



State of Arizona

COLORADO RIVER BOUNDARY COMMISSION

Report

on

**ARIZONA-CALIFORNIA
BOUNDARY**

Submitted Pursuant to
CHAPTER 36, ARIZONA LAWS OF 1959

January, 1960

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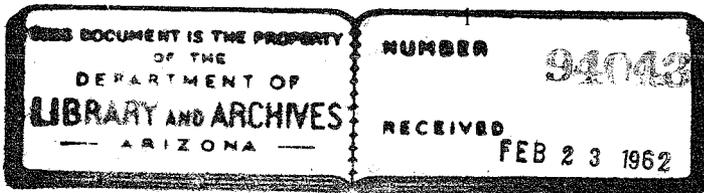
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COLORADO RIVER BOUNDARY COMMISSION
of
ARIZONA

January 1960

Honorable Paul Fannin, Governor
and Members of the Legislature
of the State of Arizona

Gentlemen:

Submitted herewith is a report covering the activities of the Colorado River Boundary Commission of Arizona since March, 1955. This report is submitted pursuant to ARS Sec. 41-522, Ch. 36, Laws 1959.

Agreement must still be reached with the California Commission on the location of the boundary line in the Yuma area before a final recommendation can be submitted to the legislature for approval. Negotiations are still continuing.

Negotiations with the State of Nevada over the common boundary line between Arizona and Nevada are made the subject of a separate report.

Respectfully submitted,

COLORADO RIVER BOUNDARY COMMISSION

By: Wayne M. Akin, Chairman

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1959
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ORGANIZATION

COLORADO RIVER BOUNDARY COMMISSION OF ARIZONA

Members of the Commission

Wayne M. Akin, Chairman, and Chairman of the Arizona Interstate Stream Commission

Wade Church, Attorney General¹

Obed M. Lassen, State Land Commissioner²

Robert E. Morrow, Senator, Mohave County,
Legislative advisory member

J. James Glancy, Representative, Mohave County,
Legislative advisory member

Legislative Representatives

Harold C. Giss, Senator, Yuma County, Legislative Council
representative

Ray H. Thompson, Senator, Yuma County Representative for the
President of the Senate

Clara O. Botzum, Representative, Yuma County, Representative for
the Speaker of the House

Staff

Howard F. Thompson, Executive Secretary, Colorado River Boundary
Commission of Arizona

¹ Robert Morrison served from January 3, 1955, until January 5, 1959. He was succeeded by Wade Church on the latter date.

² Roger Ernst resigned as State Land Commissioner and was succeeded by Obed M. Lassen on January 21, 1957.

I. *Introduction*

The meandering of the Colorado River historically since the Constitution of California was adopted in 1850 and the adoption of the Arizona Constitution in 1912 has created serious interstate problems and has hindered proper governmental administration in each of the states along the Colorado River. In an attempt to resolve the problems which are increasingly becoming more pressing, the legislatures of the states of Arizona and California in 1953 created corresponding Colorado River Boundary Commissions.¹

Immediately after their creation the two commissions began work. Treaties, constitutional provisions and statutes relating to the common boundary were reviewed. Exhaustive research was carried out by the commissions in an attempt to retrace historically the meanderings of the river since 1850. The data developed from the comprehensive research and studies proved to be inadequate to conclusively demonstrate historically the meanderings of the river and the resultant effects thereof upon the common boundary.

It was then agreed by the two commissions, after consideration of various plans, that the boundary location should be determined by mutual agreement between the two states, following as nearly as practicable the present channel of the river. It was further agreed that the boundary would be established by means of a series of fixed points; thus the boundary would not change with future meanderings of the river.

In December, 1954, the two commissions agreed upon a fixed, permanent boundary for the entire length of the river from the 35th degree of latitude north to the international border between the United States and the Republic of Mexico.

A "Joint Summary Report on the Arizona-California Boundary", dated December, 1955, was then prepared and submitted to the Governor and Legislature of each of the states in January. In March, 1955, the Colorado River Boundary Commission of Arizona submitted a further report entitled "Report on Arizona-California Boundary", which contained detailed information of the activities of the commission since its creation in 1953. The Governor and members of the legislature were advised that the Arizona and California Boundary Commissions jointly had reached agreement on a proposed common boundary line between the states of Arizona and California.

Since agreement upon a proposed boundary had been reached by the two commissions it was recommended:

1. That the powers and duties of the Colorado River Boundary Commission of Arizona be enlarged so that the work of establishing a fixed, permanent boundary between Arizona and California could be completed.
2. That the Constitution of Arizona be amended to allow the legislature to change, alter, or re-define the boundaries of Arizona upon agreement with another state and approval by the Congress of the United States.
3. That legislation be passed approving the proposed boundary line, if the constitution were amended as recommended, and
4. That if the proposed boundary line were approved by California that Arizona cooperate with California in seeking to have the Congress approve the boundary line adopted by the two states.

¹ Chapter 9, Arizona Laws 1953; Chapter 1693, Statutes of California 1953.

II. *Amendment of Boundary Commission Act*

Subsequent to the submission of the Commission's report in March, 1955, the legislature amended the act creating the Colorado River Boundary Commission of Arizona.¹

The amendment provided for the appointment of two legislative advisory representatives to the Commission, one each from the Senate and House of Representatives. The act creating the Colorado River Boundary Commission of California had provided for such representation on its commission and the amendment made the composition of the two commissions parallel in membership. The amendment further provided authorization for the commission to employ engineering, technical assistants and employees to aid it in carrying out its duties. In addition the powers and duties of the Commission were enlarged so that its objective of establishing a fixed, permanent boundary between Arizona and California could be more easily accomplished.²

III. *Amendment of the Constitution of Arizona*

At the same session of the legislature, Senate Concurrent Resolution 17 was introduced and passed by both Houses of the legislature. The resolution proposed an amendment to the Constitution of Arizona, amending Article I by adding a new Section 2 to read:

"Section 2. The Legislature, in cooperation with the properly constituted authority of any adjoining State, is empowered to change, alter and redefine the State boundaries, such change, alteration and redefinition to become effective only upon approval of the Congress of the United States"

The amendment was submitted to a vote of the people at the primary election on September 11, 1956, and the amendment was adopted, effective October 1, 1956.

At the 1955 regular session of the California legislature a resolution proposing a similar constitutional amendment to the people of the State of California was passed.³ The resolution proposed an amendment to the Constitution of California amending Article I by adding a new section 2 to read:

"SEC. 2. The Legislature, in cooperation with the properly constituted authority of any adjoining state, is empowered to change, alter, and redefine the state boundaries, such change, alteration and redefinition to become effective only upon approval of the Congress of the United States. The Legislature, in connection with such change, alteration or redefinition of boundaries may provide for and deal with all matters involving the taxation or the exemption from taxation of any real or personal property involved in, or effected by, such change, alteration or redefinition of boundaries."

¹ Chapter 83, Laws of 1955. The permanent provisions of Ch. 83, Laws of 1955, as amended, now appear in Arizona Revised Statutes as Sections 41-521 and 41-522.

² In 1959, ARS Section 41-522, defining the powers and duties of the Commission, was further amended to provide for annual reports to be made to the Governor and the Legislature. Chapter 36, Laws of 1959. In addition, Laws 1959, Ch. 36, added ARS Sec. 41-523, providing for the commission to negotiate a compact with the State of Nevada defining the common boundary between Davis dam on the Colorado river and a point where the Nevada-California state line intersects the thirty-fifth degree of latitude, north. The Arizona-Nevada boundary negotiations are made the subject of a separate report

³ Chapter 224, Statutes of California 1955, Senate Constitutional Amendment No. 13.

On November 6, 1956, the proposed constitutional amendment was approved by the people of the State of California. Although the second sentence of the California amendment was not included in the amendment to the Arizona Constitution, the authorization required by both states to change, alter and redefine the common boundary between Arizona and California was thus effected.

IV. *Appointment of a Federal Representative*

The Commissions realized that in order to successfully relocate and establish the boundary between Arizona and California by mutual agreement between the two states it would be necessary to obtain the consent of Congress to such agreement before the same would be valid and binding.

In addition to the respective state constitutions, Clause 3 of Section 10 of Article I of the United States Constitution provides "No State shall, without the Consent of Congress, . . . enter into any Agreement or Compact with another State . . .".

Consent of the United States could be obtained more easily if all federal agencies affected are fully advised concerning the same and are in agreement with the proposed location or relocation of the boundary.

In 1953 the chairmen of the two commissions requested in a letter to the President that a representative of the United States be appointed to meet with the Joint Commissions. In August of 1954 a reply was received stating that prior to a presidential appointment legislation should be passed by Congress consenting to the compact negotiations and providing for such an appointment. Legislation was prepared, and the 84th Congress, Second Session, enacted into law Chapter 1037, Public Law 1025, which granted the consent of Congress to the States of Arizona and California to negotiate and enter into a compact with respect to the definition or relocation of a common boundary between the states. The consent was given upon the following conditions:

1. That a representative of the United States, not a resident of either Arizona or California, be appointed by the President to participate in the negotiations and to make a report thereof to the President and to the Congress, and
2. That such compact would not be binding or effective until it had been ratified by the legislatures of each of the states and consented to by the Congress of the United States.

The act was approved August 8, 1956. The States of Arizona and California submitted names for the appointment of the federal representative. On March 29, 1957, the appointment of Admiral Leo O. Colbert (Ret.) as federal representative was announced. Admiral Colbert was formerly Director of the United States Coast and Geodetic Survey. He has participated in all discussions and negotiations between the two states since that date.

With the amendment of the acts creating the two boundary commissions, the approval by the people of the required constitutional amendments, and the appointment of a federal representative to participate in the discussions and negotiations, the stage was set for early adoption of a fixed, common boundary between Arizona and California. Developments since the two commissions had agreed upon a common boundary in December of 1954, however, made the early adoption of a common boundary impossible.

V. *The Yuma Island Problem*

Northeast of Yuma, Arizona, on the California side of the Colorado River lies an area of approximately 4,000 acres which is commonly called the Yuma "Island".

Prior to June 8, 1920, the channel of the Colorado River northeast of Yuma made a large loop or oxbow some eleven miles in length. On that date during a period of extreme high water, the river broke through its channel into the channel of the Gila River, cutting across the neck of the large oxbow into Arizona and shortening the channel from eleven miles in length to about four miles in length. The area lying between the channel abandoned by the avulsive action of the Colorado River on June 8, 1920, and the present channel of the river is the area called the Yuma Island.¹

Although Arizona believed that the stage had been set for adoption of the boundary which had been agreed upon in December of 1954, unknown to members of the Arizona Commission, opposition to the boundary line which had been agreed upon in the Yuma Island area had developed in Imperial County, California. The joint commissions had adopted as the boundary in the Yuma Island area a line established by fixed points which followed the Warboys' survey, an official United States General Land Office survey made in 1928-1929 by John L. Warboys, United States surveyor, of the 1920 channel of the Colorado River prior to the avulsive change occurring on June 8 of that year.

A. *Development of California Opposition*

During the period the commissions were awaiting the results of the proposed constitutional amendments in each state and for congressional approval of the act authorizing the appointment of a federal representative, the Board of Supervisors of Imperial County, California, and the Imperial Irrigation District adopted Resolutions opposing the line agreed upon in the Island area. Copies of both Resolutions were forwarded to the Colorado River Boundary Commission of California. It was not until a much later date that Arizona first learned of these Resolutions. The Resolutions recommended in substance that the location of the boundary in the Yuma Island area should follow the channel of the Colorado River as it presently exists.²

B. *Consideration of Alternative Proposals*

At a joint meeting of the two commissions held in Los Angeles, California, on October 2, 1956, the Chairman of the California Commission advised the Arizona Commission that California had run into a complete roadblock in its legislature in reference to the proposed boundary, particularly with respect to the Yuma area. At that time the Arizona constitutional amendment had been adopted but the California constitutional amendment was to be voted on at an election to be held on November 6, 1956.³

¹ See Appendix A.

² See Appendices B and C. The Resolution of the Board of Supervisors of Imperial County was adopted June 4, 1956. The following day, June 5, 1956, the Imperial Irrigation District Resolution was adopted.

³ The Arizona Commission, upon learning that a constitutional amendment would be required prior to adoption of a new state boundary, had requested its legislative advisors to defer seeking legislative approval of the boundary which had been agreed upon in December, 1954, until the proposed constitutional amendments had been approved.

At that meeting the Yuma area problem was reviewed and it was decided that the two commissions would prepare a report covering three possible alternatives for a boundary in the Yuma area. The alternatives to be considered were the 1874 survey line, an official United States survey of the left bank of the river as it existed in 1874, the 1920 channel before the avulsive change which occurred on June 8 of that year, and the present channel of the river. The report was to cover the administrative problems in the area with respect to the three alternative boundary locations being considered. It was agreed that a joint public hearing would be held in Yuma, preferably during the month of November, 1956, but not until after the appointment of a federal representative.

C. *Geological Report*

At this same meeting it was agreed that the two commissions would cooperate in making a review of the mineral aspects of certain lands in the Yuma area and particularly of the Yuma Island. The study was jointly made by Cloyd W. Swapp, a consulting geologist for the Arizona Commission, and F. J. Hortig, Mineral Resources Engineer, State Lands Department of California, presently chairman of the California Commission. Their report, which is in the official files of the two commissions, indicates that the lands considered do not have the necessary requirements conducive to making a good oil and gas prospect area and that the areas are not known to contain, nor is there any evidence of, any commercially valuable deposits of oil, gas or other minerals.

Although the appointment of a federal representative was made on March 29, 1957, the Commissions could not find thereafter a mutually acceptable date for a joint meeting in Yuma and the hearing which had been proposed at the meeting on October 2, 1956, was subsequently abandoned. Joint Boundary Commission meetings were difficult to schedule during this period of time, principally because of the hearings being held in San Francisco in the *State of Arizona vs. State of California, et al*, No 10 Original, in the Supreme Court of the United States. The hearings had started in June of 1956 and were not completed until August 27, 1958, and personnel in both states involved in the Boundary Commission negotiations were also involved in the water suit hearings in San Francisco.

D. *Yuma Island Joint Report*

Following the submission of the Yuma area geological report to the two commissions in the early part of 1957, the Executive Secretary of the California Commission drafted a report on the Yuma Island area covering the three alternatives under consideration for a boundary in the area. On October 2, 1957, the Executive Secretary of the California Commission met with the Chairman and Executive Secretary of the Arizona Commission in Phoenix to review the draft for the purpose of having it issued as a joint report. The draft made by California was unacceptable to Arizona and extensive redrafting was done at the meeting in Phoenix at this time. Mutual agreement was never reached on the report and it was subsequently abandoned.

E. *Yuma Meeting*

In an attempt to clarify the Yuma Island problem the Arizona Commission, having been unable to schedule a joint meeting in Yuma with the California Commission, met with Yuma County officials and Yuma area residents on November 15, 1957, in Yuma.

At this meeting the Yuma Island situation was thoroughly reviewed and discussed. At this time the Commission was presented with petitions which had been filed with the Yuma County Board of Supervisors by residents, farmers and landowners of Yuma Island, petitioning the Board and the elected officials of Yuma County to keep the Island within the State of Arizona.¹

It developed at the meeting that the Yuma area residents, including local officials and residents of the Island, desire the Island to remain a part of Arizona. It was recommended by those in attendance that the boundary line should be placed upon the railroad levee which encircles the Island. If the boundary were to follow the levee, it was pointed out, there would be a line clearly discernible on the ground.

F. *Arizona - California Negotiations and Reports*

On December 5, 1957, a joint meeting of the two commissions was held in Las Vegas, Nevada. At this meeting Arizona advised California of the results of the Yuma meeting held on November 15, 1957, and proposed that the boundary in the Yuma Island area should extend westerly from the channel of the river on the south line of Township 7 South, Gila and Salt River Meridian, to a point where it intersects the railroad levee in Township 16 South, Range 23 East, San Bernardino Meridian, then follow the railroad levee all the way around to the West line of Section 25, Township 16 South, Range 22 East, San Bernardino Meridian, and then South back to the center of the river a few hundred feet West of the old highway bridge crossing the river.

The California Commission requested additional time to give it an opportunity to discuss with the people in Imperial County the Arizona proposal to use the railroad levee as the boundary in the Island area.

At the same meeting a redescription of the boundary line which had been agreed upon on December 27, 1954, was discussed with the view of greatly decreasing the number of points originally proposed. A new set of maps was to be thereafter prepared reflecting the proposed redescription. On December 23, 1957, the Chairman of the Arizona Commission and the Executive Secretary of the California Commission met and revised the suggested redescription.

On March 7, 1958, a report entitled "Colorado River Boundary Considerations Specifically Applicable to the Yuma Area" was issued by the California Commission through its Executive Secretary. The report reviewed from the California standpoint the problems peculiar to the Yuma Island area. The concluding sentence of the report stated: "California cannot agree to the railroad levee as a boundary." Copies of this report were furnished to the Arizona Commission and are contained in the official files.

Immediately after the receipt of the California report, the Arizona Commission referred a copy thereof to Yuma County officials. A meeting of the Island residents and others locally interested in the problem was held on April 16, 1958.

On April 22, 1958, members of the Arizona Commission and staff visited with Yuma County officials and residents to learn their views in reference to the Yuma area report which had been issued by California. At that time members of the Commission were furnished with a typewritten report entitled, "Arizona Report on the Colorado River Boundary Considerations for the Yuma Area".

¹ The petitions are now in the official files of the Colorado River Boundary Commission of Arizona.

The report responded item by item to the items discussed in the California report. Copies of this report are in the official files of the Commission. The Commission was advised that there had been no change in the thinking of the Yuma County officials or of the Island residents and landowners, and that they still desired the boundary to be on the old levee surrounding the island area.

At a joint commission meeting held in Los Angeles on April 23, 1958, California reported that as a result of the proposal made by Arizona on December 5, 1957, at the Las Vegas meeting, to make the old railroad levee the boundary in the Yuma Island area, the California Commission had completed an extensive review of the factors that should be considered in establishing the line in that area. As a result of the review it did not appear to California that any basis had been developed to fix the boundary line other than down the center of the present channel of the river.

The report issued by the California Commission dated March 7, 1958, entitled, "Colorado River Boundary Considerations Specifically Applicable to the Yuma Area" and the report in answer thereto submitted by the Yuma County officials issued April 22, 1958, entitled, "Arizona Report on the Colorado River Boundary Considerations for the Yuma Area" were reviewed at this meeting, together with "Minutes of Meeting of the Colorado River Boundary Commission of Arizona and Residents of Yuma County Area and Officials of Yuma County, Arizona" held November 15, 1957.

At the joint commission meeting of April 23, 1958, the Executive Secretary of the California Commission read for the first time to members of the Arizona Commission at their request the resolutions that had been received by California from the Board of Supervisors of Imperial County, and from the Imperial Irrigation District in June of 1956.¹

At this time also a resolution from the Board of Directors of the Imperial County Farm Bureau, dated February 24, 1958, was read, recommending to the California Commission that the location of the common boundary from Laguna dam to the International border "approximate" the center of the present channel of the river, but that if this were unacceptable to Arizona that California insist that the southern boundary line as defined in the Constitution of California remain unchanged. If the latter course were followed, California would have to assert a claim to a triangular area of land in Yuma county lying south of the present channel of the Colorado River and north of the boundary between the United States and Mexico as described in Article V of the Treaty of Guadalupe Hidalgo of 1848, a description referred to in the California Constitution. The area includes a part of the City of Yuma.²

As a result of this meeting it was decided that members of the two commissions, together with the federal representative, would make a field trip to the Yuma area to review the physical aspects of the area. The six members of the joint commissions and the federal representative met in Yuma on Sunday, May 18, 1958, and a tour of the Island area was made. After the tour a joint meeting was set for Tuesday, June 3, 1958, at Phoenix, Arizona. The meeting was subsequently cancelled at the request of the California Commission.

¹ See appendices B and C.

² See Appendix A.

G. *California Legislative Action*

In the 1959 regular session of the California legislature, House Resolution No. 332, relative to the California-Arizona state boundary, was adopted on June 16, 1959, by a vote of 77 Ayes and no Noes. The resolution reads as follows:

"House Resolution No. 332"

"Relative to the California-Arizona State Boundary"

"WHEREAS, The California Colorado River Boundary Commission is engaged in negotiations with representatives of the State of Arizona in an endeavor to reach an agreement regarding the location of the common boundary between this State and the State of Arizona; and

"WHEREAS, That boundary is described in Section 1 of Article XXI of the Constitution; now, therefore, be it

"Resolved by the Assembly of the State of California, That the Members of this Assembly recommend to the commission that the location of the permanent boundary between the States of California and Arizona from Laguna Dam to the International Boundary approximate the center line of the present channel of the Colorado River; and be it further

"Resolved, That if such a location from Laguna Dam to Yuma is not acceptable to the representatives of the State of Arizona, we urge the members of the commission to insist that the southern boundary line as described in the Constitution of this State shall remain unchanged; and be it further

"Resolved, That the Chief Clerk of the Assembly is instructed to transmit copies of this resolution to each member of the Colorado River Boundary Commission."

H. *Present Status — Yuma Island*

The next joint meeting of the Arizona and California Boundary Commissions was held in Phoenix, Arizona, on October 20, 1959. At this meeting California reiterated its view that the channel of the river should be the boundary in the Yuma Island area. California proposed that if Arizona were willing to agree to the present channel of the river as the boundary, that California would be willing to reimburse the State of Arizona, on a basis to be determined, for any tax revenues which might be lost to Arizona as a result of adopting the channel as the boundary. Arizona advised California that this was unacceptable to Arizona and suggested that as a compromise the 1874 survey line could be used as a basis for establishing the boundary. The California Commission indicated that it would need more time to consider the Arizona proposal. Further discussion of the Yuma Island boundary problem has been deferred awaiting subsequent meetings.

VI. *The Cibola Valley Channelization Program*

The Colorado River Boundary Commissions of Arizona and California have been aware throughout their negotiations that the United States Bureau of Reclamation maintains a continuous study of channelization throughout various reaches of the Colorado River. In July of 1958 a public hearing was held in Blythe California in reference to a proposed channelization program in the Cibola Valley. At that time representatives of the Bureau of Reclamation explained four alternate locations of channel rectification through the Cibola Valley which were under consideration. For convenience in reference the four alternate locations were

designated Plans A, B, C and D, on a map prepared by the United States Department of the Interior, Bureau of Reclamation, Region 3, entitled "Channelization Studies — Palo Verde Diversion to Imperial Dam, Alternate Channel Alignments Through Cibola Valley."¹

At the joint commission meeting in Phoenix on October 20, 1959, A. L. Mitchell, River Control Engineer, USBR, Region 3, Boulder City, Nevada, explained the proposed Cibola Valley channelization program to members of the joint commissions. He reported that the Bureau of Reclamation had selected the plan designated "D" on its map and had prepared a report recommending Plan D which has not as yet been made public. Under this plan the Bureau will be ready to proceed in the construction of the new channel in July of 1960.

Plan D covers approximately 18 river miles by channel. It begins at a point in the channel of the river in Section 21, Township 1 North, Range 23 West, Gila and Salt River Base and Meridian, and follows generally the present channel of the river in a Westerly and Southerly direction to a point in Section 12, Township 1 South, Range 24 West, G.S.R.B.&M., where it leaves the channel of the river and cuts southeasterly across the Cibola Valley, then southward skirting the west edge of Cibola Lake and back into the channel of the river at a point just west of Section 19, Township 2 South, Range 23 West, G.S.R.B.&M.

At the meeting on October 20, 1959, the two commissions agreed to review the alignment of the boundary in the Cibola Valley.

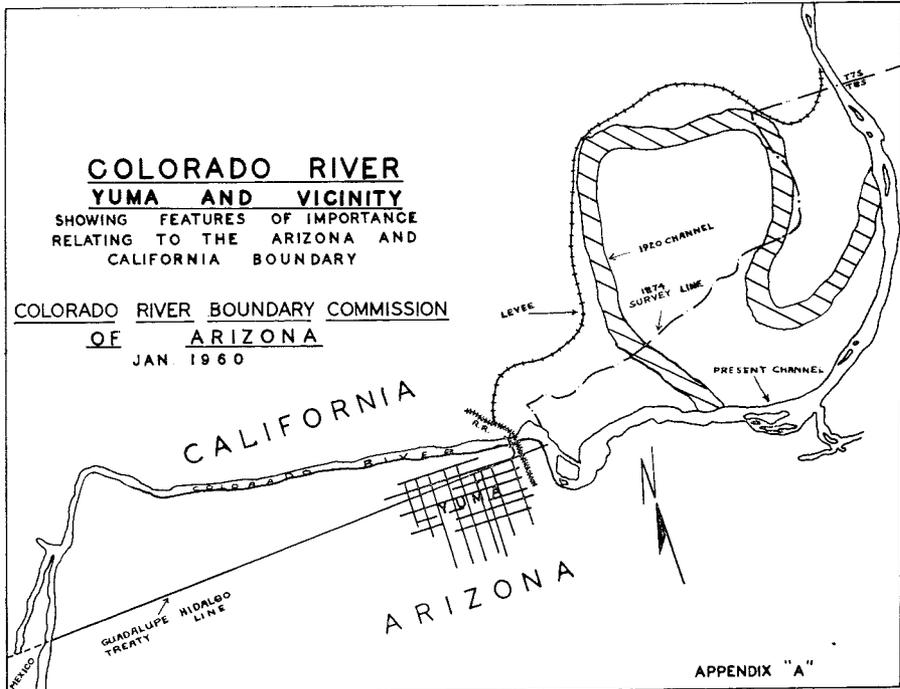
VII. *Conclusion*

Agreement must still be reached with the California Commission over the location of the boundary line in the Yuma area. While negotiations are continuing, it is uncertain as to when final agreement will be reached.

If the commissions are successful in reaching accord, a form of compact will have to be negotiated and compact legislation will have to be prepared for submission to the respective Legislatures for their approval. Until agreement is reached on the boundary line in the Yuma area, however, no final recommendation can be made.

¹ See Appendix E.

APPENDIX A



APPENDIX B

RESOLUTION OF RECOMMENDATION TO COLORADO RIVER BOUNDARY COMMISSION 1840.1

WHEREAS, the States of Arizona and California are mutually desirous of establishing a common boundary line between said states, which would be more practical as to political and administrative problems, and

WHEREAS, the Colorado River Boundary Commission of California together with the Joint Colorado River Boundary Commission of Arizona and California, has submitted to the legislature of the State of California a "Report of Colorado River Boundary Commission of California", dated March 31, 1955, showing the proposed location of such a common boundary between said states; and

WHEREAS, this Board of Supervisors has conducted hearings in which the recommendations of the Imperial Irrigation District and other interested agencies were offered and considered, and

WHEREAS, it appears that the common boundary as proposed by the Colorado River Boundary Commission of California as shown in the above mentioned Report, dated March 31, 1955, should be changed to conform to engineering recommendations received by the Board of Supervisors,

NOW, THEREFORE, BE IT RESOLVED that this Board of Supervisors respectfully petition the Colorado River Boundary Commission of Arizona and California, to give favorable consideration to the changes in the common boundary location shown on Base Map No. 8, in said "Report of Colorado River Boundary Commission of California", said changes are listed as follows:

1. That the common boundary line between said states between proposed boundary Points No. 251 and No. 278, as described in said report, be determined by a series of points so selected as to form a locus of the present Colorado River channel.

2. That common boundary line between said states between proposed boundary Points No. 298 and No. 300 as described in said report, be determined by a tangent line connecting said Points No. 298 and No. 300.

The above Resolution was offered by Supervisor Boley, seconded by Supervisor Fifield and carried on the affirmative roll call votes of Supervisors Cavanah, Osborne, Boley, Fifield and Snyder.

CC: Rufus W. Putnam, Chairman
Colorado River Boundary Commission
State of California
302 State Building
Los Angeles 12, California

Imperial Irrigation District

Mr. Horton
Mr. Dowd
Mr. Weiss
Mr. Hewes

The foregoing is a correct copy of a resolution adopted by the Board of Supervisors Imperial County, California on June 4, 1956

Dated June 7, 1956

Harry M. Free

Clerk of said Board of Supervisors
By Thelma D. Manning, Deputy

June 4, 1956 Meeting
SRK:tlm

APPENDIX C

Resolution No. 117-56

RESOLUTION

WHEREAS, there is now under consideration by the States of Arizona and California the determination of a common boundary line between said states, and

WHEREAS, the Colorado River Boundary Commission of California is now studying and investigating the effects of such boundary establishment on agencies concerned with boundary problems, and has heretofore submitted to the legislature of the State of California a "Report of Colorado River Boundary Commission of California", dated March 31, 1955, in which there is delineated a proposed location of such common boundary between said states; and

WHEREAS, Imperial Irrigation District by virtue of the source of its water supply, and the geographical location of its works and facilities, is vitally concerned in the location of said common boundary line; and

WHEREAS, the proposed location of said common boundary line, as described in said report, between Point No. 251 and Point No. 278 would involve interstate complications in the construction, operation and maintenance of irrigation and drainage facilities in a part of the Reservation Division of the Yuma Project in California, in which project Imperial Irrigation District is now operating and maintaining certain portions of the drainage facilities related to the All-American Canal; and

WHEREAS, the proposed location of said common boundary at Point No. 299 does not appear to properly represent the stream of the river under natural conditions of flow, taking into consideration the relative locations of presently constructed levees in this vicinity and the anticipated flood discharges which would undoubtedly establish a new channel:

NOW, THEREFORE, BE IT RESOLVED THAT THE Commission be, and it is hereby petitioned to give favorable consideration to the following listed changes in the proposed common boundary location from those presently described in its "Report of Colorado River Boundary Commission of California", dated March 31, 1955:

1. That the common boundary between said states between proposed boundary Points No. 251 and No. 278, as described in said report, be determined by a series of points so selected as to form a locus of the present Colorado River channel.
2. That the common boundary between said states between proposed boundary Points No. 298 and No. 300, as described in said report, be determined by a tangent line connecting said Points No. 298 and No. 300.

PASSED AND ADOPTED this 5th day of June, 1956.

IMPERIAL IRRIGATION DISTRICT

By /s/ Evan T. Hewes
President

By /s/ Burton H. Bidwell
Secretary

APPENDIX D

RESOLUTION

WHEREAS, this Board of Directors of Imperial County Farm Bureau is informed that the location of a permanent boundary line between the states of California and Arizona has been tentatively agreed to by the respective boundary commissions of said two states from the California-Nevada boundary line southerly along the Colorado River to Laguna Dam; and

WHEREAS said two commissions had agreed that, in the establishment of a permanent boundary line, the principle of retracement would not be followed, and this agreement was adhered to in fixing that portion of the proposed boundary line tentatively agreed to down to Laguna Dam; and

WHEREAS it appears to this Board of Directors that where the constitution of the State of California defines the boundary line as the Colorado River, the many changes in the course of the river over the years since said constitution became effective in 1850 would make retracement very difficult, and even if such were possible, might not result in a desirable location for a permanent boundary, but that said constitution does define clearly and concisely the location of the southern boundary line of said state, taking said description for the treaty of Guadalupe-Hidalgo of 1848; and

WHEREAS this Board of Directors is informed that, regardless of the definite location of the southern boundary of the State of California, the Arizona Boundary Commission is insisting upon adopting the present course of the Colorado River for the section from Yuma to the international boundary as the permanent boundary line, but is unwilling to follow the same principle for the section from Laguna Dam to Yuma; and

WHEREAS, in the opinion of this Board of Directors, it would appear to be in the best interests of both states that the principle used in locating the boundary line down to Laguna Dam should also be followed for the section of said boundary from Laguna Dam to the international boundary, even though this would result in changing the location of the southern boundary of California and the loss to California and to Imperial County of valuable lands and other properties.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Imperial County Farm Bureau does hereby recommend to the California Boundary Commission that the location of the permanent boundary line between the States of California and Arizona from Laguna Dam to the international boundary approximate the center line of the present channel of the Colorado River, but if such a location from Laguna Dam to Yuma is not acceptable to the Arizona Boundary Commission, then said California Boundary Commission insist that the southern boundary line of California as defined in the constitution of the State of California remain unchanged.

BE IT FURTHER RESOLVED that copies of this resolution be transmitted to the California Boundary Commission, the Board of Supervisors of Imperial County, State Senator J. William Beard, State Assemblyman Leverette D. House, and the Board of Directors of Imperial Irrigation District.

CERTIFICATION

THIS IS TO CERTIFY that the above is a true and correct copy of a resolution unanimously adopted by the Imperial County Farm Bureau at a special Board of Directors meeting February 24, 1958.

ATTESTED BY: _____

William J. Stadler
Executive-Secretary

APPENDIX E

