

WATER AND POWER

The Conflict
over Los Angeles'
Water Supply in
the Owens Valley

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Clarice Tate Uhlmeier, an early valley resident, recalls the scene around Big Pine when she arrived as a small girl in 1901: "It was fall when we arrived and the orchards were loaded with luscious peaches, pears, plums, and apples, and the arbors hung heavy with ripening grapes. The creeks were running full, even so late in the year, and nearly every yard had an icy stream diverted from the main ditch."¹⁹

Farther south in the valley, where the river emptied into Owens Lake, the land was more sparsely settled. Here the soils were heavy with salts and soda which are commercially valuable but useless for cultivation. Because the river's flow has been diverted to Los Angeles, Owens Lake no longer exists. But one early settler, Beveridge R. Spear, remembers that the lake was once "alive with wild fowl, from the swift flying Teel to the honker goose . . . Ducks were by the square mile, millions of them. When they rose in flight, the roar of their wings . . . could be heard on the mountain top at Cerro Gordo, ten miles away . . . Occasionally, when shot down, a duck would burst open from fatness which was butter yellow."²⁰

Other accounts of the lake are somewhat less glorious. Captain Davidson in 1859 called it "a perfect Dead Sea," though he admitted that it was populated by myriads of flies and "whole navies of aquatic birds, the Species of which is unknown to me."²¹ T. E. Jones, writing in 1885, was more explicit:

It is well to state some of the wonderful properties of the water, that for bathing, shampooing, and general cleansing powers it has no equal among artificial productions. It is believed by many to be a specific for catarrhal and lung affections . . . Though mild and agreeable for a short time, yet it will leave no vestige of bones or flesh of man or beast put in it for a few hours . . . No living thing abides the surface of this water, perfectly clear as ever it is, neither fish nor reptile nor anything save millions of small white worms from which spring other myriads of a peculiar kind of fly . . . Legions upon legions of a so-called duck . . . lived on the lake . . . They are web-footed but have a bill like a common chicken . . . they have no real wings or feathers and consequently cannot fly . . . It is the reasoned conviction of parties who have observed

ated during the president's first term in office were informed by an almost boundless confidence in the efficacy of scientific bureaucracies which left little room for consideration of local interests or concerns. As Samuel P. Hays points out in his seminal study *Conservation and the Gospel of Efficiency*,

Conservation neither arose from a broad public outcry, nor centered its fire primarily upon the private corporation . . . Conservation, above all, was a scientific movement . . . Its essence was rational planning to promote efficient development and use of all natural resources . . . It is from the vantage point of applied science, rather than of democratic protest, that one must understand the historic role of the conservation movement . . . The political implications of conservation, it is particularly important to observe, grew out of the political implications of applied science rather than conflict over the distribution of wealth. Who should decide the course of resource development? . . . Since resource matters were basically technical in nature, conservationists argued, technicians, rather than legislators, should deal with them . . . Conflicts between competing resource users, especially, should not be dealt with through the normal process of politics. Pressure group action, logrolling in Congress, or partisan debate could not guarantee rational and scientific decisions . . . Conservationists envisaged, even though they did not realize their aims, a political system guided by the ideal of efficiency and dominated by technicians who could best determine how to achieve it.²¹⁹

In the case of Los Angeles' aqueduct, the locus of the national interest seemed clear to Roosevelt. While he acknowledged that the concerns of the Owens Valley were "genuine," he concluded that this interest "must unfortunately be disregarded in view of the infinitely greater interest to be served by putting the water in Los Angeles." In a formal letter to Secretary of the Interior Hitchcock drafted June 25, 1906, in the secretary's presence as "a record of our attitude in the Los Angeles water supply question," Roosevelt argued: "It is a hundred or thousandfold more important to state that this [water] is more valuable to the people as a whole if used by the city than if used by the people of

the Owens Valley."²²⁰ In the name of efficiency, Roosevelt had established the Reclamation Service and set it to the task of planning for the use of whole watersheds in the West, without regard for state boundaries and local jurisdictional rivalries. Protests were to be expected when the water of one state or community was proposed for use elsewhere, and the outcry that had arisen in the Owens Valley was only a small reflection of the much greater controversies that would come when the Reclamation Service set about dividing the waters of the Rio Grande and Colorado rivers.

For his part, Hitchcock focused on the evils of the San Fernando syndicate, warning that the passage of Flint's bill without the Smith amendment would enable the city "to use the surplus of water thus acquired beyond the amount actually used for drinking purposes for some irrigation scheme."²²¹ But Hitchcock's opinion carried little weight with Roosevelt. Hitchcock had consistently opposed Pinchot's efforts to put the public domain to use through grazing leases and commercial concessions in the national parks.²²² His moralism and lack of concern for possible political embarrassments to the president resulting from his efforts to root out fraud in the federal lands programs disgusted Roosevelt.²²³ The president was therefore inclined to accept Flint's argument that Los Angeles had to possess the surplus in order to retain its rights to that surplus in the future. When Flint suggested, moreover, that Los Angeles' primary concern with the Smith amendment was that it might prohibit the city's residents from using aqueduct water on their gardens at home, Roosevelt readily agreed to the elimination of the proposed compromise.²²⁴

Roosevelt resolved the problem of the San Fernando land syndicate's interest after a fashion by insisting on an amendment of his own to the Flint bill which prohibited Los Angeles from selling the surplus to any private interest for resale as irrigation water.²²⁵ But, as the congressman who carried Flint's bill in the House observed, it was clear to the Public Lands Committee that the Roosevelt amendment "could not prevent the Los Angeles City Council from doing what it chose with the water. This water will belong absolutely to Los Angeles and the city council can do

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CHAPTER TWO

Competing Public Interests

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226. *Los Angeles Times*, June 29, 1906.
227. Roosevelt to Hitchcock, June 25, 1906, see note 220 above.
228. Roosevelt to Smith, June 26, 1906, NA BUREC RG 115 63-B.
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