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Answers to Interrogatories Propounded to the State of Nevada by the California Defendants, *Arizona v. California*, No. 10, Original, 1955 Term (U.S.).

Landmark decision:  
*Arizona v. California*, 373 U.S. 546 (1963).

F-2d

In the Supreme Court of the United States

OCTOBER TERM, 1955

No. 10, ORIGINAL

STATE OF ARIZONA, COMPLAINANT,

v.

STATE OF CALIFORNIA, PALO VERDE IRRIGATION DISTRICT, IMPERIAL IRRIGATION DISTRICT, COACHELLA VALLEY COUNTY WATER DISTRICT, METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA, CITY OF LOS ANGELES, CALIFORNIA, CITY OF SAN DIEGO, CALIFORNIA, AND COUNTY OF SAN DIEGO, CALIFORNIA, DEFENDANTS,

UNITED STATES OF AMERICA, INTERVENER,

STATE OF NEVADA, INTERVENER.

STATE OF NEW MEXICO, IMPEADED,

STATE OF UTAH, IMPEADED.

BEFORE THE HON. SIMON H. RIFKIND, *Special Master.*

ANSWERS TO INTERROGATORIES PROPOUNDED TO THE STATE OF NEVADA BY THE CALIFORNIA DEFENDANTS

HARVEY DICKERSON, *Attorney General, Carson City, Nevada.* W. T. MATHEWS, *Special Assistant Attorney General, 304 Gazette Building, Reno, Nevada.*

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To the Honorable  
EDMUND G. BROWN  
*Attorney General of California*

ATTENTION: GILBERT F. NELSON  
*Assistant Attorney General*  
909 South Broadway  
Los Angeles 15, California

ANSWERS TO INTERROGATORIES PROPOUNDED  
TO THE STATE OF NEVADA BY THE  
CALIFORNIA DEFENDANTS

NOTE: The answer to each interrogatory will not repeat the question propounded, but will refer thereto by number.

No. 1. Paragraph VI(b) of Nevada's Petition in Intervention referred to an engineering study of the Colorado River Basin in 1953 for the purpose of determining whether intervention was necessary on the part of Nevada. A report of the result of the study was made by the State Engineer to the Colorado River Commission of Nevada prior to the filing of Nevada's petition. Subsequent to the granting of the petition and the digesting of the cross pleadings filed in the cause further studies have been made for the purpose of revising and supplementing the earlier report, the compilation of which is now in the course of completion.

No. 2. The perfected rights to the beneficial consumptive use of the waters of the Colorado River Stream System in 1922 and 1929 were as follows:

Virgin River.....	18,574 acre-feet
Muddy River.....	35,121 acre-feet
Meadow Valley Wash....	11,000 acre-feet

Total ..... 64,695 acre-feet

No rights to the use of the above waters constitute vested perfected rights under Article VIII of the Compact for the reason none of such vested water rights could be supplied from storage on the main Colorado River.

- No. 3. Answering Interrogatory No. 3, Nevada is of the opinion that the interrogatory is directed to a subject of such important fundamental character that the answer thereto can only be had when based upon a most comprehensive search of the law and the authorities thereon and the judicial determination thereof, and that to answer the question now would be to submit a legal conclusion only.
- No. 4. Yes, as follows:  
 Muddy River—Moapa Indian Reservation—355 acres presently irrigated, beneficial consumptive use 1,810 acre-feet per annum, with estimated use in near future of 2,785 acre-feet per annum on 546 acres of land.  
 Colorado River—Fort Mohave Indian Reservation—no present use. Estimated beneficial consumptive use near future on 2,160 acres 11,664 acre-feet per annum.
- No. 5. Same use as set forth in answer to No. 4.
- No. 6. The Nevada claims presently include only the use of the return flow in the Muddy River, if any, by the National Park Service in conjunction with the Nevada State Fish and Game Commission in the vicinity of the high-water mark of Lake Mead of an estimated 1,487 acre-feet per annum.
- No. 7. Meadow Valley Wash.
- No. 8. The order that the evaporation losses of water are chargeable are, first to the uses of Article III(b) water, if the III(b) water use is exhausted, then to Article III(a) water. The evaporation loss hereafter computed and charges made therefor is to be satisfied first from excess or surplus

water so stored. Second, if no excess or surplus water, then the entire charge to be made to Article III (b) water. Third, if the use and loss charge exhausts III (b) water, the remaining amount of evaporation loss then becomes chargeable to Article III (a) water.

No. 9. Yes.

No. 10. 100,000 acre-feet.

Respectfully,

HUGH A. SHAMBERGER,  
*State Engineer and Engineer Consultant  
to the Colorado River Commission of  
Nevada.*

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