, 1985, the term of which would begin in 1990 and extend for a period of 40 years; and

WHEREAS, the water to be leased to the San Diego County Water Authority purportedly would be charged against the beneficial consumptive use apportioned to the Upper Colorado River Basin in perpetuity by the Colorado River Compact; and

WHEREAS, the Galloway Group's proposal or similar proposals would appear to violate the "Law of the River"; and

WHEREAS, the Upper Colorado River Commission finds from its review of the Galloway Group's proposal that there are serious legal and institutional problems which do not appear to be amenable to resolution and which threaten comity among the States:


NOW, THEREFORE, BE IT RESOLVED by the Upper Colorado River Commission at its Special Meeting in Las Vegas, Nevada on December 14, 1984, that the Upper Colorado River Commission recommends that no Upper Division State enter into or permit the lease or sale of water allocated to the Upper Colorado River Basin by the Colorado River Compact, as proposed by the Galloway Group, Ltd., for use outside the boundaries of the Upper Basin States;

BE IT FURTHER RESOLVED, that the Executive Director and Secretary of the Upper Colorado River Commission be directed to transmit a copy of this resolution to the Governors of the seven Colorado River Basin States, the Acting Commissioner of the Bureau of Reclamation, responsible water officials in each of the Colorado River Basin States, the Chairman of the San Diego County Water Authority, and the Executive Vice President of the Galloway Group, Ltd.

CERTIFICATE

I, GERALD R. ZIMMERMAN, Executive Director and Secretary of the Upper Colorado River Commission, do hereby certify that the above Resolution was adopted by the Upper Colorado River Commission at the Special Meeting held in Las Vegas, Nevada on December 14, 1984.

WITNESS my hand this 17th day of December, 1984.

  
GERALD R. ZIMMERMAN  
Executive Director and Secretary